

# TOWN OF YUCCA VALLEY



PERMIT HEARING

APRIL 15, 2013  
9:00 a.m.

## AGENDA

Location: Yucca Valley Community Development Department Facility,  
58928 Business Center Drive, Yucca Valley, California 92284

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*The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Community Development Dept. at (760) 369-6575 at least 48 hours prior to the meeting.*

## CALL TO ORDER

## PUBLIC COMMENTS

*In order to assist in the orderly and timely conduct of the meeting, the Hearing Officer will usually not respond to citizens inquiries during this part of the meeting. When you are called to speak, please state your name and community of residence. Please limit your comments to three minutes or less. Inappropriate behavior, which disrupts or otherwise impedes the orderly conduct of the meeting, will result in forfeiture of your public comment privileges. The Hearing Officer is prohibited by State law from taking action or discussing items not included on the printed agenda.*

## REPORTS AND REQUESTS

### 1. HOME OCCUPATION PERMIT, HOP 01-13 MINTZ

A request for the approval of a Home Occupation Permit for the purpose of assembling firearms that are purchased in kit form, buy and sell firearms and sell ammunition from an existing single family residence.

Applicant: Luke Mintz  
8205 Keats Ave  
Yucca Valley, CA 92284

Representative: Same

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*Permit Hearing: April 15, 2013*  
**TOWN OF YUCCA VALLEY**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**CURRENT PLANNING DIVISION STAFF REPORT**  
**HOME OCCUPATION PERMIT, HOP 01-13 MINTZ**

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**Case:** HOME OCCUPATION PERMIT, HOP 01-13 MINTZ  
EXEMPT FROM CEQA UNDER SECTION 15301, CLASS 1, EXISTING FACILITIES

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**Request:** THIS HOME OCCUPATION PERMIT IS A REQUEST TO ASSEMBLE FIREARMS THAT ARE PURCHASED IN KIT FORM, TO BUY AND SELL FIREARMS AND TO SELL AMMUNITION FROM AN EXISTING SINGLE FAMILY RESIDENCE.

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**Applicant:** LUKE MINTZ  
8205 KEATS AVE  
YUCCA VALLEY, CA 92284

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**Property Owner:**  
SAME

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**Representative:**  
SAME

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**Location:** THE PROJECT IS LOCATED AT 8205 KEATS, CROSS STREET OF PALOMAR AVE, AND IS IDENTIFIED AS ASSESSORS PARCEL NUMBER 588-356-05.

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**Existing General Plan Land Use Designation**  
THE SITE IS CURRENTLY DESIGNATED RESIDENTIAL SINGLE FAMILY-2 DU PER ACRE (RS-2)

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**Existing Zoning Designation**  
THE SITE IS CURRENTLY ZONED RESIDENTIAL SINGLE FAMILY-2 DU PER ACRE (RS-2)

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**Surrounding General Plan Land Use Designation:**  
NORTH: RESIDENTIAL SINGLE FAMILY-2 DU PER ACRE (RS-2)  
SOUTH: RESIDENTIAL SINGLE FAMILY-2 DU PER ACRE (RS-2)  
WEST: RESIDENTIAL SINGLE FAMILY-2 DU PER ACRE (RS-2)  
EAST: RURAL LIVING 1 ACRE MINIMUM (RL-1)

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**Surrounding Zoning Designations**  
NORTH: RESIDENTIAL SINGLE FAMILY-2 DU PER ACRE (RS-2)  
SOUTH: RESIDENTIAL SINGLE FAMILY-2 DU PER ACRE (RS-2)  
WEST: RESIDENTIAL SINGLE FAMILY-2 DU PER ACRE (RS-2)

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EAST: RURAL LIVING 1 ACRE MINIMUM (RL-1)

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**Surrounding Land Use:**

NORTH: SINGLE FAMILY RESIDENCES  
SOUTH: SINGLE FAMILY RESIDENCES  
WEST: SINGLE FAMILY RESIDENCES  
EAST: VACANT LOTS

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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 MARCH 27, 2013.

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**RECOMMENDATIONS:**

**HOME OCCUPATION PERMIT, HOP 01-11:** STAFF RECOMMENDS THAT THE DEPUTY TOWN MANAGER APPROVE THE APPLICATION BASED UPON THE INFORMATION CONTAINED WITHIN THE STAFF REPORT AND FINDINGS.

Project Planner: Diane Olsen, Planning Technician

Reviewed By: Shane Stueckle, Deputy Town Manager

**Appeal Information:**

Actions by the Deputy Town Manager may be appealed to the Planning Commission within 10 calendar days. Appeal filing and processing information may be obtained from the Planning Section of the Community Development Department.

## I. GENERAL INFORMATION

**REQUEST:** This Home Occupation Permit is a request to sell firearms and ammunition to the public from an existing single family residence

**LOCATION:** The subject site is located at 8205 Keats Ave, cross street of Palomar Ave and is identified as Assessors Parcel Number 588-356-05.

### **PROJECT SYNOPSIS:**

PROJECT AREA:

### **SITE COVERAGE**

0.48 Acres

BUILDING AREA:

Existing Residence	2,346 sq ft
Attached Garage	608 sq ft
<u>Total Existing</u>	<u>2,954 sq ft</u>
Area used for HOP:	72 sq ft

FLOOD ZONE:

Map 8860 Zone D (areas in which flood hazards are undetermined, but possible).

ALQUIST PRIOLO ZONE:

Yes

## 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 developed with single family residential structures. The properties to the north, south and west are zoned Residential Single Family, two dwelling units to the acre (RS-2) and are developed with single family residences. The properties to the east are zoned Rural Living, 1 acre minimum lot size (RL-1) and are vacant.

**SITE CHARACTERISTICS:** The subject property is a 0.48 acre parcel that is developed with a single family residence of 2,346 sq ft, with an attached garage of 608

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sq ft. The dimensions of the property are approximately 120' x 180', with the residence built in the center of the lot.

**DISCUSSION:** The Home Occupation Permit is generally recognized as a commercial use which is accessory to an established residential land 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 within a residence as long as that activity does not conflict with the intent of the HOP Ordinance or the standard Conditions of Approval, and does not alter the character of the residential neighborhood. 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. The integrity of the ordinance is to consider the safety and welfare of the community and to provide minimal deviations from the atmosphere of the single family living environment.

The applicant is requesting approval for a Home Occupation Permit for the purpose of assembling firearms that are purchased in kit form, buy and sell firearms and sell ammunition from an existing single family residence.

