

TOWN OF YUCCA VALLEY PLANNING COMMISSION MEETING



The Mission of the Town of Yucca Valley is to
provide a government that is responsive to its citizens
to ensure a safe and secure environment
while maintaining the highest quality of life.

PLANNING COMMISSION: 6:00 PM
TUESDAY, OCTOBER 14, 2025
Yucca Valley Community Center - Yucca Room
57090 Twentynine Palms Highway
Yucca Valley, CA 92284

<https://zoom.us/j/97896782526?pwd=8DaibixyLMM21F5b21lbw3lIEsaTGP.1>

Meeting ID: 978 9678 2526

Passcode: 393966

Use the above link to virtually access the meeting. You will automatically be muted upon entry. During the meeting, participants will be prompted to “raise hand” or inform the meeting moderator when wishing to make a public comment. Comment time is limited to 3 minutes or as instructed by the Mayor/Chair. If any technical difficulties occur resulting in lack of connectivity or virtual streaming, the in-person meeting will continue to proceed.

* * * *

Planning Commission

James Henderson
Gerard Noonan
J Clint Stoker
Mathew Thomas
Alejandro Vasconcelos

* * * *

TOWN ADMINISTRATIVE OFFICE:

760-369-7207

Public Comments: townclerk@yucca-valley.org
www.yucca-valley.org

AGENDA
MEETING OF THE PLANNING COMMISSION
TUESDAY, OCTOBER 14, 2025, 6:00 PM

The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's Office at (760) 369-7209 at least 48 hours prior to the meeting

The meeting agenda packet is available for public view in the Town Hall lobby and on the Town's website at www.yucca-valley.org prior to the meeting. For more information on an agenda item or the agenda process, please contact the Town Clerk's office at (760) 369-7209 ext. 226.

If you wish to comment on any agenda item or on any subject not on the agenda during public comments, please fill out a request to speak card and give to the Town Clerk/Commission Secretary. Comment time is limited to 3 minutes.

Where appropriate or deemed necessary, action may be taken on any item listed in the agenda.

OPENING CEREMONIES:

Call to Order

Roll Call

James Henderson, Gerard Noonan, J Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Pledge of Allegiance

Approval of Agenda

Consent Agenda

All items listed on the consent agenda are routine matters or formal documents covering previous Planning Commission instruction. Items are enacted by one motion and a second without separate discussion unless a member of the Planning Commission or Town Staff requests dialog on a specific item at the beginning of the meeting. Requests for public comment on the consent agenda items should be filed with the Commission Secretary.

1. Planning Commission Regular Meeting Minutes September 23, 2025

Recommendation:

Approve the meeting minutes of September 23, 2025, as presented.

2. Native Plant Permit (NPP) 170-24 @ 9101 Balsa Avenue

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for proposed residential construction and approves the Native Plant Permit (NPP 170-24) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

3. Native Plant Permit (NPP) 116-25 @ 57186 Yucca Trail

Recommendation:

That the Planning Commission receives and files the attached Applicant Report for a proposed sewer connection and approves the Native Plant Permit (NPP 116-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.09.050 Native Landscape Documentation Package.

4. Native Plant Permit (NPP) 117-25 @ 58960 Delano Trail

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for a proposed sewer connection and approves the Native Plant Permit (NPP 117-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

5. Native Plant Permit (NPP) 118-25 @ 58707 Twentynine Palms Highway

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for a proposed sewer connection and approves the Native Plant Permit (NPP 118-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.09.050 Native Landscape Documentation Package.

6. Native Plant Permit (NPP) 119-25 @ 57478 Encelia Drive

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for a proposed sewer connection and approves the Native Plant Permit (NPP 119-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

Department Reports

7. Legislative Update — Assembly Bill No. 1089

Recommendation:

That the Planning Commission receives and files the report.

8. Native Plant Permit Review Procedures

Recommendation:

That the Planning Commission reviews and discusses the Native Plant Permit review procedures, and provides direction to staff to review exempt Native Plant Permit applications for Director decision rather than Planning Commission decision,

consistent with existing Development Code procedures.

9. Land Development Update

Recommendation:

That the Planning Commission receives and files the report.

Future Agenda Items

Staff Reports and Comments

Public Comments

The Planning Commission takes this time to consider your comments on items of concern which are not on the agenda. When you are called to speak, please state your name and community of residence. Please limit your comments to 3 minutes or less. Inappropriate behavior which disrupts, disturbs, or otherwise impedes the orderly conduct of the meeting will result in forfeiture of your public comment privileges. The Planning Commission is prohibited by State law from taking action or discussion items not on the printed agenda.

Commissioner Reports and Comments

Announcements

Upcoming Meeting Schedule: The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, October 28, 2025 at 6:00 PM in the Yucca Valley Community Center Yucca Room.

Adjournment

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Janet Yochmowitz, Administrative Assistant III

Date: October 7, 2025

Meeting Date: October 14, 2025

Subject: Planning Commission Regular Meeting Minutes September 23, 2025

Recommendation:

Approve the meeting minutes of September 23, 2025, as presented.

Prior Review:

No prior review.

Discussion:

None.

Alternatives

None.

Fiscal Impact:

None.

Attachments

1. Planning Commission 9 23 2025 Minutes

**Town of Yucca Valley
Planning Commission Meeting Minutes
September 23, 2025**

Call to Order

Chair Vasconcelos called the meeting to order at 6:00 pm.

Roll Call

Present: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, and Alejandro Vasconcelos

Absent:

Pledge of Allegiance

Led by Commissioner Thomas.

Approval of Agenda

Motion:

Approve the meeting agenda as prepared.

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner Clint Stoker

Second: Commissioner Mathew Thomas

Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Consent Agenda

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner Mathew Thomas

Second: Commissioner Clint Stoker

Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

1. Planning Commission - Regular Meeting Minutes - Sept. 9, 2025, 6:00 PM

Motion:

Approve the regular meeting minutes of September 9, 2025, as presented.

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner Mathew Thomas

Second: Commissioner Clint Stoker

Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

2. Native Plant Permit (NPP) 082-25 @ 56010 Highland Trail

Motion:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for proposed residential construction and approves the Native Plant Permit (NPP 082-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

3. Native Plant Permit (NPP) 094-25 @ 57459 Warren Way

Motion:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for proposed residential construction and approves the Native Plant Permit (NPP 094-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

4. Native Plant Permit (NPP) 103-25 @ 56838 Bonanza Drive

Motion:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for proposed residential construction and approves the Native Plant Permit (NPP 103-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

5. Native Plant Permit (NPP) 106-25 @ 56039 Santa Fe Trail

MOTION:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for proposed residential construction and approves the Native Plant Permit (NPP 106-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.09.050 Native Landscape Documentation Package.

Public Hearings

Motion:

Conditional Use Permit, CUP 01-25

That the Planning Commission removes Conditional Use Permit, CUP 01-24 Tumbleweed Sanctuary, from the agenda in order to provide additional time for the applicant to address parking requirements.

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner Mathew Thomas
Second: Commissioner Clint Stoker
Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Chair Vasconcelos stated moving on to the public hearing, item number six. Subject is Environmental Assessment EA 02-24. Conditional use permit, CUP 01-24. Staff report, please.

Associate Planner Jerome stated good evening, chair, and commission. The recommendation for conditional use permit 01-25 is that the planning commission removes conditional use permit 01-, sorry, 24 Tumbleweed Sanctuary from the agenda in order to provide additional time for the applicant to address their parking needs. You will see an email from the applicant on page 101 of the packet, basically explaining that they would like to add the off-site parking back into their project. So, they're going to have to do another revision of the project. With that, that concludes the staff report. We can answer questions following the public hearing.

Chair Vasconcelos stated thank you. Is there anyone in the public that wishes to make a comment at this time? Is there anyone online? Okay. We'll close public comment. Anyone? Let's go with Commissioner Thomas. Any comments?

Commissioner Thomas stated I have no comments on this.

Chair Vasconcelos stated Commissioner Stoker.

Commissioner Stoker stated no comments. It looks like they have some more work to do, so I'm sure we'll see them at some point in the future.

Chair Vasconcelos stated Commissioner Henderson.

Commissioner Henderson stated no comment.

Chair Vasconcelos stated Commissioner Noonan.

Commissioner Noonan stated no comment.

Chair Vasconcelos stated I have no comment either. Can we make a motion to--

- 6. Environmental Assessment, EA 02-24; Conditional Use Permit, CUP 01-24, Tumbleweed Sanctuary. A request to establish a Class IV Residential Special Event Facility at a non-residential structure previously utilized as a church. The project site is located at 57889 Pueblo Trail and is also identified as APN: 0588-021-21, 0588-021-28, 0588-021-29.**

Motion:

Environmental Assessment, EA 02-24; Conditional Use Permit, CUP 01-25, Tumbleweed Sanctuary.

That the Planning Commission removes Conditional Use Permit, CUP 01-24

Tumbleweed Sanctuary, from the agenda in order to provide additional time for the applicant to address parking requirements.

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner Mathew Thomas

Second: Commissioner J Clint Stoker

Ayes: James Henderson, Gerard Noonan, J Clint Stoker, Mathew Thomas, and Alejandro Vasconcelos

Department Reports

7. Wall Mural Permit (M) 02-25, 55922 Twentynine Palms Highway

Motion:

That the Planning Commission finds that the project is exempt from CEQA under Section 15301, Class 1, Existing Facilities since the proposed project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of an existing private structure;

And that the Planning Commission approves the placement and application for proposed murals, Wall Mural Permit (M) 02-25, an application to install murals on the façade of the commercial structure located at 55922 Twentynine Palms Highway, based upon the information contained within the staff report;

And that the Planning Commission recommends that the Parks, Recreation, and Cultural Commission review the proposed mural content, design, and artist qualifications.

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner Mathew Thomas

Second: Commissioner James Henderson

Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Chair Vasconcelos stated moving on to department reports. Item number seven. Subject is Wall Mural Permit (M) 02-25 at 5592 Twentynine Palms Highway. Staff report, please.

Assistant Planner Willoughby stated thank you, chair, and commission. This is the second mural that you've had the opportunity to review. The recommendation is that the Planning Commission finds the project is exempt from CEQA under Section 15301, Class 1, Existing Facilities, since the proposed project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of an existing private structure, and that the Planning Commission approves the placement and application for proposed murals, Wall Mural Permit 02-25, an application to install a mural on the

facade of the commercial structure located at 55922 Twentynine Palms Highway, based upon the information contained within the staff report. And that the Planning Commission recommends that the Parks, Recreation, and Cultural Commission review the proposed mural content, design, and artist qualifications. This building is at the northeast corner of Cherokee and Highway 62. This is one of the highway-facing sides; this is the south side of the structure that exists today. This is a more corner-facing picture of it, and you can see those existing murals that were installed around 20-plus years ago, and then the west-facing side. This is the east-facing side of that building where the proposed mural is to be located. Here, you can see the proposed improvements, including some flora, fauna. So, you can see a crow or raven, Joshua trees, some desert flowers, and next to that, existing cacti that they have painted. They also have signage where there was some signage previously in a prior business back in 2004, and that is subject to review by the PRCC too.

The findings required from the Planning Commission are as follows. I'll go through the findings themselves. The proposed mural integrates and forms a cohesive theme with the existing murals, exhibiting exceptional design quality and high-quality paint materials to showcase a proposed theme, and will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic. The proposed mural is well integrated with the building, providing additional elements that further enhance the quality of the facade. The proposed mural will not have a substantial adverse effect on abutting property or the permitted use thereof and will contribute to the town's unique character and quality of life. The proposed mural is consistent with the town's adopted mural policy to encourage murals emphasizing local history, geography, flora, fauna, culture, and heritage of the town, and with creativity and art encouraged in the Old Town Specific Plan. And the granting of this wall mural permit is based upon its distinct quality and does not constitute a granting of special privileges beyond those provided for by the criteria in the town mural policy, which is also attached to the staff report. So once again, recommendation is that the project is exempt from CEQA as a Class 1, that the Planning Commission approves the placement and application of proposed murals, and that the Planning Commission recommends that the Parks, Recreation, and Cultural Commission review the proposed mural content, design, and artist qualifications. And then staff is available to answer questions following public comment.

Chair Vasconcelos stated thank you. Is there anyone in the public who wishes to make any comments on this topic? Anyone online? Close public comment. Bring it back to commissioner comments. We'll go with Commissioner Noonan.

Commissioner Noonan stated I don't have any comments. I think it looks fine to me. So, I would recommend that we follow the recommendations.

Chair Vasconcelos stated Commissioner Henderson.

Commissioner Henderson stated oh, I think it looks absolutely beautiful. Just a question. So, this applicant is the Joshua Tree National Park Association. Have they always been there? Is that a new location? And then this is going to be their store for

the association?

Assistant Planner Willoughby stated my understanding is there have been prior uses in this building, churches, and other various retail uses. They have not always been there. I think they've been there for a few years now.

Commissioner Henderson stated alright, thank you.

Chair Vasconcelos stated Vice Chair Thomas.

Commissioner Thomas stated thank you. Yeah, I like the mural. I'm in agreement with my other commissioners here, and I think it looks great.

Chair Vasconcelos stated Commissioner Stoker.

Commissioner Stoker stated I also appreciate the placement, and it was already a mural before. My one question is, you guys mentioned the size of the existing text. Does the existing text match up with their allowed signage for that face?

Assistant Planner Willoughby stated I don't have the exact dimension of that building frontage, but for Old Town Specific Plan building wall signs, the sign ratio is based upon one to two. So, one linear foot of building wall, two square feet of signage is allowed, so.

Commissioner Stoker stated yeah. So, it would conform.

Assistant Planner Willoughby stated yeah, yeah.

Commissioner Stoker stated okay. Cool. Thank you. That's my only question is whether the sign conforms.

Chair Vasconcelos stated all right. Yeah. I too agree. This is a good application. I think that the mural that's painted fits perfectly with the facade of the building and the surrounding areas. And to go along with even the signage aspect of it and the signage that they have on this building, there's very little. In fact, I didn't even know that that's what the sign said on that building because it's so small. So, this is nice. I don't think this should be an issue to get it passed and recommended to the PRCC as well. So can we get a motion for that?

8. Wall Mural Permit (M) 03-25, 55386 Twentynine Palms Highway

Motion:

That the Planning Commission finds that the project is exempt from CEQA under Section 15301, Class 1, Existing Facilities since the proposed project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of an existing private structure;

And that the Planning Commission approves the placement and application for proposed murals, Wall Mural Permit (M) 03-25, an application to install murals on the façade of the commercial structure located at 55386 Twentynine Palms Highway, based upon the information contained within the staff report;

And that the Planning Commission recommends that the Parks, Recreation, and Cultural Commission review the proposed mural content, design, and artist qualifications.

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner Clint Stoker

Second: Commissioner Gerard Noonan

Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Chair Vasconcelos stated moving on to item eight, the second mural, which is the subject Wall Mural Permit (M) 03-25 at 55386 Twentynine Palms Highway. Staff report, please.

Assistant Planner Willoughby stated thank you, chair, and commissioners. Similar to your last application, this is also a wall mural permit within our Old Town Specific Plan area. The recommendation is that the Planning Commission finds that the project is exempt from CEQA under Section 15301, Class 1, Existing Facilities, since the proposed project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of an existing private structure. And that the Planning Commission approves the placement and application for proposed murals Wall Mural Permit 03-25, an application to install a mural on the facade of the commercial structure located at 55386 Twentynine Palms Highway, based upon the information contained within the staff report. And that the Planning Commission recommends that the Parks, Recreation, and Cultural Commission review proposed mural content, design, and artist qualifications. This is the existing building. It's kind of at a midpoint. It doesn't have a very close cross street, but it's at the midpoint between Kickapoo and Inca along the north side of Highway 62. It's a relatively small building, currently used as an art gallery. It's my understanding. This is the mural that is proposed from that side of that building. And then this is looking a little bit closer. This mural depicts the musician from the 1970s, Gram Parsons, seated on top of a motorcycle. Just for some historical context, this building was originally a fire station. Later in the '70s, it was utilized as a motorcycle repair and sales shop, a rental shop. And it was across the street from a former Harley-Davidson store. So, there is some context for motorcycles and obviously Gram Parsons in our local history.

So, the findings, I'll read again. Proposed mural integrates and forms a cohesive theme of emphasizing local history, exhibiting exceptional design quality and high-quality paint materials to showcase proposed theme, and will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic. Proposed mural is well integrated with the building and other elements of the property. The proposed mural will not have a substantial adverse effect on abutting property or permitted use

thereof and will contribute to the town's unique character and quality of life. The proposed mural is consistent with the town's adopted mural policy to encourage murals emphasizing local history, geography, flora, fauna, culture, and heritage of the town, and with creativity and art encouraged in the Old Town Specific Plan. And the granting of this wall mural permit is based on its distinct quality and does not constitute a granting of special privileges beyond those provided for by the criteria in the town mural policy. Recommendation, once again, is that the Planning Commission finds project exempt as a Class 1 project under CEQA, and that the Planning Commission approves the placement application for proposed murals under Wall Mural Permit 03-25, and that the Planning Commission recommends that the PRCC review the proposed mural content, design, and artist qualifications. And staff is available to answer questions following public comment.

Chair Vasconcelos stated, thank you. Do we have anyone in the public that wishes to make a comment on this issue? Anyone online? All right. Close public comment and bring it back to commissioner comments. We'll go to Commissioner Stoker.

Commissioner Stoker stated, yeah. Overall, I appreciate this mural as well. This mural exists currently? It's not a proposed mural?

Assistant Planner Willoughby stated the mural does exist. So, this was addressed as a matter of code enforcement originally.

Commissioner Stoker stated yeah. So I mean, I don't know if for future agenda items, as opposed to calling it a proposed mural, we can call it something that already exists, that's existing non-conforming, just so everyone understands that we would prefer things to come in while they're still a proposal rather than something existing just as a matter of rule. But other than that, I do appreciate the mural as it is, and I don't see much wrong with it. I do appreciate our history involving Gram Parsons and our continued history with motorcycle rallies and things coming through town. So, I think it's a nice addition.

Chair Vasconcelos stated Vice Chair Thomas.

Commissioner Thomas stated I agree with Commissioner Stoker. I like the mural. You said this is an art gallery now? That's what the business is?

Assistant Planner Willoughby stated currently.

Commissioner Thomas stated okay. All right. Yeah. I don't have really any other comments regarding that, so.

Chair Vasconcelos stated, all right thank you. Commissioner Henderson.

Commissioner Henderson stated no, I think it looks really nice. Since it was caught as a code enforcement action, did they plan on doing more? As opposed to just a single motorcycle, it would seem like they would want to do that same theme across the

wall. Was there plans to do more? Do you know, Evan?

Assistant Planner Willoughby stated, staff has not had that conversation with the applicant. So, I don't have any indication on that.

Commissioner Henderson stated okay. Yeah. Otherwise, I think it's fine, but it just seems like you'd want to continue that across the whole wall, but I'm good with it.

Chair Vasconcelos stated, all right thank you. Commissioner Noonan.

Commissioner Stoker stated, I agree with my fellow commissioners. And first, yeah, are you under the impression that if they do want to do more work, they'll come to you first before they do this and ask for us to approve it after the fact?

Assistant Planner Willoughby stated, with any policy that's new, there may be a number of people who don't realize that we have a rule requiring a wall mural permit. Given that they went through this process, I expect any future murals would go back through this policy prior to being installed.

Commissioner Noonan stated cool. Thank you. All right. That's all I got.

Chair Vasconcelos stated all right. Thank you. And yeah, I too am fine with this application. I think it brings some aesthetics to this facade. It's quite a bit off the highway. So, when driving by, it's a shame it's not maybe closer so that more people could enjoy it. But yeah, I have no issues with this. So can we get a motion for this?

9. Land Development Update

Motion:

That the Planning Commission receives and files the report.

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner James Henderson

Second: Commissioner Clint Stoker

Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Chair Vasconcelos stated moving on to land development updates. Item nine.

Associate Planner Jerome stated the recommendation for land development update is to receive and file. We don't have a lot of major updates for this meeting, but there are a couple. Nice Dream Ices tells us that they anticipate to be operating the first week of October, so coming up pretty quick in the next couple of weeks. We've been checking in with Starbucks. They had told us that they anticipated to begin construction in September. They still have another week or so to meet that goal, but we're hoping to hear back from them shortly. And I'm not sure if we've already updated you on this at the last meeting, but we did receive tenant improvement plans

for El Pollo Loco in the former Pizza Hut. So, everything else is kind of business as usual, but we can answer questions following public comment. And that concludes the staff report.

Chair Vasconcelos stated, thank you. Is there anybody in the public who wishes to make a comment on this? Is there anyone online? Close public comment. Bring it back to commissioner comments.

Commissioner Thomas stated, yeah, thank you. No real comments. Last time we met, I think one of the commissioners asked about the Jersey Mike's and Domino's, and thought there wasn't any action going on down there. And so, it still doesn't look like anything's happening. So, I was just wondering what the update is on that.

Associate Planner Jerome stated no update. Slow progress. I haven't seen much of a difference.

Deputy Town Manager Stueckle stated, it's contractor schedule. So, we've seen them come in primarily on weekends. Then we've seen them disappear for two or three weeks at a time, then come in on a weekend, get some work done, so.

Commissioner Thomas stated, interesting.

Deputy Town Manager Stueckle stated my guess is there's a business relationship between the contractor and the owner. They don't have a set schedule for the project. The contractor is fitting it in as they have time available. That would be my best guess as to what's occurring.

Commissioner Thomas stated all right. Thank you, Shane. I have nothing else. Yeah, that was it. Yeah.

Chair Vasconcelos asked, do you have anything, Commissioner Stoker?

Commissioner Stoker stated, nope. Thank you. And I'm sure we'll have more updates as projects keep moving along.

Chair Vasconcelos stated Commissioner Noonan.

Commissioner Noonan stated, yeah. Quick question. I remember that Commissioner Stoker talked about the native plant permits and about, at some point, maybe getting them removed from the consent agenda. Am I correct in that assumption? Is there a timetable on that or is that something that's just--?

Chair Vasconcelos stated it wouldn't be discussed in land development update.

Commissioner Noonan stated no, no. Oh, oh, so we weren't in that. Okay. I thought we were on general comments. My apologies. I'll wait for the end of that then. So, nothing on land development update.

Chair Vasconcelos stated Commissioner Henderson.

Commissioner Henderson stated nothing. Thank you.

Chair Vasconcelos stated I have nothing also. So can we get a motion to receive and file?

Future Agenda Items

Chair Vasconcelos stated moving on to future agenda items.

Associate Planner Jerome stated so, future agenda items, hopefully, between now and the new year. We have the updates to the native plant ordinance, which we are aware of. We are going to be working on that in the coming weeks. Sun Mesa Mini Storage will also hopefully be concluding their CEQA in the next couple months, same with Dutch Bros. And also, we have a general plan update that we're working on that's also on a similar timeline. So, for all of those, they expect them sometime December, January. That concludes the staff report.

Chair Vasconcelos stated, thank you. Does anyone here on-- Commissioner Noonan, do you have any comments?

Commissioner Noonan stated no. Sorry for getting ahead of us on that. But you answered everything. Thank you.

Chair Vasconcelos stated Commissioner Henderson.

Commissioner Henderson stated nothing. Thank you.

[inaudible] Nothing for me. No.

Chair Vasconcelos stated all right. We're good. Thank you.

Public Comments

Chair Vasconcelos stated all right. So, let's move on to public comments. The Planning Commission takes this time to consider your comments on items of concern which are not on the agenda. When you are called to speak, please state your name and community of residence. Please limit your comments to three minutes or less. Inappropriate behavior which disrupts, disturbs, or otherwise impedes the orderly conduct of this meeting will result in forfeiture of your public comment privileges. The Planning Commission is prohibited by state law from taking action or discussing items not on the printed agenda. With that, is there anyone in the public that wishes to make a comment? Is there anyone online? All right. We'll close public comment.

Staff Reports and Comments

Chair Vasconcelos stated moving to staff reports and comments.

Associate Planner Jerome stated no additional staff reports or comments.

Chair Vasconcelos stated thank you.

Commissioner Reports and Comments

Chair Vasconcelos stated moving on to commissioner reports and comments. Commissioner Vice Chair Thomas?

Commissioner Thomas stated yeah. I really don't have any comments tonight.

Chair Vasconcelos stated Commissioner Stoker.

Commissioner Stoker stated same. No comments for me either. Thank you.

Chair Vasconcelos stated Commissioner Henderson.

Commissioner Henderson stated nothing. Just nice to see some murals come up in front of us to go over to the other commissions. So that was nice, but nothing for me.

Chair Vasconcelos stated Commissioner Noonan.

Commissioner Noonan stated no other comments, and thank you, staff, for an efficiently well-run meeting. Thank you, my fellow commissioners. See you next time.

Chair Vasconcelos stated so thank you, staff [inaudible] for this fast and expediated meeting that was very informative and got a few things accomplished.

Announcements

Chair Vasconcelos stated the next regular meeting of the town of Yucca Valley Planning Commission will be held on Tuesday, October 14, 2025, at 6:00 PM in the Yucca Valley Commissioner Community Center room.

Adjournment

Chair Vasconcelos stated, with that, at 6:23, meeting adjourned.

Respectfully submitted,

Janet Yochmowitz
Commission Secretary

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Evan Willoughby, Assistant Planner

Date: October 8, 2025

Meeting Date: October 14, 2025

Subject: Native Plant Permit (NPP) 170-24 @ 9101 Balsa Avenue

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for proposed residential construction and approves the Native Plant Permit (NPP 170-24) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

Prior Review:

There has been no prior review.

