APPLE VALLEY PLANNING COMMISSION
AGENDA

Wednesday, April 15, 2026, 6:00 p.m.

Council Chamber

THIS MEETING IS BROADCAST LIVE AND VIEWABLE ON FRONTIER CHANNEL 29 OR CHARTER SPECTRUM CHANNEL 186 AND LIVE STREAMED ONLINE AT APPLEVALLEY.ORG. EFFECTIVE FEBRUARY 28, 2023, THE STATE OF CALIFORNIA, COVID-19 STATE OF EMERGENCY HAS EXPIRED. THE TOWN OF APPLE VALLEY WILL CONTINUE TO SUPPORT PUBLIC COMMENTS FOR INDIVIDUALS NOT PHYSICALLY PRESENT AND STILL WISHING TO MAKE PUBLIC COMMENTS. PLEASE EMAIL YOUR COMMENT TO PUBLICCOMMENT@APPLEVALLEY.ORG. COMMENTS SHOULD BE SUBMITTED BY 12:00 P.M. ON THE MEETING DATE TO BE INCLUDED IN THE RECORD.

Materials related to an item on this agenda, submitted to the Commission after distribution of the agenda packet, are available for public inspection in the Town Clerk's Office at 14955 Dale Evans Parkway, Apple Valley, CA during normal business hours. Such documents are also available on the Town of Apple Valley website at www.applevalley.org subject to staff's ability to post the documents before the meeting.

The Town of Apple Valley recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the Town Clerk's Office, at (760) 240-7000, two working days prior to the scheduled meeting for any requests for reasonable accommodations.

The meeting will occur at 6:00 p.m. in the Council Chambers located at 14955 Dale Evans Parkway in Apple Valley, California.

Pages

1. Call to Order
2. Roll Call
   - Chairman Bruce Kallen
   - Vice-Chairman Bob Tinsley
   - Commissioner Mike Arias Jr.
   - Commissioner Jared Lanyon
   - Commissioner Thomas Pambianco
3. Opening Ceremonies
   - 3.1 Pledge of Allegiance

4. Public Comments

Anyone wishing to address an item not on the agenda, or an item that is not scheduled for a public hearing at this meeting, may do so at this time. California State Law does not allow the Commission to act on items not on the agenda, except in very limited circumstances. Your concerns may be referred to staff or placed on a future agenda.

5. Approval of Minutes

Recommended Motion:

To approve the minutes of the regular meeting of March 18, 2026.

5.1 Approval of Minutes for March 18, 2026, Planning Commission 5

PREPARED BY: Katherine Barber, Sr. Administrative Assistant

RECOMMENDATION: Approval

6. Public Hearings

6.1 Extension No 3 - DP 2021-004 and TPM 20258

APPLICANT:BMI Investments, LLC

PROPOSAL:A request for approval of a Final Extension of Time for Development Permit (DP) 2021-004 and Tentative Parcel Map (TPM) 20258 - A final extension of time for Development Permit and Tentative Parcel Map to create four parcels and a remainder parcel to construct a 210-unit multi-family development located on 32 acres within the Multifamily Residential (R-M) zoning district.

LOCATION:Located on the northwest corner of Navajo Road and Sandia Road; APN: 0434-063-02

ENVIRONMENTAL

DETERMINATION:There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration (SCH # 2021010197) that was prepared for Development Permit (DP) 2021-004 and Tentative Parcel Map (TPM) 20258, and adopted on February 17, 2021, by the Planning Commission. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15162, the proposed request is not subject to further environmental review.

CASE PLANNER:Nicole Montano, Associate Planner

RECOMMENDATION:Based upon the information contained in this staff report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to

1. Determine that, there is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project and adopted by the Planning Commission on February 17, 2021. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162(a), the proposed request is not subject to further environmental review.
2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve one (1) Final year extension of time for Development Permit (DP) 2021-004 and Tentative Parcel Map (TPM) 20258, subject to the attached, Conditions of Approval.
4. Direct Staff to file the Notice of Exemption pursuant to CEQA Guidelines §15061(b)(3).

7. Other Business

8. Planning Commission Comments
9. Staff Comments
10. Adjournment

Recommended Motion:
The Apple Valley Planning Commission will adjourn to its next regularly Scheduled Planning Commission meeting on May 06, at 6:00 P.M.

Planning Commission Agenda Report

DATE: April 15, 2026

TO: Planning Commission

CASE NUMBER: Approval of Minutes for March 18, 2026, Planning Commission

PREPARED BY: Katherine Barber, Sr. Administrative Assistant

RECOMMENDATION: Approval

RECOMMENDATION

A. Approve the Planning Commission minutes of March 18, 2026.

ATTACHMENTS

A. March 18, 2026, PC Minutes.

Apple Valley Planning Commission

MINUTES

March 18, 2026, 6:00 p.m.
Council Chamber

Members Present:	Vice-Chairman Bob Tinsley Commissioner Jared Lanyon Commissioner Bruce Kallen Commissioner Thomas Pambianco
Staff Absent:	Commissioner Mike Arias Jr.
Staff Present:	David Contreras, Planning Director, Alex Gonzalez, Town Attorney, Richard Pedersen, Town Engineer, Sierra Pierce, Commission Secretary.

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1. Call to Order

Vice-Chairman Tinsley called to order the regular session of the Apple Valley Planning Commission at 6:05 p.m.

2. Opening Ceremonies

2.1 Pledge of Allegiance

The Pledge of Allegiance was led by Vice-Chairman Tinsley.

3. Election of New Officers

3.1 Nomination for Chairperson

Commissioner Lanyon made a motion, Seconded by Vice-Chairman Tinsley to nominate Commissioner Kallen as Chairperson.

Motion by: Commissioner Lanyon
Seconded by: Vice-Chairman Tinsley

Yes (3): Vice Chairman Tinsley, Commissioner Lanyon, and Commissioner Pambianco.

Absent (1): Commissioner Arias

Abstain (1): Commissioner Kallen

Carried (3 yes votes, 1 absent, 1 abstain)

3.2 Nomination for Vice-Chairperson

Commissioner Pambianco made a motion, Seconded by Commissioner Lanyon to nominate Vice-Chairman Tinsley as Vice-Chairman.

Motion by: Commissioner Pambianco
Seconded by: Commissioner Lanyon

Yes (3): Commissioner Lanyon, Commissioner Kallen, and Commissioner Pambianco.

Absent: Commissioner Arias

Abstain: Vice-Chairman Tinsley

Carried (3 yes votes, 1 absent, 1 abstain)

4. Recess for Reorganization

Vice-Chairman Tinsley called for a recess for the reorganization of the Commissioners at 6:07 p.m.

Chairman Kallen called to reconvene the regular session of the Apple Valley Planning Commission meeting at 6:08 p.m.

5. Public Comments

Anyone wishing to address an item not on the agenda, or an item that is not scheduled for a public hearing at this meeting, may do so at this time. California State Law does not allow the Commission to act on items not on the agenda, except in very limited circumstances. Your concerns may be referred to staff or placed on a future agenda.

The following individual spoke on a project not on the agenda:

1. Tony Contreras

6. Approval of Minutes

To approve the minutes of the regular meeting of January 21, 2026.

6.1 January 21, 2026, Planning Commission Minutes

PREPARED BY: Sierra Pierce, Commission Secretary

RECOMMENDATION: Approval

Motion by: Vice-Chairman Tinsley
Seconded by: Commissioner Pambianco

Yes (4): Chairman Kallen, Vice-Chairman Tinsley, Commissioner Lanyon, and Commissioner Pambianco.

Absent (1): Commissioner Kalen

Carried (4 yes votes, 1 absent)

7. Public Hearings

None.

8. Other Business

None.

9. Planning Commission Comments

Chairman Kallen expressed his gratitude to the Commission for their continued confidence and support. He further recognized Vice-Chairman Tinsley for his service in overseeing the Commission for the previous year.

Commissioner Pambianco reported his attendance at the recent Planning Commission Academy. Noting the high quality of speakers and educational resources. He encouraged fellow commissioners to attend next year's academy.

10. Staff Comments

David Contreras, Planning Director, concurred with Commissioner Pambianco regarding the Planning Commission Academy. He informed the Commission that session handouts and PowerPoints would be distributed via email. He encouraged the Commission to save the dates for next year's academy, scheduled for March 10-12, 2027, in Monterey. Reminders will be issued as the event approaches.

11. Adjournment

The Apple Valley Planning Commission will adjourn to its next regularly Scheduled Planning Commission meeting on April 1, 2026, at 6:00 pm.

Motion by: Vice-Chairman Tinsley
Seconded by: Commissioner Pambianco

Yes(4): Chairman Kallen, Vice-Chairman Tinsley, Commissioner Lanyon, and Commissioner Pambianco.

Absent (1): Commissioner Arias

Carried (4 yes votes, 1 absent)

_____

Bruce Kallen, Chairman

_____

Katherine Barber, Sr. Admin. Assistant

Planning Commission Agenda Report

DATE: April 15, 2026

TO: Planning Commission

CASE NUMBER: TypeHere Extension of Time No. 3 for Development Permit (DP) 2021-004 and Tentative Parcel Map (TPM) 20258

APPLICANT: BMI Investments, LLC

PROPOSAL: A request for approval of a Final Extension of Time for Development Permit (DP) 2021-004 and Tentative Parcel Map (TPM) 20258 - A final extension of time for Development Permit and Tentative Parcel Map to create four parcels and a remainder parcel to construct a 210-unit multi-family development located on 32 acres within the Multifamily Residential (R-M) zoning district.

LOCATION: Located on the northwest corner of Navajo Road and Sandia Road; APN: 0434-063-02

ENVIRONMENTAL DETERMINATION: There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration (SCH # 2021010197) that was prepared for Development Permit (DP) 2021-004 and Tentative Parcel Map (TPM) 20258, and adopted on February 17, 2021, by the Planning Commission. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15162, the proposed request is not subject to further environmental review.

CASE PLANNER: Nicole Montano, Associate Planner

RECOMMENDATION: Based upon the information contained in this staff report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to

1. Determine that, there is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project and adopted by the Planning Commission on February 17, 2021. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162(a), the proposed request is not subject to further environmental review.
2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings.

3. Approve one (1) Final year extension of time for Development Permit (DP) 2021-004 and Tentative Parcel Map (TPM) 20258, subject to the attached, Conditions of Approval.

4. Direct Staff to file the Notice of Exemption pursuant to CEQA Guidelines §15061(b)(3).

PROJECT SITE AND DESCRIPTION

A. Project Size:
The subject parcel is 32 acres in size and includes a 210-unit multi-family units.

B. General Plan Designations:

Project Site -	Medium Density Residential (R-M)
North -	Single-Family Residential (R-SF)
South -	Mobile Home Park (MHP)
East -	Public-Facilities (P-F)
West -	Single-Family Residential (R-SF)

C. Surrounding Zoning and Land Use:

Project Site-	Multi-family Residential (R-M), Vacant
North -	Single-Family Residential (R-SF), single-family residences
South -	Mobile Home Park (MHP), mobile home park
East -	Public Facilities, Apple Valley High School
West -	Single-Family Residential (R-SF), single-family residences

D. Site Characteristics:
The subject site approximately 32 acres in size and contains desert vegetation including four Joshua trees. There are signs of historical drainage flows through the middle of the property and the land slopes downwards towards the drainage course.

E. Density Analysis:

Maximum Units Permitted	643 Units (20 units per acre)
Units Proposed	210 Units (6.5 units per acre)

F. Unit Analysis:

Plan	Bedrooms	Bathrooms	Required Sq Ft	Proposed Sq Ft
A	2	2	1,000	1,140
B	3	2	1,200	1,239
C	2	2	1,000	1,069

G. Building Height:

Maximum Permitted	35 Feet
Proposed Maximum	24 Feet (Recreation Building)

H. Building Setback Analysis:

	Required	Proposed
Front (Sandia Rd)	40 ft.	40 ft.

Street Side Yard (Navajo Rd)	25 ft.	25 ft.
North Side	15 ft.	15 ft.
South Side	15 ft.	15 ft
Rear	25 ft.	37'11" ft

I. Landscaping and Common Open Space:
Required Minimum 15% (210,329 sq ft)
Proposed 24% (336,230 sq ft)

J. Parking Analysis:
Total Parking Required: 611, including 420 enclosed spaces and 191 unenclosed spaces.
Total Parking Provided: 611, including 420 enclosed spaces and 191 guest parking spaces, including spaces in front of garages

K. Lot Coverage:
Required Maximum 60% (841,318 sq ft)
Proposed 17% (237,286 sq ft)

ANALYSIS

A. General:

A request for approval of a Development Permit to allow the construction of a 210-unit multi-family development and a Tentative Parcel Map to create four parcels and a remainder for financing purposes. The initial and two subsequent approvals included Conditional Use Permit (CUP) 2020-001, which allowed for a fifteen (15) foot reduction in setbacks between buildings. Since the initial entitlement approval, the Code no longer requires a Conditional Use Permit due to an amendment to Development Code Section 9.29 - Multi-Family Housing Standards, which occurred March 9, 2021.

B. Site Analysis:

The proposal includes a Development Permit to construct a 210-unit multi-family development and a Tentative Parcel Map to create four parcels and a remainder for financial purposes. Each building is designed in a duplex fashion with each unit having a two-car garage. There are three floor plans ranging in size from 1,069 square feet to 1,239 square feet. Each unit within the multi-family development is required to provide 150 square feet of private open space (patios). Each unit contains a rear patio varying in size, all enclosed by a six-foot high vinyl fence.

The minimum setback on Sandia Road is 40 feet (front yard setback) and the minimum setback on Navajo Road is 25 feet (street side yard setback). The development provides a 15-foot buffer along the west boundary as required when a multi-family development abuts single-family developments. A 15-foot rear setback is provided on the north side of the development.

A total of 611 parking spaces are required, 420 of which are required to be covered parking spaces. The remaining 191 parking spaces can be uncovered. The proposal provides 420 enclosed parking spaces in the form of garages; 56 guest parking spaces and remaining parking spaces are proposed to be in front of the garages. One accessible parking space will need to be provided on the north side of the development. The driveway width is a minimum of 28 feet.

Table 1 - Required Parking Spaces

Floor Plan	Bedroom Nos.	No. of Floor Plans	Parking required	Total Parking Required	Required Enclosed	Required Unenclosed	Code Compliant?
A	2	70	2.5	175	140	35	YES
B	3	86	3.5	301	172	129	YES
C	2	54	2.5	135	108	27	YES
Totals:				611	420	191	YES

The project's parking requirements were previously approved in compliance with Development Code Section 9.29. On March 9, 2021, the Town Council approved a Development Code Amendment, which increased the parking requirements. Because approval was granted prior to the Amendment, the project and time extension may proceed under the previously approved parking requirements.

The project is required to have 200 square feet of common open space per unit devoted to recreational amenities, and based on the size of the project, to include a total of four (4) amenities. Proposed recreational amenities exceed this requirement by providing a large common open space area, which also serves as a community focal point, with a pool and spa, a recreation building with a fitness room, a tot-lot, and multiple gazebos and barbeques. In addition, a 1,466-foot-long drainage channel, located from the center of the east boundary of the property diagonally down (southwest) to the west corner of the southern property line, will include additional recreation amenities and trails connecting to the development and the street. As required by Development Code Section 9.29.070(E)(1), the project also provides 15% of common useable open spaces area. The channel will count towards meeting the common usable open space area and open space devoted to recreational amenities.

Per the Multi-Use and Equestrian Trails Standard, Sandia Road is identified as having a Lifeline Trail on the north side of the street. A 12-foot trail will be constructed adjacent to Sandia Road on private property as an easement. A four-foot-high open white vinyl rail fence will abut the trail easement and sidewalk. The fence along the frontage of Sandia Road will be a six-foot-high wrought iron fence with block pilasters every 40 feet. The walls along Navajo Road and the perimeter will be six-foot-high decorative block walls. The wall along Navajo Road will be staggered every 40 feet, as required by code, to avoid having a long lineal wall. An entry statement is provided at the main entrance of Navajo Road, as well as colored texture paving at all entrances and exits. There is an internal pedestrian path of travel along all drive aisles connecting every unit to the street and recreational amenities. An accessible path of travel is provided from the street to the recreation building, and a condition of approval will require the trail within the channel to be accessible.

Per the protected plant plan report, there are two Joshua trees that have poor health and two that have good health. The California Department of Fish and Wildlife has temporary protection on Joshua trees. The protection became effective mid-September 2020. The Joshua trees that are in good health cannot be relocated and must remain in place. The conditions of approval are written in a way that will allow flexibility should the State requirements change in the future. Prior

to ground disturbance a Joshua tree protection plan, prepared by a certified arborist, shall be provided with the grading plan to identify how the Joshua trees will be protected (See Condition No. P21).

1. Tentative Parcel Map

The tentative parcel map is for "financial purposes only". This map provides the developer with the ability to use equity from one parcel and use that equity to finance development of another parcel under the same subdivision. As a condition of approval, a deed restriction will be placed on all the parcels to require the parcels to remain under the same ownership. The condition will require that all share areas, including vehicular access, guest parking, recreational amenities, common open space areas, and pedestrian walkways to be under a reciprocal shared easement or agreement. Should the parcels be sold off separately, a mechanism shall be in place including a homeowner's association (HOA) and conditions, covenants, and restrictions (CCRs) to maintain shared areas and require a single property manager to oversee the maintenance and operation of the entire development.

2. Traffic and Circulation

Access to the site is from Navajo and Sandia Roads. Street improvements will be constructed including curb, gutter, and sidewalk along the project frontages of Navajo and Sandia Roads. Sandia Road is a collector road and has a half width of 33 feet with the curb at 22 feet from centerline, and Navajo Road is a secondary road and has a half-width of 44 feet with the curb at 32 feet from centerline. The project has two driveway approaches on Navajo Road. The development's southern drive approach was aligned with one of the drive approaches for the Apple Valley High School. The development's as well as the high school's driveway approaches will have a traffic signal, a crosswalk and a median along Navajo Road allowing for turning movements to both the high school and the development.

3. Drainage

A drainage channel will be constructed through the middle of the development to allow historical drainage to flow through the property. The United States Geological Services (USGS) maps show a blue line stream crossing through the property. The applicant has stated that they intend to mass grade the property and construct a channel through the property. The drainage channel runs from the center of the east boundary of the property diagonally down (southwest) to the west corner of the southern property line. The drainage channel is roughly 1,466 feet long and 150 to 155 feet wide. The channel will be constructed along the historical paths of the blue line stream. An Aquatic Resources Delineation Survey Report was prepared by ECORP Consulting, Inc. dated February 2019. It appears that the feature that was formerly present on site has been dewatered by intervening developments. Prior to ground disturbance, a lake streambed alternation agreement will be required to be obtained from the California Department of Fish and Wildlife.

4. Sewer Connection

Connection to the Town's sewer system will is required.

5. Phasing/Mass Grading:

A condition of approval requires a phasing plan to be submitted and approved by the Community Development Director and Town Engineer. The developer may have the option of 1) grading the entire property upfront or 2) grading by phase. The applicant has expressed the desire to mass grade the entire property. Some concerns expressed

previously by the community is allowing the land to sit vacant and disturbed for many years once the land is mass graded. Mass grading is subject to further review.

An alternative to mass grading would be to grade the land by phases and allow undeveloped parts of the property to remain undisturbed/natural. In either case, certain improvements will be required, including street improvements, perimeter fencing, internal walkways, and drive aisles. Two points of access and/or emergency access will be required for each phase. All the proposed amenities for this development are within Phase 1. All amenities will be expected to be included within Phase 1 subject to change once a final phasing plan is submitted.

As far as the amount of ground disturbance is concerned, substantial grading is necessary to channelize the drainage flows. In addition, there is a substantial grade elevation difference (3-5 feet) on the north side of the property and the southeast corner of the property. This means the finish pads will be three to five feet above the adjacent roads and properties. Once the required privacy fencing is added, the elevation difference will result in fencing above the height allowed by the Development Code. As a condition of approval, the pads in those areas shall be reduced to aviod excessive height of fencing.

C. Floor Plan Analysis:

Two of the floor plans are two-bedroom units, and one floor plan is a three-bedroom unit. Unit A is a 2-bedroom unit, 1,140 square feet in size; Unit B is a 3-bedroom unit, 1,239 square feet in size; and Unit C is 2-bedroom unit, 1,069 square feet in size. There will be a different building elevation to accompany each floor plan.

D. Architecture Analysis:

The application provides three different architectural elevations each with different colors and materials. All elevations use different style concrete roof tiles and have varied roof features at entrances. All the garage doors are recessed. Two of the elevations (Elevations A, B, and Rec Building) provide stone veneer. All elevations provide roof line variation, as well as horizontal and vertical projections. Elevation A includes good use of stone veneer, decorative garage doors, and iron scroll work as an embellishment. Building B provides stone veneer, uses flares on the sides of the garages, and vent insets above the garage doors. Building C provides color variation, corbels below the roof eave and square insets over the entrances. The recreational building provides a good amount of stone veneer, iron scroll work, and a prominent main entrance accented with glass and stone veneer. A condition of approval recommends that the iron scroll work used on Elevation A be added to Elevation B; stone veneer be added to Elevation C and additional stone veneer be added to Elevation B; a cap be provided on the stone veneer provided on the base of Elevation A; and the main roof of Elevation C, which is a gable roof, be converted into a hip roof.

E. Noticing:

The public hearing for proposed Extension of Tentative Parcel Map No. 20294 was legally noticed in Valleywide Newspaper on April 3, 2026, and mailed to all property owners within a 700-foot radius of the project site on Friday, April 3rd.

F. Development Permit Findings:

As required under Section 9.17.080 of the Development Code, prior to approval of a Development Permit, the review authority must make the following Findings:

1. That the location, size, design, density and intensity of the proposed development

is consistent with the General Plan, the purpose of this Code, the purpose of the zoning district in which the site is located, and the development policies and standards of the Town;

Comment: The location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of this Code, the purpose of the zoning district in which the site is located, and the development policies and standards of the Town because the proposed 210-unit multi-family residential development is located within the Residential Multi-family (R-M) zoning designation and in compliance with the General Plan Land Use and Zoning District that allows new construction of multi-family subject with the approval of a Development Permit. The proposal meets the required density, setbacks, buffers, parking spaces, minimum dwelling unit size, minimum private and common open space areas, landscaping, minimum driveway dimensions, and circulations requirements;

2. That the location, size and design of the proposed structures and improvements are compatible with the site's natural landforms, surrounding sites, structures and streetscapes and does not unnecessarily block public views from other buildings or from public ways, or visually dominate its surroundings;

Comment: The location, size and design of the proposed structures and improvements are compatible with the site's natural landforms, surrounding sites, structures and streetscapes and does not unnecessarily block public views from other buildings or from public ways, or visually dominate its surroundings because all buildings on the property are one-story in height. The overall building height of any building is 24-feet, which is measured from finish grade to the tallest point of the tower located on recreation building, and will not create an imposing appearance. Many of the existing residential multi-family developments in the area are of similar height and therefore will appear in scale to other residential developments in the area. The development meets all the required setbacks, buffers, building separation requirements, lot coverage and density as prescribed by the Development Code and General Plan.

3. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures and that quality in architectural design is maintained in order to enhance the visual environment of the Town;

Comment: The materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures and that quality in architectural design is maintained in order to enhance the visual environment of the Town because the design, materials and details of the proposed multi-family residential development will complement the structures within the immediate area and any future development.

4. That the amount, location, and design of open space and landscaping conforms to

the requirements of this Code, enhances the visual appeal and is compatible with the design and function of the structure(s), site and surrounding area;

Comment: The amount, location, and design of open space and landscaping conforms to the requirements of this Code, enhances the visual appeal and is compatible with the design and function of the structure(s), site and surrounding area because the amount, location, and enhanced design of private and common open space and landscaping proposed conforms to the requirements of the development Code.

5. That excessive and unsightly grading of hillsides does not occur, and the character of natural landforms such as knolls and the Mojave River and that existing vegetation and Joshua Trees are adequately protected and preserved where feasible as required by this Code;

Comment: The excessive and unsightly grading of hillsides does not occur, and the character of natural landforms such as knolls and the Mojave River and that existing vegetation and Joshua Trees are adequately protected and preserved where feasible as required by this Code because the site is not located on a hillside, is void of knolls and not located within the vicinity of the Mojave River. There are four Joshua trees on the site, which are required to be protected in place, and if approved to be relocated, will be located within a permanent landscaped area.

6. That the proposed development's generation of traffic will not adversely impact the capacity and physical character of surrounding streets and that traffic improvements and or mitigation measures are provided in a manner consistent with the Circulation Element of the Town General Plan;

Comment: The proposed development's generation of traffic will not adversely impact the capacity and physical character of surrounding streets and that traffic improvements and or mitigation measures are provided in a manner consistent with the Circulation Element of the Town General Plan because the building fronts on Navajo Road and Sandia Road, which is a public street designed to accommodate all traffic generated by the project. The project will include half-width street improvements including curb, gutter and sidewalk. The development is required to install a traffic signal, crosswalk, and medians along Navajo Road to allow vehicle and pedestrian traffic to flow safely in and out of the proposed development and to the high school across the street. With traffic improvements as prescribed in the conditions of approval and mitigation measures, the project will not adversely impact the surrounding area.

7. That there will be no negative impacts upon the environment from the proposed structure(s) that cannot be mitigated; and

Comment: There will be no negative impacts upon the environment from the proposed structure(s) that cannot be mitigated because the Planning Commission adopted Mitigated Negative Declaration and mitigation measures results in less than significant impacts and furthermore, there is no substantial evidence that the proposed Development Permit and Tentative Parcel Map will have a significant effect on the environment.

8 That the proposed development, and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety and welfare of the community or be materially injurious to properties or improvements in the vicinity nor be contrary to the adopted General Plan.

Comments: The proposed development, and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety and welfare of the community or be materially injurious to properties or improvements in the vicinity nor be contrary to the adopted General Plan because the proposal is for a 210-unit multi-family development within an area zoned for this specific use. The location and scale of the proposal will compliment with other similar projects and structures within the vicinity. The development meets all the required setbacks, buffers, building separation requirements, lot coverage and density as prescribed by the Development Code and General Plan. The development will be constructed pursuant to the California Building and Fire Codes and adopted amendments. The proposed development will comply with the American with Disabilities Act (ADA) by providing a path of travel to the street, parking spaces, and recreational amenities. The development will construct all street improvements, including a traffic signal, crosswalk, and median consistent with recommendations of the Traffic Impact Analysis (TIA). Furthermore, the development is consistent with the goals and policies of the Land Use Element of the General Plan, specifically with the following Goal:

Goal 2

A well planned, orderly development pattern that enhances community values, and assures development of adequate infrastructure.

Program 2.A.2 The Zoning Map shall directly correspond to General Plan land use designations, and shall be kept consistent with the General Plan.

G. Tentative Parcel Map Findings:

In considering any Tentative Parcel Map, the Planning Commission is required by the Development Code to make specific Findings. The following are the Findings for a Tentative Parcel Map required under Section 9.71.040 (A)(5) of the Development Code and a comment to address each:

1. The proposed Subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and any applicable Specific Plan. The proposed subdivision or land use is compatible with the objectives, policies, general land uses and programs specified in the General Plan and any applicable Specific Plan (Subdivision Map Act 66473.5).

   Comment: The proposed Subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and any applicable Specific Plan. The proposed subdivision or land use is compatible with the objectives, policies, general land uses and programs specified in the General Plan and any applicable Specific Plan because the subject property has a General Plan land use designation of Medium Density Residential (R-M) and zoning designation of Multi-family Residential (R-M) and, by its size, shape and configuration, the property has the ability to be used in a manner consistent with the General Plan Land Use Element and zoning designations. The project is a proposal to divide 32 acres into five parcels and, with adherence to the recommended conditions, will meet the minimum requirements for lot size, width and depth as prescribed by the Code. The parcels are not intended to be sold individually, but to provide a financing mechanism to develop the project.

2. The Planning Commission has considered the effects of its action upon the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Subdivision Map Act Section 66412.3).

   Comment: The Planning Commission has considered the effects of its action upon the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources because the proposed project consists of a subdivision of land located on land that is zoned and General Plan designated for residential development at the density allowed by the underlying zoning designation. The proposed subdivision will allow the property owner to develop the property in a manner that is consistent with the Town's General Plan Goals and Objectives to promote multi-family residential development, specifically with the following Goal and Policy:

   Goal 5

   Policy 5.G Multi-family rental projects shall meet the following criteria:
   - *Projects that would require on-site management according to State law are encouraged.*
   - *Projects shall incorporate design principles for crime free multi-family housing.*
   - *Projects shall be sited within one mile of public transit facilities.*
   - *Project amenities shall be focused on recreational opportunities.*

3. The design of the subdivision provides, to the extent feasible, for the future passive or natural heating or cooling opportunities in the subdivision.

   Comment: The design of the subdivision provides, to the extent feasible, for the future passive or natural heating or cooling opportunities in the subdivision because the subdivision is intended for financial purposes and phasing for a multi-family development. Each parcel created under this subdivision are appropriate in size to provide natural heating and cooling opportunities for development of the site. As development occurs, the dwelling units within each phase are subject to the implementation of natural heating and cooling requirements pursuant to Title 24 energy requirements.

4. The Planning Commission shall determine whether the discharge of waste from the proposed subdivision into the existing sewer system would result in a violation of the requirements as set forth in Section 13000 et seq., of the California Water Code. If the Planning Commission finds that the proposed waste discharge would result, in or add to, a violation of said requirements; the Planning Commission may disapprove the subdivision (Subdivision Map Act Section 66474.6).

   Comment: The proposed project's discharge of waste will not result in a violation of the requirements set forth in Section 13000 et seq., of the California Water Code because the project will connect to the Town's sewer system.

5. In order to avoid the creation of undevelopable parcels of land, any subdivision falling wholly or partially in areas of fifteen (15) percent or steeper slopes shall be subject to the findings contained in Section 9.71.060.D of this Chapter.

   Comment: The proposed project does not contain areas of fifteen (15) percent or steeper slopes and is thereby in compliance with this finding.

RECOMMENDATION

Based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to:

1. Determine that, there is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project and adopted by the Planning Commission on February 17, 2021. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162(a), the proposed request is not subject to further environmental review.

2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings.

3. Approve one (1) Final year extension of time for Development Permit (DP) 2021-004 and Tentative Parcel Map (TPM) 20258, subject to the attached, Conditions of Approval.

4. Direct Staff to file the Notice of Exemption pursuant to CEQA Guidelines §15061(b)(3).

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Site Plan, Tentative Parcel Map 20258, Elevations, Floor Plans
3. Vicinity Map
4. Initial Study and Mitigated Negative Declaration

CONDITIONS OF APPROVAL Extension of Time No. 3 Development Permit No. 2021-004, and Tentative Parcel Map No. 20258

Please note: Many of the Conditions of Approval presented herewith are provided for informational purposes and are otherwise required by the Municipal Code. Failure to provide a Condition of Approval herein that reflects a requirement of the Municipal Code does not relieve the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.

General Conditions of Approval

G1. This project shall comply with the provisions of State law and the Town of Apple Valley Development Code, North Apple Valley Industrial Specific Plan, and the General Plan. This conditional approval, if not exercised, shall expire two (2) years from the date of action of the reviewing authority, unless otherwise extended pursuant to the provisions of application of State law and local ordinance. The extension application must be filed, and the appropriate fees paid, at least sixty (60) days prior to the expiration date. The Development Permit becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.

G2. The applicant shall defend, at its sole expense (with attorneys approved by the Town), hold harmless and indemnify the Town, its agents, officers and employees, against any action brought against the Town, its agents, officers or employees concerning the approval of this project or the implementation or performance thereof, and from any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the applicant of this obligation under this condition.

G3. It is the sole responsibility of the applicant on any Permit, or other appropriate discretionary review application for any structure, to submit plans, specifications and/or illustrations with the application that will fully and accurately represent and portray the structures, facilities and appurtenances thereto that are to be installed or erected if approved by the Director. Any such plans, specifications and/or illustrations that are reviewed and approved by the Director shall accurately reflect the structures, facilities and appurtenances expected and required to be installed at the approved location without substantive deviations, modifications, alterations, adjustments or revisions of any nature.

G4. The filing of a CEQA Mitigated Negative Declaration (MND) requires the San Bernardino County Clerk to collect a fee of $3,043.75. Once the fee is paid directly to the County Clerk and the NOE is filed, provide a copy to the Town of Apple

Valley Planning Department. The County Clerk is located at 385 N. Arrowhead Avenue, San Bernardino, CA 92415.

Planning Department Conditions of Approval

If you have any questions related to the Planning Department conditions of approval, please contact Nicole Montano at (760) 240-7200 ext. 7201, Nicole Montano nmontano@applevalley.org.

P1. All lighting shall be hooded and directed downward as to not shine towards adjacent properties and public streets. Maximum light standard height shall not exceed 20 feet.

P2. Parking requirements shall be met and be in compliance with Town standards. Resulting modification to the floor plan or site plan to meet parking requirements shall be subject to the approval of the Planning Department.

P3. All parking stalls shall be clearly striped and permanently maintained with double or hairpin lines.

P4. All required and installed landscaping shall incorporate and maintain a functioning automatic sprinkler system, and said landscaping shall be maintained in a neat, orderly, disease and weed free manner at all times.

P5. Final landscape and irrigation plans shall be submitted prior to the issuance of Building permits and installed prior to issuance of occupancy permits subject to approval by the Planning Department.

P6. All block walls and columns shall be decorative, including slump stone, split face, or stucco. The location and type of fencing shall be per the approved site plan.

P7. Per the Multi-Use and Equestrian Trails Standard, Sandia Road is identified as having a Lifeline Trail on the north side of the street. A 12-foot trail shall be constructed adjacent to Sandia Road on private property as an easement. A four-foot high open while vinyl rail fence shall abut the trail easement and sidewalk.

P8. The fence along the frontage of Sandia Road shall be a six-foot-high wrought iron fence with block pilasters every 40 feet. The walls along Navajo Road and the perimeter shall be six-foot-high decorative block walls. The wall along Navajo Road shall be staggered every 40 feet, as required by code, to avoid having a long lineal wall. All fencing and screening material shall be in conformance with the Development Code subject to approval by the Planning Department.

P9. The design of the entry statement is subject to approval by the Planning Department.

P10. All outdoor mechanical and electrical equipment, whether rooftop, side of structure, or on the ground, shall be screen from view from the public street by architectural

elements designed to be an integral part of the building.

P11. Trash Enclosure shall be covered and constructed in accordance with Town Standards and is recommended to reflect the architectural design of approved project subject to the review and approval of the Planning Department.

P12. The maximum height for any retaining wall, including safety rail or privacy fencing, shall be eight (8) feet as measured from the lowest point of grade.

P13. The maximum slope within any retention area shall be twenty-five (25) percent (4:1).

P14. Common open space and/or amenities shall not be within any area exceeding a slope of fifteen (15) percent. The channel shall include additional recreational amenities, a pedestrian trail connecting to the development, and landscaped to the satisfaction of the Director.

P15. A phasing plan shall be submitted and approved by the Community Development Director and Town Engineer. Amenities for the number of units for a constructed phase shall be required to be constructed and operational, prior to occupancy of that phase. Each phase shall have the required emergency access points, two points of access, utilities, and walkways.

P16. As a condition of recordation of the parcel map, a deed restriction shall be placed on all the parcels to require all parcels to remain under the same ownership. In addition, a reciprocal shared easement or agreement shall be recorded with the parcel map for all shared areas, including vehicular access, guest parking, recreational amenities, common open space areas, and pedestrian walkways. Should the parcels be sold off separately in violation of this CUP and the deed restrictions, a mechanism shall be in place including a homeowner's association (HOA) and conditions, covenants, and restrictions (CCRs) to maintain shared areas and require a single property manager to oversee the maintenance and operation of the entire development.

P17. As an operational condition of CUP No. 2020-001, the parcels shall be kept under the same ownership and a reciprocal shared easement or agreement shall be in place for all shared areas for the life of the project, including vehicular access, guest parking, recreational amenities, common open space areas, and pedestrian walkways. A single property manager shall supervise, maintain and operate the entire development covered under this CUP for the life of the project.

P18. Prior to ground disturbance, the project applicant shall provide written notification that a Lake and Streambed Alternation Agreement is not required by California Department of Fish and Wildlife (CDFW). It is the applicant's responsibility to obtain all necessary approvals, clearances and permits (i.e. lake streambed alternation agreement) from CDFW and/or U.S. Army Corps of Engineers.

P19. Pending a decision by CDFW, Joshua Trees shall be protected in place. Should the applicant obtain an incidental take permit to remove or relocate a Joshua Tee, or

should the protections be lifted, any disturbance of Joshua Trees is subject to the provisions of the Development Code which are all included herewith as mitigation measures. Prior to ground disturbance a Joshua Tree protection plan, prepared by a certified arborist, shall be provided with the grading plan to identify how the Joshua Trees will be protected.

P20. The grading plan shall be revised lowering the elevation pads on the northside and southeast corner of the development to minimize fencing to the height limitation allowed in the development code.

P21. The following modifications shall be made to the building elevations: The iron scroll work used on Elevation A shall be added to Elevation B; stone veneer shall be added to Elevation C and additional stone veneer shall be added to Elevation B on the sides of the garage doors; a cap shall be provided on the stone veneer when it is provided at the base of Elevation A; and the main roof of Elevation C shall be converted into a hip roof.

P22. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

P23. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

P24. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

P25. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that

represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

P26. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

Engineering Conditions of Approval

If you have any questions related to the Engineering conditions of approval, please contact Richard Pedersen, Town Engineer, (760) 240-700 Ext: 7352, rpedersen@applevalley.org

EC1. Prior to issuance of a grading permit, a final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall consider retaining onsite drainage flows from a 100-year design storm.

EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.

EC3. All streets abutting the development shall be improved to a minimum half-width of 28 feet with curb, gutter and sidewalk on the development side.

EC4. All street names shall be approved by the Town and such approval shall be coordinated through the Town Engineer.

EC5. Navajo Road adjacent to the property shall be improved to the Town's half-width Secondary Road standards.

EC6. Sandia Road adjacent to the property shall be improved to the Town's half-width Collector Road standards.

EC7. A 44-ft wide, half-width road dedication along Navajo Road, adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.

EC8. A 33-ft wide half-width road dedication along Sandia Road, adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.

EC9. During the grading of the streets, soils testing of the street subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural street section. The minimum asphalt concrete thickness for all streets shall be 0.33 ft.

EC10. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.

EC11. All required improvements shall be bonded in accordance with Town Development Code unless constructed and approved prior to approval of the Final Map.

EC12. Final improvement plans and profiles shall indicate the location of any existing utility which would affect construction and shall provide for its relocation at no cost to the Town.

EC13. A final grading plan shall be approved by the Town Engineer prior to issuance of a grading permit. A grading permit shall not be issued until street improvement plans have been submitted to the Town Engineer for review and substantial completion of the street plans has been attained as determined by the Town Engineer.

EC14. Prior to Town acceptance of the Final Map, Subdivider shall present evidence to the Town Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.

EC15. Utility lines shall be placed underground in accordance with the requirements of the Town.

EC16. Traffic impact fees adopted by the Town shall be paid by the developer.

EC17. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.

EC18. Any required street striping shall be thermoplastic as approved by the Town Engineer.

EC19. Developer shall provide landscaping of the basin/channel and the landscaping along Navajo Road subject to the approval of the Town and shall form an assessment district to provide for the on-going maintenance of the basin/drainage easement and parkway along Navajo Road. The developer shall pay for all costs relating to establishment of the district.

EC20. Un-improved cross lot drainage shall not be allowed. Drainage shall be designed in a manner such that the subdivision retains its own storm water runoff, with any possible overflow directed to the street as approved by the Town Engineer.

EC21. Retention/detention basins greater than 1 acre in size shall not be greater than 8 feet in depth (unless otherwise approved by the Planning Commission). The sides of any retention/detention basins shall be 4:1 or flatter slopes.

EC22. A Storm Water Pollution Prevention Plan (SWPPP) in accordance with the National Pollutant Discharge Elimination System (NPDES) shall be required.

EC23. The developer shall make a good faith effort to acquire the required off-site property interests, and if he or she should fail to do so, the developer shall at least 120 days prior to submittal of the final map for approval, enter into an agreement to complete the improvements pursuant to Government Code Section 66462 at such time as the Town acquires the property interests required for the improvements. Such agreement shall provide for payment by the developer of all costs incurred by Town to acquire the off-site property interests required in connection with the subdivision. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the developer, at the developer's cost. The appraiser shall have been approved by the Town prior to commencement of the appraisal. Additional security may be required as recommended by the Town Engineer and Town Attorney.

EC24. In the event that an applicant/developer chooses to seek Council approval of the Final Map prior to completion of the required improvements, an "Agreement for Construction of Improvements" shall be required. In accordance with the California Labor Code, any such Agreement will contain a statement advising the developer that certain types of improvements will constitute a public project as defined in California Labor Code, Sections 1720, and following, and shall be performed as a public work, including, without limitation, compliance with all prevailing wage requirements.

EC25. A new fully actuated 3-way traffic signal shall be constructed on Navajo Road at the entrance of the project. The location of the signal shall be coordinated with the school district to align with their driveway as approved by the Town Engineer.

EC26. The developer shall be required to obtain and submit to the Planning Department prior to occupancy, the following signed statement by the purchasers of the homes located within the Landscape and Lighting Assessment district (subject to final approval by the Town Attorney):"In purchasing the home, I am aware that the home is located in the boundaries of a Landscape and Lighting Assessment District for the maintenance of drainage, landscaping, fencing and other similar improvements and that an annual landscaping maintenance charge will be levied.

EC27. A Storm Water Pollution Prevention Plan (SWPPP) in accordance with the National Pollutant Discharge Elimination System (NPDES) shall be required.

EC28. The retention basin/drainage channel shall also include Town Standard two-stage dry wells to help facilitate the rapid removal of storm water.

EC29. All mitigations measure recommended in the approved Traffic Study including the construction of a raised median on Navajo Road shall be constructed as approved by the Town Engineer.

Building and Safety Conditions of Approval

If you have any questions related to the Building and Safety conditions of approval, please contact Paul Osterman, Building Official, (760) 240-700 Ext: 7121, posterman@applevalley.org

BC1. An engineered grading report and soils report shall be submitted to and approved by the Building Official prior to the issuance of grading permits in excess of 1000 cubic yards.

BC2. Grading and drainage plans must be submitted to and approved by the Building Official, Planning Department and Town Engineer prior to grading permit issuance.

BC3. Submit plans, engineering and obtain permits for all structures and retaining walls, signs.

BC4. A pre-construction permit and inspection are required prior to any land disturbing activity.

BC5. A NOI and SWPP must be submitted to and approved by the Building and Engineering Departments prior to the issuance of a grading permit or any land disturbance.

BC6. All utilities shall be placed underground in compliance with Town Ordinance No. 89.

BC7. Comply with the State of California Disability Access requirements.

BC8. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the Building Inspector, General Contractor, Grading Contractor, soils Technician and any other parties required to be present during the grading process such as a Biologist and/or Paleontologist.

BC9. Dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction).

BC10. Page two (2) of the submitted building plans will be conditions of approval.

BC11. Construction must comply with 2025 Building Codes in effect at the time of permit issuance.

BC12. Best Management Practices (BMP's) are required for the site during construction.

BC13. Provide Water Quality Management Plan (WQMP) or Alternative Compliance Plan.

BC14. Apply for and provide evidence of MDAQMD dust control permit.

Environmental & Regulatory Compliance Conditions of Approval

If you have any questions related to the Environmental & Regulatory Compliance conditions of approval, please contact Pamela Quick, Special Projects Manager, (760) 240-700 Ext: 7561, pquick@applevalley.org

ER1. Pursuant to AVMC § 8.19.020(a) et seq., the construction contractor shall complete and submit a Waste Management Plan ("WMP"), on a WMP form approved by the Town for this purpose as part of the application packet for the building or tenant improvement permit.

ER2. Pursuant to AVMC § 8.19.050 and The California Green Code the contractor shall submit documentation proving that the project has met the diversion requirement prior to the issuance of a Certificate of Occupancy. The diversion requirement shall be at least sixty-five percent (65%) of the total C&D debris generated by the project via reuse or recycling.

ER3. Pursuant to the provisions as set forth in AB341 businesses that generate 2 cubic yards or more of commercial solid waste per week shall have a recycling program in place, including but not limited to collection of recyclable paper and plastic waste by the Town's franchise solid waste hauler.

