

**PLANNING COMMISSION STAFF REPORT**

**To:** Chairman and Commissioners  
**From:** Shane Stueckle, Deputy Town Manager  
Diane Olsen, Planning Technician  
**Date:** June 05, 2014  
**For Commission Meeting:** June 10, 2014

**Subject:** Home Occupation Permit, Request for Renewal/Approval, HOP 01-11  
HOP 02-14, Zorawicki  
Exempt from CEQA under Section 15301, Class 1, Existing Facilities  
84.0635 (b) Special Use Permits May Be Issued For Limited Time Periods.  
New Applications May Be Required for Special Use Permit Renewal.

**Prior Commission Review:** There has been no prior Commission review of this item. The Planning Commission acted on the original approval of this matter on March 22, 2011.

**Recommendation:** That the Planning Commission:

- A) Finds the project exempt from CEQA pursuant to Section 15301 Class 1, Existing Facilities.
- B) Approves Home Occupation Permit, HOP 02-14 based upon the information contained within the staff report, all evidence presented at the public hearing and the required findings, for a period of one year, expiring on June 10, 2015, unless a request for renewal and related approval are obtained prior to that date.

Alternative recommendations:

- C) Approves continued operation of the Home Occupation Permit until such time as the Town Council acts upon the draft Home Occupation Permit regulations, and directs staff to return the project to the Planning Commission following Town Council action on the draft regulations
- D) Continue the public hearing based upon the need for additional information and analysis.

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<input type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input type="checkbox"/> Resolution Action	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Consent	<input type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session

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**Executive Summary:** This request is for the renewal /approval of a Home Occupation Permit for the purpose of assembling firearms that are purchased in kit form and for the buying and selling of firearms to the public from an existing single family dwelling. All business activity is conducted via the internet, telephone, fax machine, and any clients visiting the residence are by appointment only. The business hours for the home occupation are Monday thru Friday, 3 to 6 PM. The applicant currently has an average of 8 customers per month visiting the site. This results in a vehicle trip generation of 16 trips per month.

Average firearms transactions annually, which include purchases, sales, and trades, are 35 transactions per year.

**Order of Procedure:**

- Request Staff Report
- Open the Public Hearing, Request Public Comment
- Close the Public Hearing
- Commission Discussion/Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Roll Call Vote)

**Recommendation:** That the Planning Commission:

- A. Finds the project exempt from CEQA pursuant to Section 15301 Class 1, existing facilities.
- B. Approves Home Occupation Permit, HOP 02-14 based upon the information contained within the staff report, all evidence presented at the public hearing and the required findings for a period of one year, expiring on June 10, 2015, unless a request for renewal and related approval are obtained prior to that date.

**Alternative recommendations:**

- C. Approves continued operation of the Home Occupation Permit until such time as the Town Council acts upon the draft Home Occupation Permit regulations, and directs staff to return the project to the Planning Commission following Town Council action on the draft regulations.
- D. Continue the public hearing based upon the need for additional information and analysis.

**Fiscal impact:** NA. The applicant is responsible for costs associated with Planning Division applications.

**Attachments:** Planning Commission Detailed Staff Report and Backup Materials.

*Planning Commission Hearing: June 10, 2014*  
**TOWN OF YUCCA VALLEY**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**PLANNING DIVISION**  
**STAFF REPORT**

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**Case:** HOME OCCUPATION PERMIT, REQUEST FOR RENEWAL/APPROVAL,  
HOP 01-11  
HOP 02-14, ZORAWICKI  
EXEMPT FROM CEQA UNDER SECTION 15301, CLASS 1, EXISTING  
FACILITIES  
84.0635 (b) SPECIAL USE PERMITS MAY BE ISSUED FOR LIMITED  
TIME PERIODS. NEW APPLICATIONS MAY BE REQUIRED FOR  
SPECIAL USE PERMIT RENEWAL.

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**Request:** APPLICANTS REQUEST IS FOR THE RENEWAL/APPROVAL OF A  
HOME OCCUPATION PERMIT FOR THE PURPOSE OF ASSEMBLING  
FIREARMS THAT ARE PURCHASED IN KIT FORM AND FOR THE  
BUYING AND SELLING OF FIREARMS TO THE PUBLIC FROM AN  
EXISTING SINGLE FAMILY RESIDENCE.

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**Applicant:** JONATHAN ZORAWICKI  
55990 SKYLINE RANCH RD  
YUCCA VALLEY, CA 92284

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**Property Owner:**  
SAME

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**Representative:**  
SAME

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**Location:** THE PROPERTY IS LOCATED AT 55990 SKYLINE RANCH RD, CROSS  
STREET OF REDDING DRIVE, AND IS IDENTIFIED AS ASSESSORS  
PARCEL NUMBER 596-021-05.

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**Existing Land Use:**  
THE SUBJECT SITE IS CURRENTLY DEVELOPED WITH A SINGLE  
FAMILY RESIDENCE OF 1750 SQUARE FEET AND A SMALL  
STORAGE SHED OF APPROXIMATELY 100 SQUARE FEET.

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**Surrounding Land Use:**

NORTH:	VACANT LAND
SOUTH:	SINGLE FAMILY RESIDENCE
WEST:	SINGLE FAMILY RESIDENCE
EAST:	SINGLE FAMILY RESIDENCE

**Zoning Designation**

THE SITE IS CURRENTLY ZONED RURAL LIVING 5 ACRE MINIMUM (RL-5).

**Surrounding Zoning Designation:**

NORTH: SB COUNTY RURAL LIVING 5 ACRE MINIMUM (RL-5)  
SOUTH: RURAL LIVING 5 ACRE MINIMUM (RL-5)  
WEST: RURAL LIVING 5 ACRE MINIMUM (RL-5)  
EAST: RURAL LIVING 5 ACRE MINIMUM (RL-5)

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**General Plan Land Use Designation:**

THE SITE IS CURRENTLY DESIGNATED RURAL LIVING 5 ACRE MINIMUM (RL-5)

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**Surrounding General Plan Land Use Designation**

NORTH: SB COUNTY RURAL LIVING 5 ACRE MINIMUM (RL-5)  
SOUTH: RURAL LIVING 5 ACRE MINIMUM (RL-5)  
WEST: RURAL LIVING 5 ACRE MINIMUM (RL-5)  
EAST: RURAL LIVING 5 ACRE MINIMUM (RL-5)

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**Notice of Exemption:**

PURSUANT TO SECTION 15301, CLASS 1, EXISTING FACILITIES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), THE PROJECT IS DETERMINED TO BE CATEGORICALLY EXEMPT FROM FURTHER ENVIRONMENTAL ANALYSIS.

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**Public Notification**

PURSUANT TO SECTION 83.010330, LEGAL NOTICE IS REQUIRED TO BE GIVEN TO ALL PROPERTY OWNERS WITHIN A THREE HUNDRED (300) FOOT RADIUS OF THE EXTERIOR BOUNDARIES OF THE SUBJECT SITE. AS REQUIRED, THIS PROJECT NOTICE WAS MAILED TO ALL PROPERTY OWNERS WITHIN A 300-FOOT RADIUS OF THE PROJECT SITE ON MAY 27, 2014.

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**RECOMMENDATIONS:**

**HOME OCCUPATION PERMIT RENEWAL, HOP 02-14 ZORAWICKI**

THAT THE PLANNING COMMISSION:

- A) FINDS THE PROJECT EXEMPT FROM CEQA PURSUANT TO SECTION 15301 CLASS 1, EXISTING FACILITIES.
  
- B) APPROVES HOME OCCUPATION PERMIT, HOP 02-14 BASED UPON THE INFORMATION CONTAINED WITHIN THE STAFF REPORT, ALL EVIDENCE PRESENTED AT THE PUBLIC HEARING AND THE REQUIRED FINDINGS FOR A PERIOD OF ONE YEAR, EXPIRING ON JUNE 10, 2015, A REQUEST FOR RENEWAL AND RELATED APPROVAL ARE OBTAINED PRIOR TO THAT DATE.

ALTERNATIVE RECOMMENDATIONS:

- C) APPROVES CONTINUED OPERATION OF THE HOME OCCUPATION PERMIT UNTIL SUCH TIME AS THE TOWN COUNCIL ACTS UPON THE DRAFT HOME OCCUPATION PERMIT REGULATIONS, AND DIRECTS STAFF TO RETURN THE PROJECT TO THE PLANNING COMMISSION FOLLOWING TOWN COUNCIL ACTION ON THE DRAFT REGULATIONS.
  
- D) CONTINUE THE PUBLIC HEARING BASED UPON THE NEED FOR ADDITIONAL INFORMATION AND ANALYSIS.

Project Manager: Diane Olsen, Planning Technician

Reviewed By: Shane Stueckle, Deputy Town Manager

**Appeal Information:**

Actions by the Planning Commission, including any finding that a negative declaration be adopted, may be appealed to the Town Council within 10 calendar days. Appeal filing and processing information may be obtained from the Planning Division of the Community Development Department.

## I. GENERAL INFORMATION

**REQUEST:** This request is for the renewal of a Home Occupation Permit for the purpose of assembling firearms that are purchased in kit form and for the buying and selling of firearms to the public from an existing single family dwelling. All business activity is conducted via the internet, telephone, fax machine, and any clients visiting the residence are by appointment only. The business hours for the home occupation are Monday thru Friday, 3 to 6 PM. The applicant currently has an average of 8 customers per month visiting the site. This results in a vehicle trip generation of 16 trips per month. Average firearms transactions annually, which include purchases, sales and trades, are 35 transactions per year.

**LOCATION:** The subject site is located at 55990 Skyline Ranch Rd, on the north side of Skyline Ranch Rd, cross street of Redding Rd and is identified as Assessors Parcel Number 596-021-05.

### **PROJECT SYNOPSIS:**

PROJECT AREA:

BUILDING AREA:

FLOOD ZONE:

ALQUIST PRIOLO ZONE:

### **SITE COVERAGE**

5 Acres

Existing Residence	1,750 sq ft
Storage Shed	100 sq ft
<u>Total Existing</u>	<u>1,850 sq ft</u>

Map 8115 Zone D (areas in which flood hazards are undetermined, but possible).

No

## II. PROJECT ANALYSIS

**ENVIRONMENTAL REVIEW:** The project is Categorically Exempt under CEQA Section 15301, Class 1, Existing Facilities.

**ADJACENT LAND USE/ZONING:** The site is located within an area sparsely developed with single family residential structures. The properties to the east, west and south are zoned Rural Living, 5 acre minimum lot size (RL-5) and are developed with single family residences. The property to the north is an undeveloped lot located in San Bernardino County and has a zoning designation of Rural Living, 5 acre minimum lot size (RL-5).

**SITE CHARACTERISTICS:** The subject property is a five acre parcel that is developed with a single family residence of 1,750 square feet and a small storage shed of approximately 100 square feet. The structure is located approximately 175' from the roadway and is approximately 10 feet in elevation above Skyline Ranch Rd.

**DISCUSSION:**

A Home Occupation is generally recognized as a commercial use which is accessory to an established residential use and will not alter the character of the neighborhood. The basic intent of the HOP is to provide the homeowner with a business activity that is accessory and incidental to the use of the residential property as long does not conflict with the intent of the HOP Ordinance or the standard Conditions of Approval. Otherwise, it may be more appropriate to require a more suitable location that can accommodate the type of business proposed, such as a commercial district. One primary objective of the ordinance is to ensure the home based business activities associated with the business do not alter the character of the neighborhood and to provide minimal deviations from the atmosphere of the single family living environment.

The applicant is requesting a renewal/approval of a Home Occupation Permit for the purpose of assembling firearms that are purchased in kit form and to buy and sell firearms to the public from the single family residence. The applicant has a Federal Firearms License (FFL) issued by the Federal Bureau of Alcohol, Tabaco and Firearms (ATF) as well as a license from the California State Department of Justice. Current licenses and permits have been provided as a part of this renewal. The applicant

possesses a resale sales tax number issued by the California State Franchise Tax Board and pays sales tax to the State based upon current law.

All business activity is conducted via the internet, telephone, fax machine, and any clients visiting the residence are by appointment only. The business hours for the home occupation are Monday thru Friday, 3 to 6 PM. The applicant currently has an average of 8 customers per month visiting the site. This results in a vehicle trip generation of 16 trips per month. Average firearms transactions annually, which include purchases, sales and trades, are 35 transactions a year.

**Code Compliance Requests for Services:** There have been no complaints filed with the Planning Division or the Code Compliance Division regarding this Home Occupation Permit since it was approved in 2011.

**State and/or Federal Licenses:** The applicant has renewed the required Federal Firearms License, which expires in 2017. The applicant also has a permit from the CA Dept. of Justice for the sale of handguns.

**Home Occupation Permit,** HOP 01-11 was approved by the Planning Commission on March 22, 2011. Renewals of the HOP were approved by the Planning Division in 2012 and 2013.

The Planning Commission has been discussing firearm sales (FFLs) in residential neighborhoods throughout all discussions on the Town's HOP regulations. The Commission has not arrived at a consensus and has not provided direction to staff in regards to the draft regulations currently under consideration.

A variety of individual Commissioner comments have been made during discussions of the draft regulations ranging from complete prohibition of firearm sales as a HOP, to not allowing firearms and ammunition sales combined together as a HOP, to possibly allowing only on larger parcels (currently undefined), but identified as approximately a minimum of one acre in size, to treating firearms sales no differently than any other sales activity. The applicant's permit reached the time for renewal, and therefore it is appropriate for Planning Commission consideration.

The Planning Commission has heard public testimony ranging from a complete prohibition on home based FFLs, to support for home based FFLs, similar in fashion to the variety of positions or opinions previously expressed by the individual Commission

members. Copies of minutes of those meetings are attached as backup to this staff report.

In order to purchase a firearm, all potential buyers must go through a screening process and a ten day waiting period prior to purchasing a firearm. This involves a preliminary safety test, an application process and a background check through Alcohol, Tobacco and Firearms (ATF). A yearly inspection of the property is also conducted by ATF. Any firearms purchased by the applicant will only be purchased thru a Federal Firearms License (FFL) dealer.

Home Occupation Permit, HOP 01-11 was approved by the Planning Commission on March 22, 2011. Renewals of the HOP were approved by the Planning Division in 2012 and 2013. The applicant has maintained a current business registration since approval of the original application in 2011.

There have been no complaints filed with the Planning Division or the Code Compliance Division regarding this Home Occupation Permit since it was approved in 2011 and the applicant has renewed the required Federal Firearms License, which expires in 2017.

### **FINDINGS:**

Ordinance 178, Home Occupations, contains five (5) Findings that must be made in order for the Town to approve a Home Occupation Permit. The Findings are as follows:

1. That the proposed use is not prohibited.

*The proposed use of firearms sales is not listed as a prohibited use under Section 84.0615(f) of the Development Code.*

2. That the proposed use will comply with all applicable standards.

*The proposed use will comply with all applicable standards, such as limiting the number of customers to three per day, customers may only visit the residence by appointment, all employees are members of the resident family and live on the premises and the operating hours are limited to the hours of 3 PM to 6 PM.*

3. That the issuance of the Home Occupation Permit will not be detrimental to the public health, safety and general welfare.

*The issuance of the HOP will not be detrimental to public health, safety and general welfare in that all storage, sales, transfers, and transactions must be consistent with state and federal law.*

4. That the proposed use will be consistent with any applicable specific plan.

*There are no specific plans for the proposed location.*

5. That the proposed use will not alter the character of the neighborhood and will not induce physical or socioeconomic changes to the neighborhood that are inconsistent with the goals and objectives of the General Plan, and the Development Code, and that do not create characteristics more closely associated with commercial, office or industrial land use activities.

*The proposed use will not alter the character of the neighborhood. The residence will not be altered to indicate the presence of a home based business. Traffic patterns will not be affected as there will be a maximum of three customers per day and all employees are members of the resident family and live on the premises*

Attachments:

1. Application
2. Standard Exhibits
3. Development Code Section 84.0320 Rural Living District
4. Development Code Section 84.0635 Special Uses
5. Notice of Exemption
6. Notice of Hearing
7. Planning Commission minutes, March 22, 2011
8. Permit Hearing minutes February 22, 2011
9. 2012 and 2013 Renewals
10. Planning Commission minutes August 27, 2013 and March 11, 2014,
11. Planning Commission draft minutes May 13, 2014 and May 27, 2014
12. Ordinance 178
13. General Plan Land Use Policies-Residential and Implementation Actions
14. Photos

**RECOMMENDED CONDITIONS OF APPROVAL  
HOME OCCUPATION PERMIT, HOP 01-11  
ZORAWICKI RENEWAL/APPROVAL  
HOP-2-14**

**GENERAL CONDITIONS**

1. This Home Occupation Permit, HOP 01-11, HOP-2-14 is a proposal to assemble firearms that are purchased in kit form and to buy and sell firearms to the public. The property is located at 55990 Skyline Ranch Rd and is further identified as assessor's parcel number 596-021-05.