Discussion:

Applicant: Michael S. Goodpaster
Address: 9101 Balsa Avenue
APN: 0589-031-61
Zoning: Residential, Rural Living (R-L-2.5)
Parcel Size: 1.99 acres

Native Plant Permit Application and Desert Native Plant Specialist Report

Application has been filed with the Town for proposed residential construction. As part of that process, a native plant permit application and desert native plant specialist report have been submitted to the Town.

Chapter 9.07 Residential and Hillside Reserve Districts, Section 9.07.130 (B)(1)(a):
It is prohibited for any individual or entity to remove, transplant, damage, disturb, or destroy any part of any regulated desert native plant, except its fruit, from any privately or publicly owned piece of land in the Town of Yucca Valley, without first obtaining a regulated desert

native plant permit from the town, unless said activity is exempt from the requirement to first obtain a regulated desert native plant permit.

The Town's 2084 Permit from the State Fish and Game Commission expired on May 9, 2022. The 2084 permit established rules such as the ten (10') foot distance from a Western Joshua Tree (WJT) for ground disturbing activity, as well as created the ability for the Town to issue take permits to remove and transplant the WJT, etc. The 2084 Permit authorization expired, and those rules and standards no longer exist for the Town.

Current procedures for all ground disturbing, ministerial building permits are listed in the attached documents. In addition to the standard Native Plant Permit application submittal, all ground disturbing, ministerial building permit applications must comply with the provisions of the attached handout. All ground disturbing project activities must be accounted for in the determination of avoidance of the WJT.

Ground disturbing, ministerial building permit applications require a Report by a Desert Native Plant Specialist, Pre-Site Inspection prior to permitted construction activity, and re-certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection.

Building permit applications for sewer connections are exempt from pre-site inspection and pre-site inspection fees.

Nothing in this Western Joshua Tree Policy and Information Handout exempts building permit applicants from following State or Federal law.

The Town modeled these standards after other agencies, such as San Bernardino County and the Town of Apple Valley, who have not been challenged by State Fish and Wildlife in the implementation of these standards and procedures, and therefore the required protection of the WJT.

The plot plan and desert native plant specialist letter are attached to this staff report.

The Development Code section cited above is ministerial.

- Staff-level decision; forwarded to Planning Commission at this time;
- Little or no personal/subjective judgment;
- Use of fixed standards or objective measurements;
- No public notice required by the Development Code.

The Development Code does not provide for discretion of this permit application.

The application is consistent with the standards established by the Code and therefore must be approved by the Town.

Alternatives

Staff recommend no alternative actions. The application is consistent with the Town's adopted standards.

Fiscal Impact:

N/A

Attachments

1. NPP 170-24 @ 9101 Balsa Ave - Michael Goodpaster - App
2. Western Joshua Tree Policy & Information Handout - Updated 6.11.2024
3. Section 9.07.130 Native Landscape Documentation Package



Native Plant Permit Application

Date Received 12/23/24
Case NPP 170-24
By Even
Paid \$85.00

General Information

APPLICANT Michael S. Goodpaster Phone 760-219-0104
Mailing Address 8596 Emerson Ave Email Shannon@goodpasterconstruction.com
City Yucca Valley State CA Zip 92284
PROPERTY OWNER Michael S. Goodpaster Phone 760-219-0104
Mailing Address " Email "
City " State "
Zip " Address/Location of Plants 9101 Balsa Ave. Yucca
Valley 92284 Desert Native Plant Specialist ArborPro® ArborPro

Project Information

TYPE OF PLANT	# OF PLANTS BEING DESTROYED	# BEING RELOCATED		# BEING PROTECTED IN PLACE	# BEING TRIMMED	HEIGHT	DIAMETER	MITIGATION FEE FOR RELOCATE OR REMOVAL
		ON-SITE	OFF-SITE					
MOJAVE YUCCA	<u>0</u>	<u>0</u>						
OUR LORDS CANDLE	<u>0</u>	<u>0</u>						
CALIFORNIA JUNIPER	<u>0</u>	<u>0</u>						
PINON PINE	<u>0</u>	<u>0</u>						
PARRY'S NOLINA	<u>0</u>	<u>0</u>						

Reason for relocation or removal N/A

Property owner signature [Signature]

Date 12-20-24

Staff Use Only

Issuance Date: _____ Issued By: _____

Approved as shown on plot plan _____ photos _____ Total Fees: _____

Denied _____ Reason for Denial _____

PLOT PLAN

NAME Michael S. Goodpaster

PROJECT ADDRESS 9101 Balsa Ave. Yucca Valley CA 92284

ASSESSOR PARCEL NO. APN 0589-031-61

IF YOUR LOT IS NOT RECTANGULAR, PLEASE DRAW CORRECT DIMENSIONS AND SHAPE

REAR PROPERTY LINE

Please See Attachments.

FRONT PROPERTY LINE
STREET

ARBORPRO

58036 Desert Gold Drive
Yucca Valley, CA 92284
Phone (760) 486-0125
Deserttreedoc3@gmail.com

July 31, 2024

Wolfgang Pichler
9109 Balsa Avenue
Yucca Valley, Ca 92284
mail@wolfgangpichler.com

RE: Joshua tree location inspection

To whom it may concern:

Following are the Joshua tree inspection findings for
9109 Balsa Avenue, Yucca Valley, Ca:

- 1) The Joshua tree is approximately 22' north of the proposed driveway.
- 2) The Joshua tree is approximately 31' north of the proposed driveway.
- 3) The Joshua tree is approximately 17' north of the proposed driveway.
- 4) The Joshua tree is approximately 13' north of the proposed driveway.
- 5) The Joshua tree is approximately 30' south of the proposed driveway.
- 6) The Joshua tree is approximately 31' south of the proposed driveway.
- 7) The Joshua tree is approximately 26' north of the proposed driveway.

It is my opinion that the proposed structure will pose no threat to the health of any Joshua trees. However, I do recommend a 10' circle, with orange fencing, be placed around all Joshua trees within 40' of any proposed construction, to protect the Joshua trees and the rootzone.

Sincerely,



Michael Murphy
C-27 Contractors License # 799469
Certified Arborist # WE-4587A



Western Joshua Tree Policy & Information Handout

1.0 PURPOSE

The purpose of this Information Handout is to clarify the requirements related to work conducted in proximity to the western Joshua tree (*Yucca brevifolia*).

2.0 BACKGROUND

On September 22, 2020, the California Fish and Game Commission accepted for consideration a petition to list the western Joshua tree as a threatened or endangered species in the state of California. The western Joshua tree is now considered a candidate for listing. While the candidacy is under review by the state, the western Joshua tree will be protected as if it were a threatened or endangered species under the California Endangered Species Act (CESA). Under CESA, it is illegal to import, export, "take", possess, purchase, sell, or attempt to do any of those actions to species that are designated as threatened, endangered, or candidates for listing, unless authorized by permit by the California Department of Fish and Wildlife. With respect to the western Joshua tree, removal of a tree, or any part thereof, or impacts the seedbank surrounding one or more trees may result in "take" of the species which is prohibited by State law unless otherwise authorized. During this time, the Town of Yucca Valley cannot issue a permit to take (by removal, transplant, trimming or impacting any part of) any western Joshua tree.

3.0 DETERMINATION OF AVOIDANCE

Upon application for a ground disturbing permit, a determination of avoidance of the Western Joshua Tree will be required prior to proceeding with the project.

All ground disturbing, ministerial permit applications require a Report by a Desert Native Plant Specialist and re- certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection, unless there are no Western Joshua Trees within 75' of proposed ground disturbance as documented by the project applicant.

The responsible representative of the project must attend an in-office meeting with Town staff and confirm receipt and understanding of all State laws and Town regulations pertaining to the ground disturbing project activity. Meeting to be scheduled concurrent with permit issuance.

4.0 PRE-SITE INSPECTION PROCESS

A pre-site inspection may be performed by Planning and Building & Safety staff prior to commencement of permitted construction activity.

5.0 REPORT BY A DESERT NATIVE PLANT SPECIALIST

An applicant shall submit a report, prepared by a Desert Native Plant Specialist, unless exempt, to document avoidance of western Joshua tree take by the project. The report must contain the findings and avoidance recommendations of the Desert Native Plant Specialist, as well as a signature and all pertinent license/qualifications information.

5.1 REPORT BY APPLICANT IF EXEMPT

An applicant shall submit documentation, including printed photographs taken from each corner of ground disturbing area facing the center of the proposed project, and a signed statement that there are no Western Joshua Trees within 75' of proposed ground disturbance.

5.2 REQUIRED FINDINGS FOR DESERT NATIVE PLANT SPECIALIST

Clear Avoidance: Desert Native Plant Specialist determined that no western Joshua trees will be affected by the proposed grading/construction. For the Desert Native Plant Specialist to make this determination, there must be a forty (40) foot clearance between the area of disturbance and the trunk of any western Joshua tree.

Expert Determination of Avoidance: Desert Native Plant Specialist found that the proposed grading/construction is within forty (40) feet of a western Joshua tree, a determination from a Desert Native Plant Specialist shall be required to attest to and confirm avoidance of the western Joshua tree. The specialist's report may specify protective measures to ensure that the proposed grading/construction will avoid any impact constituting a take of any western Joshua tree.

State Permit Required for Take: If the Desert Native Plant Specialist determines that the proposed grading/construction would require a western Joshua tree take as defined above in 2.0, the project may be redesigned to avoid impact to the tree, or the applicant must obtain an Incidental Take Permit from the California Department of Fish and Wildlife before the project can proceed.

6.0 DEFINITION OF DESERT NATIVE PLANT SPECIALIST

A Desert Native Plant Specialist includes the following:

- a) A certified arborist;
- b) An individual with a four-year college degree in ecology or fish and wildlife related biological science and at least two years of professional experience with relocation or restoration native California desert vegetation; or

- c) An individual with at least five years professional experience with relocation or restoration of native California desert vegetation. Examples: Full-time professional nursery or landscape professional experience with native California desert plants, including western Joshua trees.

7.0 QUESTIONS AND COMMENTS

All inquiries about the protected status and take permits should be directed to the California Department of Fish and Wildlife: AskRegion6@wildlife.ca.gov

9.07.130: NATIVE LANDSCAPE DOCUMENTATION PACKAGE:

A. General Provisions: This section identifies the standards and requirements for native landscaping on residential developments.

Regulated desert native plants for all residential projects, include the following:

REGULATED DESERT NATIVE PLANTS

Botanical Name	Common Name
Yucca schidigera	Mojave yucca
Nolina parryi	Parry's nolina
Juniperus californica	California juniper
Yucca whipplei	Our Lord's candle
Pinus monophylla	Pinon pine

Pursuant to section 80117 of the state Food And Agricultural Code, the clearing or removal of native plants from a canal, lateral ditch, survey line, building site, or road or other right of way by the landowner or his agent, if the native plants are not to be transported from the land or offered for sale, are not subject to state regulations. For plants regulated by the state to be transplanted off site, the town shall issue permits for their relocation in accordance with this chapter.

B. Scope:

1. Provisions: The provisions of this section shall apply to all land within the town of Yucca Valley.

a. It is prohibited for any individual or entity to remove, transplant, damage, disturb, or destroy any part of any regulated desert native plant, except its fruit, from any privately or publicly owned piece of land in the town of Yucca Valley, without first obtaining a regulated desert native plant permit from the town, unless said activity is exempt from the requirement to first obtain a regulated desert native plant permit.

b. It is prohibited for any individual or entity to remove or damage all or part of any regulated desert native plant on another property without first obtaining written permission from the landowner and an approved regulated desert native plant permit. It is unlawful for any person to falsify any document offered as evidence of permission to enter upon the property of another to remove all or parts of a regulated desert native plant, whether it is alive or dead.

c. It is prohibited for any individual or entity, unless exempted by this section, to destroy, dig up, mutilate or to possess any regulated desert native plant, including the living parts of such, unless the regulated desert native plant was disturbed under a regulated desert native plant permit. Any individual or entity shall exhibit the regulated desert native plant permit upon request for inspection by any duly authorized entity as described in this section.

d. The commercial harvesting of regulated desert native plants is prohibited.

2. Exceptions: The following are exempt from the provisions of this section:

a. The removal and transplanting on and off site of regulated desert native plants on and from lands owned by the United States government or any federal agency, the state of California, the county of San Bernardino, the town of Yucca Valley, and all special districts.

b. The removal and transplanting on and off site of regulated desert native plants required by other codes, ordinances or laws of the town of Yucca Valley, county of San Bernardino, the state of California or the United States government or any federal agency.

c. The removal and transplanting on and off site of regulated desert native plants which are an immediate threat to the public health, safety or welfare, as determined by the planning division.

d. Removal as part of a bona fide agricultural activity as determined by the town that is:

- (1) Served by a water distribution system adequate for the proper operation of such activity; and/or
- (2) Conducted under a land conservation contract; and/or
- (3) An existing agricultural activity; and/or

(4) A proposed bona fide agricultural activity if the planning division is given thirty (30) days' written notice of the removal describing the location of the land and the nature of the proposed activity. The planning division shall notify the landowner in writing prior to the lapse of the thirty (30) day period if, in the opinion of the planning division the activity is not a bona fide agricultural activity or else the activity shall be deemed bona fide.

e. Destruction or removal of a regulated desert native plant that has died from natural causes or that has been destroyed by fire or other natural disasters.

f. Any regulated desert native plant that is within the building footprint and within twenty feet (20') of the building footprint of an existing structure and for new infill residential development, as determined by the planning division.

g. When removal is required by any public utility subject to jurisdiction of the public utilities commission or any other constituted public agency, including franchised cable TV, to establish or maintain safe operation of facilities under their jurisdiction.

3. Permit Required: A native plant permit shall be required for the removal and transplanting on and off site of any regulated desert native plants identified in this section.

a. A regulated native plant permit application shall be submitted to and approved by the town prior to the removal and transplanting on and off site of any regulated desert native plant.

b. The regulated native plant permit application shall include the following information:

(1) The botanical and common name of the regulated desert native plant.

(2) A native plant survey showing the precise location of each regulated desert native plant.

(3) The trunk or stem diameter of each regulated desert native plant.

(4) The height of each regulated desert native plant.

(5) The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.

(6) The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc.

(7) Additional information that may be required based upon the individual application.

C. Single-Family Residential Infill, Existing Single-Family Residences And Multi-Family Residential Three Units Or Less:

1. A regulated desert native plant permit application shall be submitted to the planning division at the time of filing a building or grading permit application for development of infill residential lots unless exempt.

2. A regulated desert plant permit application shall be submitted to the planning division for removal or relocation on or off site when the property owner is proposing improvements to the property including swimming pools, swing sets, horse arenas, other animal keeping activities, basketball courts, tennis courts, recreational or other vehicle parking, driveways and access, play areas, accessory structures, and other uses typical to single- family residences.

3. The regulated desert native plant application documentation shall contain the following information:

a. Printed photographs depicting the proposed native plant that is to be removed or transplanted. The photographs must clearly show the location, size of the subject plant, and its surroundings. At minimum, the surrounding area photographs shall include two (2) different views of the subject plant.

b. A plot plan is required in order to show location of regulated desert native plants proposed to be removed, transplanted, or retained in its native location. The plot plan shall clearly demonstrate that the property meets the standards in table 1 of this section.

4. Written permission from the property owner(s) authorizing the proposed removal or relocation of regulated desert native plants from the property.

5. The property owner may attempt to retain as many regulated desert native plants in their native location as possible. The property owner may also attempt to transplant or relocate as many regulated desert native plants as possible on site. The property shall comply with the minimum standards specified in table 1 of this section.

6. Those regulated desert native plants identified in the permit application to not remain on site following development, and which are not incorporated into a project's landscaping plan, may be available for adoption at the property owner's discretion.

7. The following chart establishes the minimum undisturbed area that shall be provided:

TABLE 1

Lot Size	Required Undisturbed Area
Up to 2.49 acres	No mandate, incentives only
2.5 to 4.99 acres	A minimum of 5% of the lot shall remain undisturbed
5+ acres	A minimum of 10% of the lot shall remain undisturbed

8. Single-family residential infill development in the rural living residential land use district, which exceed the minimum required undisturbed area from table 1 of this section by a minimum of ten percent (10%), shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 2 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 2

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	15'	13.5'
Arterial/collector street side setback	25'	22.5'
Local street side setback	25'	22.5'
Lot dimensions	150'/150'	135'/135'
Lot coverage	20%	22%

9. Single-family residential infill development in the single- family residential land use district which voluntarily retains ten percent (10%) undisturbed area shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 3 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 3

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	5'/10'	4.5'/9'
Arterial/collector street side setback	25'	22.5'
Local street side setback	15'	13.5'
Lot dimensions	60'/100'	54'/90'
Lot coverage	40%	44%

10. Single-family residential infill development in the residential-hillside reserve land use district which exceeds the minimum required undisturbed area from table 1 of this section by a minimum of ten percent (10%) and provide documentation that the applicant has attended educational training on native plants shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 4 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 4

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on minimum lot size required
Front setback	75'	67.5'
Side/rear setbacks	75'	67.5'
Arterial/collector street side setback	75'	67.5'
Local street side setback	75'	67.5'

D. Regulated Desert Native Plant Removal Procedures For All New Residential Subdivisions And Multi-Family Four Units Or More: Single-family residential subdivisions and multi-family four (4) units or more, shall be allowed to transplant on and off site and to remove all regulated desert native plants from their native locations within the property boundaries, pursuant to the following development standards and requirements:

1. Application Submission: A regulated desert native plant permit application shall be submitted to the planning division at the time of filing land use applications for development of residential subdivision projects. Land use applications for residential subdivision projects may include, but are not limited to, planned developments, specific plans, parcel and tract

map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity. The planning commission shall review and approve all native plant applications for residential subdivisions.

2. Application Information: The regulated desert native plant application documentation shall contain the following information:
 - a. The botanical and common name of the regulated desert native plant.
 - b. The precise location of each regulated desert native plant.
 - c. The trunk or stem diameter of each regulated desert native plant.
 - d. The height of each regulated desert native plant.
 - e. The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.
 - f. The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc. The plans for the regulated desert native plant survey shall be no smaller than twenty four inches by thirty six inches (24" x 36") unless otherwise approved by the planning division.

3. Transplanting Off Site And On Site: All regulated desert native plants identified in the regulated desert native plant survey as likely to survive transplanting shall be made available for adoption or shall be transplanted on site as part of the project's landscaping plan. All native plant permit applications shall illustrate maximum utilization of regulated desert native plants in the project's landscaping plan. It is strongly encouraged that all *Yucca brevifolia* (Joshua trees) identified for adoption and transplantation be relocated through the use of an adequately sized tree spade.

4. Adoption: Those regulated desert native plants identified in the regulated desert native plant survey as likely to survive transplanting procedures, and which are not incorporated into a project's landscaping plan, shall be available for adoption pursuant to this section to the general public for an adoption period of thirty (30) days, or until all available plants have been adopted, whichever is sooner, prior to any other ground disturbing activity on the project site. A thirty (30) day noticing and signage period is required which noticing period may begin prior to issuance of the regulated desert native plant permit.

5. Removal: Those regulated desert native plants not incorporated into a project's landscaping plan and not adopted during the thirty (30) day adoption period are allowed to be removed.

6. Table 5: The following additional standards shall apply to all new residential subdivisions:

TABLE 5

Proposed Lot Size	Required Undisturbed Area
Up to 2.49 acres	None required, incentives only
2.5 to 4.99 acres	A minimum of 5% of the project site shall remain undisturbed
5+ acres	A minimum of 10% of the project site shall remain undisturbed

7. Table 6: New residential subdivisions in the rural living land use districts, which exceed the minimum required undisturbed area from table 5 of this section by a minimum of ten percent (10%), and provide documentation that the applicant has attended educational training on native plants shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 6 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 6

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	15'	13.5'
Arterial/collector street side setback	50'	45'
Local street side setback	25'	22.5'
Lot dimensions	150'/150'	135'/135'
Lot coverage	20%	22%

8. Table 7: New residential subdivisions in the single-family residential land use districts which exceed the minimum required undisturbed area from table 5 of this section by a minimum of ten percent (10%) shall be allowed up to a ten percent (10%) deviation of all development code standards including:

TABLE 7

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	5'/10'	4.5'/9'
Arterial/collector street side setback	25'	22.5'
Local street side setback	15'	13.5'
Lot dimensions	60'/100'	54'/90'
Lot coverage	40%	44%

9. Table 8: New residential subdivisions in the residential- hillside reserve land use district, which exceed the minimum required undisturbed area from table 5 of this section by a minimum of ten percent (10%), and provide documentation that the applicant has attended educational training on native plants shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 8 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 8

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on minimum lot size required
Front setback	75'	67.5'
Side/rear setbacks	75'	67.5'
Arterial/collector street side setback	75'	67.5'
Local street side setback	75'	67.5'

TABLE 9

Typical Standards For Multi-Family Projects		Deviations Permitted
	Residential Multi-Family RM	Residential Multi-Family RM
Typical Standards For Multi-Family Projects		Deviations Permitted
	Residential Multi-Family RM	Residential Multi-Family RM
Front setback	25'	22.5'
Side/rear setback	10'/10' (per story)	9'/9' (per story)
Arterial/collector street side setback	35'	31.5'
Local street side setback	25'	22.5'
Lot coverage	60%	66%
Parking	Varies	10% reduction of total parking not to include handicap stalls

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Evan Willoughby, Assistant Planner

Date: October 8, 2025

Meeting Date: October 14, 2025

Subject: Native Plant Permit (NPP) 116-25 @ 57186 Yucca Trail

Recommendation:

That the Planning Commission receives and files the attached Applicant Report for a proposed sewer connection and approves the Native Plant Permit (NPP 116-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.09.050 Native Landscape Documentation Package.

Prior Review:

There has been no prior review.

Discussion:

Applicant: Greg Hunsicker / Eagle Plumbing
Address: 57186 Yucca Trail
APN: 0595-371-06
Zoning: Mixed Use Commercial (C-MU)
Parcel Size: 1.60 acres

Native Plant Permit Application and Applicant Report

Application has been filed with the Town for a proposed sewer connection. As part of that process, a native plant permit application and desert native plant specialist report have been submitted to the Town.

Chapter 9.09 Commercial Districts, Section 9.09.050(B):

A native landscaping documentation package shall be submitted to the division at the time of filing land use applications for development of commercial projects. Land use applications for commercial projects may include, but are not limited to, specific plans, conditional use permit, site plan and development review applications, land use compliance applications, parcel and

tract map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity.

The Town's 2084 Permit from the State Fish and Game Commission expired on May 9, 2022. The 2084 permit established rules such as the ten (10') foot distance from a Western Joshua Tree (WJT) for ground disturbing activity, as well as created the ability for the Town to issue take permits to remove and transplant the WJT, etc. The 2084 Permit authorization expired, and those rules and standards no longer exist for the Town.

Current procedures for all ground disturbing, ministerial building permits are listed in the attached documents. In addition to the standard Native Plant Permit application submittal, all ground disturbing, ministerial building permit applications must comply with the provisions of the attached handout. All ground disturbing project activities must be accounted for in the determination of avoidance of the WJT.

Ground disturbing, ministerial building permit applications require a Report by a Desert Native Plant Specialist, Pre-Site Inspection prior to permitted construction activity, and re-certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection.

Building permit applications for sewer connections are exempt from pre-site inspection and pre-site inspection fees.

Nothing in this Western Joshua Tree Policy and Information Handout exempts building permit applicants from following State or Federal law.

The Town modeled these standards after other agencies, such as San Bernardino County and the Town of Apple Valley, who have not been challenged by State Fish and Wildlife in the implementation of these standards and procedures, and therefore the required protection of the WJT.

The plot plan and applicant documentation is attached to this staff report.

The Development Code section cited above is ministerial.

- Staff-level decision; forwarded to Planning Commission at this time;
- Little or no personal/subjective judgment;
- Use of fixed standards or objective measurements;
- No public notice required by the Development Code.

The Development Code does not provide for discretion of this permit application.

The application is consistent with the standards established by the Code and therefore must be approved by the Town.

Alternatives

Staff recommend no alternative actions. The application is consistent with the Town's adopted standards.

