

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, FEBRUARY 24, 2026
Yucca Valley Community Center - Yucca Room
57090 Twentynine Palms Highway
Yucca Valley, CA 92284

<https://zoom.us/j/95073598740?pwd=QBOUJ0yaOxbCA1L9ybB3nQnjudFT0s.1>

Meeting ID: 950 7359 8740

Passcode: 047769

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, FEBRUARY 24, 2026, 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

1. Agenda Approval

Recommendation:

Approve the meeting agenda as prepared.

Consent Agenda

All items listed on the consent calendar are considered to be routine matters or are considered formal documents covering previous Planning Commission instruction. The items listed on the consent calendar may be enacted by one motion and a second. There will be no separate discussion of the consent calendar items unless a member of the Planning Commission or Town Staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on consent calendar items should be filed with the Commission Secretary before the consent calendar is called.

2. Approval of Meeting Minutes for January 27, 2026, as prepared.

Recommendation:

Approval of Meeting Minutes for January 27, 2026, as prepared.

Public Hearings

Department Reports

3. Conditional Use Permit (CUP) 01-23 - Starbucks - Minor Modification #1

Recommendation:

Conditional Use Permit (CUP) 01-23:

That the Planning Commission approves CUP 01-23, 57037 Twentynine Palms Highway - Starbucks - Minor Modification #1, a request to amend the approved site plan for the addition of outdoor seating incidental to the construction and development of an approximate 2,100 square foot restaurant with drive-thru on a 0.55 acre parcel, with parking and landscaping, based upon the information contained within the staff report and the required findings.

4. Development Code Interpretation (DCI) 01-26 — Architectural Compatibility of Cargo/Shipping Containers in Residential Zoning Districts

Recommendation:

That the Planning Commission finds that Chapter 9.07 Residential and Hillside Reserve Districts, Section 9.07.060 of the Town’s development code requires that cargo/shipping containers on residential properties containing less 2.5 acres must meet Building Division requirements, must be attached to a permanent foundation, and must be architecturally treated so as not to appear as a cargo/shipping container, and provides direction on acceptable architectural treatments (siding, roofing, screening) to implement these requirements.

5. Land Development Update

Recommendation:

That the Planning Commission receives and files the report.

Future Agenda Items

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 discussing items not on the printed agenda.

Staff Reports and Comments

Commissioner Reports and Comments

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

Announcements

Upcoming Meeting Schedule: The next regular meeting of the Yucca Valley Planning Commission on Tuesday, March 10, 2026, will be canceled due to a lack of a quorum. The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, March 24, 2026, at 6:00 PM in the Yucca Valley Community Center Yucca Room.

Adjournment

Town of Yucca Valley
Planning Commission Meeting Minutes
January 27, 2026

Call to Order

Roll Call

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

Absent:

Pledge of Allegiance

Led by Vice Chair Thomas.

Approval of Agenda

Motion:

Result: Approved - Passed (Yes 5, No 0, Abstained 0)

Mover: Commissioner James Henderson

Second: Commissioner Mathew Thomas

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

Consent Agenda

Vice Chair Vasconcelos stated onto the consent agenda. All items listed on the consent calendar are considered to be routine matter and are, are considered formal documents covering previous planning commission instructions. Items listed on the cos-- consent calendar may be enacted by one motion and a second. There'll be no separate discussion of the consent calendar items unless a member of the Planning Commission or town staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on consent calendar should be filed with the commission secretary before the consent calendar is called. With that, is there anyone in the public that wishes to make a comment on the consent calendar? Anyone online? All right. We'll close, uh, public comment. Can we get a motion to approve the consent agenda?

Motion:

All items listed on the consent calendar are considered to be routine matters or are considered formal documents covering previous Planning Commission instruction. The items listed on the consent calendar may be enacted by one motion and a second. There will be no separate discussion of the consent calendar items unless a member of the Planning Commission or Town Staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on consent calendar items should be filed with the Commission Secretary before the consent calendar is called.

Result: Approved - Passed (Yes 5, No 0, Abstained 0)
Mover: Commissioner Mathew Thomas
Secunder: Commissioner Gerard Noonan
Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Public Hearings

Department Reports

1. Temporary Use Permit (TUP) 01-26 @ 58705 29 Palms Highway - JT Desert Drifters

Chair Vasconcelos stated moving on to the public hearing. Item number one, department reports. This is the subject is Temporary Use Permit, TUP 01-26 at 58705 Twentynine Palms Highway, JT Desert Drifters. Staff report, please.

Assistant Planner Willoughby stated thank you, Chair and Commissioners. The recommendation for this item is that the Planning Commission approves, based on the information contained within the staff report, Temporary Use Permit 01-26, at 58705 Twentynine Palms Highway for JT Desert Drifters, a food truck located on private property pursuant to Section 9.55.050, Roadside Vending, Sec--Subsection B of the Yucca Valley Development Code. Um, just for background, since this is the very first of these, um, the Planning Commission may recall, on May 7, 2024, the Town Council directed staff and the Planning Commission to review and develop recommended regulations for mobile food vending. Planning Commission discussed the proposed policy throughout four meetings held through May, June, July, and August of 2024. And the regulations recommended by the Planning Commission, voted 4 to 0, were introduced to the Town Council on October 1, 2024, and adopted by the town council on November 5, 2024, voted 5 to 0. Uh, for this current application, staff received the application on January 15th for the temporary use permit. Uh, the application and details are attached to this staff report. This application is located within the Home Depot retail-specific plan area, which is a total parcel size of 3.07 acres. The applicant proposes to locate a food trailer-uh, pictured on packet page six -that is 26 feet in length by 8 feet in width. A folding table 2 feet in length by 4 feet in width. Trash and recycling facilities within, uh, f--approximately five parking stalls located 175 feet north of the Home Depot c--pickup canopy area. That proposed area is identified in the site plan, which is on packet page five, uh, which indicates those areas for both the trailer and the, uh, folding table, trash, and recycling. The business is proposed, uh, according to the application, to operate Monday through Friday from 5:30 AM to 2:00 PM serving a variety of handcrafted food, including but not limited to hot dogs and burgers. Um, for background on the Old Town--sorry, the Home Depot retail-specific plan, it does allow food service, uh, for example, a hot dog food cart, um, within a designated area, which is identifie-identified in red on packet page seven, uh, labeled eight. Uh, Home Depot primarily uses that area today for outdoor storage display, and the applicant proposes to locate within the five-space parking area, identified above, outside the originally approved designated food service area. Section 9.55.050, Roadside Vending, Subsection B, Regulations for Vending from Mobile Vending Facility on Private Property include compliance with the zoning ordinances applicable to the property, um, and also includes the applicability of temporary use permits for activities that are not otherwise authorized by the land use entitlements for the private property. The Planning Commission is the review authority for those temporary use permits. Uh, the temporary use permit may be issued for a term not to exceed 12 months and shall expire 12 months from the

date of approval. Um, included with that section are a number of standards meant to make sure that the use is compatible with surrounding uses. Uh, I'll just list a few. Um, that the activity not vend within 10 feet of any other vendor on the property. Uh, we don't have any other vendors in this case. Uh, not vend upon any private property within 300 feet of the nearest property line of any property on which a school building is located between the hours of 7 o'clock and 5:30 PM on any school day. Possessing, um, at all times unexpired health permits. Possessing at all times an unrevoked and unexpired permit issued pursuant to this chapter and any other permits required by any other appropriate governmental agency, including compliance with applicable state/local laws, ordinance, and regulations. Uh, food labeling and preparation requirements. Fire codes and regulations. And Americans with Disabilities Act and regulations, state and federal. And maintaining a clearly designated waste receptacle in the immediate vicinity of the motor vehicle, and vending that is marked with a sign requesting use by customers. Prior to leaving the vending location, the vendor shall pick up, remove, and dispose of all trash generated by the vendor's operation located within a 25-foot radius of the vending location. Sales from a mobile food truck/vending vehicle shall only occur within the hours of 7:00 AM and 10:00 PM of the same day. And no vendor shall locate within 200 feet of any other existing business measured from the vending area to the nearest building wall of said business that sells similar products or any other licensed vendor operating during the applicable vending hour specified in this chapter. So, the proposed operating hours of 5:30 AM to 2:00 PM provided in the application and specified in the applicant's, um, agreement with Home Depot, um, do not comply with Standard H. However, the attached draft conditions of approval will require the applicant to comply with the approved operating hours of 7:00 AM to 10:00 PM that are specified in the adopted ordinance for road tr--side vending. Uh, draft conditions of approval based on these standards have been provided to the applicant and explained as far as that one minor conflict on the hours of operation. And lastly, findings for temporary use permits. Per chapter 9.72, Temporary Use Permits specify that the operation of the requested use at the pr--location proposed and within the same time period specified will not jeopardize, endanger, or otherwise constitute a risk to public health, safety or welfare. The proposed site is adequate in size and shape to accommodate the temporary use without material detriment to the use and enjoyment of other properties located adjacent to and in the vicinity of the site. And the proposed site is adequately served by streets or highways having sufficient width and improvements to accommodate the kind and quantity of traffic that the temporary use will or could reasonably be expected to generate. And adequate temporary parking to accommodate vehicular traffic to be generated by the use will be available either on-site or at alternate locations acceptable to the director. Staff finds that the application complies with the required findings addressed above, subject to compliance with all required conditions of approval, and once again, recommends that the Planning Commission approves the application. Staff is available for questions following public comment.

Chair Vasconcelos stated, thank you. Is the applicant here and wish to make any comment?

Applicant Mike Watson stated yes, we do.

Chair Vasconcelos stated come on in.

Applicant Mike Watson stated thank you. Thank you, Commissioners, for taking this up.

Chair Vasconcelos asked name?

Applicant Mike Watson stated we appreciate the opportunity.

Chair Vasconcelos stated please state your name.

Applicant Mike Watson stated my name is Mike Watson.

Chair Vasconcelos stated yeah. Thank you.

Applicant Mike Watson stated and that's my wife, Sue Watson. Um, it's the first time I've, uh, publicly spoken. I'm a electrician. And, um, my father was an electrician. He got his license in California in 1971. So I'm an electrician. Right? Follow my dad's f-- uh, footsteps. So we have a food truck. And, uh, it's been going great at the Home Depot. People love it. And we're very-- we're very honored with the, the praise that we're getting from our customers and, uh, and just the people. And we're giving them a great--great food at a great price. And, uh, we got people coming over from, from Walmart. And e-especially the Home Depot employees, they love the chili fries. So we appreciate the opportunity. And, uh, and we do adhere to the, the new time. And, uh, no problem. We can get up later, which I feel great about. Uh, there weren't too many people there at 5:30, so that's just great with us. Um, I, I have three questions. The qu-- number one question is, if this permit is granted to us, is--does that now also permit Home Depot to have future vehicles into that location, same size?

Does that actually go on their, their, I don't know, master per--?

Chair Vasconcelos stated hey, but this is just a--

Chair Vasconcelos stated this is just a permit for you, for your business.

Applicant Mike Watson stated understood. Okay.

Yeah. My understanding too.

Well, that said, uh, th-- my only other question is, um, we prepared all, all of the, the documentation for this except for the beautiful color--the cover letter. Um, who would we direct our questions to in regarding the, the two bills that we got from--one from Texas, and then we have another invoice from the town. Who would, uh, would answer those questions? O-of course, not here at this forum, but, but later on.

Chair Vasconcelos stated the staff will have that.

Yeah. You would go to the town staff and do that.

Commissioner Stoker stated probably the staff right behind you.

Applicant Mike Watson stated okay. Great. Thank you so much for this opportunity. We will serve good food.

Chair Vasconcelos stated okay. Thank you. Thank you. Is there anyone else in the public that wishes to speak on this matter? Is there anyone online? Close public comment, and we'll go back to commissioners' comments. We'll go with--start with Commissioner Noonan.

Commissioner Noonan stated y-yeah. I-- we just want to thank you for being an example of the right thing to do and the right way to go about it and to stay the course. Um, you know, I, I imagine, I assume you've already gotten all your other permits, and that was part of your submitting to the--to the town. Uh, and I know that that part is r--actually, really the hardest part. Uh, so this shouldn't be that much harder than what you've already done. So congratulations. And, uh, look forward to trying your food. Yeah.

Chair Vasconcelos stated Commissioner Henderson.

Commissioner Henderson stated yeah. I just want to echo those, uh, sentiments. Um, congratulations on this new endeavor. And, you know, in looking through the packet, I just want to thank you for your volunteerism as well, especially for, um, the no-kill shelter and animals. So thank you for that. And I think, with all of the un-permitted things that we see around this town, this is just a great step. And, and we put a lot of effort into creating this code as well. So it's nice to see everything complied with and your understanding of the hours as well. So best of luck.

Chair Vasconcelos stated Commissioner Stoker.

Commissioner Stoker stated uh, nothing that's any different than what we've already heard. Um, we do appreciate people that go through the process to do things the right way. Um, for us, you know, this is a code that we wrote, and we had been waiting for someone to go through the process. Um, we still see lots of vendors out there that have not. And, um, so we applaud you for that. And, uh, look forward to seeing this as a staple and as an example of how to go a g--about that process for others looking to do the same thing. So, uh, thank you for that. Appreciate you.

Chair Vasconcelos stated Vice Chair Thomas.

Commissioner Thomas stated uh, yes. Uh, just echoing the rest of the commissioners as well too. I'm actually really thrilled that somebody decided to do this the right way as opposed to, yeah, bucking the system all the time. So, uh, my congratulations to all of you guys. I think it was great.

Chair Vasconcelos stated yeah. I just want to echo the same sentiment as everyone else here. I rea--we really appreciate, uh, you taking the time and effort to doing it the right way. It really disturbs a lot of us that we put so much effort into making this, this particular, uh, item to--so that people could have food trucks in our town and have it done in, in the right way. And just, you know, seeing so many food trucks come to town, you know, purposely popping up after hours where, you know, uh--No enforcement. C-code enforcement can't go and take a look at them. And then you just going through the channels. And, and it just makes sense also even for the Home Depot. I mean, most other Home Depots you go to, there's always some sort of food vendor or something at all these other locations. So it's definitely a need that's always been- I think a lot of people have even asked about it, about some sort of food vending at, at a Home Depot. So, uh, we do really, really appreciate you going through the effort and putting together such a good packet and, uh, and, uh, and going through the process. So with that, does--we have anyone to make a motion on that?

Motion:

That the Planning Commission approves, based on the information contained within the staff report, Temporary Use Permit (TUP) 01-26 at 58705 Twentynine Palms Highway for JT Desert Drifters a food truck located on private property pursuant to Section 9.55.050 Roadside Vending

(B) of the Yucca Valley Development Code.

Result: Approved - Passed (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

2. Land Development Update

Chair Vasconcelos stated let's move on to land development updates. Staff report, please.

Senior Planner Jerome stated good evening. The recommendation for a land development update is to receive and file. Um, no significant changes from the last, uh, commission meeting. Um, although, you will see that the MND for Sun Mesa Mini Storage is published to the website and the State Clearinghouse. Uh, so it's in that public review process currently. Um, and Walmart is approximately this close to completing their CEQA as well. Um, they anticipate that both Walmart and Dutch Bros will be, uh, substantially complete by the end of this week. Which means, uh, March, and then potentially early April, will be pretty busy with, uh, bigger land development projects for you to review. And, uh, with that, we can answer questions following public comment.

Chair Vasconcelos stated thank you. Is there anyone in the public who wishes to make a comment on this item? Is anyone online? We'll close public comment. Any s-- uh, commissioners have any comments on this?

No. Nothing today.

Motion:

That the Planning Commission receives and files the report.

Result: Receive and File - Passed (Yes 5, No 0, Abstained 0)
Mover: Commissioner James Henderson
Second: Commissioner Mathew Thomas
Ayes: James Henderson, Gerard Noonan, Clint Stoker, Mathew Thomas, Alejandro Vasconcelos

Future Agenda Items

Chair Vasconcelos stated moving on to future agenda items. Staff rep-- staff?

Senior Planner Jerome stated uh, those three items. So Sun Mesa, Walmart, and Dutch Bros, uh, should be coming in, in the next two months. Um, there's also a, uh, commercial design review for the church that's, um, nearest to where like--uh, the Vons Center, on the west side of that, um, that development, n--just, uh, behind where the banks are. Uh, so if you're leaving Chipotle and going out to Airway, you'd pass right by it.

Uh, they want to install a fence. So that will probably be coming to the next meeting. Anything else?

Chair Vasconcelos stated because they're tired of everyone driving through their property, leaving Vons.

Senior Planner Jerome stated yeah. Exactly. Uh, I understand that's a big reason why they want to propose a fence there is, uh, for vehicles. Uh, that's it, those, those items.

Commissioner Stoker stated uh, I had a question. C-- would now be an appropriate time to bring up a future agenda item that I would like to see maybe we try to agendize in the future? Shane, yeah? Or is now not the appropriate time? In my-- s-staff report and comments or something, or?

Senior Planner Jerome stated uh, in either time now or in commissioner comments.

Commissioner Stoker stated okay. So I, I was-- uh, I attended the builder and realtor meeting that's held monthly. And one of the comments from one of the builders and realtors there, same person, was questioning whether it's time for us to relook at the minimum size for a home. We--currently, I, I believe ours is 725. Is that correct?

Senior Planner Jerome stated yes. Correct.

Commissioner Stoker stated, yeah. So we have a 725 square foot minimum home size. Um, the county removed that requirement following kind of some state guidelines. Um, in looking at other jurisdictions in our area, I looked into City of Twentynine Palms, and they've also removed that same requirement for a minimum home size of 725 square feet. It's something that I think maybe we should re-look at as well, just so we could kind of be in line with our neighbors, both in unincorporated areas and, uh, City of Twentynine Palms. So it might be something to look at in the future. I don't know if that's something we could request, um, some council direction as to whether it would be something they would like us to look at. Is that something we need to like vote on asking, or is that something that staff can put in front of Town Council?

Senior Planner Jerome stated, I think we can research it and take it there. Yep.

Deputy Town Manager Stueckle stated I believe your development code spells out the pr-- I believe your development code spells out the process. The Commission makes a request of the town council, so it would be--need to be a formal agenda item on the commission's agenda, goes up to the town council, and then the town council provides direction back to the commission. I believe that process is spelled out in your code for any potential development code amendment.

Commissioner Stoker stated okay. So I'd like to maybe see that on our agenda in a coming meeting, if that's the position of everyone else that'd like to see that?

Commissioner Thomas stated yeah. I think that's a good idea.

Commissioner Stoker stated I don't think we really need to make a motion, but--

Commissioner Thomas stated I think that is something we vote on. It's just staff is going to--

Commissioner Stoker stated add it to our future agenda.

[crosstalkk] Have to add it to the agenda.

Okay.

That's basically it.

Commissioner Stoker stated all right. Thank you. That's all I had.

All right. Thank you. That's all I had.

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 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 discussing items not on the printed agenda.

With that, is there anyone in the public that wishes to make, uh, any comments? Anyone online? Close public comment.

Staff Reports and Comments

Chair Vasconcelos stated uh, back to staff reports and comments.

Senior Planner Jerome stated uh, I have no additional reports or comments.

Commissioner Reports and Comments

Chair Vasconcelos stated okay. Commissioner reports and comments. How about, uh, Commissioner Henderson.

Commissioner Henderson stated uh, nothing. Thank you. A great meeting.

Chair Vasconcelos stated Commissioner Noonan.

Commissioner Noonan stated nothing to report. Good meeting. Thank you, everyone.

Chair Vasconcelos stated Commissioner Stoker.

Commissioner Stoker stated uh, I did want to bring to the attention of our Commission - um, just to put on another hat - uh, we had our-- we held our Tournament of Champions for the Morongo Basin Youth Soccer Association, um, this past weekend. And we had 48 teams that visited--actually, 45 teams that visited from other areas. We had three teams to complete the pool of 48, um, that were f--local that made that tournament. Um, it's the final tournament of our Cal South District 5. And we had a, a little over 3,000 people here at the height of that tournament during Saturday afternoon. Um, it was b--in, in our board's opinion, highly successful. We had really positive comments, um, from visiting parents and, and grandparents and players. Um, they really appreciated the backdrop, that Brehm Park. That was the one thing I heard quite a bit, is just sitting in Brehm Park and looking at the mountainside was really a cool, cool backdrop to play soccer and, and watch soccer. Um, and of--overall, it went really well. We, uh, ha--we ha-

have a lot of thanks due to the town for having a great facility for us to use and, um, and a lot of support from different town staff people, whether it be in parks, recreation, uh, maintenance, or, uh, administration kind of roles within the town that helped us put this on. So it was a really successful thing. We're going to have it locked in for next January as well. And, uh, hopefully, we can--we can con-continue to host that tournament. It was really, pretty fantastic. I think it was a really great benefit to local businesses. Um, prior to the, uh, announcement of the teams that made it in, I contacted all of our local hotels we have in town, and they were all sitting at like single-digit occupancy for that weekend. And on Thursday night, I contacted all three of them again, and they were all 100% booked, which was great--um, for our local, uh, hotels. In talking to a lot of parents, they still weren't able to get into those three hotels, s-so they were utilizing a lot of our local Airbnbs for their families to stay at. So it was really a positive----um, positive, uh, experience and a positive event. And I think it made people really appreciate our town a lot better. So, um, so that's--wanted to bring that to everybody's attention. Thank you.

Chair Vasconcelos stated, thank you. Commissioner Thomas

Commissioner Thomas stated, um, no real comments for me tonight.

Chair Vasconcelos stated all right. Uh, just like to thank staff for another well-run meeting. You know, it was, uh, good as like to see, uh, you know, someone in the community coming in before and trying to improve their business and improve our community. That's great to see. I appreciate the commission here and, uh, and all the efforts they do and, and run well-run meetings. So w-with that, we got announcements

Announcements

Chair Vasconcelos stated the next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, February 10, 2026, at 6:00 PM in the Yucca Valley Community Center Yucca Room.

Adjournment

Chair Vasconcelos adjourned the meeting at 6:26 PM.

Respectfully submitted,

Janet Yochmowitz
Commission Secretary

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



To: Planning Commission

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

Date: February 17, 2026

Meeting Date: February 24, 2026

Subject: Conditional Use Permit (CUP) 01-23 - Starbucks - Minor Modification #1

Recommendation:

Conditional Use Permit (CUP) 01-23:

That the Planning Commission approves CUP 01-23, 57037 Twentynine Palms Highway - Starbucks - Minor Modification #1, a request to amend the approved site plan for the addition of outdoor seating incidental to the construction and development of an approximate 2,100 square foot restaurant with drive-thru on a 0.55 acre parcel, with parking and landscaping, based upon the information contained within the staff report and the required findings.

Prior Review:

The Planning Commission previously reviewed and approved the project, (Vote 5-0), at their October 10, 2023, meeting, and later reviewed and approved, (Vote 4-0), the landscape plan at their meeting of February 27, 2024.

Discussion:

Town of Yucca Valley Development Code, Chapter 9.63 Conditional Use Permit, Section 9.63.090 Minor Modifications of Previously Approved Conditional Use Permit, states:

An approved conditional use permit may be modified upon the request of the property owner, or by the town. Minor modifications may be approved by the director if it is determined that the changes would not affect the findings prescribed in section 9.63.080, "Required Findings", of this chapter, and that the subject of the proposed changes were not items of public controversy during the review and approval of the original permit; including modifications to phasing schedules for the project.

