



LAND USE SERVICES DEPARTMENT
PLANNING STAFF REPORT



HEARING DATE: October 4, 2012

AGENDA ITEM NO: 4

Project Description:

Applicant: Land Use Services Department

Proposal: A) A Development Code Amendment to establish separate land uses and development standards for the Apple Valley Sphere of Influence.
B) A General Plan Amendment to add "AV" as a prefix to all land use zoning districts within the Apple Valley Sphere of Influence.

Community: Apple Valley Sphere of Influence

JCS: P201200321

Staff: Jim Squire

SUMMARY:

The Town of Apple Valley (TOAV) is requesting adoption of certain Development Standards to the County's Code to be implemented in the area within their defined Sphere of Influence (SOI) per the County's adopted General Plan. The requested Development Code Amendment and corresponding General Plan Amendment are the result of a collaborative effort between the County and the TOAV staff over a two-year period. As part of the review process, County staff worked with a Planning consulting firm to perform a final analysis of all of the proposed modifications being sought by the TOAV to determine those that could be readily implemented by the County because they were compatible with the County's Code and its policies, versus those that were not, or those that required further analysis of possible impacts to adopting such modifications. Therefore, the Development Code Amendment being presented at this time is limited to those modifications requested by the TOAV that County staff determined could be supported.

BACKGROUND:

On March 13, 2007, the Board of Supervisors adopted all components of the 2007 General Plan Update Program, which consisted of an update to the General Plan text and maps, 13 community plans and a complete rewrite of the County Development Code. Section 82.01.030 of the Development Code established Overlay Districts as part of the adopted Zoning Districts. The purpose of the Overlay Districts was to guide development within the area of a specific overlay by providing standards that apply to proposed development in addition to the standards and regulations of the primary land use zoning district, where important community, site, environmental, safety, compatibility, or design issues required special attention in project planning. County Development Code Table 82-2 established each of the various overlay types within the County with "Sphere Standards (SS)" applicable to those areas within a city's/town's SOI. County Development Code Chapter 82.22 – Sphere Standards (SS) Overlay provides for the adoption of certain development standards that more closely conform to a city's development standards to an area within

Action taken by the Planning Commission on this item may be appealed to the Board. Yes No
Note: Recommendations to the Board of Supervisors are not appealable.

that city's SOI. The adoption of such standards requires an amendment to the County Development Code in compliance with Chapter 86.12 (Amendments).

On September 14, 2010, the Board of Supervisors signed a Memorandum of Understanding (MOU) with the TOAV that outlined a process to develop compatible land use regulations to be implemented by the County upon the unincorporated area that is within the TOAV SOI. The first step in this process was the pre-zoning of the SOI area by the TOAV, adopting equivalent land use designations to the County's designations. Subsequently, the TOAV prepared and submitted to County staff a document containing the specific zoning regulations that the TOAV wants the County to adopt for the SOI area.

The Land Use Zoning Districts within the TOAV SOI area totals 120.44 square miles (77,083.19 acres) and is located primarily to the east of the TOAV. It includes 11 of the 17 different Land Use Zoning Districts described in the County's General Plan, with over 50% of the area being designated as RC (Resource Conservation) and another 33% designated as RL (Rural Living with 2.5 acre minimum parcel size). The TOAV SOI area does not currently have any property with land use designations or that is zoned as Open Space (OS), Multiple Residential (RM), Office Commercial (CO), Service Commercial (CS), Highway Commercial (CH), or Institutional (IN).

ANALYSIS:

Development Code Amendment – The TOAV staff proposal initially submitted to the County was fairly extensive and contained regulations covering standards applicable to Single-Family Residential Dwellings, Infrastructure and Specific Use Standards, Group Homes, Accessory Wind Energy Systems, Wireless Telecommunications, Trails, Parks, and Definitions. In analyzing the TOAV proposal, County staff first prepared a comparison table to identify the differences between the proposed sphere development standards and the countywide standards contained in the Development Code. This table was organized by each of the affected Land Use Zoning Districts, wherein each of the proposed changes to a specific zone was identified, followed by a preliminary recommendation on whether the proposed change should be adopted by the County, or if further analysis would be required.

