

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, APRIL 28, 2026

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

<https://zoom.us/j/94290867446?pwd=maClwKNYzMlhmPeOtlancF2eEjaBx.1>

Meeting ID: 942 9086 7446

Passcode: 636871

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

Alejandro Vasconcelos

Mathew Thomas

* * * *

TOWN ADMINISTRATIVE OFFICE:

760-369-7207

Public Comments: townclerk@yucca-valley.org

www.yucca-valley.org

AGENDA
MEETING OF THE PLANNING COMMISSION
TUESDAY, APRIL 28, 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, Alejandro Vasconcelos, Mathew Thomas

Pledge of Allegiance

Approval of Agenda

1. Approve the meeting agenda for April 28, 2026, as prepared.

Recommendation:

Approve the meeting agenda for April 28, 2026, 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. Approve the meeting minutes for April 14, 2026, as prepared.

Recommendation:

That the Planning Commission approves the minutes for April 14, 2026, as prepared.

3. Native Plant Permit (NPP) 029-26 @ 8856 Warren Vista Ave

Recommendation:

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

approves the application for NPP 029-26, to remove five (5) California Junipers for clear sight/visibility around driveways and access based upon Section 9.07.130(C)(2), that the regulated desert native plants being removed are located within the identified area(s); and finding that all necessary submittal materials have been submitted as indicated in the Application Table and as contained within the staff report.

Public Hearings

Department Reports

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

Recommendation:

That the Planning Commission reviews Chapter 9.07 Residential and Hillside Reserve Districts, Section 9.07.060(C) and adopts Resolution No. PC 26-04, establishing that a minimum of three (3) architectural treatments consistent and complementary with the primary residence are required for cargo/shipping containers on residential property containing less than 2.5 acres.

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, Alejandro Vasconcelos, Mathew Thomas

Announcements

Upcoming Meeting Schedule: The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, May 12, 2026, at 6:00 PM in the Yucca Valley Community Center Yucca Room.

Adjournment

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



To: Planning Commission

From: Janet Yochmowitz, Administrative Assistant III

Date: April 20, 2026

Meeting Date: April 28, 2026

Subject: Approve the meeting minutes for April 14, 2026, as prepared.

Recommendation:

That the Planning Commission approves the minutes for April 14, 2026, as prepared.

Prior Review:

There has been no prior review of this item.

Discussion:

None.

Alternatives

None.

Fiscal Impact:

None.

Attachments

1. PC Meeting Minutes - 4 14 2026

Town of Yucca Valley
Planning Commission Meeting Minutes
April 14, 2026

Call to Order

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

Roll Call

Chair Thomas, stated okay. Let's call the meeting to order. Uh, first, I have a statement here that I need to read. Prior to roll call, I would like to make clear for the record of this meeting that it should be reflected in the minutes that at least a portion of this town planning commission meeting is conducted pursuant to California Government Code Section 54953 and that Commissioner Stoker is on a family trip to Washington, D.C. to accompany his spouse on a school board conference. Commissioner Stoker is participating by laptop for audio and visual in accordance with the Ralph M. Brown Act. Each teleconference location has been identified in the notice and agenda for this meeting. Uh, Madam Secretary would now be appropriate for you to conduct roll call, after which I will ask Commissioner Stoker to recognize me in order to confirm certain matters for the record.

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

Absent:

Commission Secretary Yochmowitz stated, I would now like to ask--request that Commissioner Stoker respond to the following questions. Commissioner Stoker, can you hear me well?

Commissioner Stoker stated yes.

Commission Secretary Yochmowitz asked were you able to hear our proceedings on this end up until now?

Commissioner Stoker stated yes.

Commission Secretary Yochmowitz asked, do you have a copy of the agenda for this meeting?

Commissioner Stoker stated yes.

Commission Secretary Yochmowitz asked, have you posted the agenda at the location where you are?

Commissioner Stoker stated yes.

Commission Secretary Yochmowitz asked, is your location reasonably accessible to the public such that any member of the public could participate in this teleconference from your location if he or she wished to do so?

Commissioner Stoker stated yes.

Commission Secretary Yochmowitz asked, is there any member of the public there with you who would like to participate in the public comment portion of this meeting or otherwise address any agenda item for this meeting?

Commissioner Stoker stated not at this time, but if there becomes such, I'll let you know.

Commission Secretary Yochmowitz stated, I would now like to ask if any member of the Planning Commission to speak up at this time if such Planning Commission member has not been able to clearly hear Commissioner Stoker. Hearing no comment, the record should reflect that all Planning Commission members present have indicated that they were able to hear Commissioner Stoker clearly. I would next request that any Planning Commission member, including Planning Commission member Stoker, speak up at this time if such Planning Commission member has any reason to believe based on voice recognition or otherwise, that the person representing themselves to be a Planning Commission member Stoker are not truly so. Hearing no comment, the record should reflect that no Planning Commission member has expressed doubt that Planning Commission member Stoker is the party participating in teleconference with Planning Commission members present here. I would now like to advise the Chair and Planning Commission members and the Planning Commission Secretary that any votes taken during the teleconference portion of this meeting must be taken by roll call.

Chair Thomas stated thank you.

Pledge of Allegiance

led by Commissioner Vasconcelos.

Approval of Agenda

Motion:

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

Mover: Commissioner Gerard Noonan

Second: Commissioner Alejandro Vasconcelos

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

- 1. Approve the meeting agenda for April 14, 2026, as prepared.**

Chair Thomas stated we'll move to approval of the agenda, approve the meeting

agenda of April 14, 2026, as prepared. Do I have a motion?

Motion:

Approve the meeting agenda for April 14, 2026, as prepared.

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

Mover: Commissioner Gerard Noonan

Second: Commissioner Alejandro Vasconcelos

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

Consent Agenda

Chair Thomas stated yes. Okay. We move to the consent agenda. All items listed on the consent calendar are considered to be routine matters or considered formal documents covering previous Planning Commission instruction. The items listed on the consent calendar may be enacted by one motion in 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. Approve the meeting minutes for March 24, 2026, as prepared. I hear a motion on the consent.

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

Mover: Commissioner James Henderson

Second: Commissioner Gerard Noonan

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

2. Approve the meeting minutes for March 24, 2026, as prepared.

Motion:

That the Planning Commission approves the minutes for March 24, 2026, as prepared.

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

Public Hearings

3. **Environmental Assessment, EA 18-23; Site Plan Review, SPR 07-23, Resolution PC 26-02, Sun Mesa Mini Storage. A request to construct and operate an 79,600 square foot self-storage facility with manager's unit, landscaping, and off-site street improvements. The project site is located at 4815 Newton Lane and is also identified as APN: 0597-111-67.**

Chair Thomas stated okay. We'll move to the, uh, Public Hearings Environmental Assessment EA 1823. Site Plan Review SPR 07-23 Resolution PC 2602 Sun Mesa Mini Storage, a request to construct and operate a 79,600 square foot self-storage facility with manager's unit landscaping and off-site street improvements. The project site is located at 4815 Newton Lane and is also identified as APN 0597-111-67. Staff.

Senior Planner Jerome stated, good evening, chair and commission. The recommendations for this item are that the Planning Commission adopts the resolution, the mitigated negative declaration and mitigation monitoring and reporting program for Environmental Assessment 18-23, and that the Planning Commission approves site plan review 07-23, a request to construct and operate a 79,600 square foot self-storage facility with manager's unit, landscaping, and off-site street improvements.

So this project's located, uh, just north of Buena Vista and just east of SR247 at the intersection of Sun Mesa in Newton Lane. Um, the project site is zoned industrial. Um, you can see that the surrounding uses are industrial to the west, commercial to the south, and residential to the north and east, uh, rural living. And the, uh, property to the east is County of San Bernardino. So this is on the edge of our, uh, jurisdiction. These are the existing site photos. Um, this is from Sun Mesa looking south towards the commercial facility, uh, to the south that you kinda see in the center of the photo. Um, you'll see some of those, uh, Joshua trees on site, which, um, complicate all projects, but this one is one of the ones that will require a take permit. This is also, um, looking to the south. Um, this is looking down Newton--um, Newton Lane. This is looking west towards, uh, the highway, towards Old Woman Springs. This is, uh, looking south from the east property line. So, the other side of the project, you can see the backside of that commercial facility to the south. And then this is from the south property line looking east towards the, uh, unincorporated portion of the county, the residential property to the east. Um, the proposed project is a self-

storage facility. Um, initially, it was approximately 10,000 square feet larger than currently proposed. Um, there are some tweaks to the site plan after, uh, the last meeting. Um, so the current proposed size is seven--79,600 square feet, um, which reduces the buildings by two. Two of the storage unit buildings, uh, are removed from the site plan. Um, it's proposed to be built in two phases. So the west half of the project site would be phase one, and then the, uh, east, uh, half of the project site would be phase two at a later date. Um, phase one is anticipated to begin as soon as permits are issued, um, hopefully, uh, shortly after this meeting. Um, and there are also off-site street improvements, um, on Newton Lane from the project site's, uh, driveway. So it's from the project site down to Buena Vista, providing, uh, paved access to the project site. And then, uh, paving on the project boundary for Sun Mesa. Um, Sun Mesa is not paved all the way to the highway because that street's not being used for access to the project site. Um, there are a few conditions. I'm, I'm actually gonna come back to this after we look at the plans. Um, might make a little more sense. This is a revised, uh, site plan. Um, so the manager's unit is adjacent to where the parking area is at that first driveway, um, just south of that first driveway. And then, uh, the storage units, um, you have the retention basin to the southwest and the septic and leech lines to the southeast. Um, so one thing that, uh, happened when the site was resized, uh, or adjusted for the size of the parcel is the landscaping moved, um, outside the project boundary. Um, so although it shows 15 feet of landscaping here, um, we don't necessarily want 15 additional feet of landscaping in the right-of-way. So, um, basically, the fix for that would be the street section, uh, has a 4-foot parkway between the sidewalk and the property. So that 4 feet would still contain landscaping and then the wall to the project site. On industrially zoned properties that require privacy walls or fences, uh, landscaping is not required in the setback where those walls are. So, uh, it doesn't necessarily affect the analysis of the site. Um, but just keep in mind that the landscaped area would be, um, approximately a little bit less than a third of what's shown here. So, um, those--tho--the various, uh, plants identified on the landscape plan-I hope no one's holding their breath for this - um, would be reduced. So some of these trees would likely not fit, um, but, uh, discussing it with the applicant, there's, uh, most likely various cacti and whatnot on that, uh, parkway between the right-of-way and the, uh, exterior wall. So as you can see, um, there's drive aisles between all the buildings. Um, that's for cars to access, uh, the various units. Um, and there's restrooms inside the manager's unit, um, which necessitates the septic system.

Um, so jumping back to conditions of approval, we have, uh, recommended--these are basically conditions that are not our standard conditions, uh, additional for the project site. Um, so, uh, first is photometric condition. You've seen this one, uh, quite a few times. It's most projects will get this condition. Um, it's basically to, uh, require that there's no light trespass. So, uh, we defined that 0.3 foot candles. So when the construction plans are submitted, uh, we would plan check to ensure that there's no light trespass, uh, outside the boundary of the property. So at that wall, the property

line, there's no light spilling over, which hopefully that wall, uh, helps reduce that. Um, a fairly standard condition to maintain the, uh, required drive aisle widths, uh, for condition P5, um, just because the site plan was redesigned slightly, so we just wanna ensure that those drive aisles stay the width that they're required to be. Um, Condition E1, uh, addresses the paving for the site. Um, so it's half of the street on the project side would be paved. Um, paved to 26 feet, um, of asphalt and, uh, curb gutter and then sidewalk and then along the project boundary for Sun Mesa. Um, condition E2, um, that's just to require that the, uh, driveways are not too close to the corner of the property. Um, it's a standard, uh, engineering requirement, but because it's on the corner, we just wanna ensure that that's addressed. Um, E5, um, addresses, uh, the retention basin and, uh, the water flow. Um, these are kind of standard things that get checked in a grading plan, but, uh, we just include them just to be safe. Um, E6, uh, is, is a little bit outdated now, but that was to address the, uh, discrepancy in the size of the property, which, uh, the applicant has already addressed with the new site plan, um, which is the issue that pushed the landscaping out. Um, E7, um, sa-same thing. Addressing the retention basin, uh, ensuring that if there is any outflow, that, um, the applicants address that. And then E8 is the formation of a community facilities district. That's for the ongoing maintenance of the road improvements. So once they're constructed, uh, the town is then responsible for maintaining them, and it's, uh, paid for through the community facilities district. This--uh, one second. So these are the elevations. Um, let's see if there's color, color elevations. So you have that. Um, definitely blends in with the desert. Um, kind of a beige, uh, color scheme, which, um, typically does work for the desert. Um, typical construction for mini storage projects, um, with the metal buildings. Um, and again, this will have a privacy-- uh, screening wall on the perimeter of the property. So, um, most of this will not be necessarily visible to, um, surrounding properties.

This is the manager's unit. Um, it's approximately, I believe, 400 square feet. And the manager would be onsite part-time, um, just a side note. These are renderings of what the project, uh, is projected to look like. So you can get an idea of what it would look like, uh, once constructed. Uh, the proposed colors, which as I talked about, uh, it's primarily, uh, a tan color with white doors. Uh, again, landscaping is gonna be tweaked from this. Instead of a 15-foot landscaping, it would be reduced to just that parkway between the, uh, sidewalk and the wall. And, uh, quick note, again, the recommendation is to adopt a resolution and approve the site plan review. Um, we do have, uh, the CEQA consultant in the audience for this, uh, project. So, uh, if you have any technical CEQA questions, uh, he's available to answer questions. Other than that, staff can answer questions following public comment.

Chair Thomas stated, thank you, staff. I'll open it up to public hearing comment right now. Does anybody in the, uh, audience wish to comment on this item? Anybody online? Close public hearing comment, and we'll go to the commissioner. We'll start with Commissioner Noonan.

Commissioner Noonan stated, thank you. Um, I'm very familiar with this area. I actually lived there for quite a while, and so, um, there's a lot of industrial--uh, a lot of older industrial activity going on there. So it'll be nice to see something kinda new and refreshing. So, um, everything looks good to me. That's all I got to say.

Chair Thomas stated Commissioner Henderson.

Commissioner Henderson stated well, that's interesting. Yeah. When I first moved to Yucca, I lived in that area. Um, and I do remember, uh, the commercial facilities right there. So, uh, what, what are the commercial businesses right next door? Do you know? Out of curiosity.

Senior Planner Jerome stated, um, there's a kind of a construction yard adjacent to the project. Um, there is an automotive, uh--

[crosstalk]

Junkyard? --

Senior Planner Jerome stated for lack of a better term, junkyard.

Commissioner Henderson stated Junkyard.

Senior Planner Jerome stated um, that is, um, overflowing, I would say. Um, and then they're-- I, I don't remember exactly what they make, but, um, the project directly-- or the property directly to the south makes, um, some sort of industrial fitting. I wanna say it's, like, bearings or something.

Commissioner Noonan stated AmeriGas is up there, isn't it, or?

Senior Planner Jerome stated yeah, on the highway. Um, so slightly more to the west. And then Bill's diesel is also slightly more to the west. And then eventually to the north, uh, all things going well. Yucca Valley Materials Lab will be in that neighborhood as well, um, so. Uh, and then residential property to north and east. Uh, directly north and east is undeveloped residential property--

[crosstalk] okay.

Senior Planner Jerome stated--but to the southeast is, uh, some homes.

Commissioner Henderson stated and I was looking through all the, uh, native plants and the photos of them all. I saw one Joshua tree in there, and I, I apologize. You'd

mentioned something about Joshua trees. Was there--was that basically the only one impacted on the project?

Senior Planner Jerome stated um, I mean, for, for this type of project, most of the site will be, uh, developed. So most of those native plants will be either relocated or rem--otherwise removed. Um, the Joshua tree is what necessitates the incidental take permit from Fish and Wildlife.

Commissioner Henderson stated okay. And lastly, in regards to the, uh--you mentioned about the light trespass. Um, so can you just walk me through that a little bit for maybe the residential areas that live nearby? How, how far are those lights able to, I guess, go?