Approval Date: June 10, 2014

Expiration Date: June 10, 2015

2. There shall be no visible or external evidence of the home occupation. No dwelling shall be built, altered, furnished or decorated for the purpose of conducting the home occupation in such a manner as to change the residential character and appearance of the dwelling, or in such a manner as to cause the structure to be recognized as a place where a home occupation is conducted.
3. The Applicant/owner shall agree to defend at his sole expense any action brought against the Town, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the Town of Yucca Valley Development Code. The Applicant shall reimburse the Town, its agents, officers, or employees for any court costs, and attorney's fees which the Town, its agents, officers or employees may be required by a court to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve Applicant of his obligations under this condition.

4. The Applicant/owner shall ascertain and comply with requirements of all Federal, State, County, Town and local agencies and obtain any and all necessary approval and permits that are applicable to the project. These include, but are not limited to ATF, CA Dept. of Justice, Environmental Health Services, Transportation/Flood Control, Fire Department, Building and Safety, State Fire Marshal, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water Quality Control Board, the Federal Emergency Management Agency, MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town Departments.
5. All conditions are continuing conditions. Failure of the Applicant to comply with any or all of said conditions at any time shall result in the revocation of the approval on the property.
6. There shall be no displays, sale or advertising signs on the premises.
7. There shall be no signs other than one (1) unlighted identification sign containing the name and address of the owner attached to the building not exceeding two (2) square feet in area per street frontage.
8. All maintenance or service vehicles and equipment, or any vehicle bearing any advertisement, shall be in conformance with Town regulations regarding vehicle signs.
9. The Home Occupation shall not encroach into any required parking, setback, or open space area.
10. There shall be no outside storage of stock, merchandise, scrap supplies, or other materials or equipment on the premises visible from surrounding properties or public rights of way. Any storage of hazardous, toxic, or combustible materials in amounts exceeding those typically found in residential uses shall be prohibited.
11. There shall be complete conformity with Fire, Building, Plumbing, Electrical, and Health Codes and to all applicable State and Town laws and ordinances. Activities conducted and equipment or material used shall not change the fire safety or occupancy classification of the premises.

12. No home occupation shall generate pedestrian or vehicular traffic in excess of that customarily associated with a residential use and the neighborhood in which it is located.
13. Applicant shall maintain a current business registration.
14. A Home Occupation Permit is not transferable.
15. The garage shall not be altered externally.
16. No use shall create or cause noise in excess of noise standards established for residential land use districts, dust, light, vibration, odor, gas, fumes, toxic or hazardous materials, smoke, glare, electrical interference, fluctuations in the line voltage outside the structure, or other hazards or nuisances.
17. Customers shall be limited to a maximum of three per day.
18. Hours of operation shall be limited to 3 PM to 6 PM, Monday through Friday.
19. Applicant shall maintain a current Federal Firearms License and provide a copy to the Planning Division, in addition to permits required and issues by the California Department of Justice.
20. Applicant shall submit proof, on an annual basis, of an active commercially monitored alarm system contract.
21. All doors and windows which provide ingress/egress to the structure, including the garage, shall be equipped door/window break security monitoring equipment, including the garage vehicle door. This is also to include the door separating the garage from the living quarters.
22. The living quarters shall be equipped with glass break security monitoring equipment.
23. Applicant's home address shall not be used in any type of advertising or business promotion.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



Date Received	01/19/11
By	DOLSEN
Fee	270.00
Case #	HO-01-11

## HOME OCCUPATION PERMIT APPLICATION

(Print Legibly)

APPLICANT'S NAME JONATHAN R. ZORAWIECKI

ADDRESS 55990 SKYLINE RANCH ROAD, YUCCA VALLEY CA. 92284

TELEPHONE \_\_\_\_\_

NAME OF BUSINESS (if applicable) N/A

ASSESSOR PARCEL NO. 59602105

REPRESENTATIVE (if other than applicant) \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

TELEPHONE \_\_\_\_\_

GENERAL LOCATION OF PROPERTY: (Include street address, property location from nearest street or intersection, and indicate which side of street the property is on). 55990 SKYLINE RANCH RD.,  
PROPERTY IS ON RIGHT HAND, OR WEST SIDE.

PROPERTY OWNER JONATHAN R. ZORAWIECKI

MAILING ADDRESS 55990 SKYLINE RANCH RD, YUCCA VALLEY

CITY YUCCA VALLEY STATE CA. ZIP 92284

TELEPHONE \_\_\_\_\_

(Attach written permission from property owner, if applicable).

TYPE OF BUSINESS BUYING, SELLING & MANUFACTURING LEGAL FIREARMS.

NUMBER OF PEOPLE INVOLVED IN THE BUSINESS AND RELATIONSHIP TO OWNER: TWO, OWNER & WIFE.

TYPE OF ADVERTISING TO BE USED: WORD OF MOUTH.

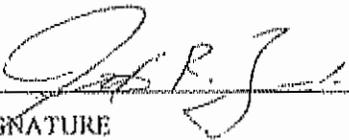
Town of Yucca Valley  
Community Development Department  
58928 Business Center Dr  
Yucca Valley, CA 92284  
760 369-6575 Fax 760 228-0084

HOME OCCUPATION PERMIT APPLICATION INFORMATION

1. APPROXIMATE VOLUME, UNITS SOLD, NUMBER OF CUSTOMERS RECEIVED PER DAY, YEAR, OR OTHER TIME INCREMENTS  
No MORE THAN THE LEGAL QUANTITIES, NO MORE THAN THREE CUSTOMERS PER DAY.
2. DESCRIPTION OF EQUIPMENT USED (HORSEPOWER, VOLTAGE, ETC.) No EQUIPMENT WILL BE USED.
3. MATERIALS USED AND THEIR MANNER OF DELIVERY TO HOME OCCUPATION LOCATION:  
WEAPONS, UPS, FEDEX & OWNER.  
FIREARMS
4. HOW ARE CONTACTS MADE WITH CLIENTS OR CUSTOMERS? BY PHONE, AND FRIENDS & FAMILY, WORD OF MOUTH.
5. SQUARE FEET OF AREA USED FOR STORAGE AND WORK AREA, AND TOTAL SQUARE FEET OF RESIDENCE, INCLUDING GARAGE:  
STORAGE: 32 SQ. FEET  
WORK AREA: 297 SQ. FEET  
TOTAL SQUARE FEET OF RESIDENCE: 1750 SQ. FEET
6. BRIEF SUMMARY OF BUSINESS BEING CONDUCTED:  
THE BUYING, AND SELLING & MANUFACTURE OF LEGAL FIREARMS.
7. PROPERTY OWNERS LIST - WITH YOUR APPLICATION YOU MUST PROVIDE A LIST (ON AVERY LABELS, 33 PER 8 1/2 X 11" PAGE) OF ALL PROPERTY OWNERS AND THEIR ADDRESSES WITHIN 300 FEET OF THE EXTERIOR BOUNDARIES OF THE PROPERTY IN QUESTION. THIS LIST WILL BE USED FOR PUBLIC NOTIFICATION (See Attachment "A").

I CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND THAT I HAVE READ AND UNDERSTAND AND WILL ABIDE BY SAN BERNARDINO COUNTY CODE, SECTION 84.0615 (HOME OCCUPATIONS) AS AMENDED BY ORDINANCE NO 178.

I UNDERSTAND THAT MY PERMIT MAY BE VOIDED FOR NON-COMPLIANCE WITH THE CONDITIONS SET FORTH IN THE APPROVAL.

  
SIGNATURE

1-14-11  
DATE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

**January 11, 2011**

**Owner**

**Jonathan Roscoe Zorawicki**

**55990 Skyline Ranch Road  
Yucca Valley, CA. 92284**

**Phone #**

**Fax #**

**E-mail:**

January 11, 2011

The business that I plan to start will be in the buying and selling , also the manufacturing of legal firearms.

My business goals at first are to start small so as to have the business expand after I retire from my present employment as a retail manager in a major grocery chain.

My 28 plus years experience in the retail industry will give me the advantage to increase the business in the near future to a full time operation, possibly moving into a store front business.

By starting this business now will help to give myself the experience needed too increase into a more profitable, and revenue generating business.

I see this business as a growing industry in the near future. The need for the products that I intend to sell will appeal too many different individuals, including , hunters, sportsman, hobbyist, and those wanting personal protection.

The customer base I plan on selling to will be mostly family and friends, so the traffic generated to my residence will be no more than that of people visiting my home.

I have been in possession of my residence for over 15 years, and have built up a good relationship with my immediate neighbors as well as trust, as I watch their homes when they leave for extended periods.

So to recap, the customers that will be patronizing my place of business will be by appointment only, and the monthly average will be less than ten trips daily.

The only other person that will be involved will be my spouse as I plan on keeping the business very low key in the beginning. There will be no parking issues on site.

I believe that my dwelling falls under RL land use districts, so I feel that the amount of square footage that will be used will not exceed the amount provided in the standards required.

There will be no exterior signage or evidence of home occupation, the dwelling will continue to appear as a residence.

I also foresee no problem as to having the home occupation permit to be revoked as I will have no problem in complying with the requirements that are listed in the application.

Jonathan Roscoe Zorawicki

January 27, 2011

To Diane Olsen,

In my application for the home occupancy permit I stated no equipment would be used in the manufacturing process, what I meant by that was no heavy equipment would be used.

The firearms that I was referring too that I would be manufacturing are in kit form, requiring only basic hand tools to assemble possibly the use of some air tools, and then only the noise from an air compressor, and the tools themselves would be heard.

And as I stated in my application that I would be starting out small, and very low key so this will not be an everyday occurrence so as to be an annoyance to any of my neighbors.

I hope this information helps, if you need any more questions answered or more clarification please feel free to contact me at any time.



Jonathan R. Zorawicki  
55990 Skyline Ranch Rd.  
Yucca Valley, CA. 92284

# Federal Firearms License (18 U.S.C. Chapter 44)

STANDARD FORM NO. 100 (REVISED 10-2011)

In accordance with the provisions of Title I, Gun Control Act of 1968, and the regulations issued thereunder (27 CFR Part 478), you are licensed to engage in the business specified in this license, within the limitations of Chapter 44, Title 18, United States Code, and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 478.51.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To ATF - Chief, FFLC 244 Needy Road Martinsburg, WV 25405-9431	License Number <b>9-33-071-07-7E-03703</b>
Chief, Federal Firearms Licensing Center (FFLC) <i>Nancy Robertson</i>	Expiration Date <b>May 1, 2017</b>
Name ZORAWICKI, JONATHAN R.	

Premises Address (Changes? Notify the FFLC at least 30 days before the move.)

55990 SKYLINE RANCH RD  
YUCCA VALLEY, CA 92284-

Type of License:

**07-MANUFACTURER OF FIREARMS OTHER THAN DESTRUCTIVE DEVICES**

### Purchasing Certification Statement

The licensee named above shall use a copy of this license to assist a transferor of firearms to verify the identity and the licensed status of the licensee as provided by 27 CFR Part 478. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Firearms Licensee (FFL) or a responsible person of the FFL. I certify that this is a true copy of a license issued to the licensee named above to engage in the business specified above under "Type of License."

### Mailing Address (Changes? Notify the FFLC of any changes.)

ZORAWICKI, JONATHAN R  
55990 SKYLINE RANCH RD  
YUCCA VALLEY, CA 92284-

Licensee/Responsible Person Signature

Position/Title

Printed Name

Date

ATF Form 8 (5310.11)  
Revised October 2011

### Federal Firearms License (FFL) Customer Service Information

Federal Firearms Licensing Center (FFLC)  
244 Needy Road  
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (866) 662-2750  
Toll-free Fax Number: (866) 257-2749  
E-mail: [NLC@atf.gov](mailto:NLC@atf.gov)

ATF Homepage: [www.atf.gov](http://www.atf.gov)  
FFL eZ Check: [www.atfonline.gov/fflezcheck](http://www.atfonline.gov/fflezcheck)

**Change of Address (27 CFR 478.52).** Licensees may during the term of their current license remove their business or activity to a new location at which they intend regularly to carry on such business or activity by filing an Application for an Amended Federal Firearms License, ATF Form 5300.38, in duplicate, not less than 30 days prior to such removal with the Chief, Federal Firearms Licensing Center. The application must be executed under the penalties of perjury and penalties imposed by 18 U.S.C. 924. The application shall be accompanied by the licensee's original license. The license will be valid for the remainder of the term of the original license. (The Chief, FFLC, shall, if the applicant is not qualified, refer the application for amended license to the Director of Industry Operations for denial in accordance with § 478.71.)

**Right of Succession (27 CFR 478.56).** (a) Certain persons other than the licensee may secure the right to carry on the same firearms or ammunition business at the same address shown on, and for the remainder of the term of, a current license. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business shall furnish the license for that business for endorsement of such succession to the Chief, FFLC, within 30 days from the date on which the successor begins to carry on the business.

(Continued on reverse side)

Cut Here ✂

### Federal Firearms License (FFL) Information Card

License Name: ZORAWICKI, JONATHAN R  
Business Name:  
License Number: 9-33-071-07-7E-03703  
License Type: 07-MANUFACTURER OF FIREARMS OTHER THAN DESTRUCTIVE DEVICES  
Expiration: May 1, 2017

Please Note: Not Valid for the Sale or Other Disposition of Firearms.

### FFL Newsletter - Electronic Version Available

Sign-Up Today!

FFLs interested in receiving the electronic version of the FFL Newsletter, along with occasional additional information, should submit name, FFL number, and e-mail address to: [FFLNewsletter@atf.gov](mailto:FFLNewsletter@atf.gov).

The electronic FFL Newsletter will enable ATF to communicate information to licensees on a periodic basis.

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

LICENSE TO SELL FIREARMS

LICENSE NO.	6311
ISSUE DATE	05/19/14
EXPIRATION DATE	05/19/15

Application heretofore having been made to me by Jonathan and Cheryl Zorawicki  
 for a license to sell firearms, under the provisions of Part 4, Title 2, Article 2 of the Penal Code, at his business premises located at  
55990 Skyline Ranch Road

Jonathan R. Zorawicki in Yucca Valley, 92284, California, and no  
 objection appearing thereto, License is hereby granted to said Jonathan and Cheryl Zorawicki  
 to sell at retail, for one year from the date of issuance of this license, firearms at the following building in which his business is carried on, to wit:  
Jonathan R. Zorawicki in Yucca Valley California.

This license is issued subject to the following conditions, for breach of any of which, this license shall be subject to forfeiture:

1. The business shall be carried on only in the building designated in the license.
2. The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can be easily read.
3. No firearm shall be delivered:
  - (a) within 10 days of the application for the purchase, and when delivered shall be unloaded and securely wrapped;
4. No pistol or revolver, or imitation thereof, or placard advertising the sale or transfer thereof, shall be displayed in any part of said premises where it can be readily seen from the outside.

nor  
 (b) unless the purchaser presents clear evidence of his identity

*[Handwritten Signature]*  
 Signature of licensee

*[Official Signature]*  
 Official Signature

EXPIRES ONE YEAR FROM DATE OF ISSUE

DISTRIBUTION: White - Licensee  
 Canary - License Agent  
 Pink - Sheriff's Department

**KAMALA D. HARRIS**  
*Attorney General*

*State of California*  
**DEPARTMENT OF JUSTICE**



**BUREAU OF FIREARMS**  
P.O. Box 160367  
Sacramento, CA 95816-0367  
Telephone: (916) 227-2153  
Fax: (916) 227-3744

May 30, 2014

Jonathan Zorawicki  
**JONATHAN R ZORAWICKI**  
55990 Skyline Ranch Rd  
Yucca Valley, CA 92284

**Centralized List of Firearms Dealers and Dealer Inspection Program  
Licensure Submission Acknowledgment**

The California Department of Justice (the Department), Bureau of Firearms is in receipt of your updated license continuing your qualification as a fully licensed California Firearms Dealer for the current calendar year pursuant to Penal Code section 26700.

