

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, JULY 14, 2026

Yucca Valley Community Center - Yucca Room
57090 Twentynine Palms Hwy
Yucca Valley, Ca 92284

<https://zoom.us/j/91711293342?pwd=CkgJ8RHcTD9la09aQA5ExaForvtj pz.1>
Meeting ID 917 1129 3342 Passcode 387929

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

* * * *

Planning Commission

James Henderson
Gerard Noonan
J Clint Stoker
Mathew Thomas
Alejandro Vasconcelos

* * * *

TOWN ADMINISTRATIVE OFFICE:

760-369-7207

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

AGENDA
MEETING OF THE PLANNING COMMISSION
TUESDAY, JULY 14, 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 July 14, 2026, as prepared.

Recommendation:

Approve the meeting agenda for July 14, 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 June 23, 2026, as prepared.

Recommendation:

That the Planning Commission approves the minutes for June 23, 2026, as prepared.

3. Native Plant Permit (NPP) 038-26 @ 7316 Lucerne Vista Ave

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant

Specialist Report and approves the application for NPP 038-26, to remove one (1) California Junipers located within the footprint of the proposed residential patio improvement based upon Section 9.07.130(C)(2), that the regulated desert native plants being removed are located within the identified area(s); and finding that all necessary submittal materials have been submitted as indicated in the Application Table and as contained within the staff report.

Public Hearings

4. Environmental Assessment (EA) 03-26, Development Code Amendment (DCA) 02-26: Permit Timelines and Extensions for Site Plan and Design Review (SPR) and Conditional Use Permits (CUP), Establishing that the Planning Commission may grant a maximum of two (2) time extensions not to exceed two (2) years per extension for Conditional Use Permit (CUP) and Site Plan and Design Review (SPR) Applications

Recommendation:

Environmental Assessment (EA) 03-26

That the Planning Commission finds the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) which states that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA;

Development Code Amendment (DCA) 02-26

And recommends to the Town Council to adopt the Ordinance, amending Chapter 9.63 Conditional Use Permit, Section 9.63.110 Extension of Time, and Chapter 9.68 Site Plan and Design Review, Section 9.68.110 Extension of Time of Title 9 (Development Code) of the Town of Yucca Valley Municipal Code, establishing that the Planning Commission may grant a maximum of two (2) time extensions not to exceed two (2) years per extension for Conditional Use Permit (CUP) and Site Plan and Design Review (SPR) applications, for a total approval time period of seven (7) years.

Department Reports

5. Development Code Interpretation (DCI) 03-26 — Determination of Similar and Compatible Use - Water and Ice Dispensing Station

Recommendation:

That the Planning Commission reviews Development Code Interpretation (DCI) 03-26 for determination of similar and compatible use and finds that the proposed water and ice dispensing station is not similar and compatible to an ATM or EV Charging Station based upon the information contained in the staff report, and adopts Resolution No. PC 26-05.

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

Commissioner James Henderson, Commissioner Gerard Noonan, Commissioner Clint Stoker, Commissioner Vasconcelos, Chair Thomas

Announcements

Upcoming Meeting Schedule: The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, July 28, 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: Brenda Northup, Administrative Assistant II

Date: July 6, 2026

Meeting Date: July 14, 2026

Subject:

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

Recommendation:

Approve the meeting agenda for July 14, 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: Brenda Northup, Administrative Assistant II

Date: July 6, 2026

Meeting Date: July 14, 2026

Subject: Approve the meeting minutes for June 23, 2026, as prepared.

Recommendation:

That the Planning Commission approves the minutes 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

1. PC Meeting Minutes - 6 23 2026 - Final

Town of Yucca Valley
Planning Commission Meeting Minutes
June 23, 2026

Call to Order

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

Roll Call

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

Absent:

Pledge of Allegiance

Led by Commissioner Vasconcelos.

Approval of Agenda

Chair Thomas stated, Thank you. Move to item number one, Approval of the Agenda. We're looking for a motion to approve.

Commissioner Stoker stated, I'll make the motion to approve the agenda as prepared.

Commissioner Vasconcelos stated, I'll second that.

Motion: Approve the meeting agenda for June 23, 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

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

Motion:

Approve the meeting agenda for June 23, 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

Consent Agenda

Chair Thomas stated yes. Moving to the consent agenda. All items listed on the consent calendar are considered to be routine matters or considered formal documents covering previous Planning Commission instruction. The items listed on the consent calendar may be enacted by one motion 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 request to comment on consent calendar items should be filed with the commission secretary before the consent calendar is called. Is there anybody wishing to comment on those in the public? Anybody in the public wishing to comment? Okay. Any commissioners? And can I get a motion to approve the consent agenda?

Commissioner Henderson stated, I will make a motion to approve the consent agenda.

Chair Thomas stated, I'll second.

Motion:

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

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

Mover: Commissioner James Henderson

Second: Commissioner Mathew Thomas

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

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

Motion:

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

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

Mover: Commissioner James Henderson

Second: Commissioner Mathew Thomas

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

Mathew Thomas

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

Motion:

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

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

Mover: Commissioner James Henderson

Second: Commissioner Mathew Thomas

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

Public Hearings

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

Chair Thomas stated, Moving to public hearings. Item number four, Tentative Tract Map 20848 and Environmental Assessment 01-25: Yucca Trail Reversion to Acreage. Staff.

Senior Planner Jerome stated, Good evening. The recommendation for this item is 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 existing-- 18 existing lots located at the south-west corner of Yucca Trail on 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 and gross slot area, while retaining the existing offers of dedication and easements identified in Tract Map 17328. So a little bit of background. In 2005, the Planning Commission at that time approved Tentative Tract Map 17328. So subdivisions like this one require a subdivision improvement agreement for the public — the off-site improvements, streets, sidewalks, curbs, things of that nature. And those improvements are bonded to ensure that they're constructed. This project, long story short, in 2024, we had clocked that the bonds had expired, the subdivision improvement agreement had expired. So as a path to compliance to ensure that the lots didn't start getting sold off before those improvements were constructed, we discussed with the property owner and their representative either doing a new subdivision improvement agreement and new bonds for those infrastructure improvements or alternatively reverting the one single lot to come into compliance so that that aforementioned issue doesn't occur where lots start getting sold off and the improvements never get constructed. You'll see these in the conditions, but also

in the staff report. But I'll kind of go over these. These are the conditions of approval for the original map for 17328, so back in the 2000s. It basically is requiring the improvement agreement and bonds consistent with state law and also with local regulations. Reading through these, it's just ensuring that all those improvements are constructed. This was Condition 11. 13 is that the maintenance districts are formed. 31 is that all the improvements are bonded. And the only non-standard condition of approval for this map, for the reversion to acreage is retaining those easements. So if we'll skip ahead a little bit, you'll see Balsa goes through the project site and connects where Arcadia Trail in Balsa is to Yucca Trail in Balsa. So it was important for us to retain that easement so that those improvements could eventually be built. All right. So up on the screen, you'll see in addition to the conditional approval, subdivision map acts, government code section 66462, and improvement security in accordance with 66499 and section 9.96.040 of the town's development code, requires the improvement agreement in the bonds. Long story short, this is the technical information. I won't bore everyone by reading all of it, but, in summary, it requires an improvement agreement and bonds for those improvements. This is the subdivision from the north. So from Yucca Trail looking south at the project site you're looking at the north-west corner of the site. And then looking towards the south-east corner, this is from the south looking north directly at the project site. So this is the map, 17328, that was approved in the 2000s. This was for the original subdivision. So what this did was subdivide one 9.21-acre lot into 18 individual lots. And then what the map in front of you tonight is proposing is to revert those 18 lots back to one single-- single-family lot. One important note it does have development rights as a single-family lot. So you'll see on packet page 54, a preliminary grading plan. It does account for single-family development. So one single-family residence plus up to four detached accessory buildings. Those buildings could be garages, workshops, carports, ADUs, etc. But it's just to ensure that there's no issue with the development rights that it would currently have. Again, the recommendation for this item is that the Planning Commission finds that the project is exempt from CEQA and that the Planning Commission approves Tentative Tract Map 20848 as read into the record. And we can answer questions following the public hearing.

Chair Thomas stated, We'll open this item up to public comment. Anybody in the public wishing to comment? Please come on up.

Dave Marmon stated, I'm Dave Marmon. I'm a full-time resident of Yucca Valley, and I live on Arcadia Trail across the street from the property in question. First, I really wanna thank the Planning Commission for sending out a notification to everybody in the neighborhood that the hearing was happening. That was really important, and it was great to talk to my neighbors about this. So a few things I just wanna get on the record. I'm not opposing this motion in any way. This-- I realize this is a formality. This is just a reversion to acreage. But a few things to note, especially given the fact that from what I can tell, this environmental study here was done many years ago. So I

think it's-- and this is sort of exempt from having to do that again. So I think we should keep in mind a few things about the area. First, this is in a densely populated area of southern Yucca Valley. This is the one empty block in the area. It's home to a lot of wildlife, as well as a large number of Joshua tree, both young and have been, those have been around for a long time. Any sort of development needs to keep-- should that in mind, as well as the effect that its development would have on the property. There's quite a lot of neighbors in the area already who, you know, who enjoy that property. I would say another thing to keep in mind is all of us in the community are well used to getting letters from the community around new short-term rentals being built in the area and approved. Anyone can look in Airbnb and see around the Arcadia Trail, Emerson Avenue, how many there are. So just whenever this comes back under-- uh, for the Planning Commission, just wanna get on the record that I think it's worth considering the effect this would have on the community. There's also a wash in the area that's-- you can see on the map that's very important, considering that we're on a slope. So just a number of things about this that I think are important to keep in mind since-- I knew this was gonna be a formality, and I wanted to get something for the neighborhood on the record about, you know, any concerns we have. We don't wanna oppose development around the town. We definitely support that. But there's a lot that makes this community special, and I wanna make sure that this tract of land isn't treated as kind of like a throwaway. So just wanted to get that on the record, and that's all I really had to say.

Chair Thomas stated, Thank you so much. Anybody else in the public wishing to comment on this item? No?

Commission Secretary Northup stated, We do have a written statement that will be recorded for the record from Marcus B. related to item number four. He does not wish to speak.

Chair Thomas stated, Okay, thank you. Anybody online?

Ruieta Da Silva stated, Hi. Is the reversion to acreage, because of the We-Western Joshua Tree Act, and the economics that it would cost them?

Chair Thomas stated, Is she asking a question? Yeah. We don't take questions on this. So if she has some comments, she can make a comment.

Ruieta Da Silva stated, Okay, no comment then.

Deputy Town Manager Stueckle stated, Staff can answer questions following the public hearing.

Chair Thomas stated, We will close the public hearing. Staff go ahead.

Senior Planner Jerome stated, The applicant's representative is here. So she might have a little bit more information. I would guess that it is a factor, but the infrastructure costs are in and of themselves very expensive. So it was my understanding that the cost of the infrastructure, with Joshua trees potentially being the contributing factor.

Deputy Town Manager Stueckle stated, So again, it's the property owner's choice as to whether they entered into a new subdivision improvement agreement and posted bonds. They chose not to do that. So reversion to acreage was the available course. What factors went into that decision-making process? Town's not privy to. But those were the options that the property owner had available.

Chair Thomas stated, We'll go to commissioner comments. Commissioner Vasconcelos.

Commissioner Vasconcelos stated, That's pretty straightforward request, in my opinion, you know, reversing it. I mean, this is the, you know-- the, the town wanted them to post bonds for the infrastructure needing to be built, and they didn't wanna do so. So they chose to revert to acreage. You know, it's, it's very common, not-- well, somewhat common in some situations, but, yeah, I don't really have any questions on the matter.

Commissioner Stoker stated, I think it is a, a bummer. I-- anyone that builds anything or goes through these processes, when we're creating new lots to build homes, to expand a neighborhood, that process is long, and it's arduous, and there's lots of steps, and it's, it's, it's a bummer when it-- when this happens because I, I think that all of us on our commission, we look forward to having more homes available for, for people that are looking for homes. It's definitely the direction the state is always wanting us to go. We're always asked how many more houses can we build? How many more houses are being built? Are we expanding the available inventory for families to live and move here? And this is a bummer. Um, I, I th-- you know, I, I-- inferring, I think, the economics of it all, you know, it, it costs more and more to build anything, a road. It costs more-- a lot more for us to do any sort of grading with our current Joshua tree issue we're in. And I think all of those things are a factor when, when you're looking as to whether you wanna re-up a bond for a number of more years and, and kind of have, have to put up or shut up kind of thing. And I-- and I think that's kind of the situation where this developer or this landowner is in. Do I hope that someday these get built out to be homes? I think that would be good. And it would actually probably only enhance your neighborhood from a value standpoint and, from solving some of the, just what the speaker was speaking about earlier, some of the issues with a lot of these lots where we have washes that aren't controlled, and storm waters that aren't really properly mitigated. Any building on

there would actually probably help your neighborhood to make sure that we don't have kind of uncontrolled washes. And it's a shame. And, and I just-- it just-- there's two of them coming up. I think we have another one, too, that's in the same boat. And, it's just a bummer because I just, I'm empathetic towards the amount of money that somebody has to put up to get to the point where you can subdivide these lots and, and build some homes that I think would probably be an attractive addition to the neighborhood. I think-- just to address one comment, I, I think just, just was in our packet. I think they did do a, a new environmental study on the lot. So if, if you take a look inside the packet, they, they walked the lot for 12 hours looking for evidence of tortoises, burrowing owls, and doing a Joshua tree census. So that-- that's something that happens quite often. And if you look at the original, which we have in our minutes and the new one, it's interesting that I saw that 20 years ago or whenever it was that this was originally done, there was some evidence of tortoises on the lot, and those tortoises have now moved on, probably due to the rest of the building and infrastructure happening around it. Those little guys find their way up the wash to somewhere that's a little bit more quiet for them. So I, I thought that was interesting that there was evidence 20 years ago, and now, um, those tortoises have moved to a new space. So, it's-- it-- again, just to reiterate what Commissioner Vasconcelos has had to say, this is something that it's pretty straightforward. It just still, still hurts a little bit. The builder side of me that knows the process and how much effort goes into this, it's a bummer to kind of whisk it all away.

Commissioner Henderson stated, Yeah, it's, uh, very straightforward. For staff, on page 38, I don't remember a lot of items coming in front of us with this Alquist-Priolo zone, in regards to that. So just in reading the short description here, so anything within 50 feet of that trace line needs a 50-foot setback. Is that correct?

Senior Planner Jerome stated, So that was something with the prior subdivision that recorded that. It's common for subdivisions to have to look at that issue. So that's for fault traces to see if there's any faults. For single-family residences, for the most part, if it's a normal construction, two-story or single-story structure does not require analysis under Alquist-Priolo Act, but a subdivision does. So that's why they have that mapped out on the subdivision with setbacks.

Commissioner Henderson stated, Okay. Thank you. And is the representative on, on Zoom or online?

Senior Planner Jerome stated, She is in the audience.

Commissioner Henderson stated, She is? I had one question for you. And, and you don't-- I guess you don't have to answer. This is a very straightforward one, but if it goes to, which it likely will, to-- only to one parcel, are there any plans for a future subdivision potentially?

Vickie Bridenstine, NV5 Engineering, stated, Not at this time. We looked at a bunch of different alternatives, different size lots. The 18 lot subdivision is as small a lot as we can do. Of course, the infrastructure costs were the deciding factor. It doesn't even work with 18 lots. But we looked at, you know, one-acre lots. We looked at two-and-a-half-acre lots. And at this point in time, it just doesn't make sense financially for them to have a project. They're thinking of things, but they haven't settled on anything.

Commissioner Henderson stated, Understood. Thank you so much. That's all I have.

Commissioner Noonan stated, Yeah, I don't have any further questions or comments about this. It's pretty straightforward, as my fellow commissioners have said.

Chair Thomas stated, Yep. I have no further comments as well either. I think it's all been said. So let's get a motion to approve.

Commissioner Henderson stated, I'll go ahead and make a motion that the Planning Commission approves Tentative Tract Map 20848, a reversion to acreage for 18 existing lots located the southwest 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 and gross lot area, while retraining the existing offers of dedication and easements identified on Tract Map 17328.

Commissioner Noonan stated, I'll second.

Senior Planner Jerome stated the project is exempt from CEQA, so have to add that as well.

Motion:

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.

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

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

Department Reports

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

Chair Thomas stated, Moving to item number five, Wall Mural Permit (M) 01-265563529 Palms Highway. Okay.

Assistant Planner Willoughby stated, Thank you, Chair and Commissioners. The recommendation for this item, (M) 01-26, is that the Planning Commission finds that the project is exempt from CEQA under Section 15301, class 1, existing facilities, since the proposed projects 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 facade of the commercial structure located at 5563529 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 which are attached in your packet tonight. This is for your reference, the wall where the mural is proposed. This photo was taken by staff. We didn't manage to get it with a car not in the picture. But this is the east-facing wall which faces Geronimo Trail. This building is located at the corner of Twentynine Palms Highway and Geronimo Trail. The area in yellow - I tried to add a yellow highlighter there - is where the wall, where this mural is proposed, is located. This is some background provided by the artist, Victoria Rothlisberg. The title of the mural is Where Time Rests in Stone. The size of the mural on this wall is around 220 square feet, so it's about 20 by 11. There are a few elements to this mural, including the bighorn sheep, as you can see, desert rocks, Joshua tree, general landscape elements, as you can see in the background and foreground, and, pioneer wagon to just hearken back to that history. You also have a breakdown of the various color palettes that go with each of those elements and some statements that are a little bit too small for me to read from here, but are included in your packet along with the artist's statement and examples of their prior work. This is just a, a better representation, probably a bit more color accurate, that was provided by the applicant to show the proposed mural. So you can see that without the surrounding elements you saw in the last slide. As part of the town council's adopted mural program policy there are a number of findings that the Planning Commission must make before-- prior to approving a mural. So I'll just walk through the findings themselves. Finding A, 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, will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic. Item B, the proposed mural is well integrated with the building, providing additional elements that further enhance the quality of the facade. Item C, 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. Finding D, the proposed mural is consistent with the town's adopted mural policy to encourage murals emphasizing local history, geography, flora, fauna, culture, and heritage of the town, and with creativity and art encouraged in the Old Town specific plan. And item E, 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. Once again, the recommendation is that the item is exempt from CEQA as a class one, that the Planning Commission approves a placement and application for the proposed mural, which is included in your packet and presentation tonight, and that the Planning Commission recommends that the Parks, Recreation, and Cultural Commission review the proposed mural content, design and arts or qualifications which are included in the packet. With that, staff is available to answer questions following public comment.

Chair Thomas stated, Thank you, Evan. I'll open this for public comment. Anybody wishing to comment on this item?

Commission Secretary Northup stated, We do have a request from the representative for this item. Tammy.

Tammy Roleff stated, Hi, there. I know some of you here. My name is Tammy Roleff. I'm in-- Yucca Valley resident. I'm the president of Hi-Desert Artists. And I have some of our board members here and the artist. We are so excited about this mural, and we've been trying to do something like this for a long, long time. So to see it come here is very exciting, and we can't wait to get started. Although with the heat, the artist says that she has to wait till it's cooler weather. So I think I-- that's okay if we don't get started right away. And we're hoping that people in Old Town, just a couple of blocks from us in-- by the frontier crossing and artifacts, they'll see our building and say, "What is that?" and, "Let's go down there and see it." And we're really hoping that it's a draw for our art gallery. Saying that, there is something that I wanna put on the record, though, because we wanna note that Hi-Desert Artists r-received today and yesterday five different invoices for fees associated with this project from five different people in the town. And they had five different total amounts due, which was very confusing. And we're working with staff to get these reconciled because, frankly, getting these fees were a shock. We were not expecting this. So we understand that there's other mural projects in the town that did not have fees associated with them. I talked to one of them. So I'm like, "I don't know what we're--" so we're gonna seek some clarification on that. And we fully support the review

process and want to proceed in good faith. And we appreciate the staff assistance in resolving these questions, so-- and I'll give this to you. But if you have any questions for me, I'd be happy to answer them.

Chair Thomas stated, Okay. Thank you very much. If they have-- if any of the commissioners have questions, we'll call you back up to the dais. Anybody else in the public wishing to comment on this?

Commission Secretary Northup stated, Okay. Our next speaker is Victoria.

Victoria Rothlisberg stated, I'm Victoria. I'm the artist. I've lived in the valley since about, hmm, 2014. But I have been riding this valley, an area, since 2000. I take a lot of people into the park, and if they're good, I bring them back out. Um, I developed this mural because we really need some attention on that corner. Cars fly past there at about 60 miles an hour in the 40-mile-an-hour zone. Anyway, I thought if there was an older woman hanging off of a scaffold in a bikini, perhaps we would stop some traffic. So we'll see what happens. I happen to think it's a really, uh, colorful addition to the city. And, I'm, I'm just really looking forward to get to do it. I haven't done a mural in a few years, but I've done some very large ones. If you have any questions that you have for me, I guess now would be the time, or?

Chair Thomas stated, Thank you. If they have any questions, we'll call you back up. Who's next?

Commission Secretary Northup stated, Next, we have Katie.

Katie Nartonis stated, Good evening. It's nice to see a few familiar faces up there on the commission panel. I am the gallery director and a member of the Hi-Desert Artist, HDA. And I just wanted to express my gratitude for the approval of the mural. You know, we work very hard to make sure that people come into the gallery to see our exhibitions, to see our gift shop, to see our programming. And I think we needed-- we've talked for a long time about having something on that wall that would attract people's eyes as they drove by. So we really appreciate it. So we're just grateful, and we're looking forward to getting the project underway. We are 125 members strong. We are artists, and we are supporters of the arts. We have a rich programming schedule, and we'd like to invite you to a program that we're having this Thursday at 6:00 PM. It's a screening of a wonderful hour-long television program from-- called Craft in America on PBS. It's-- won all sorts of awards. And the focus of that particular screening is the way that the military has affected the arts in the American public. And so we're talking about all of the World War II veterans that came into, back from the war, and they entered the studio and then entered the university system under the GI Bill. And it made an explosion in the arts that we're still feeling the reverberations of that today. So please join us on Thursday at 6:00 PM, and thank you

again.

Chair Thomas stated, All right. Thank you so much. Anyone else wishing to comment on this item? Nothing? How about online? Okay. Close public comment and go to Commissioner Noonan first.

Commissioner Noonan stated, Yeah. I think it's fabulous. I love it. Yeah. And it looks gorgeous. So I'm all for it. Where-- what is the location of the screening? Sorry, Katie. Yeah.

Katie Nartonis stated, Thanks, Jerry. It's the HDA in Yucca Valley. It's on Highway 62. It's right there at Geronimo and 62. And you can't miss it 'cause we have a sculpture garden in the front. And soon you won't be able to miss it 'cause we'll have a mural.

Commissioner Noonan stated, Beautiful. Okay, thank you.

Chair Thomas stated, Thank you. Vice Chair Henderson.

Commissioner Henderson stated, Yeah, I just wanted to thank all of you for coming. It's great to have you here and to hear your comments. And I just remember when my family moved here in the late 1980s. And, I was a young guy. I would go out to Twentynine Palms and take college classes on the base. And I just remember all the beautiful murals, historical murals that Twentynine Palms had. And, like, after the first Gulf War and all the troops did their parade through Twentynine, and to see their murals and to see actually a historical mural come up in Yucca Valley like this is, is awesome. And I guess the question I would have is, are there any more plans to create any more historical murals in town?

Tammy Roleff stated, We have lots of wall space on our building, so we wanna put more murals on.

Commissioner Henderson stated, That's awesome. Does, does the-- that mural take any sort of special protective coating to protect it from the sun and the elements? It does?

Tammy Roleff stated, Yeah, I think she's putting a coating on at the end and primer underneath.

Commissioner Henderson stated, Well, congratulations. I think it's beautiful.

