

ORDINANCE NO. 88

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 8, DIVISION 4, CHAPTER 3, SECTION 84.0350 (GENERAL COMMERCIAL) OF THE COUNTY OF SAN BERNARDINO DEVELOPMENT CODE AS ADOPTED BY THE TOWN OF YUCCA VALLEY MUNICIPAL CODE REGARDING PERMITTED LAND USES IN THE GENERAL COMMERCIAL DISTRICT.

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

Section 1. Amendment of Development Code.

Section 84.0350 of Chapter 3, Division 4, Title 8 of the Development Code of the County of San Bernardino as adopted by the Town of Yucca Valley is amended to read as follows:

“84.0350 General Commercial (CG) District

The General Commercial (CG) District shall be located as specified by the Town of Yucca Valley General Plan.

(a) PERMITTED LAND USES.

(1) Accessory Uses as specified by Chapter 5 of this Division.

(2) General Commercial land uses proposed to operate from existing structures shall be permitted by right in the following cases.

(A) The structure has historically been utilized in fashion similar to the proposed use.

(B) There are no structural, off-street or on-site improvements, or lack thereof, which pose an immediate threat to the health, safety, or general welfare of the Town.

(C) There are no additions or alterations to the square footage of the existing structure.

(D) Those uses permitted by right, at the approval of the Director, include the following.

(1) Professional services as defined in Section 84.0230 of this title.

(2) Retail Trade/Personal Services, including Class I, Limited Retail

Trade/Personal Services: Class II, General Retail Trade/Personal Services as defined in Section 84.0230.

(E) LAND USES SUBJECT TO SPECIFIC PERMIT PROCESSES

(1) Those uses identified in the General Commercial Use Classifications Table shall be subject to the identified permitting process. In the General Commercial Use Classifications Table, the letter “SPR” designates land uses reviewed through the Site Plan Review process, the letters “NP” designate use classifications not permitted, the letters “CUP” designate use classification reviewed through the Conditional Use Permit process, and the letters “SP” designate use classifications reviewed through the Specific Plan process..

GENERAL COMMERCIAL USE CLASSIFICATIONS		SPR NP CUP SP PDR	Site Plan Review Not Permitted Conditional Use Permit Specific Plan Planned Dev. Review
Land Use Classification	General Commercial (CG)	Additional Use Regulations	
Residential Uses			
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Family Day Care Homes:			
Large	CUP		
Small	CUP		
Interim Housing	NP		
Multifamily (Mix Use Development)	PDR		(4)
Residential Care Facilities	NP		
Second Dwellings	NP		
Single Family Dwellings	PDR		(4)
Single Room Occupancy Housing	CUP		
Public & Semipublic Uses:			
Private and Public Clubs and Lodges	SPR		(1)
Convalescent Facilities	CUP		
Cultural Institutions	CUP		
Day Care Centers	SPR		(1)
Government Offices	SPR		(1)
Hospitals	CUP		
Vocational or Business School	SPR		(1)

Land Use Classification	GENERAL COMMERCIAL (CG)	Additional Use Regulations
Parking Lots	SPR	(1)
Park & Recreation Facilities	SPR	(1)
Public Safety Facilities	SPR	(1)
Public Utility Service Yards	CUP	
Religious Assembly	CUP	
Public/Private School	SPR	(1)
Utilities		
Major	CUP	
Minor	CUP	
Commercial Uses		
Adult Entertainment Facilities	NP	
Agriculture (Row, Field, and Nursery Crop Cultivation)	SPR	(1)
Amusement Arcade or Park	CUP	
Ambulance Services	SPR	(1)
Animal Care Facility (including animal hospital, veterinarian, commercial kennel, grooming)		
Excluding exterior kennel, pens and run.	SPR	(1)
Including exterior kennel, pens and run.	CUP	
Antique Shop	SPR	(1)
Appliance Sales and Repair	SPR	(1)
Arcades	CUP	
Automobile Sales and Rental	CUP	
Automobile Service Station	SPR	(1)

Land Use Classification	General Commercial (C-G)	Additional Use Regulations
Automobile Washing	SPR	(1)
Bakeries Retail Wholesale	SPR SPR	(1) (1)
Barber and Beauty Shop	SPR	(1)
Bicycle Shop	SPR	(1)
Blueprint and Photocopy Services	SPR	(1)
Book, Gift, Stationary Store (except adult related material)	SPR	(1)
Catering Services	SPR	(1)
Clinics	SPR	(1)
Clothing Store	SPR	(1)
Commercial Recreation & Entertainment	CUP	
Communication Facilities	CUP	
Communications Equipment Buildings	SPR	(1)
Convenience Store	CUP	
Department Store	CUP	
Drug Store	SPR	(1)
Entertainment, live	CUP	