Senior Planner Jerome stated so, um, they're supposed to terminate at the property line. We measure that as 0.3, which is a pretty conservative, uh, measurement for light trespass. It's basically the minimum measurable light trespass or light emission. Um, so during the construction plan review, we'll review to make sure every property line says 0.3 or less.

Commissioner Henderson stated okay.

Senior Planner Jerome stated um, so it's a--it's become a standard condition, um, just to ensure that there's no light trespass. But I'm imagining with the wall there as well, that will also help to block some of the light, um, but, uh, it's, uh, become a standard condition to make sure that there's, uh, no light trespass.

Commissioner Henderson stated okay. Thank you. That's all I have.

Audio/Visual staff, stated um, excuse me, Chair.

Commissioner Vas--yes.

Audio/Visual staff stated oh, pardon me. We do have a speaker online for, for this item number if they're allowed to speak.

Chair Thomas stated well, we did close public hearing comment already, um, but I'll go ahead and open it up for that.

Audio/Visual staff stated okay. Uh, Ruetta, uh, Dallason, go ahead. You have three minutes to speak.

Public Commenter, Rueh Disilva, stated oh, hello. Uh, they just unmuted me. Uh, this is Ruetta de Silva. Can I ask how many Joshua trees are on there? Uh, how many will

be relocated? Uh, how many are gonna be take-- uh, taken down? And what the permit fees that, uh, California Fish and Wildlife-- uh, have they done the, uh, fees yet on it? And how much is it gonna cost? Thank you.

Senior Planner Jerome stated so in short, um, the incidental take permit requires a California State Clearinghouse number to apply for it. So they can't apply for the incidental take permit until after this current process that we're in. So they won't know what Fish and Wildlife will require to be transplanted versus de-destroyed or the fees necessarily until after tonight. So, um, we, we could--I'm not--the number of Joshua trees, I'm not sure off the top of my head. I'm not sure, if Bob, if you happen to have that, uh, one.

Rob Billings, owner, stated it's a total of 58, but some are dead on ground and some are alive. Some are [crosstalk].

Senior Planner Jerome stated okay. So 58 in total, and that includes dead, uh, detached ones laying on the ground, etc. Um, and then like I said, everything-- all the fees and what needs to be transplanted will be determined, uh, in the coming month or two.

Chair Thomas stated thank you.

Public Commenter, Rueh Disilva, stated thank you.

Chair Thomas stated okay, I'll close public hearing comment again and go to Commissioner Vasconcelos.

Commissioner Vasconcelos stated, hi, thank you. Yes. Uh, I, I appreciate the, the thoroughness of this report and the presentation that you guys have put together for us all up here. It, uh, doesn't steam any kinda conversations or questions that I might have, and for--and rev-- involving-- uh, moving forward this project. Um, it's nice to see that we've been hearing about this project for quite some time, and it's finally here in front of us. I wanna say maybe, like, eight months, we've been hearing about this, but it's nice to finally, uh, have it in front of us. Um, but at this time, I don't have anything else further to say.

Okay. So thank you.

Chair Thomas stated Commissioner Stoker.

Commissioner Stoker stated hello, thank you. Um, I-- yeah, I'm echoing everyone's statements so far. Uh, this has been something we've been looking forward to, and, uh, you know, there's no, uh, loss for, I wouldn't say, paperwork, but by the--by the

paper trail of the process. So that, I really appreciate. Um, my one question for staff and maybe for the owner, I know it's being built in phases, and it doesn't really project when second phase would happen. Um, and maybe it would be something that would be added to the conditions of approval in our--in what could or could not be an approval tonight. Um, regarding--um, I, I see G11, which is you know, staging recurrent--construction equipment or parking of worker vehicles shall be allowed within the public right-of-way. Um, but I would look for something in our draft conditions, um, that talks about what that second phase area that will be graded, um, the state it's left in, whether it has to have a spray of, of some, of sort to stabilize the earth so it doesn't create a dust nuisance and if, uh--and to not allow it to be used as a temporary storage yard to disturb that, that, uh, dust, uh, mediation.

Chair Thomas stated we, uh--we have the applicant here. Maybe he can answer that question for Mr. Stoker. Mr. Stoker.

Senior Planner Jerome, stated uh, Bob, do you remember if there's a mitigation measure for soil stabilization?

Chair Thomas stated yes, please come on up.

Commissioner Stoker stated and I'm thinking for the second phase as it--as it--you know, we wait for that to get done.

Rob Billings, owner, stated yes. Wha-- our plan is to get the first phase done, as we don't know how long it's gonna take for the Fish and Game part of the Joshua trees and native plants. So what our plan was is just to get open on the first phase and immediately concrete and start the building of the second phase. We're actually gonna have all of the steel buildings dropped off-site and stored. So we wanna to get those built as soon as possible. But we wanted to kinda start a grand opening kinda thing. But the concrete will happen behind, uh, temporary fencing almost immediately after we're done. And I can definitely spray some, um, poly type soil stabilizer on that back section. But we plan on grading it, complete the whole project. Um, I did ask questions, and I don't know if it was brought to staff's attention. I think it was. Um, but we wanna completely grade it, start the concrete, and build the first set of buildings, and then move right into concreting that second phase and building immediately. But we want to open the doors and start. That way, people can start coming in 'cause it typically takes about three months to-- from concrete to finish of buildings. And I think that we could utilize that time in trying to get people to at least notice the buildings there and that the establishment's been open. 'Cause everything else offsite and ins-inside all the way up to that, uh — I think we're actually having to concrete right up to the face of those buildings for fire anyways. So it's, it's minimal concrete in my eyes compared to the asphalt and the concrete of the first phase. So we wanna start immediately. I don't know if that means two months or three months,

but definitely within six months, we should be in the process of building and finishing that second section.

Commissioner Stoker stated okay. So it's kinda just rolling right after another. It's just to be able to get inspections done in two phases?

Rob Billings, owner, stated yeah. The, the biggest thing is, um, building it all at once. It's gonna take about two months to put up the buildings, and we can cut that down to a month with the first phase. And that'll be the finished product of that 'cause we will do street improvements and, and sidewalks and curb and gutter at the same time as the building. I wanna actually start that and get a base pavement down the road, um, so that we're not making dust during construction and pretty much roll right into the second phase. I could probably give you a timeframe of a maximum of six months to get started on that.

Commissioner Stoker stated, I think that satisfies my thought, Jared. I just wanted to make sure if it was gonna be a phase that happens a year later, that we don't have a situation where the residents outside of the town limit that are close by have just a dust bowl. Uh, so if it's — if the construction is happening right away, or maybe we could put some language that in the chance that it does push longer than however many months, uh, Mr. Billings thinks it'll take, then, then we could stabilize the soil if it's got-- you know, if it gets delayed by a year or something or six months or something.

Yeah. And almost--You know, maybe it won't actually trigger it.

Rob Billings, owner, stated almost immediately after grading's complete, the wall is gonna start. So the whole place will be walled in. Um, that'll help with a little bit of the wind and everything and, and-- 'cause the concrete needs to finish up to the block wall. So it'll get screened as soon as possible. And like I said, the phase-- the second phase will start immediately, but I might get, you know, 10% of the first ones, at least people getting interested in moving in before then, so.

Okay.

Senior Planner Jerome stated we can add a condition if it goes longer than six months to stabilize it.

Chair Thomas stated yeah. That's fine.

Commissioner Stoker stated okay. Thank you, sir. Perfect. Thank you, sir. And I, I think that's all I had, um, looking through the conditions, so appreciate it.

Chair Thomas stated okay. Okay. Thank you. Thank you, Commissioner Stoker. And as far as I'm concerned, I'm just echoing, uh, the rest of my commissioners. Uh, yeah, I think this is a nice project. It looks like it's been well thought out, well planned, colors are good, so I'm, I'm, in favor of it. So I guess we'll ask for some motions here.

Chair Noonan stated, s-- all right. So, um, we'll make a, a motion on Environmental Assessment 8-23 that the planning, uh, that we adopt the resolution, the mitigation-- the mitigated negative declaration, and mitigated monitoring report for the Environmental Assessment 18-23.

Chair Thomas stated hold on a second.

And [crosstalk].

[crosstalk]. Do you wanna go ahead and add the site plan?

Commissioner Noonan stated oh, and okay. All right. I'm sorry. All right. And then, um, motion that the planning committee that we approve SPR 07-23, a request to construct, operate 79,600 square foot self-storage facility with manager's unit, landscaping, and off-site street improvement.

Chair Thomas stated and we're gonna add that language in that, uh, Jared was just talking about, right?

Senior Planner Jerome stated yeah, we have-- we're gonna add a condition for soil stabilization if, uh, construction for phase two exceeds that six-month time.

Motion:

Environmental Assessment 18-23:

That the Planning Commission adopts the Resolution, the Mitigated Negative Declaration and Mitigation Monitoring Report for Environmental Assessment 18-23.

Site Plan Review 07-23

That the Planning Commission approves SPR 07-23, a request to construct and operate an 79,600 square foot self-storage facility with manager's unit, landscaping, and off-site street improvements and add a condition for soil stabilization if, uh, construction for phase two exceeds that six-month time

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

Mover: Commissioner Gerard Noonan

Second: Commissioner Alejandro Vasconcelos

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

4. **Environmental Assessment, EA 03-25; Conditional Use Permit, CUP 02-25, Resolution PC 26-03, Dutch Bros Coffee, the proposed construction of a 1,025 square-foot Dutch Bros Coffee with a drive through service window and a covered walk-up service window and incidental site improvements. The approximately 1.01-acre vacant Project Site is located at 58121 Twentynine Palms Highway (APN: 0601-416-05), approximately 275' southwest of the intersection of Twentynine Palms Highway and Balsa Avenue.**

Chair Thomas stated all right. We move to, uh, item number four, Environmental Assessment EA 03-25 Conditional Use Permit, CUP 02-25 resolution PC 26-03 Dutch Bros Coffee, the proposed construction of a 1,025 square foot Dutch Bros coffee with a drive-through service window and a covered walk-up service window and incidental-- and incidental site improvements. The approximately 1.01 acre vacant project site is located at 58121 Twentynine Palms Highway, APN number 0601-416-05, approximately 275 feet southwest of the intersection of Twentynine Palms Highway and Balsa Avenue. Staff.

Senior Planner Jerome stated thank you. And I apologize for the length of that.

I read. Recommendation is that the Planning Commission adopts the resolution, the Mitigated Negative Declaration, and the Mitigation Monitoring and Reporting Program for Environmental Assessment 03-25, and that the Planning Commission approve CUP 02-25, the proposed construction of a 1,025 square foot Dutch Bros coffee with a drive-through service window and a covered block-up service window and incidental site im-improvements. Um, so this project actually has probably generated the most interest, I would say, since I've been at the town, which, uh, a little bit surprised me, but I know people love their coffee. Um, so as I mentioned, it's a 1,025 square foot coffee shop with dual lane drive-thru. Um, the drive-thru is designed to accommodate 23 vehicles. Um, the project would also have in lieu-fees to the tune of approximately \$48,000 for offsite improvements. That would be the highway improvements that will eventually occur along the right of way. Um, and, uh, the business hours will be 5:00 AM to 11:00 PM every day, uh, with 6 to 8 employees, um, for a total-- 6 to 8 employees per shift for a total of, uh, between 24 and 32 employees. The project site is, uh, commercial mixed use. Um, the surrounding, uh, land uses are also commercial, uh, neighborhood commercial and commercial mixed use. Um, there is some residences, uh, to the south, um, removed by a parcel. So, um, a few hundred feet to the south are residences.

So at this point, I think most people understand where this, uh, project is from scoping it out online. Um, this is Big Five located to the west of the project site.

This is the project site kind of in the center of the picture. This is Walgreens on the

other side to the east. So it's bounded by the drive-thru for Walgreens Pharmacy and the Big Five, uh, retention basin on the other side. And that, um, fire hydrant's approximately on the property line. This is looking to the north towards the highway. Um, there is a condition to rehabilitate the landscaping. Um, it's become a bit of a, uh, jungle adjacent to the bus stop that's on the other side of that. Um, a little bit overgrowth, but, um, they would rehabilitate that existing landscaping as part of this project. This is from the southwest corner of the site looking north. So again, uh, Walgreens on the right, Big Five on the left. Uh, you can see that there are Joshua trees in the project vicinity and on the project site. Um, this is from the opposite corner, um, southeast corner near Walgreens. Um, this is an existing unpaved, uh, unsanctioned dirt road, uh, traversing the, uh, project site. Um, this, as you'll see on the site plan, this is a secondary point of access. So this is the, uh, driveway behind Walgreens to the south, uh, facing Balsa. So that's the drive-- the secondary driveway, um, in the primary driveway for Walgreens.

So this is a site plan for the project. Um, you could see the parking lot on the west, the retention basin to the east of the parking lot, the dual drive-thru lanes, and then the, uh, coffee shop is towards the north, um, that 1,000 square foot building, um, adjacent to the drive-thru lanes, uh, as you would. The walk-up window is on the other side on the west side of the building. Um, an interesting fact about Dutch Bros is they don't have a speaker ordering system. They have a human taking orders out there, um, on a regular basis. So, um, you don't necessarily get that speaker noise that you deal with, with some drive-through projects, um, which is kind of interesting. Um, these are the elevations for the project. Um, a blue and tan color scheme, um, fairly consistent with our commercial design guidelines. Uh, the blue is not too aggressive. It's a fairly muted blue. Um, no neon colors or, uh, anything of that nature. The site access is kind of, um, interesting. So it's — or atypical, we'll say. It doesn't necessarily have its own drive — uh, driveway. So there's two points of access. There's the Big Five driveway on the west that you see circled in red, and then the Walgreens driveway on the east. So if entering from the west driveway, you drive in front of Big Five and then turn right into the, uh, parking lot area.

And then, uh, also from the Walgreens, just east of Walgreens, that curb cut, um, provides the other access, um, to the project site via a driveway in the back of the project. Premier-- preliminary landscaping, there is some, uh, site landscaping as well, but as I mentioned, they'll do some rehabilitation of the landscaping along the highway, but then also adjacent to the, uh, retention basin and surrounding the drive-through. Um, so, uh, additional landscaping. This is the, the plants that will be there. You've got Palo Verde, which we see for many projects — um, popular choice for a tree — fruitless olive, um, agave, desert spoon, kind of the stuff that we frankly see with most projects, um, similar plants. Sorry, microphone issues. Um, again, the recommendation is that the Planning Commission adopts a res-resolution and the Mitigated Negative Declaration and Mitigated-mitigation Monitoring and Reporting

Program for Environmental Assessment 03-25. And the Planning Commission approves CUP 02-25, the proposed construction of a 1,025 square foot Dutch Bros coffee shop with drive-thru. And, um, similar to the other proj-- the Sun Mesa project, um, the CEQA consultant, I believe, is, uh, on Zoom. Um, if you have any specific CEQA questions, but other than that, um, staff can answer questions following the public hearing.

Chair Thomas stated thank you, Jared. Uh, I'll, at this time, open it up for public hearing comment on this item. Anybody in the audience wish to speak? Anybody online? We'll close public hearing comment. And since I know Commissioner Henderson has been salivating about this deal, I'm gonna start with him.

Commissioner Henderson stated, I appreciate that. You know, first day, uh, El Pollo Loco, this is exciting, and now a Dutch Brothers. Now, you know, I could think back to when we first started on the commission that this has been a topic of rumor, of myth, and to see it coming to fruition is exciting. Um, and especially, you know, I don't even drink coffee, but, uh, seeing all the comments online as the community members are excited, which is good, I think in looking at this packet, the only thing that really sticks out, I think, that is unfortunate, is to see the different, uh-- the transplantability levels on many of the older Joshua trees being poor and fair--uh, which is likely mean that probably won't make it, but you never know. Um, so I think that's the only negative, but cleaning up the lot is positive. I think, uh, having the two accesses with-- is good for traffic. Um, that's different from what we saw with concerns with, uh, uh, the Starbucks West one.

