

**TOWN OF APPLE VALLEY**

**MITIGATED NEGATIVE DECLARATION/INITIAL STUDY**

Project Title:	Warehouse Distribution Overlay within the Regional Commercial (C-R) District
Case No.	GPA-2021-001 DCA-2021-002
Assessor's Parcel No. (APN)	See Appendix A for List of APNs
Lead Agency Name and Address:	Town of Apple Valley 14955 Dale Evans Parkway Apple Valley, CA 92307
Project Location:	The Regional Commercial District bounded by Interstate 15 (I-15) freeway to the west, Dante Road to the south and Caplet Street to the north, and the CR District's boundary to the east.
Project Sponsor's Name and Address:	Town of Apple Valley 14975 Dale Evans Parkway Apple Valley, CA 92395
General Plan Designation(s):	Regional Commercial (C-R)
Zoning:	Regional Commercial (C-R)
Contact Person:	Daniel Alcayaga, AICP Planning Manager Town of Apple Valley
Phone Number:	(760) 240-7000, ext. 7205
Date Prepared	September 2021

**Description of the Project**

The project includes a General Plan Amendment and a Development Code Amendment to create an overlay within the Regional Commercial (CR) District that would allow warehouse distribution developments. The overlay would only apply to 978 acres within the CR District located immediately west of the I-15 freeway, Dante Road to the south and Caplet Street to the north, and the CR District's boundary to the east (Exhibit 2). Any new warehouse distribution would be subject to the Industrial Design Standards found in Chapter 9.47 of the Development Code related to site planning and architecture and would qualify under the Planned Industrial Standards found in Section 9.46.020. Similarly, the parking and landscaping regulations for new warehouse distribution development would be subject to applicable industrial development standards as specified in those sections. For consistency, new warehouse distribution development in the Planning area will utilize the setbacks and height standards from the CR District.

**Environmental Setting and Surrounding Land Uses**

The project site is currently vacant desert land. Adjacent to the site, surrounding land uses include the following:

North: Vacant land

South: Vacant land. There is a quarry mining operation to the east of the Planning area.

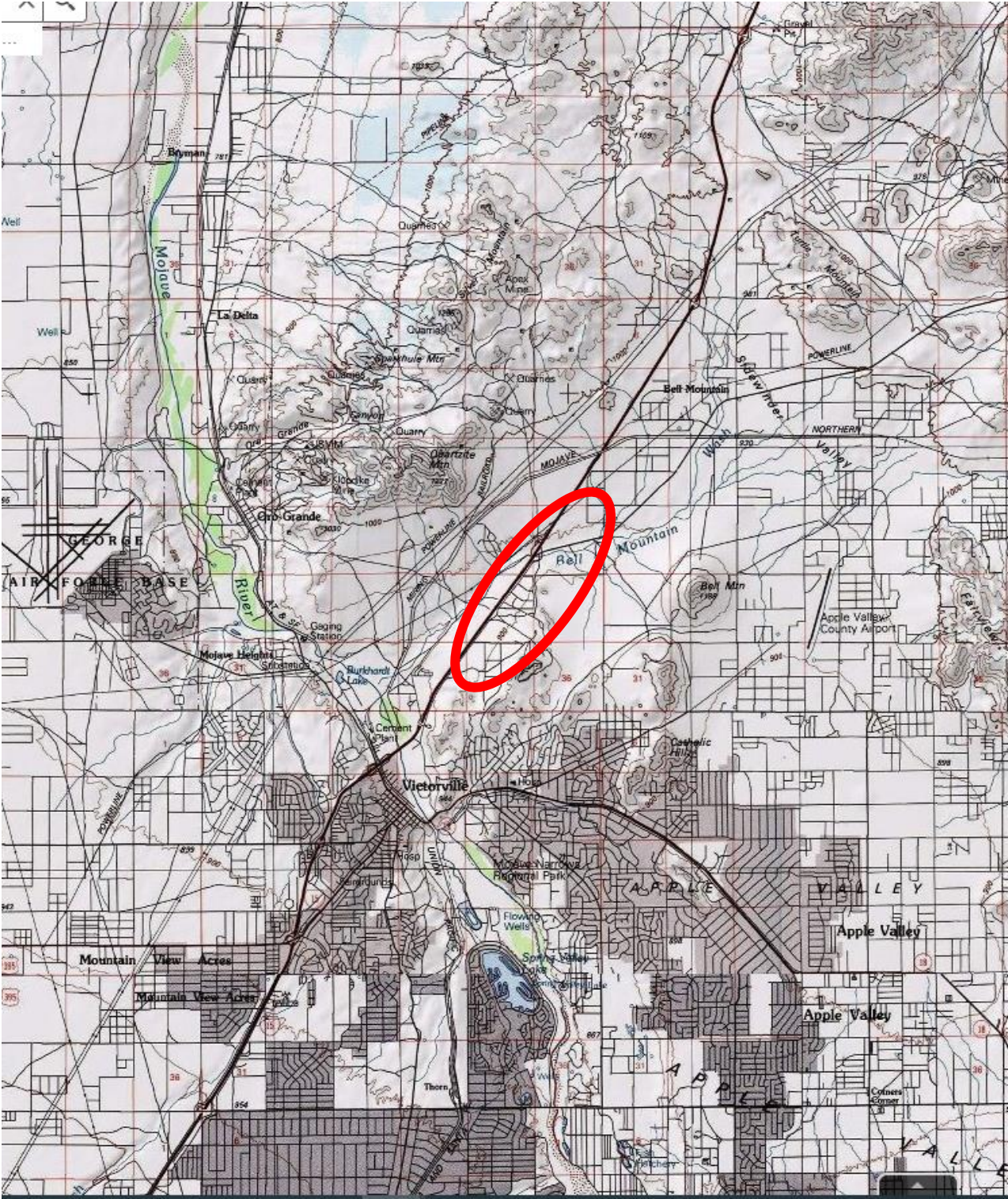
East: Vacant

West: Vacant. The Victorville Landfill is located on the west side of the I-15 freeway. There are a few light industrial buildings southeast of Stoddard Wells Road west of the freeway.