Ordinance 178, Home Occupations, Section 84.0615 (f) of the Development Code provides the following standards for home based businesses:

- The monthly average trip count for customers shall not exceed ten trips per day. A trip is defined as a one way journey from an origin to a destination. This results in a maximum average of five (5) customers per day.
- Operating hours shall be between the hours of 7 AM and 8 PM.
- Up to 25% of the floor area may be used for storage and supplies related to the use.

The applicant is proposing the following:

- There will be a maximum of ten customers per month visiting the location. Those customers will be by appointment only.
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- Customers will visit the residence by appointment only, between the hours of 8 AM and 3:30 PM on Saturdays and between 8 AM and 11:30 AM on Mondays.
- The activity will be using 72 sq ft of the residence, approximately 3% of the structure.

Prior to the initiation of any business activity on the property, the applicant is required to obtain a Federal Firearms License from the Department of Alcohol, Tobacco and Firearms. 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.

The applicant is proposing to sell the following types of weapons:

1. Rifles
2. Handguns

On March 21, 2013, the application and related material was forwarded to the San Bernardino County Sheriff's Dept and to the San Bernardino County Fire Dept. for review and comment. The Town has received responses from both agencies. The San Bernardino County Sheriff has no concerns related to the application. The San Bernardino County Fire Department requires the applicant to have an illuminated address and a 2a10bc fire extinguisher. .

**PUBLIC COMMENT:**

As of the writing of this staff report, the Town has received three written responses in opposition to the project.

**FINDINGS:**

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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 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 ten per week and limiting the operating hours between 9 AM to 8 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 any potential buyer is required to submit an application to the Department of Justice, Firearms Division and is subject to a background check. The San Bernardino County Sheriff's Dept. and the San Bernardino County Fire Dept. have reviewed the proposal for conformance to the agency's regulations.*

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 ten customers per week. Further, Policy 6.A of the Circulation Element and Policy 4 of the Land Use Element of the General Plan further support the establishment of home based businesses.*

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*Program 6.A of the Circulation Element of the General Plan states “ In order to locate jobs and housing near each other to produce shorter work commutes, make a concerted effort to encourage mixed-use development with a residential component contiguous with employment centers, encourage relocation of appropriate industries, adopt a home occupation ordinance, and encourage major employers to evaluate telecommuting opportunities, either home-based or at local centers, as at least part-time options for employees”.*

*Policy 4 of the Land Use Element of the General Plan states “As an essential part of land use planning, the Town shall continuously assess business and employment opportunities for an expanding economic base.”*

Attachments:

1. Application
2. Location Map
3. Ordinance 178, Home Occupations
4. Development Code Section 84.0325 Single Residential District
5. Program 6.A, General Plan Circulation Element
6. Policy 4, General Plan Land Use Element, Goals, Policies and Programs
7. Notice of Exemption
8. Notice of Hearing
9. Public Comments

**RECOMMENDED CONDITIONS OF APPROVAL  
HOME OCCUPATION PERMIT, HOP 01-13  
MINTZ**

This Home Occupation Permit, HOP 01-13 is a proposal to assemble firearms that are purchased in kit form, to buy and sell firearms and sell ammunition from an existing single family residence. The property is located at 8205 Keats Ave and is further identified as assessor's parcel number 588-356-05

**GENERAL CONDITIONS**

1. This Home Occupation Permit approval is valid for a period of one year. Applicant is responsible for the initiation of a request for renewal.  
Approval Date: April 15, 2013  
Expiration Date: April 15, 2014
  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.
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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.
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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. No home occupation shall be initiated until a current business registration certificate is obtained.
14. A Home Occupation Permit shall not be 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. 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.
18. Customers shall be limited to a maximum of five per day.
19. Hours of operation shall be limited to:
  - 8 AM to 3:30 PM on Saturdays and;
  - 8 AM to 11:30 AM on Mondays.
20. Applicant shall submit a copy of Federal Firearms License prior to the commencement of any business operation.
21. Applicant shall submit proof, on a quarterly basis, of an active alarm system contract.
22. Applicants home address shall not be used in any type of advertising or business promotion.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# Home Occupation Permit Application

Date Received 3-18-13  
 By Robert Kirschmann  
 Fee \$270  
 Case # HoP 01-13

New       Renewal

### General Information

**APPLICANT** Luke Mintz Phone \_\_\_\_\_  
 Mailing Address 8205 Keats Ave Email \_\_\_\_\_  
 City Yucca Valley State Ca Zip 92284  
**REPRESENTATIVE** Same Phone \_\_\_\_\_ Fax \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Email \_\_\_\_\_  
**PROPERTY OWNER** Same Phone \_\_\_\_\_ Fax \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Email \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### Project Information

Business Name Lukes Firearms Assessor Parcel Number(s) 0588-356-05-000  
 Business Address 8205 Keats Ave Yucca Valley, Ca, 92284  
 Type of business The sale of firearms and ammunition  
 Type of Advertising to be used yellow pages and word of mouth  
 Applicant Signature [Signature]  
 Property Owner Signature [Signature]

Please provide detailed responses to the following:

Approximate volume, units sold, number of customers received per day, year or other time increments:

I estimate 50 to 75 firearms sales a year and 10 to 90 boxes of ammunition per month depending on demand. Approximately 50 customers a year.

Description of equipment used (horsepower, voltage, etc.):

One fireproof gunsafe and various hand tools.

Materials used and their manner of delivery to Home Occupation location.

firearms, components and ammunition to be shipped via standard parcel services.

How are contacts made with clients or customers?

Over the phone.

Square feet of area used for storage and work area:

approximately 72 sqft

Total square feet of residence, including garage:

2830 sqft

Brief summary of business being conducted:

The Man Primarily the sale of firearms and ammunition also the occasional manufacture of a firearm no more than 10 per year.

## Owner/Applicant Authorization

**Applicant/Representative:** I/We have reviewed this completed application and the attached material. The information included with this application is true and correct to the best of my/our knowledge. I/We further understand that the Town may not approve the application as submitted, and may set conditions of approval. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application.

Signed: 

Date: 3-18-13

**Property Owner:** I/We certify that I/We are presently the legal owner(s) of the above described property (If the undersigned is different from the legal property owner, a letter of authorization must accompany the form). Further, I/We acknowledge the filing of this application and certify that all of the above information is true and accurate. I/We understand that I/We are responsible for ensuring compliance with conditions of approval. I/We hereby authorize the Town of Yucca Valley and or/its designated agent(s) to enter onto the subject property to confirm the location of existing conditions and proposed improvements including compliance with applicable Town Code Requirements. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. I am hereby authorizing

\_\_\_\_\_ to act as my agent and is further authorized to sign any and all documents on my behalf.