ER4. As of September 2020, and pursuant to the provisions as set forth in AB1826 and AVMC § 6.20.023(et seq), businesses inclusive of multi-family housing with 5 or more units that generate 2 cubic yards or more of commercial solid waste per week shall arrange for organic waste recycling services with limited exceptions and/or contract with an edible food recovery organization. Contact Burrtec Waste Industries at (760)245-8607 for further information.

ER5. To accomplish the requirements of ER3 and ER4, listed above, the trash and recycling enclosure(s) shall be constructed to accommodate the source separated trash, recyclable material, and organic waste containers that are appropriately sized to handle the estimated waste generated on-site, coupled with an appropriate service frequency; recyclables and organic waste containers are currently minimum 35 gallon barrels. Contact Burrtec Waste Industries at (760)245-8607 for further information.

Public Works Conditions of Approval

If you have any questions related to the Public Works conditions of approval, please contact Sarah Hauser, Administrative Analyst ll, (760) 240-700 Ext: 7522, shauser@applevalley.org

1. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Plans must be approved by the Town of Apple Valley Public Works Department.
2. An engineering evaluation may be required to determine sewer capacity requirements and specific improvements necessary to serve the project. This evaluation shall be reviewed and approved by Apple Valley Public Works.
3. Six (6) inch sewer lateral required.
4. Sewer connection fees required.

Apple Valley Fire Protection District Conditions of Approval

If you have any questions related to the Apple Valley Fire Protection District conditions of approval, please contact Brian Pachman, Fire Marshal, Battalion Chief, (760) 247-7618 Ext: 104, bpachman@avfpd.org

FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.

FD2. All new construction shall comply with applicable sections of the California Fire Code, California Building Code, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.

FD3. The development and each phase thereof shall have two points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located. This shall be completed prior to any combustible construction.

FD5. Fire lanes shall be provided with a minimum width of twenty-six (26) feet, maintained, and identified. Twenty-six (26) feet access will start at both points of ingress and continue through the site.

Apple Valley Fire Protection District Ordinance 67

FD6. A turnaround shall be required at the end of each roadway, one hundred fifty (150) feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed one thousand (1,000) feet.

Turning radius on all roads within the facility shall not be less than 21 feet inside and minimum of 41 feet outside turning radius with no parking on street. Road

grades shall not exceed twelve percent (12%) unless approved by the Fire Chief. Apple Valley Fire Protection District Ordinance 59

FD8. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

New dwelling addresses shall be posted with a minimum of 4-inch numbers visible from the street, and during the hours of darkness the numbers shall be internally illuminated. Where building setbacks exceed 75 feet from the roadway, additional contrasting 4-inch numbers shall be displayed at the property entrance.

FD9. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems.

Apple Valley Fire Protection District, Ordinance 59

A. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.

B. System Standards:

*Fire Flow 1,500-3,200 GPM @ 20 psi Residual Pressure
Duration 2 Hour(s)
Hydrant Spacing 600 Feet

C. A total of TBD fire hydrant(s) will be required at time of building permit issuance. It is the responsibility of the owner/developer to provide all new fire hydrants with reflective pavement markers set into pavement and curb identification per A.V.F.P.D. Standard.

Install per A.V.F.P.D. Standard Series #101

NFPA 13 (RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM): <u>REQUIRED</u>

This residence shall be constructed with an automatic fire sprinkler system (NFPA 13) throughout the structure, including garage. Plans shall be submitted by a licensed C-16 contractor to the Fire District for review and approval along with plan review fees. Fire Sprinkler work shall not commence until plan approval and a job card have been issued. An approved fire alarm system shall be installed that will provide a local alarm for water flow to be audible throughout the premises. **NOTE: <u>*The Fire District shall be notified a minimum of 24 hours prior to the desired final inspection date.*</u>**

FD10. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met prior to the Formal Development Review Committee meeting.

FD12. Apple Valley Fire Protection District Final Subdivision/Tract/Development fees shall be paid to the Fire District prior to final map acceptance according to the current Apple Valley Fire Protection District Fee Ordinance.

FD13. A Knox Box Rapid Entry System shall be required for this project.
Apple Valley Fire Protection District Ordinance 57

FD14. The developer shall submit a map showing complete street names within the development, to be approved by the Fire District prior to final map.

Liberty Utility Conditions of Approval

If you have any questions related to the Liberty Utility conditions of approval, please contact Rafael Perez, Engineer, (760) 373-0755, Rafael.Perez@libertyutilities.com

LU1. Water Supply: A 12-inch asbestos cement main line is available south of the property line, which is sufficient to provide fire service, irrigation, and domestic water.

LU2. Fire hydrants must be located in accordance with Apple Valley Fire Protection District's requirements and installed per Liberty Apple Valley standard drawings.

LU3. If a fire service line is required for this development, it must be installed in accordance with Apple Valley Fire Protection District's conditions and must comply with Rule 16 of the California Public Utilities Commission. An approved and tested customer owned backflow protection device is required.

LU4. Domestic service lines with water meters will be installed from the existing water main to the street right-of-way line for this development. Approved and tested customer owned backflow protection devices are required.

LU5. All water lines and appurtenances required are to be installed in accordance with Liberty Apple Valley standards and specifications.

LU6. Backflow Requirements: All lines will require approved backflow protection devices. However, the domestic water line may not need a backflow device depending on the specific use and requirements of the business.

Southwest Gas Conditions of Approval

If you have any questions related to the Southwest Gas conditions of approval, please contact David Mailloux, scaes@swgas.com

SWG1. Gas main distribution lines are a distance away. Review needs to take place to determine approach/time/feasibility/cost. Time required varies by project and can be estimated once the request is made by the customer and review is completed. For projects that require system improvement it can be a year or longer.

-End of Conditions-

LOS CEDROS RANCHERA

MULTI–FAMILY UNITS FOR BM INVESTMENT

OWNER BM INVESTMENTS LLC
PO BOX 207
CLAREMONT, CA 91711
PH 909 957 1030

ALLARD ENGINEERING
16866 SEVILLE AVE
FONTANA, CA 92335
PH 909 356 1815

BENCHMARKS
BENCHMARK G 1153, FROM THE INTERSECTION OF BEAR VALLEY ROAD AND STATE HIGHWAY 18, NORTH WEST ALONG STATE HIGHWAY 18 2900'. POINT LIES ON THE NORTHEAST SIDE OF THE HIGHWAY.
ELEV--3013.40"
BASIS OF MEANINGS
THE CENTERLINE OF SANDIA ROAD PER R.S. 42134 BEING:
N89*59'54W

UTILITIES
ELECTRIC: SOUTHERN CALIFORNIA EDISON COMPANY
12353 HESPERIA ROAD
VfCTORVILLE, CALIFORNIA 92395
(760) 951–3745

TELEPHONE'.– VERIZON
15168 LA PAZ DRIVE , VICTORVILLE
CALIFORNIA 92.392 (760) 245–0569

WATER: LIBERTY UTILITIES 21760 OTTAWA ROAD, APPLE VALLEY, CA 92308
PH 760 240 8314

SEWER: TOWN OF APPLE VALLEY 4955 DALE EVANS PKWY
APPLE VALLEY, CALIFORNIA 92307 (760)240–7000

GAS: SOUTHWEST GAS
73471 MARIPOSA RD.
VICTORVILLE CALIFORNIA 91395 (760)241–8720

CABLE CHARTER COMMUNICATIONS 12490 BUSINESS CENTER DR.
VICTORVILLE& CALIFORNIA 92395 (760) 843–3054

THIS PROJECT SHALL BE CONSTRUCTED PER THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE TITLE 24 WHICH ADOPTS THE
–2019 CRC
–2019 CALIF BC
–2019 CALIF ELECTRICAL CODE
–2019 CALIF MECH CODE
–2019 CALIF PLUMB CODE
–2019 T24 CALIFORNIA ENERGY STDS.
–2016 CAL GREEN BASED ON 2019 CALIF BLDG ENERGY EFFICIENCY STDS
–2019 CALIF FIRE CODE
APPLE VALLEY MUNICIPAL CODE

APN 434 063 02

LEGAL DESCRIPTION

PORTION OF WESTERLY 2/3 OF GOVERNMENT LOTS 1 AND 2, OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 4, NORTH, RANGE 3 WEST, S.B.M. IN THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

CURRENT ZONING RM
GROSS AREA 35.01 AC 1,525,035.6 sf
NET AREA 32.19 AC 1,402,195 SF

UNITS	GROSS AREA PER UNIT TYPE	OPEN SPACE
70: 2 BEDROOM "A" 1058 SQ FT USABLE FLOOR AREA	74,060 SF	SPACE IN CHANNEL
86: 3 BEDROOM "B" 1239 SQ FT USABLE FLOOR AREA	106,554 SF	
54: 2 BEDROOM "C" 1069 SQ FT USABLE FLOOR AREA	57,726 SF	
210 UNITS TOTAL	238,240 SF	

ALL UNITS HAVE MORE THAN 150 SQ FT PRIVATE OPEN SPACE

AREA OF RECREATION BUILDINGS
TOT BLDG 4220 SF, REC AREA 2600 SF

TOTAL LOT COVERAGE 237,286 SF LOT COVERAGE 16.9 %
TOTAL SQ FT OF SITE 1,402,195 SF
OPEN SPACE 83.1 % OF SITE

COMMON OPEN SPACE REQ 210,329 SF, PROV IN EXCESS OF 336,230 SF
RECREATIONAL AMENITIES REQUIRED 41,600 SF
RECREATION AMENITY AREA PROVIDED 205,892 SF

PARKING	REQ	PROVIDED	REQ GUEST	PROVIDED GUEST
124 2 BEDROOMS REQUIRED ENCLOSED	248	248	62	230
86 3 BEDROOMS REQUIRED ENCLOSED PARKING	172	172	43	79
86 3 BEDROOMS REQUIRED OPEN PARKING	86	86		81
ADDITIONAL GUEST PARKING PROVIDED AT DRIVEWAYS				81
DETACHED GARAGES				8

MAX STRUCTURE HEIGHT 20 FT
CONSTRUCTION MATERIALS: WOOD FRAME, STUCCO AND TILE ROOF

INDEX
1 COVER SHEET
2 SITE PLAN
2.1 TENTATIVE PARCEL MAP
3 LANDSCAPE CONCEPTS PLAN
4 PHASING PLAN
5 2 BEDROOM PLAN A
6 PLAN A ELEVATIONS
7 3 BEDROOM PLAN B
8 PLAN B ELEVATIONS
9 2 BEDROOM PLAN C
10 PLAN C ELEVATION
11 RECREATION BLDG AND SITE ENLARGEMENT
12 RECREATION ELEVATIONS
13 OPEN SPACE PLAN
G1 GRADING PLAN

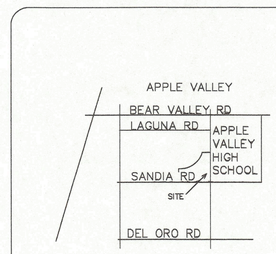
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PROJECT MEETS ZONING STANDARDS
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APPLE VALLEY PLANNING DEPT.
SIGNATURE DATE 2/17/21

PETE VOLBEDA Architecture Planning
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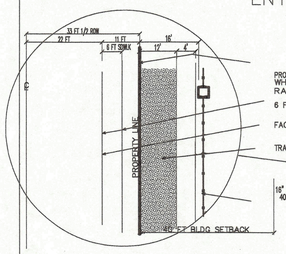
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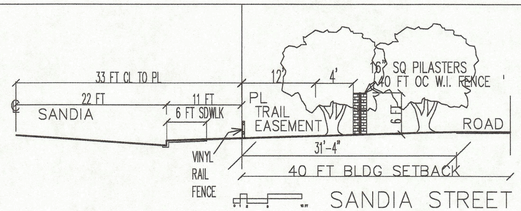
BM INVESTMENTS
NAVAJO APPLE VALLEY

SHEET 1
OF

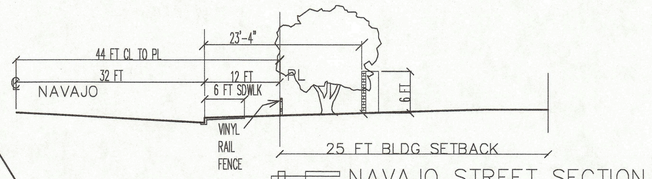


VICINITY MAP





SANDIA STREET SECTION



NAVAJO STREET SECTION

FENCE DETAILS

PLAN LEGEND	ELEVATION
	ELEVATION WROUGHT IRON FENCE AT CHANNEL
	40 FT 16" SQ PILASTERS 40 FT OC W.I. FENCE AT SANDIA RD.
FT HT. VINYL FENCE	FT HT. VINYL FENCE
40 FT 40 FT PLAN VIEW JOGGED 3 FT	BLOCK CAP SLUMP BLOC, SPLIT FACE OR STUCCO OVER CMU ELEVATION TYPICAL PERIMETER BLOCK WALL DETAIL
	PROPERTY LINE & SLUMP BLOC, SPLIT FACE OR STUCCO OVER CMU
	WHITE VINYL RAIL FENCE AT TRAIL EASEMENT
PATH OF TRAVEL	

MOBILE HOME PARK

SANDIA RD

NAVAJO RD

ENTRANCE

ENTRANCE

ENTRANCE

HIGH SCHOOL

VACANT

PARKER DR.

SANDIA CT.

ROAD

PEDESTRIAN GATE

COLORED DECOR PAVING

GATE EXIT ONLY

GUEST PARKING

ASPHALT PAVING TYP.

TYP. PRIVATE OPEN SPACE

EXISTING SINGLE FAMILY RES. SINGLE STORY STUCCO WALLS COMPOSITION ROOFING

ADJACENT HOMES

TYPICAL AIR CONDITIONING

DRAINAGE CHANNEL

PARK BENCH

TYPICAL 6 FT. HT. WROUGHT IRON FENCE

RECREATION AREA 189,162 SF FT.

BBQ

PARK BENCH

AMENITY ACCESS

AMENITY OPEN SPACE AREA

AMENITY FACILITY

POOL

REC BLDG & OFFICE

PLNTR

FOUNTAIN

TRASH ENCL.

DETENTION AREA

BASINS BY PARK OFFICE

FIRE ROAD - ASPHALT PAVING TYPICAL

ASPHALT PAVING TYPICAL

SIDEWALK

TYPICAL VINYL OR WOOD FENCE

PROPERTY LINE & SLUMP BLOC, SPLIT FACE OR STUCCO OVER CMU

REQUIRED 25 FT. REAR YARD

TYP. PRIVATE OPEN SPACE

2 CAR GARAGE

AMENITIES PROVIDED
- POOL
- SPA
- TRAIL OPEN SPACE
- GAZEBO
- BBQ
- EXTERIOR SITTING AREA COVERED
- INTERIOR SITTING AREA REC CENTER
- BANQUET HALL
- CONFERENCE ROOM
- GYM
- TOT LOT

16" SQ PILASTERS 40 FT OC W.I. FENCE

12 FT TRAIL EASEMENT

6 FT WIDE SIDEWALK

F.H.

TYP. PRIVATE OPEN SPACE

PROPERTY LINE

SIDEWALK
FACE OF CURB
EDGE OF PAVING

SLUMP BLOCK, SPLIT FACE OR STUCCO OVER CMU

F.H. MONUMENT SIGN

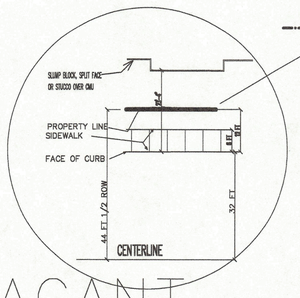
COLORED DECOR PAVING ENTRANCE

NAVAJO ROAD

PROPERTY LINE
SIDEWALK
CURB AND GUTTER
EDGE OF PAVING

COLORED DECOR PAVING ENTRANCE

PROPERTY LINE & SLUMP BLOC, SPLIT FACE OR STUCCO OVER CMU



SITE PLAN

SCALE 1 INCH = 80 FT

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2/17/21
DATE

PETE VOLBEDA Architecture Planning
164 N. 2ND AVE., SUITE 100 UPLAND CA 91786
TEL 909 373 1150 FAX 909 373 1152

11/2/2020

REV	DATE

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APARTMENT FOR BM INVESTMENTS
NAVAJO, APPLE VALEY

SITE PLAN

SHEET 2 OF

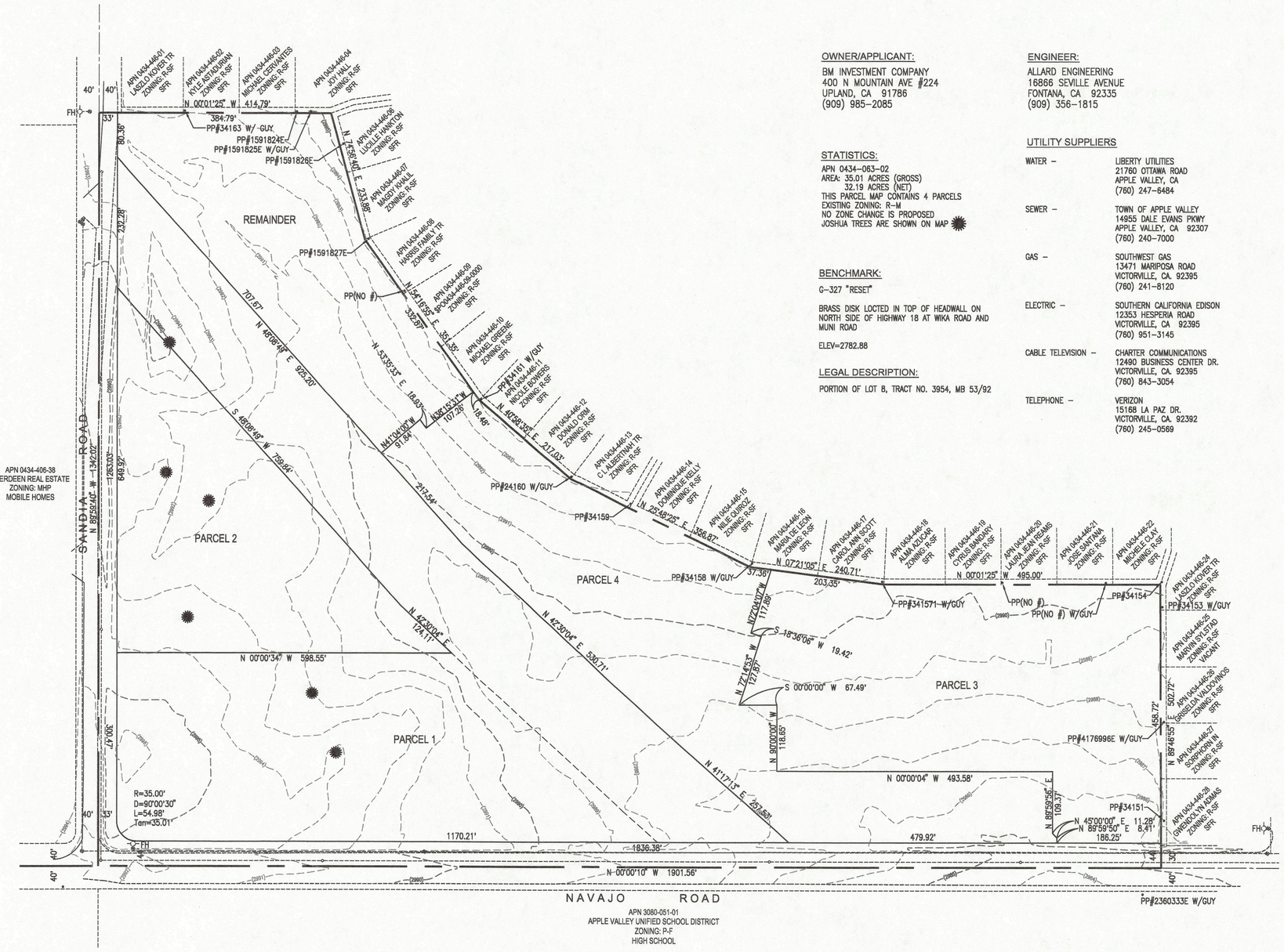
IN THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

TENTATIVE PARCEL MAP NO. 20258
FOR FINANCIAL PURPOSES ONLY

A PORTION OF THE WESTERLY TWO-THIRDS OF GOVERNMENT LOTS 1 & 2 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 3 WEST, S.B.M.

ALLARD ENGINEERING — JUNE, 2020

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.