Chair Thomas stated right.

Commissioner Thomas stated um, it looks like a good traffic flow. So overall, exciting. And, uh, it is kinda surreal to see it come to this point. So happy.

Chair Thomas stated great. Right. Commissioner Vasconcelos.

Commissioner Vasconcelos stated yeah, I, I agree. I think we've been hearing about this for such a long time in different iterations or locations, and so it's nice to see it come, come through. Um, I agree. Thank you for this presentation and for the, the report that you've give it-- given to us and the applicant, and very thorough and very easy to read and follow. Uh, it's nice to see that some of these projects in these areas where there's infill that, like, there was nothing there before, and now they're coming forward and, and, uh, developing those areas and kinda filling out those spots rather than trying to find another spot to, to build on.

Chair Thomas stated right.

Commissioner Thomas stated, I especially appreciate the, the amount of, uh, driveway, a lot of-- that they allot for this project because there will be a lot. I still have my own concerns about the Starbucks West, but, uh, uh, I do, and, uh, think that the-- that this is a good design and the location and even being able to clean up the landscaping in front of the-- of that location, which is kind of, like they said, a jungle, uh, is also a very good positive. And I know there's, uh, a lot of people that like their — like a little, uh, coffee with their creamer, and that's exactly what they'll get with this place, so.

Chair Thomas stated Commissioner Noonan.

Commissioner Noonan stated yes. So, um, looking at, you know, the, you know, the-- uh, looking down on the project, it looks like there's a missing puzzle piece that's just kinda aggravating. So the good thing about this is it, it adds continuity to the block and use, and kinda, like, puts all those businesses together. So you know, so now you can actually maybe hit a couple of different things while you're-- while you're going to the area. So I think it's a-- overall, it's a really, really good thing. And I think it kinda — it fills in the misses-- missing pieces there. So I'm happy to see it happen.

Chair Thomas stated great. Commissioner Stoker.

Commissioner Stoker stated, uh, yeah. To echo everyone's comments, uh, I was really happy with the site plan with the amount of, uh, cars and queue, uh, prior to kinda con-consolidating down to one lane. I think that was very thoughtful. Um, you know, you see that with so many very popular drive-through type of chains, where now queuing is almost the most important part of the plan. Uh, so that, I think, is a positive. Uh, the one thing I was looking at, which is on packet page where — uh, the photometric plan if I could find it. So many pages, 3,788 pages zipping through. Um, on the photometric plan, there was two different types of, uh, fixture called out. Uh, the building fixtures, which I appreciated, the fac, um, that of the different choices within that brand spectrum, they chose the downward-facing light, which I think affects the night sky the least. Um, those fixtures are of a 3,000 Kelvin variety, um, in that photometric plan, which, if I could find the packet page, I think it might be a large, large format, uh, drawing that was delivered to everyone. Um, but in that plan, the streetlights are 4,000 Kelvin. And I am hoping we can do similar to what we-- the logic we applied to, uh, the Aldi project, which was that all outdoor lighting be of the 3,000 Kelvin variety, which is a warmer---uh, light, which, um, better aligns itself with the initiatives of night sky. Um, blue light in the 4,000 or 5,000 Kelvin range tends to, uh---be, be worse for, for maintaining night sky. And I think if we — on all the new projects, we push for 3,000 Kelvin or below, I think we'll have a lot — uh, we'll kind of start moving towards that direction, uh, with new things, and then everybody that's old can kind of follow suit as they have to replace. Uh, but I think that's one thing I would like to see changed is, uh, 3,000 Kelvin for all the exterior lighting. Uh, other

than that, I think it's a great project. They, you know, they — as we know, they took, um, I feel, like, years to kinda narrow down where they wanted to be in town. They tried it on a couple of other properties and settled here, and, uh, I think did the right thing in, in taking the time to generate a packet that is something, I think, easier for us to approve. I, I think they were thoughtful in looking through our commercial design guidelines, making sure that their color palette, uh, followed brand but still stayed in line with, with our thoughts. And, um, uh, echoing, uh, echoing, uh, James's comments, it's a shame that some of these Joshuas feel like they're very tall, which is — kinda helps or hurts the transplantability of them. Um, but, uh, yeah, it's, it's, it's a shame that some of these have poor transplantability. But, um, and again, this is on something that was, I think, already destined to be commercial — a commercial property along the corridor and, uh, kinda where, where this will end up moving towards, I think, for a lot of these, uh, commercial properties.

Chair Thomas stated okay. Um, yeah, I'll, uh, just quickly say a couple of things. I agree with Commissioner Stoker on the 3,000 Kelvin. Uh, those were my two concerns when I walked the property was the lighting and also if they were gonna have an outdoor speaker, because those hol-- houses were pretty close. So thanks, Jared, for clearing that up, because that was one thing I was a little concerned about. Since they're open till 11 o'clock at night, I thought, "Oh boy, this is — those houses are a little closer than I thought they were," so. But short of that, um, you know, very well-done project. I think it's gonna look great. I'm happy that it's filling in that vacant spot and, uh, bring much more business to the community, so I'm good too. All right. How about a motion?

[crosstalk] you need a motion?

Chair Thomas stated sure.

Staff-- is staff gonna comment on the lighting or?

Um, [crosstalk].

Well, yeah. I think it's 3,000 Kelvin right now.

Oh, okay. Yeah. Yeah. It's fine.

Commissioner Stoker stated some of it's 4,000, some's 3,000.

Senior Planner Jerome stated, oh, okay. We can add the condition for it all to be 3,000.

Chair Thomas stated okay. Yeah, let's do that. Okay.

Commissioner Henderson stated Okay. I can make a motion.

All right.

Commissioner Henderson stated uh, I'll make a motion that we approve Environmental Assessment 03-25 to adopt the resolution, the negative declaration and mitigation monitoring report for EA 03-25, also approved Conditional Use Permit 02-25, uh, with the conditions on the lighting.

Motion:

Environmental Assessment 03-25:

That the Planning Commission adopts the Resolution, the Mitigated Negative Declaration and Mitigation Monitoring Report for Environmental Assessment 03-25.

Conditional Use Permit 02-25:

That the Planning Commission approves CUP 02-25, the proposed construction of a 1,025 square-foot Dutch Bros Coffee with a drive-through service window and a covered walk-up service window and incidental site improvements and add the condition for it all to be 3,000 Kelvin.

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

Mover: Commissioner James Henderson

Second: Commissioner Alejandro Vasconcelos

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

5. **Environmental Assessment, EA 02-25; Specific Plan 01-04 Amendment #2, Conditional Use Permit, CUP 01-25, Resolution No. 26-XX, Ordinance No. XX, Walmart Fuel Station. A request to amend the existing Specific Plan to allow for the construction and operation of a fuel station with six (6) fueling pumps, twelve (12) fuel dispensers, a 4,950 square foot fuel station canopy, and a 1,556 square foot convenience store. The project site is located at 58501 Twentynine Palms Highway and is also identified as APN: 0601-201-54.**

Chair Thomas stated okay. Moving to item number five, Environmental Assessment, EA 02-25, Specific Plan 01-04, Amendment Number 2, Conditional Use Permit, CUP 01-25, Resolution Number 26XX, Ordinance Number XX, Walmart Fuel Station, a request to amend the existing specific plan to allow for the construction and operation of a fuel station with 6 fueling pumps, 12 fuel dispensers, and 4,950 square

foot fuel station canopy, and a 1,556 square foot convenience store. The project is located at 58501 Twentynine Palms Highway and is also identified as APN 0601-201-54. Staff.

Senior Planner Jerome stated again, with that subject, I think we can almost conclude the staff report. Um, so the recommendation for this project, and it's a little bit different because it, uh, involves an amendment to the, uh, specific plan as well as the project. So, uh, bear, with me. Um, the recommendation is that the Planning Commission recommends approval of EA 02-25 and adoption of the resolution to the town council for Addendum Number 1 to the previously adopted environmental impact report. And that the Planning Commission recommends approval of CUP 01-25. It requests to construct and operate a 6-pump gas station with 12 fuel dispensers, 4,950 square foot, uh, fuel canopy, uh, and a 1,556 square foot convenience store. And that the Planning Commission recommends approval of, uh, ordinance number to be determined. Uh, Specific Plan 01-04, Amendment Number 2 to the town council, a request to amend the adopted specific plan by ordinance to allow a gasoline station as an approved land use and to allow for additional signage for the gas station and convenience store. Um, so before I dive in, uh, just one-- uh, two notes. Uh, we had some agenda management difficulties with, uh, this agenda, and it looks like the photometric plan, although provided to the commission, uh, was not attached, uh, to the staff report. Um, so just a quick note, it does have the same condition of approval, uh, to not exceed 0.3 foot candles.

So, uh, just, uh, for, for everyone listening, they'll get the same conditions as all the other projects for no light trespass. And then the conditions of approval also fell off, it looks like, uh, which for this project, not too bad. Um, it's basically all standard conditions except for the aforementioned lighting condition and condition P2, which is drive aisles shall maintain a minimum width of 26 feet. Vehicles accessing the fueling canopy cannot encroach on the required drive aisles in a manner that reduces the drive aisles to less than the required width of 26 feet. Um, so that's just — as we know, there's been gas stations in, uh, various places where the cars will poke out into the drive aisles, essentially blocking half, uh, of the drive aisles in some cases. So this is just to ensure that wherever the fuel pumps are placed, it's in a way that doesn't project cars into the drive aisle, causing a dangerous situation. Um, so, again, at the top, uh, just to get those things out of the way. Um, so the project is a new, new fuel station in the northeast corner of the existing Walmart parking lot. Um, there was some rumors online with some confusion of the agenda that this is getting built in a residential neighborhood off of, I believe, Joshua Drive.

Um, I think that was just a journalistic typo, perhaps. Um, it is in the Walmart parking lot. Walmart is not, um, coming to your neighborhood with a gas station. Um, so the 12 dispensers, overhead canopy, underground fuel, uh, storage, and a 1,550 square foot-- 1,556 square foot convenience store. Uh, the project area, so the area of that

parking lot is about 1.32 acres. Um, the canopy stands at about 17 to 18 feet, um, and the convenience store, 16 feet in elevation. Um, so the proposed work includes heavy-duty asphalt pavements. So they're basically gonna tear out that part of the parking lot, uh, put tanks underground, then backfill up, and then build the fuel station with the convenience store, um, in short. Um, there will be the normal kinda grading improvements to make sure there's no runoff and all of that, um, on the site. The convenience store will be same hours as the Walmart store, 6:00 to 11:00 PM, um, but the gas station is gonna be open 24/7. And they expect 2 employees in the convenience store, um, and also alcohol sales. The project is general commercial. However, there is a, uh, specific plan recorded over it. So the zoning is Yucca Valley Retail Specific Plan 01-04. Um, that's the specific plan for Walmart. So, essentially, they have their own, um, regulations for their site, for their property, um, to allow for the things that they need to do.

And part of — part of what they needed to amend in their specific plan is, although the EIR had included a fuel station, um, during the course of the original adoption of the specific plan, they removed the fuel station. Um, so this is essentially putting the fuel station back into the specific plan and then allowing for signage, uh, for that fuel station. So this is the project area. This is the southwest, uh, portion of where the project site will be looking towards a shared, uh, drive aisle with Home Depot and the other businesses. This is the southeast corner looking towards where the bus station is in that drive aisle on the north side of the, uh, parking lot. Um, this is a photo from the northwest, um, w-- in the drive aisle. Um, I did not get hit, and that shopping cart was also safe, um, at least while I was taking pictures. This is the opposite corner, so the northeast, uh, nearest to where the light is for the intersection, um, facing where the fuel station will eventually be. And this is approximately where the driveway for the, um, fuel station on the north end will be to access the, uh, the pumps or access the site. Um, so you'll see in that top left corner, the northwest, um, that's where that driveway is. Uh, the fuel canopy and the underground, um, storage is to the north.

And then the south end of the site has the convenience store, a small parking area of its own. Um, and then, uh, a few drive aisles, uh, headed towards Walmart so that if you're shopping at Walmart and you need to get fuel, you don't have to exit the site and come back in. You can just drive in from the south end of the project site. Um, this is the color scheme. It's, uh, consistent with their brand colors, um, fairly consistent with Dutch Bros as well, actually. Um, I'm not sure if they coordinated that on purpose. Um, this is a canopy. Um, again, uh, Walmart colors, um, what you'd expect to see at a gas station, uh, that's operated by Walmart. Uh, this is the landscape plan, so, um, some additional planting. Um, they're gonna have some-- a pretty decent landscaping adjacent to the convenience store, which is nice as well, and there are the various parking areas and drive aisles. Um, these are the plants, um, similar to-- again, similar to what we see: uh, Desert Willow for the trees, Red Yucca, Texas Ranger, um, things you would expect to see in the desert with some, uh, gravel

in, in the, uh, planting areas as well. Um, again, the, the conditions of approval that are, uh, not standard are P2 to maintain the drive aisles, uh, at 26 feet, including when cars are fueling, and the condition to, uh, restrict light trespass to 0.3 or less foot candles at each property line.

Um, and the recommendation is that the Planning Commission recommends approval of EA 02-25 and adoption of the resolution to the town council for addendum number one to the previously adopted EIR. The Planning Commission recommends approval of CUP 01-25, a request to construct and operate a 6-pump gasoline station, 12 fuel dispensers, 4,950-square-foot fuel station canopy, and 1,556 square foot convenience store. And lastly, um, because this is a specific plan, requires, uh, adoption of an ordinance, uh, that the Planning Commission recommends approval of Ordinance Number XX, Specific Plan 02-0-- 01-04, Amendment number two to the town council or requests to amend the adopted specific plan by ordinance to allow a gas sas-- gas station as an improved land use and to allow for additional signage for the gas station and convenience store. And, uh, we can answer questions following the public hearing, and the CEQA consultant, I believe, is online if there's any technical environmental questions.

Chair Thomas stated, thank you, Jared. Um, at this time, I'll open up, uh, on item number six. Uh, oh, no, item number five, I believe. Yeah, item number five for public hearing comment. Anybody in the audience wishing to comment on this? Anybody online? Okay. Close public hearing comment and start with Commissioner Vasconcelos.

Commissioner Vasconcelos stated great. Seems like the same kind of motion of everything else—

Yeah.

Commissioner Vasconcelos stated--we've been going through tonight. So, uh, again, thank you for this, uh, report and this very thorough presentation. Yep.

Commission Secretary Yochmowitz asked is there somebody that was online that had their hand raised? Okay. I just want — sorry.

Chair Thomas stated okay. That's all right. Go ahead. You're good.

Commissioner Vasconcelos stated okay. So, uh, where was I at? Oh, thank you for this report. And the presentation that we had presented to us was very thorough. It's interesting that you made a comment about, uh, the reporting of this being located at Joshua Lane and, uh, uh, Warren Vista. I had many phone calls today, uh, this afternoon because that's kind of right around the neighborhood I live in. And they

were all asking me why are they putting a gas station in this location. And I said — had to find the story and say, "There's two different agenda items, uh, uh, that we're covering. And, and I think it, it just was reported maybe ambiguously on how it was stated." But, uh, I think this is well put together. I don't think we — I don't have really any issues regarding this. Um, didn't — I didn't really see the, the proposed lighting on this or, or the Kelvins that they were, were requesting. I was just hoping that they were still in line with what we like — what Commissioner Stoker was mentioning on the last, uh, item f—for the Dutch Bros. Um, if they — if they were, uh, brighter than 3, I would recommend that they stay at 3. Uh, but everything else seems pretty straightforward to me on this project and, and, uh, making it still have access to the parking lot, uh, that's existing there without having to enter and exit another, uh, entrance so that they could get in and out of that. But that's what I got. Thank you.

Chair Thomas stated Okay. Thank you. Commissioner Noonan.