County staff then consulted with the planning firm, Hogle-Ireland, Inc., to further assess the modifications proposed by the TOAV as they compared with established County policies and consistency with the County General Plan. As a result, the original comparison table prepared by County staff was further refined. County staff and the consultant determined that the County should only consider adopting limited portions of what the TOAV staff is proposing as it was found that in some cases, the proposed modifications (1) were too similar to existing County regulations and the subtleties would only complicate the development review process at the County; (2) would be overly restrictive compared to existing County regulations resulting in an unnecessary impediment to development where it is unwarranted; and (3) made the oversight/authority for consultation on a development proposal a compulsory requirement by the TOAV before being able to submit to the County. Therefore, County staff proposes to proceed with a Development Code Amendment at this time for only those requests that clearly should be changed. County staff based these recommendations on careful consideration of the findings required to

support a Development Code Amendment. In particular, being able to allow for unique regulations to be implemented within the TOAV SOI area compatible with the TOAV local regulations while maintaining consistency with the County's overall objectives and policies for development. The following summarizes the proposed amendment to Chapter 82.22 of the County Development Code:

- Amend Section 82.22.020 Location Requirements that names each of the cities with a SOI area under the County's jurisdiction creating an identifiable Zoning Prefix and to establish a place-holder section for each city's SOI area development standards. The TOAV would have a Zoning Prefix of "AV" and Section 82.22.040 would be added to establish the unique uses and development standards covering the area within the TOAV SOI.
- Move Section 82.22.030 that had previously been adopted to establish development standards applicable to the area of the City of Fontana SOI to a replacement Section 82.22.090 in order that the sections correspond with the amended Table 82-23.
- Delete the provision in Chapter 84.21 [Single-Family Residential Dwellings] that allows manufactured homes that are more than ten years old to be installed on parcels not within an approved and properly licensed mobile home park when certain findings are made.
- Add certain land uses to Division 10 Definitions that are being newly created with the above regulations, as applicable.

A detailed list of each of the individual changes being proposed is provided as Attachment 1 to this report. The specific language for the added sections to the Development Code is provided as Attachment 2. The proposed ordinance has been sent to the TOAV staff for their review and comment.

General Plan Amendment – A General Plan Amendment is included in the proposed action. This amendment is simply to add "AV" as a prefix to all Land Use Designations that fall within the unincorporated area of the TOAV SOI as the County adopted a "one map approach" as part of the General Plan to assure land use consistency is maintained between zoning districts and the General Plan land use designations. The addition of the prefix alerts staff and the public that specific regulations may be applicable in those areas of the County.

Environmental Determination – The Proposed Development Code Amendment and General Plan Amendment are exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines as the proposed changes do not have the potential to cause a significant effect on the environment.

FINDINGS:

The following findings and evidence to support such findings must be made by the Commission in making its recommendation to the Board to approve the proposed Development Code Amendment and General Plan Amendment:

Development Code Amendment

1. The proposed amendment is consistent with the General Plan and any applicable community plan or specific plan in that the proposed modifications support the primary purpose and intended uses established in the General Plan for each of the affected General Plan Land Use Designations.
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County in that the proposed modifications include safeguards designed to protect the public interest, health, safety, convenience or welfare of the County's residents.
3. The proposed amendment is internally consistent with other applicable provisions of the Development Code in that the proposed modifications have limited applicability to an Overlay District specific to the purpose and intent of allowing for unique provisions within a designated Sphere of Influence area in order to improve compatibility with the affected town.

General Plan Amendment

1. The proposed amendment is internally consistent with all other provisions of the respective plan, the General Plan or an applicable specific plan; and
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County.
3. The proposed land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised since it is limited to the addition of a prefix to certain Land Use Zoning Districts to identify the applicability of unique regulations;
4. The proposed land use zoning district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area through the addition of readily recognized and unique prefix to certain Land Use Zoning Districts on properties that are already identified with a SS (Sphere Standards) suffix;
5. The proposed land use zoning district change does not conflict with provisions of the Development Code as it is limited in its applicability;
6. The proposed land use zoning district change will not have a substantial adverse effect on surrounding property as it is limited specifically to the Town of Apple Valley Sphere of Influence area; and
7. The affected sites are physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the

proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located in that the amendment does not include a specific development proposal and all such proposals would be subject to subsequent review and action by the County.