OWNER/APPLICANT:
BM INVESTMENT COMPANY
400 N MOUNTAIN AVE #224
UPLAND, CA 91786
(909) 985-2085

ENGINEER:
ALLARD ENGINEERING
16866 SEVILLE AVENUE
FONTANA, CA 92335
(909) 356-1815

STATISTICS:
APN 0434-063-02
AREA: 35.01 ACRES (GROSS)
32.19 ACRES (NET)
THIS PARCEL MAP CONTAINS 4 PARCELS
EXISTING ZONING: R-M
NO ZONE CHANGE IS PROPOSED
JOSHUA TREES ARE SHOWN ON MAP

UTILITY SUPPLIERS

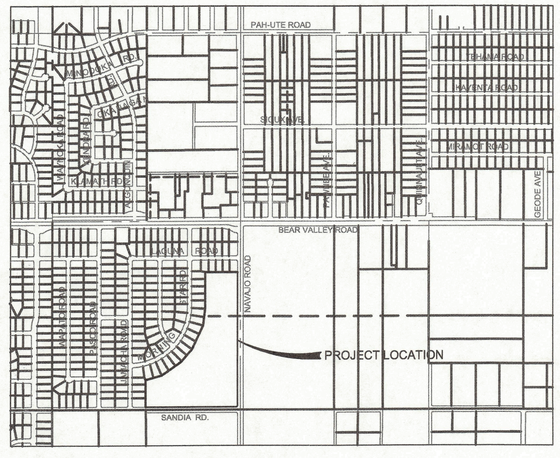
WATER –	LIBERTY UTILITIES 21760 OTTAWA ROAD APPLE VALLEY, CA (760) 247-6484
SEWER –	TOWN OF APPLE VALLEY 14955 DALE EVANS PKWY APPLE VALLEY, CA 92307 (760) 240-7000
GAS –	SOUTHWEST GAS 13471 MARIPOSA ROAD VICTORVILLE, CA. 92395 (760) 241-8120
ELECTRIC –	SOUTHERN CALIFORNIA EDISON 12353 HESPERIA ROAD VICTORVILLE, CA 92395 (760) 951-3145
CABLE TELEVISION –	CHARTER COMMUNICATIONS 12490 BUSINESS CENTER DR. VICTORVILLE, CA. 92395 (760) 843-3054
TELEPHONE –	VERIZON 15168 LA PAZ DR. VICTORVILLE, CA. 92392 (760) 245-0569

BENCHMARK:
G-327 "RESET"

BRASS DISK LOCTED IN TOP OF HEADWALL ON NORTH SIDE OF HIGHWAY 18 AT WIKA ROAD AND MUNI ROAD

ELEV=2782.88

LEGAL DESCRIPTION:
PORTION OF LOT 8, TRACT NO. 3954, MB 53/92



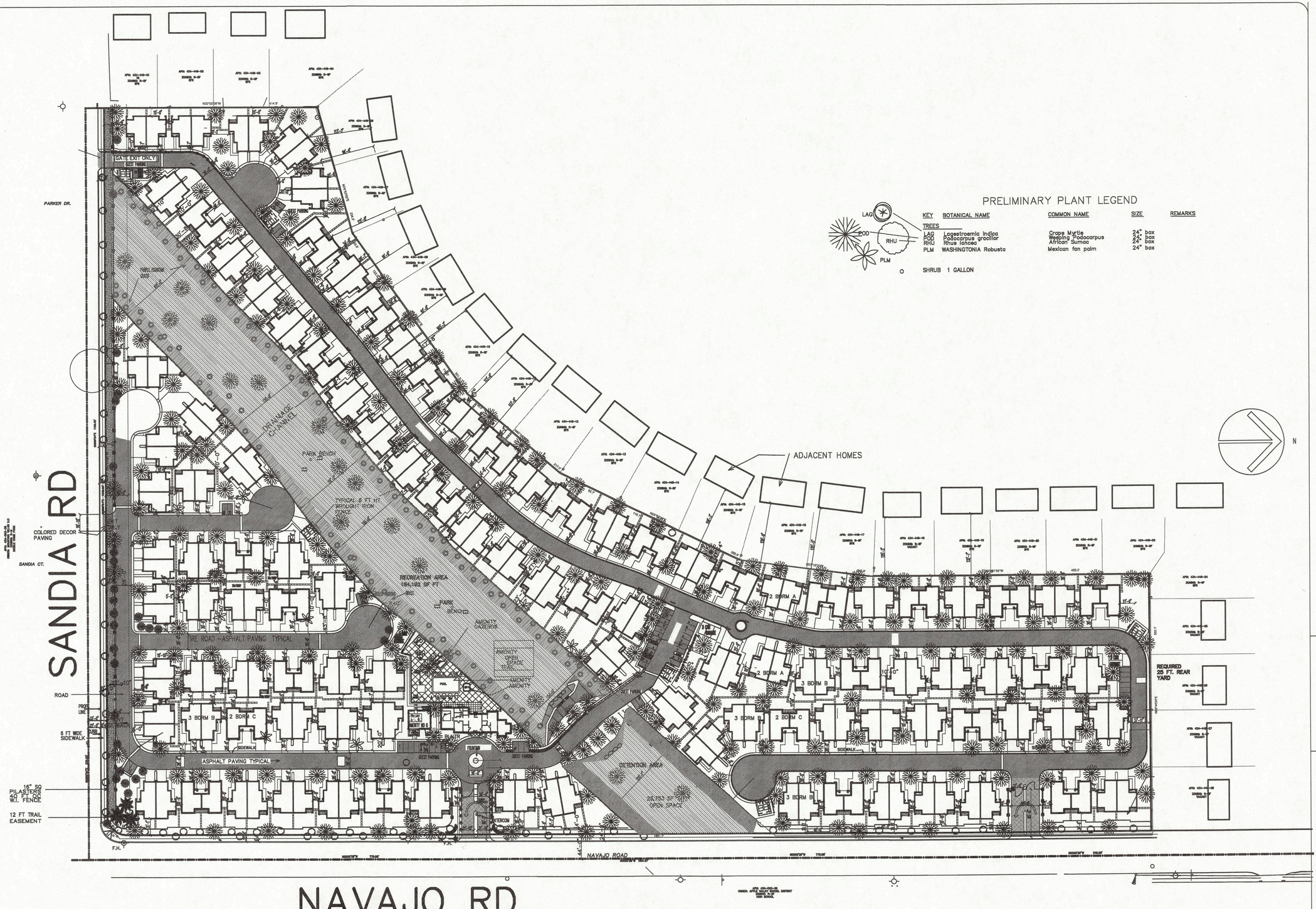
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VICINITY MAP
NOT TO SCALE

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TENTATIVE PARCEL MAP NO. 20258
FOR FINANCIAL PURPOSES ONLY

ALLARD ENGINEERING
Civil Engineering - Land Surveying - Land Planning
16866 Seville Avenue
Fontana, California 92335
(909) 356-1815 Fax (909) 356-1795

PAGE 2.1



PRELIMINARY PLANT LEGEND

KEY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
TREES				
LAG	Lagestroemia Indica	Crape Myrtle	24" box	
POD	Podocarpus gracilior	Weeping Podocarpus	24" box	
RHU	Rhus lancea	African Sumac	24" box	
PLM	WASHINGTONIA Robusta	Mexican fan palm	24" box	
o	SHRUB 1 GALLON			

CONCEPTUAL LANDSCAPE PLAN

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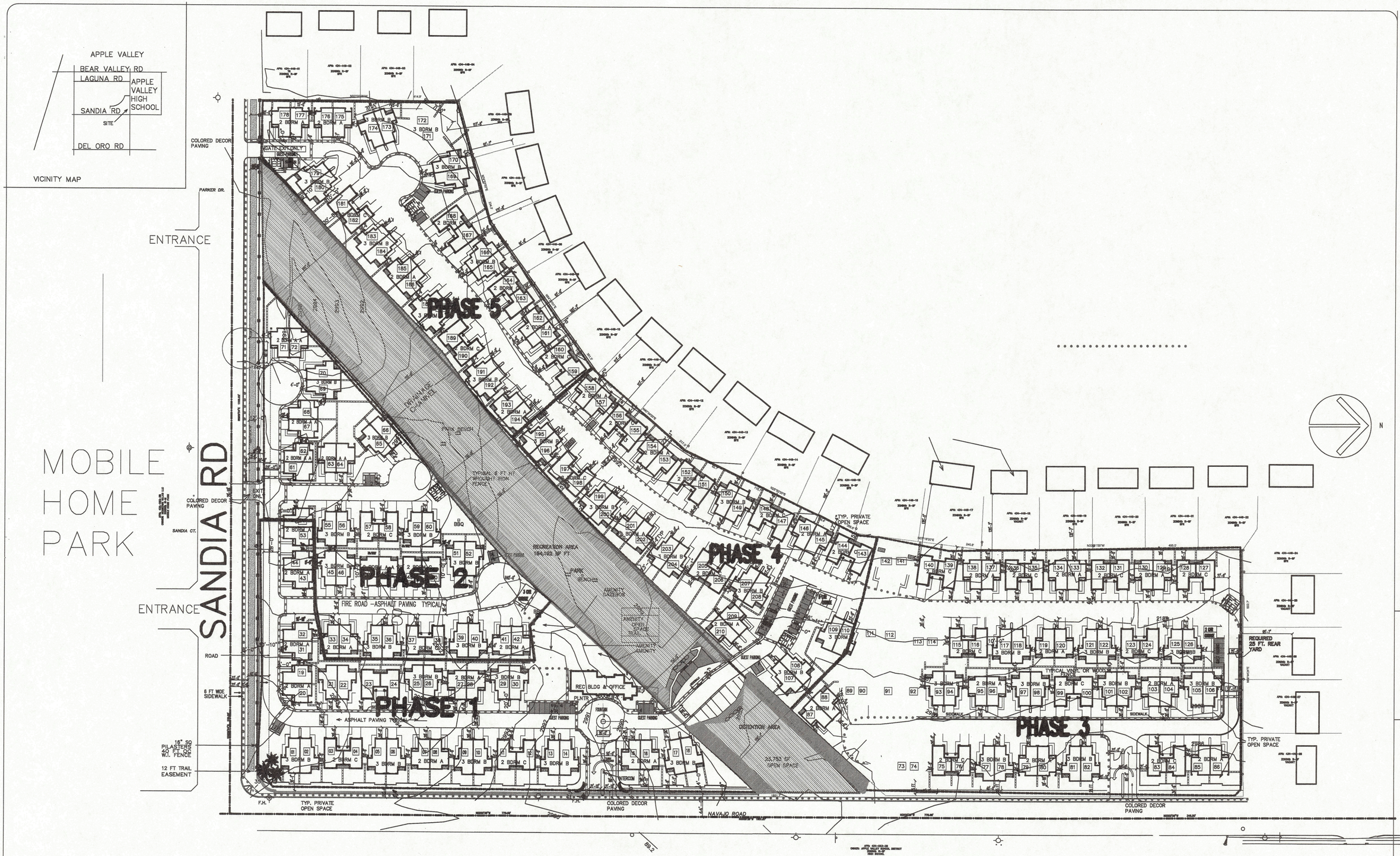
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APARTMENT FOR BM INVESTMENTS
NAVAJO, APPLE VALEY

SHEET 3 OF



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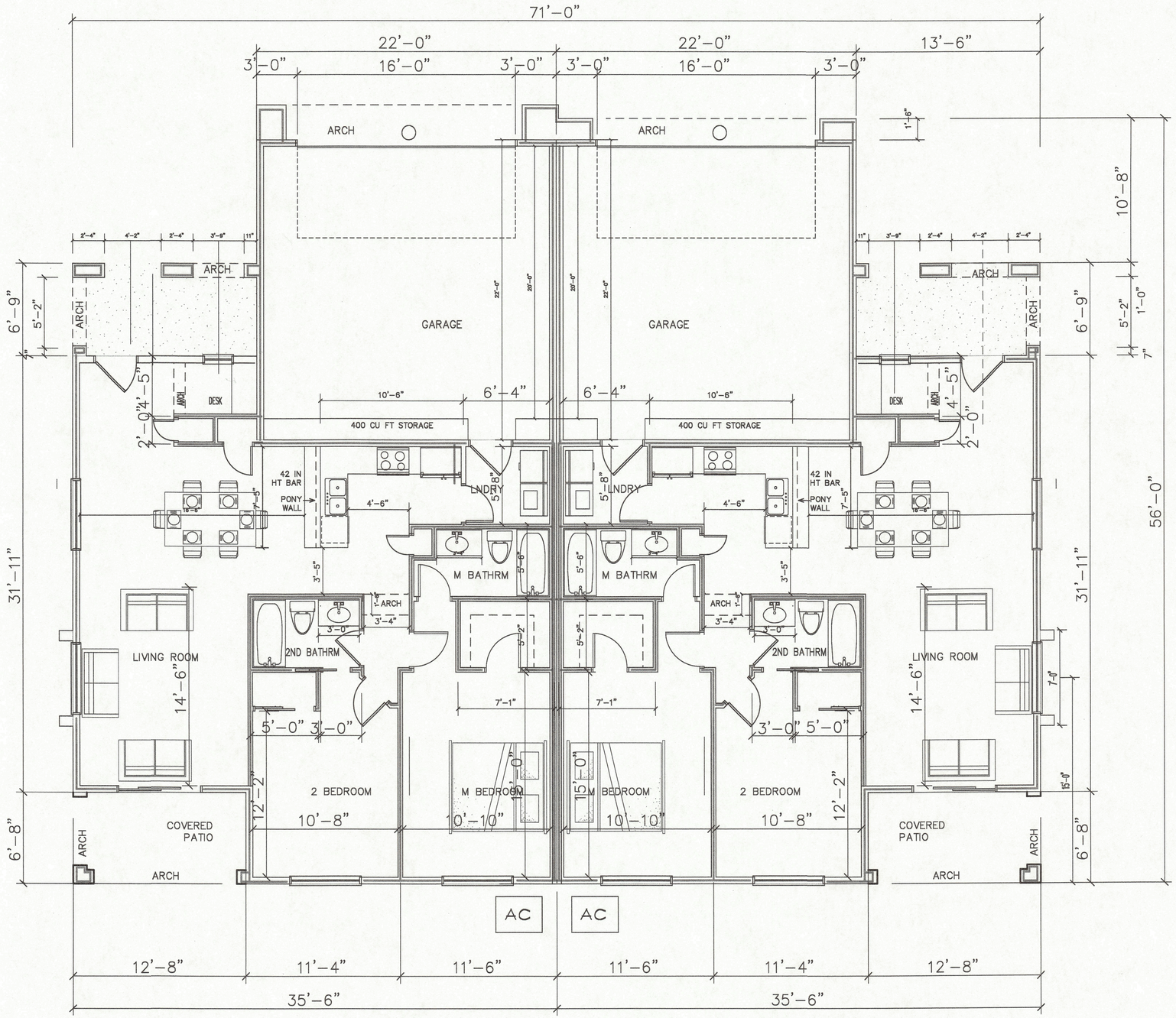
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APARTMENT FOR BM INVESTMENTS
NAVAJO, APPLE VALEY

SITE PLAN

SHEET 4.1
OF

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1140 SF

2 BEDROOM FLOOR PLAN

SCALE 1/4" = 1 F T - 0 IN

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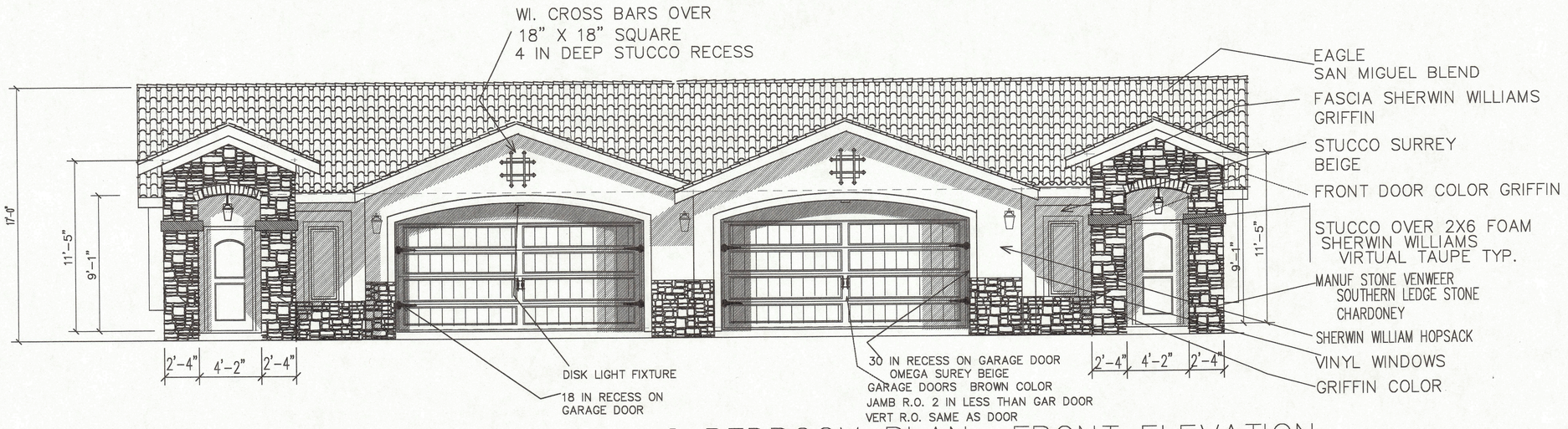
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2 BEDROOM PLAN A

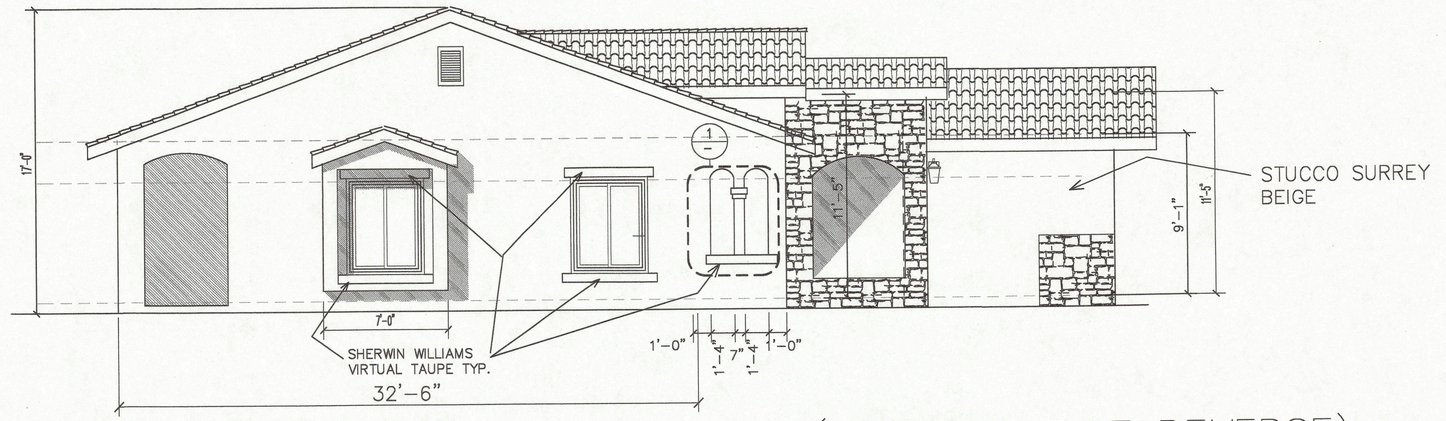
BM INVESTMENTS
NAVAJO APPLE VALLEY

SHEET 5 OF

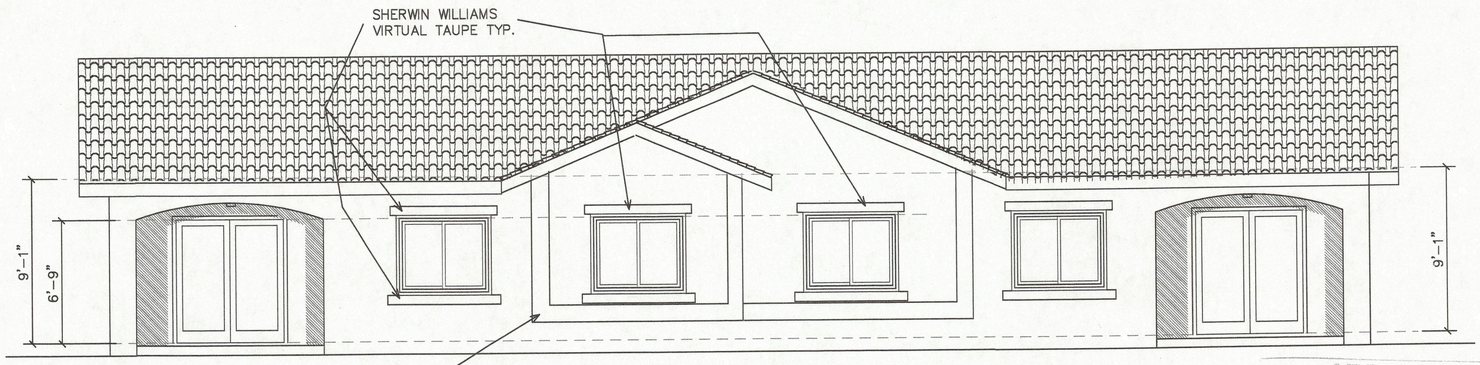


2 BEDROOM PLAN FRONT ELEVATION

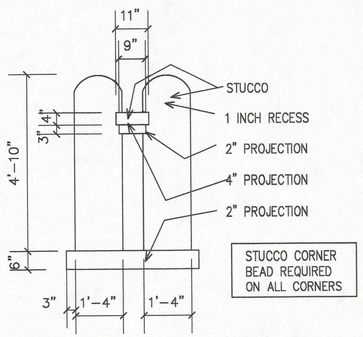
SCALE 1/4" = 1 F T – 0 IN



2 BEDROOM PLAN SIDE ELEVATION(OPPOSITE SIDE REVERSE)



2 BEDROOM PLAN REAR ELEVATION
NAVAJO ELEVATION



DECORATIVE REVEAL 1

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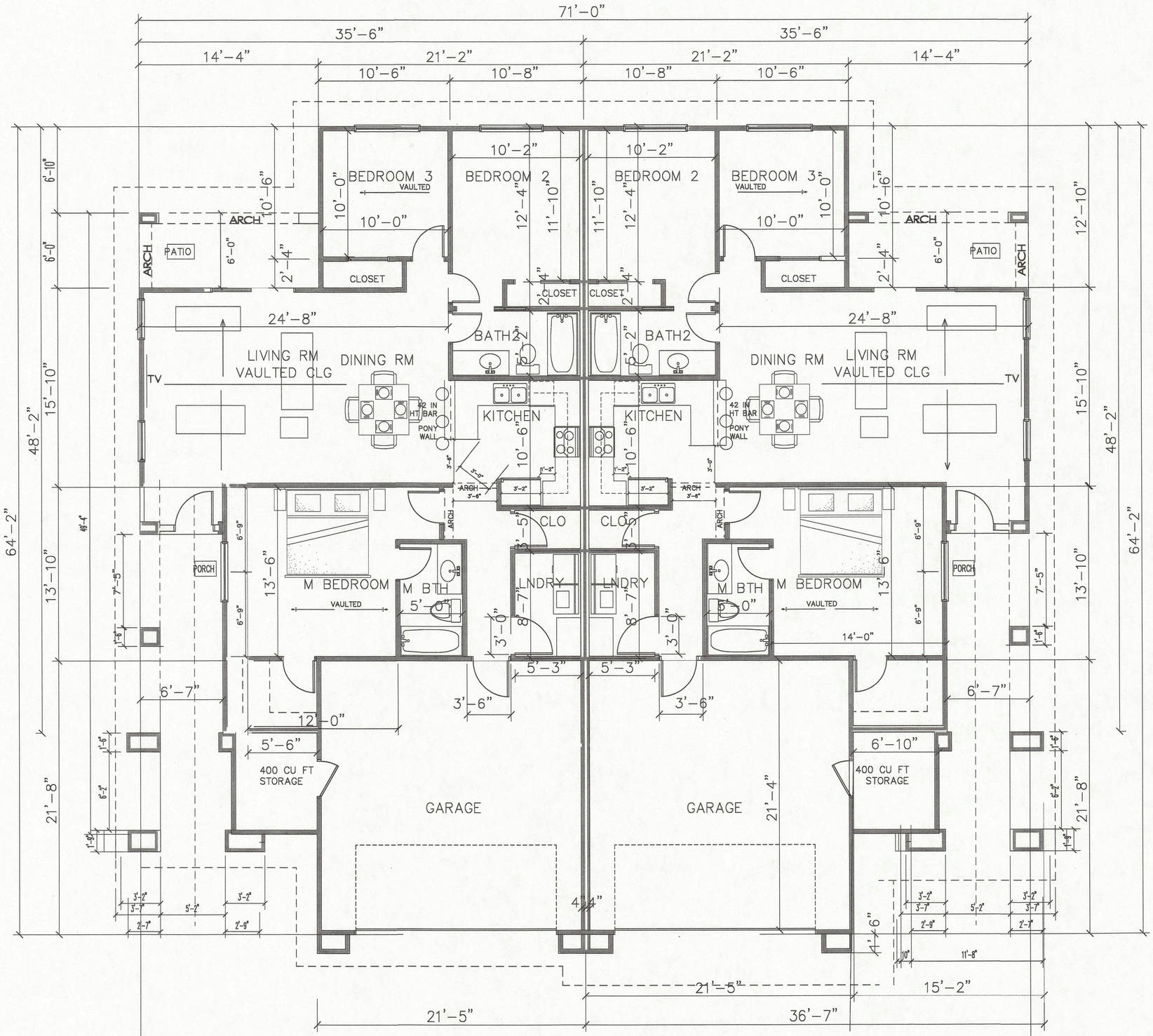
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2 BEDROOM PLAN A

