

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, JUNE 23, 2026
Yucca Valley Community Center - Yucca Room
57090 Twentynine Palms Highway
Yucca Valley, CA 92284

<https://zoom.us/j/97087685631?pwd=JGCMxMrbbUFVoiDvy7abKDaxCkTtg.1>
Meeting ID: 970 8768 5631 Passcode: 60820

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.

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Planning Commission

James Henderson
Gerard Noonan
J Clint Stoker
Mathew Thomas
Alejandro Vasconcelos

* * * *

TOWN ADMINISTRATIVE OFFICE:
760-369-7207
Public Comments: townclerk@yucca-valley.org
www.yucca-valley.org

AGENDA
MEETING OF THE PLANNING COMMISSION
TUESDAY, JUNE 23, 2026, 6:00 PM

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

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

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

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

OPENING CEREMONIES:

Call to Order

Roll Call

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

Pledge of Allegiance

Approval of Agenda

1. Approve the meeting agenda for June 23, 2026, as prepared.

Recommendation:

Approve the meeting agenda for June 23, 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 May 26, 2026, as prepared.

Recommendation:

That the Planning Commission approves the minutes for May 26, 2026, as prepared.

3. Approve the meeting minutes for June 9, 2026, as prepared.

Recommendation:

That the Planning Commission approves the minutes for June 9, 2026, as prepared.

Public Hearings

4. Tentative Tract Map 20848 & Environmental Assessment 01-25, Yucca Trail Reversion to Acreage

Recommendation:

That the Planning Commission finds that the project is exempt from CEQA under Section 15305(C), Minor Alterations in Land Use Limitations, as the proposed project consists of a reversion to acreage in accordance with the Subdivision Map Act;

And that the Planning Commission approves Tentative Tract Map 20848, a reversion to acreage from 18 existing lots, located at the south-west corner of Yucca Trail and Emerson Avenue, bounded by Yucca Trail to the north and Arcadia Trail to the south, created by Tract Map 17328, to a single parcel, approximately 9.21 acres in gross lot area, while retaining the existing offers of dedication and easements identified on Tract Map 17328.

Department Reports

5. Wall Mural Permit (M) 01-26, 55635 Twentynine Palms Highway

Recommendation:

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

And that the Planning Commission approves the placement and application for a proposed mural, Wall Mural Permit (M) 01-26, an application to install a mural on the façade of the commercial structure located at 55635 Twentynine Palms Highway, based upon the information contained within the staff report;

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

6. 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

Announcements

Upcoming Meeting Schedule: The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, July 14, 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: June 15, 2026

Meeting Date: June 23, 2026

Subject:

Approve the meeting agenda for June 23, 2026, as prepared.

Recommendation:

Approve the meeting agenda for June 23, 2026, as prepared.

Prior Review:

There has been no prior review of this item.

Discussion:

None.

Alternatives

None.

Fiscal Impact:

None.

Attachments

None

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



To: Planning Commission

From: Janet Yochmowitz, Administrative Assistant III

Date: June 15, 2026

Meeting Date: June 23, 2026

Subject: Approve the meeting minutes for May 26, 2026, as prepared.

Recommendation:

That the Planning Commission approves the minutes for May 26, 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 5 26 2028 - Final

Town of Yucca Valley
Planning Commission Meeting Minutes
May 26, 2026

Call to Order

Chair Thomas called the meeting to order at 6 pm.

Roll Call

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

Absent:

Pledge of Allegiance

led by Commissioner Noonan.

Approval of Agenda

Motion:

Approve the meeting agenda for May 26, 2026, as prepared.

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

Mover: Commissioner Alejandro Vasconcelos

Second: Commissioner Clint Stoker

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

1. **Approve the meeting agenda for May 26, 2026, as prepared.**

Motion:

Approve the meeting agenda for May 26, 2026, as prepared.

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

Mover: Commissioner Alejandro Vasconcelos

Second: Commissioner Clint Stoker

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

Consent Agenda

Motion:

All items listed on the consent calendar are considered to be routine matters or are considered formal documents covering previous Planning Commission instruction. The items listed on the consent calendar may be enacted by one motion and a second. There will be no separate

discussion of the consent calendar items unless a member of the Planning Commission or Town Staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on consent calendar items should be filed with the Commission Secretary before the consent calendar is called.

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

Mover: Commissioner Clint Stoker

Second: Commissioner James Henderson

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

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

Motion:

That the Planning Commission approves the minutes for April 28, 2026, as prepared.

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

Mover: Commissioner Clint Stoker

Second: Commissioner James Henderson

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

Public Hearings

Department Reports

3. CUP 05-07 Gusa Mini Storage Renewal

Chair Thomas stated okay. We'll go to department reports. The first one is item number three, CUP 05-07 Gusa Mini storage renewal. And I need to recuse myself on this. I'll have Vice Chair Henderson take over for a moment. Okay.

Vice Chair Henderson stated all right. Could we get the staff report, please?

Senior Planner Jerome stated the recommendation for this item is that the Planning Commission approves the extension of time for a conditional use permit. 05-07 for an additional three years expiring on February 19, 2029. So, I believe most of you will probably recognize this project. It's a mini storage project north of Buena Vista and on the west side of SR 247. It's been renewed multiple times since 2008, and the most recent was in 2023. They are working on selling the property, so they'd like to sell it with the approvals. And that's the reason for the request for the extension. Again, the recommendation is that the Planning Commission approves the extension of time for the additional three years expiring on February 19, 2029. That concludes

the staff reports.

Vice Chair Henderson stated okay. Thank you. We'll open it up to public comment. Anybody in the audience wishing to speak on COP 05-07, the Gusa Mini Storage Renewal. Seeing nobody. Anybody online. Bringing it back to the commission. We'll start on my far right, Commissioner Vasconcelos.

Commissioner Vasconcelos stated yeah. From everything I was looking at previously on this, it just seems that we just keep extending this further and further and further. Year after year, it's been extended for so long, and it was approved to, what, 2009, 2008? I mean, how relevant is those approvals compared to our standards today for that type of a job?

Senior Planner Jerome stated as far as if today, could they continue to renew it as well for approval that's let's say three years old type of thing? Yeah, they could still continue to renew a project for those three-year periods.

Deputy Town Manager Stueckle, stated more specifically, I think tied into the Commissioner's question was does the project conform to all of the standards that exist today? And I believe that the project is consistent with all the standards that have been adopted by the Town Council since its original approval.

Senior Planner Jerome stated that's correct. It's still consistent with the zoning districts.

Commissioner Vasconcelos stated okay. That's all I had. That was my main question right there.

Vice Chair Henderson stated okay. Commissioner Stoker.

Commissioner Stoker stated, refresh my memory, but I think we all had a discussion about some of these CUPs that tend to drag on seemingly forever, and there was going to be a push to have those developments either start or abandon that approval? Was that something we discussed at a previous meeting? Or was it this one previously that we discussed it at maybe? I just am curious if the conversations with the owner of the property, is it just they've been waiting to sell it since 2008 and trying to sell it? Or is this the second or third owner? I mean, it just seems like this approval is just hanging on forever in a project that just sits on that back burner, almost in perpetuity.

Senior Planner Jerome stated my understanding is that the ownership has changed. I'm not sure how long the current owner has had it, but I do not believe that the current owner is the same owner that it was in 2008. And the Commission did discuss limiting renewals on conditional use permits and site plan reviews. From my

recollection, it was to keep the current kind of discretionary policy. Basically, review the renewals on a case-by-case.

Deputy Town Manager Stueckle stated, and we'll go back and staff will go back and double-check that last Commission discussion on that item.

Commissioner Stoker stated, I mean, for me, I would like to see something like this actually come to fruition. It seems like we're currently looking at several different projects of the same type. And it's obviously something that has been identified by developers as something that we're maybe in need of. I mean, I especially like the idea of open RV storage because I think that's something that in town, we tend to have a lot of. RVs that hang out in people's front yards that maybe are nonconforming from a code enforcement standpoint and having a facility where people could store their stuff in a place where it's meant for it is probably not a bad thing. It's just getting people to actually develop once we've given approval. And in my mind, almost 20 years is long enough to get something built. So that's the thing that, for me, is a little weird. And it's kind of like all those same things with people that develop lots, and then those lots sit there forever and never go through the improvement process. And now we're dealing with reverting those back to acreage, so this seems like the same kind of thing. I don't know why we're not instructing, but talking to those owners and saying, "Hey, reversion to acreage is a smart way to go," rather than just extending those out farther and allowing those things to--these are the same types of long it's a long discussion to get something like this approved with the CUP. It costs a lot of money, just like doing a lot subdivision would. And we're advising people that reversion to acreage is a smart way to go for them. But this one, we're letting it continue to kick the can down the road forever.

Deputy Town Manager Stueckle stated, so, staff will go back and research the Commission's last discussion on this, and we'll bring that. We'll agendaize that and bring it back to you there is, and there's definitely a good analogy between those subdivision projects and these type of commercial projects, but there is one technical difference on the subdivisions. Both the state law, so, the State Subdivision Map Act, and local ordinances for those maps require a subdivision improvement agreement and require the posting of bonds for the public infrastructure. In both the cases of the reversions to acreage, the owners are refusing to enter into a subdivision improvement agreement, and they're refusing to post the bonds. Therefore, we have to move forward with the reversion. If they would enter into the agreement and post the bonds, they could continue on. So that is the one technical difference, but your analogy is a very good one. But again, we'll bring back that conversation for the Commission to reconsider at a future meeting.

Vice Chair Henderson stated, okay Commissioner Noonan.

Commissioner Noonan stated, yeah. I mean, I don't have any issue with extending it, other than who knows how the surrounding areas has grown up, as long as there's

not a whole bunch of other temporary storage area in the area that have come and been built since then. But again, it looks like we're going to review the last Planning Commissioner notes on it. And so I'm all for that. More information is better. So that's all I got to say.

Vice Chair Henderson stated okay. Thank you. Yeah. I think I sense the frustration, and I echo that frustration, but also, it's good that it'll be that separate issue in its entirety will be coming back to the Commission to discuss. And I think what's important is we look at the application in front of us and the staff recommendation to approve, and then it meets the current requirements. And I'm okay with that. Does anybody else have any more dialogue, or somebody ready to make a recommendation?

Commissioner Noonan asked, so, you want a recommendation to approve the extension of the time for the CUP? Yeah. 05-07 for an additional three years, expiring on February 19, 2029. I'm fine making that recommendation.

Motion:

That the Planning Commission approves the extension of time for CUP 05-07 for an additional three years, expiring on February 19, 2029.

Result: Passed (Yes 4, No 0, Abstained 1)

Mover: Commissioner Gerard Noonan

Second: Commissioner Clint Stoker

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

Abstain: Mathew Thomas

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

Vice Chair Henderson stated, okay. We'll pause while we get Matt--Chair Thomas comes back.

Commissioner Noonan stated, so on that note, we're going to have another discussion about the just continuing extension of the whole thing, but that's an overall concept.

I agree.

Okay. Great.

Chair Thomas stated, we're moving on to item number four, policy discussion on minimum single-family residential dwelling unit size, staff.

Senior Planner Jerome stated the recommendation is that the Planning Commission retains the current SFR minimum dwelling unit size standard of 725 square feet

without an additional recommendation for Town Council policy direction, and that the Planning Commission reviews, implements, and monitors the adopted General Plan housing element. The alternative recommendation, bear with me, is that the Planning Commission provides recommendation to the Town Council for additional policy direction, including reviewing residential zoning districts to analyze the application of varying the minimum dwelling unit size by zoning district, lot size and bedroom count to allow high density single-family zoning districts, a lower minimum dwelling unit size. For example, 500 square feet for a studio, 650 for one bedroom, 1,000 for a two bedroom, and low-density single-family zoning districts, a higher minimum dwelling unit size and consideration of additional policy alternatives, which may include, but are not limited to, allowing more ADUs through local regulation than the minimum allowed pursuant to state law, establishing overlay districts or specific plans that encourage alternative housing types such as tiny homes, modular housing, or clustered residential development, expanding by right multifamily residential development in compatible zoning districts, reducing or eliminating minimum parking requirements for certain types of housing, allowing smaller lot sizes, reduce setbacks, or increase lot coverage in residential zones, allowing duplexes and/or triplexes in single-family areas, increasing allowable residential densities in appropriate areas with existing infrastructure, allowing adaptive reuse or conversion of underutilized commercial buildings into residential uses through simplified entitlement procedures and revising open space landscaping or parking standards where they constrain housing development.

At the March 24, 2026, Planning Commission meeting, the following topics were discussed. The minimum single-family requirements by the town that were adopted via the county's code and incorporation. Comparisons with other cities for dwelling unit size and related housing regulations, including historic CCNRs, rec cabins and the town's multifamily dwelling unit sizes and state law governing ADUs. Staff researched the single-family residential unit size trends in seven other comparable cities throughout the region through public records requests, including the following cities: Indio, Coachella, Desert Hot Springs, Apple Valley, Twentynine Palms, Banning, and Yucaipa. And as a quick note, that data is on pages 65 through 110 of the packet. It's kind of all summarized for you. The average SFR sizes range from 1,591 square feet to 2,296 square feet, indicating a market preference for midsize single-family residential homes. The majority of new residential construction, particularly in those other previously mentioned cities are listed above, was provided through stock plans with track developments.

So, you'll see in some of these pages, four, five, six houses are all exactly the same size. We can kind of infer that those were a stock plan for a subdivision. And you'll see that in virtually all of those cities except for Twentynine Palms and Yucca Valley is less common. Staff analyzed towns issued single-family permit data from 2015 to 2025. The 10-year average on home size is 1,792 square feet. That's based on a total of 404 permits over that period. And then we also took some photos of smaller homes that are below our current single-family minimum so that you can get an idea

of the scale of the homes and what they would look like if they were in the town. So this home is in Joshua Tree. It's my understanding that's approximately 391 square feet. It's on a 0.18-acre parcel. So this is the home itself, and then this is the home on that lot. Substantially similar home also in the same neighborhood off of Sunfair and Joshua Tree. Although this lot is oriented, it's a corner lot, so it's oriented slightly different. You can see Sunfair on the left on the west of this photo. And then that power pole is approximately the end of the lot. This is a home of approximately 411-square-foot home in Twentynine Palms. It's currently under construction. This was a modular home. That's basically the whole home that's in that photo. This one in particular does not have covered parking, so it's just a house, from my understanding, that's close to being finalized, but it's not quite there yet. These are what I'm assuming is a house in an ADU in Joshua Tree off Olympic. It's on the 0.72-acre lot, but it looks like there's a pretty big wash in the back of the lot on the west side of the lot. So, the usable space is a little bit smaller than that. Both units, you could see they match each other. It's a little hard to tell the perspective in this, but the one on the right is further back in the lot, and the one on the left is in the foreground. So they each have an attached carport, and they are 660 square feet each. So, in addition to small homes, we also want to bring up the discussion topic of tiny homes, so as another option that the Commission may consider.

A tiny home is a house on a trailer that can be towed on public roads with this permit from the DMV and is registered annually as a parked trailer through the DMV. Generally, they're designed to look like a tiny house using various options, but are 400 square feet or less in general. Some jurisdictions, for example, the City of San Luis Obispo, have an overlay district that allows tiny homes to be in certain areas of the city. These are a couple of examples of tiny homes. The one on the left, I'm sure, is not AI. It looks totally real.

Recreational cabins are another issue that's somewhat correlated, but is really a different topic, but we wanted to address it. So recreational cabins or rec cabins were permitted as non-residential structures in that they're intended to have part-time occupancy several days a month and were not established as single-family homes at the time. Many of these older cabins remain throughout the Morongo Basin, but owners seeking lawful residential occupancy must typically upgrade the structure. So Title 24, they have to meet the building code requirements, including whatever sanitation system they want to use. Some of them don't have kitchens or bathrooms or both. Well, many of them don't have utilities, etc. So this is just basically explaining that they would have to conform to the current building code and the town requirements, which typically means adding parking, availability of utilities, and making the minimum unit size 725. Policy action to address constraints regarding the conversion of these rec cabins to single-family residences can be taken up separately from the policy discussion tonight if the Commission so chooses. So currently, the town, as you probably remember, basically repealed our ADU regulations in favor of using state law. However, state law allows us to go above and beyond their regulations. So, in short, the town could consider adopting

regulations that make it even easier for ADU construction that surpass the state requirements for ADUs. And then the town's development code has, I think I mentioned this earlier, minimum standards for multifamily. So, you'll see 500 square feet for a studio, 650 for a one-bedroom, 750 for a two-bedroom, and 1,000 for a three-bedroom or larger. So, the thought here is if the minimum unit size for a single-family residence is going to be lowered, should we also then lower the multifamily standards to be consistent with those revisions, basically enabling it to be slightly easier, cheaper to build multifamily housing. Further analysis of housing policy and development code amendments should include not just single-family dwelling unit size, but broader range of housing policy issues tied to implementation of the general plan, the general plan housing element, which serves as a town's primary policy document for evaluating housing needs, supply, affordability, and compliance with state housing law. Example, provided in here. So, general plan goal H1, high-quality housing with a variety of development types, sizes, and affordability levels to accommodate the diverse lifestyle and life stage needs of current and future residents. And then the policies provide a diversity of land uses to encourage residential development with a range of sizes, affordability levels, and amenities. And then Policy H12, remove governmental constraints to development of a variety of housing types, including affordable and multifamily housing. So that's just to point out kind of consistency with those previously discussed topics. So, not just single-family houses in a vacuum, but single-family, multifamily, tiny homes, etc., to consider those as well. So, with that, the recommendation is that the Planning Commission retains the current single-family residential minimum dwelling unit size without an additional recommendation for Town Council policy direction. The Commission reviews, implements, and monitors the adopted general plan housing element. And the alternative recommendation was previously read into the record, and I'll leave it up there for a minute. But we can answer questions following public comment.

Chair Thomas stated, thank you, Jared. At this time, we'll open up for public comment. Anybody wishing to comment on this item?

Commission Secretary Yochmowitz stated, we have one speaker, Neil Rauschenberg.

Chair Thomas stated okay. Please come on up. Give us your name and your place of residence

Neil Rauschenberg, public comment, stated Neil Rauschenberg, local resident. Good evening. I think this is a good chance. Some of those homes that were showing up there were actually my builds. I'm a local contractor, local resident. And I think this is a great chance for the town to align its housing policy with its affordability goals. Too many regulations and code requirements make housing unaffordable, and the town should regulate safety and design, not lifestyle and square footage. Smaller homes benefit first-time home buyers, seniors, local workers, young families, property

owners, and the town itself. And it meets goal H1 that was just up on the screen by allowing that to take place. This is about allowing legal, code-compliant homes at a size people can actually afford. Yucca Valley wants attainable housing. It has to allow attainable housing to be built. There's too many regulations and code-compliant restrictions that make building a house too expensive before you even break ground. Right now, minimum square footage rolls for us higher cost before you break ground. And that hurts the exact people affordable housing is supposed to help. County and state code does not regulate square footage. They say that the California Building Code, when you build a single-family structure, that it has to meet code. It has to have a bathroom, it has to have a kitchen, it has to have heating, it has to have air, and it needs to make code. It doesn't say, "Let us design the structure for you." It says simply make it meet code. A lot of the data that was showing up on the screen, Apple Valley, Hesperia, Desert Hot Springs, those are all great examples of outlining areas that surround us. But the photos that were shown on the screen were our neighboring community of Joshua Tree, and the data that was up on the screen didn't take that into accountability. A lot of those tiny homes have been built in the surrounding neighboring community over the last few years. It has been a gateway for first-time home buyers, single-family workers that are local to this community. With that being said, I'm in favor of them reducing the minimum square footage. It's just another piece of red tape, as was the alternative instructions up there, the list of requirements, which would be an alternative to the square footage.

I think that the homes can be placed on lots that can be used for future design of an ADU. And most of the homes that were shown on there were placed on lots where a single-family residents of a bigger size can be built in the front of the property later. And these would be accommodated as a mother-in-law house or an ADU unit that can be utilized later. Again, the minimum square footage of housing on the data shown in those more compact inner-city areas is not reflective of Yucca Valley, the people that live here. Thank you for your time.

Chair Thomas stated, thank you. Anyone else wishing to comment? Anybody online? Close public comment, and we'll go to Commissioner Noonan.

Commissioner Noonan stated, thank you. So, it seems to me that this is something that we're going to have to dig into, no matter what, at some point. My fellow commissioners, we sat through a lot of conversations at the Commissioner Academy. And every single one of them was about encouraging the housing, basically talking about how we really have little or no power if we wanted to actually say no. The only thing we could really do is get on board and try to kind of corral the developments to follow a master plan. But we were flat out told that if a developer comes in and they have a plan to build housing and they have an attorney with them, don't even bother fighting because you will lose. And so that tells me that we have to go down this path anyways. So, I think based on that, now is always better. So, I guess that's where I stand on that. So I would go for the alternative recommendation and see how we dig into that and start doing the work. And that's

my two cents.

Chair Thomas stated, thank you. Vice Chair Henderson.

Vice Chair Henderson asked Mr. Rauschenberg, could I ask you a couple questions?

Neil Rauschenberg, public speaker, stated, yes, sir.

Commissioner Henderson stated, I was just curious. Well, thank you for being here and making the comments. And it sounds like you have a lot of experience with these smaller homes out in Joshua Tree or Twentynine Palms. Based on your experience, and you talked about it being affordable housing, do you find that most of those small homes do become family homes, or Airbnbs, or short-term vacation rentals?

Neil Rauschenberg, public speaker, stated right now, I would say it's about a 50/50 blend. When they first originated, most of them were Airbnbs when the market was hot out in the county area. But as the markets changed, prices have increased. A lot of local people have made those their full-time residence.

Vice Chair Henderson asked and do you see those small homes typically on small lots, or on five-acre lots? What's your experience on that?

Neil Rauschenberg, public speaker, stated we see them on all types of lots. We've put them on 5-acre, 10-acre, half-acre lots, quarter-acre lots. As you know, there's no construction going on or very little construction going on in Yucca Valley right now. And I don't think there's one new house in Yucca Valley on the market right now under \$500,000. This is a gateway for someone to own a new home for under a \$300,000 price tag. It's unheard of in Southern California. People that live here locally can afford that and purchase that, and they can utilize the lot later to build a family house when they're more established in life rather than have to sign up for a six, seven hundred thousand dollar mortgage right now. First-time home buyers can't do that.

I grew up in this town. When I was 20 years old, homes around here were not that price. And I've got extensive experience in construction of all size homes. I've been doing it for 25 years. I've been sitting in on the builders meetings in this town. I think they've been going now close to 20 years, and I think I've only missed three of them in that time. So I'm pretty familiar of what's going on around here. And I think I have a keen sense of what will move the market and what will help residents of the local community.

Vice Chair Henderson stated all right. Thank you.

Neil Rauschenberg, public speaker, asked anything else?

Vice Chair Henderson stated that's it for now.

Commissioner Noonan stated, actually, I have to ask questions. Sorry. So, Mr. Rauschenberg, I remember years ago when we bought our first house, it was basically a one-bedroom, one-bath house. And then we were able to--we added a whole 'nother bathroom and a whole 'nother bedroom on that. Are you finding that--are you doing any of that work? Is that something that's common? Or is there a plan to where you build a basic house? And then as a family grows, you can extend and make the house bigger to accommodate more members of the family. Is that part of this plan that you see, or?

Neil Rauschenberg, public speaker, stated well, there's two options with a tiny home. You can add onto a tiny home and expand it fairly easy. But with all the basic requirements set out, the tiny homes are built with a 200-amp panel, solar and septic systems that can handle a full-size residence. So, essentially, those tiny homes can be utilized as a full-time residence. And when someone's a little more established in life, they can build a bigger home in front of that and utilize all the infrastructure that was already put in to build the tiny home, and use that for their single-family residence as well. So they've basically gotten twofold on their money and been able to do it when the time is right for them in life rather than overextending themselves to get started on their first purchase.

Commissioner Noonan stated, thank you.

Neil Rauschenberg, public speaker, stated you're welcome.

Commissioner Henderson stated, thank you. Yeah, I just wanted to say a couple of comments. One is I think Commissioner Stoker brought up a lot of really good points at that one meeting in regards to this issue to get it on the agenda. And as we look at kind of the pros and the cons, we weigh the pros and the cons, staff has provided a lot of good factual information in regards to this. And there's also other perspectives that are good. And I do appreciate that you guys have added in here all the alternatives. Because ultimately, I think on a decision like this, I would like to get some direction from the Town Council on what their perspective is.

Neil Rauschenberg, public speaker, stated if I may with one more comment, the Joshua Tree regulation has got everybody in this valley on standstill as well because of the requirements to move Joshua trees and things. Utilizing tiny homes, you can position those on lots that would free up some of those infill lots and make people be able to utilize them without having to go through that process right now, which that's a big hamper to developers as well, as you know.

Vice Chair Henderson stated thank you. That's a very good point. I don't have

anything further, but I'd like to hear some more perspective.

Chair Thomas stated Commissioner Stoker.

Commissioner Stoker stated yeah, thank you. This is a lot of great information to dive through. I had a couple of questions. One, we didn't pull any information from the county as a whole, or did we request information from them? They didn't give it to us, or?

Senior Planner Jerome stated we requested information from a couple dozen jurisdictions, but these were the ones that we got back in time for the staff report.

Commissioner Stoker stated fair. Yeah, because I'd be curious to what their numbers are. Other thing is, it looks like in your policy discussion, some of the smaller homes in that sub 500-foot range are built on 0.12 acre, quarter of an acre. So smaller lots. And it looks like one of your alternative recommendations would be scaling our minimum sizes based on lot size. Is that what I understand from the alternative recommendation?

Senior Planner Jerome stated yeah, that could be one consideration

Commissioner Stoker stated yeah. Because, I mean, and that's something to think about, I think. For me, when I was looking over just our town in LandGlide, which is where I look at all the lot sizes, if you kind of get into some of the areas, whether it be old-school Yucca over by Yucca Elementary, those lots are tiny. And some of those lots, if you're not turning a house sideways on a lot, and I've tried to design for some of those individual lots that are long and narrow, by the time you figure inside yard setbacks, it doesn't leave a whole lot of width to build. And I think that would be a good thing for some of those weird smaller lots that are still left over there or some of the areas where we still have those kind of small lots. There's just little pockets of those smaller lots located all over. I think that's something that I personally would like to dive deeper into with the town council's blessing. I think a lot of these alternative recommendations, personally, I think it gives us a lot of food for thought and a lot of things to mull over with hopefully even more public input, I think, would be fantastic.

We don't have a whole lot of people drafting houses in Yucca Valley, but I called a few of them in preparation for the meeting tonight. And just to discuss what things they're looking at when they're designing things. And one of the things that always came to mind is when we're looking at - just because it brought up multi-family in here - we look at all these developments that we've had recently with triplexes and fourplexes. And those lots are like minimum 10 units per acre is what their maximum allowable density would be. But they're all opting to go just with three units because they're looking to avoid any of the larger planning, I think. It's mostly planning

requirements once we go above three units. And personally, I think anything we could do as a commission or as a town to help some of those projects move along to have kind of a larger density of housing projects that can help alleviate some of the strain that I think all of us hear from different people from time to time would be helpful. It was interesting reading here that our minimum sizes for multifamily is 500 square feet for a studio unit, where I've walked through one of these 391 square feet single-family houses.

And if that was an apartment unit, it would be of a perfect-- I mean, it's a perfect size for someone single or someone just starting out. So if we had some things with hitting those density numbers that I think some of our lot zoning allows for, we could do something that I think would be helpful to people that maybe historically have to depend on having three or four roommates to make a house work. It would give them an ability to have their own place, which I think is not a bad thing, and helps us hit some of those same rubrics and metrics that our housing element is asking us to hit.

So in short-- or long, I guess, I'm all for exploring some of these alternative recommendations and kind of opening this box, even if it's in separate discussion items and topics to help consolidate it into individual topics because I think that's probably where staff would want to go. Not having this as one large discussion, having it be about multifamily as one discussion, other things as another discussion. Rec cabins is another discussion. Is that where you guys foresee any alternative action going? Is it separate topics?

Senior Planner Jerome stated I think the preference in that--well, I think the alternative recommendation is to look at it comprehensively and include all of those things.

Commissioner Stoker stated so, all of it in one big go. And that's cool too, I mean. And even then, I'm still for looking at these rec cabins. I think there's only a-- there's not a gazillion of them left in town. I would just happen to be called to a house that someone just purchased, which I know is a rec cabin. It's a single-family residence, I think, in our housing stock, but it's definitely under 725.

So, I mean, I think there are some ones even that exist in the town that exist and don't conform to where if anyone wanted to do any sort of remodel on that and do it with a permit, with benefit of permit through the town, they would have to add square footage on to bring it into conformity. And I just know they're there. So having a process for some of those things to go through the process of being updated or made better, I think anything we can do to help that along, I think, is a positive.

Chair Thomas stated okay. Commissioner Vasconcelos

Commissioner Vasconcelos stated yeah. I mean, lived here just as long as most of these people here. And I have seen the struggles that the housing element has

caused in this community in regards to affordability. Looking at some of our youth growing up. When I graduated high school, I could have afforded to buy a house with my first job type of a thing. Nowadays, kids can't afford--young adults can't afford homes, especially even in this lower-income community. I do appreciate that we're trying to keep the square footages of the homes associated with the lot size. But at the same time, I think with our low-income community, our elderly community keep this community alive with the young people, keeping them here in the community and not leaving, drawing them to live in some smaller homes. I definitely think that we should be looking at providing some sort of recommendation to the town council and being able to look at these different sizes, smaller-sized homes. The idea of being able to build a house, as is, say, a starter house, and then add on to it is definitely a positive. I think a lot of people have-- when you're young and you have a mindful of ideas and you want to do that. That's something that they would be willing to want to do and act on or sell the house later and take that and build another home. I also deal with a lot of homes in other areas, large homes, and the price range that these homes are being sold at are astronomical. And what that causes is-- you go down these streets where these homes are being sold, and it's just cluttered with traffic vehicles because it's not just a single family that's living there. It's multiple families living there, and it's causing more clutter within those streets, even within those track home communities where you would go down a street where you would think kids would be playing in a cul-de-sac. There's no room to play in a cul-de-sac because there's cars filled in that cul-de-sac because those are all the people living in those homes because that's what it takes to afford a home in California these days is multiple people living in a home.

Yeah. That's true.

Commissioner Vasconcelos stated, so I'm all for looking at this alternative and trying to find a right size to help out the community, to help out everyone else with this situation. I think there should be a-- I don't think it should be a no-size-at-all kind of a thing, but I do think we should find a good size that is acceptable for everyone to be able to utilize and keep some of these people here rather than-- as soon as they're graduating or whatever, they're leaving and then just going and getting some apartment somewhere else that they can afford.

Chair Thomas stated exactly. Vice Chair Henderson wanted to ask about--

Vice Chair Henderson stated yeah. I think one of the things Mr. Rauschenberg said that was really, really important was about contractors trying to build on some of these lots with the Joshua trees. And I know as a town, we have done-- especially their town managers and elected officials have done everything they can to try to-- mitigate things with the Joshua Trees. And so I think it sounds like we might be all somewhat in agreement on requesting policy direction from the Town Council with some of these alternatives, but also setting up in regards to--that this may help somewhat in regards to Joshua trees. And I think that's really important.

One more.

Yeah.

Commissioner Stoker stated and the other thing I forgot to mention-- but I've been thinking about this ever since our first meeting on this. And I was at the town's development office and grabbed the packet for a single-family residence, which it outlines, "These are the 20 things that need to be on a site plan." And all those items have to be on a site plan for us to review it-- for the town to review it. And I think if you're building a larger house, that's fine. Build whatever size you want. But if you're building a house, you have to include the siting just like we do for additional leach fields for septic tanks, to have the siting somewhere in the rear that's already accounted for as like, "This is where an ADU would go." And even personally, going so far as to say like, "We want everyone to upsize a septic tank if you're not on sewer, one level up," because one level up is all it really takes to be able to add an ADU and not have to replace a septic tank 15 years down the road, which is an 8 to 10 thousand dollar cost. If you're doing an ADU, that's \$10,000 you don't have to spend. And the same thing would be if we had homes that were smaller than a certain square footage, they would want to be initially sighted in the rear of the lot and have a site that's kind of not mandated, but it's been planned on a site plan that says, "This is where a future larger home could be, and we're going to build this smaller home first." And it's kind of in my brain. It almost is like we're building the ADU before a larger single-family residence. But it gives somebody that pathway. And the pathway is, I think, huge. And it is something that I appreciated that Mr. Rauschenberg brought up is that-- and we've all said it here. When I graduated from high school, my first house was \$24,500 in Josh Tree. It was something I could afford. My half payment was \$211. It was not a big deal. I bought it getting out of high school, and the loan was so small that my loan officer had to pay me extra money to get my loan up to \$27,000 just to be able to have a loan. That was the minimum loan size. That doesn't exist now. There is no kid that's graduating from Yucca in three days that's going to turn around and buy a house. It just isn't going to happen. And we're not going to solve that problem here, I don't think. But giving someone a path to have a smaller house when you don't necessarily need a huge house. Because I think for a lot of people-- and I have friends that were stuck in that mode coming out of high school, my first house was two bedrooms, one bath, and I outgrew that house, and that's fine. But for a lot of people, they're like, "I want to save until I can buy the house that I can raise my family in." And they wait so long paying rent that their house--

Chair Thomas stated, they never catch up.

Commissioner Stoker stated, they never get there. And having something that you can get into that's smaller, that you're going to develop your property and develop how it feels, and then build the house that you really want. I think that's a path that I can see

people taking. And I think that's a really awesome point. So thank you.

Chair Thomas stated, okay. Yeah, I don't know whether I have a lot to add after that long discussion with the fellow commissioners. One of the questions I have here too is none of the commissioners addressed the recommendation about the 725 square feet on the minimum size for the STVRs. But I don't know whether I'm good with that either because I think an STVR or SVR, however you want to-- SFR, however you want to talk about it, a lot of these people would come in and build a smaller one that eventually a lot of these rentals become single-family homes later. People buy them out. People get into this business, and they do it for a few years, and they go, "Yeah, that was great, but I don't want to be tired of cleaning it and doing all." And it rolls. So I don't want to necessarily put a strict, you got to build 725 square feet. You could get away with a 500 square foot vacation rental, maybe even a 400 square foot vacation rental. So that's one thing.

[inaudible]

Chair Thomas stated no, but I mean, in his recommendations, he was asking about that tonight.

[inaudible]

Chair Thomas stated minimum dwelling unit size standard 725, without any additional recommendations to retain the current SFR.

Commissioner Stoker stated yes, you can.

Chair Thomas stated single-family residence. Okay. You're right. I'm off on it.

Commissioner Stoker stated on a short-term, sir.

Chair Thomas stated short-term, okay. I was reading that incorrectly. I appreciate that yeah, and I'm for lowering the sizes as well too. I agree with Mr. Rauschenberg and the rest of you guys here that it's better for people to be able to get into something early on and build out from that. Just from an economic standpoint, as the dollar continues to devalue, you're better off owning an asset because it's just going to cost you more money in the long run. So with that, let's look for any motions here that you guys would want to do.

Commissioner Stoker stated, let me take a crack at it. Is there a motion that we just are recommending an alternative discussion forwarded to the Town Council for some recommendation back? All right. I'll make a motion on item number four that we send this to the town council for some policy direction on all of the alternative bullet points listed.

Motion:

That the Planning Commission forwards the item to Town Council for policy direction on all the alternative bullet points listed.

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

Mover: Commissioner Clint Stoker

Second: Commissioner James Henderson

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

5. Land Development Update

Chair Thomas stated all right. Moving on to-- that's my problem is not putting my glasses on and I can't see it. Moving on to number five, Land Development Update. Staff.

Senior Planner Jerome stated the recommendation is to receive and file. Kind of a minimal land development update, but there are some kind of paper updates, I guess you could say. Dutch Brothers has submitted their building plans to building and safety. Yucca Valley Materials Lab has submitted their building plans at risk to building and safety. And both Dutch Brothers and [inaudible] are actively working their way through the incidental take permit process with Fish and Wildlife. And as far as I know, those are kind of the major updates.

Deputy Town Manager Stueckle stated, we had reached out to the representative of Starbucks West, not the contractor, but the representative that worked through the entitlement process. Have they ever responded to our inquiry? So we're trying to find out what their plan is and what their schedule is, but at this point, we've received no response on that. Did hear a little bit about El Pollo Loco and maybe starting towards the end of the year and that they're currently looking for a tenant that goes into that second space as part of their operation?

Commissioner Stoker stated I saw a demo happening this morning on the roof, yeah.

Deputy Town Manager Stueckle stated, eell, that'd be good. That'd be good. So, hopefully something will happen there.

Chair Thomas stated you may also have Circle K expanding that station on Old Woman Springs Road because that property next to it, they did end up buying it and it closed.

Deputy Town Manager Stueckle stated, so they have inquired here in the last couple of weeks about reinitiating their traffic study for that possible expansion at that location. Number one, we don't know why they make business decisions not to move forward with the project. But the conversation, the last time they were serious had to

do with ingress and egress where median islands needed to be. They had actually requested to install a traffic signal in front of their project, so they had fully controlled access, and that's just not going to happen at that location on 247. So it'll be interesting to see what modifications they've made to their design efforts to address those issues as they move forward.

Yeah.

But they have at least-- they had fallen off the radar screen for better part of a year. So it was good to see them come back and actually start having that conversation again

Chair Thomas stated yeah. Okay. Anybody else? Anybody else have anything? Okay

Motion:

That the Planning Commission receives and files the report.

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

Future Agenda Items

Chair Thomas stated moving on to future agenda items.

Senior Planner Jerome stated the next as far as land development goes, there are the two reversion acreages that we've talked about. There is a request for a parcel map to divide one lot into two on Spencer Road. And then the Yucca Valley Materials Lab is hopefully one correction away from being ready. So I think those are the soonest or the next things that are going to be coming to commission.

Deputy Town Manager Stueckle stated, and we may have an update coming up. Not exactly sure when, but on legislation that's going through Sacramento at this time on the Western Joshua Tree. I believe there are still three active pieces of legislation moving forward addressing different types of issues regarding the tree. None of them go as far, of course, as what we would like to see, but probably we'll agendaize that to keep the commission apprised of what's occurring at that level.

Chair Thomas stated that's great. Thank you.

Public Comments

Chair Thomas stated, okay, we move to public comments. The Planning Commission takes this time to consider your comments on items of concern which are not on the agenda. When you

are called to speak, please state your name and community of 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 the public comment privileges. Planning Commission is prohibited by state law from taking action or discussing items not on the printed agenda. Anybody in the public wishing to comment on anything else? Anybody online? Okay. Close public comment.

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 Commissioner reports and comments starting with Commissioner Vasconcelos.

Commissioner Vasconcelos stated, I have nothing to add. Thank you for another good meeting. Thank you for the public for coming and participating. It's always nice to get a good feedback on items on our agenda and to be able to help provide us with some direction as well from the public. I wish more people would come out to participate in that aspect. It really helps give us all a better understanding of where the general public is. But other than that, thanks again for another good meeting.

Chair Thomas stated Commissioner Stoker.

Commissioner Stoker stated no real comments other than, again, to echo Commissioner Vasconcelos, it's nice having some input. Even if it's people that read it and called and talked to me on the phone a little bit, that's always good input just to hear people's perspective. So it's always encouraged to reach out if there's an item that you're interested in, even if you can't make it to a meeting.

Chair Thomas stated Vice Chair Henderson.

Vice Chair Henderson stated, I'll just echo those comments. Thank you to staff for a thorough and all your thoughtfulness with some of these agenda items. They may seem small, but even in those alternatives you provided us, there was a lot of thought that went into that, and I appreciate that. So thank you.

Chair Thomas stated Commissioner Noonan.

Commissioner Noonan stated yeah. Thank you to staff for providing a very comprehensive report and a lot of information for us to look at and absorb and be thoughtful about. Thank you, Mr. Rauschenberg, for showing up. The information that you gave us is much appreciated. And it's great to have your participation in this. And thank you, my fellow commissioners, for your

takes on everything because it's very educational, so.

Chair Thomas stated, yeah. And thank you to staff. And Mr. Rauschenberg, thank you again for coming out. It's really, really important when the public comes out, and we can hear your points of view as well too. A lot of times this room is empty and there's no comments in here, so it's always helpful to have that done. Okay.

Announcements

Chair Thomas stated, so with that being said, we'll go on to announcements. Upcoming meeting schedule, the next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, June 9, 2026, at 6:00 PM in the Yucca Valley Community Center, Yucca Room.

Adjournment

Chair Thomas stated and with that, we'll adjourn at 6:58.

Respectfully submitted,

Janet Yochmowitz
Commission Secretary

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



To: Planning Commission

From: Janet Yochmowitz, Administrative Assistant III

Date: June 15, 2026

Meeting Date: June 23, 2026

Subject: Approve the meeting minutes for June 9, 2026, as prepared.

Recommendation:

That the Planning Commission approves the minutes for June 9, 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 - 6 9 2026 - Final

Town of Yucca Valley
Planning Commission Meeting Minutes
June 9, 2026

Call to Order

Roll Call

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

Absent:

Pledge of Allegiance

led by Vice Chair Henderson.

Approval of Agenda

- 1. Approve the meeting agenda for June 9, 2026, as prepared.**

Motion:

Approve the meeting agenda for June 9, 2026, as prepared.

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

Mover: Commissioner Clint Stoker

Second: Commissioner Alejandro Vasconcelos

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

Department Reports

- 2. Land Development Update**

Chair Thomas stated number two, Land Development Update staff.