Fiscal Impact:

N/A

Attachments

1. NPP 116-25 @ 57186 Yucca Trail - Greg Hunsicker - App
2. Western Joshua Tree Policy & Information Handout - Updated 6.11.2024
3. 9.09.050 Native Landscape



Native Plant Permit Application

Date Received	9/23/25
Case	NPD 116-25
By	Even
Paid	\$85.00

General Information

APPLICANT GREG HUNSICKER/EAGLE PUBG Phone 760-250-3285
Mailing Address 9130 VISTA DEL VALLE Email RBC13PLUMBINGCREW@GMAIL.COM
City DESERT HOT SPRINGS State CALIF. Zip 92240
PROPERTY OWNER FRONTIER COMMUNICATION Phone 760-285-4565
Mailing Address 57186 YUCCA TRAIL Email SHANE.C.DOUGHERTY@FTR.COM
City YUCCA VALLEY State CALIF.
Zip 92284 Address/Location of Plants 57186 Yucca Trail
Desert Native Plant Specialist

Project Information - Sewer

TYPE OF PLANT	# OF PLANTS BEING DESTROYED	# BEING RELOCATED		# BEING PROTECTED IN PLACE	# BEING TRIMMED	HEIGHT	DIAMETER	MITIGATION FEE FOR RELOCATE OR REMOVAL
		ON-SITE	OFF-SITE					
MOJAVE YUCCA	0							
OUR LORDS CANDLE	0							
CALIFORNIA JUNIPER	0							
PINON PINE	0							
PARRY'S NOLINA	0							

Reason for relocation or removal Sewer Connect None Being Disturbed

Property owner signature Shane Dougherty Date 9-18-2025

Staff Use Only

Issuance Date: _____ Issued By: _____

Approved as shown on plot plan _____ photos _____ Total Fees: _____

Denied _____ Reason for Denial _____

PLOT PLAN

NAME FRONTIER COMMUNICATIONS

PROJECT ADDRESS 57186 YUCCA TRAIL YUCCA VALLEY CA 92284

ASSESSOR PARCEL NO. 0595-371-06

IF YOUR LOT IS NOT RECTANGULAR, PLEASE DRAW CORRECT DIMENSIONS AND SHAPE

REAR PROPERTY LINE

REF. TO SHEET (12)

FRONT PROPERTY LINE
STREET



[illegible]















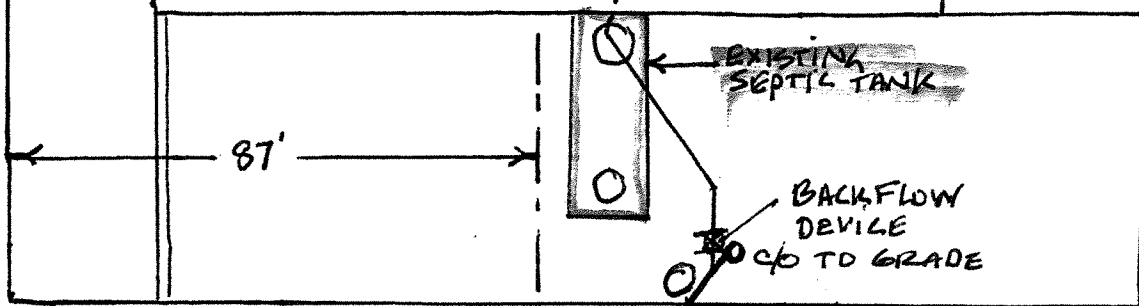


FRONTIER BLDG.

57186 YUCCA TRAIL
PARCEL # 0595-371-06

PROPERTY LINE
DRIVE WAY

DRIVE WAY
PROPERTY LINE



SIDE WALK

WATER
BACKFLOW

6" ?
EXISTING SEWER
LATERAL

90' +

YUCCA TRAIL

EDGE OF ROAD



Western Joshua Tree Policy & Information Handout

1.0 PURPOSE

The purpose of this Information Handout is to clarify the requirements related to work conducted in proximity to the western Joshua tree (*Yucca brevifolia*).

2.0 BACKGROUND

On September 22, 2020, the California Fish and Game Commission accepted for consideration a petition to list the western Joshua tree as a threatened or endangered species in the state of California. The western Joshua tree is now considered a candidate for listing. While the candidacy is under review by the state, the western Joshua tree will be protected as if it were a threatened or endangered species under the California Endangered Species Act (CESA). Under CESA, it is illegal to import, export, "take", possess, purchase, sell, or attempt to do any of those actions to species that are designated as threatened, endangered, or candidates for listing, unless authorized by permit by the California Department of Fish and Wildlife. With respect to the western Joshua tree, removal of a tree, or any part thereof, or impacts the seedbank surrounding one or more trees may result in "take" of the species which is prohibited by State law unless otherwise authorized. During this time, the Town of Yucca Valley cannot issue a permit to take (by removal, transplant, trimming or impacting any part of) any western Joshua tree.

3.0 DETERMINATION OF AVOIDANCE

Upon application for a ground disturbing permit, a determination of avoidance of the Western Joshua Tree will be required prior to proceeding with the project.

All ground disturbing, ministerial permit applications require a Report by a Desert Native Plant Specialist and re- certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection, unless there are no Western Joshua Trees within 75' of proposed ground disturbance as documented by the project applicant.

The responsible representative of the project must attend an in-office meeting with Town staff and confirm receipt and understanding of all State laws and Town regulations pertaining to the ground disturbing project activity. Meeting to be scheduled concurrent with permit issuance.

4.0 PRE-SITE INSPECTION PROCESS

A pre-site inspection may be performed by Planning and Building & Safety staff prior to commencement of permitted construction activity.

5.0 REPORT BY A DESERT NATIVE PLANT SPECIALIST

An applicant shall submit a report, prepared by a Desert Native Plant Specialist, unless exempt, to document avoidance of western Joshua tree take by the project. The report must contain the findings and avoidance recommendations of the Desert Native Plant Specialist, as well as a signature and all pertinent license/qualifications information.

5.1 REPORT BY APPLICANT IF EXEMPT

An applicant shall submit documentation, including printed photographs taken from each corner of ground disturbing area facing the center of the proposed project, and a signed statement that there are no Western Joshua Trees within 75' of proposed ground disturbance.

5.2 REQUIRED FINDINGS FOR DESERT NATIVE PLANT SPECIALIST

Clear Avoidance: Desert Native Plant Specialist determined that no western Joshua trees will be affected by the proposed grading/construction. For the Desert Native Plant Specialist to make this determination, there must be a forty (40) foot clearance between the area of disturbance and the trunk of any western Joshua tree.

Expert Determination of Avoidance: Desert Native Plant Specialist found that the proposed grading/construction is within forty (40) feet of a western Joshua tree, a determination from a Desert Native Plant Specialist shall be required to attest to and confirm avoidance of the western Joshua tree. The specialist's report may specify protective measures to ensure that the proposed grading/construction will avoid any impact constituting a take of any western Joshua tree.

State Permit Required for Take: If the Desert Native Plant Specialist determines that the proposed grading/construction would require a western Joshua tree take as defined above in 2.0, the project may be redesigned to avoid impact to the tree, or the applicant must obtain an Incidental Take Permit from the California Department of Fish and Wildlife before the project can proceed.

6.0 DEFINITION OF DESERT NATIVE PLANT SPECIALIST

A Desert Native Plant Specialist includes the following:

- a) A certified arborist;
- b) An individual with a four-year college degree in ecology or fish and wildlife related biological science and at least two years of professional experience with relocation or restoration native California desert vegetation; or

- c) An individual with at least five years professional experience with relocation or restoration of native California desert vegetation. Examples: Full-time professional nursery or landscape professional experience with native California desert plants, including western Joshua trees.

7.0 QUESTIONS AND COMMENTS

All inquiries about the protected status and take permits should be directed to the California Department of Fish and Wildlife: AskRegion6@wildlife.ca.gov

9.09.050: NATIVE LANDSCAPE DOCUMENTATION PACKAGE:

A. General Provisions: Commercial development projects shall be allowed to transplant on and off site and to remove all regulated desert native plants from their native locations within the property boundaries, pursuant to the following development standards and requirements. Regulated desert native plants for all commercial land development projects, include the following:

REGULATED DESERT NATIVE PLANTS

Botanical Name	Common Name
Yucca schidigera	Mojave yucca
Nolina parryi	Parry's nolina
Juniperus californica	California juniper
Yucca whipplei	Our Lord's candle
Pinus monophylla	Pinon pine

Pursuant to section 80117 of the state Food And Agricultural Code, the clearing or removal of native plants from a canal, lateral ditch, survey line, building site, or road or other right of way by the landowner or his agent, if the native plants are not to be transported from the land or offered for sale, are not subject to state regulations. For plants regulated by the state to be transplanted off site, the town shall issue permits for their relocation in accordance with this section.

B. Submission: A native landscaping documentation package shall be submitted to the division at the time of filing land use applications for development of commercial projects. Land use applications for commercial projects may include, but are not limited to, specific plans, conditional use permit, site plan and development review applications, land use compliance applications, parcel and tract map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity. The native landscaping documentation package may be combined with landscaping and water conservation requirements (chapter 9.32 of this title).

C. Information: The native landscaping documentation package shall contain the following information:

1. The botanical and common name of the regulated desert native plant.
2. The precise location of each regulated desert native plant.
3. The trunk or stem diameter of each regulated desert native plant.
4. The height of each regulated desert native plant.
5. The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.
6. The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc. The plans for the regulated desert native plant survey shall be no smaller than twenty four inches by thirty six inches (24" x 36") unless otherwise approved by the director.

D. Transplanting Off Site And On Site: All regulated desert native plants identified in the native landscaping documentation package as likely to survive transplanting shall be made available for adoption or shall be transplanted on site as part of the project's landscaping plan. All native plant permit applications shall illustrate maximum utilization of regulated desert native plants in the project's landscaping plan. It is strongly encouraged that all Yucca brevifolia (Joshua trees) identified for adoption and transplantation be relocated through the uses of an adequately sized tree spade.

E. Adoption: Those regulated desert native plants identified in the native landscaping documentation package as likely to survive transplanting procedures, and which are not incorporated into a project's landscaping plan, shall be available for adoption.

1. Any regulated desert native plant that is part of a commercial development project, which are determined likely to survive transplanting procedures and not incorporated into a project's landscaping plan shall be made available for adoption. The project shall provide a minimum thirty (30) day noticing period and thirty (30) day adoption period. The adoption period may be less than thirty (30) days if all available regulated desert native plants have been adopted.

2. A native landscape permit may include nonregulated desert native plants at the remover's discretion.

3. In the adoption of regulated desert native plants first priority shall be within the town of Yucca Valley and the second priority is Morongo Basin.

4. It is strongly recommended by native plant experts that native plants be moved only once to ensure survivability.

5. Prior to the adoption a thirty (30) day signage period is required which may commence with submittal of the regulated desert native plant permit. All projects required by this title to offer native plants for adoption shall at a minimum install the required on site signage on the property notifying the general public pursuant to the following:

a. A minimum of one sign shall be displayed. The sign may be incorporated into a subdivision sign or other permitted sign. The minimum size of the sign shall be not less than twenty four inches (24") in height by thirty six inches (36") in width. Signs shall be no larger than thirty two (32) square feet in area.

b. Signage shall be displayed perpendicular to roadways.

c. Where multiple signs are proposed, signs shall be displayed on separate roadways, where possible.

d. Signs shall, at a minimum, display the following:

- (1) A heading and statement indicating that regulated desert native plants are available for adoption.
- (2) The name of the individual or entity removing the regulated desert native plants.
- (3) A phone number where the individual or entity removing the regulated desert native plants may be contacted.

(4) A statement indicating that the individual or entity removing the regulated desert native plants is the primary contact, and that the town of Yucca Valley may be contacted for more information on the regulated desert native plants available for adoption and for contacting the individual or entity removing the regulated desert native plants.

- (5) The phone number for the town of Yucca Valley's community development department.

e. Signs required by this section are in addition to the subdivision signage allowed by this development code.

f. The sign may be installed in conjunction with the native landscape documentation package submittal.

F. Adoption, Transplanting And Maintenance Of Regulated Desert Native Plants: All regulated desert native plants made available for adoption shall be transplanted and/or stockpiled and maintained until transplanted in accordance with the following standards:

1. Written permission must be obtained from and signed by the owner of the property on which the plants are to be located. A copy of the document granting such permission shall be submitted to the director prior to issuance of the permit.

2. Approval of transplanting must take into consideration the plant's original and transplanted physical orientation, prevailing wind direction, soil type of the original and transplanted locations, and other related attributes which may affect the successful transplantation of the native plants in question.

3. Native plants that are proposed to be removed shall be transplanted or stockpiled for future transplanting wherever possible. In the instance of stockpiling for future transplanting the permittee shall have submitted and received approval of a native plant maintenance plan. The maintenance plan shall include the following:

- a. The proposed schedule of watering.
- b. The proposed location of stockpiled plants.
- c. How the plants will be supported.
- d. The method of trap fencing to be used.

G. Removal: Those regulated desert native plants not incorporated into a project's landscaping plan and not adopted during the thirty (30) day adoption period are allowed to be removed. In addition plants determined to be unlikely to survive transplantation may be removed. (Ord. 253, 12-16-2014; amd. Ord. 291, 1-19-2021)

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Evan Willoughby, Assistant Planner

Date: October 8, 2025

Meeting Date: October 14, 2025

Subject: Native Plant Permit (NPP) 117-25 @ 58960 Delano Trail

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for a proposed sewer connection and approves the Native Plant Permit (NPP 117-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

Prior Review:

There has been no prior review.

Discussion:

Applicant: Action Pumping Inc.
Address: 58960 Delano Trail
APN: 0588-741-11
Zoning: Residential, Single-Family (R-S-2)
Parcel Size: 0.63 acres

Native Plant Permit Application and Desert Native Plant Specialist Report

Application has been filed with the Town for a proposed sewer connection. As part of that process, a native plant permit application and desert native plant specialist report have been submitted to the Town.

Chapter 9.07 Residential and Hillside Reserve Districts, Section 9.07.130 (B)(1)(a):
It is prohibited for any individual or entity to remove, transplant, damage, disturb, or destroy any part of any regulated desert native plant, except its fruit, from any privately or publicly owned piece of land in the Town of Yucca Valley, without first obtaining a regulated desert

native plant permit from the town, unless said activity is exempt from the requirement to first obtain a regulated desert native plant permit.

The Town's 2084 Permit from the State Fish and Game Commission expired on May 9, 2022. The 2084 permit established rules such as the ten (10') foot distance from a Western Joshua Tree (WJT) for ground disturbing activity, as well as created the ability for the Town to issue take permits to remove and transplant the WJT, etc. The 2084 Permit authorization expired, and those rules and standards no longer exist for the Town.

Current procedures for all ground disturbing, ministerial building permits are listed in the attached documents. In addition to the standard Native Plant Permit application submittal, all ground disturbing, ministerial building permit applications must comply with the provisions of the attached handout. All ground disturbing project activities must be accounted for in the determination of avoidance of the WJT.

Ground disturbing, ministerial building permit applications require a Report by a Desert Native Plant Specialist, Pre-Site Inspection prior to permitted construction activity, and re-certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection.

Building permit applications for sewer connections are exempt from pre-site inspection and pre-site inspection fees.

Nothing in this Western Joshua Tree Policy and Information Handout exempts building permit applicants from following State or Federal law.

The Town modeled these standards after other agencies, such as San Bernardino County and the Town of Apple Valley, who have not been challenged by State Fish and Wildlife in the implementation of these standards and procedures, and therefore the required protection of the WJT.

The plot plan and desert native plant specialist letter are attached to this staff report.

The Development Code section cited above is ministerial.

- Staff-level decision; forwarded to Planning Commission at this time;
- Little or no personal/subjective judgment;
- Use of fixed standards or objective measurements;
- No public notice required by the Development Code.

The Development Code does not provide for discretion of this permit application.

The application is consistent with the standards established by the Code and therefore must be approved by the Town.

Alternatives

Staff recommend no alternative actions. The application is consistent with the Town's adopted standards.

Fiscal Impact:

N/A

Attachments

1. NPP 117-25 @ 58960 Delano Trail - Action Pumping Inc. - Application
2. Western Joshua Tree Policy & Information Handout - Updated 6.11.2024
3. Section 9.07.130 Native Landscape Documentation Package



Native Plant Permit Application

Date Received	9/23/25
By	Km
Case #	NIP 117-25

\$85.00

General Information

APPLICANT Action Pumping Inc Phone 760-365-0861
Mailing Address P.O. Box 654 Email Sales@ActionpumpingInc
City Yucca Valley **State** CA **Zip** 92284
PROPERTY OWNER Michelle O'Malley Phone 760-217-0901
Mailing Address 58960 Delano tr. Email _____
City Yucca Valley **State** CA **Zip** 92284
Address/Location of Plants 58960 Delano trail

Project Information

TYPE OF PLANT	# OF PLANTS BEING DESTROYED	# BEING RELOCATED		# BEING PROTECTED IN PLACE	# BEING TRIMMED	HEIGHT	DIAMETER
		ON-SITE	OFF-SITE				
MOJAVE YUCCA				0			
JOSHUA TREE				5			
OUR LORDS CANDLE				0			
CALIFORNIA JUNIPER				0			
PINON PINE				0			
PARRY'S NOLINA				0			

Reason for relocation or removal No plants will be removed or relocated

Property owner signature Michelle Marie O'Malley Date 9-9-25
Signed by: 2003628007 F0185...

Staff Use Only
 Issuance Date: _____ Issued By: _____

Approved as shown on plot plan _____ photos _____ Expiration _____

Denied _____ Reason for Denial _____

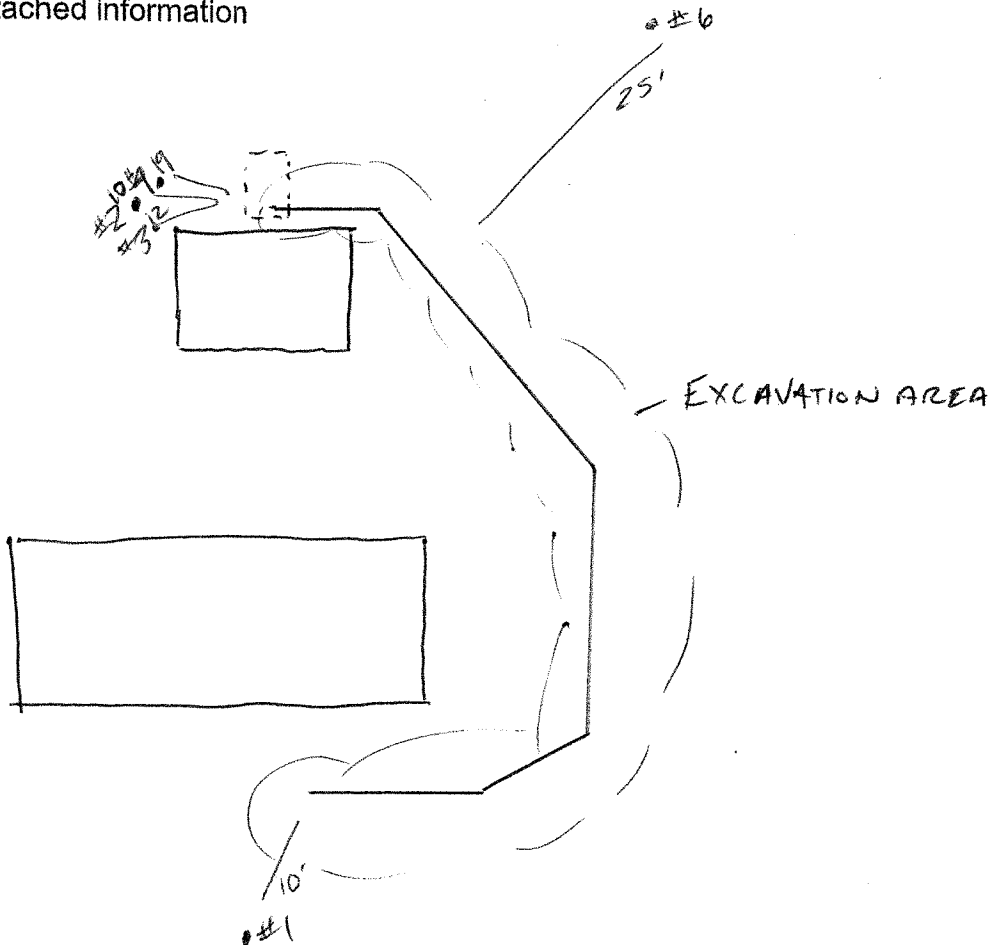
PLOT PLAN

NAME Michelle O'Malley
PROJECT ADDRESS 58960 Delano trail
ASSESSOR PARCEL NO. 0588-741-11

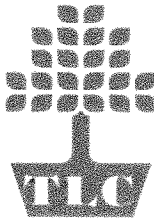
IF YOUR LOT IS NOT RECTANGULAR, PLEASE DRAW CORRECT DIMENSIONS AND SHAPE

REAR PROPERTY LINE

see attached information



FRONT PROPERTY LINE
STREET



DILLON REYNOLDS
DESERT NATIVE PLANT SPECIALIST
THE LANDSCAPE CENTER

September 11, 2025

Shilo Mitchell
Action Pumping Inc.
PO Box 654
Yucca Valley, CA 92286

via Email: shilo@actionpumpinginc.com

To Whom it May Concern,

This report is submitted for your review and use in response to your request for a field investigation of western Joshua trees (*Yucca brevifolia*) that may be located on your project site and that potentially will be impacted by the proposed sewer improvements and connection at the site. This report represents findings from my site visit that occurred on Wednesday, September 10, 2025.

ASSIGNMENT

I have been asked to prepare and provide a Desert Native Plant Specialist Report as required by the Town of Yucca Valley with regards to the proposed construction at the following location:

- Project: Delano Trail Residence
- Site Address: 58960 Delano Trail Yucca Valley, CA 92284
- APN: 0588-741-11
- Jurisdiction: Town of Yucca Valley, CA

This report has been created with the following characteristics for western Joshua trees located near the construction activities and that are also within 75' of the proposed construction activities:

- An assessment of the tree and its current location in relation to the proposed work.
- Avoidance/Protection recommendations for trees located within 75' of construction, if applicable.
- Determination of potential impact.

OVERALL SITE MAP
(OBSERVED BOUNDARIES IN BLUE ARE APPROXIMATE)



LOCATION OF WESTERN JOSHUA TREES AT THE SITE
Blue Line Boundary- Approximate Observed Limits



CONCLUSION

After a review of the site limits, I found there to be a total of five (5) western Joshua trees within the property limits and two (2) western Joshua trees outside the property limits on the neighboring parcels. Of the seven (7) observed western Joshua trees, five (5) are located within 75' of the proposed work.

The approximate distances of the western Joshua trees from the proposed construction activities are as follows:

WJT #	Distance (FT)	Status
1	10	Live
2	10	Live
3	12	Live
4	19	Live
5	67	Live
6	25	Live
7	101	Live

Based on my experience and evaluation of the proposed work at the Delano Trail Residence, I find that the project **will not** cause harm to the five (5) western Joshua tree reviewed and located within 75'.

***I observed neighboring WJT from the clients parcel as permission was not granted to access private property.

NOTES AND RECOMMENDATIONS

Protection measures are required for Tree #s 2, 3, and 4.

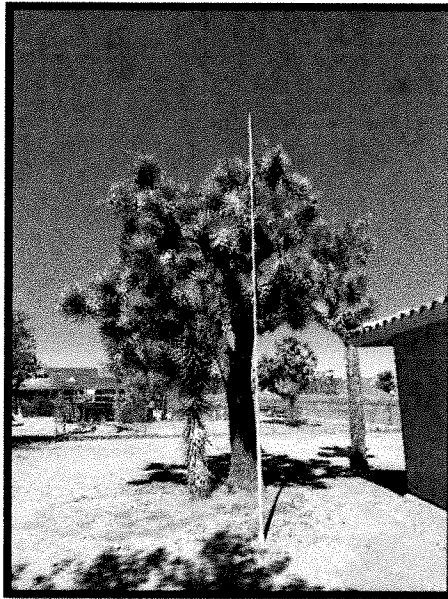
Those measures shall be:

- 1) Erect a temporary western Joshua tree protection zone by encircling the tree with Orange Construction Snow/Safety Barrier Fence.
 - a. The fencing shall be placed at a radius of 5' from the base of the trunk of the tree or the distance of the longest arm/branch, whichever is greater.
- 2) The fencing should be at minimum 4' in height.
- 3) Steel T Post should be utilized.
- 4) Fencing should remain in place for the duration of construction.
- 5) Excavated soil shall not be stockpiled within tree protection zone.
- 6) Once construction is complete, fencing can be removed.
- 7) No work shall occur within the tree protection zone.

Photos of Western Joshua tree Located within 75' of Proposed Construction



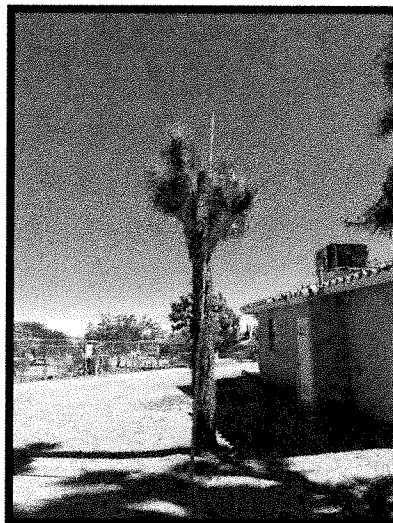
western Joshua tree #1



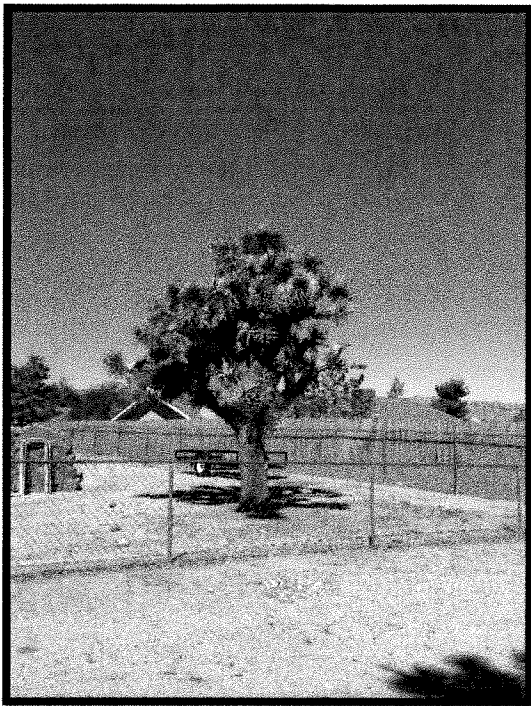
western Joshua tree #2



western Joshua tree #3



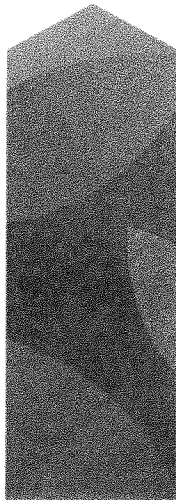
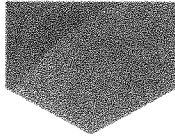
western Joshua tree #4



western Joshua tree #5

Arborist's Signature and Information

- Dillon Reynolds
 - License Information
 - ISA Certified Arborist WE9690A
 - Certified since 2012



The International Society of Arboriculture

Hereby Announces That

Dillon J. Reynolds

Has Earned the Credential

ISA Certified Arborist ®

By successfully meeting ISA Certified Arborist certification requirements through demonstrated attainment of relevant competencies as supported by the ISA Credentialing Council

Caithlyn Pollihan

Caithlyn Pollihan
CEO & Executive Director

12 March 2012

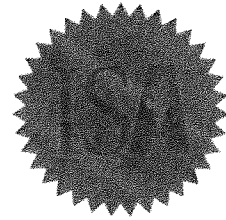
30 June 2027

WE-9690A

Issue Date

Expiration Date

Certification Number



Arborist's Limitations and Suggestions

1. Unless expressed otherwise information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection and the inspection is limited to visual examination of accessible items.
2. This inspection does not warranty or guarantee that the subject tree is free of defects from hidden or unapparent conditions expressed or implied. The conclusions of this report are derived from visual inspection only.
3. Loss or alteration of any part of this report invalidates the entire report.
4. Possession of this report or copy thereof does not imply right of publication or use for any purpose by any other than the person to who, it is addressed, without the prior expressed written or verbal consent of the certified arborist.
5. The certified arborist shall not be required to give testimony or to attend court, provide additional services or attend meetings because of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract engagement.
6. Photographs, if provided in this report, being intended as visual aids, are not necessary to scale and should not be construed as engineering or architectural reports or surveys.
7. I hereby certify that the statements furnished above represent the data and information, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.