Commissioner Noonan stated thank you. Um, y-y-yeah, so this is a — I mean, obviously, thi-this isn't a huge project, but in the scope and in the context of the entire center, it's big. And, um, my only comment would have been it would have been nice to look at, like, a contextual line elevation. And I know Commissioner Stoker could probably elaborate on that a little bit more just to see how everything looks, because I know the approach to this project is kind of it comes off the highway at a much lower level, and, uh, it would be good to see how this all looks compiled together. Um, that would be my only comment that when we're looking at something this big, and that's part of such a, a huge development, I'd like to see some kind of context, um, for the new building. Also, I agree with the 3,000 on the Kelvins. Hopefully, we can add something to that effect as well. But other than that, that'd be my only comments on, on this. Um, it's kinda late in the game to be not approving it--

Chair Thomas stated yes. Yeah.

Commissioner Noonan stated--without that--

Yes.

Commissioner Noonan stated--that, uh, elevation. However, in, in future, it'd be nice to see that, especially with going back at some other things that maybe were approved that, that don't look so great from the highway, you know? So yeah, that's my only comment.

Chair Thomas stated Thank you. Uh, Vice Chair Henderson.

Vice Chair Henderson stated yeah. Thank you. A—another great packet report to look through. Um, just like Commissioner Vasconcelos, I, uh, I also received several phone

calls within the last two hours, uh, one from my spouse wondering why I would approve a gas station near the dog park. I was like, "I do not know what you're talking about."

Sorry. [crosstalk].

Vice Chair Henderson stated, "I do not know what you're talking about." But, um, but we did get it sorted out. And just like you, I figured out they just-- they confused two different items. But in regards to this one, as I look at it for the overall town, and you think, "Hey, it's just a gas station." But when I look at and I go get gas at different locations, I think this is a big improvement for our town. And I think it will also, uh, uh, give a safe place to get gas. I-I've never gotten fuel at this particular type of establishment, usually a Sam's Club or a, a Costco. So I don't know, you know, if there's a big benefit in pricing, but I hope that is the case for our town, especially in light of the gas prices right now, but, um. So this looks like a, a real positive for the town. So, uh, that's all I got.

Chair Thomas stated okay. Thank you. Commissioner Stoker.

Commissioner Stoker stated, thank you. Um, uh, and to speak to, uh, Commissioner Noonan's comments, on packet page 2,148, when I was reading this, um, the canopy is proposed at 17 and a half feet tall, uh, and the convenience store is 16 feet. I didn't notice any elevation, uh-- elevations for-- the elevations, like heights, um, without having to get really tight on the page. Uh, but at 16 feet tall, I think with the highway being so much lower, um, I think it's in line with, uh, Chipotle and — or not Chipotle, with Panda Express and Taco Bell that are in that same center that are both around the same height. Um, I, I, I looked at it from that same perspective, so it's, it's good to know that we're all kinda seeing the same things. Um, my question to staff, um, earlier was regarding that photometric plan, plan that didn't make it into the packet. Um, it was emailed, um, and it is all 5,000 Kelvin across the board. So I don't know if that's something we can slip into, um, the specific plan amendment that, that would kind of affect all of Walmart as they need to change out their fixtures. Um, this is such a huge shopping center that I think it would make a big difference if at some point it switched from being so bright, almost blue light to something that was, um, a lot less obtrusive from across the valley. Uh, it's something kind of you see from everywhere. And it's — and I think it's something that throughout the years, even when, like, the newer car dealerships were built, they had so much of that 5,000 Kelvin light that was so bright, um, that it was — you know, it really did interfere with, uh, the public's ability to see the sky.

And I think if we were to include some sort of language that affected the specific plan, since this is probably one of our last chances to get to modify that when the applicant's coming to us, uh, it would be nice to include, um, a change in the color

and intensity of the light, uh, to be in a 3,000 Kelvin range.

Okay.

And I kinda guess that gets me back to I don't know why we haven't really looked at our design standards when it comes to lighting. Period. I think it's something that, as a group, would be nice for us to hit at a future date, uh, with staff is kinda take a look at those design standards to where we're not even having to, uh, look at that as much. That is part of our, uh, kinda objective design standards.

Okay. Uh, Jared or, or maybe Shane, one of the-- can you answer that question for him regarding the Kelvins on this project?

Senior Planner Jerome stated yes. So we can include it as a condition for the CUP and as a requested tweak to the specific plan.

Chair Thomas stated okay. Um, I, uh, I won't, uh, piggyback on top of everybody else's comments. I think it's a good project. I agree with Commissioner Henderson that it's, uh, gonna be something that's gonna be a benefit to the community. So I'm good with this, and we can move forward with emotion, including the, the Kelvins.

Commissioner Vasconcelos stated I guess it's my turn.

Chair Thomas stated yes.

Commissioner Vasconcelos stated okay. I'd like to motion to approve Environmental Assessment 02-25 and the Planning Commission recommends to approve EA 0225 and adopt the resolution to the town council for addendum number one to pre-- the previously adopted environmental impact and to approve the Conditional Use Permit 0-125 and that the Planning Commission recommends to approve CUP 01-25, request to construct and operate a 6-pump gasoline station, 12-- with 12 fuel dispensers and, uh, 4,950 square foot fueling station canopy and a 1,556 square foot convenience store and to recommend to, the, uh-- to approve the ordinance of the addendum amendment to the Specific Plan 01-04. The Planning Commission recommends to approve the ordinance number to be issued at a later date. Uh, Specific Plan 01-04 Amendment Number 2 to the town council with the conditions that we request that the lighting be-- all be changed to 3,000 Kelvin. Does that sound good?

Chair Thomas stated that sounds great. Do I have a second?

Motion:

Environmental Assessment 02-25:

That the Planning Commission recommends approval of EA 02-25, and adoption of

the resolution, to the Town Council, for Addendum #1 to the previously adopted Environmental Impact Report.

Conditional Use Permit 01-25:

That the Planning Commission recommends approval of CUP 01-25, a request to construct and operate a six (6) pump gasoline station, twelve (12) fuel dispensers, 4,950 square foot fuel station canopy, and a 1,556 square foot convenience store and with the conditions that the lighting be changed to 3,000 Kelvin.

Ordinance No. XX, Specific Plan 01-04, Amendment #2:

That the Planning Commission recommends approval of Ordinance No. XX, Specific Plan 01-04 Amendment #2 to the Town Council, a request to amend the adopted Specific Plan by Ordinance, to allow a gasoline station as an approved land use and to allow for additional signage for the gasoline station and convenience store.

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

Mover: Commissioner Alejandro Vasconcelos

Seconder: Commissioner James Henderson

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

Department Reports

6. Development Code Interpretation (DCI 02-26) — A request to waive Official Zoning Map requirement for Specific Plan at an 37.58 acre property located at the SW Corner of Joshua Lane and Warren Vista, also identified as APN: 0585-062-33

Chair Thomas stated okay. Moving to department reports item number six, development code interpretation DCI 02-26, a request to waive official zoning map requirements for specific plan at a 37.58-acre property located at the southwest corner of Joshua Lane and Warren Vista, also identified as APN 0585-062-33. Staff.

Assistant Planner Willoughby stated, thank you, Chair and Commissioners. The recommendation for this item is that the Planning Commission finds that the request is consistent with the objectives and policies of the Town of Yucca Valley General Plan and Development Code and interprets that the specific plan requirement for APN 0585-06233 does not apply until such time that the project requires discretionary entitlement as filed for the property, allowing by right development to proceed as allowed by the underlying zoning district. This property is located at the southwest corner of Joshua Lane in Warren Vista. It's approximately 37.58 acres, uh, zoned RM4 with a specific plan overlay. On February 20, 2026, staff received the attached request for a waiver of the specific plan requirements for the property. The request was preceded by communication with staff at the front counter regarding the sighting of

fewer sewer infrastructure and future development of a single-family home in ADU. To address the specific plan overlay requirements on the town's official zoning map, staff requested that the owner send a written request for that requirement so staff can bring it to the Planning Commission for further review and clarification. The property, uh, and section on the official zoning map is identified on packet page, uh, 431, um, identifying the property in the southeast quadrant of section 12, uh, zoned RM4 with, uh, SP, which stands for specific plan.

Uh, this is south of Essig Park, um, east of Joshua Springs facility, and, uh, west of other, uh, similar residential development, uh, although a bit denser to the east. So the general plan, uh, provides overall guidance and a comprehensive vision for physical development of the town. Uh, specific plans, as the commission saw earlier tonight with Walmart, are typically used for large-scale projects that require a comprehensive approach to planning and infrastructure issues or areas that warrant customized regulatory guidance not present in the town's development code. Uh, specific plans address site-specific concerns and provide guidance for design, use, and development of the site. Specific plans are typically implemented as customized zoning for a focused geographic area of the town and can be initiated by the town or a project applicant. We do have three adopted specific plans, uh, the Old Town Specific Plan, which was town initiated, the Home Depot Retail Specific Plan, which was initiated by the project applicant, and the Yucca Ret-- Yucca Valley Retail Walmart, uh, Specific Plan also initiated by that project applicant. There are also other areas of town that have been designated with, uh, specific plan requirements on the town's official zoning map, uh, to ensure larger complex proposals in those areas were planned comprehensively.

Uh, to address this specific request, um, single-family buy-right infill construction on an existing law of record, including accessory structures as allowed by the code. Uh, and staff's opinion does not warrant preparation of a specific plan in and of itself. While the preparation of a specific plan may not be necessary in this case, it is still the case that larger complex projects should be planned comprehensively through the specific plan as identified by the town's official zoning map. And therefore, staff recommends that the Planning Commission interprets that the specific plan requirement for APN 0585-06233 does not apply until such time that a project requiring discretionary entitlement, such as a Conditional Use Permit, site plan review, uh, tract map, uh, for example, is filed for the property allowing by-right development to proceed as allowed by the underlying zoning district. Uh, the attachments include the, uh, property owner's email request and background, uh, from the prior Planning Commission's minutes, uh, when, uh, laying out the initial zoning for the Town post incorporation, and some brief discussion on this parcel highlighted. And staff is available to answer questions following public comment. Thank you.

Chair Thomas stated, thank you. Um, I'll open this item up for public comment. Anybody wishing to comment? Anybody online? Seeing none. Close public comment. Go to Vice Chair Henderson.

Vice Chair Henderson stated, you know, I don't really have any comments. I was just going back. Um, it's interesting in, in all of the items that have come before us. Um, sometimes there are some older Planning Commission minutes and stuff that come in front of us, but this is coming back from 1995 and '94, and seeing some of the people that were on it, is — it's just interesting to me. I don't really have any comments on it, and I concur with staff's, uh, recommendation.

Chair Thomas stated okay. Um, Commissioner Noonan?

Commissioner Noonan stated, yeah, I agree with staff's recommendation on this.

Chair Thomas stated okay. Commissioner Vasconcelos.

Commissioner Vasconcelos stated, I too agree. I think that this is — this the kinda things that, um, that should be reviewed and taken note of. And I agree with the staff's recommendation. Until there's a time, if there is something presented to us, that we do require a site plan. Right. Specific Plan.

Chair Thomas stated Commissioner Stoker.

Commissioner Stoker stated, um, yeah, very much the same. I, I, I think the intent of — you know, since we're interpreting the, uh, the intent is that if there was a project that was complicated, then we would wanna be able to address it as such, being-- seeing that it is so close to many homes. Um, if it wanted to be an apartment building or something of that nature, we would wanna have that discretion. Uh, seeing that they're kinda going the other direction where it's gonna be a single-family home and an ADU, I, I think that is — you know, it's-- if anything, it's, it's a very minor use of a large parcel, um, and it's, uh, the applicant's right to do so if, if they choose. And it's something that, uh, as a town, we, we kinda get out of everyone's way of building a single-family home. Uh, that's a discretionary act, and we, we do our best to stay out of that concept. Uh, so I, I appreciate everyone's comments, and, and, and in essence, feel the same way.

Chair Thomas stated okay. Thank you. I'm in agreement as well, too, on this, uh, with the staff. And, uh, so let's go ahead and get a motion on this one.

Vice Chair Henderson stated, I'll go ahead and make a motion, uh, that the Planning Commission finds that the request is consistent with the objectives and policies of the town of Yucca Valley General Plan and Developmental Code and interprets the

specific plan requirement for APN 0585-062-33 does not imply until such time that a project requiring discretionary entitlement is filed for the property allowing by right development to proceed as allowed by the underlying zoning district.

Motion:

That the Planning Commission finds that the request is consistent with the objectives and policies of the Town of Yucca Valley General Plan and Development Code, and interprets that the Specific Plan requirement for APN: 0585-062-33 does not apply until such time that a project requiring discretionary entitlement is filed for the property, allowing by-right development to proceed as allowed by the underlying zoning district.

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

Mover: Commissioner James Henderson

Second: Commissioner Alejandro Vasconcelos

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

7. Land Development Update

Chair Thomas stated we'll move to item number seven, land development update.

Commissioner Vasconcelos asked you cleared the table, right?

Senior Planner Jerome stated we, we got about half of them done tonight. Um, there's a f-few minor updates. Um, Tumbleweed Sanctuary had their CEQA kickoff meeting. So they're officially in CEQA review, which is the final leg of the project before it comes to the Planning Commission. Um, they have a pretty aggressive schedule. I believe it was three months for CEQA, which is, uh, about twice as fast as, uh, average. Um, there's the mobile home park at Kickapoo and Benicia near where Kickapoo curves around into Yucca Trail. Um, they have some not insignificant engineering hurdles associated with the flood zone there. Um, having to potentially elevate the pads quite significantly. So they are, uh, currently in the engineering review process as part of that CUP. Um, the windmill, uh, wireless communication facility, um, they are still redesigning some of the project, but it sounds like they're getting close by the questions that they're asking. Um, so I would expect that should be, uh, going in the CEQA soon because I believe there's Joshua trees that they have as well. Um, Yucca Trail stop—mini storage, so, um, near the mobile home park, um, they continue to make progress. Um, they're working on screening of the site right now. Um, and then C&S new Chicken Restaurant, um, we just got a resubmittal this month. So, um, that should hopefully — they have no Joshua trees that I'm aware of, so hopefully that will progress a little bit quicker for the Planning Commission.

Um, and then we have the two reversions to acreage. Um, tract maps are being reverted to single parcels. And one of those, which is located approximately at Balsa in Yucca Trail, um, is very close to, uh, completing their, uh, their plans. So, that one I would expect to be the first one. The other one is off, uh, an Acoma trail. And that is all I've got for private land development projects that are coming your way.

Commissioner Thomas stated all right, great. Where, where did you say that C&S thing is gonna be? The chicken?

Senior Planner Jerome stated it's going to be directly adjacent to the diner. So they have a vacant, um, parcel that they kind of use as parking right now, um, just to the east of CNS. Um, so it's gonna be directly next door to the diner.

Chair Thomas stated okay. Very good. All right. We'll move to, uh, let's see. The Planning Commission — okay. So we need to receive and file. So we'll get a motion to do that. Anybody?

Motion:

That the Planning Commission receives and files the report.

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

Mover: Commissioner Alejandro Vasconcelos

Second: Commissioner James Henderson

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

Future Agenda Items

Chair Thomas stated okay. We'll go to future agenda items.

Senior Planner Jerome stated um, those forementioned, uh, projects. And then I did miss the Yucca Valley's Materials Lab. They also resubmitted this month. Um, so they will also, uh, be coming to a future meeting.

Public Comments

Chair Thomas stated all right. Thank you. Go to public comments. The Planning Commission takes this time to consider your comments on items of concern which are not on the agenda. When you're called to speak, please state your name and community of residents. Please limit your comments to three 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. I'll open for public comments. Anybody wishing to comment on anything? Nothing? Nothing? Okay. Close public comment and go to Staff Report

and Comments.

Staff Reports and Comments

Chair Thomas stated staff reports and comments.

Senior Planner Jerome stated no additional reports or comments.

Commissioner Reports and Comments

Chair Thomas stated we'll move to Commissioner Reports and Comments. And I'll, I'll start with Commissioner Stoker, since he's-- he can check out soon.

