

## ORDINANCE NO. 142

### AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 8, DIVISION 4, CHAPTER 3, SECTION 84.0305(b), 84.0320(b) AND 84.0325(b), CHAPTER 5, SECTION 84.0510 RELATING TO ACCESSORY USES AND REPEALING TITLE 8, DIVISION 4, CHAPTER 6, SECTION 84.0605 REGARDING DEPENDENT HOUSING OF THE SAN BERNARDINO COUNTY CODE AS ADOPTED AND AMENDED BY THE TOWN OF YUCCA VALLEY (DCA-02-03).

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

#### SECTION 1. Development Code Amended.

1.1 Section 84.0510 of Title 8, Division 4, Chapter 5 of the Development Code of the San Bernardino County Code as adopted and amended by the Town of Yucca Valley is hereby further amended to read as follows:

**“84.0510 Uses Accessory to Primary Residential.** The following uses shall be permitted as accessory uses to each single dwelling unit which is allowed by the subject land use district.

(a) Additional residential dwelling. Caretaker Housing as allowed by Section 84.0550(a) and a Land Use Compliance Review shall be allowed on parcels less than five (5) acres. The additional residential dwelling shall provide two (2) additional parking spaces, except as otherwise provided by this Title.

(b) Second Dwelling Unit.

1. Purpose: The purpose of this Section is to expand the variety of housing opportunities in the Town by implementing State Government Code (65852.2) as it pertains to second dwelling units. In doing so, it is the intent of these regulations to insure that second dwelling units are located in areas where services are adequate to support them and to insure that second dwelling units are maintained as a compatible and integral part of the Town's residential zoning districts.

2. Development Standards.

A. A second dwelling unit is an additional dwelling unit either attached or detached is allowed provided that the lot area of the subject property is at least two (2) times the minimum lot size specified by the land use district for the subject property.

B. The parcel upon which the second dwelling unit is to be built shall comply with all development standards for the district in which it is located.

C. The total area of floor space for an attached second dwelling unit shall not exceed 30% of the habitable area of the main residential unit, or a detached second dwelling unit shall not exceed 60% of the main

residential unit but not less than seven hundred twenty five (725) square feet or greater than one thousand two hundred (1,200) square feet.

- D. A second dwelling unit may only be permitted on a residential lot on which there is already built one owner occupied single family dwelling (primary dwelling) or concurrently.
  - E. A second dwelling unit may not be allowed on any residential lot already containing two (2) or more dwelling units.
  - F. The driveway serving the primary dwelling shall be used to serve the second unit whenever feasible.
  - G. The second dwelling unit may be metered separately from the main dwelling for gas, electricity and water/sewer services.
  - H. The second dwelling unit shall be architecturally compatible with the design of the main dwelling and shall incorporate colors and materials that are complimentary to the primary unit.
3. **Illegal Second Units.** This Section shall not validate any existing illegal secondary unit. To convert a non-allowed secondary unit to a legal, conforming unit, the standards and requirements for the conversion shall be the same as for a newly proposed secondary unit.
4. **Dependant Housing Units.** Those units approved under a Special Use Permit for a Dependant Housing Unit that do not meet these regulations shall be considered conforming.

1.2 Title 8, Division 4, Chapter 6, Section 84.0605 of the Development Code of the San Bernardino County Code as adopted and amended by the Town of Yucca Valley is hereby repealed in its entirety:

1.3 Title 8, Division 4, Chapter 3, Section 84.0305(b), Section 84.0320(b), and Section 84.0325(b) of the San Bernardino County Code as adopted and amended by the Town of Yucca Valley is further amended to read as follows:

**Section 84.0305**

- (b) **USE CLASSIFICATIONS:** In the following schedule, the letter “P” designate use classifications permitted in the RL District, the letters “PD” designate use classification allowed on approval of a Planned Residential Development, the letters “LSP” designate use classification allowed on approval of a Livestock Permit, the letters “CUP” designate use classification allowed on approval of a Conditional Use Permit.

