

TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING



*The Mission of the Town of Yucca Valley is to
provide a government that is responsive to the needs and
concerns of its diverse citizenry and
ensures a safe and secure environment
while maintaining the highest quality of life*

**TUESDAY
FEBRUARY 26, 2013
6:00 p.m.**

**YUCCA VALLEY COMMUNITY CENTER, YUCCA ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284**

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PLANNING COMMISSION MEMBERS

*Tim Humphreville, Chairman
Vickie Bridenstine, Commissioner
Jeff Drozd, Commissioner
Michael Hildebrand, Commissioner
Steve Whitten, Commissioner*

AGENDA

MEETING OF THE TOWN OF YUCCA VALLEY PLANNING COMMISSION 6:00 P.M., TUESDAY, FEBRUARY 26, 2013

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 Town Clerk's office at (760) 369-7209 at least 48 hours prior to the meeting.

If you wish to comment on any subject on the agenda, or any subject not on the agenda during public comments, please fill out a card and give it to the Planning Commission secretary. The Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.

CALL TO ORDER:

SWEARING IN OF PLANNING COMMISSION MEMBERS

ROLL CALL: Vickie Bridenstine, Commissioner
Jeff Drozd, Commissioner
Michael Hildebrand, Commissioner
Tim Humphreville, Chairman
Steve Whitten, Commissioner

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Action: Move by _____ 2nd by _____ Voice Vote _____.

PUBLIC COMMENTS

In order to assist in the orderly and timely conduct of the meeting, the Planning Commission takes this time to consider your comments on items of concern, which are not on the agenda. 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 Planning Commission is prohibited by State law from taking action or discussing items not included on the printed agenda.

DEPARTMENT REPORT:

1. DRAFT DEVELOPMENT CODE, ARTICLES 4, 5 AND 6

RECOMMENDATION: That the Planning Commission reviews the Draft Development Code, Articles 4, 5 & 6 in conjunction with the Guiding Principles, and provides feedback to staff on consistency of the Draft Articles with the Guiding Principles.

Action: Moved by ___ 2nd by _____ Voice Vote

2. GENERAL PLAN ANNUAL REVIEW FOR CALENDAR YEAR 2012

RECOMMENDATION: That the Planning Commission move to receive and file the General Plan Annual Report for the Calendar Year 2012 and forward that recommendation to the Town Council.

Action: Moved by ___ 2nd by _____ Voice Vote

CONSENT AGENDA:

All items listed on the consent agenda are considered to be routine matters and may be enacted by one motion and a second. There will be no separate discussion of the consent agenda items unless a member of the Planning Commission or Town Staff requests discussion on specific consent calendar items at the beginning of the discussion. Public requests to comment on consent calendar items should be filed with the Deputy Town Clerk before the consent agenda is called.

3. MINUTES–

A request that the Planning Commission approve as submitted the minutes of the meeting held on October 9, 2012.

Action: Moved by _____ 2nd by _____ Voice Vote _____.

STAFF REPORTS AND COMMENTS:

FUTURE AGENDA ITEMS:

COMMISSIONER REPORTS AND REQUESTS:

- Commissioner Bridenstine
- Commissioner Drozd
- Commissioner Hildebrand
- Commissioner Whitten
- Chairman Humphreville

ANNOUNCEMENTS:

The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, March 12, 2013 at 6:00 p.m.

ADJOURN

PLANNING COMMISSION STAFF REPORT

To: Honorable Chairman & Commissioners
From: Robert Kirschmann, Associate Planner
Date: February 15, 2013
For Commission Meeting: February 26, 2013

Subject: Draft Development Code Update Discussion
Article 4 Permit Procedures
Article 5 Administration
Article 6 Subdivisions

Prior Commission Review: There has been no prior Commission review of this matter.

Recommendation: That the Planning Commission reviews the Draft Development Code, Articles 4, 5 & 6 in conjunction with the Guiding Principles, and provides feedback to staff on consistency of the Draft Articles with the Guiding Principles.

Executive Summary: The Town inherited the San Bernardino County Development Code at the time of incorporation. The Development Code has been amended for specific ordinances and regulations since incorporation, but a complete rewrite and update of the Development Code has never been undertaken.