Commissioner Stoker stated, Well, thank you to everyone that came out tonight to talk about your project and this piece of art. You know, when we created or we worked or-- I felt like a long time to create the ordinance to, recodify how we handle

murals, it was a lot of work, and we discussed what our role was. We-- our role is to make sure that the wall is appropriate and then send it on to the Parks and Rec Commission, which I, I think kind of showcases how all of these commissions-- and ultimately goes to the town council. It showcases how all of these commissions and bodies work together to make sure that art in public places is appropriate and adds to the community. That said, I, I really like the, the use of color and, and a lot of vibrant color. This is the second in a row that's had a really great use of color. It shows that our color palette, which is very wide and broad as a commercial design guideline, has a whole lot of accent colors that are all, all here in this mural. And I, I really appreciated that. I had one question just when I was looking at the packet. Is the about the mural part of the mural? Is that signage going to be adjacent to this thing, or is that just off to the side in the presentation? There's no sign-- okay.

Chair Thomas stated, That's for us.

Commissioner Stoker stated, Okay. Well, I just saw it over here, but that stuff is other places. Okay. Fair. I just was-- didn't know if there was, like, some sort of plaque or something, or maybe there'll be something inside talking about the artist and stuff. So I, I think it's always great to remember everyone that, that creates something and look forward to seeing it up and seeing it up for a long time. So thank you very much for your project.

Commissioner Vasconcelos stated, Yes. Thank you. Thanks again. I wanna follow Commissioner Stoker's comments that, you know, I appreciate you guys coming out and seeing this artwork. A lot of us here on the commission have lived here a long time, like 40-plus years. And we've seen the community grow and change. And, you know, having worked in Twentynine Palms for many years and seeing all the beautiful murals that they had out there, I was always wondering when we would have stuff like this in Yucca Valley because it, it does bring charm to the older buildings, especially in Old Town. And to have a beautiful mural like this be painted and showcased in our community is a bright side of the community. And it's just something I'm gonna be looking forward to seeing and hopefully see for years to come. And, and it'll be one of those type of landmarks of like, "Oh, it's the building with the, you know, the bighorn sheep on it," stuff like that, you know, you know, so, I really think this is gonna have a nice impact for that little area right there, that-- and that building has been there a long time and gone through many different ownerships. It's nice to see that it-- there's a good use for it right now. So thank you.

Chair Thomas stated, Yeah, thank you. Yeah, I agree wholeheartedly. I-- when you look at the blank wall and then what could be on top of it, it's a whole, whole beautiful transformation when-- I'm not-- I'm not a resident here as long as some of these guys who've lived here all their lives, but I've been here about 10 years, and I always was very impressed with the murals down in Twentynine Palms and kept

thinking, "We got to get some of those over here." So I'm really glad that we're, we're moving that direction. I'm glad that the Planning Commission did that work to get this thing going. And I'm really happy to see this stuff coming. I think it really adds to our community. So, with that, you can go ahead and make a motion.

Senior Planner Jerome stated, If I could make a quick public service announcement in response to Tammy's comment about the email that she received. So this is important for all planning commission applicants and all permit applicants. There is a nationwide planning commission applicant scam that's happening where they're using software to scrape contact information off the internet for virtually every jurisdiction in the country and sending fake wire transfer requests. I'm gonna guess this for a wire transfer with you. Yep. So, there's more information. The town put out a newsletter, I believe in April about this. The American Planning Association also put out an article about it. But just so anyone knows, if the email says @usa.com as the URL, that is not an official town email. We will only have @yucca-valley.org in our email. We will never request a wire transfer. We will only send a letter if there's more funds needed. We will never email for a wire transfer, so if you get a wire transfer request, that's not-- well, any wire transfer request, period, delete that email. It is not from the Town of Yucca Valley.

Chair Thomas stated, Thank you. I think that's really well noted. I just-- they tried to scam me on something today, too. So there's a lot of this stuff running around. You really got to be careful and double-check everything.

Commissioner Stoker stated, I'd like to make a motion to approve Wall Mural Permit (M) 01-26, and approve the placement and application for a proposed wall mural as well as find this project exempt from CEQA, and forward this to the Parks, Recreation, and Cultural Commission for their review.

Commissioner Noonan stated, I'll second.

Motion:

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

And that the Planning Commission approves the placement and application for 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.

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

Mover: Commissioner Clint Stoker

Seconded: Commissioner Gerard Noonan

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

6. Land Development Update

Chiar Thomas stated, Item number six, Land Development Update.

Senior Planner Jared Jerome stated, The recommendation for this item is to receive and file the land development update. A lot of this is stuff we've seen, but there is some progress being made behind the scenes. So this first slide kind of discusses some town projects that are going on. The general plan and open space and conservation element and safety elements of the general plan are being updated. We received a draft recently. It is available on our website. So if you go to the General Plan Update webpage on our website, you can see a draft of those two elements. Temporary short-term vacation rental ordinance, as you know, we update this yearly if necessary. That should be going to the council in the next month or so. Outdoor lighting ordinance will be coming to the Planning Commission and/or Council shortly. Those are both getting closer and actively in process. The Yucca Trail and Indio paving and realignment project, this is a public works project. You can see the Yucca Trail element of it here. We just received the draft CEQA, I believe it was last Thursday. So we are reviewing that currently. Hopefully, the CEQA is wrapped up in the next month or so. This is the Indio component of the project that's going to be at a future date. So eventually, Indio will realign and then connect all the way to the highway. This is a relatively recent photo of the pickleball courts outside this building. They're working on the parking now, but, very close to completion. The Aquatic Center continues to make progress. I believe it's on track for late fall, early winter, is my recollection. I think we showed these last time, but the Little League baseball fields on Little League have these cool new shades-- shade structures, very fancy for behind the dugouts. One new project that is going through the pre-application process, so not a formal permit request, but, potentially a new request, Maverik Fuel Station at the northeast corner of Twentynine Palms Highway in Avalon, so they're in the preliminary stages, preliminary review of that. Also, Circle K indicated they're making progress on their technical studies and should be submitting shortly for the expansion-- kind of redesign and expansion of the fuel station on Old Woman Springs, at the current location, expanding south and west of their, their current development. Starbucks is in a state that is the same as the last time that we spoke. [laughter] We heard that they moved a little bit on site, but, it's still substantially the

same. Nice Dreams. You've probably seen it's in operation. Hopefully, everyone has been, been there to stop by at this point. Domino's and Jersey Mike's. This might-- this will look really familiar, but not quite exactly the same as what you've seen before. We just received their conditional use permit amendment request. So they're removing-- they're proposing to remove the drive-through for the facility and add parking stalls. And this is to resolve a parking issue with the rest of the shopping center from our understanding. Star Cafe. This is a slightly older photo, but they are making some progress on the water feature in the front. You've probably seen a large plywood box kind of enclosing where the fountain will be or the water feature, the pond. So we're anticipating in the future, the box will be gone, hopefully not a permanent feature. Time Warner continues to make progress. The street improvements look good. New sidewalk for the kids. Tumbleweed Sanctuary, the CEQA consultant, has indicated they hope to get us a draft of the CEQA document, either the end of this week or beginning of next week. I just heard from them this afternoon. So they're making-- they're very close to moving on to Planning Commission review. Yucca Valley Materials Lab had some minor corrections. They submitted in April. We're expecting them to resubmit any minute, just resolving some, some minor issues. Yucca Trail Mini Storage, we also anticipate resubmittal any minute. From what we understand, it's mostly complete. It's just a matter of assembling all the documents and resubmitting. The Kickapoo Mobilehome Park just finished their resubmittal today, about 10 minutes before we left to come over here. So that's back in the review. As you know, they have some pretty not insignificant hydraulic engineering issues that they're working on. So, looking forward to see how they are addressing that. The windmill wireless facility has an RFP out right now for CEQA. So they are also progressing through that process. Hopefully, the CEQA is wrapped up in the fall or winter of this year. The C&S Rotisserie Chicken Bar also resubmitted right before we came over here. So this project status is slightly outdated, but, that is also back in the review process. The proposed chicken bar is directly next to their current existing diner. Tract map has very recently been approved for reversion to acreage. [laughter] Not a great scan, but Acoma Trail has another very, very substantially similar tract map that will be coming to the commission shortly. They are one submittal item away from being complete. And then we also expect a resubmittal for the Spencer Road parcel map, minor subdivision. Dutch Bros has submitted to Fish and Wildlife. They are working through that process. Every so often, I see an email from the biologist to the applicant. So they're actively working through that process, same with Sun Mesa Mini-Storage. They are also with Fish and Wildlife going through that review process. That concludes the presentation, and we can answer your questions following public comment.

Chair Thomas stated, Thank you, Jared. We'll open this item up to public comment. Anybody wishing to speak in public? Nobody there, nobody online. Close. And we'll go back to Commissioner Vasconcelos.

Commissioner Vasconcelos stated, Thank you so much for the report. As always, it's always nice to see the updates that are moving along. And, the only thing I can make a comment on, I suppose, is, is the, the shading on the Little League. It was nice when there was some sort of blockage around the dugout because now everybody and their mother comes up and talks to everybody while the game's going on. But that's just me being a baseball coach, being annoyed by everyone talking to the kids when they should be playing the game. But anyhow, thanks for the update.

Commissioner Stoker stated, I appreciate the update on everything. Yeah, I did notice that too, actually. I felt like there should have been privacy fence, but whatever. It's neither here nor there. There's always critiques of projects. So it's, it's awesome to see our town stuff moving forward. I think I was really looking forward to, after seeing this, the outdoor lighting ordinance. I think that'll be really--great 'cause if we can kind of help steer people towards some better lighting, I think we can make sure that we can still see stars in 30 years. So that's kind of our job as planning [laughter] commissioners is to make sure we're planning for the future to make sure this isn't just a big light suck down the road. So, I look forward to that.

Commissioner Henderson stated Yeah. I mean, so many exciting projects. And to see all of these come-- once they all happen, it's gonna be for the betterment of our town. But you know, as a planning commission, you know, we review applications. We vote on them. That's important. But what you guys do at staff level to bring all of these in front of us and work through all of these issues, I just don't think you get the credit and the recognition you deserve, every one of you in the room. It is, is a monumental amount of work, and you guys take a lot of heat sometimes. We don't take the same level of heat, but I just wanna let you guys know you're appreciated. And, and we recognize the amount of hard work. We vote on things, but you do the hard work to get them to us. So thank you.

Commissioner Noonan stated, Yeah, I'd like to reiterate my fellow commissioner sentiment about how great a job staff does and all these things. I wonder if all the extra fueling stations will bring gas prices down. That'd be interesting to see. I'm really excited for the Aquatic Center. Like, I can't wait for that. So these are really exciting times to see these things going on. I can't wait to start using that facility. So that's my only comment.

Chair Thomas stated, Okay. I don't have any further comments regarding that. So let's get a motion.

Commissioner Henderson stated, I'll make a motion to receive and file.

Commissioner Vasconcelos stated, I'll second.

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 to Future Agenda Items.

Assistant Planner Willoughby stated, So a couple of future agenda items at your next regularly scheduled meeting of July 14th. There is a previously discussed public hearing to discuss the appropriate timelines and extension periods for conditional use permits and site plan review permits. We also have a development code interpretation request that we anticipate bringing to that meeting, to discuss the sighting of a standalone building that functions as a water dispenser. So the Planning Commission will have an opportunity to discuss that item.

Public Comments

Chair Thomas stated, Interesting. Okay. Thank you. Let's go to public comments here. The Planning Commission takes the time to consider your comments on items of concern which are not on the agenda. When you're called to speak, please state your name and community of 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. So I will open this up to public comments if there's anybody in the audience or online. We have somebody?

Ms. Da Silva stated Hi, Planning Commission members. My name is Ruieta Da Silva. I live in Yucca Valley. Um, I just wanna update you. I went up to, uh-- last Tuesday for Senator Rosilicie Ochoa Bogh. She asked me to give testimony for AB1060-- 1601. Uh, I think 1601 and 02 passed. I think they're going to appropriations. I just wanted to let everyone know that the, the senator, -- both times last time I went up, when I went through the Senate with Madelaine LaVoie and, Jennifer Cusack. And I'm really impressed by Senator Rosilicie Ochoa Bogh. She, she is really committed to helping us out and very passionate about it. And so she says that she will dedicate a lot of her time to the western Joshua tree issues. And so I just wanted to let you guys know, and if you can give an update of-- from your side on it. Thank you.

Chair Thomas stated, Thank you. Okay. Anybody else online? No? All right. And then, with this time, we'll close public comments, and we'll go to staff reports and comments.

Staff Reports and Comments

Chair Thomas stated, We'll go to staff reports and comments.

Senior Planner Jerome stated, Nothing additional.

Commissioner Reports and Comments

Chair Thomas stated, Okay. Go to commissioner reports and comments. Start with Commissioner Stoker.

Commissioner Stoker stated, Thanks for a great meeting and thanks-- it's always nice to have public input. So that was awesome, having several speakers tonight. And, yeah, we'll see you guys in the next one. Thank you.

Commissioner Vasconcelos stated, Thank you for the meeting. You know, you guys are always so well prepared. You know, as Commissioner Henderson said earlier about how, how much work you guys put into that, we-- I do really appreciate that. I just wanna kind of make a public comment about a lot of misinformation that gets spread around social media these days, especially recently. I really wish the public would really research the topics that they're bringing up rather than just acting on hearsay and what other people say. It's damaging to the community because it bring-- uproars them and rebel rouses them into misinformation. I can't tell you how many calls I got over this reversion to acreage, which is really what it was, and amongst other items. So I really would urge the public to really look into fact-checking information before they start making comments on it. But that's what I got. Thank you, guys.

Commissioner Henderson stated, Nothing further. Just a great meeting, and I appreciate all the public participation.

Commissioner Noonan stated, Great, great meeting. Thank you for the technology. I'm really excited about using that. Quick question to staff. Have you heard anything about a bicycle path running down Yucca Trail? Has there been any chatter about that? I'm working on a linear parkway project in a couple of municipalities. I just-- and I've heard that there's, there's-- somehow there's talk about it or plans about a bike trail. Is there any information on that that anyone can comment on?

Assistant Planner Willoughby stated, Just one comment from planning staff. Your current general plan circulation element identifies the planned buildout of roadways, including anticipated future buildout of, um, bike trails or bike lanes and those classifications. I'll let Public Works Manager Shane speak to the actual plan improvements in more current terms, but I'll pass along to him.

Deputy Town Manager Stueckle stated, Approximately 2017 through 2019, then San Bernardino Associated Governments, City of Twentynine Palms, Town of Yucca Valley, County

of San Bernardino prepared-- jointly prepared the Morongo Basin Active Transportation Plan. That active transportation plan identifies the future bike routes throughout the Morongo Basin between all of those three jurisdictions, the county, City of Twentynine Palms, Town of Yucca Valley. There are planned routes, potential planned routes on Yucca Trail. Um, how those will be built, how those will be timed with potential routes in the county area on Alta Loma, all those pieces have to be fit together. That plan is on the town's website. It's on the planning documents webpage. The public can pull that plan up. You can see the maps in Twentynine Palms, the county area between the Twentynine Palms and the Town of Yucca Valley and in the Town of Yucca Valley. It was adopted by the town council or approved or accepted by the town council in 2019, and that plan remains in effect today.

Chair Thomas stated, Thank you to staff. And I wanted to mention one thing that was sent to me today, and these are the kind of things that are good for us. But there was a rather long article, kind of a glowing article about Yucca Valley in SFGATE. And the title of it, "Despite its age, this funky California desert town remains an unknown gem." And it's, it's quite lengthy, and it goes on to give us a lot of accolades, so to speak, and, what a cool town we are, kind of thing. And these are the types of articles that once they start getting out there, starts pushing people towards this area, the-- more people will find it, more people will look us up. I think it was years and years and years ago that the New York Times wrote an article on the Integratron, and that kind of started things out here a little bit. People started coming out and trying to figure out what was going on out here. So anyways, it's really good. I recommend you guys read it. And, you know, I can send you the links or whatever. But with that being said, we'll go to announcements.

Announcements

Chair Thomas stated, we'll go to announcements. Upcoming meeting schedule. The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, July 14th, 2026, at 6:00 PM in the Yucca Valley Community Center, Yucca Room, and we'll adjourn exactly at 7 o'clock.

Adjournment

Chair Thomas adjourns the meeting at 7:00pm.

Respectfully submitted,

Brenda Northup
Commission Secretary

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



To: Planning Commission

From: Evan Willoughby, Associate Planner

Date: July 7, 2026

Meeting Date: July 14, 2026

Subject: Native Plant Permit (NPP) 038-26 @ 7316 Lucerne Vista Ave

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report and approves the application for NPP 038-26, to remove one (1) California Junipers located within the footprint of the proposed residential patio improvement based upon Section 9.07.130(C)(2), that the regulated desert native plants being removed are located within the identified area(s); and finding that all necessary submittal materials have been submitted as indicated in the Application Table and as contained within the staff report.

Prior Review:

There has been no prior review.

Discussion:

Applicant: CAD Designs Plus C/O David Rodriguez
Address: 7316 Lucerne Vista Ave
APN: 0587-271-18
Zoning: Residential, Rural Living (R-L-1)
Parcel Size: 0.38 acres

Native Plant Permit Application and Desert Native Plant Specialist Report

An application has been filed with the Town for native plant removal.

The application is for the removal of one (1) California Juniper. The California Juniper is located within the area identified on the attached plot plan for the proposed residential patio improvements.

Per Section 9.07.130, Table 1, for lots sizes up to 2.49 acres, there is no mandate, incentives only. The property is approximately 0.21 acres.

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

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

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

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

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

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

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

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

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

The Development Code section cited above is ministerial.

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

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

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

Alternatives

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

Fiscal Impact:

N/A

Attachments

1. TOYV DEV CODE - CHAPTER 9.07
2. NPP 038-26 - 7316 Lucerne Vista - Updated

CHAPTER 9.07

RESIDENTIAL AND HILLSIDE RESERVE DISTRICTS

SECTION:

9.07.010: Purpose

9.07.020: General Provisions

9.07.030: Residential Zoning Districts

9.07.040: Permitted Uses And Permit Requirements

9.07.050: Development Standards

9.07.060: Accessory Buildings And Uses

9.07.070: Antennas

9.07.080: Drainage, On Site Retention, And Dust Control

9.07.090: Fences, Walls, And Hedges

9.07.100: Manufactured Home And Single-Family Residential Construction Standards

9.07.110: Outdoor Lighting

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

9.07.130: Native Landscape Documentation Package

9.07.010: PURPOSE:

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

9.07.020: GENERAL PROVISIONS:

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

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

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

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

9.07.030: RESIDENTIAL ZONING DISTRICTS:

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

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

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

B. Rural Living Districts (RL): The RL Zoning Districts are established to provide areas for the development and preservation of residential uses, incidental agricultural uses, and similar and compatible uses. There are the following RL Residential Zones that provide a variety of living environments based upon the required minimum gross lot size.

1. Rural Living District (RL-10): One dwelling unit/ten (10) acres.

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

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

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

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

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

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

9.07.040: PERMITTED USES AND PERMIT REQUIREMENTS:

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

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

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

TABLE 2-3

PERMITTED LAND USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL AND HILLSIDE RESERVE ZONING DISTRICTS

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

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

	Single-family dwelling unit	P	P	P	P	Pursuant to Residential District standards, section 9.07.050 of this chapter
Care uses:						
	Child daycare:					
	Small family	P	P	P	P	8 or fewer children, pursuant to residential district standards, section 9.08.040 of this article 2
	Large family	SUP	SUP	SUP	SUP	9 to 14 children, pursuant to residential district standards, section 9.08.040 of this article 2
	Child daycare center	CUP	CUP	CUP	CUP	15 or more children, pursuant to section 9.14.020 of this article 2
Social care facility:						
	6 or fewer	P	P	P	P	Includes, but is not limited to, elderly care and sober living facilities. Pursuant to residential district standards, section 9.08.090 of this article 2
	7 or more	CUP	CUP	CUP	CUP	Includes, but is not limited to, elderly care and sober living facilities. Pursuant to section 9.08.090, "Residential/Social Care Facilities", of this article 2
Agriculture and animal related:						
	Agriculture (for commercial use), not including animal husbandry or stockyards	CUP	CUP	CUP	NP	Including, but not limited to, row, field, tree, and nursery crop cultivation
	Animal keeping, breeding/raising of densities greater than those specified by section 9.08.020 of this article 2	SUP	SUP	SUP	SUP	Animal raising over densities allowed require a special use permit, pursuant to section 9.08.020 of this article 2
	Animal keeping of densities allowed by section 9.08.020 of this article 2	P	P	P	P	Pursuant to section 9.08.020 of this article 2, animal keeping
	Commercial or private kennels	CUP	CUP	NP	NP	Pursuant to section 9.08.020 of this article 2, minimum 1 acre parcel size
Exotic animals:						
	Up to 2	SUP	SUP	SUP	SUP	Pursuant to chapter 9.49 of this title
	3 - 4	CUP	CUP	CUP	NP	Pursuant to chapter 9.49 of this title
	Horticulture (for private use), including growing fruit, flowers, ornamental plants, and vegetables	P	P	P	P	Permitted as a use that is incidental to the primary use
Other uses:						
	Bed and breakfast/lodging	SUP	SUP	SUP	SUP	Pursuant to section 9.08.030 of this article 2
	Cemeteries	CUP	CUP	NP	NP	Pursuant to chapter 9.45 of this title

Marijuana dispensaries, marijuana cultivation, marijuana deliveries, additional prohibited marijuana	NP	NP	NP	NP	Pursuant to chapter 9.53 of this title
Temporary special events	TSEP	TSEP	TSEP	TSEP	Pursuant to chapter 9.38 of this title
Temporary uses	TUP	TUP	TUP	TUP	Pursuant to chapter 9.39 of this title
Recreation, education, and public assembly uses (institutional uses):					
Arboretums, botanical gardens, historic and monument sites, zoos	CUP	CUP	CUP	CUP	Pursuant to section 9.08.050 of this article 2
Archery and gun ranges:					
Indoor	NP	NP	NP	NP	
Outdoor	NP	NP	NP	NP	
Campgrounds	CUP	CUP	NP	NP	Pursuant to section 9.08.050 of this article 2
Conference centers/group camps	CUP	CUP	NP	NP	Pursuant to section 9.08.050 of this article 2
Governmental facility	CUP	CUP	CUP	CUP	
Hospitals and convalescent homes	CUP	CUP	CUP	CUP	Pursuant to section 9.08.050 of this article 2
Museum, art gallery, library, and associated outdoor exhibits	CUP	CUP	CUP	CUP	Pursuant to section 9.08.050 of this article 2
Off road vehicle parks	CUP	CUP	NP	NP	
Park/playground	SPR	SPR	SPR	SPR	
Religious institutions, religious assembly, and other public assembly	CUP	CUP	CUP	CUP	Pursuant to section 9.08.050 of this article 2
Schools (public and private)	CUP	CUP	CUP	CUP	Pursuant to section 9.08.050 of this article 2
Sports and recreation facility (commercial operations open to the general public)	CUP	CUP	CUP	CUP	Including, but not limited to, equestrian facilities, golf courses, hunting clubs, and tennis and swim clubs
Sports or entertainment assembly	NP	CUP	NP	NP	Including, but not limited to, racetracks and stadiums, and per location criteria and performance standards, section 9.08.050 of this article 2
Transportation, communication and infrastructure:					
Communication facility	CUP	CUP	NP	NP	Including, but not limited to, radio and television stations or towers, satellite receiving stations, but not wireless telecommunication facilities
Solar/wind or other alternative energy:					

	Accessory	P	P	P	P	Pursuant to chapters 9.42 and 9.43 of this title, permitted as a use that is incidental/accessory to the primary use
	Primary use	NP	NP	NP	NP	Pursuant to chapter 9.46 of this title, not permitted as a primary use
	Transmission utility lines, pipelines, and control stations	CUP	CUP	CUP	CUP	
	Utility and service uses and structures	CUP	CUP	CUP	CUP	Electrical power generation, transportation facilities (airports, bus stations, car pool facilities), and sewage treatment and disposal facilities, require General Plan amendment and zone change to public/quasi-public designation
	Wireless telecommunication facilities	CUP	CUP	CUP	CUP	Pursuant to chapter 9.44 of this title