**Other public agencies whose approval is required for future development projects**

California Regional Water Quality Control Board (Waste Discharge Requirements)  
California Department of Fish and Wildlife (Streambed Alteration Permit)  
State Water Resources Control Board/Regional Water Quality Control Board (Construction Stormwater Permit)

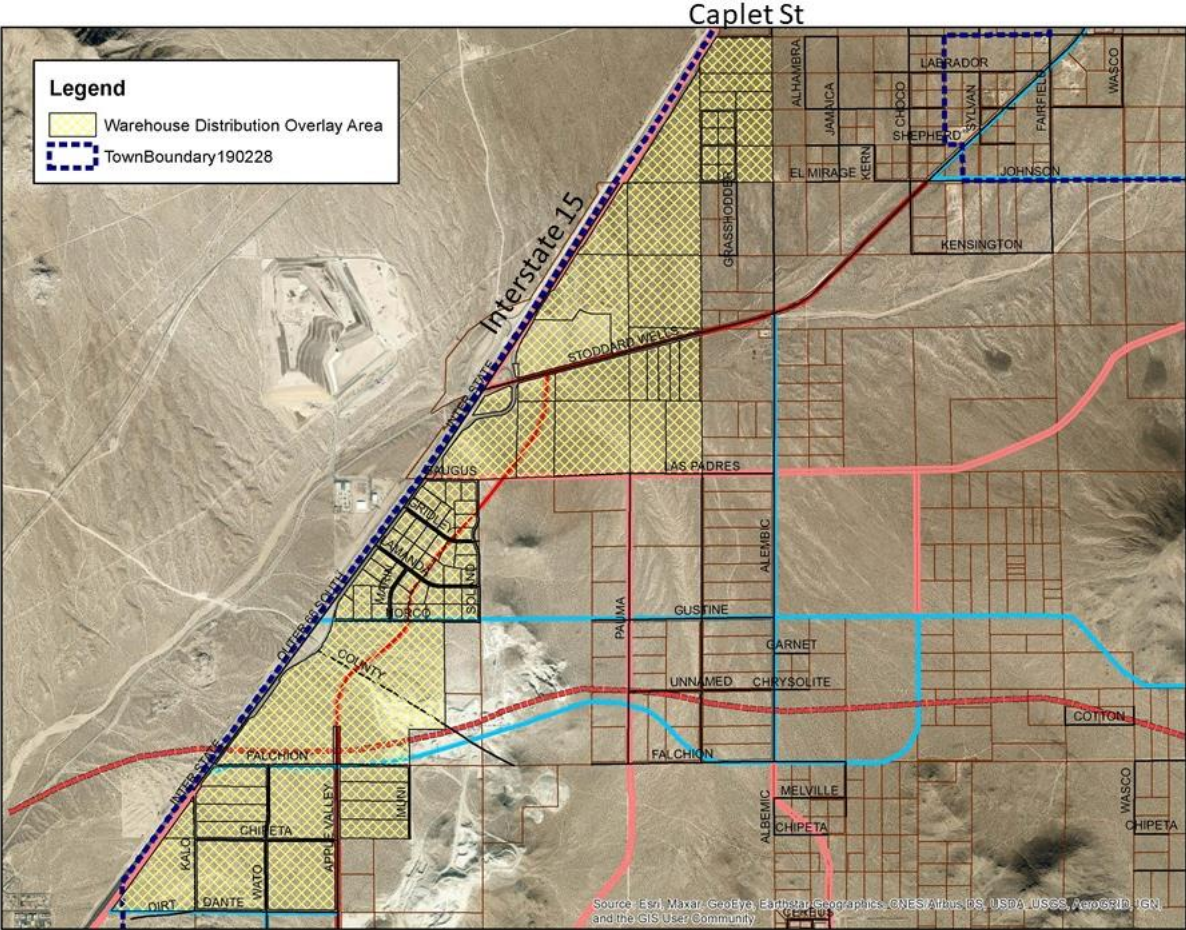
Exhibit 1 – Regional Location Map



 Denotes Planning area (978 acres)



Exhibit 2 – Project Aerial



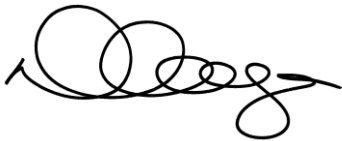
**Environmental Factors Potentially Affected:**

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.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Aesthetics                              | <input type="checkbox"/> Agricultural Resources                        | <input checked="" type="checkbox"/> Air Quality     |
| <input checked="" type="checkbox"/> Biological Resources         | <input checked="" type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils              |
| <input type="checkbox"/> Greenhouse Gases<br>Hazards & Hazardous | <input type="checkbox"/> Hydrology/Water Quality                       | <input type="checkbox"/> Land Use/Planning          |
| <input checked="" type="checkbox"/> Materials                    | <input type="checkbox"/> Noise   | <input type="checkbox"/> Population/Housing         |
| <input type="checkbox"/> Mineral Resources                       | <input type="checkbox"/> Recreation                                    | <input type="checkbox"/> Transportation/<br>Traffic |
| <input type="checkbox"/> Public Services                         | <input checked="" type="checkbox"/> Mandatory Findings of Significance |   |
| <input type="checkbox"/> Utilities/Service Systems               |  |   |

**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.



9-30-21

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Daniel Alcayaga, AICP  
Planning Manager

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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.



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

The 2009 General Plan EIR and 2018 Addendum EIR found that new development Town-wide had the potential to impact Aesthetics, but that with the implementation of mitigation measures, build out of the General Plan would result in less than significant impacts. Any new development will be subject to these mitigation measures.

**Discussion of Impacts**

- a) **Less Than Significant Impact.** Natural visual resources that provide the Planning area with special character include uninterrupted expanses of 'wide skies' and panoramic vistas of distant mountains. Characteristic views of the Mojave River floodplain bluffs and terraces, and areas of riparian forest flora also occur. The low-lying landscape surrounding the Planning area allows unobstructed, distant views in all directions and these create a prevailing sense of openness and spaciousness. The General Plan addressed the potential impacts of new development through a series of policies and programs that are directed at maintaining the Town's character and scenic views and vistas. The Plan either directly regulates development, or mandates the maintenance of zoning and other regulatory codes that assure detailed assessment of building coverage, setbacks and building heights, as well as other design features.
- b) **No Impact.** There are no scenic trees, rock outcroppings or historic buildings in the Planning area, nor is the Planning area located on a scenic highway. There will be no impact to scenic resources.
- c) **Less Than Significant Impact.** Any future new development will have a less than significant impact on the visual character of the area. The area surrounding the project site includes native lands. The impacts on aesthetics by new development was already analyzed in the EIR for the 2009 General Plan, as well as in the 2018 EIR Addendum for the newly annexed areas in and around the Planning area. The project, which includes allowing Warehouse Distribution developments within the C-R District, which would be subject to site development standards, as well as design standards (i.e. site planning, landscaping, and architecture standards) is consistent with the General Plan. The CR District already permits or conditionally permits similar uses such as hay/feed storage,

transportation facilities, truck terminals, new construction of outdoor storage, public utility installations, and assembly of products (as ancillary uses to commercial uses). These uses and associated buildings/structures are already permitted and look similar to warehouse distribution buildings that these Amendments propose. Impacts associated with visual character are expected to be less than significant.