A Phase I Report was prepared and the Town Council adopted Guiding Principles for the preparation and rewrite of the Development Code. This contract was entered into prior to the Council's authorization to proceed with the General Plan Update. Therefore the Development Code Update does not address those recommended regulations, standards, zoning districts and other associated General Plan implementation actions that will follow the adoption of the updated General Plan in the fall of this year.

The primary focus of this review of Articles 4, 5 and 6 is for Planning Commission feedback on consistency of the Draft Articles with the applicable Guiding Principles. Articles 1, 2 and 3, which contain regulations and standards, permitted uses, etc., will be presented to the Planning Commission at the meeting of March 26, 2013. Presentation of the Draft Development Code in its entirety is scheduled for the Planning Commission at its meeting of April 23, 2013.

Order of Procedure:

Request Staff Report
Request Public Comment
Commission Discussion/Questions of Staff
Feedback From Planning Commission

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

Discussion:

Prior to initiating the rewrite of the Development Code, the Town Council adopted the Guiding Principles as outlined below.

1. Clear, specific standards with minimum of interpretation required. The Development Code shall be straightforward, clear and easy to use for decision-makers, Town staff, developers, property owners and residents, with specific standards and a minimum of interpretation required.

Purpose: The County Development Code contains many areas that require interpretation and their implementation by staff. Ambiguities and conflicting sections cause the Code to be difficult to use for many individuals. Establishing clear specific standards with minimal interpretation will enable the Code to be both understood and administered more easily and effectively.

2. Appropriate infrastructure. The Development Code shall require appropriate infrastructure to be provided for new development, but shall provide allowances for infill development. Infrastructure requirements shall be related to the density and intensity of the zoning designation, in a form similar to the San Bernardino County requirements.

Purpose: Neither the existing General Plan or Development Code establish specific standards, based upon land use/zoning or development type, for infrastructure requirements. Implementing a tool similar to the County's approach to establishing specific infrastructure standards and requirements will provide clarity to those standards for all land use/zoning districts.

3. Enabling the Economic Hub. Development and design standards shall provide for a balance of uses to meet the social and economic needs of the community and the Morongo basin, with higher intensity uses to address retail, commercial, employment, and housing opportunities concentrated along the Highway 62 corridor and surrounding area.

Purpose: The Town is the primary commercial, employment and retail center of the Morongo Basin. The Development Code must provide the necessary standards to ensure that the Town's economic position is strengthened in the future. The commercial core of SR 62 and the three planning areas previously identified, including the East Side, Mid-Town, and Old Town, will play pivotal roles in providing for commercial growth, mixed use higher intensity development, while being buffered from the lower density desert character residential neighborhoods.

4. Reinforcing the Desert character. For the lower density residential areas of the Town, desert character consists primarily of greater openness and less urban lifestyle. Development standards shall provide greater setbacks for both primary and accessory structures, lower lot coverage, less infrastructure requirements,

more animal uses, larger accessory structures, and a broader array of home occupations and businesses to be operated within residential areas. Desert vegetation shall not be cleared until properties are to be developed and clearing only necessary land for structures and specific uses is encouraged. Incorporation of native desert plants shall be encouraged through the development of landscape requirements for residential development and through the use of clustering to promote undisturbed native desert areas.

Purpose: As discussed with the Town Council and Planning Commission at the joint meeting of August 23, 2011, defining and supporting the desert character that is present in the low density residential neighborhoods today through the Development Code Update was identified as an important element in the overall Update process. As illustrated in the description of “Reinforcing the Desert character” above, these areas are defined by openness, larger setbacks, lower allowed percentage of lot coverage, reduced levels of required infrastructure, allowances for larger accessory structures, anticipated animal keeping, and incorporation of native desert plant materials in on-site and parkway landscaping.

The Draft Development Code has been developed to be a comprehensive document to meet the Guiding Principles adopted by the Town Council. Several improvements between the Draft and current Code are identified below.

