

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 28, 2026

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

<https://zoom.us/j/97553390889?pwd=jLalQlnr0CPHnhd46Z8SIBjps0XkXR.1>

Meeting ID 975 5339 0889 Passcode 970771

*Use the above link to access the meeting virtually. Participants will be automatically muted upon entry. During the meeting, participants may "raise their hand" or notify the meeting moderator when they wish to make a public comment. Telephone participants may press *9 to raise their hand and *6 to unmute when called upon; additional instructions will be provided during the meeting as needed.*

Public comment is limited to three (3) minutes per speaker, or as otherwise directed by the Mayor/Chair.

In the event of technical difficulties resulting in a loss of connectivity or disruption to virtual streaming, pursuant to Government Code Section 54953.4 and SB 707, the Town will make a good faith effort to restore public access. No action will be taken on agenda items during the disruption. If access cannot be restored, the meeting will be recessed for at least one hour or until access is restored, in accordance with Government Code Section 54953.4.

*** * * ***

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 28, 2026, 6:00 PM

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

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

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

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

OPENING CEREMONIES:

Call to Order

Roll Call

Commissioner Henderson, Commissioner Noonan, Commissioner Stoker, Commissioner Vasconcelos, Chair Thomas

Pledge of Allegiance

Approval of Agenda

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

Recommendation:

Approve the meeting agenda for July 28, 2026, as prepared.

Consent Agenda

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

2. Approve the meeting minutes for July 14, 2026, as prepared.

Recommendation:

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

3. Native Plant Permit (NPP) 043-26 @ 5597 Acoma Trail

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report and approves the application for NPP 043-26, to relocate one (1) Mojave Yucca, relocate one (1) California Juniper, trim (5) California Junipers within the footprint or immediate vicinity of proposed pool improvements 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 contained within the staff report.

4. Native Plant Permit (NPP) 058-26 @ 57008 Juarez Court

Recommendation:

That the Planning Commission approves the application for NPP 058-26, to remove one (1) Mojave Yucca within the path of the proposed electrical utility for a new single-family residence previously reviewed under NPP 214-23, 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 contained within the staff report.

Public Hearings

Department Reports

5. Outdoor Lighting Ordinance — Initial Review and Discussion

Recommendation:

That the Planning Commission receives and files the report, and provides any input and direction as desired.

6. Land Development Update

Recommendation:

That the Planning Commission receives and files the report.

Future Agenda Items

CUP 01-24 – Tumbleweed Sanctuary, SPR 04-24 – Yucca Valley Materials Lab, SPR 01-25 – C&S Chicken Bar, TPM 20926 – Spencer Road Parcel Map, TTM 20817 – Acoma Trail Reversion to Acreage, and DCA 01-26, CUP 02-26 – Joshua Tree Distilling Company

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 Henderson, Commissioner Noonan, Commissioner Stoker, Commissioner Vasconcelos, Chair Thomas

Announcements

Upcoming Meeting Schedule: The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, August 11, 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: Evan Willoughby, Associate Planner

Date: July 22, 2026

Meeting Date: July 28, 2026

Subject: Native Plant Permit (NPP) 043-26 @ 5597 Acoma Trail

Recommendation:

That the Planning Commission receives and files the attached Desert Native Plant Specialist Report and approves the application for NPP 043-26, to relocate one (1) Mojave Yucca, relocate one (1) California Juniper, trim (5) California Junipers within the footprint or immediate vicinity of proposed pool improvements 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 contained within the staff report.

Prior Review:

There has been no prior review.

Discussion:

Applicant: Jeff Judd
Address: 5597 Acoma Trail
APN: 0596-291-17
Zoning: Residential, Rural Living (R-L-2.5)
Parcel Size: 1.81 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 relocation of one (1) Mojave Yucca, relocation of one (1) California Juniper, and trimming of (5) California Junipers. The Mojave Yuccas and California Junipers are located within the area identified on the attached plot plan for the proposed pool improvements. Proposed relocation areas are indicated on the plot plan to the east of the existing single-family residence.

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

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

Alternatives

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

Fiscal Impact:

N/A

Attachments

1. NPP 043-26 @ 5597 Acoma Trail - Jeff Judd - Application
2. Development Code Section 9.07.130
3. Western Joshua Tree Policy & Information Handout - Updated 6.11.2024



Native Plant Permit Application

Date Received 6/8/26
Case NPP 043-26
By Even
Paid \$294.00

General Information

APPLICANT Jeff Judd Phone 760-902-3288
Mailing Address 5098 Balsa Ave Email j+judds@gmail.com
City Yucca Valley State CA Zip 92284
PROPERTY OWNER Jon Friedman Phone 760-902-3288
Mailing Address 5597 Acoma Tr. Email _____
City Yucca Valley, CA State _____
Zip 92284 Address/Location of Plants 5597 Acoma Tr.
Desert Native Plant Specialist Dillon Reynolds

Project Information

TYPE OF PLANT	# OF PLANTS BEING DESTROYED	# BEING RELOCATED		# BEING PROTECTED IN PLACE	# BEING TRIMMED	HEIGHT	DIAMETER	MITIGATION FEE FOR RELOCATE OR REMOVAL
		ON-SITE	OFF-SITE					
MOJAVE YUCCA	<u>7</u>	<u>21</u>		<u>34</u>				
OUR LORDS CANDLE								
CALIFORNIA JUNIPER	<u>+</u>	<u>1</u>		<u>5</u>	<u>5</u>			
PINON PINE								
PARRY'S NOLINA								

Reason for relocation or removal In building areas
Property owner signature John Friedman Date 6-8-26

Staff Use Only

Issuance Date: _____ Issued By: _____

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

Denied _____ Reason for Denial _____

PLOT PLAN

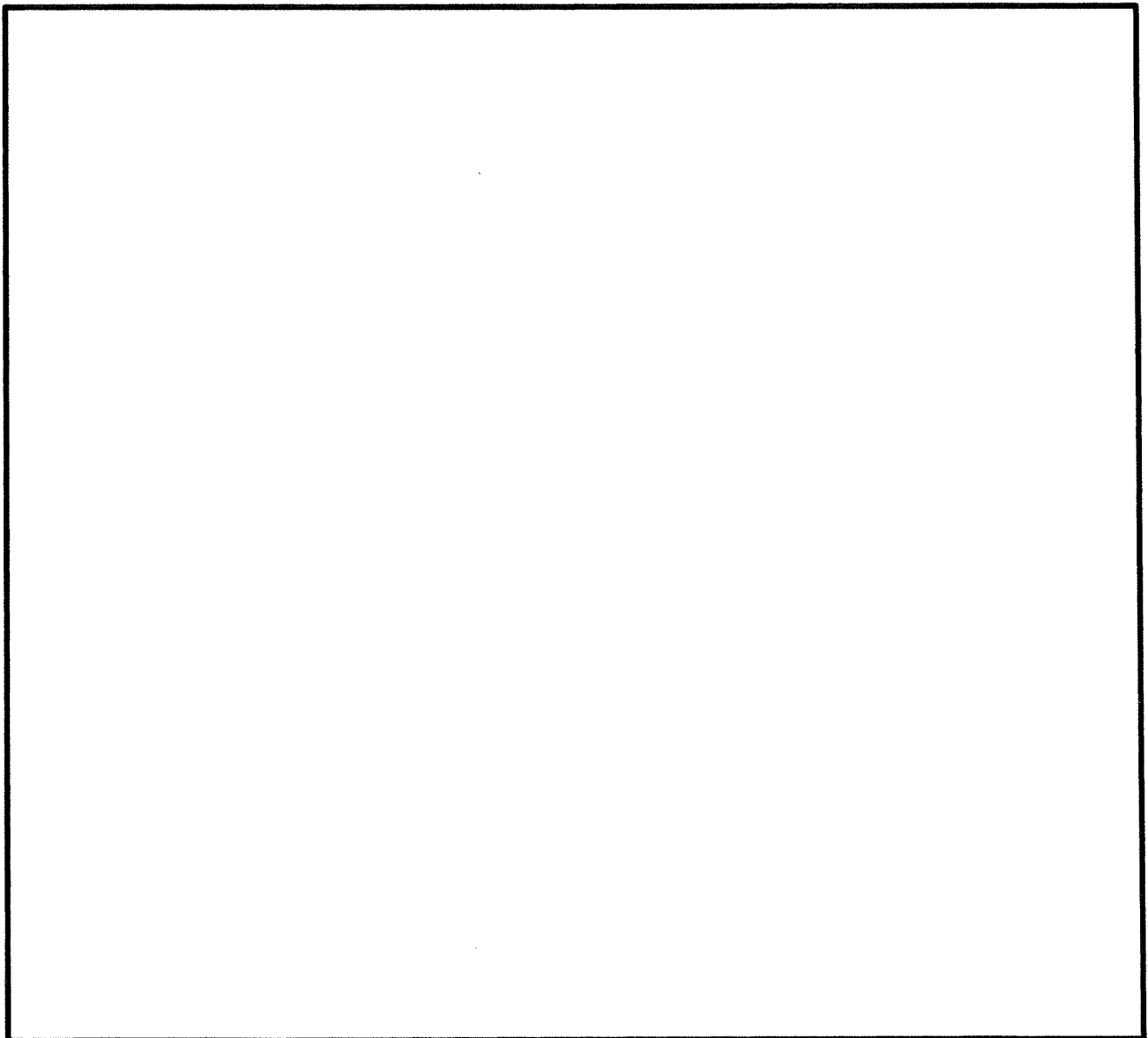
NAME _____

PROJECT ADDRESS _____

ASSESSOR PARCEL NO. _____

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

REAR PROPERTY LINE

A large empty rectangular box with a black border, intended for the user to draw the plot plan. The box is oriented vertically and occupies the central portion of the page.

FRONT PROPERTY LINE
STREET



DILLON REYNOLDS
DESERT NATIVE PLANT SPECIALIST
THE LANDSCAPE CENTER

June 1, 2026

via Email: mojavegreenconstruction@gmail.com

Jeff R. Judd
5597 Acoma Trail
Yucca Valley, CA 92284

Mr. Judd,

This report is submitted for your review and use in response to your request for a field investigation of the western Joshua trees (*Yucca brevifolia*) located within your project site that may potentially be impacted by the construction and installation of a pool, spa, and the associated required improvements. This report represents findings from my site visit that occurred on Friday, May 29, 2026.

ASSIGNMENT

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

- Property Owner: Jeff Judd
- Project: Acoma Trail Property
- Site Address: 5597 Acoma Trail Yucca Valley, CA 92284
- APN: 0596-291-17
- Jurisdiction: Town of Yucca Valley, CA

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

- An assessment of the tree(s) and current location(s) in relation to the proposed work.
- Avoidance/Protection recommendations, if applicable.
- Determination of potential impact.

I have also located and identified California juniper (*Juniperus californica*) and Mojave yucca (*Yucca schidigera*) within the proposed construction/impact limits.

This report is based on my evaluations of the site conducted on Friday, May 29, 2026.