Commissioner Stoker stated no, it's all good. Uh, well, uh, no, no crazy comments. I just wanted to say that, uh, being in, uh, Washington has been a privilege. We — I were here with my wife supporting her and, uh, our school board president, uh, who were meeting with, uh, uh, Congressman Obernolte's office and, and the congressman to advocate for our school district. So it's great. Uh, you know, I'm really proud of my wife for-- and, uh, Christopher Claire for doing that, um, on behalf of all of our students in the Morongo Basin. So, um, you know, we need to, uh, support other boards, um, and, uh, in, in their advocacy efforts to do the best job they can for our communities. Um, you know, guilty pleasure. I'm here enjoying all the museums I can. So I'm doing, doing my part, uh, with my son to learn as much as we can about everything that's-- that there is to see here. So it's been a — it's been a pleasure being here. And sorry for making it difficult for everyone being remote.

Chair Thomas stated no. No problem at all. Don't worry about it. Uh, Commissioner of Vasconcelos.

Commissioner Vasconcelos stated I just had, uh, uh, something that I thought about when we were discussing the lighting in town here. I know that, uh, there's been very poor lighting over there in that — in the Stater Brothers east shopping center. And I know there's a lot of lights that are out, including the lights that are, like, right next to the highway, which makes the visibility coming in and out of that drive aisle very difficult at times.

Chair Thomas stated, yeah.

Commissioner Vasconcelos stated, and I'm just trying to see is it-- who enforces that? I know it's a private lot, but I mean, that, that—especially that light that's right there at the entrance, um, is there a way to get some sort of enforcement for public safety to have that light make sure that it's, it's operable because it is-- it is very difficult to--

It is.

--to see coming in and out of that drive aisle.

Very good.

Senior Planner Jerome stated that's the drive aisle you said to the east.

Commissioner Vasconcelos stated, yeah. This would be the drive aisle that would be—I mean, the whole parking lot has different lights on and off, but the main drive aisle that is being utilized these days since the rest of the area is not really operational at certain times, but it's the drive aisle that's right adjacent to the, the Quick Quack and where the new, uh, Jersey Mike's is being constructed.

Commissioner Henderson stated making the turn right off the highway.

[crosstalk] Yeah, yeah.

Commissioner Vasconcelos stated, I mean, that, tha-- just at night in general, that parking lot is very, very dark. And there's very man-- there's a lot of lights that are just out that have never—

Commissioner Stoker stated, I would also imagine — this is me thinking, but Jersey Mike's probably took ownership of that light as part of their construction project.

Commissioner Vasconcelos stated mm-hmm. I don't know. I just noticed that it's been — it's been out for quite some time, and that, like, there's times where I almost pass up the, the, the entrance of that, that, uh, drive aisle because it's so dark. And then I have to, like, you know, hopefully not make an unsafe turn.

Chair Thomas stated okay. Commissioner Noonan. Oh, sorry.

Commissioner Vasconcelos stated, but a-again, after that, so thank you for the meeting. You know, the meeting was very good. I appreciate everything that you guys are-- that you guys have done. And, uh, thank you to everyone, uh, involved.

Chair Thomas stated, thank you, Commissioner Noonan.

Commissioner Noonan asked you sure?

Chair Thomas stated yeah.

Commissioner Noonan stated okay. So getting back to, um, a level of plans, you know, being on the commission as long as I have and, um, we've seen every kinda plan come through. We've seen small little restaurant plans that are very, very detailed and that are willing to provide, you know, uh, uh, materials guides and, and, and color guides and contextual line elevations and allows you to basically see that thing the way it's gonna look from the highway driving by,

you know, from the neighborhood. And then we've seen large projects such as the-- this-- the gas station here or, like, the hotel that we approved back in the day where they're not-- they're not even supplying us with that level of, of plans. And I just think it's important because, um, looking at these plans here, they're, they're great buildings. They're pieced out. They're segmented. It doesn't give you any context as to what that's gonna look like with the finished product. And I don't know if there's a way that we can kinda set a standard for that, but it, it, it makes our job, certainly my job easier, to be able to look at that, a set of plans, and look at that gas station, look at that building with all the other surrounding buildings in the line included.

And I don't think it's that hard of a thing to ask for, especially with something as big as a Walmart gas station or a hotel or something like that. I don't think it's too much to ask for that we get that, something that — you know, they can be AI-generated nowadays. They're — it's so much easier to produce those type of documents, but it, it, it makes it a lot easier for us to set things and put context on a project. So I would-- that-- my only comment is that I would like to see that maybe in the future. I'm not sure if that's something that we can ask, uh, during the submitting of plans and what have you, but, um, it would be nice. That's it.

Chair Thomas stated, Commissioner Henderson yeah.

Commissioner Henderson stated, thank you. Another great meeting. That was, uh, uh, packed full of a lot of stuff. And thank you to Janet for contacting me and walking me through where the secret documents, how to access them. So, so you didn't have to print them. I appreciate that. And, uh, Commissioner Vasconcelos, thank you for bringing that up. I thought it was just me. Like, I've made that left turn a few times, and it's so — it's so hard to exactly see where that middle divider, concrete divider is, so.

[crosstalk] Yeah.

Commissioner Henderson stated I appreciate that. And, uh, uh, I'm, I'm excited to see the C&S project going and stuff. When we had that big break, uh, in between our meetings, I had gotten sick. And I'll tell you what, CNS Diner has the best chicken soup. The best chicken soup if you're ever sick. So excited for that. But I got nothing else. Thank you, guys.

Chair Thomas stated okay. Yeah, I don't have much. Thank you for a really good meeting. Very detailed, uh, items here. You gave us a lot to swallow over the last few days since we got these on Friday. So, um, one, one note, I am still seeing, uh, more homeless tents pop up around town. Um, there's somebody parked behind Home Depot past Sunny Slope with a truck and a camper and a few tents over there that I saw the other day. And, uh, uh, uh, we really kinda better stay on top of this, I think, if we're gonna get over that.

Deputy Town Manager Stueckle stated you may or may not have seen, but the town is in the recruitment process for a new position. And part of the responsibilities of that position is a liaison with other public agencies in addressing the homeless issue in the community.

Chair Thomas stated okay.

Deputy Town Manager Stueckle, stated um, so we're hoping that, um, by creating or adding into our existing programs, these additional resources that will be able to help, um, get those individuals into temporary and ultimately permanent housing, whether that's in the Morongo Basin or some other place where they're close to family or, um, support services. Uh, that's the goal-- overall goal of the town's program.

Chair Thomas stated that's good. Great to hear that. Thank you.

Commissioner Henderson stated, Shane, is that position solely gonna work on homelessness, or is it attached within code enforcement, or?

Deputy Town Manager Stueckle stated, um, we — I anticipate that there's going to be interrelationships between code enforcement and the homeless issue. As you can imagine, while we, we have homeless issues, it may not demand the full-- the full day's work of a full-time position. And so there's probably gonna, be some interrelationships in our code program as well.

Commissioner Henderson stated, I'm, I'm glad to see the town doing that.

Chair Thomas stated yeah. It's been necessary for a while. All right.

Announcements

Chair Thomas stated um, since we're done with that, then we'll go to announcements. Upcoming meeting schedule, the next regular meeting of the Yucca PI-- Planning-- Yucca Valley Planning Commission will be held on Tuesday, April 28, 2026, at 6:00 PM in the Yucca Valley Community Center, Yucca Room.

Adjournment

Chair Thomas stated and we will adjourn this meeting at 7:30 pm.

Respectfully submitted,



Janet Yochmowitz
Commission Secretary

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



To: Planning Commission

From: Evan Willoughby, Assistant Planner

Date: April 23, 2026

Meeting Date: April 28, 2026

Subject: Native Plant Permit (NPP) 029-26 @ 8856 Warren Vista Ave

Recommendation:

That the Planning Commission receives and files the attached Applicant Report and approves the application for NPP 029-26, to remove five (5) California Junipers for clear sight/visibility around driveways and access based upon Section 9.07.130(C)(2), that the regulated desert native plants being removed are located within the identified area(s); and finding that all necessary submittal materials have been submitted as indicated in the Application Table and as contained within the staff report.

Prior Review:

There has been no prior review.

Discussion:

Applicant: Clint Stoker
Address: 8856 Warren Vista Ave
APN: 0585-062-61
Zoning: Residential, Rural Living (R-L-2.5)
Parcel Size: 7.50 acres

Native Plant Permit Application and Applicant Report

Application has been filed with the Town for native plant removal.

The application is for the removal of five (5) California Junipers. The California Junipers are located within the area identified on the attached plot plan.

Per Section 9.07.130, Table 1, for lots sizes up to 5 + acres, the required undisturbed area is a minimum of 10% of the lot area. The property is approximately 7.50 acres.

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

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

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

Ground disturbing, ministerial building permit applications require a Report by a Desert Native Plant Specialist, Pre-Site Inspection prior to permitted construction activity, and re-certification of Report by a Desert Native Plant Specialist that the permitted ground disturbing activity was completed in conformance with the approved site plan and did not impact the Western Joshua Trees, prior to final inspection, unless there are no Western Joshua Trees within 75’.

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

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

The Development Code section cited above is ministerial.

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

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

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

Alternatives

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

Fiscal Impact:

N/A

Attachments

1. NPP 029-26 @ 8856 Warren Vista - Clint Stoker - Application
2. TOYV DEV CODE - CHAPTER 9.07
3. Western Joshua Tree Policy & Information Handout - Updated 6.11.2024



Native Plant Permit Application

| | |
|---------------|-------------------|
| Date Received | <u>4/17/26</u> |
| Case | <u>NPP 029-26</u> |
| By | <u>Em</u> |
| Paid | <u>\$294.00</u> |

General Information

APPLICANT CLINT STOKER Phone 760.250.3118

Mailing Address 8856 WARREN VISTA Email clint@stokerinc.com

City Yucca Valley State CA Zip 92284

PROPERTY OWNER OBRIEN TRUST Phone _____

Mailing Address 8856 WARREN VISTA Email clint@stokerinc.com

City Yucca Valley State CA

Zip 92284 Address/Location of Plants 8856 WARREN VISTA

Desert Native Plant Specialist LARRY COWEN

Project Information REMOVE 5 JUNIPERS IN RESTOP WAY

Clear Sight for Driveway

| TYPE OF PLANT | # OF PLANTS BEING DESTROYED | # BEING RELOCATED | | # BEING PROTECTED IN PLACE | # BEING TRIMMED | HEIGHT | DIAMETER | MITIGATION FEE FOR RELOCATE OR REMOVAL |
|--------------------|-----------------------------|-------------------|----------|----------------------------|-----------------|-----------------|-----------------|--|
| | | ON-SITE | OFF-SITE | | | | | |
| MOJAVE YUCCA | | | | <u>30</u> | <u>0</u> | | | |
| OUR LORDS CANDLE | | | | <u>0</u> | <u>0</u> | | | |
| CALIFORNIA JUNIPER | <u>5</u> | <u>/</u> | <u>/</u> | <u>30</u> | <u>0</u> | <u>VARIABLE</u> | <u>VARIABLE</u> | |
| PINON PINE | <u>2</u> | | | <u>2</u> | <u>0</u> | | | |
| PARRY'S NOLINA | | | | <u>0</u> | <u>0</u> | | | |