- Comprehensive Table of Contents
- Consistent Page Numbering
- Consistent Format Between Chapters
- Removal of language referring to San Bernardino County
- Code organized in a logical order
- Updated to reflect changes in State/Federal Law
- Permitting process are clearly defined
- Ease of Use
- Ease of Readability
- Comprehensive, straight forward, easily understood and useable

As the Commission is aware, it is important that a Development Code establish clearly and easily understood processes for property owners, investors, developers and residents alike. Eliminating unknowns and providing clearly defined processes assists in removing some, but not all, uncertainty from the development review process.

With that being said, the Commission is fully aware that the California Environmental Quality Act (CEQA), the Endangered Species Act, AB 32, and other local, regional, state and federal agency requirements all impact processes, timelines, requirements, and final project standards, designs, and development costs. While the Town functions in the capacity of a facilitator for project review and processing with these other agencies, there are many areas where the Town cannot fully control the processes, timelines and outcomes.

As part of the overall Development Code Update, staff will be providing the Commission at a future meeting with a presentation on several mock application processes, their time lines, documents and special studies required as part of the project review process. Staff will also be identifying in the presentation anticipated requirements of other agencies and how those impact the development process.

The information below is in summary format and is not intended to address each and every issue within the chapters. The staff presentation will go into additional detail in several areas.

Article 4: The overall organization of the Code has been changed with the update. Article 4 is broken down into 13 chapters. Each chapter provides information on a specific application or process. Article 4 provides the "Permit procedures" section for the Code. All sections dealing with development previously included in Ordinance 207 have been included in this section with minimal changes. Temporary Special Events, Temporary Uses, General Plan and Development Code Amendments, and Development Agreements have all been included in this section. This section provides the purpose, procedures, and findings as necessary for each chapter.

The following are the chapters:

1. Chapter 9.60 Permit Procedures-General Provisions

This Chapter includes the standards for the review procedures. There are three (3) standard types of review that may be required. These are Public Hearing, Staff Review with Notice and Staff Review without Notice. Table 4.1 has been included which lists each of the types of application or entitlement, the applicable code section and the level of review required.

Criteria is included that allows a review authority (Director or Planning Commission) to refer an application to the next review authority for reason.

2. Chapter 9.61 Application Processing Procedures

This chapter includes the application processing procedures. This section provides the standards for abandonment of applications, determination of completion, and provides the minimum requirements for noticing (including radius of notice, type of mailing to be used, minimum advertisement in the local paper etc.). The requirements contained in this section are largely unchanged from those contained in the current code.

3. Chapter 9.63 Development Code and Zone Changes

As the name indicates, this chapter contains the procedures to initiate such a request, provides the review procedure and the required findings. The Draft Code has expanded this section from the current Code. The procedures have been expanded and simplified so that the process is defined more clearly.

4. Chapter 9.64 Conditional Use Permit

The Conditional Use Permit section of the current Development Code was updated with Ordinance 207 in 2010. This update was to help make the requirements clear and concise. The update is proposing to leave the Ordinance largely unmodified. Minor changes have been made in wording (i.e. Planning Division exchanged with Director for consistency).

The findings for approval, time limits, minor modifications of approvals, are all included in this section.

5. Chapter 9.65 Development Agreements

This chapter establishes the procedure and requirements for the consideration of a Development Agreement. Development Agreements are utilized when large projects are required to perform significant improvements where the owner/developer desires some assurance that changes to conditions will not adversely impact the project once approved.

6. Chapter 9.66 General Plan Amendments

As the name indicates, this chapter contains the procedures to initiate such a request, provides the review procedure and the required findings. This section has been added to the Code to clearly provide the standards to apply and go through the process.

7. Chapter 9.68 Land Use Compliance Review

The Land Use Compliance Review section of the current Development Code was updated with Ordinance 207 in 2010. This update was to help make the requirements clear and concise. The update is proposing to leave the Ordinance largely unmodified. Minor changes have been made to wording (i.e. Planning Division exchanged with Director for consistency).

The findings for approval, time limits, minor modifications of approvals, are all included in this section.