<b>Hillside Reserve (R-HR) Use Classification</b>		<b>P Permitted CUP Conditional Use Permit PD Planned Residential Development LSP Livestock Permit</b>
<b>Use</b>	<b>Zoning District</b>	<b>Additional Use Regulations</b>
	<b>20 ac</b>	
<b>Residential:</b>		
Family Day Care Homes:		
Large	CUP	Refer to Additional Uses Section of Development Code
Small	P	
Home Occupations	HOP	Refer to HOP Section of Development Code
Institutional Uses	CUP	Refer to Additional Uses Section of Development Code
Manufactured Housing	P	Refer to Single Residential Design Standard Section of the Development Code
Planned Residential Dev.	PD	
Single family dwellings	P	Refer to Single Residential Design Standard Section of the Development Code
Mobile Home Parks	CUP	Not to exceed the underlying land use density on minimum parcel size of forty (40) acres
Second Dwellings	P	Refer to Accessory Uses Section of Development Code
Animal raising of densities greater than those specified by Section 84.0560	LSP	
Commercial Kennels & Catteries	CUP	Two (2) acres minimum parcel size
Row, Field, Tree, and Nursery crop cultivation	P	

**Section 84.0320**

(b) **USE CLASSIFICATIONS:** In the following schedule, the letter “P” designate use classifications permitted in the RL District, the letters “PD” designate use classification allowed on approval of a Planned Development, the letters “LSP” designate use classification allowed on approval of a Livestock Permit, the letters “CUP” designate use classification allowed on approval of a Conditional Use Permit.

<b>R-L (Rural Living) Use Classification</b>		<b>P</b> <b>CUP</b> <b>PD</b> <b>LSP</b>	<b>Permitted Conditional Use Permit Planned Residential Development Livestock Permit</b>
<b>Use</b>	<b>Zoning District</b>		<b>Additional Use Regulations</b>
	<b>R-L-1, 2.5, 5, 10, 20 ac</b>		
<b>Residential:</b>			
Family Day Care Homes:			Refer to Additional Uses Section of Development Code
Large	CUP		
Small	P		
Home Occupations	HOP		Refer to HOP Section of Development Code
Institutional Uses	CUP		Refer to Additional Uses Section of Development Code
Manufactured Housing	P		Refer to Single Residential Design Standard Section of the Development Code
Planned Residential Dev.	PD		
Single Family Dwellings	P		Refer to Single Residential Design Standard Section of the Development Code
Second Dwellings	P		Refer to Accessory Uses Section of Development Code
Mobile Home Parks	CUP		Not to exceed the underlying land use density on minimum parcel size of twenty (20) acres
Animal raising of densities greater than those specified by Section 84.0560	LSP		
Commercial Kennels & Catteries	CUP		Two (2) acre minimum parcel size
Row, field, tree, and nursery crop cultivation	P		Any structure associated with this activity is limited to 10,000 Sq. Ft. on parcels of 5 acres or less.

**Section 84.0325**

(b) **USE CLASSIFICATIONS:** In the following schedule, the letter “P” designate use classifications permitted in the RS District, the letters “PD” designate use classification allowed on approval of a Planned Development, the letters “LSP” designate use classification allowed on approval of a Livestock Permit, the letters “CUP” designate use classification allowed on approval of a Conditional Use Permit.

<b>RS (Single Residential)</b>		<b>P</b>	<b>Permitted</b>
Use Classification		<b>CUP</b>	<b>Conditional Use Permit</b>
		<b>PD</b>	<b>Planned Residential Development</b>
		<b>LSP</b>	<b>Livestock Permit</b>
<b>Use</b>	<b>Zoning District</b>	<b>Additional Use Regulations</b>	
	<b>RS-2, 3.5, 5</b>		
<b>Residential:</b>			
Family Day Care Homes:			Refer to Additional Uses Section of Development Code
Large	CUP		
Small	P		
Home Occupations	HOP		Refer to HOP Section of Development Code
Institutional Uses	CUP		Refer to Additional Uses Section of Development Code
Manufactured Housing	P		Refer to Single Residential Design Standard Sec. 88.0101 of the Development Code
Planned Residential Dev.	PD		
Single Family Dwellings	P		
Second Dwellings	P		Refer to Accessory Uses Section of Development Code
Mobile Home Parks	CUP		Not to exceed the underlying land use density on minimum parcel size of ten (10) acres
Animal raising of densities greater than those specified by Section 84.0560	LSP		
Row, Field, Tree, and Nursery Crop Cultivation	P		Any structure associated with this activity is limited to 10,000 sq. ft. on parcels of 5 acres or less.

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 \_\_\_\_\_, 2003.

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

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

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