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

9.07.050: DEVELOPMENT STANDARDS:

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

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

TABLE 2-4

RESIDENTIAL ZONING DISTRICTS DEVELOPMENT STANDARDS

Development Feature	Requirement By Zoning District			
	R-HR	RL ³	RS ³	RM ^{1,3}
Minimum lot size ²	20 ac	RL-1: 1 ac RL-2.5: 2.5 ac RL-5: 5 ac RL-10: 10 ac	RS-5: 6,000 sf RS-3.5: 7,200 sf RS-2: 18,000 sf	18,000 sf
Minimum lot dimensions (W: width; D: depth)	W: 150' D: 150'	W: 150' D: 150'	<1 ac: W: 60' D: 100' =1 ac: W: 150' D: 150'	W: 100' D: 150'
Minimum street frontage	150'	100'	<1 ac: 60' =1 ac: 100'	60'
Maximum lot dimensions (width to depth)	1:4	< 10 ac: 1:4 = 10 ac: 1:3	<10 ac: 1:4 =10 ac: 1:3	--
Maximum density (dwelling units [du ⁴]/acres [ac])	1 du/20 ac	RL-1: 1 du/ac RL-2.5: 1 du/2.5 ac RL-5: 1 du/5 ac RL-10: 1 du/10 ac	RS-5: 5 du/ac RS-3.5: 3.5 du/ac RS-2: 2 du/ac	RM-4: 4 du/ac RM-8: 8 du/ac RM-10: 10 du/ac RM-14: 14 du/ac
Setbacks	Minimum setbacks required unless different setbacks are delineated on final map, parcel map, composite development plan, or are allowed pursuant to section 9.07.120 of this chapter, projection into yards			
Front	75'	25'	25'	20'
Rear	75'	15'	15'	10' per story ⁵
Side - street side	75'	Arterial: 25' Collector: 25' Local: 15'	Arterial: 25' Collector: 25' Local: 15'	Arterial: 25' Collector: 25' Local: 15'
Side - interior (each)	75'	15'	5' on 1 side, 10' on other	10' per story ⁵
Lot coverage	Maximum percentage of total lot area that may be covered by buildings			
	20%	25%	40%	60%
Height limit	Architectural features and equipment may exceed height pursuant to section 9.31.030 of this title			
	35'	35'	35'	40'
Minimum district size	100 ac	30 ac	10 ac	10 ac
Parking	See chapter 9.33, "Parking And Loading Regulations", of this title for additional parking regulations			
	2 parking spaces per unit within a garage or carport, with minimum interior clearance of 18' width for 2 spaces and 19' length			See chapter 9.33 of this title
Accessory structures	See section 9.07.060, "Accessory Buildings And Uses", of this chapter. Accessory buildings have the same setback requirements as primary buildings, except they may encroach within 3' of rear property line, but not occupy more than 25% of the required rear yard			
	See article 3, "Development Standards", of this title, including the following standards:			

Other applicable standards	• Dedications and infrastructure improvement standards, chapter 9.30 of this title (also, see subsection 9.07.100A8 of this chapter, dedication and infrastructure requirements for single-family residential dwelling)
	• Landscaping and native plant protection, section 9.07.130 of this chapter
	• Chapter 9.34, "Performance Standards", of this title relating to avoiding adverse impact to adjoining properties relating to fire, explosive, or other hazards; noise or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness; electrical or other disturbance
	• Chapter 9.35, "Property Maintenance Standards", of this title
	• Signs, chapter 9.36 of this title
	• Chapter 9.42, "Accessory Solar Energy Systems", of this title
	• Chapter 9.43, "Accessory Wind Energy Systems", of this title
	• Chapter 9.44, "Wireless Communications Facilities", of this title

Notes:

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

(Ord. 253, 12-16-2014)

9.07.060: ACCESSORY BUILDINGS AND USES:

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

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

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

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

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

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

TABLE 2-5

ACCESSORY BUILDING DEVELOPMENT STANDARDS¹

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

Maximum height	25 feet	25 feet	25 feet
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Notes:

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

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

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

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

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

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

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

9.07.070: ANTENNAS:

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

A. A ground or structure mounted, radio or satellite dish antenna that does not project above the roof ridgeline and does not have a diameter greater than one meter (1 m) (39 in), which does not encroach within any required setback.

B. A ground or structure mounted radio or television aerial not exceeding seventy five feet (75') in overall height, which does not encroach within any required setback, and which is set back from any property line by at least half the height of the overall height of the antenna structure.

C. Any noncommercial, receive-only antenna which is proposed to exceed the allowed height or encroach within a described setback shall be subject to the review and approval of a special use permit.

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

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

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

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

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

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

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

9.07.090: FENCES, WALLS, AND HEDGES:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a. Proof Of Legal And Physical Access:

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

(2) Legal access is:

(A) A dedicated right of way;

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

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

(D) Private road easement.

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

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

c. Water:

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

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

d. Sanitation:

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

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

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

9.07.110: OUTDOOR LIGHTING:

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

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

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

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

B. Clear Areas:

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

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

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

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

TABLE 2-6

PROJECTIONS INTO YARDS - AMOUNT
OF ENCROACHMENT ALLOWED

Facilities	Front And Street Side Yards	Interior Side Yards	Rear Yard
------------	-----------------------------------	------------------------	-----------

1.	Eaves; awnings, canopies, louvers, and similar shading devices; sills, cornices, planting boxes, cantilevered closet and bay windows on the first floor, and similar features; skylights, flues, and chimneys; and other similar architectural features	4 feet	2 feet	4 feet
2.	Evaporative coolers, air conditioner compressors, and pool equipment	4 feet when screened from view	2 feet	4 feet
3.	Propane tanks sited per California fire code and fire hazard design standards specified by chapter 9.17 of this article 2 (fire safety overlay)	4 feet when screened from view	2 feet	4 feet
4.	Attached patio roofs and similar residential structures having open, unwall sides along not less than 50 percent of their perimeters, including top deck	4 feet	2 feet	15 feet, minimum 5 feet from rear lot line
5.	Breezeways and similar roofed passageways projecting from a residential building	4 feet	2 feet	2 feet
6.	Cantilevered or supported decks; and cantilevered bay windows provided the total width of bay windows on any 1 story does not exceed 50 percent of the length of the wall containing them	4 feet	3 feet	4 feet
7.	Roofed stairways, landings, corridors and fire escapes that are enclosed	5 feet	3 feet	10 feet
8.	Porches, platforms, or stairways that are uncovered, or landings of average height not greater than 4 feet above required yard or court level, plus railings up to 4 feet high	4 feet	4 feet	10 feet
9.	Open storage of boats, recreational vehicles, trailers, appliances, and similar materials and temporary trash storage. This shall not be located within 10 feet of structures	Not allowed	Allowed	Allowed
10.	Slides, clotheslines, and similar equipment and radio or television masts or antennas	Not allowed	Not allowed	Allowed
11.	Garages, carports, sheds, and other detached, enclosed accessory buildings which occupy no more than 25 percent of the required rear yard	Not allowed	Not allowed	Allowed
12.	Unroofed parking and loading areas	See parking regulations (chapter 9.33 of this title)	Allowed	Allowed
13.	Covered, underground, or partially excavated structures, such as garages, fallout shelters, wine cellars, basement and public utility or telephone/cable television vaults	Allowed, provided that the facilities do not extend more than 30 inches above the adjoining average finished grade level		

14.	Fences, screening, safety guardrails, walls, and dense hedges along property lines in residential zoning districts	4 feet maximum height ¹	6 feet maximum height	6 feet maximum height
15.	Signs	Allowed, subject to sign standards		
16.	Swimming pools and spas no closer than 5 feet from property line. Pool equipment may not project into the required setbacks	Not allowed	Not allowed	Allowed
17.	Freestanding photovoltaic or solar panels, no closer than 5 feet from property line	Not allowed	Not allowed	Allowed
18.	Handicapped access ramps are permitted in the front, side and rear setbacks	Allowed	Allowed	Allowed

Note:

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

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

9.07.130: NATIVE LANDSCAPE DOCUMENTATION PACKAGE:

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

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

REGULATED DESERT NATIVE PLANTS

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

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

B. Scope:

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

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

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

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

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

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

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

b. The removal and transplanting on and off site of regulated desert native plants required by other codes, ordinances or laws

of the town of Yucca Valley, county of San Bernardino, the state of California or the United States government or any federal agency.

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

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

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

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

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

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

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

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

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

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

- (1) The botanical and common name of the regulated desert native plant.
- (2) A native plant survey showing the precise location of each regulated desert native plant.
- (3) The trunk or stem diameter of each regulated desert native plant.
- (4) The height of each regulated desert native plant.
- (5) The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.
- (6) The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc.
- (7) Additional information that may be required based upon the individual application.

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

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

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

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

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

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

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

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

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

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

TABLE 1

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

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

TABLE 2

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

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

TABLE 3

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

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

TABLE 4

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

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

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

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

TABLE 5

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

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

TABLE 6

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

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

TABLE 7

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

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

TABLE 8

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

TABLE 9

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

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



Native Plant Permit Application

Date Received 7/2/2026
Case 038-26 (update)
By J. Jarove
Paid _____

General Information

APPLICANT CAD DESIGNS PLUS C/O DAVID RODRIGUEZ Phone 760-401-0521
Mailing Address PO BOX 1192 Email drod60@gmail.com
City YUCCA VALLEY State CA Zip 92286
PROPERTY OWNER DAVID R SIPOS Phone (760) 459-9455
Mailing Address 7316 LUCERNE VISTA RD Email _____
City YUCCA VALLEY State CA
92284 Zip _____ Address/Location of Plants 7316 LUCERNE VISTA RD
Desert Native Plant Specialist ARBOR PRO

Project Information

TYPE OF PLANT	# OF PLANTS BEING DESTROYED	# BEING RELOCATED		# BEING PROTECTED IN PLACE	# BEING TRIMMED	HEIGHT	DIAMETER	MITIGATION FEE FOR RELOCATE OR REMOVAL
		ON-SITE	OFF-SITE					
MOJAVE YUCCA								
OUR LORDS CANDLE								
CALIFORNIA JUNIPER	<u>1</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>10' +</u>	<u>6"</u>	
PINON PINE								
PARRY'S NOLINA								

Reason for relocation or removal WITHIN CONSTRUCTION OF PATIO

Property owner signature [Signature] Date 7/2/26

Staff Use Only

Issuance Date: _____ Issued By: _____

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

Denied _____ Reason for Denial _____

PLOT PLAN

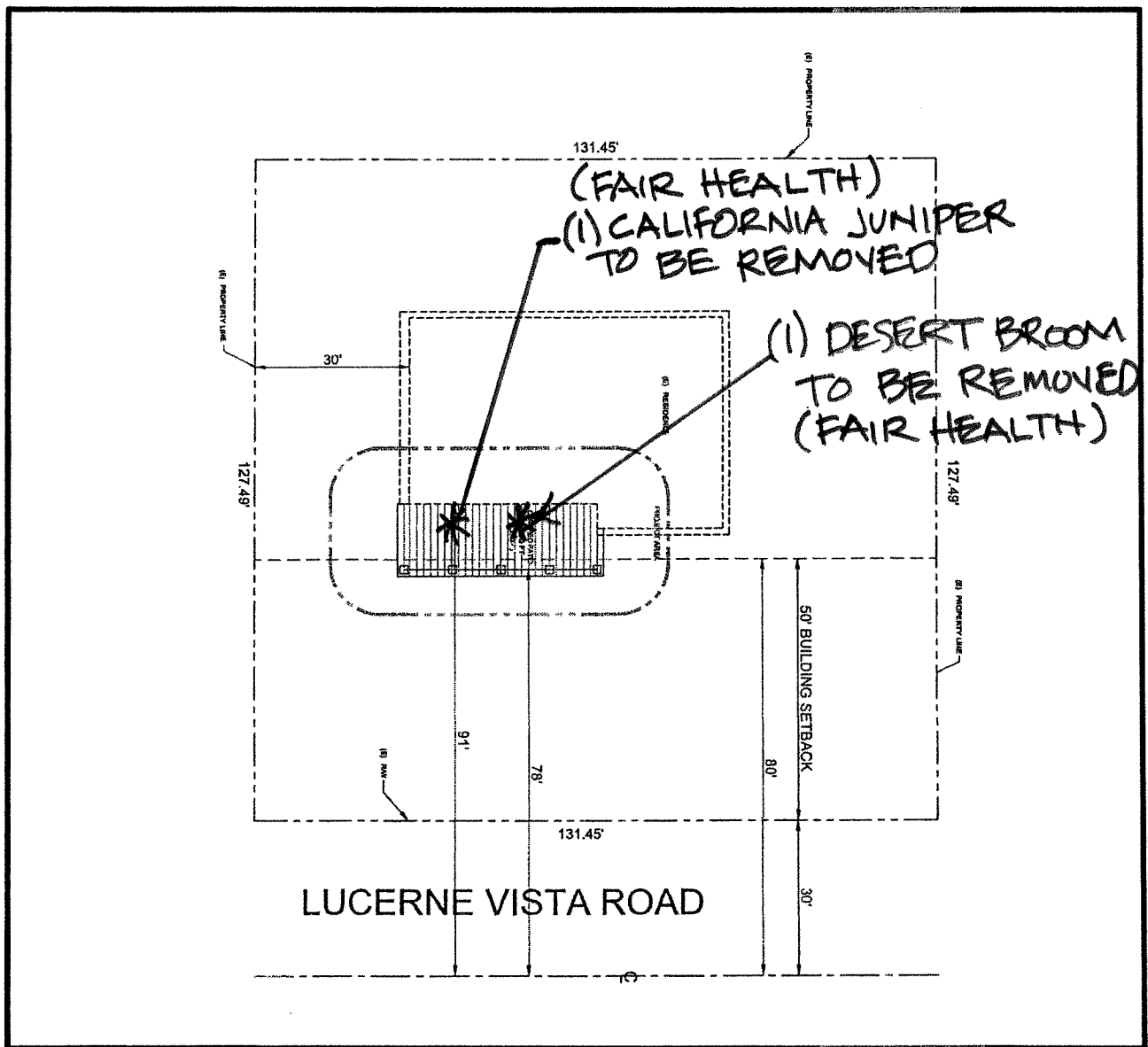
NAME CAD DESIGNS PLUS C/O DAVID RODRIGUEZ

PROJECT ADDRESS 7316 LUCERNE VISTA ROAD

ASSESSOR PARCEL NO. 0587-271-18

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

REAR PROPERTY LINE



FRONT PROPERTY LINE
STREET

CALIFORNIA
JUNIPER

DESERT BROOM







Planning Corrections

Date: 6-5-2026

Project: Attached Patio Cover

Address: 7316 Lucerne Vista Ave

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

Planning corrections are as follows:

1. Please complete native plant permit application addressing Town regulated native plants. If relocation, removal, or trimming are proposed, please provide the following information with native plant permit application.
 - a. A native plant survey showing the precise location of each regulated desert native plant. **COMPLETED**
 - b. The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc. **NOTED TO BE REMOVED**
 - c. Printed photographs depicting the proposed native plant that is to be removed or transplanted. The photographs must clearly show the location, size of the subject plant, and its surroundings. At minimum, the surrounding area photographs shall include two (2) different views of the subject plant **TWO PHOTOS PROVIDED**
 - d. The trunk or stem diameter of each regulated desert native plant.
 - e. The height of each regulated desert native plant. **HEIGHT IS INDICATED**
 - f. The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures. **FAIR HEALTH**
2. Please provide a complete Desert Native Plant Specialist Report containing an expert determination of avoidance for Western Joshua Trees located within 40' of ground disturbance or provide a copy of an approved incidental take permit from the California Department of Fish and Wildlife. A Western Joshua Tree census was provided without a written determination of avoidance. **SEE ATTACHED REPORT FROM ARBOR PRO**

Please ensure all exterior light fixtures are compliance with the Town's outdoor lighting regulations. **COMPLIED**

Additional comments may be provided on subsequent plan checks.

Thank you!

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

Western Joshua Tree Census Report Requirements

Please note - The census shall tag and count all western Joshua trees on the project site and classify them by size class.

1. The name of the desert native plant specialist who conducted the census and the employer of the desert native plant specialist.

Name: Michael Murphy, CERTIFIED ARBORIST #WE-4587A

Employer Name: ArborPro

2. The name of the desert native plant specialist who will relocate Western Joshua trees, if applicable, and the employer of the desert native plant specialist:

Name: Michael Murphy, CERTIFIED ARBORIST #WE-4587A

Employer Name: ArborPro

3. The date of the census: 3/4/26

4. The date or dates of the proposed relocation of western Joshua trees, if applicable:

N/A

5. Address of site: 7316 Lucerne Vista Road, Yucca Valley 92284
Client Name: David Sipos

A map of the project site that depicts the location of the proposed single-family residence, accessory structure, or public works project; the number and location of all Western Joshua trees on the project site; and if applicable, the proposed Western Joshua trees for removal, or the proposed placement of each relocated Western Joshua tree (Note: this can be included on the 24"x36" plans).

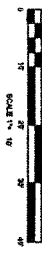
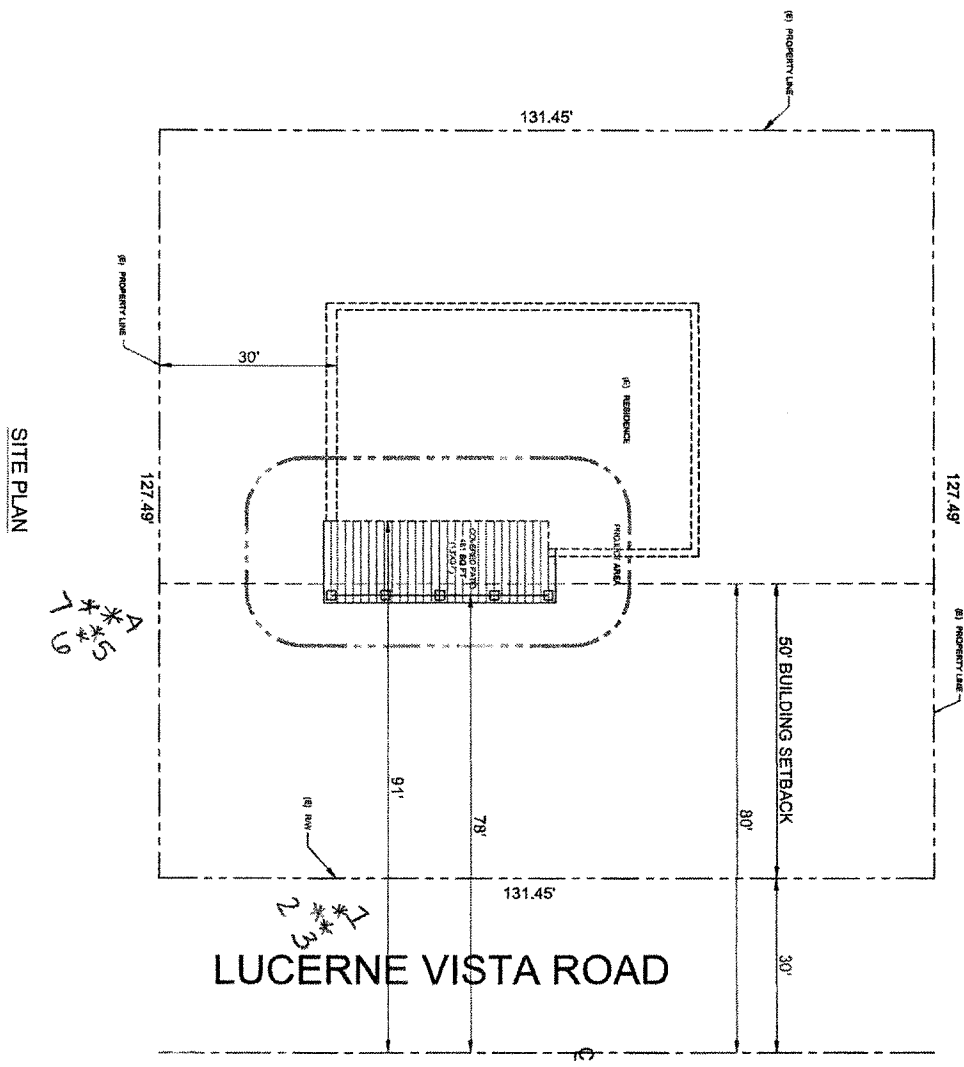
6. Photographs of each western Joshua tree on the project site, including a **visual representation** (e.g., tape measure, yardstick, etc.) of the scale of the height of each tree.
7. Aerial imagery of the site in sufficient detail to identify the property and the Western Joshua trees that are on the site and are a part of the application submitted.
8. Narrative written descriptions of each western Joshua tree, its diameter, height, existing health condition and any other information deemed necessary.

The Joshua trees appear to be in fair health. There
appears to be a minimal amount of rodent and bird
damage.