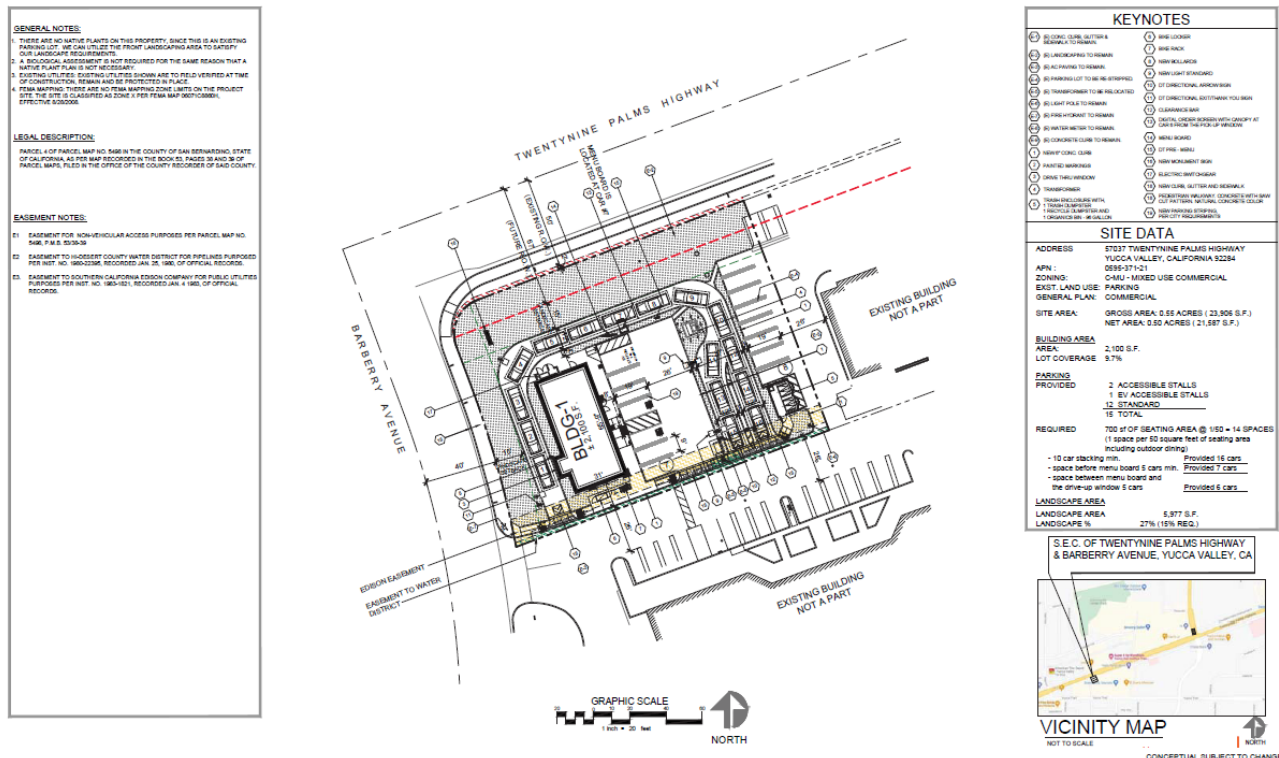
Town of Yucca Valley Development Code, Chapter 9.60 Permit Procedures; General Provisions, Section 9.60.030 Review Authority for Land Use and Zoning Decisions, states:

The director may defer action and refer any permit or approval application to the commission for final determination.

The minor modification before the Planning Commission is to allow outdoor seating along the south-facing building frontage. The proposed indoor seating area is 642 square-feet with a proposed outdoor seating area of 105 square-feet, totaling 747 square-feet. Fifteen (15) parking spaces are provided pursuant to the requirements of the Town of Yucca Valley Development Code, Chapter 9.33, that one (1) space is provided per 50 square-feet of seating area, including outdoor dining. Required findings previously approved pursuant to Section 9.63.080 are not affected by the proposed addition of outdoor seating, and the proposed changes were not items of public controversy during the review and approval of the original permit. No changes are proposed to the exterior architecture or landscaping previously reviewed and approved by the Planning Commission.

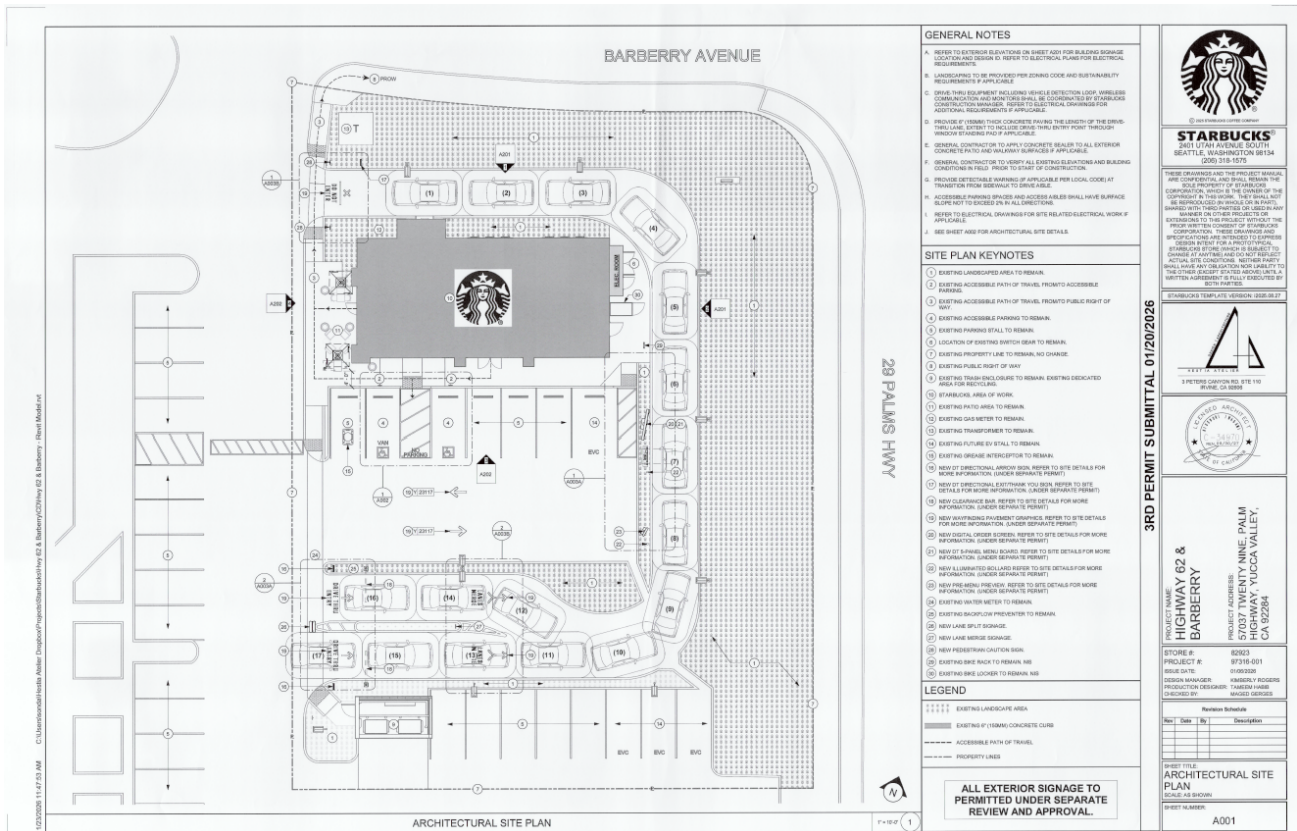
The approved site plan, and the proposed site plan with minor modifications are pictured below and are attached to this staff report.

Approved Site Plan



<p>AVANT REAL ESTATE 4490 AYERS AVE, VERNON, California, 90058</p>	<p>57037 TWENTYNINE PALMS HIGHWAY Yucca Valley, California 92284</p>	<table border="1"> <tr> <th>#</th> <th>Description</th> <th>Date</th> </tr> <tr> <td>1</td> <td>Pre-Submittal</td> <td>01-21-2023</td> </tr> <tr> <td>2</td> <td>Permit</td> <td>05-17-2023</td> </tr> <tr> <td>3</td> <td>Final</td> <td>05-18-2023</td> </tr> </table>	#	Description	Date	1	Pre-Submittal	01-21-2023	2	Permit	05-17-2023	3	Final	05-18-2023	<p>SITE PLAN 01.16.2023 3:30PM SP-08</p>
#	Description	Date													
1	Pre-Submittal	01-21-2023													
2	Permit	05-17-2023													
3	Final	05-18-2023													

Proposed Site Plan



GENERAL NOTES

- A. REFER TO EXISTING ELEVATIONS ON SHEET A001 FOR BUILDING SKIN, EXISTING AND NEW. REFER TO ELECTRICAL PLANS FOR ELECTRICAL REQUIREMENTS.
- B. LANDSCAPE TO BE REVIEWED PER DESIGN CODE AND SUSTAINABILITY REQUIREMENTS IF APPLICABLE.
- C. SPECIAL TRUCK EQUIPMENT INCLUDING WHEELS, TIRE TRACKS, WEIGHTS, COMBINATION AND UNUSUAL LOADS, BE CONSIDERED BY ADVANCED CONSTRUCTION AND SPECIALIST. SEE LOCAL ORDINANCES FOR ADDITIONAL REQUIREMENTS IF APPLICABLE.
- D. PROVIDE 4" COVER OVER THESE CONCRETE PAVES THE LENGTH OF THE DRIVE-THRU LANE, SITES TO INCLUDE DRIVE THRU ENTRY POINT THROUGH WINDOW OPERABLE IF APPLICABLE.
- E. GENERAL CONTRACTOR TO VERIFY ALL EXISTING ELEVATIONS AND BUILDING CONDITIONS IN FIELD PRIOR TO START OF CONSTRUCTION.
- F. PROVIDE DETECTABLE WARNING IF APPLICABLE PER LOCAL CODE, AT TRANSIT FROM REMAIN TO REMAIN.
- G. ACCESSIBLE PARKING SPACES AND ACCESSIBLE SHALL HAVE SURFACE SURFACING TO BE REVIEWED FOR ALL DIRECTIONS.
- H. REFER TO ELECTRICAL DRAWINGS FOR SITE RELATED ELECTRICAL WORK IF APPLICABLE.
- I. SEE SHEET A001 FOR ARCHITECTURAL SITE DETAILS.

SITE PLAN KEYNOTES

- (1) EXISTING LANDSCAPE AREA TO REMAIN.
- (2) EXISTING ACCESSIBLE PATH OF TRAVEL FROM TO ACCESSIBLE REMAIN.
- (3) EXISTING ACCESSIBLE PATH OF TRAVEL FROM TO PUBLIC RIGHT OF WAY.
- (4) EXISTING ACCESSIBLE PARKING TO REMAIN.
- (5) EXISTING PARKING SHALL TO REMAIN.
- (6) LOCATION OF EXISTING SWITCH GEAR TO REMAIN.
- (7) EXISTING PROPERTY LINE TO REMAIN, NO CHANGE.
- (8) EXISTING PUBLIC RIGHT OF WAY.
- (9) EXISTING TRANSIT FROM TO REMAIN, EXISTING DESIGNATED AREA FOR RECYCLING.
- (10) EXISTING TRANSIT FROM TO REMAIN.
- (11) EXISTING PATH OF TRAVEL TO REMAIN.
- (12) EXISTING GAS METER TO REMAIN.
- (13) EXISTING TRANSFORMER TO REMAIN.
- (14) EXISTING FUTURE BY STALL TO REMAIN.
- (15) EXISTING SIGNAL INTERSECTION TO REMAIN.
- (16) NEW OF DIRECTIONAL ARROW SIGN, REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- (17) NEW OF SIGNAGE, REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- (18) NEW OF SIGNAGE, REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- (19) NEW OF SIGNAGE, REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- (20) NEW OF SIGNAGE, REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- (21) NEW OF SIGNAGE, REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- (22) EXISTING SIDE WALK TO REMAIN.
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- (99) EXISTING SIDE WALK TO REMAIN.
- (100) EXISTING SIDE WALK TO REMAIN.

LEGEND

- EXISTING LANDSCAPE AREA
- EXISTING 4" TRANSIT CONCRETE CURB
- ACCESSIBLE PATH OF TRAVEL
- PROPERTY LINES

ALL EXTERIOR SIGNAGE TO PERMITTED UNDER SEPARATE REVIEW AND APPROVAL.



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3RD PERMIT SUBMITTAL 01/20/2026

PROJECT NAME: HIGHWAY 92 & BARBERRY
PROJECT ADDRESS: 57037 TWENTY NINE PALM HIGHWAY, YUCCA VALLEY, CA 92384

STORE #: 8293
PROJECT #: 87316-001
ISSUE DATE: 01/20/2026
DESIGN MANAGER: GABRIEL FIGUEROA
PRODUCTION DESIGNER: THOMAS JAMES
CHECKED BY: ANDREW GIBSON

Rev	Date	By	Description

PROJECT TITLE: ARCHITECTURAL SITE PLAN
SHEET NO: A001

Minutes of the Planning Commission's prior review are attached to this staff report.

Alternatives

N/A

Fiscal Impact:

N/A

Attachments

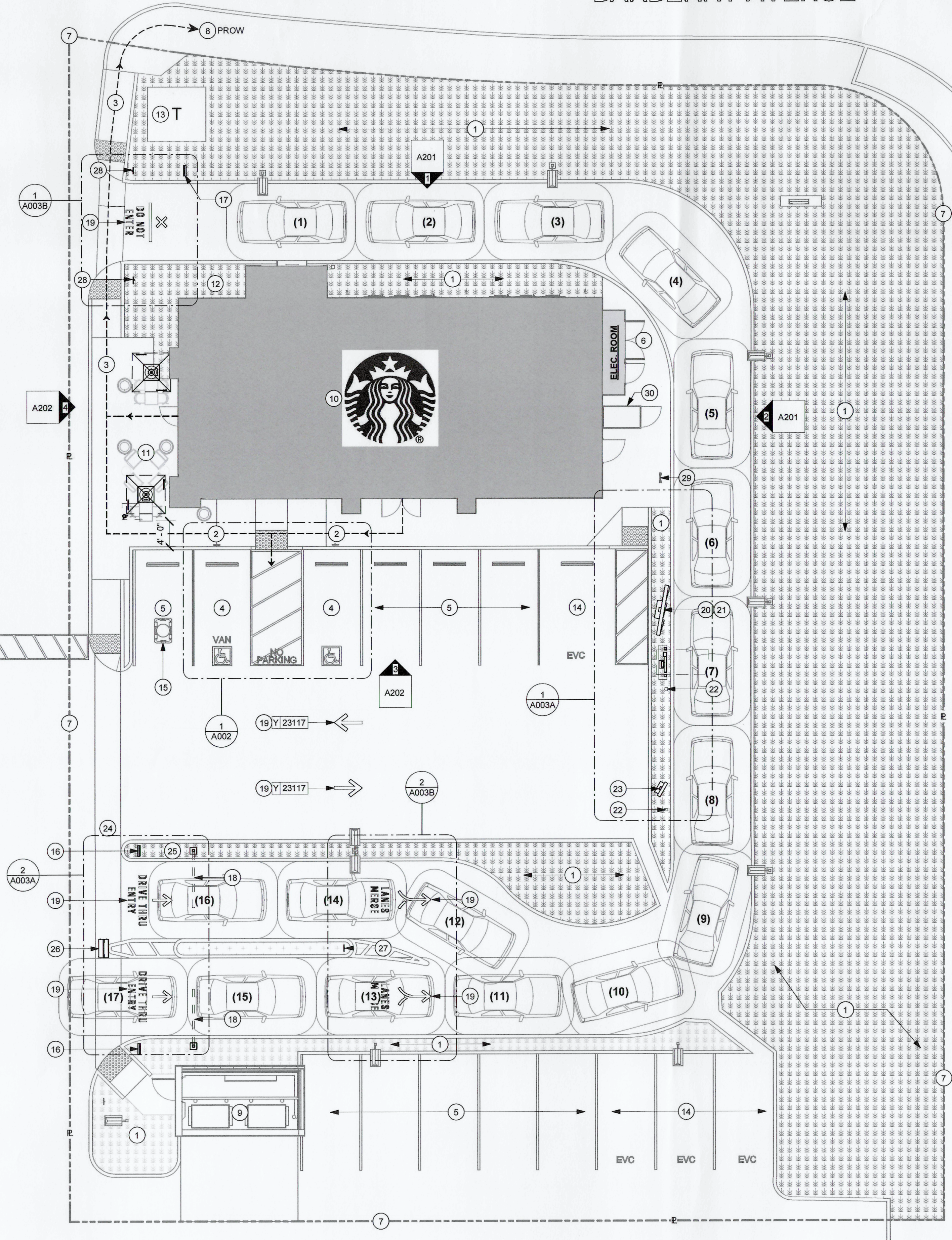
1. Site Plan - CUP 01-23 Starbucks West 1-20-2026
2. (2) Site Plan - CUP 01-23 Starbucks West 8-15-23
3. Starbucks West PC Meeting Minutes October 10, 2023
4. LP 01-24 Starbucks West PC Minutes 2-27-2024

BARBERRY AVENUE

29 PALMS HWY



1" = 10'-0" 1



ARCHITECTURAL SITE PLAN

GENERAL NOTES

- A. REFER TO EXTERIOR ELEVATIONS ON SHEET A201 FOR BUILDING SIGNAGE LOCATION AND DESIGN ID. REFER TO ELECTRICAL PLANS FOR ELECTRICAL REQUIREMENTS.
- B. LANDSCAPING TO BE PROVIDED PER ZONING CODE AND SUSTAINABILITY REQUIREMENTS IF APPLICABLE.
- C. DRIVE-THRU EQUIPMENT INCLUDING VEHICLE DETECTION LOOP, WIRELESS COMMUNICATION AND MONITORS SHALL BE COORDINATED BY STARBUCKS CONSTRUCTION MANAGER. REFER TO ELECTRICAL DRAWINGS FOR ADDITIONAL REQUIREMENTS IF APPLICABLE.
- D. PROVIDE 6" (150MM) THICK CONCRETE PAVING THE LENGTH OF THE DRIVE-THRU LANE. EXTENT TO INCLUDE DRIVE-THRU ENTRY POINT THROUGH WINDOW STANDING PAD IF APPLICABLE.
- E. GENERAL CONTRACTOR TO APPLY CONCRETE SEALER TO ALL EXTERIOR CONCRETE PATIO AND WALKWAY SURFACES IF APPLICABLE.
- F. GENERAL CONTRACTOR TO VERIFY ALL EXISTING ELEVATIONS AND BUILDING CONDITIONS IN FIELD PRIOR TO START OF CONSTRUCTION.
- G. PROVIDE DETECTABLE WARNING (IF APPLICABLE PER LOCAL CODE) AT TRANSITION FROM SIDEWALK TO DRIVE AISLE.
- H. ACCESSIBLE PARKING SPACES AND ACCESS AISLES SHALL HAVE SURFACE SLOPE NOT TO EXCEED 2% IN ALL DIRECTIONS.
- I. REFER TO ELECTRICAL DRAWINGS FOR SITE RELATED ELECTRICAL WORK IF APPLICABLE.
- J. SEE SHEET A002 FOR ARCHITECTURAL SITE DETAILS.

SITE PLAN KEYNOTES

- 1 EXISTING LANDSCAPED AREA TO REMAIN.
- 2 EXISTING ACCESSIBLE PATH OF TRAVEL FROM/TO ACCESSIBLE PARKING.
- 3 EXISTING ACCESSIBLE PATH OF TRAVEL FROM/TO PUBLIC RIGHT OF WAY.
- 4 EXISTING ACCESSIBLE PARKING TO REMAIN.
- 5 EXISTING PARKING STALL TO REMAIN.
- 6 LOCATION OF EXISTING SWITCH GEAR TO REMAIN.
- 7 EXISTING PROPERTY LINE TO REMAIN, NO CHANGE.
- 8 EXISTING PUBLIC RIGHT OF WAY
- 9 EXISTING TRASH ENCLOSURE TO REMAIN. EXISTING DEDICATED AREA FOR RECYCLING.
- 10 STARBUCKS, AREA OF WORK.
- 11 EXISTING PATIO AREA TO REMAIN.
- 12 EXISTING GAS METER TO REMAIN.
- 13 EXISTING TRANSFORMER TO REMAIN.
- 14 EXISTING FUTURE EV STALL TO REMAIN.
- 15 EXISTING GREASE INTERCEPTOR TO REMAIN.
- 16 NEW DT DIRECTIONAL ARROW SIGN. REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- 17 NEW DT DIRECTIONAL EXIT/THANK YOU SIGN. REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- 18 NEW CLEARANCE BAR. REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- 19 NEW WAYFINDING PAVEMENT GRAPHICS. REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- 20 NEW DIGITAL ORDER SCREEN. REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- 21 NEW DT 5-PANEL MENU BOARD. REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- 22 NEW ILLUMINATED BOLLARD REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- 23 NEW PRE-MENU PREVIEW. REFER TO SITE DETAILS FOR MORE INFORMATION. (UNDER SEPARATE PERMIT)
- 24 EXISTING WATER METER TO REMAIN.
- 25 EXISTING BACKFLOW PREVENTER TO REMAIN.
- 26 NEW LANE SPLIT SIGNAGE.
- 27 NEW LANE MERGE SIGNAGE.
- 28 NEW PEDESTRIAN CAUTION SIGN.
- 29 EXISTING BIKE RACK TO REMAIN. NIS
- 30 EXISTING BIKE LOCKER TO REMAIN. NIS

LEGEND

- EXISTING LANDSCAPE AREA
- EXISTING 6" (150MM) CONCRETE CURB
- ACCESSIBLE PATH OF TRAVEL
- PROPERTY LINES

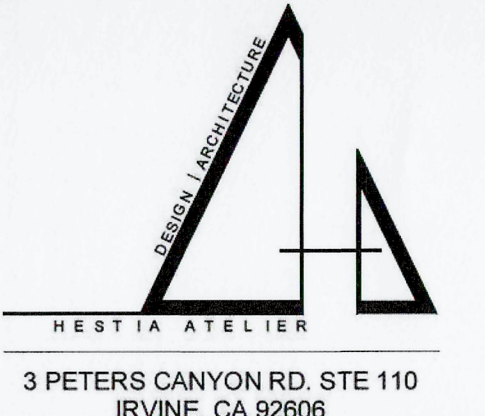
ALL EXTERIOR SIGNAGE TO PERMITTED UNDER SEPARATE REVIEW AND APPROVAL.