RECOMMENDATION: The Planning Commission recommends that the Board of Supervisors:

- A. ADOPT the proposed ordinance to amend the Development Code regulations to establish separate land uses and development standards for the Town of Apple Valley Sphere of Influence area;
- B. ADOPT the proposed General Plan Amendment to add "AV" as a prefix to all land use designations within the Town of Apple Valley Sphere of Influence area;
- C. ADOPT the findings as contained in the staff report; and
- D. FILE the Notice of Exemption.

ATTACHMENTS:

- 1. [Detailed Listing of the TOAV SOI area Development Code Amendments](#)
- 2. [Proposed Development Code Section Changes \(Mark-up Version\)](#)
- 3. [Proposed General Plan Amendment](#)
- 4. [Notice of Exemption](#)

[This page intentionally left blank]

**ATTACHMENT 1
DETAILED LISTING OF THE TOAV SOI AREA
DEVELOPMENT CODE AMENDMENTS**

Proposed Town of Apple Valley Changes supported by County staff

The bullet statements outline each of the individual modifications being supported by County staff. With the adoption of the Development Code Amendment and General Plan Amendment, newly titled Land Use Zoning Districts (zones) are being created with the addition of the prefix and should be referenced as follows:

AV/RC – Apple Valley/Resource Conservation
AV/AG – Apple Valley/Agriculture
AV/FW – Apple Valley/Floodway
AV/RL – Apple Valley/Rural Living
AV/RS – Apple Valley/Single Residential
AV/CR – Apple Valley/Rural Commercial
AV/CN – Apple Valley/Neighborhood Commercial
AV/CG – Apple Valley/General Commercial
AV/IC – Apple Valley/Community Industrial
AV/IR – Apple Valley/Regional Industrial
AV/SD-PD – Apple Valley/Special Development

There are no changes to the County's titles or acronyms for the types of permitting or application processing, and the standard "Key" remains applicable to the SOI area of the TOAV as it is used throughout the existing current County Development Code. The TOAV staff had included in their Development Code Amendment requests to change some land uses to being "P" (Permitted Use, Site Plan Permit required); however, the County has an overriding requirement that land uses noted with a "P" in any Allowed Land Use Table are subject to a "MUP" (Minor Use Permit) when they are located within a sphere area, unless a Conditional Use Permit (CUP) is required in compliance with Section 85.06.050 (Projects that Do Not Qualify for a Minor Use Permit).

Uses

- Add "Community gardens" to the AV/RC, AV/AG, AV/FW, AV/RL, and AV/RS zones as an allowed use.
- Add "Nurseries (Wholesale)" and to the AV/RC, AV/AG, AV/FW, and AV/RL zones subject to an M/C.
- Add "Desert botanical gardens" to the AV/RC and AV/AG zones subject to a MUP.
- Add "Historical landmarks and structures" as an allowed use to all zones.
- Allow "Zoo" in the AV/RC and AV/AG zones subject to a CUP.
- Add the words "non-habitable" to each of the "Agricultural accessory structures" land use types in the AV/RL and AV/RS zones.
- Allow "Fitness/health facility" in the AV/RL zone subject to a CUP.
- Allow "Storage – Personal storage (mini-storage)" and "Storage – Recreational vehicles" in the AV/CG zone subject to a CUP.

- Allow “School – Specialized education/training” in the AV/CN zone subject to an M/C.
- Add “Nurseries (Retail)” and to the AV/CR and AV/CG zones subject to an M/C.
- Add “Mortuary Services” and “Crematorium” to the AV/CR and AV/CG zone subject to a CUP.
- Add “Repair services – non-automotive” to the AV/CR, AV/CN and AV/CG, zones subject to a MUP.
- Change “Social Care Facilities – 7 or more clients” to a use not allowed in the commercial zones.
- Allow “Construction and heavy equipment sales and rental” in the AV/CG zone subject to a CUP.
- Allow “Office - Government” in the AV/IC, AV/IR and AV/PD zones subject to an M/C.
- Allow “Lodging – Hotel or motel – 20 or fewer guest rooms” and “Lodging – Hotel or motel – more than 20 guest rooms” in the AV/IC and AV/IR zones subject to a CUP.
- Change “Building and landscape material sales – Indoor” subject to an M/C in the AV/IC and AV/IR zones.
- Add the following Land Uses to Division 10 Definitions: Community Gardens, Desert Botanical Gardens, Historical Landmarks and Structures, Nurseries (Wholesale), Nurseries (Retail), Repair Service (Non-automotive), Mortuary Services and Crematoriums.