Michael Murphy WE-4587A

ARCY WILLIEMSE / DAVID RODRIGUEZ 2/25/26

39'10" = 80'
1/10 = 2'



Sheet
2 OF 4

Description
SITE PLAN
APPLICANT:
DAVID R. SIPOS
7316 LUCERNE VISTA ROAD
YUCCA VALLEY, CALIFORNIA 98224



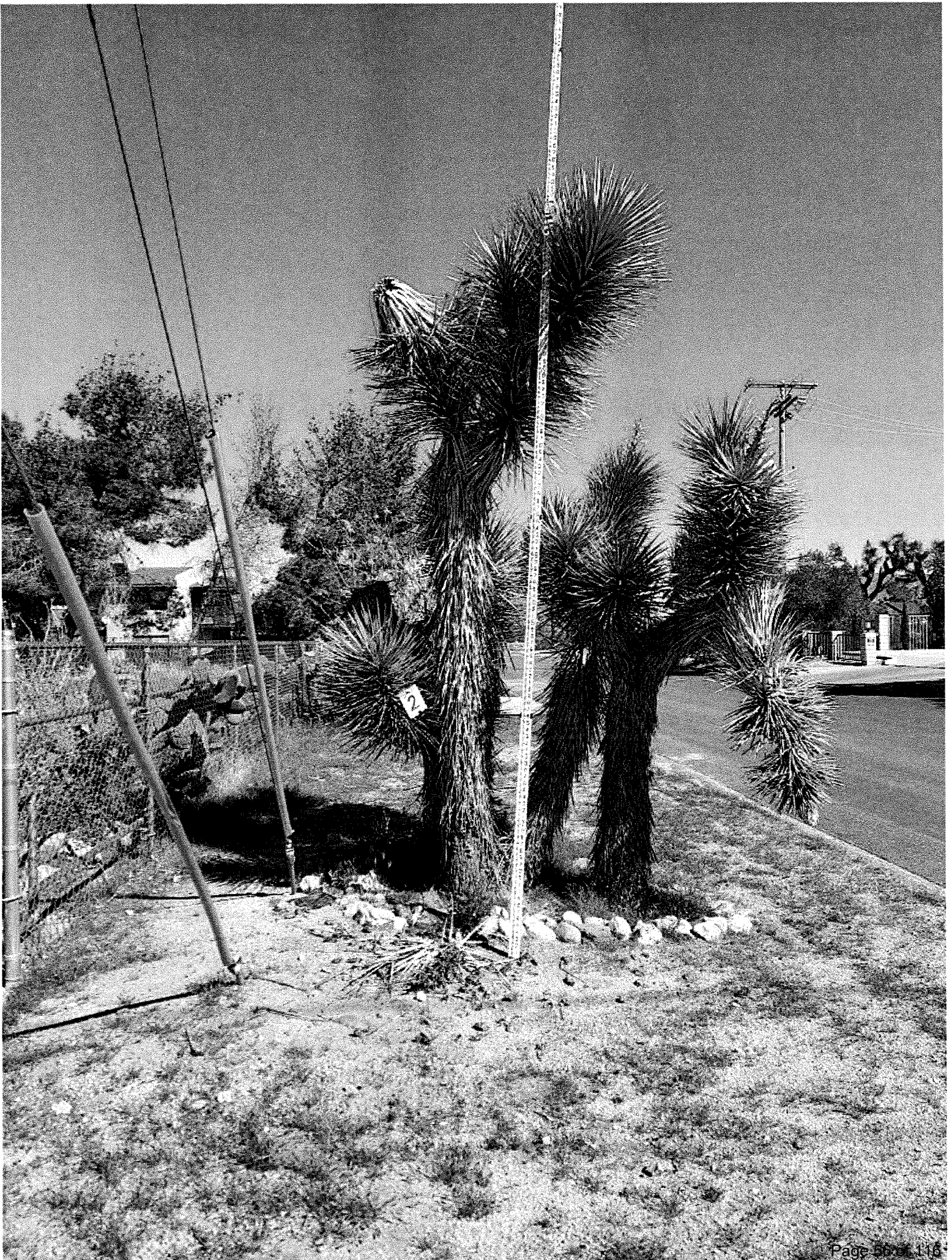
DATE: 2/10/2026
Drawn By:
LORI HUNT
(760) 694-3100

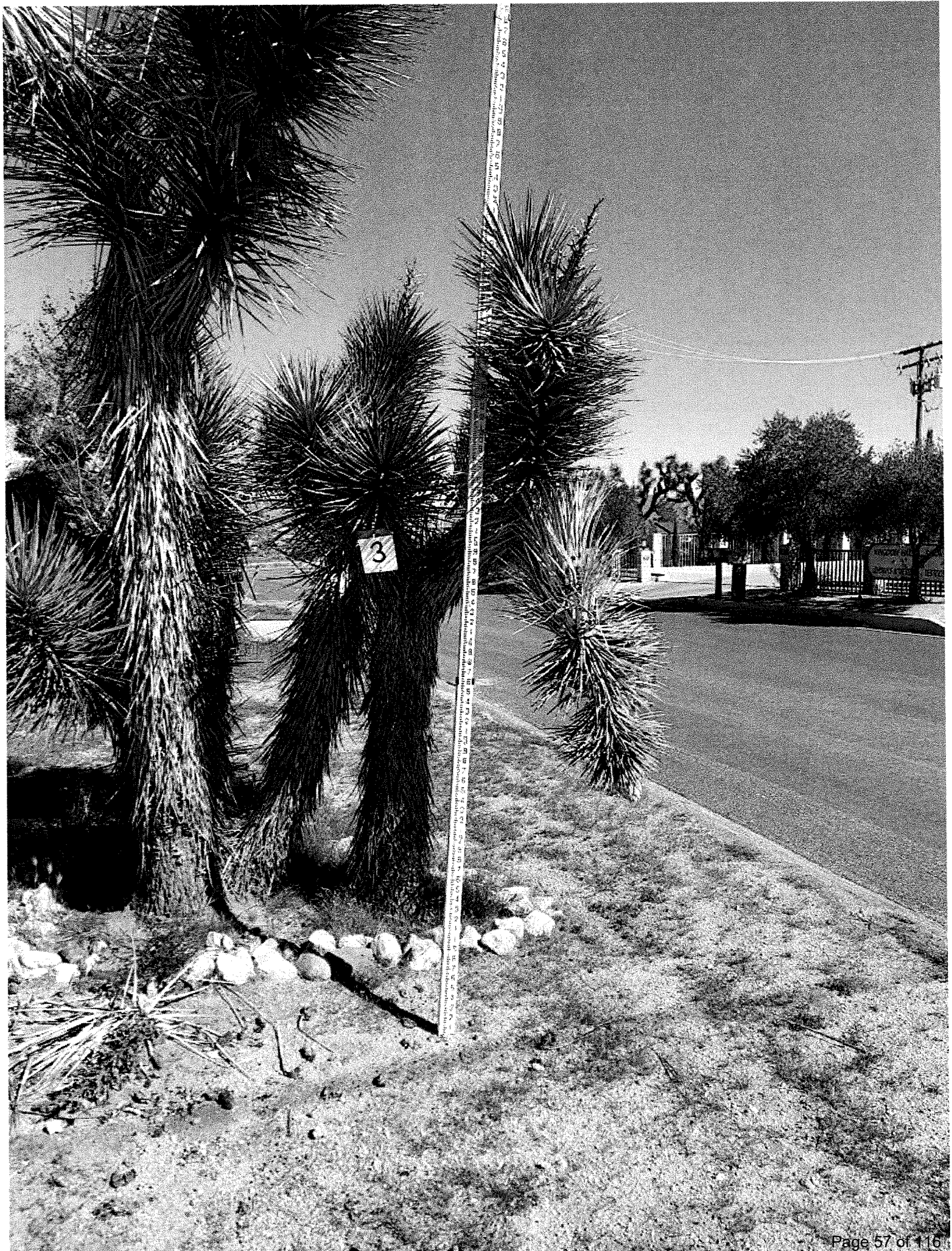
Revisions:

Western Joshua Tree Census Report Requirements**Census Table**

Tag Number	Tree Latitude	Tree Longitude	Size Class	Height	Flower, Fruit or None	Alive or Dead	Mature Tree?	Transplant, Destroy, Trim or Protect in Place	Distance (In Feet) Of Tree from Construction Zone
1	N 34° 01.1618	W 116° 24.5017	B	8'8"	none	alive	no	protect	40'
2	N 34° 01.1678	W 116° 24.5008	B	11'7"	none	alive	yes	protect	40'
3	N 34° 01.1670	W 116° 24.4997	B	8'4"	flower	alive	yes	protect	43'
4	N 34° 01.1625	W 116° 24.5078	C	16'4"+	none	alive	yes	protect	25'
5	N 34° 01.1605	W 116° 24.5084	B	3'5"	none	alive	no	protect	27'
6	N 34° 01.1603	W 116° 24.5079	B	4'4"	none	alive	no	protect	29'
7	N 34° 01.1612	W 116° 24.5071	B	1'	none	alive	yes	protect	27'
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**Town of Yucca Valley
Planning Commission Staff Report**



To: Planning Commission

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

Date: July 7, 2026

Meeting Date: July 14, 2026

Subject: Environmental Assessment (EA) 03-26, Development Code Amendment (DCA) 02-26: Permit Timelines and Extensions for Site Plan and Design Review (SPR) and Conditional Use Permits (CUP), Establishing that the Planning Commission may grant a maximum of two (2) time extensions not to exceed two (2) years per extension for Conditional Use Permit (CUP) and Site Plan and Design Review (SPR) Applications

Recommendation:

Environmental Assessment (EA) 03-26

That the Planning Commission finds the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) which states that if an activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA;

Development Code Amendment (DCA) 02-26

And recommends to the Town Council to adopt the Ordinance, amending Chapter 9.63 Conditional Use Permit, Section 9.63.110 Extension of Time, and Chapter 9.68 Site Plan and Design Review, Section 9.68.110 Extension of Time of Title 9 (Development Code) of the Town of Yucca Valley Municipal Code, establishing that the Planning Commission may grant a maximum of two (2) time extensions not to exceed two (2) years per extension for Conditional Use Permit (CUP) and Site Plan and Design Review (SPR) applications, for a total approval time period of seven (7) years.

Prior Review:

The Planning Commission discussed this subject at their meetings on April 28, 2020, July 28, 2020, and June 9, 2026. At the July 28, 2020, meeting, the Planning Commission unanimously voted 4-0 to forward a recommendation to the Town Council for direction on preparation of Development Code Amendments for Conditional Use Permit (CUP) and Site Plan Review (SPR) approval timelines and extension limits. At the June 9, 2026, meeting, the Planning Commission

unanimously voted 5-0 to schedule the Planning Commission Public Hearing for July 14, 2026, to consider the proposed Development Code Amendment.

The Town Council, at their meeting on April 6, 2021, unanimously voted 5-0 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 consideration.

Discussion:

Under the Town of Yucca Valley Development Code, Site Plan and Design Review (SPR) and Conditional Use Permits (CUP) are granted an initial three (3) year approval. Extensions of time may be granted by the Planning Commission, each for a term not exceeding three (3) years. The proposed Development Code Amendment seeks to establish a maximum of two (2) time extensions that may be granted for an SPR or CUP and establish a maximum of two (2) years for each extension, for a total approval time period of seven (7) years.

The proposed language is as follows:

Chapter 9.63 Conditional Use Permit

9.63.110: Extension of Time:

The commission may grant a maximum of two (2) time extensions not to exceed two (2) years per extension, provided that the project is consistent with the general plan, development code, master plans, specific plans, other town ordinances, and that the findings for approval of a conditional use permit in compliance with section 9.63.080, "Required Findings", of this chapter, can be made. Based upon this review, additional conditions of approval may be imposed upon the project by the review authority when the extension of time is approved. Applications shall be made on a form to be provided by the planning division.

Chapter 9.68 Site Plan and Design Review

9.68.110: Extension of Time:

The commission may grant a maximum of two (2) time extensions not to exceed two (2) years per extension, provided that the project is consistent with the general plan, development code, master plans, specific plans, other town ordinances, and that the findings for approval of a conditional use permit in compliance with section 9.68.080, "Required Findings", of this chapter, can be made. Based upon this review, additional conditions of approval may be imposed upon the project by the review authority when the extension of time is approved. Applications shall be made on a form to be provided by the planning division.

Alternatives

None.

Fiscal Impact:

None.

Attachments

1. NOH DCA 02-26 Permit Timelines - PC 7-14-2026 - Hi-Desert Star Published July 1, 2026 - Copy of NOH
2. Draft Ordinance - DCA 02-26 - Permit Timelines
3. Chapter 9.63 Conditional Use Permit
4. Chapter 9.68 Site Plan and Design Review
5. 4 6 2021 TC Minutes
6. 6 9 2026 PC Minutes

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AIR

NOTICE OF PUBLIC HEARING
YUCCA VALLEY PLANNING COMMISSION
TUESDAY, JULY 14, 2026
BEGINNING AT 6:00 P.M.
YUCCA VALLEY COMMUNITY CENTER
57090 TWENTYNINE PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE YUCCA VALLEY PLANNING COMMISSION TO CONSIDER THE FOLLOWING DESCRIBED APPLICATION:

CASE NUMBER: DCA 02-26: Permit Extensions and Timelines for Conditional Use Permit (CUP) and Site Plan and Design Review (SPR) Applications

APPLICANT: Town of Yucca Valley
57090 Twentynine Palms Highway
Yucca Valley, CA 92284

NO
or
any
as of
CA
AIR

PROPOSAL: The Planning Commission will hold a public hearing on Development Code Amendment, DCA 02-26, amending Chapter 9.63 Conditional Use Permit, Section 9.63.110 Extension of Time, and Chapter 9.68 Site Plan and Design Review, Section 9.68.110 Extension of Time of Title 9 (Development Code) of the Town of Yucca Valley Municipal Code, establishing that the Planning Commission may grant a maximum of two (2) time extensions not to exceed two (2) years per extension for Conditional Use Permit (CUP) and Site Plan and Design Review (SPR) applications.

LOCATION: Town-Wide

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BIL-

ENVIRONMENTAL DETERMINATION: The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15061(b)(3) since there is no possibility of a significant impact on the environment caused by this amendment.

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Any person affected by the proposal may appear and be heard in support of or opposition to the proposal at the time of the hearing. The environmental findings, along with the proposed amendment, are available and may be reviewed at the Town of Yucca Valley Planning Division, 58928 Business Center Drive, Yucca Valley, CA 92284 from 7:30 a.m. to 5:30 p.m., Monday through Thursday or obtain information at (760)369-6579.

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The Planning Commission in its deliberation could recommend approval of the amendment, recommend denial of the amendment, or recommend approval of the amendment in an alternative form. If you challenge the amendment in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Town Planning Division at, or prior to the Public Hearing.

6/29/2026

/s/ Brooke Dudra, Town Clerk

Pub. S.: 07/01/2026

ORDINANCE NO. XX-XX

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING CHAPTER 9.63 CONDITIONAL USE PERMIT, SECTION 9.63.110 EXTENSION OF TIME, AND CHAPTER 9.68 SITE PLAN AND DESIGN REVIEW, SECTION 9.68.110 EXTENSION OF TIME OF TITLE 9 (DEVELOPMENT CODE) OF THE TOWN OF YUCCA VALLEY MUNICIPAL CODE, ESTABLISHING THAT THE PLANNING COMMISSION MAY GRANT A MAXIMUM OF TWO (2) TIME EXTENSIONS NOT TO EXCEED TWO (2) YEARS PER EXTENSION FOR CONDITIONAL USE PERMIT (CUP) AND SITE PLAN AND DESIGN REVIEW (SPR) APPLICATIONS.

WHEREAS, the Planning Commission identified several projects that have been granted for extensions covering more than ten years since the original approvals, and the projects were not moving forward towards construction; and

WHEREAS, the Planning Commission, at their July 28, 2020, meeting, unanimously voted 4-0 to forward a recommendation to the Town Council for direction on preparation of Development Code Amendments for Conditional Use Permit (CUP) and Site Plan Review (SPR) approval timelines and extension limit at their meeting of July 28, 2020; and

WHEREAS, the Town Council, at their April 6, 2021, meeting, unanimously voted 5-0 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 consideration; and

WHEREAS, the Planning Commission, at their June 9, 2026, meeting, unanimously voted 5-0 to schedule the Planning Commission Public Hearing for July 14, 2026, to consider the proposed Development Code Amendment; and

WHEREAS, required public hearings were held before the Town of Yucca Valley Planning Commission and Town Council of the Town of Yucca Valley, California pursuant to the Planning and Zoning Law of the State of California and the Yucca Valley Development Code.

The Town Council of the Town of Yucca Valley, California, does ordain as follows:

SECTION 1: The Town of Yucca Valley adopts the Ordinance, amending Chapter 9.63 Conditional Use Permit, Section 9.63.110 Extension of Time, and Chapter 9.68 Site Plan and Design Review, Section 9.68.110 Extension of Time of Title 9 (Development Code) of the Town of Yucca Valley Municipal Code, as follows:

9.63.110: EXTENSION OF TIME:

The Planning Commission may grant a maximum of two (2) time extensions not to exceed two (2) years per extension, provided that the project is consistent with the general plan, development code, master plans, specific plans, other town ordinances, and that the findings for approval of a conditional use permit in compliance with section 9.63.080, "Required Findings", of this chapter, can be made. Based upon this review, additional conditions of approval may be imposed upon the project by the review authority when the extension of time is approved. Applications shall be made on a form provided by the planning division.

9.68.110: EXTENSION OF TIME:

The Planning Commission may grant a maximum of two (2) time extensions not to exceed two (2) years per extension, provided that the project is consistent with the general plan, development code, master plans, specific plans, other town ordinances, and that the findings for approval of a conditional use permit in compliance with section 9.68.080, "Required Findings", of this chapter, can be made. Based upon this review, additional conditions of approval may be imposed upon the project by the review authority when the extension of time is approved. Applications shall be made on a form provided by the planning division.

SECTION 2: CEQA. The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15061(b)(3) since there is no possibility of a significant impact on the environment caused by this amendment.

SECTION 3: NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section 36933 of the Government Code.

SECTION 4: EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after the date of its adoption.

APPROVED AND ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this _____ day of July, 2026.

SECTION 5: PUBLICATION

The Town Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the Town in accordance with Government Code Section 36933(a) or, to cause this Ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 39633(c).

SECTION 6. CERTIFICATION

The foregoing Ordinance was approved and adopted at a meeting of the Town Council held on the _____ day of July, 2026, by the following vote:

Ayes:
Noes:
Absents:
Abstains:

Merl Abel, Mayor

ATTEST:

Brooke Dudra, Town Clerk

Town Attorney

Town Manager

DRAFT

CHAPTER 9.63

CONDITIONAL USE PERMIT

SECTION:

9.63.010: Purpose And General Plan Consistency

9.63.020: Applicability

9.63.030: Authority

9.63.040: Application Submittal Requirements

9.63.050: Application Fee

9.63.060: Investigation And Report

9.63.070: Action By Review Authority

9.63.080: Required Findings

9.63.090: Minor Modifications Of Previously Approved Conditional Use Permit

9.63.100: Lapse Of Permits/Permit Expiration

9.63.110: Extension Of Time

9.63.120: CUP Amendment

9.63.130: CUP Revocation

9.63.140: Development Of Property Before Final Decision

9.63.150: Alteration To Nonconforming Use

9.63.160: Surface Mining And Reclamation

9.63.010: PURPOSE AND GENERAL PLAN CONSISTENCY:

The conditional use permit review procedure allows the town to evaluate proposed development and determine its consistency with the general plan, the development code and applicable town ordinances. The conditional use permit review procedure is intended to protect and enhance the visual appeal, environment, economic stability and property values of the town's residential, commercial, and industrial areas through the application of the provisions of this code and the general plan. Review of such uses is necessary and specific conditions of approval may be necessary to ensure that the uses are developed, operated, and located properly with respect to their effects on surrounding properties and so that any and all potentially adverse impacts are mitigated, and to ensure the general health, safety and welfare of the community through implementation of the general plan through this chapter. (Ord. 243, 10-15-2013)

9.63.020: APPLICABILITY:

A. All new construction which is listed in the use classification charts for the underlying land use districts that require a Conditional Use Permit Review.

B. Expansions which exceed the thresholds of Table 4.2 and are permitted subject to a Conditional Use Permit Review as specified in the use classification charts for the underlying land use district shall require a Conditional Use Permit.

TABLE 4.2

CONDITIONAL USE PERMIT EXPANSION THRESHOLDS

Square Footage Of Existing Building	Maximum Square Footage	Maximum Percentage
up to 5,000	1250 sq ft	50%
5,001 - 10,000	2000 sq ft	50%
10,001 +	2500 sq ft	50%

C. Change in use of an existing structure

D. Projects which fall within the thresholds of the Conditional Use Permit shall comply with the General Plan, the Development Code and applicable Town Ordinances and regulations, including but not limited to:

1. Half (1/2) width street improvements (curb, gutter, sidewalk, streetlights, median islands and pavement) on all streets fronting the project, pursuant to the Yucca Valley General Plan Circulation Element. For projects that are a change in use of an existing structure, half-width street improvements are only required when total vehicle trips are estimated to increase a minimum of 200 vehicle trips per day compared to the trip generation from prior site use.

2. Onsite water retention of incremental increase.

3. Dedication of easements for drainage facilities, streets, trails, avigation easements as required by this code and any adopted plans.

4. Improvements to drainage facilities except as defined by the parameters of the Council policies regarding drainage facilities.

5. Assessment Districts formation (including Landscape and Lighting, Street and Drainage, Community Facility District, and Public Safety).

6. Utility Undergrounding, pursuant to adopted standards.

7. Landscaping and Landscaping Plan regulations (greater than 500 square feet of landscape area requires approval by Hi Desert Water District).

8. Commercial Design Guidelines.

9. Outdoor Lighting regulations.

10. Parking and screening requirements.

11. Sign regulations.

12. All other Development Code regulations.

13. California Environmental Quality Act (CEQA) and any required mitigation measures.

E. Expansions which fall within the thresholds specified in Table 4.2 shall be processed as a Land Use Compliance Review, pursuant to Chapter 9.66 . (Ord. 243, 10-15-2013; Ord. 311, 2-20-2024)

9.63.030: AUTHORITY:

A. Level Of Review:

TABLE 4.3

CONDITIONAL USE PERMIT

LEVEL OF REVIEW

Applicability	Level Of Review	Notice Requirements
New structures, including accessory structures and uses	Commission	Public hearing
Expansion of an existing structure in conformance with section 9.63.020, table 4.2 of this chapter	Director	None
Expansion of an existing structure which exceeds the thresholds in 9.63.020, table 4.2 of this chapter	Commission	Public hearing
Conversion of an existing structure (i.e., change in use)	Commission	Public hearing
Construction or conversion of a structure(s) to allow a mixed use development	Commission	Public hearing

Where the review for a conditional use permit is not specified, the director shall determine the appropriate review authority.

B. Referral To Next Higher Review Authority: The commission may refer an application for a conditional use permit to the council based upon the following criteria:

1. Impact upon public services and facilities greater than typical for the type of project proposed;
2. Impact upon surrounding properties greater than typical for the type of project proposed;
3. Floor or site square footage greater than typically found in the type of project;
4. Intensity of use greater than typically found in the type of projects;
5. Operating characteristics not typical of the type of project proposed;
6. Other factors including, but not limited to, public opposition to development of the project;
7. The need for council interpretation of the general plan and/or development code as related to the project.

C. General Authority: The commission is authorized to approve, approve with conditions, or deny applications for conditional use permits in compliance with the procedures established in this section. In approving an application for a conditional use permit, the commission may impose conditions to ensure compliance with this code. Conditions may include, but shall not be limited to:

1. Requirements for special structure setbacks;
2. Open spaces;
3. Buffers;
4. Fences;
5. Walls and screening;
6. Requirements for the installation and maintenance of landscaping and erosion control measures;
7. Control of street improvements, other public infrastructure and related dedications;
8. Control of vehicular ingress and egress;
9. Control of traffic circulation;
10. Control of signs;
11. Control of hours of operation;
12. Control of potential nuisances;
13. Establishing standards for maintenance of buildings and grounds;
14. Establishing development schedules and development standards;
15. Control of periodic review;
16. Control of architectural and/or building design;
17. Any other conditions as may be deemed necessary to ensure the compatibility with surrounding uses, to preserve the public health, safety and welfare, and to enable the commission to make the findings required by section 9.63.080, "Required Findings", of this chapter.

D. Performance Guarantee: In order to ensure implementation of conditions attached to a conditional use permit, the applicant may be required to furnish a surety in a form of an instrument of credit, money or surety bond in the amount fixed by the authority granting or modifying the conditional use permit.

E. Providing Required Improvements: Whenever a conditional use permit is approved or modified subject to the condition that specified public improvements shall be installed by the applicant to meet town standards and be accepted by the town, the applicant may be required to execute an agreement approved by the town to make such improvements prior to the time/construction events specified in the conditional use permit.

F. Conditions Declared Void: Whenever any final judgment of a court of competent jurisdiction declares one or more of the conditions of a conditional use permit to be unconstitutional or invalid, such decision shall not affect the validity of the approval as a whole, or any portion thereof other than the section so declared.