OVERALL SITE MAP
(BOUNDARIES IN BLUE ARE APPROXIMATE)



LOCATION OF WESTERN JOSHUA TREES

PO Box 7308, Riverside, California 92513 • PHONE 951-352-8383 • FAX 951-352-3655
I.S.A. CERTIFIED ARBORIST # WE 9690A

Blue Line Boundary- Approximate Property Limits



California Juniper and Mojave Yucca Locations



CONCLUSION

After a review of the work site and the proposed construction work, I found there to be a total of three (3) western Joshua trees located within the examined area and a total of zero (0) located within 75' of the proposed work.

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

- Tree #1- 169'
- Tree #2- 76'
- Tree #3- 124'

Based on my experience and evaluation of the proposed work at the Acoma Trail property, I find that the project **will not** cause harm to western Joshua trees as there are zero (0) located within 75'.

****Note: I did not examine or review western Joshua trees that are located on neighboring properties or outside of the mentioned project limits. No Trespassing Signs posted.

I found there to be a total of six (6) California juniper within the proposed pool footprint that will be impacted.

Based on my evaluation of the proposed work at the Acoma Trail Residence, I find that the project **WILL** cause harm to six (6) California juniper located within the proposed construction activities.

I found there to be a total of five (5) Mojave yucca within the proposed pool footprint that will be impacted.

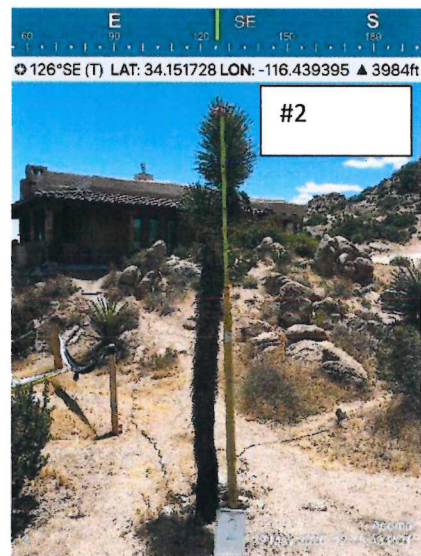
Based on my evaluation of the proposed work at the Acoma Trail Residence, I find that the project **WILL** cause harm to five (5) Mojave yucca located within the proposed construction activities.

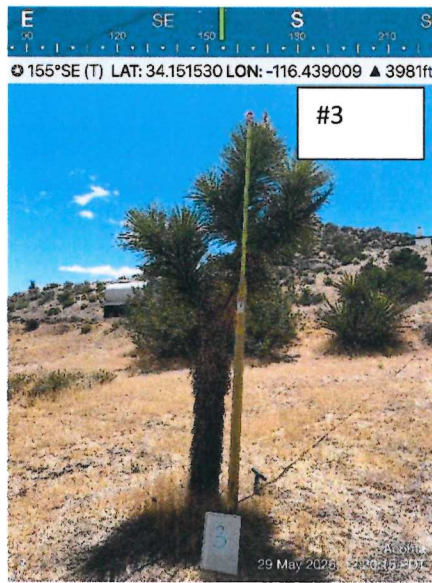
NOTES AND RECOMMENDATIONS

Protection measures for the three (3) western Joshua trees located at the site are required. Those measures shall be:

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

Western Joshua tree Photos





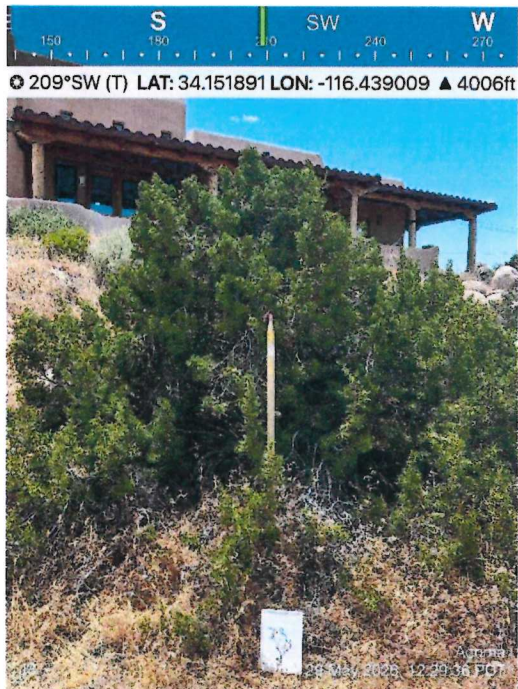
Impacted California juniper and Mojave yucca Photos



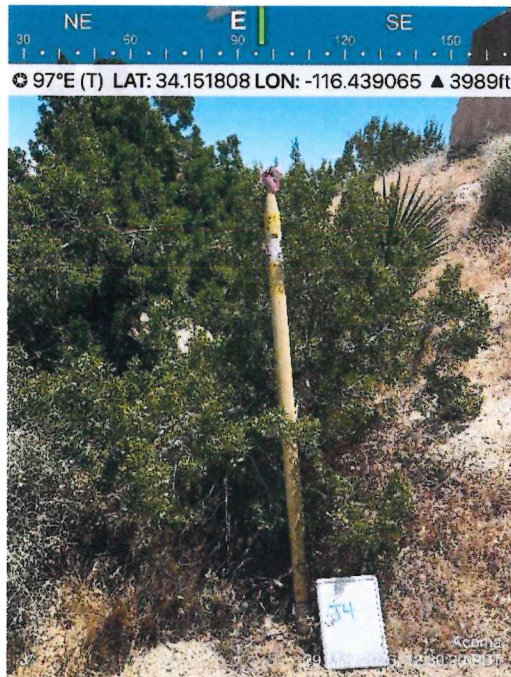
California juniper #1 (5' H x 6' W)



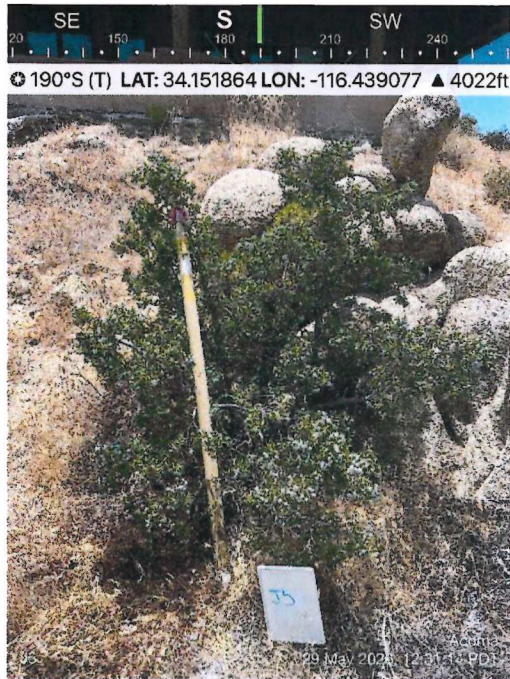
California juniper #2 (4' H X 5' W) *R. L.*



California juniper #3 (10' H X 14' W)



California juniper #4 (6' H X 6' W)



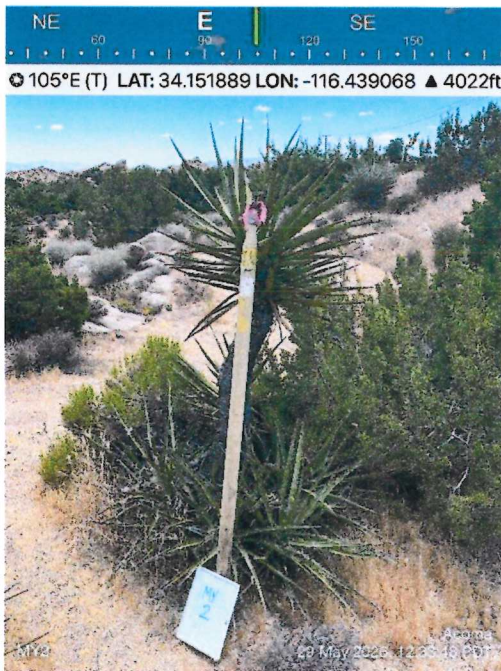
California juniper #5 (7' H X 6' W)



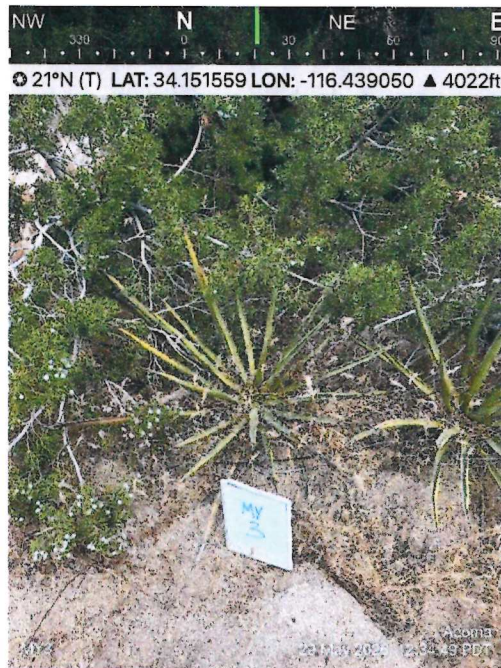
California juniper #6 (3' H X 3' W)



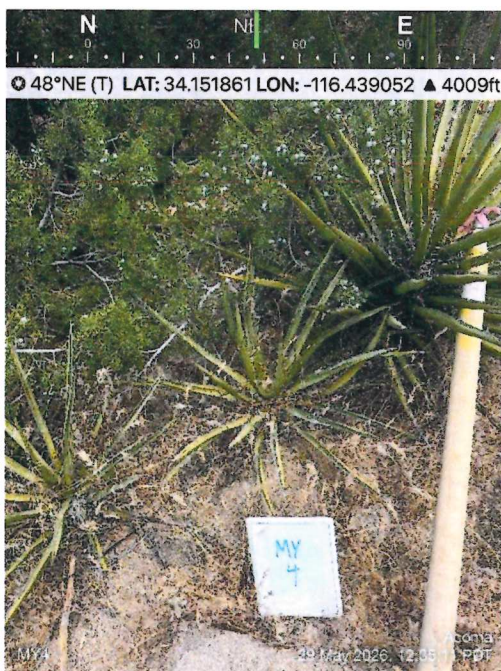
Mojave yucca #1 (7' H X 5' W)



Mojave yucca #2 (7' H X 6' W) *Relocate*



Mojave yucca #3 (2' H X 3' W)



Mojave yucca #4 (2' H X 3' W)



Mojave yucca #5 (3' H X 3' W)

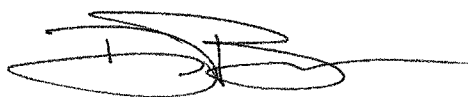
Arborist's Signature and Information

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



Arborist's Limitations and Suggestions

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



Dillon Reynolds
ISA Certified Arborist WE 9690A

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

Note:

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

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

9.07.130: NATIVE LANDSCAPE DOCUMENTATION PACKAGE:

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

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

REGULATED DESERT NATIVE PLANTS

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

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

B. Scope:

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

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

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

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

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

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

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

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

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

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

(1) Served by a water distribution system adequate for the proper operation of such activity; and/or

(2) Conducted under a land conservation contract; and/or

(3) An existing agricultural activity; and/or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TABLE 1

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

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

TABLE 2

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

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

TABLE 3

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

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

TABLE 4

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

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

1. Application Submission: A regulated desert native plant permit application shall be submitted to the planning division at the time of filing land use applications for development of residential subdivision projects. Land use applications for residential subdivision projects may include, but are not limited to, planned developments, specific plans, parcel and tract map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity. The planning commission shall review and approve all native plant applications for residential subdivisions.
2. Application Information: The regulated desert native plant application documentation shall contain the following information:
 - a. The botanical and common name of the regulated desert native plant.
 - b. The precise location of each regulated desert native plant.
 - c. The trunk or stem diameter of each regulated desert native plant.
 - d. The height of each regulated desert native plant.
 - e. The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.
 - f. The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site,

remove, etc. The plans for the regulated desert native plant survey shall be no smaller than twenty four inches by thirty six inches (24" x 36") unless otherwise approved by the planning division.