Dillon Reynolds
ISA Certified Arborist WE 9690A



Western Joshua Tree Policy & Information Handout

1.0 PURPOSE

The purpose of this Information Handout is to clarify the requirements related to work conducted in proximity to the western Joshua tree (*Yucca brevifolia*).

2.0 BACKGROUND

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All ground disturbing, ministerial permit applications require a Report by a Desert Native Plant Specialist and re- certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection, unless there are no Western Joshua Trees within 75' of proposed ground disturbance as documented by the project applicant.

The responsible representative of the project must attend an in-office meeting with Town staff and confirm receipt and understanding of all State laws and Town regulations pertaining to the ground disturbing project activity. Meeting to be scheduled concurrent with permit issuance.

4.0 PRE-SITE INSPECTION PROCESS

A pre-site inspection may be performed by Planning and Building & Safety staff prior to commencement of permitted construction activity.

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An applicant shall submit a report, prepared by a Desert Native Plant Specialist, unless exempt, to document avoidance of western Joshua tree take by the project. The report must contain the findings and avoidance recommendations of the Desert Native Plant Specialist, as well as a signature and all pertinent license/qualifications information.

5.1 REPORT BY APPLICANT IF EXEMPT

An applicant shall submit documentation, including printed photographs taken from each corner of ground disturbing area facing the center of the proposed project, and a signed statement that there are no Western Joshua Trees within 75' of proposed ground disturbance.

5.2 REQUIRED FINDINGS FOR DESERT NATIVE PLANT SPECIALIST

Clear Avoidance: Desert Native Plant Specialist determined that no western Joshua trees will be affected by the proposed grading/construction. For the Desert Native Plant Specialist to make this determination, there must be a forty (40) foot clearance between the area of disturbance and the trunk of any western Joshua tree.

Expert Determination of Avoidance: Desert Native Plant Specialist found that the proposed grading/construction is within forty (40) feet of a western Joshua tree, a determination from a Desert Native Plant Specialist shall be required to attest to and confirm avoidance of the western Joshua tree. The specialist's report may specify protective measures to ensure that the proposed grading/construction will avoid any impact constituting a take of any western Joshua tree.

State Permit Required for Take: If the Desert Native Plant Specialist determines that the proposed grading/construction would require a western Joshua tree take as defined above in 2.0, the project may be redesigned to avoid impact to the tree, or the applicant must obtain an Incidental Take Permit from the California Department of Fish and Wildlife before the project can proceed.

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A Desert Native Plant Specialist includes the following:

- a) A certified arborist;
- b) An individual with a four-year college degree in ecology or fish and wildlife related biological science and at least two years of professional experience with relocation or restoration native California desert vegetation; or

- c) An individual with at least five years professional experience with relocation or restoration of native California desert vegetation. Examples: Full-time professional nursery or landscape professional experience with native California desert plants, including western Joshua trees.

7.0 QUESTIONS AND COMMENTS

All inquiries about the protected status and take permits should be directed to the California Department of Fish and Wildlife: AskRegion6@wildlife.ca.gov

9.07.130: NATIVE LANDSCAPE DOCUMENTATION PACKAGE:

A. General Provisions: This section identifies the standards and requirements for native landscaping on residential developments.

Regulated desert native plants for all residential projects, include the following:

REGULATED DESERT NATIVE PLANTS

Botanical Name	Common Name
Yucca schidigera	Mojave yucca
Nolina parryi	Parry's nolina
Juniperus californica	California juniper
Yucca whipplei	Our Lord's candle
Pinus monophylla	Pinon pine

Pursuant to section 80117 of the state Food And Agricultural Code, the clearing or removal of native plants from a canal, lateral ditch, survey line, building site, or road or other right of way by the landowner or his agent, if the native plants are not to be transported from the land or offered for sale, are not subject to state regulations. For plants regulated by the state to be transplanted off site, the town shall issue permits for their relocation in accordance with this chapter.

B. Scope:

1. Provisions: The provisions of this section shall apply to all land within the town of Yucca Valley.

a. It is prohibited for any individual or entity to remove, transplant, damage, disturb, or destroy any part of any regulated desert native plant, except its fruit, from any privately or publicly owned piece of land in the town of Yucca Valley, without first obtaining a regulated desert native plant permit from the town, unless said activity is exempt from the requirement to first obtain a regulated desert native plant permit.

b. It is prohibited for any individual or entity to remove or damage all or part of any regulated desert native plant on another property without first obtaining written permission from the landowner and an approved regulated desert native plant permit. It is unlawful for any person to falsify any document offered as evidence of permission to enter upon the property of another to remove all or parts of a regulated desert native plant, whether it is alive or dead.

c. It is prohibited for any individual or entity, unless exempted by this section, to destroy, dig up, mutilate or to possess any regulated desert native plant, including the living parts of such, unless the regulated desert native plant was disturbed under a regulated desert native plant permit. Any individual or entity shall exhibit the regulated desert native plant permit upon request for inspection by any duly authorized entity as described in this section.

d. The commercial harvesting of regulated desert native plants is prohibited.

2. Exceptions: The following are exempt from the provisions of this section:

a. The removal and transplanting on and off site of regulated desert native plants on and from lands owned by the United States government or any federal agency, the state of California, the county of San Bernardino, the town of Yucca Valley, and all special districts.

b. The removal and transplanting on and off site of regulated desert native plants required by other codes, ordinances or laws of the town of Yucca Valley, county of San Bernardino, the state of California or the United States government or any federal agency.

c. The removal and transplanting on and off site of regulated desert native plants which are an immediate threat to the public health, safety or welfare, as determined by the planning division.

d. Removal as part of a bona fide agricultural activity as determined by the town that is:

- (1) Served by a water distribution system adequate for the proper operation of such activity; and/or
- (2) Conducted under a land conservation contract; and/or
- (3) An existing agricultural activity; and/or

(4) A proposed bona fide agricultural activity if the planning division is given thirty (30) days' written notice of the removal describing the location of the land and the nature of the proposed activity. The planning division shall notify the landowner in writing prior to the lapse of the thirty (30) day period if, in the opinion of the planning division the activity is not a bona fide agricultural activity or else the activity shall be deemed bona fide.

e. Destruction or removal of a regulated desert native plant that has died from natural causes or that has been destroyed by fire or other natural disasters.

f. Any regulated desert native plant that is within the building footprint and within twenty feet (20') of the building footprint of an existing structure and for new infill residential development, as determined by the planning division.

g. When removal is required by any public utility subject to jurisdiction of the public utilities commission or any other constituted public agency, including franchised cable TV, to establish or maintain safe operation of facilities under their jurisdiction.

3. Permit Required: A native plant permit shall be required for the removal and transplanting on and off site of any regulated desert native plants identified in this section.

a. A regulated native plant permit application shall be submitted to and approved by the town prior to the removal and transplanting on and off site of any regulated desert native plant.

b. The regulated native plant permit application shall include the following information:

(1) The botanical and common name of the regulated desert native plant.

(2) A native plant survey showing the precise location of each regulated desert native plant.

(3) The trunk or stem diameter of each regulated desert native plant.

(4) The height of each regulated desert native plant.

(5) The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.

(6) The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc.

(7) Additional information that may be required based upon the individual application.

C. Single-Family Residential Infill, Existing Single-Family Residences And Multi-Family Residential Three Units Or Less:

1. A regulated desert native plant permit application shall be submitted to the planning division at the time of filing a building or grading permit application for development of infill residential lots unless exempt.

2. A regulated desert plant permit application shall be submitted to the planning division for removal or relocation on or off site when the property owner is proposing improvements to the property including swimming pools, swing sets, horse arenas, other animal keeping activities, basketball courts, tennis courts, recreational or other vehicle parking, driveways and access, play areas, accessory structures, and other uses typical to single- family residences.

3. The regulated desert native plant application documentation shall contain the following information:

a. Printed photographs depicting the proposed native plant that is to be removed or transplanted. The photographs must clearly show the location, size of the subject plant, and its surroundings. At minimum, the surrounding area photographs shall include two (2) different views of the subject plant.

b. A plot plan is required in order to show location of regulated desert native plants proposed to be removed, transplanted, or retained in its native location. The plot plan shall clearly demonstrate that the property meets the standards in table 1 of this section.

4. Written permission from the property owner(s) authorizing the proposed removal or relocation of regulated desert native plants from the property.

5. The property owner may attempt to retain as many regulated desert native plants in their native location as possible. The property owner may also attempt to transplant or relocate as many regulated desert native plants as possible on site. The property shall comply with the minimum standards specified in table 1 of this section.

6. Those regulated desert native plants identified in the permit application to not remain on site following development, and which are not incorporated into a project's landscaping plan, may be available for adoption at the property owner's discretion.

7. The following chart establishes the minimum undisturbed area that shall be provided:

TABLE 1

Lot Size	Required Undisturbed Area
Up to 2.49 acres	No mandate, incentives only
2.5 to 4.99 acres	A minimum of 5% of the lot shall remain undisturbed
5+ acres	A minimum of 10% of the lot shall remain undisturbed

8. Single-family residential infill development in the rural living residential land use district, which exceed the minimum required undisturbed area from table 1 of this section by a minimum of ten percent (10%), shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 2 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 2

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	15'	13.5'
Arterial/collector street side setback	25'	22.5'
Local street side setback	25'	22.5'
Lot dimensions	150'/150'	135'/135'
Lot coverage	20%	22%

9. Single-family residential infill development in the single- family residential land use district which voluntarily retains ten percent (10%) undisturbed area shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 3 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 3

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	5'/10'	4.5'/9'
Arterial/collector street side setback	25'	22.5'
Local street side setback	15'	13.5'
Lot dimensions	60'/100'	54'/90'
Lot coverage	40%	44%

10. Single-family residential infill development in the residential-hillside reserve land use district which exceeds the minimum required undisturbed area from table 1 of this section by a minimum of ten percent (10%) and provide documentation that the applicant has attended educational training on native plants shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 4 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 4

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on minimum lot size required
Front setback	75'	67.5'
Side/rear setbacks	75'	67.5'
Arterial/collector street side setback	75'	67.5'
Local street side setback	75'	67.5'

D. Regulated Desert Native Plant Removal Procedures For All New Residential Subdivisions And Multi-Family Four Units Or More: Single-family residential subdivisions and multi-family four (4) units or more, shall be allowed to transplant on and off site and to remove all regulated desert native plants from their native locations within the property boundaries, pursuant to the following development standards and requirements:

1. Application Submission: A regulated desert native plant permit application shall be submitted to the planning division at the time of filing land use applications for development of residential subdivision projects. Land use applications for residential subdivision projects may include, but are not limited to, planned developments, specific plans, parcel and tract

map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity. The planning commission shall review and approve all native plant applications for residential subdivisions.

2. Application Information: The regulated desert native plant application documentation shall contain the following information:
 - a. The botanical and common name of the regulated desert native plant.
 - b. The precise location of each regulated desert native plant.
 - c. The trunk or stem diameter of each regulated desert native plant.
 - d. The height of each regulated desert native plant.
 - e. The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.
 - f. The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc. The plans for the regulated desert native plant survey shall be no smaller than twenty four inches by thirty six inches (24" x 36") unless otherwise approved by the planning division.

3. Transplanting Off Site And On Site: All regulated desert native plants identified in the regulated desert native plant survey as likely to survive transplanting shall be made available for adoption or shall be transplanted on site as part of the project's landscaping plan. All native plant permit applications shall illustrate maximum utilization of regulated desert native plants in the project's landscaping plan. It is strongly encouraged that all *Yucca brevifolia* (Joshua trees) identified for adoption and transplantation be relocated through the use of an adequately sized tree spade.

4. Adoption: Those regulated desert native plants identified in the regulated desert native plant survey as likely to survive transplanting procedures, and which are not incorporated into a project's landscaping plan, shall be available for adoption pursuant to this section to the general public for an adoption period of thirty (30) days, or until all available plants have been adopted, whichever is sooner, prior to any other ground disturbing activity on the project site. A thirty (30) day noticing and signage period is required which noticing period may begin prior to issuance of the regulated desert native plant permit.

5. Removal: Those regulated desert native plants not incorporated into a project's landscaping plan and not adopted during the thirty (30) day adoption period are allowed to be removed.

6. Table 5: The following additional standards shall apply to all new residential subdivisions:

TABLE 5

Proposed Lot Size	Required Undisturbed Area
Up to 2.49 acres	None required, incentives only
2.5 to 4.99 acres	A minimum of 5% of the project site shall remain undisturbed
5+ acres	A minimum of 10% of the project site shall remain undisturbed

7. Table 6: New residential subdivisions in the rural living land use districts, which exceed the minimum required undisturbed area from table 5 of this section by a minimum of ten percent (10%), and provide documentation that the applicant has attended educational training on native plants shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 6 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 6

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	15'	13.5'
Arterial/collector street side setback	50'	45'
Local street side setback	25'	22.5'
Lot dimensions	150'/150'	135'/135'
Lot coverage	20%	22%

8. Table 7: New residential subdivisions in the single-family residential land use districts which exceed the minimum required undisturbed area from table 5 of this section by a minimum of ten percent (10%) shall be allowed up to a ten percent (10%) deviation of all development code standards including:

TABLE 7

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	5'/10'	4.5'/9'
Arterial/collector street side setback	25'	22.5'
Local street side setback	15'	13.5'
Lot dimensions	60'/100'	54'/90'
Lot coverage	40%	44%

9. Table 8: New residential subdivisions in the residential- hillside reserve land use district, which exceed the minimum required undisturbed area from table 5 of this section by a minimum of ten percent (10%), and provide documentation that the applicant has attended educational training on native plants shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 8 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 8

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on minimum lot size required
Front setback	75'	67.5'
Side/rear setbacks	75'	67.5'
Arterial/collector street side setback	75'	67.5'
Local street side setback	75'	67.5'

TABLE 9

Typical Standards For Multi-Family Projects		Deviations Permitted
	Residential Multi-Family RM	Residential Multi-Family RM
Typical Standards For Multi-Family Projects		Deviations Permitted
	Residential Multi-Family RM	Residential Multi-Family RM
Front setback	25'	22.5'
Side/rear setback	10'/10' (per story)	9'/9' (per story)
Arterial/collector street side setback	35'	31.5'
Local street side setback	25'	22.5'
Lot coverage	60%	66%
Parking	Varies	10% reduction of total parking not to include handicap stalls

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Evan Willoughby, Assistant Planner

Date: October 8, 2025

Meeting Date: October 14, 2025

Subject: Native Plant Permit (NPP) 118-25 @ 58707 Twentynine Palms Highway

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for a proposed sewer connection and approves the Native Plant Permit (NPP 118-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.09.050 Native Landscape Documentation Package.

Prior Review:

There has been no prior review.

Discussion:

Applicant: Action Pumping Inc.
Address: 58707 Twentynine Palms Highway
APN: 0601-201-55
Zoning: Home Depot Retail Specific Plan (S-01-05)
Parcel Size: 0.90 acres

Native Plant Permit Application and Desert Native Plant Specialist Report

Application has been filed with the Town for a proposed sewer connection. As part of that process, a native plant permit application and desert native plant specialist report have been submitted to the Town.

Chapter 9.09 Commercial Districts, Section 9.09.050(B):

A native landscaping documentation package shall be submitted to the division at the time of filing land use applications for development of commercial projects. Land use applications for commercial projects may include, but are not limited to, specific plans, conditional use permit,

site plan and development review applications, land use compliance applications, parcel and tract map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity.

The Town's 2084 Permit from the State Fish and Game Commission expired on May 9, 2022. The 2084 permit established rules such as the ten (10') foot distance from a Western Joshua Tree (WJT) for ground disturbing activity, as well as created the ability for the Town to issue take permits to remove and transplant the WJT, etc. The 2084 Permit authorization expired, and those rules and standards no longer exist for the Town.

Current procedures for all ground disturbing, ministerial building permits are listed in the attached documents. In addition to the standard Native Plant Permit application submittal, all ground disturbing, ministerial building permit applications must comply with the provisions of the attached handout. All ground disturbing project activities must be accounted for in the determination of avoidance of the WJT.

Ground disturbing, ministerial building permit applications require a Report by a Desert Native Plant Specialist, Pre-Site Inspection prior to permitted construction activity, and re-certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection.

Building permit applications for sewer connections are exempt from pre-site inspection and pre-site inspection fees.

Nothing in this Western Joshua Tree Policy and Information Handout exempts building permit applicants from following State or Federal law.

The Town modeled these standards after other agencies, such as San Bernardino County and the Town of Apple Valley, who have not been challenged by State Fish and Wildlife in the implementation of these standards and procedures, and therefore the required protection of the WJT.

The plot plan and desert native plant specialist letter are attached to this staff report.

The Development Code section cited above is ministerial.

- Staff-level decision; forwarded to Planning Commission at this time;
- Little or no personal/subjective judgment;
- Use of fixed standards or objective measurements;
- No public notice required by the Development Code.

The Development Code does not provide for discretion of this permit application.

The application is consistent with the standards established by the Code and therefore must be approved by the Town.

Alternatives

Staff recommend no alternative actions. The application is consistent with the Town's adopted standards.

Fiscal Impact:

N/A

Attachments

1. NPP 118-25 @ 58707 Twentynine Palms Highway - Action Pumping Inc. - Application
2. Western Joshua Tree Policy & Information Handout - Updated 6.11.2024
3. 9.09.050 Native Landscape



Native Plant Permit Application

Date Received 9/23/25
 By Sam
 Case # NPP 118-25

\$85.00

General Information

APPLICANT Action Pumping Inc Phone 760-365-0861
 Mailing Address P.O. Box 654 Email Sales@actionpumpinginc.
 City Yucca Valley State CA Zip 92284
 PROPERTY OWNER 29 palms Hwy Holdings Phone 760-455-7591
 Mailing Address 58707 29 palms Hwy Email Sam@SpinelloCompanies.com
 City Yucca Valley State CA Zip 92284
 Address/Location of Plants 58707 29 palms Hwy

Project Information

TYPE OF PLANT	# OF PLANTS BEING DESTROYED	# BEING RELOCATED		# BEING PROTECTED IN PLACE	# BEING TRIMMED	HEIGHT	DIAMETER
		ON-SITE	OFF-SITE				
MOJAVE YUCCA				0			
JOSHUA TREE				0			
OUR LORDS CANDLE				0			
CALIFORNIA JUNIPER				0			
PINON PINE				0			
PARRY'S NOLINA				0			

Reason for relocation or removal No plants will be removed or relocated

Property owner signature Sam Spinello Date 9/9/25

Staff Use Only

Issuance Date: _____ Issued By: _____

Approved as shown on plot plan _____ photos _____ Expiration _____

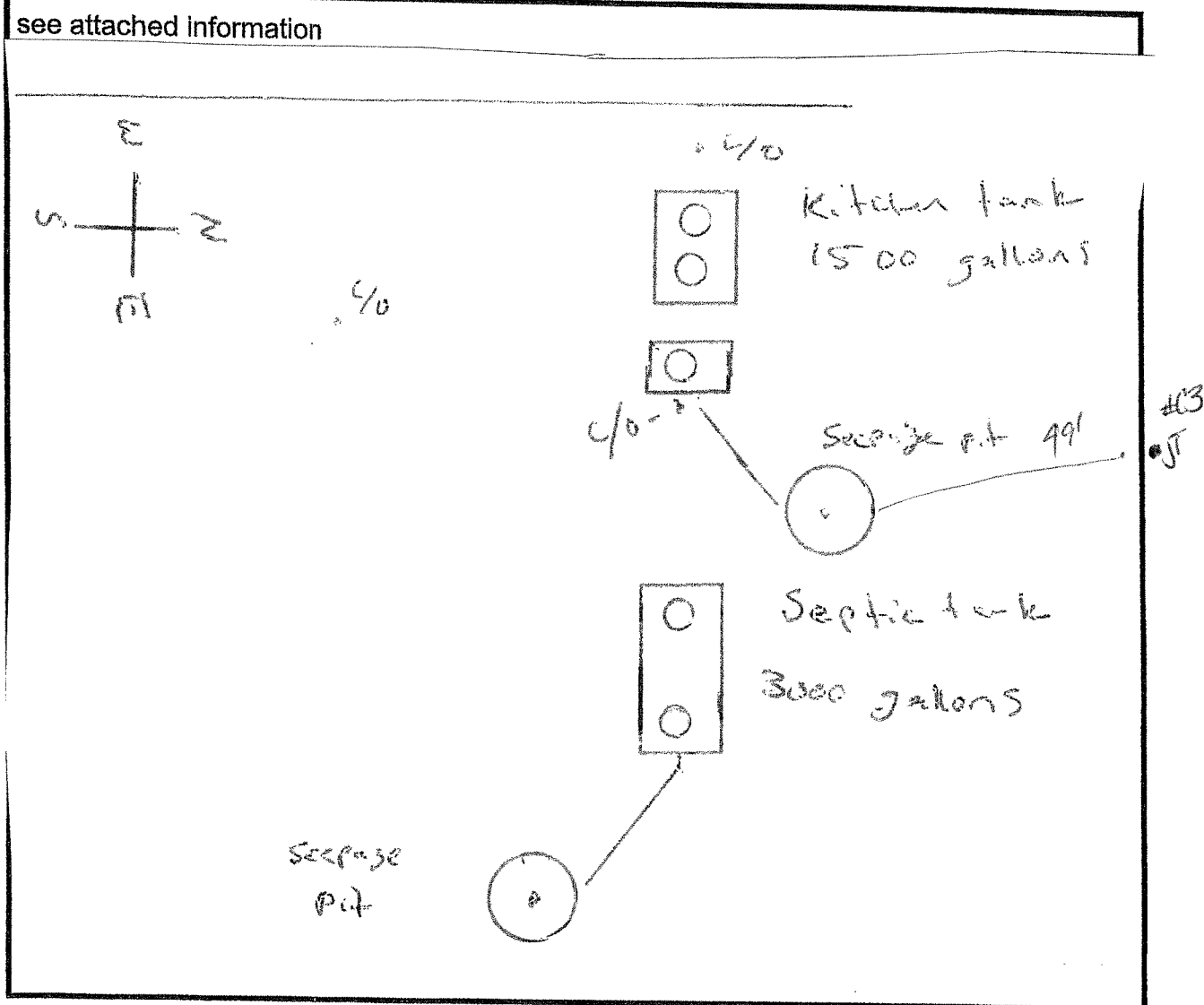
Denied _____ Reason for Denial _____

PLOT PLAN

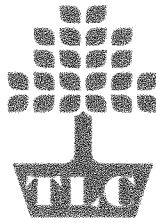
NAME 29 palms Hwy Holdings LLC
PROJECT ADDRESS 58707 29 palms Hwy
ASSESSOR PARCEL NO. 0001-201-50P001

IF YOUR LOT IS NOT RECTANGULAR, PLEASE DRAW CORRECT DIMENSIONS AND SHAPE

REAR PROPERTY LINE



FRONT PROPERTY LINE
STREET



DILLON REYNOLDS
DESERT NATIVE PLANT SPECIALIST
THE LANDSCAPE CENTER

September 11, 2025

Shilo Mitchell
Action Pumping Inc.
PO Box 654
Yucca Valley, CA 92286

via Email: shilo@actionpumpinginc.com

To Whom it May Concern,

This report is submitted for your review and use in response to your request for a field investigation of western Joshua trees (*Yucca brevifolia*) that may be located on your project site and that potentially will be impacted by the proposed sewer improvements and connection at the site. This report represents findings from my site visit that occurred on Wednesday, September 10, 2025.