Senior Planner Jerome stated good evening. The recommendation for this item is to receive and file. Um, existing projects are pretty much where you've seen them as far as the construction goes. Um, Sun Mesa Mini Storage is beginning their process with Fish and Wildlife. Um, Dutch Brothers has already began their process with Fish and Wildlife. And, uh, Walmart, I believe, is, uh, preparing to submit construction plans for their project. Um, and then there has been some relatively informal talks for two gas stations that could potentially submit. That would be Circle K on 247 to, uh, make a larger facility. Um, and then a Maverick gas station, uh, at Avalon and Twentynine Palms Highway across from where the, uh, potential other Circle K was going to be, uh, built. Um, and with that, that concludes, uh, staff report.

Chair Thomas stated okay. We have, uh, anybody in the public wishing to comment

on item number two? Anybody online? Close public comment. Anything from Commissioner Vasconcelos?

Commissioner Vasconcelos asked was that Maverick gas station? Would that be on the northeast corner? Yes?

Senior Planner Jerome stated yes.

Commissioner Vasconcelos stated okay.

Chair Thomas asked no further comments? Commissioner Stoker, nothing? Thank you. Commissioner Henderson? Commissioner — no, nobody's got anything to say. Okay, then how about a motion to receive and file.

Motion:

That the Planning Commission receives and files the report.

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

Mover: Commissioner Gerard Noonan

Second: Commissioner James Henderson

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

3. Policy Discussion on Extensions and Timelines for Conditional Use Permits (CUP) and Site Plan Review Permits (SPR)

Chair Thomas stated item number three, Policy Discussion on Extensions and Timelines for the Conditional Use Permits (CUP) and Site Plan Review Permits (SPR).

Assistant Planner Willoughby stated thank you, Chair and Commissioners. The recommendation for this item is that the Planning Commission receives and files a staff report regarding potential amendments to the Development Code related to conditional use permit and site plan review approval timelines and extension limits, and that the Planning Commission directs staff to schedule a public hearing on the proposed amendment for the Planning Commission Meeting of July 14, 2026. Um, it's been some time since the last formal discussion, so we'll talk, uh, about that prior review. The Planning Commission had prior discussion on this subject at their meeting of April 28, 2020, and July 28, 2020. At the July 28, 2020, meeting, the Planning Commission unanimously voted to forward a recommendation to the Town Council for direction on preparation of the Development Code amendment.

The Town Council at their meeting of April 6, 2021, unanimously voted to direct the Planning Commission and staff to initiate a Development Code amendment establishing maximum approval time periods for conditional use permits and site

plan reviews, and to forward a recommendation to the Town Council for the amendment in consideration. Uh, Town Council's direction has not yet been implemented through that formal Development Code amendment process. As a result, the town's existing regulations continue to govern conditional use permit and site plan review approvals. Based on prior Planning Commission discussion and Town Council direction, staff is seeking commission input regarding the following.

Whether the previously discussed framework of a maximum of two extensions, each not exceeding two years, remains appropriate, so that means you have an initial three-year approval with two, two-year extensions, with a maximum time period of that approval really going out to seven years. Uh, whether, uh, alternative extension periods or limitations should be considered, and any additional circumstances or findings that should be incorporated into a future ordinance amendment. Staff will utilize any prior discussion and the commission's discussion tonight to prepare a draft Development Code amendment and associated public hearing materials. And staff can answer questions following public comment.

Chair Thomas stated thank you. Uh, anybody in the public wishing to comment on item number three? Nobody? Nobody online? Close public comment. And we'll go to Commissioner Noonan.

Commissioner Noonan stated I don't really have any comment on this. Thank you, though.

Chair Thomas stated okay. Uh, Vice Chair Henderson.

Vice Chair Henderson stated no, I think it, uh-- this is well overdue to have this discussion. I look forward to the public hearing. Um, nothing further.

Chair Thomas stated Commissioner Stoker.

Commissioner Stoker stated yeah, um, I, I read back through all of our notes from, from 2020, and I, I think we, we all made some very good points that, um, it just seems like some of these projects seem to last forever. And there should be some sort of sunseting, just because what was planned seven years ago that didn't actually get built might need to be planned a little differently, um, as things grow around it. So that, I think, is our intent there, is to make sure that projects are still in compliance. Um, uh, I — after reading it, I didn't know if there was some sort of, like, re-check that we could do to make sure it's still in compliance. That could help keep it in compliance, if that could be something that could be written, written into this. That way, like, if it hits two timelines and they're still working, maybe there's just some, uh, rev-rev-- like, a re-review of the project to make sure it's still, um, in conformance with, with, uh, the town's intentions and the general plan.

Yep. Makes sense.

--just to-- just to keep them honest on getting a project started

Chair Thomas stated okay. Commissioner Vasconcelos.

Commissioner Vasconcelos stated I agree. I think this is-- this is well overdue, uh, to, you know, as time goes on, year to year, the, the, the direction of our town might-- may change, you know, as we-- as new projects have come to fruition and, and, uh, maybe filled the need for some of the, the project that's already been there. Not to say that we're wanting-ting-- wanting to deny the-- this project that's been already conditionally approved, but, you know, like we said, um-- like Commissioner Stoker said, you know, there may be a realignment that we need to look at to see if, uh, there's something else we need to add or to exclude from this, this, uh, this approved conditional use. So I-- yeah, I'm agreeing that, uh, this is a good move in the right direction to help these get revised. And I do agree that there should be something that, like, looks at, you know, as these come up, making sure that these are in conformance still as they come up for renewal, just to make sure that nothing else is needed. So thank you.

Chair Thomas stated you go ahead.

Commissioner Stoker stated yeah, and one other comment, just, uh, uh, like one of the bullets from staff when talked about additional circumstances or findings. So I, I just, uh-- you know, I, I don't know if we should look at if a project is still being worked on, you know, if there's active work and active communication--

Yeah. Exactly.

--with town staff-- and it, you know, some of these projects take years to come to fruition.

Right.

Um, but if, you know, if it's not something that's actively being worked on, having that sunset of, of that approval.

Chair Thomas stated yeah. No, I-I'm in agreement. I think we should sunset these things. Um, I know we probably are looking at some of these, like, giving them-- people some latitude on this because, uh, maybe some things have been approved and, uh, you know, the Joshua Tree issue got in the way and started to halt everything. So a lot of these builders or developers may be looking at it and saying, well, we can't do anything on the property until there's some resolution with the state and everything else. So, uh, once that's done. But I think, I'm in agreement. I'd like to see, you know, some activity on the properties. Once they get going and, and get started, it can take years to get it done. So as long as there's some activity and

they're staying in touch with town staff and letting them know what they're doing, what their plans are, I think that would be fruitful. And, uh, but I do think we should take the Joshua Tree issue into consideration, too, because that's halted a lot of stuff around here. So with that, um, get a motion?

Motion:

The Planning Commission receives and files the staff report regarding potential amendments to the Development Code related to Conditional Use Permit (CUP) and Site Plan Review (SPR) approval timelines and extension limits, and that Planning Commission directs staff to schedule a public hearing on the proposed amendment for the Planning Commission meeting of July 14, 2026.

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

Mover: Commissioner James Henderson

Second: Commissioner Clint Stoker

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

Future Agenda Items

Chair Thomas stated and now we move to future agenda items.

Senior Planner Jerome stated the next scheduled meeting for the Planning Commission will have the reversion to acreage, um, map that we kind of discussed a little bit on Yucca Trail at Balsa, approximately. Um, do we have anything-- that's the only one I can recall.

Assistant Planner Willoughby stated uh, thank you, Evan. And, uh, for me, um, we had a recent mural application submittal that we anticipate bringing to the Planning Commission, also at the meeting date of the 23rd. Um, that will have to go from the Planning Commission to the PRC to the Town Council. Um, so we hope to bring that as soon as we can.

Public Comments

Chair Thomas stated okay. Thank you. Um, move to public comments. Planning Commission takes this time to consider your comments on items of concern which are not on the agenda. When you are called to speak, please state your name and community of residence. Please limit your comments to three minutes or less. Inappropriate behavior which disrupts, disturbs, or otherwise impedes the orderly conduct of 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. Anybody in the public wishing to comment on anything? Anybody online? Close that.

Staff Reports and Comments

Chair Thomas asked staff reports and comments?

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

Commissioner Reports and Comments

Chair Thomas stated okay. We move to Commissioner reports and comments. Start with Commissioner Vasconcelos.

Commissioner Vasconcelos stated uh, thank you guys for another meeting. This was quick and efficient. So, uh, thank you for everyone involved. Have a great rest of your week.

Chair Thomas stated Commissioner Stoker.

Commissioner Stoker stated uh, same, same for me. Uh, we appreciate, uh, a concise meeting and, uh, look forward to working through this, uh, site plan review, conditional use permit.

Chair Thomas stated Vice Chair Henderson.

Vice Chair Henderson stated uh, nothing for me. Thank you. Uh, quick meeting. Might be a record.

Chair Thomas stated might be.

I don't know.

I'm gonna mess that up.

Chair Thomas stated Commissioner Noonan.

Commissioner Noonan stated so, um, good meeting. Uh, very quick. I just wanted to comment, I was able-- I stumbled across a, a little event, a re-- uh, a opening of a record and tape store in Yucca Valley in the old Stater Brothers. Um, and there was a very well-known, accomplished, famous musician that was just playing there. And a really amazing crowd. And I'm like, am I in Joshua Tree or am I in Yucca Valley? I remember thinking to myself. And the folks that opened this place were really excited about doing business with Yucca Valley, being in Yucca Valley, and bringing a record and tape store, which is the last time I ever heard of something like that opening up, you know? And, uh, and bringing some talented musicians. Uh, it's right near where the Starbucks, I think, is going in. So I guess my next-- my-- they asked me what's going on with Starbucks. So I thought maybe I'd go ahead and ask, do we have any news on that Starbucks West location?

Senior Planner Jerome stated no. We're-- we've reached out to the project manager, but have not heard back. Um, it doesn't look like they've made much progress.

Commissioner Noonan stated Uh, uh, are they due for inspections of anything that we would

assu-assume, or?

Senior Planner Jerome stated no.

Commissioner Noonan stated no. Okay. All right. That's it. Well, on that, thank you.

Chair Thomas stated okay. Uh, I don't have any further comments. Thank you for staff and everybody for putting the meeting on.

Announcements

Chair Thomas stated and, uh, with that, we'll move to the announcements. Upcoming meeting schedule. The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, June 23, 2026, at 6:00 PM in the Yucca Valley Community Center Yucca Room.

Adjournment

Chair Thomas stated and, uh, at, uh, 6:15, we'll adjourn the meeting.

Respectfully submitted,

Janet Yochmowitz
Commission Secretary

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



To: Planning Commission

From: Jared Jerome, Senior Planner

Date: June 17, 2026

Meeting Date: June 23, 2026

Subject: Tentative Tract Map 20848 & Environmental Assessment 01-25, Yucca Trail Reversion to Acreage

Recommendation:

That the Planning Commission finds that the project is exempt from CEQA under Section 15305(C), Minor Alterations in Land Use Limitations, as the proposed project consists of a reversion to acreage in accordance with the Subdivision Map Act;

And that the Planning Commission approves Tentative Tract Map 20848, a reversion to acreage from 18 existing lots, located at the south-west corner of Yucca Trail and Emerson Avenue, bounded by Yucca Trail to the north and Arcadia Trail to the south, created by Tract Map 17328, to a single parcel, approximately 9.21 acres in gross lot area, while retaining the existing offers of dedication and easements identified on Tract Map 17328.

Prior Review:

There has been no prior review of this item.

Discussion:

Location: South-west corner of Yucca Trail and Emerson Avenue, bounded by Yucca Trail to the north and Arcadia Trail to the south

APN: 0588-311-10 through 0588-311-27

Zoning: Residential, Single Family (R-S-2)

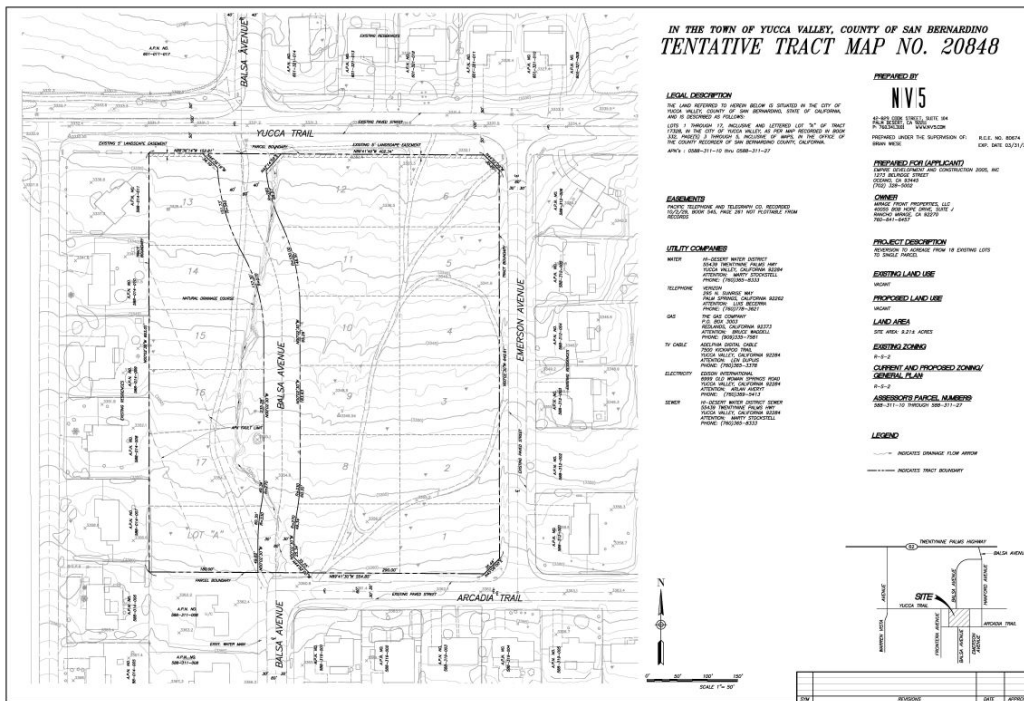
Parcel Size: 9.21 acres

On May 3, 2005, the Planning Commission approved Tentative Tract Map (TTM) 17328. Subdivisions require a Subdivision Improvement Agreement for public improvements such as streets and sidewalks, and those improvements are required to be bonded. The agreement and bonds are in place to ensure that the required public improvements are constructed as part of a subdivision, and that the project proponent does not sell individual properties without constructing those improvements. Conditions of approval 11, 13, and 31 for

TTM 17328 address the required dedications and street improvements, formation of maintenance districts, and bonding of those public improvements (Conditions of approval for 17328 are attached).

Throughout the years 2020-2022, Town staff received inquiries regarding the purchase of the subject subdivision, and staff notified the property owner that the Subdivision Improvement Agreement and bonds had expired and the conditions of approval for the subdivision had not been met. On July 1, 2024, the Code Compliance division issued a letter to the property owner notifying them that the subdivision was no longer in compliance.

On September 4, 2025, the applicant submitted TTM 20848 for the reversion to acreage of 18 existing lots created by TTM 17328 to one (1) single parcel approximately 9.21 acres in size. It is staff's understanding that the primary reason for the non-compliance was due to the costs associated with infrastructure improvements. As part of the reversion to acreage, the Town has requested that the dedications for roadways, including Balsa Avenue, remain in place. At a future date, Balsa Avenue is anticipated to be improved between Yucca Trail and Arcadia Trail, necessitating the existing road easement that crosses the subdivision.





Applicant:

Empire Development and Construction 2005, Inc.
1273 Belridge Street
Oceano, CA 93445

Owner:

Mirage Front Properties, LLC
40055 Bob Hope Drive, Suite J
Rancho Mirage, CA 92270

Representative:

NV5, Inc
Vickie Bridenstine
42-829 Cook Street, #104
Palm Desert, CA 92211

Location:

South-west corner of Yucca Trail and Emerson Avenue, bounded by Yucca Trail to the north and Arcadia Trail to the south.
Assessor Parcel Numbers (APNs) 0588-311-10 through 0588-311-27.

General Plan Designation:

Rural Residential (RR 0.5) 0.5 acre minimum

Surrounding General Plan Designations:

- North: Rural Residential (RR 0.5) 0.5 acre minimum and Mixed Use (MU)
- South: Rural Residential (RR 0.5) 0.5 acre minimum
- East: Rural Residential (RR 0.5) 0.5 acre minimum
- West: Rural Residential (RR 0.5) 0.5 acre minimum

Zoning Designation:

Residential, Single-Family, 2 Dwelling Units Per Acre (R-S-2)

Surrounding Zoning Designations:

- North: Residential, Single-Family, 2 Dwelling Units Per Acre (R-S-2) and Mixed Use Commercial (C-MU)
- South: Residential, Single-Family, 2 Dwelling Units Per Acre (R-S-2)
- East: Residential, Single-Family, 2 Dwelling Units Per Acre (R-S-2)
- West: Residential, Single-Family, 2 Dwelling Units Per Acre (R-S-2)

Environmental Consideration:

The project is exempt from CEQA under Section 15305 Class 5, Minor Alterations in Land Use Limitations.

Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including by not limited to: (c) Reversion to acreage in accordance with the Subdivision Map Act.

FEMA Flood Zone:

The property is located in FEMA Flood Zone D, Map 8860.

Alquist Priolo Zone:

The property is located in an Alquist Priolo earthquake study zone. The preliminary grading plan for the proposed project illustrates the fault limit located to the south-west of the project site. The geologic study and fault investigation for TTM 17328 recommends a setback of at least 50' from the fault trace area. Although typical single-family residential construction is generally exempt from Alquist Priolo requirements, the proposed development located on the preliminary grading plan illustrates that the structures are more than 50' from the fault trace area illustrated on the preliminary grading plan.

Trails and Bike Lane Master Plan:

Yucca Trail is classified as a Class II Bike Lane. Class II bikeway provides designated lanes for the use of bicycles through the use of striping on the roadway and signage designations for the facility. Roadway improvements are not required for the reversion to acreage.

Master Plan of Drainage:

The Master Plan of Drainage identifies the Hanford Avenue (Y01-01) to the north of the property. The Master Plan of Drainage does not illustrate a facility at the project site.

Specific Plan/Planned Development Area:

The property is not located in a Specific Plan or Planned Development area.

Off-Site Improvements Required:

No improvements are required as a part of this project.

Right of Way Dedication:

All existing right-of-way dedications for Tract Map 17328 to remain in place, including Yucca Trail, Arcadia Trail, Emerson Avenue, and Balsa Avenue.

Street Lights:

The installation of street lights is not required for this project.

Future Town Council Action Required:

Town Council approval will be required for the Final Map.

FINDINGS:

1. Dedications or offers of dedication to be abandoned or vacated by the reversion to acreage are unnecessary for present or prospective public purposes.

The existing dedications included in Tract Map 17328 are required to remain in place. No offers of dedication are proposed to be abandoned or vacated.

- 2. Either
 - a. All owners of an interest in the real property with the subdivision have consented to the reversion;
 - b. None of the improvements required to be made have been made within two (2) years from the date the final or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is the later; or
 - c. No parcels shown on the final or parcel map have been sold within five (5) years from the date the map was filed for record.

The property owner of the existing tract map has filed the application for reversion to acreage and consents to the reversion.

None of the improvements required to be made have been made.

No parcels shown on the final map have been sold.

Alternatives

NA

Fiscal Impact:

NA

Attachments

- 1. TTM 20848 & EA 01-25 - Application 9-4-2025
- 2. TTM 20848 9-4-2025

3. TTM 20848 Conceptual Grading Plan 2-9-2026
4. EA 01-25 Biological Assessment - 2-2026
5. TTM 20848 & EA 01-25 Mirage Front Properties NOE
6. COA TTM 20848 Mirage Front Properties Reversion to Acreage 6-23-2026
7. TM 17328 Final Map
8. COA TTM 17328 Final
9. 05_03_2005 PC Minutes
10. 12_14_2006 TC Minutes
11. 01_25_2007 TC Minutes



Tentative Tract/
Tentative Parcel Map
Application

Date Received	_____
By	_____
Fee	_____
Map #	_____
EA #	_____

General Information

Empire Development and Construction
APPLICANT 2005, Inc. (Fred Brilman) Phone (702) 328-5002

Mailing Address 1273 Belridge Street Email empire2005gc@gmail.com

City Oceano State CA Zip Oceano

REPRESENTATIVE NV5 (Brian Wiese) Phone (619) 315-7197

Mailing Address 42-829 Cook Street, Suite 104 Email brian.wiese@nv5.com

City Palm Desert State CA Zip 93445

PROPERTY OWNER Mirage Front Properties, LLC Phone 760-641-6457

Mailing Address 40055 Bob Hope Dr., Suite J Email medhishaaf@gmail.com

City Rancho Mirage State CA Zip 92270

Project Information

Project Address N/A Assessor Parcel Number(s) 588-311-10 through 588-311-27

Project Location Vacant property bounded by Yucca Trail to the north, Arcadia Trail to the south, and Emerson Avenue to the East.

Project Description: Project proposes a reversion to acreage of the existing 18 lots as shown on TTM 20848.

Please attach any additional information that is pertinent to the application.

Town of Yucca Valley
Community Development Department
Planning Division
58928 Business Center Drive
Yucca Valley, CA 92284
760 369-6575 Fax 760 228-0084
www.yucca-valley.org

Environmental Assessment

1. Property boundaries, dimensions, and area (also attach an 8 ½ x 11" site plan):
~9.21 acres (see attached site plan)
2. Existing site zoning: R-S-2
3. Existing General Plan designation: RR-0.5
4. Precisely describe the existing use and condition of the site: Existing site is vacant natural terrain.
5. Existing Zoning of adjacent parcels:
North R-S-2 South R-S-2 East R-S-2 West R-S-2
6. Existing General Plan designation of adjacent parcels:
North RR-0.5 South RR-0.5 East RR-0.5 West RR-0.5
7. Precisely describe existing uses adjacent to the site: Existing uses adjacent to the site consists of single family residential
8. Describe the plant cover found on the site, including the number and type of all protected plants: Approximately 135 Joshua Trees on site

Note: Explain any "Yes" or "Maybe" responses to questions below. If the information and responses are insufficient or not complete, the application may be determined incomplete and returned to the applicant.

Yes Maybe No

- | | | | |
|-------------------------------------|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Is the Site on filled or slopes of 15% or more or in a canyon? (A geological and/or soils Investigation report is required with this application.) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10. Has the site been surveyed for historical, paleontological, or archaeological resources? (If yes, a copy of the survey report is to accompany this application.) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Is the site within a resource area as identified in the archaeological and historical resource element? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Does the site contain any unique natural, ecological, or scenic resources? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 13. Do any drainage swales or channels border or cross the site? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 14. Has a traffic study been prepared? (If yes, a copy of the study is to accompany this application.) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 15. Is the site in a flood plain? (See appropriate FIRM) |

Project Description

Complete the items below as they pertain to your project. Attach a copy of any plans submitted as part of the project application and any other supplemental information that will assist in the review of the proposed project pursuant to CEQA.

1. Commercial, Industrial, or Institutional Projects: N/A

- A. Specific type of use proposed: _____
- B. Gross square footage by each type of use: _____

- C. Gross square footage and number of floors of each building: _____

- D. Estimate of employment by shift: _____
- E. Planned outdoor activities: _____

2. Percentage of project site covered by:

____0____ % Paving, ____0____ % Building, ____0____ % Landscaping, ____0____ % Parking

3. Maximum height of structures N/A ft. N/A in. _____

4. Amount and type of off street parking proposed: N/A _____

5. How will drainage be accommodated? N/A _____

6. Off-site construction (public or private) required to support this project: N/A _____

7. Preliminary grading plans estimate N/A cubic yards of cut and N/A cubic yards of fill _____

8. Description of project phasing if applicable: N/A _____

9. Permits or public agency approvals required for this project: N/A _____

10. Is this project part of a larger project previously reviewed by the Town? If yes, identify the

review process and associated project title(s)

N/A

11. During construction, will the project: (Explain any "yes" or "maybe" responses to questions below – attach extra pages if necessary.)

Yes Maybe No

- A. Emit dust, ash, smoke, fumes, or odors?
- B. Alter existing drainage patterns?
- C. Create a substantial demand for energy or water?
- D. Discharge water of poor quality?
- E. Increase noise levels on site or for adjoining areas?
- F. Generate abnormally large amounts of solid waste or litter?
- G. Use, produce, store, or dispose of potentially hazardous materials such as toxic or radioactive substances, flammable or explosives?
- H. Require unusually high demands for such services as police, fire, sewer, schools, water, public recreation, etc.
- I. Displace any residential occupants?

Certification

I hereby certify that the information furnished above, and in the attached exhibits, is true and correct to the best of my knowledge and belief.

Signature: 

Date: 9/4/2025

Owner/Applicant Authorization

Applicant/Representative: I/We have reviewed this completed application and the attached material. The information included with this application is true and correct to the best of my/our knowledge. I/We further understand that the Town may not approve the application as submitted, and/or may set conditions of approval. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. Additional fees may be required depending on additional administrative costs

Signed: Brian Wiese

Name: Brian Wiese

Date: 12/16/2024

Property Owner: I/We certify that I/We are presently the legal owner(s) of the above described property (if the undersigned is different from the legal property owner, a letter of authorization must accompany the form). Further, I/We acknowledge the filing of this application and certify that all of the above information is true and accurate. I/We understand that I/We are responsible for ensuring compliance with conditions of approval. I/We hereby authorize the Town of Yucca Valley and or/its designated agent(s) to enter onto the subject property to confirm the location of existing conditions and proposed improvements including compliance with applicable Town Code Requirements. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. Additional fees may be required depending on additional administrative costs. I am hereby authorizing

to act as my agent and is further authorized to sign any and all documents on my behalf.

Signed: Mehdi Shafiq

Name: MEHDI SHAFIQ

Date: 12/17/24

The Town of Yucca Valley is hereby granted release to copy and reproduce electronically, in whole or in part, drawings and all other materials submitted with this development application including phone numbers, addresses and e-mail addresses, for the Town's regulatory, administrative, and legal functions, including sharing of information with other governmental entities and for compliance with the California Public Records Act (CPRA). If any of these statements cannot be affirmatively acknowledged, please inform the planner before submitting a development application.

Signed: Brian Wiese

Name: Brian Wiese

Date: 9/4/2025

Agreement to Pay All Development Application Fees

In accordance with Town Council Resolution 04-38 the Town collects certain fees based on the actual cost of providing service. The application deposit for this project (as indicated below) may not cover the total cost of processing this application. I/We are aware that if the account has 25% or less remaining prior to completion of the project, staff will notify the undersigned in writing, of the amount of additional deposit required to complete the processing of the application, based on Staff's reasonable estimate of the hours remaining to complete this application process.

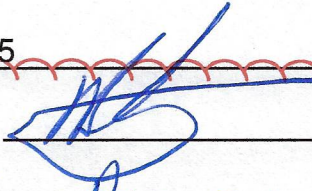
Further, I understand that if I do not submit the required additional deposit to the Town within 15 business days from the date of notification by the Town, the Town will cease processing of the application and/ or not schedule the project for action by the Planning Commission or Town Council until the fees have been paid.

Any remaining deposit will be refunded to me at time of closeout after I have submitted any required approved project plans and forms, including signed conditions of approval, or upon my written request to withdraw the application.

As the applicant, I understand that I am responsible for the cost of processing this application and I agree that the actual costs incurred processing this application will be paid to the Town of Yucca Valley.

Deposit Paid: \$ 2,855

Applicant's Signature



Applicants Name

EMARE DEVELOPMENT & CONSTRUCTION
2005, INC

Date

12-17-24

(Please print)

Developer Disclosure Statement

This portion of the application must be fully completed and signed by the applicant. If not fully completed and signed, the application will be deemed incomplete.

Address of subject property: Tract Map #17328, Yucca Valley, CA

Cross street: SW corner of Yucca Trail and Emerson Ave, Yucca Valley

Date this Disclosure Statement is completed: 10-2-24

Name of Applicant: Empire Development and Construction 2005, Inc.

The Applicant is a:

- Limited Liability Company (LLC)
- Partnership
- Corporation
- None of the above

Information for LLC, Partnership, Corporation

Name Empire Development and Construction 2005, Inc. Phone 805-202-8806

Mailing Address 1273 Belridge St. Email empire2005gc@gmail.com

City Oceano State CA Zip 93445

State of Registration California

Managing member(s), General Partner(s) officer(s)

Name Fred Brillman Phone 702-328-5002

Mailing Address 645 Balboa Email fredbrillmanre@gmail.com

City Grover Beach State CA Zip 93433

Attach additional sheets if necessary

Agent for Service of Process

Name Jack Harris Phone 714-357-3163

Mailing Address 325 Stimson Email pismojack@gmail.com

City Pismo Beach State CA Zip 93449

For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder

Name Christine Fraser - Trustee Phone 702-234-2424

Mailing Address 645 Balboa Email cfcf@me.com

City Grover Beach State CA Zip 93433

The Owner is a:

- Limited Liability Company (LLC)
- Partnership
- Corporation
- None of the above

Information for LLC, Partnership, Corporation

Name Mirage Front Properties, LLC Phone 760-641-6457
Mailing Address 4005 Bob Hope Dr., Suite J Email mehdishaaaf@gmail.com
City Rancho Mirage State CA Zip 92270
State of Registration California

Managing member(s), General Partner(s) officer(s)

Name Mehdi Shaaf Phone 760-641-6457
Mailing Address 73159 Ajo Lane Email mehdishaaaf@gmail.com
City Palm Desert State CA Zip 92270

Attach additional sheets if necessary

Agent for Service of Process

Name Mehdi Shaaf Phone 760-641-6457
Mailing Address 73159 Ajo Lane Email mehdishaaaf@gmail.com
City Palm Desert State CA Zip 92270

For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder

Name Mehdi Shaaf Phone 760-641-6457
Mailing Address 73159 Ajo Lane Email mehdishaaaf@gmail.com
City Palm Desert State CA Zip 92270

The Party in escrow is a (if property is in escrow):

N/A

- Limited Liability Company (LLC)
- Partnership
- Corporation
- None of the above

Information for LLC, Partnership, Corporation

Name _____ Phone _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

State of Registration _____

Managing member(s), General Partner(s) officer(s)

Name _____ Phone _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

Attach additional sheets if necessary

Agent for Service of Process

Name _____ Phone _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder

Name _____ Phone _____

Mailing Address _____ Email _____

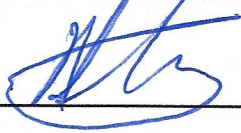
City _____ State _____ Zip _____

For any deeds of trust or other liens on the property (other than real property tax liens) please state the following:

A. Name of beneficiary of the deed of trust or lien NONE

B. Date of the deed of trust or lien. NONE

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on the date and location set forth below



Signature

Print Name Fred Bruman.

Title: V.P.

Date of signing 12-17-24

Location: GROVER BEACH.

Hazardous Waste and Substance Sites
--

Government Code Section 65962.5 requires each applicant for any development project to consult the State List of Hazardous Waste and Substance Sites. Based upon the list, the applicant/representative is required to submit a signed statement to the Town of Yucca Valley indicating whether the project is located on a site which is included on the list before the Town accepts the application as complete. If the project is listed by the State as a hazardous waste or substance site, the applicant must fully describe on the "Environmental Information Form" the nature of the hazard and the potential environmental impact. Attached is a standard statement for the applicant to sign.

The State list of Hazardous Waste and Substance Sites (which is annually updated) may be reviewed at the following web site address:

http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm

Attachment: Hazardous Waste Site Statement



HAZARDOUS WASTE SITE STATEMENT

I have been informed by the Town of Yucca Valley of my responsibilities, pursuant to California Government Code Section 65962.5, to notify the Town as to whether the site for which a development application has been submitted is located within an area which has been designated as the location of a hazardous waste site by the Office of Planning and Research, State of California (OPR).

I am informed and believe that the proposed site, for which a development application has been submitted, is not within any area specified in said Section 65962.5 as a hazardous waste site.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Dated: 12/16/2024

Brian Wiese
Applicant/Representative printed name


Applicant/Representative signature

IN THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO TENTATIVE TRACT MAP NO. 20848

PREPARED BY

NIVIS

42-829 CDDK STREET, SUITE 104
PALM DESERT, CA 92211
P: 760.341.3101 WWW.NIVIS.COM

PREPARED UNDER THE SUPERVISION OF: R.C.E. NO. 80674
BRIAN WIESE EXP. DATE 03/31/27

PREPARED FOR (APPLICANT)

EMPIRE DEVELOPMENT AND CONSTRUCTION 2005, INC
1273 BELRIDGE STREET
OCEANO, CA 93445
(702) 328-5002

OWNER

MIRAGE FRONT PROPERTIES, LLC
40055 BOB HOPE DRIVE, SUITE J
RANCHO MIRAGE, CA 92270
760-641-6457

PROJECT DESCRIPTION

REVERSION TO ACREAGE FROM 18 EXISTING LOTS
TO SINGLE PARCEL

EXISTING LAND USE

VACANT

PROPOSED LAND USE

VACANT

LAND AREA

SITE AREA: 9.21± ACRES

EXISTING ZONING

R-S-2

CURRENT AND PROPOSED ZONING/
GENERAL PLAN:

R-S-2

ASSESSOR'S PARCEL NUMBERS:

588-311-10 THROUGH 588-311-27

LEGEND

INDICATES DRAINAGE FLOW ARROW

INDICATES TRACT BOUNDARY

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 17, INCLUSIVE AND LETTERED LOT "A" OF TRACT 17328, IN THE CITY OF YUCCA VALLEY, AS PER MAP RECORDED IN BOOK 332, PAGE(S) 3 THROUGH 5, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

APN's : 0588-311-10 thru 0588-311-27

EASEMENTS

PACIFIC TELEPHONE AND TELEGRAPH CO. RECORDED
10/2/29, BOOK 545, PAGE 261 NOT PLOTTABLE FROM RECORDS

UTILITY COMPANIES

WATER HI-DESERT WATER DISTRICT
55439 TWENTYNINE PALMS HWY
YUCCA VALLEY, CALIFORNIA 92284
ATTENTION: MARTY STOCKSTELL
PHONE: (760)365-8333

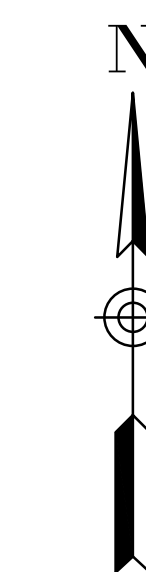
TELEPHONE VERIZON
295 N. SUNRISE WAY
PALM SPRINGS, CALIFORNIA 92262
ATTENTION: LUIS BECERRA
PHONE: (760)778-3621

GAS THE GAS COMPANY
P.O. BOX 3003
REDLANDS, CALIFORNIA 92373
ATTENTION: BRUCE WADELLE
PHONE: (909)335-7581

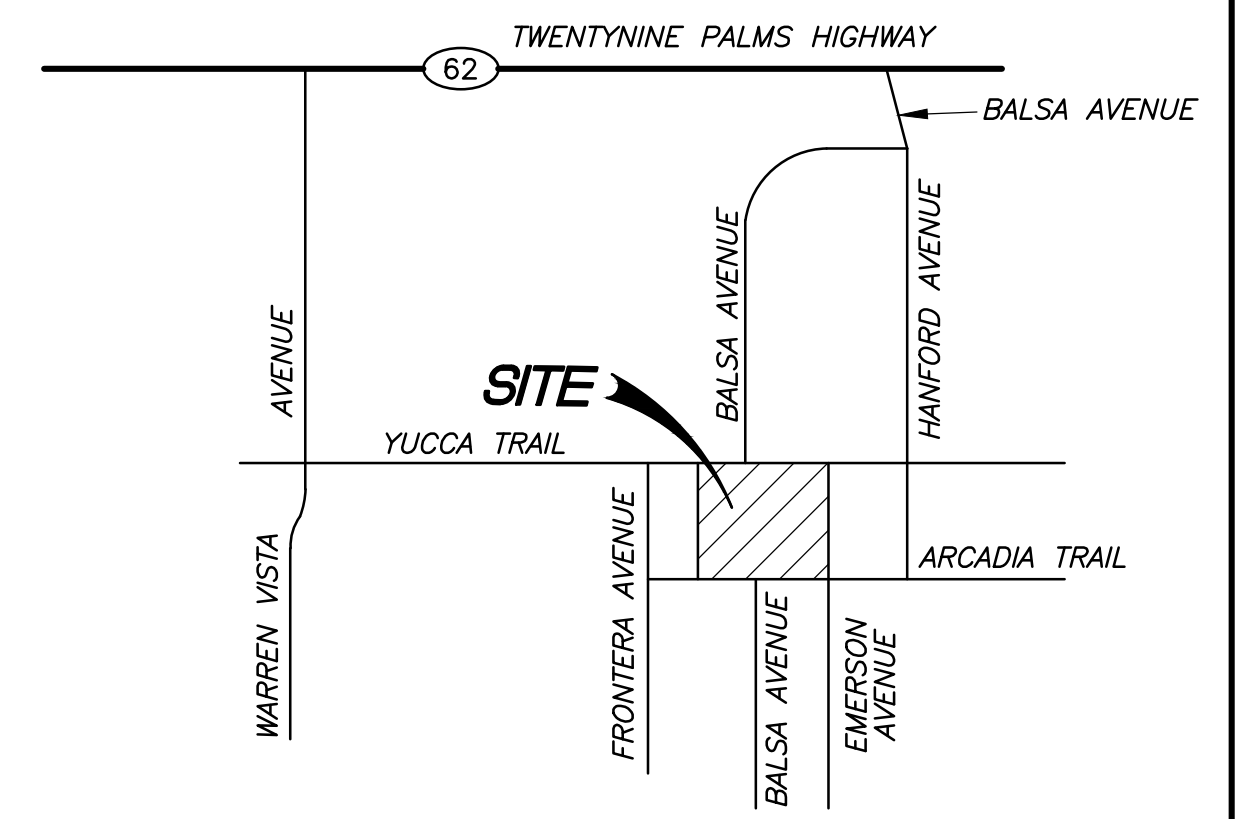
TV CABLE ADELPHIA DIGITAL CABLE
7500 KICKAPOO TRAIL
YUCCA VALLEY, CALIFORNIA 92284
ATTENTION: LEN DUPUIS
PHONE: (760)365-3378

ELECTRICITY EDISON INTERNATIONAL
6999 OLD WOMAN SPRINGS ROAD
YUCCA VALLEY, CALIFORNIA 92284
ATTENTION: ARLAN AVERY
PHONE: (760)369-5413

SEWER HI-DESERT WATER DISTRICT SEWER
55439 TWENTYNINE PALMS HWY
YUCCA VALLEY, CALIFORNIA 92284
ATTENTION: MARTY STOCKSTELL
PHONE: (760)365-8333



0' 50' 100' 150'
SCALE 1" = 50'



SYM	REVISIONS	DATE	APPROVED

IN THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO
CONCEPTUAL GRADING PLAN
 TENTATIVE TRACT MAP NO. 20848

PREPARED BY

NIVIS

42-829 CDDK STREET, SUITE 104
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PREPARED UNDER THE SUPERVISION OF: R.C.E. NO. 80674
 BRIAN WIESE EXP. DATE 03/31/27

PREPARED FOR (APPLICANT)

EMPIRE DEVELOPMENT AND CONSTRUCTION 2005, INC
 1273 BELRIDGE STREET
 OCEANO, CA 93445
 (702) 328-5002

OWNER

MIRAGE FRONT PROPERTIES, LLC
 40055 BOB HOPE DRIVE, SUITE J
 RANCHO MIRAGE, CA 92270
 760-641-6457

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 17, INCLUSIVE AND LETTERED LOT "A" OF TRACT 17328, IN THE CITY OF YUCCA VALLEY, AS PER MAP RECORDED IN BOOK 332, PAGE(S) 3 THROUGH 5, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

APN's : 0588-311-10 thru 0588-311-27

EASEMENTS

PACIFIC TELEPHONE AND TELEGRAPH CO. RECORDED 10/2/29, BOOK 545, PAGE 261 NOT PLOTTABLE FROM RECORDS

UTILITY COMPANIES

WATER HI-DESERT WATER DISTRICT
 55439 TWENTYNINE PALMS HWY
 YUCCA VALLEY, CALIFORNIA 92284
 ATTENTION: MARTY STOCKSTELL
 PHONE: (760)365-8333

TELEPHONE VERIZON
 295 N. SUNRISE WAY
 PALM SPRINGS, CALIFORNIA 92262
 ATTENTION: LUIS BECERRA
 PHONE: (760)778-3621

GAS THE GAS COMPANY
 P.O. BOX 3003
 REDLANDS, CALIFORNIA 92373
 ATTENTION: BRUCE WADELLE
 PHONE: (909)335-7581

TV CABLE ADELPHIA DIGITAL CABLE
 7500 KICKAPOO TRAIL
 YUCCA VALLEY, CALIFORNIA 92284
 ATTENTION: LEN DUPUIS
 PHONE: (760)365-3378

ELECTRICITY EDISON INTERNATIONAL
 6999 OLD WOMAN SPRINGS ROAD
 YUCCA VALLEY, CALIFORNIA 92284
 ATTENTION: ARLAN AVERY
 PHONE: (760)369-5413

SEWER* HI-DESERT WATER DISTRICT SEWER
 55439 TWENTYNINE PALMS HWY
 YUCCA VALLEY, CALIFORNIA 92284
 ATTENTION: MARTY STOCKSTELL
 PHONE: (760)365-8333

*SEWAGE DISPOSAL WILL BE TO EXISTING MUNICIPAL SEWER SYSTEM. REGIONAL WATER QUALITY CONTROL BOARD APPROVAL IS NOT REQUIRED

PROJECT DESCRIPTION

REVERSION TO ACREAGE FROM 18 EXISTING LOTS TO SINGLE PARCEL

EXISTING LAND USE

VACANT

PROPOSED LAND USE

VACANT

LAND AREA

SITE AREA: 9.21± ACRES

EXISTING ZONING

R-S-2

**CURRENT AND PROPOSED ZONING/
 GENERAL PLAN:**

R-S-2

ASSESSOR'S PARCEL NUMBERS:

588-311-10 THROUGH 588-311-27

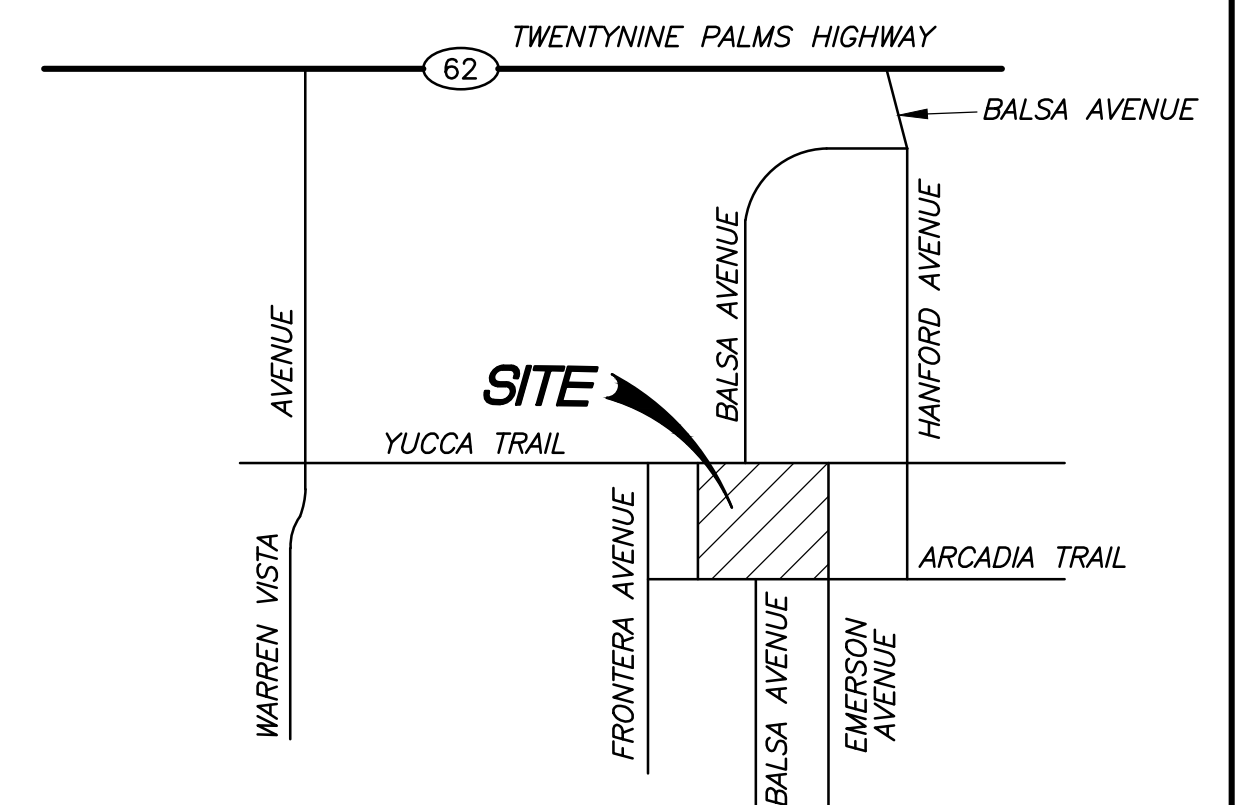
LEGEND

INDICATES DRAINAGE FLOW ARROW WITH APPROXIMATE STREET GRADIENTS

INDICATES TRACT BOUNDARY

INDICATES EXISTING SEWER

INDICATES EXISTING WATER



SYM	REVISIONS	DATE	APPROVED

**Focused Survey for Agassiz's Desert Tortoise,
Habitat Evaluation for Burrowing Owl, Focused Survey for Joshua Trees,
General Biological Resource Assessment, and
Jurisdictional Waters Analysis for a
10-acre± Site (TT 17328) in the Town of Yucca Valley
San Bernardino County, California**

(U.S. Geological Survey 7.5' Yucca Valley South quadrangle, Township 1 South, Range 6 East, a portion of the Northwest ¼ of Section 6, S.B.B.&M.)