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STARBUCKS TEMPLATE VERSION: i2025.08.27



3 PETERS CANYON RD. STE 110
IRVINE, CA 92606



PROJECT NAME:
HIGHWAY 62 & BARBERRY

PROJECT ADDRESS:
57037 TWENTY NINE, PALM HIGHWAY, YUCCA VALLEY, CA 92284

STORE #: 82923
PROJECT #: 97316-001
ISSUE DATE: 01/09/2026
DESIGN MANAGER: KIMBERLY ROGERS
PRODUCTION DESIGNER: TAMEEM HABIB
CHECKED BY: MAGED GERGES

Revision Schedule			
Rev	Date	By	Description

SHEET TITLE:
ARCHITECTURAL SITE PLAN
SCALE: AS SHOWN

SHEET NUMBER:
A001

3RD PERMIT SUBMITTAL 01/20/2026

GENERAL NOTES:

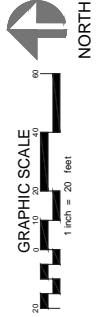
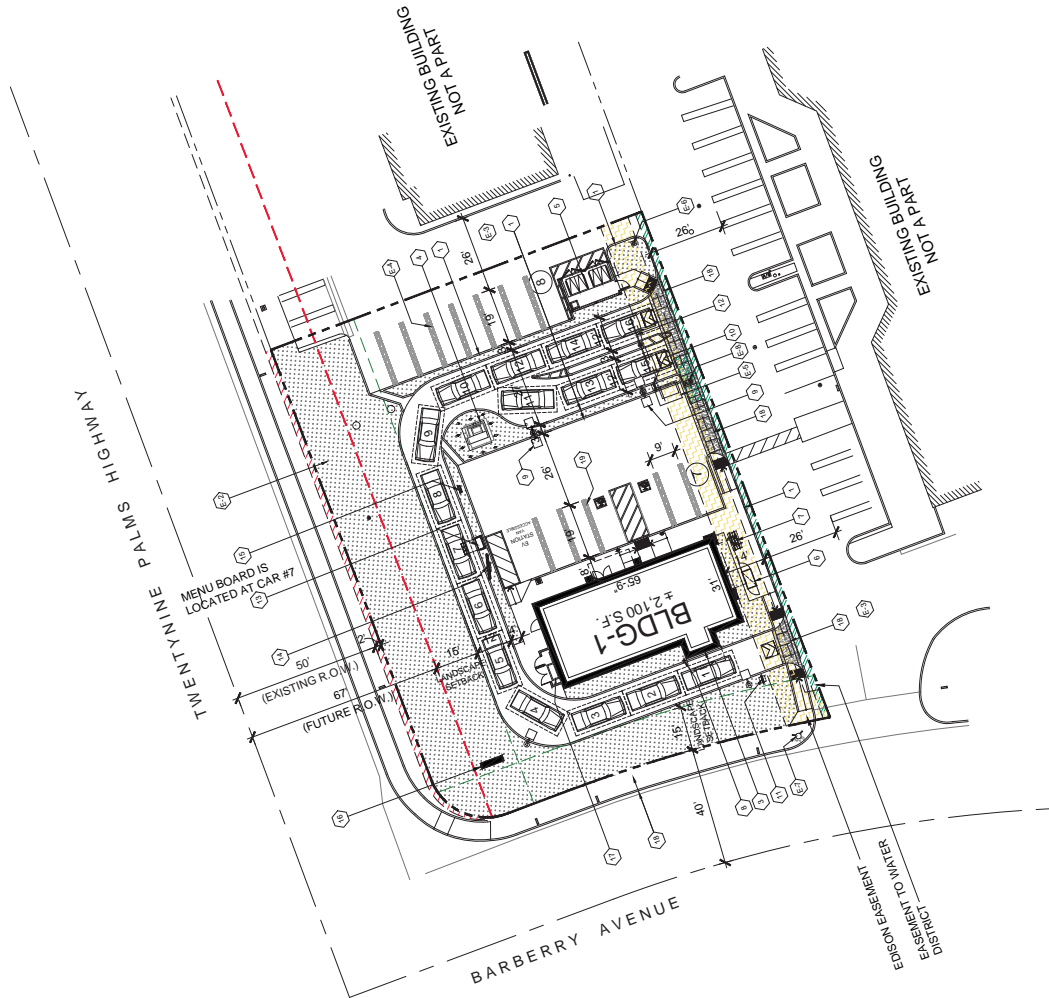
1. THERE ARE NONNATIVE PLANTS ON THIS PROPERTY, SINCE THIS IS AN EXISTING OF CALIFORNIA, AS PER MAP RECORDED IN THE BOOK 53, PAGES 88 AND 89 OF PARCEL MAPS, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.
2. A BIOLOGICAL ASSESSMENT IS NOT REQUIRED FOR THE SAME REASON THAT A OUR LANDSCAPE REQUIREMENTS.
3. EXISTING UTILITIES, EXISTING UTILITIES SHOWN ARE TO FIELD VERIFIED AT TIME OF CONSTRUCTION, REMAIN AND BE PROTECTED IN PLACE. ON THE PROJECT SITE, THE SITE IS CLASSIFIED AS ZONE X PER FEMA MAP 4907 (2009A), EFFECTIVE 8/28/2008.

LEGAL DESCRIPTION:

PARCEL 4 OF PARCEL MAP NO. 5498 IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN THE BOOK 53, PAGES 88 AND 89 OF PARCEL MAPS, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

EASEMENT NOTES:

- E1. EASEMENT FOR NON-VEHICULAR ACCESS PURPOSES PER PARCEL MAP NO. 5498, P.M.S. 5,208-39.
- E2. EASEMENT TO M. DESERT COUNTY WATER DISTRICT FOR PURPOSES PURSUED PER INST. NO. 1889-22386, RECORDED JAN. 25, 1980, OF OFFICIAL RECORDS.
- E3. EASEMENT TO SOUTHERN CALIFORNIA GAS COMPANY FOR PUBLIC UTILITIES PURPOSES PER INST. NO. 1583-1821, RECORDED JAN. 4, 1983, OF OFFICIAL RECORDS.



KEYNOTES

- (A) (E) CONC. CURB, GUTTERS & SIDEWALK TO REMAIN.
- (A) (E) LANDSCAPING TO REMAIN.
- (A) (E) AC PAVING TO REMAIN.
- (A) (E) PARKING LOT TO BE RESTRIPTED.
- (A) (E) TRANSFORMER TO BE RELOCATED.
- (A) (E) LIGHT POLE TO REMAIN.
- (A) (E) CLEARANCE BAR.
- (A) (E) WATER METER TO REMAIN.
- (A) (E) CONCRETE CURB TO REMAIN.
- (A) (E) NEW 6" CONC. CURB.
- (A) (E) PAINTED MARKINGS.
- (A) (E) DRIVE THRU WINDOW.
- (A) (E) TRANSFORMER.
- (A) (E) TRASH ENCLOSURE WITH RECYCLE DUMPSTER AND 1 GORNGAGE BIN, 96 GALLON.
- (A) (E) BIKE LOCKER.
- (A) (E) BIKE RACK.
- (A) (E) NEW BOLLARDS.
- (A) (E) NEW LIGHT STANDARD.
- (A) (E) DT DIRECTIONAL ARROW SIGN.
- (A) (E) DT DIRECTIONAL EXIT/TANK YOU SIGN.
- (A) (E) CLEARANCE BAR.
- (A) (E) NEW SIGNAGE WITH COPY AT DRIVE THRU WINDOW.
- (A) (E) MENU BOARD.
- (A) (E) DT FIRE - MENU.
- (A) (E) NEW MONUMENT SIGN.
- (A) (E) ELECTRIC SWITCHGEAR.
- (A) (E) NEW CURB, GUTTERS AND SIDEWALK.
- (A) (E) RECRETRIAN WALKWAY, CONCRETE WITH SAW CUT PATTERN, NATURAL CONCRETE COLOR.
- (A) (E) NEW PARKING STRIPING.
- (A) (E) NEW CITY REQUIREMENTS.

SITE DATA

ADDRESS: 57037 TWENTYNINE PALMS HIGHWAY
 YUCCA VALLEY, CALIFORNIA 92284
 APN: 0995-371-21
 ZONING: C-MU - MIXED USE COMMERCIAL
 EXST. LAND USE: PARKING
 GENERAL PLAN: COMMERCIAL
 GROSS AREA: 0.55 ACRES (23,906 S.F.)
 NET AREA: 0.50 ACRES (21,587 S.F.)

BUILDING AREA: 2,100 S.F.
 LOT COVERAGE: 9.7%

PARKING PROVIDED:
 2 ACCESSIBLE STALLS
 15 ACCESSIBLE STALLS
 13 STANDARD
 15 TOTAL

REQUIRED:
 700 sf OF SEATING AREA @ 1/50 = 14 SPACES
 (1 space per 50 square feet of seating area including outdoor dining)
 - 10 car stacking min. Provided 16 cars
 - space before menu board 5 cars min. Provided 7 cars
 - the drive-up window 5 cars Provided 6 cars

LANDSCAPE AREA: 5,877 S.F.
 LANDSCAPE %: 27% (15% REQ.)

S.E.C. OF TWENTYNINE PALMS HIGHWAY & BARBERRY AVENUE, YUCCA VALLEY, CA



VICINITY MAP
 NOT TO SCALE
 NORTH

CONCEPTUAL SUBJECT TO CHANGE

#	Description	Date
1	1st SUBMITTAL	02.21.2023
2	Revision	06.07.2023
3	Revision	08.15.2023

SITE PLAN
 01.15.2023 22015TMA
SP-08



57037 TWENTYNINE PALMS HIGHWAY
 Yucca Valley, California 92284

AVANT REAL ESTATE
 4490 AYERS AVE., VERNON, California, 90058



25. Conditional Use Permit, CUP 01-23, Environmental Assessment, EA 03-23, Starbucks West: A request for approval for the construction and development of an approximate 2,100 square foot coffee shop with drive-thru located on a 0.55 acre parcel. The property is located at 57037 Twentynine Palms Highway and is also identified as Assessor Parcel Number (APN) 0595-371-21

Associate Planner Jerome stated good evening, Chair, and Commission. The recommendation for this item is for the Environmental Assessment, EA 03-23 that the Planning Commission finds that the proposed project is exempt from CEQA, pursuant to Section 15303, New Construction or Conversion of Small Structures because the proposed project is less than 2,500 square feet and does not involve the use of significant amounts of hazardous substances. And the recommendation for Conditional Use Permit, CUP 01-23, that the Planning Commission approve CUP 01-23, 57037 Twentynine Palms Highway, a request for the construction and development of an approximate 2,100 square foot restaurant with drive-through on a 0.55-acre parcel with parking, landscaping-- sorry, parking and landscaping based on the information contained in the staff report, the recommended conditions of approval, and the required findings. So first, this is the project site, which is near Desert Nest. So, Stater Bros. is back here. Stater Bros., west. Desert Nest is kind of off to the east. You can see in picture one, Desert Nest is in the left-hand side of the frame with the grocery store in the background. One note is it looks like there's a template perhaps used for the photo at the bottom right that says 4th Street in Yucaipa Boulevard. Those do not exist here. So, this is Barberry and Twentynine Palms Highway. So that's the existing site as you see it. You can see that there's an existing paving for asphalt and cement. From what I understand, it was previously a Burger King before my arrival here. This is the site plan for the proposed project. ADA parking and van-accessible parking is just to the east of the structure. The entrance to the facility is also on this east side of the structure. The drive-through begins to the east of the parking lot and wraps around, and the order window is over here on the west. The stacking for that order window is 16 cars. Our code requires 10 cars, so they exceed that. Their vehicle length is consistent with our code. It's actually one foot longer, so they have a little extra room. We'll come to the trash enclosure, but there is a three-bin enclosure there. The organics bin is that square to the northwest of the enclosure. The floor plan, standard Starbucks type of floor plan, limited seating area, back of house, etc. You could see how the drive-through window works in this photo-- or in this plan. These are the exterior elevations, kind of a muted gray type of color is the main color. Generally speaking, the earth tones. There is black window trim and door trim. So, there is some black, but it's fairly limited in scope. The max height of the structure is 26 feet. See the top of this roof line right there? So, most of the structure is shorter, but it peaks at 26 feet. You can see this east elevation. That's the main entrance I pointed out near the ADA parking. This is more details of the materials being used. There's also a physical materials board back when you first walk in, back over there on easel, but just more of that kind of detail of the color scheme and stone veneer, which is around the entrance. Preliminary grading plan, I'm going to primarily skip this, but it's in the packet if you'd like to see it. The site is flat. It's already been graded. It's already been paved. But there is some grading detail here. You could see ADA access to the trash enclosure, to the site, to the public right-of-way, etc. The landscaping plan, you see plantings are along here. One note is they do not list the specific quantities when it comes to the smaller shrubs. We would recommend bringing the final landscape plan before the commission prior to approval so you could see the

exact numbers of plants that they plan to plant. One note, the driveway has 36-inch high hedges to screen for headlights. So oncoming traffic doesn't get blasted with headlights, hopefully, which is consistent with our code requirement for screening of lights for drive-throughs. The trash enclosure, this note up in this corner says, "Organic bin." So, you can see it's got recycling here. It's trash and organics, so all of our organic needs are covered. The photometric plan does show light trespass on the south property line. We have included a condition of approval to reduce the light trespass so there's no light trespass at that property line. So that is included in the conditions of approval. And with that-- or so again, the recommendation for EA 03-23 that the Planning Commission finds the project is exempt from CEQA, pursuant to Section 15303, a new construction of a small structure at 2,500 square feet or less that does not involve the use of hazardous substances. And CUP 01-23, that commission approves CUP 01-23, a request for the construction and development of an approximate 2,100 square foot restaurant with drive-through on a 0.55-acre parcel with parking and landscaping based on the information, the staff report, conditions of approval, and the required findings. And with that, we can answer questions after public comment.

Chair Stoker stated thank you, Jared.

Chair Stoker opened the public hearing for public comment.

Individual from the community spoke against the item.

Chair Stoker asked do you have any other thoughts? Well, thank you. And I think we'll take that into consideration. Appreciate it. Is there anyone else in the public that wishes to speak on this topic? All right.

Chair Stoker closed the public hearing for public comment and returned to the commissioners for discussion and questions for staff.

Chair Stoker stated Commissioner Vasconcelos, do you want to start us out?

Commissioner Vasconcelos stated yeah. I, too, am concerned about the congestion of the traffic for this area. I frequent that shopping center a lot with the different businesses there. And even without there being a vacant lot there that currently used to be Burger King, it's very congested. And walking across the street there to get to those businesses can be dangerous. People pull off off the highway quite quickly. And I mean, I see how the backup at Starbucks east is now, where I mean, it backs up quite a ways. And the drive aisle that's between the parking lot between Starbucks and Del Taco over there is, I want to say, almost twice the size of what is at the one at this current proposed location. And I just don't know how it's going to be effective to have a Starbucks in this location in regards to the traffic flow. How can we prevent-- how can we make sure that the traffic flow for this location is sufficient enough and doesn't cause congestion and doesn't cause accidents and still a safe environment for people to walk across the street to attend these businesses and whatnot? So, I do have a concern about that as well, so.

Chair Stoker asked any other thoughts? Or we'll come back to you to-- come back. Yeah.

Commissioner Henderson stated yeah. My question I had written down was, "How do the nearby businesses feel?" And I appreciate our speaker coming and sharing. From staff's perspective, has there been any other businesses sharing concerns like Desert Nest?

Associate Planner Jerome stated not yet.

Commissioner Henderson stated not yet?

Associate Planner Jerome stated not that we've heard

Commissioner Henderson stated because as I look at the packet pages and knowing that-- and I frequent that shopping center all the time, and right now, the Burger King area is-- the parking lot where Burger King used to be is like an overflow parking lot for Aki Sushi and stuff. So, when it's busy in the evening, I mean, this is really concerning. And on our images that we have in the packet, it makes it look like there's a tremendous amount of space between those parking stalls in front of the current businesses and where the Starbucks will be. So yeah, I share that concern. And staff, I know with the traffic study, is there anything you can maybe alleviate some of the concerns? I'm sure others will have similar.

Deputy Town Manager Stueckle asked so in review of the traffic study, what did the traffic study say?

Associate Planner Jerome stated the traffic study said the vast majority of the time, there would be no queueing out into that drive aisle. So, the 95th percentile of the queueing would not cause that backup. Yep, that was their finding in the traffic study.

Deputy Town Manager Stueckle asked so a couple of things, and then I'm going to come back, staff. Is the representative here tonight to answer questions or present on their project?

Associate Planner Jerome stated as far as I know, they indicated that they were attending.

Deputy Town Manager Stueckle stated okay. So, some of these questions are appropriate for the project representatives this evening. A couple of things from staff at the technical level. number one, is the project consistent with your code? So, from parking, the queueing in the drive-through, the driveway widths or the access lane widths, east and west across the parking lot, all of those are consistent with the code, so it meets those requirements. I think, as Jared indicated, around 90 what percent?

Associate Planner Jerome stated 95.

Deputy Town Manager Stueckle stated 95% of the time, the trip generation, based upon the traffic study for the project, is accommodated by the drive-through lane. I think we've all experienced when we go into other communities, you will find drive-throughs.

Regardless of whether it's a Starbucks or any other franchise or non-franchise restaurant that has a drive-through, during really busy periods, they are backed up, and there can be traffic congestion. That's not unusual. Again, the traffic study says 95%. These questions should be further asked of and answered by the project representatives this evening, and staff would be happy to address any further questions following that. So, it may be appropriate to allow the representatives to come up and address the commission at this time.

Chair Stoker stated absolutely. I didn't know they were here. Sorry. Is someone here from this development or from the group? Are they online? I see stirring. Oh, there we go. Come on up and introduce yourself. And I don't think you need to worry about that.

Representative Greg James stated hi. My name is Greg James. I'm with MMA Architecture, and we're representing the ownership.

Chair Stoker stated sounds good. Any questions? So, did you guys look at-- I just have one real quick and then we can keep-- did you guys look at the original Starbucks that we have here currently and know how many traffic spots it has? I mean, I don't know. This is probably outside your scope maybe.

Representative James stated that's out of my specialty, but I'm sure that the traffic engineers looked at that.

Chair Stoker stated yeah. And I did. I kind of looked at that. We only have currently about half of the length of drive-through area that this new model presents. This is about double the length of drive-through. So, I think we only have around eight cars because I went and counted. I was curious how backed up it was going to look. So, I drove over there and took a peek. And we have eight cars from the window all the way till you're out, affecting people getting in. And then you're about 12 cars deep when you really affect people coming into the--

Commissioner Henderson stated so eight cars from the window to the curve.

Chair Stoker stated so all the way-- it's starting to come out. Yeah. There's not very many. It's a lot less than you'd think. Anyways, but there were some questions that you guys had for the architect here.

Chair Stoker stated

Commissioner Vasconcelos I think that looking at the model of how this double drive is kind of working, in theory, it would seem like it would work perfect with how much there is there and how much room there is to drive around. But for this model to work, it has to be staffed correctly all the time so when the backup starts to happen that it doesn't happen because they're ordering consistently from two different locations to get the people into the queue so that it wraps around. And there's no way for you to express to me that they're always going to be fully staffed to accommodate this kind of a situation. I guess I don't know how much of a question I have about it. I mean, I'm for businesses in the community. As a community member, even without this-- any

business that was destined to move into that location, it was going to have some issues with traffic. It could have been Starbucks. It could have been anything.

Representative James stated correct. I'd like to just point out that the way Starbucks does their ordering with their double drive-throughs is their order board is actually after their merge point. It's usually at car number seven. So that's how they-- so the double line is really just for stacking. And thank you for coming. Do you have any-- thank you for—No further comment.

Commissioner Henderson stated thank you for coming. Have you had a chance to go out in the evening when it's rush hour to look at that? I know on paper, it looks good, but have you had a chance to go out there on a busy evening, 5:00 PM, 6:00 PM?

Representative James stated I drove through there tonight at about 5:30.

Commissioner Henderson stated okay. All right. Yeah. I think you nailed it. As long as it's staffed correctly. Because the chairman was showing me the current one if you wrap it around, is about 16 cars, so-- All the way to the light. Yeah. All the way to the light, and which it does get close sometimes, I think. That's all I have.

Representative James stated hopefully, this one would alleviate some of that—

Chair Stoker stated pressure. Yeah. Absolutely. Commissioner Thomas?

Commissioner Thomas stated yeah. I was just a little concerned about that too, but I think some of my questions have been answered. Jared answered the light trespass. I was kind of curious about that. Maybe Jared can answer this question. On the landscaping you were talking about, does the center itself have any say on what's happening with the landscaping, or it's only this particular pad in and of itself?

Associate Planner Jerome stated only this particular property.

Commissioner Thomas stated okay. Because I was a little-- I mean, this might sound silly, but I was a little concerned that we've got a lot of large-- we've got a couple of large trees out front right now. And then we're going to plant a bunch more large trees, it looks like, that are going to be pretty tall. And I was concerned that that might be blocking all the signs for all the other businesses on the back end from the highway if you've got a bunch of shrubbery. I like landscaping and we don't have enough of it in town and some of this stuff along the highway, but I was kind of concerned about that as well too, so.

Representative James stated that's generally our concern, is usually to keep the visual line of sights to the buildings and their signage. We could look at those trees and make sure that's not going to happen.

Commissioner Thomas stated okay. All right. That's it for me right now. I didn't have a lot of questions.

Commissioner Noonan stated sure. So, a couple of questions. One is when you created the dual queue going in front, which I think you added an extra six cars into the queue, is that just because of the traffic report, or is that something that you commonly do?

Representative James stated so it's more and more-- that is more and more what we're doing in the design of these Starbucks drive-throughs. Starbucks is-- they've realized that they have a large following. And at certain times of the day, they get a lot of cars in their queues. So, we usually are trying to design for anywhere from 12 to 14 and--

Commissioner Noonan stated and this is for staff. So, the number is 10, correct, of how many cars we need to queue up?

Associate Planner Jerome stated correct.

Commissioner Noonan stated okay. And we're at 16 here?

Associate Planner Jerome stated correct.

Commissioner Noonan asked so they voluntarily added another six cars ability to the queue just because of looking at it and making sure to handle the congestion?

Associate Planner Jerome stated that's correct.

Commissioner Noonan stated I do have a certain issue. It doesn't seem fair that somebody can complain about congestion, although they're using somebody else's property for overflow traffic for years. And then they want to complain about congestion while they're using someone else's property to park cars on and benefited from that. So, I think it's only fair that whoever owns that property can develop that where it was many, many years ago without too much issue, especially since they haven't changed the use of it. I'm looking at this dual, and it looks to me like a car can enter this dual queue from both sides. So theoretically, you have a one-car width. You can either make a right turn in if you come from this one side or you can make a left turn in. So, there would still be plenty of room for vehicles to go around that as well. Was that something you considered when you were doing the plan, or is it just naturally kind of worked out that way?

Representative James stated it worked out that way. But also, when we were designing this, the existing drive aisle in that location is only 24 feet wide, and 26 feet is required. So, we've actually widened those drive aisles on the [plan?].

Commissioner Noonan stated oh, great. And then in operational practice, I've seen multiple times where someone will come out just like they do with In-N-Out Burger. They'll come out with a handheld and they'll take orders right in the queue. I've seen that happen at the Starbucks multiple times. So, it looks like it's very well-thought. And thank you for answering questions.

Chair Stoker stated hi. So, for me, I'll go to a couple other topics if you don't mind. One, did your traffic study look at how many cars would be entering? Because I noticed on

your directional signage for the direction to get to the drive-through tells you to come in off of Barberry. Was there any thought into directing people into the center past the Starbucks to come back to? That way, we didn't have any kind of congestion at the point of Barberry and the center opening?

Representative James stated there could be, but we have to keep the signage in our property.

Chair Stoker stated understood.

Representative James stated so the signage is actually--

Chair Stoker stated but there's the directional sign on the building that points this way. It's the black-and-white sign next to where it says Starbucks. It says drive-through and an arrow. But I just didn't know if that was something that would be thought out or maybe something to think about for future just to help alleviate the pressure on that specific entrance into the center because there's a lot more drive aisle and width in other areas of the center. I did appreciate having more cars, so thank you for that because I really did count all these cars at our Starbucks. Regarding light trespass, and maybe this is a question for staff, I do appreciate the light trespass in regards to towards the highway. We don't have any light trespass hitting the highway. The light trespass falling on what would essentially be a drive aisle where we have very little other light in the center, I think maybe it's something we should think about for safety, or would that be a question for the other property owners adjacent? It's kind of--

Representative James asked is that a question to me or staff?

Chair Stoker stated both, really. I mean, I would imagine that's why you have 1.2-foot candles hitting the-- because you're a 1.2 or something. Let me see. I've got to find it again. I was there. So on other areas, you're 0.1, 0.1, 0.1, 0.4, but when you hit right along the drive line in between your building and the existing center's buildings, you're sitting at a 1.6, which is still half as bright as in your parking area, but I think it helps to make sure that the driveway is lit for other cars on both sides since safety is one of the questions from the commission and from public testimony was talking about safety. Maybe that's something to look at or even talk to those other affected parcels and see if they would prefer to have a little bit of light. I don't know if that makes sense. I know we really do like to stop it at property lines, but in the center, I feel like it's--

Representative James stated we are usually directed by staff to stop the light at the property lines, so that's what we do.

Chair Stoker stated okay. Fair. So, we just messed up on that. Okay. We'll let it stop. Not a problem. My other question was I do think as far as congestion overall, which was a concern of many people, I think having a second one of these-- I mean, I used to be a heavy Starbucks drinker, but maybe not as much anymore. But I do think having two of them, I think, will help alleviate a lot of the congestion we see in town. Obviously, we're a little inundated with visitors for one. So maybe a second one isn't a bad deal or maybe a second brand at some point too, but neither for here nor there. What else is there? I

guess that's all I had on my list of items. What did you have to say, Gerard?

Commissioner Noonan stated oh, and on our chairman's comment too, I assume that you've built other Starbucks. Would you say their philosophy in this is having a second location, is it to basically divide the current overflow of business they have at one location, or do they plan on actually doubling their business immediately from the time that they build the new one? Or what is the philosophy behind a second location in a certain area, would you say?