One notable change made is in Section 9.68.030 (B). This section allows a maximum of two (2) LUCR applications to be approved for a site. After that the project shall be reviewed through a Site Plan and Design Review or Conditional Use Permit as required by the Code. This recommended language is to establish maximum expansion before all Town requirements are applied.

8. Chapter 9.70 Planned Development Permits

The Planned Development section of the current Development Code was partially updated with Ordinance 207 in 2010. The Draft removes references to the County and replaces such occurrences with Town. The Draft includes much of the same language; however it has been placed in a

different format to more closely match other chapter's layout. The Chapter includes time limits and extensions, preliminary development plans, final development plans, and requirements for a pre application.

9. Chapter 9.72 Site Plan and Design Review

In the existing Development Code, this section is commonly referred to as Site Plan Review. The biggest change to this section is in table 4.6, noticing requirements. Since Site Plan and Design Review applications are generally considered to be straight forward, non-controversial projects, there are no noticing requirements. The projects will be reviewed and forwarded to Planning Commission for their consideration

The findings for approval, time limits, minor modifications of approvals, are all included in this section.

This Chapter was included in the update with Ordinance 207 in 2010, there are no other significant changes proposed to this chapter outside of typos and minor language modifications.

10. Chapter 9.73 Special Use Permits

The Special Uses chapter has been modified and updated including: removing references to the County, removing Dependent Housing to comply with changes in State Law, and adding: purpose, applicability, procedures and findings to the section. The changes help to provide specific information for Special Use Permits, so the reader can understand permit processing requirements.

Special Use Permits apply to Bed and Breakfasts, raising of Animals in excess of the Code standards, exotic animals, private kennels, and recycling centers.

11. Chapter 9.74 Specific Plans

The Specific Plan chapter of the existing Code was partially updated with Ordinance 207 in 2010. This update removed references to the County and replaces such occurrences with Town. The Draft includes much of the same language; however it has been placed in a different format to more closely match other chapter's layout. The Chapter includes time limits and extensions, draft specific plan, final specific plan, required findings, dedication of open space, and requirements for a pre application.

12. Chapter 9.76 Temporary Special Event Permits

Temporary Special Events today are not included as part of the Development Code. The section was updated by Ordinance 210, in 2010 to include different types of special events such as farmers markets, art festivals and car shows. The proposed Draft will move this section from the Municipal

Code into the Development Code. Since the section deals with land use issues it is more appropriately located in this section. No other changes are proposed to this section.

13. Chapter 9.77 Temporary Use Permits

Temporary Uses in the existing Code is a County remnant. The Draft has been updated to remove references to the County, while formatting in a layout similar to other sections. Language has been simplified or eliminated where unnecessary. The Draft provides the purpose, procedures, reviewing authority, the types of uses and the required findings.

Temporary Use Permits apply to temporary residential quarters, temporary nonresidential quarters, temporary construction office quarters, temporary real estate model home/sales office, and temporary on-your-lot builder model home/sales office.

14. Chapter 9.78 Variance Review

The Variance chapter of the existing Code was partially updated with Ordinance 207 in 2010. The Draft removes references to the County and replaces such occurrences with Town. The Draft includes much of the same language; however it has been placed in a different format to more closely match the other chapter's layout. The Chapter includes time limits and extensions, required findings. Minor changes have been made to spelling errors and word changes (i.e. Planning Division exchanged with Director for consistency).

One notable change was made in regards to the minor variance. The County provision for minor variances has been eliminated from the Draft Development Code. The Minor Variance language of the County Development Code was not consistent with state law and therefore has been removed.

Article 5: This section provides for the overall administration of the Draft. Topics covered in this article include administration, appeals, enforcement and violation, permit amendments, permit revocations, public notices & hearings and time limitations & time extensions. Below is a discussion of each chapter contained in the article.

1. Chapter 9.80 Administration

The administration section of the Draft covers duration and applicability of approvals, performance guarantees, easement and deed notices, and legal defense responsibility. The Chapter establishes the general provisions for implementation of the code and the permits which are approved based upon the regulations in the development code.