Signed: 

Dated: 3-18-13  
LM

Town of Yucca Valley  
Community Development Department  
Planning Division  
58928 Business Center Dr  
Yucca Valley, CA 92284

760 369-6575 Fax 760 228-0084

[www.yucca-valley.org](http://www.yucca-valley.org)

**Robert Kirschmann**

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**From:**  
**Sent:** Tuesday, March 19, 2013 8:42 PM  
**To:** Robert Kirschmann  
**Subject:** description

Description of business to be conducted under the home occupation permit for Luke Mintz at 8205 Keats avenue, Yucca Valley, CA. I plan to start a firearms and ammunition business out of my home to earn some extra money. The business will be small and mainly conducted over the phone. I plan to have only 5 to 10 customers per month. I also plan to assemble a few firearms myself maybe 5 to 10 a year this is the manufacturing mentioned in my home occupation permit application. I also plan to sell ammunition but by order only so I will not have much stock at my house I will order it as my customers ask for it. I plan to have no more than one customer on premises at a time and that will be by appointment only. No business will be conducted after 7pm or before 8am. Business will be primarily conducted on Mondays and Saturdays.

Hi Robert let me know if this is what you wanted thanks?

# Application for Federal Firearms License

**For ATF Use Only**

1. Name of Owner or Corporation (If partnership, include name of each partner)

Luke White

2. Trade or Business Name, if any

3. Employer Identification Number (EIN#) or Social Security Number (SSN is Voluntary)

4. Name of County in Which Business is Located

San Bernardino County

5. Business Address (RFD or street number, city, State, and ZIP code) (NOTE: The business address CANNOT be a P.O. Box.)

8205 Keats Ave, Yucca Valley, Ca  
92284

6. Mailing Address (if different from address in item #5)

7. Contact Numbers (Include Area Code)

Business Phone \_\_\_\_\_

Fax Number \_\_\_\_\_

Cell Phone \_\_\_\_\_

24 Hour Emergency # (if different) \_\_\_\_\_

8. Applicant's Business is (Select one)

- Individually Owned     A Partnership     A Corporation     Other (Specify)

9. Describe Specific Activity Applicant is Engaged in, or Intends to Engage in, Which Requires a Federal Firearms License. (Sale of ammunition alone does not require a license.)

the assembly and sale of firearms.

10. Do You Intend to Engage in Business as a Pawnbroker?

- Yes     No

11. Application is Made For a License Under 18 U.S.C. Chapter 44 as a. (Place an 'X' in the appropriate box. Submit the fee noted next to the box with the application. Licenses are issued for a 3-year period. See instruction #13 for payment information.)

Type	Description of License Type	Fee
01/02	Dealer (01), Including Pawnbroker (02), in Firearms Other Than Destructive Devices (Includes: Rifles, Shotguns, Pistols, Revolvers, Gunsmith activities and National Firearms Act (NFA) Weapons)	\$200
06	Manufacturer of Ammunition for Firearms Other Than Ammunition for Destructive Devices or Armor Piercing Ammunition	\$30
07	Manufacturer of Firearms Other Than Destructive Devices	\$150 <input checked="" type="checkbox"/>
08	Importer of Firearms Other Than Destructive Devices or Ammunition for Firearms Other Than Destructive Devices or Ammunition Other Than Armor Piercing Ammunition (NOTE: Importer of handguns and rifles, see instruction #8.)	\$150
09	Dealer in Destructive Devices	\$3000
10	Manufacturer of Destructive Devices, Ammunition for Destructive Devices or Armor Piercing Ammunition	\$3000
11	Importer of Destructive Devices, Ammunition for Destructive Devices or Armor Piercing Ammunition (See instruction #8)	\$3000
Total Fees \$		

12. Method of Payment (Check one)

- Check (Enclosed)     Cashier's Check or Money Order (Enclosed)     Visa     Mastercard     American Express     Discover     Diners Club

Credit/Debit Card Number (No dashes)

Name as Printed on Your Credit/Debit Card

Expiration Date (Month & year)

Credit/Debit Card Address:

Credit/Debit Card Billing Address:

City:

State:

Zip Code:

Please Complete to Ensure Payment is Credited to the Correct Application:

When Paying the Application Fee for the Following Person, Corporation, or Partnership:

Total Application Fees: \$

I authorize ATF to Charge my Credit/Debit Card the Above Amount.

Signature of Cardholder

Date

If credit/debit card will be charged the above stated amount upon receipt of your application. The charge will be reflected on your credit/debit card statement. In the event a license/permit is NOT issued, the above amount will be credited to the credit/debit card noted above.

13. Hours of Operation of Applicant's Business (Must be completed)

Time	Sun	Mon	Tues	Wed	Thu	Fri	Sat
Open	6:30	6:30	Legal closed				
Close	6:30	11:30	Legal closed				

14. Is Applicant Personally Engaged in a Business Requiring a Federal Firearms License? (If Yes, answer 14a.)  
 Yes  No

14a. Present License From the Following Source:  
 Military Branch \_\_\_\_\_

15. If You Have Served in the Armed Forces, Provide the Service Branch Number and the Service Social Number and Military Branch.

16. Applicant's Business Premises Are  
 Owned  Leased/Rented  Military

IF RENTED OR LEASED, PLEASE PROVIDE THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE PROPERTY OWNER.

Name and Address of Property Owner (If applicable)

Telephone Number of Property Owner (If applicable)

17. Indicate Type of Business Premises

- |  |  |
|--|--|
| <input type="checkbox"/> Store Front     | <input checked="" type="checkbox"/> Single Family Dwelling |
| <input type="checkbox"/> Office          | <input type="checkbox"/> Condominium/Apartment             |
| <input type="checkbox"/> Rod & Gun Club  | <input type="checkbox"/> Hotel/Motel                       |
| <input type="checkbox"/> Military Base   | <input type="checkbox"/> Public Housing                    |
| <input type="checkbox"/> Other (Specify) |  |

18. Do You Intend To Make a Profit from Your Business?  
 Yes  No (If no, do not submit application)

IF THE PREMISES ARE LOCATED ON A MILITARY INSTALLATION, ATTACH A COPY OF WRITTEN AUTHORIZATION FROM THE BASE COMMANDER TO CONDUCT A FIREARMS BUSINESS ON THE MILITARY INSTALLATION.

18a. Do You Intend To Sell Firearms Only at Gun Shows?  
 Yes (If yes, do not submit application)  No

19. Do You Intend to Use Your License Only to Acquire Personal Firearms?  
 Yes (If yes, do not submit application.)  No

If Business was Obtained From Someone Else, Provide the Following Information.