Representative James stated yeah. And I'm not in the position to answer that question for Starbucks. I don't represent Starbucks. But common sense tells me it's going to help alleviate, but it also is going to increase their footprint.

Commissioner Noonan stated that's what I would assume too, but I'd like to hear it from you. Thank you.

Chair Stoker stated okay. If anyone else has any other questions? Do we have enough information?

Commissioner Thomas stated yeah, I think we got enough information.

Chair Stoker stated okay. Thank you, sir. Appreciate your time.

Representative James stated thank you.

Chair Stoker asked would anyone consider making a motion?

Commissioner Henderson stated I'll go ahead and make a motion to approve CUP 01-23 and EA 03-23.

Commissioner Noonan stated I'll second.

Associate Planner Jerome asked if I could just--

Chair Stoker asked add the landscaping thing?

Associate Planner Jerome stated yeah. I just want to read into the record that the landscape plan will be coming back before the commission.

Chair Stoker stated thank you.

MOTION:

Environmental Assessment, EA 03-23:

That the Planning Commission finds that the proposed project is exempt from CEQA pursuant to Section 15303, New Construction or Conversion of Small Structures, because the proposed project is less than 2,500 square feet and does not involve the use of significant amounts of hazardous substances.

Conditional Use Permit, CUP 01-23:

That the Planning Commission approves CUP 01-23, 57037 Twentynine Palms Highway (Starbucks), a request for the construction and development of an approximate 2,100 square foot restaurant with drive-thru on a 0.55 acre parcel, with parking and landscaping, based upon the information contained within the staff report, the recommended conditions of approval and the required findings.

RESULT: APPROVED [UNANIMOUS]
MOVER: James Henderson, Commissioner
SECONDER: Gerard Noonan, Vice Chair
AYES: Henderson, Noonan, Thomas, Vasconcelos, Stoker

26. Development Code Amendment, DCA-01-23, Change of Use Requirements for Existing Structures, Conditional Use and Site Plan Review Applications.

Associate Planner Jerome stated the recommendation for this item is that the Planning Commission finds that the project is exempt from CEQA pursuant to Section 15061(b)(3), which states that an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. And where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. And recommends that the Town Council amends the Development Code, amending Section 9.63.020 of the Yucca Valley Development Code related to change of use for conditional use permits and 9.68.020 for site plan review and change of use by only requiring public improvements when traffic volumes increase by 200 vehicle trips per day in comparison with the existing-- or the prior site use. So, you can see down in number one, the last paragraph there shows the changed language. So half-width street improvements, curb gutter, sidewalks, streetlights, median islands, and pavement on all streets fronting the project pursuant to the Yucca Valley General Plan circulation element, only when total vehicle trips are estimated to increase a minimum of 200 vehicle trips per day as compared to the trip generation from prior site use. So, if there's an existing structure, it's changing from, hypothetically, retail to a restaurant, that those off-site improvements would only be required if the traffic counts jump up by 200 vehicles. So that's the ordinance in a nutshell. So again, the recommendation is that the Planning Commission finds the projects exempt from CEQA, pursuant to Section 15061, that there is no possibility that the activity could cause a significant effect on the environment. And that the Planning Commission recommends that the Town Council amends the Development Code, amending Section 9.63.020 of the Yucca Valley Development Code related to Change of Use for Conditional Use permits and 9.68.020 for site plan review and change of use by only requiring public improvements when traffic volumes increase by 200 vehicle trips per day in comparison to prior site use. And we can answer questions after public comment.

Chair Stoker stated thank you, Jared.

Chair Stoker opened the public hearing for public comment.

Chair Stoker asked does anyone in the public wish to speak on this item this evening?

and is therefore exempt from Town of Yucca Valley Development Code section 9.07.130 Native Landscape Documentation Package.

- 11. Approve the Native Plant Permit (NPP) 345-23, 8618 Bolero Drive, Yucca Valley CA. APN: 0585-581-24; Native Plant Permit Application and Desert Native Plant Specialist Report**

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 345-23) 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.

- 12. Approve the Native Plant Permit (NPP) 024-24, 7184 Palm Avenue, Yucca Valley CA. APN: 0595-032-03; Native Plant Permit Application and Desert Native Plant Specialist Report**

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 024-24) 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.

DEPARTMENT REPORTS

- 13. Landscape Plan and Irrigation Review, (LP) 01-24, Starbucks West: A request for approval for the landscape and irrigation plans for Starbucks West, located at the southeast corner of Twentynine Palms Highway and Barberry Avenue, and is also identified as Assessor Parcel Number (APN) 0595-371-21**

Assistant Planner Willoughby stated thank you, Chair, and commission. The recommendation for this item tonight is that the Planning Commission approves the landscape and irrigation plans for landscape and irrigation review 01-24 Starbucks West, a previously approved approximate 2,100 square foot coffee shop with drive through located on a 0.55-acre parcel located at 57037 Twentynine Palms Highway based upon the information contained within the staff report and the conditions of approval for the previously approved project. In prior review of this item, the Planning Commission at their meeting of October 10, 2023, added an additional condition of approval that the landscape plans be returned for the Planning Commission's review and approval. I think we'll have the PowerPoint in just a moment.

This is the proposed landscape plan in front of the commission tonight. The landscape

plan includes a plant palette that provides descriptions of proposed ground cover, names of each plant, sizes, quantities, and proposed locations. This is a little bit more zoomed-in and, potentially, legible for the commission tonight. The proposed plans provide a minimum 36-inch in-height screening shrub, identified as Compact Texas Ranger, along the perimeter of the drive through. The Compact Texas Ranger plant is to be planted in accordance with the attached landscape and planting plan, identified as a size 5 gallon and in quantity 80. Additionally, the Town of Yucca Valley Development Code requires that drive-through lanes shall be perfected and defined by a curbed landscape strip not less than three feet wide, or the driveway shall be segregated so as to not interfere with pedestrian or vehicle traffic and parking as approved by the commission. Addressing that standard, the proposed plans provide a minimum three-foot-wide curved landscape strip around the perimeter of the drive-thru lane. Also identified on this plan is a Redwood headboard on the north side at the edge of the ultimate right-of-way, which is a 67-foot half-width.

So, if we go to this slide, here's once again, a little bit more legible version of that plant palette, which is part of the landscape plan. And this is just an enlarged version of images of the proposed plans that are part of that landscape plan. Once again, the recommendation on this item is approval, and staff is available to answer any questions following public comment.

Chair Stoker stated thank you. We'll go ahead and open this item up for public comment. Is there anyone in the public wishing to speak on this item this evening? Anyone online? Seeing none, we'll close public comment and bring it back to commissioner comments. We'll start on my right, Vice Chair Noonan.

Vice Chair Noonan stated I have no comments. Looks great.

Chair Stoker stated Commissioner Henderson.

Commissioner Henderson stated no comments. A very detailed plan. I think it's going to look really nice, especially if those trees in that upper left corner are trimmed up.

Chair Stoker stated Commissioner Vasconcelos.

Commissioner Vasconcelos stated yeah, I agree. It looks good, and it's very detailed. I think it's going to bring new vibrance to that street corner.

Chair Stoker stated thank you. Yeah. I'll just echo the same sentiments. It's nice to have a set of plans that show up that are detailed in their scope and that they take care of what we all want to see be a good-looking corner. So, I appreciate it as well. I'll go ahead and make the motion to approve landscape plan (LP) 01-24 unless there's any other questions.

MOTION:

That the Planning Commission approves the landscape and irrigation plans for Landscape and Irrigation Review, (LP) 01-24, Starbucks West, a previously approved

approximate 2,100 square foot coffee shop with drive-thru located on a 0.55 acre parcel located at 57037 Twentynine Palms Highway, based upon the information contained within the staff report and the conditions of approval for the previously approved project.

- RESULT:** APPROVED [UNANIMOUS]
- MOVER:** J Clint Stoker, Chair
- SECONDER:** Gerard Noonan, Vice Chair
- AYES:** James Henderson, Gerard Noonan, Alejandro Vasconcelos, J Clint Stoker
- EXCUSED:** Mathew Thomas

14. General Plan Annual Report 2023

Associate Planner Jerome stated good evening. The recommendation for this item is that the Planning Commission receives and files the general plan annual housing element progress report. So, every year around this time, we provide a handful of housing and general plan data to the Department of Housing and Community Development for the state to update them on our progress towards our various general plan goals and then also provide that information to you and to the council. So, I'll kind of walk through some of the highlights and things that I saw that were interesting for this last year. So, for calendar year 2023, there were 58 new single-family homes that were permitted. That's more or less in line with what's been going on the past couple of years. If you look at packet page 187, we have housing units by fiscal year. So, the 58 is calendar year. So, the fiscal year's slightly different. But you'll see kind of a spike in the 2000s prior to the housing market crash towards the end of that time period. But prior to that and after that, it's been pretty consistent with similar numbers kind of in that 10 to 50 per year range.

One interesting thing that I noticed going through this data is the last time we did this report, the growth rate slightly dropped. I believe it was 0.1% decrease the previous year, and the data for this last year, it dropped a little bit more to 0.4% population decrease. And if you look at the data on packet page 233, you'll see that that decrease is consistent with the county in general. And if you kind of scroll through all those other counties and cities throughout the state, you'll see that there's been a drop in many of the cities around that number. So quite a few have a negative growth rate, which is, at least as long as I've been around, surprising or a new data point, I guess you would say. I don't think I've been alive with a negative growth rate in California, or at least not in a planning capacity. So that's kind of an unusual circumstance.

On packet page 183, you don't have the prior numbers in this report, but for what it's worth, Desert Vista Village, that top line, and Copper Hills homes about three-quarters of the way down that chart had some more housing units built, so there's less vacant lots, more built lots. So, they are making steady progress towards building those homes. Those were kind of the interesting data points, but I'm happy to answer any other questions about the report or any of the data following public comment.

Chair Stoker stated thank you, Jared. We'll go and open item number 14 up to public

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



To: Planning Commission

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

Date: February 19, 2026

Meeting Date: February 24, 2026

Subject: Development Code Interpretation (DCI) 01-26 — Architectural Compatibility of Cargo/Shipping Containers in Residential Zoning Districts

Recommendation:

That the Planning Commission finds that Chapter 9.07 Residential and Hillside Reserve Districts, Section 9.07.060 of the Town's development code requires that cargo/shipping containers on residential properties containing less 2.5 acres must meet Building Division requirements, must be attached to a permanent foundation, and must be architecturally treated so as not to appear as a cargo/shipping container, and provides direction on acceptable architectural treatments (siding, roofing, screening) to implement these requirements.

Prior Review:

The Planning Commission previously reviewed and approved, (Vote 5-0), an application for Expansion of Nonconforming Use or Structure (ENC) 001-23, at their meeting of August 22, 2023, for a cargo/shipping container at 7357 Apache Trail. Meeting minutes of the Planning Commission's prior review are attached to this staff report.

Discussion:

Staff requests Planning Commission confirmation of how Section 9.07.060 applies to cargo/shipping containers located on residential properties containing less than 2.5 acres. The Development Code establishes standards that must be satisfied before a cargo/shipping container may be approved as an accessory structure.

The plans submitted on December 18, 2025, to permit the proposed cargo/shipping container at 7357 Apache Trail, were given a Planning Correction on December 22, 2025, to illustrate how the proposed container will comply with Chapter 9.07.060(C) of the Town of Yucca Valley Development Code.

The plans were resubmitted on January 14, 2026, with one additional note, but do not illustrate an architectural treatment to not appear as a shipping container.

The applicant proposes to paint the color of the cargo/shipping container to match the metal roofline and a custom metal fence at the front of the property. However, the use of paint by itself may not comply with the standards of Section 9.07.060(C). Additional treatments may be necessary to ensure compliance with Section 9.07.060(C).

The Planning Commission may provide direction on acceptable architectural treatments, including but not limited to siding, roofing, or screening to implement these requirements.

Alternatives

Provide alternate direction to staff regarding interpretation and/or implementation of the relevant Town of Yucca Valley Development Code section.

Fiscal Impact:

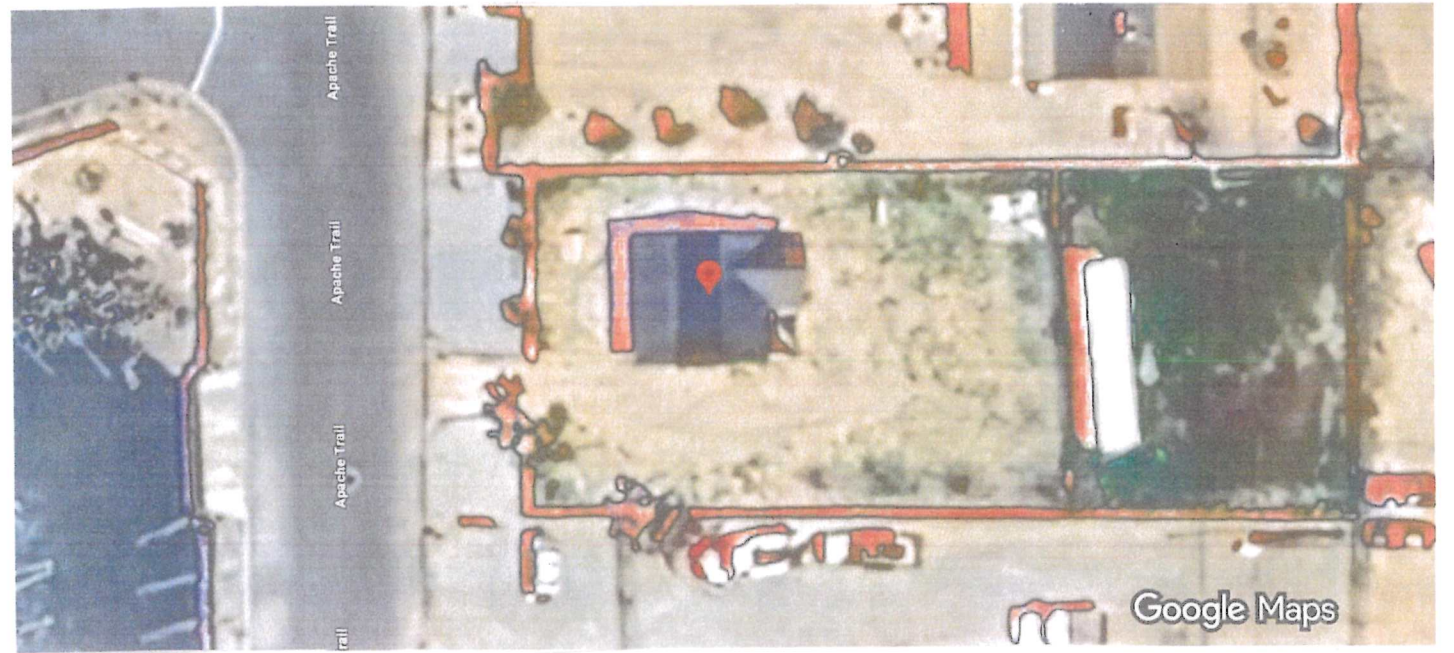
N/A

Attachments

- 1. 7357 Apache Trail - Submittal #1 - 12-18-2025
- 2. 7357 Apache Trail - Planning Corrections #1 - 12-22-26
- 3. 7357 Apache Trail - Submittal #2 - 1-14-2026
- 4. 08_22_2023 PC Minutes
- 5. TOYV Development Code - Chapter 9.07
- 6. TOYV Development Code - Chapter 9.03

7357

Apache trl Y.V



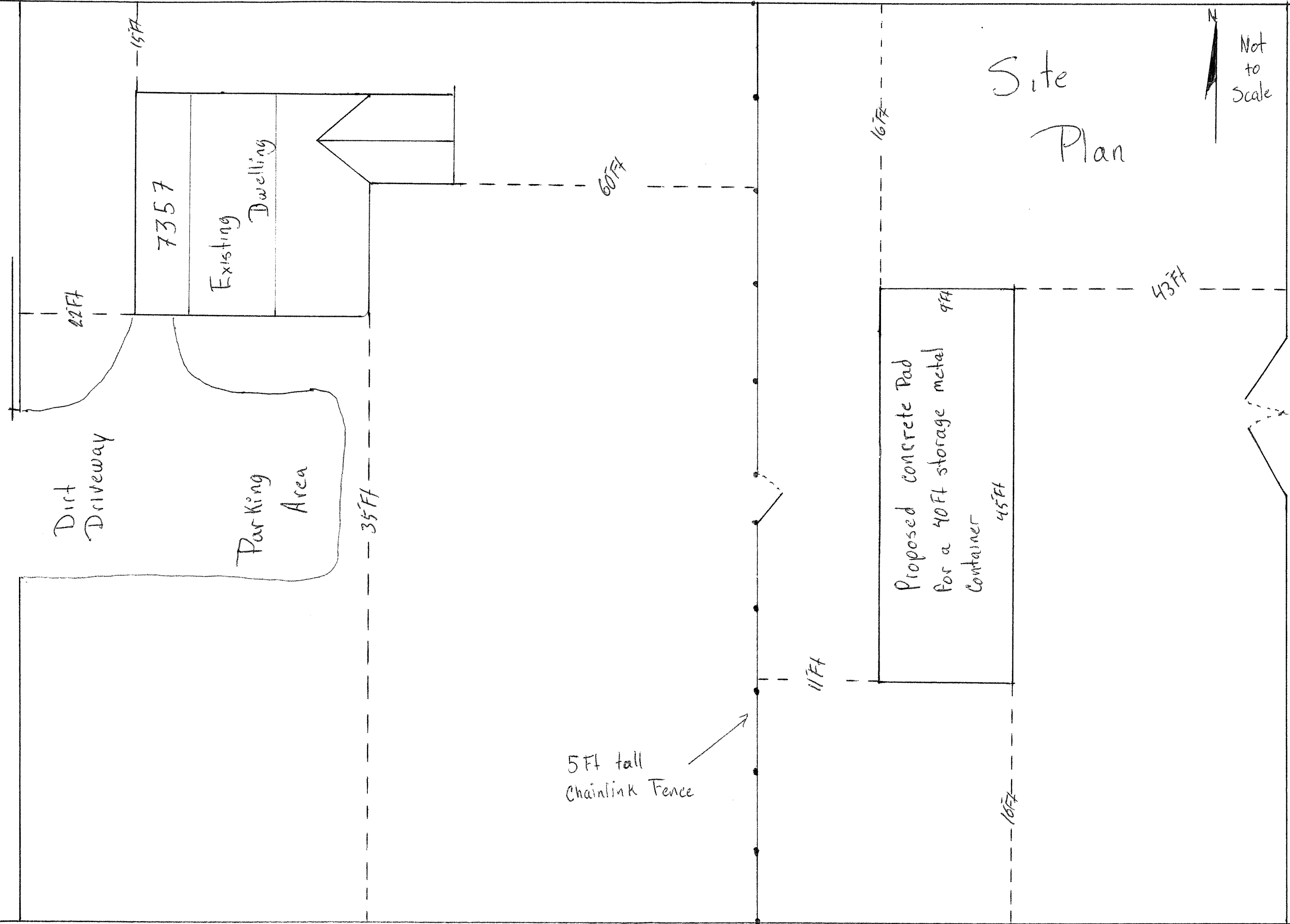
7357 Apache Trail Building

- Directions
- Save
- Nearby
- Send to phone
- Share

7357 Apache Trail, Yucca Valley, CA 92284



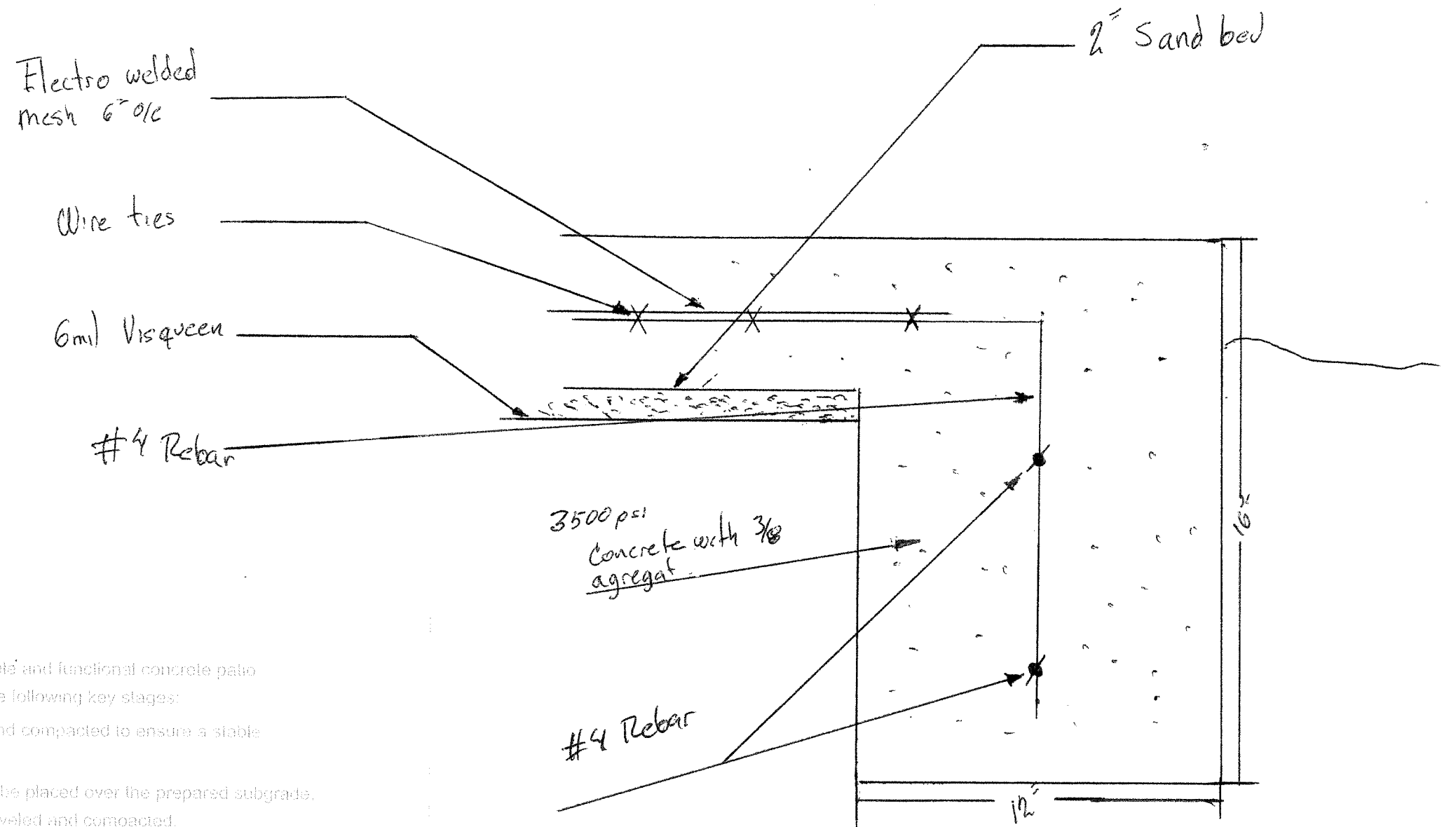
Apache trl



Acoma trl

Not to Scale

Foundation

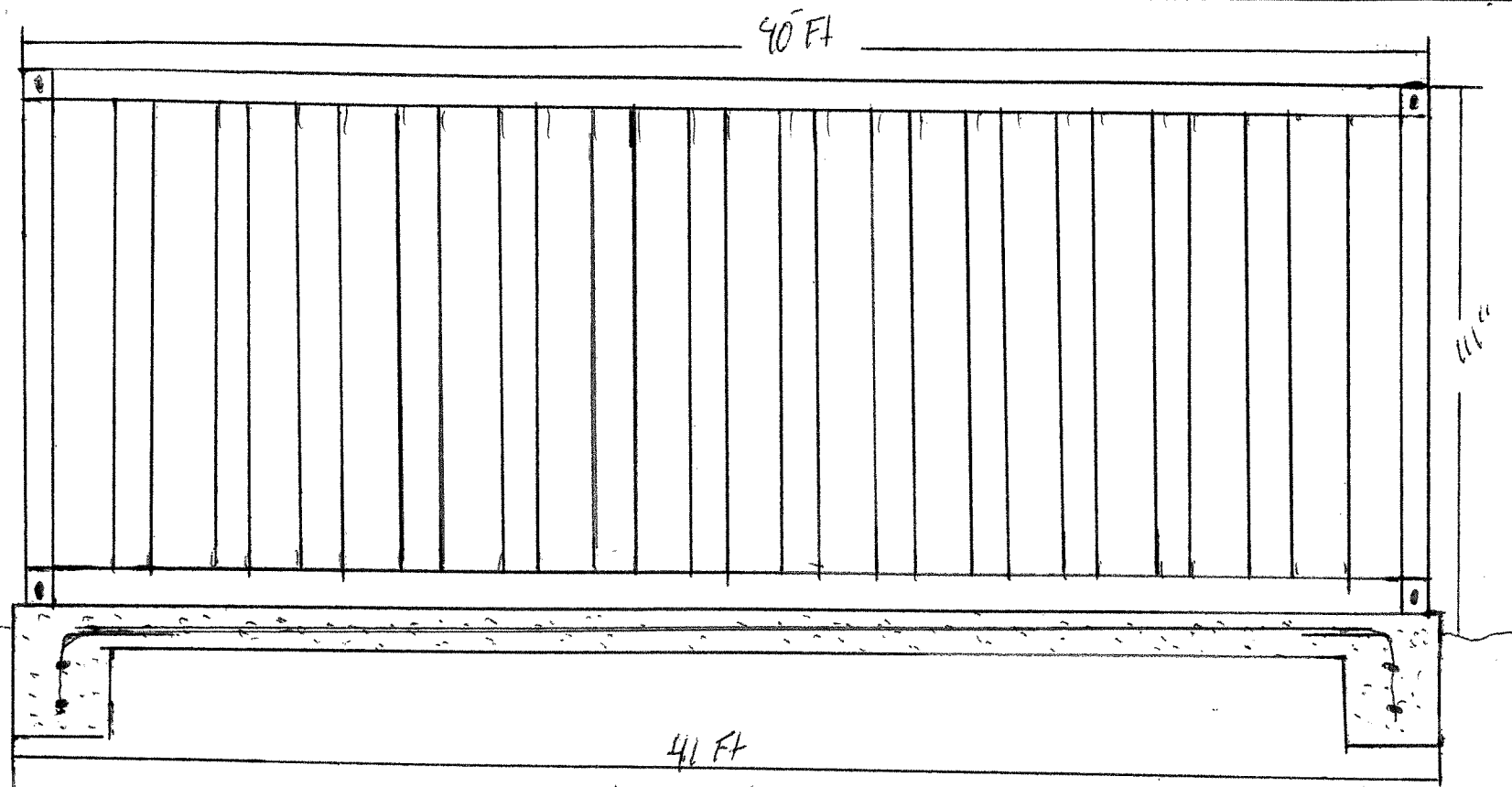


Scope of Work: Concrete Patio Installation

This scope of work details the comprehensive process for constructing a durable and functional concrete patio measuring 9 feet by 41 feet. The project shall include, but not be limited to, the following key stages:

1. **Site Preparation:** The designated patio area will be cleared, leveled, and compacted to ensure a stable foundation.
2. **Moisture Barrier and Sand Bed:** A 6 millimeter moisture barrier will be placed over the prepared subgrade, followed by a 1 and a half inch layer of sand, which will be properly leveled and compacted.
3. **Formwork and Rebar Installation:** Sturdy formwork will be erected to define the patio perimeter, and a steel rebar grid will be placed within the forms. Rebar will be installed around the footings at 12 inches by 16 inches on center to provide additional structural integrity.
4. **Concrete Pouring and Finishing:** A standard 3500 PSI concrete mix will be poured into the forms, spread evenly, and finished to the desired specifications, with the pad thickness at 3 and a half inches.
5. **Curing and Cleanup:** The concrete will be cured to achieve optimal strength and durability. Upon completion, all formwork will be removed, and the site will be cleared of debris.

This scope of work ensures a high-quality concrete patio installation that meets industry standards and specifications.



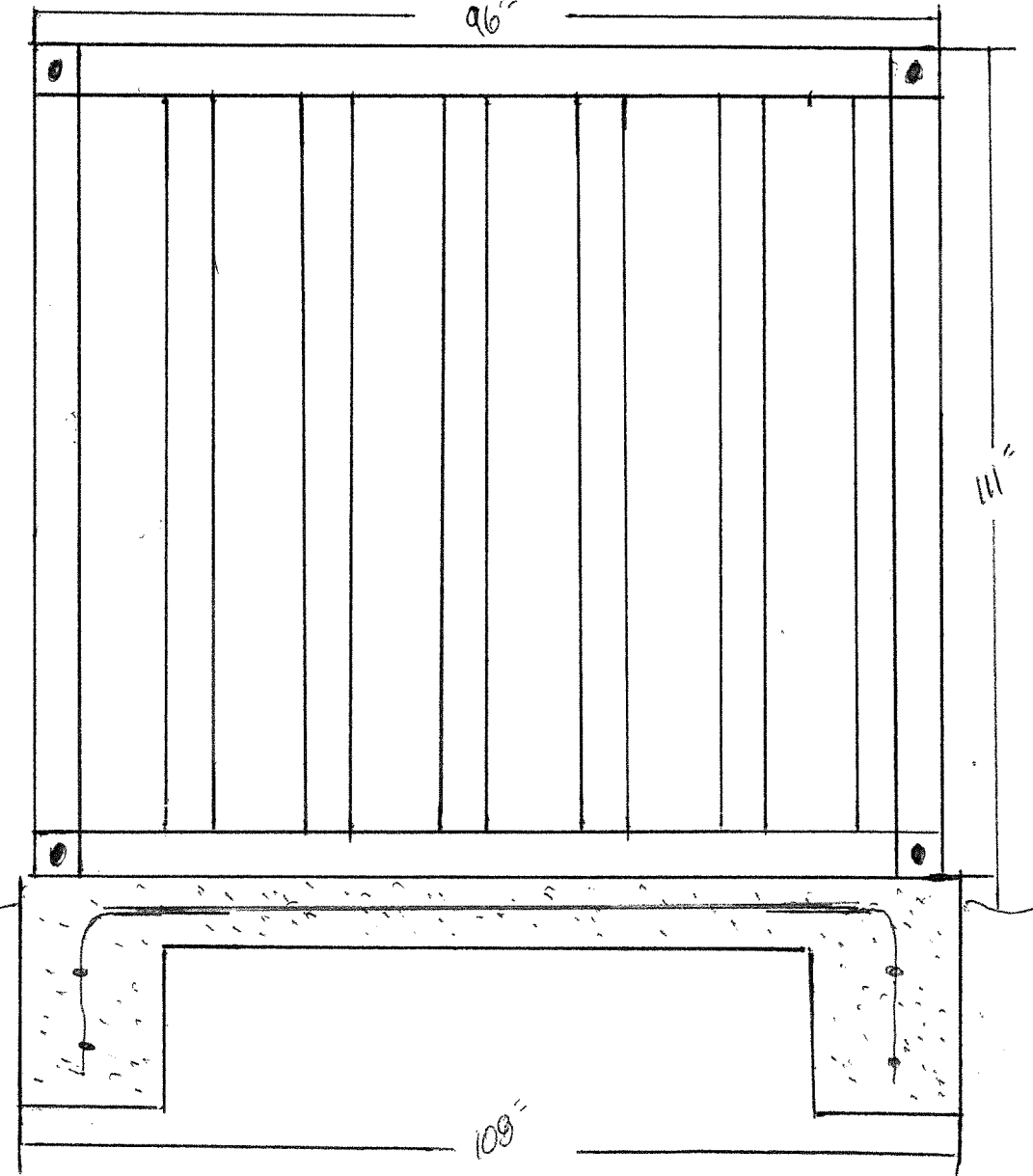
West

41 FT

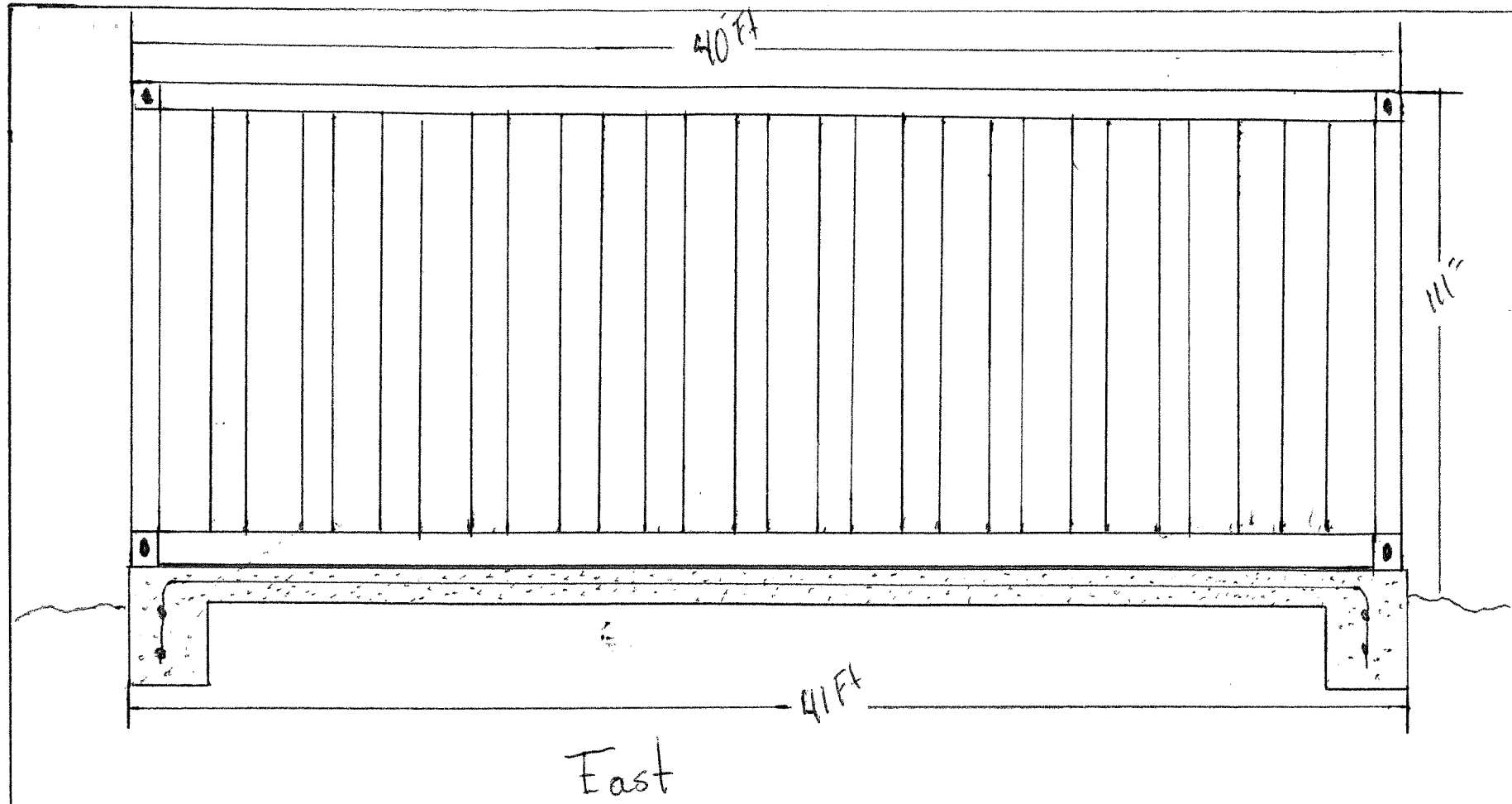
Elevations

Not
to
Scale

South
96"



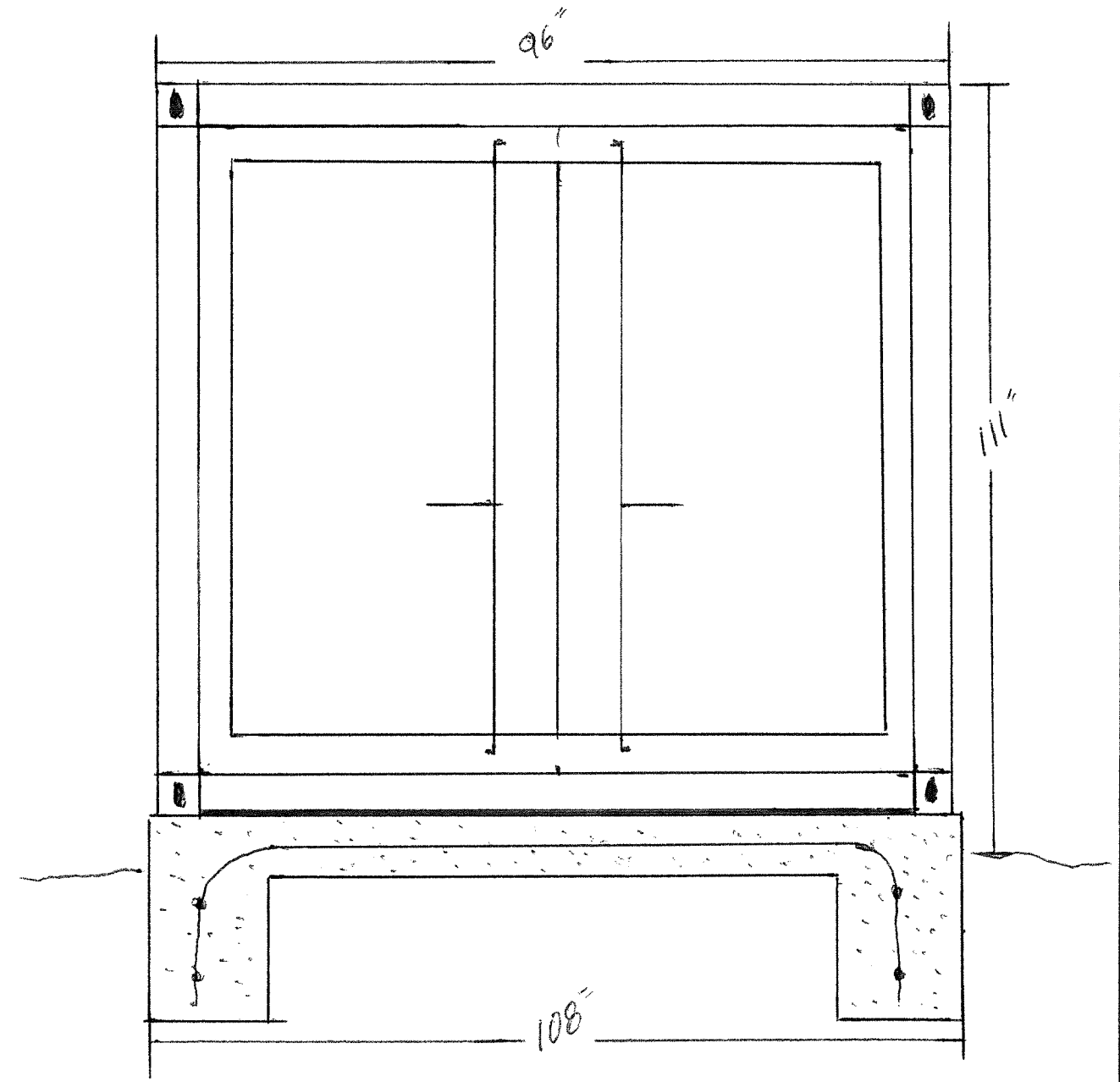
109"



Elevations

Not
to
Scale

North



16/17/18



Planning Corrections

Date: 12-22-25

Project: CARGO CONTAINER

Address: 7357 APACHE TRAIL

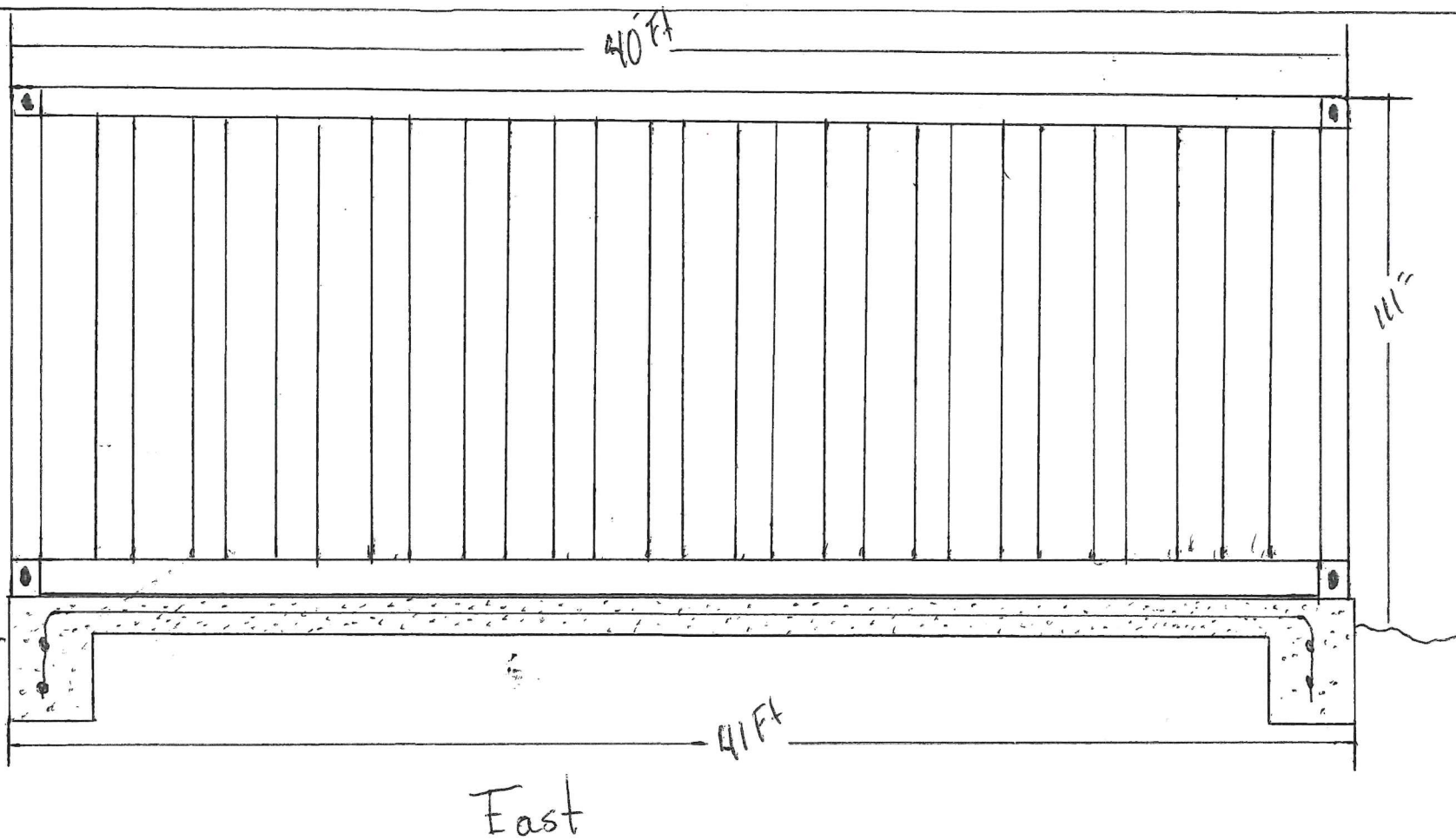
Reviewer: E.Willoughby (ewilloughby@yucca-valley.org)

Planning corrections are as follows:

1. Please revise elevations to illustrate how the proposed container will comply with chapter 9.07.060(C) of the Town's Development Code, architecturally designed and constructed so that the structure is compatible with the primary structure and is not distinguishable as a cargo/shipping container.

Thank you!

Community Development – Planning Division
58928 Business Center Drive
Yucca Valley, CA 92284
760.369.6579 extension 317 or 328



East

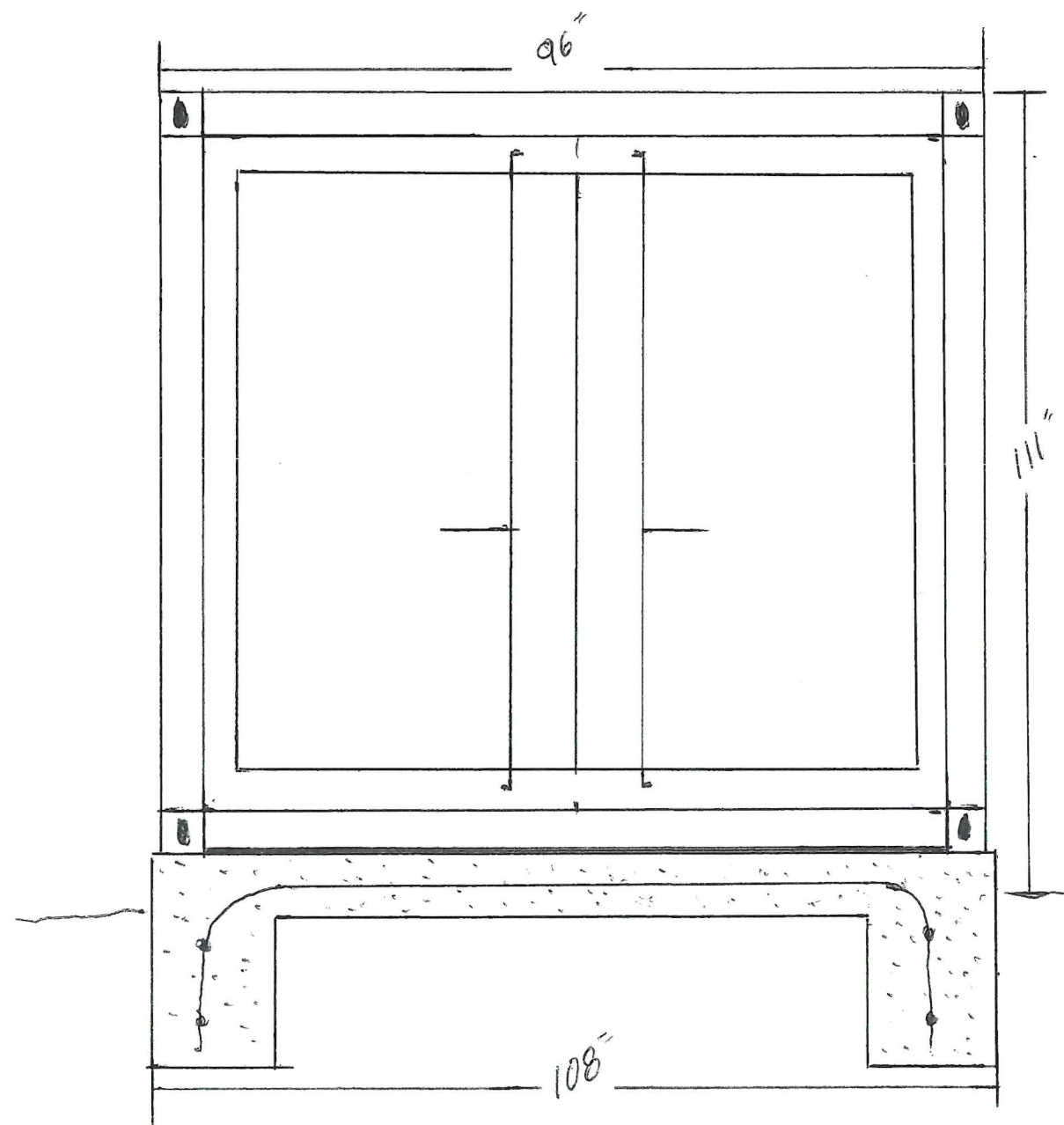
* Complying with Yucca Valley
 development code 9.07.060(c)
 the container is painted the same
 color to match metal roof line and
 custom metal fence in front of the
 property

nwoT

Elevations

Not
to
Scale

North



111"

108"

Commissioner Noonan asked you referenced the new Las Casitas near town hall. Is that saying that's going to be Las Casitas again?