- d) Less Than Significant Impact.** The Amendments will allow warehouse distribution developments that are similar to existing permitted uses that generate light and glare, primarily from truck and automobile lights and building security lighting associated with the future business operations. These light and glare characteristics are consistent with those allowed in the analyzed in the General Plan EIR and 2018 EIR Addendum. Specifically, the EIR requires that all lighting be consistent with the dark sky policies in the Town's General Plan and lighting and glare standards outlined in the Development Code. Accordingly, impacts associated with light and glare will be less than significant.

**II. AGRICULTURAL RESOURCES**

<b>Would the project:</b>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Introduction**

Although agricultural activities played a prominent role in the Town's formation, the difficulty of farming in the high desert environment has limited, and now mostly eliminated, farming activities within the Town limits. The General Plan EIR and 2018 EIR Addendum found that development in the Town would have less than significant impact on agricultural resources, because there are no agricultural land in the Plan area. There have been no changes in conditions, and no agricultural activities have been initiated since the certification of the EIR and EIR Addendum.

**Discussion of Impacts**

**a-c) No Impact.** The proposed project is located in an area that currently consists of vacant desert lands. The Planning area, and all surrounding lands, are designated for future development. The State Department of Conservation, Farmland Mapping and Monitoring Program identifies four small areas within the Town limits as Farmlands of Statewide Importance. These areas are all in the southern half of Town. No agricultural development occurs on or in the vicinity of the Planning area. There are no Williamson Act contracts on or in the vicinity of the Planning area. There will be no impact to agricultural resources.

**III. AIR QUALITY**

<b>Would the project:</b>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Introduction**

The 2009 General Plan EIR and 2018 EIR Addendum found that the development in the Planning area had the potential to impact Air Quality, and included a number of mitigation measures to reduce these impacts to the greatest extent feasible. Any future development will continue to be subject to these mitigation measures. However, the EIR also found that even with implementation of mitigation measures, the impacts associated with air quality at build out of the Town would remain significant and unavoidable. The Town adopted Findings and a Statement of Overriding Considerations, which found that the benefits associated with build out of the General Plan outweighed the potential impacts to air quality.

**Discussion of Impacts**

The 2009 General Plan EIR and 2018 EIR Addendum provided a comprehensive mitigation program to reduce all construction and operational air quality emissions to the fullest extent feasible.

- a) **Less Than Significant Impact.** The Town of Apple Valley is subject to the jurisdiction of the Mojave Desert Air Quality Management District (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<sup>1</sup>, 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 permitted in the area. Therefore, it will not exceed AQMP assumptions or criteria, or result in inconsistencies with the AQMP.

**b)-e) *Less Than Significant Impact.***

Construction Emissions

The EIR fully analyzed worst-case construction emissions. (See EIR p. III-58.) Based on those worst-case assumptions, all construction emission impacts were projected to be less than significant. Nonetheless, site-specific construction emission modeling is required to be performed for any future development at the time of Planning approval. Construction air quality impacts of the proposed project will be less than significant.

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 set forth above, the 2009 General Plan EIR and 2018 Addendum analyzed operational emission that would occur as a result of build out of the General Plan and found them to be significant and unavoidable. (EIR Table III-25.) Site-specific operational emission analysis will be required to be conducted in order to confirm whether any future developments – on their own – would result in significant operational air quality impacts. Therefore new developments will be required to analyze site specific operation emissions and comply with General Plan EIR mitigation measures.

According to Resolution No. 2018-16 adopted by the Town Council on May 8, 2018 for the EIR Addendum for 2009 General Plan Update and Annexation 2008-01, it states the following:

Air quality emissions associated with buildout operation of the 2018-001 Annexation, and buildout operation of the 2018-001 Annexation plus remaining County lands, will significantly exceed established thresholds for all criteria pollutants, as shown in Table 8. Similar to Annexation 2008-001, impacts can be somewhat lowered by implementation of the mitigation measures included in the EIR. However, impacts associated with build out of the 2018-001 Annexation will result in significant and unavoidable air quality impacts, albeit lower than those associated with Annexation 2008-001, as did build out of Annexation 2008-001. Thus, Annexation 2018-001 will not result in any new

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<sup>1</sup> "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.



significant unavoidable impacts or any substantial increase in the significant unavoidable impacts previously identified in the General Plan EIR.

**Table 8  
Projected Daily Emissions of Project  
at General Plan Buildout  
(pounds per day)**

Operational Emissions <sup>1</sup>	CO	NO <sub>x</sub>	ROG	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>2008 Annexation Re-Run</b>						
Area	8,352.92	130.63	7,138.17	14.51	1,123.93	1,123.93
Energy	27.11	51.87	5.98	0.32	4.13	4.13
Mobile	9,519.06	4,293.38	680.89	44.45	3,880.79	1,055.80
<b>TOTAL</b>	<b>17,899.11</b>	<b>4,475.89</b>	<b>7,825.05</b>	<b>59.29</b>	<b>5,008.86</b>	<b>2,183.87</b>
<b>2018-001 Annexation Only</b>						
Area	487.91	7.62	650.19	0.84	65.53	65.53
Energy	7.23	9.75	1.08	0.05	0.75	0.75
Mobile	5,039.76	2,463.81	390.00	23.34	2,004.19	545.40
<b>TOTAL</b>	<b>5,534.91</b>	<b>2,481.19</b>	<b>1,041.28</b>	<b>24.25</b>	<b>2,070.49</b>	<b>611.68</b>
<b>2018-001 Annexation Plus County Lands</b>						
Area	917.73	14.34	1,002.19	1.59	123.38	123.38
Energy	8.27	12.00	1.35	0.07	0.93	0.93
Mobile	5,231.14	2,526.99	400.11	24.26	2,088.33	568.27
<b>TOTAL</b>	<b>6,157.15</b>	<b>2,553.34</b>	<b>1,403.65</b>	<b>25.92</b>	<b>2,212.62</b>	<b>692.58</b>
<b>MDAQMD Thresholds</b>	<b>548</b>	<b>137</b>	<b>137</b>	<b>137</b>	<b>82</b>	<b>55</b>
Source: Threshold criteria offered by the Mojave Desert Air Quality Management District for determining the significance of air quality impacts.						
<sup>1</sup> Average of winter and summer emissions, unmitigated, 2026 (GP buildout is 2025).						
Emission Source: CalEEMod model, version 2016.3.1.						