G. Violation Of Condition: Whenever a conditional use permit is approved or modified by the commission subject to a condition(s), noncompliance with such condition(s) shall constitute a violation of this code. Conditions which are not observed or which are violated may be enforced as provided in chapter 9.82, "Enforcement And Violations", of this title, or said conditional use permit may be revoked or modified under chapters 9.83, "Permit Amendments", and 9.84, "Permit Revocations", of this title. (Ord. 243, 10-15-2013)

9.63.040: APPLICATION SUBMITTAL REQUIREMENTS:

Applications for conditional use permits shall be filed on a form prescribed by the planning division and shall contain such information and reports as may be required by the application submittal package or by other applicable ordinances or by the town in order for the commission to make the required findings. (Ord. 243, 10-15-2013)

9.63.050: APPLICATION FEE:

The application shall be accompanied by a fee established by resolution of the council to cover the cost of handling and processing the application as prescribed in this chapter. (Ord. 243, 10-15-2013)

9.63.060: INVESTIGATION AND REPORT:

The director shall cause an analysis of each application for a conditional use permit to be made. The level of detail of the analysis shall be appropriate to the type of project proposed and the needs of the commission. The analysis shall examine the application's consistency with the content, intent and purpose of the general plan, the development code, and any other applicable town standards or policies. To ensure effective implementation of general plan policies and the provisions of this code, applications may be reviewed by the development review committee prior to consideration by the commission. As a result of the analysis, the director shall cause a report to be completed which shall include a listing of proposed conditions necessary to guarantee the public health, safety and welfare, should the proposed project be approved. (Ord. 243, 10-15-2013)

9.63.070: ACTION BY REVIEW AUTHORITY:

A. Commission Action: Pursuant to section 9.63.030, "Authority", of this chapter, the commission shall review each application for a conditional use permit. The applicant shall be provided with a copy of the director's report regarding the application prior to the commission's consideration. The commission shall approve, deny, or conditionally approve applications for a conditional use permit. Decisions by the commission shall be final unless appealed as provided in chapter 9.81, "Appeals", of this title. (Ord. 243, 10-15-2013)

9.63.080: REQUIRED FINDINGS:

Before approving a conditional use permit, the town and/or commission shall find that the circumstances established below apply:

- A. That the location, size, design, density and intensity of the proposed development is consistent with the general plan, the purpose of the land use district in which the site is located, and the development policies and standards of the town;
- B. That the location, size, design and architectural design features of the proposed structures and improvements are compatible with the site's natural landform, surrounding sites, structures and streetscapes;
- C. That the proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses;
- D. That the building site and architectural design is accomplished in an energy efficient manner;
- E. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible and consistent with the adjacent and neighboring structures;
- F. That the development proposal does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;
- G. That the amount, location, and design of open space and landscaping conforms to the requirements of this development code, enhances the visual appeal and is compatible with the design and functions of the structure(s), site and surrounding area;
- H. That quality in architectural design is maintained in order to enhance the visual desert environment of the town and to protect the economic value of existing structures;
- I. That there are existing public facilities, services, and utilities available at the appropriate levels and/or that new or expanded facilities, services and utilities shall be required to be installed at the appropriate time to serve the project as they are needed;
- J. That access to the site and circulation on and off site is required to be safe and convenient for pedestrians, bicyclists, equestrians and motorists;
- K. That traffic generated from the proposed project has been sufficiently addressed and mitigated and will not adversely impact the capacity and physical character of surrounding streets;
- L. That traffic improvements and/or mitigation measures have been applied or required in a manner adequate to maintain a level of service C or better on arterial roads, where applicable, and are consistent with the circulation element of the town general plan;
- M. That there will not be significant harmful effects upon environmental quality and natural resources including endangered, threatened, rare species, their habitat, including, but not limited to, plants, fish, insects, animals, birds or

reptiles;

N. That there are no other relevant or anticipated negative impacts of the proposed use that cannot be mitigated and reduced to a level of nonsignificance in conformance with CEQA, the California environmental quality act;

O. That the impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained will not be considered to be detrimental to the public health, safety and welfare of the community or be materially injurious to properties and/or improvements within the immediate vicinity or be contrary to the general plan; and

P. That the proposed development will comply with each of the applicable provisions of the development code and applicable town policies, except approved variances. (Ord. 243, 10-15-2013)

9.63.090: MINOR MODIFICATIONS OF PREVIOUSLY APPROVED CONDITIONAL USE PERMIT:

An approved conditional use permit may be modified upon the request of the property owner, or by the town. Minor modifications may be approved by the director if it is determined that the changes would not affect the findings prescribed in section 9.63.080, "Required Findings", of this chapter, and that the subject of the proposed changes were not items of public controversy during the review and approval of the original permit; including modifications to phasing schedules for the project. (Ord. 243, 10-15-2013)

9.63.100: LAPSE OF PERMITS/PERMIT EXPIRATION:

A. Expiration: A conditional use permit approval shall expire three (3) years from the date the permit is approved unless it is otherwise conditioned or unless prior to the expiration of the three (3) years the following have occurred:

1. A building permit is issued and substantial construction is diligently pursued toward completion of the project which was the subject of the conditional use permit application. After construction is commenced, if work is discontinued for a period of two (2) years, the conditional use permit shall require review and reauthorization by the commission; or

2. A certificate of occupancy is issued for the structure which was the subject of the conditional use permit application.

B. Phased Projects: Projects may be built in phases if so approved by the commission or director pursuant to section 9.63.090, "Minor Modifications Of Previously Approved Conditional Use Permit", of this chapter. (Ord. 243, 10-15-2013)

9.63.110: EXTENSION OF TIME:

The commission may grant a time extension not to exceed three (3) years. Applications shall be made on a form to be provided by the planning division. Prior to the granting of an extension, the planning division shall review the previously approved project to ensure it is consistent with all current provisions of the general plan, development code and other town ordinances and that the findings for approval of a conditional use permit in compliance with section 9.63.080, "Required Findings", of this chapter, can be made. Based upon this review, additional conditions of approval may be imposed upon the project by the review authority when the extension of time is approved.

The commission may grant additional extensions of time provided that the project is consistent with the general plan, development code, master plans and specific plans. (Ord. 243, 10-15-2013)

9.63.120: CUP AMENDMENT:

Refer to chapter 9.83, "Permit Amendments", of this title. (Ord. 243, 10-15-2013)

9.63.130: CUP REVOCATION:

Refer to chapter 9.84, "Permit Revocations", of this title. (Ord. 243, 10-15-2013)

9.63.140: DEVELOPMENT OF PROPERTY BEFORE FINAL DECISION:

A building permit shall not be issued for, and no person shall commence to use, any structure until that structure and its accompanying development has received a conditional use permit in compliance with the provisions of this chapter. In addition, no other permits shall be issued for any use or structure requiring a conditional use permit unless and until the conditional use permit has been approved. (Ord. 243, 10-15-2013)

9.63.150: ALTERATION TO NONCONFORMING USE:

A. Procedure And Authority:

1. Procedure: Administrative review.
2. Reviewing authority: Director.
3. The director shall review and act upon requests to alter nonconforming uses.

B. Existing Nonconforming Use: An existing nonconforming use may be altered to accommodate a new structure or accessory use, except where it is an existing nonconforming use of land with no structure thereon.

C. Findings: Before any modification in a nonconforming use may be granted, it shall be found that all of the following conditions shall exist in reference to the alteration being considered:

1. The remaining normal life of the existing nonconforming use shall be determined pursuant to provisions specified in this code prior to consideration of the proposed alteration if in a residential district.
2. The proposed alteration shall not prolong the normal life of the existing nonconforming use.
3. The alteration of the existing nonconforming use shall not be detrimental to nor prevent the attainment of objectives, policies, general land use and programs specified in the town general plan.
4. The granting of permission to alter the nonconforming use shall not be substantially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and district in which the use is located.
5. The alteration shall not change the primary use of the land nor increase the intensity of that use.
6. The existing nonconforming use shall comply with all other existing regulations.
7. Any alteration required by governmental or court action shall be exempt from these conditions. (Ord. 243, 10-15-2013)

9.63.160: SURFACE MINING AND RECLAMATION:

State law requires a public hearing review for the surface mining and reclamation process. The mining and land reclamation plan application combine a conditional use permit and reclamation plan into one application. (Ord. 243, 10-15-2013)

CHAPTER 9.68

SITE PLAN AND DESIGN REVIEW

SECTION:

9.68.010: Purpose And General Plan Consistency

9.68.020: Applicability

9.68.030: Authority

9.68.040: Application Submittal Requirements

9.68.050: Application Fee

9.68.060: Investigation And Report

9.68.070: Action By Review Authority

9.68.080: Required Findings

9.68.090: Minor Modification Of Previously Approved Site Plan And Design Review

9.68.100: Lapse Of Permits/Permit Expiration

9.68.110: Extension Of Time

9.68.120: Amendment

9.68.130: Revocation

9.68.140: Development Of Property Before Final Decision

9.68.010: PURPOSE AND GENERAL PLAN CONSISTENCY:

The site plan and design review procedure allows the town to evaluate proposed development and determine its consistency with the general plan, this development code and applicable town ordinances. The site plan and design review procedure is intended to protect and enhance the visual appeal, environment, economic stability and property values of the town's residential, commercial, and industrial areas through the application of the provisions of this code and the general plan. Review of such uses is necessary and specific conditions of approval may be necessary to ensure that the uses are developed, operated, and located properly with respect to their effects on surrounding properties and so that any and all potentially adverse impacts are mitigated, and to ensure the general health, safety and welfare of the community through implementation of the general plan through this chapter. (Ord. 243, 10-15-2013)

9.68.020: APPLICABILITY:

The provisions of this Article apply to:

A. All new construction which is listed in the use classification charts for the underlying land use districts that require a Site Plan and Design Review.

B. Expansions which exceed the thresholds of Table 4.5 and are permitted subject to a Site Plan and Design Review as specified in the use classification charts for the underlying land use district shall require a Site Plan and Design Review.

**TABLE 4.5
SITE PLAN AND DESIGN REVIEW
EXPANSION THRESHOLDS**

Square Footage Of Existing Building	Maximum Square Footage	Maximum Percentage
up to 5,000	1250 sq ft	50%
5,001 - 10,000	2000 sq ft	50%
10,001 +	2500 sq ft	50%

C. Change in use of an existing building

D. Projects which fall within the thresholds of the Site Plan and Design Review shall comply with the General Plan, the Development Code and applicable Town Ordinances and regulations, including but not limited to:

1. Half (1/2) width street improvements (curb, gutter, sidewalk, streetlights, median islands and pavement) on all streets fronting the project, pursuant to the Yucca Valley General Plan Circulation Element. For projects that are a change in use of an existing structure, half-width street improvements are only required when total vehicle trips are estimated to increase a minimum of 200 vehicle trips per day compared to the trip generation from prior site use.
2. Onsite water retention of the incremental increase
3. Dedication of easements for drainage facilities, streets, trails, avigation easements as required by this code and any adopted plans.
4. Improvements to drainage facilities except as defined by the parameters of the Council policies regarding drainage facilities.
5. Assessment Districts Formation (including Landscape and Lighting, Street and Drainage Community Facilities District and Public Safety)
6. Utility Undergrounding, pursuant to adopted standards
7. Landscaping and Landscaping Plan regulations (greater than 500 square feet of landscape area require approval by Hi Desert Water District)
8. Commercial Design Guidelines
9. Outdoor Lighting regulations
10. Parking and screening requirements
11. Sign regulations
12. All other Development Code regulations

E. Expansions which fall within the thresholds specified in Table 4.5 shall be processed as a Land Use Compliance Review, pursuant to Chapter 9.66 . (Ord. 243, 10-15-2013; Ord. 311, 2-20-2024)

9.68.030: AUTHORITY:

A. Level Of Review:

TABLE 4.6

SITE PLAN AND DESIGN REVIEW

LEVEL OF REVIEW

Applicability	Level Of Review	Notice Requirements
New structures, including accessory structures and uses	Commission	None
Expansion of an existing structure in conformance with section 9.68.020, table 4.5 of this chapter	Director	None
Expansion of an existing structure which exceeds the standards as established in section 9.68.020, table 4.5 of this chapter	Commission	None
Conversion of an existing structure (i.e., change in use)	Commission	None
Construction or conversion of a structure(s) to allow a mixed use development	Commission	None

Where the review for site plan and design review permits is not specified, the director shall determine the appropriate review authority.

B. Referral To Next Higher Review Authority: The commission may refer an application for a site plan and design review permit to the council based upon the following criteria:

1. Impact upon public services and facilities greater than typical for the type of project proposed;
2. Impact upon surrounding properties greater than typical for the type of project proposed;

3. Floor or site square footage greater than typically found in the type of project;
4. Intensity of use greater than typically found in the type of project;
5. Operating characteristics not typical of the type of project proposed;
6. Other factors including, but not limited to, public opposition to development of the project;
7. The need for commission and/or council interpretation of the general plan and/or development code as related to the project.

C. General Authority: The commission is authorized to approve, approve with conditions, or deny applications for site plan and design review permits in compliance with the procedures established in this section. In approving an application for a site plan and design review permit, the commission may impose conditions to ensure compliance with this code. Conditions may include, but shall not be limited to:

1. Requirements for special structure setbacks;
2. Open spaces;
3. Buffers;
4. Fences;
5. Walls and screening;
6. Requirements for the installation and maintenance of landscaping and erosion control measures;
7. Control of street improvements, other public infrastructure and related dedications;
8. Control of vehicular ingress and egress;
9. Control of traffic circulation;
10. Control of signs;
11. Control of hours of operation;
12. Control of potential nuisances;
13. Establishing standards for maintenance of buildings and grounds;
14. Establishment of development schedules and development standards;
15. Control of periodic review;
16. Control of architectural and/or building design;
17. Any other conditions as may be deemed necessary to ensure the compatibility with surrounding uses, to preserve the public health, safety and welfare, and to enable the commission to make the findings required by section 9.68.080, "Required Findings", of this chapter.

D. Performance Guarantee: In order to ensure implementation of conditions attached to a site plan and design review, the applicant may be required to furnish a surety in a form of an instrument of credit, money or surety bond in the amount fixed by the authority granting or modifying the site plan and design review permit.

E. Providing Required Improvements: Whenever a site plan and design review is approved or modified subject to the condition that specified public improvements shall be installed by the applicant to meet town standards and be accepted by the town, the applicant may be required to execute an agreement approved by the town to make such improvements prior to the time/construction events specified in the site plan and design review permit.

F. Conditions Declared Void: Whenever any final judgment of a court of competent jurisdiction declares one or more of the conditions of a site plan and design review to be unconstitutional or invalid, such decision shall not affect the validity of the approval as a whole, or any portion thereof other than the section so declared.

G. Violation Of Condition: Whenever a site plan and design review permit is approved or modified by the commission subject to a condition(s), noncompliance with such conditions shall constitute a violation of this code. Conditions which are not observed or which are violated may be enforced as provided in chapter 9.82 of this title or said site plan and design review permit may be revoked or modified under chapters 9.83, "Permit Amendments", and 9.84, "Permit Revocations", of this title. (Ord. 243, 10-15-2013)

9.68.040: APPLICATION SUBMITTAL REQUIREMENTS:

Applications for site plan and design review permits shall be filed on a form prescribed by the planning division and shall contain such information and reports as may be required by the application submittal package or by other applicable ordinances or by the town in order for the commission to make the required findings. (Ord. 243, 10-15-2013)

9.68.050: APPLICATION FEE:

The application shall be accompanied by a fee established by resolution of the council to cover the cost of handling and processing the application as prescribed in this chapter. (Ord. 243, 10-15-2013)

9.68.060: INVESTIGATION AND REPORT:

The director shall cause an analysis of each application for a site plan and design review to be made. The level of detail of the analysis shall be appropriate to the type of project proposed and the needs of the commission. The analysis shall examine the application's consistency with the content, intent and purpose of the general plan, this development code, and any other applicable town standards or policies. To ensure effective implementation of general plan policies and the provisions of this code, applications may be reviewed by the development review committee prior to consideration by the commission. As a result of the analysis, the director shall cause a report to be completed which shall include a listing of proposed conditions necessary to guarantee the public health, safety and welfare, should the proposed project be approved. (Ord. 243, 10-15-2013)

9.68.070: ACTION BY REVIEW AUTHORITY:

A. Commission Action: Pursuant to section 9.68.030, "Authority", of this chapter, the commission shall review each application for a site plan and design review. The applicant shall be provided with a copy of the planning division's report regarding the application prior to the commission's consideration. The commission shall approve, deny, or conditionally approve applications for site plan and design review. Decisions by the commission shall be final unless appealed as provided in chapter 9.81, "Appeals", of this title. (Ord. 243, 10-15-2013)

9.68.080: REQUIRED FINDINGS:

Before approving a site plan and design review permit, the commission shall find that the circumstances established below apply:

- A. That the location, size, design, density and intensity of the proposed development is consistent with the general plan, the purpose of the land use district in which the site is located, and the development policies and standards of the town;
- B. That the location, size, design and architectural design features of the proposed structures and improvements are compatible with the site's natural landform, surrounding sites, structures and streetscapes;
- C. That the proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses;
- D. That the building site and architectural design is accomplished in an energy efficient manner;
- E. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures;
- F. That the development proposal does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;
- G. That the amount, location, and design of open space and landscaping conforms to the requirements of this development code, enhances the visual appeal and is compatible with the design and functions of the structure(s), site and surrounding area;
- H. That quality in architectural design is maintained in order to enhance the visual environment of the town and to protect the economic value of existing structures;
- I. That there are existing public facilities, services, and utilities available at the appropriate levels and/or that new or expanded facilities, services and utilities shall be required to be installed at the appropriate time to serve the project as they are needed;
- J. That access to the site and circulation on and off site is required to be safe and convenient for pedestrians, bicyclists, equestrians and motorists;
- K. That traffic generated from the proposed project has been sufficiently addressed and mitigated and will not adversely impact the capacity and physical character of surrounding streets;
- L. That traffic improvements and/or mitigation measures have been applied or required in a manner adequate to maintain a level of service C or better on arterial roads, where applicable, and are consistent with the circulation element of the town general plan;
- M. That there will not be significant harmful effects upon environmental quality and natural resources including endangered, threatened, rare species, their habitat, including, but not limited to, plants, fish, insects, animals, birds or reptiles;
- N. That there are no other relevant or anticipated negative impacts of the proposed use that cannot be mitigated and reduced to a level of nonsignificance in conformance with CEQA, the California environmental quality act;
- O. That the impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained

will not be detrimental to the public health, safety and welfare of the community or be materially injurious to properties or improvements in the vicinity or be contrary to the adopted general plan;

P. That the proposed development will comply with each of the applicable provisions of this code, and applicable town policies; except approved variances. (Ord. 243, 10-15-2013)

9.68.090: MINOR MODIFICATION OF PREVIOUSLY APPROVED SITE PLAN AND DESIGN REVIEW:

An approved site plan and design review permit may be modified upon the request of the property owner, or by the town. Minor modifications may be approved by the director if it is determined that the changes would not affect the findings prescribed in section 9.68.080, "Required Findings", of this chapter, and that the subject of the proposed changes were not items of public controversy during the review and approval of the original permit; including modifications to phasing schedules for the project. (Ord. 243, 10-15-2013)

9.68.100: LAPSE OF PERMITS/PERMIT EXPIRATION:

A. Expiration: A site plan and design review permit approval shall expire three (3) years from the date the permit is approved unless it is otherwise conditioned or unless prior to the expiration of the three (3) years the following have occurred:

1. A building permit is issued and substantial construction is diligently pursued toward completion of the project which was the subject of the site plan and design review permit application. After construction is commenced, if work is discontinued for a period of two (2) years, the site plan and design review permit requires review and reauthorization by the commission; or

2. A certificate of occupancy is issued for the structure which was the subject of the site plan and design review permit application.

B. Phased Projects: Projects may be built in phases if so approved by the commission or director pursuant to section 9.68.090, "Minor Modification Of Previously Approved Site Plan And Design Review", of this chapter. (Ord. 243, 10-15-2013)

9.68.110: EXTENSION OF TIME:

The commission may grant extensions not to exceed three (3) years. Applications shall be made on a form to be provided by the planning division. Prior to the granting of an extension, the planning division shall review the previously approved project to ensure it is consistent with all current general plan, development code and other town ordinances and that the findings for approval of a site plan and design review permit in compliance with section 9.68.080, "Required Findings", of this chapter, can be made. Based upon this review, additional conditions of approval may be imposed upon the project by the review authority when the extension of time is approved.

The commission may grant additional extensions of time provided that the project is consistent with the general plan, development code, master plans and specific plans. (Ord. 243, 10-15-2013)

9.68.120: AMENDMENT:

Refer to chapter 9.83, "Permit Amendments", of this title. (Ord. 243, 10-15-2013)

9.68.130: REVOCATION:

Refer to chapter 9.84, "Permit Revocations", of this title. (Ord. 243, 10-15-2013)

9.68.140: DEVELOPMENT OF PROPERTY BEFORE FINAL DECISION:

A building permit shall not be issued for, and no person shall commence to use, any structure until that structure and its accompanying development has received a site plan and design review in compliance with the provisions of this chapter. In addition, no other permits shall be issued for any use or structure requiring a site plan and design review unless and until the site plan and design review has been approved. (Ord. 243, 10-15-2013)

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Rick Denison, Council Member
SECONDER: Jim Schooler, Mayor Pro Tem
AYES: Merl Abel, Jim Schooler, Rick Denison, Jeff Drozd
EXCUSED: Robert Lombardo

10. Old Town Public Improvements, Concept Plan Preparation, RHA Landscape Architects Planners, Inc., Riverside California

Deputy Town Manager Stueckle presented the staff report.

Mayor Abel opened for public comment. With no members of the public wishing to speak, Mayor Abel closed public comment.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Rick Denison, Council Member
SECONDER: Jim Schooler, Mayor Pro Tem
AYES: Merl Abel, Jim Schooler, Rick Denison, Jeff Drozd
EXCUSED: Robert Lombardo

11. Planning Commission Recommendation, Conditional Use Permit/Site Plan Review Timelines, Direction to Planning Commission and Staff

Deputy Town Manager Stueckle presented the staff report.

Mayor Abel opened for public comment. With no members of the public wishing to speak, Mayor Abel closed public comment.

Deputy Town Manager Stueckle answered questions from Mayor Abel regarding fees, staff time used on extensions, percentage of CUP's that have moved forward as final projects and the effectiveness of limitations.

MOTION:

Town Council directs the Planning Commission and staff to initiate a Development Code Amendment for maximum approval time periods for Conditional Use Permits and Site Plan Reviews, and to forward a recommendation to the Town Council for the amendment.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Merl Abel, Mayor
SECONDER: Rick Denison, Council Member
AYES: Merl Abel, Jim Schooler, Rick Denison, Jeff Drozd
EXCUSED: Robert Lombardo

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 ti-- 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?

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



To: Planning Commission

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

Date: June 17, 2026

Meeting Date: July 14, 2026

Subject: Development Code Interpretation (DCI) 03-26 — Determination of Similar and Compatible Use - Water and Ice Dispensing Station

Recommendation:

That the Planning Commission reviews Development Code Interpretation (DCI) 03-26 for determination of similar and compatible use and finds that the proposed water and ice dispensing station is not similar and compatible to an ATM or EV Charging Station based upon the information contained in the staff report, and adopts Resolution No. PC 26-05.

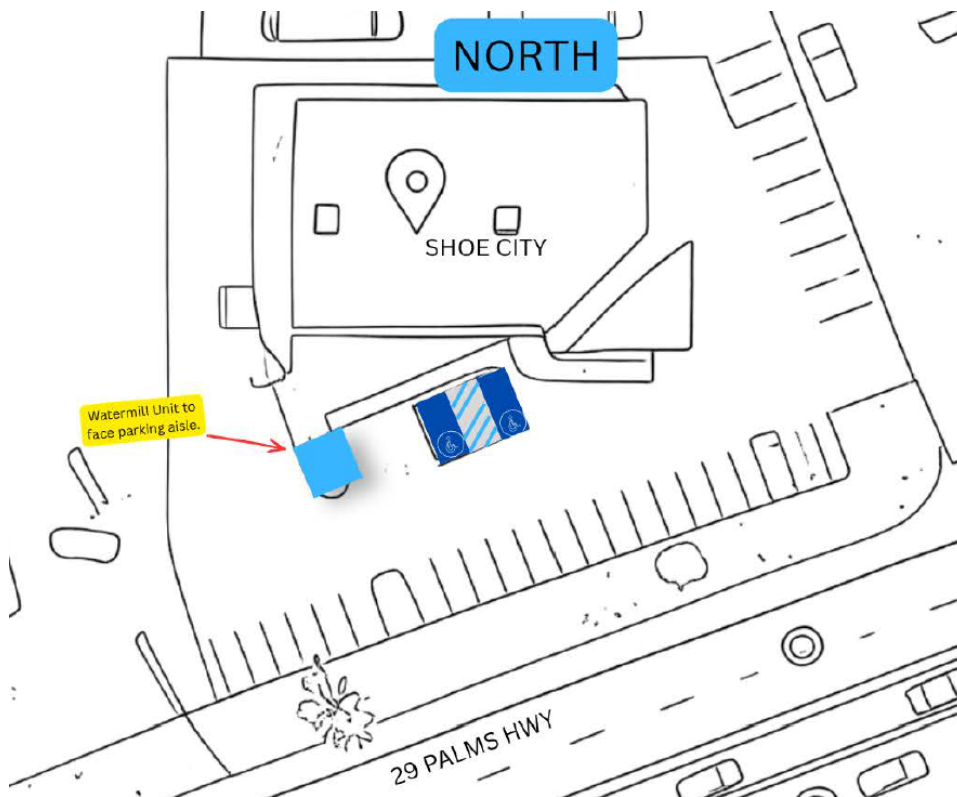
Prior Review:

There has been no prior Planning Commission review of this matter.