Your licensure data and pertinent expiration dates are listed below. With the exception of your Certificate of Eligibility, it is your responsibility to submit evidence to the Department of each licensure element's renewal within thirty days of its expiration in order to maintain valid status on the Centralized List of Firearms Dealers. Failure to maintain current license elements with the Department can result in removal from the Centralized List as a matter of law. Once you are removed from the list, you will be unable to submit Dealer Record of Sale (DROS) transactions.

If you have any questions, please contact the Bureau Of Firearms at (916) 227-2153.

**JONATHAN R ZORAWICKI**

<i>Licensure</i>	<i>Jonathan Zorawicki</i>	
<i>California Firearms Dealer (CFD)</i>	<i>21699</i>	
<i>Federal Firearms License</i>	<i>933071077E03703</i>	<i>Expires 05/01/2017</i>
<i>California Seller's Permit</i>	<i>SR EH 102-060010</i>	<i>No Expiration</i>
<i>Local Firearms License</i>	<i>6311</i>	<i>Expires 05/19/2015</i>
<i>California Certificate of Eligibility</i>	<i>000016580</i>	<i>Expires 05/05/2015</i>

Sincerely,

**STACY HEINSEN, Manager**

**Bureau Of Firearms**

For **KAMALA D. HARRIS**  
**Attorney General**

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION

**SELLER'S PERMIT**



ACCOUNT NUMBER

4/21/2011 SR EHC 102-060010

JONATHAN ROSCOE ZORAWICKI  
55990 SKYLINE RANCH RD  
YUCCA VALLEY, CA 92284-2038

**NOTICE TO PERMITTEE:**  
You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

*Not valid at any other address*

**For general tax questions, please call our Information Center at 800-400-7115.**

**For information on your rights, contact the Taxpayers' Rights Advocate Office at 888-324-2798 or 916-324-2798.**

BOE-442-R REV. 15 (2-05)

**A MESSAGE TO OUR NEW PERMIT HOLDER**

**As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:**

- Visiting our website at [www.boe.ca.gov](http://www.boe.ca.gov)
- Visiting a district office
- Attending a Basic Sales and Use Tax Law class offered at one of our district offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Information Center at 800-400-7115

**As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. Conversely, you have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,**

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the Board
- You are responsible for following the regulations set forth by the Board

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a Board representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a Board office, or giving it to a Board representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the Board, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 888-324-2798 or 916-324-2798. Their fax number is 916-323-3319.

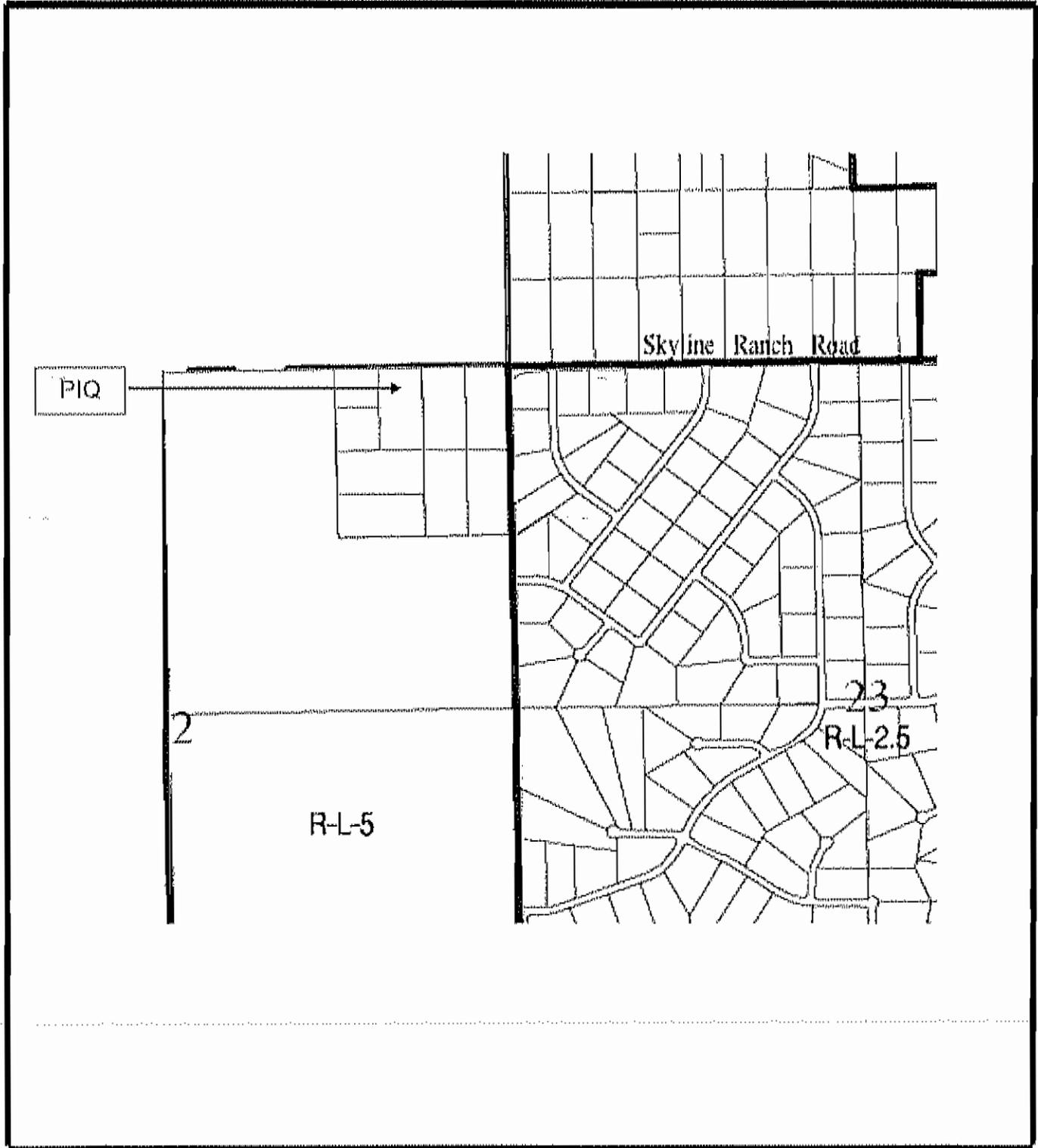
**Please post this permit at the address for which it was issued and at a location visible to your customers.**

STATE BOARD OF EQUALIZATION

Sales and Use Tax Department

# TOWN OF YUCCA VALLEY

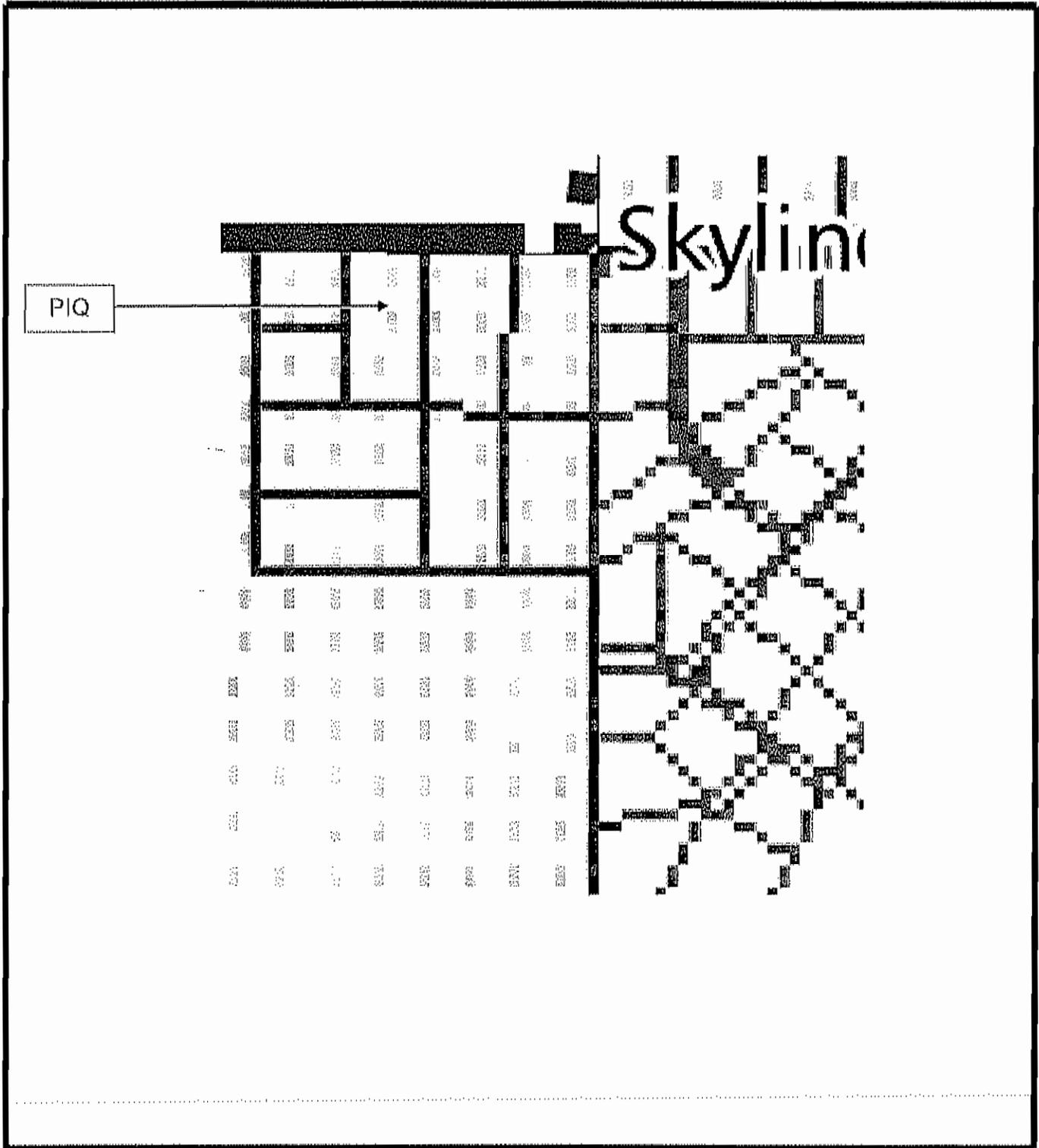
PROJECT NO.: HOME OCCUPATION PERMIT, HOP 01-11 ZORAWICKI



ZONING MAP

# TOWN OF YUCCA VALLEY

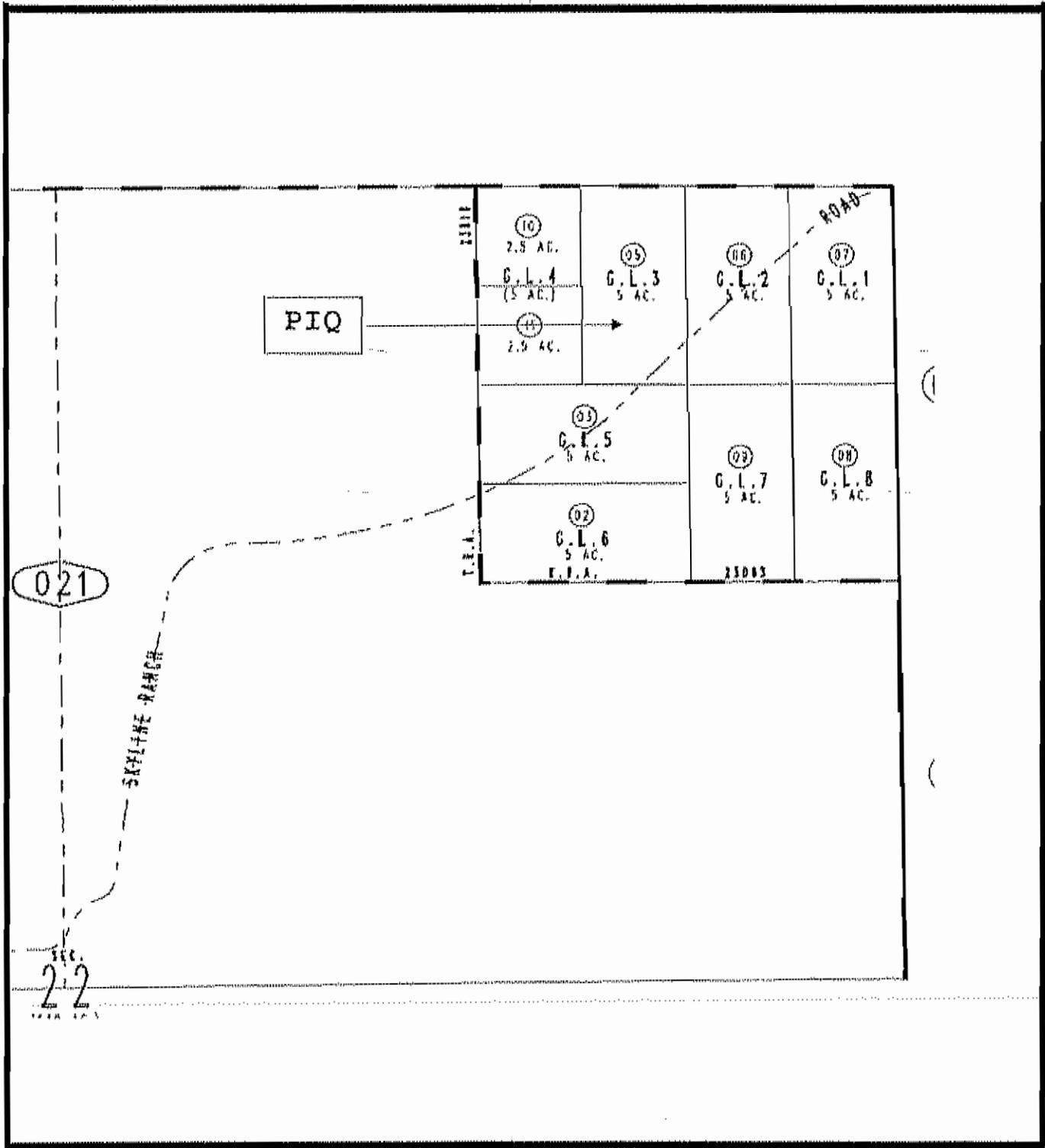
PROJECT NO.: HOME OCCUPATION PERMIT, HOP 01-11 ZORAWICKI