20. Name of Previous Business

21. Federal Firearms License Number

22. Provide the Information Required for Each Individual Owner, Partner, and Other Responsible Persons in the Business. See Instruction #10 for Responsible Person Definition. If a Female, List Any Given, Married, and Maiden Names, e.g., "Mary Alice (Smith) Jones," Not "Mrs. John Jones." (If additional space is needed, use a separate sheet.) Each Responsible Person Must Complete All Information in this Section.

Full Name	Position and Social Security Number (Social Security Number is Voluntary)	Home Address (Please provide every address you have had in the last 5 years.)	Country of Citizenship (List more than one, if applicable. Nonimmigrant aliens must complete all information in item #23.)	Place of Birth (City, State, or Foreign Country)	Date of Birth	Race and Ethnicity (Please check one or more boxes)	Sex	Residence Telephone No.
Mike Michael Monte	owner	3205. heats ave, Yucca Valley, Ca 92284	USA	Bonsai, Ca		<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input checked="" type="checkbox"/> White	M	661
						<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White		

Full Name	Position and Social Security Number (Social Security Number is Voluntary)	Home Address <i>Please provide every address you have had in the last 5 years</i>	Country of Citizenship <i>List more than one, if applicable. Nonimmigrant aliens must complete all information in item #23.</i>	Place of Birth (City, State, or Foreign Country)	Date of Birth	Race and Ethnicity (Please check one or more boxes)	Sex	Residence Telephone No.
						<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White		
						<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Native Hawaiian or Other Pacific Islander <input type="checkbox"/> White		

23. Nonimmigrant Alien Certification of Compliance With 18 U.S.C. 922(g)(5)(B). If additional space is needed, use a separate sheet.

18 U.S.C. 922(g)(5)(B) generally makes it unlawful for any nonimmigrant alien to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearms or ammunition; or to receive any firearms or ammunition which have been shipped or transported in interstate or foreign commerce. All nonimmigrant aliens listed in item 22 must complete the following information certifying compliance with 18 U.S.C. 922(g)(5)(B).

A. Name of Person Certifying Compliance Last: \_\_\_\_\_ First: \_\_\_\_\_ Middle Initial: \_\_\_\_\_

B. Immigration and Customs Enforcement (ICE) Issued Alien Number or Admission Number (Previously INS Number): \_\_\_\_\_

C. Are you in possession of a valid hunting license or permit lawfully issued in the United States?  Yes  No

- If you answered "NO," you likely cannot lawfully possess a firearm and therefore cannot be a Federal firearms licensee.
- If you answered "YES," complete the following information, and attach a copy of the license or permit to the application.

Hunting License or Permit Number, if any	State of Issuance	Expiration Date, if any

Give Full Details on a Separate Sheet for All "Yes" Answers in Items 24 and 25.

	Yes	No
24. Has Applicant or any Person Referred to in Item 22 Above:	A. Held a Federal Firearms License?	<input checked="" type="checkbox"/>
	B. Been Denied a Federal Firearms License?	<input checked="" type="checkbox"/>
	C. Been an Officer in a Corporation Holding a Federal Firearms License?	<input checked="" type="checkbox"/>
	D. Been an Employee of a Federal Firearms Licensee?	<input checked="" type="checkbox"/>
	E. Had a Federal Firearms License Revoked?	<input checked="" type="checkbox"/>
25. Is Applicant or any Person Named in Item 22 Above:	A. Charged by Information or Under Indictment in any Court for a Felony, or any Other Crime for Which the Judge Could Imprison You for More Than One Year?	<input checked="" type="checkbox"/>
	B. A Fugitive from Justice?	<input checked="" type="checkbox"/>
	C. An Alien Who is Illegally or Unlawfully in the United States?	<input checked="" type="checkbox"/>
	D. Under 21 Years of Age?	<input checked="" type="checkbox"/>
	E. An Unlawful User of, or Addicted to, Marijuana, or any Depressant, Stimulant or Narcotic Drug, or any other Controlled Substance?	<input checked="" type="checkbox"/>
	F. Subject to a Court Order Restraining Him/Her from Harassing, Stalking, or Threatening his/her child or an Intimate Partner or Child or Such Partner?	<input checked="" type="checkbox"/>

Give Full Details on a Separate Sheet for All "Yes" Answers in Item 26.

Yes No  
✓  
✓  
✓  
✓

26. Has Applicant or any Person Named in Item 22 Ever:
- A. Been Convicted in any Court of a Felony, or any other crime for which the Judge Could Have Imprisoned You for More Than One Year, Even if You Received a Shorter Sentence, Including Probation?
  - B. Been Discharged from the Armed Forces Under Dishonorable Conditions?
  - C. Been Adjudicated as a Mental Defective, Which Includes Having Been Adjudicated Incompetent to Manage Your Own Affairs, or Been Committed to any Mental Institution?
  - D. Renounced United States Citizenship?
  - E. Been Convicted in any Court of a Misdemeanor Crime of Domestic Violence? (See definition #3)

Information is a formal accusation of crime made by a prosecuting attorney, as distinguished from an indictment presented by a grand jury. You may answer NO if (a) you have been pardoned for the crime or (b) the conviction has been expunged or set aside or (c) your civil rights have been restored AND you are not prohibited from possessing or receiving any firearms under the law where the conviction occurred.

27 Applicant Certification (Please read and initial each box)

- The business to be conducted under the Federal Firearms License is not prohibited by State or local law at the premises shown in item 5. This includes compliance with zoning ordinances.
- Within 30 days after the application is approved, the business will comply with the requirements of State and local law applicable to the conduct of business.
- Business will not be conducted under the license until the requirements of State and local law applicable to the business have been met.
- A completed copy of this form has been sent (mailed or delivered) to the Chief Law Enforcement Officer of the locality in which the premises is located. (See instruction #5.)
- As required by 18 U.S.C. 923 (d)(1)(G), I certify that secure gun storage or safety devices will be available at any place in which firearms are sold under this Federal Firearms License to persons who are not licensees.

Name of Chief Law Enforcement Officer (CLEO):

Carthian Beaswell

CLEO's Address (Include no., street, city, county, State, and ZIP Code):

3665 29 Palms Hwy, Joshua Tree, Ca, 92232

28 Certification: Under the penalties imposed by 18 U.S.C. 924, I declare that I have examined this application and the documents submitted in support thereof, and to the best of my knowledge and belief, they are true, correct and complete. This signature, when presented by a duly authorized representative of the Department of Justice, will constitute consent and authority for the appropriate Department of Justice representative to examine and obtain copies and abstracts of records and to receive statements and information regarding the background of all responsible persons. Specifically, I hereby authorize the release of the following data or records to ATF: Military information/records, medical information/ records, police and criminal records.