ASSIGNMENT

I have been asked to prepare and provide a Desert Native Plant Specialist Report as required by the Town of Yucca Valley with regards to the proposed construction at the following location:

- Project: Steak and Shake
- Site Address: 58707 Twentynine Palms Highway Yucca Valley, CA 92284
- APN: 0601-201-55
- Jurisdiction: Town of Yucca Valley, CA

This report has been created with the following characteristics for western Joshua trees located near the construction activities and that are also within 75' of the proposed construction activities:

- An assessment of the tree and its current location in relation to the proposed work.
- Avoidance/Protection recommendations for trees located within 75' of construction, if applicable.
- Determination of potential impact.

OVERALL SITE MAP
(OBSERVED BOUNDARIES IN BLUE ARE APPROXIMATE)



LOCATION OF WESTERN JOSHUA TREES AT THE SITE
Blue Line Boundary- Approximate Observed Limits



CONCLUSION

After a review of the site limits, I found there to be a total of four (4) western Joshua trees within the property limits and two (2) western Joshua trees outside the property limits on the neighboring parcels. Of the six (6) observed western Joshua trees, six (6) are located within 75' of the proposed work.

The approximate distances of the western Joshua trees from the proposed construction activities are as follows:

WJT #	Distance (FT)	Status
1	70	Live
2	58	Live
3	49	Live
4	50	Dead
5	69	Live
6	75	Live

Based on my experience and evaluation of the proposed work at the Steak and Shake project, I find that the project **will not** cause harm to the six (6) western Joshua tree reviewed and located within 75'.

NOTES AND RECOMMENDATIONS

Protection measures are required.

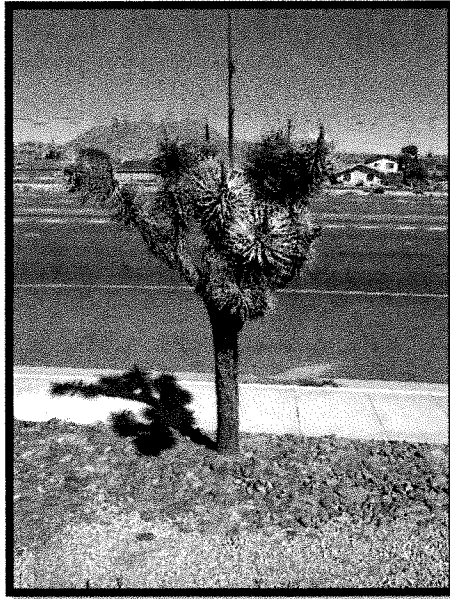
Those measures shall be:

- 1) Erect a temporary western Joshua tree protection zone by encircling the tree with Orange Construction Snow/Safety Barrier Fence.
 - a. The fencing shall be placed at a radius of 5' from the base of the trunk of the tree or the distance of the longest arm/branch, whichever is greater.
- 2) The fencing should be at minimum 4' in height.
- 3) Steel T Post should be utilized.
- 4) Fencing should remain in place for the duration of construction.
- 5) Excavated soil shall not be stockpiled within tree protection zone.
- 6) Once construction is complete, fencing can be removed.
- 7) No work shall occur within the tree protection zone.

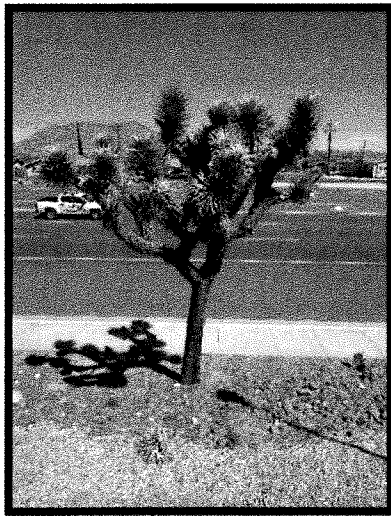
Photos of Western Joshua tree Located within 75' of Proposed Construction



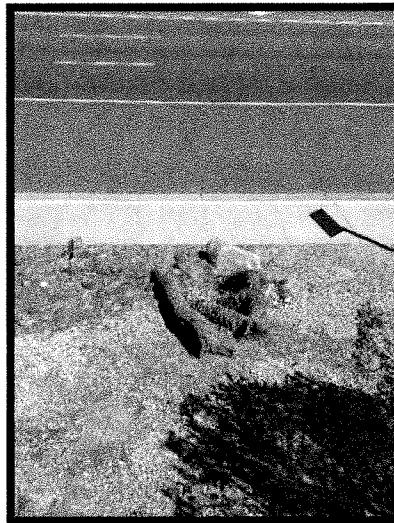
western Joshua tree #1



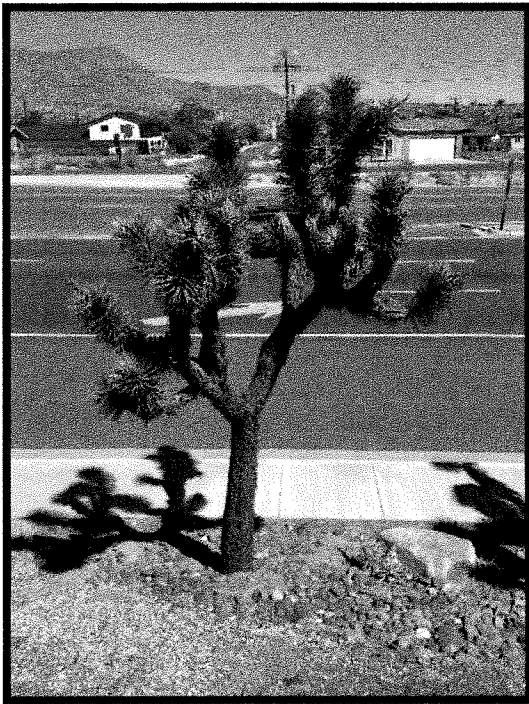
western Joshua tree #2



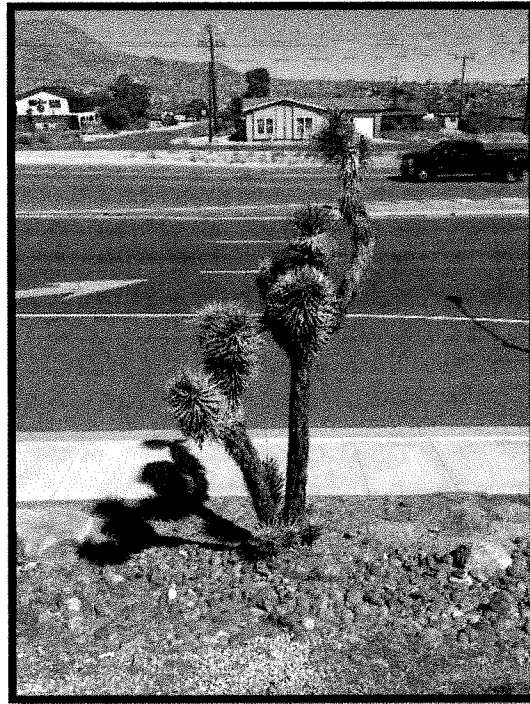
western Joshua tree #3



western Joshua tree #4



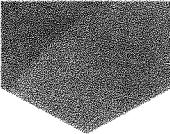
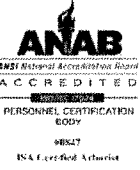
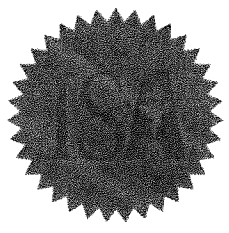
western Joshua tree #5



western Joshua tree #6

Arborist's Signature and Information

- Dillon Reynolds
 - License Information
 - ISA Certified Arborist WE9690A
 - Certified since 2012

	The International Society of Arboriculture Hereby Announces That <i>Dillon J. Reynolds</i> Has Earned the Credential ISA Certified Arborist ® By successfully meeting ISA Certified Arborist certification requirements through demonstrated attainment of relevant competencies as supported by the ISA Credentialing Council  Caitlyn Polihian CEO & Executive Director <table><tr><td>12 March 2012</td><td>30 June 2027</td><td>WE-9690A</td></tr><tr><td>Issue Date</td><td>Expiration Date</td><td>Certification Number</td></tr></table>  ANAB ANSI National Accreditation Board ACCREDITED PERSONNEL CERTIFICATION BODY 98547 ISA Certified Arborist	12 March 2012	30 June 2027	WE-9690A	Issue Date	Expiration Date	Certification Number	
12 March 2012	30 June 2027	WE-9690A						
Issue Date	Expiration Date	Certification Number						

Arborist's Limitations and Suggestions

1. Unless expressed otherwise information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection and the inspection is limited to visual examination of accessible items.
2. This inspection does not warranty or guarantee that the subject tree is free of defects from hidden or unapparent conditions expressed or implied. The conclusions of this report are derived from visual inspection only.
3. Loss or alteration of any part of this report invalidates the entire report.
4. Possession of this report or copy thereof does not imply right of publication or use for any purpose by any other than the person to who, it is addressed, without the prior expressed written or verbal consent of the certified arborist.
5. The certified arborist shall not be required to give testimony or to attend court, provide additional services or attend meetings because of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract engagement.
6. Photographs, if provided in this report, being intended as visual aids, are not necessary to scale and should not be construed as engineering or architectural reports or surveys.
7. I hereby certify that the statements furnished above represent the data and information, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.



Dillon Reynolds
ISA Certified Arborist WE 9690A



Western Joshua Tree Policy & Information Handout

1.0 PURPOSE

The purpose of this Information Handout is to clarify the requirements related to work conducted in proximity to the western Joshua tree (*Yucca brevifolia*).

2.0 BACKGROUND

On September 22, 2020, the California Fish and Game Commission accepted for consideration a petition to list the western Joshua tree as a threatened or endangered species in the state of California. The western Joshua tree is now considered a candidate for listing. While the candidacy is under review by the state, the western Joshua tree will be protected as if it were a threatened or endangered species under the California Endangered Species Act (CESA). Under CESA, it is illegal to import, export, "take", possess, purchase, sell, or attempt to do any of those actions to species that are designated as threatened, endangered, or candidates for listing, unless authorized by permit by the California Department of Fish and Wildlife. With respect to the western Joshua tree, removal of a tree, or any part thereof, or impacts the seedbank surrounding one or more trees may result in "take" of the species which is prohibited by State law unless otherwise authorized. During this time, the Town of Yucca Valley cannot issue a permit to take (by removal, transplant, trimming or impacting any part of) any western Joshua tree.

3.0 DETERMINATION OF AVOIDANCE

Upon application for a ground disturbing permit, a determination of avoidance of the Western Joshua Tree will be required prior to proceeding with the project.

All ground disturbing, ministerial permit applications require a Report by a Desert Native Plant Specialist and re- certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection, unless there are no Western Joshua Trees within 75' of proposed ground disturbance as documented by the project applicant.

The responsible representative of the project must attend an in-office meeting with Town staff and confirm receipt and understanding of all State laws and Town regulations pertaining to the ground disturbing project activity. Meeting to be scheduled concurrent with permit issuance.

4.0 PRE-SITE INSPECTION PROCESS

A pre-site inspection may be performed by Planning and Building & Safety staff prior to commencement of permitted construction activity.

5.0 REPORT BY A DESERT NATIVE PLANT SPECIALIST

An applicant shall submit a report, prepared by a Desert Native Plant Specialist, unless exempt, to document avoidance of western Joshua tree take by the project. The report must contain the findings and avoidance recommendations of the Desert Native Plant Specialist, as well as a signature and all pertinent license/qualifications information.

5.1 REPORT BY APPLICANT IF EXEMPT

An applicant shall submit documentation, including printed photographs taken from each corner of ground disturbing area facing the center of the proposed project, and a signed statement that there are no Western Joshua Trees within 75' of proposed ground disturbance.

5.2 REQUIRED FINDINGS FOR DESERT NATIVE PLANT SPECIALIST

Clear Avoidance: Desert Native Plant Specialist determined that no western Joshua trees will be affected by the proposed grading/construction. For the Desert Native Plant Specialist to make this determination, there must be a forty (40) foot clearance between the area of disturbance and the trunk of any western Joshua tree.

Expert Determination of Avoidance: Desert Native Plant Specialist found that the proposed grading/construction is within forty (40) feet of a western Joshua tree, a determination from a Desert Native Plant Specialist shall be required to attest to and confirm avoidance of the western Joshua tree. The specialist's report may specify protective measures to ensure that the proposed grading/construction will avoid any impact constituting a take of any western Joshua tree.

State Permit Required for Take: If the Desert Native Plant Specialist determines that the proposed grading/construction would require a western Joshua tree take as defined above in 2.0, the project may be redesigned to avoid impact to the tree, or the applicant must obtain an Incidental Take Permit from the California Department of Fish and Wildlife before the project can proceed.

6.0 DEFINITION OF DESERT NATIVE PLANT SPECIALIST

A Desert Native Plant Specialist includes the following:

- a) A certified arborist;
- b) An individual with a four-year college degree in ecology or fish and wildlife related biological science and at least two years of professional experience with relocation or restoration native California desert vegetation; or

- c) An individual with at least five years professional experience with relocation or restoration of native California desert vegetation. Examples: Full-time professional nursery or landscape professional experience with native California desert plants, including western Joshua trees.

7.0 QUESTIONS AND COMMENTS

All inquiries about the protected status and take permits should be directed to the California Department of Fish and Wildlife: AskRegion6@wildlife.ca.gov

9.09.050: NATIVE LANDSCAPE DOCUMENTATION PACKAGE:

A. General Provisions: Commercial development projects shall be allowed to transplant on and off site and to remove all regulated desert native plants from their native locations within the property boundaries, pursuant to the following development standards and requirements. Regulated desert native plants for all commercial land development projects, include the following:

REGULATED DESERT NATIVE PLANTS

Botanical Name	Common Name
Yucca schidigera	Mojave yucca
Nolina parryi	Parry's nolina
Juniperus californica	California juniper
Yucca whipplei	Our Lord's candle
Pinus monophylla	Pinon pine

Pursuant to section 80117 of the state Food And Agricultural Code, the clearing or removal of native plants from a canal, lateral ditch, survey line, building site, or road or other right of way by the landowner or his agent, if the native plants are not to be transported from the land or offered for sale, are not subject to state regulations. For plants regulated by the state to be transplanted off site, the town shall issue permits for their relocation in accordance with this section.

B. Submission: A native landscaping documentation package shall be submitted to the division at the time of filing land use applications for development of commercial projects. Land use applications for commercial projects may include, but are not limited to, specific plans, conditional use permit, site plan and development review applications, land use compliance applications, parcel and tract map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity. The native landscaping documentation package may be combined with landscaping and water conservation requirements (chapter 9.32 of this title).

C. Information: The native landscaping documentation package shall contain the following information:

1. The botanical and common name of the regulated desert native plant.
2. The precise location of each regulated desert native plant.
3. The trunk or stem diameter of each regulated desert native plant.
4. The height of each regulated desert native plant.
5. The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.
6. The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc. The plans for the regulated desert native plant survey shall be no smaller than twenty four inches by thirty six inches (24" x 36") unless otherwise approved by the director.

D. Transplanting Off Site And On Site: All regulated desert native plants identified in the native landscaping documentation package as likely to survive transplanting shall be made available for adoption or shall be transplanted on site as part of the project's landscaping plan. All native plant permit applications shall illustrate maximum utilization of regulated desert native plants in the project's landscaping plan. It is strongly encouraged that all Yucca brevifolia (Joshua trees) identified for adoption and transplantation be relocated through the uses of an adequately sized tree spade.

E. Adoption: Those regulated desert native plants identified in the native landscaping documentation package as likely to survive transplanting procedures, and which are not incorporated into a project's landscaping plan, shall be available for adoption.

1. Any regulated desert native plant that is part of a commercial development project, which are determined likely to survive transplanting procedures and not incorporated into a project's landscaping plan shall be made available for adoption. The project shall provide a minimum thirty (30) day noticing period and thirty (30) day adoption period. The adoption period may be less than thirty (30) days if all available regulated desert native plants have been adopted.

2. A native landscape permit may include nonregulated desert native plants at the remover's discretion.

3. In the adoption of regulated desert native plants first priority shall be within the town of Yucca Valley and the second priority is Morongo Basin.

4. It is strongly recommended by native plant experts that native plants be moved only once to ensure survivability.

5. Prior to the adoption a thirty (30) day signage period is required which may commence with submittal of the regulated desert native plant permit. All projects required by this title to offer native plants for adoption shall at a minimum install the required on site signage on the property notifying the general public pursuant to the following:

a. A minimum of one sign shall be displayed. The sign may be incorporated into a subdivision sign or other permitted sign. The minimum size of the sign shall be not less than twenty four inches (24") in height by thirty six inches (36") in width. Signs shall be no larger than thirty two (32) square feet in area.

b. Signage shall be displayed perpendicular to roadways.

c. Where multiple signs are proposed, signs shall be displayed on separate roadways, where possible.

d. Signs shall, at a minimum, display the following:

- (1) A heading and statement indicating that regulated desert native plants are available for adoption.
- (2) The name of the individual or entity removing the regulated desert native plants.
- (3) A phone number where the individual or entity removing the regulated desert native plants may be contacted.

(4) A statement indicating that the individual or entity removing the regulated desert native plants is the primary contact, and that the town of Yucca Valley may be contacted for more information on the regulated desert native plants available for adoption and for contacting the individual or entity removing the regulated desert native plants.

- (5) The phone number for the town of Yucca Valley's community development department.

e. Signs required by this section are in addition to the subdivision signage allowed by this development code.

f. The sign may be installed in conjunction with the native landscape documentation package submittal.

F. Adoption, Transplanting And Maintenance Of Regulated Desert Native Plants: All regulated desert native plants made available for adoption shall be transplanted and/or stockpiled and maintained until transplanted in accordance with the following standards:

1. Written permission must be obtained from and signed by the owner of the property on which the plants are to be located. A copy of the document granting such permission shall be submitted to the director prior to issuance of the permit.

2. Approval of transplanting must take into consideration the plant's original and transplanted physical orientation, prevailing wind direction, soil type of the original and transplanted locations, and other related attributes which may affect the successful transplantation of the native plants in question.

3. Native plants that are proposed to be removed shall be transplanted or stockpiled for future transplanting wherever possible. In the instance of stockpiling for future transplanting the permittee shall have submitted and received approval of a native plant maintenance plan. The maintenance plan shall include the following:

- a. The proposed schedule of watering.
- b. The proposed location of stockpiled plants.
- c. How the plants will be supported.
- d. The method of trap fencing to be used.

G. Removal: Those regulated desert native plants not incorporated into a project's landscaping plan and not adopted during the thirty (30) day adoption period are allowed to be removed. In addition plants determined to be unlikely to survive transplantation may be removed. (Ord. 253, 12-16-2014; amd. Ord. 291, 1-19-2021)

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Evan Willoughby, Assistant Planner

Date: October 8, 2025

Meeting Date: October 14, 2025

Subject: Native Plant Permit (NPP) 119-25 @ 57478 Encelia Drive

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for a proposed sewer connection and approves the Native Plant Permit (NPP 119-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

Prior Review:

There has been no prior review.

Discussion:

Applicant: Action Pumping Inc.
Address: 57478 Encelia Drive
APN: 0595-212-15
Zoning: Industrial (I)
Parcel Size: 0.28 acres

Native Plant Permit Application and Desert Native Plant Specialist Report

Application has been filed with the Town for a proposed sewer connection. As part of that process, a native plant permit application and desert native plant specialist report have been submitted to the Town.

Chapter 9.07 Residential and Hillside Reserve Districts, Section 9.07.130(B)(1):

A native landscaping documentation package shall be submitted to the division at the time of filing land use applications for development of commercial projects. Land use applications for commercial projects may include, but are not limited to, specific plans, conditional use permit,

site plan and development review applications, land use compliance applications, parcel and tract map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity.

The Town's 2084 Permit from the State Fish and Game Commission expired on May 9, 2022. The 2084 permit established rules such as the ten (10') foot distance from a Western Joshua Tree (WJT) for ground disturbing activity, as well as created the ability for the Town to issue take permits to remove and transplant the WJT, etc. The 2084 Permit authorization expired, and those rules and standards no longer exist for the Town.

Current procedures for all ground disturbing, ministerial building permits are listed in the attached documents. In addition to the standard Native Plant Permit application submittal, all ground disturbing, ministerial building permit applications must comply with the provisions of the attached handout. All ground disturbing project activities must be accounted for in the determination of avoidance of the WJT.

Ground disturbing, ministerial building permit applications require a Report by a Desert Native Plant Specialist, Pre-Site Inspection prior to permitted construction activity, and re-certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection.

Building permit applications for sewer connections are exempt from pre-site inspection and pre-site inspection fees.

Nothing in this Western Joshua Tree Policy and Information Handout exempts building permit applicants from following State or Federal law.

The Town modeled these standards after other agencies, such as San Bernardino County and the Town of Apple Valley, who have not been challenged by State Fish and Wildlife in the implementation of these standards and procedures, and therefore the required protection of the WJT.

The plot plan and desert native plant specialist letter are attached to this staff report.

The Development Code section cited above is ministerial.

- Staff-level decision; forwarded to Planning Commission at this time;
- Little or no personal/subjective judgment;
- Use of fixed standards or objective measurements;
- No public notice required by the Development Code.

The Development Code does not provide for discretion of this permit application.

The application is consistent with the standards established by the Code and therefore must be approved by the Town.

Alternatives

Staff recommend no alternative actions. The application is consistent with the Town's adopted standards.

Fiscal Impact:

N/A

Attachments

1. NPP 118-25 @ 58707 Twentynine Palms Highway - Action Pumping Inc. - Application
2. Western Joshua Tree Policy & Information Handout - Updated 6.11.2024
3. Section 9.07.130 Native Landscape Documentation Package



Native Plant Permit Application

Date Received 9/23/25
 By Sam
 Case # NPP 118-25

\$85.00

General Information

APPLICANT Action Pumping Inc Phone 760-365-0861
 Mailing Address P.O. Box 654 Email Sales@actionpumpinginc.
 City Yucca Valley State CA Zip 92284
 PROPERTY OWNER 29 palms Hwy Holdings Phone 760-455-7591
 Mailing Address 58707 29 palms Hwy Email Sam@SpinelloCompanies.com
 City Yucca Valley State CA Zip 92284
 Address/Location of Plants 58707 29 palms Hwy

Project Information

TYPE OF PLANT	# OF PLANTS BEING DESTROYED	# BEING RELOCATED		# BEING PROTECTED IN PLACE	# BEING TRIMMED	HEIGHT	DIAMETER
		ON-SITE	OFF-SITE				
MOJAVE YUCCA				0			
JOSHUA TREE				0			
OUR LORDS CANDLE				0			
CALIFORNIA JUNIPER				0			
PINON PINE				0			
PARRY'S NOLINA				0			

Reason for relocation or removal No plants will be removed or relocated

Property owner signature Sam Spinello Date 9/9/25

Staff Use Only

Issuance Date: _____ Issued By: _____

Approved as shown on plot plan _____ photos _____ Expiration _____

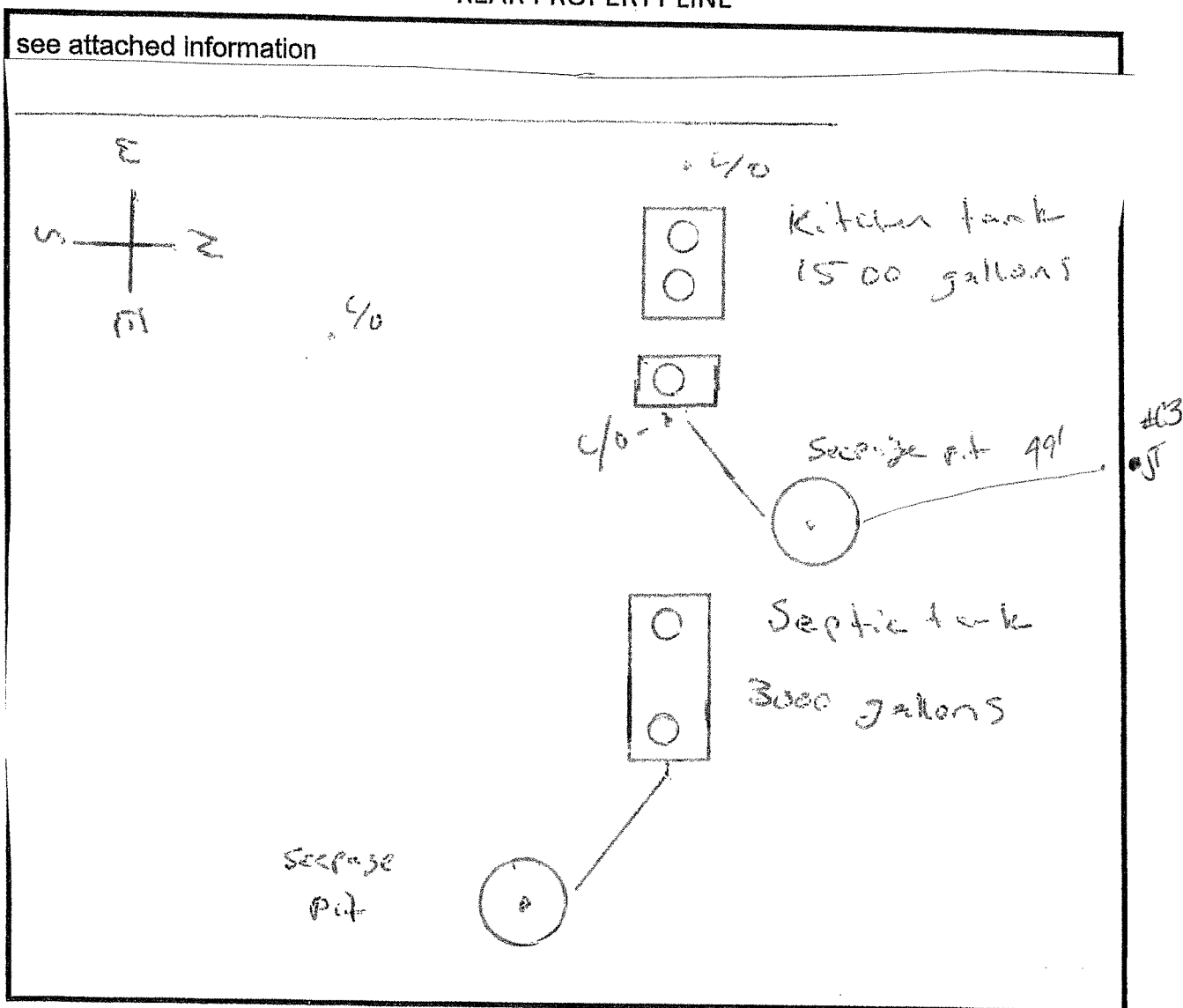
Denied _____ Reason for Denial _____

PLOT PLAN

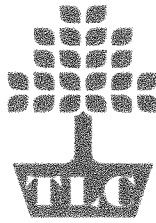
NAME 29 palms Hwy Holdings LLC
PROJECT ADDRESS 58707 29 palms Hwy
ASSESSOR PARCEL NO. 0001-201-50P001

IF YOUR LOT IS NOT RECTANGULAR, PLEASE DRAW CORRECT DIMENSIONS AND SHAPE

REAR PROPERTY LINE



FRONT PROPERTY LINE
STREET



DILLON REYNOLDS
DESERT NATIVE PLANT SPECIALIST
THE LANDSCAPE CENTER

September 11, 2025

Shilo Mitchell
Action Pumping Inc.
PO Box 654
Yucca Valley, CA 92286

via Email: shilo@actionpumpinginc.com

To Whom it May Concern,

This report is submitted for your review and use in response to your request for a field investigation of western Joshua trees (*Yucca brevifolia*) that may be located on your project site and that potentially will be impacted by the proposed sewer improvements and connection at the site. This report represents findings from my site visit that occurred on Wednesday, September 10, 2025.