Reason for relocation or removal PUBLIC SAFETY / RIGHT OF WAY OBSTRUCTION

Property owner signature [Signature] Date 4/16/26

Staff Use Only
 Issuance Date: _____ Issued By: _____

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

Denied _____ Reason for Denial _____

PLOT PLAN

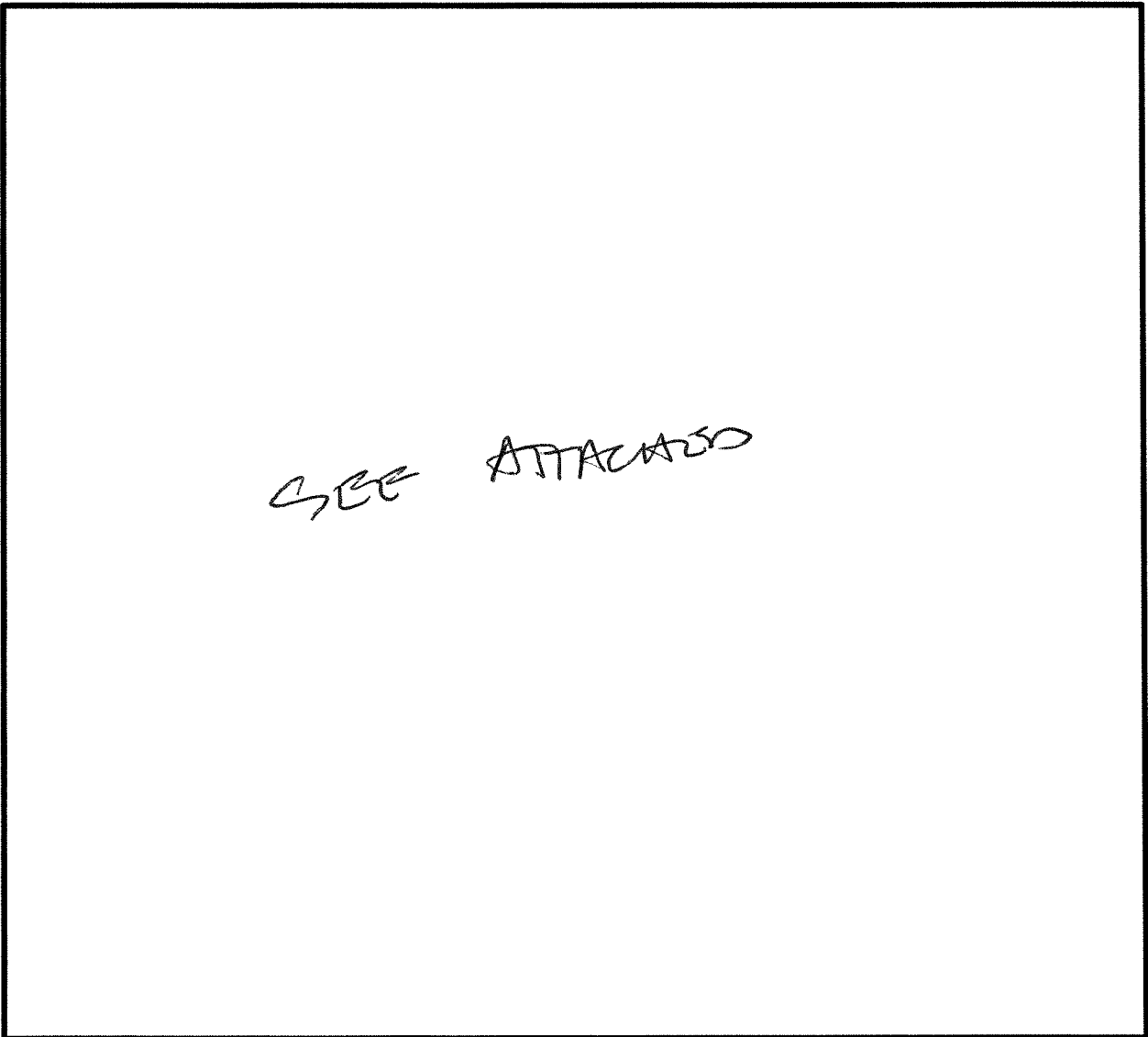
NAME J. CURT STOKER

PROJECT ADDRESS 8876 WARRON VISTA AVE

ASSESSOR PARCEL NO. 058 506261

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

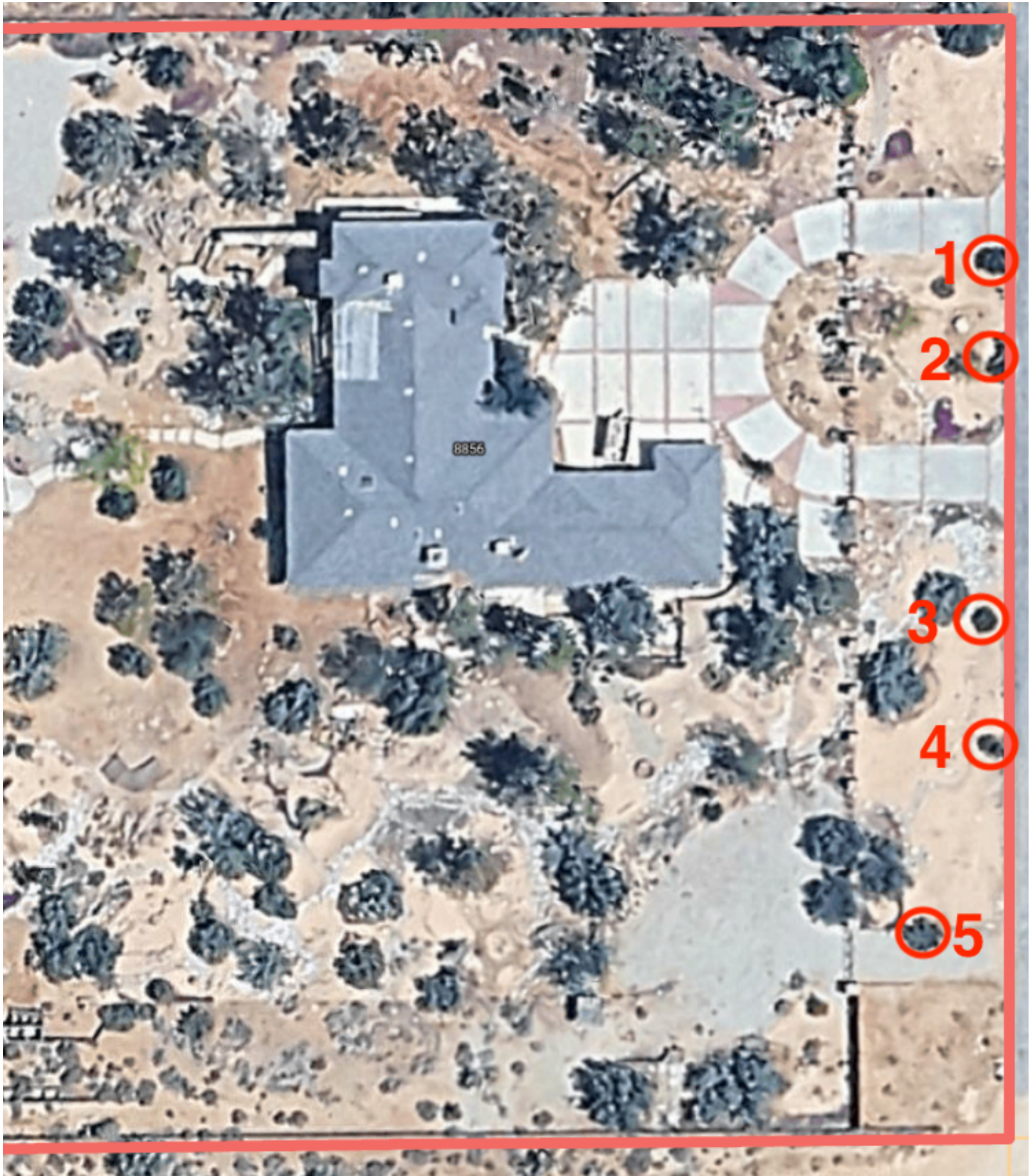
REAR PROPERTY LINE



FRONT PROPERTY LINE
STREET









Juniper 1

5' Tall

6' Wide

Health Good



Juniper 2

4' Tall

5' Wide

Health Good



Juniper 3

7' Tall

7' Wide

Health Good



Juniper 4

4' Tall

4' Wide

Health Poor



Juniper 5

5' Tall

9' Wide

Health Good

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 | TUP: Temporary use permit |

| 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 |
| 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 | CUP | CUP | CUP | CUP | 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 |
| | 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 |

(Ord. 253, 12-16-2014; amd. Ord. 268, 7-18-2017; Ord. 281, 11-6-2018)

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} |
| 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 | | | |
| | See article 3, "Development Standards", of this title, including the following standards: | | | |

| | |
|---|---|
| Other applicable 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 |
|------------|-----------------------------|---------------------|-----------|
|------------|-----------------------------|---------------------|-----------|

| | | | | |
|-----|---|--|-------------|--|
| 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 |
| 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 |
| 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 |
| 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 |
| 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 |
| 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)



Western Joshua Tree Policy & Information Handout

1.0 PURPOSE

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

2.0 BACKGROUND

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

3.0 DETERMINATION OF AVOIDANCE

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

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

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

4.0 PRE-SITE INSPECTION PROCESS

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

5.0 REPORT BY A DESERT NATIVE PLANT SPECIALIST

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

5.1 REPORT BY APPLICANT IF EXEMPT

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

5.2 REQUIRED FINDINGS FOR DESERT NATIVE PLANT SPECIALIST

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

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

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

6.0 DEFINITION OF DESERT NATIVE PLANT SPECIALIST

A Desert Native Plant Specialist includes the following:

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

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

7.0 QUESTIONS AND COMMENTS

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

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



To: Planning Commission

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

Date: April 23, 2026

Meeting Date: April 28, 2026

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

Recommendation:

That the Planning Commission reviews Chapter 9.07 Residential and Hillside Reserve Districts, Section 9.07.060(C) and adopts Resolution No. PC 26-04, establishing that a minimum of three (3) architectural treatments consistent and complementary with the primary residence are required for cargo/shipping containers on residential property containing less than 2.5 acres.

Prior Review:

The Planning Commission reviewed this item at their meeting of February 27, 2026, and requested additional information from staff, including examples of policies regulating storage/shipping containers from other communities and other shipping containers that have been permitted in Town.

The Planning Commission reviewed this item at their meeting of March 24, 2026, and requested modifications to the recommended Planning Commission Resolution based on their discussion.

Discussion:

The attached draft Planning Commission Resolution has been modified per the Planning Commission's discussion on March 24, 2026, to incorporate direction on consistency and compatibility of the architectural treatment of the storage container with the architectural treatment of the primary residence.

Staff reports and minutes of the Planning Commission's prior review of this item are attached to this staff report.

Alternatives

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

Fiscal Impact:

None.

Attachments

- 1. Resolution PC 26-04
- 2. TOYV Development Code - Chapter 9.07
- 3. PC Staff Report 2 24 2026 - DCI 01-26
- 4. PC Meeting Minutes 2 24 2026 - DCI 01-26
- 5. PC Staff Report 3 24 2026 - DCI 01-26
- 6. PC Meeting Minutes - 3 24 2026 - DCI 01-26

RESOLUTION NO. PC 26-04

RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ON DEVELOPMENT CODE INTERPRETATION (DCI) 01-26, OF TOWN OF YUCCA VALLEY DEVELOPMENT CODE, CHAPTER 9.07 RESIDENTIAL AND HILLSIDE RESERVE DISTRICTS, SECTION 9.07.060 ACCESSORY BUILDINGS AND USES, (C) CARGO/SHIPPING CONTAINERS

WHEREAS, Town of Yucca Valley Development Code, Section 9.07.060(C) allows that 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; and

WHEREAS, Town of Yucca Valley Development Code, Section 9.07.060(C) requires that cargo/shipping containers be architecturally designed and constructed so that the structure is not distinguishable as a cargo/shipping container; and

WHEREAS, Town of Yucca Valley Development Code, Section 9.02.010 allows that 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; and

WHEREAS, the Town of Yucca Valley Planning Commission seeks to establish an interpretation of the Town of Yucca Valley Development Code, Section 9.07.060(C), that clarifies the implementation of the standards contained within for members of the public and staff.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AS FOLLOWS:

SECTION 1: THAT THE PLANNING COMMISSION does hereby declare that a cargo/shipping container on a residential property containing less than 2.5 acres shall be on a permanent foundation and architecturally treated so as to not appear as a storage container by providing a minimum of three (3) of the architectural treatments consistent and complementary with the primary residence, listed below, each of a different type, and that the Planning Commission may require additional architectural treatments as necessary to ensure consistency with Town standards.

- Residential, non-reflective exterior cladding (e.g., stucco, wood siding, masonry veneer)
- Trim elements (e.g., corner boards, fascia, soffits)
- Pitched roof with complementary roofing materials
- Extended eaves or parapets
- Simulated or non-operable residential-style windows
- Decorative façade elements (e.g., awnings, shutters)
- Complementary paint and color scheme

- Landscape screening integrated with the structure

SECTION 2: This Resolution is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines, pursuant to State CEQA Guidelines Section 15061(b)(3) which provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The Town Clerk shall cause a Notice of Exemption to be filed as authorized by CEQA and the State CEQA Guidelines.

ADOPTED this 28th day of April 2026.

Mathew Thomas, Chairperson

ATTEST:

Janet Yochmowitz, Secretary

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 native 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)

**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

just to confirm, a minor, um, corr-- um, a minor correction like this can be done at the director's level. Is that correct?

Assistant Planner Willoughby stated that is correct. And the director can refer those in anything to the planning commission for review.

Commissioner Henderson stated, thank you.

Chair Vasconcelos stated Commissioner Noonan.

Commissioner Noonan stated no further comments.

Chair Vasconcelos stated, I do agree. This is a-- this is a very simple change. I don't see any issues with this. So, uh, can we get a, a motion for this, please?

Motion:

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.

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

Mover: Commissioner Mathew Thomas

Second: Commissioner James Henderson

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

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

Chair Vasconcelos stated moving on to item, uh, four, Development Code Interpretation, DC1, uh, 01-26, Architectural C-Capab-- Compatibility of Cargo Shipping Container in a Residential Zoning District. Staff report, please.

Assistant Planner Willoughby stated, thank you, Chair and Commissioners. Uh, this item for development code interpretation concerns, uh, architectural compatibility standards for cargo/shipping containers in residential zoning districts. The recommendation is that the Planning Commission finds at 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 than

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 provide direction on acceptable architectural treatments such as, but not limited to siding, roofing materials, and screening to implement those requirements to ensure that those cargo containers do not appear as, as such.

The standard, um, in a longer form is, is this. And it is clear both in, um, the second paragraph and the last paragraph that the intent of this section is that those proposed cargo containers are architecturally designed and constructed, so the structure is not distinguishable as a cargo/shipping container. However, what is not explicit about this code is what are acceptable means of achieving that architectural treatment. So as staff stated, that may mean siding attached to that container. That could mean, uh, roofing materials. That could mean faux architectural elements such as windows that maybe don't actually cut into the actual container itself but are attached, uh, to make it appear as a different kind of accessory building.

Now, this is just one case, um, of a plan check resulting in comments requiring them to meet the standards under this section. Uh, this, as the Planning Commission may recall in the-- in, in the attachments to this staff report, is for a container proposed at 7357 Apache Trail. As you can see in this plan, um, elevation, they've added a note to comply with that section by proposing to paint the container the same color to match the metal roof of the primary structure and the metal fence on the property. So this is that container. Um, you can see it's a dark gray color, uh, located in the rear of that property. You can see the structure just past it. And in this slide, you can see in more clear terms the actual, uh, residence and the fencing, uh, that they're proposing to match, um, exclusively just based on color and no o-other architectural elements. So once again, uh, the recommendation is that the Planning Commission, uh, review the applicable code chapter and provide direction on acceptable ca-- architectural treatments such as siding, roofing, screening to implement the requirements of said co-chapter. And staff is available for questions following public comment.

Chair Vasconcelos stated, thank you, staff. Is, uh, the applicant here? Okay. Is there anyone in the public who wishes to speak about this item? No. Anyone online? Okay. Close public comment. We'll bring it back to the Commissioner's comments. Uh, Commissioner Henderson.

Commissioner Henderson stated, oh, thank you. Uh, yeah, in reviewing it, I was just curious. A couple of questions for staff. Has there been any other containers in town that have somewhat, in your opinion, met these standards so we can-- that we can see some examples?

Senior Planner Jerome stated there are other permitted containers in town, but due

to the, you know, the variance in architecture throughout the Town, every one is a little bit different. Um, in some cases, they've added, uh, kind of a faux roofline, in some cases, siding. Um, there-- it's kind of all over the place on how people choose to address that. And as Evan noted, it's kind of, uh, not explicit in the code as to what is acceptable.

Commissioner Henderson stated yeah. As I was-- I was reading through and I was thinking about it, I came up with just a few things, and they kinda match what you've listed already, but I'll throw them out there so how we can get from point A to point B, maybe, but-- or some suggestions, but, you know, materials like wood paneling thrown on, um, even some stuccoers, no-not to make it a house, but some vinyl siding or something that mimics a traditional structure. Um, as you mentioned, Jared, like a pitch-type faux roof. Um, and then even if people-- and this wouldn't be the structure itself, but even if they put some hedges or something around it to make it look more like a-- another property, I think. Those are just suggestions. But I look forward to hearing what a-anyone else has.

Chair Vasconcelos stated Vice Chair Thomas.

Vice Chair Thomas stated Uh, yeah. Um, boy, these things are loud. Um, yeah, I, uh, I agree with Commissioner Henderson on that. Um, I don't know. Like, I guess the, the best way maybe to look at this thing might be to see if there's a way that we can say that, "Hey, you know, if you've got a siding on the house or stuccoer on the house or whatever, maybe you just match the house." It's, it's not that difficult. It's not that hard to put these types of sidings, and it'll look like an extension in a garage or an ADU or a casita or something like that, I think might be the best solution. Something to break it up. Something to break it up. Yeah. That's about all I have on it.

Chair Vasconcelos stated Mr. Noonan.

Commissioner Noonan stated, yeah. So that illustration looks exactly like a shipping container that you would find on a train or on a shipping board or whatever. So there's literally nothing that I've seen there that makes it not look like a shipping container. My thought would be-- a-and is there a general consensus of what are these things being used for on these properties? Are they simply storage? Are they ADUs? What, what-- is any of that part of the consideration?

Assistant Planner Willoughby stated this is concerning shipping containers that are used for storage.

Commissioner Noonan stated, okay. Okay. So, um, all right. So i-in that light, maybe we can have a uniform kind of use, depending on what it's being used for, then, then some kind of uniform look where it's a storage facility that maybe matches, but that

thing looks exactly like a shipping container. Like, I don't know. Uh, siding would be good. Um, I don't know if you can put a pitch roof on the darn thing, but, uh, I can't think of much that's not gonna make that thing look like a shipping container. So that's about it.

Chair Vasconcelos stated Mr. Stoker.

Commissioner Stoker stated y-yeah. The-- my only quandary with this is when there is a, uh, building that's made out of shipping containers that it passes the eye test. So I, I think when you see a home that's made out of containers and has sliding glass doors and windows and other features cut into it, just from the street, you know you're looking at a home rather than a container sitting.

Chair Vasconcelos stated storage unit.

Commissioner Stoker stated a storage unit. So I, uh, a-and I don't know how to codify that if that needs to be changed. Um, but I think that's what the intent of the code is, is that it needs to feel and look like it's something different rather than just a container sitting on a slab. Um, and I don't think paint-- for me, paint is not the consideration to make it feel architecturally different than a container. This just looks like a container that's painted gray. Um, a-and I, I think that's probably something that passes an eye test for either staff or, or the director is that when you're looking to use the code to approve something, it needs to pass some sort of eye test. And for th--

You know, our example in front of us, it doesn't pass that eye test, in my opinion. Um, i-if there's a house that's--you know, if it was steel siding that looked just like the container, maybe that would be a different consideration.

[inaudible] right, sir.

You know? If the house had steel all around it and it's a siding house and now you're integrating this container into that a-architectural-- i-it's already an architectural element being used elsewhere, I think it would, would look differently.

So, if it wasn't like we're matching the roof metal or that, that metal siding was all up and down the sides of the building, I think that would be something that could be a better argument for, um, for that metal siding appearing on a container. But e-either way, it just looks like a container sitting in the backyard, so.

Commissioner Thomas stated, yeah.

Commissioner Stoker stated, lets see. Um, that's what I have. Thank you.

Chair Vasconcelos stated, so just for my own clarification on this, we're not specifically looking at this one example. We're just being asked for future examples of this particular thing, how to enforce the code into making it looking like it's not a shipping container.

Assistant Planner Willoughby stated that is correct. Although this is one spec--this is one example, this would apply to any others under the same code section being processed by staff.