As summarized in Section XV of this study, allowing warehouse distribution developments will reduce traffic trips. If the entire 978 acres (Planning area) currently zoned CR were developed with warehouse distribution, it is estimated that at build-out this would reduce daily trips by 375,648 trips in the Project area. This would be a reduction in air emissions that was analyzed in the General Plan EIR and Addendum.

Since any new development will be required to implement the mitigation measures included in the certified EIR, the level of impact is consistent with that previously analyzed, and impacts of the proposed project will be less than significant. Although the project's direct construction and operational impacts will not exceed MDAQMD thresholds and will be less than significant, it can be expected that the emissions of any future development will contribute to the emissions of the overall build out of the General Plan. The prior EIR disclosed that the General Plan's overall emissions would be significant and unavoidable, and the Town Council adopted CEQA findings and a Statement of Overriding Considerations addressing those impacts.

- f) **Less Than Significant Impact.** Objectionable odors, including those emitted by diesel-operated vehicles and the application of asphalt pavement and paints/solvents, may be emitted during the construction phase of the future development, and during operations, because of the number of diesel trucks expected to come and go from the project site. However, the Planning area is almost all vacant, and is not in the immediate vicinity of sensitive receptors such as residences, schools, parks, or other areas of concentrated human activity. As a result, impacts associated with odors are expected to be less than significant.

<b>IV. BIOLOGICAL RESOURCES</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project involves an Amendment to the Development Code allowing warehouse distribution uses within the CR District in the Planning area. The 2009 General Plan EIR and 2018 EIR Addendum found that the development of the General Plan had the potential to impact biological resources, but that with the implementation of mitigation measures, build out would result in less than significant impacts. The EIR required that certain site-specific surveys be completed for certain biological species prior to development. (EIR pp. III-80 through III-81.) Those studies will be completed for individual development proposals. Any future development that is proposed as a result of the Amendments will be required to analyze all pertinent biological species and will be subject to the mitigation measures.

<b>V. CULTURAL RESOURCES</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5 or Tribal Cultural Resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a-d) The project involves an Amendment to the Development Code allowing warehousing and manufacturing uses within the CR District. The 2009 General Plan EIR and 2018 EIR Addendum found that the development of the General Plan had the potential to impact cultural resources, but that with the implementation of mitigation measures, build out of the General Plan would result in less than significant impacts. The EIR required that site-specific surveys be completed for cultural and paleontological resources prior to development. (EIR pp. III-122, III-123.) Any future development that is proposed as a result of the Amendments will be required to analyze all pertinent cultural resources, including archaeological and historic resources as well as outreach and consultation with Native American Tribes, and will be subject to the mitigation measures.

Public Resources Code section 5097.98 imposes a mandatory reporting requirement and all construction activity to cease in the event of the discovery of human remains. Compliance with these mandatory provisions would ensure that any impacts to human remains would remain less than significant.

<b>VI. GEOLOGY AND SOILS</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Expose people or structures to 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Introduction**

The 2009 General Plan EIR and 2018 EIR Addendum found that the development within the Town had the potential to impact geology and soils, but that with the implementation of mitigation measures, build out would result in less than significant impacts. Any future development will be subject to the mitigation measures outlined in the EIR and Addendum.

The EIR requires that site-specific geotechnical investigations be completed prior to the approval of development plans. (EIR pp. III-88.) Since no development is proposed at this time, the impact of the Amendment on geological resources will be less than significant.

## Discussion of Impacts

- a.i) No Impact.** The area of the Town where the Amendments apply is not located in an Alquist-Priolo Earthquake Fault Zone, and no fault rupture will occur in this area. The Mojave Desert segment of the San Andreas fault passes through the region approximately 25 miles south-southwest of Apple Valley. This fault extends from the Tejon Pass to the San Bernardino valley, where it becomes the San Bernardino strand. No impacts are expected.
- a.ii, c) Less Than Significant Impact.** The Town will be subject to ground shaking from earthquakes on regional faults, particularly on the Mojave Desert segment of the San Andreas fault. The distance to the fault segment, however, will result in lesser ground shaking than would be expected if the Planning area were in closer proximity to the fault. All new development associated with the Amendments will be required to comply with the Town's Building Code seismic requirements in place at the time that building permits are issued. In addition, the certified EIR and Addendum included a number of mitigation measures to further reduce impacts associated with ground shaking and soils. The Town's standard requirements and the EIR's mitigation measures are designed to reduce impacts associated with ground shaking to less than significant levels.
- 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 Planning area generally consists of granular soils with historic groundwater depths ranging from approximately 105 feet below the surface to 155 feet below the surface. Any future development will be required to submit a Geotechnical Study prior to building permit issuance to determine soil conditions and review possible liquefaction issues. Issues related to liquefaction are less than significant.
- a.iv) No Impact.** The Planning area is located in a relatively flat area, and is not adjacent to any slope or mountainside. No impact associated with slope instability is anticipated.
- b) No Impact.** Soils identified as occurring in the Planning area include, Cajon sand, Cajon loamy sand, Cajon-Arizo complex, Cajon Wasco, Helendale loamy sand, Mirage-Joshua complex, Nebona-cuddleback complex and Rosamond loam. Helendale-Bryman loamy sands are predominant across the project site and are a series of the Aridosol Soil Order occurring on 0 to 2 percent slopes. Bryman soils are found on terraces and older alluvial fans, and are formed by the mixing of alluvium derived mainly from granite sources in combination with erosion caused by wind and water. Future development will be required to implement the dust control measures included in the EIR to address wind and water erosion, and will also be required to implement best management practices associated with storm water management. These mitigation measures and standard requirements will assure that impacts associated with erosion remain less than significant.
- d) No Impact.** As identified in the certified EIR, the soils within the Planning area are not expansive. No impact is anticipated.
- e) No Impact.** The Town has an adopted Local Agency Management Plan (LAMP) and any new future development would be subject to the limitations established in the LAMP. Developments that use less than 500 gallons per acre per day of water usage are allowed to use septic tanks for sewage disposal if sewer is not available. If water usage exceeds this threshold or if sewer becomes available, new development would need to connect to sewer. No impacts will occur.



**VII. GREENHOUSE GAS EMISSIONS**

<b>Would the project:</b>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

**a-b) Less Than Significant Impact.** Both construction and operation of any future development 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 2019 Climate Action Plan, which was adopted by the Town Council on June 8, 2021, it states the Town has made great strides in reducing its overall community and municipal emissions since the adoption of the CAP. So much so that Business as Usual (BAU) forecasts based on the Town's declining emissions trends are expected to achieve the 40% reduction target for 2030, as shown in the following table. The community forecasts are based on growth planned with the Town's General Plan Land Use map. As discussed in the Section XV, vehicle trips are estimated to be reduced if warehouse distribution developments were to be constructed instead of shopping center development. This reduction will further assist in reducing overall Greenhouse Gas Emissions from Business As Usual.