GENERAL PLAN LAND USE MAP

# TOWN OF YUCCA VALLEY

PROJECT NO.: HOME OCCUPATION PERMIT, HOP 01-11 ZORAWICKI



Assessor's Parcel Map

# TOWN OF YUCCA VALLEY

PROJECT NO.: HOME OCCUPATION PERMIT, HOP 01-11 ZORAWICKI

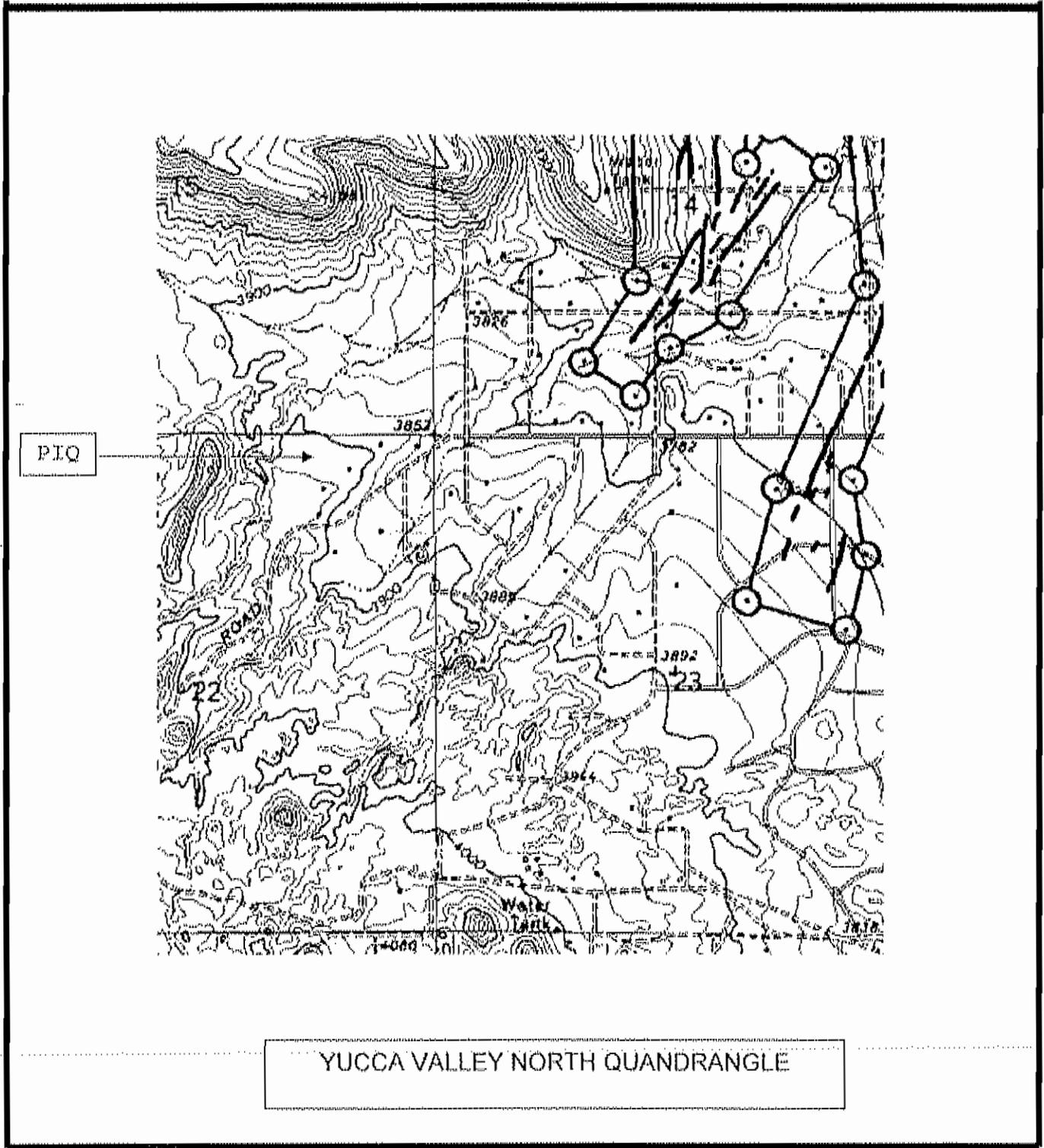
PIQ



AERIAL PHOTO

# TOWN OF YUCCA VALLEY

PROJECT NO.: HOME OCCUPATION PERMIT, HOP 01-11 ZORAWICKI



Alquist-Priolo Map

1.2 Section 84.0310 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 hereby repealed.

1.3 Section 84.0320 of Title 8, Division 4, Chapter 3 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:

**“Section: 84.0320 Rural Living (RL) District.**

The Rural Living (RL) District shall be located as specified by the Town of Yucca Valley General Plan.

- (a) **GENERAL PROVISIONS:** The specific purposes of the Rural Living District regulations are to:
- (1) Provide appropriately located areas for single family dwellings that are consistent with the General Plan and the standards of public health and safety established by the Yucca Valley Municipal Code;
  - (2) Provide adequate light, air, privacy, and open space for each dwelling unit and protect residents from the harmful effects of excessive noise, population density, traffic congestion and other adverse environmental impacts;
  - (3) Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment; and
  - (4) Insure the provisions of public services and facilities needed to accommodate planned population densities.
- (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.

R-1 (Rural Living) Use Classification		P CUP PD LSP	Permitted Conditional Use Permit Planned Residential Development Livestock Permit
Use	Zoning District R-1-1, 2.5, 5, 10, 20 ac	Additional Use Requirements	
<b>Residential:</b>			
Family Day Care Homes: Large Small	CUP P	Refer to Additional Uses Section of Development Code	
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	CUP	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.

- (c) **DEVELOPMENT STANDARDS:** The following schedule prescribes development regulations for the Rural Living Residential District:

<b>Rural Living (RL) Property Development Regulations</b>		
Use	Zoning District	
	RL-1/2, 5, 10, 20 ac	
Lot Size (acres)	see map suffix	Lot area measured in gross acres
Minimum Lot Dimension (width/Depth in ft.)	150/150	
Maximum Lot Dimensions (Width to depth ratio)		
Less than 10 ac	1:4	
Greater than 10 ac	1:3	
Yards (setbacks):		
Front	50'	(1), (2)
Side	15'	
Arterial/Collector Street Side	50'	
Local Street Side	25'	
Rear	15	
Maximum Structure Height:	35	
Maximum Lot Coverage	20%	
Minimum District Size (Acres)	30	

- (1) The setbacks delineated in this table shall be the standard unless a different setback is delineated on said Final Map, Parcel Map, or Composite Development Plan.
- (2) Reduced setbacks may be allowed pursuant to Section 87.0510 unless otherwise stated in this Section.

- (d) **ACCESSORY STRUCTURES REGULATIONS:** Residential accessory structures include any of those customarily related to a residence, including garages, greenhouses, storage sheds, studios, barns, workshops, and similar structures.

- (1) Any new accessory building requiring a building permit shall be subject to the following standards:

- (A) Any accessory structure shall be architecturally compatible with the primary structure.
  - (B) Any accessory building, excluding any authorized dependant housing or second unit as approved under a Conditional Use Permit, shall not have a floor area in excess of fifty (50%) percent of the footprint of the primary building nor shall the cumulative floor area of accessory buildings have a floor area in excess of one hundred (100%) percent of the footprint of the primary building.
  - (C) Lots in the RL land use district which are ten (10) acres in size or greater are exempt from the area requirements for accessory structures.
  - (D) All building setback standards of the land use district shall apply.
  - (E) Any accessory structure must be on the same parcel as the primary building.
  - (F) The maximum number of detached accessory structures shall be two, regardless of any requirement of a building permit.
  - (G) The maximum height of any accessory structure shall not exceed 20 feet.
- (2) USE OF CARGO CONTAINERS: As storage for construction clean-up or construction material, a cargo container used as a temporary storage device may be located anywhere on the property, except in the "clear sight triangle" during the duration of the construction activity associated with an active building permit subject to the approval of a Temporary Use Permit."

**84.0635 Special Uses.**

- (a) Any use that is the subject of an approved Conditional Use Permit in accordance with the provisions of Division 3 may also be made subject to the issuance of a Special Use Permit.
- (b) Special Use Permits may be issued for limited time periods. New applications may be required for Special Use Permit renewal.

**84.0640 Hazardous Waste Facilities.**

All specified hazardous waste facility applications shall be subject to a Special Use Permit with a copy of the disclosure statement required by Health and Safety Code Section 25200.4. The purpose of the Special Use Permit shall be to evaluate the operation and monitoring plan of the facility, to ensure the facility has adequate measures for monitoring on-going impacts to air quality, groundwater, and environmentally sensitive resources, to evaluate the types and quantities of wastes that will be treated or disposed of at the facility, and to require periodic inspections of the facility to ensure conditions of approval are implemented and monitored.

**Notice of Exemption**

Form D

To:  Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 222  
Sacramento, CA 95812-3044

From: (Public Agency) Town of Yucca Valley  
58928 Business Center Drive  
Yucca Valley, CA 92284

County Clerk  
County of San Bernardino  
385 N. Arrowhead, 2nd Flr.  
San Bernardino, CA, 92415

(Address)

Project Title: Home Occupation Permit, HOP 01-11

**Project Location - Specific:**

55990 Skyline Ranch Rd,  
APN: 596-021-05

Project Location - City: Yucca Valley

Project Location - County: San Bernardino

**Description of Project:**

A request to renew a Home Occupation Permit for the purpose of assembling firearms that are purchased in kit form and for the buying and selling of firearms to the public from an existing single family residence.

Name of Public Agency Approving Project: Town of Yucca Valley

Name of Person or Agency Carrying Out Project: Jonathan Zorawicki

**Exempt Status: (check one)**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15301 Existing Facilities
- Statutory Exemptions. State code number: \_\_\_\_\_

**Reasons why project is exempt:**

The project is exempt from CEQA due to the fact that the project is located at an existing single family residence.

**Lead Agency**

Contact Person: Shane Stueckle Area Code/Telephone/Extension: (760) 369-6575

**If filed by applicant:**

- 1. Attach certified document of exemption finding.
- 2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: \_\_\_\_\_ Date: 06/10/14 Title: Deputy Town Manager

- Signed by Lead Agency Date received for filing at OPR: \_\_\_\_\_
- Signed by Applicant

Revised May 1999

**NOTICE OF PUBLIC HEARING  
PLANNING COMMISSION HEARING  
TUESDAY, JUNE 10, 2014  
BEGINNING AT 6:00 P.M.  
YUCCA VALLEY COMMUNITY CENTER  
57090 29 PALMS HIGHWAY  
YUCCA VALLEY, CALIFORNIA 92284**

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

**CASE NUMBER:** Home Occupation Permitt, HOP 01-11 Zorawicki renewal

**APPLICANT:** Jonathan Zorawicki  
55990 Skyline Ranch Rd  
Yucca Valley, Ca 92284

**PROPOSAL:** This request is for the renewal of an approval of a Home Occupation Permit to assemble firearms that are purchased in kit form and buy and sell firearms to the public.

**LOCATION:** The property is located at 55990 Skyline Ranch Rd, and identified as APN 596-021-05.

**ENVIRONMENTAL**

**DETERMINATION:** The project was reviewed under the California Environmental Quality Act (CEQA) and the Town's Guidelines to implement same. The Town determined that the proposed project is exempt from CEQA under Section 15301, Class 1, Existing Facilities.

Any person affected by the application(s) may appear and be heard in support or opposition to the proposal at the time of the hearing.

The environmental findings, along with the proposed project application(s) are available and may be reviewed at the Town of Yucca Valley Planning Division, 58928 Business Center Drive, Yucca Valley, CA 92284 from 7:30 a.m. to 5:30 p.m., Monday through Thursday or obtain information at (760) 369-6575.

The Planning Commission in its deliberation could recommend approval of the project, deny the project, approve the project in an alternative form, or forward the project to the Town Council for review.

If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Town Planning Division at, or prior to the Public Hearing.

Publish Date: Published on May 21, 2014

May 19, 2014  
Date

/s/ Lesley R. Copeland  
Lesley R. Copeland  
Town Clerk

**TOWN OF YUCCA VALLEY  
PLANNING COMMISSION MEETING MINUTES  
March 22, 2011**

Chair Lombardo called the regular meeting of the Yucca Valley Planning Commission to order at 6:00 p.m.

Commissioners Present: Alberg, Graham, Humphreville and Chair Lombardo

Pledge of Allegiance was led by Chair Lombardo

**APPROVAL OF AGENDA**

Commissioner Alberg moved to approve the agenda. Commissioner Humphreville seconded. Motion carried 5-0 on a voice vote.

**PUBLIC COMMENTS**

None

**PUBLIC HEARINGS**

**1. HOME OCCUPATION PERMIT, HOP 01-11 ZORAWICKI**

A request for the approval of a home occupation permit for the purpose of assembling firearms that are purchased in kit form and for the buying and selling of firearms from and to the public from an existing single family residence.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Kirschmann presented the project discussion to the meeting. A PowerPoint presentation was projected on the screen during the discussion, a printed copy of which is preserved in the meeting file.

On February 22, 2011 the application was reviewed by Deputy Town Manager Stueckle at a staff level hearing. Based upon the amount of communication received from the public and those in attendance at the permit hearing, the item is being forwarded to the Planning Commission for review. Prior to the hearing the Town had received eleven responses in support of the project, fifteen in opposition and one response requesting the application be forwarded to the Commission. The objections raised dealt with concerns of safety and firing of weapons for tests.

Jonathan Zorawicki, Applicant, advised his request is for a small quiet business in his home assembling small rifles. He has submitted his application to the ATF and will be on an appointment only basis. His immediate neighbors have been notified and have no objections, as well as the Sheriff's Department.

Commission Humphreville moved to approve the Home Occupation Permit, HOP 01-11 based upon the information contained within the staff report and findings. Commissioner Graham seconded. Motion carried unanimously on a voice vote.

**DEPARTMENT REPORTS:**

**2. DISCUSSION ON THE REGULATION OF WIND ENERGY GENERATORS AND PRESENTATION OF A DRAFT ORDINANCE.**

A request from staff that the Commission discuss and provide direction on regulations regarding wind energy generators

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Kirschmann presented the project discussion to the meeting. A PowerPoint presentation was projected on the screen during the discussion, a printed copy of which is preserved in the meeting file. At this time the Town has no regulations for the installation of renewable energy systems such as wind generators. The Town has recently received a number of inquiries for the installation of both roof mounted and freestanding wind generations, and since there are no regulations, staff is seeking feedback and direction on the draft regulations.

Deputy Town Manager Stueckle advised that there are examples of several of these generators between here and Apple Valley mounted on poles as high as 50 to 60 feet, noting if we have these on every parcel in Town it will have an impact.

Commissioner Alberg questioned the 2 acre lot size limitation and whether or not the units are loud. Planner Kirschmann advised the concern would be of height and the appearance of the systems on every residence in small lot areas. He noted the units are generally fairly quiet.

Commissioner Graham questioned how many inquiries the Town has had, expressed concern regarding the term "fall zone" noting there is no such requirement for cell towers or flag poles. He noted he feels it should be required that a Civil Engineer design the foundation and mounting. He also questioned the height restriction of 35'. Deputy Town Manager Stueckle advised there have been between 10-50 requests, and advised that engineering calculations would be necessary for both the roof and pole mounted systems, and the fall zone requirement is designed to insure that a pole mounted design would not fall on someone else's property. It is an additional safety element built into a number of ordinances in other jurisdictions. With regard to height, Planner Kirschmann advised that the Town's maximum height limitation is 35' and note that generally the poles are 33' plus the height of the blades would bring the height to 39' so the poles would have to be cut to accommodate the Town's requirement.

Commissioner Humphreville stated the footing should be engineered so that a fall zone isn't

TOWN OF YUCCA VALLEY  
COMMUNITY DEVELOPMENT DEPARTMENT

MINUTES  
PERMIT HEARING  
FEBRUARY 22, 2011

**Home Occupation Permit, HOP 01-11 Zorawicki**

Deputy Town Manager Shane Stueckle called the hearing to order at 9:00 am and explained the process of the administrative hearing.

With reference to the complete printed Staff Report preserved in the meeting and project files, Associate Planner Robert Kirschmann presented the staff report to the meeting.

A request for approval to of a home occupation permit for the purpose of assembling firearms purchased in kit form and to buy and sell firearms to the public from an existing single family residence. The property is located at 55990 Skyline Ranch Rd and is identified as APN 596-021-05

The property is currently developed with 1750 single family residence. Prop is surrounded on the north by vacant land and on the south, east and west by single family residences. Pursuant to 83.010330, the notice was mailed to all prop owners on February 03, 2011.

The applicant is proposing a max of 3 customers per day with an appointment, operating hours of 3 PM to 6PM, using approx 300 square feet (17 %) of residence and no testing of firearms at the project location or surrounding properties. All testing of firearms will take place at a shooting range.

Jonathan and Cheryl Zorawicki of Yucca Valley plan to purchase firearms kits by order only. There will be no factory or EPA impact on the neighborhood. The applicant stated that he has gone through all background checks by ATF and the Sheriff's Department.

Mr Stueckle and Mr Zorawicki had a discussion on the following items: volume of weapons permitted to be sold, types of weapons that are to be sold and other limitations imposed on firearms transactions, materials to be used in the operation of the business, special order business only or inventory be on hand, requirements for the storage of inventory, storage of ammunition storage and sales, explanation of the kit assembly process and the business level over the next five years.

Mr Stueckle opened the hearing to public comments.

Barbara Renton, Yucca Valley, spoke in opposition to the project

Joy Williams, Yucca Valley, spoke in favor

Linda Moffitt, Yucca Valley, spoke in favor

Margo Sturges, Yucca Valley, spoke in opposition

Cynthia Anderson, Yucca Valley would like the operating hours to be reconsidered to daylight only.

Donna Geeslin, Yucca Valley, spoke in favor

Roy Howard, Yucca Valley, spoke in favor

Courtney Vaughn, Yucca Valley, requested clarification on types of weapons

Janette Allen, Yucca Valley, spoke in favor

Mr Stueckle and Mr Zorawicki had a discussion on the following items: terminology of weapons, guns, firearms, on being open to the public vs appointment only, on the process and requirements of purchasing a firearm in CA, on advertising of the business, on hours of operation, on test firing of weapons, on an explanation of the kit type of firearm, on the categories of assault weapons and what can be sold in CA and the number limitations on the kit firearms and the excise tax that is to be paid after the purchase of fifty firearms kits,

Mr Kirschmann discussed the Conditions of Approval

Mr Stueckle re-opened the hearing to public comments

Tammy Roloff questioned what a receiver is

Ms Sturges questioned the terminology of guns, weapons, or firearms.