BM INVESTMENTS
NAVAJO APPLE VALLEY

SHEET 6 OF

VERIFY ALL DIMENSIONS IN FIELD PRIOR TO START OF CONSTRUCTION AND NOTIFY ARCHITECT OF ANY DISCREPANCY



3 BEDROOM 1239 SQ FT

SCALE 1/4" = 1 F T - 0 IN

LEGEND

NEW WALL

DOOR/WDO

EX WALL

REMOVE EX WALL

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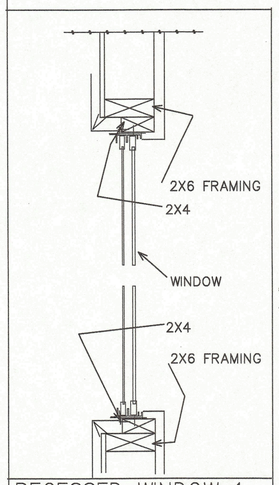
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3 BEDROOM B PLAN

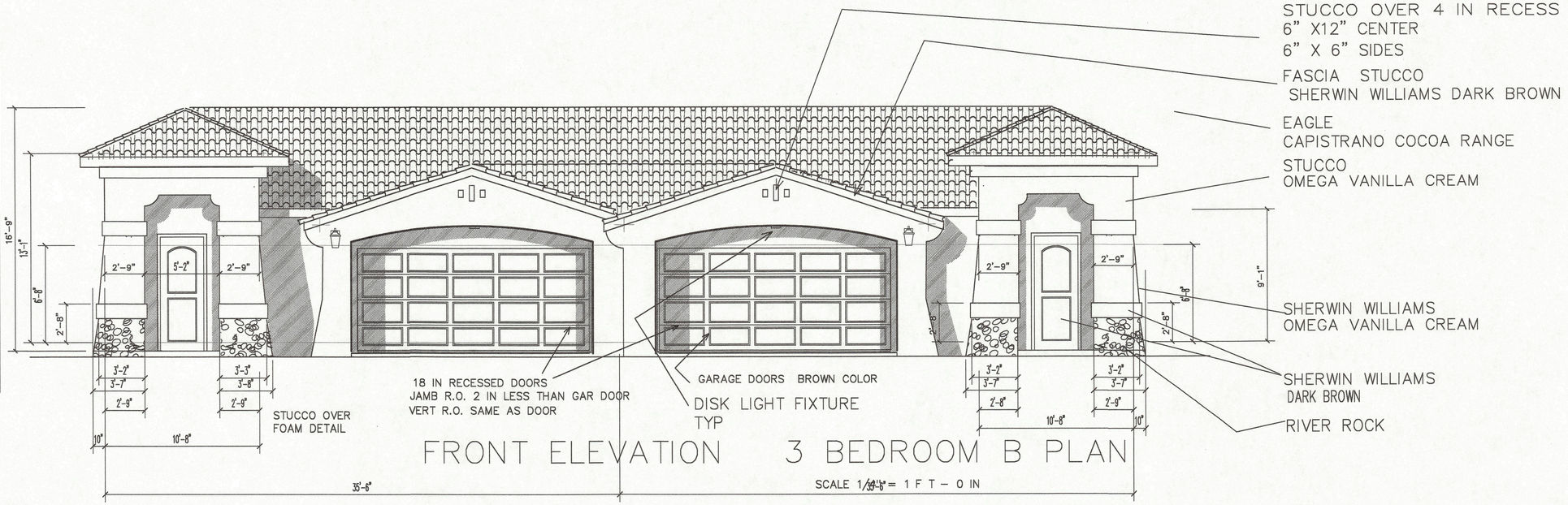
BM INVESTMENTS
NAVAJO APPLE VALLEY

SHEET 7 OF

VERIFY ALL DIMENSIONS IN FIELD PRIOR TO START OF CONSTRUCTION AND NOTIFY ARCHITECT OF ANY DISCREPANCY

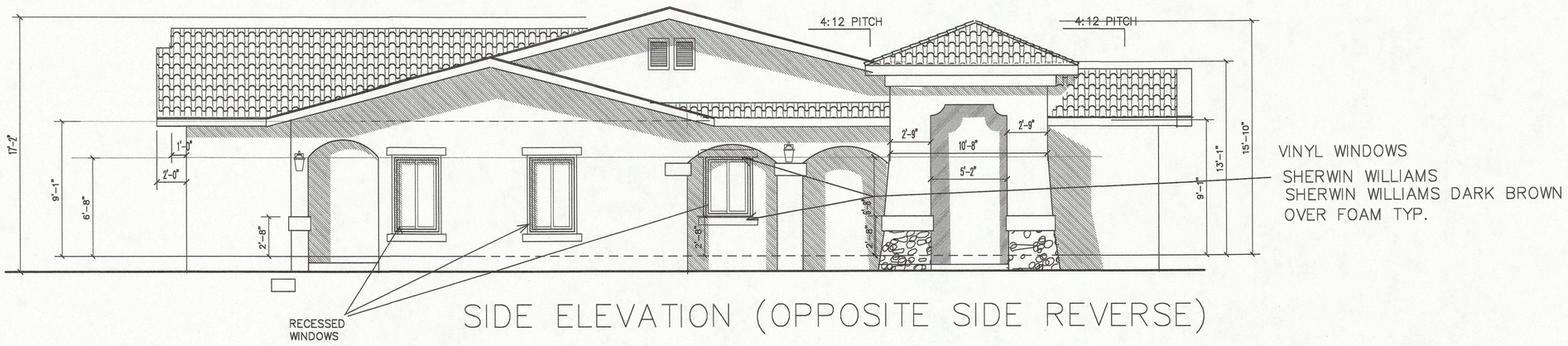


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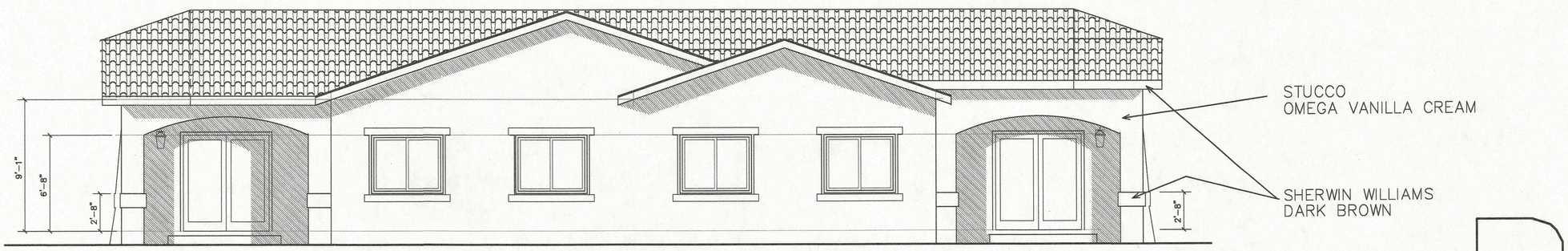
FRONT ELEVATION 3 BEDROOM B PLAN

SCALE 1/4" = 1 F T – 0 IN



SIDE ELEVATION (OPPOSITE SIDE REVERSE)

SCALE 1/4" = 1 F T – 0 IN



REAR ELEVATION 3 BEDROOM B PLAN

SCALE 1/4" = 1 F T – 0 IN

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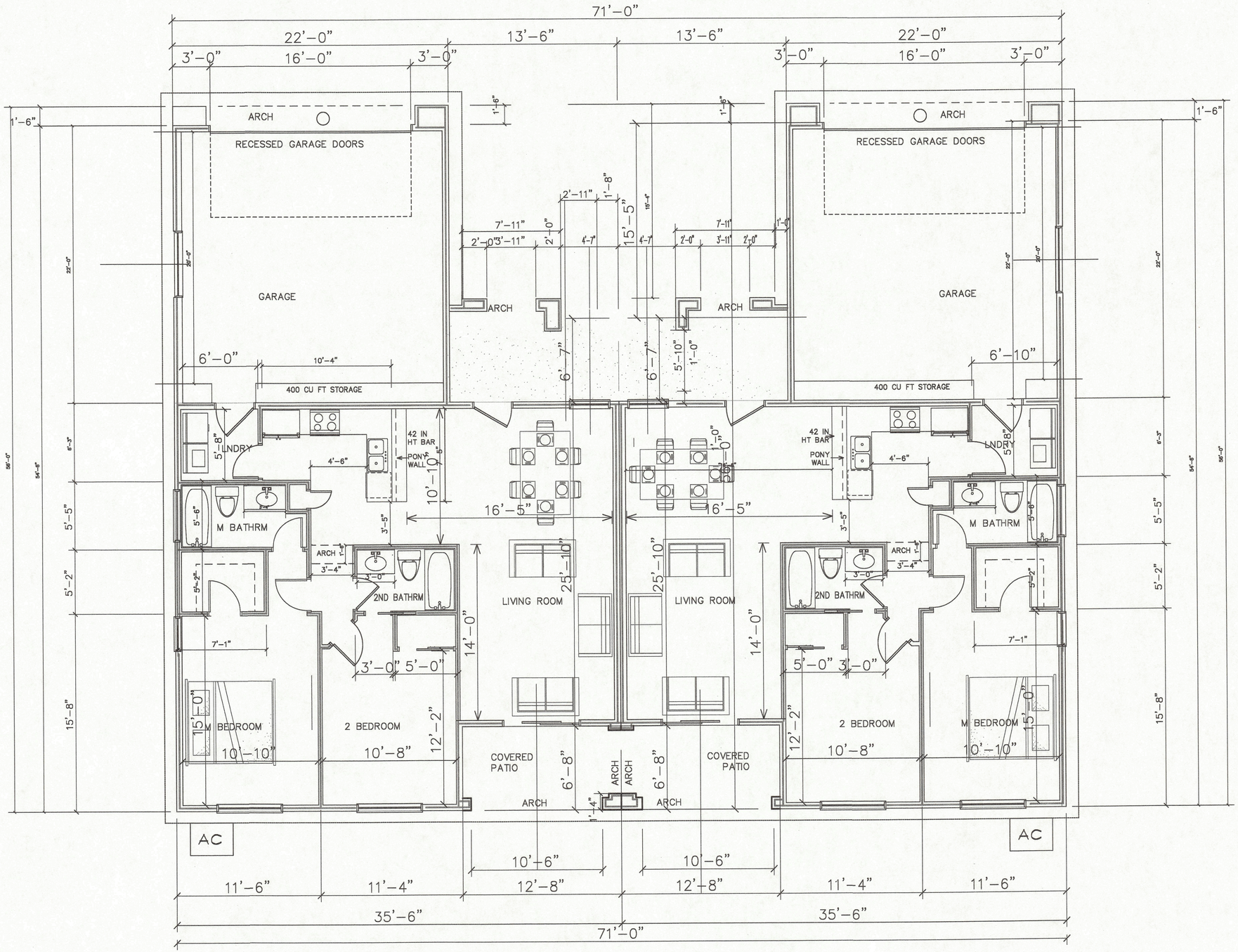
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3 BEDROOM B PLAN

BM INVESTMENTS
NAVAJO APPLE VALLEY

SHEET 8 OF

VERIFY ALL DIMENSIONS IN FIELD PRIOR TO START OF CONSTRUCTION AND NOTIFY ARCHITECT OF ANY DISCREPANCY



1069 SF

2 BEDROOM FLOOR PLAN

SCALE 1/4" = 1 F T - 0 IN

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21/7/21
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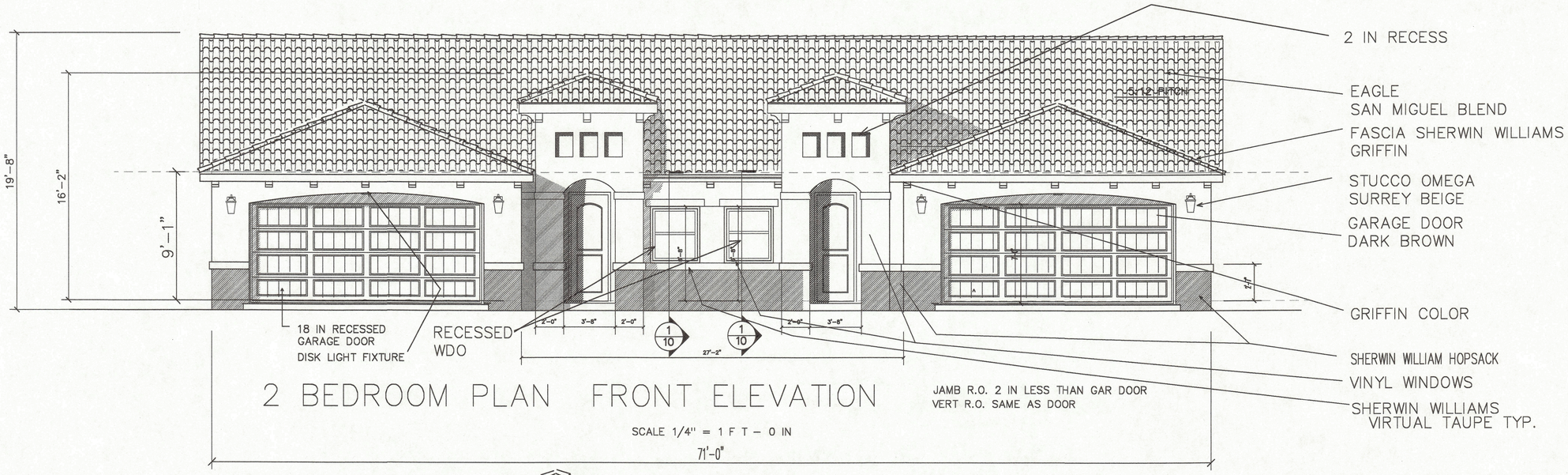
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REVISION	DATE
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2 BEDROOM PLAN C

BM INVESTMENTS
NAVAJO APPLE VALLEY

SHEET 9 OF

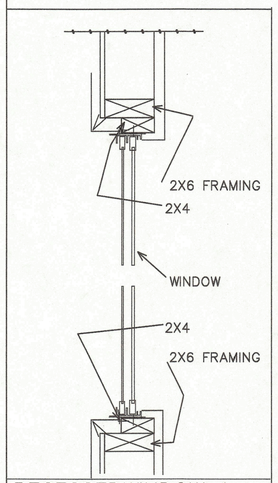
VERIFY ALL DIMENSIONS IN FIELD PRIOR TO START OF CONSTRUCTION AND NOTIFY ARCHITECT OF ANY DISCREPANCY



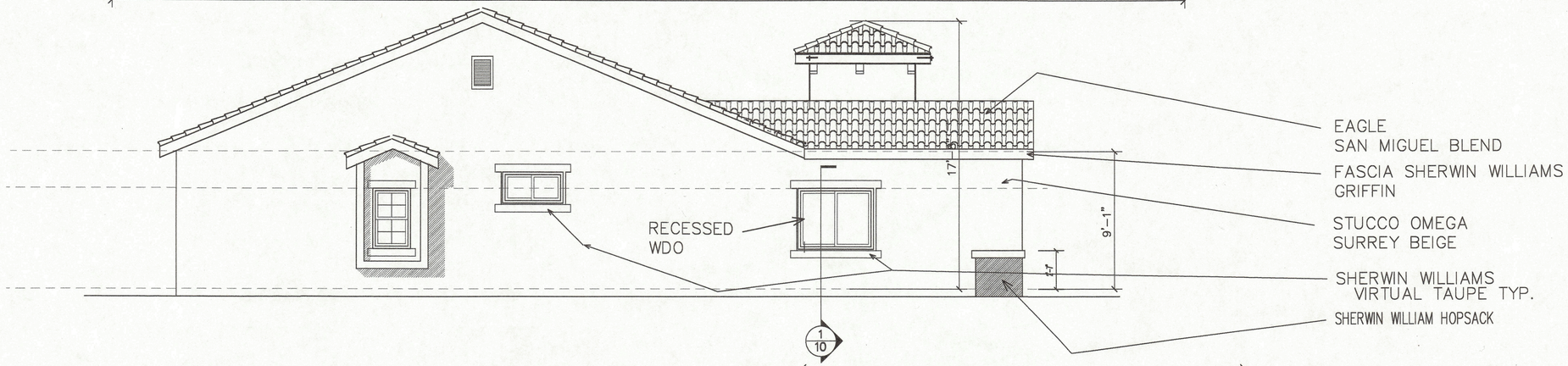
2 BEDROOM PLAN FRONT ELEVATION

SCALE 1/4" = 1 F T – 0 IN

JAMB R.O. 2 IN LESS THAN GAR DOOR
VERT R.O. SAME AS DOOR

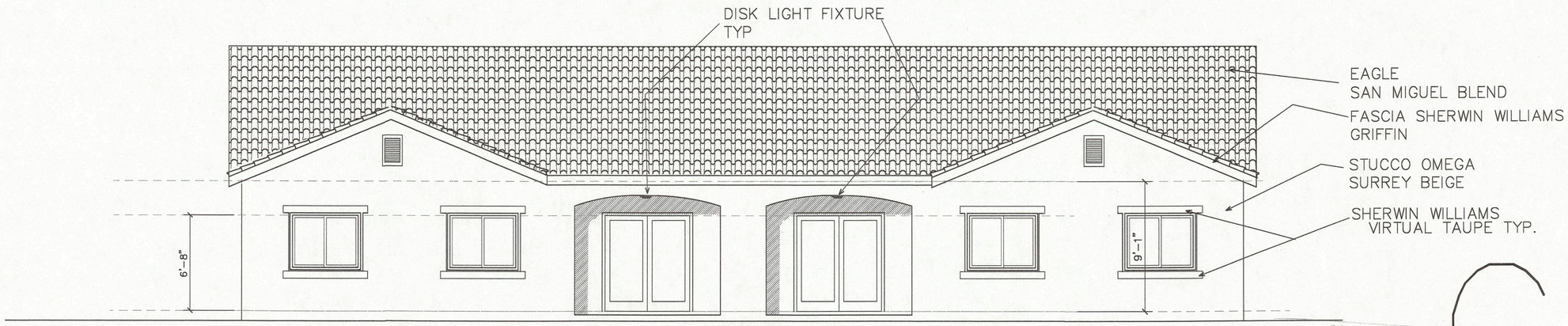


RECESSEDWINDOW 1



2 BEDROOM PLAN SIDE ELEVATION(OPPOSITE SIDE REVERSE)

SCALE 1/4" = 1 F T – 0 IN



2 BEDROOM PLAN REAR ELEVATION

SCALE 1/4" = 1 F T – 0 IN

APPROVED
SUBJECT TO BUILDING DEPT. APPROVAL
PROJECT MEETS ZONING STANDARDS
NO FURTHER PLANNING PERMITS ARE REQUIRED
APPLE VALLEY PLANNING DEPT.
SIGNATURE 11/7/21 DATE

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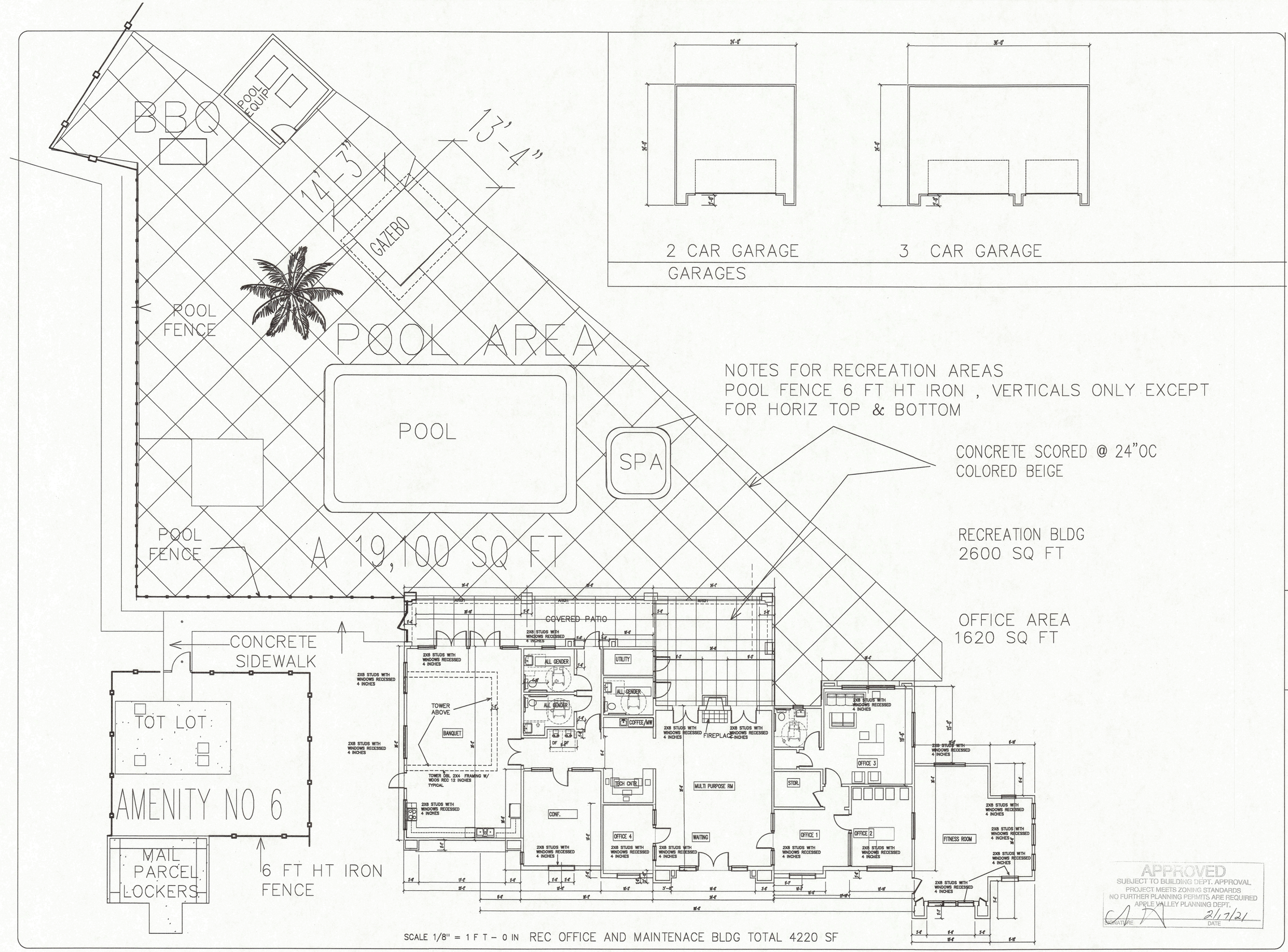
PETE VOLBEDA Architecture Planning
164 N 2ND AVE., UPLAND CA.
TEL 909 373 1150 FAX 909 373 1152