Job#: 24-026

Prepared by:

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Contacts: Ed LaRue, Sharon Dougherty

Prepared for:

Empire Development and Construction

1273 Belridge St.

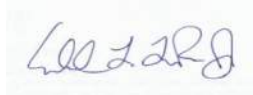
Oceano, California 93445

PH: (702) 328-5002

Email: fredbrilmanre@gmail.com

Contact: Fred Brillman

I hereby certify that the statements furnished herein, including attached exhibits, present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Field work conducted for this assessment was performed by me or under my direct supervision. I certify that I have not signed a nondisclosure or consultant confidentiality agreement with the project applicant or applicant's representative and that I have no financial interest in the project.



Circle Mountain Biological Consultants, Inc.
Authors and Field Investigators: Edward L. LaRue, Jr. and Susan Seville

July 2024
(Revised February 2026)

Figure 1. TT 17328: Vicinity Map

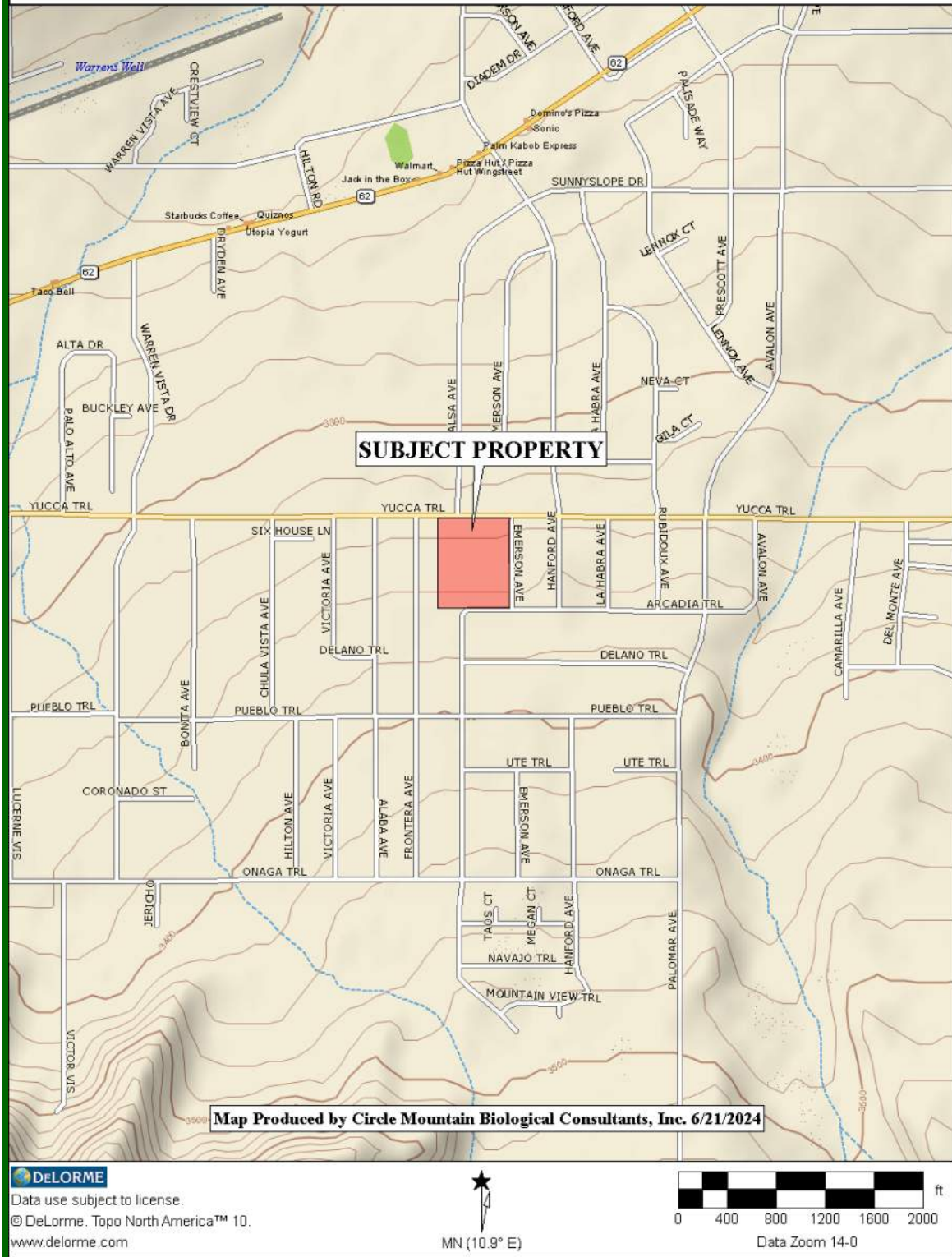


Figure 2. TT 17328: Site Map

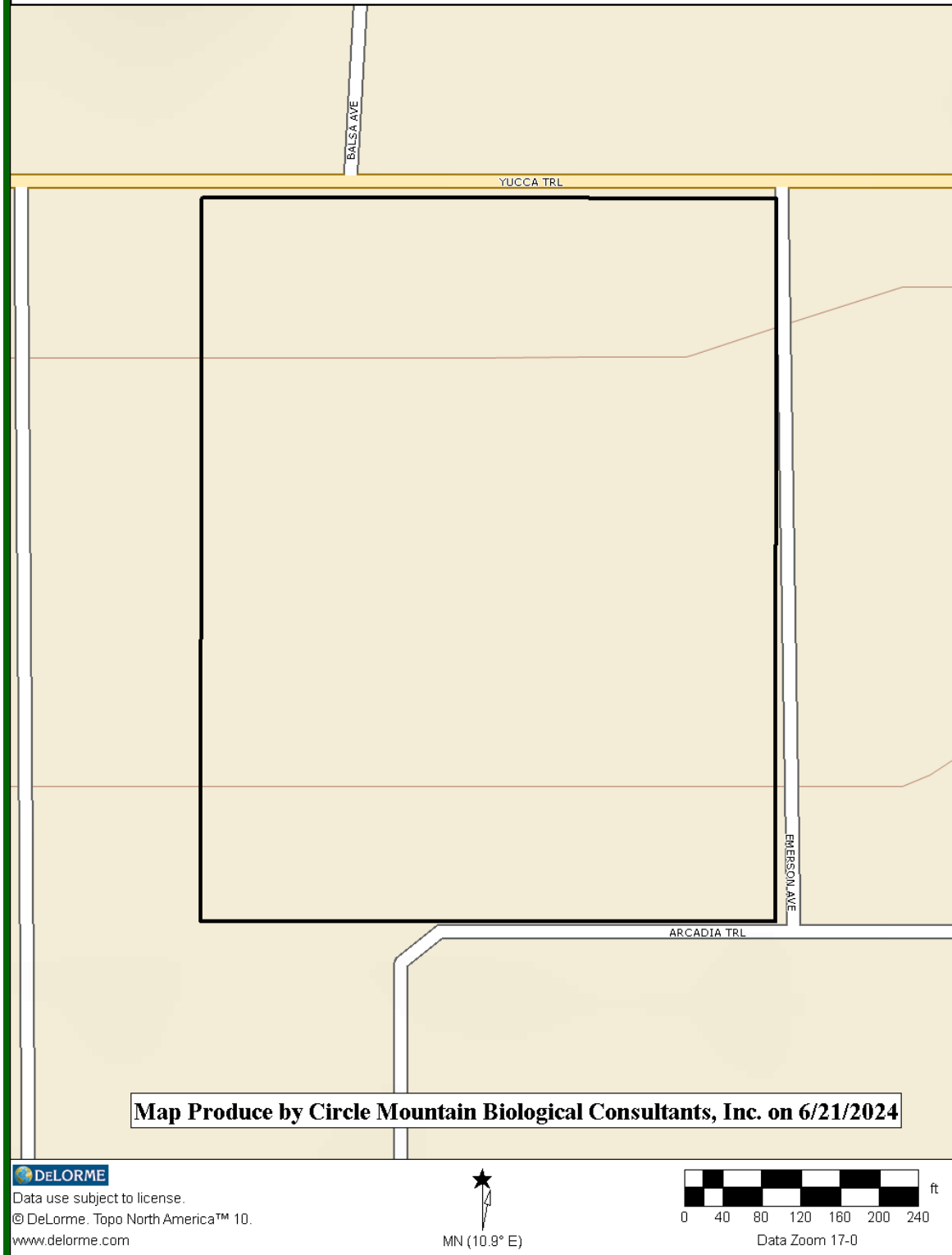
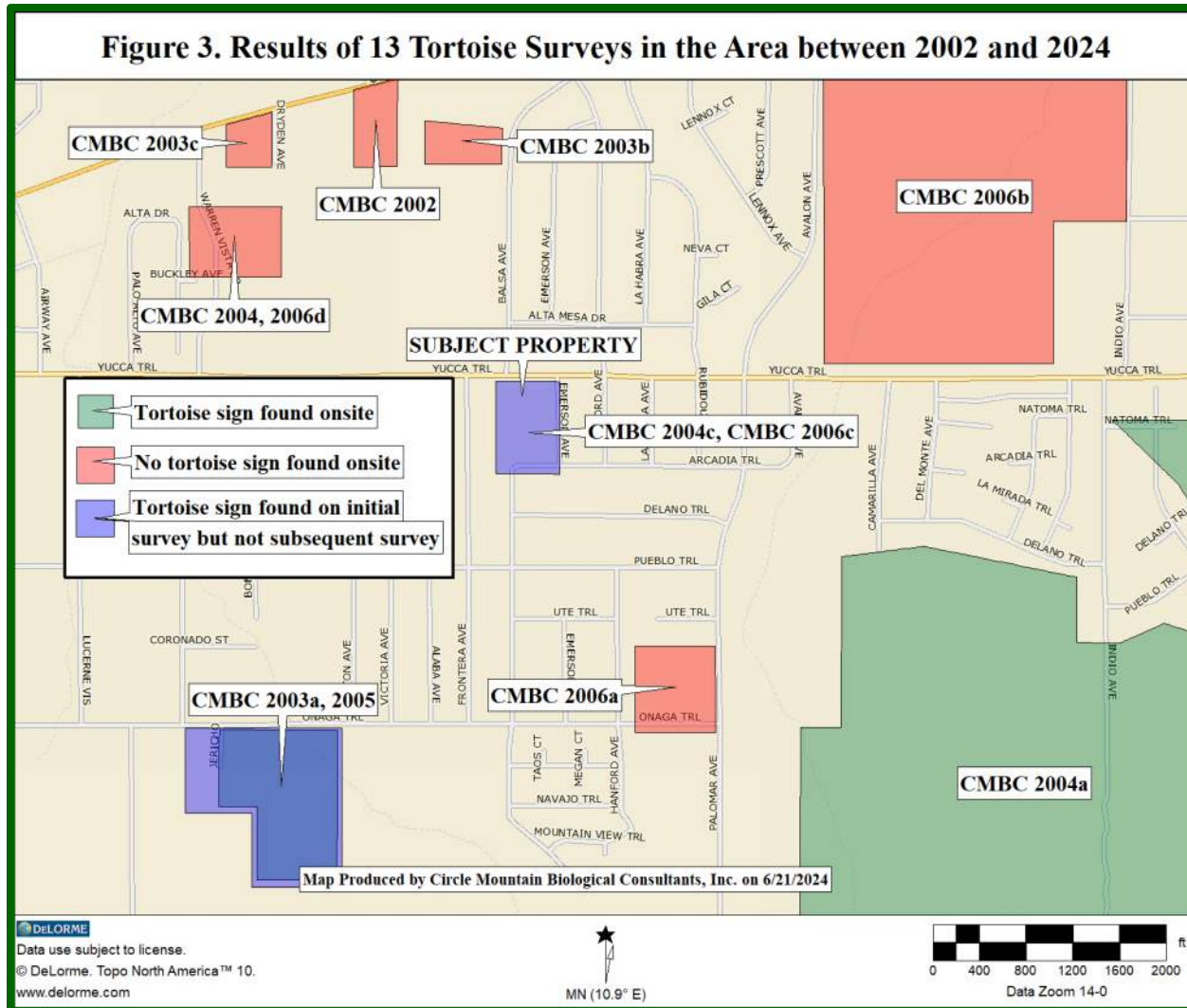
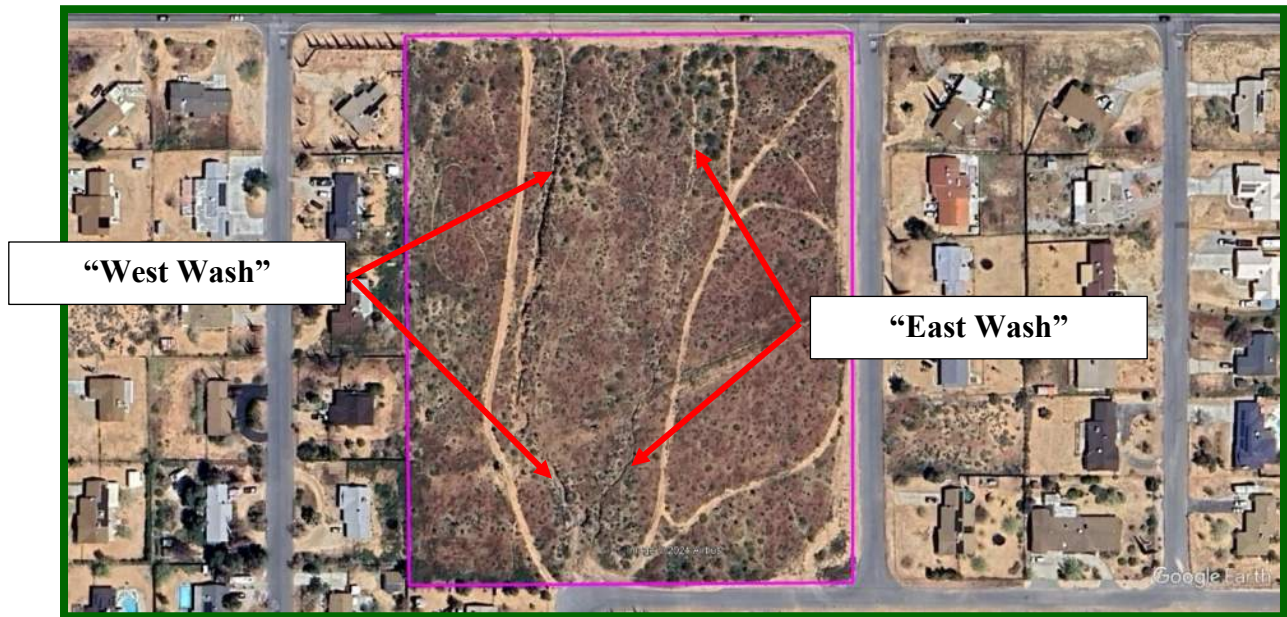


Figure 3. Results of 13 Tortoise Surveys in the Area between 2002 and 2024



**Figure 4. TT 17328:
Aerial Photograph (©2024 Google Earth)**



Enlarged aerial view from approximately 1,375 feet altitude (Image date: 4/13/2023)



Regional aerial view from approximately 11,000 feet altitude.

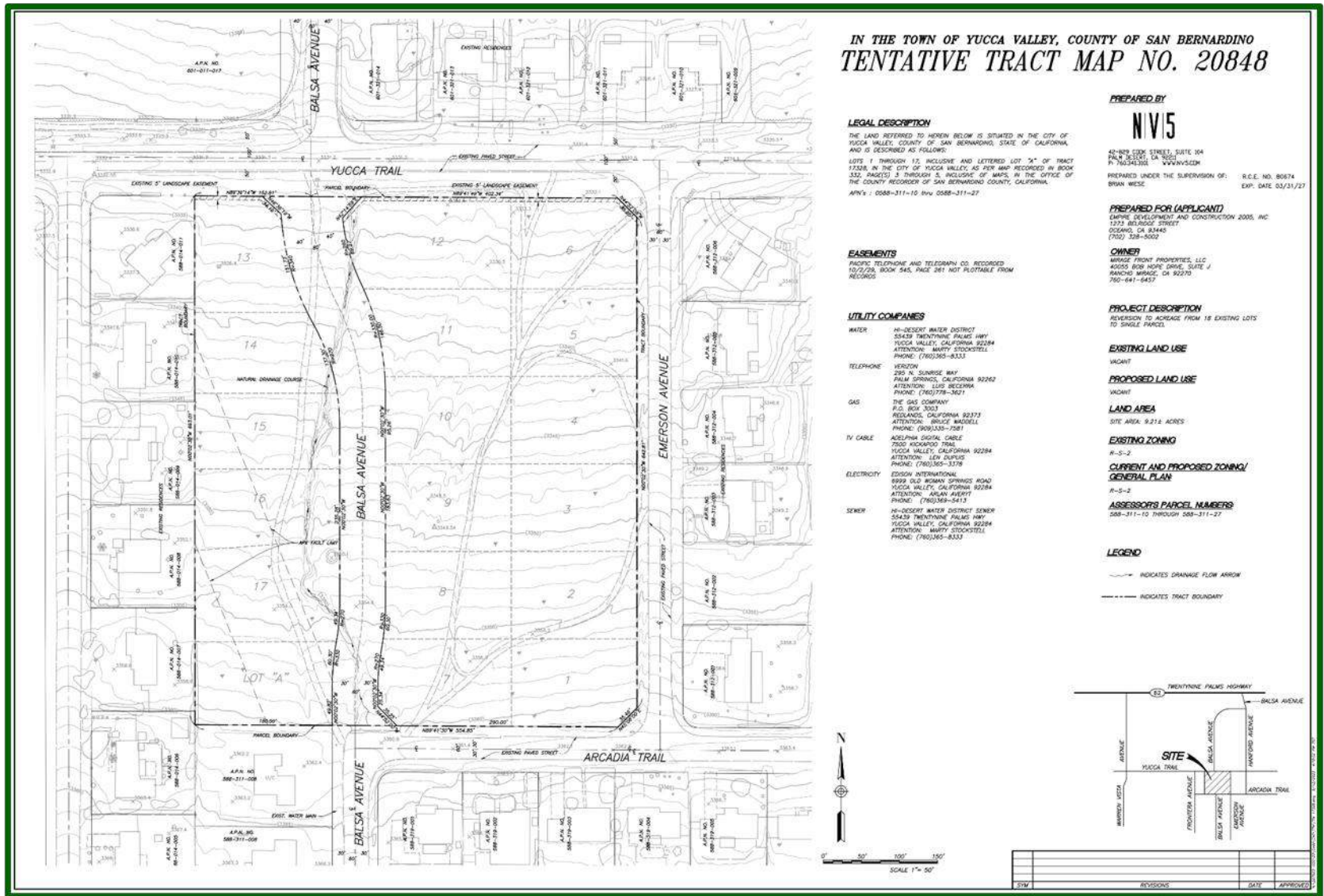


Figure 5. Tentative Tract Map to Revert to Acreage

Executive Summary

Circle Mountain Biological Consultants, Inc. was contracted by Empire Development & Construction, Inc (Proponent) to perform a focused survey for Agassiz's desert tortoise and western Joshua tree, habitat assessment for burrowing owl, and a general biological resource assessment on a parcel located in the Town of Yucca Valley, San Bernardino, California (see Figures 1 and 2). TT 17328 is a 10-acre± parcel located in Yucca Valley, southwest of the intersection of Yucca Trail and Emerson Ave. The legal description for the subject property is Township 1S, Range 6E, a portion of the NW¼, of the NW¼ of Section 6 S.B.B.&M. The Proponent plans to reverse the tentative tract map of the property from 17 lots into acreage comprising a single parcel. No ground disturbance is proposed at this time.

For a total of 12 hours, between 0530 and 1130 on June 21, 2024, Ed LaRue and Susan Seville of CMBC surveyed the site as described herein. This entailed a survey of 18 transects, spaced at 10-meter intervals and oriented in a north and south direction throughout the 10-acre± parcel. As depicted in Figure 2, the site was surveyed with no zone of influence surveys conducted for burrowing owl due to a lack of suitable habitat with urbanization surrounding the 10-acre ± parcel.

Based on DeLorme Topo USA® 10.0 software, elevations on the subject property range from approximately 3,365 feet (1,025 meters) at the south corner down to 3,335 feet (1,016 meters) at the north corner. Terrain is flat. Soils are sandy loam. No USGS-designated blue-line streams occur on-site. The 56 plant species identified during the survey are listed in Appendix A. The 3 reptile, 13 bird, and 6 mammal species identified during the survey are listed in Appendix B.

Based on the absence of tortoise sign on-site and in adjacent areas, and available information reviewed for this habitat assessment, CMBC concludes that tortoises are absent from the subject property. In addition, the current project consists of reversion of the property to acreage on a single parcel. As such, no impacts are anticipated, and no mitigation measures are recommended.

Based on the field survey and habitat assessment, and the fact that the project is a paper transaction and will not result in any ground disturbance, CMBC concludes that none of the following special status species reported from the region will be adversely affected by site development: desert tortoise, burrowing owl, desert kit fox, or American badger. As such, no adverse impacts have been identified and no mitigation measures are recommended.

Table of Contents

Figure 1. TT 17328: Vicinity Map	i
Figure 2. TT 17328: Site Map	ii
Figure 3. Results of 13 Tortoise Surveys in the Area between 2002 and 2024	iii
Figure 4. TT 17328: Aerial Photograph (©2024Google™ Earth).....	iv
Figure 5. Figure 5. Tentative Tract Map to Revert to Acreage	v
Executive Summary	vi
1.0. Introduction.....	1
1.1. Purpose and Need for Study	1
1.2. Project Description.....	1
2.0. Methods.....	1
2.1. Literature Review.....	1
2.2. Field Survey	2
3.0. Results.....	4
3.1. Common Biological Resources.....	4
3.1.1. Common Flora	4
3.1.2. Common Fauna.....	4
3.2. Uncommon Biological Resources.....	4
3.2.1. Agassiz’s Desert Tortoise	4
3.2.2. Other Special Status Species.....	5
3.3. Other Protected Biological Resources.....	6
3.3.1. Stream Courses	6
3.3.2. Jurisdictional Waters Analysis.....	7
3.3.3. Protected Plant Species	8
4.0. Conclusions and Recommendations	10
4.1. Impacts to Agassiz’s Desert Tortoise and Proposed Mitigation.....	10
4.2. Impacts to Other Biological Resources and Proposed Mitigation	11
5.0. Literature References	12
Appendix A. Plant Species Detected	17
Appendix B. Animal Species Detected.....	20
Appendix C. Field data sheets completed on 21 June 2024	22
Appendix D. Photographic Exhibits (see Figure 5 for exhibit locations).....	24
Appendix E. Summary Data for Joshua Trees.....	28
Appendix F. Photographs for the Jurisdictional Waters Analysis	43

**Focused Survey for Agassiz’s Desert Tortoise,
Habitat Evaluation for Burrowing Owl, Focused Survey for Joshua Trees,
General Biological Resource Assessment, and
Jurisdictional Waters Analysis for a
10-acre± Site (TT 17328) in the Town of Yucca Valley
San Bernardino County, California**

1.0. Introduction

1.1. Purpose and Need for Study. Circle Mountain Biological Consultants, Inc. (CMBC) was contacted by Fred Brilman on behalf of Empire Development & Construction (Proponent) to perform a focused survey for Agassiz’s desert tortoise (*Gopherus agassizii*), habitat assessment for burrowing owl (*Athene cunicularia*), focused survey for Joshua tree (*Yucca brevifolia*), and a general biological resource assessment on a 10-acre± site located in the Town of Yucca Valley, San Bernardino County, California (see Figures 1 and 2). This is considered a “resurvey” because the site was first surveyed in 2004 (CMBC 2004c) and again in 2006 (CMBC 2006c). Given the location of the site within San Bernardino County and because the Town does not have specified guidelines for report preparation, this report has been prepared, in part, according to County of San Bernardino’s *Report Protocol for Biological Assessment Reports* (County of San Bernardino 2006).

As the California Environmental Quality Act (CEQA) Lead Agency, the Town of Yucca Valley Planning Department (Town) is required to complete an initial study to determine if site development will result in any adverse impacts to rare biological resources. The information may also be useful to federal and State regulatory agencies, including U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), respectively, if the Lead Agency asks them to assess impacts associated with proposed development. Results of CMBC’s focused tortoise and Joshua tree surveys, burrowing owl habitat assessment, and general biological resource assessment are intended to provide sufficient baseline information to these agencies to determine if significant impacts will occur and to identify mitigation measures, if any, to offset those impacts.

1.2. Project Description. TT 17328 is a 10-acre± site located in the Town of Yucca Valley, southwest of the intersection of Yucca Trail and Emerson Ave., San Bernadino California. The legal description for the subject property is Township 1S, Range 6E, a portion of Section 6, S.B.B.&M. The Proponent plans to reverse the tentative tract map of the property from 17 lots into acreage comprising a single parcel. No ground disturbance is proposed at this time.

2.0. Methods

2.1. Literature Review. CMBC consulted materials included in our library to determine the nearest locations of special status plant and animal species that have been reported from the vicinity of the subject property. Between 1989 (Tierra Madre Consultants, Inc. 1989) and the present 2024 study, CMBC has completed approximately 302 focused tortoise surveys in the Morongo Basin area, which comprises the region including Morongo Valley

to the west and Twentynine Palms to the east. Of relevance given their proximity to the subject property are 12 focused tortoise surveys located between approximately 1,600 feet south southeast (CMBC 2006a) and 2,650 feet northwest of the parcel (CMBC 2003c), between 2002 (CMBC 2002) and 2006 (CMBC 2006d), which, along with the subject property, are mapped in Figure 3. These and other materials used in the completion of this report are listed in Section 5.0, below.

2.2. Field Survey.

2.2.1. *Survey and Habitat Assessment Protocols.* A significant paper was published in June 2011 (Murphy et al. 2011) whereby the “desert tortoise” of the Mojave Desert was split into two species, including *Gopherus agassizii*, referred to as “Agassiz’s desert tortoise,” and a newly described species, *G. morafkai*, referred to as “Morafka’s desert tortoise,” which occurs in the Sonoran Desert. According to Murphy et al. (2011), “...this action reduces the distribution of *G. agassizii* to only 30% of its former range. This reduction has important implications for the conservation and protection of *G. agassizii*, which may deserve a higher level of protection.” Then in 2016 (Edwards et al. 2016), a third species of tortoise was described, referred to as the “Goode’s Thornscrub Tortoise” (*Gopherus evgoodei*), which further reduced the perceived range of Morafka’s desert tortoise. Agassiz’s desert tortoise is the threatened species that occurs in the region surrounding the subject property.

For **Agassiz’s desert tortoise**, CMBC followed the most recent presence-absence tortoise survey protocol revised by the USFWS in 2019. USFWS (2019) protocol recommends surveying transects at 10-meter (30-foot) intervals throughout all portions of a given parcel and its associated action area. The *action area* is defined by regulation as all areas to be affected directly or indirectly by proposed development and not merely the immediate area involved in the action (50 CFR §402.02). For this site, the action area is the same as the subject property. Since the site is smaller than 500 acres, it may be surveyed year-round but there is no opportunity to estimate the density of tortoises on the 10-acre± subject property (USFWS 2019), particularly for this site where no tortoise sign was found.

For **burrowing owl**, although the formal habitat assessment does not specify a given interval to survey a site (Appendix C in CDFG 2012), subsequent breeding and nonbreeding studies identify that transects are surveyed at 7 to 20 meters (23 to 65 feet) apart, with five additional transects surveyed at 30-meter intervals out to 150 meters (500 feet) in adjacent areas in potential habitat (i.e., excluding areas substantially developed for commercial, residential, and/or industrial purposes) (Appendix D in CDFG 2012). With its narrower transect intervals, the tortoise survey is sufficient to cover the site for burrowing owl. The focus of the survey is to find and inspect all burrows sufficiently large to be used by burrowing owls. Importantly, this methodology is considered a formal *habitat assessment* for presence of burrowing owls, which can be conducted any time of the year. Had burrowing owl sign been found, which it was not, it would have then been necessary to perform breeding burrowing owl surveys during the spring and summer as outlined in CDFG (2012).

For **Joshua tree**, in October 2020, the California Fish and Game Commission accepted as complete a petition to list Joshua tree as a California Endangered Species. The Commission had a year to consider the petition and publish its determination, which was expected in October 2021 but has still not been resolved. In the meantime, CDFW has provided guidance¹ and an Excel spread sheet that contains specific information they want, such as tree height, dead versus alive, locations, photographs, etc. LaRue and Seville recorded locations of 146 Joshua trees using Garmin global positioning system (GPS) units, which have a horizontal accuracy of 2 to 3 meters. The tabulated information and photographs for each Joshua tree are included in Appendix E.

2.2.2. *Field Survey Methods.* For a total of 12 hours, between 05:30 and 11:30 am on 21 June 2024, Ed LaRue and Susan Seville of CMBC surveyed the site. This entailed a survey of 18 transects, spaced at 10-meter (30-foot) intervals and oriented along a north-south axis throughout the 10-acre± parcel. Copies of CMBC’s data sheet completed in the field and USFWS’s (2019) pre-project survey data sheet are included in this report (see Appendix C).

As the site was surveyed, LaRue kept tallies of observable human disturbances encountered on the nine transects he surveyed. The results of this method provide *encounter rates* for observable human disturbances. For example, two roads observed on each of 10 transects yields a tally of 20 roads (i.e., two roads encountered 10 times). Habitat quality, adjacent land uses, and this disturbance information are discussed below in Section 3.2 relative to the potential occurrence of Agassiz’s desert tortoise and other special status species reported from the region.

Weather conditions recorded at the beginning and ending of the survey included temperatures measured approximately 5 centimeters (2 inches) above the ground, percent cloud cover, and wind speeds measured by a hand-held Kestrel® weather and wind speed meter, as reported in Table 1.

Table 1. Weather Summary Data for the Survey			
Date 2024	Begin to End = Total hours*	Weather Conditions	
		Beginning	Ending
6/21	0530 to 11:30 = 12 hrs	64°F, no wind, 0% cloud	92°F, 2 ↑ 6 mph, 0% cloud

*Total hours = Six hours multiplied by two for the two biologists surveying the site = 12 hours.

All plant and animal species identified during the survey were recorded in field notes. Garmin® hand-held, GPS units were used to survey straight-line transects and record Universal Transverse Mercator (UTM) coordinates (North American Datum – NAD 83) for property boundaries, plant locations, and other pertinent information (Appendix C). A digital camera was used to take representative photographs (Appendix D), with locations and directions of exhibits shown in Figure 5. ©2024 Google™ Earth was accessed via the internet to provide available aerial photographs of the subject property and surrounding areas (Figure 4).

¹ (see <https://wildlife.ca.gov/Conservation/Environmental-Review/WJT/Permitting/Census-Instructions>)

3.0. Results

3.1. Common Biological Resources. The common plant and animal species identified during the survey are listed in Appendices A and B, respectively. Based on DeLorme Topo USA® 10.0 software, elevations on the subject property range from approximately 1,025 meters (3,365 feet) at the south boundary down to 1,016 meters (3,335 feet) at the north boundary. Terrain is flat. Soils are sandy loam. No blueline streams designated by the U.S. Geological Survey (USGS) occur on-site.

3.1.1. *Common Flora*. The 56 plant species identified during the survey are listed in Appendix A. Dominant perennials are creosote bush (*Larrea tridentata*), burrobrush (*Ambrosia dumosa*), Nevada joint-fir (*Ephedra nevadensis*), and paper-bag bush (*Salazaria Mexicana*). Additionally, there are four common cactus species, including silver cholla (*Cylindropuntia echinocarpa*), pencil cholla (*Cylindropuntia ramosissima*), hedgehog cactus (*Echinocereus engelmannii*), and beavertail cactus (*Opuntia basilaris*). That 13 of the 71 species (18%) observed are nonnative to California is indicative of the degraded nature of the site.

3.1.2. *Common Fauna*. The 3 reptile, 13 bird, and 7 mammal species identified during the survey are listed in Appendix B. The three reptiles included common side-blotch lizard (*Uta Stansburiana*), western whiptail (*Cnemidophorus tigris*), and desert spiny lizard (*Sceloporus magister*). Bird species that are either tolerant of or benefited by human development included common raven (*Corvus corax*), mourning dove (*Zenaidura macroura*), house finch (*Carpodacus mexicanus*), rock dove (*Columba livia*), Say's phoebe (*Sayornis saya*), Eurasian collard-dove (*Streptopelia decaocto*), house sparrow (*Passer domesticus*), and northern mockingbird (*Mimus polyglottos*). Small mammals observed or detected included antelope ground squirrel (*Ammospermophilus leucurus*) and kangaroo rat (*Dipodomys* sp.). California ground squirrels (*Otospermophilus beecheyi*) would not be present in pristine habitat, so their presence is indicative of degraded habitats. The only predator was bobcat (*Lynx rufus*).

3.2. Uncommon Biological Resources.

3.2.1. *Agassiz's Desert Tortoise*. No tortoise sign was found on-site during this focused protocol survey for the species (USFWS 2019). Based on the absence of tortoise sign on the subject property and reported from the region (see Figure 3), CMBC concludes that Agassiz's desert tortoise is absent from the subject property. Also, there is no likelihood of wild tortoises entering the site from adjacent areas, either to pass through the site or establish residency.

Encounter rates for observable human disturbances included (in descending order of prevalence) 28 dumps, 19 roads/trails, 6 cross country vehicle tracks, 2 domestic dogs, and 1 rifle shell. Most of the dumps were discarded vegetation, likely from neighboring residents. As shown in Figure 4, there are both roads and trails throughout the site. With only six vehicle tracks, most of the vehicle activity is on the roads and trails. Given the prevalence of residential development, there were surprisingly few domestic dog signs. Only one rifle shell was detected, which is to be expected as the site is within the town limits and surrounded by residences, so it may have been older.

Since 1989, CMBC personnel have performed approximately 302 focused tortoise surveys on about 16,000 acres located in the Morongo Basin, between Yucca Valley and Twentynine Palms. As depicted in Figure 3, 12 of these sites have been surveyed within approximately a half mile of the subject property. No tortoise sign was found during the initial survey (CMBC 2004c). On a subsequent survey in 2006 (CMBC 2006c), 46 scats and one burrow of a tortoise were found. Even then the site was surrounded by residences, so CMBC concluded that the tortoise was an escaped pet.

In 2004, CMBC (2004a) found 1 tortoise, 6 carcasses, 14 burrows, and 320 scats on a 525-acre site located 2,500 feet east, northeast of the subject property. A subsequent survey performed in 2023 (CMBC 2023; not included in Figure 3) on an 87-acre portion of the 525-acre site failed to find any tortoise sign onsite. CMBC did find two older scats of an adult tortoise 60 meters south of the 87-acre site. These observations support the conclusion that tortoises are disappearing from the region surrounding the subject property. For example, similar to the subject property, tortoise sign found on a nearby 35-acre site (CMBC 2003a) was not present when that site was resurveyed in 2005 (CMBC 2005). CMBC suspects that the tortoise sign found on the subject property in 2006 (CMBC 2006c), which included 46 scats and a pallet burrow, was deposited by an escaped pet tortoise.

With the publication of the Bureau of Land Management's (BLM) Record of Decision (BLM 2016), the Desert Renewable Energy Conservation Plan (DRECP) revised the 1980 California Desert Conservation Area Plan (CDCA Plan; BLM 1980) in significant ways for the conservation and recovery of desert tortoises in the California Deserts. Although desert tortoise critical habitat was not changed (USFWS 1994a), Desert Wildlife Management Areas (DWMAs; USFWS 1994b) and Multiple Use Classes on BLM lands were eliminated. In addition to critical habitat, the two main designated areas under the DRECP CDCA Plan amendment that provide for tortoise conservation and recovery are Areas of Critical Environmental Concern (ACECs) and California Desert National Conservation Lands (CDNCLs). The subject property is not found within any of these conservation areas.

The subject property is approximately 24 miles west of the nearest CDNCL-designated lands located in the Pinto, Lucerne Valley, and Eastern Slopes CDNCL subarea. As per the official DRECP website (www.drecp.org) and Appendix B, which depicts boundaries of management areas, the subject property is located 24 miles west of the nearest desert tortoise ACEC, which is the Pinto Mountains ACEC. The site is not found within Agassiz's desert tortoise critical habitat, which was designated in 1994 (U.S. Fish and Wildlife Service 1994a). The nearest critical habitat area is the Pinto Mountains Critical Habitat Unit, which is located approximately 24 miles east of the site.

3.2.2. *Other Special Status Species.* U.S. Fish and Wildlife Service (2008), California Department of Fish and Wildlife [CDFW 2024a for California Natural Diversity Data Base; 2024b for Special Plant Species list; 2024c for Special Animal Species list; and California Native Plant Society (CNPS 2024)] maintain lists of animals and/or plants considered rare, threatened, or endangered, which are herein collectively referred to as "special status species." There were no regulatory agency-designated special status species that were identified during the current survey. However, the following species have been reported from the region. Life history and occurrence information for rare species observed on one or more of the sites depicted in Figure 3 are given in the next few subsections.