Ms Anderson questioned specific requirements on lighting or fencing

Mr Zorawiki defined what a receiver was

Mr Stueckle and Mr Zorawicki discussed the types of firearms that could be sold by a Federal Firearms Licensee ( FFL) and lighting and fencing requirements.

Mr Stueckle discussed that land use is the focus of the permit application and is set up for staff level of approval but the hearing officer can forward the application to the Planning Commission for consideration. Based upon communication received and the attendance at the hearing, this item is being forwarded to the Planning Commission with a recommendation for approval.

Mr Stueckle closed the permit hearing

Respectfully submitted by

Diane Olsen  
Planning Technician

**TOWN OF YUCCA VALLEY  
COMMUNITY DEVELOPMENT DEPARTMENT  
HOME OCCUPATION PERMIT  
NON-TRANSFERABLE**

**JONATHAN ZORAWICKI  
55990 SKYLINE RANCH RD  
YUCCA VALLEY, CA 92284**

**PERMIT -- HOP 01-11**

**TYPE OF PERMIT - HOME OCCUPATION PERMIT RENEWAL**

**LOCATION -- 55990 SKYLINE RANCH RD**

**TYPE OF BUSINESS -- ASSEMBLING FIREARMS THAT ARE PURCHASED IN  
KIT FORM AND FOR THE BUYING AND SELLING OF FIREARMS TO THE  
PUBLIC.**

**PERMIT ISSUANCE: MARCH 22, 2012**

**PERMIT EXPIRATION: MARCH 22, 2013**

**FEE PAID - \$125**

This permit may be suspended or revoked by the Town of Yucca Valley for cause. This permit is granted on condition that the person named in the permit will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, County of San Bernardino and the Town of Yucca Valley pertaining to the above mentioned business. Penalty fees are assessed on permits renewed 30 days after expiration date indicated above, or for failure to obtain new permit in case of transfer or ownership.



**DIANE OLSEN**  
Planning Technician

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Public Works  
(760) 363-6777  
Building and Safety  
(760) 363-6769  
Code Compliance  
(760) 363-6771  
Engineering  
(760) 363-6775  
Animal Control  
(760) 363-6767  
Animal Shelter  
(760) 363-6111  
FAX (760) 338-0668



The Town of  
**Yucca Valley**

**POST IN A CONSPICUOUS PLACE**

COMMUNITY DEVELOPMENT/PUBLIC WORKS DEPARTMENT  
38926 Business Center Dr.  
Yucca Valley, California 92284

TOWN OF YUCCA VALLEY  
COMMUNITY DEVELOPMENT DEPARTMENT  
HOME OCCUPATION PERMIT  
NON-TRANSFERABLE

JONATHAN ZORAWICKI  
55990 SKYLINE RANCH RD  
YUCCA VALLEY, CA 92284

PERMIT – HOP 01-11

TYPE OF PERMIT - HOME OCCUPATION PERMIT RENEWAL

LOCATION – 55990 SKYLINE RANCH RD

TYPE OF BUSINESS – ASSEMBLING FIREARMS THAT ARE PURCHASED IN  
KIT FORM AND FOR THE BUYING AND SELLING OF FIREARMS TO THE  
PUBLIC.

PERMIT ISSUANCE: MAY 06, 2013  
PERMIT EXPIRATION: MARCH 22, 2014

**MUST COMPLY WITH ALL CONDITONS OF APPROVAL**

This permit may be suspended or revoked by the Town of Yucca Valley for cause. This permit is granted on condition that the person named in the permit will comply with the laws, ordinances and regulations that are now or may hereafter be in force by the United States Government, the State of California, County of San Bernardino and the Town of Yucca Valley pertaining to the above mentioned business. Penalty fees are assessed on permits renewed 30 days after expiration date indicated above, or for failure to obtain new permit in case of transfer or ownership.



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The Town of  
**Yucca Valley**

POST IN A CONSPICUOUS PLACE

COMMUNITY DEVELOPMENT/PUBLIC WORKS DEPARTMENT  
55928 Business Center Dr.  
Yucca Valley, California 92284

there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. And,

Moved to recommend to the Town Council to adopt the Ordinance, and repeals Sections 83.010105 thru 83.0103.15, Sections 83.010325 thru 83.010335, Section 83.010505, Sections 83.020105 thru 83.020210, Sections 83.030805 thru 83.030855, Sections 83.030145 thru 83.030175, Sections 83.030205 thru 83.030230, Sections 83.030310 thru 83.030325, Section 83.030405, Section 83.030505, Section 83.030605 Sections 83.030705 thru 83.030765, Sections 83.030905 thru 83.030955 of Division 3 of Title 8 from the Yucca Valley Development Code and Sections 41.151 thru 41.1569 from Chapter 15, Division 1 Title 4 of the Yucca Valley Municipal Code.

Commissioner Drozd Seconded. Motion carried 5-0 on a voice vote.

**DEPARTMENT REPORT**

**2. HOME OCCUPATION PERMITS**

Deputy Town Manager Stueckle presented the staff report, explaining the general findings within Ordinance 178 relating to Home Occupation Permits.

Chair Humphreville opened public comment.

Barry Shaw, Esther Shaw, and Voss Schwartz, all of Yucca Valley spoke in opposition to firearm sales in residential neighborhoods.

Frank Hubbard, Yucca Valley requested the prohibition of firearm sales in residential neighborhoods.

Bonnie Brady, Yucca Valley spoke favorably of Commissioner Lavender's public request for input on neighborhood gun sales using the local newspaper.

With no other members of the public wishing to speak, Chair Humphreville closed public comment.

Commissioner Lavender commented that as a Planning Commissioner he needs to listen to the people and stated that he has received 17 responses, (13 opposed, 4 in favor) of residential gun shops. Lavender recommends revising the ordinance to not allow gun shops in residential neighborhoods.

Commissioner Whitten thanked the public for attending the meeting and providing input.

Whitten commented the language on stamped page 99 relating to public health and safety and questioned what would be considered appropriate for residential neighborhoods. Whitten suggested to allow these types of businesses in more rural areas and suggested that the approval process for HOP's to be brought to the Planning Commission for an extra set of eyes.

Commissioner Drozd inquired about firewood businesses in residential neighborhoods. Drozd explained he understands the interest in gun sales due the recent commission activity and questioned if the ordinance language was changed, how would it affect the current permit holders.

Deputy Town Manager Stueckle explained that just because there is an opposition, it is not always are basis for change. If the application is consistent with the General Plan and the Development Code and all code requirements are met, public input is not always a basis for denial.

Vice Chair Bridenstine stated that it was a difficult decision and there is a need to be careful to not take away people's rights.

Chair Humphreville stated home based businesses are a viable part of a community and inquired on how an HOP is enforced. Deputy Town Manager Stueckle explained that once the permit is approved, the site is inspected but continual monitoring is usually on a complaint driven basis. Humphreville continued by stating from a land use issue, a day care facility has the potential of disrupting a neighborhood due to increased traffic more than many other types of businesses such as a gun shop.

Vice Chair Bridenstine recommended the commission look in defining the term gun shop to bring into perspective.

Chair Lavender stated he often hears gun shots in his neighborhood and that the Planning Commission should not add to the number of guns that are in the people's possession.

Deputy Town Manager Stueckle reminded the Commission that their purpose is to address land use issues, not second amendment issues. Staff will take the comments into consideration and the item will be brought back for public hearing.

No action was taken.

### **3. WIND ENERGY CONVERSION SYSTEMS**

Deputy Town Manager Stueckle presented the staff report by explaining past commission discussions on wind energy conversion systems (WECS) and presented different types of

meeting, and make revisions. The staff recommends that the Planning Commission continue the public hearing to the March 25, 2014 Planning Commission meeting to allow staff to make final changes for Commission consideration.

Commissioner Whitten moved that the Commission continue the public hearing to the March 25<sup>th</sup>, 2014 Planning Commission meeting to allow staff to make final changes for Commission consideration. The motion was seconded by Chairman Humphreville and was approved unanimously.

DEPARTMENT REPORTS:

**I. HOME OCCUPATION PERMIT REGULATIONS**

Deputy Town Manager Stueckle provided the staff report. He reminded the Commission that there had previously been a lengthy discussion of the Home Occupation Permit Regulations over what are appropriate types of home based businesses as the result of home based businesses requesting federal and state firearms licenses. He provided an over view of the current ordinance for the three tiers of home based businesses. Staff would like input from the Commission on the issue of whether or not the ordinances address the physical differences between lots of different sizes, and provided the example of a business on a two and a half acre lot, which is far away from any neighboring structures, having a small amount of outdoor storage. He also acknowledged that due to the late hour, the Commission may choose to continue the discussion on this issue at a later date.

After the conclusion of the staff's report, Chairman Humphreville opened the floor to public comment.

**PUBLIC COMMENTS**

Margo Sturges, Yucca Valley, is concerned over this issue and believes this is a topic that needs to be work shopped. She is feels that selling weapons out of the home in rented locations like apartment complexes may affect the expectation of quiet enjoyment of renters and the liability of a landlord. She believes that the neighborhood dislikes the idea of weapon sales, and it should be limited to large lots.

Chairman Humphreville asked for staff discussion on this issue, and Deputy Town Manager Stueckle said that because this is a complex issue with many elements to be considered, staff believes that this item requires further discussion at a later date.

Chairman Humphreville asked if the ordinance as it is written now gives the town the flexibility to work with the businesses like the earlier example of a home based business on a two and a half acre lot with outside storage. Deputy Town Manager Stueckle replied that under the current ordinances staff was not able to find any way to address this issue, and staff believes there needs to be some modifications to the ordinance.

Commissioner Lavender said that he believes that most Yucca Valley citizens are against residential gun sales.

Commissioner Whitten believes that there should be a workshop, and that regulations need to be changed to reflect the changing climate regarding guns. He also believes that the Town should send a building inspector to make sure a home fits home occupation permit. He also suggest that these permits come to Planning Commission for review, and that permitted operating hours be changed. He believes that 7:00am

is too early and 8:00pm is too late. He also thinks that home animal rescue and home animal care and boarding should be prohibited, and believes that this should be revisited in a workshop.

Commissioner Drozd suggested that arm sales under a certain lot size should prohibit ammunition sales.

There was a consensus among the Commissioners that a workshop in this issue would be appropriate.

Deputy Town Manager Stueckle agreed that this will be revisited at a later date for further discussion.

There was no motion, but there was a consensus to hold a workshop at a later date

**CONSENT AGENDA:**

**1. 2013 GENERAL PLAN ANNUAL REPORT**

Government Code Section 65400 mandates that all cities and counties submit to their legislative bodies an annual report on the status of the General Plan and progress on its implementation. The report must then be filed with the state's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD). This annual review addresses the January 1, 2013 through December 31, 2013 time period.

**2. MINUTES**

A request that the Planning Commission approve as submitted the minutes of the meetings held on October 08, 2013, November 12, 2013 and February 11, 2014.

**PUBLIC COMMENTS**

None

Commissioner Whitten moved that the Commission approve Consent Agenda items one and two. The motion was seconded by Commissioner Bridenstine and was carried unanimously.

**STAFF REPORTS AND COMMENTS:**

None

**FUTURE AGENDA ITEMS:**

Development Code Update - Article 3  
Site Plan Review 01-24 – Phase 1 Hawks Landing

**COMMISSIONER REPORTS AND REQUESTS:**

Commissioner Drozd thanked everyone for their participation.

..... Commissioner Lavender stated that it was a good discussion and he appreciates that. ....

Commissioner Whitten said that he wanted to know where adult orientated businesses are covered in the code. Deputy Town Manager Stueckle replied that it is covered in Article 2, and that conversation will be coming forward. Commissioner Whitten also stated that the recent rainstorm may have identified some

**TOWN OF YUCCA VALLEY  
PLANNING COMMISSION MEETING MINUTES  
May 13, 2014**

Chair Humphreville called the regular meeting of the Yucca Valley Planning Commission to order at 6:00p.m.

Commissioners present were Bridenstine, Drozd, Lavender and Chair Humphreville. Commissioner Whitten was not present (excused).

The Pledge of Allegiance was led by Chair Humphreville.

**PUBLIC COMMENTS**

1. Margo Sturges, Yucca Valley, spoke and said that she thought that the Planning Commission had intended to hold a workshop on the Home Occupation Permit regulations, and she felt that they should hold a workshop.
2. Fritz Koenig, Yucca Valley, said that the Planning Commission had said that they would hold a workshop on the Home Occupation Permit regulations. He felt that a workshop was necessary as the issue was controversial. He said he would be holding his own workshop and submitted a sign-up sheet to the Commission.

With no further individuals wishing to speak, Chair Humphreville closed public comments.

**CLOSE PUBLIC COMMENTS**

**PUBLIC HEARING**

- 1. VARIANCE, V 02-14 BALLINGER DEVELOPMENT**  
A request to reduce the required 50 foot front yard setback to 30 feet for the construction of a single family residence. The property is located on the north side of Montecello Lane, west of Montecello Rd and is identified as APN 596-361-03.

Planning Technician Olsen presented the staff report. Staff recommended that the Commission find the project exempt from CEQA under section 15305, Class 5, Minor Alterations in Land Use Limitations, and that the Commission grant the Variation based upon the findings contained within the staff report. Staff's findings were as follows:

1. The granting of the variance would not be detrimental to other properties in the area. Several properties in the surrounding areas have been granted variances for a reduction in setbacks. The granting of the variance will have no impact on solar energy systems, either now or in the future.
2. The property would require significant land disturbance to construct a single family residence.

3. The strict application of the land use regulations would require extensive land disturbance on the site, would change the natural appearance of the site and could limit the ability to construct a single family residence on the property.
4. The variance is compatible with the following polices of the General Plan.

### **PUBLIC COMMENTS**

None

### **CLOSE PUBLIC COMMENTS**

Joanne Ballinger, the applicant, told the Commission that the intent of the project was to avoid disturbing as much of the landscape as possible, and that they were requesting the variance to avoid extensive changes given the limited size of the level portion of the lot.

Commissioner Lavender asked if they had considered alternative configurations which would allow them to build on that location without the variance.

The applicant said that they had looked at alternative options, but found that even a smaller home would require a variance, and that they wanted to keep the grading to a minimum.

Chair Humphreville said that he understood the issues with construction on that property, and that he appreciated their intent to preserve the attractive boulder piles.

Commissioner Bridenstine said that she felt a setback of 30 feet was reasonable given the circumstances.

### **MOTION**

Chair Humphreville moved to approve variance, V 02-14. Commissioner Lavender seconded, and it passed unanimously.

## **2. DEVELOPMENT CODE AMENDMENT, DCA 02-14 HOME OCCUPATION REGULATIONS**

Deputy Town Manager Stueckle presented the staff report. Staff presented the Commission with draft regulations for Home Occupation Permits for their consideration. A brief overview of the history of the Town's Home Occupation Permit regulations was provided. Staff stated that Article 4 of the development code was approved by the Town Council in October of 2013, but that the Commission had opted to defer Home Occupation Permits until they had received additional input from the community.

Deputy Town Manager Stueckle said that the Commission had talked about holding a workshop on the Home Occupation Permit regulations, and it was staff's interpretation that the Commission's intent was to receive maximum participation from the public. Staff explained that, in order to receive the maximum participation from the community, notice of the public hearing

on HOP regulations was provide not only through the usual notice of the meeting published in the newspaper and website, but also through the Community Updates, an additional press release, and through the Chamber Commerce. It was staff's opinion that this process met the Commission's intent for maximum participation, and if there are member of the community who are working on the regulations the Commission is always delighted to receive that information.