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

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

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

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

TABLE 5

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

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

TABLE 6

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

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

TABLE 7

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'

Side/rear setbacks	5'/10'	4.5'/9'
Arterial/collector street side setback	25'	22.5'
Local street side setback	15'	13.5'
Lot dimensions	60'/100'	54'/90'
Lot coverage	40%	44%

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

TABLE 8

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

TABLE 9

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

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



Western Joshua Tree Policy & Information Handout

1.0 PURPOSE

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

2.0 BACKGROUND

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

3.0 DETERMINATION OF AVOIDANCE

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

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

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

4.0 PRE-SITE INSPECTION PROCESS

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

5.0 REPORT BY A DESERT NATIVE PLANT SPECIALIST

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

5.1 REPORT BY APPLICANT IF EXEMPT

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

5.2 REQUIRED FINDINGS FOR DESERT NATIVE PLANT SPECIALIST

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

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

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

6.0 DEFINITION OF DESERT NATIVE PLANT SPECIALIST

A Desert Native Plant Specialist includes the following:

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

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

7.0 QUESTIONS AND COMMENTS

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

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



To: Planning Commission

From: Evan Willoughby, Associate Planner

Date: July 22, 2026

Meeting Date: July 28, 2026

Subject: Native Plant Permit (NPP) 058-26 @ 57008 Juarez Court

Recommendation:

That the Planning Commission approves the application for NPP 058-26, to remove one (1) Mojave Yucca within the path of the proposed electrical utility for a new single-family residence previously reviewed under NPP 214-23, 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 contained within the staff report.

Prior Review:

The Planning Commission previously reviewed Native Plant Permit (NPP) 214-23, for the single-family residential project, at their meeting of May 28, 2024.

Discussion:

Applicant: Jerry Kropacek
Address: 57008 Juarez Court
APN: 0596-413-02
Zoning: Residential, Rural Living (R-L-1)
Parcel Size: 1.06 acres

Native Plant Permit Application

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

The application is for remove one (1) Mojave Yucca within the path of the proposed electrical utility for a new single-family residence. The Mojave Yucca is located within the area identified on the attached plot plan for the proposed electrical utility 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 1.06 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 is attached to this staff report. The desert native plant specialist letter was previously received and filed by the Planning Commission for the project.

The Development Code section cited above is ministerial. The Development Code does not provide for discretion of this permit application.

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

Alternatives

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

Fiscal Impact:

N/A

Attachments

1. NPP 058-26 @ 57008 Juarez - Jerry Kropacek - Application
2. Development Code Section 9.07.130
3. Western Joshua Tree Policy & Information Handout - Updated 6.11.2024



Native Plant Permit
Application

Date Received	7/20/26
Case	NPP 058-26
By	EW
Paid	\$410.00

General Information

APPLICANT JERRY KROPACEK Phone 957-32-984

Mailing Address 6145 Carondeau Pl Email Jerry@KFC Builders.com

City 29 Palms CA State CA Zip 92277

PROPERTY OWNER MARIAN HRESKA Phone (760)401-5364

Mailing Address P.O. BOX 1220 Email HRESKAMARIAN@gmail.com

City JOSUA DREZ State CA Zip 92252 Address/Location of Plants 57008 JUAREZ CD

Desert Native Plant Specialist _____

Project Information & Brief Description:

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	1							
OUR LORDS CANDLE								
CALIFORNIA JUNIPER								
PINON PINE								
PARRY'S NOLINA								

Reason for relocation or removal SCE - POWER SUPPLY 4 TME SFR

Property owner signature Marian Hreska Date 7/20/26

Staff Use Only

Issuance Date: _____ Issued By: _____

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

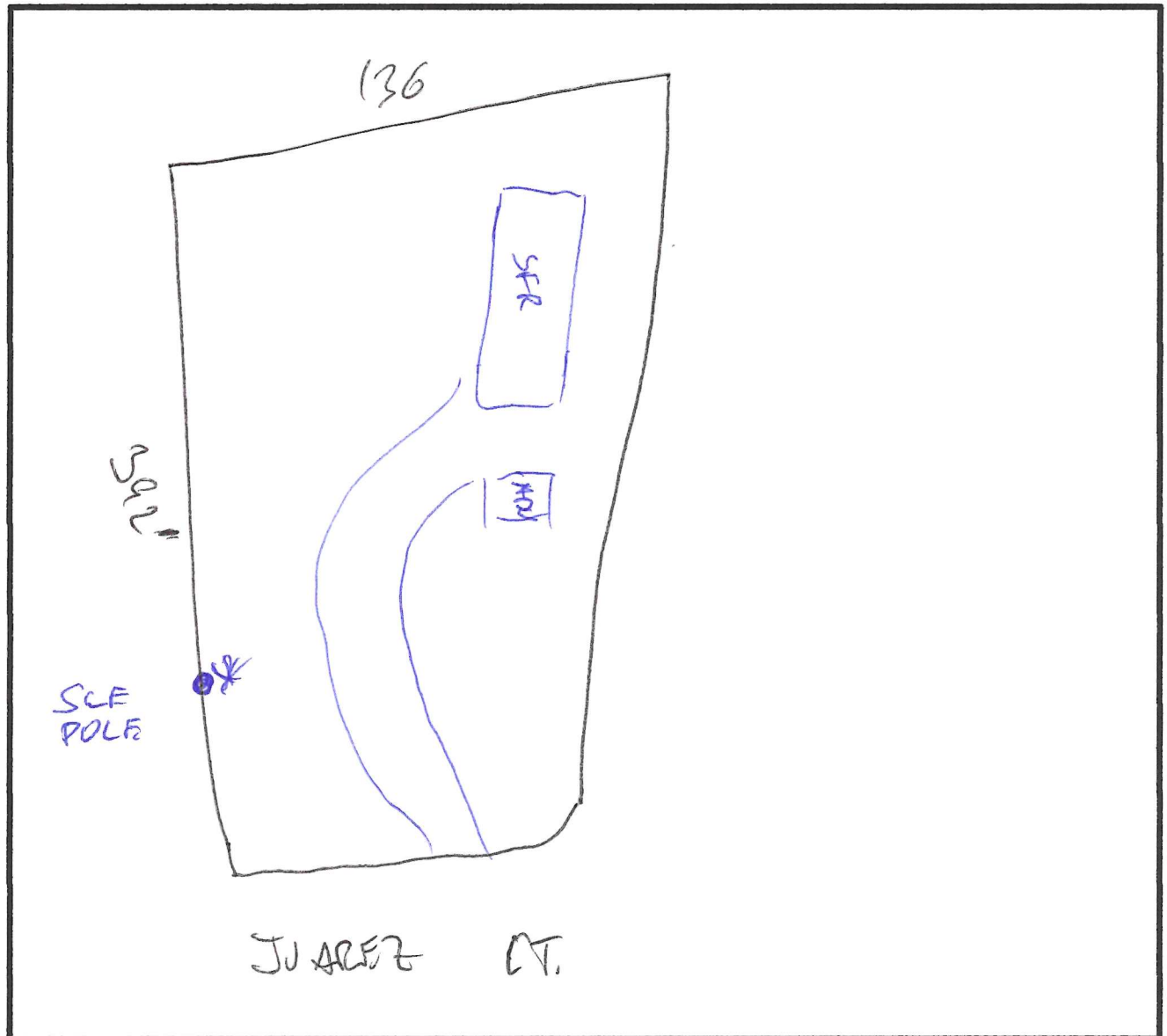
Denied _____ Reason for Denial _____

**PLOT PLAN – REQUIRED TO BE PLACED ON
THIS FORM**

NAME MR JERRY KROPAECK
PROJECT ADDRESS 5700 S JUAREZ CT
ASSESSOR PARCEL NO. 059 - 6413-02

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

REAR PROPERTY LINE



* YUCCA TREE

**FRONT PROPERTY LINE
STREET**

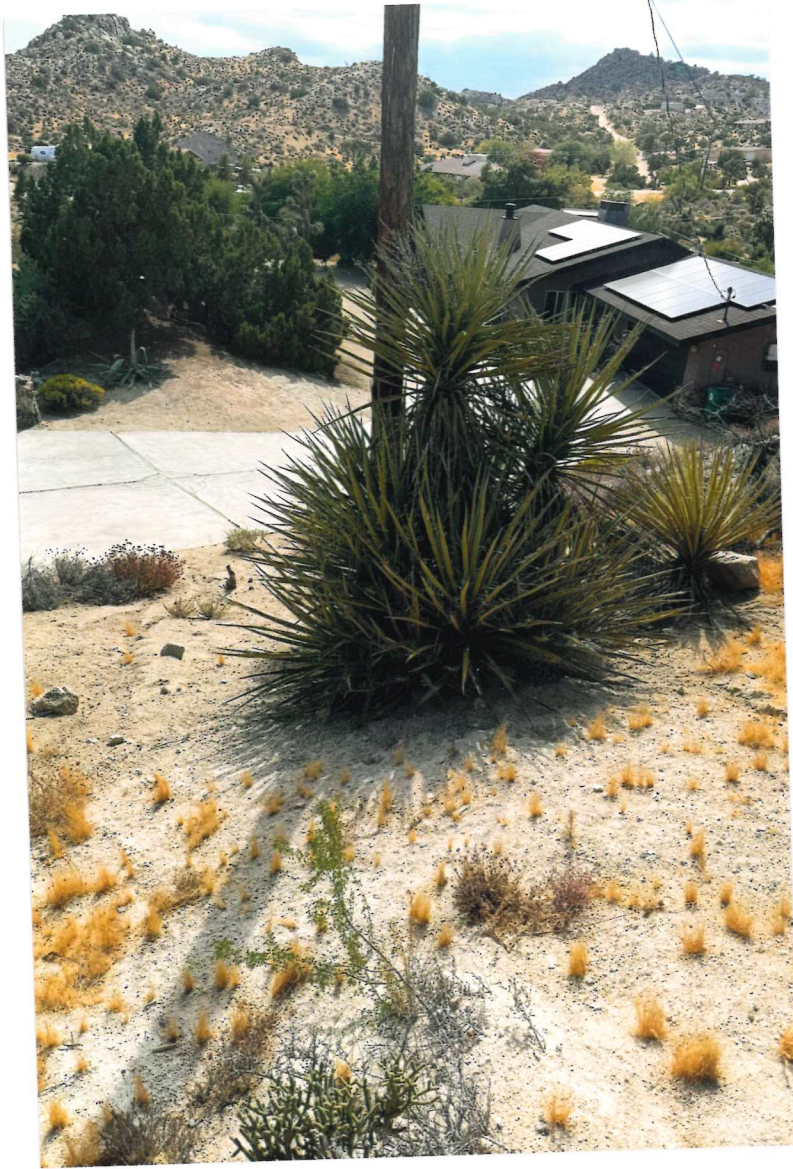
THE YUCCA TREE IS TOO CLOSE TO ELECTRICAL
POLE WHERE WE NEED TO DIG
FOR SCE PIPES