Signature

Owner

Title

Date 2-11-13



For ATF Use Only

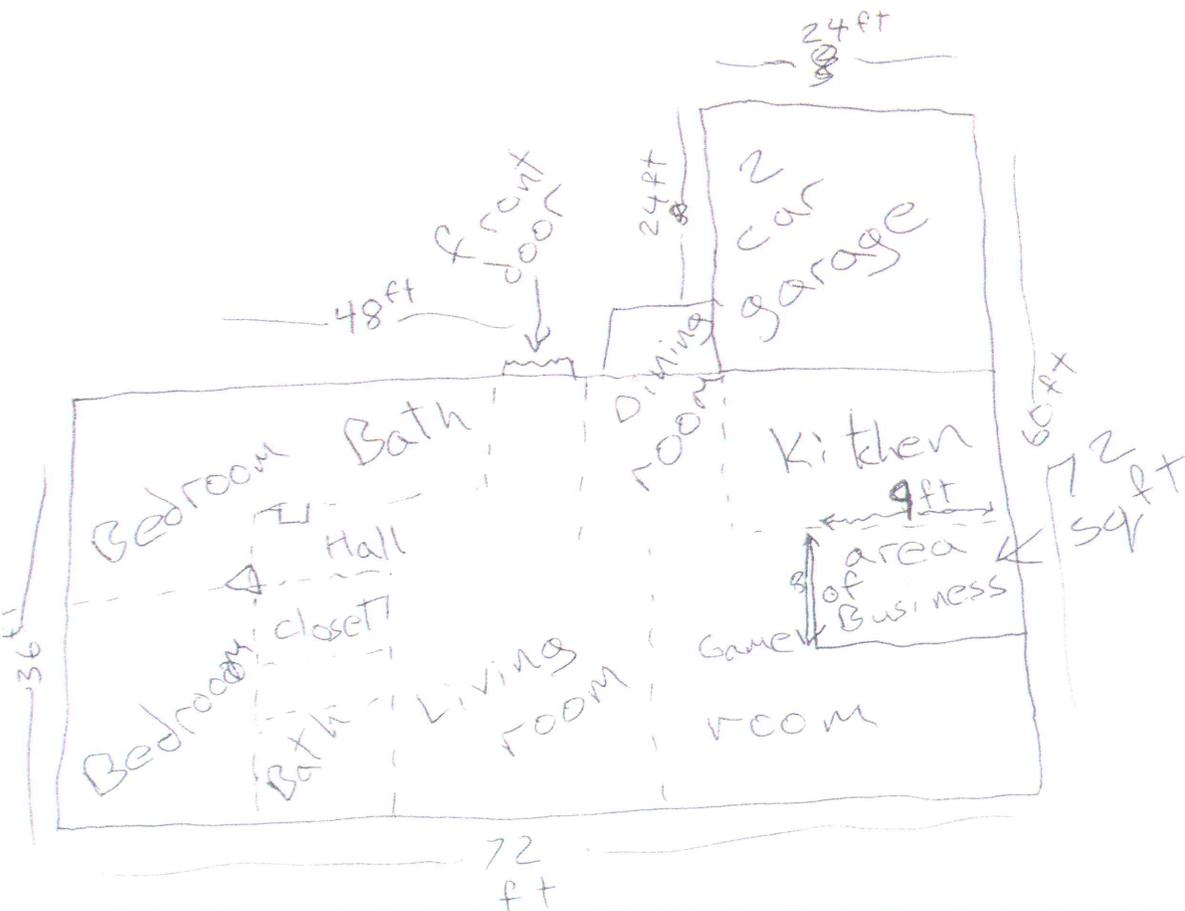
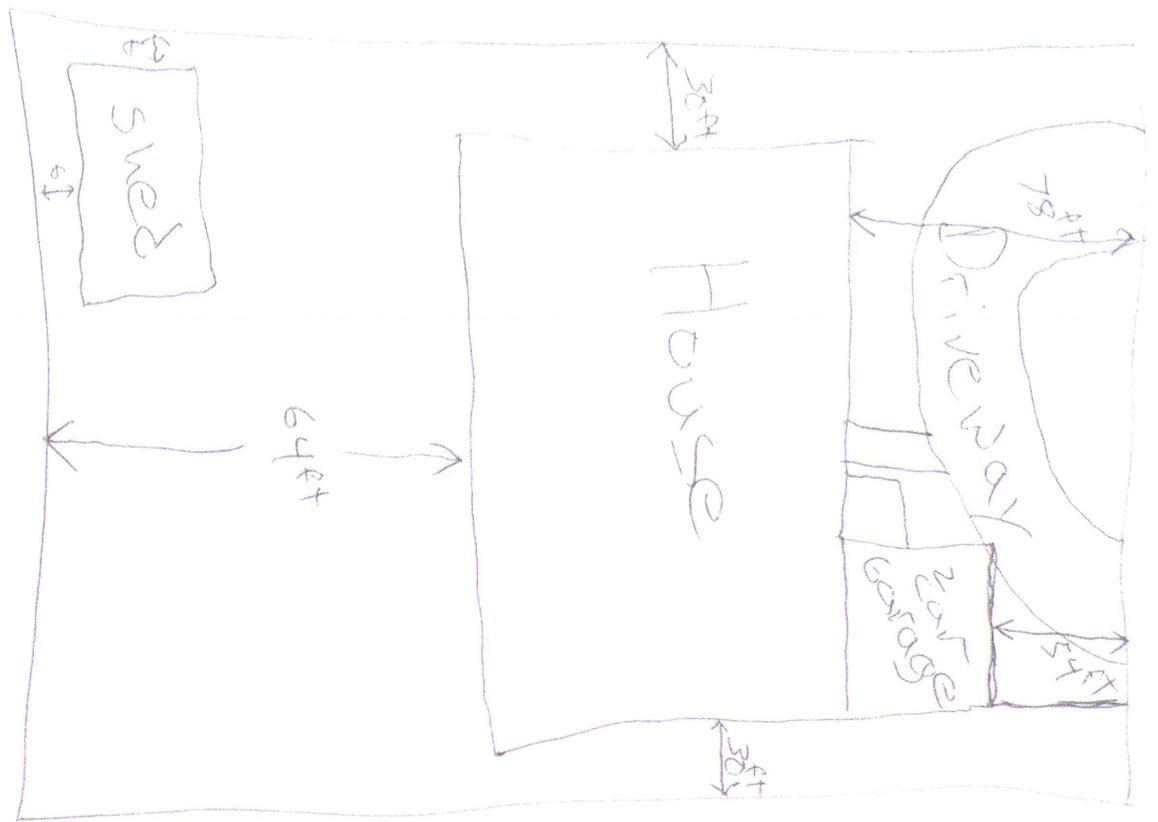
Application is:  Approved  Denied. Reasons for Denial of Application:

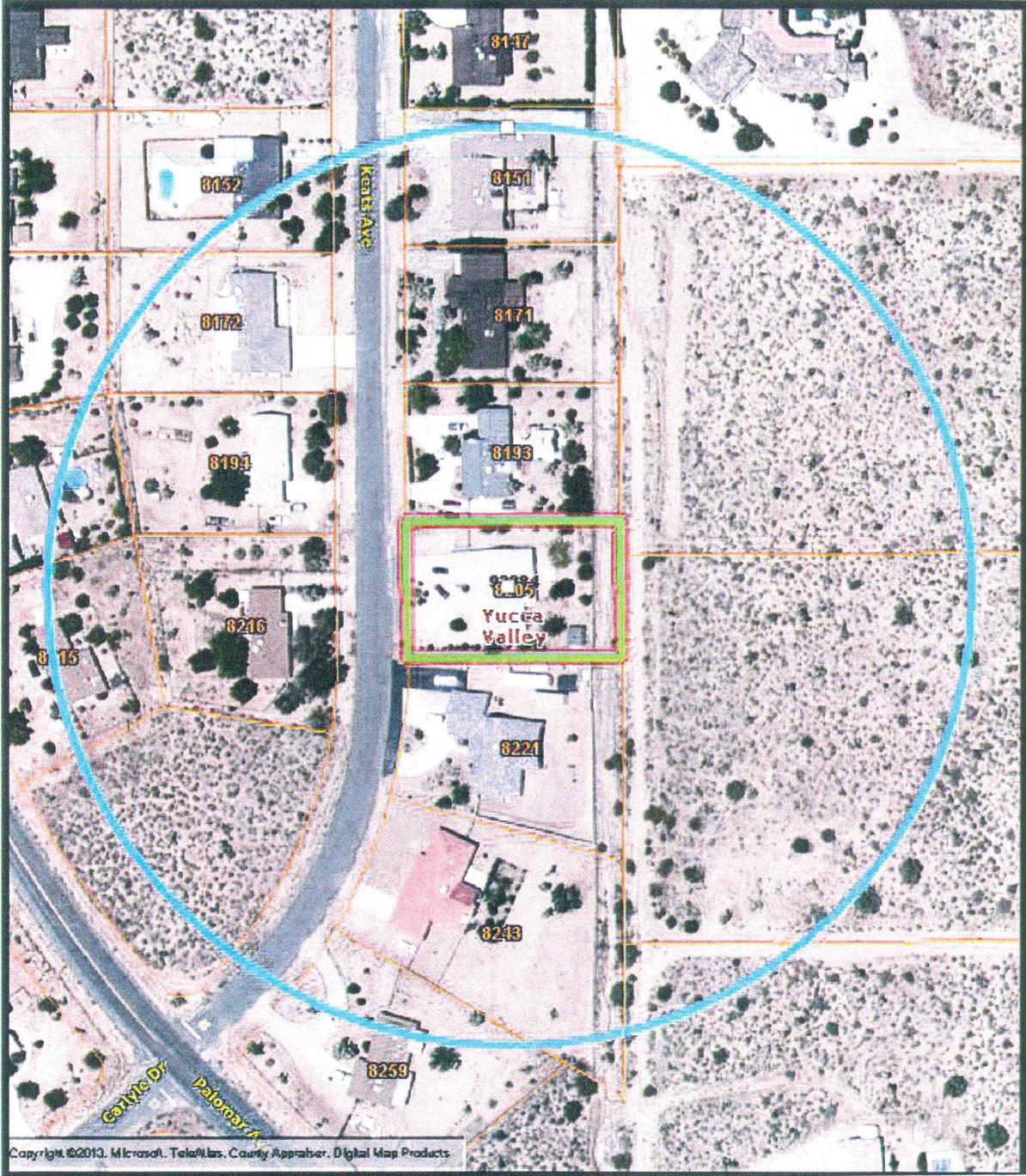
Signature of Licensing Official

Date

Information for the Chief Law Enforcement Officer

This form provides notification of a person's intent to apply for a Federal firearms license. It requires no action on your part. However, should you have information that may disqualify the person from obtaining a Federal firearms license, please contact the Federal Firearms Licensing Center at (404) 417-2750. A "Yes" answer to items #24, #25, and #26 could disqualify a person for a license. Also, ATF may not issue a license if the business could be in violation of State or local law.





**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.

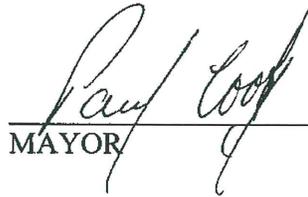
- (i) **Appeal.** Any affected person may appeal a decision of the Director of Community Development to the Planning Commission. Appeals shall be filed with the Community Development Department within ten (10) days following the date of the action appealed. Upon receipt of the notice of appeal, the Community 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.

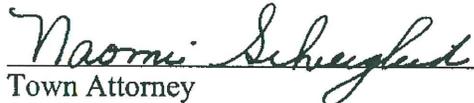
APPROVED AND ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this 5th day of January, 2006.

  
MAYOR

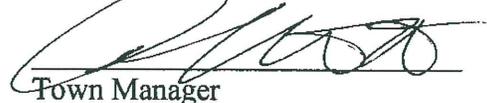
ATTEST:

  
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

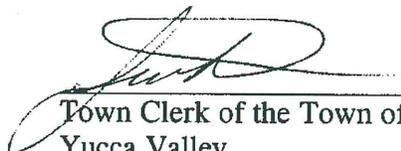
Noes: None

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

Section 84.0325 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 further amended to read as follows:

**“Sections: 84.0325 Single Residential District (RS).**

The Single Residential (RS) District shall be located as specified by the Town of Yucca Valley General Plan.

- (a) **GENERAL PROVISIONS:** The specific purposes of the Single Residential 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 RS District, the letters “PD” designate use classification allowed on approval of a Planned Development, the letters “LSP” designate use classification allowed on approval of a Livestock Permit, the letters “CUP” designate use classification allowed on approval of a Conditional Use Permit.