Staff provided an overview of the current Home Occupation Permit regulations and the changes presented in the draft regulations presented to the Commission. The changes in the draft regulations included:

- Staff recommended changing the approval authority from Director for all Home Occupation Permit's to two levels of approval authority including Director and Planning Commission, where the Planning Commission would be the approval authority for all home occupations involving sales activities from the home, customers visiting the home, or outdoor screened business activity.
- Staff recommended that the renewal authority is the same as the approval authority.
- Staff recommended that approvals be given for 2 or 3 years instead of for one unless a complaint is received and violations have been verified by a field investigation.
- Staff asked that the Commission consider any additional uses which should be added to the prohibited list.
- Staff recommended additional language to clarify what home based businesses are exempt from obtaining a permit.
- Staff said that the language allowing outside storage needed further clarification and standards. Staff recommended modifications which prohibited outside storage in smaller lots and allowed some outside storage on lots larger than one acre.
- Staff stated that the current standards only address the maximum areas for storage which can be used by a business and identify 25% and 35%, or 250 square feet or 500 square feet, as maximum areas for conducting home based businesses. Staff stated that the Commission may desire to discuss modifications to these standards.
- Staff asked that the Commission should discuss the standards regarding where business activities are to be conducted and direct staff as to the allowable locations for home based business activities.
- Staff recommended modifying the allowed business operating hours from between the hours of 7:00 a.m. and 8:00 p.m. to the hours of 9:00 a.m. and 5:00 p.m. for business which have sales on the premises or customers on the site. All other homes based business would be limited to between 7:00am and 7:00 pm. The Commission may desire to discuss the necessity for hours of operation where no customers visit the site, and when the business activity is in compliance with Town regulations.

## PUBLIC COMMENTS

1. John Barriage, San Deigo, spoke. He stated that he is the attorney for Fritz Koenig. He said that he does not believe the staff's recommendations regarding where business activities are to be conducted were more restrictive. He also objected to allowing people to

**TOWN OF YUCCA VALLEY  
PLANNING COMMISSION MEETING MINUTES  
May 27, 2014**

Chair Humphreville called the regular meeting of the Yucca Valley Planning Commission to order at 6:00p.m.

Commissioners present were Bridenstine, Drozd, Lavender, Whitten and Chair Humphreville.

The Pledge of Allegiance was led by Chair Humphreville.

Commissioner Whitten moved to approve the agenda. Commissioner Bridenstine seconded, and the motion passed unanimously.

**PUBLIC COMMENTS**

1. Margo Sturges, Yucca Valley, said that she likes the Planning Commission using the workshop format.

With no further individuals wishing to speak, Chair Humphreville closed public comments.

**CLOSE PUBLIC COMMENTS**

**1. WORKSHOP – HOME OCCUPATION PERMIT REGULATIONS**

Chair Humphreville opened the public workshop on Home Occupation Permit regulations. Deputy Town Manager Stueckle provided background on the Home Occupation Permit regulations and an overview of the purpose of the workshop. Chair Humphreville recessed the meeting for the workshop at 6:09, and one hour was dedicated to round table discussion with members of the public and the Commissioners. At 7:10, after the table discussion, Chair Humphreville resumed the meeting and opened the floor to reports from the table discussions and individual public comments. Posters listing each table's findings were displayed, and forms on which individuals wrote their suggestions were also submitted to the Commission.

**PUBLIC COMMENTS**

1. Nalini Maharaj, Yucca Valley, said that she would like to see gun sales prohibited as a home occupation.
2. Margo Sturges, Yucca Valley, said that she appreciated the workshop process, and would like the public hearing on the ordinance to be delayed.
3. Mark Miller, Yucca Valley, said that he approves of the changes in the regulation that makes the process of acquiring a home occupation permit easier and clearer. He said that the intent of the revisions should be to make it easier not harder to do business in Yucca Valley. He said that the regulations should be administered equally and without

prejudice, and we shouldn't unfairly discriminate against some businesses just because they are unpopular.

4. Dennis Pask, Yucca Valley, said that he approves of the changes in the draft ordinances. He said that it is unfair that artists with a HOP aren't allowed to display art in their front yard when anyone else in town is able to.
5. James Walker, Yucca Valley, said that he appreciates the workshop process, and that he believes that the process should be directed towards the regulations as whole and not specific cases.
6. Fitz Koneig, Yucca Valley, said that he believes that home business should be limited only to equipment or structures normally found within the home. He also objects the Planning Commission being able to issue Conditional Use Permits. He also doesn't think the noise ordinance is sufficient.

With no further individuals wishing to speak, Chair Humphreville closed public comments.

**CLOSE PUBLIC COMMENTS**

Commissioner Whitten said that he appreciated the public coming out to participate. He said he wants a balanced approach to Home Occupation Permits. Property owners should be able to exercise their rights while respecting the rights of their neighbors. He believes that the Planning Commission need to work to fine tune the ordinance to make it a softer.

Commissioner Lavender said that some of the individuals he spoke with were concerned about the number of deliveries which might be made to some home occupations. He suggested providing some kind of public space for artists to use. He also said he was happy with the ordinance the way it was, but he would like to see gun sales prohibited.

Commissioner Drozd said that it was great to see so many people come out to participate. He asked staff if, under the current complaint driven process, complaints were made anonymously. Staff replied that complaints could be made either anonymously or not. Commissioner Drozd believes that it is important to keep neighborhood character, but also allow business. He said he like the graduated scale for different size lots. He said that home based business have been becoming more popular with the current economy. He also said that while different sized parcels should be treated differently, people on the same size parcels should be treated the same.

Commissioner Bridenstine also thanked everyone for coming out to participate. She agreed that we need a tiered system. Some business would not be appropriate for a multi-family zone, but would be appropriate on a five acre parcel. Someone on a five acre parcel who is operating a legal business, which is not effecting anyone, should be allowed the freedom to do so. She believes that we should be more concerned about illegal guns rather than legal, licensed sales. She also believes that that the concern about deliveries doesn't take into account the fact that trash trucks, which regularly travel these roads, weigh more than delivery trucks. Rather than creating nitpicky regulations, we should rely more on common sense. If you are causing a

nuisance in your neighborhood, your neighbors have the right to complain. There is a procedure in place for those complaints to be investigated and your permit possibly revoked. Having a clear procedure for addressing complaints is more important than a lot of overly specific regulation.

Commissioner Lavender said that plots that do not have maintained roads may create an issue.

Chair Humphreville asked staff to clarify the intent of the language prohibiting the storage or use of explosives or highly combustible or toxic materials beyond that permitted by the Building, Fire Code, or adopted restrictions. He pointed out that artists and welders use paint and material which may be combustible or toxic. Staff explained that the purpose of that section was to limit the amount of that kind of material to amounts more typically found in residential uses, so that we don't see the type of volume associated with large scale commercial operations. Chair Humphreville suggested further clarification to that language. He also asked about the fee schedule, particularly the \$750 fee for the appeal process. Deputy Town Manager Stueckle explained that the fee structure was based on total cost recovery, but that staff would look at the fees. Chair Humphreville said that he would like to see some kind of language differentiating between commercial welding and art welding. He also thought that allowing artists to display some art in their front yards is something the Commission should discuss. He also said that allowing 6 or 8 deliveries a year is reasonable, and he doesn't think that someone with a Home Occupation Permit should have greater weight restrictions than other property owners. He doesn't think gun sales should be prohibited; it is a legal and regulated business. He also believes that home occupations which are exempt from acquiring a permit are fine in multi-family zones, but an activity requiring a Home Occupation Permit should be prohibited.

**RECESS**

Chair Humphreville called a five minute recess at 7:45. The meeting resumed at 7:50.

**PUBLIC HEARING**

**2. DEVELOPMENT CODE AMENDMENT, DCA 07-13 ARTICLE 3CEQA EXEMPTION, SECTION 15061**

Deputy Town Manager Stueckle gave the staff report. He stated that there have been multiple meetings on this public hearing, and that the only outstanding issue is the pending answer from the Town Attorney's office regarding whether or not surface mining can be prohibited and that section removed from the regulations. Staff recommended that, after receiving any public comments, if there were no further questions from the Commission, the Commission not send the item forward to the Town Council until the full draft of the Code has been completed.

**PUBLIC COMMENTS**

None

**CLOSE PUBLIC COMMENTS**

**MOTION**

Commissioner Whitten moved that the Planning Commission finds that the project is exempt from CEQA in accordance with Section 15061 (b)(3) of the California Environmental Quality Act, and that the Commission recommends that the Town Council adopts the Ordinance, but delays forwarding that recommendation to the Council until the draft of the complete code is finished. Chair Humphreville seconded. The vote passes unanimously.

**DEPARTMENT REPORTS****3. FIVE YEAR CAPITAL IMPROVEMENT PROGRAM**

Project Engineer Qishta presented the staff report. He provided a brief explanation of the purpose of a Capital Improvement Plan. The Capital Improvement Plan is a short-range, five year plan, which identifies capital projects, provides a planning schedule, and identifies options for financing the program. Staff went over the capital projects identified in the plan presented to the Planning Commission.

**PUBLIC COMMENTS**

None

**CLOSE PUBLIC COMMENTS**

Chair Humphreville said that he was concerned about the implications of doing work on Black Rock Canyon road without also putting in flood control measures. Staff explained that the original estimate for repairs was over \$600,000, much of which was due to the cost of the flood control measures. The flooding issue is a serious concern, and engineering is currently working on solutions. Chair Humphreville is concerned that maintaining that road as a gravel road without additional flood control measures will cause problems. Chair Humphreville also said that construction of the Safe Routes to School improvements on only one side of the street is better than nothing.

Commissioner Whitten asked about tiered catch basins at Black Rock Canyon. Staff said that basins are probably not a practical solution in this case. Commissioner Whitten agreed that improving one side of Sage Avenue for Safe Routes to School is better than nothing, but suggested that some money be set aside in the future to improve the upper end of Sage Avenue. He also asked if we had ADA park facilities, particularly playground equipment. Staff replied that Miracle Field is specifically designed for ADA access and that Staff believed that the playground equipment selected for the Brehm Park is ADA accessible. He also suggested that the Town might look into Rino Snot, a soil stabilization and dust abatement product, for use on Black Rock Canyon Road to increase its durability.

Commissioner Bridenstine asked if the Town was actively looking for new grants, particularly any federal grants, to help provide future funding. Staff replied that the Town was.

Commissioner Drozd asked about the signal synchronization project. He asked if signs informing drivers that the lights are synchronized had been considered as part of that project. Staff said that they would look into it.

Commissioner Lavender had no comments on this issue.

## **MOTION**

Chair Humphreville moved that the Commission find the project except from CEQA in accordance with Section 15378(b)(4) and Section 15061 (b)(3), and that the Commission recommends to the Town Council that they adopt the Five Year Capital Improvement Plan for Fiscal Years 2014/2015 through 2018/2019. Commissioner Bridenstine seconded, and the vote passed unanimously.

## **STAFF REPORTS AND COMMENTS:**

Staff provided an overview of the status of current land development projects.

## **COMMISSIONER REPORTS AND REQUEST:**

1. Commissioner Drozd thought it was great that everyone came to the meeting. The process shows that the Town listens to its residents. The Alleyway improvement is an example of something that was brought up by public comment in a meeting. Thanks to everyone for their hard work.
2. Commissioner Lavender thought the meeting was interesting.
3. Commissioner Whitten thanked staff and the Commissioners. He approves of the volunteerism he has seen. In honor of Memorial Day, he thanked the veterans for their service. He also thinks that workshops are great, and that they need to balance the Home Occupation Permit regulations to what is best for the community not just a small group.
4. Commissioner Bridenstine thanked staff and thanked the public for showing up. She said that they may not be able to solve all of the problems associated with Home Occupation Permit regulations, but it is a balancing act to try and solve as many as possible. It is important to have the public bring forth all the issues. The Commission will have to do their best.
5. Chair Humphreville said that a home occupation ordinance is not going to be able to resolve a dispute between two individuals. He believes that the Commission needs to get the Home Occupation Permit regulations done.

**ANNOUNCEMENTS:**

The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, June 10, 2014.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 8:34

Respectfully submitted,

Allison Brucker  
Secretary

BRUCKER

ORDINANCE NO. 178

AN ORDINANCE OF THE TOWN COUNCIL OF  
THE TOWN OF YUCCA VALLEY, CALIFORNIA,  
AMENDING TITLE 8, DIVISION 4, CHAPTER 6  
SECTION 84.0615 OF THE SAN BERNARDINO  
COUNTY CODE AS ADOPTED AND AMENDED BY  
THE TOWN OF YUCCA VALLEY RELATING TO  
HOME OCCUPATIONS (DCA-06-05)

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

SECTION 1. Development Code Amended.

1.1 Title 8, Division 4, Chapter 6 Section 84.0615 of the San Bernardino County Code as adopted and amended by the Town of Yucca Valley is hereby further amended to read in its entirety as follows:

"84.0615

**Home Occupations**

84.0615

(a) **PURPOSE AND INTENT:**

The purpose and intent of this Section is to establish regulations allowing for the operation of certain business activities in single and multi-family residential neighborhoods. The standards and requirements are intended to ensure that home based business operations do not alter the character of any residential neighborhood, or create impacts or activities that are not typically and commonly associated within residential neighborhoods. It is the intent of this Section to allow for commercial uses that are accessory and incidental to the primary purpose of residential homes, which is that of providing a habitable dwelling for the owner or occupant as the primary use of the residential dwelling unit. Home Occupation permits may be allowed in multi-family zoning and in multi-family units, including duplexes, tri-plexes, and apartment units.

(b) No person shall engage in a home occupation without first obtaining a special use permit from the Planning Division consistent with the requirements of this Chapter, unless otherwise exempt.

(c) The Director of the Community Development Department, or his designee, shall review all applications for a Home Occupation Permit to determine if the proposed use meets all of the standards of subsection 84.0615 (j). If all standards are met after complying with the notice provisions of this subsection, the Community Development Director shall make the following findings prior to issuance of the permit:

- (1) That the proposed use is not prohibited;
  - (2) That the proposed use will comply with all applicable standards;
  - (3) That the issuance of the Home Occupation Permit will not be detrimental to the public health, safety, and general welfare;
  - (4) That the proposed use will be consistent with any applicable specific plan.
  - (5) That the proposed use will not alter the character of the neighborhood and will not induce physical or socioeconomic changes to the neighborhood that are inconsistent with the goals and objectives of the General Plan, and the development code, and that do not create characteristics more closely associated with commercial, office or industrial land use activities.
- (d) (1) In accordance with Section 83.010330 *Notice of Pending land Use Decision*, notice shall be given, except that such notice will be given at least fifteen (15) days prior to the scheduled hearing date. If no response has been received by the Town five (5) days prior to the scheduled hearing date and the applicant has no objections to the conditions of approval, the Community Development Director may elect not to hold a formal hearing.
- (2) Home Occupation Permits are subject to review by the Community Development Director annually, or as a result of any written complaint.
- (3) Telecommuting and internet or electronic based businesses, or other similar activities that are transparent inside the residential structure, and do not involve customer to site, employees, or any structural alteration are exempt from permitting requirements.
- (e) Subject to the authority and discretion of the Director, Home occupations that meet the following standards, after appropriate application and subject to a field investigation, may be permitted without notice or a hearing. Alternatively, the Director may schedule a hearing or forward the matter to the Planning Commission for action. The Director may establish any other special condition of approval for any Home Occupation Permit as necessary to carry out the intent of this subsection.
- (1) There is no visible or external evidence of the home occupation. The dwelling was not built, altered, furnished or decorated for the purpose of conducting the home occupation in such a manner as to change the residential character and appearance of the dwelling, or in such a manner as to cause the structure to be recognized as a place where a home occupation is conducted;

- (2) There are no displays, for sale, or advertising signs on the premises;
- (3) There are no signs other than one (1) unlighted identification sign containing the name and address of the owner attached to the building not exceeding two (2) square feet in area per street frontage;
- (4) All maintenance or service vehicles and equipment, or any vehicle bearing any advertisement, shall be in conformance with Town regulations regarding vehicle signs;
- (5) The home occupation does not encroach into any required parking, setback, or open space area;
- (6) Outside storage of stock, merchandise, scrap supplies, or other materials or equipment on the premises shall not be visible from surrounding properties or public rights of way. Any storage of hazardous, toxic, or combustible materials in amounts exceeding those typically found in residential uses shall be prohibited;
- (7) There is complete conformity with Fire, Building, Plumbing, Electrical, and Health Codes and all applicable State and Town laws and ordinances. Activities conducted and equipment or material used shall not change the fire safety or occupancy classification of the premises;
- (8) No pedestrian or vehicular traffic is generated in excess of that customarily associated with a residential use and the neighborhood in which it is located;
- (9) The Home Occupation has a current business registration certificate;
- (10) If the home occupation is to be conducted on rental property, the property owner's written authorization for the proposed use has been obtained prior to the submittal for a Home Occupation Permit;
- (11) The garage has not and shall not be altered externally;
- (12) The Home Occupation does not create or cause noise in excess of noise standards established for residential land use districts, dust, light, vibration, odor, gas, fumes, toxic or hazardous materials, smoke, glare, electrical interference, fluctuations in the line voltage outside the structure, or other hazards or nuisances;
- (13) There are no sales of products on the premises.
- (14) No customers or clientele may visit the residence.
- (15) All employees shall be members of the resident family and shall reside on the premises.
- (16) Up to twenty-five percent (25%) or two hundred fifty (250) square-feet, whichever is greater, of the total floor area of the dwelling unit and the related accessory structures may be used for storage of material and supplies related to the home occupation.
- (17) No employees and no vehicle parking, other than that normally associated with a single family residential structure, is provided.

