

## ORDINANCE NO. 125

### **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 8, DIVISION 4, CHAPTER 3, SECTION 84.0340 (NEIGHBORHOOD COMMERCIAL) OF THE SAN BERNARDINO COUNTY CODE AS ADOPTED BY THE TOWN OF YUCCA VALLEY RELATING TO PERMITTED LAND USES IN THE NEIGHBORHOOD COMMERCIAL DISTRICT (DCA-01-01).**

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

#### SECTION 1. Amendment of Development Code.

Section 84.0340 of Title 8, Division 4, Chapter 3 of the Development Code of the San Bernardino County code as adopted by the Town of Yucca Valley is amended to read as follows:

“84.0340 Neighborhood Commercial (CN) District

The Neighborhood Commercial (CN) 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) Institutional Uses as specified in Section 84.0410.
- (3) Neighborhood 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 a 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.

#### (b) **LAND USES SUBJECT TO SPECIFIC PERMIT PROCESSES**

- (1) Those uses identified in the Neighborhood Commercial Use Classifications Table shall be subject to the identified permitting process. In the Neighborhood Commercial Use Classifications Table, the letters “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	Site Plan Review Not Permitted Conditional Use Permit Specific Plan
Land Use Classification	Neighborhood Commercial  (CN)	Additional Use Regulations	
<b>Residential Uses</b>			
Single Room Occupancy Housing	CUP		
<b>Public &amp; Semipublic Uses:</b>			
Private and Public Clubs and Lodges	CUP		
Cultural Institutions	CUP		
Government Offices	SPR		(1)
Hospitals	CUP		
Vocational or Business School	CUP		
Parking Lots	SPR		(1)
Park & Recreation Facilities	SPR		(1)
Public Safety Facilities	SPR		(1)
Public Utility Service Yards	CUP		
Utilities			
Major	CUP		
Minor	CUP		
<b>Commercial Uses</b>			
Agriculture (Row, Field, and Nursery Crop Cultivation)	SPR		(1)
Land Use Classification	Neighborhood Commercial  (CN)	Additional Use Regulations	

Amusement Arcade or Park	NP	
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	CUP	
Automobile Storage	NP	
Automobile Washing	CUP	
Bakeries		
Retail	SPR	(1)
Wholesale	SPR	(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)

Land Use Classification	Neighborhood Commercial (CN)	Additional Use Regulations
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	CUP	
Entertainment, live	NP	
Equipment Sales, Service & Rentals	NP	
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 (excluding crematorium)	CUP	
General Retail	SPR	(1)

Land Use Classification	Neighborhood Commercial (CN)	Additional Use Regulations
Hardware Store (outdoor storage of lumber or other building material must be secondary and/or incidental to indoor sales)	CUP	
Hotels and motels	SPR	(1)
Laboratories	NP	
Laundries:		
Limited	SPR	(1)
Unlimited	SPR	(1)
Locksmith	SPR	(1)
Maintenance & repair services:		
Major	NP	
Minor	CUP	
Mini-Storage Facility	NP	
Motor Vehicle Repair		
Major	NP	
Minor	CUP	
Open Lot Plant Nurseries and Garden Supplies	CUP	
Offices:		
Business & Professional	SPR	(1)
Medical	SPR	(1)
Pawn Shops	SPR	(2)
Personal Improvement Services	SPR	(1)
Personal Services	SPR	(1)
Printing & Publishing:		
Limited	SPR	(1)
Unlimited	SPR	(1)

Land Use Classification	Neighborhood Commercial (CN)	Additional Use Regulations
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)
Thrift or Second Hand Store	SPR	(2)
Tire Sales and Service (excluding any outdoor storage)	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
- (c) **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.
- (d) **PROPERTY DEVELOPMENT STANDARDS.** The following property development standards shall apply to all land uses within the CN District. In order to achieve compatibility with provisions of the CN District, all property development standards must be complied with.

<b>84.0340 (CN) NEIGHBORHOOD COMMERCIAL (CN) DISTRICT DEVELOPMENT STANDARDS</b>	
Maximum Structure Height (Ft.)	35
Minimum Lot Size (Acres) Map suffix will modify See (1) below	1
Maximum Lot Coverage (Building coverage]	40%
Maximum Lot Dimensions (Width to Depth Ratio)	1:3
Minimum Lot Dimensions (Width/Depth in Ft.)	120/120
Front Yard Setback (Ft.)	25
Side Yard Setbacks (Ft.) See (2) Below	10
Rear Yard Setbacks (Ft.) See (3) Below	10
Street Side Setbacks (Ft.)	25
Maximum Floor Area Ratio (FAR) (Floor Area/Lot Area)	0.47
Minimum District Size (Acres)	5

- (1) Minimum lot size can be less than one (1) acre 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 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.
- (4) All projects shall comply with the Commercial Design Guidelines as adopted by the Town”

**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 \_\_\_\_\_, 2001.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Town Attorney

\_\_\_\_\_  
Town Manager

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