ASSIGNMENT

I have been asked to prepare and provide a Desert Native Plant Specialist Report as required by the Town of Yucca Valley with regards to the proposed construction at the following location:

- Project: Steak and Shake
- Site Address: 58707 Twentynine Palms Highway Yucca Valley, CA 92284
- APN: 0601-201-55
- Jurisdiction: Town of Yucca Valley, CA

This report has been created with the following characteristics for western Joshua trees located near the construction activities and that are also within 75' of the proposed construction activities:

- An assessment of the tree and its current location in relation to the proposed work.
- Avoidance/Protection recommendations for trees located within 75' of construction, if applicable.
- Determination of potential impact.

OVERALL SITE MAP
(OBSERVED BOUNDARIES IN BLUE ARE APPROXIMATE)



LOCATION OF WESTERN JOSHUA TREES AT THE SITE
Blue Line Boundary- Approximate Observed Limits



CONCLUSION

After a review of the site limits, I found there to be a total of four (4) western Joshua trees within the property limits and two (2) western Joshua trees outside the property limits on the neighboring parcels. Of the six (6) observed western Joshua trees, six (6) are located within 75' of the proposed work.

The approximate distances of the western Joshua trees from the proposed construction activities are as follows:

WJT #	Distance (FT)	Status
1	70	Live
2	58	Live
3	49	Live
4	50	Dead
5	69	Live
6	75	Live

Based on my experience and evaluation of the proposed work at the Steak and Shake project, I find that the project **will not** cause harm to the six (6) western Joshua tree reviewed and located within 75'.

NOTES AND RECOMMENDATIONS

Protection measures are required.

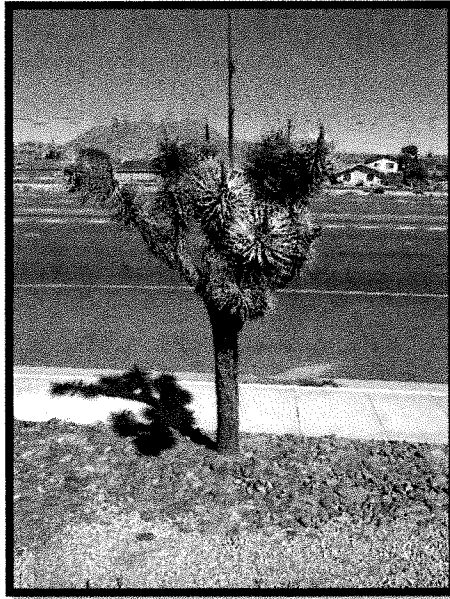
Those measures shall be:

- 1) Erect a temporary western Joshua tree protection zone by encircling the tree with Orange Construction Snow/Safety Barrier Fence.
 - a. The fencing shall be placed at a radius of 5' from the base of the trunk of the tree or the distance of the longest arm/branch, whichever is greater.
- 2) The fencing should be at minimum 4' in height.
- 3) Steel T Post should be utilized.
- 4) Fencing should remain in place for the duration of construction.
- 5) Excavated soil shall not be stockpiled within tree protection zone.
- 6) Once construction is complete, fencing can be removed.
- 7) No work shall occur within the tree protection zone.

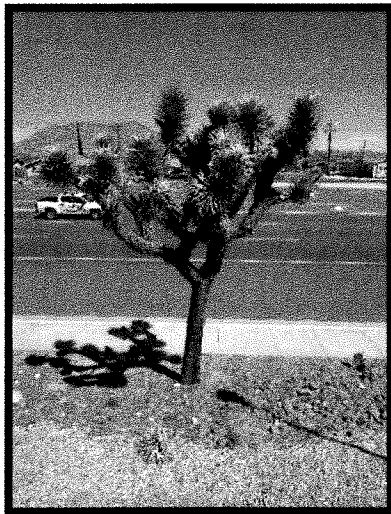
Photos of Western Joshua tree Located within 75' of Proposed Construction



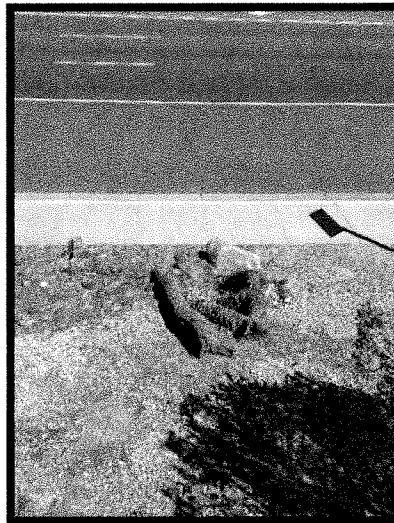
western Joshua tree #1



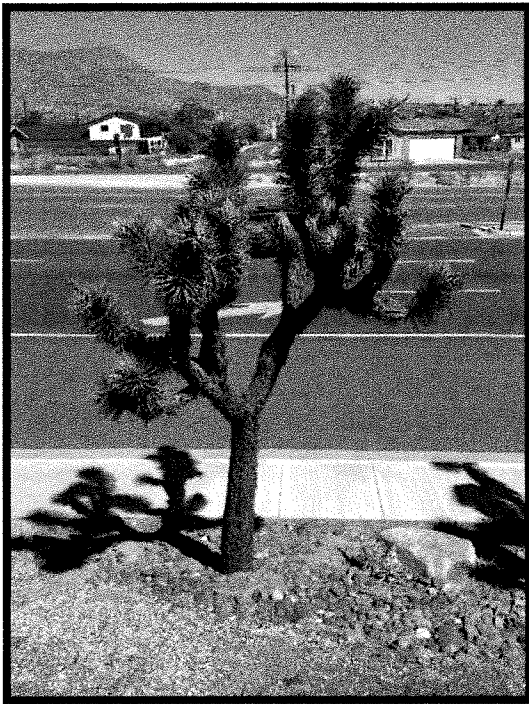
western Joshua tree #2



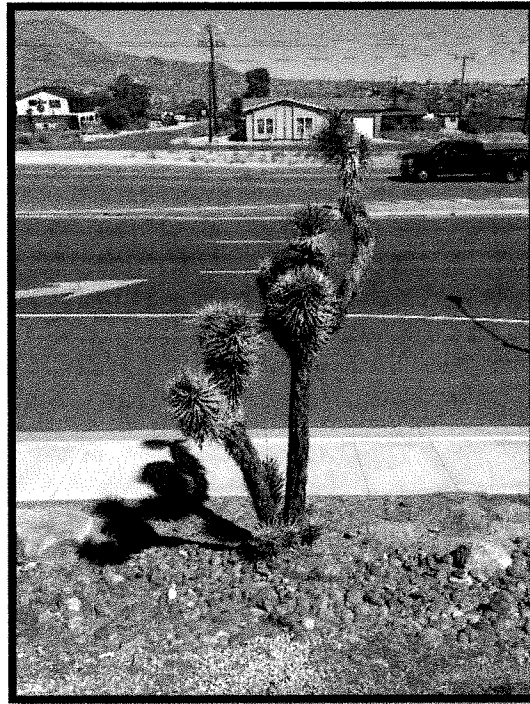
western Joshua tree #3



western Joshua tree #4



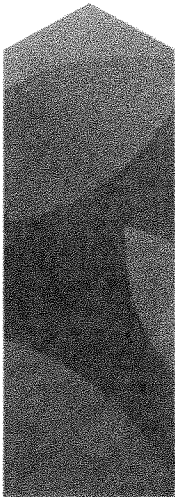
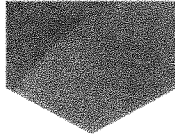
western Joshua tree #5



western Joshua tree #6

Arborist's Signature and Information

- Dillon Reynolds
 - License Information
 - ISA Certified Arborist WE9690A
 - Certified since 2012



The International Society of Arboriculture

Hereby Announces That

Dillon J. Reynolds

Has Earned the Credential

ISA Certified Arborist ®

By successfully meeting ISA Certified Arborist certification requirements through demonstrated attainment of relevant competencies as supported by the ISA Credentialing Council

Caitlyn Pollihan

Caitlyn Pollihan
CEO & Executive Director

12 March 2012

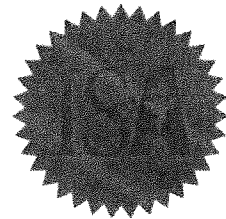
30 June 2027

WE-9690A

Issue Date

Expiration Date

Certification Number



Arborist's Limitations and Suggestions

1. Unless expressed otherwise information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection and the inspection is limited to visual examination of accessible items.
2. This inspection does not warranty or guarantee that the subject tree is free of defects from hidden or unapparent conditions expressed or implied. The conclusions of this report are derived from visual inspection only.
3. Loss or alteration of any part of this report invalidates the entire report.
4. Possession of this report or copy thereof does not imply right of publication or use for any purpose by any other than the person to who, it is addressed, without the prior expressed written or verbal consent of the certified arborist.
5. The certified arborist shall not be required to give testimony or to attend court, provide additional services or attend meetings because of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract engagement.
6. Photographs, if provided in this report, being intended as visual aids, are not necessary to scale and should not be construed as engineering or architectural reports or surveys.
7. I hereby certify that the statements furnished above represent the data and information, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.



Dillon Reynolds
ISA Certified Arborist WE 9690A



Western Joshua Tree Policy & Information Handout

1.0 PURPOSE

The purpose of this Information Handout is to clarify the requirements related to work conducted in proximity to the western Joshua tree (*Yucca brevifolia*).

2.0 BACKGROUND

On September 22, 2020, the California Fish and Game Commission accepted for consideration a petition to list the western Joshua tree as a threatened or endangered species in the state of California. The western Joshua tree is now considered a candidate for listing. While the candidacy is under review by the state, the western Joshua tree will be protected as if it were a threatened or endangered species under the California Endangered Species Act (CESA). Under CESA, it is illegal to import, export, "take", possess, purchase, sell, or attempt to do any of those actions to species that are designated as threatened, endangered, or candidates for listing, unless authorized by permit by the California Department of Fish and Wildlife. With respect to the western Joshua tree, removal of a tree, or any part thereof, or impacts the seedbank surrounding one or more trees may result in "take" of the species which is prohibited by State law unless otherwise authorized. During this time, the Town of Yucca Valley cannot issue a permit to take (by removal, transplant, trimming or impacting any part of) any western Joshua tree.

3.0 DETERMINATION OF AVOIDANCE

Upon application for a ground disturbing permit, a determination of avoidance of the Western Joshua Tree will be required prior to proceeding with the project.

All ground disturbing, ministerial permit applications require a Report by a Desert Native Plant Specialist and re- certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection, unless there are no Western Joshua Trees within 75' of proposed ground disturbance as documented by the project applicant.

The responsible representative of the project must attend an in-office meeting with Town staff and confirm receipt and understanding of all State laws and Town regulations pertaining to the ground disturbing project activity. Meeting to be scheduled concurrent with permit issuance.

4.0 PRE-SITE INSPECTION PROCESS

A pre-site inspection may be performed by Planning and Building & Safety staff prior to commencement of permitted construction activity.

5.0 REPORT BY A DESERT NATIVE PLANT SPECIALIST

An applicant shall submit a report, prepared by a Desert Native Plant Specialist, unless exempt, to document avoidance of western Joshua tree take by the project. The report must contain the findings and avoidance recommendations of the Desert Native Plant Specialist, as well as a signature and all pertinent license/qualifications information.

5.1 REPORT BY APPLICANT IF EXEMPT

An applicant shall submit documentation, including printed photographs taken from each corner of ground disturbing area facing the center of the proposed project, and a signed statement that there are no Western Joshua Trees within 75' of proposed ground disturbance.

5.2 REQUIRED FINDINGS FOR DESERT NATIVE PLANT SPECIALIST

Clear Avoidance: Desert Native Plant Specialist determined that no western Joshua trees will be affected by the proposed grading/construction. For the Desert Native Plant Specialist to make this determination, there must be a forty (40) foot clearance between the area of disturbance and the trunk of any western Joshua tree.

Expert Determination of Avoidance: Desert Native Plant Specialist found that the proposed grading/construction is within forty (40) feet of a western Joshua tree, a determination from a Desert Native Plant Specialist shall be required to attest to and confirm avoidance of the western Joshua tree. The specialist's report may specify protective measures to ensure that the proposed grading/construction will avoid any impact constituting a take of any western Joshua tree.

State Permit Required for Take: If the Desert Native Plant Specialist determines that the proposed grading/construction would require a western Joshua tree take as defined above in 2.0, the project may be redesigned to avoid impact to the tree, or the applicant must obtain an Incidental Take Permit from the California Department of Fish and Wildlife before the project can proceed.

6.0 DEFINITION OF DESERT NATIVE PLANT SPECIALIST

A Desert Native Plant Specialist includes the following:

- a) A certified arborist;
- b) An individual with a four-year college degree in ecology or fish and wildlife related biological science and at least two years of professional experience with relocation or restoration native California desert vegetation; or

- c) An individual with at least five years professional experience with relocation or restoration of native California desert vegetation. Examples: Full-time professional nursery or landscape professional experience with native California desert plants, including western Joshua trees.

7.0 QUESTIONS AND COMMENTS

All inquiries about the protected status and take permits should be directed to the California Department of Fish and Wildlife: AskRegion6@wildlife.ca.gov

9.07.130: NATIVE LANDSCAPE DOCUMENTATION PACKAGE:

A. General Provisions: This section identifies the standards and requirements for native landscaping on residential developments.

Regulated desert native plants for all residential projects, include the following:

REGULATED DESERT NATIVE PLANTS

Botanical Name	Common Name
Yucca schidigera	Mojave yucca
Nolina parryi	Parry's nolina
Juniperus californica	California juniper
Yucca whipplei	Our Lord's candle
Pinus monophylla	Pinon pine

Pursuant to section 80117 of the state Food And Agricultural Code, the clearing or removal of native plants from a canal, lateral ditch, survey line, building site, or road or other right of way by the landowner or his agent, if the native plants are not to be transported from the land or offered for sale, are not subject to state regulations. For plants regulated by the state to be transplanted off site, the town shall issue permits for their relocation in accordance with this chapter.

B. Scope:

1. Provisions: The provisions of this section shall apply to all land within the town of Yucca Valley.

a. It is prohibited for any individual or entity to remove, transplant, damage, disturb, or destroy any part of any regulated desert native plant, except its fruit, from any privately or publicly owned piece of land in the town of Yucca Valley, without first obtaining a regulated desert native plant permit from the town, unless said activity is exempt from the requirement to first obtain a regulated desert native plant permit.

b. It is prohibited for any individual or entity to remove or damage all or part of any regulated desert native plant on another property without first obtaining written permission from the landowner and an approved regulated desert native plant permit. It is unlawful for any person to falsify any document offered as evidence of permission to enter upon the property of another to remove all or parts of a regulated desert native plant, whether it is alive or dead.

c. It is prohibited for any individual or entity, unless exempted by this section, to destroy, dig up, mutilate or to possess any regulated desert native plant, including the living parts of such, unless the regulated desert native plant was disturbed under a regulated desert native plant permit. Any individual or entity shall exhibit the regulated desert native plant permit upon request for inspection by any duly authorized entity as described in this section.

d. The commercial harvesting of regulated desert native plants is prohibited.

2. Exceptions: The following are exempt from the provisions of this section:

a. The removal and transplanting on and off site of regulated desert native plants on and from lands owned by the United States government or any federal agency, the state of California, the county of San Bernardino, the town of Yucca Valley, and all special districts.

b. The removal and transplanting on and off site of regulated desert native plants required by other codes, ordinances or laws of the town of Yucca Valley, county of San Bernardino, the state of California or the United States government or any federal agency.

c. The removal and transplanting on and off site of regulated desert native plants which are an immediate threat to the public health, safety or welfare, as determined by the planning division.

d. Removal as part of a bona fide agricultural activity as determined by the town that is:

- (1) Served by a water distribution system adequate for the proper operation of such activity; and/or
- (2) Conducted under a land conservation contract; and/or
- (3) An existing agricultural activity; and/or

(4) A proposed bona fide agricultural activity if the planning division is given thirty (30) days' written notice of the removal describing the location of the land and the nature of the proposed activity. The planning division shall notify the landowner in writing prior to the lapse of the thirty (30) day period if, in the opinion of the planning division the activity is not a bona fide agricultural activity or else the activity shall be deemed bona fide.

e. Destruction or removal of a regulated desert native plant that has died from natural causes or that has been destroyed by fire or other natural disasters.

f. Any regulated desert native plant that is within the building footprint and within twenty feet (20') of the building footprint of an existing structure and for new infill residential development, as determined by the planning division.

g. When removal is required by any public utility subject to jurisdiction of the public utilities commission or any other constituted public agency, including franchised cable TV, to establish or maintain safe operation of facilities under their jurisdiction.

3. Permit Required: A native plant permit shall be required for the removal and transplanting on and off site of any regulated desert native plants identified in this section.

a. A regulated native plant permit application shall be submitted to and approved by the town prior to the removal and transplanting on and off site of any regulated desert native plant.

b. The regulated native plant permit application shall include the following information:

(1) The botanical and common name of the regulated desert native plant.

(2) A native plant survey showing the precise location of each regulated desert native plant.

(3) The trunk or stem diameter of each regulated desert native plant.

(4) The height of each regulated desert native plant.

(5) The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.

(6) The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc.

(7) Additional information that may be required based upon the individual application.

C. Single-Family Residential Infill, Existing Single-Family Residences And Multi-Family Residential Three Units Or Less:

1. A regulated desert native plant permit application shall be submitted to the planning division at the time of filing a building or grading permit application for development of infill residential lots unless exempt.

2. A regulated desert plant permit application shall be submitted to the planning division for removal or relocation on or off site when the property owner is proposing improvements to the property including swimming pools, swing sets, horse arenas, other animal keeping activities, basketball courts, tennis courts, recreational or other vehicle parking, driveways and access, play areas, accessory structures, and other uses typical to single- family residences.

3. The regulated desert native plant application documentation shall contain the following information:

a. Printed photographs depicting the proposed native plant that is to be removed or transplanted. The photographs must clearly show the location, size of the subject plant, and its surroundings. At minimum, the surrounding area photographs shall include two (2) different views of the subject plant.

b. A plot plan is required in order to show location of regulated desert native plants proposed to be removed, transplanted, or retained in its native location. The plot plan shall clearly demonstrate that the property meets the standards in table 1 of this section.

4. Written permission from the property owner(s) authorizing the proposed removal or relocation of regulated desert native plants from the property.

5. The property owner may attempt to retain as many regulated desert native plants in their native location as possible. The property owner may also attempt to transplant or relocate as many regulated desert native plants as possible on site. The property shall comply with the minimum standards specified in table 1 of this section.

6. Those regulated desert native plants identified in the permit application to not remain on site following development, and which are not incorporated into a project's landscaping plan, may be available for adoption at the property owner's discretion.

7. The following chart establishes the minimum undisturbed area that shall be provided:

TABLE 1

Lot Size	Required Undisturbed Area
Up to 2.49 acres	No mandate, incentives only
2.5 to 4.99 acres	A minimum of 5% of the lot shall remain undisturbed
5+ acres	A minimum of 10% of the lot shall remain undisturbed

8. Single-family residential infill development in the rural living residential land use district, which exceed the minimum required undisturbed area from table 1 of this section by a minimum of ten percent (10%), shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 2 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 2

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	15'	13.5'
Arterial/collector street side setback	25'	22.5'
Local street side setback	25'	22.5'
Lot dimensions	150'/150'	135'/135'
Lot coverage	20%	22%

9. Single-family residential infill development in the single- family residential land use district which voluntarily retains ten percent (10%) undisturbed area shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 3 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 3

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	5'/10'	4.5'/9'
Arterial/collector street side setback	25'	22.5'
Local street side setback	15'	13.5'
Lot dimensions	60'/100'	54'/90'
Lot coverage	40%	44%

10. Single-family residential infill development in the residential-hillside reserve land use district which exceeds the minimum required undisturbed area from table 1 of this section by a minimum of ten percent (10%) and provide documentation that the applicant has attended educational training on native plants shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 4 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 4

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on minimum lot size required
Front setback	75'	67.5'
Side/rear setbacks	75'	67.5'
Arterial/collector street side setback	75'	67.5'
Local street side setback	75'	67.5'

D. Regulated Desert Native Plant Removal Procedures For All New Residential Subdivisions And Multi-Family Four Units Or More: Single-family residential subdivisions and multi-family four (4) units or more, shall be allowed to transplant on and off site and to remove all regulated desert native plants from their native locations within the property boundaries, pursuant to the following development standards and requirements:

1. Application Submission: A regulated desert native plant permit application shall be submitted to the planning division at the time of filing land use applications for development of residential subdivision projects. Land use applications for residential subdivision projects may include, but are not limited to, planned developments, specific plans, parcel and tract

map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity. The planning commission shall review and approve all native plant applications for residential subdivisions.

2. Application Information: The regulated desert native plant application documentation shall contain the following information:
 - a. The botanical and common name of the regulated desert native plant.
 - b. The precise location of each regulated desert native plant.
 - c. The trunk or stem diameter of each regulated desert native plant.
 - d. The height of each regulated desert native plant.
 - e. The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.
 - f. The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc. The plans for the regulated desert native plant survey shall be no smaller than twenty four inches by thirty six inches (24" x 36") unless otherwise approved by the planning division.
3. Transplanting Off Site And On Site: All regulated desert native plants identified in the regulated desert native plant survey as likely to survive transplanting shall be made available for adoption or shall be transplanted on site as part of the project's landscaping plan. All native plant permit applications shall illustrate maximum utilization of regulated desert native plants in the project's landscaping plan. It is strongly encouraged that all *Yucca brevifolia* (Joshua trees) identified for adoption and transplantation be relocated through the use of an adequately sized tree spade.
4. Adoption: Those regulated desert native plants identified in the regulated desert native plant survey as likely to survive transplanting procedures, and which are not incorporated into a project's landscaping plan, shall be available for adoption pursuant to this section to the general public for an adoption period of thirty (30) days, or until all available plants have been adopted, whichever is sooner, prior to any other ground disturbing activity on the project site. A thirty (30) day noticing and signage period is required which noticing period may begin prior to issuance of the regulated desert native plant permit.
5. Removal: Those regulated desert native plants not incorporated into a project's landscaping plan and not adopted during the thirty (30) day adoption period are allowed to be removed.
6. Table 5: The following additional standards shall apply to all new residential subdivisions:

TABLE 5

Proposed Lot Size	Required Undisturbed Area
Up to 2.49 acres	None required, incentives only
2.5 to 4.99 acres	A minimum of 5% of the project site shall remain undisturbed
5+ acres	A minimum of 10% of the project site shall remain undisturbed

7. Table 6: New residential subdivisions in the rural living land use districts, which exceed the minimum required undisturbed area from table 5 of this section by a minimum of ten percent (10%), and provide documentation that the applicant has attended educational training on native plants shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 6 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 6

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	15'	13.5'
Arterial/collector street side setback	50'	45'
Local street side setback	25'	22.5'
Lot dimensions	150'/150'	135'/135'
Lot coverage	20%	22%

8. Table 7: New residential subdivisions in the single-family residential land use districts which exceed the minimum required undisturbed area from table 5 of this section by a minimum of ten percent (10%) shall be allowed up to a ten percent (10%) deviation of all development code standards including:

TABLE 7

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'
Side/rear setbacks	5'/10'	4.5'/9'
Arterial/collector street side setback	25'	22.5'
Local street side setback	15'	13.5'
Lot dimensions	60'/100'	54'/90'
Lot coverage	40%	44%

9. Table 8: New residential subdivisions in the residential- hillside reserve land use district, which exceed the minimum required undisturbed area from table 5 of this section by a minimum of ten percent (10%), and provide documentation that the applicant has attended educational training on native plants shall be allowed up to a ten percent (10%) deviation of all development code standards listed in table 8 of this section and approved in conjunction with the project. The deviations include the following:

TABLE 8

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on minimum lot size required
Front setback	75'	67.5'
Side/rear setbacks	75'	67.5'
Arterial/collector street side setback	75'	67.5'
Local street side setback	75'	67.5'

TABLE 9

Typical Standards For Multi-Family Projects		Deviations Permitted
	Residential Multi-Family RM	Residential Multi-Family RM
Typical Standards For Multi-Family Projects		Deviations Permitted
	Residential Multi-Family RM	Residential Multi-Family RM
Front setback	25'	22.5'
Side/rear setback	10'/10' (per story)	9'/9' (per story)
Arterial/collector street side setback	35'	31.5'
Local street side setback	25'	22.5'
Lot coverage	60%	66%
Parking	Varies	10% reduction of total parking not to include handicap stalls

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Jared Jerome, Associate Planner, Evan Willoughby, Assistant Planner

Date: October 8, 2025

Meeting Date: October 14, 2025

Subject: Legislative Update — Assembly Bill No. 1089

Recommendation:

That the Planning Commission receives and files the report.