**Table 1  
Apple Valley CAP Reduction Targets  
Tons CO<sub>2</sub>e**

<b>Target/Scenario</b>	<b>Community</b>	<b>Municipal</b>	<b>Town-Wide</b>	<b>Population</b>	<b>Per Capita</b>
2005 Baseline	<b>746,774</b>	<b>2,138</b>	<b>748,912</b>	<b>63,754</b>	<b>11.75</b>
2020: 15% Below Baseline Target	≈634,758	≈1,817	636,575	74,140	8.59
2020: 2019 GHG Inventory	<b>594,395</b>	<b>3,407</b>	<b>597,681</b>	<b>74,140</b>	<b>8.06</b>
2030: 40% Below Baseline Target	≈448,064	≈1,283	449,347	84,535	5.32
2030: 40% Below, Forecast BAU	≈530,203	≈2,900	533,103	84,535	6.31
2030: 40% Below, Forecast w/ CAP Measures	≈408,752	≈2,170	410,922	84,535	4.86

Any future development will reduce GHG emissions that would otherwise result from energy and water use by complying with the Development Code, 2019 Climate Action Plan, and EIR's requirements to use low-polluting and high efficiency appliances, drought-tolerant landscaping, and by providing passive solar benefits. These will include building orientation optimizations and efficient fenestration. 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. Any future development will also be required to comply with Title 24 of the California Building Code, which in 2019 requires a further 30% reduction in energy use for construction. This reduction in energy use exceeds the Town's Climate Action Plan target for reduction of GHG emissions. The Plan, adopted with the General Plan and updated in 2013, 2016, and 2019 targets a 15% reduction below 2005 levels by the year 2020. The reductions included in the current building code result in a 30% reduction in energy use. Therefore, future construction is expected to exceed the Town's reduction target. These standard requirements and Town initiatives will ensure that GHG emissions from Any future development are less than significant.

<b>VII. HAZARDS AND HAZARDOUS MATERIALS</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Introduction**

The General Plan EIR or found that any new development had the potential to result in impacts from hazardous materials, but that with the implementation of mitigation measures, build out would result in less than significant impacts. Any future development will be subject to these mitigation measures.

**Discussion of Impacts**

- a-b) Less Than Significant Impact.** Any future development will be required to comply to Fire Department and County standards regarding high cube storage, including the safe storage of hazardous materials, and the implementation of emergency response plans in case of a spill or fire. These measures are subject to regular inspection to ensure compliance. These standard requirements will assure that the storage and transport of hazardous materials result in less than significant impacts.
- c) No Impact.** Any future development will handle household cleaners and chemicals, but will not store or handle hazardous materials within proximity of a school. The closest school to the Planning area is Apple Valley Christian Academy, located approximately 1.5 miles south of the Planning area.
- d) No Impact.** The Planning area is not listed as a hazardous materials site, cleanup site, or hazardous waste facility and, therefore, any future development will not create a significant hazard to the public or environment. (Envirostor map database, California Department of Toxic Substances Control).
- e) Less Than Significant Impact.** The Planning area is located less than 4 miles west of the Apple Valley airport. The impact on future new warehouse distribution developments is less than significant.
- f) No Impact.** The Planning area is not located in the vicinity of a private airstrip. No impact is expected.
- g) No Impact.** The Town will require the road improvement on any future development to Town standards, to assure access by emergency vehicles is unimpeded. The implementation of these standard requirements will assure that there is no impact associated with emergency response.
- h) No Impact.** The Planning area is located in an area dominated by sparse vegetation. There are no wildlands in the vicinity of the Planning area. No impacts associated with wildland fire are expected.

**VIII. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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 (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**VIII. HYDROLOGY AND WATER QUALITY**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Introduction**

The General Plan EIR found that the new development had the potential to impact hydrology and water quality, but that with the implementation of mitigation measures, build out of the General Plan would result in less than significant impacts. Any future development will be subject to these mitigation measures.

The EIR required that site-specific Stormwater Pollution Prevention Plans and surveys for the presence of federal or state jurisdictional waters be completed. (EIR pp. III-99, III-100. Overall, with mitigation, no significant impacts will result from the Project.

**Discussion of Impacts**

**a, f) No Impact.** Any future development will be required to connect to the Town's domestic water and sanitary sewer systems. Liberty Utilities, formerly Apple Valley Ranchos (AVR) Water Company, provides water service to the Planning area, and the Victor Valley Wastewater Reclamation Authority provides sanitary sewage treatment for the Planning area. 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. No impact is expected.

**b) Less Than Significant Impact.** Any new development will result in the consumption of domestic water for employee use and landscaping.

Since the certification of the EIR, California has entered into a multi-year drought. The drought has resulted in mandates for water conservation across all land uses and locations in the State, stemming from the requirements of the Governor's Executive Order B-29-15. Within AVR's service area, the mandate for a 28% reduction has resulted in the publication of prohibited activities, and the implementation of water conservation measures. As a result of these measures, AVR's service area reduced water use by 33% in September of 2015. Any new development will be subject to the mandated water reductions in place at the time that development occurs. These mandates will assure that water use within the Planning area will be less than significant.

**c-e) Less Than Significant Impact.** The Planning area, is located in a FEMA Zone D, and is outside the 100 year flood plain. The Planning area is currently vacant.

Any new development will be required to contain storm water runoff on site pursuant to the Waste Discharge Requirements permit issued by the Regional Water Quality Control Board under the Porter-Cologne Water Quality Act. In addition, the Town imposes

drainage impact fees on all development, to offset the cost of drainage improvements on a fair share basis. These standard requirements are designed to assure that impacts associated with runoff water remain less than significant.

**g)- j) No Impact.** The Planning area is not located in a flood zone, and does not propose residential development. The proposed project will have no impact on 100 year flood plain hazards.

<b>IX. LAND USE AND PLANNING</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Introduction**

The General Plan EIR found that the development of the General Plan had the potential to impact surrounding land uses, but that with the implementation of mitigation measures, build out of the General Plan would result in less than significant impacts. Any future development will be subject to these mitigation measures.