Discussion:

On May 14, 2026, the Town received a Development Code Interpretation (DCI) application requesting a determination pursuant to the required findings within Section 9.06.030(A)(3) regarding whether a proposed self-service water and ice dispensing station constitutes a similar and compatible use within the Mixed Use Commercial (C-MU) Zoning District to a listed use, such as an ATM or EV charging station, which are both permitted by-right and do not require a land use permit such as a Site Plan Review, Conditional Use Permit, or Land Use Compliance Review. EV charging stations are subject to a separate set of State laws that do not allow the Town to deny the permit.

The proposed project consists of a pre-manufactured, stand-alone, unmanned water and ice dispensing facility to be installed on a dedicated 15-foot by 15-foot (225 square feet) concrete pad south of the existing Shoe City building at 57258 Twentynine Palms Highway. If the required findings are met that a proposed, but unlisted, use is similar and compatible to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this development code apply.





The proposed use is not specifically listed within Chapter 9.09, Section 9.09.020, Table 2-15, Permitted Land Uses and Permit Requirements for Commercial Zoning Districts as an allowed use. As an accessory use or structure, the Town of Yucca Valley Development Code's allowances and standards for self-service water and ice dispensers are provided within Section 9.14.090 Commercial Sidewalk Displays. The proposed self-service water and ice dispenser does not meet the dimension and location criteria for a permit as a commercial sidewalk display under that section, it does not meet the intent of the section, as it is a standalone building, and it does not meet the criteria for an exemption under that section, as it is proposed to obstruct a parking area or landscape area as identified above and described within the materials provided by the applicant.

Furthermore, the Development Code's allowance of ATMs and EV charging stations is not intended to allow stand-alone retail kiosks intermittently located along the Town's primary commercial corridor that do not serve the Town Council's goal of improving the appearance of SR-62.

Applicant responses and staff responses to the required findings under Section 9.06.030(A)(3) are addressed below.

Required Findings:

(1) The characteristics of, and activities associated with the use are similar to one or more of the listed uses, and will not involve a greater intensity than the uses listed in the district;

Applicant Response:

The proposed Watermill Express water vending station is substantially similar in character and operation to other self-service and automated uses commonly permitted within commercial zoning districts, including Automated Teller Machines (ATMs), vending kiosks, and Electric Vehicle (EV) charging stations. Similar to these uses, the facility operates without on-site employees, serves customers on a short-term basis, occupies a limited physical footprint, and relies on existing parking, circulation, and site infrastructure.

Customer visits are brief in duration and involve a simple transaction before departing the site. The proposed use does not generate greater traffic, noise, parking demand, or operational impacts than comparable self-service uses already permitted within the district. As a result, the use is similar in character and intensity to existing listed uses and does not represent a greater intensity of land use.

Staff Response:

Staff finds that this finding cannot be made. The physical characteristics of the proposed use are not consistent with the uses proposed as similar and compatible (Automated Teller Machines (ATMs), vending kiosks, and Electric Vehicle (EV) charging stations). An ATM operates in conjunction with a financial institution or commercial business that is planned to accommodate those drive-through or walk-up ATM services. An EV charging station is subject to a separate set of State laws that limit the jurisdiction's discretion and are not comparable to the proposed use. Vending kiosks operated consistent with the Town's regulations for Commercial Sidewalk Displays may be allowed through the standards provided in the Town's Development Code, but the proposed use does not meet those criteria. The automated operational characteristics of the proposed use are not sufficient to establish similar and compatible use.

(2) The use will be consistent with the purposes of the applicable zoning district;**Applicant Response:**

The proposed water vending station supports the purpose of the commercial zoning district by providing a convenient retail service to residents and visitors while utilizing an existing developed commercial site. The facility contributes to the availability of goods and services without requiring additional staffing, building area, or significant site modifications.

The use complements existing commercial development and provides accessible clean drinking water & ice in a manner that is consistent with the district's intent to accommodate commercial activities serving the community.

Staff Response:

Staff finds that this finding cannot be made. While the proposed use provides a commercial service, the Town's Development Code specifically regulates self-service water and ice dispensers under the Commercial Sidewalk Displays provisions rather than as a principal commercial use. Interpreting the proposed stand-alone structure as a similar and compatible use to an ATM or EV charging station would be inconsistent with the allowed uses of the underlying C-MU zoning district and would circumvent the standards established by the

Development Code for Commercial Sidewalk Displays.

(3) The use will be consistent with the general plan, and any applicable specific plan;

Applicant Response:

The proposed project is consistent with the General Plan's goals of supporting commercial services, encouraging efficient use of developed properties, and providing convenient amenities for residents and visitors. The facility is proposed within an existing commercial setting and utilizes previously developed land and infrastructure.

Staff Response:

Staff finds that this finding cannot be made. The proposed use does not further the General Plan's vision for integrated commercial, residential, office, and recreational development that facilitates pedestrian access and walkability within mixed-use activity centers. The proposed stand-alone automated facility is not complementary to adjacent commercial land uses and development types and is designed to be architecturally and functionally independent of surrounding development, including the business located on the same parcel.

(4) The use will be compatible with the other uses allowed in the zoning district.

Applicant Response:

The proposed Watermill Express station is compatible with surrounding commercial uses because it functions as a low-intensity, customer-oriented service that integrates into existing commercial centers. The facility does not involve outdoor storage, industrial activities, hazardous operations, excessive noise, or other characteristics that could negatively affect adjacent businesses or properties.

Like ATMs, vending kiosks, and EV charging stations, the proposed use is designed to serve customers efficiently while remaining subordinate to and supportive of the existing commercial environment. The use will operate harmoniously with other permitted commercial uses and will not adversely impact neighboring properties.

Staff Response:

Staff finds that this finding cannot be made. The physical characteristics of the proposed use are not consistent with the uses proposed as similar and compatible (Automated Teller Machines (ATMs), vending kiosks, and Electric Vehicle (EV) charging stations). An ATM operates in conjunction with a financial institution or commercial business that is planned to accommodate those drive-through or walk-up ATM services. An EV charging station is subject to a separate set of State laws that do not allow the Town to deny the permit and are not applicable or comparable to the proposed use. Vending kiosks operated consistent with the Town's regulations for Commercial Sidewalk Displays may be allowed through the standards provided in the Town's Development Code, but the proposed use does not meet those criteria. The automated operational characteristics of the proposed use are not sufficient to establish similar and compatible use. The proposed stand-alone automated facility is not complementary to adjacent commercial land uses and development types and is designed to be architecturally and functionally independent of surrounding development, including the business located on

the same parcel.

Alternatives

That the Planning Commission reviews Development Code Interpretation (DCI) 03-26 for determination of similar and compatible use and finds that the proposed water and ice dispensing station is not similar and compatible to an ATM or EV Charging Station based upon the information contained in the staff report, and adopts Resolution No. PC 26-05;

And that the Planning Commission makes a motion to request Town Council policy direction on a potential Development Code Amendment to prohibit stand-alone retail kiosks.

Fiscal Impact:

None.

Attachments

1. DCI 03-26 @ 57258 Twentynine Palms Highway - Application
2. Development Code Interpretation - Applicant Letter
3. Project Details
4. Chapter 9.06 Land Use Standards and Permit Requirements
5. Chapter 9.09 Commercial Districts
6. Section 9.14.090 Commercial Sidewalk Displays
7. DRAFT RESOLUTION NO PC 26-05



Development Code Interpretation Application

Date Received 5/14/26
By Even
Fee \$721.00
Case # DCI 03-26

General Information

APPLICANT BRANDON AREBALOS Phone 619 932 8840
Mailing Address 1177 S 4TH AVE Email BRANDON.AREBALOS@WATERMILLEXPRESS.COM
City BRIGHTON State CO Zip 80601
REPRESENTATIVE Same as applicant Phone _____
Mailing Address _____ Email _____
City _____ State _____ Zip _____
PROPERTY OWNER MARDY YING - YP SHOE CITY Phone 562 698 2400 X119
Mailing Address 12550 WHITTIER BLVD Email MARDYYING@SHOECITY.COM
City WHITTIER State CA Zip 90602

Project Information

Project Address (if applicable) (TBD) 57258 29 PALMS HWY YUCCA VALLEY, CA 92284
Assessor Parcel Number(s) (if applicable) 0595 - 161 - 20 - 0000
Project Location (if applicable) PARKING LOT, OCCUPYING TWO LEASED PARKING SPACES.
Project Description (include Development Code Section to be interpreted): INSTALLATION OF AN UNMANNED
PRE MANUFACTURED, STATE APPROVED 106 SF WATER VENDING STATION. UNIT WILL BE INSTALLED ON A NEW
15X15 PAD, OCCUPYING TWO LEASED PARKING SPACE. LOCAL REVIEW WILL PRIMARILY FOCUS ON FOUNDATION
& UTILITY CONNECTIONS.

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

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

Development Code Interpretation Application Submittal Requirements

Initial Submittal Requirements	# Required
Completed and Signed Applications and Filing Fee	1
Report and exhibits describing the proposed project description in detail	5
Section(s) of the Development Code proposed to be interpreted	5
All materials submitted in hard copy as part of this application are also to be delivered electronically, by CD, flash drive or email at time of submittal.	1
<i>Please note that each project and each property are unique. Some projects may not require the submittal of each item listed above at time of submittal. Some circumstances may require items not included on the above list. Please contact Planning Staff if you have any questions.</i>	

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. Additional fees may be required depending on additional administrative costs.

Signed: Brandon Cubero

Date: 05 - 01 - 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. Additional fees may be required depending on additional administrative costs. I am hereby authorizing

****SEE ATTACHED LOA / LAA****

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

Signed: Brandon Cubero

Dated: 05 - 01 - 26

LETTER OF AUTHORIZATION

WATERMILL EXPRESS**FOR:**

This authorization letter is made and entered into 3rd day of March, 2026 will grant authorization to – BRANDON AREBALOS PERMITTING COORDINATOR to apply for all necessary permits on behalf of the property owner through the: CITY OF YUCCA VALLEY, CALIFORNIA.

Permits are obtained for the following construction, which cannot commence without a fully executed lease agreement:

WATERMILL EXPRESS STATION INSTALLATION.

I hereby affirm under Penalty of Perjury, as the property owner, have entered into this Agreement for the reason of obtaining permits on my property.

Business Entity Name of Representative

Title of Position

Printed Name of Representative

Signature of Representative

Date

Business Entity Name (if applicable) of Owner

CEO/Manager

Title of Position

Mardy Ying

Printed Name of Owner

Signature of Owner

3/5/2026

Date

Date: 03 - 05 - 2026

Re: Property Located at YUCCA VALLEY, CA ("Property")

Dear MARDY YING ("Landlord"):

In consideration of Landlord's authorization for the undersigned ("Prospective Tenant") to apply for and pursue governmental permits and approvals for the Property, Prospective Tenant hereby agrees as follows:

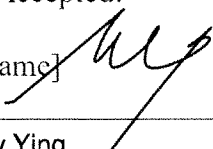
1. **No Work Prior to Lease Execution.** Prospective Tenant shall not commence or permit any construction, demolition, alterations, improvements, or other physical work at the Property unless and until a final, legally binding written lease agreement has been fully executed and delivered by both Landlord and Prospective Tenant.
2. **No Possessory or Property Rights.** Prospective Tenant acknowledges that it has no right of possession, tenancy, license, or other legal interest in the Property unless and until such lease has been fully executed and delivered.
3. **No Obligation to Lease.** Prospective Tenant acknowledges that Landlord is under no obligation to enter into a lease or other agreement unless and until a mutually acceptable written lease has been fully executed and delivered.
4. **Costs and Risk.** All costs and expenses incurred by Prospective Tenant in connection with permit applications or related design and consulting work shall be borne solely by Prospective Tenant, and at Prospective Tenant's sole risk.
5. **Binding Effect.** This letter agreement is intended to be legally binding upon Prospective Tenant upon execution and shall inure to the benefit of Landlord.

If the foregoing accurately reflects our agreement, please execute below.

Sincerely,
Watermill Express, LLC

By: _____
Name: Heath Weidert
Title: Chief Development Officer

Agreed and Accepted:

[Landlord Name] 
By: _____
Name: Mardy Ying
Title: CEO/Manager
Date: 3/5/2026

DEVELOPMENT CODE INTERPRETATION

DATE: May 1st, 2026

TO: City of Yucca Valley

FROM: Brandon Arebalos, Watermill Express / Permitting Coordinator
brandon.arebalos@watermillexpress.com

RE: PID 163171 | 57258 29 PALMS HWY YUCCA VALLEY, CA 92284

Sections of the Development Code Proposed to be Interpreted

We are requesting consideration under the “Use Not Listed” provisions of the Yucca Valley Municipal Code, as well as guidance provided in Chapter 8.10.

The code allows the Director to determine that a proposed use not explicitly listed may be permitted if it is found to be similar to and compatible with listed uses, subject to specific findings. These findings include that the proposed use shares similar characteristics and activities, does not create greater intensity than permitted uses, and remains consistent with the purpose of the zoning district.

We note that uses such as Automated Teller Machines (ATM) and Electric Vehicle charging stations are recognized within the code as permitted or comparable uses. These uses share key operational characteristics with the proposed Watermill Express station, including:

- Unmanned, self-service operation
- Minimal on-site activity and low intensity
- Accessory placement within existing developed sites
- Reliance on existing parking and circulation, without changes to current traffic flow
- Limited structural footprint and utility-based function using a CA State Approved modular building
- Providing a convenient alternative to source of availability of product (ATM vs walk in bank with limited hours of operation, EV Station vs at home only charging, WME vs only in store water & ice or at home filtering systems)

Based on these similarities, the proposed water vending station operates in a manner that is consistent with and comparable to these existing uses.

As such, we believe the project meets the criteria for classification as a similar and compatible use and may be approved through a Director-level determination. Additionally, the code provides a mechanism for referral to the Planning Commission if deemed necessary.

We respectfully request your consideration of this interpretation and welcome any feedback or direction you may have. Thank you for your consideration.

OPERATIONAL STATEMENT

The Watermill Express vending stations are pre-manufactured, stand-alone, unmanned units that are delivered directly to the individual locations after being inspected & approved by the State. Local review is primarily on the foundation/pad and utility connections.

These stations are trucked in on a flatbed trailer and set in 2 leased parking spaces (or the equivalent) on a new 15x15, surface-level, concrete pad, surrounded by bollards for safety of the customers & station. New stations are connected to new city utilities and our replacement stations are connected to existing utilities from the existing unit that is being replaced.

Each station produces filtered water using RO units with discharge of filtered water at an approximate rate of 2 gallons of discharge for every gallon of purchased water. Discharge is usually through a local sewer connection but can be through storm if/when allowed by the municipality.

Purified water is dispensed into 1, 3, or 5 gallon containers provided by the customer. Ice is dispensed in 10 lb bags with integrated perforated tie tabs, and no loose twist ties are used. Ice may also be dispensed in 10 lb or 20 lb bulk quantities directly into the customer's cooler.

These stations are all "walk-up" access with customers using existing parking spaces in the shopping center for their personal vehicles if needed. Color-matching to the surrounding shopping center is also available upon request/requirement.

Stations are open 24/7 and illuminated using down-lighting and a box sign on the front that is pre-affixed to the top unit prior to shipping. Our local Operations inspect these stations daily for maintenance and collections.



DEVELOPMENT CODE INTERPRETATION

DATE: June 5, 2026

TO: City of Yucca Valley

FROM: Brandon Arebalos, Watermill Express / Permitting Coordinator

RE: PID 163171 | 57258 29 PALMS HWY YUCCA VALLEY, CA 92284

**Response to Findings - Yucca Valley Development Code Section
9.06.030(A)(3).**

(1) The characteristics of, and activities associated with the use are similar to one or more of the listed uses, and will not involve a greater intensity than the uses listed in the district.

Response: The proposed Watermill Express water vending station is substantially similar in character and operation to other self-service and automated uses commonly permitted within commercial zoning districts, including Automated Teller Machines (ATMs), vending kiosks, and Electric Vehicle (EV) charging stations. Similar to these uses, the facility operates without on-site employees, serves customers on a short-term basis, occupies a limited physical footprint, and relies on existing parking, circulation, and site infrastructure.

Customer visits are brief in duration and involve a simple transaction before departing the site. The proposed use does not generate greater traffic, noise, parking demand, or operational impacts than comparable self-service uses already permitted within the district. As a result, the use is similar in character and intensity to existing listed uses and does not represent a greater intensity of land use.

(2) The use will be consistent with the purposes of the applicable zoning district.

Response: The proposed water vending station supports the purpose of the commercial zoning district by providing a convenient retail service to residents and visitors while utilizing an existing developed commercial site. The facility contributes to the availability of goods and services without requiring additional staffing, building area, or significant site modifications.

The use complements existing commercial development and provides accessible clean drinking water & ice in a manner that is consistent with the district's intent to accommodate commercial activities serving the community.

(3) The use will be consistent with the General Plan and any applicable Specific Plan.

Response: The proposed project is consistent with the General Plan's goals of supporting commercial services, encouraging efficient use of developed properties, and providing convenient amenities for residents and visitors. The facility is proposed within an existing commercial setting and utilizes previously developed land and infrastructure.

(4) The use will be compatible with the other uses allowed in the zoning district.

Response: The proposed Watermill Express station is compatible with surrounding commercial uses because it functions as a low-intensity, customer-oriented service that integrates into existing commercial centers. The facility does not involve outdoor storage, industrial activities, hazardous operations, excessive noise, or other characteristics that could negatively affect adjacent businesses or properties.

Like ATMs, vending kiosks, and EV charging stations, the proposed use is designed to serve customers efficiently while remaining subordinate to and supportive of the existing commercial environment. The use will operate harmoniously with other permitted commercial uses and will not adversely impact neighboring properties.

Conclusion

The proposed Watermill Express station satisfies the required findings for a Similar and Compatible Use determination under Section 9.06.030(A)(3). The facility operates as a low-intensity, automated service that is comparable in function and operational characteristics to other self-service uses commonly found in commercial districts, including ATMs, vending kiosks, and EV charging stations. The use is consistent with the purpose of the zoning district, supports the goals of the General Plan, and remains compatible with surrounding commercial development.

Watermill Express provides a public convenience service through an automated kiosk format, similar to how an ATM provides access to banking services or an EV charging station provides access to vehicle fueling services. Rather than requiring customers to enter a staffed retail establishment, the facility allows customers to obtain drinking water and ice through a walk up, self-service transaction on an existing developed commercial site. For these reasons, Watermill Express respectfully requests that the Town determine the proposed water vending station to be a similar and compatible use and allow the project to proceed accordingly.



OPERATIONAL STATEMENT

The Watermill Express vending stations are pre-manufactured, stand-alone, unmanned units that are delivered directly to the individual locations after being inspected & approved by the State – Local review is primarily on the foundation/pad and utility connections.

These stations are trucked in on a flatbed trailer and set in 2 leased parking spaces (or the equivalent) on a new 15x15, surface-level, concrete pad, surrounded by bollards for safety of the customers & station. New stations are connected to new city utilities and our replacement stations are connected to existing utilities from the existing unit that is being replaced.

Each station produces filtered water using RO units with discharge of filtered water at an approximate rate of 2 gallons of discharge for every gallon of purchased water. Discharge is usually through a local sewer connection but can be through storm if/when allowed by the municipality.

The purchased product is dispensed directly into customer's receptacles or into dispensed bags in 1gal, 5gal, or 10gal quantities. These bags feature perforated tops to tie off the product in the bag so no waste (twist ties or the like) is produced.

These stations are all "walk-up" access with customers using existing parking spaces in the shopping center for their personal vehicles if needed. Color-matching to the surrounding shopping center is also available upon request/requirement.

Stations are open 24/7 and illuminated using down-lighting and a box sign on the front that is pre-affixed to the top unit prior to shipping. Our local Operations inspect these stations daily for maintenance and collections.

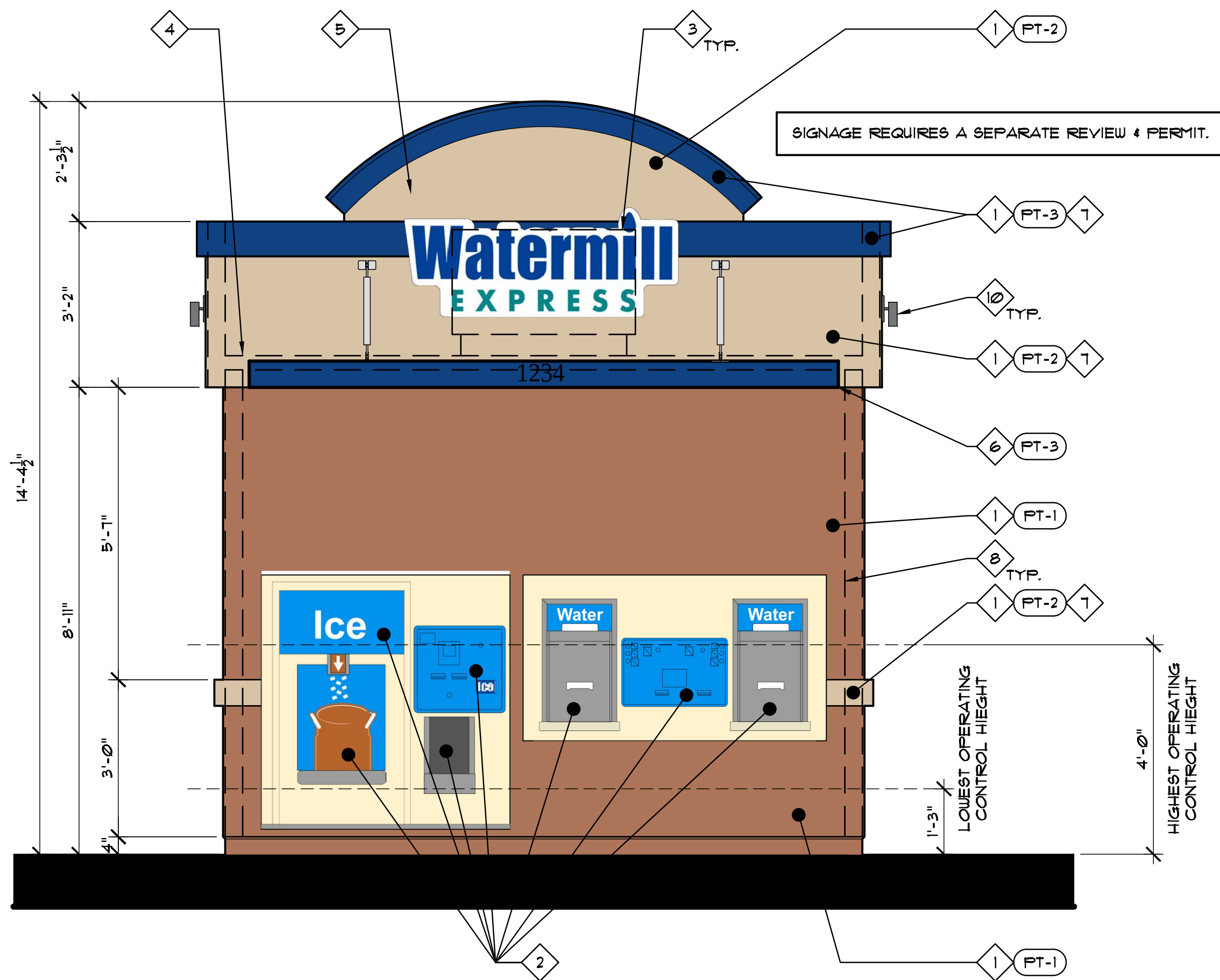


NORTH

SHOE CITY

Watermill Unit to
face parking aisle.