Cooper's hawk (*Accipiter cooperi*) is a year-round resident raptor species that is designated as a Watch List species by CDFW (2024c). Cooper's hawks have been observed on two nearby sites, including 2,000 feet west (CMBC 2006d) and 2,300 feet east (CMBC 2006b) (Figure 3). There are not any nesting sites on the subject property but there are foraging habitats throughout, and plenty of small and medium-sized birds on which Cooper's hawks can prey.

LeConte's thrasher (*Toxostoma lecontei*) is designated as a California Species of Special Concern by CDFW (CDFW 2024c) and as a Bird of Conservation Concern by the USFWS (2008). They were observed on the 525-acre site located 2,500 feet to the east (CMBC 2004a), and there are both suitable nesting and foraging habitats throughout. LeConte's thrashers may nest in several cactus species, particularly silver cholla (*Cylindropuntia echinocarpa*), and in larger streamside shrubs, and may forage throughout the subject property.

Loggerhead shrike (*Lanius ludovicianus*) is designated as a California Species of Special Concern by CDFW (2024c) and a Bird of Conservation Concern by the USFWS (2008). Of the sites mapped in Figure 3, shrikes have been observed on the 525-acre site to the east (CMBC 2004a), and on the unmapped, 87-acre site within this larger site (CMBC 2023). Having been observed 44 times by CMBC personnel between 1989 and 2024, this has been the most frequently encountered rare bird species in the Morongo Basin. There are suitable nesting substrates and foraging habitats for loggerhead shrikes throughout the subject property.

Burrowing owl is designated as a California Species of Special Concern by CDFW (2024c), as a Bird of Conservation Concern by the USFWS (2008), and is considered Sensitive by the BLM (CDFW 2024a). It is one of the focal species specifically sought during field surveys, particularly in adjacent areas, and is usually detected by distinctive feathers, zygodactyl (x-shaped) tracks, and whitewash (fecal material deposited away from burrows may be from other bird species). Although pellets and feathers are sufficiently distinctive that they may be identified away from burrows, it is one or more of these signs at sufficiently large burrows that are the most definitive means of determining burrowing owl use of a given site.

In the case of the subject property, there was no evidence of burrowing owl. The site is too densely vegetated to be suitable. Regionally, CMBC has detected burrowing owls on 13 sites in Joshua Tree, 11 sites in Twentynine Palms, 5 sites in the Landers/Yucca Mesa area, and at only one site in Yucca Valley. In 2006 (CMBC 2006e), CMBC observed a burrowing owl approximately one mile north of the subject property. Like so many observations, this one was observed in a barren area, in the bank of an old borrow pit where the vegetation had been mechanically removed. In more than 110 focused surveys within the Town limits of Yucca Valley, this is the only survey where burrowing owl was detected. So, as given above, the site is considered too densely vegetated to be suitable for burrowing owl, which is determined to be absent.

3.3. Other Protected Biological Resources.

3.3.1. *Stream Courses.* Stream courses provide relatively important resources to animals and plants. In dry years, and particularly during prolonged drought, annual plants may only germinate in the vicinity of washes where the water table is relatively near the surface. Perennial shrubs adjacent to washes are often the only plants that produce flowers

and fruit, which in turn are important to insects and the avian predators that feed on them. Shrubs also tend to be somewhat taller and denser alongside washes, which provides cover for medium and larger sized animals that may use them as travel corridors. Biodiversity is generally enhanced by washes, and there are often both annual and perennial plants that are either restricted to or mostly associated with wash margins. There are both anecdotal accounts and published literature on washes being important to tortoises, which use them as travel corridors and access to nearby annual forage. There are two dry washes on the subject property.

3.3.2. *Jurisdictional Waters Analysis.* This section is intended to serve as a jurisdictional waters analysis for the subject property. The approach taken in the field, following review of aerial photographs to ascertain any suspect washes, was to take photographs at approximately 30-meter intervals, list the dominant plant species at each point, and as nearly as possible, measure the width of the wash channel at each location. Two areas were identified as potential washes, including an eastern wash and a western wash.

Common names for dominant perennial plants (see Appendix A for scientific names) observed at each of the 18 places where photographs (Appendix F) and measurements were taken are given below in Table 2. The two biologists using their experience and judgement measured the widths in meters of the two braided drainage channels, which in many places were sufficiently nondescript that it made taking definitive measurements difficult. In Table 2, we have shown plants facultatively associated with washes in blue (e.g., may be found in upland areas but have an affinity for washes) and upland plants in green. The numbers in the first column correspond to the numbers in the photographs in Appendix F.

Table 2. Data for Potential CDFW Jurisdictional Waters Analysis			
Eastern Wash			
No.	Depth	Width	Dominant Perennials
1E	0	1.0m	none
2E	0	0.75m	Creosote bush
3E	0	0.5m	Adenophyllum
4E	23cm	0.5m	California buckwheat, Joshua tree
5E	50cm	0.8m	Paper-bag bush
6E	56cm	1.25m	Paper-bag bush, Cheesebush
7E	78cm	1.25m	Paper-bag bush
8E	69cm	0.6m	Creosote bush, Desert willow
Western Wash			
1W	5cm	0.5m	Creosote bush
2W	0cm	1.0m	Creosote bush, Desert willow
3W	1.5m	1.75m	Paper-bag bush, California buckwheat
4W	1.44m	4.4m	California buckwheat, Desert willow
5W	1.73m	1.5m	California buckwheat
6W	2.75m	1.4m	Paper-bag bush, California buckwheat
7W	1.8m	1.4m	Paper-bag bush, Cooper's goldenbush
8W	1.1m	1.3m	Paper-bag bush, California buckwheat, Mohave horsebrush, white rhatany
9W	0.25m	1.7m	Desert willow
10W	0.25	1.7m	Desert willow

Hydrologic activity is another factor to be considered in determining if a given feature may be associated with jurisdictional waters. Such features may include wash-cut banks, accumulations of debris, striated hard-packed soils associated with sheet flow, etc. Whereas the eastern wash was almost nondescript to the north with a little definition to the south, the western wash was deeply incised and showed evidence of significant water flows resulting from runoff from Balsa Avenue.

Plants are the main determining factor that leads CMBC to conclude that the eastern wash is NOT jurisdictional while the western wash likely is jurisdictional. The presence of desert willows (*Chilopsis linearis*), scale-broom (*Lepidospartum squamatum*), and Emory's baccharis (*Baccharis emoryi*) are indicative of sufficient water to support these mesic-adapted species.

Ultimately, it is CDFW's prerogative and authority to judge what are and are not jurisdictional waters. CMBC has endeavored to provide sufficient information and data for CDFW to make this determination. Given the above information and photographs in Appendix F, it is our professional opinion that the western wash has the criteria associated with jurisdictional waters, while the eastern wash does not.

3.3.3. *Protected Plant Species.* At the Town level, the following information is taken from an undated brochure, entitled *Town of Yucca Valley, Before You Remove Native Vegetation, What You Need To Know About "Protected Native Plants."* This brochure reiterates regulations for protecting a variety of native plants identified in Town Ordinance No. 140 of 2003. Compliance with the Native Plant Protection and Management ordinance helps promote the continued health of the Town's abundant and diverse plant resources by not allowing the indiscriminate removal, and to further promote the protection of native plants and their relationship to the identity of the Town.

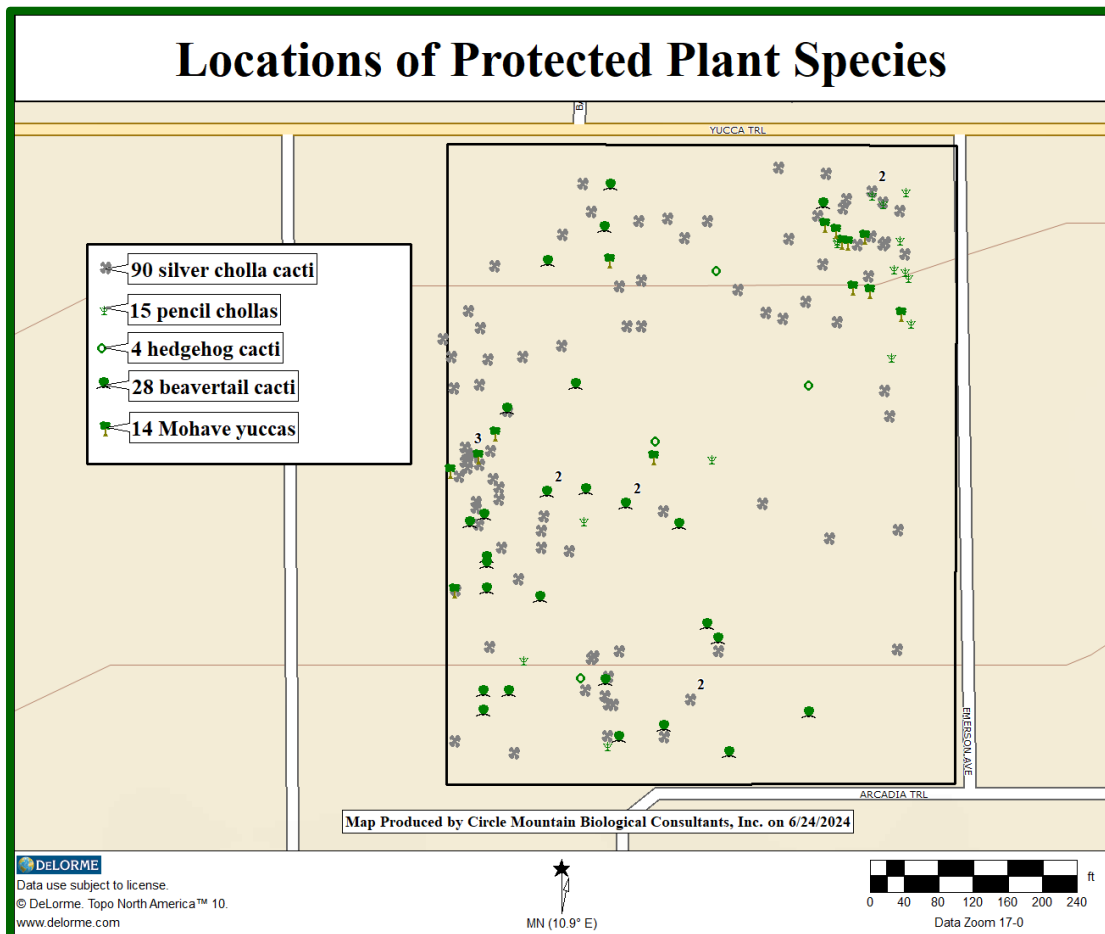
Regulated Desert Native Plants include (those that occur onsite are highlighted in red):

- All species of genus *Prosopis* (mesquites): stems 2" & greater in diameter or 6' or greater in height.
- Creosote rings (10' or greater in diameter).
- All species of yuccas, including those commonly found in Yucca Valley:
 - Mojave yucca (*Yucca shidigera*)
 - Chaparral yucca (*Yucca whipplei*)
 - Joshua trees (*Yucca brevifolia*)
- California juniper (*Juniperus californica*)
- Desert willow (*Chilopsis linearis*)
- Piñon pine (*Pinus monophylla*)
- Palo verde (*Cercidium* sp.) [excluding Mexican palo verde (*Parkinsonia aculeata*), which is not native to California]
- Manzanita (*Arcostaphylos* sp.)
- Additional plants protected or regulated by the California Desert Native Plants Act.

At the State level, the 1998 Food and Agricultural Code, Division 23: California Desert Native Plants, Chapter 3: Regulated Native Plants Act, Section 80073 states: The following native plants, or any parts thereof, may not be harvested except under a permit issued by the commissioner or the sheriff of the county in which the native plants are growing:

- (a) All species of the family Agavaceae (century plants, nolin, **yuccas**).
- (b) All species of the family Cactaceae (**cacti**), except for the plants listed in subdivisions (b) and (c) of Section 80072 (i.e., saguaro and barrel cacti), which may be harvested under a permit obtained pursuant to that section.
- (c) All species of the family Fouquieriaceae (ocotillo, candlewood).
- (d) All species of the genus *Prosopis* (mesquites).
- (e) All species of the genus *Cercidium* (palo verdes).
- (f) *Senegalia (Acacia) greggii* (catclaw acacia).
- (g) *Atriplex hymenelytra* (desert holly).
- (h) *Dalea (Psoralea) spinosa* (smoke tree).
- (i) *Olneya tesota* (desert ironwood), including both dead and live desert ironwood.

Joshua tree, Mohave yucca, desert willow, silver cholla, pencil cholla, hedgehog cactus, and beavertail cactus are the plant species included in one or both above lists that were observed on the subject property. Their locations are plotted in the following map.



4.0. Conclusions and Recommendations

4.1. Impacts to Agassiz’s Desert Tortoise and Proposed Mitigation. Based on the absence of tortoise sign on-site and available information reviewed for this habitat assessment, CMBC concludes that tortoises are absent from the subject property. As such, no impacts are anticipated, and no mitigation measures are recommended. In addition, since the Proponent plans to revert the tentative tract lots to a single parcel, the project is considered a paper transaction and no impacts to the species or its habitat will occur.

Whereas USFWS survey protocols historically indicated that the results of a given survey were valid for the period of only one year (USFWS 2010 and 2018), according to the revised, 2019 USFWS pre-project survey protocol, “*If the survey data are more than a year old, we encourage project proponents to contact us at the earliest possible time to allow us to assess the specific circumstances under which the data were collected (e.g., time of year, drought/rainfall conditions, size and location of the site, etc.) and to discuss whether additional surveys would be appropriate. Spatial information can be provided in pdf and GIS formats.*” At the time of this writing, the Palm Springs office of the USFWS would be the appropriate office to contact [(760) 322-2070] to determine if another survey should be performed prior to ground disturbance, if it does not occur before June 2025.

Regardless of survey results and conclusions given herein, tortoises are protected by applicable State and federal laws, including the California Endangered Species Act and Federal Endangered Species Act, respectively.

Importantly, nothing given in this report, including recommended mitigation measures, is intended to authorize the incidental take of Agassiz’s desert tortoises during site development. Such authorization must come from the appropriate regulatory agencies, including CDFW (i.e., authorization under section 2081 of the Fish and Game Code) and USFWS [i.e., authorization under section 10(a)(1)(B) of the Federal Endangered Species Act].

4.2. Impacts to Other Biological Resources and Proposed Mitigation.

4.2.1 *Other Special Status Species.* Since the project is a paper transaction, and no site disturbance is anticipated at this time, and based on the field survey and habitat assessment, CMBC concludes that none of the following special status species reported from the region will be adversely affected: Burrowing owl. As such, no adverse impacts have been identified, and no mitigation measures are recommended.

Those species identified during previous surveys in the region for which suitable foraging and/or nesting habitats are present include Cooper’s hawk, LeConte’s thrasher, and loggerhead shrike. None of these species should be impacted by the project since no ground disturbance will result from the reversion of the property to acreage.

4.2.2. *Other Protected Biological Resources.*

4.2.2.a. Stream Courses. Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW before beginning any activity that will do one or more of the following: (1) substantially divert or obstruct the natural flow of any river, stream or lake; (2) substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake; or (3) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. Fish and Game Code section 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state, including many dry washes in desert regions.

No disturbance of the site (or the stream courses on the site) is planned under the current project. In case of later development, CMBC has documented data along two potential jurisdictional stream courses, including measurements of the channels, dominant plants at each point, and photographs at regular intervals, and in that case, if CDFW determined that the planned development would substantially adversely affect fish and wildlife resources reliant on either of these water courses, a Streambed Alteration Agreement would need to be prepared. The Agreement would include reasonable conditions necessary to protect those resources and must comply with CEQA. The proponent could then proceed with the activity in accordance with the final Agreement. The form is available at the footnote below². The completed form is sent along with the field baseline data (i.e., this report) to CDFW, Inland Deserts Region, Streambed Alteration, 3602 Inland Empire Boulevard, Suite C-220, Ontario, California 91764.

4.2.2.b. Protected Plants. It is beyond the scope of this focused survey and general resource assessment to provide a proposed program to minimize and mitigate impacts to protected native desert plants. Under the current planned reversion to acreage, no impacts to protected plants would occur. In the case of later site development, the Town typically requires a Desert Native Plant Assessment to identify the numbers and locations of protected plants (provided herein) to comply with the California Native Plant Protection Act. Joshua tree, Mohave yucca, desert willow, silver cholla, pencil cholla, hedgehog cactus, and beavertail cactus are species found on-site that may be subject to pertinent development codes.

Joshua trees are a Candidate for state listing as Endangered and are protected under the Western Joshua Tree Conservation Act. If future development occurs, any impacts to Joshua trees would require completion of an incidental take permit (ITP) before site development could proceed. Appendix E provides all the baseline data and information needed to complete the ITP. The conversion of the site to acreage allows for the development of a single family residence and four accessory structures. According to the engineer (Brian Wiese, NV5, pers. comm. 2/6/2026), based on the possible locations shown on the conceptual grading plan, this is feasible without the need for an ITP. If future development or map actions are proposed that would require an ITP, an initial study to determine if site development will result in any adverse impacts to rare biological resources would be required at that time.

4.2.2.c. Bird Nests. Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory nongame birds (As listed under the Migratory Bird Treaty Act). No disturbance is anticipated from the project. If future development of the site is planned, a nesting bird survey would be required.

² <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=3754&inline=1>

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Appendix A. Plant Species Detected

The following plant species were identified on-site during the focused floral inventory described in this report. Protected plant species are highlighted in red and signified by “(PPS)” following the common names.

GNETAE

Ephedraceae

Ephedra nevadensis

ANGIOSPERMAE: DICOTYLEDONES

Asteraceae

Adenophyllum cooperi

Ambrosia acanthicarpa

Ambrosia dumosa

Ambrosia salsola

Baccharis emoryi

Baileya sp.

Bebbia juncea

Ericameria cooperi var. *cooperi*

**Lactuca serriola*

Lepidospartum squamatum

Stephanomeria exigua

Tetradymia stenolepis

Bignoniaceae

Chilopsis linearis ssp. *arcuata*

Boraginaceae

Amsinckia tessellata

Brassicaceae

**Brassica tournefortii*

**Descurainia sophia*

**Sisymbrium altissimum*

**Sisymbrium irio*

Cactaceae

Cylindropuntia echinocarpa

Cylindropuntia ramosissima

Echinocereus engelmannii

Opuntia basilaris

GNETAE

Joint-fir family

Nevada joint-fir

DICOT FLOWERING PLANTS

Sunflower family

Adenophyllum

Annual bur-sage

Burrobush

Cheesebush

Emory baccharis

Marigold

Sweetbush

Cooper's goldenbush

Wild lettuce

Scale-broom

Milk aster

Mohave horsebrush

Bigonia family

Desert willow (PPS)

Borage family

Fiddleneck

Mustard family

Saharan mustard

Flixweed

Tumble mustard

London rocket

Cactus family

Silver cholla (PPS)

Pencil cholla (PPS)

Hedgehog cactus (PPS)

Beavertail cactus (PPS)

Chenopodiaceae

Atriplex canescens

Atriplex polycarpa

**Salsola tragus*

Cucurbitaceae

Cucurbita palmata

Euphorbiaceae

Croton californicus

Euphorbia polycarpa

Fabaceae

Hoffmannseggia microphylla (*Caesalpinia virgata*)

Parkinsonia aculeata

Geraneaceae

**Erodium cicutarium*

Krameriaceae

Krameria (grayi) bicolor

Krameria erecta

Lamiaceae

Salvia columbariae

Sambucus nigra ssp. *caerulea* (*Salazaria mexicana*)

Malvaceae

Sphaeralcea ambigua

Nyctaginaceae

Allionia incarnata

Polemoniaceae

Eriastrum c.f. *sapphirinum*

Polygonaceae

Eriogonum c.f. *davidsonii*

Eriogonum fasciculatum

Eriogonum nidularium

Rosaceae

Coleogyne ramosissima

Solanaceae

Datura wrightii

Lycium andersonii

Lycium cooperi

Goosefoot family

Four-winged saltbush

Allscale

Russian thistle

Gourd family

Coyote gourd

Spurge family

Croton

Sandmat

Pea family

Caesalpinia

Mexican palo verde

Geranium family

Red-stemmed filaree

Krameria family

White rhatany

Pima rhatany

Mint family

Chia

Paper-bag bush

Mallow family

Desert mallow

Four o'clock family

Trailing windmills

Phlox family

Woolly star

Buckwheat family

Davidson buckwheat

California buckwheat

Whiskbroom

Rose family

Blackbush

Nightshade family

Jimsonweed

Anderson's box-thorn

Peach thorn

Zygophyllaceae*Larrea tridentata*

ANGIOSPERMAE: MONOCOTYLEDONES

Caltrop family

Creosote bush

MONOCOT FLOWERING PLANTS

Liliaceae*Yucca brevifolia**Yucca schidigera***Lily family**

Joshua tree (PPS)

Mojave yucca (PPS)

Poaceae**Bromus diandrus***Bromus madritensis* ssp. *rubens***Bromus tectorum***Bromus (trinii) berterioanus***Hordeum murinum**Pleuraphis rigida***Schismus* sp.*Stipa (Achnatherum) speciosa***Grass family**

Common ripgut-grass

Red brome

Cheat grass

Chilean grass

Hare barley

Big galleta

Split-grass

Desert needlegrass

* - indicates a non-native (introduced) species.

c.f. - compares favorably to a given species when the actual species is unknown.

Some species may not have been detected because of the seasonal nature of their occurrence. Common names are taken from Beauchamp (1986), Hickman (199), Jaeger (1969), and Munz (1974).

Appendix B. Animal Species Detected

The following animal species were detected during the general biological inventory described in this report.

REPTILIA

Iguanidae

Sceloporus magister

Uta stansburiana

Teiidae

Cnemidophorus tigris

AVES

Columbidae

Columba livia

Streptopelia decaocto

Zenaida macroura

Trochilidae

Calypte costae

Tyrannidae

Sayornis saya

Myiarchus cinerascens

Corvidae

Corvus corax

Remizidae

Auriparus flavipes

Troglodytidae

Campylorhynchus brunneicapillus

Mimidae

Mimus polyglottos

Emberizidae

Amphispiza bilineata

Fringillidae

Carpodacus mexicanus

REPTILES

Iguanids

Desert spiny lizard

Common side-blotched lizard

Whiptails

Western whiptail

BIRDS

Pigeons and doves

Rock dove

Eurasian collared-dove

Mourning dove

Hummingbirds

Costa's hummingbird

Tyrant flycatchers

Say's phoebe

Ash-throated flycatcher

Crows and jays

Common raven

Verdins

Verdin

Wrens

Cactus wren

Mockingbirds and thrashers

Northern mockingbird

Sparrows, warblers, tanagers

Black-throated sparrow

Finches

House finch

Passeridae*Passer domesticus*

MAMMALIA

Leporidae*Lepus californicus**Sylvilagus audubonii***Sciuridae***Ammospermophilus leucurus**Otospermophilus Beecheyi***Heteromyidae***Dipodomys* sp.**Felidae***Lynx rufus***Weavers**

House sparrow

MAMMALS

Hares and rabbits

Black-tailed hare

Audubon cottontail

Squirrels

Antelope ground squirrel

California ground squirrels

Pocket mice

Kangaroo rat

Cats

Bobcat

Nomenclature follows Stebbins, *A Field Guide to Western Reptiles and Amphibians* (200), third edition; Sibley, National Audubon Society, the Sibley Guide to Birds (2000), first edition; and Ingles, *Mammals of the Pacific States* (1965), second edition.

Appendix C. Field Data Sheets Completed on 21 June 2024

The USFWS and County recommend that consultants include copies of field data sheets from which the results and conclusions given in their reports are derived. As such, copies of the data sheets completed by Ed LaRue on 21 June 2024 follow.

USFWS DESERT TORTOISE PRE-PROJECT SURVEY DATA SHEET

Date of survey: 6/21/24 Survey biologist(s): Ed LaRue, Susan Seville
(month, day, year)

Site description: Empire YV (project name and size; general location)

County: SB Quad: Yuma Valley Location: 11S 35S810 3775450
(UTM coordinates, lat-long, and/or TRS; map datum)

Transect #: 15 Transect length: 0.1 mi Type of survey: 10-acre
(acres to be surveyed; ~~100% coverage~~ probabilistic sampling)

GPS Start-point: 555800 3775450 Start time: 0530 @am/pm
(easting, northing, elevation in meters)

GPS End-point: 555640 3775460 End time: 1130 @am/pm
(easting, northing, elevation in meters)

Start Temp: 64°F Weather: calm → 2-6E End Temp: 92°F

Live Tortoises

Detection number	GPS location		Time	Tortoise location <small>(in burrow: all of tortoise beneath plane of burrow opening, or not in burrow)</small>	Approx MCL >160-mm? <small>(Yes, No or Unknown)</small>	Existing tag # and color, if present
	Easting	Northing				
1						
2						
3						
4						
5						
6						
7						
8						

Tortoise Sign (burrows¹, scats, carcasses, etc)

Detection number	GPS location		Type of sign <small>(burrows, scats, carcass, etc)</small>	Description and comments
	Easting	Northing		
1				
2				
3				
4				
5				
6				
7				
8				

¹ See section 4.1.2 for information on burrow condition class and photographing burrows

December 20094-24

2024 Field Season Page 1 of 1

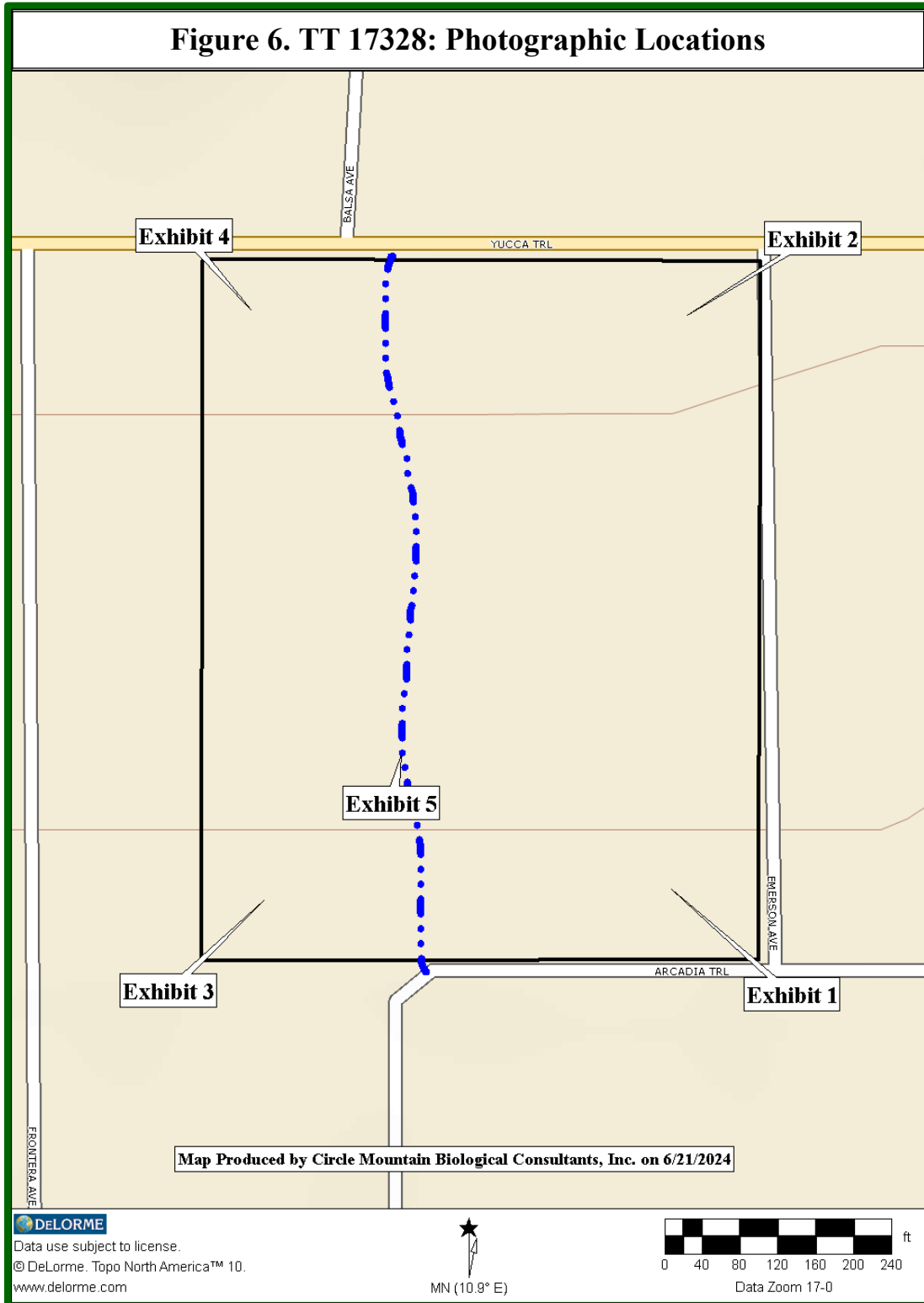
JOB #/NAME Empire YV	DATE 6/21/24	DRIVE TIME TO FROM 0330 1330	MILES 133 144	FIELD TIME BEGIN END 0530 1130	SURVEYORS Elakue Z Seiler
WEATHER CONDITIONS (Start/End) TEMP: 64°F WIND X: Calm NSEW CLOUD: 0%			UTM (NAD 83) (circle starting corner)		
TEMP: 92°F WIND X: 216 NSEW CLOUD: 0%			NE→ NW→ SE→ N SW→		
			58170 5637 ¹⁰ 555810 5637 ¹⁰		
			567275 567475 3775450 545350		

PERENNIAL PLANTS		ANNUAL PLANTS		BIRDS	HERP	MAM
Lar Tri	Dart Wh	Amba	Bro Pja	COCA	DESP	CAES
Amba	Bro Cal	Bro Gr	Har Mar	MAPD	3P WATA	AUCD
Aph Na	Ar Pol	Bro Red	lac Ser	13P MOFI	SRU	KRET
Git Fas	Achge	Bro Tr	Bro Tri	RODD		BHA
Salm	Zeb In	Exp Ko	Er Mid	BTSP		Rebo
Amba	Ar Can	Sen Gr	Bai (Pe)	VERO		AEOS
Col Ram	Abeloo	Bro Tr	Stc Tr	SAPH		
Spe Amb	Lep Squ	Sis Tri	Sakol	EUCD		
Kra Ere	Coel or	Rey Sat		ENSP	Photographs	
Kabre	Bro Em	Amu Es		COHU	SE → NW	
Plu Ric	Cyl Ech	Sis Att		CAMP	2 NE → SW	
Lyc Cal	Cyl Ram	Er Sep		ATPC	3 SW → NE	
Tet Se	Opu Bay	Sol Tra		NOMD	4 NW → SE	
Lyc And	Er Ehc	Er (Daw)				
Er Cos	Yue Bre	Cur Pal				
Mar Ar	Yue Gr	All The				

OBSERVABLE HUMAN DISTURBANCES									
T#	East	North	OHV	Road/Tr	Dog	Dump	S Gun	Rifle	Target
2	5800	5450		if		if			
4	5780	5870	band	if	mail	if			
6	5760	5480		if		if			
8	5740	5670		if		if			
10	5720	5450		if		if			
12	5700	5670		if		if			
14	5680	5450		if		if			
16	5660	5670		if		if			
18	5640	5460		if		if			
				(6)	(19)	(2)	(28)	(1)	

topography and soils: Flat, sandy loam

Appendix D. Photographic Exhibits



Locations of the five photographic exhibits on the next three pages are depicted in Figure 5.



Exhibit 1. View from the southeast corner of the parcel, facing northwest (see Figure 5 for locations and directions of photographs).



Exhibit 2. View from the northeast corner of the parcel, facing west.



Exhibit 3. View from the southwest corner of the parcel, facing north.



Exhibit 4. View from the northwest corner of the parcel, facing southeast.



Exhibit 5. Mature desert willow and scalebroom plants observed along western wash.

Appendix E. Western Joshua Tree Analysis

1.0. Introduction

1.1. Purpose and Need for Study. In October 2020, the California Fish and Game Commission accepted as complete a petition to list Joshua tree as a California Endangered Species. To date, no decision has been made on the listing of the species. However, the Western Joshua Tree Conservation Act (WJTCA) was enacted in July 2023. “The WJTCA prohibits the importation, export, take, possession, purchase, or sale of any western Joshua tree in California unless authorized by CDFW. The act authorizes CDFW to issue permits for the incidental take of one or more western Joshua trees if the permittee meets certain conditions. Permittees may pay specified fees in lieu of conducting mitigation activities. The act also authorizes CDFW to issue permits for the removal of dead western Joshua trees and the trimming of live western Joshua trees under certain circumstances.”

In March 2022, CDFW prepared a status review report for western Joshua tree evaluating whether listing the species as endangered or threatened under the California Endangered Species Act would be warranted. The WJTCA requires CDFW to prepare an updated status review report by January 1, 2033, unless the Fish and Game Commission directs CDFW to complete the update sooner, and directs the Fish and Game Commission to consider the effectiveness of the conservation measures of the WJTCA, the updated status review report, and other factors before deciding whether the current petition to list the western Joshua tree under the California Endangered Species Act is warranted. This appendix is supplemental to CMBC’s general biological survey, dated March 2024, and may be submitted separately to CDFW as needed.

2.0. Methods

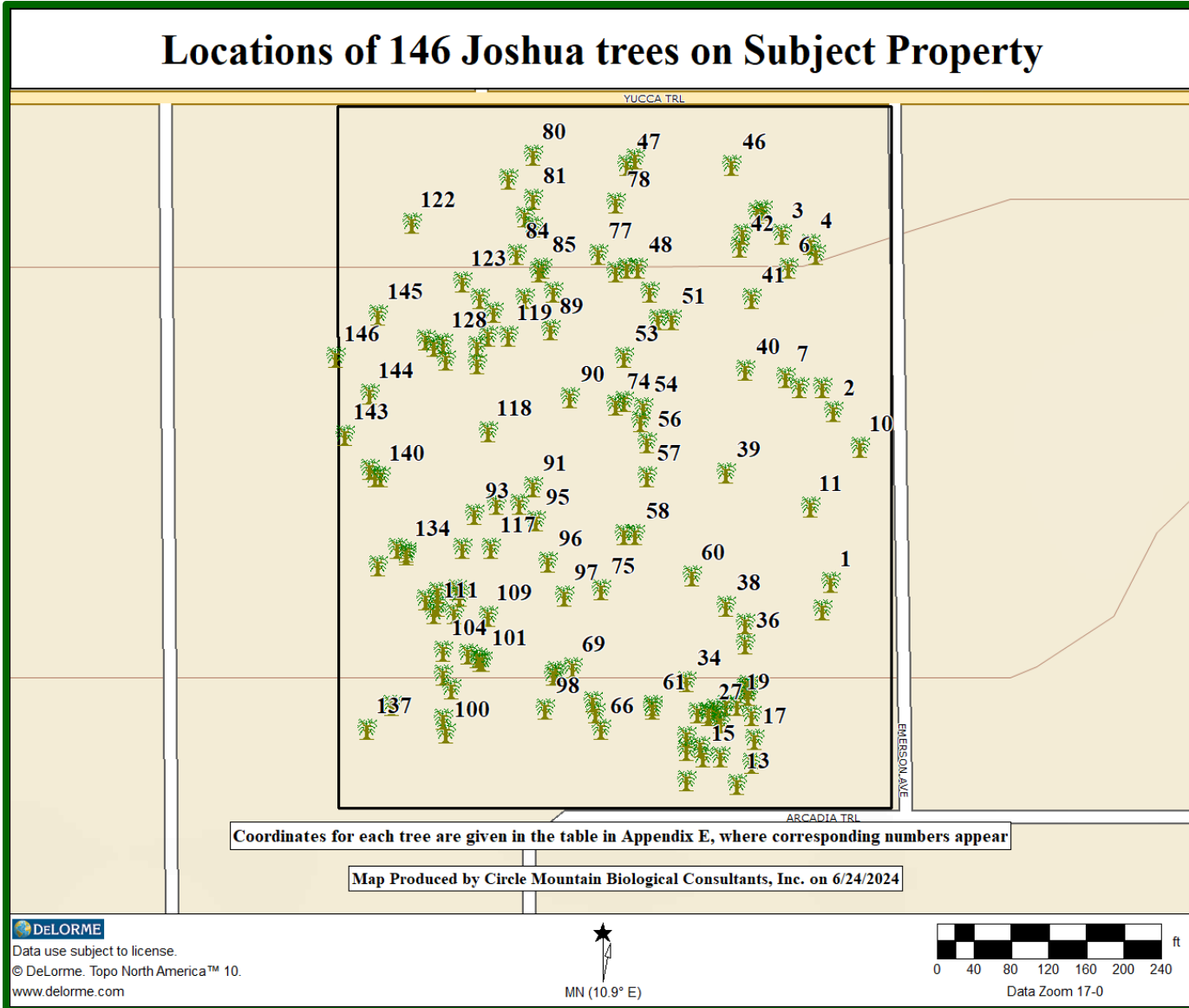
An evaluation of individual Joshua trees was conducted according to census instructions pertaining to the WJTCA [Fish and Game Code section 1927.3, subdivision (a)(1)] by Ed LaRue and Margaret Adam on February 27, 2024, between 08:30 and 1730. Global positioning system (GPS) coordinates were taken for each western Joshua tree (WJT) found on the site using a hand-held GPS unit. No trees were found within 50 feet of the site boundaries.

The height of each tree was estimated using a wooden pole marked at one-quarter meter intervals for scale. Height class for the WJT was noted (Class 1: <1 m; Class 2: >1 m and < 5 m; Class 3: ≥ 5m). Each trunk was recorded as a separate tree with its own unique identifier (e.g., there were three trunks associated with Joshua tree #4, so each trunk is considered as a separate entity). Each WJT was classified as to its maturity. Mature trees are defined as trees which have produced flowers/fruits in the past. Each WJT was also photographed.

3.0. Results

One hundred and forty-six (146) WJT were recorded throughout the site and are depicted in the figure on the next page and described in the table on the page that follows that.