RS (Single Residential) Use Classification		P CUP ED LSP	Permitted Conditional Use Permits Planned Residential Development Livestock Permit
Use	Zoning District	Additional Use Regulations	
	RS 2, 3, 5, 6		
<b>Residential:</b>			
Family Day Care Homes:			
Large	CUP		Refer to Additional Uses Section of Development Code
Small	P		
Home Occupations	HOP		Refer to HOP Section of Development Code
Institutional Uses	CUP		Refer to Additional Uses Section of Development Code
Manufactured Housing	P		Refer to Single Residential Design Standard Section (88.0101) of the Development Code
Planned Residential Dev.	PD		
Single Family Dwellings	P		
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 ten (10) acres
Animal raising of densities greater than those specified by Section 84.0560	LSP		
Row, Field, Tree, and Nursery Crop Cultivation	P		Any structure associated with this activity is limited to 10,000 sq. Ft. on parcels of 5 acres or less.

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

Single Residential (RS) Property Development Regulations		
Use	Zoning District	
	RS 2/35,5	
Lot Size (square feet)	7,200 map suffix will modify	Lot area measured in net square feet
Minimum Lot Dimension (width/Depth in ft.)		
Less than 1 acre	60/100	
Greater than 1 acre	150/150	
Maximum Lot Dimensions (Width to depth ratio)		
Less than 10 ac	1:4	
Greater than 10 ac	1:3	
Yards (setbacks):		(1), (2), (3)
Front	25	
Side	5 & 10	
Arterial Street Side	25	
Local Street Side	15	
Rear	15	
Maximum Structure Height:	35	
Maximum Lot Coverage	40%	
Minimum District Size (Acres)	10	

- (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.
- (3) A Final or parcel map may establish front yard setbacks no less than twenty-two (22) feet provided the average setback of all parcels is at least twenty-five (25).

- (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 building 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 not to exceed 750 square-feet.
  - (C) Any accessory building shall meet the minimum building setback standards of the land use district but that an accessory structure not requiring a building permit may encroach up to 3 feet from the rear property line.
  - (D) The maximum number of detached accessory structures:
    - (1) Any RS lot having less than 20,000 square-feet in area shall be limited to one accessory structure.
    - (1) Any RS lot greater in size than 20,000 square-feet shall be limited to two accessory structures.
  - (E) Any accessory structure must be on the same parcel as the primary structure.
  - (F) 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 temporary storage device may be located anywhere on the property, except in the "clear sight triangle" during the duration of an active building permit subject to the approval of a Temporary Use Permit."

#### **Policy 4**

Participate and represent the Town's interests in circulation-related regional planning activities, and encourage acceptance of Town policies regarding regional transportation issues.

#### **Program 4.A**

Establish and maintain a liaison with SANBAG, SCAG and Caltrans and pro-actively represent itself in transportation planning meetings to assure that Town policies and programs/strategies are given priority consolidation in resolving regional transportation issues affecting the community.

**Responsible Agency:** Town Council; Community Development Department; SANBAG; SCAG; Caltrans

**Schedule:** 1995; Continuous

#### **Policy 5**

Encourage expansion of ridership and the mass transit systems operated by the Morongo Basin Transit Authority within the Town and greater Morongo Basin.

#### **Program 5.A**

Consult and coordinate with the Morongo Basin Transit Authority and assure vocal representation on the Authority Board and its decision making process.

**Responsible Agency:** Town Council; Community Development Department; Morongo Basin Transit Authority

**Schedule:** 1995; Continuous

#### **Program 5.B**

When reviewing development proposals, consult and coordinate with the Morongo Basin Transit Authority and solicit comments and suggestions on how bus stops and other public transit facilities and design concepts should be integrated into project designs.

**Responsible Agency:** Town Council; Community Development Department; Morongo Basin Transit Authority

**Schedule:** 1995; Continuous

#### **Program 5.C**

When reviewing the development proposals, consult and coordinate with the Morongo Basin Transit Authority to encourage the development of rideshare and other alternative, high occupancy transit programs for employers with sufficient numbers of employees.

**Responsible Agency:** Town Council; Community Development Department; Morongo Basin Transit Authority

**Schedule:** 1995; Continuous

#### **Policy 6**

As a means of reducing traffic associated with work-related out-mitigation, make every reasonable effort to achieve a jobs/housing balance in the community.

#### **Program 6.A**

In order to locate jobs and housing near each other to produce shorter work commutes, make a concerted effort to encourage mixed-use development with a residential component contiguous with employment centers, encourage relocation of appropriate industries; adopt a home occupation ordinance; and encourage major employers to evaluate telecommuting opportunities, either home-based or at local centers, as at least part-time options for employees.

**Responsible Agency:** Community Development Department; Redevelopment Agency; Chamber of Commerce

**Schedule:** 1995-1996; Continuous

#### **Policy 7**

Promote the use of multi-occupant modes of transportation, and the shifting of employment-related trips out of current peak traffic periods.

#### **Program 7.A**

Facilitate provision of an information network among employers and facilitate the provision of technical assistance to develop rideshare programs compatible with requirements of Regulation XV of the Mojave Desert Air Quality Management District.

**Responsible Agency:** Community Development Department; Morongo Basin Transit Authority

**Schedule:** 1995-1996; Continuous

#### **Program 7.B**

To the extent practical, prepare a rider share plan for Town employees to serve as an example for area employers. This plan should include meaningful incentives for employees to walk, bike or rideshare to complete their work commutes.

**Responsible Agency:** Community Development Department

**Schedule:** 1995-1996; Continuous

#### **Program 7.C**

To the extent practical, the Town and the MBTA shall encourage employers to provide 4-day-40 hour and 9-day-80 hour work weeks, and/or provide start/end times outside of the 6-8 AM and 4-6 PM peak periods of traffic.

**Responsible Agency:** Community Development Department; Morongo Basin Transit Authority

**Schedule:** 1995-1996; Continuous

Subject to the limitations set forth in the Town's Animal/Horse/Livestock regulations, as set forth in the Development Code, agriculture and animal keeping is permitted. Allowed animals include but are not limited to horses, cattle, sheep, llamas, goats and ratites. Also possibly allowed subject to issuance of a specific discretionary permit are other animals not herein identified.

## **FUTURE DIRECTIONS**

As the Town of Yucca Valley continues to grow, its mix of land uses and its needs can be expected to change. While the Land Use Element helps to provide a degree of predictability in how the community will develop, there will be a periodic need to reevaluate the land use plan for the Town and make adjustments. State law provides for regular amendments to the General Plan and its Elements, including the Land Use Map. As future needs change, the community will have the opportunity to adjust and fine tune the Land Use Element and Map to address changing circumstances, take advantages of emerging opportunities and remedy potential land use conflicts.