Standards

- Delete the “Single-Family Residential Dwellings” provision that allows the Building and Safety Division to issue a permit for the installation of a manufactured home if more than ten years have elapsed between the date of manufacture and the date of application for the issuance of the permit to install such manufactured home when the following findings can be made:
 - (1) The site for the proposed location of the manufactured home is adequate in terms of shape and size to accommodate the use and all parking areas, setbacks, structure coverage, yards, and other applicable requirements of this Development Code;
 - (2) The Building and Safety Division has investigated, inspected, and reported on the manufactured home and has determined that the manufactured home proposed for installation substantially conforms to the construction standards regarding health, accessibility, life and fire safety and structural requirements applicable to manufactured homes less than ten years old; and
 - (3) The appearance of the manufactured home and the method of siting are compatible with the appearance of the primary structure and the structures in the surrounding neighborhood.

CHAPTER 82.22 SPHERE STANDARDS (SS) OVERLAY

Sections:

- 82.22.010 Purpose
- 82.22.020 Location Requirements
- 82.22.030 Development Standards within the Sphere of the City of Adelanto
- 82.22.040 Development Standards within the Sphere of the Town of Apple Valley
- 82.22.050 Development Standards within the Sphere of the City of Barstow
- 82.22.060 Development Standards within the Sphere of the City of Big Bear Lake
- 82.22.070 Development Standards within the Sphere of the City of Chino
- 82.22.080 Development Standards within the Sphere of the City of Colton
- 82.22.090 Development Standards within the Sphere of the City of Fontana
- 82.22.100 Development Standards within the Sphere of the City of Hesperia
- 82.22.110 Development Standards within the Sphere of the City of Highland
- 82.22.120 Development Standards within the Sphere of the City of Loma Linda
- 82.22.130 Development Standards within the Sphere of the City of Montclair
- 82.22.140 Development Standards within the Sphere of the City of Needles
- 82.22.150 Development Standards within the Sphere of the City of Rancho Cucamonga
- 82.22.160 Development Standards within the Sphere of the City of Redlands
- 82.22.170 Development Standards within the Sphere of the City of Rialto
- 82.22.180 Development Standards within the Sphere of the City of San Bernardino
- 82.22.190 Development Standards within the Sphere of the City of Twentynine Palms
- 82.22.200 Development Standards within the Sphere of the City of Upland
- 82.22.210 Development Standards within the Sphere of the City of Victorville
- 82.22.220 Development Standards within the Sphere of the City of Yucaipa

82.22.010 Purpose

- (a) **Purpose.** The Sphere Standards (SS) Overlay established by 82.01.030 (Overlays) is created to allow the implementation of County development standards or standards that more closely conform to city development standards within specified spheres of influence areas identified in this Chapter.
- (b) **Intent.** The intent is to ensure that the County's approval of a proposed development in a sphere of influence is consistent with the shared objectives of the County and the applicable city where the County has determined it is appropriate to adopt similar standards.

Adopted Ordinance 4011 (2007)

82.22.020 Location Requirements

The Sphere Standards Overlay shall only be applied to the city/town spheres of influence indicated in Table 82-23 (Sphere Standards Overlay) and shall be created upon adoption of an amendment to this Development Code in compliance with Chapter 86.12 (Amendments). **These standards apply only to the unincorporated portions of a city's/town's sphere of influence.**