Any future development will be consistent with the size and intensity of development anticipated, analyzed, and approved as part of the approved EIR and EIR Addendum. The CR District already permits or conditionally permits certain land uses that are similar to warehouse distribution, including: hay/feed storage, transportation facilities, truck terminals, new construction of outdoor storage, public utility installations, and assembly of products (as ancillary uses to commercial uses). In the nation, it has been standard zoning practices to separate regional commercial uses from light industrial uses to buffer shopping from activities that would generate noise, semi-truck traffic, and odors. However, technology advances have made it so that a mix of land uses can co-exist together. These advances have produced a shift away from brick-and-mortar retail buildings to online shopping. This has produced a need for e-commerce warehouse distribution development. Since the Planning area is located along freeway frontage, the proposed overlay provides an opportunity to plan for both commercial and warehouse distribution, as both have the potential to generate sales tax revenue and/or produce employment growth. There are presently methods that can be used to mitigate noise and odors issues. Any future development will not present any potential land use conflicts. Accordingly, the Amendments are within the scope of the EIR's analysis.

**Discussion of Impacts**

**a-c) No Impact.** The Planning area is currently vacant, and will not divide any established community. The Amendments will allow developments that are consistent with the land use, development standards and guidelines of the Development Code. The Planning area is designated for business activities in the Town's General Plan. There are no conservation plans currently in effect in Town. There will be no impacts associated with land use as a result of the proposed project.

<b>X. MINERAL RESOURCES</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion of Impacts**

**a-b) No Impact.** The General Plan EIR and Addendum determined that there were no lands designated for mineral resources within the Planning area, and that no mineral resource extraction occurred or was projected to occur within the Planning area. The Planning area has been designated for commercial development for a number of years. The Amendments intend to allow Warehouse Distribution developments. No mineral resources are known to occur on the Planning area. There will be no impacts to mineral resources as a result of implementation of the Amendments.

<b>XI. NOISE</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Introduction**

The General Plan EIR and Addendum found that new development had the potential to result in noise impacts, but that with the implementation of mitigation measures, build out of the General Plan would result in less than significant impacts. Any new development will be subject to these mitigation measures.

The EIR imposed a requirement for further site-specific noise studies only where a proposed project's stationary noise sources may adversely impact sensitive noise receptors in the site vicinity. (EIR pp. III-145.) There are no sensitive receptors in the Planning area's vicinity that would require such site-specific analysis. The nearest sensitive receptor, a single-family home is approximately ½ mile east of the Planning area on Stoddard Wells (APN: 0472-362-53).

**Discussion of Impacts**

**a, c) *Less Than Significant Impact.*** New development can result in the development of a warehouse distribution facility, which includes stationary noise sources such as sliding dock doors and rooftop mechanical equipment, as well as on-site mobile sources such



as back-up beepers and forklift operations. There are no sensitive receptors located in and around the vicinity of the Planning area. Impacts are therefore expected to be less than significant.

- b) **Less Than Significant Impact.** The primary source of vibration of future development is expected to be during construction, from the use of heavy equipment; and during operation from the heavy truck trips the project will generate. The level of vibration, however, will be periodic and temporary, and because of the Planning area's location away from sensitive receptors, is expected to represent a less than significant impact.
- d) **Less Than Significant Impact.** Temporary noise generated during the construction phase of the any future development could exceed acceptable noise levels, particularly during site preparation. Primary noise sources will be heavy equipment. These impacts, however, will be periodic and temporary, and are allowed in the Town's Municipal Code, as long as they occur during specified daytime hours. Any future development will be required to comply with these requirements. Further, the Planning area is not located near sensitive receptors who would be impacted by construction noise. The Planning area is in an commercially designated area, and the Town's standards will assure that impacts are less than significant.
- e) **Less Than Significant Impact.** The Apple Valley Airport is located less than four mile east of the Planning area. Impacts associated with airport noise are expected to be less than significant.
- f) **No Impact.** The Planning area is not located in the vicinity of a private airstrip, and no impacts associated with such a noise source will occur.

<b>XII. POPULATION AND HOUSING</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Introduction**

The General Plan EIR and Addendum found that new development had the potential to result in impacts associated with population and housing, but that with the implementation of mitigation measures imposed on the Town, build out of the General Plan would result in less than significant impacts.

**Discussion of Impacts**

**a) *Less Than Significant Impact.*** Any future development will result in a demand for employees. The EIR found that the increase in jobs could be supported for multiple reasons. First, the Town's residents currently commute to work outside of Town, and the new development, such as Warehouse Distribution would generate jobs that would improve the Town's jobs/housing balance. Further, the EIR found that the Town had a capacity for an additional 15,078 housing units. Based on the Town's average of 1.09 jobs per household, any future development would generate a need for 488 housing units, if all the project's employees were to be new residents. The Town has capacity and resources to accommodate this level of growth. The Amendments will have a less than significant impact on population growth.

**b-c) *No Impact.*** The Planning area is currently vacant, and will not result in the demolition of existing housing, or the displacement of people. No impact is expected.

**XIII. PUBLIC SERVICES**

<b>Would the project result in:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Introduction**

The General Plan EIR and Addendum to the EIR found that new development within the Town had the potential to impact public services, but that with the implementation of mitigation measures, build out of the General Plan would result in less than significant impacts. Any future development will be subject to these mitigation measures.

**Discussion of Impacts**

**a-e) *Less Than Significant Impact.*** Any future development will not increase the demand on public services beyond that already anticipated and analyzed in the EIR.

Fire Protection

The Apple Valley Fire Protection District is responsible for fire protection. The closest fire station to the Planning area is Station 332, which is located on Highway 18.

Any future development will result in additional demand on fire services from the District. Any future development will increase revenues to the Town, in the form of direct property tax increases, and indirect sales tax increases from discretionary spending by employees. These revenues will help to offset the added costs of fire services.

As required in the Building Code, construction plans will be reviewed by the Fire Department to ensure they meet applicable fire standards and regulations. Overall impacts to fire protection services will be less than significant.

Police Protection

The San Bernardino Sheriff's Department provides police services to the Town under contract with the Town. Police service demand will increase marginally as a result of

build out of General Plan, as Warehouse Distribution developments do not generate a high demand for service.

Future development will increase revenues to the Town, in the form of direct property tax increases, and indirect sales tax increases from discretionary spending by employees. These revenues will help to offset the added costs of police services to development.

Schools

Any future development will have an indirect impact on schools within the Apple Valley Unified School District, insofar as any future development will not, in and of itself, generate a demand for school facilities. The additional school children are likely to result from the employment generated by future development, however, new developments will pay all statutorily imposed school mitigation fees as part of the project. As set forth in the EIR, no significant impacts to schools are anticipated.

Parks

Any future development will not directly impact parks. The increase in employees from future development, however, could increase the demand on the Town's park facilities. Any Warehouse Distribution developments, and the homes resulting from the creation of new households for employees of a development, will result in increased revenues to the Town, that will offset the indirect impact on parks. Impacts are expected to be less than significant.

Other Public Facilities

Any new development will include the undergrounding of a power line. The undergrounding will not alter the pattern or capacity of electrical service, such that no significant impacts are anticipated.