Associate Planner Jerome said, sorry I misspoke. Las Palmas is moving into the former Las Casitas building at the corner of Dumosa and the highway. Las Palmas is moving in there, they purchased the property.

Commissioner Noonan asked if we have any language from any other nearby townships or cities about how they handle the statues and branding of mascots, perhaps Big Bear or something like that?

Deputy Town Manager commented that will be part of the staff's presentation to the commission at your meeting on September 19th.

MOTION:

That the Planning Commission receives and files the report.

RESULT: RECEIVED AND FILED [UNANIMOUS]
MOVER: J Clint Stoker, Chair
SECONDER: Mathew Thomas, Commissioner
AYES: Henderson, Noonan, Thomas, Vasconcelos, Stoker

- 19. **Expansion of Non-Conforming Use or Structure, ENC 01-23 7357 Apache Trail, Yucca Valley CA. APN: 0586-304-07: Installation of one (1) 40' long shipping container located in the backyard of the subject property.**

Chair Stoker made a motion to move Item 19 from staff reports and comments to department reports. Commissioner Henderson second.

Associate Planner Jerome said all right. So, the recommendation is that the Planning Commission reviews ENC01-23, a request to install one 40-foot long shipping container in the backyard of the existing nonconforming residence located at 7357 Apache Trail, and also that the Planning Commission finds that the proposed project is exempt from CEQA pursuant to Section 15303, new construction or conversion of small structures, because the proposed project is less than 2,500 square feet in floor area and does not involve the use of significant amounts of hazardous substances where all necessary public services and facilities are available in the surrounding areas are not environmentally sensitive. A PowerPoint presentation was presented showing site photos of the location and as follows. So, in April, the town received an application for a short-term vacation rental license for the property located at 7357 Apache Trail. In May 9th, the town notified the applicant that we didn't have a building permit on file for the shipping container in the backyard and that the applicant would need to obtain a building permit for that structure. And then on July 26th, 2023, the town received an expansion of nonconforming use or structure application. And just a quick note, the reason it's considered nonconforming is single-family residences are not a permitted use

in old town commercial or residential. And it's a single-family house, for context. So, this is a guidance from the old town specific plan for nonconforming uses. There's a request that gets made to the department director. And if that request is requesting the floor area that expands the use by more than 25%, then it can be forwarded to the Planning Commission for your review. The house is approximately 579 square feet. The shipping container is approximately 320 square feet. So that would exceed that 25% limit for a nonconforming approval without Planning Commission review. So, this is an aerial image. You can see this must have been when they first installed the container. As you'll see in photos, it looks like it's been painted to match the color of the house. But the yellow container on the east side of the property is the structure seeking planning approval. This is the site plan that the applicant provided. You see the container there on the east, on the other side of what seems like a fence. This is their elevations. And I would expect for the building permit-- after planning approval, certainly a building permit that this is likely going to be updated with a little bit more detail. So, here's a photo from the front. This is an older photograph. They've since kind of spruced up the front of the property a bit, but you can see in this photo that the container has been painted to match the house. This is a photo taken about a week ago. So, this is from the east side of the property, a vacant property that's being used for parking. So, it shows the approximate location. The one thing to note that I saw when I was out there is the container that is requesting the permit is this gray one in the back. The applicant has indicated that the brick red colored container located in the foreground of this photo is temporary, and he plans to relocate it. And we would ask that it's relocated prior to any sort of building signoffs for this request. So, I believe the applicant intends to move it soon. So that completes our presentation. And just to reiterate, the recommendation is that the Planning Commission reviews ENC01-23, a request to install one 40-foot long shipping container in the backyard in an existing nonconforming residence located at 7357 Apache Trail and that the Planning Commission finds that the proposed project is exempt from CEQA pursuant to Section 15303, new construction or conversion of small structures, because it's less than 2,500 square feet and does not involve hazardous substances and all public services and facilities are available in the surrounding areas, not environmentally sensitive. And with that, we can answer questions after public comment. I believe the applicant is hopefully online. Perfect.

Chair Stoker opened public comment and with no one wishing to make a comment he moved onto the applicant online.

Applicant Paul Chakalian said hi, can everyone hear me. Great. Thanks for the presentation there. It was mostly thorough. I do have a couple of comments. I'd like to point out that the timeline on it was the first or second slide that sort of started with our application for the short-term vacation rental, I would argue that that's not the most accurate or pertinent context for this use. I think the timeline actually starts a couple of years prior when that property burned down. And then we purchased it, did a structural engineering assessment, and got it permitted to rebuild as a single-family residence. The reason that I think that's the important timeline to think about is because the container, when it was yellow, in that satellite image that you saw was placed on the property before the final building and safety approval for that reconstruction project, which you can actually tell very clearly from that presentation. So, in the photo of the satellite

view, you saw the yellow container, and then a little later, we saw the front view of the property where the house was clearly unfinished, and that container had been painted gray. And so, when the residence was signed off, final building and safety approval fully permitted, ready to occupy, that gray container was there in location. And so, it has been quite burdensome and surprising, and unexpected to have to now deal with all this extra bureaucracy for a container that was there during all of the construction, that was there when the property was signed off as finished, complete, and certified to occupy. So, I just want to provide that context because I think it's important. The other thing that I'd like to mention is the old town commercial, residential overlay, I have not read the details. It sounds like the residential portion of that phrasing is maybe intended to be multi-family. That is what it is. It's hard to imagine a more fitting use for a hybrid mixed-use area between the highway residential, commercial than something like a shipping container as a garage. It's hard to imagine a better place in town for that type of application. And I think it's also important to note that our immediate neighbor is a plumber who has Caterpillar tractors, bulldozers, huge mounds of sand. I mean, honestly, it's an industrial use or a light industrial use. So, it just does not seem to in any way impact the existing character of the neighborhood. It seems very, very fitting. So those are my two most important comments. My final comment is in regards to the second container and if we need-- well, really, it's one big question, which is, I recently found out, about a week ago, on a call with the planning department that we're going to need not only this meeting, but if the Planning Commission today, if you choose to approve this nonconforming expansion, that we will still need building and safety permits for a metal box. So, I'd like to just request that that be waived. We've waited over a year to-- well over a year to get this property occupied. We were trying to do something helpful by purchasing a burned-down, dilapidated building and restoring it, making it really nice with the metal roof and high quality materials and really pretty. And I think we took something that could have been blighted and vacant and ugly for years, which happens all over town, and made it nice. And we've been trying to check all our boxes and do everything appropriately, but it's just dragging on. And we really need to get this property generating some sort of income because it hasn't for many years. And so, needing to get elevations drawn by a hired architect or engineer is just totally unnecessary and an egregious burden, honestly, for a prefabricated metal container.

Chair Stoker said we may have other questions for you. We'll move it back to the commission.

Commissioner Thomas asked is the container just for storage?

Associate Planner Jared said Yeah. The applicant indicated that's for household storage, yard tools, things of that nature.

Deputy Town Manager Stueckle commented, I would address that question to the applicant.

Commissioner Thomas said, okay I'm sorry.

Applicant Chakalian said, yes. That's correct. Yeah. Household storage, types of things you'd find in a garage.

Deputy Town Manager Stueckle added, and maybe the Commission would want to ask, why such a large container for a small home? And what's actually being stored? Is it storing items related to that property or off-site of the property? That would be a legitimate question, I believe, before the Commission.

Commissioner Thomas asked, I guess, that's a good question. My other question would be, why would it matter though? I mean, here's my question. So, looks like he's got the property in front of him, he's got it fenced off. So, if he rented the property in the front, people wouldn't be accessing the container in the back. So, he's using the other part of his property to store additional items. Is that what we're looking at? And the second question I had is, are we approving this? It's just saying we're reviewing it. I don't understand what we're doing here. So, we're just reviewing it or we're approving it? Or it's up for approval? Okay.

Deputy Town Manager Stueckle commented that typically, when the Commission is acting on any land use item, you want to know what's occurring on the site. And so, if it's being used for storage, it's storage for what? And so, I think the applicants indicated, at least from staff's interpretation, it's being used to store materials that are not used on this site. And that is a legitimate land use question. Okay?

Commissioner Thomas said, all right. So, I may come back and ask another question based.

Commissioner Noonan said I'm going to pass and maybe my question will be resolved with one of the other questions.

Commissioner Henderson said Jared, two questions. One is, as I was reading through the staff report, so my understanding is that one container has to be removed, and then the other container has to be affixed to a concrete pad. So that has to be poured as well, correct?

Associate Planner Jerome said, it is required to be on a permanent foundation that's approved by the building department.

Commissioner Henderson said, okay. And is there any other steps in here that I'm missing besides those two?

Associate Planner Jerome said, there is also a requirement that the shipping container is architecturally compatible with the single-family residence.

Commissioner Henderson said, walk me through what that might look like.

Associate Planner Jerome said, for shipping containers, most commonly, some people

add siding to the side of the shipping container, they'll paint it to match the house, things that are fairly minor improvements.

Deputy Town Manager Stueckle asked Jared, what's the size of the property?

Associate Planner Jerome said, I mean, from what I recall, it was between a quarter and half acre, but I don't remember exactly the size.

Deputy Town Manager Stueckle commented, so why is this an issue? So, your codes, as approved by the Planning Commission, the town council do not allow a storage container to just be dropped on a single-family residential parcel of smaller than two and a half acres. That's prohibited by code and has been for a number of years. In order for someone on a single-family residentially zone property to have a storage container on a property less than two and a half acres, it's on a permanent foundation, and it's architecturally treated so it does not have the appearance of a cargo container. To be exempt from those requirements, your parcel must be larger than two and a half-- two and a half acres or larger. So, this is a single-family home. It's in a different zone. But a single-family home is a nonconforming use. And that's why staff has brought the recommendation before you, so that we're applying the same standards, in this particular case, for a single-family home, following the codes that every other single-family homeowner has to abide by. So therefore, the recommendation that's before you.

Chair Stoker said, gotcha. Question, just to go out and turn, I'm sorry, but had this been a commercial property and utilizing the commercial side of things and not been.

Deputy Town Manager Stueckle commented, it would be an expansion of use that would have to come before this commission for architectural review, landscaping plans, full parking lot paving, ADA access, etc., if this was commercially zoned.

Chair Stoker said, gotcha. Or mixed-use or whatever. Fair. So even if this process seems large, it's smaller than it could have been had it been a commercially zone property?

Deputy Town Manager Stueckle commented, absolutely.

Commissioner Henderson said, yeah. Question for-- thank you. If this was another single-family resident zoned area, would we have a concern about what the contents would be stored in there would be? I know you kind of posed that question to the Commission maybe for the applicants, but would we-- Would we be concerned about that for our regular single-family residence zoned area?

Deputy Town Manager Stueckle commented, the typical application that we receive is for owner-occupied. In this particular case, it's not owner-occupied. The application is ultimately going to be for the short-term vacation rental. And therefore, the difference, and therefore, the question.

Commissioner Henderson said, okay, I see. I may come back.

Commissioner Vasconcelos said, so, I guess, my main concern on this is that what I've seen other people attempt to do with short-term vacation rentals is to convert these containers into a living space to be utilized and be rented out, additionally, or be utilized maybe even under the radar that people could rent this room out and have more people at these locations. In this particular area, I have never seen a large shipping container like this utilized in a backyard with the lot sizes that are there. Have there been any exceptions in the past that we've allowed this to happen, where we were to permit a shipping container to go in here like the way the applicant wants without having all these requirements being met with the foundation, with architectural, with all these other standards that we have? Is there any record of any of that?

Associate Planner Jerome said, as Shane mentioned, it would only be if it's two and a half acres or larger, they wouldn't have those requirements. So, it would be the same for any other building requests for a container. The difference for this one just being that it's nonconforming, which is why it's in front of the Commission.

Commissioner Vasconcelos said, I have a question for the applicant. I have a question for the applicant. So, do you have any intent on modifying the appearance of the shipping container in any way structurally, like cutting out windows or putting in doors or anything of that other than the existing doors that are on this container?

Applicant Chakalian said, Hi. Yeah. No. I can confidently and emphatically tell you that this is for storage. There's zero interest whatsoever in having anybody in there, whether permitted or not permitted or over or under the radar. It's very intentionally separated on the property with a chain link fence, with a locked gate so that people who are renting the short-term vacation rental, hopefully, one day, won't even really need to interact with it or get near it for liability and just all sorts of reasons. It's good to separate things where you can. So, no, it won't be modified. We spent a considerable amount of money to paint it really high-quality paint, good roof, epoxy. I felt like I was doing my due diligence to have it not be an eyesore and fit in the neighborhood and the property. I also just want to provide a little additional context because I recognize that this wouldn't be obvious. But just so Planning Commission is aware, I didn't buy this container and drop it on that lot thoughtlessly or willy-nilly. I did call the planning department probably 2020 and ask, I said, "I'm interested in buying a shipping container, putting it on my property." And I believe I talked to Jared, it could have been somebody else in planning. And they asked me where, and I told them the address. And they said, "Yeah. That should be fine." So not only was the container not mentioned when we got final building and safety approval for the home, even though it was right there in broad daylight, I also was under the impression that it was totally fine as it was. And so, it was truly quite a surprise when this whole process has gotten kicked off. So just to be clear, we weren't trying to get away with something. We thought that it was totally acceptable how it was.

Commissioner Noonan said, all right, sorry. Shane, maybe you can answer this. So, I'm

looking at this property, and it's curious to me how there's a shopping center and then it looks like a residence and then it looks like this particular property and then right next to it is what looks to be a commercial plumbing company. Is this all residential zoning here? And if so, how does the plumbing company operate?

Associate Planner Jerome said, so the zoning's old town commercial, residential. In a nutshell, it allows low-impact commercial uses, kind of transitionally used as residential and multi-family residential and live, work, but does not allow single-family.

Commissioner Noonan said, but this is a single-family residence--

Associate Planner Jerome said, this residence predates that zoning designation.

Commissioner Thomas said, okay. So that's a question that I have then. So, the residents predated the zoning, but then when it burned down, permits were issued to rebuild it?

Associate Planner Jerome said, yeah. You can rebuild a nonconforming structure as long as it fits a certain criteria.

Chair Stoker said, Mr. Chakalian, I had a couple of questions for you. The first being, I don't see any gates coming into this area from the residence. Is that correct?

Applicant Chakalian said, there is one pedestrian chain link gate, single hinge, single kind of doorway.

Chair Stoker said, but in your comments afterwards, you said you did not intend for any of your guests to use that space.

Applicant Chakalian said, oh, that's correct. That's for use of-- there's a lock on it. That's for use of me or property managers because there are things stored in there that are-- rakes and shovels and things. But that way, guests won't climb on top or get into any trouble, that kind of thing.

Chair Stoker said, okay. And there wouldn't be anything stored here from another business that would make it to where this would need to have a separate type of a license or something?

Applicant Chakalian said, no.

Chair Stoker said, okay. And then so what's the deal with the second container?

Applicant Chakalian said, the second container was brought in before this process got kicked off. So, as I mentioned, in 2020, I called planning and they said that it'd be fine to have a container there. And then we got the house all situated. And then shortly before our short-term vacation rental permit got kicked back to us for this problem, I had an opportunity to get this other container and thought I would put it there. And didn't

actually have a specific use for it yet, but I thought this could be a useful thing to hold on to. It was kind of a deal sort of situation. And again, at that time, I was under the impression that this was completely okay to have. The other container had been there for two years. The house got permitted with it there. This is great.

Chair Stoker said, and you've mentioned that many times. And I think you're probably a smart guy, so I know you can't really equate a building permit to the permit for the container, correct?

Applicant Chakalian said, no, I absolutely can. The entire property was empty, leveled, burned down. We got permits to rebuild the home. Every week for like a year or 16 months, inspectors came and nitpicked every single nail everywhere that was in the house getting rebuilt. And you're telling me that if they saw a 40-foot container taking up a fifth or a fourth of the property and that shouldn't have been there, that it's not reasonable for me to expect they would have said something? I think it is incredibly reasonable for me to expect they would have said something.

Chair Stoker said, I can tell you from my own experience that they don't actually.

Applicant Chakalian said, well, that shouldn't be that way.

Chair Stoker said, again, what you feel is reasonable, it's not necessarily accurate. A lot of times for many people, they use storage containers during the course of construction just for storage. And they're there for the course of construction, and after construction is over, those things move on to the next resting place.

Applicant Chakalian said, regardless, that still doesn't explain why I was told by the planning department over the phone that it was okay to have the container there.

Chair Stoker said, well, again, being permittable and okay to just toss it on a property are two different things.

Applicant Chakalian said, but that's ridiculous. If a citizen calls into the planning department and says, "I would like to do this thing. Is that allowed?" and the person at the other end of the phone, the civil servant, says, "Yeah. That should be fine."

Chair Stoker said, right. So when you call—

Applicant Chakalian said, but what they mean is—

Chair Stoker said, let me cut you off for a second, sir. You're on mute right now. When you call the planning department to say, "I want to build a house on a lot," it doesn't mean I just get to show up there and just start building a house. There's a process by which you go through to be able to build that house, even if it's allowed. When you call planning, you're talking about a loud use. And I think that's what our entire job is here as a commission is to discuss the code and apply the use of a property. When somebody says you can use the property in a certain way, it does not give you the ability to do it

without going through the process from which to be able to do it. And now you're in the middle of that process. And that process is there, and you're going through that process. For Jared, so if we approve the container that's there, I don't have a problem personally with being a color change complementary to the house being an applicable thing for architectural relevance based on the fact that the current elevation, when I stopped by the house today, utilizes a lot of corrugated metal, standing seam metal on the roof. So, the metallic element and the industrial, if I want to say it that way, element, it's part of what's going on in the property. So, I don't see an issue with having it painted the right color. I have an issue with the second container just showing up. Because I think in theory, you were thinking if one is good, two is better. And I don't think that's necessarily our thought process, because we do have a process. Does anyone else have any kind of comments about it?

Commissioner Vasconcelos said, I do have another comment. You went to the point exactly what I was thinking about with the container being there while active construction. That's a very common use of shipping containers. Everyone stores their materials in it. They lock it up so there's no theft. So, I could easily see someone going and inspecting this and not realizing that this is part of the permanent building and that it was there temporarily to house the materials and whatever it is while they're rebuilding a house.

Chair Stoker said, right. And that's what gets me. And I understand Mr. Chakalian's comments, but those comments, it's really pointing the finger at our inspectors. And that's not really what they're looking for. They're looking at the house, they're looking at the plans for what is permitted and what they're there to look at. Quite often, on many projects that I've worked on, you see things that are existing, but maybe not conforming or nonpermitted even on the backside of a property, but I'm working on this little section. And they're looking at that section really with blinders on just to try to get my permit process approved.

Deputy Town Manager Stueckle commented, just as a sidebar note, it's really interesting the different perspectives we hear from residents. On the other hand, we were involved in a code enforcement case for about three years on an individual who was livid with the town because we actually saw something nonpermitted on the site when we were there to inspect a solar system, and we found a nonpermitted garage. And we spent three years essentially in a litigation case with the individual. So sometimes the public agency never gets to win, and the public agency is always the bad guy.

Commissioner Thomas said, I just wanted to be clear on one thing. I just wanted to know this because I see them all over town. There's shipping containers on private property all over town. And so, you're saying that that is not permitted regardless, wherever it is, other than an industrial commercial property?

Associate Planner Jerome said, no, you can get permits for—

Commissioner Thomas said, I mean, if they're unpermitted. I mean, they need to have a permit to drop it on a piece of property in town. Is that right?

Deputy Town Manager Stueckle commented, so if staff comes across a cargo container in a residential zone, they will check to see what is the parcel size. Is it two and a half acres or not? And historically, did it ever have a permit. If there's not, it's a code enforcement case. So those in residential zones. The ones that you see in commercial zones, none of those are permitted. Those are all a violation of the municipal code. Those are expansion of a commercial use, which requires either a land use compliance review, a site plan review, or a conditional use permit. None of those have approvals.

Commissioner Thomas said, okay. And that goes all the way to industrial zoning as well, right?

Deputy Town Manager Stueckle said, yes, sir. That's correct.

Commissioner Thomas said, perfect. I just wanted to get this zoning thing.

Commissioner Noonan said, actually, while you're on that, I want to ask that because it's very informative as well. So, is there such a thing as a temporary storage permit, whether it be commercial or residential, if this was in the act of construction or you're rebuilding and you need to put furniture and materials in it?

Deputy Town Manager Stueckle commented, staff will have to answer that question. I believe what the code says is only during construction. We do understand there are some places that have very busy seasons and then when the busy season is over, they don't have those inventory struggles. So, we know that occurs. But in terms of what the code says, it is only for construction, I believe.

Associate Planner Jerome said, yeah. Evan is looking up the code, but yeah. So temporary use permit for something like a shipping container if you're storing construction materials can be issued as a temporary use. So, we have a temporary use permit for active construction.

Commissioner Noonan said, I mean, I use them for construction, but they're definitely known as temporary. So, a reasonable thinker would look at a container and think it's there for construction only.

Associate Planner Jerome said, yeah. As Commissioner Vasconcelos noted, it's a very common situation.

Chair Stoker asked Commissioner Vasconcelos if he had any comment. Commissioner Vasconcelos responded no.

Commissioner Henderson said, yeah. Just to finish up, Jared, on the architectural siding for this, did staff approved that, or does that have to come back to the Commission?

Associate Planner Jerome said, typically, the building inspector verifies in the field.

Commissioner Henderson said, okay. And I'm clear what has to happen for the applicant at this point. Have you received any pushback from him, or are we just reviewing and voting on this?

Associate Planner Jerome asked, could you clarify on the pushback?

Commissioner Henderson asked, have you received any pushback from the applicant? Do we need to make it clear from the staff report exactly what needs to happen here?

Associate Planner Jerome said, I believe staff is clear. I'm not positive on the applicant's understanding.

Deputy Town Manager Stueckle commented, so I think under the applicant's testimony this evening, he made a formal request that the Commission waive the building and safety permitting requirement process. I don't believe the Commission has that authority, number one. Number two, that would make this being treated differently than anybody else in the same circumstance. And you may address that question back to the applicant if you so choose, but that's what staff heard as part of the applicant's testimony this evening.

Commissioner Thomas said, just a question. But that's not what we would be voting on tonight.

Deputy Town Manager Stueckle response, no, that is not the staff recommendation that's before you this evening. That's correct.

Commissioner Vasconcelos said, I did have one more thing. I remembered. So, I mean, I can completely understand the frustration of having a phone conversation with somebody and asking them a question about if this is permitted or allowed or whatever it may be and maybe not really knowing a process and getting an answer and then coming back, finding out that there's a whole other process. And there's nothing more frustrating than that, believe me. When you have that happen, you lose your mind. I mean, at least I do. But at the same time, I think, be able to ask the appropriate questions. Maybe go to the town, ask them certain things rather than a phone call conversation to confirm that, yeah, you can do this. And give the full detail of a plan for what you want for the use of that rather than just saying, "Can I put this on here?" which I think would have been maybe a better way of going about it.

Chair Stoker said, I think maybe we maybe bring the applicant back on for one minute just to make sure he understands the process moving forward for himself. Mr. Chakalian, so you understand that with the approval tonight, one, we would, in essence, be approving one shipping container in the back. And you would still need to go through the building permit process and the inspection process for that container.

Applicant Chakalian said, yeah. I'm hearing what you're saying. I need to respond to the

commissioner's comment, that I couldn't go talk to somebody in person because it was COVID.

Chair Stoker said understood. And I recognize—

Applicant Chakalian said no. I want to be clear.

Chair Stoker said, you got muted again, sorry. So, I mean, we're trying to ask specific comments. We had your time to deviate and let us know what was going on, but we have some specific questions that we just wanted to make sure of, if that's okay. Okay. So, I just want to verify that you do understand—

Applicant Chakalian said, I mean, this is not okay. I'm a public citizen. I'm a resident. I pay my taxes. And you're muting me when I'm trying to speak to my elected representatives, which is really ironic because at the same time, you're telling me I should have done a better job communicating with the people that you're muting me from talking to. So, no, this is not acceptable behavior at all. And, no, I don't-- I mean, so tonight was the first time I found out we might have to pour a concrete foundation. How is it proper, reasonable, or right that this is the juncture at which I'm told I might have to spend \$40,000 on a concrete foundation. Isn't that something I probably should have been told a long, long time ago? So, nothing about this process has been—

Chair Stoker said hold for one second. Jared.