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2 BEDROOM PLAN C

BM INVESTMENTS
NAVAJO APPLE VALLEY

SHEET 10 OF



SCALE 1/8" = 1 F T – 0 IN REC OFFICE AND MAINTENACE BLDG TOTAL 4220 SF

PETE VOLBEDA Architecture Planning
164 N 2nd AVE., SUITE 100 UPLAND CA 91786
TEL 909 373 1150 FAX 909 373 1182

11/9/2020

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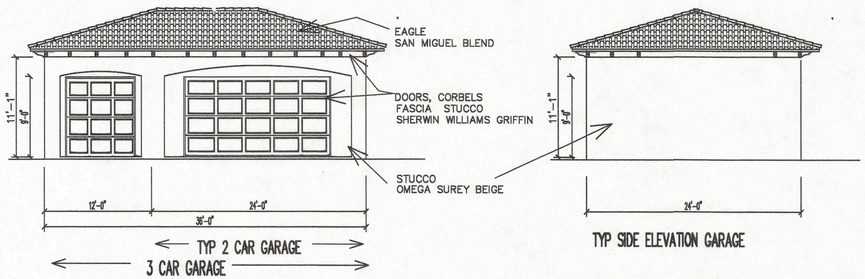
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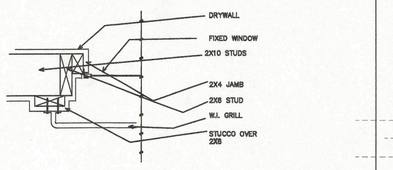
BM INVESTMENTS
NAVAJO APPLE VALLEY

SHEET OF 11

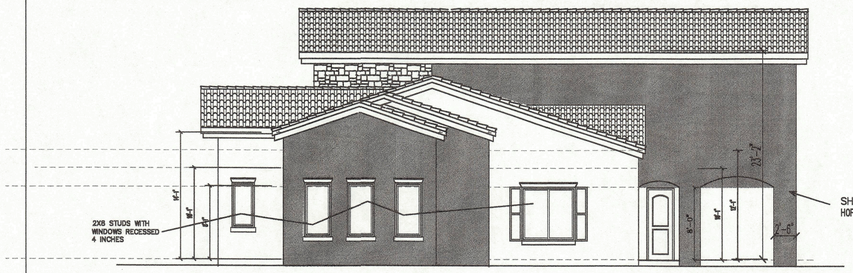
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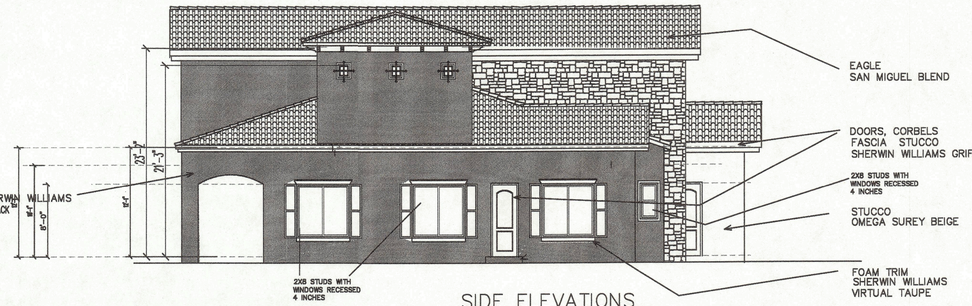
GARAGE ELEVATIONS



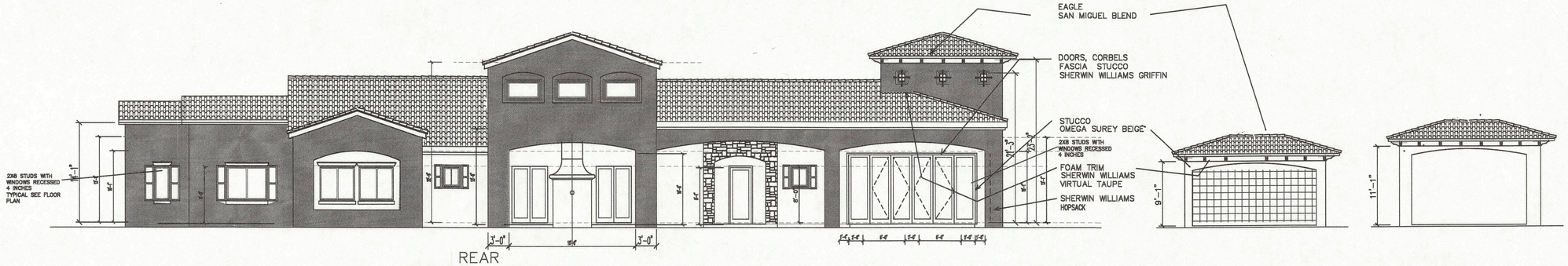
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SIDE ELEVATIONS
RECREATION BUILDING ELEVATIONS SCALE 1 INCH = 8 FT



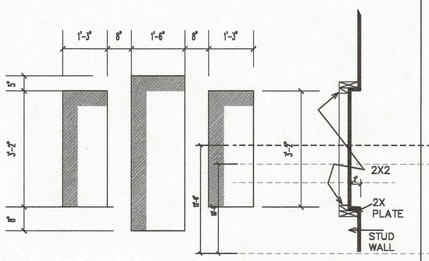
SIDE ELEVATIONS
RECREATION BUILDING ELEVATIONS
SCALE 1 INCH = 8 FT



REAR
RECREATION BUILDING ELEVATIONS
SCALE 1 INCH = 8 FT

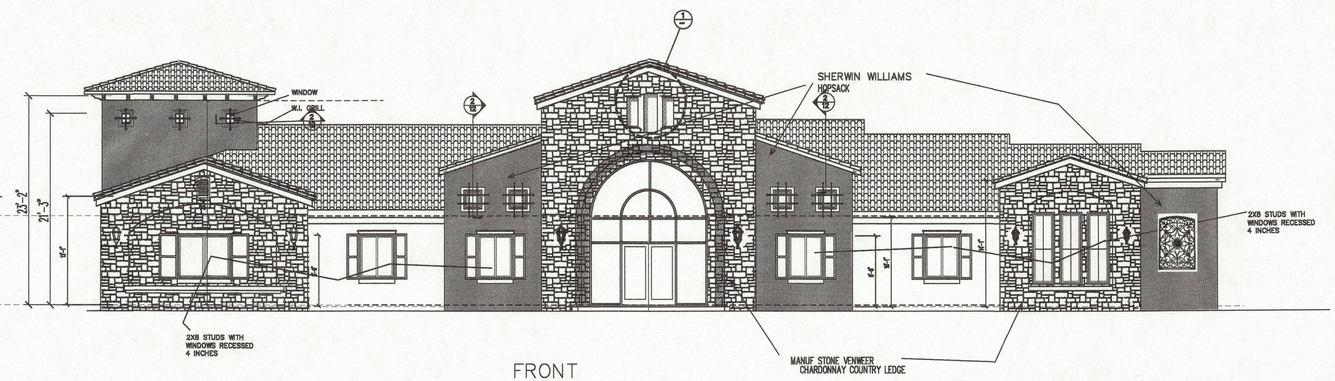
MAIL BOX ELEVATIONS
SCALE 1 INCH = 8 FT

GAZEBO
TYPICAL 4 SIDES



ELEVATION SECTION

RECESSED STUCCO 1



FRONT
RECREATION BUILDING ELEVATIONS
SCALE 1 INCH = 8 FT

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PROJECT MEETS ZONING STANDARDS
NO FURTHER PLANNING PERMITS ARE REQUIRED
APPLE VALLEY PLANNING DEPT.
SIGNATURE 2/17/21 DATE

REC BUILDING

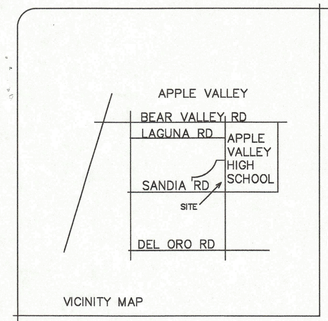
PETE VOLBEDA Architecture Planning
180 N BENSON AVE., SUITE D UPLAND CA 91786
TEL 909 373 1150 FAX 909 373 1152

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11/9/2020

BM INVESTMENTS
NAVAJO APPLE VALLEY

SHEET 12 OF



VICINITY MAP

336,230 SQ FT COMMON OPEN SPACE

MOBILE HOME PARK

SANDIA RD

ENTRANCE

ENTRANCE

ROAD

NAVAJO RD

ADJACENT HOMES

N

1307 SF

COLORED DECOR PAVING

GATE EXIT ONLY

GUEST PARKING

PARKER DR.

12,308 SF OPEN SPACE

DRAINAGE CHANNEL

PARK BENCH

TYPICAL 6 FT HT WROUGHT IRON FENCE

RECREATION AREA 104,182 SF FT

AMENITY CABANAS 122,363 SF

AMENITY OPEN SPACE TRAIL

AMENITY AMENITY

REC BLDG & OFFICE

FOUNTAIN

DETENTION AREA

35,763 SF OPEN SPACE

TYP. PRIVATE OPEN SPACE

10,356 SQ FT

6388 SF

9700 SQ FT

3400 SF

4998 SF

2314 SF

REQUIRED 25 FT. REAR YARD

TYPICAL VINYL OR WOOD FENCE

6 FT MIDE SIDEWALK

19,875 SF OPEN SPACE

16" SQ PILASTERS 40 FT OC W/ WI. FENCE

12 FT TRAIL EASEMENT

SANDIA CT.

FIRE ROAD - ASPHALT PAVING TYPICAL

ASPHALT PAVING TYPICAL

SIDEWALK

F.H.

INTERCOM

ORANGE APPLE VALLEY SCHOOL DISTRICT 1500 BLOCK

OPEN SPACE SITE PLAN

SCALE 1 INCH = 80 FT

HIGH SCHOOL

VACANT

APPROVED
SUBJECT TO BUILDING DEPT. APPROVAL
PROJECT MEETS ZONING STANDARDS
NO FURTHER PLANNING PERMITS ARE REQUIRED
APPLE VALLEY PLANNING DEPT.
SIGNATURE
8/17/21
DATE

PETE VOLBEDA Architecture Planning
164 N. 2ND AVE., SUITE 100 UPLAND CA 91786
TEL 909 373 1150 FAX 909 373 1152

10/23/2020

REV	DATE

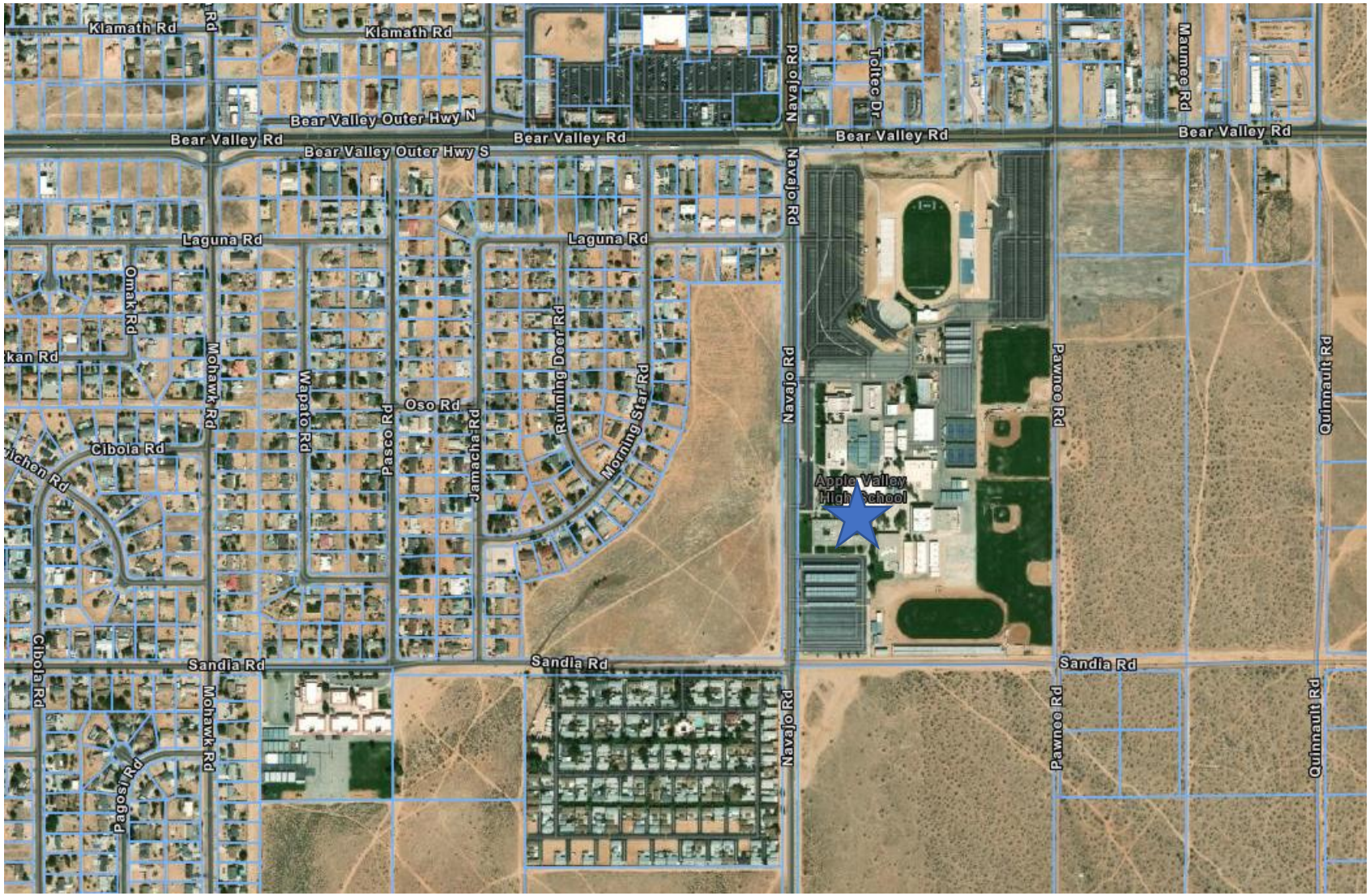
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SITE PLAN

APARTMENT FOR BM INVESTMENTS
NAVAJO, APPLE VALEY

SHEET 13
OF



CUP 2002-01; APN: 0434-063-02

TOWN OF APPLE VALLEY
MITIGATED NEGATIVE DECLARATION/INITIAL STUDY

Project Title:	Conditional Use Permit No. 2020-01 & Tentative Parcel Map No. 20258
Assessor's Parcel No.	0434-063-02
Lead Agency Name and Address:	Town of Apple Valley 14975 Dale Evans Parkway Apple Valley, CA 92307
Project Location:	Northwest corner of Navajo Road and Sandia Road
Project Sponsor's Name and Address:	BM Investments, LLC 400 N. Mountain Avenue, Suite 224 Upland, CA 91736
General Plan Designation(s):	Medium density Residential (RM)
Zoning:	Multi-Family Residential (R-M)
Contact Person:	Town of Apple Valley (760) 240-7000, Ext. 7205/ dalcayaga@applevalley.org
Date Prepared	January 2021

1. Description of the Project

A Conditional Use Permit to construct a 210-unit multi-family development and a tentative parcel map to create four parcels and remainder for financial purposes. Each building is designed in a duplex fashion with each unit having a two-car garage. There are three floor plans ranging in size from 1,069 square feet to 1,239 square feet. Two of the floor plans are two-bedroom units, and one floor plan is a three-bedroom unit. There will be a different building elevation to accompany each floor plan. Recreational amenities include a large common open space area with a pool and spa, a recreational building, a tot-lot, and multiple gazebos and barbeques. Street improvements will be constructed including curb, gutter, and sidewalk along the project frontage on Navajo and Sandia Roads. A 12-foot trail will be constructed adjacent to Sandia Road on private property as an easement. A drainage channel will be constructed through the middle of the development to allow historical drainage to flow through the property.

2. Environmental Setting and Surrounding Land Uses

The subject site is vacant and not highly distrubed. There are portions of the property adjacent to Navajo Road and Sandia Road that have been previously disturbed. The majority of the site does not show signs of being disturbed, with native flora still domininating the landscape. There are four Joshua Trees present on the site. Topographically, the site is relatively flat at an elevation of between 2,986 to 2,996-feet above mean sea level. The property naturally drains southwest to northwest following historical flows. The site is surrounded by existing single-family residences to the north and west and a mobile home park on the opposite side of Sandia Road to the south.

Apple Valley High School is located on the opposite side of Navajo Road to the east. The properties surrounding the site are zoned Residential Single-Family (R-SF) to the north and west. The property to the south is zoned Mobile Home Park (MHP) and Apple Valley High School is zoned Public Facilities (P-F).

3. Other public agencies whose approval is required

None

4. California Native American tribes

Pursuant to the requirements of Assembly Bill 52, the Town notified Cabazon Band of Mission Indians, San Manuel Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians and Torrez-Martinez Desert Cahuilla Indians. San Manuel Band of Mission Indians made a request to include certain conditions of approval. These will be included in the project's conditions of approval. Consultation under AB 52 commenced on December 17, 2020. The 60-day response period ended on February 17, 2021.

Exhibit 1 – Project Aerial



Denotes project site

Exhibit 2 – Project Site Plan



Environmental Factors Potentially Affected:
The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding site-specific discussion on the following pages.

☐ Aesthetics	☐ Agricultural & Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous Materials	☐ Tribal Cultural Resources	☐ Wildfires
☐ Greenhouse Gases	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation
☐ Energy	☐ Utilities/Service Systems	
☐ Mandatory Findings of Significance		

DETERMINATION: The Town of Apple Valley Planning Department has determined, on the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Daniel Alcayaga, AICP
Planning Manager

Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.

    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

    a) The significance criteria or threshold, if any, used to evaluate each question; and

    b) The mitigation measure identified, if any, to reduce the impacts to less than significance.

I. AESTHETICS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion of Impacts

a. ***Less Than Significant Impact.*** The proposed project is not located within a Scenic Corridor. However, there are views of the San Bernardino Mountains to the south and southeast provide the dominant scenic vistas from the project site. Other smaller scale mountain ranges are also visible from the project site. The development of the proposed project would result in the construction of 210 multi-family dwelling units. The construction of the proposed dwelling units may obstruct views of the mountains for nearby residences located north and west of the site. However, the proposed project is of similar size and scale to the existing residential development already in the area and it would not result in a substantial adverse effect on a scenic vista. Therefore, impacts to scenic vistas are considered less than significant.

b. ***Less Than Significant Impact.*** The proposed project will not substantially damage scenic resources, including, but not limited, trees, rock outcroppings, and historic buildings within a state scenic highway, because the site is not adjacent to a state scenic highway and there are no rock outcroppings or historic buildings on the site. The site is not located within a State scenic highway as identified by California Department of Transportation. There are no State designated scenic highways located within, on, adjacent to, or near the project site. Therefore, development of the project would not damage scenic resources within a State scenic highway.

c. ***Less Than Significant Impact.*** The proposed project site shows minimal evidence of trespass traversing the site, but portions of the property adjacent to Navajo and Sandia Roads show signs of being disturbed, with native flora still domoninating the landscape. Completion of the proposed project would result in the development of residential uses on the site. The proposed project will comply with existing Development Code Section 9.31.050 Multi-Family Architectural Design Standards and the Native Plant Protection Ordinance. For these reasons, the ultimate development of single-family dwellings would not result in degradation of the existing visual character of the proposed project site. Therefore, impacts are considered less than significant.

d. ***Less Than Significant Impact.*** Development of the project site would introduce a new source of light and glare in the area in the form of street lighting and outdoor lighting on residential units. While implementation of the proposed project is expected to result in increased light and glare

in comparison with the existing undeveloped nature of the project site, the introduction of light and glare associated with residential uses would be similar to that already occurring in the area. Additionally, the proposed project would be required to adhere to Town standards related to development, including lighting standards contained in the Town's Development Code, Chapter 9.70 Performance Standards. Compliance with Town requirements including the Development Code and the Town's design review would reduce the impact of the light sources to off-site locations to a less than significant level.

II. AGRICULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Discussion of Impacts

a-e ***No Impact.*** The proposed project will have no impact to agricultural resources, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. There are no agricultural land uses within the subject property. The site does not contain forest land as defined in Public Resources Code section 12220(g) or timberland as defined in Gov't Code section 51104(g).