Permits and Conditions to Run with the Land

Approvals for Conditional Use Permits, Planned Development Permit, Land Use Compliance Review, Variance, Specific Plans, and Special Use Permits run with the land. Therefore, should the property be sold, that approval is transferred and the new owner has the ability to construct the project in compliance with the original approval and conditions.

Performance Securities

This section provides the Town with the ability to impose a condition of approval requiring the applicant to post securities with the Town in the event that there is a failure to uphold the conditions of approval. Again, this is optional, not mandatory. There may be projects, such as larger commercial phased projects, where performance securities are recommended.

Easements and Deed Notices

The General Plan, and the various adopted master plans including trails, drainage, streets, parks and airport, occasionally requires a project to provide an offer of dedication, granting of easement or recordation of a deed notice. This section takes several individual ordinances in the current code and locates them in one section. The standards included in the Draft remain unchanged from the current code.

Covenants of Easements

New in the Draft is covenant of easements. A covenant is an *agreement, contract, or written promise between two individuals that frequently constitutes a pledge to do or refrain from doing something*. These can be used for providing emergency access, egress, landscaping, light and air access, open space, parking, etc. This can be imposed as a condition of approval on a project by the review authority. These are then recorded against the property.

2. Chapter 9.81 Appeals

When an applicant disagrees with a decision of the Director or the Planning Commission, an appeal to the next highest body may be requested. The appeal section of the Draft provides the standards and procedures for appealing land use decisions. Standards and procedures included in the Draft are timing for filing an appeal, contents of the application, noticing requirements, etc.

The procedures and timing remain unchanged from existing Code; however the language has been cleaned up. The existing Code section is a County remnant. The language referring to the County and the Board of Supervisors have been removed. The language has been modified to clearly state that an appeal must be filed within 10 calendar days. The Draft proposes no

changes to the noticing requirements, other than language clean up. Public notice is required in the same manner in which the original decision was noticed.

3. Chapter 9.82 Enforcement and Violations

The purpose of the enforcement and violations section is to ensure that projects are in compliance with all requirements of the development code and any conditions of approval. The goal of the enforcement and violations is to promote the Town's planning efforts and ensure the protection of the public health, safety, and welfare.

The existing Code includes sections on violations and enforcement. However, this section was updated to remove references to the County and the Board of Supervisors. In addition enforcement of the Code has been updated.

In recent years, the Code Enforcement Division has adopted regulations and standards for enforcement and penalties of violations. The new process has been working well and resulted in high level of compliance. The administrative citation process has been incorporated into the Draft.

4. Chapter 9.84 Permit Amendments

On occasion, circumstances can arise which require changes to be made to an approved project. The Draft clearly provides the standards for amendments in one location. In the existing Code, each review process includes its own section on amendments. The Draft includes the requirements in one location.

In the Draft, amendments are permitted due to changes in circumstances, new information, and correction of errors, public health safety and welfare, or changes in the General Plan designation or policy, or applicable zoning regulations.

In 2010 the Council adopted Ordinance 207, Land Use Design Procedures. This section modified and updated the process relating to applications such as the Conditional Use Permit, Site Plan Review and Land Use Compliance Review. The ultimate goal was to make the process easier and clearer, especially for smaller projects. Included in the update was Minor Modifications of Previously approved projects (CUP, SPR, or LUCR). This allowed minor modifications of the application to be approved by the Director, provided the modification does not affect any required finding and the change was not an item of public controversy.

The permit amendment section also establishes the review authority.

5. Chapter 9.85 Permit Revocations

In rare circumstances it may be necessary to revoke a previously approved permit in order to protect the public health, safety and welfare. The purpose of this chapter is to establish standards to ensure that due process is afforded to the permit holder. Any permit that has been approved by the Code may be revoked by the Commission or Council provided they can make the required findings.

The process required to revoke a permit would be for the Council or Commission to adopt a Resolution of Intention and set the item for public hearing. At the hearing the respective body upon making the appropriate findings can either revoke or amend the permit. The Commission decision may be appealed to the Town Council; however the Council decision is final.

6. Chapter 9.86 Public Notices and Hearings

Certain land use applications require a public hearing. When a hearing is prescribed by code, advanced notice to the public is required. The content of the notice, notification procedures, and the hearing procedures are described in this section. There are no major changes in the standards established by this chapter.