Diameter: 36"

Height: 5.5'

Health: Good







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

Note:

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

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

9.07.130: NATIVE LANDSCAPE DOCUMENTATION PACKAGE:

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

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

REGULATED DESERT NATIVE PLANTS

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

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

B. Scope:

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

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

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

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

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

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

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

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

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

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

(1) Served by a water distribution system adequate for the proper operation of such activity; and/or

(2) Conducted under a land conservation contract; and/or

(3) An existing agricultural activity; and/or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TABLE 1

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

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

TABLE 2

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

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

TABLE 3

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

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

TABLE 4

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

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

1. Application Submission: A regulated desert native plant permit application shall be submitted to the planning division at the time of filing land use applications for development of residential subdivision projects. Land use applications for residential subdivision projects may include, but are not limited to, planned developments, specific plans, parcel and tract map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity. The planning commission shall review and approve all native plant applications for residential subdivisions.
2. Application Information: The regulated desert native plant application documentation shall contain the following information:
 - a. The botanical and common name of the regulated desert native plant.
 - b. The precise location of each regulated desert native plant.
 - c. The trunk or stem diameter of each regulated desert native plant.
 - d. The height of each regulated desert native plant.
 - e. The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.
 - f. The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site,

remove, etc. The plans for the regulated desert native plant survey shall be no smaller than twenty four inches by thirty six inches (24" x 36") unless otherwise approved by the planning division.

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

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

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

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

TABLE 5

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

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

TABLE 6

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

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

TABLE 7

Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Typical Standards		Deviations Permitted
Lot size	Varies	Up to a 10% reduction in lot size based on property zoning
Front setback	25'	22.5'

Side/rear setbacks	5'/10'	4.5'/9'
Arterial/collector street side setback	25'	22.5'
Local street side setback	15'	13.5'
Lot dimensions	60'/100'	54'/90'
Lot coverage	40%	44%

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

TABLE 8

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

TABLE 9

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

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



Western Joshua Tree Policy & Information Handout

1.0 PURPOSE

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

2.0 BACKGROUND

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

3.0 DETERMINATION OF AVOIDANCE

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

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

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

4.0 PRE-SITE INSPECTION PROCESS

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

5.0 REPORT BY A DESERT NATIVE PLANT SPECIALIST

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

5.1 REPORT BY APPLICANT IF EXEMPT

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

5.2 REQUIRED FINDINGS FOR DESERT NATIVE PLANT SPECIALIST

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

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

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

6.0 DEFINITION OF DESERT NATIVE PLANT SPECIALIST

A Desert Native Plant Specialist includes the following:

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

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

7.0 QUESTIONS AND COMMENTS

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

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



To: Planning Commission

From: Evan Willoughby, Associate Planner

Date: July 21, 2026

Meeting Date: July 28, 2026

Subject: Outdoor Lighting Ordinance — Initial Review and Discussion

Recommendation:

That the Planning Commission receives and files the report, and provides any input and direction as desired.

Prior Review:

There has been no prior review of this matter.

Discussion:

The Town adopted its Outdoor Lighting ordinance on March 19, 1998. Its stated purpose and intent appear to remain relevant. However, changes in outdoor lighting technology warrant review and potential updates to modernize the regulations. Protection of the night sky is important not just for stargazing that is enjoyed by residents and millions of visitors to the Morongo Basin and Joshua Tree National Park, but also to the continued viability and diversity of desert animals that may be affected by light pollution and disruptions to their daily cycle. In tandem with preservation of the view of the night sky, it is important to enforce standards that adequately address nuisance glare and light trespass that interfere with enjoyment of private property.

8.70.010: PURPOSE AND INTENT:

It is the purpose and intent of this Chapter to establish regulations and standards which will assist in substantially reducing light pollution which can be generated from commercial and residential lighting fixtures and devices; to minimize light pollution which has a detrimental effect on the environment and the enjoyment of the night sky, to reduce and minimize lighting practices which cause unnecessary illumination of adjacent properties...

As one of a number of Strategic Plan priorities, the Town Council requested updates to the Town's Outdoor Lighting ordinance to reflect modern technologies, standards, and consistency with the California Building Code. Based upon that direction, staff is reviewing the current

ordinance against model ordinances, policies, and best practices published by DarkSky International (formerly International Dark-Sky Association) and other current sources.

The existing Outdoor Lighting Ordinance establishes definitions for "Fully Shielded" and "Light Trespass," which are fundamental standards used to evaluate compliance of outdoor lighting fixtures with the ordinance.

8.70.020: DEFINITIONS

FULLY SHIELDED: Any outdoor lighting fixtures shielded or constructed so that light rays are only emitted by the installed fixtures at angles below a horizontal plane passing through the lowest point of the light source and so not to direct light or light trespass onto adjacent property.

LIGHT TRESPASS: Nuisance glare from any lighting onto neighboring property that interferes with viewing of night sky or eliminates the ability to have darkness on the adjacent property or shines into neighboring windows and all or any areas on neighboring properties or structures.

Quantitative measurement of light trespass shall be with a standard yard stick (3 feet x 11/2 inches). The yard stick shall be placed at the building setback line in the complainant's yard. The yard stick shall be in contact with the ground and in a vertical position. The enforcement personnel shall then determine if a shadow is cast by the light source. The light source, yard stick and shadow must be in alignment. Measurements shall not be taken when there is a moon in the night sky.

The ordinance requires outdoor lighting fixtures for new construction to be fully shielded or recessed in such a manner as to preclude adverse impacts to adjacent property as a result of light trespass, or to any member of the public who may be traveling on adjacent roadways or right of way.

The ordinance includes tools to address nonconforming outdoor lighting fixtures, ensuring that their use is phased out, and that those nonconforming outdoor light fixtures resulting in light trespass may be required to be shielded, filtered, redirected, replaced with a less intense light source, removed, or a combination thereof to eliminate light trespass.

The ordinance provides procedures to address requests for exceptions where special circumstances or hardships may apply, and provides direction on enforcement of violations.

The ordinance addresses a number of exemptions for outdoor light fixtures that are not required to follow the requirements of the Outdoor Lighting ordinance. Those exemptions are reflective of the technology at the time the ordinance was adopted and warrant further review/modernization.

8.70.040 EXEMPTIONS:

- A. Fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps.
- B. All neon outdoor lighting fixtures.
- C. All outdoor lighting fixtures on facilities or lands owned, operated or controlled, by the United States Government, State of California, County of San Bernardino, Morongo Unified

School District, Southern California Edison or any other public entity or public agency, not including the Town of Yucca Valley. Voluntary compliance at those facilities is encouraged.

D. Emergency lighting operated by a public utility or agency during the course of repairing or replacing damaged facilities.

E. Emergency lighting and fixtures necessary to conduct rescue operations, provide emergency medical treatment or address any other emergency situations.

F. Provided there is no light trespass, or the lighting fixtures are regulated by motion detector, lighting fixtures within five feet (5') of an entrance or exit door and/or alcove of a dwelling unit, not exceeding a height of eight feet (8') and a wattage exceeding 75 watts.

G. Internally illuminated signs.

H. Holiday lighting fixture displays.

I. Architectural lighting whether it is freestanding or attached to a building which does not exceed an intensity of 40 watts.

J. Pedestrian lighting which does not have an intensity greater than 40 watts.

K. Vertical lighting for a properly displayed U.S. flag which does not exceed an intensity of 140 watts.

The Town's current ordinance may benefit from measurable technical standards for lighting that are consistent with best practices for regulation of modern lighting technology. For example:

Unless otherwise specified, the maximum allowable correlated color temperature (CCT) for outdoor Luminaires is 3000 K.

The DarkSky model ordinance provides standards for lighting (light level, distribution, controls, spectrum) that provide a useful baseline while developing a customized approach to community lighting standards. The Dark Skies Association identifies Five Light Principles for Responsible Outdoor Lighting, which are that is (1) Useful, (2) Targeted, (3) Low Level, (4) Controlled, and (5) Warm Colored.

Five Lighting Principles for Responsible Outdoor Lighting



Responsible outdoor lighting is

1 Useful

Use light only if it is needed

All light should have a clear purpose. Consider how the use of light will impact the area, including wildlife and their habitats.



2 Targeted

Direct light so it falls only where it is needed

Use shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed.



3 Low Level

Light should be no brighter than necessary

Use the lowest light level required. Be mindful of surface conditions, as some surfaces may reflect more light into the night sky than intended.



4 Controlled

Use light only when it is needed

Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed.



5 Warm-colored

Use warmer color lights where possible

Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.



Rev 08-2023

This report is intended to provide background for an initial policy discussion. Based on Commission direction, staff will prepare draft ordinance amendments addressing the policy issues identified during this meeting.

Alternatives

None

Fiscal Impact:

None

Attachments

1. DarkSky Association Model Ordinance
2. Yucca Valley Outdoor Lighting Ordinance



DarkSky International

2026 U.S. Municipal Code for Outdoor Lighting

February 20, 2026 – Version 1.1

Introduction

This DarkSky International (DarkSky) template provides outdoor lighting requirements for any local government (e.g., county, municipality) seeking to enact responsible outdoor lighting code (i.e., ordinance, bylaw). The language and requirements herein are a proven approach to mitigate light pollution and other misuses of artificial light at night. Such misuses threaten visual performance and human safety at night, brighten the naturally dark sky, waste valuable energy resources, and may damage nocturnal ecosystems or cause adverse biological health disruptions. The requirements work together holistically to meet the Five Principles for Responsible Outdoor Lighting co-authored by DarkSky and the Illuminating Engineering Society.

Instructions for Use

Narrative written in *[Blue + Italicized font]* are instructions intended for the user, including why a topic is being addressed, and, when applicable, optional requirements or choices. The language within this template will assist advocates and municipal staff members draft appropriate language. Narrative in **[red brackets]** requires the insertion of an appropriate name, term, value, or date depending on local conditions.