**XIV. RECREATION**

<b>Would the project:</b>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion of Impacts**

**a-b) Less Than Significant Impact.** The Amendments will not directly impact recreational facilities. Any future development will increase the number of employees, and increase the demand on the Town's recreational facilities. Any future development, and the homes resulting from the creation of new households for employees of any future development, will result in increased revenues to the Town that will offset the indirect impact on recreational facilities. Impacts are expected to be less than significant.

<b>XV. TRANSPORTATION/TRAFFIC</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, VMT, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Introduction**

The General Plan EIR and Addendum found that any future development of the General Plan had the potential to impact traffic, although these impacts were less than significant. The implementation of mitigation measures would assure that build out of the General Plan would result in less than significant impacts. Any new development will be subject to these mitigation measures.

The EIR required that site-specific traffic studies would be required only on a project-by-project basis. (EIR pp. III-46.) The Amendments include allowing warehouse distribution in the Regional Commercial (CR) District. Any new warehouse distribution developments would be required to undergo the CEQA process and prepare site-specific traffic studies on a project-by-project basis.

**Adopted VMT Discussion**

A project would result in a significant project-generated VMT impact if either of the following conditions are satisfied:

1. The baseline project-generated VMT per service population exceeds the Town of Apple Valley General Plan Buildout VMT per service population, or

2. The cumulative project-generated VMT per service population exceeds Town of Apple Valley General Plan Buildout VMT per service population

The project's effect on VMT would be considered significant if it resulted in either of the following conditions to be satisfied:

3. The baseline link-level boundary Town-wide VMT per service population increases under the plus project condition compared to the no project condition, or

4. The cumulative link-level boundary Town-wide VMT per service population increases under the plus project condition compared to the no project condition.

On May 11, 2021, the Town Council adopted Resolution 2021-08 establishing the above adopted VMT thresholds consistent with SB 743. The evidence at the time of adoption of the VMT threshold showed that VMT would be reduced at build out of the General Plan as compared to baseline. It is expected that VMT will be reduced since the discussion below shows the Amendments will create warehouse distribution developments that generate fewer trips as compared to a shopping center. The intent of e-commerce warehouse distribution, as a whole, is to create satellite locations closer to the consumer. Additionally, the workforce, which the majority travel to other communities for employment, will have shorter trips if employed local by the developments as part of this Amendment. This is expected to further reduce VMT. No development is proposed at this time and any future development would need to address the Town's adopted VMT threshold. The Amendments have no impact on transportation as no development is proposed at this time and similar land uses are already permitted in the CR District.

### **Discussion of Impacts**

#### **a) & b) Less Than Significant Impact.**

If compared to a shopping center, a warehouse distribution development of similar size would cause an overall decrease in traffic trips. Evidence of this was provided by Kimley Horn in a memo dated August 25, 2021. This memo compared the number of trips that would be generated by a 1,977,100 square foot shopping center and a 1,534,500 square foot warehouse distribution development. In the analysis, the warehouse distribution development would additionally include 468,200 square feet of office space and 10,000 square feet of sit-down restaurant area. Both sample projects would be situated on 143 acres within parcels in the Planning area. The results show a warehouse distribution development would produce 54,542 less daily trips; 142 less am peak hour trips; and 3,395 PM less peak hour trips. If the entire 978 acres (Planning area) currently zoned CR were developed with only warehouse distribution with limited office and sit-down restaurants, it is estimated that at build-out, this would reduce daily trips by 375,648 trips in the Project area (See Table 1).



**TABLE 1 – APPROVED SITE USE TRIP GENERATION**

Land Use	Quantity	Unit	Trip Generation Estimates						
			Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
<i>Approved Zoning Use</i>									
Shopping Center	1,977.1	KSF	74,636	1,153	706	1,859	3,616	3,917	7,533
Pass-by Trips (0% AM, 34% PM) <sup>2</sup>	0.0	34%	-2,561	0	0	0	-1,229	-1,332	-2,561
<b>Total Trips with Approved Land Use</b>			72,075	1,153	706	1,859	2,387	2,585	4,972

**TABLE 2 – PROPOSED ESTIMATED TRIP GENERATION**

Land Use	Quantity	Unit	Trip Generation Estimates						
			Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
<i>Proposed Use</i>									
High-Cube Parcel Hub Warehouse	1,534.5	KSF	11,893	537	537	1,074	668	315	983
General Office Building	468.2	KSF	4,560	467	76	543	86	452	538
High-Turnover (Sit-Down) Restaurant	10.0	KSF	1,122	55	45	100	61	37	98
Pass-by Trips (0% AM, 34% PM) <sup>2</sup>	0%	43%	-42	0	0	0	-26	-16	-42
<b>Total Proposed Trips</b>			17,533	1,059	658	1,717	789	788	1,577

**TABLE 3 – NET DIFFERENCE (PROPOSED MINUS APPROVED)**

	Daily	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
<b>Net Difference (Proposed Minus Approved)</b>	-54,542	-94	-48	-142	-1,598	-1,797	-3,395

Any development of warehouse distribution caused by the Amendments will therefore generate fewer trips than were studied in the certified EIR, and the project's impacts are therefore consistent with the analysis in the EIR.

Any new development would be subject to improvements to bring all streets to General Plan standards, including the construction of roadway half-widths, curb, and gutter. Any new development would be subject to Traffic Impact Fees and will contribute to the overall construction of the General Plan Circulation Element improvements.

As a result of the current evaluation, it is concluded that impacts associated with level of service, VMT and capacity will be less than significant with build out of the proposed project.

- c) **No Impact.** The Apple Valley Airport is located approximately less than four miles east of the Planning area. No improvements are proposed by the Amendments that will adversely impact air traffic patterns, airport functions, or safety.
- d) **No Impact.** The Amendments do not propose any hazardous design features. Any future development will be required to provide improvements to public streets, project driveways and interior roadways consistent with Town standards. No impact is expected.
- e) **Less Than Significant Impact.** In the Planning area, the General Plan envisions Stoddard Wells and Apple Valley Roads as Major Divided Arterial roads (128 feet wide) at build out. Falchion Road is a Major Road (104 feet wide) located in the south part of the Planning area. Stoddard Wells Road currently connect to the I-15 freeway to the west and Johnson Road and Dale Evans Road to the northeast. Apple Valley Road connects to Highway 18 to the south and connects to Falchion Road to the north. Falchion Road connects to Apple Valley Road to the east and the I-15 freeway to the east. The General Plan calls Apple Valley Road to eventually extended north and fully connect to Stoddard Wells Road. New development in the Planning area that front on to Apple Valley Road and/or are required access to Stoddard Wells Road to the north will cause Apple Valley Road to be constructed to Stoddard Wells Road. Any future development will be required two points of access for emergency access consistent with the Development Code and Apple Valley Fire District standards. Construction of the Circulation Element road network, and standard requirements will assure that impacts are less than significant.
- f) **No Impact.** Any new development will include parking spaces for passenger vehicles, trailers and heavy duty trucks in compliance with the requirements of the Development Code. No impact is expected.
- g) **No Impact.** Victor Valley Transit provides bus service to the Town. Local service would be extended in the Planning area upon completion of any new development. The certified EIR included measures to assure that transit service needs are monitored, and service established in the future when warranted. No impact is anticipated.