Locations of 146 Joshua trees on Subject Property



These data pertain to the one hundred and forty-six trees found onsite

Size Class: A = < 1m; B = 1-5m; C = > 5m

Phenology: Fr = Fruit; Fl = Flowers; N = Neither/none

Mature trees are those that have branched, Y = yes, N = no

#	Latitude	Longitude	Size Class	Height	Live or Dead	Phenology	Mature Tree?	Notes
1	34.11907	116.39492	B	1.5	L	no	no	2 trunks, same size
2	34.11957	116.39491	B	1.75	L	yes	Yes, dried empty stalk	
3	34.12009	116.39509	B	1.4	L	no	no	
4	34.12006	116.39499	B	2.25	L	yes	Yes, dried empty stalk	
5	34.12003	116.39497	B	2.5	L	no	Yes, dried empty stalk	
6	34.11999	116.39507	B	1-1.5	L	no	Yes, dried empty stalk	3 trunks
7	34.11967	116.39508	A-B	.25-1.4	L	no	no	4 trunks
8	34.11964	116.39495	B	3.5	L	yes	Yes, dried empty stalk	
9	34.11964	116.39503	B	3	L	yes	Yes, dried empty stalk	
10	34.11954	116.39438	B	2.5	L	yes	Yes, dried empty stalk	
11	34.11929	116.39499	B	3.5	L	yes	Yes, dried empty stalk	
12	34.11899	116.39495	B	2.25	L	no	no	
13	34.11848	116.39525	B	4	L	yes	Yes, dried empty stalk	
14	34.11854	116.3952	B	2.6	L	yes	Yes, dried empty stalk	
15	34.11856	116.39537	B	2.5	L	yes	Yes, dried	

							empty stalk	
16	34.11856	116.39531	B	2	L	yes	Yes, dried empty stalk	
17	34.11861	116.39519	B	1-1.3	L	no	no	2 trunks
18	34.11868	116.3952	A-B	.25-2.75	L	yes	Yes, dried empty stalk	3 trunks 0.25/1.25/2.75
19	34.11871	116.39525	B	2	L	yes	Yes, dried empty stalk	
20	34.11876	116.39522	B	1.25	L	no	no	
21	34.11876	116.39521	B	2.5	L	yes	Yes, dried empty stalk	
22	34.11877	116.39521	B	2.5	L	no	no	
23	34.11874	116.39521	A	0.25	L	no	no	
24	34.11871	116.39529	A	0.5-0.75	L	no	no	2 trunks
25	34.1187	116.39533	A-B	0.25-3.5	L	yes	Yes, dried empty stalk	2 trunks
26	34.11868	116.39532	B	3.5	L	yes	Yes, dried empty stalk	
27	34.11868	116.39535	B	2	L	yes	Yes, dried empty stalk	
28	34.11868	116.39535	A	0.25	L	no	no	
29	34.11868	116.39535	A	0.4	L	no	no	
30	34.11869	116.39535	B	2.25	L	yes	Yes, dried empty stalk	
31	34.11866	116.39531	B	2.25	L	yes	Yes, dried empty stalk	
32	34.11869	116.39539	B	1-3.25	L	yes	Yes, dried empty stalk	2 trunks 1/3.25 moderate health
33	34.11869	116.39539	B	1	L	no	no	2 trunk 1/1
34	34.11878	116.39543	B	2.25	L	yes	Yes, dried	

							empty stalk	
35	34.11859	116.39538	B	2.75	L	yes	Yes, dried empty stalk	
36	34.11889	116.39522	B	2.5	L	yes	Yes, dried empty stalk	
37	34.11895	116.39522	B	2	L	no	no	
38	34.119	116.39529	A-B	0.3-2	L	yes	Yes, dried empty stalk	3 trunks 0.3/1.5/2
39	34.11939	116.39529	A	0.75	L	no	no	
40	34.11969	116.39522	B	1	L	no	no	moderate health
41	34.1199	116.3952	A	0.5	L	no	no	
42	34.12005	116.39524	B	2	L	yes	Yes, dried empty stalk	
43	34.12009	116.39523	A-B	0.5-1.25	L	no	no	2 trunks 0.5-1.25
44	34.12016	116.39516	B	1.0-1.25	L	yes	no	3 trunks
45	34.12015	116.39518	-	0	D			
46	34.12029	116.39527	-	0	D			
47	34.12029	116.39564	-	0	D			
48	34.11999	116.3956	A	0.75	L	no	no	
49	34.11992	116.39556	A	0.75	L	no	no	
50	34.11998	116.39568	B	2.25	L	no	no	
51	34.11984	116.39548	-	0	D			
52	34.1198	116.39553	A-B	0.3-1.3	L	no	no	5 trunks 0.3(4)/1.3
53	34.11973	116.39565	A	0.5	L	no	no	
54	34.11958	116.39558	B	1.2	L	no	no	
55	34.11954	116.39559	B	1.25	L	no	no	2 trunks
56	34.11948	116.39557	A-B	0.5-1.3	L	no	no	3 trunks 0.5/1.3/1
57	34.11938	116.39557	A-B	0.1-2.5	L	yes	Yes, dried empty stalk	4 trunks
58	34.11921	116.39561	A-B	0.3-1	L	no	no	4 trunks 0.3/1/0.5/0.5
59	34.11921	116.39565	B	2.25	L	no	no	
60	34.11909	116.39541	-	0	D			
61	34.11871	116.39555	B	2.25	L	yes	Yes, dried empty stalk	
62	34.1187	116.39555	A	0.3	L	no	no	
63	34.11862	116.39543	A	0.25	L	no	no	
64	34.11858	116.39543	-	0	D			
65	34.11849	116.39543	B	2.25-2.75	L	yes	Yes, dried	2 trunks 2.25/2.75

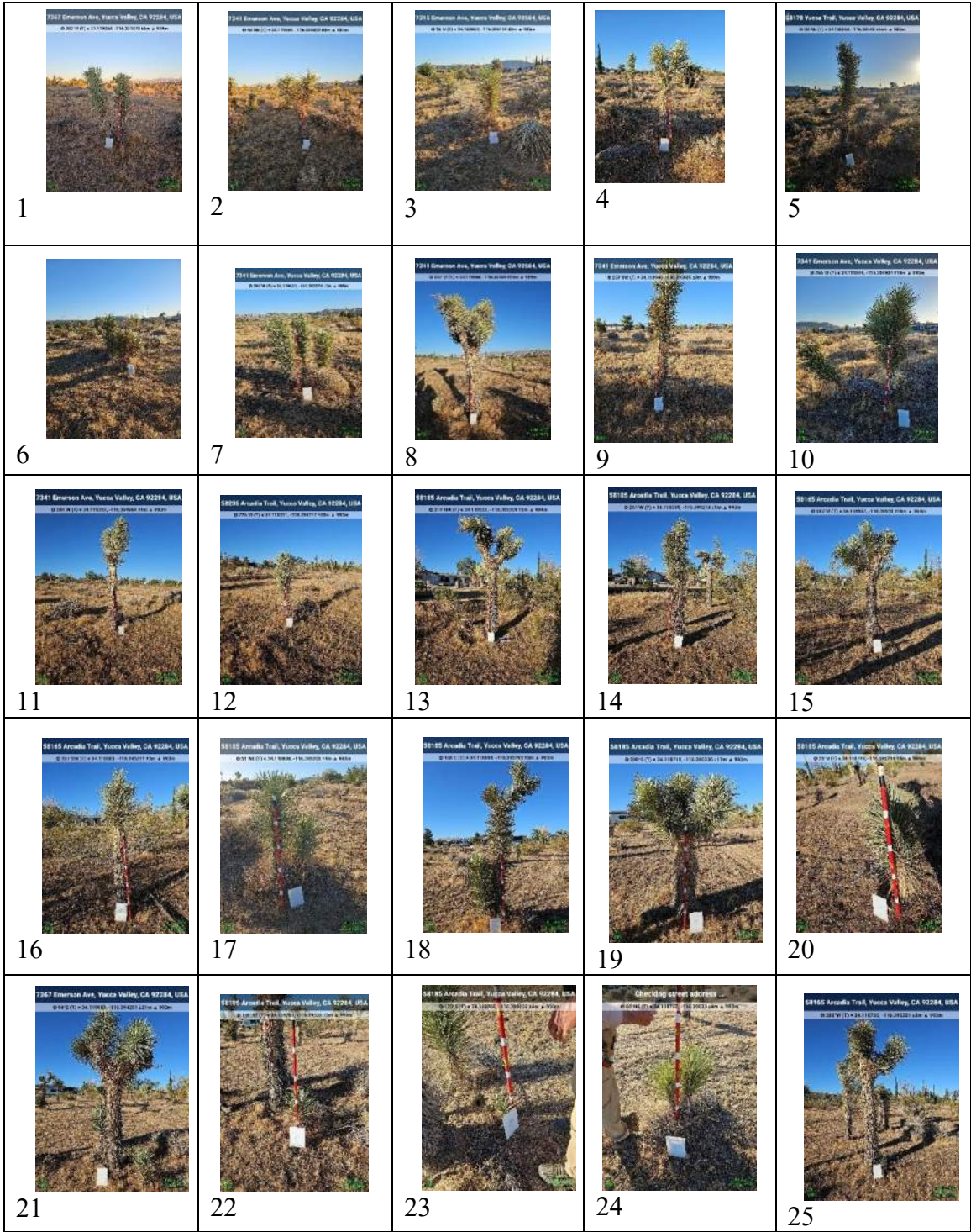
							empty stalk	
66	34.11864	116.39573	B	2	L	no	no	
67	34.11869	116.39575	B	2.6	L	yes	no	
68	34.11872	116.39576	A-B	0.5-2.0	L	no	no	2 trunks
69	34.11882	116.39583	A-B	0.3-2.5	L	yes	Yes, dried empty stalk	3 trunks
70	34.1188	116.3959	A	0.1	L	no	no	
71	34.11881	116.39589	B	2.7	L	yes	Yes, dried empty stalk	
72	34.1196	116.39565	A-B	0.75-2	L	no	no	3 trunks
73	34.1196	116.39565	B	2.25	L	no	no	
74	34.11959	116.39568	B	1.2	L	no	no	
75	34.11905	116.39573	-	0	D			
76	34.11999	116.39564	B	2.5	L	no	no	
77	34.12003	116.39574	B	1.25	L	no	no	
78	34.12018	116.39568	B	1.3	L	no	no	
79	34.12031	116.39561	-	0	D			
80	34.12032	116.39597	-	0	D			
81	34.12019	116.39597	B	1	L	no	no	
82	34.12014	116.396	B	1	L	no	no	
83	34.12011	116.39597	B	2	L	no	no	
84	34.12003	116.39603	A	0.8	L	no	no	
85	34.11999	116.39594	A-B	0.75-1	L	no	no	3 trunks
86	34.11998	116.39595	B	4	L	yes	Yes, dried empty stalk	
87	34.11992	116.3959	B	1.5	L	no	no	
88	34.1199	116.396	A	0.8	L	no	no	3 trunks
89	34.11981	116.39591	B	1.15-1.5	L	no	no	3 trunks
90	34.11961	116.39584	A-B	0.5-2	L	yes	Yes, dried empty stalk	2 trunks
91	34.11935	116.39597	B	2.25	L	yes	Yes, dried empty stalk	1 live/ 1 dead
92	34.1193	116.39602	B	2	L	no	no	
93	34.11927	116.39618	B	1.3	L	no	no	
94	34.1193	116.3961	B	2.75	L	yes	Yes, dried empty stalk	
95	34.11925	116.39596	B	2.7	L	yes	Yes, dried	

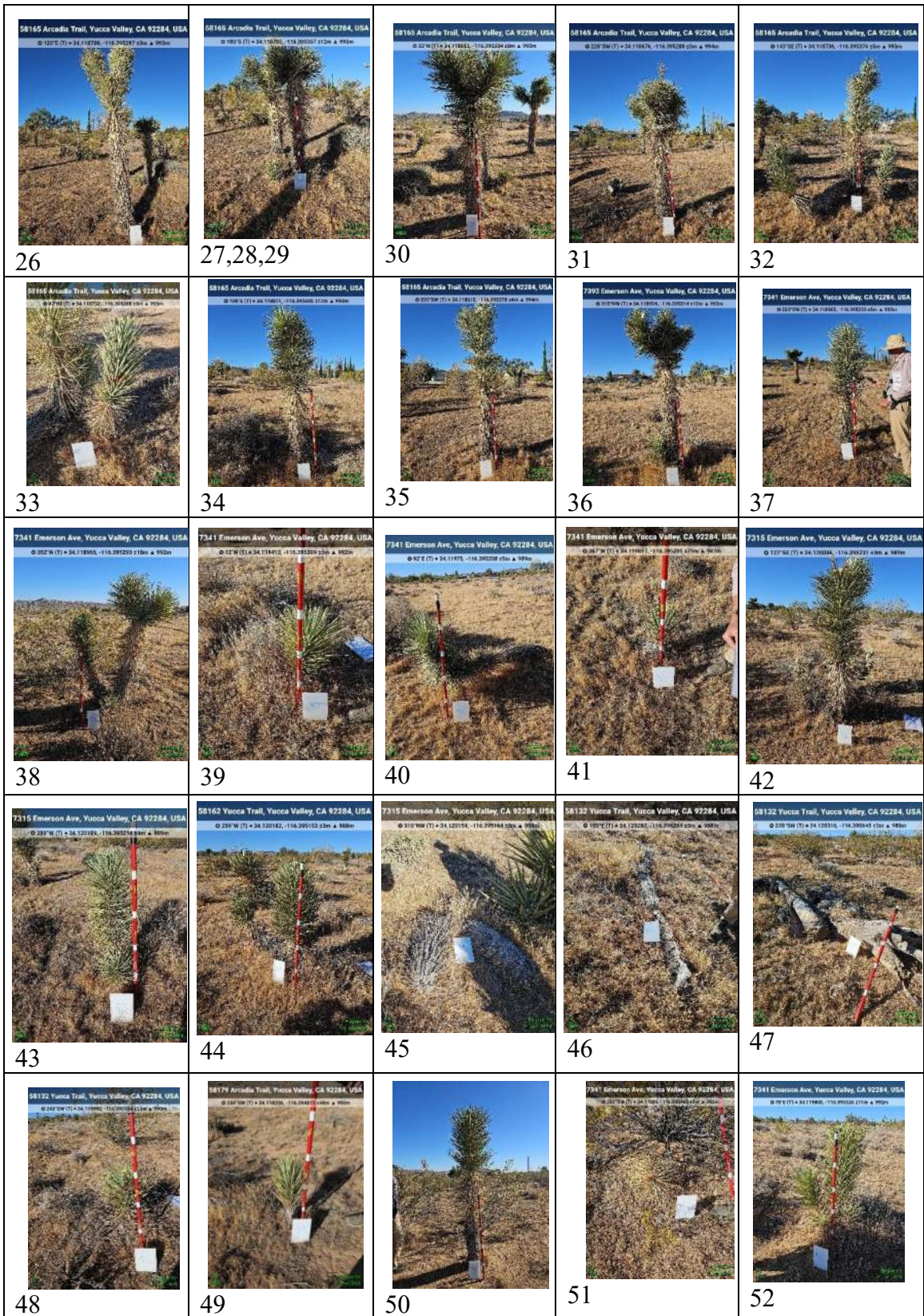
							empty stalk	
96	34.11913	116.39592	B	2.1	L	yes	Yes, dried empty stalk	
97	34.11903	116.39586	B	3	L	yes	Yes, dried empty stalk	
98	34.1187	116.39593	A-B	0.8-3.25	L	yes	Yes, dried empty stalk	2 trunks
99	34.11873	116.39615	B	2.6	L	yes	Yes, dried empty stalk	
100	34.11863	116.39628	B	2.6	L	yes	Yes, dried empty stalk	
101	34.11884	116.39615	B	2	L	no	Yes, dried empty stalk	
102	34.11885	116.39617	B	1.3-4.25	L	yes	Yes, dried empty stalk	6 trunks
103	34.11884	116.39616	A	0.25	L	no	no	
104	34.11887	116.39629	B	4.1	L	yes	Yes, dried empty stalk	
105	34.11886	116.3962	A	0.5	L	no	no	
106	34.1188	116.39629	A	0.9	L	no	no	
107	34.11876	116.39626	B	2.6	L	yes	Yes, dried empty stalk	
108	34.11867	116.39629	A	0.7	L	no	no	
109	34.11897	116.39613	B	2.6	L	yes	Yes, dried empty stalk	
110	34.11898	116.39625	B	2.25	L	yes	Yes, dried empty stalk	
111	34.11898	116.39632	A-B	0.5-2.75	L	yes	Yes, dried empty stalk	4 trunks

112	34.119	116.39631	A	0.75	L	no	no	
113	34.11904	116.39631	B	2.5	L	no	no	
114	34.11905	116.39624	B	1-1.5	L	no	no	
115	34.11903	116.39623	A	0.5	L	yes	Yes, dried empty stalk	
116	34.11902	116.39635	B	2.6	L	no	no	
117	34.11917	116.39612	B	2.4	L	yes	Yes, dried empty stalk	
118	34.11951	116.39613	B	1-1.5	L	no	no	2 trunks
119	34.11979	116.39606	B	2.6	L	yes	no	
120	34.12025	116.39606	B	1	L	no	no	
121	34.12025	116.39606	B	1.5	L	yes	Yes, dried empty stalk	
122	34.12012	116.3964	-	0	D			
123	34.11995	116.39622	-	0	D			
124	34.1199	116.39616	B	3	L	yes	Yes, dried empty stalk	
125	34.11986	116.39611	B	1.75	L	no	no	2 trunks same size
126	34.11979	116.39613	B	2.5	L	yes	Yes, dried empty stalk	
127	34.11976	116.39617	B	2	L	yes	Yes, dried empty stalk	
128	34.11977	116.39629	B	3	L	yes	Yes, dried empty stalk	
129	34.11978	116.39635	B	2.25	L	yes	Yes, dried empty stalk	
130	34.11976	116.39632	A-B	.25-1.25	L	no	no	2 trunks
131	34.11972	116.39628	B	1.4-1.75	L	no	no	2 trunks
132	34.11971	116.39617	B	1.35	L	no	no	
133	34.11917	116.39622	A	0.75	L	no	no	
134	34.11916	116.39642	B	2.8	L	yes	Yes, dried empty stalk	
135	34.11915	116.39642	A	0.5	L	no	no	
136	34.11917	116.39645	A-B	0.75-2.4	L	no	no	2 trunks

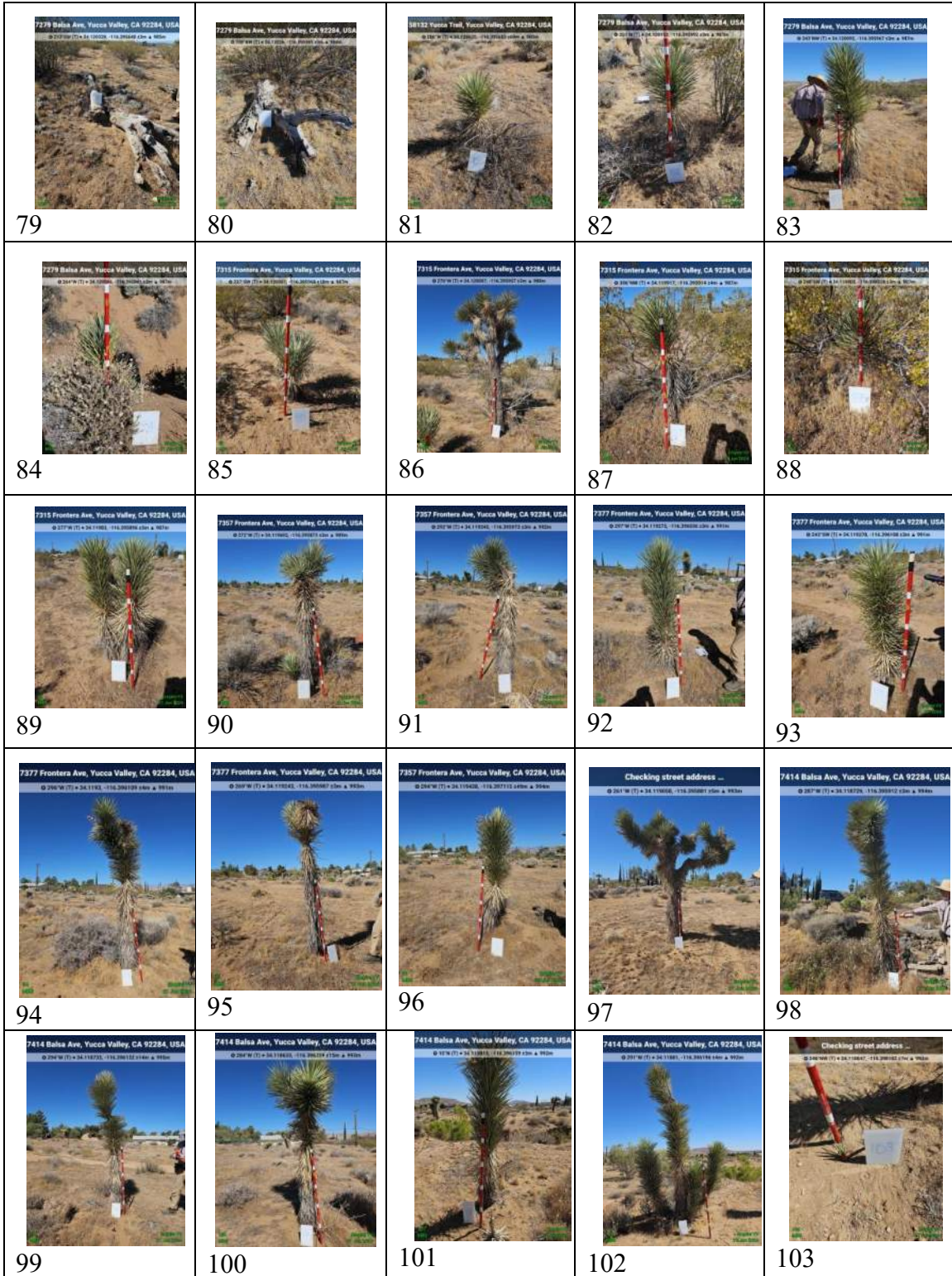
137	34.11864	116.39656	B	2.6	L	yes	Yes, dried empty stalk	poor health
138	34.11871	116.39647	B	2.75	L	yes	Yes, dried empty stalk	2 trunks
139	34.11912	116.39652	B	1.5-2.25	L	yes	Yes, dried empty stalk	3 trunks
140	34.11938	116.39651	B	1.75	L	yes	Yes, dried empty stalk	
141	34.11938	116.39653	B	1.25-1.75	L	no	no	2 trunks
142	34.1194	116.39655	-	0	D			
143	34.1195	116.39668	B	4.3	L	yes	Yes, dried empty stalk	
144	34.11953	116.39668	A-B	0.75-3.2	L	yes	Yes, dried empty stalk	5 trunks
145	34.11958	116.39648	A	0.7-0.7	L	no	no	3 trunks same size
146	34.11973	116.39667	B	1.75	L	no	no	

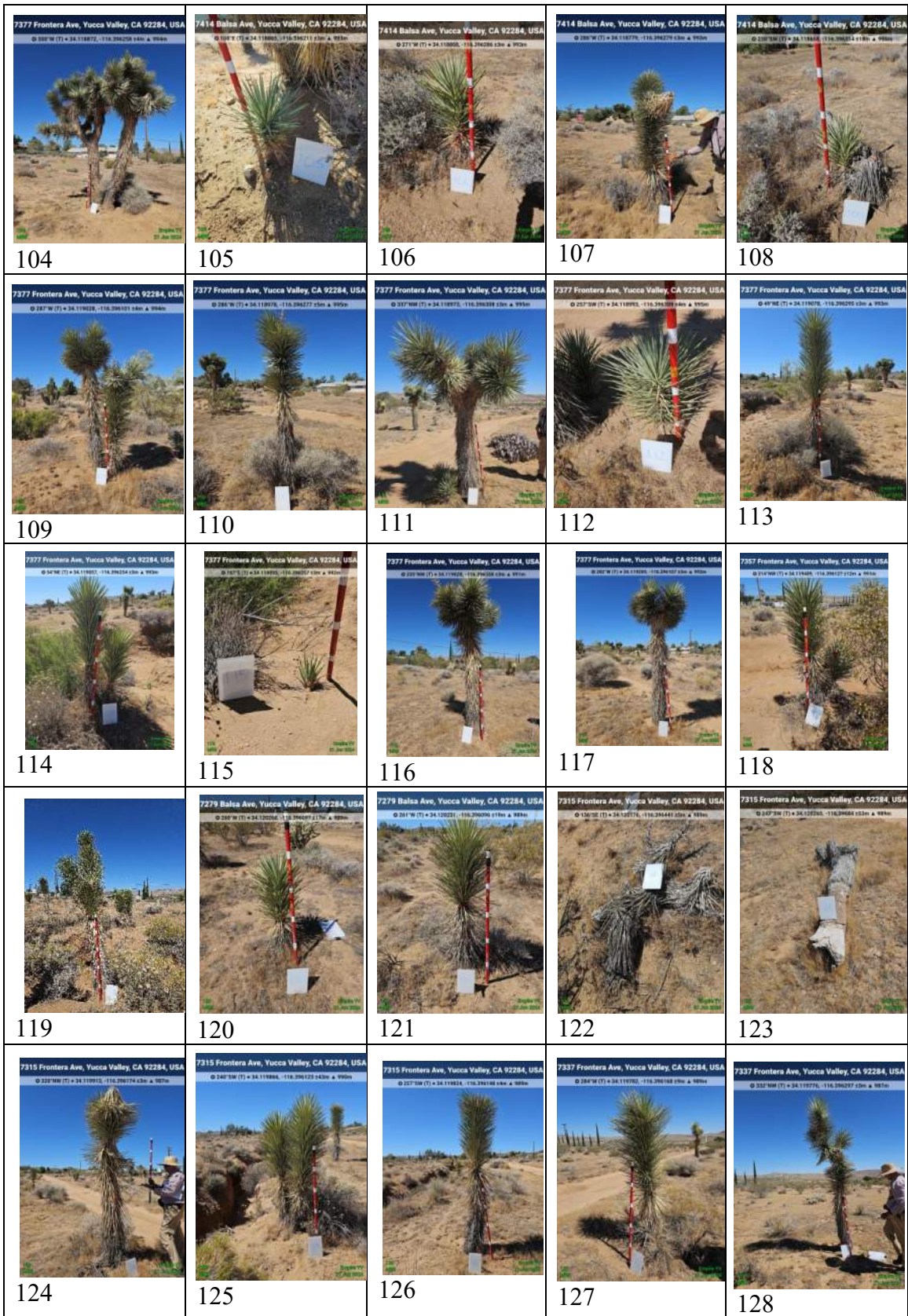
Photographs of the 146 Joshua trees described above are included on the next six pages. The numbers in the lower left hand corner of the photographs correspond to the same numbers given in the first, left hand column of the above table.





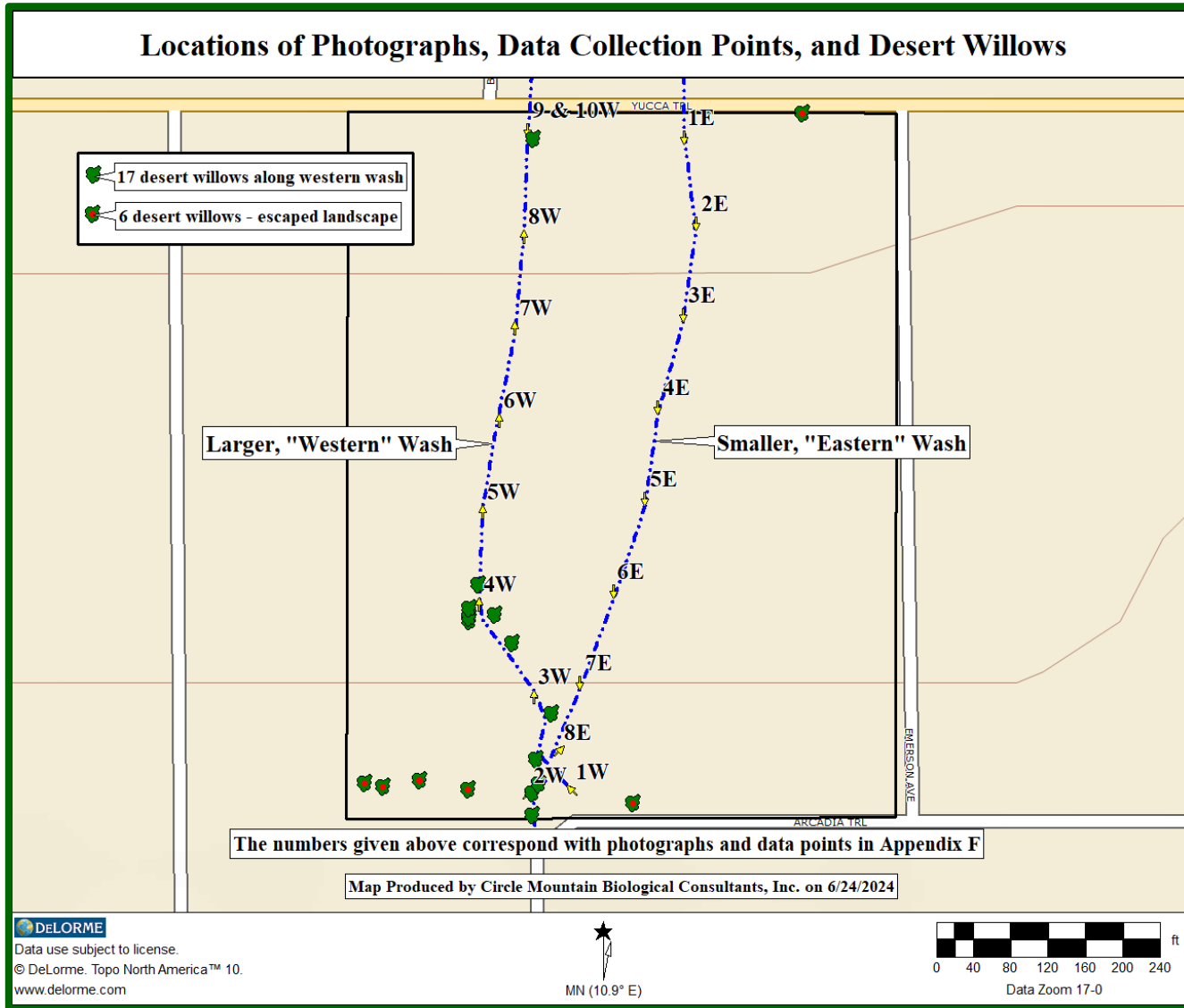








Appendix F. Photographic Exhibits for Jurisdictional Waters Analysis



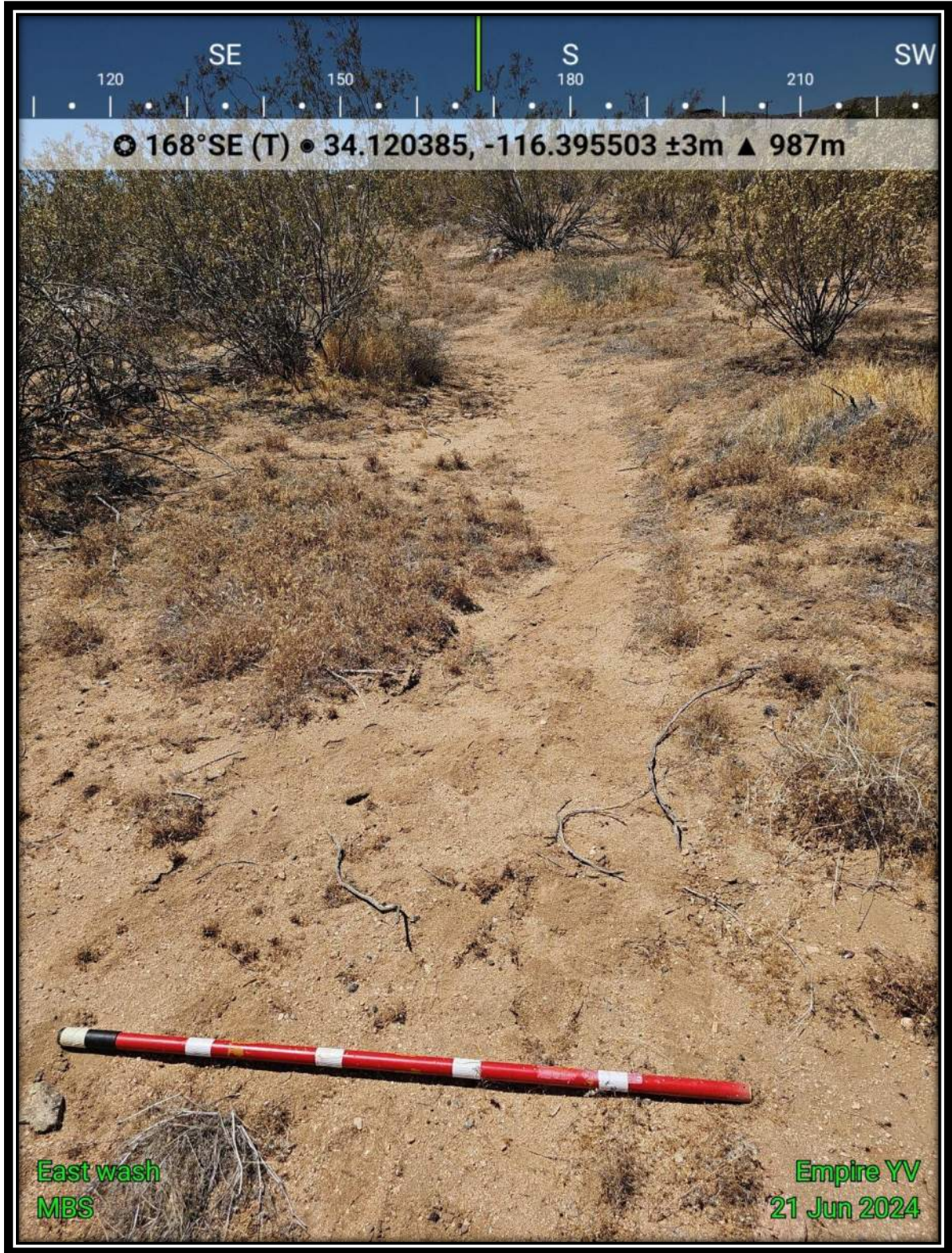


Exhibit 1E. View from the north boundary of the East Wash, facing southeast (see figure on previous page for locations and orientations of all photos).

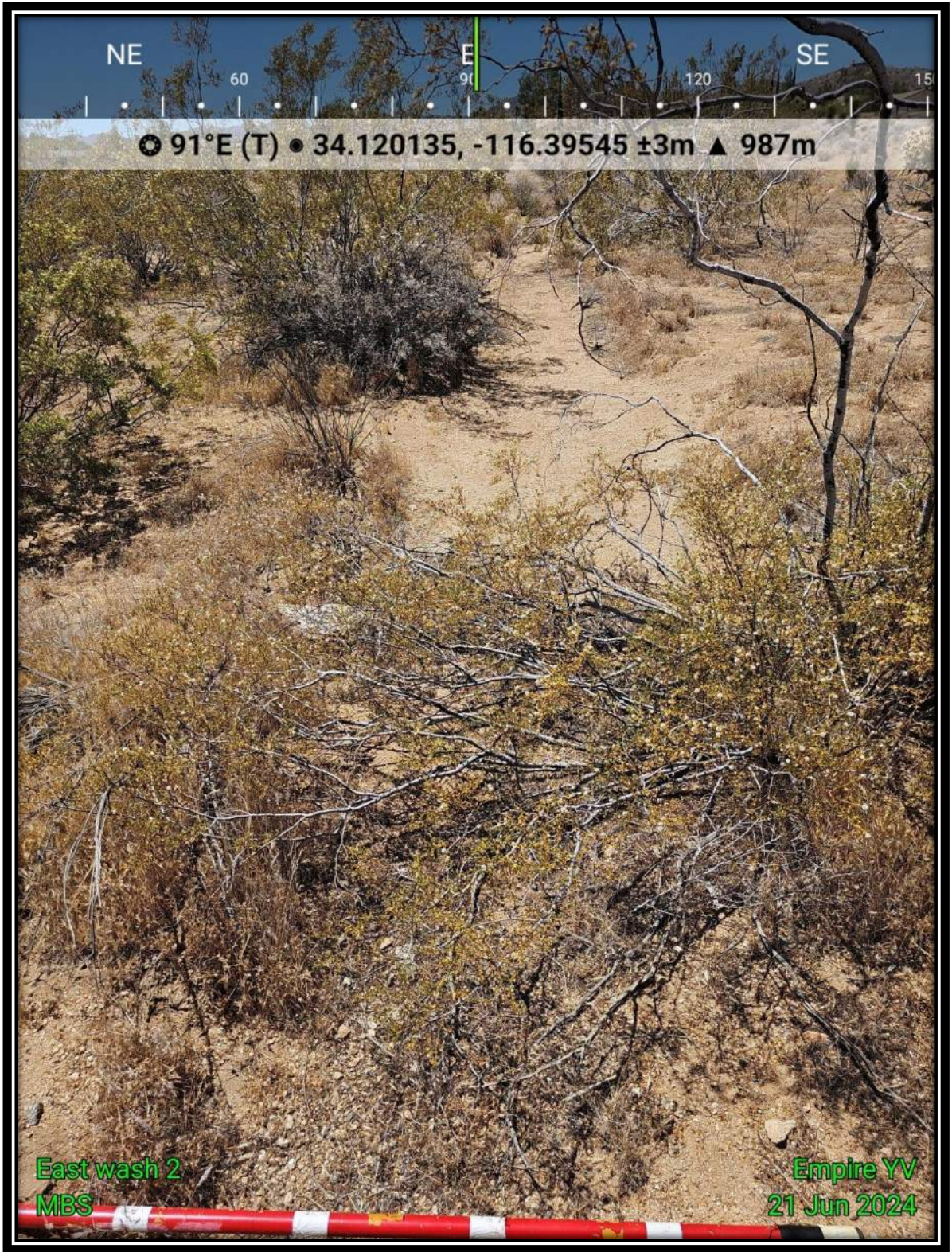


Exhibit 2E. View of the East Wash, facing east.

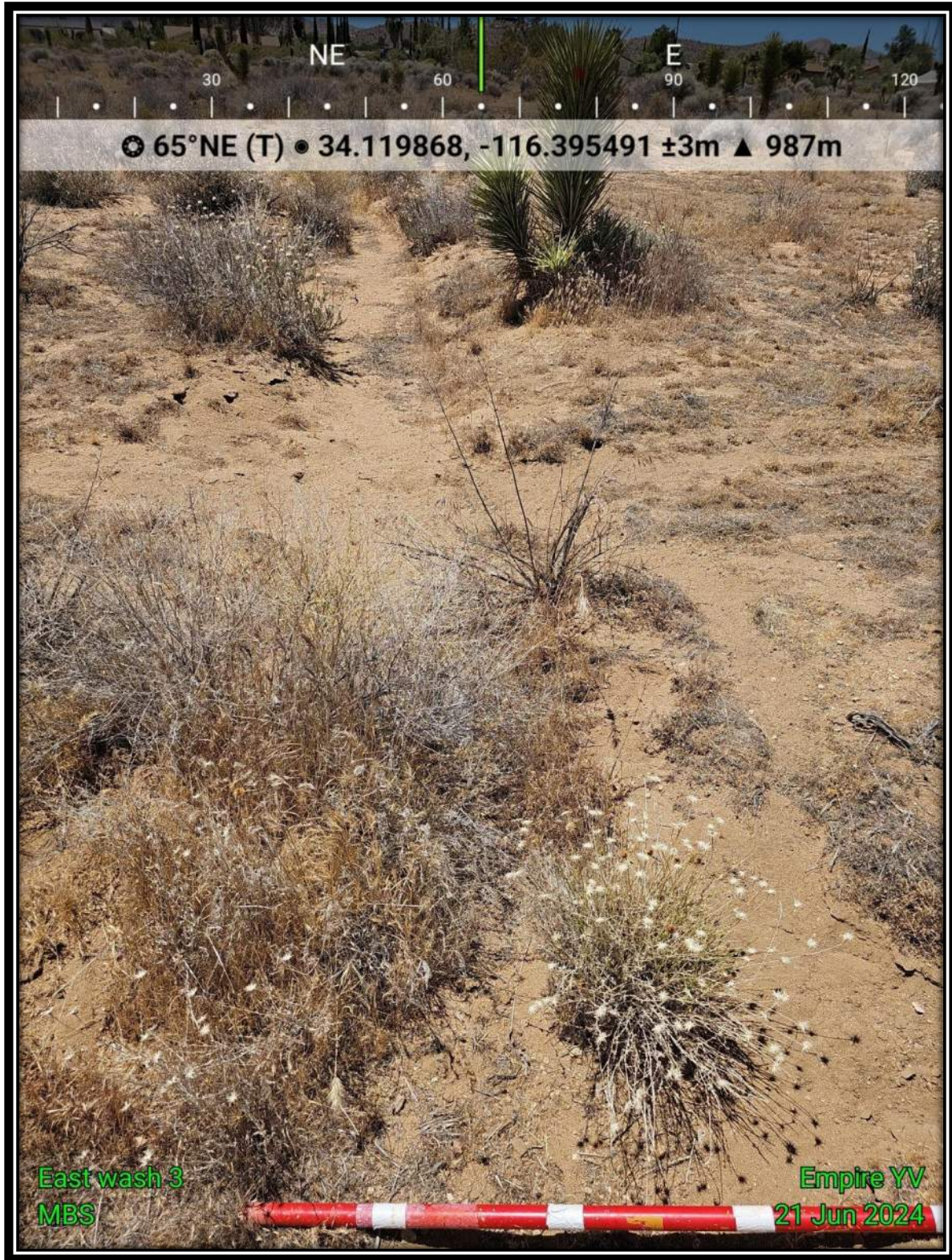


Exhibit 3E. View of the East Wash, facing north east.

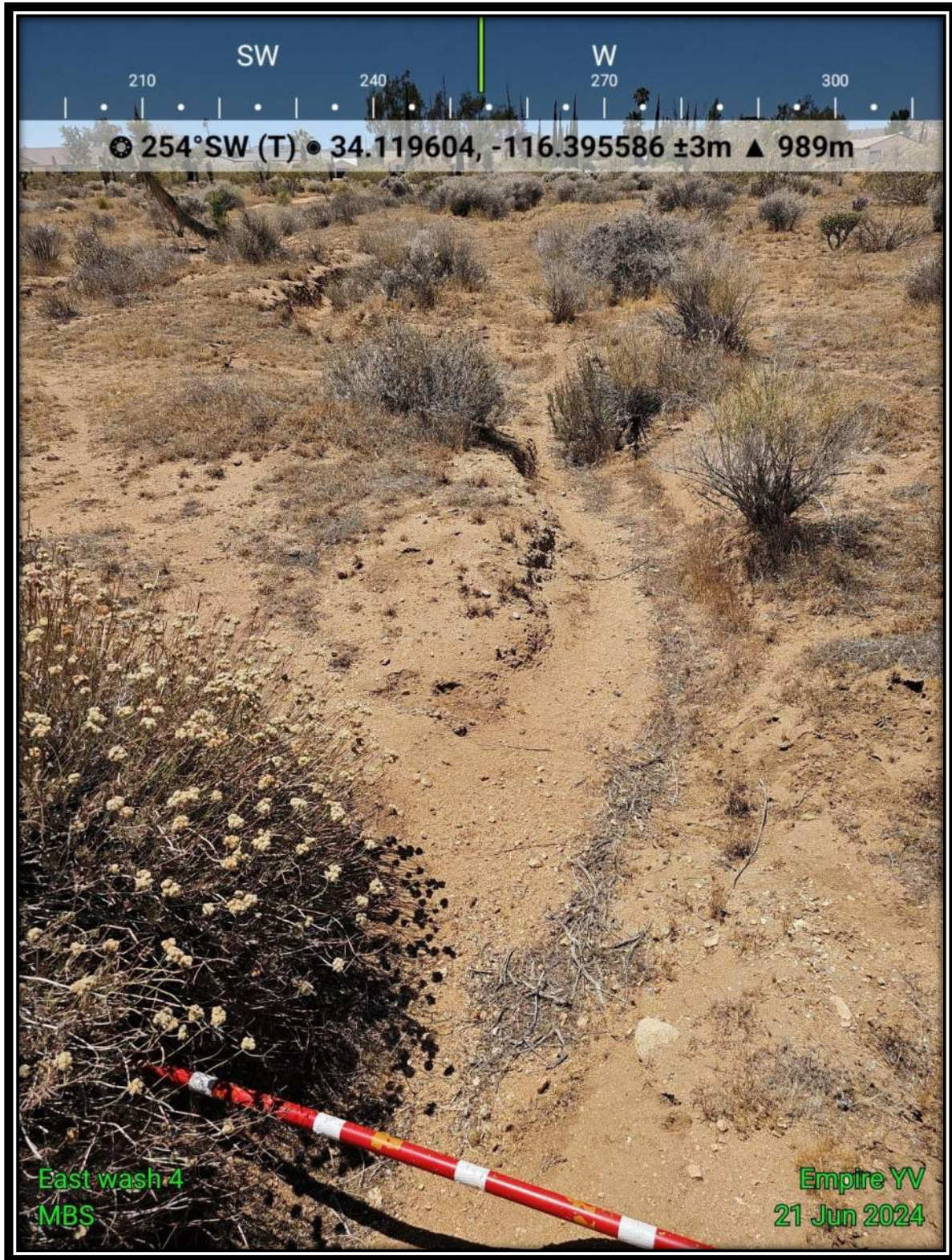


Exhibit 4E. View of the East Wash, facing southwest.