**Table 82-235
Sphere Standards Overlays**

Name of City/Town with Sphere of Influence over County lands	Zoning Prefix	Adoption Date of City/Town Sphere Standards	Section Reference (Where sphere standards located in Development Code)
Adelanto	AD	Not adopted	82.22.030
Apple Valley	AV	November 27, 2012	88.22.040
Barstow	BW	Not adopted	88.22.050
Big Bear Lake	BB	Not adopted	88.22.060
Chino	CC	Not adopted	88.22.070
Colton	CL	Not adopted	88.22.080
Fontana	FT	May 8, 2007	82.22.030 88.22.090
Hesperia	HP	Not adopted	88.22.100
Highland	HD	Not adopted	88.22.110
Loma Linda	LL	Not adopted	88.22.120
Montclair	MC	Not adopted	88.22.130
Needles	ND	Not adopted	88.22.140
Rancho Cucamonga	RC	Not adopted	88.22.150
Redlands	RD	Not adopted	88.22.160
Rialto	RT	Not adopted	88.22.170
San Bernardino	SB	Not adopted	88.22.180
Twentynine Palms	TP	Not adopted	88.22.190
Upland	UP	Not adopted	88.22.200
Victorville	VV	Not adopted	88.22.210
Yucaipa	YU	Not adopted	88.22.220

Adopted Ordinance 4011 (2007)

82.22.030 Development Standards within the Sphere of the City of Adelanto

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.040 Development Standards within the Sphere of the Town of Apple Valley

(a) **General Provisions.** The provisions contained in this section are only those provisions that are different from countywide provisions and unique to the Apple Valley Sphere of Influence.

- (b) **Agricultural and Resource Management Land Use Zoning Districts -- Allowed Uses and Permit Requirements.** As outlined in Table 82-4 of Chapter 82. 04, except for the unique uses noted below:

**Table 82-24
Allowed Land Uses and Permit Requirements
for Agricultural and Resource Management Land Use Zoning Districts
within the Apple Valley Sphere of Influence**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	AV/RC	AV/AG	AV/FW	
AGRICULTURAL, RESOURCE & OPEN SPACE USES				
Community garden	A	A	A	
Nursery (Wholesale)	M/C	M/C	M/C	
RECREATION, EDUCATION & PUBLIC ASSEMBLY				
Desert botanical garden	MUP	MUP	—	
Historical landmarks and structures	A	A	A	
Zoos	CUP	CUP	—	

KEY

A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	SUP	Special Use Permit required (Chapter 85.14)
M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with Section 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	S	Permit requirement set by Specific Use Regulations (Division 4)
CUP	Conditional Use Permit required (Chapter 85.06)	TSP	Temporary Special Events Permit required (Chapter 85.16)
MUP	Minor Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)
		—	Use not allowed

- (c) **Residential Land Use Zoning Districts -- Allowed Uses and Permit Requirements.** As outlined in Table 82-7 of Chapter 82. 04, except for the unique uses noted below:

**Table 82-25
Allowed Land Uses and Permit Requirements for Residential Land Use Zoning
Districts within the Apple Valley Sphere of Influence**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT		Specific Use Regulations
	AV/RL	AV/RS	
AGRICULTURAL, RESOURCE & OPEN SPACE USES			
Agricultural accessory structure (non-habitable) – 1,000 sf max.	A	A	
Agricultural accessory structure (non-habitable) – up to 10,000 sf max. on 5 ac. or less	A	—	
Agricultural accessory structure (non-habitable) – greater than 10,000 sf on 5 ac. or less	M/C	—	
Community garden	A	A	
Nursery (Wholesale)	M/C	—	
RECREATION, EDUCATION & PUBLIC ASSEMBLY			
Historical landmarks and structures	A	A	
RESIDENTIAL USES			
Fitness/health facility	CUP	—	

KEY

A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	SUP	Special Use Permit required (Chapter 85.14)
M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with Section 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	S	Permit requirement set by Specific Use Regulations (Division 4)
		TSP	Temporary Special Events Permit required (Chapter 85.16)
CUP	Conditional Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

(c) Commercial Land Use Zoning Districts -- Allowed Uses and Permit Requirements. As outlined in Table 82-11 of Chapter 82.05, except for the unique uses noted below.