Chair Vasconcelos stated, I don't want us to get hung up on just this pa-particular example.

Commissioner Thomas stated, yeah.

Chair Vasconcelos stated we have to think as a whole in regards to all of them that would be coming in to [crosstalk]

Commissioner Thomas stated, yeah. Let me ask this. I mean, uh, uh, I wish I would just, um, this is why I kind of went back to what I said earlier is that, you know, when you have something like that and you have all these different variables and it can look like this and it can look like that. We can put this on top of it. Maybe the easiest thing would be it's got to match the house. Whatever's-- whatever you have on the outside of the house, whether it's stuccoer siding, it looks like a shipping container, whatever, if you want to use it as storage or a casita or ADU, maybe just match the house. Maybe that's the easiest thing. So there's not a lot of, "Well, I don't like this, and I don't--" You know, 'cause then we're gonna start getting into all of that.

Commissioner Stoker stated match the house and the trim. I mean, you look at--

Commissioner Thomas stated, yeah. That's it.

Chair Vasconcelos stated--you look at the house, the, the, the way that the look is, I mean, there's--

Yeah. --there's some, you know--

Commissioner Henderson stated I, I like that, M-Matt, as far as match the house that's existing and that some of the things listed and the staff has listed. Those are things you can incorporate. The features.

Commissioner Thomas stated sure. Yeah.

Commissioner Henderson stated absolutely. As opposed to saying, "Do these things, but match the house. These are some things you can do to help match the house."

Commissioner Thomas stated right.

Chair Vasconcelos stated and make it-- and make it seem like it's not a shipping container.

Commissioner Thomas stated right.

Chair Vasconcelos stated like, you could put the fa-- the faux, like, windows or something on there that could match----potentially what the other one does, or match the, the coloring of-- like, make a s-- I don't know.

Commissioner Thomas stated trim pieces and things like that, you know--

Chair Vasconcelos stated trim pieces. Yeah.

Commissioner Thomas stated,--to make it look like an extension of the house. Yeah.

Commissioner Stoker stated and I'm not sure who mentioned landscaping, but even something as simple as landscaping--

Commissioner Thomas stated yeah

Commissioner Stoker stated--can change a lot [crosstalk], so even if there was, like, a-- you know, if there was a hedge of ficus on the backside of this thing on three sides not facing the backyard, if facing the street and neighbors had some sort of landscaping, I think that would even help.

Yeah

Chair Vasconcelos stated--if they were to do some sort of like extension off of that with some sort of patio-looking thing----that comes there, would make it look different. Uh, is this something that we could have, uh, the Commission review on a case-by-case basis as they come in for a-- for approval of like, "Okay, here's what they want to pa-- pa-- propose," and then we can review it and say, "Yes, this is-- this is what it is about that." I mean, we, we can give them the guidelines of like, "Gosh, this mic is bad." I'm like, "I'll put them two feet away."

And, uh, um, what are they saying? So, you know, we could provide them sc-- ideas of what to do, but then they're gonna just come back with whatever they want. And at the same time, it's like they come back-- [inaudible] is almost like what they do with

our landscape when we pro-- uh, accept landscaping. They bring it back to the Commission for us to review and say, "Yes, this looks acceptable for us to approve."

Assistant Planner Willoughby stated, so ultimately, um, what staff and the public, uh, would need are clear standards that both staff and the public can, can follow. Um, although the code does have standards for architectural compatibility in general, which are just above the section about cargo shipping containers, which state, 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. That is-- that is an option in general for accessory buildings, for the Planning Commission to take action on it. Um--

Chair Vasconcelos asked, are there any examples that you could provide us of other, you know, jurisdictions that have, like, a standard for this type of o-- of, of, uh-- do I now-- I need to get closer? [inaudible]

She's the [least?].

Chair Vasconcelos stated, yeah, so, uh, what examples are we-- I mean, when this code was, was established, what was the guidelines of, of reviewing it for something of this, this, uh, situation? Is there other agencies that have something similar that we could maybe have a look at to guide us a little bit better, uh, in regards to that type of, uh, uh, condition that you need guidance on and, like, set rules of, "Here's what we wanna see. Please follow these rules for us to be able to approve it."

Assistant Planner Willoughby stated staff would need to perform some research to bring, uh, some information back to the Commission on that, but we can definitely do that if that would be the Commission's request tonight.

Chair Vasconcelos stated, I don't--

Commissioner Stoker stated I think so. Yeah. And even then, just some of the different photos of stuff we've approved that staff has thought met, met this code and worked, it'd be cool to see wh-what we approved previously that in staff's determination was acceptable just to understand some, some more case study, I guess.

Commissioner Noonan stated so i-it seems like basically what would be obviously paint alone isn't gonna do it.

Group response, no.

Commissioner Noonan stated--perhaps, uh, you know, one architectural element, uh, uh, modification and then an attempt to match, uh, consistency with the actual housing structure might be-- might be a way to go down that road. You know, if you can hit maybe two of those parameters somehow, and then the rest could be maybe discretionary.

Commissioner Stoker asked, and is this the same kind of code that's also similar to other accessory structures that have to be architecturally compatible? 'Cause I f-- I feel like - I don't know - there's a couple of different instances in town where I think that color was the architectural compatibility that we've all looked back on and said, "I wish we wouldn't have approved that."

Assistant Planner Willoughby stated, so the codes are-- the codes are a little bit different, and they're split into two sections, B and C, under this--under this code section. For architectural compatibility of accessory buildings in general, the code states, "Any accessory building greater than 120 square feet in area shall be architecturally compatible with the primary building. To be considered architecturally compatible, accessory building 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, stuccoer, or similar materials. And then proposed accessory buildings which do not conform to these architecturally compatible standards may be reviewed and act upon by the Planning Commission based upon consistency and compatibility in the residential neighborhood and surrounding areas." Now, the key difference in the co-language that follows applicable specifically to that cargo and shipping container is that it must be architecturally treated to not appear as a cargo/shipping container. So it is--it is more stringent on that specific, uh, type of building.

Commissioner Stoker stated thank you. [inaudible]

Commissioner Stoker stated, yeah. It'd be cool to see what some of the other examples that don't look like a container, what that feels like that we've previously or have been previously approved. 'Cause obviously, just color doesn't do it 'cause it looks like a container sitting in the backyard.

Group, response stated agreed.

Commissioner Henderson stated so I agree. I mean, uh, because I like Commissioner Thomas's, uh, plan of just having it match the house. I like commissi-- uh, the Chairman's suggestion of, of additional research to see what other communities might be doing. And then maybe we come back and we can finalize something that aligns with those.

[crosstalk] Yep.

[crosstalk] So should we make a motion to continue this

[crosstalk] Great.

Commissioner Henderson asked, is that good for staff? Can we continue this then?

Assistant Planner Willoughby stated, yes. Uh, staff understands the commission's direction. I'll just reiterate. Uh, the Commission would request that staff perform some additional research to bring back to the Commission on other jurisdiction standards relating to this topic and provides examples within the town of other previously approved containers that were closely compatible with the primary building and continues the [inaudible].

Commissioner Henderson stated yeah. I'd like to make a motion to continue Developmental Code Interpretation, DCI 01-26 for staff to do additional research.

Motion:

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. Motion made to continue Developmental Code Interpretation, DCI 01-26 for staff to do additional research.

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

Mover: Commissioner James Henderson

Second: Commissioner Clint Stoker

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

5. Land Development Update

Chair Vasconcelos stated all right. Moving on to item number five, Land Development Updates. Staff report.

Senior Planner Jerome stated, good evening. Uh, there's quite a few slides in this one, so I'll try and be efficient. Um, Starbucks West, as you know, um, very, very, very

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



To: Planning Commission

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

Date: March 17, 2026

Meeting Date: March 24, 2026

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

Recommendation:

That the Planning Commission reviews Chapter 9.07 Residential and Hillside Reserve Districts, Section 9.07.060(C) and adopts Resolution No. PC 26-03, attached to this staff report.

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.

The Planning Commission reviewed this item at their meeting of February 27, 2026, and requested additional information from staff, including examples of policies regulating storage/shipping containers from other communities and other shipping containers that have been permitted in Town, which have been attached to this updated 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.

Staff research of other jurisdictions identified that where storage/cargo containers are allowed as permanent residential accessory structures, architectural treatment and/or screening are required. The codes below cite a variety of approaches to ensuring compatibility with the primary residence or surroundings, including but not limited to the following:

- Wood siding
- Stucco siding
- Masonry siding
- Decorative siding / exterior cladding
- Full exterior “skin” or enclosure
- Stick-built enclosure with eaves
- Pitched roof addition
- Matching paint / compatible color schemes
- Matching trim details
- Matching roofing style
- Landscaping (screening)
- Opaque fencing (screening)

The **Town of Apple Valley** regulates architectural compatibility of storage containers in residential districts as follows, based on Town of Apple Valley Development Code, Chapter 9.29 Specific Use Regulations for Residential Districts, Section 9.29.020 Accessory Uses and Structures (E):

Architectural Compatibility. *Accessory structures larger than one hundred twenty (120) square feet in area or taller than eight (8) feet in height shall meet the architectural compatibility with*

primary structure requirements for residential districts found in Chapter 9.31, Residential Design Standards of this Code.

1. Accessory structures larger than one-hundred, twenty (120) square feet in area or taller than eight (8) feet in height and located in front of the back line of the house shall be constructed of materials and colors which are similar to the primary building on the site. Structures built on site, or structures assembled from modular or similar units on site, or structures assembled off site and moved on site as one unit may not use metal exteriors except as described below and as described in Section 9.29.022. Structures built, assembled or fabricated, off site having metal exteriors, such as metal containers, cargo containers, freight and similar containers, modified trailers, modified rail-road cars, butler buildings, and the like, are expressly prohibited, unless said container and roofline/structure is covered or skinned with siding materials (i.e. wood, stucco, or masonry) similar to the primary residence and the design is compatible with the primary residence. All applicable building permits for alteration of prefabricated structure shall be required.

The **City of Twentynine Palms** regulates architectural compatibility of storage containers in residential districts as follows, per City of Twentynine Palms Development Code, Chapter 19.70 Accessory Uses and Structures, Section 19.70.060 Allowed Uses and Development Standards-Residential:

C. Seagoing cargo containers and similar storage facilities may be permitted as permanent storage facilities on a lot containing a residence subject to the following conditions. A maximum of two cargo containers are permitted on any residentially zoned property.

- 1. Approval of a Cargo Container Review Permit where it is demonstrated that the requested container(s) is to be located within the rear one-half of the lot and shall be screened from view of any public rights-of-ways or adjacent residential properties by residential structures, landforms or physical features of the lot, landscaping or opaque fencing of up to eight feet in height, with any visible remaining exterior portion of the container(s) painted in a manner compatible with the principal residence on-site.*
- 2. Screening shall be waived if the container(s) is/are completely encased within an on-site, stick-built skin and eaves, which are architecturally consistent with the primary residence on-site and are in compliance with the required setbacks for the zoning district.*
- 3. Containers shall be maintained in reasonable aesthetic condition at all times, as determined by the Community Development Director; shall not exceed 50 percent of the floor area of the primary residence on-site, inclusive of all accessory structures; shall not be stacked one atop another; and shall not be used for habitation of persons or animals.*

The **City of Escondido** regulates architectural compatibility of storage containers in residential districts as follows, per Chapter 33 Zoning Code, Article 36 Cargo Container Restrictions, Section 33-722 Authorized residential use and 33-727 Standards:

A cargo container may be allowed in the RA and RE zones only for storage uses if it meets all of the following requirements:

- (a) A parcel within the RE and RA zone must be a minimum of one acre in size. Only one cargo*

container is allowed for the first one acre and one additional cargo container per every additional five acres.

(b) A legal primary use exists on the property.

(c) The cargo container meets all applicable use, development standards and maintenance regulations in the Escondido Municipal and Zoning Codes.

(d) The cargo container is appropriately screened from public view by fencing, landscaping, terrain, buildings, exterior architectural enhancements to the container (i.e., decorative siding, pitched roof, etc.) or some combination of these methods.

(e) Cargo containers must meet setback requirements for primary structures, but shall not be allowed closer than 10 feet to any property boundary. A container also must maintain a separation of 10 feet from the primary structure and other accessory structures, except for other authorized cargo containers.

(a) It is unlawful for any property owner, tenant or other responsible party to use, allow or maintain a cargo container in violation of any standard provided in this section.

(b) Cargo containers shall not be stored in a manner that impedes access to public rights-of-way, public utility or drainage easements or adjacent structures and buildings. The cargo container(s) shall not block, obstruct, or reduce in any manner any required exits, windows, vent shafts, parking spaces, and/or access driveways.

(c) Cargo containers may be used for storage only and shall not be used for human habitation or for commercial business purposes.

(d) Cargo containers shall not be used to store hazardous materials in violation of any local, state or federal requirements.

(e) Cargo containers may not occupy any required off-street parking spaces, loading/unloading areas, or fire lanes. Parking spaces may be used for temporary storage in commercial zones to support seasonal events provided the amount of spaces is not more than 20% of the required parking spaces for the sponsoring business or 5% of the overall spaces within a commercial center containing multiple tenants.

(f) No signage shall be allowed on any permanent cargo container.

(g) Cargo containers shall not be stacked on top of each other or on another structure.

(h) Containers shall be prohibited from having windows, heating and cooling, plumbing, or multiple entrances. Cargo containers may include passive systems to provide appropriate ventilation. Utility services shall not be provided to the container.

(i) All cargo containers shall be operated in a safe manner, and be structurally sound, stable and in good repair. The container shall not contain any holes, peeling paint, rust, damage or structural modifications.

(j) Cargo container(s) used for long-term storage shall not be visible from the portion of any public or private road that abuts the lot or property. Acceptable screening features for a cargo container include landscaping, fencing, terrain, existing structures, exterior architectural enhancements, or a combination of these features.

(k) Cargo container(s) used for temporary storage in commercial zones may not be placed within any designated landscape or storm water facility.

(l) Cargo container(s) shall be painted a nonreflective neutral color that is compatible with the primary structure or to blend in with the surrounding environment.

The **City of Murrieta** regulates architectural compatibility of storage containers in residential

districts as follows, per City of Murrieta Development Code, Chapter 16.44 Standards for Specific Land Uses, Section 16.44.150 Residential Accessory Uses and Structures (K):

Cargo Containers As An Accessory Structure. The purpose of this section is to allow cargo containers to be placed on private property in a permanent manner that is safe and secure, will not create adverse impacts to either the property on which they are located or to the immediate residential neighborhood and will not become a nuisance to the community.

1. Permanent use.

a. It shall be limited to one (1) cargo container for parcels between one (1) and two (2) acres. One (1) additional container may be proposed for parcels greater than two (2) acres.

b. The permanent placement of a cargo container shall be limited to the Rural Residential (RR) and Estate Residential 1 (ER-1) zones that are greater than one (1) acre or more.

c. The approval shall be specific to a location and shall not be transferable to other locations or property.

d. It shall meet all requirements as set forth in the California Building and Fire Code(s).

e. It shall be limited to a "storage occupancy" as categorized under the California Building and Fire Code(s).

f. It shall be accessory to the primary use of the property for the storage of nonflammable, noncombustible, nonhazardous materials and supplies.

g. The cargo container shall be modified in such a manner to match the main residential structure in terms of exterior colors, trim, and roofing style. On larger parcels, over two (2) acres or more, the modifications shall be limited to the paint color of the exterior in terms of matching the main residential structure.

h. Structure setbacks shall be provided as noted in Table 16.44.150-1.

i. It shall comply with height and lot coverage thresholds as defined within Rural Residential (RR) and the Estate Residential 1 (ER-1) zones.

j. Landscape screening methods shall be provided on-site for the portions of the container visible from the public right-of-way to the satisfaction of the Development Services Director or their designee.

k. Existing cargo containers at existing residential properties can remain in place 18 months from the effective date of Ordinance

Photo examples of architectural treatments for storage containers as permanent residential accessory structures are provided below from the City of Murrieta.