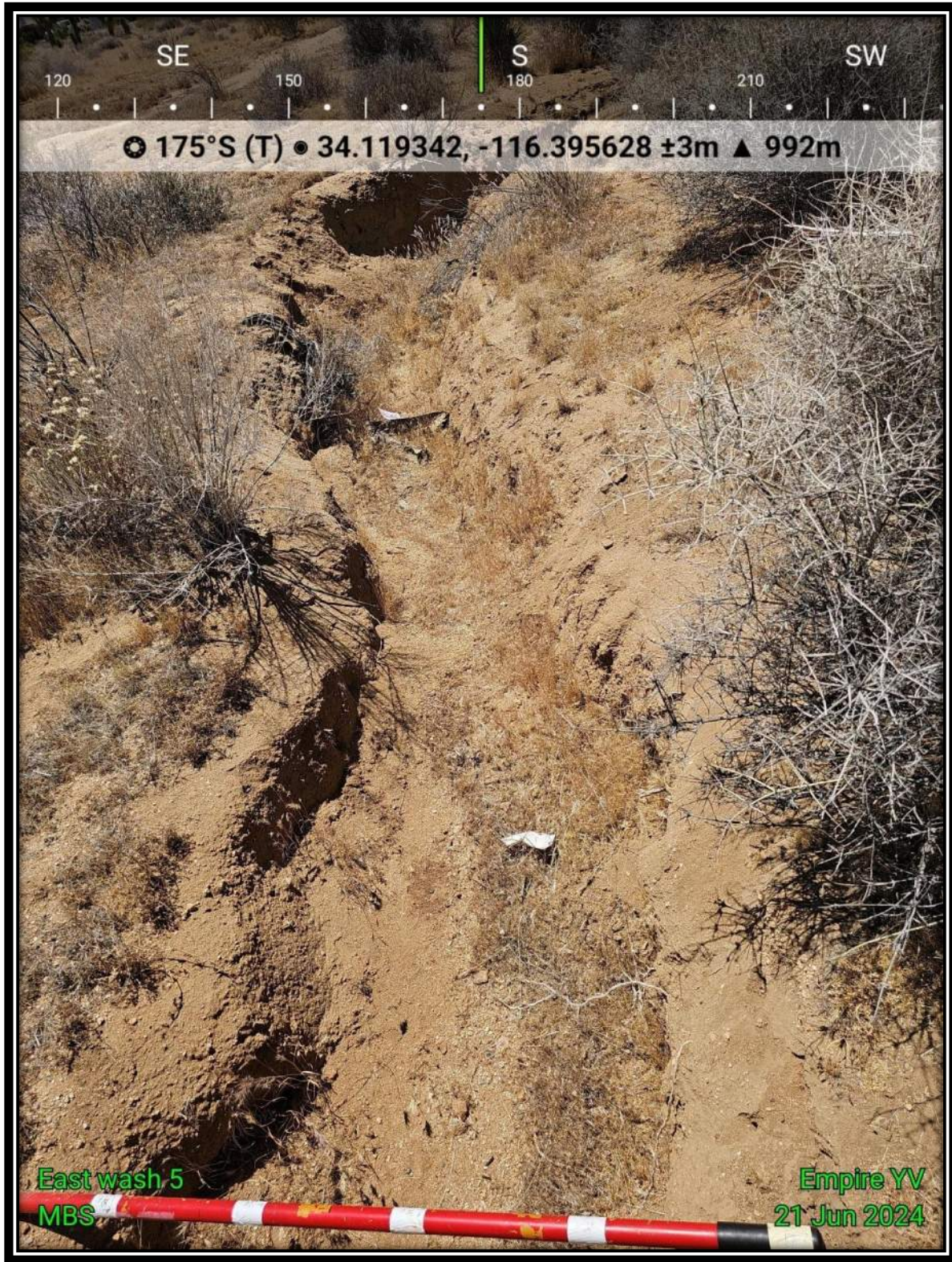


Exhibit 5E. View of the East Wash, facing south.

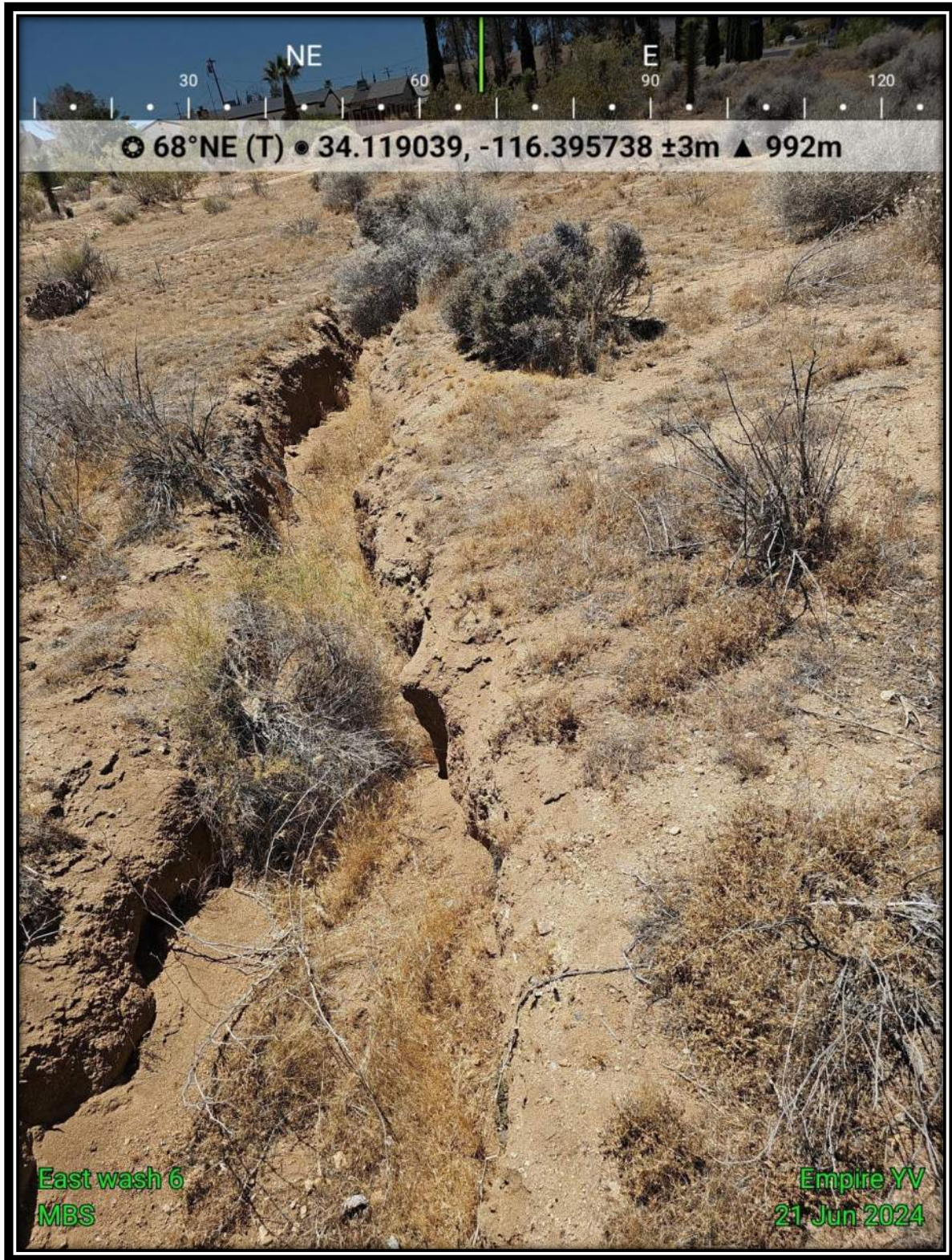


Exhibit 6E. View of the East Wash, facing northeast.



Exhibit 7E. View of the East Wash, facing southwest.

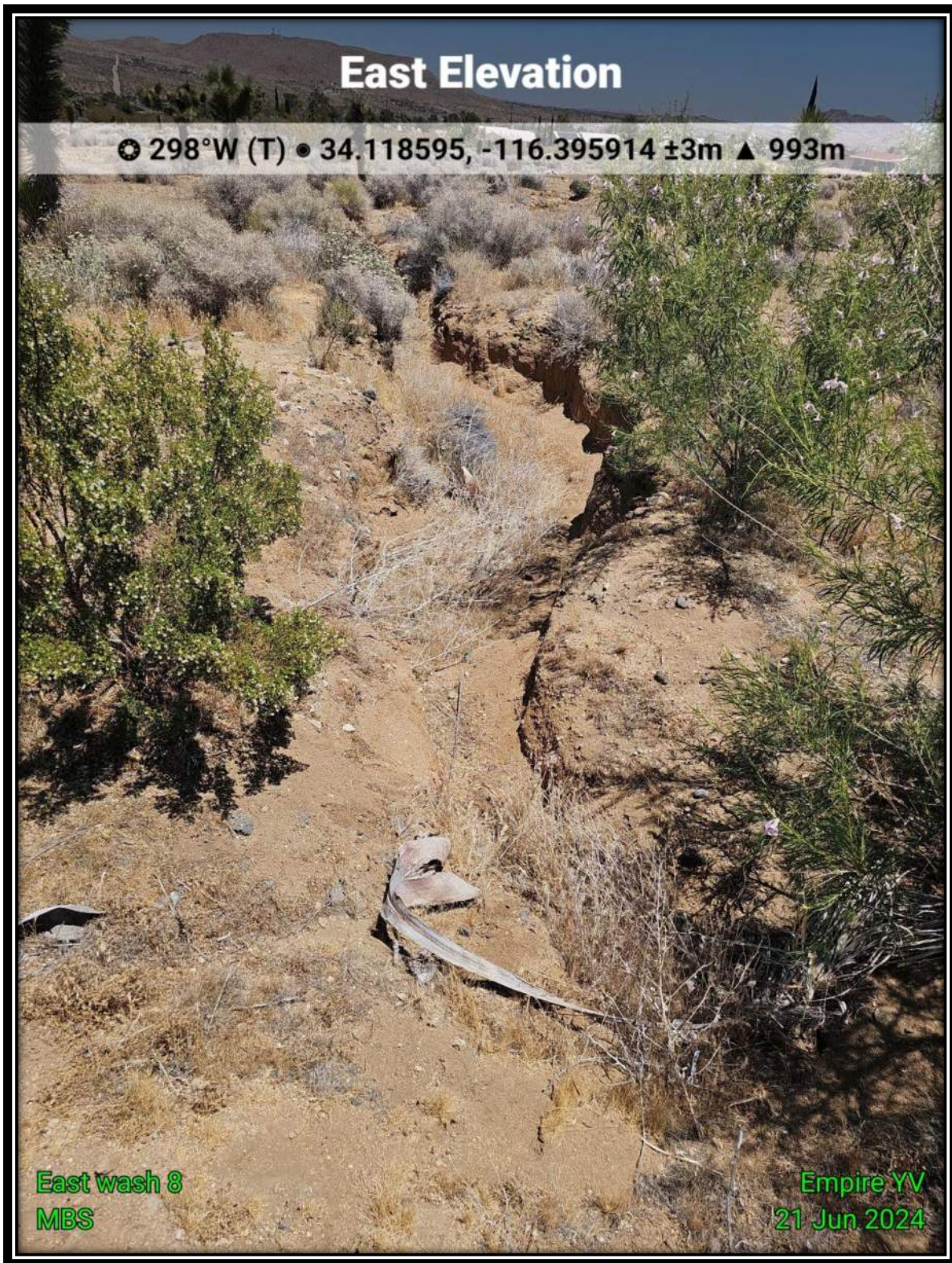


Exhibit 8E. View of the East Wash, facing west.



Exhibit 1W. View from the south boundary of the West Wash, east fork, facing north.

7414 Balsa Ave, Yucca Valley, CA 92284, USA

☉ 42°NE (T) ● 34.118461, -116.396026 ±3m ▲ 994m



West wash S End west fork 2
MBS

Empire YV
21 Jun 2024

Exhibit 2W. View of the West Wash, west fork facing northeast.

7414 Balsa Ave, Yucca Valley, CA 92284, USA

☉ 12°N (T) • 34.118787, -116.396006 ±5m ▲ 994m



Exhibit 3W. View of the West Wash, facing north.

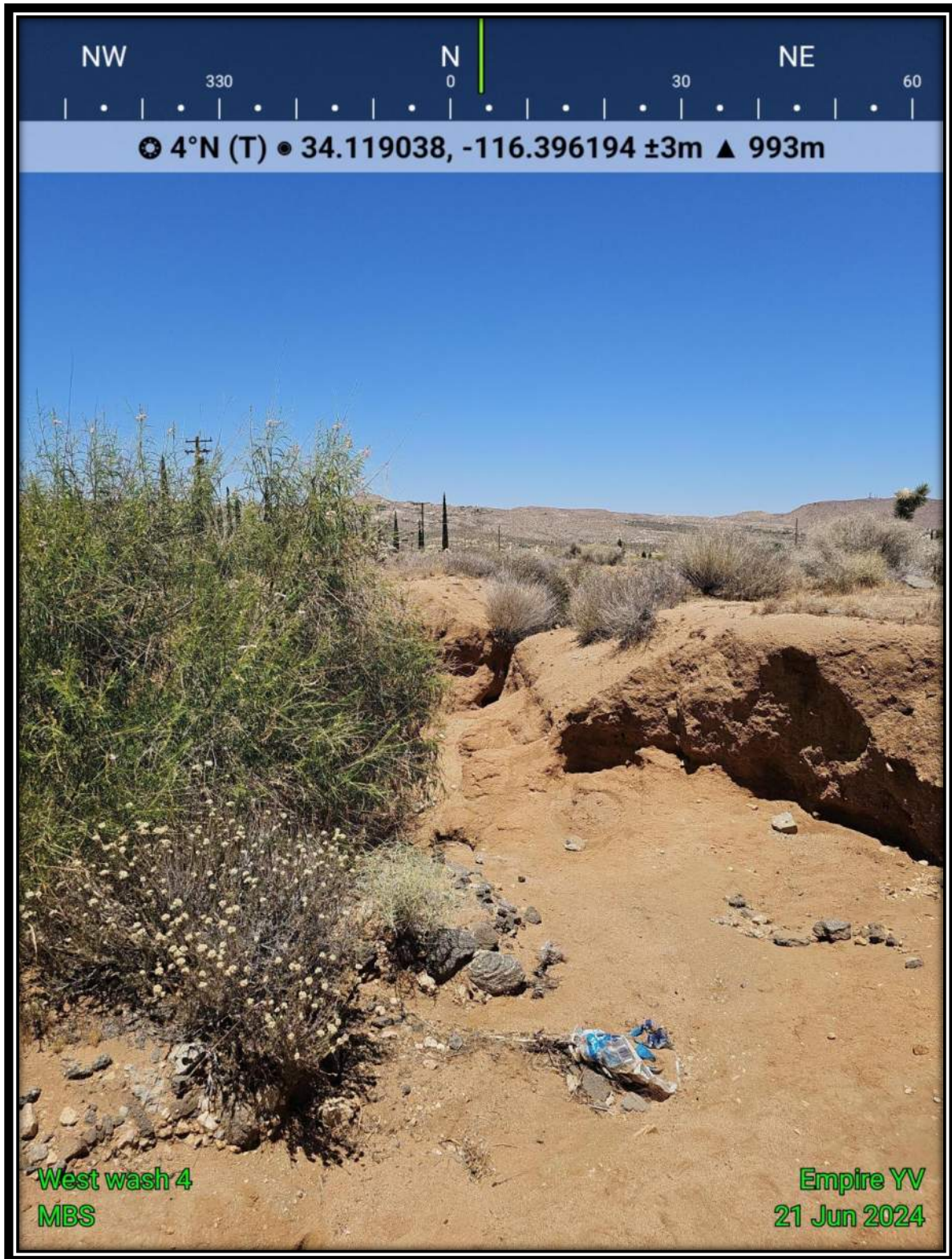


Exhibit 4W. View of the West Wash, facing north.

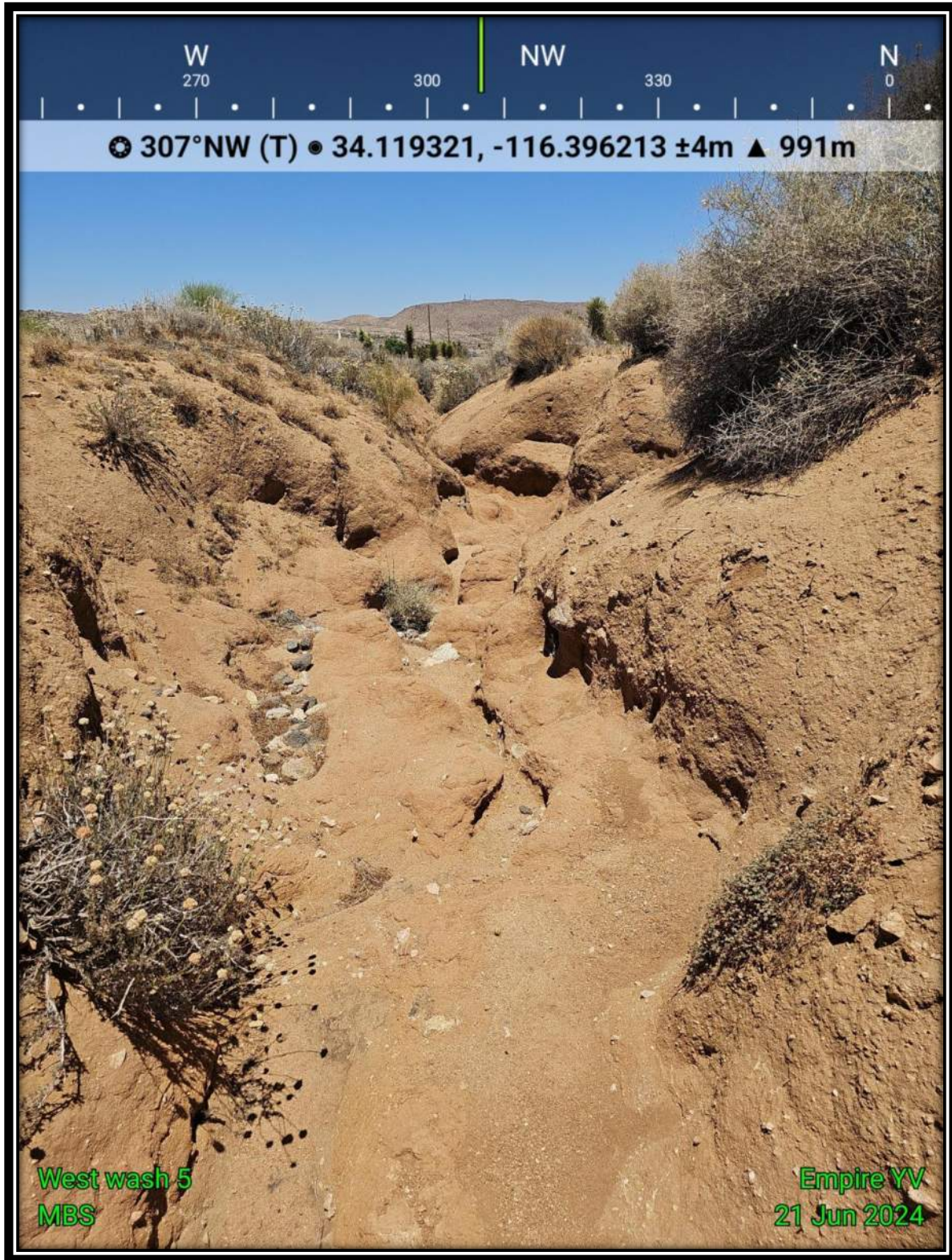


Exhibit 5W. View of the West Wash, facing north.

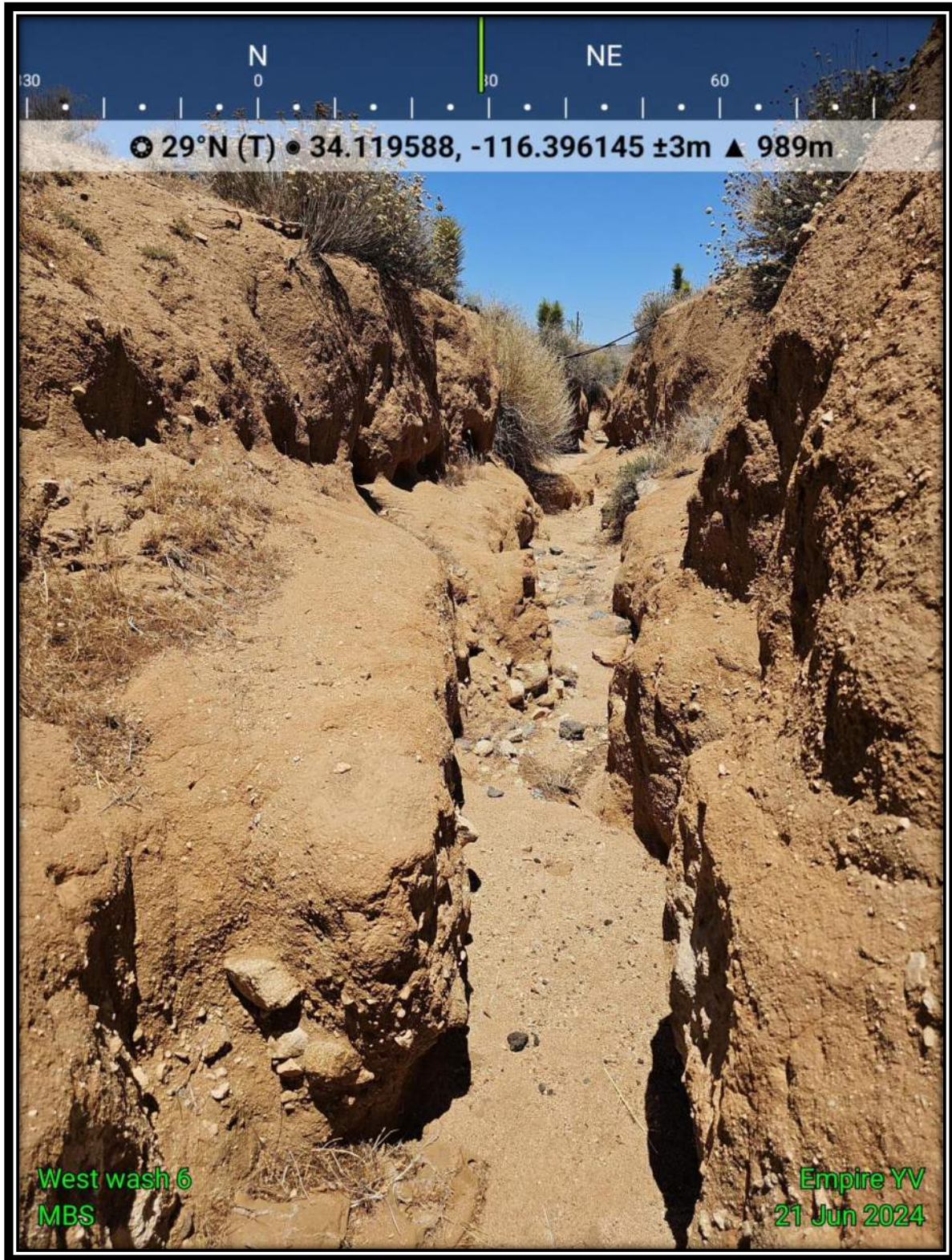


Exhibit 6W. View of the West Wash, facing north.

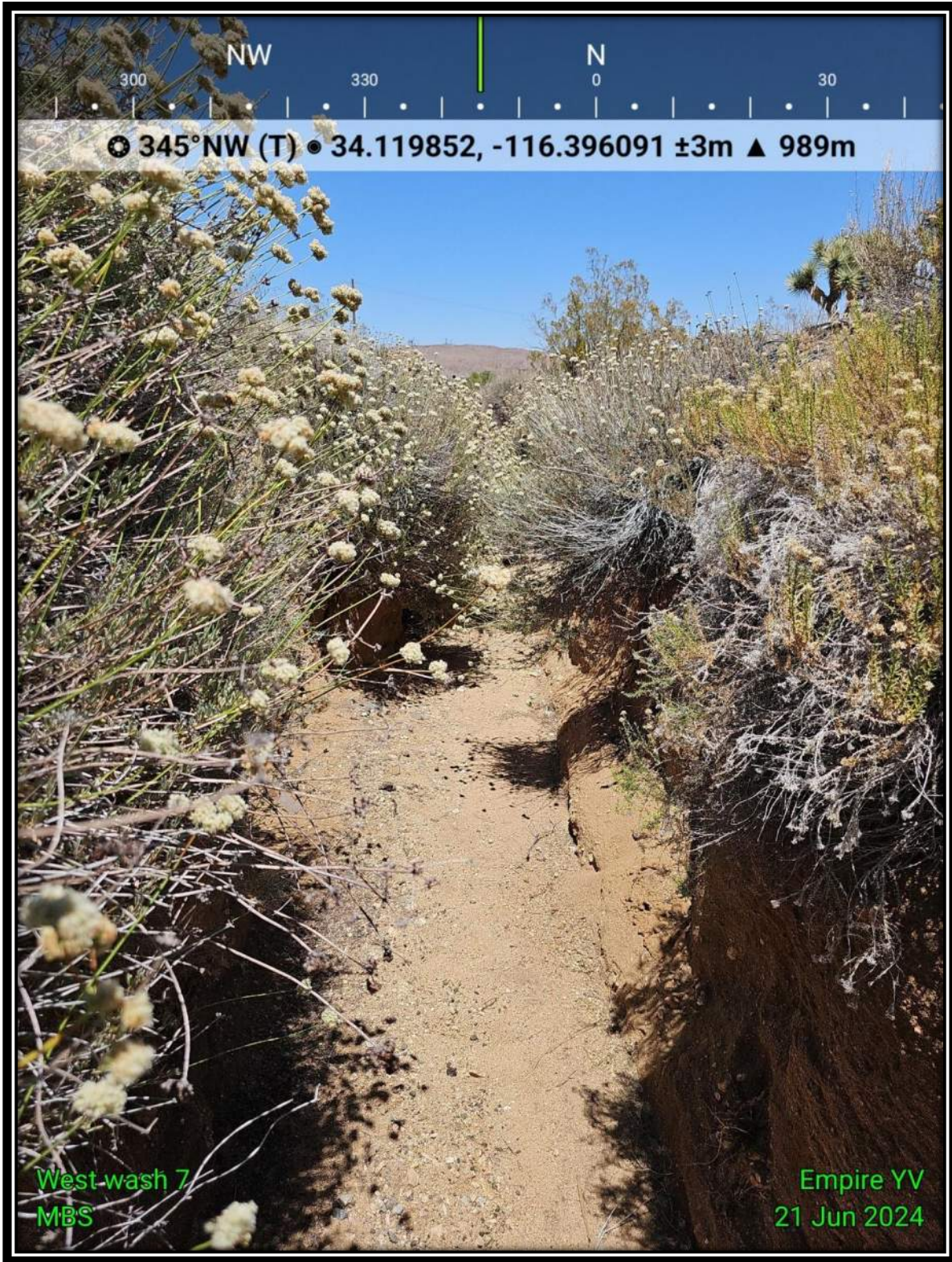


Exhibit 7W. View of the West Wash, facing north.

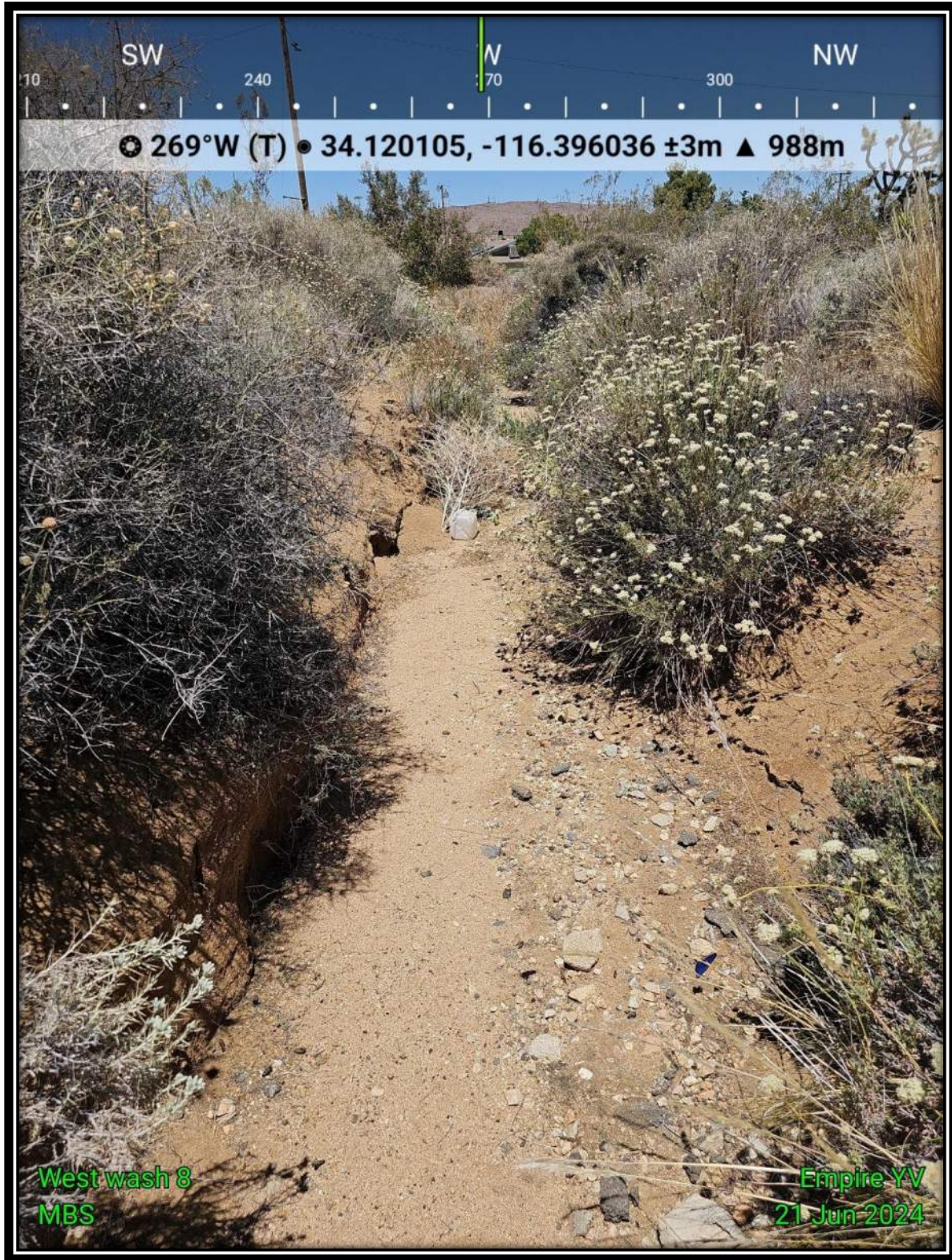


Exhibit 8W. View of the West Wash, facing north.

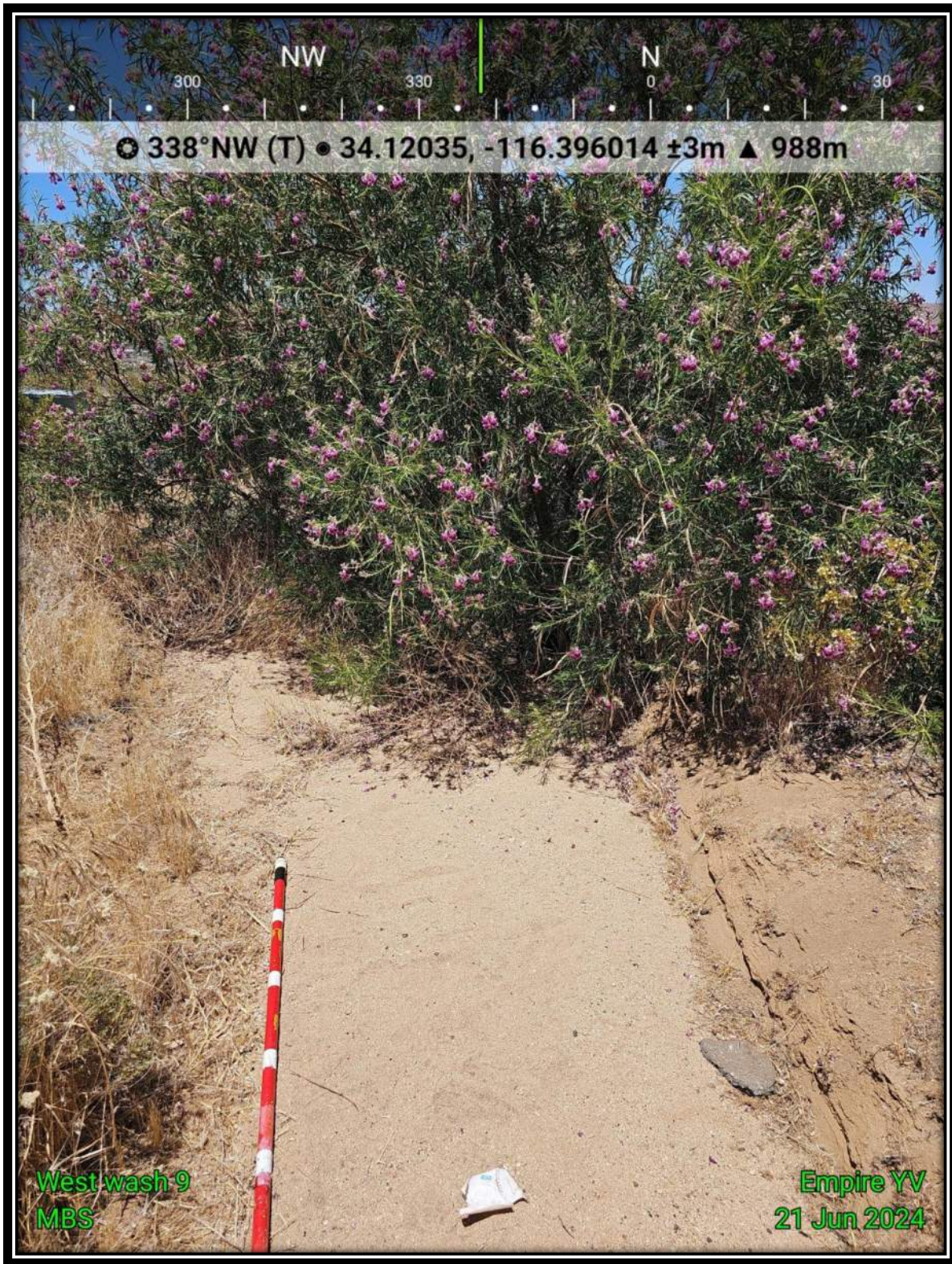


Exhibit 9W. View of the West Wash, facing north.

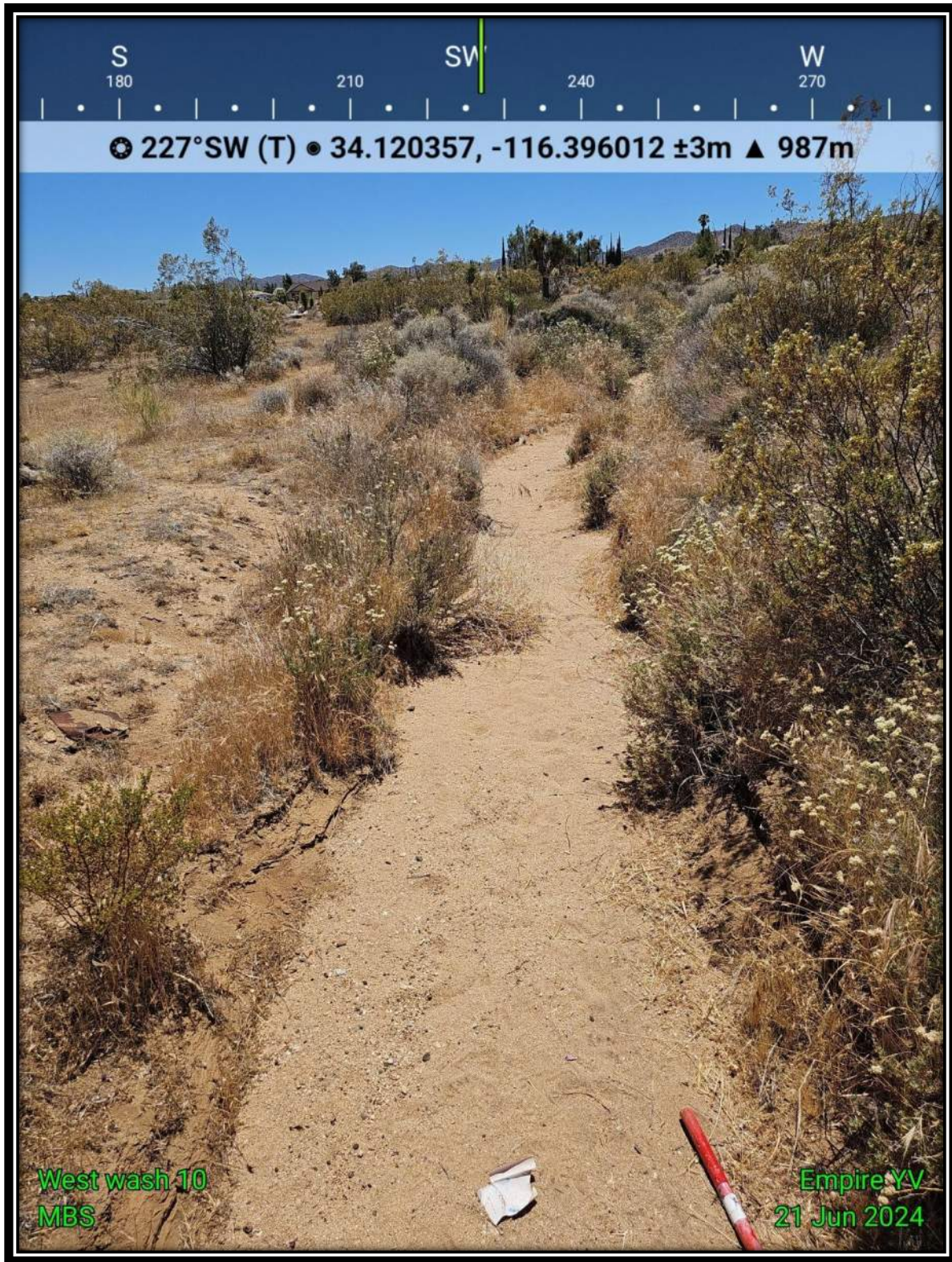


Exhibit 10W. View of the West Wash, facing south.

To: Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

From: (Public Agency) _____

County Clerk
County of _____

(Address)

Project Title: _____

Project Location - Specific:

Project Location – City: _____ Project Location – County: _____

Description of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency

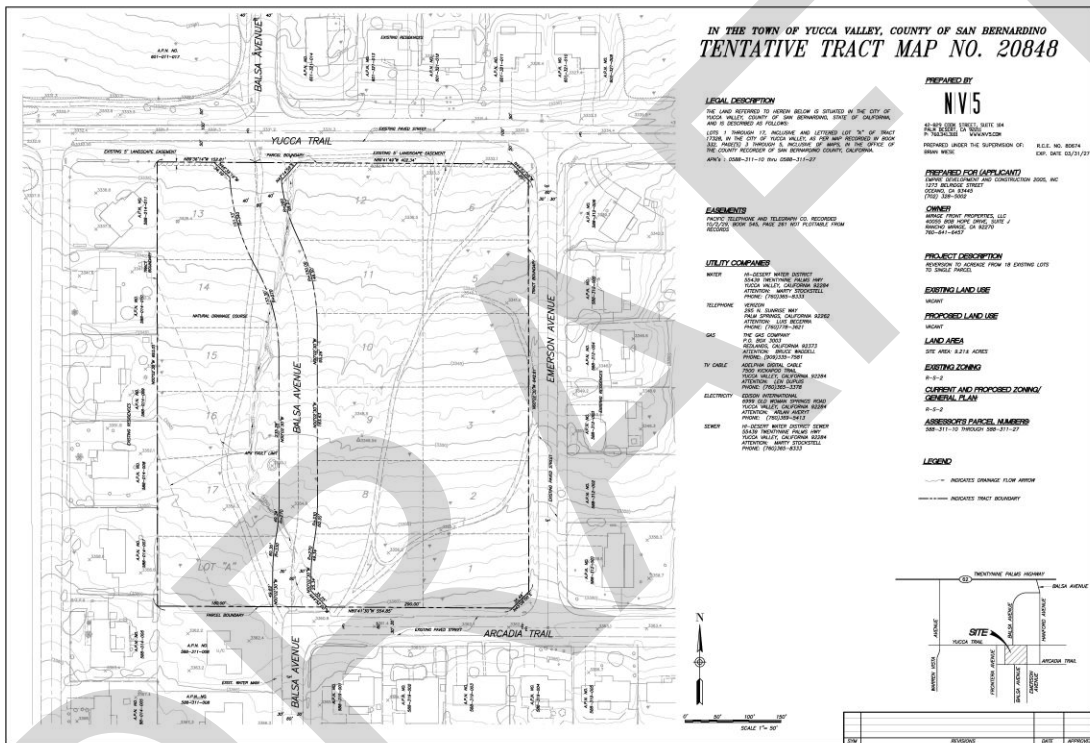
Date received for filing at OPR: _____

Signed by Applicant

Revised May 1999

**TOWN OF YUCCA VALLEY
CONDITIONS OF APPROVAL
TENTATIVE TRACT MAP 20848**

This approval is for Tentative Tract Map, TTM, 20848, a request for the reversion to acreage of 18 existing lots resulting from Tract Map 17328 to one (1) approximately 9.21 acre parcel. The project is located at the southwest corner of Yucca Trail and Emerson Avenue, bounded by Yucca Trail to the north and Arcadia Trail to the south and is also identified as APN's: 0588-311-10 through 0588-311-27. All recorded roadway easements illustrated on Tract Map 17328 to remain in place, including Yucca Trail, Arcadia Trail, Emerson Avenue, and Balsa Avenue.