Putting the Land Use Element into effect is accomplished by enforcing the Town's Development Code, Subdivision, use of Specific Plan and other applicable Ordinances, requiring that development proposals meet certain criteria in the General Plan and undergo development plan review, which may be subject to public hearings. The following are general policies and programs for land use, followed by discussions of and more detailed policies and programs for each land use designation.

## **GENERAL LAND USE GOALS, POLICIES AND PROGRAMS**

### **GOAL 1**

A balanced mix of functionally integrated land uses which meet general social and economic needs of the community through compatible and harmonious land use and zoning designations.

### **GOAL 2**

A well-rounded community of desirable neighborhoods, a strong employment base and a variety of community facilities.

### **Policy 1**

Establish and maintain a master land use map designating the appropriate land uses which preserves the desert rural neighborhood character.

#### **Program 1.A**

Adopt and maintain a Master Land Use Map which shows the general location and extent of the uses of land for, but not limited to, residential, commercial, industrial, open space, public buildings and grounds.

**Responsible Agency:** Town Council; Planning Commission; Community Development Department

**Schedule:** Immediately; annual review and update every five years

### **Policy 2**

Establish a user friendly Development Code designating appropriate zoning regulations, which implement the Land Use Element and act to retain the rural atmosphere and character of the community.

#### **Program 2.A**

Adopt and maintain a Development Code which shows the general location and extent of the various zoning districts and guides and regulates development consistent with the General Plan.

**Responsible Agency:** Town Council; Planning Commission; Community Development Department

**Schedule:** Immediately, review on an annual basis.

### **Policy 3**

Utilize master facility and similar plans to address the Town's recreation, airport, flood control, infrastructure, utility management, traffic control, and other facility needs.

#### **Program 3.A**

Develop master facility plans to identify the need for and availability of funding for additional public services and facilities. Master plans should also include schedules for phased implementation.

**Responsible Agency:** Town Council; Community Development Department

**Schedule:** 1995-1996; as required by development.

### **Policy 4**

As an essential part of land use planning, the Town shall continuously assess business and employment opportunities for an expanding economic base.

**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  
*(Address)*

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

Project Title: Home Occupation Permit, HOP 01-13

**Project Location - Specific:**

The project is located at 8205 Keats Ave, and is identified as APN 588-356-05

Project Location – City: Yucca Valley

Project Location – County: San Bernardino

**Description of Project:**

A request to assemble firearms purchased in kit form, buy and sell firearms and sell ammunition from an existing single family residence.

Name of Public Agency Approving Project: Town of Yucca Valley

Name of Person or Agency Carrying Out Project: Luke Mintz

**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, class 01, Existing Faciliti
- 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 on a site that is currently developed with a single family residence.

**Lead Agency**

Contact Person: Diane Olsen Area Code/Telephone/Extension: (760)369-6575 x317

**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: 04/15/13 Title: Planning Technician

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

*Revised May 1999*

ADVERTISING FOR  
NOTICE OF PUBLIC PERMIT HEARING  
MONDAY, APRIL 15, 2013,  
BEGINNING AT 9:00 A.M.  
COMMUNITY DEVELOPMENT DEPARTMENT  
58928 BUSINESS CENTER DRIVE  
YUCCA VALLEY, CALIFORNIA 92284

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

**CASE NUMBER:** Home Occupation Permit, HOP 01-13 Mintz

**APPLICANT:** Luke Mintz  
8205 Keats Ave  
Yucca Valley, CA 92284

**PROPOSAL:** This Home Occupation Permit is a request to assemble firearms that are purchased in kit form, buy and sell firearms and sell ammunition to the public.

**LOCATION:** The property is located at 8205 Keats, and identified as APN 588-356-05.

**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. **If no responses are received five (5) days prior to the hearing date and the applicant has no objections to the Conditions of Approval, staff may elect to not hold a formal 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 Deputy Town Manager in his deliberation could recommend approval of the project, deny the project, approve the project in an alternative form, or forward the project to the Planning Commission 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: Posted and mailed Monday, March 25, 2013

3/27/2013  
Date

  
Janet Anderson  
Town Clerk

April 3, 2013

Chris and Tasha Anderson

Yucca Valley, CA 92284

Community Development Department  
Town Planning Division  
58928 Business Center Drive  
Yucca Valley, CA 92284

Re: Home Occupation Permit, HOP 01-13 /APN 588-356-05

To Whom It May Concern:

We live on the street adjacent to the Mintz residence at 8205 Keats Ave in Yucca Valley. We purchased our home on Keats Avenue two years ago. It took our family nearly two years to find a home that we loved. We chose our house on Keats Ave mainly because it is a nice area to raise our family and the for quietness of the neighborhood.

We strongly object to the planned permit for several reasons and will be attending the meeting on April 15, 2013 at 9 am to voice our concerns:

- The depreciation of the our home value and other surrounding homes
- The nature of the proposed business is dangerous to residents and children
- The risk of increased crime and burglary
- The increase of noise and traffic on our residential street
- Keats Ave is a residential area not suitable for a gun manufacturing business

These are just a few of our concerns and are sure that other neighbors are prepared to object to this as well. There are many suitable locations in Yucca Valley that would be more appropriate for this type of business.

Respectfully,


Chris and Tasha Anderson

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Dr. Joel S. Resnick, DPM

Yucca Valley, CA 92284

**(MAILING ADDRESS BELOW)**

Del Mar, CA 92014

4/2/2013

Planning Department (Attn: Diane)

58928 Business Center Dr.

Yucca Valley, CA 92284

RE: Home Occupation Permit, HOP 01-13 Mintz/ APN 588-356-05

To Whom It May Concern:

I occupy the house directly across the street from the Mintz house in question at 8205 Keats Ave. in Yucca Valley. I purchased it four years ago, and its value has plummeted. This plan will add insult to injury and its value will again be adversely affected.

I strongly object to the planned permit for many reasons, and plan to be at the meeting on April 15, 2013 at 9 am to voice these and many other objections:

The value of surrounding houses will be adversely affected (inviting multiple lawsuits against the Mintz family and the Town of Yucca Valley)

The nature of the proposed business is inherently dangerous to area residents and especially their children

The nature of the proposed business invites neighborhood crime and home burglary

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if you allow this to happen  
we who live on Keats will see you  
for making a stupid law  
of this kind.

you can get money in other  
ways for the town.

and we are able to get people  
that have a good amount of  
Brains — you need a good  
manager who is smart and  
knows what a family neighborhood  
is — and wants!

William Woods  
att. Retired