(excluding adult entertainment)

Equipment Sales, Service &
Rentals

CUP

Land Use Classification	General Commercial (C-G)	Additional Use Regulations
Feed and Tack	CUP	
Florist Shop	SPR	(1)
Food Stores and Supermarkets	SPR	(1)
Furniture Store	SPR	(1)
Financial Services	SPR	(1)
Fitness Centers	CUP	
Funeral Services (including crematorium)	CUP	
General Retail	SPR	(1)
Hardware Store	SPR	(1)
Home Improvement Center		
Material stored and sold within a enclosed building	SPR	(1)
Outdoor storage of material such as lumber and other building material	CUP	

Hotels and motels	SPR	
Laboratories	SPR	
Laundries:		
Limited	SPR	(1)
Unlimited	SPR	(1)
Locksmith	SPR	(1)
Maintenance & repair services:		
Major	CUP	
Minor	SPR	(1)
Mini-Storage Facility	NP	
Motor Vehicle Repair		
Major	NP	
Minor	SPR	(1)

Land Use Classification	General Commercial (C-G)	Additional Use Regulations
Nurseries and Garden Supplies (including outdoor display of plants)	SPR	(1)
Offices:		
Business & Professional	SPR	(1)
Medical	SPR	(1)
Pawn Shops	SPR	(2)
Personal Improvement services	SPR	(1)(2)
Personal Services	SPR	(1)
Printing & Publishing:		
Limited	SPR	(1)
Unlimited	SPR	(1)

Recreation Vehicle Park	CUP	
Recreation Vehicle and Boat Storage	NP	
Recycling Facilities	NP	
Research and Development Services	SPR	(1)
Restaurant		
Drive-thru, take-out, delivery	CUP	
Fast Food w/out drive-thru, take-out, delivery	SPR	(1)
Full Service Restaurant	SPR	(1)
Studio (including dance, music, artists)	SPR	(1)
Temporary Use Permit	SPR	(3)
Thrift or Second Hand Store	SPR	(2)
Tire Sales and Service (excluding any outdoor storage)	SPR	(1)
Transportation Facilities	CUP	

FOOTNOTES

- (1) Where no CUP, a Site Plan Review is required in accordance with Title 8, Division 3, Chapter 3, Article 12
- (2) Special License Permit required in accordance with Title 4, Division 1
- (3) Refer to Temporary Use Sections 84.0701 - 84.0740
- (4) Planned Development Review in accordance with Sections 88.0501 - 88.0520

(b) REVIEW CRITERIA. Land uses allowed subject to a Conditional Use Permit shall comply with the review criteria established in Section 83.030105 of this Title or where a Site Plan Review is required, shall comply with the review criteria established Section 83.031205 of this Title.

(c) PROPERTY DEVELOPMENT STANDARDS. The following property development standards shall apply to all land uses within the CG District. In order to achieve compatibility with provisions of the CG District, all property development standards must be complied with.

84.0350 (CG) GENERAL COMMERCIAL (CG) DISTRICT DEVELOPMENT STANDARDS	
Maximum Structure Height (Ft.)	40

Minimum Lot Size (Acres) Map suffix will modify	See (1) below	5
Maximum Lot Coverage (Building coverage]		60%
Maximum Lot Dimensions (Width to Depth Ratio)		1:3
Minimum Lot Dimensions (Width/Depth in Ft.)		120/120
Front Yard Setback (Ft.)		15
Side Yard Setbacks (Ft.) See (2) Below		10
Rear Yard Setbacks (Ft.) See (3) Below		10
Street Side Setbacks (Ft.)		15
Maximum Floor Area Ratio (FAR-FI Area/Lot Area)		1.20
Minimum District Size (Acres)		5

(1) Minimum lot size can be less than five (5) acres if the subdivision application is filed concurrently with a Site Plan Review, Planned Development or Conditional Use Permit Application.

(2) Only one (1) side yard setback is required to be provide if deemed necessary for emergency access. If the adjacent property is not designated commercial or industrial; a side yard shall be required along that side of the property.

(3) A rear yard is required only when the adjacent property is not designated commercial or industrial.”

SECTION 2. NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section 36933 of the Government Code.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after the date of its adoption.

APPROVED AND ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this ____ day of _____, 1998.

MAYOR

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

APPROVED AS TO CONTENT:

Town Manager