Photos of a storage container permitted as a permanent residential accessory structure to a multifamily residence within the Town are depicted below.



Alternatives

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

Fiscal Impact:

None.

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
7. Resolution PC 26-03

Chair Thomas stated yeah. Uh, yeah. I, I concur with the commissioners. Yeah, I was looking at this thing and thinking that, you know, this may be an insurance, uh, push, you know, from their insurance company saying, "Hey, you know, you got people driving across this lot all the time. You got-- exposing yourself to big liability." And I'm thinking that the split rail is probably the most cost-effective thing they could put up-- it's attractive. --and most attractive. Yeah. 'Cause I agree barbed wire would be awful and-- but most wood stuff doesn't-- uh, doesn't last up here, so they're probably gonna be doing a lot of repairs. But I have a feeling it's probably just to keep their insurance company happy. Uh, wi-- so with that, I'm, I'm good with it as well too. So who wa-- anybody wanna make a motion on this?

Commissioner Vasconcelos stated I'll make a motion to approve design review EC 02-26 at 7021 Airway Avenue.

[crosstalk] With additional-- with the additional stuff from staff [crosstalk].

Chair Thomas stated condition is to the right of way [crosstalk]--

Commissioner Vasconcelos stated yeah, with the-- we-- and with, uh, including the, the flood channel, making sure if they-- if they-- gosh, how am I gonna say this? I'm not sure--

Assistant Planner Willoughby stated uh, uh, I can address that. Um, so to address that, uh, fencing may not project into the recorded San Bernardino County Flood Control District easement without San Bernardino County Flood Control District permit and may not project into dedicated right-of-way.

Motion:

That the Planning Commission approves the proposed fence material, Split Rail Wood Post Fence - Illustration #49 of the Commercial Design Guidelines and proposed corral gate, for Design Review (EC) 02-26 at 7021 Airway Avenue, based upon the Commercial Design Guidelines and the information contained within the staff report and recommended conditions of approval.

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

Mover: Commissioner Alejandro Vasconcelos

Seconder: Commissioner James Henderson

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

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

Chair Thomas stated okay. We move to, uh, item number 11, Development Code

Interpretation DCI 01-26 architectural compatibility of cargo shipping containers in residential zoning districts. Staff.

Assistant Planner Willoughby stated, thank you, Chair and Commission. Um, this is Development Code Interpretation, DCI 01-26, architectural compatibility of cargo/shipping containers in residential zoning districts. The recommendation is that the Planning Commission reviews Chapter 9.07, Residential and Hillside Reserve Districts, Section 9.07.060C, and adopts resolution number PC 26-03 attached to the staff report. Uh, the Planning Commission previously reviewed, uh, this item at the latest meeting of, uh, February 27th, 2026, uh, requested some additional information from staff, including examples of other policies from other jurisdictions, regulating cargo or shipping containers-- and other shipping containers that have been permitted in town attached to this updated staff report. Uh, this is, uh, what we went over at our previous meeting. Um, very briefly, um, our development code allows cargo or si-- shipping containers to exist on residential properties, uh, without architectural treatment only on properties that are 2.5 acres or greater. UH, with properties that are lower than 2.5 acres, they are subject to being on a permanent foundation and be architecturally treated so as not to appear as a cargo or shipping container.

So, staff jurisdic-- staff research of other jurisdictions identified, uh, that where they are allowed as permanent residential accessory structures, architectural treatment and/or screening are typically required. Um, the codes I'll go through in the following slides do cite a variety of approaches to ensuring that compatibility with the primary residents or surroundings, uh, including some of the following examples, such as various sidings, whether that's wood, stucco, masonry, or decorative sighting. Um, full exterior skins, uh, or enclosures or stick-built enclosures. Uh, pitched roofs, matching paint or compatible color schemes. Matching trim details. This is all matching with the primary residence, of course. Uh, matching roof style, landscape screening, or opaque fencing as another screening element. Um, Town of Apple Valley is one jurisdiction that does allow it. Um, highlighted in yellow and in bold, their criteria for architectural treatment is covered or skinned with siding materials, wood, stucco, or masonry, similar to their primary residence, and the design is compatible with the primary residence. City of Twentynine Palms, um, identifies a few different criteria. So screened from view for many public rights-of-way or adjacent residential properties by residential structures, landforms, or physical features of the lot, landscaping, or opaque fencing of up to eight feet in height with any visible remaining exterior portion of the container painted in a manner compatible with the principal residence on site. Uh, on-site stick-built skin and eaves, which are architecturally consistent with the primary residence on site. And, uh, containers shall be maintained in reasonable aesthetic condition at all times as determined by, um, their director.

City of Escondido, uh, has similar, uh, to the previous two, screened from public view by fencing, landscaping, terrain, buildings, exterior architectural enhancements to the container, such as decorative siding, pitch roof, etc., and/or, uh, painted a non-reflective neutral color that is compatible with the primary structure or to blend in with the surrounding environment. City of Murrieta, which we also have some picture examples attached, uh, their criteria is to match the main residential structure in terms of exterior colors, trim, on-- and roofing style. Um, furthermore, over two acres or more on the parcel size, the modifications shall be limited to the paint color of the exterior in terms of matching the main residential structure and landscape screening method shall be provided on site for portions of the container visible from the public right-of-way to the satisfaction of the development services director or their, their designee. These are some examples that the city of Murrieta provides in their memo on this specific topic. So you, uh, can see the top example. They've added some, uh, architectural enhancements, some patio, um, some additional roof elements to the container, and, um, just a decorative feature next to it to further screen or obscure the fact that it is indeed a container.

The one to the bottom is a little bit more unique. It looks somewhat like a spa or sauna someone might, might, uh, order. Um, but that does seem to make it appear, um, that it's not a shipping container at first sight. Uh, this is one example that we were able to identify from prior years permitting. Um, this is on a residential property in town. Um, the architectural treatment that they are making-- and I don't think they've completely finished their building permit process. There may be additional elements that they're adding here. But you can see that they have added basically a, a faux roof line, um, to make this container appear, at least from, uh, this elevation that we took it, uh, to not look like a container at first sight.

Two containers.

Now, the, uh, resolution, which is a draft resolution attached, um, provides some potential clarity that the Planning Commission may, may give us. Um, the resolution in part states that the Planning Commission does hereby declare that a cargo or shipping container on a residential property containing less than 2.5 acres shall be on a permanent foundation and architecturally treated so as not to appear as a storage container by providing a minimum of three of the architectural treatments listed below, each of a different type, and that the Planning Commission may require additional architectural treatments as necessary to ensure consistency with town standards. So those examples provided by the proposed resolution are residential exterior cladding, such as stucco, wood siding, or masonry veneer, trim elements such as corner boards, fascia, soffits, um, fi-- pitch roof with complementary roofing materials, extended eaves or parapets, uh, simulated or faux non-operable residential style windows, decorative facade elements such as awnings and shutters, uh, complementary paint and color scheme, and landscape screening integrated with the

structure. So the recommendation is that the Planning Commission reviews, uh, Chapter 9.07, Section 9.07.0060C adopts the proposed draft resolution number PC 26-03 attached to the staff report. And staff is available for questions following public comment.

Chair Thomas stated, thank you. Uh, obviously, no one else in the public that wants to comment on this, but we'll look online. Nothing there. Okay, we'll start back on my right to Commissioner Vasconcelos.

Commissioner Vasconcelos stated, thank you, staff, for that detailed report. Like we asked you to bring you, you brought back some good information for us to discuss and to think about. Um, I do like the resolution that you've kind of drafted up here regarding the three different elements. Um, the siding and making sure, uh, it is, you know, similar type of materials that can conform with, you know, the existing exterior of the building. Uh, I liked the, the comment from one of the cities. They were saying that, you know, if it was more than two acres, it wasn't required to do a specific-- you know, as many kind of details because, you know, the, the pro-property is, is larger.

[inaudible], yeah.

Commissioner Vasconcelos asked is there-- is there anything in ours that says that if that-- uh, if it is larger? I saw that i-it said in here, you know, y-- it has to have-- you know, "Anything that's, uh, smaller than two and a half, it needs to be on, um, you know, concreted-- anything larger than two and a half acres shall be on a permanent foundation and architecturally treated," but.

Assistant Planner Willoughby stated to answer your question, yes, our code, um, does have a similar provision. So above that 2.5 acre threshold, a property owner can have a container on their property without a permanent foundation, without architectural treatments.

Commissioner Vasconcelos stated okay.

Assistant Planner Willoughby stated that is allowed under current code.

Commissioner Vasconcelos stated okay. G-good. Um, I think that-- I mean, I, I think all the, the-- uh, I think if we do meet three of the-- of the, the architectural treatment elements that are provided here, I think that'll be good enough to make it seem like, uh, uh, it's not just a shipping container on a property. Um, I don't know if there's particular materials that we wanna exclude or types of materials on the different types of buildings that may be causing-- you know, might cause an eyesore or something along the line. You mean-- I don't know. People can get creative with what they have--

Chair Thomas stated yeah.

Commissioner Vasconcelos stated--but I don't know if there's something that we need to discuss as a group to-- uh, to find [crosstalk]--

Assistant Planner Willoughby stated so as, as one example, um, one thing that may be commonly prohibited, and I think at least one ordinance addresses it, uh, from the examples provided is reflective siding.

[crosstalk] Yeah.

Assistant Planner Willoughby stated um, so for the Planning Commission's consideration.

[crosstalk] That was--

Yeah.

Commissioner Vasconcelos stated--that was a concern. So I'm-- but thank you for the hard work and, you know, uh, I'm pass it on and we can continue the discussion.

Chair Thomas stated yeah. Commissioner, uh, Stoker.

Commissioner Stoker stated yeah, thank you again staff for all the digging through other people's ordinances and, and code. Um, there were some particular ones that I thought were interesting. Um, the City of Escondido, uh, ha-had a item that just said, "No signage shall be allowed on any permanent cargo container," which I, I appreciated not only for smaller than 2.5 acres, but larger than. It just kinda gets out of that realm where you see, like, a shipping company out in the middle of the desert where it's burgundy and says, you know, "Property of whoever they bought that container from--" um, but that kind of, "No signage shall be allowed," makes it to where you have to paint it. Um, the other one that I thought was really interesting, also in Escondido, said that, "Cargo containers shall be painted a non-reflective neutral color that is compatible with the primary structure or to blend with-- in with the surrounding environment. So for us, I think that would be like a n-- a desert-neutral tan or something that kinda makes it go away rather than look like a burgundy container out in the middle of the desert, um, which I think is kind of the intent of what our code is, is asking for. Um--

[crosstalk] As unobtrusive as possible.

Commissioner Stoker stated yeah, just, just to make it go away.

[crosstalk] Yeah.

Commissioner Stoker stated the other int-interesting things that I saw, and I didn't dig into ours again after reading all these, but I liked the other, language in item C on packet page 1,638, which is kind of where I saw most of the things I liked, um, where it said that, "Cargo containers may be used for storage only and not for human habitation, and that they may not be used to cons-- to store hazardous materials, um, in violation of any state, federal, blah, blah, blah." Additionally, in Murrieta, uh, they had an interesting-- uh, where was the one that I really dug on them? Oh, oh, th-their, their item G said that, "A cargo container should be modified to match the residential structure," which is similar to ours utilizing three of those styles. "And on larger parcels over two acres, the modification shall be limited to the paint color of the exterior." And s-so that, that was kind of a nice little bit of language that maybe addresses larger, larger parcels and makes it to where they're no-- they're not-- also not an eyesore, even though there-there's less regulation on those. Um, in all of them, I really appreciated the landscape screening methods, um, which I think is probably the most attractive of anything, is having some sort of plantings or hedge or trees to kind of stop the-- just looking like a container.

Um, and then I really dug on packet page 1,639, item K, which stated, "Existing cargo containers at an existing residential property can remain in place 18 months from the effective date of this ordinance." So at least it s-- kinda sun-- it kinda sunsets the existing non-conformity that may be out there and allows us-- allows us to bring some more of those existing non-conforming containers into conformance. That way it's not like we're in, in essence just picking on one. It gives us some--

[crosstalk] Right.

Commissioner Stoker stated--teeth to be able to get more people into, into conformity.

Chair Thomas stated Vice Chair Herensor-- Henderson.

Commissioner Henderson stated, yeah, some really good points by everyone and a great job by staff on putting this together. The one thing that stood out to me at the last meeting was Chair Thomas when he had said that he would like to see some language about-- Twentynine Palms does a good job of, of putting this in there on page 1,637 where they say, "Which are architecturally consistent with the primary residents." And I think that, you know, this draft-- the resolution we have is great. I would love to see that language put in there by providing a minimum of three architectural treatments so that the, the unit is architecturally consistent with the primary residence or somehow aligns with the primary residence.

[crosstalk] Right. Right.

Commissioner Henderson stated I think that would be good 'cause you don't want-- I, I don't know. It just sounds--

[crosstalk] Yeah.

Commissioner Henderson stated--right.

[crosstalk] Yeah. Yeah.

Vice Chair Henderson stated it gives them a, a playing field to go for. But that's all I have.

Chair Thomas stated, okay. Uh, Chairman Noonan-- or not Chairman Noonan. Thank you. Commissioner Noonan.

Commissioner Noonan stated, thank you. Um, so I'm, I'm, I'm happy with the-- um, hitting the three elements that are listed. I think that'll, that'll take care of it. And that would be also including that they have to be on a certifiable pad, correct?

Assistant Planner Willoughby stated yes, that's--

[crosstalk] Yeah. Yeah.

Assistant Planner Willoughby stated --current code.

Commissioner Noonan stated so the pad plus any three of these elements, uh, being in the wording, I think, uh, would, would be great. So I, I like-- I like the work you did. Uh, we've got lots to, to look at and choose from, I think, in drafting ours, so.

Chair Thomas stated, yeah. uh, thank you, Evan, and, uh, to the staff for, uh, putting together and getting the information that we asked you guys to do. You did a great job on that. Um, yeah, I'm in agreement with everybody regarding the, uh, consistency and, you know, three elements. Um, I, I like what, uh, Commissioner Vasconcelos said that if the lot is over two and a half acres, maybe we don't, you know, be so sticky on some of this, uh, uh, you know, if the properties are really large. Or the other item, too, is-- uh, 'cause, uh, I, I know you guys have had some issues with that. But if you get a, a plumber that's in a house that's on a commercial setting and he's got a shipping container there to store his stuff in, maybe that shouldn't apply either because it's on a commercial zone property as opposed to being in residential. So, um, we've, we've seen some of that stuff going around a little bit, but,

uh, that's just something to bring up.

Deputy Town Manager Stueckle stated, I think staff has sufficient direction that we can go back, make modifications to the resolution, return it back to the commission for final action.

Commissioner Stoker stated okay. Would it be applicable to, to continue this then? Continue the action. Actions to continue?

Deputy Town Manager Stueckle stated or just receive in file this evening. Yeah. Just bring-- just bring--[crosstalk]

Um, Gi-giving staff--

--a motion to receive in file [crosstalk]--

Deputy Town Manager Stueckle stated--direction, we'll return the matter back to you.

[crosstalk]Yeah.

Chair Thomas stated, okay. I'll, I'll make the motion to receive in file.

Motion:

That the Planning Commission reviews Chapter 9.07 Residential and Hillside Reserve Districts, Section 9.07.060(C) and adopts Resolution No. PC 26-03, attached to this staff report. Motion to receive and file.

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

Mover: Commissioner Mathew Thomas

Second: Commissioner Gerard Noonan

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

12. Policy Discussion on Minimum Single-Family Residential Dwelling Unit Size

Chair Thomas stated okay. We go to, uh, item number 12, policy discussion on minimum single-family residential dwelling unit size.

Assistant Planner Willoughby stated, thank you, Chair and Commissioners. This is on packet page starting 1,687. The recommendation is that the Planning Commission retains the current minimum standard of 725 square feet for single-family residential dwelling units and discusses the policy information provided in the staff report. Alternatively, uh, the Planning Commission provides a recommendation to the town

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



To: Planning Commission

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

Date: April 20, 2026

Meeting Date: April 28, 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.

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