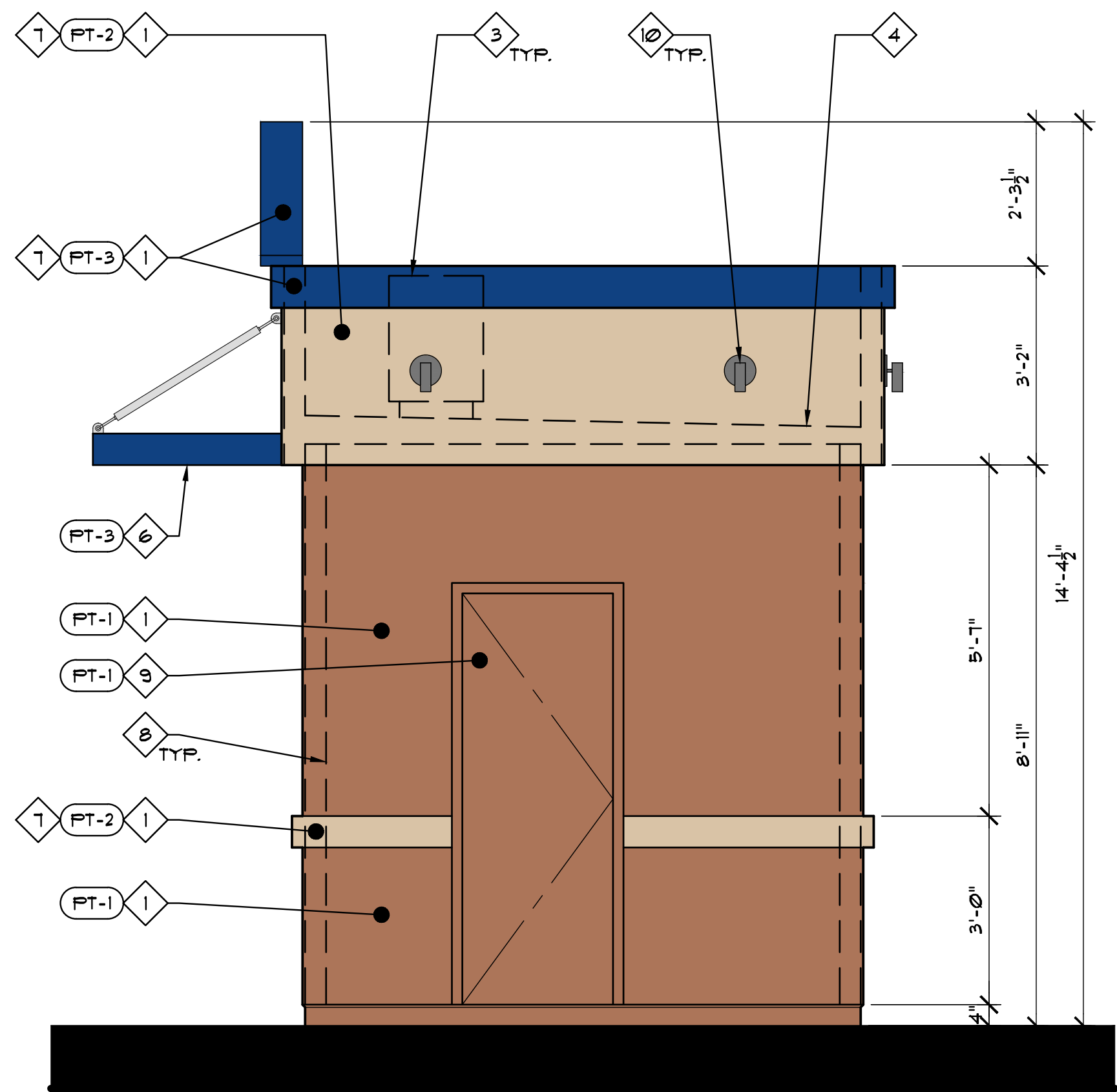
29 PALMS HWY



Front Elevation - West View

Scale: 1/2" = 1'-0"

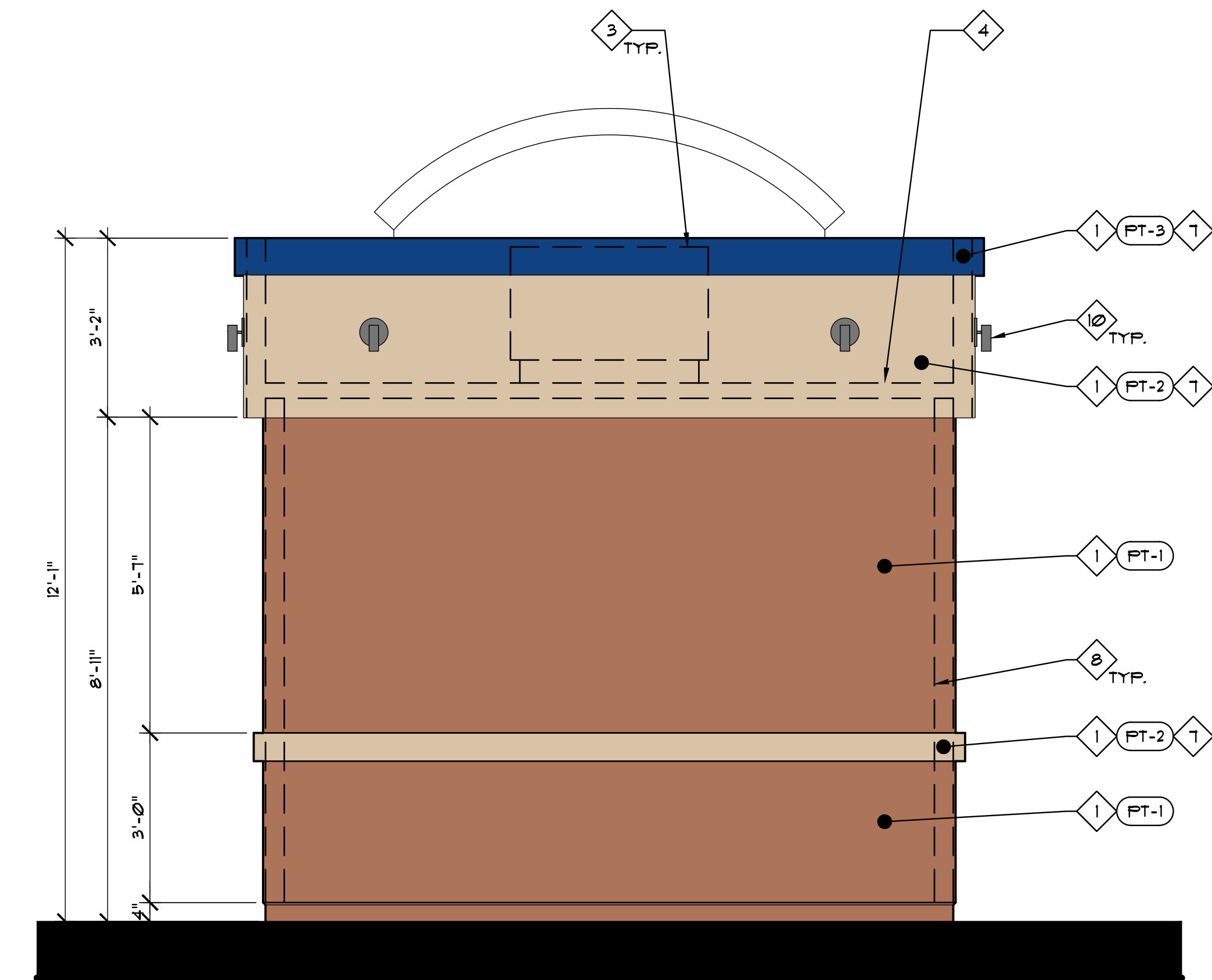
4
A4



Side Elevation - South View

Scale: 1/2" = 1'-0"

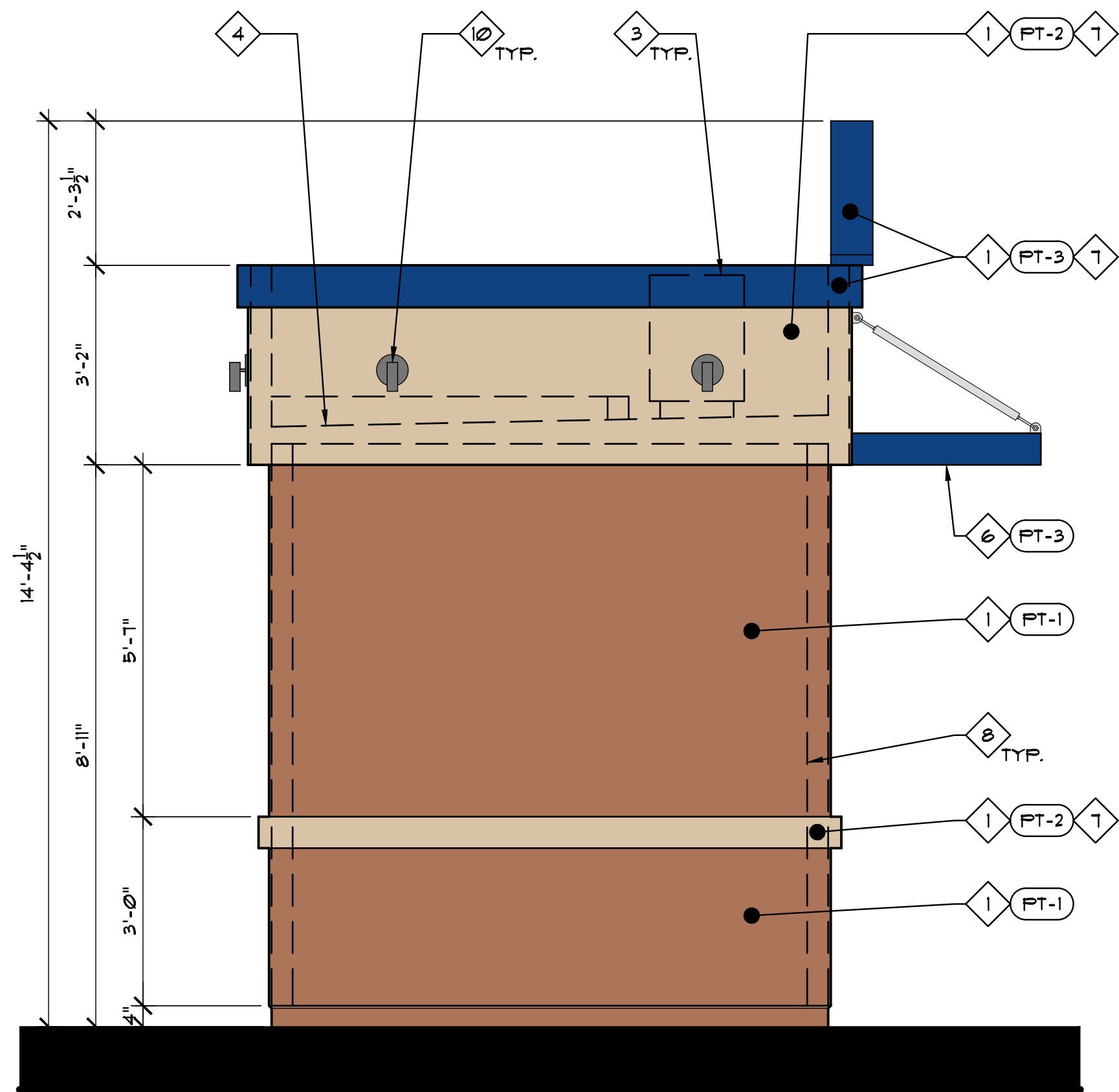
3
A4



Back Elevation - East View

Scale: 1/2" = 1'-0"

2
A4



Side Elevation - North View

Scale: 1/2" = 1'-0"

1
A4

THE WATERMILL STRUCTURE IS APPROVED BY THE STATE, WHICH INCLUDES ADA STANDARDS, AND IS NOT REVIEWABLE ON THE LOCAL LEVEL. STAMPED, APPROVED PLANS ATTACHED FOR REFERENCE.

Keynotes

A4

- 1 PAINTED PRE-CAST CONCRETE WATER KIOSK, REFER TO STRUCTURAL, M/E/P AND EXTERIOR ELEVATIONS DRAWINGS.
- 2 WATER/ ICE DISPENSER AND CONTROL PER MFR WRITTEN INSTRUCTION, REFER TO M/E/P DRAWINGS AND COORDINATE WITH OWNER.
- 3 CONDENSER EQUIPMENT BEYOND, REFER TO MECHANICAL & STRUCTURAL DUG'S.
- 4 SLOPED PRE-CAST CONCRETE ROOF LINE BEYOND.
- 5 BLUE & WHITE ACRYLIC COVER OVER LIGHT BOX, REFER TO ELECT. DUG'S AND COORDINATE WITH OWNER.
- 6 PRIME AND PAINTED METAL CANOPY AND SUPPORT SYSTEM, REFER TO STRUCTURAL DRAWINGS.
- 7 RETURN PAINT COLOR TO INSIDE FACE BACK TO MAIN BUILDING.
- 8 DASHED LINES REPRESENT BUILDING BEYOND.
- 9 PRIME AND PAINTED DOOR AND FRAME ASSEMBLY.
- 10 WALL MOUNTED EXTERIOR LIGHTING, REFER TO ELECTRICAL DUG'S.

Materials & Colors

DESIGN IS BASED ON BUT NOT LIMITED TO BELOW ITEMS

- | | |
|--|---|
| | PT-1, SHERWIN WILLIAMS
*SW 0001 DECORIOUS |
| | PT-2, SHERWIN WILLIAMS
*SW 0036 BUCRAM BINDING |
| | PT-3, SHERWIN WILLIAMS
*SW 6915-90 BLUE MATCH |

General Notes

- 1 CONTRACTOR TO FIELD VERIFY ALL CONDITIONS.
- 2 ALL DIMENSIONS ARE TAKEN FROM FACE OF STUD, MASONRY, OR CONCRETE UNL.O.

MATERIAL:
This unit consists of a pre-cast concrete base & top unit with a pre-fabricated aluminum awning frame attached to the front of the concrete top unit

WATERMILL EXPRESS

ELEVATIONS
COLORS
MATERIALS

1177 S 4TH AVENUE
BRIGHTON, CO 80601
PH: 303.659.1573

WATERMILL
EXPRESS

CHAPTER 9.06

LAND USE STANDARDS AND PERMIT REQUIREMENTS

SECTION:

9.06.010: Purpose

9.06.020: General Requirements Of Development And New Land Uses

9.06.030: Permitted Land Uses And Planning Permit Requirements

9.06.010: PURPOSE:

This chapter describes the town's requirements for the approval of proposed development and new land uses. The planning permit procedures established by this development code for specific types of development are in chapters 9.63 through 9.77 of this title. (Ord. 253, 12-16-2014)

9.06.020: GENERAL REQUIREMENTS OF DEVELOPMENT AND NEW LAND USES:

Each land use and/or structure shall be established, constructed, reconstructed, altered, moved or replaced in compliance with the following requirements:

- A. Permitted Use: The land use shall be allowed by this development code in the zoning district applied to the site. The basis for determining whether a use is allowed is described in section 9.06.030, "Permitted Land Uses And Planning Permit Requirements", of this chapter.
- B. Permit And Approval Requirements: Any planning permit or other approval required by section 9.06.030, "Permitted Land Uses And Planning Permit Requirements", of this chapter, shall be obtained before the issuance of any required grading, building, or other construction permit, and before the proposed use is constructed, otherwise established or put into operation, unless the proposed use is exempt.
- C. Development Standards, Conditions Of Approval: Each land use and structure shall comply with the development standards of this article 2, article 3, "Development Standards", of this title, and any applicable conditions imposed by a previously granted planning permit.
- D. Legal Parcel: The site of a proposed development or new land use shall be a parcel that was legally created in compliance with the subdivision map act and article 6, "Subdivisions", of this title. (Ord. 253, 12-16-2014)

9.06.030: PERMITTED LAND USES AND PLANNING PERMIT REQUIREMENTS:

A. Permitted Land Uses: The uses of land allowed by this development code in each zoning district are listed in chapters 9.07 through 9.12 of this article 2, together with the type of planning permit required for each use. Each listed land use is defined in article 7, "Definitions", of this title.

1. Establishment Of A Permitted Use:

a. Any one or more land uses identified by the land use tables in chapters 9.07 through 9.12 of this article 2 as being allowed within a specific zoning district may be established on any parcel within that zoning district, subject to the planning permit requirements of subsection B of this section, and compliance with all applicable requirements of this development code.

b. Where a single parcel is proposed for development with two (2) or more permitted land uses, the overall project shall be subject to the highest permit level required by the planning permit requirements of subsection B of this section for any individual use.

2. Use Not Listed:

a. A use not listed in any land use table in chapters 9.07 through 9.12 of this article 2, and determined by the director to not be included in article 7, "Definitions", of this title under the definition of a listed land use, is not allowed unless exempt.

3. Similar And Compatible Use May Be Allowed: The director may determine that a proposed land use not listed in any land use table or article 7, "Definitions", of this title is allowed as follows:

a. Required Findings: The director may determine that a proposed use is similar to, and compatible with a listed use and may be allowed, only after first making all of the following findings with the determination:

(1) The characteristics of, and activities associated with the use are similar to one or more of the listed uses, and will not involve a greater intensity than the uses listed in the district;

(2) The use will be consistent with the purposes of the applicable zoning district;

(3) The use will be consistent with the general plan, and any applicable specific plan;

(4) The use will be compatible with the other uses allowed in the zoning district.

b. Findings In Writing: A determination that a use qualifies as a similar and compatible use, and the findings supporting the determination, shall be in writing.

c. Applicable Standards And Permit Requirements: When the director determines that a proposed, but unlisted, use is similar and compatible to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this development code apply.

d. Referral For Determination: The director may refer the question of whether a proposed use qualifies as a similar and compatible use directly to the commission for a determination.

e. Appeal: A determination of similar and compatible use may be appealed in compliance with chapter 9.81, "Appeals", of this title.

B. Permit Requirements: Chapters 9.07 through 9.13 of this article 2 provide tables showing allowed land use types that are:

1. "P" Uses: Permitted use, subject to compliance with all applicable provisions of this development code and the California building code. These are shown as "P" uses in the tables.

2. "CUP" Uses: Allowed projects subject to approval of a conditional use permit (chapter 9.63 of this title), and shown as "CUP" uses in the tables. Conditional use permits are approved by commission and are subject to the California environmental quality act (CEQA). Review of such uses is necessary and specific conditions of approval may be necessary to ensure that the uses are developed, operated, and located properly with respect to their effects on surrounding properties and so that any and all potentially adverse impacts are mitigated, and to ensure the general health, safety and welfare of the community through implementation of the general plan through this chapter.

3. "SUP" Uses: Allowed subject to the approval of a special use permit (chapter 9.69 of this title), and shown as "SUP" uses in the tables. Special use permits are subject to the approval of the director, with public notice. Review of such uses is necessary and specific conditions of approval may be necessary to ensure that the uses are developed, operated, and located properly with respect to their effects on surrounding properties and so that any and all potentially adverse impacts are mitigated, and to ensure the general health, safety and welfare of the community through implementation of the general plan through this chapter.

4. "HOP" Uses: Allowed subject to the approval of a home occupation permit (chapter 9.50 of this title), and shown as "HOP" uses in the tables. Home occupation permits are subject to the approval of the director and/or commission, with and without public notice. Review of such uses is necessary and specific conditions of approval may be necessary to ensure that the uses are developed, operated, and located properly with respect to their effects on surrounding properties and so that any and all potentially adverse impacts are mitigated, and to ensure the general health, safety and welfare of the community through implementation of the general plan through this chapter.

5. "SPR" Uses: New construction and certain expansions for uses identified as "SPR" in the tables are subject to a site plan and design review (chapter 9.68 of this title) and are approved by commission and are subject to the California environmental quality act (CEQA). The site plan review procedure is intended to protect and enhance the visual appeal, environment, economic stability and property values of the town's residential, commercial, and industrial areas through the application of the provisions of this code and the general plan.

6. "TSEP" Uses: Allowed subject to the approval of a temporary special event permit (chapter 9.71 of this title), and shown as "TSEP" uses in the tables. Temporary special event permits are subject to the approval of the director, without public notice. Temporary special event permits provide for the review of events specified in this development code, in order to minimize any adverse effects on surrounding properties and infrastructure or on the public health, safety and welfare.

7. "TUP" Uses: Allowed subject to the provisions in chapter 9.39, "Temporary Uses And Structures", of this title and approval of a temporary use permit (chapter 9.72 of this title), and shown as "TUP" uses in the tables. Temporary use permits are subject to the approval of the director, without public notice. Temporary use permits provide for the review of temporary accessory uses and for temporary uses related to current and ongoing construction activities that are not otherwise permitted or regulated in this development code in order to minimize any adverse effects on surrounding properties and infrastructure or on the public health, safety and welfare.

8. "PD" Uses: Allowed subject to the approval of a planned development permit (chapter 9.67 of this title) and shown as "PD" uses in the tables. PD permits are reviewed by commission and approved by council, and are subject to the California environmental quality act (CEQA). Planned development permits are intended to facilitate development of properties where greater flexibility in design is desired to provide a more efficient use of land than would be possible through strict application and land use district regulations. This process is also intended to serve as an alternate site planning process that encourages more creative and imaginative planning of mixed use multiphased residential, commercial or industrial development within the framework of a single cohesive development plan.

9. "SPL" Uses: Allowed subject to the approval of a special license permit for uses identified as "SPL" in the tables. Special license permits are subject to the approval of the director, without public notice. Review of such uses is necessary and specific conditions of approval may be necessary to ensure that the uses are developed, operated, and located properly with respect to their effects on surrounding properties and so that any and all potentially adverse impacts are mitigated, and to ensure the general health, safety and welfare of the community through implementation of the general plan through this chapter.

10. "NP" Uses: Not allowed in particular zoning districts, and shown as "NP" in tables.

C. Additional Permit Requirements: A land use authorized through the approval of a site plan and design review permit, land use compliance review, conditional use permit, planned development permit, or other permit required by this article may also require a building permit and/or other permit required by this code. (Ord. 253, 12-16-2014)

CHAPTER 9.09

COMMERCIAL DISTRICTS

SECTION:

9.09.010: Purpose

9.09.020: Permitted Uses And Permit Requirements

9.09.030: Development Standards

9.09.040: Projections And Encroachments Into Required Setback Areas

9.09.050: Native Landscape Documentation Package

9.09.010: PURPOSE:

This chapter lists the land uses that may be allowed within the commercial zoning districts listed in section 9.05.030 of this article 2, determines the type of planning permit/approval required for each use, and provides basic standards for site layout and building size.

Properties located within the Mixed Use Commercial (C-MU) Zoning District are subject to the regulations and development standards of the General Commercial (C-G) Zoning District until such time as mixed use commercial (C-MU) regulations and development standards are adopted by the Council. (Ord. 253, 12-16-2014)

9.09.020: PERMITTED USES AND PERMIT REQUIREMENTS:

Table 2-15 of this section identifies the uses of land allowed by this Development Code in each commercial zoning district established by chapter 9.05, "Zoning Districts And Zoning Map", of this article 2.

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

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

The following land uses shall be permitted, pursuant to the conditions stipulated:

A. Accessory uses including parking lots and structures, accessory signs, and exterior storage which is fully fenced and screened with a solid fence and where no storage is visible above the fence. Accessory uses and structures shall comply with all requirements of this Code.