Before completion, it is recommended to gather input from key stakeholders (e.g., law enforcement, staff, community, utilities) so all perspectives are considered. The intent is for options to be selected that best fit the passion, identity, and goals of the local community while still meeting DarkSky recommendations. Upon completion, unused options and user instructions should be deleted to keep the document concise.

DarkSky Recognized Program

A program is available for any jurisdiction seeking to have their outdoor lighting code recognized by DarkSky International. For questions regarding this program, contact the [DarkSky Lighting Program Manager](#).

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[MUNICIPALITY] OUTDOOR LIGHTING CODE

Note: Italicized and capitalized words and phrases are defined in section 4.0 Definitions.

1.0 PREFACE

1.1 Authority

On behalf of [municipality], this outdoor lighting code is enacted on [date] pursuant to, and in accordance with, the authority of the [city council].

1.2 Purpose

[Municipal code for outdoor lighting should first establish a purpose and intent for having one. This information is important for future decision makers who will be faced with new and unique variance requests. While preamble and background narratives are not usually accepted as code or bylaw, recitals are an effective way to incorporate background and intent. Recitals must be factual, not general, and kept to a minimum.]

A. Outdoor lighting requirements are intended to protect the health and welfare of all residents within the jurisdiction, enhance its [character and quality of life], prevent inappropriate and poorly installed outdoor lighting, reduce lighting conflicts between property owners, prevent the increase of potentially harmful sky glow, and preserve the naturally dark sky for the benefit of residents, visitors, wildlife, and the environment. The *Five Principles for Responsible Outdoor Lighting* will guide [municipality]'s outdoor lighting decisions because:

1. Whereas, outdoor uses of *artificial light at night (ALAN)* often include misdirected or bright sources of light that cause an unsafe reduction in human visual performance; and
2. Whereas, unnecessary, excessive, and misdirected *ALAN* contributes to *Light Pollution* and wastes energy resources that would, if corrected, generate tangible cost savings; and
3. Whereas, increased use of *ALAN* has contributed to an escalation of *Light Pollution*, thus increasing the brightness of the night sky by 10% annually and rendering the current night sky orders of magnitude (often hundreds of times) brighter than the natural sky background; and
4. Whereas, *Light Pollution* from *ALAN* is known to cause adverse effects on the health and well-being of birds, wildlife, nocturnal ecosystems, vegetation, and under certain circumstances, human health;
5. Now, therefore, let it be resolved that the [municipality], which has the authority to protect natural resources and maintain a healthy environment for present and future generations, chooses to enact this outdoor lighting code *[the following is optional and not required for DarkSky Recognition, but highly recommended:]* and hereby assign the following *Lighting Zones* to all property within the [municipal] boundaries:

[Insert table or map] [See Appendix B for example formats.]

[Assignment of Lighting Zones by the jurisdiction will enable appropriate and coordinated Light Levels based on land use tasks (not property values), avoid subjectivity, and establish a thoughtful hierarchy of lighting conditions across the jurisdiction. ANSI/IES RP-43-25, Appendix A, and Appendix B provide guidance on how to establish lighting zones.]

1.3 Applicability

- A. This outdoor lighting code shall apply to all sources of outdoor lighting being installed, altered, or replaced within [municipality]. This includes, but is not limited to, newly permitted development, remodels, and construction projects involving homes, dwellings, roadways, public right-of-way, [signage, billboards] buildings, facilities, properties, landscape features, parking lots, hardscape, non-habitable structures, and monuments.
- B. Existing outdoor lighting lawfully installed prior to enactment and not meeting the requirements of this code shall be considered legal and repairable but non-conforming. All non-conforming *Luminaires* may continue to be used and maintained until one of the following occurs:
 - 1. A determination by the [code official] that an outdoor light source constitutes a nuisance or hazard to public safety.
 - 2. When a property is re-zoned for new land use, at which time all outdoor lighting on the property shall meet the requirements of this code before the new use commences.

1.4 Exemptions

- A. **Lawful:** Lighting requirements mandated by a legal jurisdiction with broader authority (e.g., federal, state, or territorial) than the [municipality], including but not limited to:
 - 1. Navigational lighting systems regulated by the Federal Aviation Administration and the US Coast Guard.
 - 2. Any conflicting building code or Department of Transportation illumination requirements.
 - 3. Lighting for worker safety as mandated by the Occupational Safety and Health Administration.
- B. **Safety:** Lighting installed for the benefit of public safety, including but not limited to:
 - 1. A judgement by the [code official] that extenuating circumstances justify an exemption or exception for security lighting.
 - 2. Temporary lighting required by authorized first responders during emergency procedures.
- C. **Temporary Lighting:** Temporary lighting approved by permit for special events, festivals, and/or community benefit, provided the permitted lighting still meets Sections 2.1(A) legality, 2.1(C)(2) light trespass, and Section 2.1(D) control requirements.
 - 1. Temporary permits shall not operate longer than [14] consecutive days.
- D. *[Option without penalty to DarkSky Recognition status:]* **Seasonal:** *Seasonal Lighting* used from [date] to [date]. *[While some municipalities will choose to make this exempt, it may be better to prescribe seasonal lighting requirements to guide the desired outcome. See Section 2.4.]*

1.5 Prohibitions

- A. *ALAN* must not interfere with the safe movement of motor vehicles. Any lighting that distracts or disables the vision of a motor vehicle operator (e.g., excessively bright or rapid blinking, flashing, and/or motion video) or contributes to traffic control confusion (e.g., sources resembling or imitating traffic or railroad signals) is prohibited.
- B. Beacons and searchlights are prohibited, except for emergency use by authorized first responders.

2.0 REQUIREMENTS

2.1 General

- A. Legality:** All outdoor *Luminaires* and *Luminaire* installations shall comply with federal and state law; county and municipal codes; applicable energy and building codes; product safety labeling; and shall be subject to the appropriate permit and inspection requirements thereof.
- B. Light Level:** *[As stated in the five principles for responsible outdoor lighting, installed lighting at night must have a purpose. For example, if roadway lighting is necessary and installed, it should be evaluated against roadway lighting standards. For that reason, we are explicitly identifying any lighting installed for “an” outdoor use, so that it is not evaluated against adjacent criteria.]* Unless otherwise specified, lighting installed for an outdoor use shall not exceed 50% more than the *Light Level* allowed by the applicable ANSI/IES, or other nationally recognized, *Lighting Standard* as published by **[date]**.
1. Exception: Non-Residential lighting when no *Luminaire* installed on the property exceeds a total output greater than 3,000 *Lumens*.
- C. Distribution**
1. **Uplight and Very High Angle:** Unless otherwise specified, *Luminaires* emitting more than 1,000 *Lumens* shall be *Zero Uplight* and either emit no more than 5% of their total *Lumen* output above 80 degrees from *Nadir* or achieve a maximum *G2* rating. Exceptions are:
 - a) *Luminaires* that are part of a historical registration site or approved by the municipality for commercial, central business, and entertainment corridors emitting fewer than 500 lumens above 90-degrees from *Nadir*.
 - b) Festoon string lighting where no individual lamp emits more than 50 lumens, and the lumen density of the string is no greater than 25 lumens per foot. *[This will restrict some medium-base line-voltage products that are not recommended unless they are shielded.]*
 - c) *Luminaires* used for façade illumination which are shielded and aimed, such that their direct light emission is contained to the architectural target.
 2. **Trespass:** Unless otherwise specified, *Light Trespass* shall meet the following:
 - a) *Luminaire* lamp sources shall not be visible from federal or state wilderness, natural area, or other areas designated for environmental protection; and therefore, *Light Trespass* shall not exceed one-tenth (0.1) *Lux*.
 - b) *Light Trespass* onto Waters of the United States shall not exceed one (1) *Lux*.
 - c) *Light Trespass* onto Residential property shall not exceed three (3) *Lux* when measured 5 meters (15ft) inside the property/easement line or at the dwelling façade, whichever distance is closest to the property/easement line.
 - d) *Light Trespass* onto public right-of-way shall not exceed five (5) *Lux*.
- D. Controls:** Unless otherwise specified, lighting installed for outdoor uses shall meet the following requirements during *Nighttime Curfew*:
1. When applicable, outdoor lighting shall dim or be extinguished as prescribed by the adopted energy code.

2. *Non-essential* outdoor lighting, including but not limited to landscape features and decorative lighting elements, shall be extinguished or dimmed by at least 50 percent.
 3. *Luminaires* activated by motion detection shall automatically return to their prior state no greater than **[5]** minutes after activity is no longer detected.
- E. **Spectrum:** Unless otherwise specified, the maximum allowable correlated color temperature (CCT) for outdoor *Luminaires* is 3000 K. *[Because blue light is more apt to scatter locally in the atmosphere, it is prone to being redirected back toward earth as a physical manifestation of sky glow. This veil of sky glow reduces the visibility of stars within the natural nighttime sky, and the increased illumination may disrupt biological and ecological health. A CCT of 3000 K is the highest recommended baseline criterion. Some communities may choose, or be accustomed to, 2400 K.]* Exceptions are:
1. Public safety needs supported by cited documentation.
 2. Non-white light sources are allowed for decorative illumination of building facades, landscape features, and entertainment effect. *[Saturated color in the outdoor environment should have limited use.]*

2.2 Residential

- A. The following requirements are supplemental to the General Outdoor Lighting Requirements (**Section 2.1**) and shall further regulate outdoor lighting on *Residential* properties that do not exceed a density of 36 dwellings per acre.
1. No *Luminaire* shall exceed 1,000 lumens of total output.
 2. Adjustable flood light *Luminaires* mounted to roofed structures shall be controlled (i.e., turned on and off) by motion detection.
 3. *[Because residential lighting is a major contributor to skyward light pollution, it is very important to require one of the following methods to limit lumen usage while maintaining a safe and equitable use of light. Depending on the municipal tolerance for complexity, select one of the following options which range from a basic default value without lighting zone assignments to more refined allowances based on common residential applications, tasks, and diminishing allowances for larger lots.]*
 - ☐ The installed lumen allowance shall not exceed 11,800 lumens per acre of lot area.
 - ☐ The installed lumen allowance shall follow the values shown in **Table 2.2**. For multi-family development, lot size shall be calculated for each dwelling unit by dividing the total lot size by the number of dwelling units on the lot:

TABLE 2.2: RESIDENTIAL LUMEN ALLOWANCE PER DWELLING UNIT (If lighting zones are not assigned, use Lz1)					
Dwelling Unit Lot Size			Lz0	Lz1	Lz2
(acre)	(sq feet)	(sq meters)			
1.33+	58,000	5400	5,100	12,750	25,500
1.00	43,500	4040	4,700	11,800	23,600
0.75	32,500	3020	4,250	10,600	21,200
0.50	21,750	2020	3,500	8,700	17,400
0.33	14,375	1325	2,750	6,800	13,600
0.25	10,800	1000	2,250	5,600	11,200
0.20	8,700	800	1,900	4,750	9,500
0.13	5,400	500	1,325	3,300	6,600
0.05	2,175	200	610	1,525	3,050
0.03	1,200	110	360	890	1,780

Examples:

- Single Family: A Lz1 dwelling located on a lot of 9,000 sf will use the be allowed 4,750 lumens based on the lot threshold that has been met (8,700 sf).
- Multi-Family: 32 townhome units on a 3.2-acre development will equal 4,356 sf (i.e., 0.10 acres) per dwelling. Therefore, each dwelling is allowed 1,525 lumens when located in Lz1.
- Multi-Family: 70 apartment units on a 2-acre development equals 0.02 acres per dwelling. Therefore, the dwelling density is too high, and lumen limits are not applicable. Therefore **Section 2.1(B)** must be used.