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

In order to quantify the project's impacts to air quality the CalEEMOD model was used. Development of the proposed project will impact air quality during construction activities and over the long-term operation of the project. These impacts are discussed below.

a. ***Less Than Significant Impact.*** The Town of Apple Valley is subject to the jurisdiction of the MDAQMD which sets forth policies and other measures designed to help the District achieve federal and state ambient air quality standards. These rules, along with the MDAQMD CEQA and Federal Conformity Guidelines[1], are intended to satisfy the planning requirements of both the federal and state Clean Air Acts. The MDAQMD also monitors daily pollutant levels and meteorological conditions throughout the District.

The Apple Valley General Plan Land Use Plan serves as the basis for the assumptions used in the MDAQMD's planning documents for air quality maintenance and improvement. The project is consistent with the Town's General Plan, and with development already occurring in the area. Therefore, it will not exceed AQMP assumptions or criteria, or result in inconsistencies with the AQMP.

b. ***Less than Significant Impact with Mitigation:*** Air pollution emissions would be produced during the construction phase of the project. The Mojave Desert Air Basin (MDAB) is in non-attainment for PM10, PM2.5, and ozone at the present time. The EPA has classified the portion of the MDAB

[1] "Mojave Desert Air Quality Management District California Environmental Quality Act and Federal Conformity Guidelines," prepared by the Mojave Desert Air Quality Management District, May 2006.

in which the project is located as moderate non-attainment for the 8-hour ozone standard, non-attainment for the Federal and State PM10 standards, and non-attainment for the State PM2.5 standards. The Mojave Desert Air Quality Management District (MDAQMD) maintains ambient air quality monitoring stations throughout its portion of the MDAB. The air quality monitoring stations within the MDAB closest to the site are the Victorville Station and the Hesperia Station. These stations over the past three years have detected ozone levels that often exceed the State (one-hour) and Federal (8 hour standards). PM10 and PM2.5 levels never exceeded the Federal 24-hour and annual standards and rarely exceeded the State 24-hour annual standards during the past three years. CEQA defines a cumulative impact as two or more individual effects that together are considerable or that compound or increase other environmental impacts. Fugitive dust and pollutant emissions may be generated during the construction and operational phases of the proposed project and could be significant without mitigation in form of a dust control plan approved by MDAQMD.

The Final Environmental Impact Report (FEIR) prepared for the Town's General Plan identified that potential air quality impacts resulting from implementation of the General Plan would be significant and that there is no mitigation measure available to reduce this impact to less than significant levels. Although the project related emission associated with the project would cumulatively contribute to air quality emission, the impacts would not be more significant than that which were identified in the General Plan FEIR. No new significant air quality impact related to the project will result from the development of the proposed residential uses. Source: Town of Apple Valley General Plan EIR**.**

Air Quality Mitigation Measure

III.1 Prior to commencing earth-moving activity, the applicant/developer shall prepare and submit a dust control plan to the Mojave Desert Air Quality Management District (MDAQMD) that includes all applicable dust control measures that will be implemented as part of the project and the MDAQMD shall be notified in writing upon the commencement of construction. The dust control plan shall be completed in accordance with MDAQMD requirements and proof of an approved dust control plan shall be submitted to Building and Safety prior to the issuance of a grading permit.

c. ***Less than Significant Impacts:*** Sensitive receptors located within the vicinity of the proposed project include single-family residences and Apple Valley High School. On-site grading and construction activities would likely generate temporarily increased levels of particulates and emissions from construction equipment. However, because those emissions created by the proposed project would not exceed State thresholds, the identified sensitive receptors would not be exposed to substantial pollutant concentrations.

d. ***Less than Significant Impact***. During construction, the various diesel-powered vehicles and equipment in use on the site would create odors. Additionally, the application of architectural coatings and installation of asphalt may generate odors. These odors are temporary and not likely to be noticeable beyond the project boundaries. MDAQMD standards regarding the application of architectural coatings (Rule 1113) and the installation of asphalt surfaces are sufficient to reduce temporary odor impacts to a less than significant level.

Long-term objectionable odors are not expected to occur at the proposed project site. Activities conducted at the proposed project will include typical residential activities and will not generate substantial objectionable odors. Therefore, impacts related to creation of objectionable odors affecting substantial numbers of people are expected to be less than significant.

The Apple Valley General Plan Land Use Plan serves as the basis for the assumptions used in the MDAQMD's planning documents for air quality maintenance and improvement. The project is consistent with the Town's General Plan, and with development already occurring in the area. Therefore, it will not exceed AQMP assumptions or criteria, or result in inconsistencies with the AQMP.

Criteria Air Pollutants

Criteria air pollutants will be released during both the construction and operational phases of the project. The California Emissions Estimator Model (CalEEMod Version 2016-3.2) was used to project air quality emissions generated by the proposed project.

Construction Emissions

The FEIR fully analyzed worst-case construction emissions. (See EIR p. III-30.) Based on those worst-case assumptions, all construction emission impacts were projected to be less than significant. Nonetheless, site-specific construction emission modeling was performed for the proposed project. The construction analysis includes all aspects of project development, including site preparation, grading, building construction, paving, and application of architectural coatings. As shown in Table 1, none of the analyzed criteria pollutants will exceed regional emissions thresholds during the construction phase. Construction air quality impacts of the proposed project will be less than significant.

Table 1
Construction-Related Emissions
CUP-2020-01 and TPM-20258
(tons per year)

Construction Emissions	ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Construction - 2020	0.4	2.2	1.6	0.0	0.5	0.3
Construction - 2021	2.4	4.9	5.5	0.0	0.6	0.3
Construction - 2022	1.9	3.5	4.3	0.0	0.5	0.2
MDAQMD Thresholds	25	25	100	25	15	12
Exceed?	No	No	No	No	No	No

Source: ECORP Consulting, Inc. dated May 2020 & CalEEMod model, version 2016.3.2 output tables
Notes: Emission estimates account for multiple grading events of the 32.2 acre site, equating to 112.5 acres of worked land by Project construction equipment

Operational Emissions

Operational emissions are ongoing emissions that will occur over the life of the project. Emission sources include area sources (such as consumer products and landscape equipment), energy consumption, and mobile sources. As shown in Table 2, none of the analyzed criteria pollutants will exceed regional emissions thresholds during the operation phase. Construction air quality impacts of the proposed project will be less than significant.

Table 2
Operational Emissions Summary
CUP-2020-01 and TPM-20258
(tons per year)

	ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Operational Emissions	1.7	3.7	7.1	0.0	1.6	0.4
MDAQMD Thresholds	25	25	100	25	15	12
Exceed?	No	No	No	No	No	No
(pounds per year)						
Operational Emissions	10.57	21.55	53.67	0.13	9.56	2.74
MDAQMD Thresholds	137	137	548	137	82	65
Exceed?	No	No	No	No	No	No

Source: CalEEMod model, version 2016.3.2
Note: Emission estimates account for approximately 1,423 daily weekday vehicle trips

IV. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

IV. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion of Impacts

a. ***Less than Significant Impact with Mitigation.*** The analysis of the project's effect on candidate, sensitive, or special status species is based on the Biological Technical Report dated January 2020 completed by ECORP Consulting, Inc. Biological surveys were conducted for the desert tortoise (*Gopherus agassizii*), Mohave ground squirrel (*Spermophilus mohavensis*), burrowing owl (*Athene cunicularia hypugaea*), sharp-shinned hawk (*Accipiter striatus*), Mohave Tui Chub, and loggerhead shrike (*Lanius ludovicianus*). The site survey found no sensitive or endangered species on the site. According to ECORP, the project area has the potential in the future to be occupied by sensitive species. Therefore, to confirm no special status species have returned to the site, it is recommended that a pre-construction biological survey be conducted. Mammals possibly occurring on the site as residents or transients include jackrabbits (*Lepus americanus*) and Antelope ground squirrels (*Ammospermophilus leucurus*). Several birds were observed during the surveys including raven, house finch, rock pigeon, morning dove and sage sparrow. A few side-blotched lizards (*Uta stansburiana*), western whiptail lizards (*Cnemidophorus tigris*), Desert night lizards (Xantusia vigilis) and desert spiny lizards (*Sceloporus magister*) were observed during the surveys. These species are not listed as threatened, endangered, or sensitive.

Mitigation Measures:

BIO-1 A pre-construction survey shall be completed by a qualified biologist not more than 30 days of initiation of any earth moving activity on site. The pre-construction survey shall include an intensive site survey for desert tortoise, Mojave Ground Squirrel, kit fox, burrowing owl and migratory birds. Should any affected species be identified, the biologist shall include recommendations for avoidance in his/her report.

BIO-2 . Pre-Construction Survey. Within 14 days prior to ground disturbance, the Applicant will retain a qualified biologist to conduct burrowing owl surveys within the area to be disturbed. The survey will be performed by walking parallel transects spaced no more than 20 meters apart and will be focused on detecting burrows that are occupied, or are suitable for occupation, by the burrowing owl. The results of the surveys, including graphics showing the locations of any active burrows detected and any avoidance measures required, will be submitted to the Town of Apple Valley and the California Department of Fish & Wildlife (CDFW) within 14 days following completion of the surveys. If active burrows are detected, the following take avoidance measures will be implemented:

a) If burrowing owls are observed using burrows on-site during the non-breeding season (September through January, unless determined otherwise by a qualified biologist based on field observations in the region), occupied burrows will be left undisturbed, and no construction activity will take place within 300 feet of the burrow where feasible (see below).

b) If avoiding disturbance of owls and owl burrows on-site is infeasible, owls will be excluded from all active burrows through the use of exclusion devices placed in occupied burrows in accordance with protocols established in CDFW's Staff Report on Burrowing Owl Mitigation (2012). Specifically, exclusion devices, utilizing one-way doors, will be installed in the entrance of all active burrows. The devices will be left in the burrows for at least 48 hours to ensure that all owls have been excluded from the burrows. Each of the burrows will then be excavated by hand and/or mechanically and refilled to prevent reoccupation. Exclusion will continue until the owls have been excluded from the disturbance area, as determined by a qualified biologist.

c) Any active burrowing owl burrows detected on-site during the breeding season (February through August, unless determined otherwise by a qualified biologist based on field observations in the region), will not be disturbed. Construction activities will not be conducted within 300 feet of an active onsite burrow at this season.

b. ***No impact***. Riparian habitat includes willows, mule fat, and other vegetation typically associated with the banks of a stream or lake shoreline. No riparian habitat exists on site. In addition, there are no other sensitive natural communities or habitats present on the project site. Therefore, no impact associated with this issue will occur.

c. ***No Impact.*** The project site does not contain any drainage features under the jurisdiction of the U.S. Army Corps of Engineers or other Federal agencies. Therefore, implementation of the proposed project will not result in an impact associated with federally protected wetlands.

d. ***Less than Significant Impact***. The biological resources study did not identify any wildlife nurseries on the project site. The study also found that the site is not conducive to wildlife movement. Impacts associated with wildlife movement are expected to be less than significant.

e. ***Less than Significant Impact with Mitigation***.

Prior to the project being accepted as complete, the California Department of Fish and Wildlife (CDFW) temporarily designated Joshua trees as protected. Since this is a newly listed species, coordination with CDFW would need to be conducted. An Incidental Take Permit from CDFW would be needed to remove or relocate the trees. Otherwise, the Joshua Trees shall be protected in place during all grading, construction, and operation activities. A Joshua Tree Preservation Plan was prepared by Mike Parker, a certified arborist, and included a survey of the 35 gross acre site identifying four Joshua Trees (Yucca brevifolia) on the site, two of which are unhealthy and two as healthy.

The California Native Plants Act protects California desert native plants from unlawful harvesting on both public and privately owned lands while also providing information necessary to legally harvest native plants to ultimately transplant those plants with the greatest possible chance of survival. The Town of Apple Valley Development Code Section 9.76.040 further recognizes the Town's intent and desire to preserve the contribution that Joshua Trees have made to the desert environment. While it is the intent and desire of the Town to preserve and protect all Joshua Trees, this intent and desire shall be balanced against the community's need for growth.

Pending a decision by CDFW, Joshua Trees must be protected in place. Should the applicant obtain an incidental take permit to remove or relocate a Joshua Tee, or should the protections be lifted, any disturbance of Joshua Trees is subject to the provisions of the Development Code which are all included herewith as mitigation measures.

BIO-3: A qualified approved arborist will be retained to conduct any future transplanting activities and will follow the protocol of the County's Development Code. Removal of all plants protected or regulated by the Desert Native Plants Act would be required to comply with the provisions of the Act before the issuance of a development permit or approval of a land use application.

BIO-4: Joshua trees deemed suitable for transplanting shall be utilized as part of the proposed landscaping on-site where possible or shall be transplanted to an area of the Project Site where they can remain in perpetuity. Joshua trees which are deemed not suitable for transplanting may be removed from the Project Site.

BIO-5: Prior to excavation, a qualified arborist shall construct earthen berms around each Joshua tree. The Joshua trees shall be watered approximately one week before transplanting. Watering the Joshua trees prior to transplanting will help make excavation easier, ensure the root ball will hold together, and minimize stress to the tree.

BIO-6: Each Joshua tree deemed suitable for transplanting shall be moved to a pre-selected location and shall be placed and oriented in the same direction as its original direction. Once transplanted, the area around the tree shall be backfilled with native soil, and the transplanted Joshua tree shall be watered immediately. Mitigation

BIO-7: The qualified arborist shall develop a watering regiment to ensure the survival of the transplanted Joshua trees.

f. ***Less than Significant Impact***. Areas of valuable habitat that support special status species are illustrated in the Biological Resources Study of the Town's General Plan EIR. The General Plan includes policies and programs intended to ensure that habitat connectivity is preserved in the Town. In addition, a number of special survey areas in the Town's planning area are identified in the General Plan. Species for which surveys are required as part of development applications include Desert Tortoise, Mojave Ground Squirrel, Burrowing Owls, Joshua Trees, and/or Migratory/Nesting/Other Protected Birds. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan because no such plan has been adopted in the area of the project site. However, the Town has a draft Multi-Species Habitat Conservation Plan, and at such time the site is to be developed, the project will be subject to the mitigation measures identified in the MSHCP.

V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Discussion of Impacts

a-b. ***Less than Significant Impact***. A cultural resources assessment of the proposed project site was completed by Laguna Mountain Environmental, Inc. dated October 2019. A field survey of the site was performed on August 21, 2019. There were no cultural resources of any kind discovered during the field survey. Therefore, development of the site would be considered a less than significant impact. The study found no prehistoric resources on the project site, and no resources recorded within a mile of the site. The study also included outreach and consultation with Native American Tribes. During the AB 52 consultation, only one tribe provided comments and no tribe requested consultation. San Manuel Band of Mission Indians provided a list of standard conditions to be included in the project's conditions of approval.

c. ***Less than Significant Impact.*** The proposed project site is not known to have been utilized for religious or sacred purposes. No evidence is in place to suggest the project site has been used for human burials. During the AB 52 consultation process, no correspondences was received indicating that there are burial grounds. As adherence to State regulations is required for all development, no mitigation is required in the unlikely event human remains are discovered on-site. Impacts associated with this issue are considered less than significant.

VI. ENERGY Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Discussion of Impacts

a) Construction of the 210 mulit-family residential units would require the typical use of energy resources. Energy would be consumed during site clearing, excavation, grading and construction. The construction process would be typical. No site conditions or project features would require an inefficient or unnecessary consumption of energy. The project has been designed in compliance with California's Energy Efficiency Standards and 2019 CALGreen Standards. These measures include:
- Stormwater drainage and retention during construction (BMPs);
- Water conserving plumbing fixtures and fittings;
- Compliance with the Town's Water Efficient Landscape Ordinance (Development Code Chapter 9.75)
- Construction Waste Diversion
- All other mandatory CALGreen requirements for residential development.

Operation of the proposed residential units would involve the use of energy for heating, cooling, and equipment operation. These facilities would comply with all applicable California Energy Efficiency Standards and 2019 CALGreen Standards.

Neither the construction or operation of the Project would result in wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources. Therefore, impacts related to wasteful energy use would be less than significant, directly, indirectly or cumulatively.

b) The project has been designed in compliance with California's Energy Efficiency Standards and 2019 CALGreen Standards as noted above. The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency; therefore, impacts would be less than significant, directly, indirectly, or cumulatively.

VII. GEOLOGY AND SOILS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐

VII. GEOLOGY AND SOILS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

a (i). ***No Impact***. The site is not located within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. No known active or potentially active faults traverse the site as shown on the California Geologic Survey Map (2002). Therefore, no impact associated with the rupture of a known earthquake fault would occur.
Source: Town of Apple Valley, General Plan EIR

a(ii) **Less than Significant Impact**. Like all of Southern California, the Mojave Desert is a seismically active region. According to the geotechnical investigation prepared for the project, the faults most likely to affect the project site are the North Frontal, Helendale-Lockhart, Lenwood-Lockhart, San Andreas, Cucamonga, Cleghorn, and Landers fault zones. The proposed project site is located in a seismically active area and, therefore, will continue to be subject to ground shaking resulting from activity on local and regional faults.

a(iii) ***Less Than Significant Impact.*** Liquefaction occurs when groundwater is located near the surface (within 50 feet), and mixes with surface soils during an earthquake. The site is not included within any geologic hazard map as being located within an area with a liquefaction hazard and is not considered a hazard due to the great depth to groundwater. Impacts associated with liquefaction are less than significant.

a (iv).***No Impact.*** The site is not located within an area that could be susceptible to any landslides.

b. ***Less than Significant Impact***. The proposed project will require the excavation and movement of on-site soils to create the residential pads and proposed new improvements. Currently, construction projects resulting in the disturbance of 1.0 acre or more are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit issued by the Regional Water Quality Control Board (RWQCB). The project's construction contractor will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to limit the soil erosion during project constructions. Adherence during construction to provisions of the NPDES permit and applicable BMPs contained in the SWPPP will ensure that potential impacts related to this issue are less than significant.

c. ***Less than Significant Impact.*** The potential of unstable soil condition, landslide, lateral spreading, subsidence, liquefaction or collapse is present because of the geographical make up of the area and the frequency of earthquake occurrences in Southern California. The General Plan indicates that the project site is not located within a special studies zone or an earthquake fault zone. Any project within the area of Southern California shall meet the latest California Building Codes (CBC) standards to minimize the potential impact caused by an earthquake. However, any future project will meet and/or exceed the development standards set by the Town of Apple Valley. Therefore, there is a less than significant impact of soil erosion or instability occurring at this project site with proper construction methods and development standards as defined in the Town of Apple Valley Development Code and the latest CBC regulations.

d. ***No Impact.*** As identified in the geotechnical study, the soils within the project site are not expansive. The study confirmed that expansive soils do not occur on the site. No impact is anticipated.

e. ***No Impact***. The proposed project will connect to the existing sanitary sewer system. Because septic or alternative waste disposal systems will not be utilized, no impact related to this issue will occur.

f. ***Less than Significant Impact.*** The project site is not located within an area identified as highly sensitive for paleontological resources as shown in Exhibit III-5 of the General Plan FEIR.

VIII. GREENHOUSE GAS EMISSIONS **Would the project:**	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion of Impacts

a-b. ***Less Than Significant Impact.*** Both construction and operation of the project will generate greenhouse gas (GHG) emissions. Construction emissions will be generated by a variety of sources, including the operation of construction equipment and energy usage. Construction impacts will be temporary and will end once the project is complete. Typically, they can be minimized by limiting idling times, proper maintenance of heavy machinery, and efficient scheduling of construction activities. Long-term operation of the project will generate GHG emissions from area sources, energy and water usage, mobile sources, and waste disposal.

The project will not exceed the threshold for GHG emissions. Statewide programs and standards, including new fuel-efficient standards for cars and expanding the use of renewable energies, will help reduce GHG emissions over the long-term. The project will be required to comply with standards and regulations for reducing GHG emissions, including the Town's Climate Action Plan and other GHG reducing strategies, including high efficiency HVAC and high efficiency fans. The proposed project will also be required to comply with Title 24 of the California Building Code. These standard requirements and Town initiatives will ensure that GHG emissions from the project are less than significant.

The Air Quality and Greenhouse Gas Assessment prepared by ECORP Consulting, Inc dated May 2020 used the California Emissions Estimator Model (CalEEMod Version 2016.3.2) to estimate greenhouse gases emitted by the project. The results are shown in Table 3.

Table 3
Annual GHG Emissions
CUP-2020-01 and TPM-20258
(Metric Tons/Year)

CO2e	Threshold	Exceeds?
2,693	100,000	No

CalEEMod model, version 2016.3.2. Values shown represent the total annual, unmitigated GHG emission projections for construction and operation of the proposed project.

IX. HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or	☐	☐	☐	☒

IX. HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
waste within one-quarter mile of an existing or proposed school?				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.	☐	☐	☒	☐

a,b ***No Impact.*** The proposed project consists of the construction of residential properties. This land use will not involve the production, storage, or distribution of hazardous substances except normally occurring household hazardous wastes (such as cleaning products and paints). The range of land use activities proposed on the project site would not allow for the use, storage, disposal, or transport of large volumes of toxic, flammable, explosive, or otherwise hazardous materials that could cause serious environmental damage in the event of an accident. No impact anticipated.

c. ***No Impact.*** As the proposed development includes only residential dwelling units, which do not emit hazardous emissions or handle hazardous materials, no impacts associated with this issue are anticipated.

d. ***No Impact***. This project is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, this project would not create a significant hazard to the public or the environment. No impact is anticipated.

e ***No Impact***. The subject areas are not located in the vicinity of a designated airport land use, nor within a two-mile radius of a public airport; therefore, no hazards are known to impact public safety.

f. ***Less than Significant Impact***. Implementation of the proposed project will increase the number of residential dwelling units within the Town. Development of the proposed project will generate an increase in the amount and volume of traffic on local and regional networks. The developers of the proposed project will be required to design and construct

applicable roadways to comply with applicable local, regional, State and/or Federal requirements related to emergency access and evacuation plans. Construction activities, which may temporarily restrict vehicular traffic, will be required to implement measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures will reduce potential impacts related to this issue to a less than significant level.

g. ***Less than Significant Impact.*** The magnitude and severity of a wildfire event is measured by calculating the number of acres burned in a specific wildfire event. CAL Fire adopted a Fire Hazard Severity Zone map for the local responsible agencies in 2008, which is found within the Town's Hazard Mitigation Plan for 2017. The Fire Severity Zones are identified as Very High, High, and Moderate through the County of San Bernardino. Apple Valley has nothing higher than moderate fire hazard severity. The project is not within an area mapped as a high fire danger and it does not directly interface with wildlands; therefore, there will be a less than significant impact.

X. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would				
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐

X. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(iv) impede or redirect flood flows?	☐	☒	☐	☐
d) In flood hazard, tsunami, or seich zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Discussion of Impacts

a. ***Less than Significant Impact with Mitigation.*** The proposed project will be required to connect to the Town's domestic water and sanitary sewer systems. Liberty Utilities Water provides water service to the site, and the Victor Valley Wastewater Reclamation Authority provides sanitary sewage treatment for the site. Both these agencies are required to comply with the requirements of the State Regional Water Quality Control Board relating to water quality standards and wastewater discharge requirements. Furthermore, as a development project with a disturbance area of greater than 1 acre, and a significant increase in impervious surfaces, the Applicant will be required to obtain coverage under the State Water Resources Control Board (SWRCB) Construction General Permit and be consistent with the General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems.

The Construction General Permit requires the development and implementation of a stormwater pollution prevention plan (SWPPP), which would include and specify water quality best management practices (BMPs) designed to prevent pollutants from contacting stormwater and keep all products of erosion from moving off site into receiving waters. Routine inspection of all BMPs is required under the provisions of the Construction General Permit, and the SWPPP must be prepared and implemented by qualified individuals as defined by the SWRCB. The project applicant must submit a Notice of Intent (NOI) to the SWRCB to be covered by a NPDES permit and prepare the SWPPP prior to the beginning of construction. The applicant will be required to provide the Town of Apple Valley with its waste discharge identification number (WDID) as evidence that it has met the requirements of the Construction General Permit prior to beginning construction activities.

SWRCB permits require through a combination of specific plan design standards, drainage impact fees, and general Mitigation Measures. As compliance with these permits would be required as a condition to receive authorization to construct, no impact is expected.

The USGS maps show a blue line stream crossing through the property. The applicant has stated that they intent to grade the property and construct a channel through the property. The channel will be constructed along the historical paths of the blue line stream. An Aquatic Resources Delineation Survey Report was prepared by ECORP Consulting, Inc. dated February 2019. 2019. The report states that no feature on the project site were jurisdictional. Although formerly a stream was mapped through the property, this feature appears to no longer function due to several developments that have occurred along its

historic length. When development crosses or fills a historic channel, it can result in dewatering that feature downstream or diverting its flows to a storm drain system or to another drainage system. It appears that the feature that was formerly present on site has been dewatered by intervening developments.

The US Army Corps of Engineers has permitted authority over activities affecting water of the United States. According to Regulatory Guidance Letter (08-02), an Applicant "may elect to use a preliminary Jurisdiction Determination (JD) to voluntarily waive or set aside questions regarding Clean Water Act jurisdiction over a particular site, usually in the interest of allowing the landowner or other affected party to move ahead expeditiously to obtain a Corps permit authorization where the party determines that it is in his or her best interest to do so. A significant nexus evaluation is not necessary to obtain a preliminary JD. A preliminary JD is also not binding. An approved JD is an official Corps determination that jurisdiction "water of the United States" or "navigable water of the United States," both, are either present or absent on a particular site.

The Aquatic Resources Delineation Survey Report concluded that no potential Waters of the US or CDFW jurisdiction has been mapped on-site, and as such no permitting pursuant to the federal CWA or Section 1602 (SAA) of the California Fish and Game Code will be required in regarding to Project activities.

HYD01 Prior to ground disturbance, the project applicant shall provide written notification that a Like and Streambed Alternation Agreement is not required by CDFW. It is the applicant's responsibility to obtain all necessary approvals, clearances and permits (i.e. lake streambed alternation agreement) from CDFW and/or U.S. Army Corps of Engineers.

b. ***Less than Significant Impact.*** The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level because the project will be served by an existing water purveyor that has indicated that there is currently sufficient capacity in the existing water system to serve the anticipated needs of the project.

c. ***Less than Significant Impact.*** The existing surface drainage on the site follows the surface contours that drain to the northeast via sheet flow. The project will include on-site water conveyance lots and one lot for water retention. All drainage facilities must be improved which will result in a less than significant impact.

d: ***No Impact.*** The proposed project is not located in a flood zone, tsunami, or seich zones and therefore, no impact is anticipated.

e. ***Less than Significant Impact.*** The proposed project will be required to connect to the Town's sanitary sewer systems. Liberty Utility will provide water service to the site, and the Victor Valley Wastewater Reclamation Authority provides sanitary sewage treatment for the site. Both these agencies are required to comply with the requirements of the State Regional Water Quality Control Board relating to water quality standards and wastewater discharge requirements. Furthermore, as a development project with a disturbance area of greater than 1 acre, and a significant increase in impervious surfaces, the Applicant will be required to obtain coverage under the State Water Resources Control Board (SWRCB) Construction General Permit (SWRCB Order 2010-0014-DWQ) and be consistent with the General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems

(SWRCB Order 2013-0001 DWQ, or Small MS4 Permit). Each of these permits are described below:

The Construction General Permit requires the development and implementation of a stormwater pollution prevention plan (SWPPP), which would include and specify water quality best management practices (BMPs) designed to prevent pollutants from contacting stormwater and keep all products of erosion from moving off site into receiving waters. Routine inspection of all BMPs is required under the provisions of the Construction General Permit, and the SWPPP must be prepared and implemented by qualified individuals as defined by the SWRCB. The project applicant must submit a Notice of Intent (NOI) to the SWRCB to be covered by a NPDES permit and prepare the SWPPP prior to the beginning of construction. The applicant will be required to provide the Town of Apple Valley with its waste discharge identification number (WDID) as evidence that it has met the requirements of the Construction General Permit prior to beginning construction activities.

Furthermore, the SWRCB has designated the Town of Apple Valley as a Traditional Small MS4. As part of Phase II regulations promulgated by the U.S. Environmental Protection Agency, the SWRCB adopted the Small MS4 Permit, which requires MS4s serving populations of 100,000 people or less to develop and implement a stormwater management plan with the goal of reducing the discharge of pollutants to the maximum extent possible. As a permittee under the Small MS4 Permit, the Town of Apple Valley is required to condition development projects to be compliant with the standards contained in Section E.12 of the Small MS4 Permit. All development projects (that create or replace more than 5,000 square feet of impervious surfaces) seeking approvals from the Town are required integrate source control BMPs and low impact development (LID) designs into the proposed project to the maximum extent feasible to reduce the potential for pollutants to enter stormwater runoff. This includes site design best management practices (as applicable), such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, incorporating trees and landscaping, and conserving natural areas. Facilities must be designed to evapotranspire, infiltrate, harvest/use, and/or biotreat storm water to meet at least one of the hydraulic sizing design criteria contained in the Phase II Small MS4 Permit.

XI. LAND USE AND PLANNING **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Discussion of Impacts

a,b: ***No Impact***. The project proposes development on vacant land zoned for multi-family residential development and adjacent to existing residential developments to the north, south and west. The project represents a continuation of the surrounding residential uses. Development of the site will not divide an existing neighborhood, nor would it introduce a

barrier between residential uses. Therefore, no impacts associated with physically dividing an established neighborhood are anticipated.

XII. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion of Impacts

a. ***No Impact.*** The sites are not designated as a State Aggregate Resource Area according to the General Plan FEIR; therefore, there is no impact.

b. ***No Impact.*** The sites are not designated by the General Plan as a Mineral Resource Zone; therefore, there is no impact.

XIII. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion of Impacts

a. ***Less than Significant Impact with Mitigation.*** Sensitive receptors within the project vicinity that may be affected by increased noise levels associated with the proposed project include

single-family residences and a high school surrounding the site. These sensitive land uses may be potentially affected by noise generated during construction and operation of the proposed project. The proposed project has the potential to cause noise levels to exceed the standards within the Town Code during construction and operational phases. Short-term noise increases from the proposed project would be generated during grading and construction activities. These activities would be short-term and would be subject to the construction activity restrictions in the Town Code. With implementation of the identified mitigation measures, potential short term construction and long-term operational noise impacts would be reduced to below a level of significance. The subject site is adjacent to Navajo Road, a noise impact roadway. Two design features/ mitigation measures will effectively attenuate and mitigation traffic noise impacts.

Mitigation Measures

N-1 A six (6)-foot high solid concrete masonry wall constructed along Navajo Road.

N-2 As otherwise required by Title 24 and building codes for energy efficiency the homes will be equipped double pane insulating windows and sliding glass door will provide further noise attenuation with a rating of 26 or greater.

Short-Term Construction-Related Impacts. *The following measures would reduce short-term construction-related noise impacts associated with the proposed project:*

N-3 *The construction contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.*

N-4 *The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors to the east of the site.*

N-5 *The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors to the east of the site during all project construction.*

N-6 *All construction, maintenance, or demolition activities within the Town's boundary shall be limited to the hours of 7:00 a.m.–7:00 p.m. of any working day Monday through Friday, and all construction, maintenance, or demolition activities shall be prohibited on Saturdays, Sundays and holidays. Exceptions to these standards may be granted by the Town Council. Sundays and holidays. Exceptions to these standards may be granted by the Town Council.*

b. ***Less than Significant Impact.*** Construction of and operation of the uses associated with this type of project do not induce substantial groundborne vibrations. As such, a less than significant impact is anticipated.

c. ***No Impact.*** The subject area is not located in the vicinity of a designated airport land use, private airstrip, or within two-mile radius of a public airport; therefore, no impact is anticipated.

XIV. POPULATION AND HOUSING **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion of Impacts

a. ***Less than Significant Impact.*** The proposed project site consists of the construction of 210 dwelling units. These new dwelling units would induce population growth to the area. The proposed project site is currently designated as residential use in the General Plan. The proposed residential uses meet the Town's goal of providing housing opportunities for the increasing population within the Town of Apple Valley. As the proposed project is consistent with and has been anticipated by the Town's General Plan, a less than significant growth inducing impact would be associated with development of the project site.
Source: Apple Valley General Plan, Housing Element.

b: ***No Impact***. The proposed project site is currently vacant and, therefore, no displacement of housing or residents will occur. Replacement housing will not be required, and no impact associated with this issue will occur.

XV. PUBLIC SERVICES **Would the project result in:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services**:**				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐

XV. PUBLIC SERVICES Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Other public facilities?	☐	☐	☒	☐

Discussion of Impacts

a. ***Less than Significant Impact.*** Fire service would be provided to the project uses by the Apple Valley Fire Protection District. The proposed project is located approximately 1 mile from the station located at 12143 Kiowa Road. Due to the close proximity of the fire station, the proposed project would be within the standard respond times of the Fire Protection District. However, as with any new development, the proposed project would increase the need for fire protection services within the Town. As a result, the applicant for the construction of the new dwelling units will be required to pay applicable fire service fees prior to occupancy. The payment of fees satisfies the requirements for development impacts on fire services. With the payment of the fire service fee, potential impacts related to the provision of fire services would be reduced to a less than significant level.
Source: Town of Apple Valley, General Plan EIR

b. ***Less than Significant Impact.*** The Town of Apple Valley provides law enforcement services for residents and businesses within the Town limits via a contract with the San Bernardino County Sheriff's Department. The Sheriff station is located at 14931 Dale Evans Parkway. Based on the projected increase in population at build-out, the project does not warrant an additional police officer. Further, the construction of new dwelling units will be required to pay applicable law enforcement facilities fee prior to occupancy. The payment of fees satisfies the requirements for development impacts on police facilities. With the payment of the law enforcement facilities fees, potential impacts related to the provision of police services would be reduced to a less than significant level.
Source: Town of Apple Valley, General Plan EIR and Building & Safety Impact Fee Schedule

c. ***Less than Significant Impact***. Implementation of the proposed project will lead to the construction of 210 residential dwelling units that would house school-aged children. The Apple Valley Unified School District would serve the project site. Section 65995 of the California Government Code requires developers to pay a onetime fee for school capital acquisitions and improvements and prohibits state or local agencies from imposing school impact mitigation fees, dedications or other requirements in excess of those provided in the statute. As such, the applicant for the construction of the new dwelling units proposed in the project is required to pay applicable school fees prior to occupancy. The payment of fees satisfies the requirements for the development impacts on school facilities. With the payment of school impact mitigation fees, potential impacts related to the provision of schools would be reduced to a less than significant level.
Source: Town of Apple Valley, General Plan EIR

d. ***Less than Significant Impact.*** The proposed development of approximately 210 dwelling units would increase the current population by approximately 571 persons. The increase in population would result in increased demand for and use of local parks. In order to reduce potential impacts upon local parks, the proposed project is required to pay Quimby Fees to pay its fair share for park facilities. Through the development impact fees, the impact upon park facilities would be reduced to less than significant.

e. ***Less than Significant Impact.*** The development will not exceed demand that has been previously considered in The Town's General Plan EIR.

XVI. RECREATION **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion of Impacts

a. ***Less than Significant Impact.*** The project proposes development of 210 dwelling units, which would increase the current population. This population increase may result in impacts to local and regional park facilities. The project site is located in close proximity to many regional recreational opportunities. There is a total of thirteen (13) local parks within the Town's jurisdictional boundaries. Three (3) of the thirteen (13) parks are located approximately 2.5 miles from the project site and would be used by residents within the proposed project. These parks include James Woody Community Center, Yucca Loma Park, and Mendel Park. This is a request to develop approximately 35 gross acres into 210 multi-family residential lots in the Multi-Family Residential (R-M) zoning designation for future residential development will increase the use of existing neighborhood and regional parks or other recreational facilities. Per the Town Code, the Park Development fee will be assessed per dwelling unit.

b. **No Impact.** The proposed project does not include recreational facilities and would not induce the need for any construction or expansion of recreational facilities. No impact is anticipated.

XVII. TRANSPORTATION **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐

XVII. TRANSPORTATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☒	☐

Discussion of Impacts

a. ***Less than Significant Impact with Mitigation.*** Primary access to the site will be provided via Navajo Road, with secondary access from Sandia Road. Regional access to the site is provided by Interstate 15 via an interchange on Bear Valley Road. The proposed project would increase the existing traffic load along these roadways as well as impact others within the vicinity of the project site. The traffic study indicated that the proposed project would generate 1,523 daily trips with 96 AM peak-hour trips (22 inbound trips and 74 outbound trips) and 116 PM peak hours trips (73 inbound trips and 43 outbound trip). The roadway adjacent to the development will be required to be improved to the Town's road standards and is consistent with the Circulation Map. The project requires payment of traffic impact fees to reduce regional traffic impacts.

Apple Valley School District expressed concerns that the entrances to the proposed development do not align with the entrances to Apple Valley High School. Town Staff is requiring that traffic signal, street median and turning lanes be provided to ensure safe pedestrian access across Navajo Street. The applicant's traffic engineer stated the mitigations can include a raised median at the two project driveways on Navajo allowing eastbound left-turns and right-turns with traffic signage prohibiting a left-turn during the morning and afternoon peak hours. Additionally, the improvements include raised roadway delineators along the center of the roadway providing left-turn pockets to the school driveways where vehicles can also make a U-turn movement. These improvements are illustrated in the attached image. Below is a summary of the Level of Service (LOS) results with the mitigation improvements. With mitigation, the traffic impacts associated with the existing school and the proposed development will be less than significant.

Intersection	AM Peak Hour Delay/LOS		
	Existing	Existing Plus Project	Existing Plus Project Plus Mitigation
Navajo Road / N. Project Driveway	N/A	28.6 / D	13.3 / B
Navajo Road / S. Project Driveway	N/A	25.5 / D	12.9 / B
	Opening Year	Opening Year Plus Project	Opening Year Plus Project Plus Mitigation
Navajo Road / N. Project Driveway	N/A	34.3 / D	14.1 / B

Navajo Road / S. Project Driveway	N/A	29.9 / D	13.6 / B

Mitigation Measures

T-1 Street improvements, including but not limited to a traffic signal, raised median, and turning lanes shall be constructed to allow safe access to pedestrians across Navajo Road. These street improvements and modifications thereof shall be consistent with the Traffic Study to be approved by the Town Engineering Department.

b. ***No Impact.*** CEQA Guidelines section 15064.3(c) provides that a lead agency "may elect not be governed by the provisions" of the section immediately; otherwise, the section's provisions apply July 1, 2020. Here, the Town has not elected to be governed by Section 15064.3. Accordingly, an analysis of vehicles miles traveled (VMT) in not necessary to determine whether a proposed project will have a significant transportation impact.

c. ***No Impact.*** The project does not include the construction of any sharp curves. The new intersections to be created as part of the project mostly align with existing roadways. As the project does not include the construction of any structure or feature that will create a substantial increase in hazards due to a design feature, no impacts are anticipated.

d. ***No Impact.*** The project will be designed to provide access for all emergency vehicles and, therefore, will not create inadequate emergency access. Primary access would be provided via Navajo Road and secondary access route would be from Sandia Road. The Town of Apple Valley has not developed a formal evacuation plan; however, the Apple Valley Fire Protection District will review the site plan for adequate emergency access and development requirements as conditions of approval. No impacts are anticipated.

XVIII. TRIBAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant	☐	☐	☒	☐

pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

a) i-ii. ***Less than Significant Impact*** A cultural resources assessment of the proposed project site was completed by Laguna Mountain Environmental, Inc. dated October 2019. A field survey of the site found no cultural resources of any kind. Therefore, development of the site would be considered a less than significant impact and no mitigation is necessary. The study found no prehistoric resources on the project site and no resources recorded within a mile of the site. During the AB 52 consultation, only one tribe provided comments and no tribe requested consultation. San Manuel Band of Mission Indians provided a list of standard conditions to be included in the project's conditions of approval.

XIX. UTILITIES AND SERVICE SYSTEMS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion of Impacts

a. ***Less than Significant Impact.*** There are existing utilities in the area to serve the project site. The construction of 210 multi-family homes will require the connection into existing service lines; however, the construction of new facilities or the relocation of existing facilities will not be required.

b. ***Less than Significant Impact***. Liberty Utilities will provide domestic water services to the subject property. The project is required to construct new domestic waterlines to serve the site.

c. ***Less than Significant Impact.*** *W*astewater treatment services to the project would be provided by the VVWRA. The VVWRA is a California Joint Powers Authority that owns and operates regional wastewater collection and treatment facilities which services the Victor Valley. For the construction of the new dwelling units, the project is required to satisfy RWQCB and VVWRA payment of fees. The payment of fees satisfies the requirements for the development impact on wastewater treatment facilities. For these reasons, impacts to wastewater treatment facilities would be less than significant. The proposed project water services are provided by Liberty Utility.

d-e.***Less than Significant Impact***. The Town contracts for solid waste disposal with Burrtec Waste Industries. Solid waste is hauled to the Victorville landfill, which is a County operated facility. The proposed project will generate solid waste consistent with that analyzed in the Town's General Plan EIR. Impacts associated with solid waste generation are expected to be less than significant.

XX. WILDFIRES

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding	☐	☐	☐	☒

XX. WILDFIRES

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

a. ***Less than Significant Impact***. Implementation of the proposed project will increase the number of residential dwelling units within the Town. Development of the proposed project will generate an increase in the amount and volume of traffic on local and regional networks. The developers of the proposed project will be required to design and construct applicable roadways to comply with applicable local, regional, State and/or Federal requirements related to emergency access and evacuation plans. Construction activities, which may temporarily restrict vehicular traffic, will be required to implement measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures will reduce potential impacts related to this issue to a less than significant level.

b. ***Less than Significant Impact.*** The magnitude and severity of a wildfire event is measured by calculating the number of acres burned in a specific wildfire event. CAL Fire adopted a Fire Hazard Severity Zone map for the local responsible agencies in 2008, which is found within the Town's Hazard Mitigation Plan for 2017. The Fire Severity Zones are identified as Very High, High, and Moderate through the County of San Bernardino. Apple Valley has nothing higher than moderate fire hazard severity. The project area is located within a Fire Hazard Area that is mapped as "Moderate". The project is not within an area mapped as a high fire danger and it does not directly interface with wildlands; therefore, there will be a less than significant impact.

c. ***No Impact.*** The project will not require the installation or maintenance of associated infrastructure that would exacerbate fire risk, or that may result in temporary or ongoing impacts to the environment and as such will have a no impact, directly, indirectly, or cumulatively.

d. ***No Impact.*** The project is not located within an area susceptible to downslope or downstream flooding or landslides due to post-fire slope instability or drainage changes.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a. ***Less than Significant Impact***. The site is not within designated or proposed critical habitat for threatened or endangered species. Additionally, the proposed project site does not contain any wetlands, or riparian habitat. The proposed project site was identified as containing suitable habitat for nesting birds, raptors, and burrowing owls.

b. ***Less than Significant Impact.*** With implementation of mitigation contained in this Initial Study, environmental impacts associated with the project will be reduced to a less than significant level; therefore, the proposed project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

c. ***Less than Significant Impact with Mitigation***. The proposed project site is located within an area designated by the Town for residential uses. While development of the proposed project would generate fugitive dust and pollutant emissions during construction, it would not result in any significant operational air quality impacts. Thus, it is not anticipated that these additional emissions would result in significant cumulative air quality impacts. Impacts related to biological resources, cultural resources, geology and soils, hazards, noise, public services, traffic and utilities and services are similarly reduced to a less than significant level through the implementation of mitigation measures and the adherence to established Town-mandated standards. There are no projects that, in combination with the proposed project would create a cumulatively considerable impact over and above those identified in this Initial Study/Mitigated Negative Declaration. The potential cumulative impacts associated with development of the proposed project are, therefore, less than significant.

REFERENCES

California Department of Water Resources, Bulletin #118 (Critical Regional Aquifers), 1975
County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995
Town of Apple Valley General Plan, 2009
Town of Apple Valley Climate Action Plan (CAP), 2016
Environmental Impact Report (EIR), Town of Apple Valley General Plan, 2009
Town of Apple Valley Hazard Mitigation Plan, 2017
County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998
Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map 06071C6505J.
Mojave Desert Air Quality Management District, Mojave Desert Planning Area – Federal Particulate Matter (PM10) Attainment Plan,
Mojave Desert Air Quality Management District, Rule 403.2: Fugitive Dust Control Planning Area,
South Coast Air Quality Management District, CEQA Air Quality Handbook,
ECORP Consulting, Inc., Biological Technical Report, January 2020
Laguna Mountain Environmental, Inc., Cultural Resources Survey, October 2019
ECORP Consulting, Inc., Air Quality and Greenhouse Gas Assessment, May 2020
Allard Miller, Drainage Report, October 16, 2019
ECORP Consulting, Inc., Aquatic Resources Delineation Survey Report, February 2019