- (f) Home occupation permit applications meeting the following standards shall be subject to notice and hearing. The Community Development Director is the review authority, and the Director may forward the application to the Planning Commission for consideration.
- (1) There may be sales of products on the premises.
  - (2) Customers may visit the residence and then only by appointment. This is restricted to a single appointment at a time. The monthly average of the total trip count for business activities shall not exceed 10 trips per day in all Land use Districts.
  - (3) All employees of the home occupation, except one (1), shall be members of the resident family and shall reside on the premises provided all the required findings can be made, in all RS land use districts. All employees of the home occupation, except two (2), shall be members of the resident family and shall reside on the premises provided all the required findings can be made in all RL land use districts. The applicant must demonstrate that the lot can accommodate the parking of all personal and employee vehicles on-site.
  - (4) Up to twenty-five percent (25%) or two hundred fifty (250) square-feet, whichever is greater, of the total floor area of the dwelling unit and the related accessory structures may be used for storage of material and supplies related to the home occupation in all RS land use districts. Up to thirty-five percent (35%) or five hundred (500) square-feet, whichever is greater, of the total floor area of the dwelling unit and the related accessory structures may be used for storage of material and supplies related to the use in all RL land use districts.
  - (5) Operating hours of a home occupation shall be between the hours of 7:00 a.m. and 8:00 p.m.
- (g) **Prohibited Home Occupations.** The following uses are not incidental to or compatible with residential activities and therefore shall not be allowed as home occupations:
- (1) Animal hospitals;
  - (2) Automotive and other vehicle repair (body or mechanical), upholstery, painting, or storage;
  - (3) Junk yards;
  - (4) Medical and dental offices, clinics, and laboratories;
  - (5) Mini-storage;
  - (6) Storage of equipment, materials, and other accessories to the construction trades;
  - (7) Welding and machining.
  - (8) Cabinet shop.

- (9) Uses which may include the storage or use of explosives or highly combustible or toxic materials beyond that permitted by the Building, Fire Code, or adopted restrictions.
- (h) The Home Occupation Permit may be revoked by the Community Development Director if any one of the following findings can be made that there exists a violation of a condition; regulation or limitation of the permit and said violation is not corrected within ten (10) days after a notice of violation is served on the violator or after repeated violations. The permit shall not be revoked without notice of hearing ten days in advance of the hearing for consideration of permit revocation. The Director may schedule the revocation hearing for consideration by the Planning Commission.
- (1) That the permitted home occupation use has changed in kind, extent or intensity from the use which received an approved Home Occupation Permit;
  - (2) That the use has become detrimental to the public health, safety, welfare or traffic, or constitutes a nuisance;
  - (3) That the use for which the permit was granted has ceased or was suspended for six (6) or more consecutive calendar months;
  - (4) That the use is not being conducted in a manner consistent with applicable operating standards described in Section 84.0618 *Operating Standards*, of this Chapter;
  - (5) That the permit was obtained by misrepresentation or fraud;
  - (6) That one (1) or more of the conditions of the Home Occupation Permit have not been met;
  - (7) That the property owner or tenant fails to permit entry onto the premises to allow periodic inspections by representatives of the Town at any reasonable time;
  - (8) That the home occupation is in violation of any statute, law, ordinance, or regulation;
  - (9) That two (2) or more valid complaints from at least two (2) different parties have been filed against the home occupation within any six (6) month period, and it is found that the use is causing harm or unreasonable annoyance or is otherwise detrimental to other property or its use in the area.
  - (10) That the applicant has not obtained a current business registration certificate from the Town.
  - (11) That the proposed use altered the character of the neighborhood and/or induced physical or socioeconomic changes to the neighborhood that are not consistent with the goals and objectives of the General Plan, that are not consistent with the development code, and that create characteristics more closely associated with commercial, office or industrial land use activities.

- (i) **Appeal.** Any affected person may appeal a decision of the Director of Community Development to the Planning Commission. Appeals shall be filed with the Community Development Department within ten (10) days following the date of the action appealed. Upon receipt of the notice of appeal, the Community Development Director shall schedule the matter on the agenda for the next possible regular Planning Commission meeting. The Planning Commission may affirm, revise or modify the action appealed from the Town staff. Any decision of the Planning Commission may be appealed to the Town Council within ten (10) days following the Commission action.
- (j) **General Standards.** All home occupations shall comply with all of the following operating standards at all times:
- (1) There shall be no visible or external evidence of the home occupation. No dwelling shall be built, altered, furnished or decorated for the purpose of conducting the home occupation in such a manner as to change the residential character and appearance of the dwelling, or in such a manner as to cause the structure to be recognized as a place where a home occupation is conducted;
  - (2) There shall be no displays, sale, or advertising signs on the premises;
  - (3) There shall be no signs other than one (1) unlighted identification sign containing the name and address of the owner attached to the building not exceeding two (2) square feet in area per street frontage;
  - (4) All maintenance or service vehicles and equipment, or any vehicle bearing any advertisement, shall be in conformance with Town regulations regarding vehicle signs;
  - (5) The home occupation shall not encroach into any required parking, setback, or open space area;
  - (6) There shall be no outside storage of stock, merchandise, scrap supplies, or other materials or equipment on the premises visible from surrounding properties or public rights of way. Any storage of hazardous, toxic, or combustible materials in amounts exceeding those typically found in residential uses shall be prohibited;
  - (7) There shall be complete conformity with Fire, Building, Plumbing, Electrical, and Health Codes and to all applicable State and Town laws and ordinances. Activities conducted and equipment or material used shall not change the fire safety or occupancy classification of the premises;
  - (8) No home occupation shall generate pedestrian or vehicular traffic in excess of that customarily associated with a residential use and the neighborhood in which it is located;
  - (9) No home occupation shall be initiated until a current business registration certificate is obtained;
  - (10) A Home Occupation Permit shall not be transferable;

- (11) If the home occupation is to be conducted on rental property, the property owner's written authorization for the proposed use shall be obtained prior to the submittal for a Home Occupation Permit;
- (12) The garage shall not be altered externally;
- (13) No use shall create or cause noise in excess of noise standards established for residential land use districts, dust, light, vibration, odor, gas, fumes, toxic or hazardous materials, smoke, glare, electrical interference, fluctuations in the line voltage outside the structure, or other hazards or nuisances;
- (14) The Director may establish any other special condition of approval for any Home Occupation Permit as necessary to carry out the intent of this Chapter.

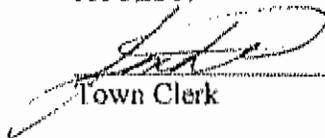
SECTION 2. NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section 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 5th day of January, 2006.

  
 \_\_\_\_\_  
 MAYOR

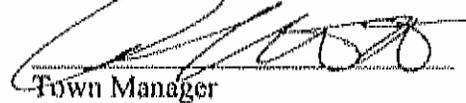
ATTEST:

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

APPROVED AS TO FORM:

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

APPROVED AS TO CONTENT:

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

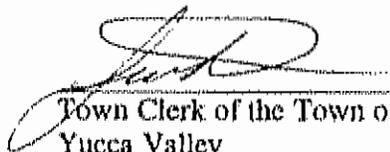
STATE OF CALIFORNIA  
COUNTY OF SAN BERNARDINO  
TOWN OF YUCCA VALLEY

I, Janet M. Anderson, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Ordinance No. 178 as duly and regularly introduced at a meeting of the Town Council on the 8<sup>th</sup> day of December, 2005, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 5<sup>th</sup> day of January, 2006, by the following vote, to wit:

Ayes: Council Members Leone, Luckino, Mayes, Neeb and Mayor Cook  
Noes: None  
Abstain: None  
Absent: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 17<sup>th</sup> day of January, 2006.

(SEAL)

  
Town Clerk of the Town of  
Yucca Valley

**Residential Policies**

- Policy LU 1-6 Provide housing opportunities and a variety of residential densities, housing types, and tenure to meet the affordability, life stage, and amenity needs of the Town's diverse population.
- Policy LU 1-7 Preserve and enhance the distinctiveness, character, and livability of residential neighborhoods.
- Policy LU 1-8 Require adequate exterior housing structure and property maintenance to protect property values, neighborhood quality, and public safety.
- Policy LU 1-9 Encourage infill residential development around public facilities and with pedestrian linkages to encourage walkable residential neighborhoods.
- Policy LU 1-10 Discourage the discontinuous or "leap-frog" development of residential subdivisions by requiring full improvement or payment of necessary fees to construct roadways and infrastructure to serve new development.
- Policy LU 1-11 Encourage housing developments to include sites for recreational, open space, or educational uses.
- Policy LU 1-12 Preserve the desert character of existing low density residential areas to the greatest extent possible.
- Policy LU 1-13 Carefully plan transitions and design interfaces between residential and nonresidential land uses (walls, lighting and landscaping) to ensure compatibility.
- Policy LU 1-14 Design new residential subdivisions so pads are above the adjacent street grade and drains to the street frontage of each lot, unless otherwise approved by the Town Engineer. Mass grading of properties designated Rural Residential (1 unit per 2.5 acres) or less intense is discouraged, and cross-lot drainage easements should be aligned with the existing natural topography to the greatest extent feasible.

**Leap-Frog Development:** Development that occurs well beyond the limits of existing development and necessary services and facilities such as utilities, roads, parks, and schools.

<b>Introduction Implementation Actions</b>		<b>Relevant Policies</b>	<b>Responsible Department</b>	<b>Time Frame</b>
<b>1.1 Administration</b>				
11	Provide an annual report from the Planning Commission to Town Council on the status of the General Plan and make recommendations that address identified inadequacies or opportunities for updating the plan. The annual review of the General Plan should include a report on how land use decisions relate to adopted goals, policies, and implementation measures of the General Plan. Provide a copy of the annual report to the CA Office of Planning and Research and the Department of Housing and Community Development.	I 1-1	CDD	Annually, Due to OPR by April 1 <sup>st</sup> each year
12	Annually review the Town's capital improvements program and check it for consistency with the General Plan (pursuant to Article 7 of the CA Government Code); provide recommendations if necessary.	I 1-1	CDD, TC	Annually, concurrent with the Town's budgeting process
13	Investigate and make recommendations to the Town Council regarding reasonable and practical means for prioritizing and implementing the General Plan when associated with spending public funds.	I 1-1	CDD	Ongoing
14	Review and revise the General Plan a maximum of 4 times per year to reflect the changing needs of the community, related documents, or state requirements.	I 1-1	CDD	Ongoing
15	Review and revise the Zoning Code to maintain consistency with the General Plan.	I 1-1	CDD	Ongoing
16	Communicate with local and regional agencies, such as the County of San Bernardino, SANDBAG, SCAG, and MBTA, regarding programs that may affect the Town of Yucca Valley; establish regular meetings as necessary.	I 1-2	CDD, TM	Ongoing

<b>Land Use Implementation Actions</b>		<b>Relevant Policies</b>	<b>Responsible Department</b>	<b>Time Frame</b>
<b>2.1 Balanced Land Uses</b>				
LU 1	Update Development Code and Zoning Map to reflect updated General Plan Land Use Map revisions, create mixed use development standards, and establish a process for applicants to submit projects in a Mixed Use land use designation or Special Policy Area (require Master Plan or Specific Plan).	LU1-15 LU2-1	CDD	1 year
LU 2	Amend Development Code to require new residential subdivisions to have pads above the adjacent street grade. All lots must drain to the street frontage of the individual lot, unless otherwise approved by the Town Engineer.	LU1-14	CDD	5 years
LU 3	Prioritize Infrastructure Improvements in areas with existing and expected concentrated forms of development, and consistent with the phasing of the Wastewater Treatment and Water Reclamation Plan developed by the HI-Desert Water District.	LU1-1 LU1-3	TM, PW, CDD	Ongoing
LU 4	Enact a hillside ordinance to protect certain slopes and other natural topographic features.	LU1-5	CDD	5 years

# IMPLEMENTATION

Land Use Implementation Actions		Relevant Policies	Responsible Department	Time Frame
LU 5	Amend the Development Code to create standards addressing appropriate treatments to buffer industrial and commercial uses from residential and other sensitive uses.	LU1-13 LU1-16 LU1-18	CDD	5 years
LU 6	Evaluate the feasibility of providing administrative incentives, such as expedited processing, for lot consolidations in the Old Town Yucca Valley Specific Plan area.	LU1-1	CDD	2 years
LU 7	Identify a catalyst project in the Old Town Specific Plan Area and identify a strategy to implement it.	LU1-1	TM, CDD, PW, CS, FIN	2 years
LU 8	Maintain regular communication and coordination with Marine Corps Air Ground Combat Center through communication with Community Plan Liaison and monitoring of the General Plan and other plans and programs as possible.	LU1-7 LU1-27	CDD	Ongoing
LU 9	Continue to collaborate with the Chamber of Commerce to promote local business endeavors and general economic development within the Town.	LU1-15	CDD/PW	Ongoing
LU 10	Support efforts to pursue federal, state, regional and county resources for business development in Yucca Valley.	LU1-15	TM, CDD	Ongoing
LU 11	Periodically meet with Morongo Unified School District representatives to assess the educational and recreational demands on Yucca Valley facilities and to determine if there are any opportunities to provide services that are of mutual benefit to the Town and school district.	LU1-24 LU1-25	TM, CDD	Ongoing
LU 12	Annually revisit public facility priorities through the Capital Improvements Program and annual budget process.	LU1-24	CDD	Annually
LU 13	Coordinate with the Southern California Association of Governments and the Governor's Office of Planning and Research to stay informed of legislation and documentation of the nexus between land use, housing, transportation, and sustainability.	LU1-5	CDD	Ongoing
<b>2.2 Special Policy Areas</b>				
LU 14	Require preparation of a conceptual Master Plan and/or a Specific Plan for new development proposed in the East Side, West Side, and Town Center SPAs.	LU2-3	CDD	2 years
LU 15	Establish a process and protocol to develop and review Master Concept Plans with Town staff.	LU2-3 LU2-4 LU2-5	CDD	2 years
LU 16	Rural Mixed Use SPA: Develop design guidelines for properties north of Skyline Ranch Road that includes guidance regarding: building design and materials, landscaping, walls and fences, lighting, and screening of outdoor storage. Special consideration should also be given to noise compatibility and circulation issues in the area by implementing design solutions (building and site design) that minimize conflicts between industrial and residential uses.	LU2-5 LU2-6	CDD	5 years
LU 17	West Side SPA: Initiate preparation of an Area Plan (a high level concept/master plan) to further refine the development concept for the Westside, including identification of a substantial community amenity that will serve as an anchor for the west side of Town and a conceptual circulation plan.	LU2-13 LU2-14	CDD	5 years

Land Use Implementation Actions		Relevant Policies	Responsible Department	Time Frame
LU 18	West Side SPA: Integrate the Area Plan into the General Plan once completed, and use it as the foundation for any future development proposals that come forth for consideration.	LU2-13 LU2-14	CDD	5 years
<b>2.3 Yucca Valley Airport</b>				
LU 19	Periodically coordinate with the Yucca Valley Airport District to stay informed of any operational or facility changes that could impact the community.	LU3-1 LU3-2	CDD/PW	Ongoing

## Housing Implementation Actions

The implementation actions, referred to as programs, for the Housing Element are provided in the General Plan Housing Element in accordance with state law and the California Department of Housing and Community Development.