□ *[This formula is the most exact method for calculating residential lumen limits.*

This method is also the background math behind the allowances listed in Table 2.2.] The installed lumen allowance may be calculated using the following formula:

$$\text{Residential Lumen } AL_{\max} \cdot (1 - e^{-kA^p})$$

$L_{\max}$ = lumen density value based on *Lighting Zone*: 5,600 (Lz0); 14,000 (Lz1 default); 28,000 (Lz2)

e = Euler's natural logarithm (approx., 2.71828)

A = square footage being allocated for a dwelling unit after the total lot size (sf) is divided by the number of dwelling units on that lot.

$p = 0.93$ (the reducing rate of lumen rise as lot size increases)

$k = 0.00009$ (the magnitude of allowable lumens relative to lot size)

- B. Sport and recreational lighting on *Residential* property are exempt from the requirements of **Section 2.2(A)** provided it meets the requirements of **Section 2.3(A)(1)**.

2.3 Sports Lighting

- A. The following requirements are supplementary to the General Outdoor Lighting Requirements (**Section 2.1** and its subsections) and shall further regulate outdoor sport and recreational lighting.
1. **Residential Use:** *[Allowing Residential sport court lighting at night is a choice. Many benchmark communities do not allow the illumination of sport courts when located on Residential property to avoid neighborhood complaints.]*
 - a) Unless otherwise approved by permit, lighting installed for *Residential* sport and recreational courts shall not exceed 300 *Lux* illuminance average, or 10% more than the *Light Level* recommended by ANSI/IES RP-6 Class 4 "Class of Play" as published by [date].
 - b) Lighting for sport and recreational play on *Residential* property shall be extinguished during *Nighttime Curfew*.

2. **Park, Amateur, Collegiate, Professional, and Outdoor Entertainment Facility:** *[The following requirements are a subset of the DarkSky Approved Outdoor Sports Lighting Facilities program. These criteria have been proven to create safe playing fields while also mitigating problematic light pollution. DarkSky Approved Sports Lighting Facilities would meet these requirements.]*
- a) Eighty-five percent (85%) of the lumens generated by sports lighting luminaires shall be confined to within 10 meters (33 feet) or a distance equal to one pole height, whichever is greater, beyond the playing field, spectator track or bleacher area, whichever is greater.
 - b) Lighting installations for aerial sports are allowed a maximum of 8% of the total lumen output to be emitted above 80 degrees from *Nadir*.
 - c) The maximum *Light Level* shall not exceed 10% more than the *Light Level* recommended for the “Class of Play” by the referable *Lighting Standard*.
 - d) The maximum *CCT* for outdoor sports lighting should be the lowest possible for the sport, class of play, and viewing audience as defined by the relevant *Lighting Standard*, while never exceeding 5700 K.
 - e) The maximum luminous intensity from any *Luminaire* lighting a sports field shall not exceed 10,000 *candelas* (cd) as calculated using computer software or measured along a perimeter that is 46 meters (150 feet) from the edge of the field, at 1.5 meters (5 feet) above grade. *[This requirement is considered the minimum guideline for glare reduction because sports lighting can be 85% contained, meet light trespass illuminance requirements, and still produce obtrusive brightness in the surrounding properties that cause an individual to uncomfortably squint or turn away. There are many LED products with shielding and optical control that can meet this requirement. The design process and installation crews can validate this measurement on behalf of the municipality. When post-installation measurement is difficult, third party sources can take these measurements.]*

2.4 **[Additional Specialty Lighting Requirements Available:]**

[Supplemental outdoor lighting requirements are available for specialized uses and applications. These requirements can be found at <https://darksky.org>, and are intended for insertion into the outdoor lighting code starting with section 2.4. The specialized uses and applications that are available include:]

- A. *[Seasonal Lighting]*
- B. *[Illuminated Signage]*
- C. *[Coastal Marine Turtle Habitat]*

3.0 COMPLIANCE PROCESS

3.1 Application

- A. **Submittal:** Whenever a building, subdivision, site plan, or outdoor building/lighting permit is applied for, an outdoor lighting plan must be submitted along with a compliance statement that the proposed work will comply with all code requirements. The outdoor lighting plan must utilize one of the following:

1. **Schedule Method:** Only available for renovation and *Residential* lighting; projects to be documented using a spreadsheet format by listing the *Luminaire* identifications (i.e., manufacturer, model number, type), *Luminaire* quantities, installation locations, and *Lumen* outputs for each; or
2. **Calculation Method:** Available for all project types, required for sports lighting (e.g., park, collegiate, professional), and when specifically requested by the **[planning commission]**; an outdoor lighting design shall be prepared using lighting design software and approved by a licensed Professional Engineer or Architect. *[Note: In Europe and the UK, lighting designers are not required to get lighting design plans approved by another entity]* This outdoor lighting plan shall include:
 - a) *Luminaire* identification (model number), installation locations, mounting heights, targeted directions, buildings, and other physical objects within the site that could affect the lighting outcome.
 - b) Site plan and *Light Level* calculation plots demonstrating conformance with this code, including the sports lighting luminous-intensity and *Light Trespass* limits.
- B. Review:** Submitted spreadsheets, site lighting plans, and compliance affidavits shall be subject to review and approval by the **[administrator]**, or designee. The **[administrator]** shall have the authority to refer an application to the **[planning and zoning commission]** or the **[historic commission]** if deemed appropriate.
- C. Appeals:** Any appeals related to decisions regarding outdoor lighting shall be made to the **[administrator]**, or designee.

3.2 Enforcement and Penalty

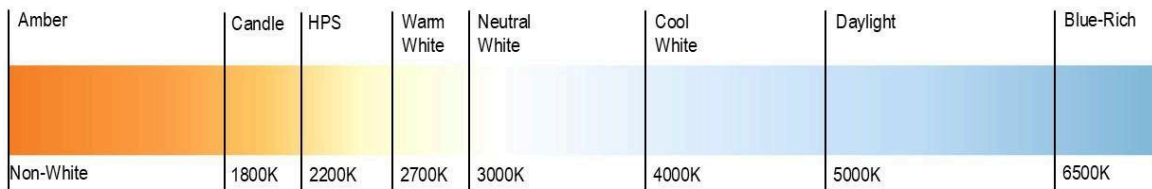
[Each municipality will have its own code and/or regulations from which to cite specific references on enforcement and penalties. This section should be tailored to cite those specific sections as applicable to ensure enforcement and that penalties can be administered.]

- A. Enforcement:** Unless otherwise noted, the **[administrator]**, or designee, shall be responsible to implement, administer, and enforce this code, including investigations of alleged violation. A private right of action may also constitute enforcement of the requirements within this code.
 1. The **[administrator]** charged with enforcing this code shall have the authority to grant partial waiver of specific requirements for up to one year if a property owner demonstrates that compliance creates unreasonable hardship, as balanced against the potential impacts of non-compliance, or results in conditions that are materially detrimental to health, safety or welfare.
- B. Penalty:** Any property owner (e.g., person, business, corporation) that does not meet the requirements of this code shall be in violation and issued a notice of administrative citation as provided by the jurisdiction code. Any property owner found to have violated any portion of this code shall correct the violations within **[ninety (90)]** days of the citation date. Each day a violation continues beyond the deadline without having been corrected shall be a separate offense. *[For municipalities without standard citation penalties or injunctive relief, a monetary fine is recommended for each citation.]*

3.0 DEFINITIONS

3.1 The following definitions apply to terms used within this code:

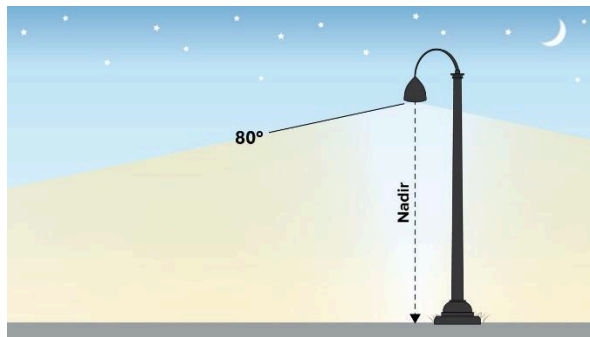
- A. ANSI/IES:** The Illuminating Engineering Society (IES) is an American National Standards Institute (ANSI)-recognized Standards Development Organization. ANSI/IES Recommended Practices are universally recognized as authoritative references for lighting applications.
- B. ALAN (artificial light at night):** Light that is created from human technology, rather than a naturally occurring process. Also known as anthropogenic lighting.
- C. Candela (cd):** The unit of measure for luminous intensity.
- D. CCT (correlated color temperature):** The measured color appearance of white light using units of kelvin (K). Lower CCTs (1800 K to 2200 K) appear very warm or amber. Medium CCTs (2700 K to 3000 K) appear warm white, similar to standard incandescent bulbs. High CCTs (4000 K and higher) appear cool white or daylight blue.



- E. DarkSky Approved Outdoor Sports Lighting:** A standalone program put forth by DarkSky International to guide and/or certify sports lighting that meets stringent glare and *Light Trespass* requirements.
- F. Five Principles for Responsible Outdoor Lighting:** Co-authored and published by DarkSky International and the Illuminating Engineering Society: 1) Use light only if needed; 2) distribute light only where it is needed; 3) use light that is no brighter than needed; 4) control light so it is on only when needed; and 5) use warmer color light when possible.
- G. G2 Rating:** A *Luminaire* fabricated or shielded in such a manner that its light emission profile has achieved a G2 rating using the ANSI/IES TM-15-20 standard.
- H. Light Level:** The measured luminous flux (illuminance) onto a surface or the intensity of light emitted from a surface (luminance) in a given direction. Typically measured and compared to values recommended by the appropriate *Lighting Standard*.
- I. Light Pollution:** Excessive or unnecessary *ALAN* traveling into areas where it is not needed or wanted. This can be in the form of *Light Trespass*, glare, or sky glow.
- J. Light Trespass:** Unwanted *ALAN* entering property without permission. Illumination limits are measured vertically 1.5 meters (5ft) above grade with the meter aimed toward the light source in question. Unless otherwise specified, limits are measured at any location along a property line.
- K. Lighting Standard:** A published lighting standard, including date or version number, which can be referenced for outdoor lighting applications. Examples include:
 - 1. ANSI/IES RP-2: outdoor retail spaces
 - 2. ANSI/IES RP-6: outdoor sports and recreational areas
 - 3. ANSI/IES RP-7: outdoor industrial areas
 - 4. ANSI/IES RP-8: roadway and parking facilities
 - 5. ANSI/IES RP-40: port terminals

6. ANSI/IES RP-43: outdoor pedestrian applications

- L. **Lighting Zone:** Co-authored by IES and DarkSky, lighting zones describe the luminous environment and related lighting conditions based on land uses and expected tasks. These range from natural and intrinsically dark zones to very bright zones. Definitions and descriptions of lighting zones can be found in ANSI/IES RP-43-25 and Appendix A.
- M. **Lumen (lm):** A unit of measure for the luminous flux of a light source.
- N. **Luminaire:** A complete lighting unit, including the light source, housing, optics, electronics, and other necessary components for the purpose of providing outdoor illumination.
- O. **Lux (lx):** The SI metric system unit of measure for illuminance.
- P. **Nadir:** A downward vertical vector directly beneath a luminaire, opposite to zenith.