Prior Review:

There has been no prior review of this item. The purpose of this report is to update the Planning Commission on the status of proposed State legislation to amend the Western Joshua Tree Conservation Act.

Discussion:

Assembly Bill No. 1089 (AB 1089) was proposed as part of the 2025-2026 regular session of the California State Legislature, to amend the Western Joshua Tree Conservation Act as summarized below. A copy of the proposed bill is attached to the staff report. On October 3, 2025, the Governor vetoed the proposed bill, for reasons detailed in the letter attached to the staff report.

(1) Existing law, the Western Joshua Tree Conservation Act, prohibits any person or public agency from importing into the state, exporting out of the state, or taking, possessing, purchasing, or selling within the state, a western Joshua tree or any part or product of the tree, except as provided. Under existing law, the Department of Fish and Wildlife may authorize, by permit, the taking of a western Joshua tree if certain conditions are met, including, among other conditions, that the permittee mitigates all impacts to, and the taking of, the western Joshua tree. Existing law authorizes the department to enter into an agreement with any county or city to delegate to the county or city the ability to authorize the taking of a western Joshua tree associated with developing single-family residences, multifamily residences, accessory structures, and public works projects concurrent with its approval of the project if certain conditions are met. Existing law authorizes any person or public agency receiving a take authorization for a project to pay specified fees in lieu of satisfying the mitigation obligation on several bases, including if the project receives a permit issued by a county or city.

This bill would additionally authorize the department to enter into an agreement with any city to delegate to the city the ability to authorize the taking of western Joshua trees associated with developing commercial and industrial projects. The bill would, relative to other project types subject to delegated local mitigation authority, limit the bases for commercial or industrial projects to pay specified fees in lieu of satisfying the mitigation obligation, as provided.

(2) Existing law authorizes the department to issue a permit to authorize either the removal or trimming of a dead western Joshua tree or the trimming of a live western Joshua tree.

This bill would remove the reference to a dead or live western Joshua tree, thereby authorizing the department to issue a permit to authorize either the removal or trimming of any western Joshua tree.

Existing law authorizes the department to issue a permit for these purposes, without the payment of fees or other mitigation, provided that a dead western Joshua tree or any limbs to be removed meet at least one of a specified list of conditions.

This bill would revise and recast this provision to instead authorize the department to issue a permit, without the payment of fees or other mitigation, if either the western Joshua tree is located within 100 feet of an existing single-family home and any associated accessory structure or that removal or trimming is necessary for the homeowner to meet defensible space requirements, as provided.

Alternatives

None.

Fiscal Impact:

None.

Attachments

1. AB-1089-Veto
2. 20250AB1089



OFFICE OF THE GOVERNOR

OCT. 3 2025

To the Members of the California State Assembly:

I am returning Assembly Bill 1089 without my signature.

This bill authorizes the Department of Fish and Wildlife (CDFW) to enter into an agreement with any city to delegate to the city the taking of a Western Joshua Tree associated with commercial and industrial projects. In addition, this bill revises CDFW's authority to issue a permit for the removal of a Western Joshua Tree around single-family homes.

The Western Joshua Tree Conservation Act (Act) of 2023 was carefully crafted to balance the need to develop housing and clean energy projects in the Mojave Desert region, while creating a robust but practical permitting process aimed at protecting one of California's most iconic species. The Act currently authorizes CDFW to enter into an agreement with any county or city and delegate limited authority to permit the taking of a Western Joshua Tree associated with developing single-family residences, multifamily residences, accessory structures, and public works projects.

While I recognize the desire to expand this delegated authority to include the taking of these trees where commercial and industrial projects are sited, this bill goes too far in authorizing the blanket removal of these trees near single-family homes that will ultimately undermine Western Joshua Tree protections and conservation requirements under the Act. Furthermore, this bill would increase

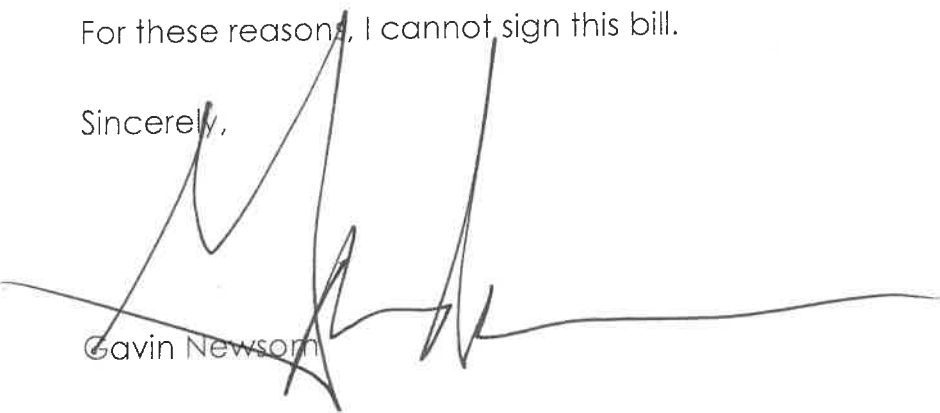


the complexity and time required to manage the permitting process as modified by this measure.

For these reasons, I cannot sign this bill.

Sincerely,

Gavin Newsom

A large, stylized handwritten signature in black ink, which appears to be "Gavin Newsom", is written over the printed name and extends across the middle of the page.

Assembly Bill No. 1089

Passed the Assembly September 12, 2025

Chief Clerk of the Assembly

Passed the Senate September 11, 2025

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2025, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 1927.3 and 1927.4 of the Fish and Game Code, relating to the western Joshua tree.

LEGISLATIVE COUNSEL'S DIGEST

AB 1089, Carrillo. Western Joshua Tree Conservation Act: industrial projects and commercial projects: tree removal and trimming.

(1) Existing law, the Western Joshua Tree Conservation Act, prohibits any person or public agency from importing into the state, exporting out of the state, or taking, possessing, purchasing, or selling within the state, a western Joshua tree or any part or product of the tree, except as provided. Under existing law, the Department of Fish and Wildlife may authorize, by permit, the taking of a western Joshua tree if certain conditions are met, including, among other conditions, that the permittee mitigates all impacts to, and the taking of, the western Joshua tree. Existing law authorizes the department to enter into an agreement with any county or city to delegate to the county or city the ability to authorize the taking of a western Joshua tree associated with developing single-family residences, multifamily residences, accessory structures, and public works projects concurrent with its approval of the project if certain conditions are met. Existing law authorizes any person or public agency receiving a take authorization for a project to pay specified fees in lieu of satisfying the mitigation obligation on several bases, including if the project receives a permit issued by a county or city.

This bill would additionally authorize the department to enter into an agreement with any city to delegate to the city the ability to authorize the taking of western Joshua trees associated with developing commercial and industrial projects. The bill would, relative to other project types subject to delegated local mitigation authority, limit the bases for commercial or industrial projects to pay specified fees in lieu of satisfying the mitigation obligation, as provided.

(2) Existing law authorizes the department to issue a permit to authorize either the removal or trimming of a dead western Joshua tree or the trimming of a live western Joshua tree.

This bill would remove the reference to a dead or live western Joshua tree, thereby authorizing the department to issue a permit to authorize either the removal or trimming of any western Joshua tree.

Existing law authorizes the department to issue a permit for these purposes, without the payment of fees or other mitigation, provided that a dead western Joshua tree or any limbs to be removed meet at least one of a specified list of conditions.

This bill would revise and recast this provision to instead authorize the department to issue a permit, without the payment of fees or other mitigation, if either the western Joshua tree is located within 100 feet of an existing single-family home and any associated accessory structure or that removal or trimming is necessary for the homeowner to meet defensible space requirements, as provided.

The people of the State of California do enact as follows:

SECTION 1. Section 1927.3 of the Fish and Game Code is amended to read:

1927.3. (a) The department may authorize, by permit, the taking of a western Joshua tree if all of the following conditions are met:

(1) The permittee submits to the department for its approval a census of all western Joshua trees on the project site, including size information and photographs, that categorize the western Joshua trees according to the following size classes:

(A) Less than one meter in height.

(B) One meter or greater but less than five meters in height.

(C) Five meters or greater in height.

(2) The permittee avoids and minimizes impacts to, and the taking of, the western Joshua tree to the maximum extent practicable. Minimization may include trimming, encroachment on root systems, relocation, or other actions that result in detrimental but nonlethal impacts to a western Joshua tree.

(3) The permittee mitigates all impacts to, and taking of, the western Joshua tree. The measures required to meet this obligation

shall be roughly proportional in extent to the impact of the authorized taking of the species. When various measures are available to meet this obligation, the measures required shall maintain the permittee's objectives to the greatest extent possible. All required measures shall be capable of successful implementation. The permittee shall ensure adequate funding to implement the mitigation measures. In lieu of completing the mitigation obligation on its own, the permittee may elect to satisfy this mitigation obligation by paying fees, pursuant to the fee schedule in subdivision (d) or (e), for deposit into the fund.

(4) (A) The department may include permit conditions that require the permittee to relocate one or more of the western Joshua trees. If relocation is required, the permittee shall implement measures to assist the survival of relocated trees, and to comply with any other reasonable measures required by the department to facilitate the successful relocation and survival of the western Joshua trees. These relocation measures shall include, but are not limited to, all of the following:

(i) A requirement that the relocated western Joshua tree is placed in a location and with proper orientation to improve its survival.

(ii) A requirement that western Joshua trees are relocated at a time that maximizes their survival when feasible.

(iii) A requirement that a desert native plant specialist be onsite to oversee relocation.

(B) The department may limit relocation to certain size classes of trees.

(C) By July 1, 2024, the department shall adopt guidelines and relocation protocols, based on the best available science, to relocate western Joshua trees successfully. The department shall consult with desert native plant specialists as part of the development of these guidelines and relocation protocols. Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code shall not apply to the development, adoption, or amendment of guidelines and relocation protocols pursuant to this subparagraph.

(b) For purposes of this section, each western Joshua tree stem or trunk arising from the ground shall be considered an individual tree requiring mitigation, regardless of its proximity to any other western Joshua tree stem or trunk.

(c) (1) If all of the conditions of paragraph (3) are met, the department may enter into an agreement with any county to delegate to the county the ability to authorize the taking of a western Joshua tree associated with developing any one or more of the following projects concurrent with the county's approval of the project:

- (A) Single-family residences.
- (B) Multifamily residences.
- (C) Accessory structures.
- (D) Public works projects.

(2) If all of the conditions of paragraph (3) are met, the department may enter into an agreement with any city to delegate to the city the ability to authorize the taking of a western Joshua tree associated with developing any one or more of the following projects concurrent with the city's approval of the project:

- (A) Single-family residences.
- (B) Multifamily residences.
- (C) Accessory structures.
- (D) Public works projects.
- (E) Commercial projects.
- (F) Industrial projects.

(3) The delegation of authority pursuant to paragraphs (1) and (2) shall be subject to all of the following conditions:

(A) The county or city adopts an ordinance that requires as a condition of any approval or permit issued under the authority of an agreement entered into pursuant to this subdivision satisfaction of the requirements of this chapter.

(B) Except as provided otherwise in this subdivision, the county or city ensures that the permittee satisfies all of the requirements of subdivision (a) of this section.

(C) The project will take no more than 10 individual western Joshua trees on the project site where the project proponent proposes to construct a single-family residence, multifamily residence, accessory structure, commercial project, or industrial project, or no more than 40 individual western Joshua trees on the project site on which a public agency proposes to undertake a public works project. Before authorizing the take of more than 20, but no more than 40, individual western Joshua trees for a public works project, the county or city shall obtain the department's

written concurrence that the project has avoided and minimized the take of western Joshua trees to the maximum extent practicable.

(D) The county or city shall collect any fees for permits issued and remit them quarterly to the fund as directed by the department.

(E) The county or city entering into an agreement pursuant to this subdivision may impose a reasonable fee to cover the administrative costs of issuing the permit.

(F) (i) The department retains express authority to suspend or revoke the county or city's take authorization in the event the department determines the county or city has violated the terms of the agreement, or this chapter, the county or city fails to implement or enforce the terms of the agreement or this chapter, or the department determines that the local population of western Joshua trees within, or in the vicinity of, that county or city needs further protection. The county or city shall conduct an annual assessment of the status of the local population within the county or city and submit the assessment to the department. The department shall determine if the population needs further protection to provide for the conservation of the species.

(ii) The department shall adopt standardized survey and assessment methods for the annual assessment required pursuant to clause (i), including requiring that a desert native plant specialist conduct the assessment. Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code shall not apply to the development, adoption, or amendment of standardized survey and assessment methods pursuant to this subparagraph.

(G) The county or city shall be required to submit to the department quarterly reports documenting the number of permits issued, photographs and other evidence demonstrating that take and other impacts were avoided and minimized to the maximum extent practicable, the number and size class of western Joshua trees authorized to be taken, the number of western Joshua trees encroached upon, the number of western Joshua trees lethally removed, the number and location of western Joshua trees relocated, the amount of fees collected, and other information required by the department in the agreement.

(d) Any person or public agency receiving a take authorization pursuant to this chapter for a project that meets the criteria of either subparagraph (A) of paragraph (1) or subparagraph (B) of

paragraph (1) may elect, in lieu of satisfying the mitigation obligation provided for in paragraph (3) of subdivision (a), to pay fees in the amounts provided in paragraph (2) for deposit into the fund.

(1) (A) Any project in the area bounded by the intersection of Highway 99 and Highway 58, then east along Highway 58 to the intersection of Interstate 15, then north along Interstate 15 to the intersection of Highway 247, then south along Highway 247 to the intersection of Highway 18, then west along Highway 18 to the intersection of Highway 138, then west and north along Highway 138 to the intersection of Interstate 5, then north along Interstate 5 to the intersection of Highway 99, then north along Highway 99 to Highway 58.

(B) Any single-family residence, multifamily residence, accessory structure, or public works project receiving a permit issued by a county or city pursuant to an agreement with the department pursuant to subdivision (c), regardless of location.

(2) (A) One thousand dollars (\$1,000) for each western Joshua tree five meters or greater in height.

(B) Two hundred dollars (\$200) for each western Joshua tree one meter or greater but less than five meters in height.

(C) One hundred fifty dollars (\$150) for each western Joshua tree less than one meter in height.

(e) Any person or public agency receiving a take authorization pursuant to this chapter for a project that meets the criteria set forth in paragraph (1) may elect, in lieu of satisfying the mitigation obligation provided for in paragraph (3) of subdivision (a), to pay fees in the amounts provided in paragraph (2) for deposit into the fund.

(1) (A) Notwithstanding paragraph (1) of subdivision (d), any project within two miles of Joshua Tree National Park, or any unit of the state park system.

(B) Any project that does not meet the criteria set forth in paragraph (1) of subdivision (d).

(2) (A) Two thousand five hundred dollars (\$2,500) for each western Joshua tree five meters or greater in height.

(B) Five hundred dollars (\$500) for each western Joshua tree one meter or greater but less than five meters in height.

(C) Three hundred forty dollars (\$340) for each western Joshua tree less than one meter in height.

(f) Upon request, the department may authorize a reduction in the amount of the fees prescribed by subdivisions (d) and (e) for any western Joshua tree conserved by a project proponent through the acquisition of compensatory habitat mitigation land otherwise required by law for the project.

(g) (1) The permittee shall bear responsibility for implementing measures to assist the survival of western Joshua trees relocated pursuant to paragraph (4) of subdivision (a).

(2) Unless specifically required by written agreement, a landowner that agrees in writing to allow western Joshua trees to be relocated onto land it owns shall not be liable for the continued survival of the western Joshua trees, shall not be required to manage or maintain the translocated western Joshua trees, and shall not be required to change existing land use practices, provided that the land use practices do not result in the taking, possession, sale, or further translocation of the western Joshua trees.

SEC. 2. Section 1927.4 of the Fish and Game Code is amended to read:

1927.4. (a) The department may issue a permit to authorize either the removal or trimming of a western Joshua tree.

(1) Upon receipt of a permit and payment of any applicable administrative fees, a property owner or its agent may remove a detached dead western Joshua tree or the detached limb of a western Joshua tree. All other removals and all trimming of a western Joshua tree authorized by permits issued pursuant to this subdivision shall be completed by a desert native plant specialist.

(2) The department may issue a permit pursuant to this section, without payment of fees or other mitigation, provided that either of the following apply:

(A) A dead western Joshua tree or any limb to be removed meets one of the following conditions:

- (i) Has fallen over and is within 30 feet of a structure.
- (ii) Is leaning against an existing structure.
- (iii) Creates an imminent threat to public health or safety.

(B) A western Joshua tree is located within 100 feet of an existing single-family home and any associated accessory structure, and removal or trimming is necessary for the homeowner to meet defensible space requirements pursuant to Section 51182 of the Government Code, Section 4291 of the Public Resources Code, or a local ordinance. Subdivision (c) of Section 21080.49 of the

Public Resources Code applies to all permits issued by the department to the homeowner, pursuant to this subparagraph, for the removal or trimming of any western Joshua tree within 100 feet of a structure in the state responsibility area, and high and very high fire hazard severity zones in the local responsibility area.

(3) A property owner seeking a permit pursuant to this subdivision shall submit a permit request to the department on a form to be provided by the department that requires the following information:

(A) The name, telephone number, mailing address, and email address of the property owner seeking the permit.

(B) The street address of the property on which the western Joshua tree to be removed or trimmed is located. If no street address is available, the property owner shall include the assessor's parcel number.

(C) Photographs of the western Joshua tree that visually depict the dead tree or the tree to be trimmed and that demonstrate that the western Joshua tree meets one or more of the requirements of paragraph (2).

(D) A signed attestation from the property owner or signed certification by a desert native plant specialist that the tree meets the definition of a dead western Joshua tree.

(4) (A) Within 30 days of receipt of a request for a permit pursuant to clause (i) or (ii) of subparagraph (A), or subparagraph (B), of paragraph (2), the department shall either issue a permit allowing for the removal or trimming, or deny the request if the request does not demonstrate a permit can be issued pursuant to this section.

(B) Within 10 days of receipt of a request for a permit pursuant to clause (iii) of subparagraph (A) of paragraph (2), the department shall either issue a permit allowing for the removal or trimming, or deny the request if the request does not demonstrate a permit can be issued pursuant to this section.

(C) If the department issues a permit, it shall provide the property owner 60 days in which to complete the removal or trimming. The department may extend this 60-day period in writing at its discretion.

(D) If the department denies the permit request, the property owner may resubmit the request with additional information and

photographs. Resubmissions pursuant to this subdivision shall be processed as new permit requests.

(5) Within 30 days of completing the removal or trimming of one or more western Joshua trees in accordance with a permit issued pursuant to this section, the property owner shall submit, by mail or email, photographs of the site at which the western Joshua tree was removed or trimmed pursuant to the permit.

(b) The department may enter into an agreement with any county or city to delegate to the county or city the ability to authorize the removal or trimming of a dead western Joshua tree or the trimming of a live western Joshua tree, provided that the county or city ensures that all permits issued satisfy the requirements of subdivision (a). The county or city shall be required to submit to the department quarterly reports documenting the number of permits issued, the number and size class of a western Joshua tree authorized to be removed or trimmed, and any other information specified in the agreement with the department. A county or city entering into an agreement pursuant to this subdivision may impose a reasonable fee to cover the administrative costs of issuing the permit.

(c) (1) The department retains express authority to suspend or revoke an agreement with any county or city to delegate to the county or city the ability to authorize the removal or trimming of a dead western Joshua tree or the trimming of a live western Joshua tree in the event the department determines the county or city has violated the terms of the agreement or this chapter, the county or city fails to implement or enforce the terms of the agreement or this chapter, or the local population of western Joshua trees within, or in the vicinity of, that county or city needs further protection. A county or city that has entered into an agreement with the department shall conduct an annual assessment of the status of the local population of western Joshua trees within the county or city and submit the assessment to the department. The department shall determine if the population needs further protection to provide for the conservation of the species.

(2) The department shall adopt standardized survey and assessment methods for the annual assessment required pursuant to paragraph (1), including requiring that a desert native plant specialist conduct the assessment. Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government

Code shall not apply to the development, adoption, or amendment of standardized survey and assessment methods pursuant to this paragraph.

Approved _____, 2025

Governor

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Jared Jerome, Associate Planner, Evan Willoughby, Assistant Planner

Date: October 8, 2025

Meeting Date: October 14, 2025

Subject: Native Plant Permit Review Procedures

Recommendation:

That the Planning Commission reviews and discusses the Native Plant Permit review procedures, and provides direction to staff to review exempt Native Plant Permit applications for Director decision rather than Planning Commission decision, consistent with existing Development Code procedures.

Prior Review:

There has been no prior review of this item.

Discussion:

At their meeting on September 9, 2025, the Planning Commission made a motion during Future Agenda Items to request to have the Native Plant Permit review procedure agendaized for Town Council direction.

At their meeting of November 19, 2024, the Town Council adopted updated Permit Procedure regulations, which included an updated review authority table shown below:

TABLE 4.1 (A)
REVIEW AUTHORITY

Type Of Entitlement Or Decision	Applicable Code Section	Director ^{1,2}	Planning Commission ³	Town Council ⁴
Development Code amendments	Ch. 9.62	Recommend ⁵	Recommend	Decision
Zone changes	Ch. 9.62	Recommend	Recommend	Decision

Conditional use permits and amendments	Ch. 9.63	Recommend	Decision	Appeal ⁵
Development agreements and amendments	Ch. 9.64	Recommend	Recommend	Decision
General plan amendments	Ch. 9.65	Recommend	Recommend	Decision
Home occupation permits – Class I	Ch. 9.50	Decision	Appeal	Appeal
Home occupation permits – Class II	Ch. 9.50	Decision	Appeal	Appeal
Home occupation permits – Class III	Ch. 9.50	Recommend	Decision	Appeal
Home occupation permits – Class IV	Ch. 9.50	Recommend	Decision	Appeal
Home occupation permits – Class V	Ch. 9.50	Decision	Appeal	Appeal
Development code interpretations	Sec. 9.02.010	Decision	Appeal	Appeal
Sidewalk Vending	Ch. 9.55	Decision	Appeal	Appeal
Land use compliance review	Ch. 9.66	Recommend	Decision	Appeal
Minor revisions to approved actions	Varies	Decision	Appeal	Appeal
Native plant permits – non-exempt	Ch. 9.77	Recommend	Decision	Appeal
Native plant permits - exempt	Ch. 9.77	Decision	Appeal	Appeal
Planned development permits and amendments	Ch. 9.67	Recommend	Recommend	Decision
Reasonable accommodations	Ch. 9.74	Decision	Appeal	Appeal
Sign permits – existing building signage, temporary signage, and residential subdivision signage	Ch. 9.76	Decision	Appeal	Appeal
Sign permits – new commercial, industrial, and institutional developments, sign	Ch. 9.76	Recommend	Decision	Appeal

programs, design merit review, landmark sign review, and public and institutional facility directional signage				
Sign permits – Off-site signs on public property	Ch. 9.76	Recommend	Recommend	Decision
Site plan and design review and amendments	Ch. 9.68	Recommend	Decision	Appeal
Special use permits – bed and breakfast lodging, animal keeping, breeding/raising of densities greater than those specified in section 9.08.020, exotic animals, private kennels/small animals, recycling facilities, large family daycare	Ch. 9.69	Decision	Appeal	Appeal
Specific plans and amendments	Ch. 9.70	Recommend	Recommend	Decision
Temporary special event permits – church tent revival meetings, carnivals, circus, concert, farmers market, festival/fair, seasonal holiday sales facilities, or similar types of events	Ch. 9.71	Decision	Appeal	Appeal
Temporary use permits	Ch. 9.72	Decision	Appeal	Appeal
Variances	Ch. 9.73	Recommend	Decision	Appeal
Commercial vehicle parking permit	Sec. 9.33.100	Decision	Appeal	Appeal
Landscape and irrigation review	MWEL0 (CA)	Decision	Appeal	Appeal
Filming Permit	Ord. 85	Decision	Appeal	Appeal
Temporary residential special event permit – Class I & Class II	Ch. 9.38	Decision	Appeal	Appeal
Temporary residential special event permit – Class III & Class IV	Ch. 9.38	Recommend	Decision	Appeal

Environmental assessment	Sec. 9.61.040	Decision	Appeal	Appeal
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Notes:

1. The director may defer action and refer any permit or approval application to the commission for final determination.
2. All decisions of the director are appealable to commission, and then to the council, in compliance with chapter 9.81, "Appeals", of this title.
3. The commission may refer consideration of an appeal to the council.
4. All decisions of the council are final.
5. "Recommend" means that the review authority makes a recommendation to a higher review authority; "appeal" means that the review authority may consider and decide upon appeals to the decision of an earlier review authority, in compliance with chapter 9.81, "Appeals", of this title.