**Table 82-26
Allowed Land Uses and Permit Requirements for Commercial Land Use Zoning
Districts within the Apple Valley Sphere of Influence**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	AV/CR	AV/CN	AV/CG	
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING				
Storage - Personal storage (mini-storage)	M/C	—	CUP	
Storage - Recreational vehicles	CUP	—	CUP	
RECREATION, EDUCATION & PUBLIC ASSEMBLY				
Historical landmarks and structures	A	A	A	
School - Specialized education/training	M/C	M/C	M/C	
RETAIL				
Construction and heavy equipment sales and rental	M/C	—	CUP	
Nurseries (Retail)	M/C	—	M/C	
SERVICES - GENERAL				
Crematorium	CUP	—	CUP	
Mortuary Services	CUP	—	CUP	
Repair Services – non-automotive	MUP	MUP	MUP	
Social Care Facility - 7 or more clients	—	—	—	

KEY

A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	SUP	Special Use Permit required (Chapter 85.14)
M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with Section 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	S	Permit requirement set by Specific Use Regulations (Division 4)
		TSP	Temporary Special Events Permit required (Chapter 85.16)
CUP	Conditional Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

(d) Industrial and Special Use Land Use Zoning Districts -- Allowed Uses and Permit Requirements. As outlined in Table 82-17 of Chapter 82.05, except for the unique uses noted below.

**Table 82-27
Allowed Land Uses and Permit Requirements
for Industrial and Special Purpose Land Use Zoning Districts
within the Apple Valley Sphere of Influence**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	AV/IC	AV/IR	AV/SD-PD	
RECREATION, EDUCATION & PUBLIC ASSEMBLY				
Historical landmarks and structures	A	A	A	
RETAIL				
Building and landscape materials sales - Indoor	M/C	M/C	—	
Building and landscape materials sales - Outdoor	M/C	M/C	—	
SERVICES – BUSINESS, FINANCIAL, PROFESSIONAL				
Office - Government	M/C	M/C	M/C	
SERVICES - GENERAL				
Lodging – Hotel or motel – 20 or fewer guest rooms	CUP	CUP	M/C	
Lodging – Hotel or motel – More than 20 guest rooms	CUP	CUP	M/C	

KEY

A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	SUP	Special Use Permit required (Chapter 85.14)
M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with Section 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	S	Permit requirement set by Specific Use Regulations (Division 4)
		TSP	Temporary Special Events Permit required (Chapter 85.16)
CUP	Conditional Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

(e) Single-Family Residential Dwellings. The exception to the ten-year standard outlined in Subsection 84.21.030(i) [Certification tag or label required] shall not be allowed. Therefore, in the Apple Valley Sphere of Influence, a permit from the Building and Safety Division for the installation of a manufactured home not within an approved and properly licensed mobile home park shall not be issued, if more than ten years have elapsed between the date of manufacture and the date of the application for the issuance of the permit to install such manufactured home.

Adopted Ordinance 41xx (2012)

82.22.050 Development Standards within the Sphere of the City of Barstow

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.060 Development Standards within the Sphere of the City of Big Bear Lake

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.070 Development Standards within the Sphere of the City of Chino

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.080 Development Standards within the Sphere of the City of Colton

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.0930 ~~Sphere~~ Development Standards within the Sphere of the City of Fontana

Fontana Sphere of Influence: The density within the FT/RM (Fontana/Multiple Residential) Land Use Zoning District ~~in the Fontana Sphere of Influence~~ shall be up to 24 units per acre depending on the design of the project and the amenities provided. The density of 24 units per acre shall be allowed if the Total Amenity Points as outlined in Section 84.16.050 (Common Amenities and Facilities) is 12 points or greater and all other required design standards of Chapter 84.16 (Multi-Family Residential Development Standards) are met.

Adopted Ordinance 4011 (2007); Amended Ordinance 4020 (2007); Amended Ordinance 41xx (2012)

82.22.100 Development Standards within the Sphere of the City of Hesperia

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.110 Development Standards within the Sphere of the City of Highland

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.120 Development Standards within the Sphere of the City of Loma Linda

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.130 Development Standards within the Sphere of the City of Montclair

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.140 Development Standards within the Sphere of the City of Needles

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.150 Development Standards within the Sphere of the City of Rancho Cucamonga

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.160 Development Standards within the Sphere of the City of Redlands

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.170 Development Standards within the Sphere of the City of Rialto

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.180 Development Standards within the Sphere of the City of San Bernardino

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.190 Development Standards within the Sphere of the City of Twentynine Palms

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.200 Development Standards within the Sphere of the City of Upland

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.210 Development Standards within the Sphere of the City of Victorville

(Reserved)

Adopted Ordinance 41xx (2012)

82.22.220 Development Standards within the Sphere of the City of Yucaipa

(Reserved)

Adopted Ordinance 41xx (2012)

Definitions

810.01.050(nn) Community Gardens (see Land Use Tables).