- Q. **Nighttime Curfew:** The time between [10] PM and sunrise, or 6 AM (whichever comes earlier). For businesses and events with operating hours later than [10] PM, curfew hours will begin one hour after closing.
- R. **Non-essential:** Lighting that is not directly associated with security, motor vehicle safety, and pedestrian threats, including but not limited to: landscape feature lighting, illuminated signage or advertising after business hours, façade lighting, vacant sports fields, and seasonal lighting.
- S. **Residential:** Municipal zoning districts dedicated to places of low-rise (i.e., 3 stories or less) human residence and dwelling. Examples include single family, duplex, multi-family, condominium, townhome, and mobile home. This does not include vertically mixed-use districts.
- T. **Seasonal Lighting:** Outdoor or site lighting that is portable, temporary, decorative, and used in connection with holidays and traditions. This includes but is not limited to string lighting, icicle lighting, and lighted inflatables, none of which are intended for general illumination.
- U. **Shielding:** A *Luminaire* design, optical intervention, or physical accessory (such as a louver) preventing light emission from traveling into a particular area, angle, or region.
- V. **Zero Uplight:** An installed *Luminaire* that does not have visible light source emission at or above a horizontal plane passing through the lowest light-emitting part of the *Luminaire*; or a U0 BUG rating; or a 0% upward light ratio (ULR).

APPENDIX A – LIGHTING ZONE SUMMARY

Illuminance recommendations within ANSI/IES standards may be based on different luminous environments as expected and/or predicted by different land uses and their associated tasks. These luminous environments, defined as lighting zones, are described within ANSI/IES RP43-25. The following table is an abbreviated list of lighting zone descriptions and provided as a condensed summary.



ANSI/IES RP43-25 Table B-1

Scotopic	NLz	NATURAL CONDITIONS w/ NO ANTHROPOGENIC LIGHT: Applies to areas where the natural environment is adversely affected by anthropogenic lighting at night. <u>Land Use Examples:</u> Any area where the protection of the natural nighttime environment is critical. This includes wilderness, backcountry, natural parks, preserves, protected wildlife areas, and sizable areas surrounding observatories.
	Lz0	PROTECTED AREA w/ VERY LOW ANTHROPOGENIC LIGHT: Characterized by predominantly dark areas where there is a limited built environment for human use. Responsible lighting decisions in these areas should protect the natural environment to the greatest extent possible. <u>Land Use Examples:</u> Conventional outdoor agricultural and residential uses in rural areas. Frontcountry areas adjacent to NLz. Municipal parks with low pedestrian activity. Natural area amenities within or adjacent to NLz, including visitor centers, lodges, employee housing, and park operation facilities.
Mesopic	Lz1	DEVELOPED AREA w/ LOW ANTHROPOGENIC LIGHT: Applies to areas of human habitat and other developed areas where too much anthropogenic light could affect the quiet, dark character of the area. Minimal illuminated signage is used or expected. <u>Land Use Examples:</u> Single and low-rise multi-family residential uses. Rural town centers and low pedestrian volume institutional (e.g., church, campus, public use), commercial. Light industrial, including controlled agriculture with greenhouses illuminated at night. County and municipal parks with low and moderate pedestrian activity.
	Lz2	DEVELOPED AREA w/ MODERATE ANTHROPOGENIC LIGHT: Applies to municipal areas intended for commerce, recreation, and moderate nighttime activity where light may be needed for increased mobility and convenience. Lighting informs users and helps navigation tasks with moderate signage. <u>Land Use Examples:</u> Residential uses with moderate or high pedestrian volume. Moderate pedestrian volume commercial corridors and suburban town centers. Moderate pedestrian volume institutional (e.g., campus, hospitals, public use) and parks. Moderate industrial uses. Areas may be adjacent or within Lz3 areas.
Low-Photopic	Lz3	DEVELOPED AREA w/ HIGH ANTHROPOGENIC LIGHT: Applies to larger volume city centers, commercial, and entertainment corridors where signage competes to attract users. Anthropogenic lighting is continuous for convenience, safety, and to support nighttime activity. <u>Land Use Examples:</u> Commercial corridors, central business districts, entertainment/hospitality districts, and sports arenas in urban areas with high pedestrian volume. Heavy industrial and transportation facilities with nighttime operations.
	Lz4	LIMITED USE AREA w/ VERY HIGH ANTHROPOGENIC LIGHT: The highest risk for adverse ecological effects. Applies to rarely used tourism areas recognized and accepted for their use of lighting at night for attraction and entertainment. Typically contained within a larger Lz3 area. <u>Land Use Examples:</u> Specially designated urban entertainment, hospitality, and retail areas designated by planning authorities. There is significant competition amongst illuminated signage and a very high volume of pedestrian and vehicular traffic at night.

Purpose: Lighting zone classifications are designed to help protect the natural environment from unintended consequences of excessive or misapplied light at night. Used as a municipal design and planning tool, lighting zones have become the foundation for countless illuminance recommendations and many auxiliary design and energy standards. Adoption of lighting zones can help balance environmental and community goals by recommending appropriate illuminance levels for the expected tasks.

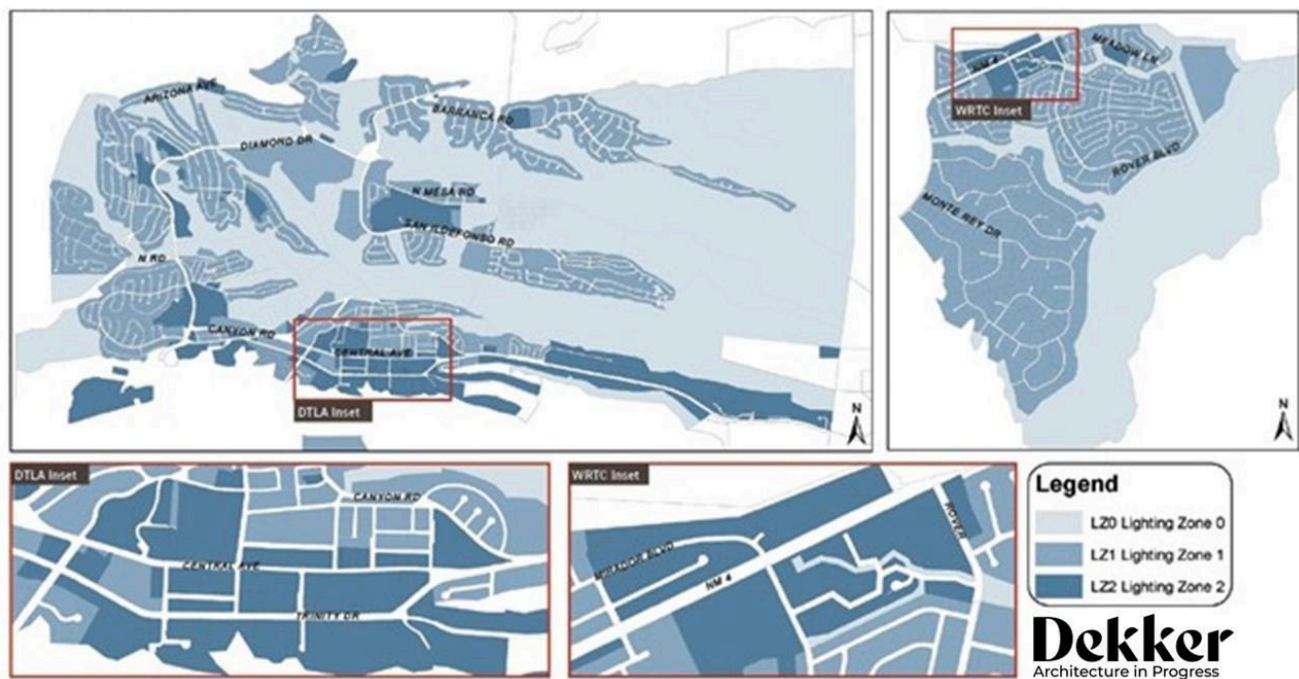
Instructions: Using the available descriptions and land use examples, users should assign the lowest and most aspirational lighting zone possible to public and private properties within the municipality. This effort will direct lighting designers and specifiers toward safe and responsible illuminance criteria set forth by ANSI/IES.

APPENDIX B – LIGHTING ZONE DESIGNATION EXAMPLES

Table Format Example

Lighting Zone Designations by Land Use																		
Zone District	Residential						Mixed-Use				Non-Residential							
Lighting Zones	R - A	R - 1	R - T	R - M C	R - M L	R - M H	M X - T	M X - L	M X - M	M X - H	N R - C	N R - B P	N R - L M	N R - G M	NR-PO			
															A	B	C	D
NLz																X ¹	X ¹	
Lz0	X ³	X ³	X ³	X ³	X ³		X ³								X ²	X ²	X ²	X ²
Lz1	X	X	X	X	X	X ⁴	X	X ⁴	X ⁴	X ⁴	X	X	X	X	X			X
Lz2						X		X	X	X	X ⁵			X ⁵	X ⁶			
Lz3									X ⁵	X ⁵					X ⁷			
Notes: [1] NLz is required in NR-PO zones for open space where no anthropogenic light is allowed. [2] Lz0 is required in NR-PO zones for open space where artificial light is needed during nighttime hours. [3] A lower lighting zone is required on subject properties with sensitive lands. [4] A lower lighting zone is required on subject properties adjacent to low-density uses. [5] A higher lighting zone is allowed unless the subject property is adjacent to any residential zone district. [6] Lz2 is allowed in parks with high pedestrian activity and many amenities. [7] Lz3 is allowed in parks containing nighttime stadiums or entertainment activities.																		