<b>XVI. UTILITIES AND SERVICE SYSTEMS</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Introduction**

The General Plan EIR found that any future development within the Planning area had the potential to impact utilities, but that with the implementation of mitigation measures, build out of the General Plan would result in less than significant impacts.

**Discussion of Impacts**

**a-e) Less Than Significant Impact.**

Wastewater Treatment

Wastewater generated by any future development will be treated by the Victor Valley Reclamation Authority (VVRA) treatment plant, which has a current capacity of 14.5 million gallons per day (MGD). The treatment plant, located in Victorville, includes capabilities for tertiary treatment, which allow the use of treated water for landscaping.

In addition, the VVRA is constructing sub-regional plants, including one in Apple Valley to allow local tertiary treatment and distribution.

Domestic Water

Liberty Utilities, formerly Apple Valley Ranchos Water Company, provides domestic water services to the Planning area and vicinity. Any future development will be required to comply with current Building Code requirements, which are more stringent regarding water use than those in place when the EIR was prepared, and with all water conservation measures currently being implemented as a result of State mandates for water conservation during the current drought. Any future development will reduce water usage that might otherwise occur through compliance with the EIR's requirements to use native and drought-tolerance species in all landscaping.

Finally, any future development will include the relocation and extension of a water mains. Impacts associated with domestic water are expected to be less than significant.

Stormwater Management

Any future development will be required to retain the 100 year storm on site, consistent with Town standards. Impacts are expected to be less than significant. Please also see Section VIII.

- f-g) 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. Any future development will generate solid waste consistent with that analyzed in the certified EIR, and can be expected to result in up to 15,000 tons of solid waste annually. Impacts associated with solid waste generation are expected to be less than significant.

<b>XVII. ENERGY.</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>a -b)</b> No development is proposed at this time. Future development will comply with the California Building and Green Code.				

**XIIX. TRIBAL CULTURAL RESOURCES.**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Would the project:**

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**a)** No development is proposed at this time, and future development will notify all Native American Tribes and upon request consult with Native American Tribes as required by law.

**XIX. MANDATORY FINDINGS OF SIGNIFICANCE**

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Does the project:</b>				
a) Have the potential to 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, 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) **Less Than Significant Impacts with Mitigation Incorporated.** As detailed in this Initial Study, the proposed project has the potential to impact both biological and cultural resources. With the implementation of mitigation measures in both the

certified EIR and this Initial Study, these impacts will be reduced to less than significant levels. The General Plan EIR Mitigation Measures are required upon any future development (Appendix B).

- b) *Less Than Significant Impact.*** As described in this Initial Study, the Amendments will allow Warehouse Distribution developments in the CR District. Any new development will have direct construction and operational air quality impacts that will exceed MDAQMD thresholds, and its impacts will be less than significant. However, it can be expected that the emissions of any future development will contribute to the emissions of the overall build out of the General Plan. The EIR and Addendum determined that the development's overall emissions at build-out would be significant and unavoidable, and the Town Council adopted CEQA findings and a Statement of Overriding Considerations addressing those impacts. Specifically, as identified in the Findings adopted with the certification of the EIR (Town Council Resolution 2006-81), the Town found as follows:

“The Town Council finds and determines that the significant environmental effects identified in the EIR have been reduced to an acceptable level in that: (1) all significant effects that can feasibly be avoided have been eliminated or substantially lessened as determined through the findings set forth in this Resolution; (2) based upon the EIR, Exhibits to this Resolution, and other documents in the record, specific economic, social and other considerations make infeasible other project alternatives identified in said EIR; and (3) based upon the EIR, Exhibits to this Resolution and other documents in the record, all remaining, unavoidable effects of the Specific Plan, General Plan Amendment and Zone Change are overridden by the benefits of the project as described in Exhibit A, which the Town Council is adopting as a Statement of Overriding Considerations for the proposed Project.”

As concerns the currently proposed project, the Amendments do not propose any development and there is no evidence that the project would result in impacts that are any greater than those already disclosed in the EIR. Accordingly, no further analysis is required under State CEQA Guidelines § 15162. The General Plan EIR Mitigation Measures are required upon any future development (Appendix B).

- c) *Less Than Significant Impacts with Mitigation Incorporated.*** As described in this Initial Study, the proposed project will not, in and of itself, have significant impacts on air quality, noise or traffic, or other categories impacting human beings. Any future development will, however, contribute to cumulative impacts to air quality, which will potentially impact human beings at General Plan build out. The Town Council, however, when it certified the EIR and Addendum, determined that the benefits of build out of the General Plan outweighed the potential impacts associated with air quality, and adopted Findings and a Statement of Overriding Considerations as described above. There is no evidence that the proposed project would result in impacts that are any greater than those already disclosed in the EIR. Accordingly, no further analysis is required under State CEQA Guidelines § 15162. The General Plan EIR Mitigation Measures are required upon any future development (Appendix B).

**REFERENCES**

Town of Apple Valley General Plan, 2019 Climate Action Plan, and General Plan EIR.

Addendum to the Environmental Impact Report for the Apple Valley 2009 General Plan and Annexation 2008-001  
Town of Apple Valley Project No. 2018-001; State Clearinghouse No. 2008091077

Town of Apple Valley Development Code.

Mojave Desert Air Quality Management District California Environmental Quality Act and Federal Conformity Guidelines.

Trip Generation Evaluation Memo, Kimley Horn, September 2021.

Resolution 2021-08 which adopted VMT thresholds for the Town

Please note: All special studies and documents listed above are available for review at Town Hall, 14955 Dale Evans Parkway, in Apple Valley.

**APPENDIX**

- A. List of Accessory Parcel Nos. that are affected by the Amendment to allow warehouse distribution in the CR District
- B. Section III of the 2009 General Plan EIR, which include all mitigation measures
- C. Resolution 2021-08 adopting VMT thresholds
- D. Addendum to the Environmental Impact Report for the Apple Valley 2009 General Plan and Annexation 2008-001  
Town of Apple Valley Project No. 2018-001