A private or public facility for the non-commercial cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.

810.01.050(zzz) Crematorium (see Land Use Tables).

A location containing properly installed, certified apparatus intended for use in the act of cremation.

810.01.060(m) Desert Botanical Gardens (see Land Use Tables).

A public or private facility for the demonstration and observation of the cultivation of desert flowers, fruits, vegetables, or ornamental desert plants.

810.01.100(r) Historical Landmark and Structure (see Land Use Tables).

An individual structure or group of structures on a single lot, a site, an area, a district, or combination thereof, having a special historical, architectural, cultural, or aesthetic value.

810.01.1150(yy) Mortuary Services (see Land Use Tables).

An establishment providing services for preparing the human dead for burial or cremation and arranging and managing funerals. This excludes cemeteries, crematoriums and columbariums.

810.01.160(o) Nurseries (Retail) (see Land Use Tables).

The retail handling of any article, substance, or commodity related to the planting, maintenance, or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods and related products in small quantities to the consumer.

810.01.160(p) Nurseries (Wholesale) (see Land Use Tables).

The growing, storage, and sale of garden plants, shrubs, trees, or vines for resale, including incidental retail sales conducted from within a building not exceeding 20 percent of the combined wholesale and retail sales volume during any year.

810.01.200(z) Repair Services (Non-automotive) (see Land Use Tables).

Establishments engaged in the provision of repair services to individuals, households and firms.

810.01.280(c) Zoo (see Land Use Tables). A zoological garden or other collection of wild, exotic or dangerous animals that are raised, bred, trained and/or maintained for regular public display and exhibition on the site. See also "Library, Museum, Art Gallery, Outdoor Exhibit."

Attachment 3
Proposed General Plan Amendments
Relative to the Apple Valley Sphere of Influence

Notice of Exemption

To: Office of Planning and Research
 1400 Tenth Street, Room 121
 Sacramento, CA 95814

From: County of San Bernardino
 Land Use Services Department
 Advance Planning Division
 385 North Arrowhead Avenue, First Floor
 San Bernardino, CA 92415-0182

Clerk of the Board of Supervisors
 County of San Bernardino
 385 North Arrowhead Avenue, Second Floor
 San Bernardino, CA 92415-0130

<u>Project Description</u>	
Applicant:	Land Use Services Department
Proposal:	A) A Development Code Amendment to establish separate land uses and development standards for the Apple Valley Sphere of Influence. B) A General Plan Amendment to add "AV" as a prefix to all land use zoning districts within the Apple Valley Sphere of Influence.
Community:	Apple Valley Sphere of Influence
JCS:	P201200321
Staff:	Jim Squire

Applicant

County of San Bernardino
 Land Use Services Department

 385 N. Arrowhead Ave., First Floor
 Address

 San Bernardino, CA 92415-0182

 (909) 387-4147
 Phone

Representative

Terri Rahhal, Planning Director
 Name

 Same as Applicant
 Address

 Same As Applicant
 Phone

Terri Rahhal, Planning Director
 Lead Agency Contact Person

 (909) 387-4147
 Area Code/Telephone Number

Exempt Status: (check one)

- Ministerial [Sec. 21080(B)(1); 15268];
- Declared Emergency [Sec. 21080(B)(3); 15269(a)];
- Emergency Project [Sec. 21080(B)(4); 15269(b)];
- Categorical Exemption. State type and section: Review of Exemption § 15061(b)(3)
- Statutory Exemptions. State code number: _____
- Other Exemption: _____

Reasons why project is exempt: The Proposed Development Code and General Plan Amendments are exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines as the proposed changes do not have the potential to cause a significant effect on the environment.

Signature _____ Title _____ Date _____

Signed by Lead Agency Signed by Applicant

Date received for filing at OPR: _____