Map Format Example



CHAPTER 8.70

OUTDOOR LIGHTING

SECTION:

8.70.010: Purpose And Intent

8.70.020: Definitions

8.70.030: Outdoor Lighting Fixtures

8.70.040: Exemptions

8.70.050: Administration And Enforcement

8.70.060: Penalties

8.70.010: PURPOSE AND INTENT:

It is the purpose and intent of this Chapter to establish regulations and standards which will assist in substantially reducing light pollution which can be generated from commercial and residential lighting fixtures and devices; to minimize light pollution which has a detrimental effect on the environment and the enjoyment of the night sky, to reduce and minimize lighting practices which cause unnecessary illumination of adjacent properties, and to implement the Yucca Valley General Plan, Community Design Element, Policy 12, Program 12.A and Program 12.B. (Ord. 90, 3-19-1998)

8.70.020: DEFINITIONS:

For the purpose of this Chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. Words used in the present tense include the future, words in the plural number include the singular number, and the words in the singular number include the plural number. Words not defined shall be given their common and ordinary meaning.

ARCHITECTURAL LIGHTING: Lighting which is either directed towards a residence with the intent of highlighting an architectural feature or a light fixture which is architecturally ornamental in nature or purpose.

ATTACHED LIGHTING: A light fixture that is attached to a building.

FIXTURE: The assembly that holds the lamp and may include an assembly housing, a mounting bracket or pole socket, lamp holder, ballast, a reflector or mirror and a refractor or lens.

FREESTANDING LIGHTING: A light fixture which is not attached to a building.

FULLY SHIELDED: Any outdoor lighting fixtures shielded or constructed so that light rays are only emitted by the installed fixtures at angles below a horizontal plane passing through the lowest point of the light source and so not to direct light or light trespass onto adjacent property.

LIGHT TRESPASS: Nuisance glare from any lighting onto neighboring property that interferes with viewing of night sky or eliminates the ability to have darkness on the adjacent property or shines into neighboring windows and all or any areas on neighboring properties or structures. Quantitative measurement of light trespass shall be with a standard yard stick (3 feet x 1¹/₂ inches). The yard stick shall be placed at the building setback line in the complainant's yard. The yard stick shall be in contact with the ground and in a vertical position. The enforcement personnel shall then determine if a shadow is cast by the light source. The light source, yard stick and shadow must be in alignment. Measurements shall not be taken when there is a moon in the night sky.

NEW CONSTRUCTION: New lighting fixtures and/or new building(s) with outdoor lighting.

NIGHT SKY: A clear sky, with visible stars, despite necessary or desired illumination of private and public property.

PEDESTRIAN LIGHTING: Freestanding lighting fixtures not exceeding a height of thirty six inches (36") from ground grade level. (Ord. 90, 3-19-1998)

8.70.030: OUTDOOR LIGHTING FIXTURES:

A. Single-Family And Multi-Family Residential Land Use Districts: The following standards are applicable to all structures located within single-family and multi-family residential land use districts as identified on the Official Yucca Valley Zoning District Map:

1. Existing Structures Located In Single-Family And Multi-Family Residential Land Use Districts:

a. Existing outdoor lighting fixtures installed or constructed on developed properties located in any residential land use district, as identified on the Official Yucca Valley Zoning Map, and which properties are used for residential purposes which are nonconforming, shall be allowed continued use, except that the lighting shall not be structurally altered so as to extend its useful life aside from regular maintenance.

b. Should it be determined that a nonconforming lighting fixture results in light trespass, the Town may require the light to either be shielded, filtered, redirected, replaced with a less intense light source, removed or a combination thereof to eliminate light trespass.

2. New Construction And New Lighting In Single-Family And Multi-Family Residential Land Use Districts: Any new construction and or new lighting located in any residential land use district, as identified on the Yucca Valley Zoning Map and which properties are used for residential purposes, unless exempt, shall be fully shielded or recessed in such a manner as to preclude adverse impacts to adjacent property as a result of light trespass, or to any member of the public who may be traveling on adjacent roadways or right of way.

B. Commercial And Industrial Land Use Districts: The following standards are applicable to all structures located within commercial and industrial land use districts as identified on the official Yucca Valley Zoning District Map:

1. Existing Structures Located In Commercial And Industrial Land Use Districts:

a. Existing outdoor lighting fixtures installed or constructed on developed properties located in any commercial or industrial land use district, as identified on the Yucca Valley Zoning Map, and which properties are used for any commercial or industrial purpose, which are nonconforming shall be allowed continued use, except that the lighting shall not be structurally altered so as to extend its useful life aside from regular maintenance.

b. Should it be determined that a nonconforming lighting fixture results in light trespass, the Town may require the light to either be shielded, filtered, redirected, replaced with a less intense light source, removed or a combination thereof to eliminate light trespass.

(1) In those cases where light trespass exists and has been determined to be a nuisance, the Community Development Director may grant additional time for the property owner to remedy the light trespass where a hardship exists and the following findings can be made. Hardship shall mean that there is a degree of difficulty in accessibility to the fixture, financial difficulty or cost of correcting the light trespass, degree of light trespass or other similar issues.

(A) There are special circumstances or conditions applying to the land, building or outdoor light fixtures for which temporary administrative relief is sought, which circumstances or conditions are peculiar to such land, buildings or outdoor light fixtures and do not apply generally to the land, buildings or outdoor light fixtures in the neighborhood.

(B) The granting of the temporary administrative relief will generally be in harmony with the intent of this Chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(2) The Director shall make a determination within five (5) business days from the date of the submission of the request and notify the applicant in writing of his decision. Temporary relief shall not exceed a period of ninety (90) days. The Director's determination may be appealed to the Planning Commission within ten (10) days of the decision. Should additional time be required the request shall be forwarded to the Planning Commission for review and consideration through the temporary use permit process and requirements.

(3) The Director may forward the request to the Planning Commission based upon the degree of light trespass, costs of correcting the light trespass or other similar issues.

c. Fifty percent (50%) of all nonconforming lighting fixtures within parking lots or within open lot sale areas shall be turned off within one hour after closing or between the hours of eleven o'clock (11:00) P.M. and sunrise, whichever occurs first.

(1) In those cases where turning off fifty percent (50%) of the nonconforming lighting fixtures would constitute a hardship, the Director may grant an administrative exemption based on the following findings:

(A) There are special circumstances or conditions applying to the land, building or outdoor light fixtures for which temporary administrative relief is sought, which circumstances or conditions are peculiar to such land, buildings or outdoor light fixtures and do not apply generally to the land, buildings or outdoor light fixtures in the neighborhood;

(B) The strict application of this Chapter would deprive the applicant reasonable use of the land, buildings or outdoor fixtures;

(C) The granting of the temporary administrative relief will generally be in harmony with the intent of this Chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(2) The Director shall make a determination within five (5) business days from the date of the submission of the request and notify the applicant in writing of his decision. Temporary relief shall not exceed a period of ninety (90) days. The Director's determination may be appealed to the Planning Commission within ten (10) days of the decision. Should additional time be required the request shall be forwarded to the Planning Commission for review and consideration through the temporary use permit process and requirements.

(3) The Director may forward the request to the Planning Commission based upon the degree of light trespass, costs of correcting the light trespass or other similar issues.

2. New Construction And New Lighting In Commercial And Industrial Land Use Districts: Any new construction located in any commercial or industrial land use district, as identified on the Yucca Valley Zoning Map, and which properties are used for commercial and industrial purposes, unless exempt, shall be fully shielded or recessed in such a manner as to preclude adverse impacts to adjacent property as a result of light trespass, or to any member of the public who may be traveling on adjacent roadways or rights of way.

C. Recreation Facilities, Public And Private: The following standards are applicable to all structures:

1. There shall be no illumination of private recreational facilities between the hours of eleven o'clock (11:00) P.M. and sunrise.

2. There shall be no illumination of public recreational facilities unless the facilities are being utilized. The illumination must be turned off no later than eleven o'clock (11:00) P.M. or one hour after the termination of the event and/or use, whichever occurs first.

D. Off-Site Signs (Billboards) And Exterior Illuminated On-Site Signs: Lighting fixtures used to illuminate any new off-site sign and exterior illuminated on-site signs shall be mounted on the top of the sign structure and shall comply with the shielding requirements of this Chapter. (Ord. 90, 3-19-1998)

8.70.040: EXEMPTIONS:

The following outdoor lighting fixtures are exempt from the requirements of this Chapter:

A. Fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps.

B. All neon outdoor lighting fixtures.

C. All outdoor lighting fixtures on facilities or lands owned, operated or controlled, by the United States Government, State of California, County of San Bernardino, Morongo Unified School District, Southern California Edison or any other public entity or public agency, not including the Town of Yucca Valley. Voluntary compliance at those facilities is encouraged.

D. Emergency lighting operated by a public utility or agency during the course of repairing or replacing damaged facilities.

E. Emergency lighting and fixtures necessary to conduct rescue operations, provide emergency medical treatment or address any other emergency situations.

F. Provided there is no light trespass, or the lighting fixtures are regulated by motion detector, lighting fixtures within five feet (5') of an entrance or exit door and/or alcove of a dwelling unit, not exceeding a height of eight feet (8') and a wattage exceeding 75 watts.

G. Internally illuminated signs.

H. Holiday lighting fixture displays.

I. Architectural lighting whether it is freestanding or attached to a building which does not exceed an intensity of 40 watts.

J. Pedestrian lighting which does not have an intensity greater than 40 watts.

K. Vertical lighting for a properly displayed U.S. flag which does not exceed an intensity of 140 watts. (Ord. 90, 3-19-1998)

8.70.050: ADMINISTRATION AND ENFORCEMENT:

A. The Director of the Community Development Department, or his designee, shall administer and enforce the provisions of this Chapter. Any person who wishes to appeal any order, decision, or determination made by the Director shall do so in accordance with this Code.

B. All existing exterior lighting fixtures, poles or sources shall comply with the requirements for permits as specified in the Uniform Building Code and/or the National Electrical Code.

C. From time to time, the Community Development Director may recommend, and the Town Council may adopt by resolution, as deemed necessary, rules and regulations to implement the provisions of this Section. Such rules and regulations shall have force of law and failure to comply shall be considered a violation of the provisions of this Chapter. The rules and regulations to be adopted shall be implemented with the following intent:

1. Maintain the health and safety of persons and property within the Town;

2. Avoid undue disruption of persons and traffic within the affected areas of the Town. (Ord. 90, 3-19-1998)

8.70.060: PENALTIES:

It shall be unlawful for any person to violate any of the provisions of this Chapter.

A. Any person who violates the provisions of this Chapter shall receive a correction notice for the first violation for each given year. The notice shall specify the nature of the offense, the date of occurrence and required correction as established by this Chapter.

B. Any person subsequently violating or causing or permitting the violation of any of the provisions of this Chapter within one given year shall be guilty of an infraction which shall be punishable in accordance with Chapter 1.02 of this Code. (Ord. 90, 3-19-1998)

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



To: Planning Commission

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

Date: July 21, 2026

Meeting Date: July 28, 2026

Subject: Land Development Update

Recommendation:

That the Planning Commission receives and files the report.

Prior Review:

There has been no prior review of this item.

Discussion:

Town staff will provide the Planning Commission with an update on current private land development and capital projects and anticipated schedules.

Alternatives

None.

Fiscal Impact:

None.

Attachments

None