Chapter 9.60, Permit Procedures; General Provisions, currently requires that non-exempt Native Plant Permits are decided upon by the Planning Commission (Table 4.1(A)). Table 4.1(A) allows the director to refer any permit or approval action to the Commission for final determination. As a standard practice, staff provides all Native Plant Permit applications, both exempt and non-exempt, to the Planning Commission for their review. The Planning Commission review of Native Plant Permits typically adds approximately 1-4 additional weeks to the review timeline for building permit applications.

In order for staff to provide more timely permit review and improved customer service, the following actions are provided for consideration by the Commission:

1. That the Planning Commission requests that staff no longer provides exempt Native Plant Permit applications for Planning Commission review, consistent with Table 4.1(A).
2. That the Planning Commission requests direction from the Town Council regarding changes or updates to Table 4.1(A) provided above.

Alternatives

That the Planning Commission reviews and discusses the Native Plant Permit review procedures, and forwards a recommendation to the Town Council for direction on potential Development Code amendments.

Fiscal Impact:

None.

Attachments

1. PC Minutes 9 9 2025

2. ORD 323 Permit Procedures

Town of Yucca Valley
Planning Commission Meeting Minutes
September 9, 2025

Call to Order

Roll Call

Present: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Absent:

Pledge of Allegiance

Led by Commissioner Thomas.

Approval of Agenda

Motion:

Approve the meeting agenda as prepared

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner Clint Stoker

Second: Commissioner James Henderson

Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Consent Agenda

Motion:

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner Mathew Thomas

Second: Commissioner James Henderson

Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

1. Planning Commission - Regular Meeting - Aug 26, 2025, 6:00 PM

Motion:

Approve the meeting minutes of August 26, 2025, as presented.

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner James Henderson

Second: Commissioner Gerard Noonan

Ayes: James Henderson, Gerard Noonan, Mathew Thomas, Clint Stoker,

2. Native Plant Permit (NPP) 084-25 @ 7616 Barberry Avenue

MOTION:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for proposed residential construction and approves the Native Plant Permit (NPP 084-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

3. Native Plant Permit (NPP) 085-25 @ 7425 Borrego Trail

MOTION:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for proposed residential construction and approves the Native Plant Permit (NPP 085-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

4. Native Plant Permit (NPP) 105-25 @ 7384 Dumosa Avenue

MOTION:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report for a proposed sewer connection and approves the Native Plant Permit (NPP 105-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

5. Native Plant Permit (NPP) 107-25 @ 57930 Twentynine Palms Highway

MOTION:

That the Planning Commission receives and files the attached Applicant Report for a proposed plumbing repair and approves the Native Plant Permit (NPP 107-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.09.050 Native Landscape Documentation Package.

6. Native Plant Permit (NPP) 108-25 @ 57494 Bandera Road

MOTION:

That the Planning Commission receives and files the attached Applicant Report for a

proposed septic replacement and approves the Native Plant Permit (NPP 108-25) exemption, finding that, based on the evidence presented in the submittals, the proposed project is not disturbing any regulated desert native plants, and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

Department Reports

7. Land Development Update

Motion:

That the Planning Commission receives and files the report.

Result: (Yes 5, No 0, Abstained 0)

Mover: Commissioner James Henderson

Second: Commissioner Gerard Noonan

Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Associate Planner Jerome stated good evening this is a receive and file recommendation. This is going to be kind of a long one because there's also CIP projects for public works in here. But I'll try to, not linger too long. First project update is the aquatic center you probably seen they're making good progress. I believe we have about 1 year left before it's intended to be operational. The senior center making good progress should be completed any minute I believe. Some time in the next couple of months. If I'm giving bad information hopefully Alex will jump in. Athletic facility we recently received our take permit from Fish & Wildlife for the Joshua trees. That was kind of the big thing we were waiting on. We are coordinating with contractors and consultants, etc., but this should be under way in about one month. Yucca Trail widening so between Palomar and La Contenta it's going to be widening to the General Plan width which is a 100' for the entire right-of-way. May tweak Indio, so, Indio doesn't have a little jog in it. So, it lines up with the south side of Indio. We kicked off CEQA for this, I believe about 2 weeks ago. So, the CEQA consultants are currently looking at Joshua trees, and measuring noise and those sorts of things.

Walmart, I see lots of emails flying around about CEQA so they are knee deep in environmental review currently. So, I think their target date is the end of the year for Planning Commission. Not sure if they'll meet that date, but sometime December, January for Planning Commission review of their gas station convenience store. Dutch Bros as you can see, we also kicked off CEQA recently about a week and a half ago. So, they are also going through the pleasure of that process. They've got Joshua trees

onsite so that necessitates that. Sun Mesa Mini Storage kicked off CEQA a couple of months back. They are making progress. Another project that we see a ton of emails from the CEQA consultant on. So, they're making progress on that. I believe they're also targeting the end of the year for Planning Commission. Same with Dutch Bros. Circle K we just received a street vacation request. You can see the dotted line on the east side of the property as the current right-of-way. So, part of the street vacation is fixing that right-of-way so that it's not cutting through the property. And then they want to subdivide cut the property in half, north-south, and use the northern half of the property for something later on. So, we just received those and they are 1 traffic study away from kicking off their CEQA. Lighthouse Church, we haven't heard from them in a couple of months, but it's our impression they're still working on it. There's a couple of challenges with the sidewalk and Joshua trees, so, I think they're trying to navigate that. Joshua Springs has officially abandoned their project as of this month. So, we will not be seeing that at least not in the coming months. They had some other responsibilities they had to do to improve the site that was a higher priority than the gymnasium. Yucca Trail mini storage is actually getting fairly close. They are a landscape plan away from being complete. Then moving onto the CEQA process, they also have protected plants onsite like all the other projects. So, they will have to do some level of CEQA review for that. This is the one near the intersection of Yucca Trail and Kickpoo.

Minor subdivision on Spencer Road, 1 parcel to 2 parcels. Over at Balsa and Yucca Trail they're reverting a handful of lots back to 1 lot. But we are hopefully keeping the also right-of-way so it can tie in, tie the 2 side of the streets together. They're fairly close to completing that project. They're getting it ready for Planning Commission review.

Acoma Trail same thing reverting to acreage. They have a street network and lots in there that's covered in Joshua trees so they're reverting it back to 1 single lot instead of moving forward with a subdivision.

Tumbleweed is scheduled for September 23rd. So, this will be at your next Planning Commission meeting. That's hope right now September 23rd for your review. They're pretty close to being complete. Las Palmas said that they intend to start construction relatively soon they have a couple of minor improvements they want to do before they start the patio. But it should be any minute now.

Yucca Valley Materials Lab was in the office today. They are trying to figure out their access issues. You can see the current driveway bisects another property to the west. And they're trying to, we'll say, formalize a driveway. Starbucks says they intend to break ground this month. So, fingers crossed.

A couple quick updates. I saw that Nice Dreams was under construction today. They're doing some work back here, seeing them removing a tree, it's not a Joshua tree for the record. They're doing some improvement to the parking beginning to do that process. Not much change in Domino's/Jersey Mike's but there's some work. Star Café they had some people onsite. I think they might have been doing something, but they have a ways to go as you can see. They do have the interior partition wall. So, they've had 1 inspection so far. This is the Wamego Trail retail facility. Pretty much all they have left is their parking lot as you can see. But that is landscaping, well decorative with yard art we'll say. They have some gas pumps that are also decorative they're kind of cool. But they're making progress. You've already seen this, no change, Wing Stop is selling chickens. Bath & Body Works doesn't look like much different but they're making a little progress on the façade, continue to make interior work as well, interior progress. Just for, I don't know if we ever presented this but this is the 5 plex on Palo Alto as it is operational. This is what it looks like with the landscaping and fencing and what not. Actually it looks pretty good. It's the best looking apartment building on the block. And this is the 4 plex on Palo Alto as you can see they're starting to put walls up and do that kind of work and making progress. There was a team out there today working on it.

This is Camino Del Cielo as the water district continues to work there installing the sewer. This is Martinez Trail you see they also have that torn up to install the sewer.

Mojave Gold's mural is looking good.

I wasn't able to get any picture of this one but they do have all the grading done and looks like they're either ready to pour or about or have been pouring foundation, etc. so, they're making progress.

And that concludes our land development update. We can answer questions following public comment.

Chair Vasconcelos stated thank you staff. Anyone in the public wishes to comment. Anyone online. Close public comment. Commissioner Noonan.

Commissioner Noonan stated no comments. Thank you.

Chair Vasconcelos stated Commissioner Thomas.

Commissioner Thomas stated yes, thank you. Just 1 question on the Walmart and you said the project also included an amendment to the specific plan. What was that [inaudible]

Associate Planner Jerome stated so, it's a little complicated, but in their original

approval for their specific plan they do not have a gas station as an approved use. So, the amendment is just really, it's 1 page and it's changing [crosstalk]

Commissioner Thomas stated It's just for that property. Okay. All right. Thank you.

Chair Vasconcelos stated Commissioner Henderson.

Commissioner Henderson stated thank you. In regards to the old library and the conversion for the public's meeting space, is there any updates on that?

Associate Planner Jerome stated for the Town project, or for-- yeah.

Public Works Director Qishta, stated, good evening, Commissioners. In regard to that project, it's on hold for now. The reason why is because of funding. We are waiting to see what the funding will be from the aquatic center and see if we can deliver that project. But at this point of time, it's on hold.

Commissioner Henderson stated okay. Thank you, Alex. Nothing further.

Chair Vasconcelos stated Commissioner Stoker.

Commissioner Stoker asked is there looking to be any movement from the state in regards to what their requirements are going to be for single-family housing projects? And the reason I ask is because two of our items that are in this list are reversion back to acreage, which that whole process costs a lot of money to do the first time to get something parceled out. And it's a shame because this kind of goes against what the state really wants is more houses. So is this kind of something that we could use these two specific tentative track maps to talk to Fish and Wildlife about some of the negative consequences that were unintended?

Associate Planner Jerome stated yeah. We haven't brought it up to Fish and Wildlife, but I think that's a good point

Commissioner Stoker stated I mean, I think prior to us-- if they're planning on bringing this to us to revert in the next meeting or so, this might be something that we want to talk to about at this community forum with some of the staff that's going to be here because I think everyone's goal is more housing, and the states made it their goal for, I feel like, decades. And this is kind of one of those instances where it's an unintended consequence of another action.

Associate Planner Jerome stated yeah. I think considering each of those lots could have one to three dwelling units on it, and there's a fair amount of lots being reverted, yeah, it could be dozens of housing units that we're losing.

Commissioner Thomas asked are they reverting it because of the Joshua tree?

Associate Planner Jerome stated there's several reasons, but the Joshua tree does not help them. It would be very expensive for them to go through that process.

Okay. [inaudible]. I interrupted you.

Chair Vasconcelos stated nothing for me other than I always appreciate these presentations with the pictures and the updates that you've recently been doing. It's more helpful for us to, I think, visually see the updates. So thanks for that. Do we have a motion to receive and file this?

Future Agenda Items

Associate Planner Jerome stated Tumbleweed Sanctuary, fingers crossed, September 23rd.

Commissioner Stoker stated I have something I'd like to add as a future agenda item if we could, actually. Maybe it's something we need to discuss and make a motion on. But in our consent agenda tonight, we have five native plant permits. And I know that when we had the Joshua trees as part of our 2084, we wanted to see all of those Joshua tree permits come through the Planning Commission. But for me, now that we've taken the governing authority and given it back to the state for the Joshua trees for the time being, I feel like these native plant permits, even if you look at one of the staff reports, it says they're administrative in nature and there's no discretion for us at all. So I feel like, for me, I don't know if this is something that can go back to staff or if we need to make a motion to have this agendaized in the future to send that ability just to approve these at the staff level. I think it'll help some of these contractors that are doing sewer hookups and things be able to get this stuff done in a more timely manner, rather than waiting for one of our meetings. Is that something we could get added?

Commissioner Thomas stated I would agree with that.

Commissioner Noonan stated I concur with that as well. It's a very good idea.

Commissioner Henderson stated yeah. I think originally, we voted on each one individually, which caused a lot of angst amongst us. And then it went to the consent agenda for transparency purposes. But in retrospect, I agree with you. I know some neighbors had to have a septic put in, and they had to wait until it got approved at the Planning Commission, which was--

Commissioner Thomas stated yeah. We--

Commissioner Stoker stated it just takes a while

Commissioner Henderson stated it takes a while. So I definitely concur as well.

Commissioner Stoker stated and I think if we were still doing--had Joshua tree governance locally, I wouldn't mind having that for transparency.

Commissioner Thomas stated yeah, I agree with that. Yeah.

Commissioner Stoker stated but seeing as right now, they're all ministerial, they're not a discretionary action any longer, I don't see that it needs to be here. So I don't mind making a motion to agendize removing the native plant permits from our consent calendar and handing it back to staff for approval, unless there's something that staff feels needed to be pushed our direction as an item.

Commissioner Thomas stated I second that.

Commissioner James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos voted yes.

Public Comments

Chair Vasconcelos stated the Planning Commission takes this time to consider your comments on items of concern which are not on the agenda. When you are called to speak, please state your name and community of residence. Please limit your comments to three minutes or less. Inappropriate behavior which disrupts, disturbs, or otherwise impedes the orderly conduct of this meeting will result in the forfeiture of your public comment privilege. The Planning Commission is prohibited by state law from taking action or discussion items that are not on the printed agenda. With that, is there anyone in the public that wishes to speak? Please approach the podium. State your name and your residence.

Melody Hanson, public speaker, stated I stay out here under the awning. I'm homeless out here. I sleep over here by Grocery Outlet. I don't know if anybody has seen me over there, but that's me lying over there next to Grocery Outlet. I just want to come up and let you guys know that the pest control that you guys have been using isn't working. I know that he comes out and he sprays, but the day after, the ants, actually, it seems to be a little bit worse. So I just wanted to confront you guys with that. There is a couple more issues that I'd like to bring up, but it said only 30 seconds.

Three minutes? Is it okay if I bring up the other two issues? Okay. So I am noticing that the Joshua trees out here are drying out. And I've noticed that the ones over here, where you guys are going to be putting pickleball, is starting to fall. And the one by the bathroom, the kids are over there in and out, so I kind of want to just announce that as to they're very unsafe. If they're in the walkway, I feel like it's unsafe. Not only that one, but the one where you come from the bathroom into the park, it's kind of getting really dry. And I mean, it could be a hazard to you guys, or you guys could get sued. I know that you guys only clean the park every two

weeks, but I've actually been picking that up myself and cleaning it since I'm homeless. I don't have any other time. God's got me there. So I've been picking that job up and sanitizing myself. So I mean, if you guys don't have the money to employ somebody to do that, I don't think you guys have the money to be sued. So I just wanted to confront that to you all. Thanks.

Chair Vasconcelos stated thank you. Thank you. Is there anyone else in the public who wishes to make any comments? Anyone online? That will close public comment.

Staff Reports and Comments

Associate Planner Jerome stated only one comment. On Wednesday, October 15th, assembly member Greg Wallis is going to be hosting a discussion with California Department of Fish and Wildlife here. So, from what we understand, Fish and Wildlife will be here to answer resident questions, get feedback, etc. So if anyone is interested in talking directly with that assembly member and/or the Department of Fish and Wildlife, that will be at 1:00 PM, Wednesday, October 15th, in the Yucca Valley Community Center.

Commissioner Reports and Comments

Chair Vasconcelos stated Commissioner Henderson.

Commissioner Henderson stated that was a good meeting. And I agree with you about having all the updated pictures. It's helpful because I don't drive around as much. So I like that. In regards to one of the past items that came in front of the commission where we were asked to do a code interpretation, is that item supposed to come back in front of us?

Associate Planner stated I think we're still figuring out the downstream effects of the interpretation from legal counsel. It kind of solved one issue but complicated another. So we're trying to get more clarification. Hopefully, I would guess in the next week, we'll be more clear on that.

Commissioner Henderson stated okay. Thank you.

Chair Vasconcelos stated Vice Chair Thomas.

Commissioner Thomas stated I have no comments. Thank you to staff. Short meeting. That's it.

Chair Vasconcelos stated Commissioner Noonan.

Commissioner Noonan stated thank you again to staff for great materials and a lot of visuals. And other than that, I have no comment.

Chair Vasconcelos stated Commissioner Stoker.

Commissioner Stoker stated very much appreciate the meeting. Thank you. And look forward to this community forum. And then on a side note, as different sports leagues, we represented ourselves with the Town's sports council last night. And it was great hearing from all of the different leagues, whether it be Little League, Lobos, soccer, tennis, and - I'm forgetting one - oh, Laces travel baseball and softball about all the activity that's happening. So we're doing a great job, combined with the work of the parks department, for having a lot of programming for the kids out here. So that's pretty awesome to see. Thank you.

Chair Vasconcelos stated yeah. I'd like to thank staff for another great meeting, well-prepared, and preparing us for the future items. I'm looking forward to tackling some of those future agenda items in the future. So thank you for all of that.

Announcements

Chair Vasconcelos stated Upcoming Meeting Schedule: The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, September 23, 2025, at 6:00 PM in the Yucca Valley Community Center Yucca Room.

Adjournment

Chair Vasconcelos adjourned the meeting at 6:26 PM.

ORDINANCE NO. 323

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING CHAPTER 9.60 PERMIT PROCEDURES; GENERAL PROVISIONS, PROVIDING PROCEDURES TO PROCESS LAND USE ENTITLEMENTS AND DEVELOPMENT PROPOSALS IN ANY LAND USE ZONING DISTRICT

WHEREAS, from time to time it is necessary to update the review authority table following adoption of Ordinances of the Town Council of the Town of Yucca Valley, California.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION X: TITLE 9 OF THE YUCCA VALLEY DEVELOPMENT CODE, CHAPTER 9.60, SECTION 9.60.030, TABLE 4-1 IS HEREBY AMENDED TO READ IN ITS ENTIRETY AS FOLLOWS:

TABLE 4.1 (A)
REVIEW AUTHORITY

Type Of Entitlement Or Decision	Applicable Code Section	Director ^{1,2}	Planning Commission ³	Town Council ⁴
Development Code amendments	Ch. 9.62	Recommend ⁵	Recommend	Decision
Zone changes	Ch. 9.62	Recommend	Recommend	Decision
Conditional use permits and amendments	Ch. 9.63	Recommend	Decision	Appeal ⁵
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General plan amendments	Ch. 9.65	Recommend	Recommend	Decision
Home occupation permits – Class I	Ch. 9.50	Decision	Appeal	Appeal
Home occupation permits – Class II	Ch. 9.50	Decision	Appeal	Appeal
Home occupation permits – Class III	Ch. 9.50	Recommend	Decision	Appeal
Home occupation permits – Class IV	Ch. 9.50	Recommend	Decision	Appeal
Home occupation permits – Class V	Ch. 9.50	Decision	Appeal	Appeal

Development code interpretations	Sec. 9.02.010	Decision	Appeal	Appeal
Sidewalk Vending	Ch. 9.55	Decision	Appeal	Appeal
Land use compliance review	Ch. 9.66	Recommend	Decision	Appeal
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Native plant permits – non-exempt	Ch. 9.77	Recommend	Decision	Appeal
Native plant permits - exempt	Ch. 9.77	Decision	Appeal	Appeal
Planned development permits and amendments	Ch. 9.67	Recommend	Recommend	Decision
Reasonable accommodations	Ch. 9.74	Decision	Appeal	Appeal
Sign permits – existing building signage, temporary signage, and residential subdivision signage	Ch. 9.76	Decision	Appeal	Appeal
Sign permits – new commercial, industrial, and institutional developments, sign programs, design merit review, landmark sign review, and public and institutional facility directional signage	Ch. 9.76	Recommend	Decision	Appeal
Sign permits – Off-site signs on public property	Ch. 9.76	Recommend	Recommend	Decision
Site plan and design review and amendments	Ch. 9.68	Recommend	Decision	Appeal
Special use permits – bed and breakfast lodging, animal keeping, breeding/raising of densities greater than those specified in section 9.08.020, exotic animals, private kennels/small animals, recycling facilities, large family daycare	Ch. 9.69	Decision	Appeal	Appeal
Specific plans and amendments	Ch. 9.70	Recommend	Recommend	Decision
Temporary special event	Ch. 9.71	Decision	Appeal	Appeal

permits – church tent revival meetings, carnivals, circus, concert, farmers market, festival/fair, seasonal holiday sales facilities, or similar types of events				
Temporary use permits	Ch. 9.72	Decision	Appeal	Appeal
Variances	Ch. 9.73	Recommend	Decision	Appeal
Commercial vehicle parking permit	Sec. 9.33.100	Decision	Appeal	Appeal
Landscape and irrigation review	MWELo (CA)	Decision	Appeal	Appeal
Filming Permit	Ord. 85	Decision	Appeal	Appeal
Temporary residential special event permit – Class I & Class II	Ch. 9.38	Decision	Appeal	Appeal
Temporary residential special event permit – Class III & Class IV	Ch. 9.38	Recommend	Decision	Appeal
Environmental assessment	Sec. 9.61.040	Decision	Appeal	Appeal

Notes:

1. The director may defer action and refer any permit or approval application to the commission for final determination.

2. All decisions of the director are appealable to commission, and then to the council, in compliance with chapter 9.81, "Appeals", of this title.

3. The commission may refer consideration of an appeal to the council.

4. All decisions of the council are final.

5. "Recommend" means that the review authority makes a recommendation to a higher review authority; "appeal" means that the review authority may consider and decide upon appeals to the decision of an earlier review authority, in compliance with chapter 9.81, "Appeals", of this title.

TABLE 4-1 (B)
REVIEW AUTHORITY

Type Of Decision	Applicable Development Code Section	Town Engineer	Director	Parks, Recreation, and Cultural Commission	Planning Commission	Town Council

Dedication of Land for Park and Recreation Purposes	Ch. 9.51	-	-	Recommend	Recommend	Decision
Tentative or vesting tract or parcel map	<u>9.91.040</u>		Recommend	-	Decision	Appeal
Parcel map	<u>9.92</u>	Recommend	Recommend	-		Decision
Final map	<u>9.92</u>	Recommend	Recommend	-		Decision
Certificate of subdivision compliance	<u>9.93.020</u>	Recommend	Decision	-	Appeal	Appeal
Composite development plan	<u>9.92.070</u>	Recommend	Decision	-	Appeal	Appeal
Official maps	<u>9.93.070</u>		Recommend	-	Recommend	Decision
Lot line adjustment	<u>9.93.030</u>	Recommend	Decision	-	Appeal	Appeal
Lot mergers	<u>9.93.040</u>	Recommend	Decision	-	Appeal	Appeal
Reversion to acreage	<u>9.93.050</u>		Recommend	-	Recommend	Decision

SECTION 2. SEVERABILITY

The Town Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

SECTION 3. CEQA

This Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, as it is not a "project" and has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment 14 Cal. Code Regs. § 15378. The Town Clerk shall cause a Notice of Exemption to be filed as authorized by CEQA and the State CEQA Guidelines.

SECTION 4. EFFECTIVE DATE

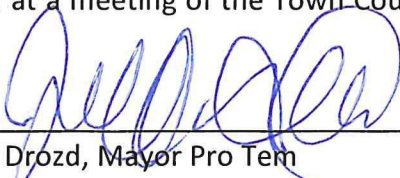
This Ordinance shall take effect thirty (30) days from its adoption by the Town Council of the Town of Yucca Valley.

SECTION 5. PUBLICATION

The Town Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the Town in accordance with Government Code Section 36933(a) or, to cause this Ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 39633(c).

SECTION 6. CERTIFICATION

The foregoing Ordinance was approved and adopted at a meeting of the Town Council held on the 19th day of November 2024.



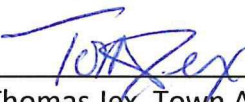
Jeff Drozd, Mayor Pro Tem

ATTEST:



Lesley Copeland, Town Clerk

APPROVED AS TO FORM:



Thomas Jex, Town Attorney

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Lesley R. Copeland, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Ordinance No. 323 as duly and regularly introduced at a meeting of the Town Council on the 5th day of November 2024 and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 19th day of November 2024 by the following vote, to wit:

Ayes: Council Members Abel, Denison, Schooler and Mayor Pro Tem Drozd

Noes: None

Recused: None

Absent: Mayor Lombardo

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 5th day of November 2024.



Town Clerk of the Town of
Yucca Valley

**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

From: Jared Jerome, Associate Planner, Evan Willoughby, Assistant Planner

Date: September 29, 2025

Meeting Date: October 14, 2025

Subject: Land Development Update

Recommendation:

That the Planning Commission receives and files the report.

Prior Review:

There has been no prior review of this item. The purpose of this report is to update the Planning Commission on private land development and capital project activity.

Discussion:

Town staff will provide the Planning Commission with an update on current private land development and capital projects and anticipated schedules.

Alternatives

None.

Fiscal Impact:

None.

Attachments

None