B. Commercial land uses proposed to operate from existing structures shall be permitted by right in the following cases:

1. The structure has historically been utilized in a fashion similar to the proposed use.
2. There are no structural off street, on site improvements or lack thereof which pose an immediate threat to the health, safety or general welfare of the Town.
3. There are no additions or alterations to the square footage of the existing structure. (Ord. 253, 12-16-2014)

TABLE 2-15

PERMITTED LAND USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS

Zoning districts:							
C-C: Community commercial		C-O: Office commercial			C-N: Neighborhood commercial		
C-G: General commercial		C-MU: Mixed use commercial					
Permit required:							
CUP: Conditional use permit		PD: Planned development review			SUP: Special use permit		
HOP: Home occupation permit		S: Specific plan			TSEP: Temporary special event permit		
NP: Not allowed		SPL: Special license permit			TUP: Temporary use permit		
P: Permitted		SPR: Site plan and design review					
Type Of Use		Permit Required By Zoning District					Notes And Other Regulations
		C-C	C-G	C-O	C-MU	C-N	
Type Of Use		Permit Required By Zoning District					Notes And Other Regulations
		C-C	C-G	C-O	C-MU	C-N	
Residential:							
	Mixed use development	NP	S	NP	SPR	NP	

Single-family dwelling unit	NP	NP	NP	NP	NP	
Single room occupancy housing	NP	CUP	NP	CUP	CUP	
Care uses:						
Child daycare center	NP	CUP	NP	CUP	CUP	See section 9.14.020, "Child Daycare Centers", of this article 2
Childcare (small family)	NP	CUP	NP	SPR	CUP	Single-family residences located in the commercial land use districts are subject to the standards specified in section 9.08.040 of this article 2
Childcare (large family)	NP	CUP	NP	CUP	CUP	
Home occupation	HOP	HOP	HOP	HOP	HOP	Permitted for single-family residences located in the commercial land use districts pursuant to chapter 9.50, "Home Occupation Permits", of this title
Homeless shelter	NP	NP	NP	NP	NP	Including transitional and supportive uses
Social care, congregate care, convalescent care facilities	NP	SPR	NP	SPR	SPR	Including, but not limited to, elderly care and sober living facilities
Agriculture, animal related, and open space uses:						
Animal care facility (with exterior kennel, pens and runs)	CUP	CUP	NP	NP	CUP	Including, but not limited to, animal hospitals, veterinarian, pet stores, and grooming
Animal care facility (without exterior kennel, pens and runs)	SPR	SPR	SPR	SPR	SPR	
Community gardens	SPR	SPR	SPR	SPR	SPR	
Equestrian facility	CUP	CUP	NP	NP	CUP	
Feed and tack	CUP	CUP	NP	NP	CUP	
Horticulture/agriculture	SPR	SPR	NP	NP	SPR	Including, but not limited to, crop production, orchards, and vineyards
Kennels (over 15 animals)	NP	NP	NP	NP	SUP	
Livestock operations	NP	NP	NP	NP	NP	
Natural resources development	NP	NP	NP	NP	NP	
Nature preserve	SPR	SPR	SPR	SPR	SPR	
Nursery/garden supply (with outdoor display)	SPR	SPR	SPR	CUP	CUP	
Nursery/garden supply (without outdoor display)	SPR	SPR	SPR	SPR	SPR	
Retail commercial uses:						
Adult oriented business	NP	CUP	NP	NP	NP	See chapter 9.52, "Adult Oriented Business", of this title
Antique/secondhand stores	SPR	SPR	NP	SPR	SPR	
Appliance sales and home goods (no repair)	SPR	SPR	SPR	SPR	NP	
Auto and vehicle sales and rentals and parts sales	CUP	CUP	NP	CUP	CUP	
Boat and recreational vehicle sales	CUP	CUP	NP	CUP	CUP	
Building and landscape materials sales (indoor)	SPR	SPR	SPR	CUP	CUP	
Building and landscape materials sales (outdoor)	CUP	CUP	NP	CUP	NP	
Construction and heavy equipment sales and rentals	NP	CUP	NP	NP	NP	
Convenience store	CUP	CUP	CUP	CUP	CUP	
Farmers' market/arts and crafts events	TSEP	TSEP	TSEP	TSEP	TSEP	See chapter 9.38, "Temporary Special Events", of this title
Fuel/propane dealer	NP	NP	NP	NP	NP	See section 9.14.040, "Gas Or Other Fueling Stations", of this article 2
Grocery, supermarket, specialty food store, drugstore	SPR	SPR	SPR	SPR	SPR	
Manufactured home sales	NP	NP	NP	NP	NP	
Pawnshop	SPR	SPR	NP	NP	NP	
Retail store (less than 80,000 square feet)	SPR	SPR	SPR	SPR	SPR	
Retail store (80,000 or greater square feet)	SPR	SPR	CUP	CUP	CUP	
Seasonal holiday sales facilities	TSEP	TSEP	TSEP	TSEP	TSEP	See chapter 9.38, "Temporary Special Events", of this title

	Shopping center (neighborhood, community, or regional)	CUP	CUP	CUP	CUP	CUP	
	Swap meet, outdoor market, auction yard (permanent)	NP	CUP	NP	NP	NP	See section 9.14.080, "Swap Meets", of this article 2
	Warehouse retail	CUP	SPR	CUP	NP	CUP	
Business, financial, and professional:							
	ATM	P	P	P	P	P	
	Financial institution and related service	SPR	SPR	SPR	SPR	SPR	
	Laboratory	SPR	SPR	SPR	SPR	SPR	
	Office (business, professional, corporate, medical)	SPR	SPR	SPR	SPR	SPR	
Eating and drinking establishments:							
	Bakery (retail), coffee shop and similar uses	SPR	SPR	SPR	SPR	SPR	Including, but not limited to, ice cream shops, frozen yogurt shops, and candy/sweet shops
	Bakery (wholesale)	SPR	SPR	SPR	CUP	NP	
	Bar, lounge, nightclub, tavern, and pool hall	CUP	CUP	CUP	CUP	CUP	
	Catering service	SPR	SPR	SPR	SPR	SPR	
	Fast food (with drive-through, delivery)	CUP	CUP	CUP	CUP	CUP	See section 9.14.030, "Drive- Up/Drive-Through Establishments", of this article 2
	Fast food (without drive-through, delivery)	CUP	SPR	SPR	SPR	CUP	
	Full service restaurant	SPR	SPR	SPR	SPR	SPR	
Commercial service uses:							
	Ambulance service	SPR	SPR	SPR	NP	NP	
	Appliance sales, service, repair, and rental	SPR	SPR	SPR	SPR	SPR	
	Automobile gas station	SPR	SPR	SPR	CUP	CUP	See section 9.14.040, "Gas Or Other Fueling Stations", of this article 2
	Automobile service/repair (major repair/body work)	NP	CUP	NP	NP	NP	
	Automobile service/repair (minor repair and maintenance)	CUP	SPR	CUP	CUP	CUP	
	Automobile washing (car wash)	CUP	CUP	CUP	CUP	CUP	
	Automobile washing (car wash) (fundraising, temporary)	P	P	P	P	P	
	Barber, beauty shop, and other similar personal service uses	SPR	SPR	SPR	SPR	SPR	
	Equipment sales, service, repair, and rental	CUP	CUP	CUP	NP	CUP	
	Fitness center (less than 2,000 square feet)	SPR	SPR	SPR	SPR	SPR	
	Fitness center (more than 2,000 square feet)	CUP	CUP	CUP	NP	CUP	
	Fortune telling and related service	SPR	SPR	SPR	CUP	SPR	
	Funeral service (excluding crematorium)	NP	SPR	CUP	NP	NP	
	Funeral service (including crematorium)	NP	CUP	CUP	NP	NP	
	Laundry and dry cleaning	SPR	SPR	SPR	SPR	SPR	
	Locksmith	SPR	SPR	SPR	SPR	SPR	
	Maintenance and repair (major)	NP	CUP	NP	NP	NP	
	Maintenance and repair (minor)	SPR	SPR	CUP	CUP	CUP	
	Massage establishment	SPL	SPL	SPL	SPL	SPL	See title 5, chapter 5.10, "Massage Services And Establishments", of this code
	Printing and duplication services	SPR	SPR	SPR	SPR	SPR	
	Studio (dance, music, martial arts, artists)	SPR	SPR	SPR	SPR/ CUP	SPR	Less than 2,000 square feet (SPR for C-MU) More than 2,000 square feet (CUP for C-MU)
	Tattoo and piercing	SPR	SPR	SPR	SPR	SPR	
Commercial recreation:							
	Amusement arcade or park	NP	CUP	NP	NP	NP	
	Campgrounds	NP	NP	NP	NP	NP	
	Carnivals/circuses/festivals/fairs	TSEP	TSEP	TSEP	TSEP	TSEP	See chapter 9.38, "Temporary Special Events", of this title

	Concerts, open air theaters, outdoor entertainment events	TSEP	TSEP	TSEP	TSEP	TSEP	See chapter 9.38, "Temporary Special Events", of this title
	Game arcade, internet cafe, and similar businesses	CUP	CUP	NP	CUP	CUP	
	Golf course	SPR	SPR	SPR	SPR	CUP	
	Hookah lounge	NP	CUP	NP	NP	CUP	
	Parks/recreation facilities	SPR	SPR	SPR	SPR	SPR	
	Private clubs and lodges	CUP	SPR	CUP	NP	CUP	
	Recreation and entertainment (commercial indoor and outdoor)	CUP	CUP	CUP	CUP	CUP	
	Recreational vehicle park	NP	NP	NP	NP	NP	See subsection 9.08.060B, "Recreational Vehicle Parks", of this article 2
Industry, manufacturing and processing, wholesaling:							
	Construction/contractor storage yard	NP	CUP	NP	NP	NP	
	Hazardous waste operations	NP	NP	NP	NP	NP	See section 9.34.110, "Hazardous Materials", of this title
	Manufacturing operations	NP	NP	NP	NP	NP	
	Motor vehicle storage/impound facility	NP	NP	NP	NP	NP	
	Recycling facility (processing facility)	NP	NP	NP	NP	NP	See section 9.14.070, "Recycling Facilities", of this article 2
	Recycling facility (small collection facility)	SUP	SUP	SUP	SUP	SUP	
	Research and development	SPR	SPR	SPR	CUP	SPR	
	Salvage facility	NP	NP	NP	NP	NP	
	Storage - ministorage (personal storage)	NP	NP	NP	NP	NP	See section 9.14.060, "Mini-/Self- Storage Facilities", of this article 2
	Storage (outdoor vehicles storage)	NP	NP	NP	NP	NP	
	Wholesaling and distribution	NP	NP	NP	NP	NP	
Transportation, communications, and infrastructure:							
	Communication facility	CUP	CUP	NP	NP	CUP	Including, but not limited to, radio and television stations or towers, satellite receiving stations, but not wireless telecommunication facilities
	Parking lot	SPR	SPR	SPR	SPR	SPR	See chapter 9.33, "Parking And Loading Regulations", of this title. Accessory or incidental to the primary use of the same property
	Public/government facilities	SPR	SPR	SPR	CUP	CUP	
	Public safety uses (permanent)	SPR	SPR	SPR	SPR	SPR	
	Solar energy systems (accessory)	P	P	P	P	P	See chapter 9.42, "Accessory Solar Energy Systems", of this title
	Solar energy systems (utility grade/primary use)	NP	NP	NP	NP	NP	See chapter 9.46 of this title
	Transmission utility lines, pipelines, and control stations	CUP	CUP	CUP	CUP	CUP	
	Utilities (major)	CUP	CUP	CUP	CUP	CUP	
	Wind energy system (accessory)	SPR	SPR	SPR	SPR	SPR	See chapter 9.43, "Accessory Wind Energy Systems", of this title
	Wind energy system (utility grade/primary use)	NP	NP	NP	NP	NP	See chapter 9.46 of this title
	Wireless telecommunication facilities	CUP	CUP	CUP	CUP	CUP	Pursuant to chapter 9.44 of this title
Other uses:							
	Cemeteries, including pet cemeteries	NP	CUP	NP	NP	NP	
	Churches, religious assembly, and other public assembly	CUP	CUP	CUP	CUP	CUP	
	Conference centers and group camps	CUP	CUP	CUP	NP	NP	
	Correctional institution	NP	NP	NP	NP	NP	
	Emergency facilities (temporary)	TUP	TUP	TUP	TUP	TUP	See chapter 9.39, "Temporary Uses And Structures", of this title
	Hospitals/medical/rehabilitation centers/clinics	CUP	CUP	CUP	CUP	CUP	
	Hotels and motels	SPR	SPR	CUP	SPR	CUP	

Marijuana dispensaries, marijuana cultivation, marijuana deliveries, additional prohibited marijuana	NP	NP	NP	NP	NP	Pursuant to chapter 9.53 of this title
Museum, library, art gallery, outdoor exhibit	SPR	SPR	SPR	SPR	SPR	
Schools (private, vocational, charter, and other)	CUP	CUP	CUP	CUP	CUP	
Temporary special events	TSEP	TSEP	TSEP	TSEP	TSEP	See chapter 9.38, "Temporary Special Events", of this title
Temporary structures and uses	TUP	TUP	TUP	TUP	TUP	See chapter 9.39, "Temporary Uses And Structures", of this title

(Ord. 253, 12-16-2014; amd. Ord. 268, 7-18-2017; Ord. 297, - - ; Ord. 320, 11-5-2024)

9.09.030: DEVELOPMENT STANDARDS:

Subdivisions, new land uses and structures, and alterations to existing land uses and structures shall be designed, constructed, and established in compliance with the requirements in table 2-16 of this section, in addition to the applicable standards (e.g., landscaping, parking and loading, etc.) in article 3, "Development Standards", of this title.

TABLE 2-16

COMMERCIAL ZONING DISTRICTS DEVELOPMENT STANDARDS

Development Feature	Requirements By Zoning District ¹				
	C-C	C-G	C-O	C-MU	C-N
Development Feature	Requirements By Zoning District ¹				
	C-C	C-G	C-O	C-MU	C-N
Minimum lot size ²	See map suffix ³				
	1 acre ⁴	5 acres ⁴	1 acre ⁴	1 acre ⁴	1 acre ⁴
Minimum lot dimensions (W: width, D: depth)	W: 120 ft. D: 120 ft.	W: 120 ft. D: 120 ft.	W: 120 ft. D: 120 ft.	W: 120 ft. D: 120 ft.	W: 120 ft. D: 120 ft.
Maximum lot dimensions (width to depth)	1:3	1:3	1:3	1:3	1:3
Setbacks:	Minimum setbacks required unless different setbacks are delineated on final map, parcel map, composite development plan, or are allowed pursuant to section XX.XXX				
Front	15 ft.	15 ft.	15 ft.	15 ft.	25 ft.
Side ⁵	10 ft.	0 ft.	10 ft.	0 ft.	10 ft.
Rear ⁶	10 ft.	0 ft.	10 ft.	0 ft.	10 ft.
Street side	15 ft.	15 ft.	15 ft.	15 ft.	25 ft.
Maximum floor area ratio (FAR)	Maximum allowed floor area ratio (FAR): floor area/lot area				
	0.50	0.50	1.0	0.50	0.50
Dwelling units/acre	NP ⁸	NP ⁸	NP	Up to 40 with specific plan	NP ⁸
Lot coverage	Maximum percentage of the total lot area that may be covered by structures and impervious surfaces				
	60%	60%	60%	60%	40%
Height limit	40 ft.	40 ft.	40 ft.	40 ft.	35 ft.
Minimum district size	5 acres	5 acres	5 acres	5 acres	5 acres
Other applicable standards	See article 3, "Development Standards", of this title, including the following standards:				
	• Dedications and infrastructure improvement standards - chapter 9.30 of this title				
	• Landscaping and native plant protection - section 9.09.050 of this chapter				
	• Performance standards - chapter 9.34 of this title relating to avoiding adverse impact to adjoining properties relating to fire, explosive, or other hazards; noise or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness; electrical or other disturbance				
	• Property maintenance standards - chapter 9.35 of this title				
	• Signs - chapter 9.36 of this title				
	• Solar energy systems - chapter 9.46 of this title				
	• Wind energy systems - chapter 9.46 of this title				
	• Wireless communications facilities - chapter 9.44 of this title				

Notes:

1. All projects shall comply with the commercial design guidelines.
2. Minimum lot size can be less if the subdivision application is filed concurrently with the specific plan, site plan and design review, or conditional use permit application.

3. Map suffix: The number placed after the zoning district initial is the allowable dwelling units (du) per 1 acre.
4. The above referenced acreages that are equal to 1 acre or more refers to gross acreage (total acreage including streets/infrastructure), less than 1 acre refers to net acreage (acreage not including streets/infrastructure).
5. Side yards are only required if necessary for emergency access. If adjacent property is not commercial or industrial, a side yard shall be required along that side of the property.
6. A rear yard is required only when the adjacent property is not designated commercial or industrial.
7. Residential development may occur within the Mixed Use Zone without the requirement for simultaneous commercial development.
8. Properties within the Corridor Residential Overlay may develop infill residential from 14.1 to 25.0 du/acre. A Specific Plan may be required in these areas at the discretion of the Planning Commission.
9. Development within the Mixed Use-Town Center Zone, Town Center Special Policy Area, will require preparation of a Conceptual Master Plan for the entirety of the area.
10. Development within the Mixed Use-Civic Center Zone does not deviate from the standards for C-MU.

(Ord. 253, 12-16-2014; amd. Ord. 297, - - ; Ord. 320, 11-5-2024)

9.09.040: PROJECTIONS AND ENCROACHMENTS INTO REQUIRED SETBACK AREAS:

A. General Provisions: All required yards shall be open and unobstructed from finished grade or from such other specified level at which the yard is required, to the sky, except for structures allowed in yards or courts by table 2-17 of this section.

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

B. Clear Areas:

1. The projections listed in table 2-17 of this section may not, in any event, encroach on or into the following:
 - a. The clear sight triangle (section 9.31.020 of this title) required at street and alley intersections.
 - b. Within three feet (3') of any lot line, dividing lots not in common ownership, except as noted in table 2-17, "Projections Into Yards And Courts", of this section.

TABLE 2-17

PROJECTIONS INTO YARDS AND COURTS

Facilities	Front And Street Side Yards	Interior Side Yards And Courts	Rear Yard
Facilities	Front And Street Side Yards	Interior Side Yards And Courts	Rear Yard
Evaporative coolers, air condition compressors, and similar equipment	4' when screened from view	2'	4'
Propane tanks sited per California fire code and fire hazard design standards specified by subsection 9.34.060B1 of this title	If allowed by fire regulations and screened	If allowed by fire regulations and screened	4'
Cantilevered or supported decks; and cantilevered bay windows provided the total width of bay windows on any 1 story does not exceed 50% of the length of the wall containing them	4'	3'	4'
Roofed stairways, landings, corridors and fire escapes that are enclosed	5'	3'	10'
Garages, carports, sheds, and other detached, enclosed accessory building which occupy no more than 25% of the yard	Not allowed	Not allowed	Allowed
Unroofed parking and loading areas	See parking regulations (chapter 9.33 of this title)	Allowed	Allowed
Covered, underground, or partially excavated structures, such as garages, fallout shelters, wine cellars, basement and public utility or telephone/cable television vaults	Allowed, provided that the facilities do not extend more than 30" above the adjoining average finished grade level		
Fences, screening, safety guardrails, walls, and dense hedges along property lines	4' maximum height	10' maximum height	10' maximum height

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

Signs Allowed, subject to sign design standards

(Ord. 253, 12-16-2014)

9.09.050: NATIVE LANDSCAPE DOCUMENTATION PACKAGE:

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

REGULATED DESERT NATIVE PLANTS

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

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

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

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

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

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

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

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

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

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

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

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

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

- b. Signage shall be displayed perpendicular to roadways.
- c. Where multiple signs are proposed, signs shall be displayed on separate roadways, where possible.
- d. Signs shall, at a minimum, display the following:

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

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

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

- e. Signs required by this section are in addition to the subdivision signage allowed by this development code.
- f. The sign may be installed in conjunction with the native landscape documentation package submittal.

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

- 1. Written permission must be obtained from and signed by the owner of the property on which the plants are to be located. A copy of the document granting such permission shall be submitted to the director prior to issuance of the permit.
- 2. Approval of transplanting must take into consideration the plant's original and transplanted physical orientation, prevailing wind direction, soil type of the original and transplanted locations, and other related attributes which may affect the successful transplantation of the native plants in question.
- 3. Native plants that are proposed to be removed shall be transplanted or stockpiled for future transplanting wherever possible. In the instance of stockpiling for future transplanting the permittee shall have submitted and received approval of a native plant maintenance plan. The maintenance plan shall include the following:
 - a. The proposed schedule of watering.
 - b. The proposed location of stockpiled plants.
 - c. How the plants will be supported.
 - d. The method of trap fencing to be used.

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

9.14.090: COMMERCIAL SIDEWALK DISPLAYS:

A. Commercial sidewalk displays shall be subject to approval by a Commercial Sidewalk Display Application reviewed by the Planning Commission for new commercial projects, as well as existing commercial buildings.

1. The maximum height of a commercial sidewalk display shall be no more than six feet (6').
2. The maximum width of a commercial sidewalk display shall not exceed five feet (5'). The maximum depth shall not exceed two feet (2').
3. Commercial sidewalk displays shall be located no more than six inches (6") from the main face or front of a commercial building.
4. Commercial sidewalk displays shall not impede or block Americans with Disabilities Act (ADA) access.
5. Commercial sidewalk displays shall not remain outdoors outside of business hours of the subject business. Commercial sidewalk displays shall be removed between the hours of 10:00 P.M. and 7:00 A.M.
6. Commercial sidewalk displays shall not include any commercial signage.
7. Commercial sidewalk displays shall not include any light or sound producing items or devices.
8. Displays shall be stable and weighted or constructed to withstand being overturned by wind or contact.
9. Stores with double-frontage (e.g., corner lot) shall not combine their allotment of space to create a larger space than normally allowed.
10. Exemptions: Provided that the commercial outdoor display area does not exceed twenty-five percent (25%) of the frontage of the primary structure, does not encroach on ADA access, obstruct any curb ramp or crosswalk, parking area or driveway, or landscape area; the following displays are exempt from the requirements of this chapter:
 - a. Self-service vending machines, including but not limited to newspaper/magazine stands, water dispenser, and ice dispenser.
 - b. Firewood display.
 - c. Retail propane storage.
 - d. Other permanent outdoor displays and permanent outdoor display areas accessory to a permitted use authorized by prior entitlement, such that the display area is not expanded. (Ord. 327, 2-4-2025)

RESOLUTION NO PC 26-05

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
TOWN OF YUCCA VALLEY, CALIFORNIA, DENYING DEVELOPMENT CODE INTERPRETATION (DCI)
03-26, A REQUEST FOR A DETERMINATION THAT PROPOSED SELF-SERVICE WATER AND ICE
DISPENSING STATION IS A SIMILAR AND COMPATIBLE USE WITHIN THE MIXED USE
COMMERCIAL (C-MU) ZONING DISTRICT**

WHEREAS, the Planning Commission reviewed Development Code Interpretation (DCI) 03-26, a request for a determination pursuant to Section 9.06.030(A)(3) of the Town of Yucca Valley Development Code for a proposed self-service water and ice dispensing station at 57258 Twentynine Palms Highway; and

WHEREAS, the Planning Commission reviewed the staff report, the application materials, and all testimony presented at its duly noticed public meeting on July 14, 2026.

WHEREAS, the Planning Commission concluded that the proposed stand-alone water AND ice dispensing station is not similar and compatible to permitted uses such as ATMs, EV charging stations, or Commercial Sidewalk Displays because it does not satisfy the required findings of Section 9.06.030(A)(3), listed below, or the standards for Commercial Sidewalk Displays in Section 9.14.090.

- (1) The characteristics of, and activities associated with the use are similar to one or more of the listed uses, and will not involve a greater intensity than the uses listed in the district;
- (2) The use will be consistent with the purposes of the applicable zoning district;
- (3) The use will be consistent with the general plan, and any applicable specific plan;
- (4) The use will be compatible with the other uses allowed in the zoning district.

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

THAT THE PLANNING COMMISSION denies Development Code Interpretation (DCI) 03-26, a request for a determination that proposed self-service water and ice dispensing station is a similar and compatible use within the Mixed-Use Commercial (C-MU) Zoning District.

APPROVED AND ADOPTED by the Planning Commission on the 14th day of July 2026.

Mathew Thomas, Chairman

ATTEST:

Brenda Northrup
Planning Commission Secretary

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Brenda Northrup, Commission Secretary of the Town of Yucca Valley, California hereby certify that the foregoing Resolution No. PC-25-05 as duly and regularly adopted at a meeting of the Planning Commission of the Town of Yucca Valley, California at a meeting held on the 14th day of July 2026 by the following vote:

Ayes: Commissioners Henderson, Noonan, Stoker, Vasconcelos and Chair Thomas

Noes: None

Abstain: None

Absent: None

Brenda Northrup
Commission Secretary

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



To: Planning Commission

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

Date: July 6, 2026

Meeting Date: July 14, 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