GENERAL CONDITIONS

G1. The applicant shall agree to defend, indemnify and hold harmless the Town of Yucca Valley, its agents, officers and employees, at his sole expense, against any action, claim or proceedings brought against the Town or its agents, officers or employees, to attack, set aside, void, or annul this approval or because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the Town of Yucca Valley Development Code. The applicant shall reimburse the Town, its agents, officers, or employees for any court costs, and attorney's fees which the Town, its agents, officers or employees may be required by a court to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this

Applicant's Initial _____

condition. The Town shall promptly notify the applicant of any claim, action or proceedings arising from the Town's approval of this project, and the Town shall cooperate in the defense.

- G2. This Tentative Tract Map shall become null and void if the Tentative Tract Map has not recorded within two (2) years of the Town of Yucca Valley date of approval. Extensions of time may be granted by the Planning Commission and/or Town Council, in conformance with the Town of Yucca Valley Development Code. The applicant is responsible for the initiation of an extension request.

APPROVAL DATE: JUNE 23, 2026
EXPIRATION DATE: JUNE 23, 2028

- G3. The applicant shall ascertain and comply with requirements of all Federal, State, County, Town and local agencies as are applicable to the project area. These include, but are not limited to, County of San Bernardino Environmental Health Services, County of San Bernardino Transportation/Flood Control, County of San Bernardino Fire Department, Yucca Valley Building and Safety, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water Quality Control Board, Colorado River Region, the Federal Emergency Management Agency, MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town Departments.
- G4. All conditions are continuing conditions. Failure of the applicant to comply with any or all of said conditions at any time may result in the revocation of any construction permits for the project.
- G5. The applicant shall pay all fees charged by the Town as required for application processing, plan checking, construction and/or inspection. The fee amounts shall be those which are applicable and in effect at the time work is undertaken and accomplished. Fees for entitlement prior to construction permits are based on estimated costs for similar projects. Additional fees may be incurred, depending upon the specific project. If additional fees for services are incurred, they must be paid prior to any further processing, consideration, or approval(s).
- G6. All refuse shall be removed from the premises in conformance with Town of Yucca Valley Municipal Code Chapter 8.03, Construction Site Maintenance and Trash Containment.
- G7. The Applicant shall reimburse the Town for the Town's costs incurred in monitoring the developer's compliance with the Conditions of Approval including, but not limited to, inspections and review of developer's operations and activities for compliance with all

applicable dust and noise operations. This condition of approval is supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Yucca Valley Municipal Code.

- G8. After final plan check by the Town, original mylars (4 mil) shall be submitted to the Town for signature by the Town Engineer. All original mylars submitted for Town Engineer's signature must contain the design engineer's wet signature and stamp and all other required signatures.
- G9. The final Conditions of Approval issued by the approving authority shall be photographically or electronically placed on bond (blue/black line) paper and included in the Grading and Street Improvement plan sets on 24" x 36" bond (blue/ black line) paper and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field and during construction. Plan check fees shall not be charged for sheets containing the Conditions of Approval.
- G10. Prior to recordation of the final map, the applicant shall submit all improvement plans and final maps on compact disks in digital format acceptable to the Town Engineer.
- G11. Violations of any condition or restriction or prohibition set forth in these conditions, including all approved construction plans, public and private, for this project and subject to the Town's overall project approval and these conditions of approval, shall subject the owner, applicant, developer or contractor(s) to the remedies as noted in the Municipal Code. In addition, the Town Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
- G12. All property corners, logs, easements, street centerlines and curve radii shall be monumented and horizontally tied to identified control points. A copy of the monumentation survey and centerline tie notes shall be provided to the Town Engineer for approval.

ENGINEERING CONDITIONS

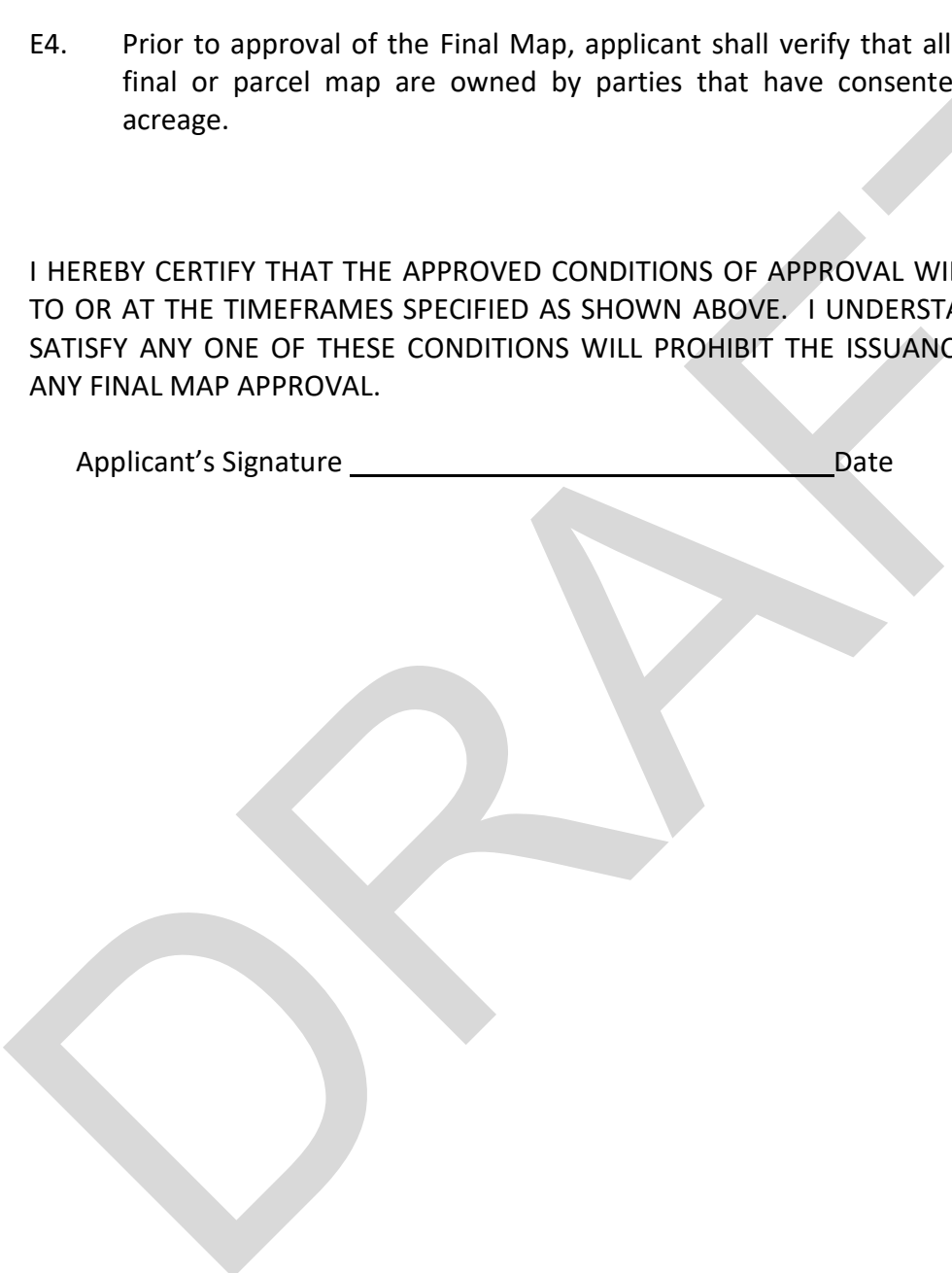
- E1. All recorded roadway easements illustrated on Tract Map 17328 shall remain in place, including Yucca Trail, Arcadia Trail, Emerson Avenue, and Balsa Avenue.
- E2. It is understood that the tentative map correctly shows all existing easements, traveled ways and drainage courses, and that their omission may require the tentative map to be resubmitted for further consideration.

- E3. Prior to approval of the Final Map, all owners with an interest in the real property within the subdivision shall have consented to the reversion.

- E4. Prior to approval of the Final Map, applicant shall verify that all parcels shown on the final or parcel map are owned by parties that have consented to the reversion to acreage.

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

Applicant's Signature _____ Date _____



IN THE TOWN OF YUCCA VALLEY,
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
TRACT MAP NO. 17328

SHEET 1 OF 3 SHEETS

BEING A SUBDIVISION OF A PORTION OF GOVERNMENT LOT 2 OF THE NORTHEAST
QUARTER SECTION 6, TOWNSHIP 1 SOUTH, RANGE 6 EAST, S.B.B. & M.



YUCCA VALLEY, CA
MAY 2005

332/3

OWNERS STATEMENT, ACKNOWLEDGEMENT, AND AGREEMENT

WE HEREBY STATE WE ARE ALL THE ONLY PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND SUBDIVIDED AS SHOWN ON THE ANNEXED MAP AND WE CONSENT TO THE PREPARATION AND RECORDATION OF THIS FINAL MAP. WE HEREBY IRREVOCABLY OFFER TO DEDICATE TO THE TOWN OF YUCCA VALLEY, THE PUBLIC IN GENERAL, AND TO ANY OF THE SEVERAL PUBLIC UTILITY COMPANIES WHICH ARE AUTHORIZED TO SERVE IN SAID SUBDIVISION, AN EASEMENT FOR PUBLIC ROADS, COUNTY HIGHWAYS, AND PUBLIC UTILITY PURPOSES IN, UNDER, OVER, THROUGH, AND ACROSS BALS AVE AND THE WESTERLY 0.28 FEET OF EMERSON AVENUE AS SHOWN ON THE ANNEXED MAP. THE EXPRESSED RIGHTS TO THE PUBLIC IN GENERAL AND TO THE SEVERAL UTILITY COMPANIES SHALL BE AND SHALL REMAIN INFERIOR TO THE SUPERIOR RIGHTS OF THE TOWN OF YUCCA VALLEY.

WE HEREBY ACKNOWLEDGE THAT IMPROVEMENT AND MAINTENANCE OF LOT "A", BALS AVE, AND THE WESTERLY 0.28 FEET OF EMERSON AVENUE IS THE RESPONSIBILITY OF THE OWNERS OF THE LOTS WITHIN THE SUBDIVISION OF TRACT 17328 THROUGH A MAINTENANCE ASSESSMENT DISTRICT FORMED BY THE LOT OWNERS AND THE TOWN OF YUCCA VALLEY AND ADMINISTERED BY THE TOWN OF YUCCA VALLEY.

WE AGREE NOT TO PROTEST AND AFFIRMATIVELY AGREE TO ENTER INTO ANY STREET AND DRAINAGE MAINTENANCE ASSESSMENT DISTRICT AND ANY LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT INITIATED BY THE TOWN OF YUCCA VALLEY CONCERNING THE MAINTENANCE OR IMPROVEMENTS OF LOT "A", BALS AVE, AND THE WESTERLY 0.28 FEET OF EMERSON AVENUE AND MAINTENANCE AND OPERATION OF ANY DRAINAGE AND FLOOD CONTROL FACILITIES, AND OPERATION AND MAINTENANCE OF RIGHTS OF WAY, EASEMENTS, PATHWAYS, STREET LIGHTING, LANDSCAPING AND OTHER PUBLIC INFRASTRUCTURE IMPROVEMENTS; PROVIDED HOWEVER THAT THE MAXIMUM ANNUAL ASSESSMENT FOR STREET AND DRAINAGE MAINTENANCE SHALL NOT EXCEED \$ 263.11 PER LOT AND THE MAXIMUM ANNUAL ASSESSMENT FOR LANDSCAPING AND LIGHTING MAINTENANCE SHALL NOT EXCEED \$ 263.11 PER LOT EXCEPT FOR ANNUAL COST OF LIVING INCREASES BASED ON THE CONSUMER PRICE INDEX.

GOVERNMENT CODE SECTIONS 53753(b) AND 53753(c) PROVIDE THAT PRIOR TO THE LEVYING OF A NEW ASSESSMENT THAT IS SUBJECT TO THE PROCEDURES AND APPROVAL PROCESS SET FORTH IN SECTION 4 OF ARTICLE XXII OF THE CALIFORNIA CONSTITUTION, RECORD OWNERS OF EACH IDENTIFIED PARCEL, WITHIN THE PROPOSED ASSESSMENT DISTRICT ARE ENTITLED TO A 45 DAY NOTICE INDICATING THE TOTAL ASSESSMENT WITHIN THE DISTRICT, THE AMOUNT CHARGEABLE TO EACH RECORD OWNER'S PARCEL, THE DURATION OF THE PAYMENTS, THE REASON FOR AND BASIS OF THE ASSESSMENT, THE DATE, TIME AND LOCATION OF A PUBLIC HEARING ON THE PROPOSED ASSESSMENT, AND AN OPPORTUNITY TO SUBMIT A BALLOT IN SUPPORT OF OR OPPOSITION TO THE ASSESSMENT DISTRICT.

WE ALSO AGREE NOT TO SELL ANY LOT WITHIN TRACT NO. 17328 PRIOR TO THE TOWN OF YUCCA VALLEY ADOPTION OF A RESOLUTION CERTIFYING BALLOT RESULTS AND CONFIRMING THE ASSESSMENTS APPROVED BY THE LOT OWNERS FOR STREET AND DRAINAGE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 2, ZONE J AND LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 2, ZONE J.

WE ALSO IRREVOCABLY OFFER TO DEDICATE TO THE TOWN OF YUCCA VALLEY ALL RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM LOT NOS. 8, 12 AND 13 OVER AND ACROSS THE NORTHERLY LINE OF SAID LOTS ABUTTING TRACT 17328.

WE ALSO HEREBY OFFER TO DEDICATE TO THE TOWN OF YUCCA VALLEY THE 5-FOOT WIDE LANDSCAPE EASEMENTS AS SHOWN ON THE ANNEXED MAP.

WE ALSO IRREVOCABLY OFFER TO DEDICATE TO THE TOWN OF YUCCA VALLEY AN EASEMENT FOR DRAINAGE, DRAINAGE FACILITIES, AND DRAINAGE WATER RETENTION AND MAINTENANCE PURPOSES IN, UNDER, OVER, THROUGH AND ACROSS LOT "A" AS SHOWN ON THE ANNEXED MAP.

THIS STATEMENT, ACKNOWLEDGEMENT, AND AGREEMENT SHALL BE BINDING ON AND SHALL INURE TO THE BENEFIT OF THE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS, AND ASSIGNS OF THE OWNERS, OWNERS:

YUCCA VALLEY ESTATES, LLC
A CALIFORNIA LIMITED LIABILITY COMPANY

BY: PACIFIC EQUITY PROPERTIES, LLC
A DELAWARE LIMITED LIABILITY COMPANY

[Signature]
HERBERT L. PORTER
ITS PRESIDENT

BY: OF PROPERTIES, LLC
A CALIFORNIA LIMITED LIABILITY COMPANY

[Signature]
MICHAEL D. ENGLISH
NAME: MICHAEL D. ENGLISH
ITS MANAGING MEMBER

BENEFICIARY: LA YUCCA BANK, FSB, BENEFICIARY UNDER DEED OF TRUST RECORDED ON OCTOBER 19, 2005 AS INSTRUMENT NO. 2005-070823, OFFICIAL RECORDS OF SAN BERNARDINO COUNTY AND RELATED APRIL 4, 2005 ALIENATION ACT 118.

BY: *[Signature]*
EDWARD F. EATON
MANAGING MEMBER

(SIGNATURE)

Martin Rodriguez
(PRINTED NAME)

Vice President
(PRINTED TITLE)

(SIGNATURE)

(PRINTED NAME)

(PRINTED TITLE)

ENGINEER'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MARK HOWARD IN JUNE 2005. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. ALL THE MONUMENTS SHOWN HEREON ARE OF THE QUANTITY AND OCCUPY THE POSITIONS INDICATED OR WILL BE SET IN SUCH POSITIONS ON OR BEFORE DECEMBER 31, 2007, IN COMPLIANCE WITH SECTIONS 66445 AND 66446 OF THE SUBDIVISION MAP ACT AND WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE REPRODUCED. THIS SURVEY IS TRUE AND COMPLETE AS SHOWN.

[Signature]
WILLIAM H. WARNER, R.C.E. 23268
MY LICENSE EXPIRES DECEMBER 31, 2007

DATED: 11/16/06



TOWN ENGINEER'S STATEMENT

I HEREBY CERTIFY THAT I HAVE EXAMINED THE ANNEXED MAP, AND THAT THE SUBDIVISION SHOWN THEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREON AND THAT ALL THE PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE HAVE BEEN COMPLIED WITH, AND I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

[Signature]
WILLIAM E. STRADLER, TOWN ENGINEER
TOWN OF YUCCA VALLEY, CALIFORNIA
R.C.E. 25082 REGISTRATION EXPIRES 12-31-07

DATED: 11/22/06



TOWN CLERK'S STATEMENT

I, JANET M. ANDERSON, TOWN CLERK OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, HEREBY CERTIFY THAT SAID TOWN COUNCIL AT ITS REGULAR MEETING HELD ON 02/27/05 APPROVED THE ANNEXED MAP OF TRACT MAP NO. 17328 AND HEREBY ACCEPTS ON BEHALF OF THE PUBLIC HEREON THE EASEMENTS IN, UNDER, OVER, THROUGH, AND ACROSS EMERSON AVENUE AND BALS AVE AS DEDICATED HEREON, AND

HEREBY REJECTS THE IMPROVEMENT AND MAINTENANCE OF SAID STREET EASEMENTS WHICH SHALL BE THE RESPONSIBILITY OF THE OWNER(S) OF THE LOTS WITHIN THE SUBDIVISION OF TRACT NO. 17328, THEIR HEIRS, SUCCESSORS AND ASSIGNS THROUGH A MAINTENANCE ASSESSMENT DISTRICT FORMED BY THE LOT OWNERS) AND THE TOWN OF YUCCA VALLEY AND ADMINISTERED BY THE TOWN OF YUCCA VALLEY, AND

HEREBY ACCEPTS THE IRREVOCABLE OFFER TO DEDICATE TO THE TOWN OF YUCCA VALLEY AN EASEMENT FOR DRAINAGE, DRAINAGE FACILITIES, AND DRAINAGE WATER RETENTION AND MAINTENANCE PURPOSES IN, UNDER, OVER, THROUGH, AND ACROSS LOT "A" AS DEDICATED HEREON, HEREBY ALSO ACCEPTS THE OFFER TO DEDICATE TO THE TOWN OF YUCCA VALLEY THE 5-FOOT WIDE LANDSCAPE EASEMENTS AND ALSO ACCEPTS ALL RIGHTS OF VEHICULAR INGRESS OR EGRESS, ALL AS DEDICATED AND SHOWN HEREON.

[Signature]
JANET M. ANDERSON, CMC
TOWN CLERK
TOWN OF YUCCA VALLEY, CALIFORNIA

02/06/2007
DATE

BOARD OF SUPERVISORS' CERTIFICATE

I HEREBY CERTIFY THAT A BOND IN THE SUM OF \$ 10,400.00 HAS BEEN EXECUTED AND FILED WITH THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, CONDITIONED UPON THE PAYMENT OF ALL TAXES, STATE, COUNTY, MUNICIPAL, OR LOCAL, AND ALL SPECIAL ASSESSMENTS COLLECTED AS TAXES, WHICH AT THE TIME OF FILING OF THE ANNEXED MAP WITH THE COUNTY RECORDER ARE A LIEN AGAINST SAID PROPERTY, BUT NOT YET PAYABLE, AND THAT THE SUBDIVIDER HAS FILED WITH ME A CERTIFICATE BY THE PROPER OFFICER OWING HIS ESTIMATE OF THE AMOUNT OF SAID TAXES AND ASSESSMENTS, AND SAID BOND IS HEREBY ACCEPTED. SPECIAL.

DATED: 02/28/08

DEW M. SMITH, CLERK OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO

BY: *[Signature]*, DEPUTY

AUDITOR'S CERTIFICATE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE, THERE ARE NO LIENS AGAINST THE REAL PROPERTY SHOWN UPON THE ANNEXED MAP FOR UNPAID STATE, COUNTY, MUNICIPAL, OR LOCAL TAXES, OR SPECIAL ASSESSMENTS NOT YET PAYABLE, ESTIMATED TO BE \$ 10,400.00.

DATED: 02/28/08

LARRY WALKER, COUNTY AUDITOR/CONTROLLER
COUNTY OF SAN BERNARDINO

BY: *[Signature]*, DEPUTY

SAN BERNARDINO COUNTY RECORDER'S CERTIFICATE

THIS MAP HAS BEEN FILED UNDER DOCUMENT NUMBER 2008-0155761
THIS 9TH DAY OF APRIL, 2008, AT 9:57 AM, IN BOOK 332 OF TRACT MAPS AT PAGES 3 AND 5 AT THE REQUEST OF FIDELITY & LLOYD'S IN THE AMOUNT OF \$ 14.00.

LARRY WALKER
AUDITOR-CONTROLLER/RECORDER
COUNTY OF SAN BERNARDINO
[Signature]
DEPUTY RECORDER

332/3

SEE NOTARY ACKNOWLEDGMENTS ON SHEET 2.

IN THE TOWN OF YUCCA VALLEY,
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

TRACT MAP NO. 17328

BEING A SUBDIVISION OF A PORTION OF GOVERNMENT LOT 2 OF THE NORTHEAST
QUARTER SECTION 6, TOWNSHIP 1 SOUTH, RANGE 6 EAST, S.B.B. & M.



YUCCA VALLEY, CA
MAY 2005

332/4

NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF ORANGE) S.S.

ON THIS 28 DAY OF SEPTEMBER, 2008, BEFORE ME,
C. TANDRO, A NOTARY PUBLIC IN AND FOR SAID STATE

PERSONALLY APPEARED

HENRY L. ANDER AND MICHAEL D. ENLUST

PERSONALLY KNOWN TO ME, OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE, TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES, AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT THE ENTITY UPON BEHALF OF WHICH THE PERSONS ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND:

SIGNATURE:

PRINTED NAME: C. TANDRO

MY COMMISSION EXPIRES: 4/22/2010

MY PRINCIPAL PLACE OF BUSINESS IS IN ORANGE COUNTY.

NOTARY ACKNOWLEDGEMENT

STATE OF California)
COUNTY OF San Diego) S.S.

ON THIS 3 DAY OF October, 2008, BEFORE ME,
Jennifer Johnson, A NOTARY PUBLIC IN AND FOR SAID STATE

PERSONALLY APPEARED

Martin Rodriguez AND _____

PERSONALLY KNOWN TO ME, OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE, TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES, AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT THE ENTITY UPON BEHALF OF WHICH THE PERSONS ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND:

SIGNATURE:

PRINTED NAME: Jennifer Johnson

MY COMMISSION EXPIRES: 11/29/2009

MY PRINCIPAL PLACE OF BUSINESS IS IN San Diego COUNTY.

NOTARY ACKNOWLEDGEMENT

STATE OF California)
COUNTY OF Orange) S.S.

ON THIS 12 DAY OF DECEMBER, 2008, BEFORE ME,
Vicki L. RANCE, A NOTARY PUBLIC IN AND FOR SAID STATE

PERSONALLY APPEARED

EDWARD F. EASON AND _____

PERSONALLY KNOWN TO ME, OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE, TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES, AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT THE ENTITY UPON BEHALF OF WHICH THE PERSONS ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND:

SIGNATURE:

Commission #
1458809

PRINTED NAME: Vicki L. RANCE

MY COMMISSION EXPIRES: 12/26/07

MY PRINCIPAL PLACE OF BUSINESS IS IN ORANGE COUNTY.

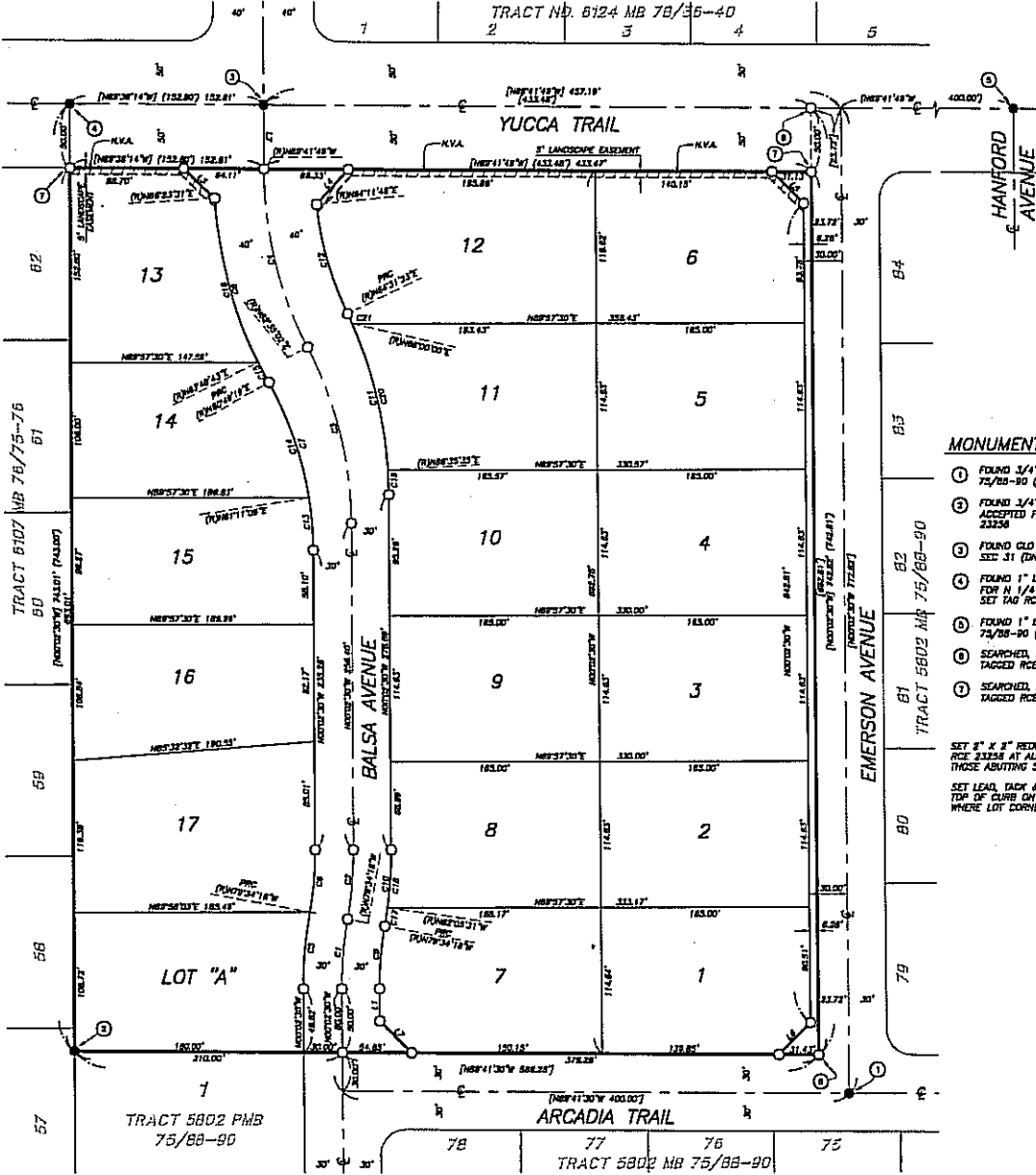
332/4

IN THE TOWN OF YUCCA VALLEY,
 COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
TRACT MAP NO. 17328
 BEING A SUBDIVISION OF A PORTION OF GOVERNMENT LOT 2 OF THE NORTHEAST
 QUARTER SECTION 6, TOWNSHIP 1 SOUTH, RANGE 6 EAST, S.B.B. & M.

SHEET 3 OF 3 SHEETS

Warner engineering YUCCA VALLEY, CA
 MAY 2005
CIVIL ENGINEERING PLANNING & LAND SURVEYING

TRACT NO. 6124 MB 78/35-40



MONUMENT NOTES

- ① FOUND 3/4" I.P. TAGGED LS 1481 PER MB 75/88-90 (DN 1.2)
- ② FOUND 3/4" I.P. (NO TAG)(DN 0.5); ACCEPTED PER MB 75/88-90; SET TAG RCE 23258
- ③ FOUND OLD BRASS CAP FOR S 1/4 COR. SET 31 (DN 0.8)
- ④ FOUND 1" I.P. (NO TAG)(DN 0.1); ACCEPTED FOR N 1/4 COR. SEC 6 PER R.S. 11/87; SET TAG RCE 23258
- ⑤ FOUND 1" I.P. TAGGED LS 1481 PER MB 75/88-90 (DN 1.0)
- ⑥ SEARCHED, FOUND NOTHING; SET SPIKE & TIN TAGGED RCE 23258 (FLUSH)
- ⑦ SEARCHED, FOUND NOTHING; SET 1" I.P. TAGGED RCE 23258 (FLUSH)

SET 8" X 8" REDWOOD HUB, 18" LONG, TAGGED RCE 23258 AT ALL REAR LOT CORNERS, EXCEPT THOSE ADJOINING STREETS.
 SET LEAD, BACK & TAG STAMPED RCE 23258, IN TOP OF CURB ON EXTENSION OF PROPERTY LINES WHERE LOT CORNERS ADJUT STREETS.

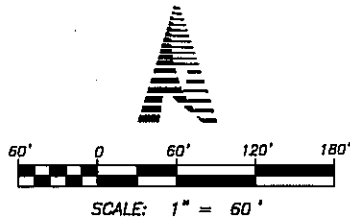
LEGEND

- + INDICATES MONUMENT FOUND AS NOTED
- ⊕ INDICATES SET 1" BROWN PIPE 18" LONG, TAGGED RCE 23258, FLUSH, UNLESS OTHERWISE NOTED
- (-) INDICATES RECORD PER MB 75/88-90
- [-] INDICATES MEASURED AND RECORD PER MB 75/88-90
- INDICATES NON-VEHICULAR ACCESS RIGHTS

COMPOSITE DEVELOPMENT PLAN NOTE

A COMPOSITE DEVELOPMENT PLAN (C.D.P.) AFFECTING THIS MAP IS ON FILE IN THE TOWN OF YUCCA VALLEY DEPARTMENT OF BUILDING AND SAFETY.

CURVE TABLE				
NO.	RADIUS	DELTA	TANGENT	LENGTH
C1	300.00'	10°28'12"	27.49'	54.82'
C2	300.00'	10°28'12"	27.49'	54.82'
C3	300.00'	27°22'28"	73.06'	143.33'
C4	300.00'	27°43'09"	74.02'	145.14'
C5	330.00'	10°28'12"	30.24'	60.30'
C6	270.00'	10°28'12"	24.74'	49.34'
C7	270.00'	29°08'11"	70.17'	137.30'
C8	340.00'	25°34'12"	77.15'	151.24'
C9	270.00'	10°28'12"	24.74'	49.34'
C10	330.00'	10°28'12"	30.24'	60.30'
C11	330.00'	25°26'07"	74.48'	146.50'
C12	260.00'	19°40'23"	45.08'	89.22'
C13	270.00'	8°46'21"	20.71'	41.34'
C14	270.00'	20°21'50"	48.49'	95.88'
C15	340.00'	2°59'24"	8.87'	17.74'
C16	340.00'	27°34'48"	67.88'	133.99'
C17	330.00'	2°31'13"	7.26'	14.51'
C18	330.00'	7°56'59"	22.93'	45.78'
C19	330.00'	5°21'55"	9.69'	19.38'
C20	330.00'	20°15'35"	59.85'	118.61'
C21	330.00'	1°28'37"	4.25'	8.51'



LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°02'30"W	25.34'
L2	N00°02'30"W	50.00'
L3	N45°36'19"W	34.10'
L4	N42°14'59"E	37.19'
L5	N44°52'08"W	35.25'
L6	N45°08'00"E	35.46'
L7	N44°52'00"W	35.25'

P.N. 0409-023 FM

332/5

332/5

FINAL CONDITIONS OF APPROVAL

Tentative Tract Map 17328

I. GENERAL CONDITIONS

1. This approval is for Tentative Tract Map Number 17328 to allow the division of approximately 9.32 acres into 17 lots, as well as lots for streets and a retention basin. A Composite Plan also accompanies this map. The project is located at the southwest corner of Yucca Trail and Emerson Avenue. The property is identified as Assessor Parcel Number 588-311-09.
2. The applicant/owner shall agree to defend at his sole expense any action brought against the Town, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the Town of Yucca Valley Development Code. The applicant shall reimburse the Town, its agents, officers, or employees for any court costs, and attorney's fees which the Town, its agents, officers or employees may be required by a court to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.
3. This Tentative Tract Map shall become null and void if a Final Map is not approved within three (3) years of the Town of Yucca Valley date of approval. Extensions of time may be granted by the Planning Commission and/or Town Council, in conformance with the Subdivision Map Act and the Town of Yucca Valley Subdivision regulations. The applicant is responsible for the initiation of an extension request.

Approval Date: May 3, 2005

Expiration Date: May 3, 2008

4. The applicant/owner shall ascertain and comply with requirements of all State, County, Town and local agencies as are applicable to the project area. These include, but are not limited to, Environmental Health Services, Transportation/Flood Control, San Bernardino Fire, Building and Safety, State Fire Marshal, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water Quality Control Board, the Federal Emergency Management Agency, MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town Departments.

5. All conditions are continuing conditions. Failure of the applicant to comply with any or all of said conditions at any time shall result in the revocation of the approval on the property.
6. Prior to final map approval or permit issuance, the applicant shall dedicate 5 acres per 1,000 residents or pay park land in-lieu fees as adopted by the Town.
7. After final plan check by the Town, original mylars (4 mil) shall be submitted to the Town for signature by the Town Engineer. All original mylars submitted for Town Engineer's signature must contain the design engineer's wet signature and stamp and all other required signatures.
8. A plan identifying all protected plants under the California Food and Agriculture Code as well as a Joshua Tree Relocation Plan with any area proposed to be disturbed in accordance with the Town's Native Plant Protection Ordinance shall be submitted for approval prior to issuance of grading permits for the project. A minimum 60 day adoption period before land disturbance in accordance with the grading plan may commence.
9. The applicant shall comply with the requirements of the San Bernardino Fire Dept.
10. Prior to Issuance of Grading Permit and/or site improvements, the following conditions shall be completed to the satisfaction of the Town:
 - a. The grading and improvement plan shall comply with the findings and conclusions found in the Fault Hazard Evaluation prepared by Landmark, dated October 15, 2004. Specific recommendations from a geotechnical and geological analysis shall be prepared and incorporated into the grading plan design.
 - b. The subject property is within or adjacent to a Flood Hazard Area Zone D as shown on Flood Insurance Rate Map Panel 8860. Flood Zone D is defined as areas where flood hazards are undetermined.
 - c. Control runoff on-site for a 10-year storm based on the permeability rates identified in the Development Code. Based on final design, permeability greater than 2 inches/hour shall be retained on site; or, permeability less than or equal to 2 inches/hour shall be detained or spread out over non-erodable vegetated surfaces. The on-site retention basin is within or located near the Eureka Peak Fault, final design shall address potential discharge of retained storm water and debris resulting from a seismic event.

11. Prior to recordation of Final Map, the following conditions shall be completed to the satisfaction of the Town. (If at the time of Final Map approval by the Town, the public improvements have not been completed and accepted by the Town, an agreement in accordance with the Subdivision Map Act (SMA) § 66462 and an Improvement Security in accordance with § 66499 shall be executed. The form and content of said agreement and security shall be to the satisfaction of the Town Attorney):
 - a. Dedicate rights of way and improve Yucca Trail to Arterial-4 Lanes Divided, Standard #104 (80'/100') with sidewalk, concrete curb, and gutter and striped Class II Bike Path in lieu of on-street parking. Construct half street improvements adjacent to the property. Street improvement plans shall identify median island and lane configuration along Yucca Trail within project boundary and the Balsa transition north and south of Yucca Trail, as well as the Balsa transition south of Arcadia. Relinquish vehicular ingress/egress and dedicate to the Town restricted access rights to all frontage along Yucca Trail.
 - b. Dedicate rights of way and improve Arcadia Trail and Emerson Avenue to Local Street Standard #101 (40'/60') with concrete sidewalk, curb, and gutter. Construct half street improvements.
 - c. Dedicate rights of way and improve Balsa Avenue to Local Street Standard #101 (40'/60') with concrete sidewalk, curb, and gutter. Design and improve a transition southerly of Yucca Trail to align with the ultimate location of Balsa Avenue to the north. Balsa Avenue northerly of Yucca Trail is designated as a Major Collector (4 Lanes) Standard #104 (60'/80'). Design and improve a transition to Balsa Avenue southerly of the project limits and Arcadia Trail. Construct full street improvements.
12. The project is within the Airport Influence Area. Record by separate instrument a Deed Notice.
13. Prior to the recordation of a final map for the project or any portion thereof, the applicant shall form a maintenance district(s) to provide for maintenance of streets, lighting and landscaping, drainage facilities, or other infrastructure improvements as required by the Town of Yucca Valley.
14. Mass grading of the site is discouraged. Individual grading of pad areas is recommended to the greatest extent practical.
15. The applicant shall be required to improve the parkway along Yucca Trail with landscaping and irrigation. Prior to the issuance of a permit the applicant/owner shall provide three (3) copies of a landscape and irrigation plan showing the size,

- type and location of all plant and irrigation systems accompanied by the review fee. Present desert native species on site shall be reincorporated into landscaping plan Said irrigation system shall incorporate a permanent automatic irrigation system, and all landscaping and irrigation systems shall be maintained in good condition at all times. All ground within proposed landscape planter areas shall be provided with approved ground cover. This shall include but not be limited to drought-tolerant plant materials or colored desert rock the Landscape Plan shall be approved by the Town and the Hi-Desert Water District prior to issuance of any permits.
16. The block wall constructed along Yucca Trail shall be decorative block and shall be approved by the Town.
 17. Prior to final map approval, the map shall comply with Town's Floodplain Management Ordinance Section 8.04.052.

STANDARD CONDITIONS OF APPROVAL

18. Prior to any work being performed in the public right of way, fees shall be paid and an encroachment permit shall be obtained from the Engineering Department or the State of California Department of Transportation. The applicant shall apply for an encroachment permit from the Town for utility trenching, utility connection or any other encroachment onto public right-of-way. The applicant shall be responsible for the associated costs and arrangements with each public utility.
19. Prior to the issuance of building permits, unless other timing is indicated, the applicant shall complete all street improvement plans, in conformance with all applicable Town ordinances and standards, submit and obtain approval, post securities and execute agreements. Prior to occupancy, all public improvements shall be installed in accordance with all applicable Town ordinances.
20. The applicant shall accept and properly dispose of all offsite drainage flowing onto or through the site.
21. If possible all drainage shall be conveyed onto public property. No cross lot drainage shall be permitted without an approved private drainage easement.
22. Applicant shall protect all downstream properties from damages caused by alteration of the drainage patterns, i.e., concentrations or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. A maintenance mechanism shall be in place for any private drainage facilities constructed on-site or off-site. Any grading or drainage onto private off site or adjacent property shall require a written permission to grade and/or a permission

- to drain letter from the affected landowner. The project shall detain the incremental increase in runoff generated by the improvements.
23. All work within special flood hazard zones shall comply with the Development Code and the latest provisions of FEMA.
 24. Prior to issuance of a grading permit, if any for this project, the applicant shall obtain, if required, a Notice of Intent from the Regional Water Quality Control Board (RWQCB) and comply with RWQCB (Colorado River Basin) requirements.
 25. All grading activities shall minimize dust through compliance with AQMD Rule 403 which requires watering during earth moving operations.
 26. Permission from property owners shall be required for any work located on adjacent properties.
 27. The applicant shall install all required water and sewer systems necessary to serve the project.
 28. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB 1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant/developer shall retain a qualified licensed land surveyor or civil engineer to reset those monuments per Town Standards and file the necessary information with the County Recorder's office as required by law (AB 1414).
 29. If the High Desert Water District has approved mandatory dry sewerage for the project site prior to the recordation of the final map, the applicant shall be required to install such a system within the property boundary.
 30. Temporary power shall be established during home construction.
 31. All required public improvements shall be bonded in accordance with Town Development Code unless constructed and approved prior to approval and recordation on the Final Map.
 32. The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper. Soil testing for the subsurface disposal system shall meet the requirements of the Department of Environmental Health Services. Applicant shall submit a minimum of three (3) copies of percolation reports for the project site and an appropriate fee to DEHS for review and approval, a copy of the cover sheet with an approval stamp to Building and Safety Division at the time of building permit application, and two (2) copies of

the approved percolation report to the Building and Safety Division at the time of construction plan check.