Associate Planner Jerome said, we did have a conversation prior to the staff report. And I believe the staff report also notes that it is required to be on permanent foundation, but we did discuss that it would have to be built to the California Building Code. And if no prescribed code applies to it, then it would need to be engineered in that case.

Applicant Chakalian said, nobody knows what those word means. I have a literal PhD. I have a doctorate in environmental science. I've been doing my absolute best. How do you think other residents in Yucca Valley navigate these processes?

Chair Stoker said, I don't have a PhD, and I can handle it, so.

Applicant Chakalian said, well, I didn't go to school for civil engineering. And when he says it has to be engineered, I do not know that that means that I need to pour a concrete foundation because I am not a civil servant in the planning department. And so, I mean, there is a systemic structural failure in the way that you guys are administering your planning department and your building and safety. And it's no one individuals failing or fault or problem, but it isn't right. And it isn't reasonable that it should be this difficult for somebody with an education, with means, who's intelligent, who's literate, who is trying to go through the process and has been trying to go through the process for years—

Chair Stoker said, which is what I'm asking you, if you understand the process moving

forward?

Applicant Chakalian said, what I'm hearing now is that the process moving forward is that there is absolutely no way the second container can stay and that we'll need to get a full building and safety permit cycle, process with architectural drawings and engineering. And what I can tell you right now is it can't happen. I don't have the money. I can't afford it. That's impossible. So what I could do is I could burn the house back down and let homeless people live there and it'll be dilapidated and full of rats and it'll be hideous, or we can try and find a productive path forward that makes our collective town better and nicer.

Chair Stoker said, well, I think there's other options that are maybe less extreme than that. I would say the one option you have is not to have any containers there and make this entire process, to this point, moot. And then you'd have an existing single-family residence on a nonconforming lot that you could short-term rent. Would that be a correct statement, Jared?

Associate Planner Jerome said, yes.

Chair Stoker said, so if there's no containers there, then it's no longer an issue. Having a container there does make it an issue. It's a process I've been through on prior occasions on different projects to satisfy the requirement to have it bolted down to a permanent foundation. It's not overly complicated. Any concrete contractor that you talk to that's done several of these will know exactly what to do. Drawing a small set of drawings for this, which is not very complicated, is also not a complicated process. Using numbers like \$40,000, I think, is grossly exaggerated. Being that I am in the construction trade, I think that's an exaggeration in several fold, not just a little bit, but maybe by several times what it would cost to do this. But I just want to make sure you understand the process, because, I think, that was one of our questions as a board is making sure you understand that the process moving forward is to obtain a building permit, permanently attach this single container to a permanent foundation, and have that building permit final.

Applicant Chakalian said, yes. I'm hearing you say that. Yes.

Chair Stoker asked, but do you understand that that is the process? Just so we're clear. Because that way, later, it doesn't come back to us and we don't understand the process. We all want you to understand the process.

Applicant Chakalian said, I appreciate that. It would have been nice if that attempt was made three years ago. But yes, no, I hear you. That's the process. I don't think that process is going to work for me. So, we're going to have to-- I'm going to have to come up with another plan or solution. But, yes, I hear you saying that that is the process.

Chair Stoker said, that is the process. I've been through the process, and I've asked these same questions regarding shipping containers myself of our planning department both

before and after I was on the Planning Commission to understand the process on specific properties in different zones because it is a little different depending on where the property is or how large the property is. So just like everything, I know that our code or any building code in any jurisdiction can be confusing. We don't want to be confusing to anyone regardless of whether you have a PhD or not. We're here to make sure that everyone, regardless of their background and education or means, other things were brought up, regardless of what that is, we want to make sure everyone understands the process because it is somewhat difficult to navigate at times, and we understand that, which is why we wanted to make sure. Because in your comments earlier, it was kind of clear to at least one of us or a couple of us on the board that maybe you didn't quite understand what the process was or where you were at in the process at this time.

Applicant Chakalian said, yeah. I think that I hear you, and that's a good goal. And I hope that other people can navigate this process more easily, because it has not been straightforward or clear, but that was past tense. Now, I hear you. It's clear. Thank you

Chair Stoker said, understood. Yeah. And it always is a process. Regardless of whether it's a commercial zone project or a TI or a shipping container, all those processes are a little different and it's a learning curve, for sure. But based on your educational background, I'm sure you'll be able to navigate it and become a pro in no time. With that, I do thank you for your time here today, sir. And I think we maybe have enough information to come to a decision looking side to side here.

MOTION:

Expansion of Non-Conforming Use or Structure, ENC 01-23:

That the Planning Commission reviews ENC 01-23, a request to install one (1) 40' long shipping container in the backyard at the existing non-conforming residence located at 7357 Apache Trail.

Environmental Assessment, EA 02-23:

The Planning Commission finds that the proposed project is exempt from CEQA pursuant to Section 15303, New Construction or Conversion of Small Structures, because the proposed project is less than 2,500 square feet in floor area and does not involve the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

RESULT: APPROVED [UNANIMOUS]
MOVER: James Henderson, Commissioner
SECONDER: Mathew Thomas, Commissioner
AYES: Henderson, Noonan, Thomas, Vasconcelos, Stoker

FUTURE AGENDA ITEMS

PUBLIC COMMENTS

STAFF REPORTS AND COMMENTS

COMMISSIONER REPORTS AND COMMENTS

Commissioner Henderson excited about the move for las palmas restaurant. thanks you for the sand bags. past issued storm drains and collecting those fees it helps for the future.

Commissioner Thomas did a great job on the storm and sand bags.

Commissioner Vasconcelos thanks again and thanks for the towns support, emails outpouring to the public

Vice Chair Noonan thank you for your wisdom and issues. great job on getting the roads open. that's amazing. other municipalities. not because it didn't come down hard but because we were on top of it.

Chair Stoker thank you to Mr. Chalkian naviagating the process is difficult. thank you for handling and getting it handling we look forward to you. thankss so much to staff for the detail. in my opinion we dodge the bullet. fine job of getting things cleaned up and back to as good as they could be.

ANNOUNCEMENTS

Upcoming Meeting Schedule

The next regular meeting of the Yucca Valley Planning Commission is scheduled for Tuesday, September 19, 2023, at 6PM in the Yucca Valley Community Center Yucca Room.

ADJOURNMENT

The meeting was closed at 7:02 PM

CHAPTER 9.07

RESIDENTIAL AND HILLSIDE RESERVE DISTRICTS

SECTION:

9.07.010: Purpose

9.07.020: General Provisions

9.07.030: Residential Zoning Districts

9.07.040: Permitted Uses And Permit Requirements

9.07.050: Development Standards

9.07.060: Accessory Buildings And Uses

9.07.070: Antennas

9.07.080: Drainage, On Site Retention, And Dust Control

9.07.090: Fences, Walls, And Hedges

9.07.100: Manufactured Home And Single-Family Residential Construction Standards

9.07.110: Outdoor Lighting

9.07.120: Projections And Encroachments Into Required Setback Areas And Above Height Limits

9.07.130: Native Landscape Documentation Package

9.07.010: PURPOSE:

These zones are established to implement the Residential-Hillside Reserve, Rural Living, Residential Single-Family, and Residential Multi-Family land use designations of the general plan. The various designations are intended to provide a range of residential densities from Residential-Hillside Reserve lands constrained by topography to higher density Multi-Family designations. The standards, uses and densities allowed in these zones are intended to maintain a character consistent and compatible with residential neighborhoods. (Ord. 253, 12-16-2014)

9.07.020: GENERAL PROVISIONS:

A. Residential-Hillside Reserve: The specific purpose of the Residential-Hillside Reserve Zoning District regulations and standards are to:

1. Provide for limited single-family residential development within hillside areas and similarly constrained areas and provide the greatest potential for open space preservation and managed animal keeping.
2. Provide adequate light, air, privacy, and open space for each dwelling unit and protect residents from harmful effects of excessive noise, population density, traffic congestion, and other adverse environmental impacts.
3. Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment.
4. Ensure the provision of public services and facilities needed to accommodate planned population densities.

B. Residential: The specific purpose for the Residential Zoning District regulations and standards are to:

1. Provide adequate light, air, privacy, and open space for each dwelling unit and protect residents from harmful effects of excessive noise, population density, traffic congestion, and other adverse environmental impacts.
2. Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment.
3. Ensure the provision of public services and facilities needed to accommodate planned population densities. (Ord. 253, 12-16-2014)

9.07.030: RESIDENTIAL ZONING DISTRICTS:

A. Residential-Hillside Reserve (R-HR): The R-HR Zoning District is established to provide areas for the development of hillside residential uses and similar and compatible uses and includes the following designations:

1. Residential-Hillside Reserve District (R-HR): One dwelling unit/twenty (20) acres. (Ord. 253, 12-16-2014)

No more than one dwelling unit is allowed on each lot, except as otherwise provided in section 9.08.100, "Accessory Dwelling Units", of this article 2. (Ord. 253, 12-16-2014; amd. Ord. 281, 11-6-2018)

B. Rural Living Districts (RL): The RL Zoning Districts are established to provide areas for the development and preservation of residential uses, incidental agricultural uses, and similar and compatible uses. There are the following RL

Residential Zones that provide a variety of living environments based upon the required minimum gross lot size.

1. Rural Living District (RL-10): One dwelling unit/ten (10) acres.
2. Rural Living District (RL-5): One dwelling unit/five (5) acres.
3. Rural Living District (RL-2.5): One dwelling unit/2.5 acres.
4. Rural Living District (RL-1): One dwelling unit/acre. (Ord. 253, 12-16-2014)

No more than one dwelling unit is allowed on each lot, except as otherwise provided in section 9.08.100, "Accessory Dwelling Units", of this article 2.

C. Single-Family Residential Districts (RS): The RS Districts are established to provide areas for the development and preservation of residential subdivisions consisting of detached residences and accessory uses compatible with the residential use of the zone and includes the following designations. There are the following Single-Family (RS) Residential Zones that provide a variety of living environments based upon the required minimum net lot size. No more than one dwelling unit is allowed on each lot, except as otherwise provided in section 9.08.100, "Accessory Dwelling Units", of this article 2. Required minimum lot sizes for each of the following zones are as follows: (Ord. 253, 12-16-2014; amd. Ord. 281, 11-6-2018)

1. Single-Family Residential District (RS-2): Two (2) dwelling units/acre.
2. Single-Family Residential District (RS-3.5): 3.5 dwelling units/acre.
3. Single-Family Residential District (RS-5): Five (5) dwelling units/acre.

D. Multi-Family Residential District (RM): The RM Zone is established to accommodate higher density, multi-story residential development, with a focus on providing an intensity and function at locations within close proximity to recreation and community facilities and commercial services and includes the following designations:

1. Multi-Family Residential District (RM-4): Up to four (4) dwelling units/acre.
2. Multi-Family Residential District (RM-8): Up to eight (8) dwelling units/acre.
3. Multi-Family Residential District (RM-10): Up to ten (10) dwelling units/acre.
4. Multi-Family Residential District (RM-14): Up to fourteen (14) dwelling units/acre. (Ord. 253, 12-16-2014)

9.07.040: PERMITTED USES AND PERMIT REQUIREMENTS:

Table 2-3 of this section identifies the uses of land allowed by this Development Code in each Residential Zoning District established by chapter 9.05, "Zoning Districts And Zoning Map", of this article 2.

All uses listed in the following table are subject to the applicable standards of this Development Code and the permit requirements referenced in the "Notes And Other Regulations" column and in subsection 9.06.030B, "Permit Requirements", of this article 2.

Pursuant to subsection 9.06.030A3, "Similar And Compatible Use May Be Allowed", of this article 2, the Director may determine that a proposed use is permitted, provided that the Director makes the required findings that the proposed use is similar, compatible and consistent with the uses described in the table, the purposes, and the General Plan. (Ord. 253, 12-16-2014)

TABLE 2-3

PERMITTED LAND USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL

AND HILLSIDE RESERVE ZONING DISTRICTS

Zoning districts:		
R-HR: Residential-Hillside Reserve	RL: Rural Living	
RS: Residential, Single-Family	RM: Residential, Multi-Family	
Permit required:		
CUP: Conditional use permit	P: Permitted	SUP: Special use permit
HOP: Home occupation permit	PD: Planned development permit	TSEP: Temporary special event permit
NP: Not allowed	SPR: Site plan and design review	TSTVRP: Temporary short-term vacation rental permit
		TUP: Temporary use permit

Type Of Use	Permit Required By Zoning District				Notes And Other Regulations
	R-HR	RL	RS	RM	
Type Of Use	Permit Required By Zoning District				Notes And Other Regulations
	R-HR	RL	RS	RM	
Residential:					
Accessory dwelling unit	P	P	P	P	Pursuant to section 9.08.100 of this article 2
Accessory structures and uses	P	P	P	P	Permitted only in conjunction with an approved dwelling unit. Includes uses that are accessory or incidental to the primary use of the same property. Pursuant to section 9.07.060, "Accessory Buildings And Uses", of this chapter
Garage and yard sales	P	P	P	P	
Home occupation	HOP	HOP	HOP	HOP	Permitted with a home occupation permit, pursuant to chapter 9.50, "Home Occupation Permits", of this title
Manufactured home/mobilehome unit	P	P	P	P	Pursuant to section 9.08.060 of this article 2
Mobilehome and recreational vehicle parks	CUP	CUP	CUP	CUP	Pursuant to section 9.08.060, "Manufactured Housing, Mobilehomes And Recreational Vehicle Parks", of this article 2
Multi-family dwellings:					
1 - 3 units	NP	NP	NP	P	Pursuant to Multi-Family Residential standards, section 9.08.070 of this article 2
4 or more units	NP	NP	NP	SPR	Pursuant to Multi-Family Residential standards, section 9.08.070 of this article 2
Planned residential development	PD	PD	PD	PD	Pursuant to section 9.08.080 of this article 2
Single-family dwelling unit	P	P	P	P	Pursuant to Residential District standards, section 9.07.050 of this chapter
Farmworker/employee housing	P	P	P	P	6 or fewer employees, pursuant to Health and Safety, Section 17021.5
Temporary short-term vacation rental	TSTVRP	TSTVRP	TSTVRP	TSTVRP	Pursuant to Chapter 5.40
Care uses:					

Child daycare:						
Small family		P	P	P	P	8 or fewer children, pursuant to residential district standards, section 9.08.040 of this article 2
Large family		SUP	SUP	SUP	SUP	9 to 14 children, pursuant to residential district standards, section 9.08.040 of this article 2
Child daycare center		CUP	CUP	CUP	CUP	15 or more children, pursuant to section 9.14.020 of this article 2
Social care facility:						
6 or fewer		P	P	P	P	Includes, but is not limited to, elderly care and sober living facilities. Pursuant to residential district standards, section 9.08.090 of this article 2
7 or more		SPR	SPR	SPR	SPR	Includes, but is not limited to, elderly care and sober living facilities. Pursuant to section 9.08.090, "Residential/Social Care Facilities", of this article 2
Agriculture and animal related:						
Agriculture (for commercial use), not including animal husbandry or stockyards		CUP	CUP	CUP	NP	Including, but not limited to, row, field, tree, and nursery crop cultivation
Farmworker/employee housing		CUP	CUP	CUP	NP	7 or more employees and consisting of no more than 36 beds in group quarters or 12 units or spaces designed for use by a single family or household, pursuant to Health and Safety Code Section 17021.6 and projects eligible for ministerial review pursuant to section 17021.8.
Animal keeping, breeding/raising of densities greater than those specified by section 9.08.020 of this article 2		SUP	SUP	SUP	SUP	Animal raising over densities allowed require a special use permit, pursuant to section 9.08.020 of this article 2
Animal keeping of densities allowed by section 9.08.020 of this article 2		P	P	P	P	Pursuant to section 9.08.020 of this article 2, animal keeping
Commercial or private kennels		CUP	CUP	NP	NP	Pursuant to section 9.08.020 of this article 2, minimum 1 acre parcel size
Exotic animals:						
	Up to 2	SUP	SUP	SUP	SUP	Pursuant to chapter 9.49 of this title
	3 - 4	CUP	CUP	CUP	NP	Pursuant to chapter 9.49 of this title
Horticulture (for private use), including growing fruit, flowers, ornamental plants, and vegetables		P	P	P	P	Permitted as a use that is incidental to the primary use
Other uses:						
Bed and breakfast/lodging		SUP	SUP	SUP	SUP	Pursuant to section 9.08.030 of this article 2
Cemeteries		CUP	CUP	NP	NP	Pursuant to chapter 9.45 of this title
Marijuana dispensaries, marijuana cultivation, marijuana deliveries, additional prohibited marijuana		NP	NP	NP	NP	Pursuant to chapter 9.53 of this title
Temporary special events		TSEP	TSEP	TSEP	TSEP	Pursuant to chapter 9.38 of this title

Temporary uses		TUP	TUP	TUP	TUP	Pursuant to chapter 9.39 of this title
Recreation, education, and public assembly uses (institutional uses):						
Arboretums, botanical gardens, historic and monument sites, zoos		CUP	CUP	CUP	CUP	Pursuant to section 9.08.050 of this article 2
Archery and gun ranges:						
	Indoor	NP	NP	NP	NP	
	Outdoor	NP	NP	NP	NP	
Campgrounds		CUP	CUP	NP	NP	Pursuant to section 9.08.050 of this article 2
Conference centers/group camps		CUP	CUP	NP	NP	Pursuant to section 9.08.050 of this article 2
Governmental facility		CUP	CUP	CUP	CUP	
Hospitals and convalescent homes		CUP	CUP	CUP	CUP	Pursuant to section 9.08.050 of this article 2
Museum, art gallery, library, and associated outdoor exhibits		CUP	CUP	CUP	CUP	Pursuant to section 9.08.050 of this article 2
Off road vehicle parks		CUP	CUP	NP	NP	
Park/playground		SPR	SPR	SPR	SPR	
Religious institutions, religious assembly, and other public assembly		CUP	CUP	CUP	CUP	Pursuant to section 9.08.050 of this article 2
Schools (public and private)		CUP	CUP	CUP	CUP	Pursuant to section 9.08.050 of this article 2
Sports and recreation facility (commercial operations open to the general public)		CUP	CUP	CUP	CUP	Including, but not limited to, equestrian facilities, golf courses, hunting clubs, and tennis and swim clubs
Sports or entertainment assembly		NP	CUP	NP	NP	Including, but not limited to, racetracks and stadiums, and per location criteria and performance standards, section 9.08.050 of this article 2
Transportation, communication and infrastructure:						
Communication facility		CUP	CUP	NP	NP	Including, but not limited to, radio and television stations or towers, satellite receiving stations, but not wireless telecommunication facilities
Solar/wind or other alternative energy:						
	Accessory	P	P	P	P	Pursuant to chapters 9.42 and 9.43 of this title, permitted as a use that is incidental/accessory to the primary use
	Primary use	NP	NP	NP	NP	Pursuant to chapter 9.46 of this title, not permitted as a primary use
Transmission utility lines, pipelines, and control stations		CUP	CUP	CUP	CUP	
Utility and service uses and structures		CUP	CUP	CUP	CUP	Electrical power generation, transportation facilities (airports, bus stations, car pool facilities), and sewage treatment and disposal facilities, require General Plan amendment and zone change to public/quasi-public designation
Wireless telecommunication facilities		CUP	CUP	CUP	CUP	Pursuant to chapter 9.44 of this title

9.07.050: DEVELOPMENT STANDARDS:

Subdivisions, new land uses and structures, and alterations to existing land uses and structures shall be designed, constructed, and established in compliance with the requirements in table 2-4 of this section, in addition to the applicable standards (e.g., landscaping, parking and loading, etc.) in article 3, "Development Standards", of this title.

If a parcel is also located within an overlay district, see chapter 9.15, "Overlay Districts", of this article 2. In the event of conflict between the base zone regulations and the overlay zone regulations, the provisions of the overlay zone shall apply. The overlay zoning districts are described in chapters 9.16 through 9.22 of this article 2.

TABLE 2-4

RESIDENTIAL ZONING DISTRICTS DEVELOPMENT STANDARDS

Development Feature	Requirement By Zoning District			
	R-HR	RL ³	RS ³	RM ^{1,3}
Development Feature	Requirement By Zoning District			
	R-HR	RL ³	RS ³	RM ^{1,3}
Minimum lot size ²	20 ac	RL-1: 1 ac RL-2.5: 2.5 ac RL-5: 5 ac RL-10: 10 ac	RS-5: 6,000 sf RS-3.5: 7,200 sf RS-2: 18,000 sf	18,000 sf
Minimum lot dimensions (W: width; D: depth)	W: 150' D: 150'	W: 150' D: 150'	<1 ac: W: 60' D: 100' =1 ac: W: 150' D: 150'	W: 100' D: 150'
Minimum street frontage	150'	100'	<1 ac: 60' =1 ac: 100'	60'
Maximum lot dimensions (width to depth)	1:4	< 10 ac: 1:4 = 10 ac: 1:3	<10 ac: 1:4 =10 ac: 1:3	--
Maximum density (dwelling units [du ⁴]/acres [ac])	1 du/20 ac	RL-1: 1 du/ac RL-2.5: 1 du/2.5 ac RL-5: 1 du/5 ac RL-10: 1 du/10 ac	RS-5: 5 du/ac RS-3.5: 3.5 du/ac RS-2: 2 du/ac	RM-4: 4 du/ac RM-8: 8 du/ac RM-10: 10 du/ac RM-14: 14 du/ac
Setbacks	Minimum setbacks required unless different setbacks are delineated on final map, parcel map, composite development plan, or are allowed pursuant to section 9.07.120 of this chapter, projection into yards			
Front	75'	25'	25'	20'
Rear	75'	15'	15'	10' per story ⁵
Side - street side	75'	Arterial: 25' Collector: 25' Local: 15'	Arterial: 25' Collector: 25' Local: 15'	Arterial: 25' Collector: 25' Local: 15'
Side - interior (each)	75'	15'	5' on 1 side, 10' on other	10' per story ⁵
Lot coverage	Maximum percentage of total lot area that may be covered by buildings			
	20%	25%	40%	60%
Height limit	Architectural features and equipment may exceed height pursuant to section 9.31.030 of this title			
	35'	35'	35'	40'
Minimum district size	100 ac	30 ac	10 ac	10 ac
Parking	See chapter 9.33, "Parking And Loading Regulations", of this title for additional parking regulations			
	2 parking spaces per unit within a garage or carport, with minimum interior clearance of 18' width for 2 spaces and 19' length			See chapter 9.33 of this title

Accessory structures	See section 9.07.060, "Accessory Buildings And Uses", of this chapter. Accessory buildings have the same setback requirements as primary buildings, except they may encroach within 3' of rear property line, but not occupy more than 25% of the required rear yard
Other applicable standards	See article 3, "Development Standards", of this title, including the following standards:
	• Dedications and infrastructure improvement standards, chapter 9.30 of this title (also, see subsection 9.07.100A8 of this chapter, dedication and infrastructure requirements for single-family residential dwelling)
	• Landscaping and native plant protection, section 9.07.130 of this chapter
	• Chapter 9.34, "Performance Standards", of this title relating to avoiding adverse impact to adjoining properties relating to fire, explosive, or other hazards; noise or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness; electrical or other disturbance
	• Chapter 9.35, "Property Maintenance Standards", of this title
	• Signs, chapter 9.36 of this title
	• Chapter 9.42, "Accessory Solar Energy Systems", of this title
	• Chapter 9.43, "Accessory Wind Energy Systems", of this title
• Chapter 9.44, "Wireless Communications Facilities", of this title	

Notes:

1. See section 9.08.070 of this article 2 for additional standards for the Multiple Residential Zoning District.
2. The above referenced acreages that are equal to 1 acre or more refer to gross acreage (total acreage including streets/infrastructure); less than 1 acre refers to net acreage (acreage not including streets, sidewalks, infrastructure).
3. Map suffix: The number placed after the zoning district initial is the allowable dwelling units (du) per 1 acre.
4. du: Dwelling unit.
5. One-story buildings are required to have a rear and interior side setback of 10 feet; two-story buildings are required to have a rear and interior side setback of 20 feet (for each additional story an additional 10 feet are required).