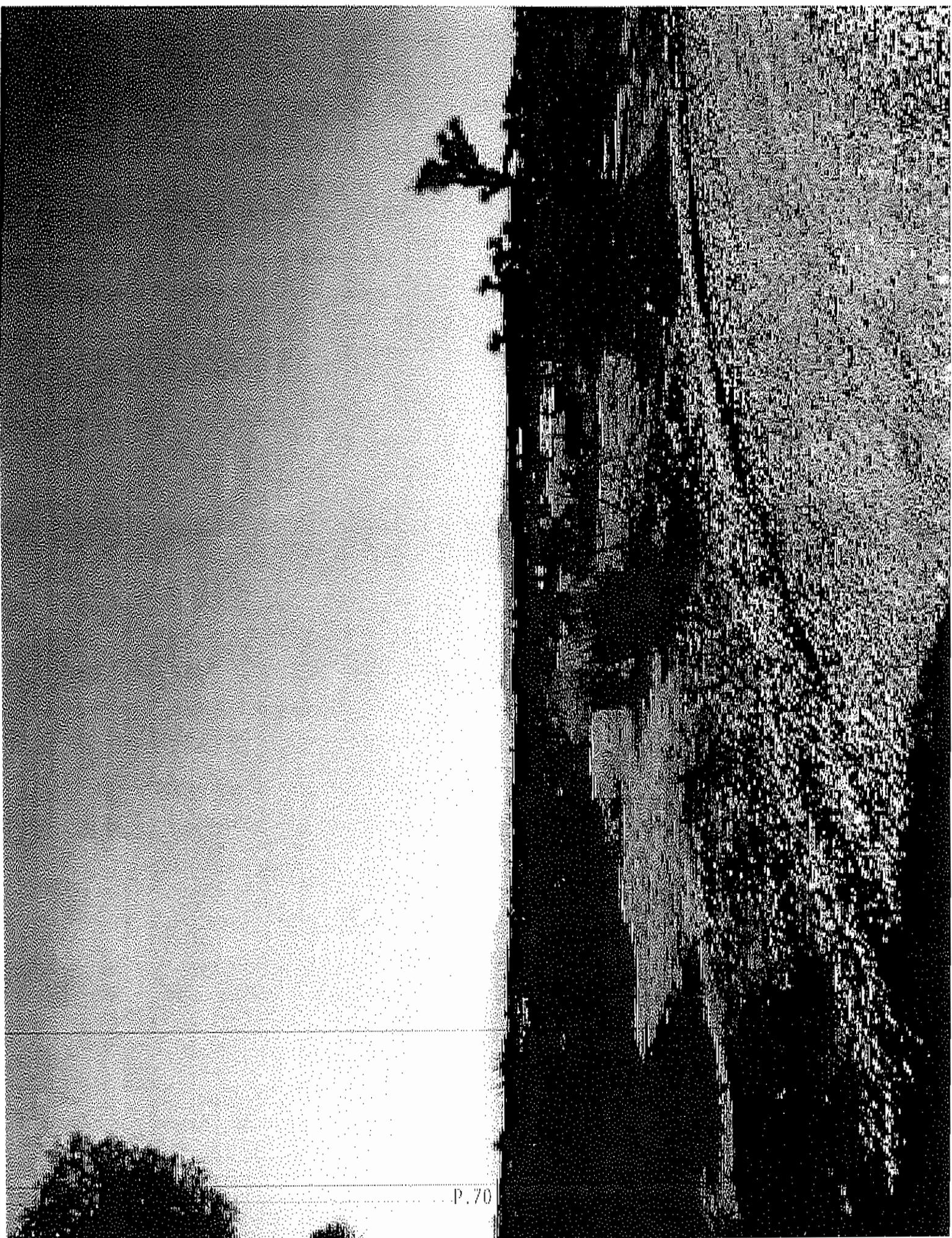
Circulation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
<b>4.1 Roadway Classifications</b>				
C 1	Prioritize and implement the changes to the roadway classifications in Town consistent with the Roadway Classification Map (General Plan Figure C-1) and the 2013 Traffic Study for inclusion in the Town's Capital Improvement Program.	C1-1 C1-3 C1-6 C1-7	CDD/PW	Annually
C 2	Review and revise the street and traffic impact mitigation fee program.	C1-2	CDD/PW	In conjunction with the next update to the Development Impact Fee Study
C 3	Develop and maintain a list of the Town's protected intersections and roadways where: <ul style="list-style-type: none"> <li>• Acquiring the right-of-way is not feasible;</li> <li>• The segment is in the Old Town Specific Plan area where maintaining vehicle levels of service would not be consistent with the goals and policies of that plan;</li> <li>• The improvements would negatively impact the environment;</li> <li>• The improvements would negatively impact other community values or policies;</li> <li>• Other physical or fiscal factors limit the implementation of the proposed mitigation measure.</li> </ul>	C1-4	CDD/PW	Annually

84.0635 Special Uses.

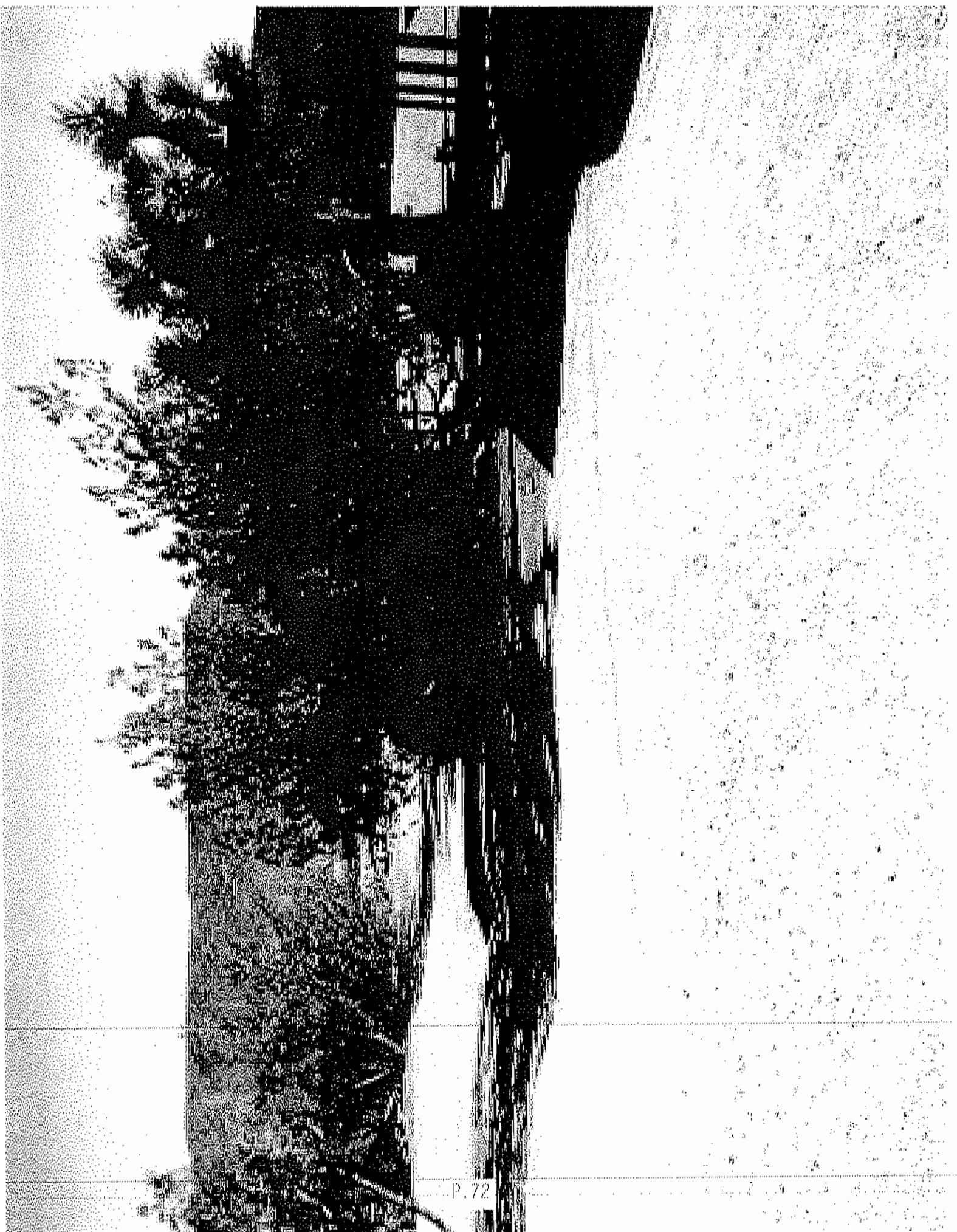
- (a) Any use that is the subject of an approved Conditional Use Permit in accordance with the provisions of Division 3 may also be made subject to the issuance of a Special Use Permit.
- (b) Special Use Permits may be issued for limited time periods. New applications may be required for Special Use Permit renewal.

84.0640 Hazardous Waste Facilities.

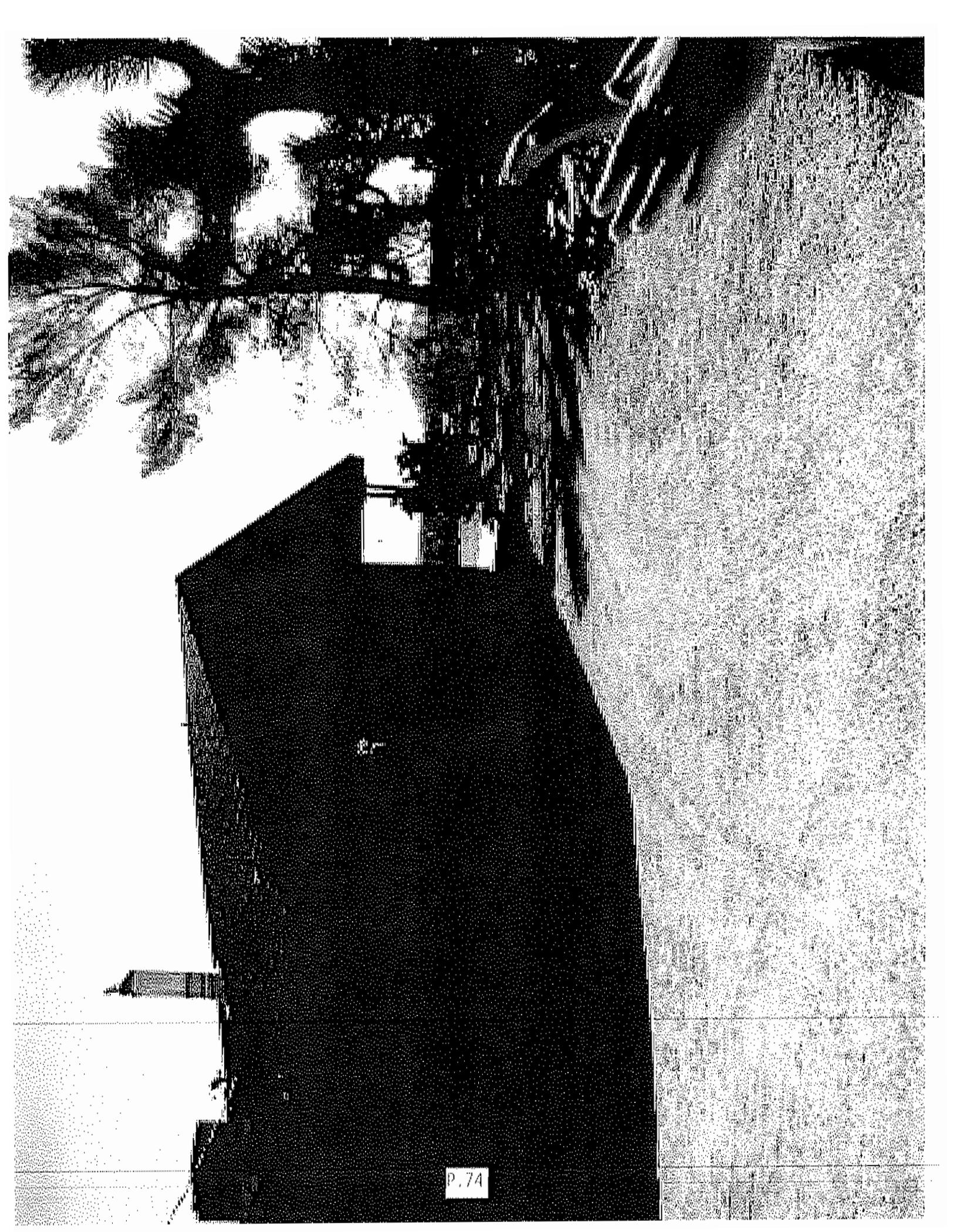
All specified hazardous waste facility applications shall be subject to a Special Use Permit with a copy of the disclosure statement required by Health and Safety Code Section 25200.4. The purpose of the Special Use Permit shall be to evaluate the operation and monitoring plan of the facility, to ensure the facility has adequate measures for monitoring on-going impacts to air quality, groundwater, and environmentally sensitive resources, to evaluate the types and quantities of wastes that will be treated or disposed of at the facility, and to require periodic inspections of the facility to ensure conditions of approval are implemented and monitored.

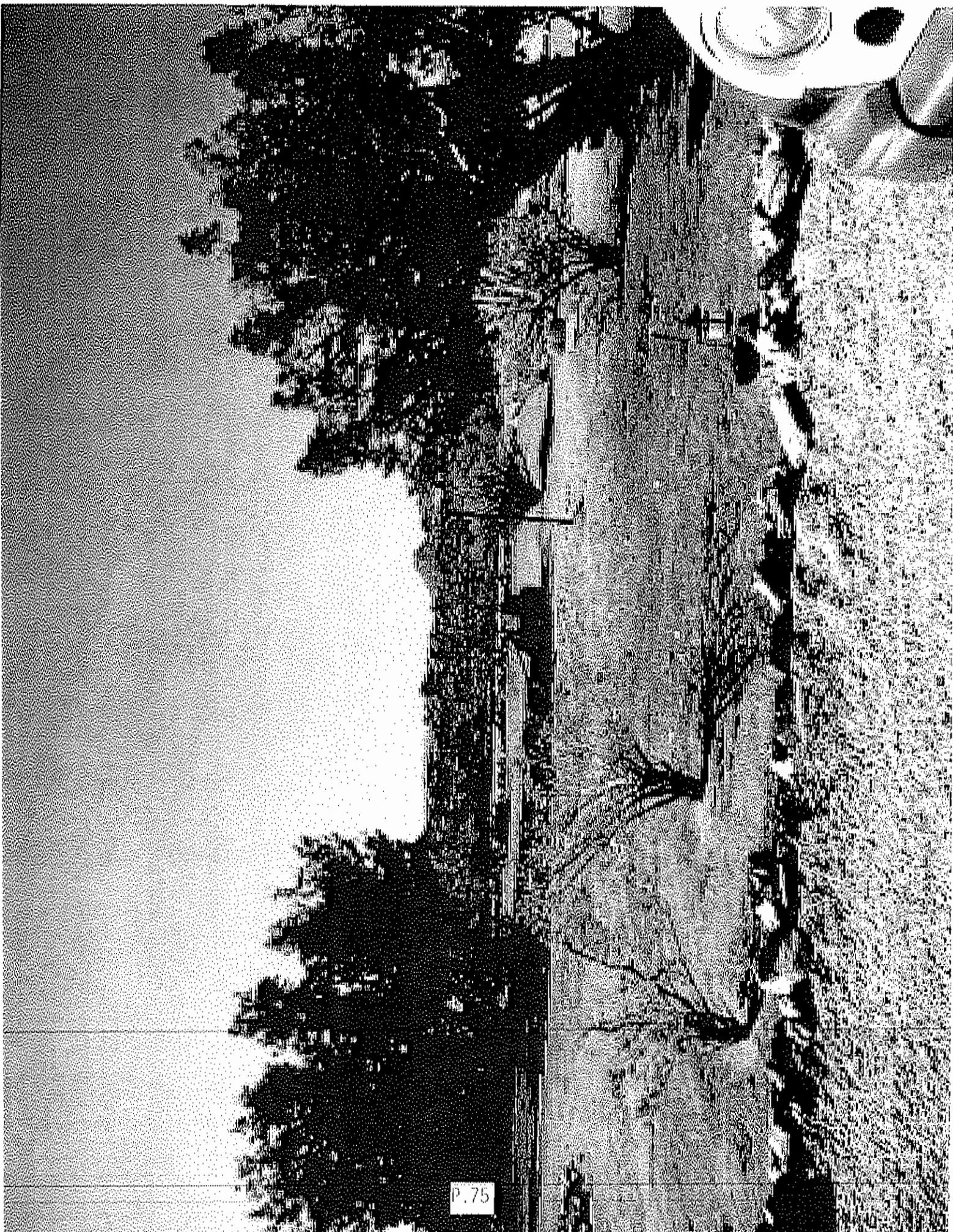












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