33. Utility undergrounding shall be required for all new Service and Distribution lines that provide direct service to the property being developed, existing Service and Distribution lines that are located within the boundaries being developed, existing Service and Distribution lines between the street frontage property line and the centerline of the adjacent streets of the property being developed, existing Service and Distribution lines located along or within 10 feet of the lot lines of the property being developed, or existing Service and Distribution lines being relocated as a result of a project.
34. All refuse shall be removed from the premises in conformance with Yucca Valley Town Code 33.083.
35. All exterior lighting shall comply with the Outdoor Lighting Ordinance and shall be illustrated on all construction plans.
36. In accordance with the Town Master Trail and Bike Route Map Yucca Trail improvements shall include a bicycle lane.
37. All mitigation measures included in Environmental Assessment 03-05 are hereby included in these conditions of approval by this reference.
38. At the time of permit issuance the applicant shall be responsible for the payment of fees associated with electronic file storage of documents.
39. The applicant shall pay Developer Impact Fees in place at the time of issuance of building permits.
40. A minimum 5 foot wide landscape easement or dedication, outside the public right of way, to create a minimum 9 foot landscape parkway for Yucca Trail along lots 6, 12 and 13 shall be provided with any fencing installed at or beyond the easement line. This shall be reflected on the final map and composite development plan.

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

Applicant's Signature _____ Date _____

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



To: Planning Commission

From: Evan Willoughby, Associate Planner

Date: June 16, 2026

Meeting Date: June 23, 2026

Subject: Wall Mural Permit (M) 01-26, 55635 Twentynine Palms Highway

Recommendation:

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

And that the Planning Commission approves the placement and application for a proposed mural, Wall Mural Permit (M) 01-26, an application to install a mural on the façade of the commercial structure located at 55635 Twentynine Palms Highway, based upon the information contained within the staff report;

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

Prior Review:

There has been no prior review of this item.

Discussion:

Applicant: Hi-Desert Artists
Address: 55635 Twentynine Palms Highway
APN: 0586-334-03
Zoning: Old Town Mixed Use (OTMU)
Parcel Size: 0.23 acres

On February 21, 2023, the Town Council adopted a Mural Policy establishing the criteria and review procedures for proposed murals, attached to this Staff Report. The Planning Commission is the review authority for the approval of placement and application of proposed murals and the Parks, Recreation, and Cultural Commission is the review authority for mural content, design, and artist qualifications. The Town Council is the review authority for approval of mural

easement agreements or similar.

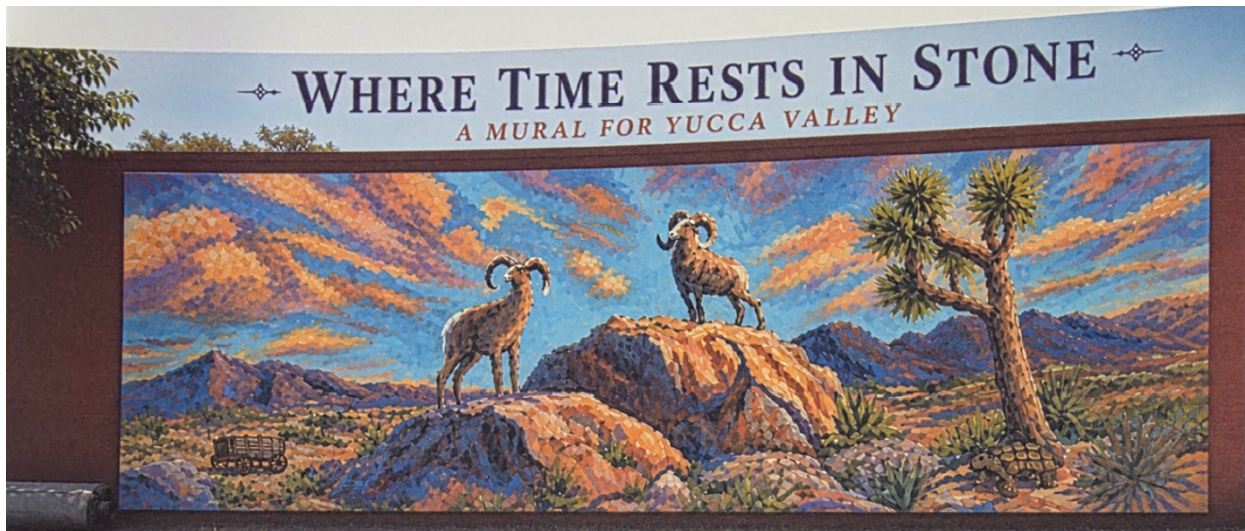
The subject property is in an eligible zoning district for a Wall Mural Permit, Old Town Mixed Use (OTMU). The proposed mural, *Where Time Rests In Stone* by Victoria Rothlisberg measures 20 feet in length and 11 feet in height (220 square feet) and is proposed for installation on the east-facing wall at the intersection of Geronimo Trail and Highway 62. The wall is approximately 45 feet in length. The mural is primarily visible to highway traffic traveling west and to visitors onsite. Visibility of the lower portion of the mural may be impeded intermittently during regular business hours by vehicle parking along the east side of the building. The building is occupied by Hi-Desert Artists and operates as an artist-run art center featuring gallery shows, classes, events, and a local artist gift shop.

The artist has provided a depiction and details of the proposed mural, which is themed towards desert wildlife, landscapes, and history. The mural documentation also addresses the intent of the artist, details, and color palettes chosen for the design in-line with the proposed theme. The artist has provided their background, statement, and examples of prior work.

The existing condition of the east-facing wall is pictured below.



The proposed mural is depicted below.



Findings:

Prior to approving a Wall Mural application, the Planning Commission shall find and justify that all of the following are true:

- A. The proposed mural exhibits exceptional design quality and incorporates high quality material that enhance the overall development and appearance of the site and will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic;

The proposed mural integrates and forms a cohesive theme with the existing murals, exhibiting exceptional design quality and high-quality paint materials to showcase the proposed theme, and will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic.

- B. The proposed mural is well integrated with the buildings and other elements of the property;

The proposed mural is well integrated with the building, providing additional elements that further enhance the quality of the facade.

- C. The proposed mural, by its design, construction and location, will not have a substantial adverse effect on abutting property or the permitted use thereof, and will contribute to the Town's unique character and quality of life;

The proposed mural will not have a substantial adverse effect on abutting property or the permitted use thereof, and will contribute to the Town's unique character and quality of life.

- D. The proposed mural is consistent with the goals, policies and standards of the Town's General Plan and applicable specific plans;

The proposed mural is consistent with the Town's adopted mural policy to encourage murals emphasizing local history, geography, flora, fauna, culture, and heritage of the Town, and with the creativity and art encouraged in the Old Town Specific Plan.

E. That the granting the Wall Mural Permit is based upon its distinct quality and does not constitute a granting of special privileges beyond those provided for by criteria provided above.

The granting of this Wall Mural Permit is based upon its distinct quality and does not constitute a granting of special privileges beyond those provided for by criteria in the Town Mural Policy.

Alternatives

NA

Fiscal Impact:

NA

Attachments

1. Mural (M) 01-26 @ 55635 29 Palms Highway - Application
2. Mural Plan, Color Palette, and Design Elements
3. Artist Statement and History
4. Artist Examples of Prior Work
5. TOWN OF YUCCA VALLEY - MURAL PROGRAM POLICY - ADOPTED FEBRUARY 21, 2023



Mural Permit Application

Date Received	<u>6/2/26</u>
By	<u>Erin</u>
Fee	<u>\$402</u> \$924.00
Case #	<u>M 01-26</u>

General Information

APPLICANT Hi-Desert Artists Phone 760-2855523

Mailing Address 55635 29 Palms Hwy. Email president@hi-desertartists.com

City Yucca Valley State CA Zip 92284

REPRESENTATIVE Tami Roleff Phone 760-218-2915

Mailing Address 7454 Cardillo Trail Email president@hi-desertartists.com

City Yucca Valley State CA Zip 92284

PROPERTY OWNER AHA Projects Phone 3109266657

Mailing Address 2501 12th Ave. Email cheyanne@aha-projects.org

City Los Angeles State CA Zip 90018

Project Information

Business Name Hi-Desert Artists Assessor Parcel Number(s) 0586334030000, 0586334020000

Business Address 55635 29 Palms Hwy. Yucca Valley, CA 92284

Linear feet of subject business: 45 ft (mural side)

Total street frontage of property: 283 feet 152 ft Geronimo Trl x 131 ft 29 Palms Hwy

Measurement of proposed mural: 20 ft x 11 ft

Colors & Materials: Paint; desert colors: yellows, cream Lighting: not at this time

Applicant Signature Tami Roleff

Property Owner Signature Cheyanne Sauter

Town of Yucca Valley
Community Development Department
Planning Division
58928 Business Center Drive
Yucca Valley, CA 92284
760 369-6575 Fax 760 228-0084
www.yucca-valley.org

Owner/Applicant Authorization

Applicant/Representative: I/We have reviewed this completed application and the attached material. The information included with this application is true and correct to the best of my/our knowledge. I/We further understand that the Town may not approve the application as submitted, and may set conditions of approval. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application.

Signature: Tami Roleff
Name: Tami Roleff
Date: 05-11-26

Property Owner: I/We certify that I/We are presently the legal owner(s) of the above described property (If the undersigned is different from the legal property owner, a letter of authorization must accompany the form). Further, I/We acknowledge the filing of this application and certify that all of the above information is true and accurate. I/We understand that I/We are responsible for ensuring compliance with conditions of approval. I/We hereby authorize the Town of Yucca Valley and or/its designated agent(s) to enter onto the subject property to confirm the location of existing conditions and proposed improvements including compliance with applicable Town Code Requirements. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. I am hereby authorizing

Tami Roleff

to act as my agent and is further authorized to sign any and all documents on my behalf.

Signature: Cheyanne Sauter
Name: Cheyanne Sauter
Date: May 26, 2026

WHERE TIME RESTS IN STONE

A MURAL FOR YUCCA VALLEY



ABOUT THE MURAL

This mural celebrates the spirit of Yucca Valley—honoring our magnificent desert wildlife, iconic landscapes, and rich history. Through vibrant color and expressive brushwork, it brings our community's natural beauty, heritage, and resilience to life for all to enjoy.

"The desert is not a place you pass through, it is a place that becomes part of you."

— Victoria Rothlisberg

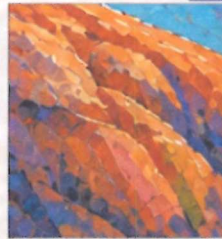
ARTIST STATEMENT

Yucca Valley is a place where time slows down and the land remembers. This mural captures the strength and serenity of our high desert—where wildlife roams free, ancient rocks stand watch, and the sky puts on a show every day. It is my hope that this piece inspires pride and connection for all who live in, work in, and visit our extraordinary valley.

DETAILS UP CLOSE



Bighorn Sheep
Symbols of strength and resilience.



Desert Rocks
Ancient formations shaped by time and elements.



Joshua Tree
An icon of the Mojave, uniquely resilient.



Yucca Valley Landscape
Wide open spaces and endless horizons.



Pioneer Wagon
Honoring the history that built our community.

MURAL DETAILS

Title: Where Time Rests in Stone
Artist: Victoria Rothlisberg
Size: 20 ft wide x 10 ft high
Medium: Exterior Acrylic
Surface: Painted on Masonry
Location: Yucca Valley, CA
Year: 2026

Original artwork by
Victoria Rothlisberg
a Yucca Valley artist whose work reflects decades of direct engagement with the desert landscape.

COLOR PALETTE

SKY



ROCKS



DESERT VEGETATION



WILDLIFE



ACCENTS



DESIGNED FOR IMPACT

- 3-second visibility from the road
- Vibrant color for desert light
- Rooted in Yucca Valley's landscape and spirit



CELEBRATING OUR LAND. OUR HISTORY. OUR HOME.

Thank you for supporting public art that inspires, connects, and strengthens our community.

Yucca Valley Strong.



HONORING THE PAST ✦ CELEBRATING THE PRESENT ✦ INSPIRING THE FUTURE

DESERT HERITAGE MURAL

COLOR ELEVATIONS

MURAL WALL ELEVATION
(NORTH WALL)

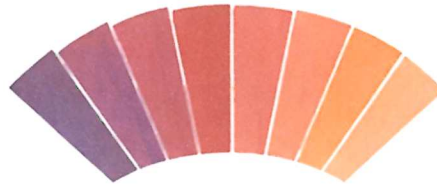


COLOR PALETTE

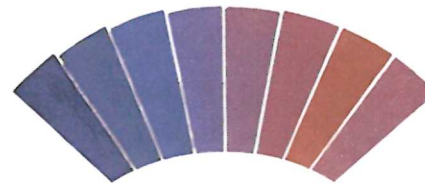
SKY



CLOUDS



MOUNTAINS



ROCKS



DESERT VEGETATION



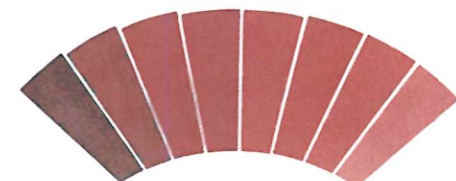
ANIMALS



JOSHUA TREE



MURAL WALL



NOTES

These color palettes represent the primary hues used throughout the mural and surrounding elements. All colors are selected to reflect the natural beauty of our desert landscape and enhance the community character.

- Mural Wall: Earthy red tones to complement the landscape
- Sky & Clouds: Vibrant desert sunset palette
- Natural Elements: Colors inspired by local flora, fauna, and terrain
- All colors work in harmony to celebrate our desert heritage

VICTORIA ROTH LISBERG

4929 Canton St | Yucca Valley, CA 92284 | 760-832-5611

ARTIST STATEMENT

My exploration into art began when I was seven years old, drawing horses I believed were alive - I couldn't bring myself to throw them away. Like the early cave painters, I felt the images held a spirit. That sense of life inside the work has guided me ever since.

Twenty years later, my first exhibition in Australia drew from imagined ancient worlds. My formal training in Fine Art deepened a lifelong fascination with archaeology, geology, and primal symbols. I created what I called "museum pieces" - collaged works made with handmade papers and found objects that felt like artifacts from another time. These works became the foundation of my artistic voice.

Today, my paintings are the culmination of decades spent riding trails, absorbing light, and experiencing the physical presence of the land - feeling rock, space, and time through the rhythm of a horse beneath me. The desert is not just a subject; it is a lived experience. I work primarily in acrylic, drawn to its immediacy and responsiveness. The medium allows for movement, risk, and the unexpected - what I think of as "useful mistakes." My process is intuitive and physical, balancing structure with freedom, and observation with memory.

Recently, I have incorporated new tools, including digital exploration, to quickly study composition, light, and large-scale design. This process allows me to refine ideas more efficiently, but the final work remains rooted in direct experience, hand, and eye.

At its core, my work is about presence - capturing the intersection of time, land, and perception. I continue to ride, observe, and paint, still searching for the moment when the image carries something beyond itself. And always, I rely on trail-savvy horses who know exactly when to stop and let me take it all in.

Artist History

In 1975 I emigrated to Australia, to follow my husbands career in marine biology.

In 1981 I received my degree in Fine Art. I taught at the Brisbane Institute of Art, Adult Education and from my own studio for 15 years. I have had six one man shows,. The last show was at The Marianne Partlow Gallery in Olympia Washington. Another exhibition was opened by the Governor General of Canada to raise money for children with special needs in Brisbane, Queensland. I am collected in Canada, USA and Australia.

My commissions include private homes and hotels in Sydney and Melbourne, the great barrier reef. This includes 25 painting for Hamilton Island Resort on the Barrier Reef. I am included in numerous publications and group exhibitions, but they are not relevant to the USA.

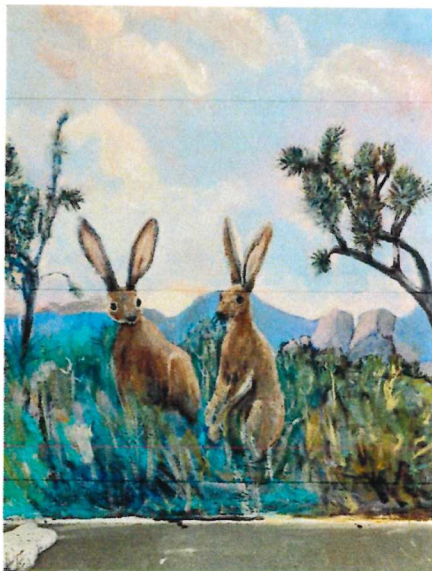
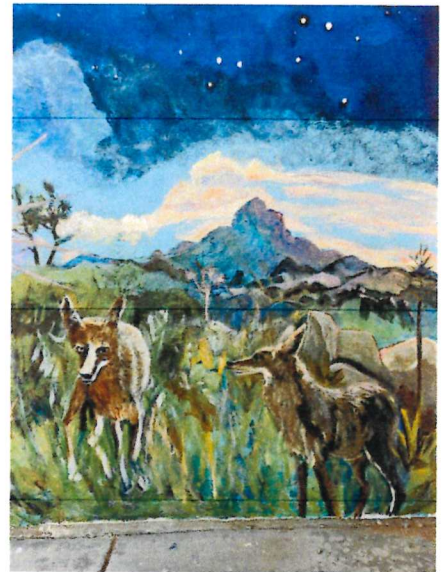
When I returned from Australia I began work with a reconstruction crew and an interior designer. I then painted four, 25' x 10' murals for Castellis Restaurant in Palm Desert.

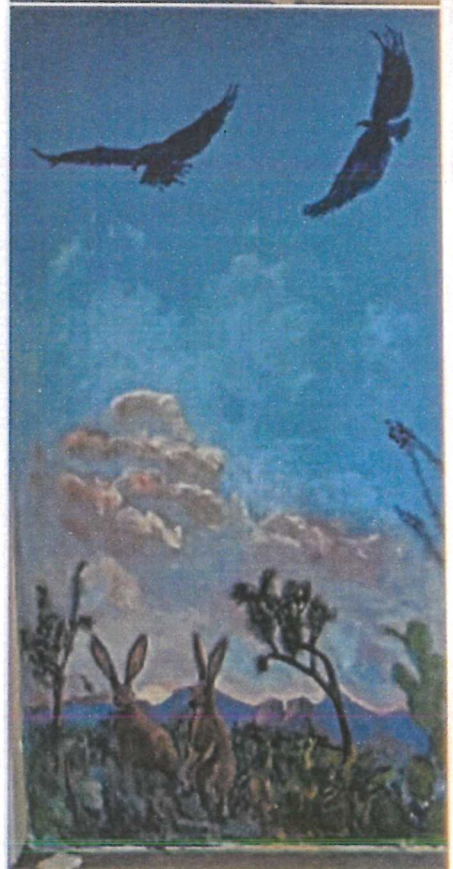
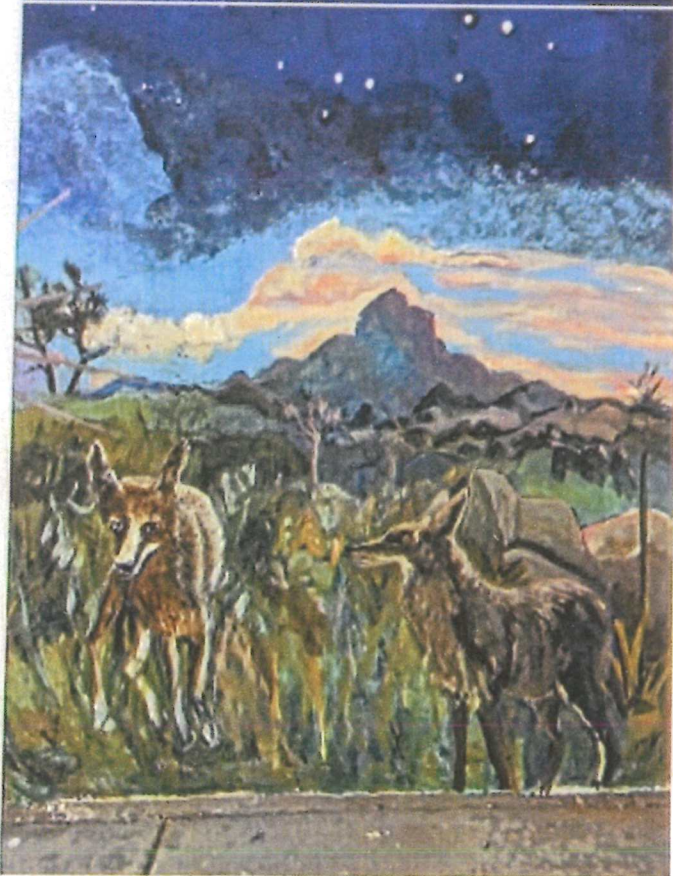
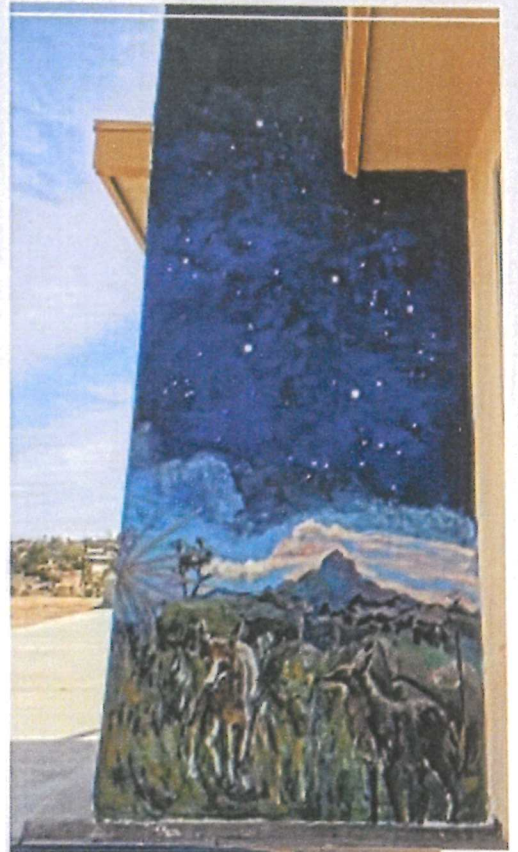
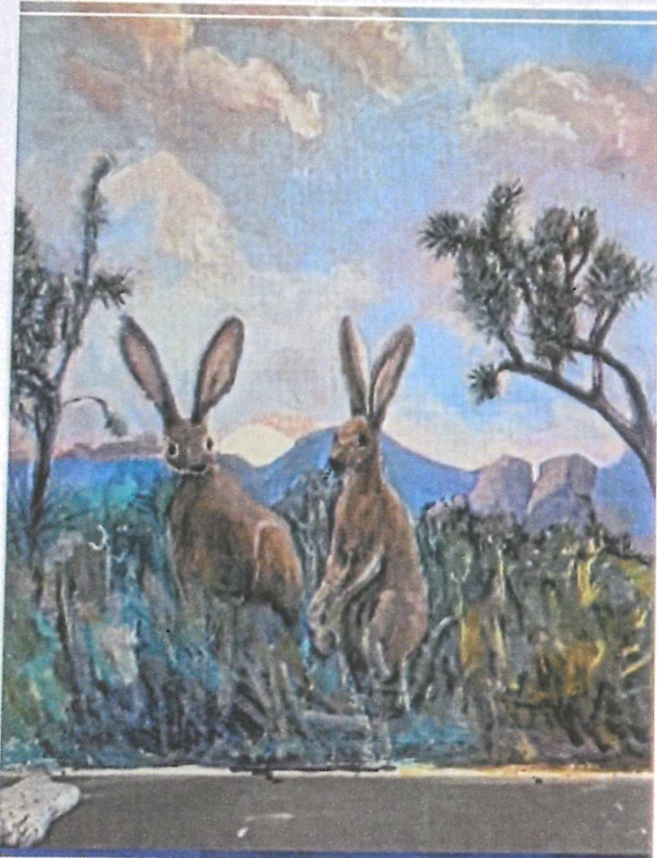
The Restaurant also included painting doors and decorative areas, all in two months time. I have painted the interiors of large homes in Rancho Mirage, Palm Desert and Indian Wells. One of the more interesting was to paint for a Brookfield Assisted Living, memory care unit. I made the elevator doors look like a view from an office to the Seattle Space Needle, and the fire doors to look like bookshelves with toys, clocks and books. A lot of work entailed faux painting, a specialized field to achieve special effects.

In recent time I have been participating in the Art Tours since 2015. I exhibit at the two year old Hi-Desert Artists gallery. This is where I hope to paint the mural.

In Joshua Tree, I setup at the second Saturday shows with Juniper Arts Gallery.

Mural at Desert Star





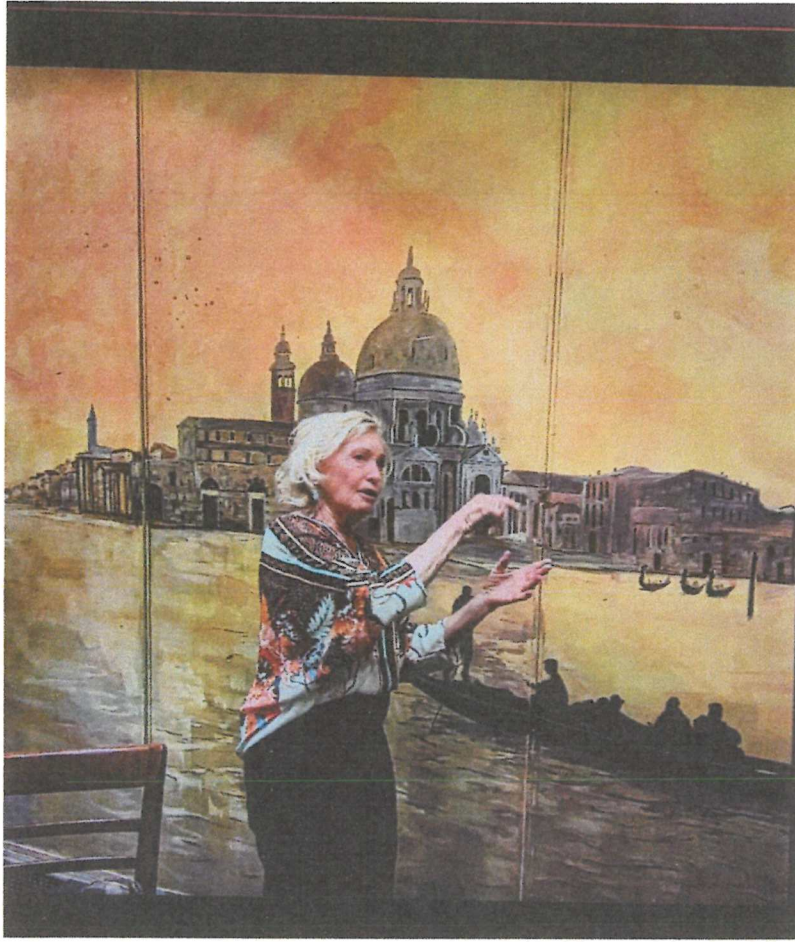
Castelli's Italian Restaurant Murals

Victoria Rothlisberg – Palm Desert, California



Grand Canal Panorama – Main Dining Room



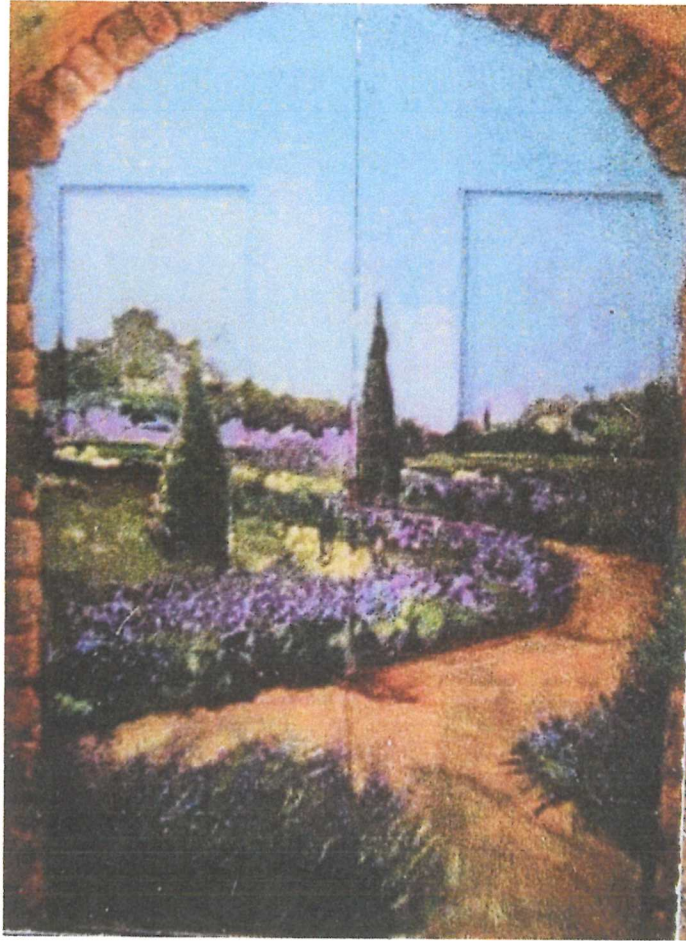


Artist Presenting the Work

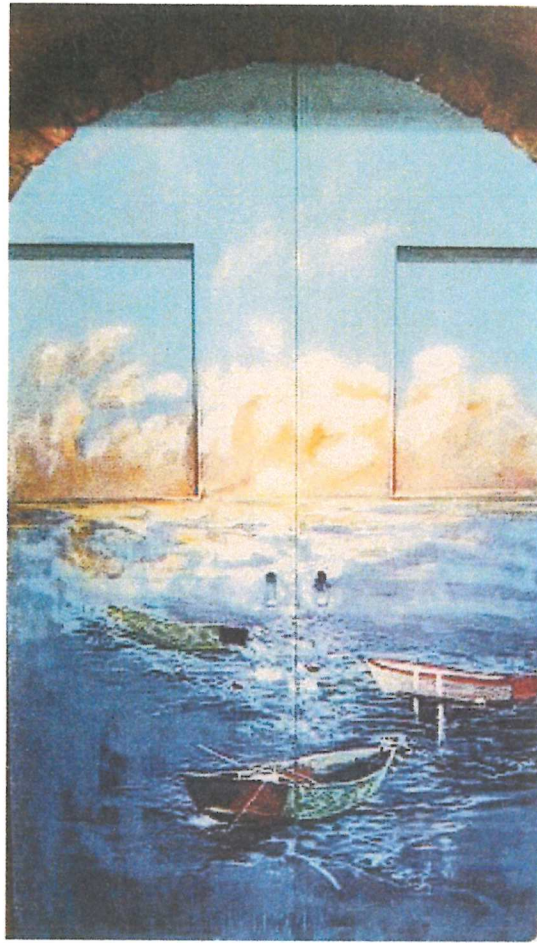




Divider Door Murals

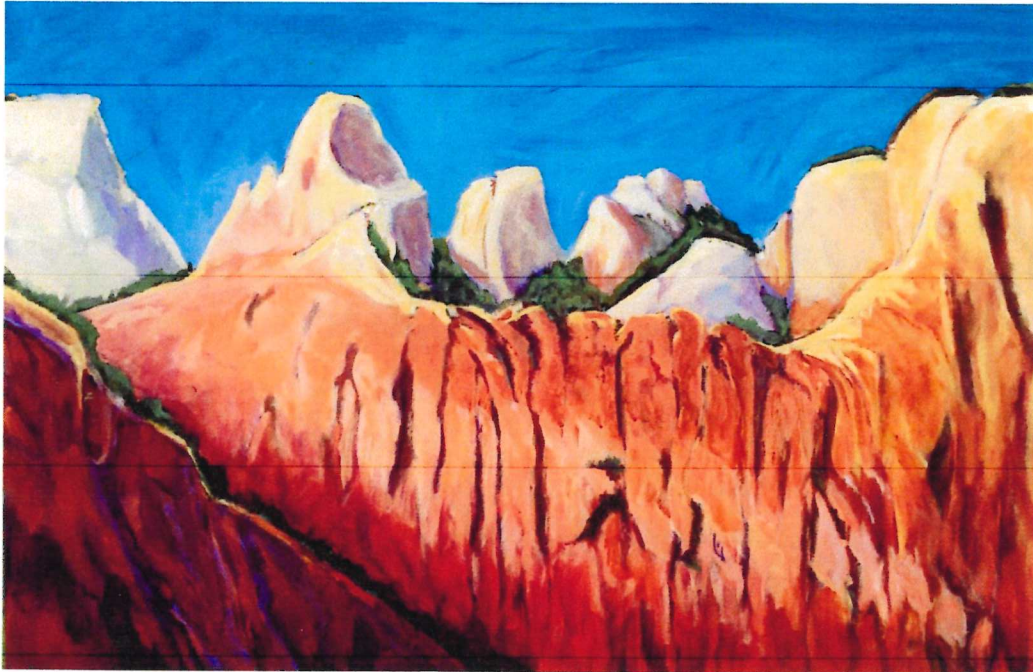


Tuscan Garden View – Sliding Door Panel



Gondola Canal Scene – Sliding Door Panel

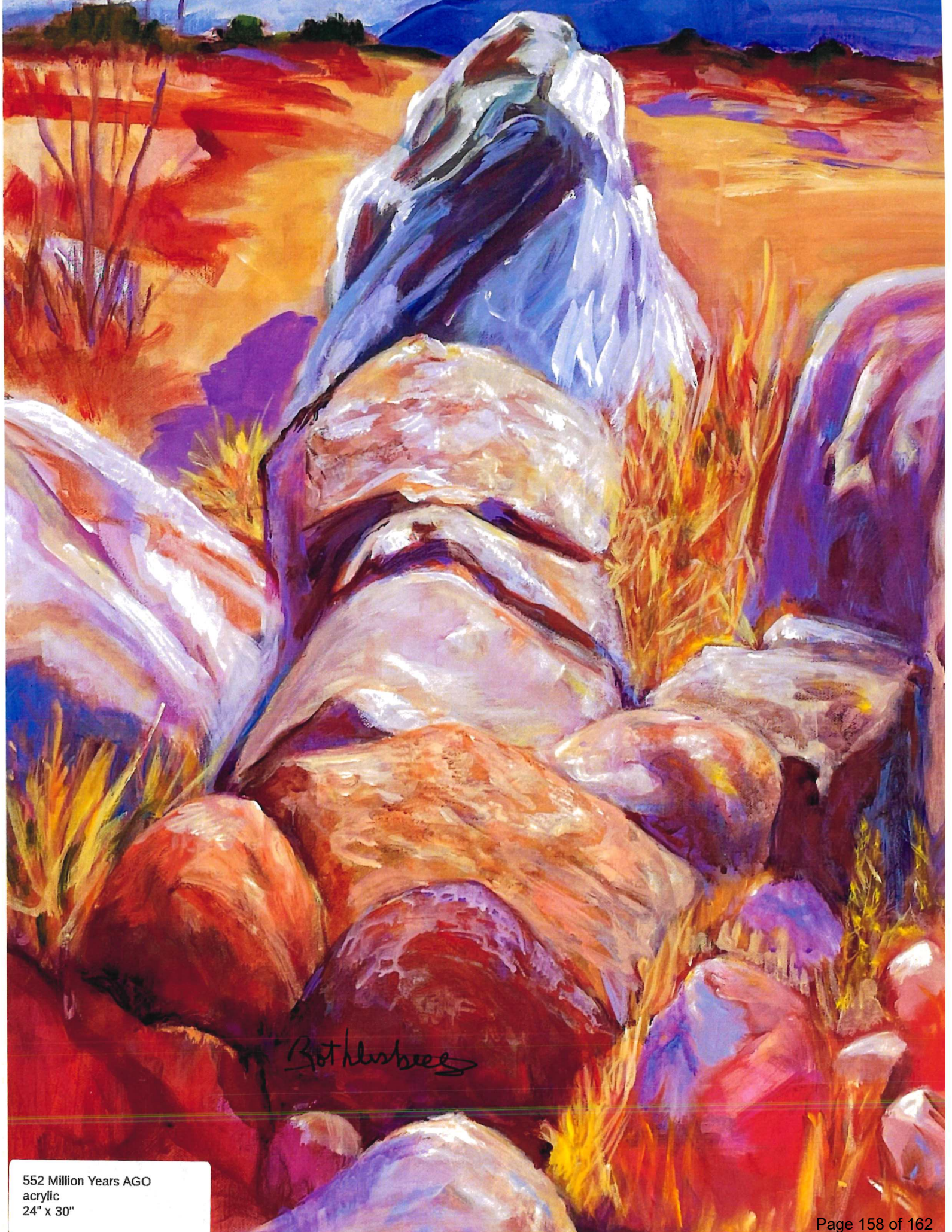
Selected Works – Victoria Rothlisberg



Court of Patriarchs – Zion National Park
Acrylic 36" x 18"



Rocks at Rest 40" x 30"



Bothwell

552 Million Years AGO
acrylic
24" x 30"

TOWN MURAL PROGRAM POLICY

1. **Location:** Properties within commercial (C-MU, C-N, C-G, C-C, C-O) and Old Town (OTHC, OTI/C, OTMU, OTC/R) zoning districts are eligible to apply for a Wall Mural permit.
2. **Maximum Number of Murals Per Site:** One (1) mural per building wall may be approved by the Planning Commission.
3. **Advertisement Value:** Words and/or images shall not be incorporated within a proposed mural which specifically identifies or reflects the business, products and/or services provided by the business occupying the structure, except that business name may be included within a mural with the maximum size of the business name not exceeding a size allowed by the Town's approved sign code, subject to Parks, Recreation, and Cultural Commission Approval.
4. **Design Theme:** Murals emphasizing local history, geography, flora, fauna, culture, and heritage of the Town are encouraged; however, all submissions for wall murals are welcome. The design shall be applied by a qualified mural artist as determined by the Parks, Recreation, and Cultural Commission.
5. **Sign Area:** Wall murals shall not be calculated as business advertising signage and is not subject to the maximum wall sign area ratio. Murals can occupy an entire single wall on which the mural is applied.
6. **Color Scheme:** The colors used in the mural signs are encouraged to be complimentary and harmonious with the exterior colors of the building, however all color schemes may be considered.
7. **Illumination:** Illumination shall conform with the Town's lighting standards. Lighting shall be fully shielded or recessed in such a manner as to preclude adverse impacts to adjacent property as a result of light trespass, or to any member of the public who may be traveling on adjacent roadways or right-of-way. Illumination shall not result in any light trespass, as measured at the property line of the subject property.
8. **Materials:** Paint used in wall murals shall be appropriate for use in outdoor locale and shall be permanent and long-lasting. As feasible, murals shall be

TOWN OF YUCCA VALLEY – MURAL PROGRAM POLICY
ADOPTED BY TOWN COUNCIL ON FEBRUARY 21, 2023

vandal/graffiti resistant. Wall murals shall not contain electrical or mechanical components, changing images, or automated methods resulting in movement or change of mural image or messaging.

9. **Maintenance:** Murals shall be maintained or removed if not maintained. Examples of a mural requiring maintenance include, but are not limited to, paint fading or chipping and damage to the surface of the wall or mural. If the property changes ownership, the new owner is responsible to either remove or maintain the existing mural.
10. **Permitting Process:** Planning Commission approval shall be required for mural placement and application, and the Parks, Recreation, and Cultural Commission approval shall be required for mural content, design, and artist qualifications.
11. **Agreement with the Town:** Each Wall Mural Applicant is required to enter into an agreement with the Town, through a mural easement agreement or similar. The agreement allows the Town to directly regulate the design of the mural.
12. **Findings:** Prior to approving a Wall Mural application, the Planning Commission shall find and justify that all of the following are true:
 - A. The proposed mural exhibits exceptional design quality and incorporates high quality material that enhance the overall development and appearance of the site and will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic;
 - B. The proposed mural is well integrated with the buildings and other elements of the property;
 - C. The proposed mural, by its design, construction and location, will not have a substantial adverse effect on abutting property or the permitted use thereof, and will contribute to the Town's unique character and quality of life;
 - D. The proposed mural is consistent with the goals, policies and standards of the Town's General Plan and applicable specific plans;
 - E. That the granting the Wall Mural Permit is based upon its distinct quality and does not constitute a granting of special privileges beyond those provided for by criteria provided above.

TOWN OF YUCCA VALLEY – MURAL PROGRAM POLICY
ADOPTED BY TOWN COUNCIL ON FEBRUARY 21, 2023

Mural Easement and PRCC Public Art Policy

Each mural applicant will be required to enter into an agreement with the Town, through a mural easement or similar tool. The agreement allows the Town to have a financial interest, if the program is ultimately approved by the Town Council, in the mural and allows the Town to regulate the design of the mural.

The PRCC Public Art Policy is directed towards developing a high-quality permanent art collection for the community. Public Art includes art that is displayed for two weeks or more in open Town-controlled area, on the exterior of any Town-maintained facility, within any Town owned facility, and/or in areas designated or commonly regarded as public areas, lobbies, and public assembly areas.

The work of art may include murals. The mural easement agreement would enable the Town to have both a financial interest and regulatory capability on murals. As such, consideration may be provided to the mural program being incorporated into the PRCC Public Art Policy and the PRCC as the reviewing authority for murals.

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



To: Planning Commission

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

Date: June 15, 2026

Meeting Date: June 23, 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