(Ord. 253, 12-16-2014)

9.07.060: ACCESSORY BUILDINGS AND USES:

This section applies to all residential accessory buildings and uses within the Town, other than accessory dwelling units regulated in section 9.08.100 of this article 2. Residential accessory buildings include any of those customarily related to a residence, including garages, greenhouses, storage sheds, studios, barns, workshops, guest houses, and similar buildings.

A. General Development Standards: Any new accessory building shall be subject to the standards in table 2-5, "Accessory Building Development Standards", of this section.

1. Zoning District Regulations Applicable: Unless otherwise provided, accessory buildings and uses shall be subject to the same regulations as the primary building or use on the site. Accessory buildings shall have the same setback requirements as primary buildings, except pursuant to section 9.07.120, "Projections And Encroachments Into Required Setback Areas And Above Height Limits", of this chapter, they may encroach within three feet (3') of rear property line, but not occupy more than twenty five percent (25%) of the required rear yard.

2. Accessory To Legally Established Primary Use: An accessory building or use shall always exist in conjunction with, and never without, a legally established primary building or primary use. Where the primary use has not yet been established, an accessory building or structure may only be built subject to the issuance of a temporary use permit in compliance with chapter 9.72, "Temporary Use Permits", of this title.

a. Exception: An accessory building may be constructed on a vacant parcel that is contiguous to a parcel under common ownership that contains a primary use.

3. Determination Of Accessory Uses: In addition to the accessory uses specifically provided for by this chapter or elsewhere within this Development Code, each land use shall be deemed to include other accessory uses that are necessarily and customarily associated with and are clearly incidental and subordinate to the primary land use. The Director shall be responsible for determining if a proposed accessory use meets the criteria in this chapter.

TABLE 2-5

ACCESSORY BUILDING DEVELOPMENT STANDARDS¹

Development Feature	Requirement By Zoning District		
	R-HR	RL	RS
Maximum floor area of a single accessory building	100 percent of primary building	100 percent of primary building	50 percent of primary building
Maximum number of accessory buildings	4, regardless of any requirement for a building permit ²	4, regardless of any requirement for a building permit ²	4, regardless of any requirement for a building permit ²
Maximum height	25 feet	25 feet	25 feet

Notes:

1. Cumulative area of all buildings and impervious surfaces (i.e., driveways, patios, pools, etc.) shall not exceed the allowable lot coverage. Properties which are 10 acres or larger in size in the Rural Hillside Reserve (R-HR) Zoning District are exempt from square footage requirements for accessory buildings. If a property has an accessory dwelling unit (ADU) regulated by section 9.08.100 of this article 2, then only 3 accessory structures governed by this section 9.07.060 may be located on the property. A guesthouse regulated by this section 9.07.060 which contains no kitchen (cooking facilities, sinks, refrigerator, or cabinets), is not permitted on a property that contains an ADU.

2. The following structures are not counted towards the maximum number of 4 accessory buildings: a) any structure under 120 square feet; b) pool houses under 200 square feet; c) covered patios or similar structures associated with swimming pools; d) gazebos under 200 square feet.

B. Architecturally Compatible: Any accessory building greater than one hundred twenty (120) square feet in area shall be architecturally compatible with the primary building. To be considered architecturally compatible, accessory buildings shall have roofing materials and/or colors similar to the primary structure. Metal material roofs are allowed provided the roof is painted a similar color to the roof of the primary residence. Siding materials may consist of wood, metal, stucco or similar materials. Proposed accessory buildings which do not conform to these architecturally compatible standards may be reviewed and acted upon by the Planning Commission, based upon consistency and compatibility in the residential neighborhood and surrounding areas.

C. Cargo/Shipping Containers: Other than as a temporary use for construction purposes subject to, or where a building permit has been issued, cargo/shipping containers are not allowed in a Residential Land Use Districts, including containers under one hundred twenty (120) square feet.

Properties that are located in the Single Family Residential (RS), Rural Living (RL), and Hillside Reserve (R-HR) Zoning Districts and are 2.5 acres or larger may contain one cargo/shipping container. Cargo/shipping containers may be located on residential properties containing less than 2.5 acres, but those cargo/shipping containers are subject to Building Division requirements, must be attached to a permanent foundation, and must be architecturally treated so as not to appear as a cargo/shipping container.

As storage for construction clean-up or construction material, a cargo/shipping container used as a temporary storage device may be located anywhere on the property, except in the clear sight triangle, as defined in section 9.31.020, "Clear Sight Triangle", of this title, during the duration of the construction activity associated with an active building permit subject to the approval of a temporary use permit.

When converted to a structure as defined in the adopted Building Codes, attached to a permanent foundation, and architecturally designed and constructed so that the structure is not distinguishable as a cargo/shipping container, these structures are allowed in accordance with the adopted Building Codes and this Development Code. (Ord. 280, 10-2-2018)

9.07.070: ANTENNAS:

The following noncommercial, receive-only antennas for the sole use of a resident occupying a residential structure shall be permitted subject to the specified standards:

- A. A ground or structure mounted, radio or satellite dish antenna that does not project above the roof ridgeline and does not have a diameter greater than one meter (1 m) (39 in), which does not encroach within any required setback.
- B. A ground or structure mounted radio or television aerial not exceeding seventy five feet (75') in overall height, which does not encroach within any required setback, and which is set back from any property line by at least half the height of the overall height of the antenna structure.
- C. Any noncommercial, receive-only antenna which is proposed to exceed the allowed height or encroach within a described setback shall be subject to the review and approval of a special use permit.

Commercial satellite and wireless communications antennas are not exempt, and are instead subject to chapter 9.44, "Wireless Communications Facilities", of this title. (Ord. 253, 12-16-2014)

9.07.080: DRAINAGE, ON SITE RETENTION, AND DUST CONTROL:

All new construction, including single-family residences shall comply with chapter 9.37, "Soil Erosion And Dust Control", of this title, which includes the following:

A. Drainage: All new construction shall be designed so that drainage is directed away from any new construction. Diversions, obstructions, or confining of existing drainage courses shall not be made in a manner as to divert drainage to different properties, cause accelerated erosion, or to otherwise cause damage to other properties.

B. On Site Retention: Any development of property shall provide on site retention facilities as to retain increment plus ten percent (10%) nor shall it concentrate flows to a greater extent than predevelopment conditions.

C. Dust Control: On parcels of one acre or larger, land being utilized for residential purposes may only be cleared to provide for the installation of building pads, driveways, landscaping, yards, play areas, vehicle parking, accessory structures, property access, agricultural activities, or other accessory use normally appurtenant to residential use. The purpose of this is to reduce site disturbances and to reduce the amount of fugitive dust generated from cleared land.

D. Easements And Deed Notices: The Town may require offers of dedication, granting of easements, or recordation of deed notices to assist in the implementation of the Town's master plan of drainage pursuant to chapter 9.30, "Dedications And Infrastructure Improvements", of this title. (Ord. 253, 12-16-2014)

9.07.090: FENCES, WALLS, AND HEDGES:

A. Standards: Fences and walls within Residential-Hillside Reserve and Residential Districts shall be subject to the following standards:

1. Solid walls and fences shall not exceed four feet (4') in height within a required front yard setback area as specified in section 9.07.050, table 2-4 of this chapter, development standards. Within the required front setback area fences up to six feet (6') in height may be allowed which do not impair visibility. Horizontal fence elements shall not exceed four inches (4") in diameter to maintain visibility.

2. Barbed wire, barbless wire or similar fencing shall be allowed in the Rural Living and Residential-Hillside Reserve Land Use Districts on lot sizes of one acre or greater. Razor wire is not permitted.

3. Barbed wire, razor wire, or similar fencing or electrified fencing shall not be allowed in the Residential, Single-Family Zoning Districts.

4. Fences and walls on interior side and rear lot lines may be up to six feet (6') in height.

5. The height of walls and fences shall be measured from the highest side of the fence, however, where there are grade differences on side and rear lot lines, total height of solid fences measured from the lowest side may be increased by a maximum of two feet (2'). Within required front yard setback areas, total height of solid walls, measured from the lowest side, shall not exceed four feet (4').

6. Swimming pools, spas, and similar water elements shall be fenced in compliance with the California building codes.

7. Materials shall include wood, stone, brick, masonry, stucco, adobe, wrought iron, chainlink, or similar materials. Materials shall be consistent with chapter 9.35, "Property Maintenance Standards", of this title and shall not include materials such as garage doors, tires, plywood, or other used materials.

8. All fencing shall comply with the standard in section 9.31.020, "Clear Sight Triangle", of this title.

B. Excess Heights: Fence heights in excess of these standards may be allowed by an approved conditional use permit or variance or when required by the town for reasons of health, safety, and welfare of the general public.

C. Landscaped Hedges: Solid landscaped hedges in excess of four feet (4') in height that would impair visibility shall not be allowed within required front yard setback areas. Solid landscaped hedges beyond the required front yard setback areas may be allowed in excess of four feet (4') in height. (Ord. 253, 12-16-2014)

9.07.100: MANUFACTURED HOME AND SINGLE-FAMILY RESIDENTIAL CONSTRUCTION STANDARDS:

A. Standards: The following standards shall be applied to construction or installation of all detached single-family residential structures and second units unless otherwise specified within this code:

1. Manufactured Home Foundation Systems: Manufactured home foundation systems shall comply with either Health And Safety Code section 18551 or title 25, chapter 2, sections 1333 and 1334 of the California code of regulations, and shall include tie down, clip, or anchoring systems approved by an engineer to resist lateral forces for the subject manufactured home.

2. Manufactured Home Certification Tag Or Label Required: A permit from the building and safety division for the installation of a manufactured home not within an approved and properly licensed mobilehome park shall not be issued, if more than ten (10) years have elapsed between the date of manufacture and the date of the application for the issuance of the permit to install such manufactured home except as provided below. Also, the manufacturer shall permanently affixed a label or tag to the manufactured home certifying that the manufactured home complies with federal construction and safety standards applicable to the national manufactured housing construction and safety standards act of 1974 (42 USC section 5401 et seq., section 5415).

3. Siding: Siding material shall consist of stucco, wood, brick, stone, or decorative concrete block. Synthetic products of a similar appearance and equivalent durability shall be allowed. Metal siding, if utilized, shall be nonreflective. The exterior covering material shall extend to a point at or near grade, except if an approved solid wood, metal, concrete, or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.

4. Roofing Material: The roofing material shall be tile, composite shingles, wood shakes, and shingles (if allowed by the fire safety (FS) overlay or other applicable overlay(s)), or other material customarily used in the surrounding community. Roofs shall have eave and gable overhangs of not less than twelve inches (12"), measured from the vertical side of building, except for flat roof designs, with parapets, such as southwestern architectural styles.

5. Entries And Exits: Entries and exits shall be completed in compliance with chapter 10 of the California building code.

6. Minimum Size And Dimensions: Minimum floor area shall be seven hundred twenty five (725) square feet measured from the exterior of the structure. Minimum floor width and depth shall each average twenty feet (20') measured from the exterior of the structure, excluding garages, porches, patios, eaves, cabanas, and popouts.

7. Utility Hookups: Utility hookups and an area suitable to accommodate the installation of a clothes washer and dryer shall be provided within the primary structure or within an enclosed accessory structure.

8. Dedication And Infrastructure Requirements: A building permit shall not be issued for the construction of single-family residential dwelling unless all of the following infrastructure requirements are satisfied for an existing lot of record:

a. Proof Of Legal And Physical Access:

(1) Physical access is a route which is traversable in a standard (2-wheel drive) sedan. Proof shall consist of an engineer or surveyor's signed and sealed letter, certifying that physical access has been completed.

(2) Legal access is:

(A) A dedicated right of way;

(B) A dedication to the town of Yucca Valley and to the public in general, an easement for public road, town highway and public utility purposes of a width as established by the circulation element of the general plan. The easement or road constructed on the dedicated land shall not become a town highway until and unless the council, by appropriate resolution, has caused the road to be accepted into the town maintained road system.

(C) An existing traveled way that is substantially in compliance with town road standards, where a prescriptive right by the user has been established for the public use by court decree.

(D) Private road easement.

(3) When all feasible efforts to establish legal access in accordance with subsection A8a(2) of this section have been exhausted, the lot is an existing legally created parcel, and the property owner has physical access, the director, in his/her discretion, may waive the requirement for legal access on the condition that the property owner enters into an agreement in the form required by the town which includes the property owner's: a) representation that the owner has a right to physical access; b) acknowledgment that proof of legal access has not been provided to the town's satisfaction; and c) agreement to disclose to any subsequent owners that legal access has not been established to the satisfaction of the town. Notation of said agreement and conditions of waiver shall also be included on the building permit.

b. Infrastructure: Infrastructure as determined by the director depending on the location of the parcel to be developed. This may include, but not be limited to, any of the following: paved access, curbs and gutters, sidewalk, bike paths and trails and/or appropriate drainage improvements.

c. Water:

(1) Water Purveyor: Required when in the service area of a water purveyor and the purveyor can supply the water.

(2) Substantiated Well Water: If the subject parcel is not within the service area of a water purveyor, well water may be allowed if all required setbacks are met.

d. Sanitation:

(1) Sewer: Projects shall connect as required by ordinances and policies adopted by the Hi-Desert water district.

(2) Septic systems: Allowed in compliance with the local regional water quality control board regulations.

e. Fireflow: Adequate fireflow and fire safety measures in compliance with the most current regulations adopted by the San Bernardino County fire department. (Ord. 253, 12-16-2014)

9.07.110: OUTDOOR LIGHTING:

Outdoor lighting shall be fully shielded or recessed in a manner to preclude adverse impacts to adjacent properties as a result of light trespass, or to any member of the public traveling on adjacent roadways or right of way, pursuant to title 8, chapter 8.70, "Outdoor Lighting", of this code for outdoor lighting standards. (Ord. 253, 12-16-2014)

9.07.120: PROJECTIONS AND ENCROACHMENTS INTO REQUIRED SETBACK AREAS AND ABOVE HEIGHT LIMITS:

A. General Provisions: All required yards or court areas shall be open and unobstructed from finished grade or from such other specified level at which the yard is required, to the sky, except for structures allowed in yard by table 2-6 of this section.

Nothing in this section is intended to prevent the construction of any allowed primary or accessory structure within the building envelope which is the lot area not included in any required yard or court.

B. Clear Areas:

1. The projections listed in table 2-6 of this section may not, in any event, encroach on or into the following:

a. The clear sight triangle (section 9.31.020 of this title) required at street and alley intersections. The clear sight triangle is measured along the edge of the ultimate right of way of any street or alley for thirty feet (30') from the intersection of two (2) streets, or street and alley with a diagonal connecting the end points. It is intended to limit objects which would obstruct the sight distance of motorists entering the intersection.

b. Within three feet (3') of any lot line, unless greater setback is required as noted in table 2-6 of this section (projections into yards).

C. Projections Into Yards: Projections allowed into required yards are described in the following table:

TABLE 2-6

PROJECTIONS INTO YARDS - AMOUNT
OF ENCROACHMENT ALLOWED

Facilities		Front And Street Side Yards	Interior Side Yards	Rear Yard
Facilities		Front And Street Side Yards	Interior Side Yards	Rear Yard
1.	Eaves; awnings, canopies, louvers, and similar shading devices; sills, cornices, planting boxes, cantilevered closet and bay windows on the first floor, and similar features; skylights, flues, and chimneys; and other similar architectural features	4 feet	2 feet	4 feet
2.	Evaporative coolers, air conditioner compressors, and pool equipment	4 feet when screened from view	2 feet	4 feet
3.	Propane tanks sited per California fire code and fire hazard design standards specified by chapter 9.17 of this article 2 (fire safety overlay)	4 feet when screened from view	2 feet	4 feet
4.	Attached patio roofs and similar residential structures having open, unwallled sides along not less than 50 percent of their perimeters, including top deck	4 feet	2 feet	15 feet, minimum 5 feet from rear lot line
5.	Breezeways and similar roofed passageways projecting from a residential building	4 feet	2 feet	2 feet
6.	Cantilevered or supported decks; and cantilevered bay windows provided the total width of bay windows on any 1 story does not exceed 50 percent of the length of the wall containing them	4 feet	3 feet	4 feet
7.	Roofed stairways, landings, corridors and fire escapes that are enclosed	5 feet	3 feet	10 feet
8.	Porches, platforms, or stairways that are uncovered, or landings of average height not greater than 4 feet above required yard or court level, plus railings up to 4 feet high	4 feet	4 feet	10 feet

9.	Open storage of boats, recreational vehicles, trailers, appliances, and similar materials and temporary trash storage. This shall not be located within 10 feet of structures	Not allowed	Allowed	Allowed
10.	Slides, clotheslines, and similar equipment and radio or television masts or antennas	Not allowed	Not allowed	Allowed
11.	Garages, carports, sheds, and other detached, enclosed accessory buildings which occupy no more than 25 percent of the required rear yard	Not allowed	Not allowed	Allowed
12.	Unroofed parking and loading areas	See parking regulations (chapter 9.33 of this title)	Allowed	Allowed
13.	Covered, underground, or partially excavated structures, such as garages, fallout shelters, wine cellars, basement and public utility or telephone/cable television vaults	Allowed, provided that the facilities do not extend more than 30 inches above the adjoining average finished grade level		
14.	Fences, screening, safety guardrails, walls, and dense hedges along property lines in residential zoning districts	4 feet maximum height ¹	6 feet maximum height	6 feet maximum height
15.	Signs	Allowed, subject to sign standards		
16.	Swimming pools and spas no closer than 5 feet from property line. Pool equipment may not project into the required setbacks	Not allowed	Not allowed	Allowed
17.	Freestanding photovoltaic or solar panels, no closer than 5 feet from property line	Not allowed	Not allowed	Allowed
18.	Handicapped access ramps are permitted in the front, side and rear setbacks	Allowed	Allowed	Allowed

Note:

1. Pursuant to section 9.07.090 of this chapter, in a front and street side yard fence height can be up to 6 feet, if it is an open design.

D. Projections Above Height Limits: These shall be allowed pursuant to section 9.31.030 of this title. (Ord. 253, 12-16-2014)

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

(Ord. 253, 12-16-2014; amd. Ord. 291, 1-19-2021)

CHAPTER 9.02

GENERAL PROVISIONS

SECTION:

9.02.010: Rules Of Interpretation

9.02.020: Relationship To General Plan

9.02.030: Severability Of Any Portion Of The Development Code

9.02.040: Legal Defense Fee Responsibility

9.02.010: RULES OF INTERPRETATION:

A. Authority: The director has the authority to interpret provisions of this development code. Whenever the director determines that the meaning or applicability of a development code requirement is subject to interpretation, the director shall issue a written interpretation. The director may also refer any issue of interpretation to the commission for a determination. A decision of the director may be appealed to the commission and a decision of the commission may be appealed to the council in compliance with chapter 9.81, "Appeals", of this title.

B. Terminology: When used in this title, the following rules apply to all provisions of this development code:

1. Language: When used in this development code, the words "shall", "must", "will", "is to", and "are to" are always mandatory. "Should" is not mandatory but is strongly recommended; and "may" is permissive.
2. Tense: The present tense includes the past and future tense, and the future tense includes the present.
3. Number: The singular number includes the plural number, and the plural the singular, unless the natural construction of the words indicates otherwise.
4. Calculations:
 - a. Number Of Lots: The fractional/decimal results of calculations of the number of parcels allowed through subdivision based on a minimum lot area requirement shall be rounded down to the next lowest whole number.
 - b. Residential Density: When the number of dwelling units allowed on a site is calculated based on the minimum site area per dwelling unit, any fraction of a unit shall be rounded down to the next lowest whole number.
 - c. Other Calculations: For calculations other than residential density, the fractional/decimal results of calculations shall be rounded to the next highest whole number unless otherwise specified.
5. Conjunctions: "And" indicates that all connected items or provisions shall apply. "Or" indicates that the connected items or provisions may apply singly or in any combination. "Either ... or" indicates that the connected items and provisions shall apply singly but not in combination. "Includes" and "including" shall mean "including, but not limited to".
6. Local Reference: "Town" as used herein means the town of Yucca Valley and all public officials, bodies, and agencies referenced herein are those of the town unless otherwise stated.

7. Definitions: As defined in article 7, "Definitions", of this title and/or as determined/interpreted by the director.

C. Number Of Days: Whenever the number of days is specified in this development code, or in any permit, condition of approval or notice issued or given as provided in this development code, the number of days shall be construed as calendar days. When the last of the specified number of days falls on a weekend or town recognized holiday, time limits shall extend to the end of the next working day.

D. Conflicting Requirements: Any conflicts between different requirements of this development code, or between this development code and other regulations, shall be resolved as follows:

1. Development Code Provisions: In the event of any conflict between the provisions of this development code, the most restrictive requirement shall control, except in case of any conflict between the land use zoning district regulations of article 2, "Zoning Districts And Development Standards", of this title and the provisions of article 3, "Development Standards", of this title, the provisions of article 3 of this title shall control.

2. Development Agreements Or Specific Plans: In the event of any conflict between the requirements of this development code and standards adopted as part of any development agreement or specific plan, the requirements of the development agreement or specific plan shall control.

3. Town Code Provisions: In the event of any conflict between requirements of this development code and other regulations of the town, the most restrictive requirement shall control.

4. Mitigation Measures: In the event of any conflict between the requirements of this development code and mitigation measures adopted as part of a certified environmental impact report or approved negative declaration, the most restrictive shall control.

E. Minimum Requirements: When interpreting and applying the regulations of this development code, all provisions shall be considered to be minimum requirements, unless specifically stated otherwise.

F. Interpretation Of Boundaries: See chapter 9.05, "Zoning Districts And Zoning Map", of this title.

G. Illustrations: The figures, diagrams, and other graphics used throughout this development code are for illustration purposes only and to the extent any are in conflict with the written provisions, the written provisions shall govern. (Ord. 250, 11-18-2014)

9.02.020: RELATIONSHIP TO GENERAL PLAN:

This development code is the primary tool used by the town to carry out the goals, objectives, and policies of the general plan. It is intended that all provisions of this development code be consistent with the general plan and that any development, land use, or subdivision approved in compliance with these regulations will also be consistent with these documents. (Ord. 250, 11-18-2014)

9.02.030: SEVERABILITY OF ANY PORTION OF THE DEVELOPMENT CODE:

If any portion of this development code is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this title. The council hereby declares that this title and each article, section, subsection, paragraph, subparagraph, sentence, clause, phrase and portion thereof is adopted without regard to the fact that one or more portions of this title may be declared invalid, unconstitutional, or unenforceable. (Ord. 250, 11-18-2014)

9.02.040: LEGAL DEFENSE FEE RESPONSIBILITY:

A. Applicant's Agreement To Indemnify And Hold Harmless: The applicant shall agree to defend, indemnify and hold harmless the town of Yucca Valley, its agents, officers and employees, at his sole

expense, against any action, claim or proceedings brought against the town or its agents, officers or employees, to attack, set aside, void, or annul this approval or because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with this development code. The applicant shall reimburse the town, its agents, officers, or employees for any court costs, and attorney fees which the town, its agents, officers or employees may be required by a court to pay as a result of such action. The town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition. The town shall promptly notify the applicant of any claim, action or proceedings arising from the town's approval of this project, and the town shall cooperate in the defense.

B. Town's Duty To Notify Applicant And Cooperate In Defense: Any condition of approval imposed in compliance with this development code shall include a requirement that the town acts reasonably to promptly notify the applicant of any claim, action, or proceeding and that the town cooperates fully in the defense. (Ord. 250, 11-18-2014)

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



To: Planning Commission

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

Date: February 4, 2026

Meeting Date: February 24, 2026

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