The notice still requires hearing information, project information, and environmental information consistent with State law. The notification section is also unchanged and includes the standards for mailed and published notices.

7. Chapter 9.88 Time Limitations and Time Extensions

When a project is approved, it is given a certain time period in which the activities must be completed. Ordinance 207, established 36 months, or three (3) years across the board for CUP, SPR, and LUCR. The three year approval remains for CUP, SPR, LUCR and includes Variance, Planned Development, and Tentative Maps. The Draft requires that the permits for a SUP and TUP permit be exercised within one (1) year.

Circumstances can arise which will not allow a project to be completed, or even started, within the required time frames. This section will allow the applicant the opportunity to request extensions of time not to exceed a total of three (3) years, which is consistent to the existing Code. Language has been added allowing for additional extensions, beyond the 3 years if the project is found to be in compliance with the General Plan, Development Code, Master Plans, and Specific Plans.

Article 6:

In the majority of cases land cannot be divided in California without local government approval. Dividing land for sale, lease or financing is regulated by Town ordinances based on the State Subdivision Map Act (Government Code Section 66410). The General Plan and Development Code govern the design of the subdivision, the size of its lots, and the types of improvements (street construction, drainage facilities, etc.).

In addition to subdivisions, lot mergers, lot line adjustments, reversion to acreage are all regulated by the Town's Ordinances, which implement the Subdivision Map Act. The following seven sections implement the Subdivision Map Act, while setting the standards for certain improvements over which the Town has control.

The sections include:

1. Chapter 9.90 General Provisions

This section of the Article sets up the procedures for the implementation of the "Yucca Valley Subdivision Ordinance". References to San Bernardino County have been removed. The section has been expanded to include applicability, establishment of the advisory agency, authority for decisions, type of subdivision approval, appeals and enforcement.

Included in the Draft is Table 6-1 which identifies the various applications and identifies the review authority for the application.

2. Chapter 9.91 Tentative Map Filing and Procedures

This Chapter establishes the requirements for the preparation, filing, approval or denial of tentative maps. The Chapter covers the submittal requirements, tentative map hearing and action, conditions of approval, completion of the subdivision process, expiration, amendments, and findings.

Language has been included on amendments to tentative maps. Similar to the other major applications (CUP, SPR, etc) minor changes are authorized to be approved by the Director. The changes may include minor adjustments to the location of proposed parcel lines and improvements, reduction in the number of parcels, and changes to the conditions of approval that are consistent with the project findings. These must be requested and approved prior to the recording of the final map.

3. Chapter 9.92 Parcel Map and Final Maps

After a tentative map has been approved, a final map is required to be submitted, reviewed and ultimately recorded. Once a map has recorded, legal lots of record have been established. This chapter establishes the requirements for the preparation, filing, approval or denial and recordation of final maps. Requirements for submittal form and content of the maps and processing is covered in this chapter.

4. Chapter 9.93 Additional Subdivision Procedures

The additional subdivision procedures establish the requirements for certificates of compliance, lot line adjustments, lot mergers, and reversions to acreage consistent with the requirements contained in the Subdivision Map Act.

Certificate of Subdivision Compliance

The purpose of a Certificate of Compliance is to provide landowners and subsequent purchasers with a record of the Town's determination that a parcel was legally created. This process is governed by the State Subdivision Map Act (Government Code Section 66499.35). The Certificate of Compliance certifies the legality of the parcel.

If the Town determines that the parcel was created in compliance with the provisions of the Subdivision Map Act and local ordinances at the time of its creation, a Certificate of Compliance is issued. If the parcel was not created in compliance with those provisions, a Conditional Certificate of Compliance is issued. The conditions which must be satisfied before issuance of any permit or other approval will typically be the same as those that would have been applied if the parcel had been legally created using the land division process.

There were no major changes made to this Chapter other than organization and removal of references to the County.

Lot Line Adjustment

A lot line adjustment is a shift or rotation of an existing lot line between two (2) or more, but no more than four (4), existing adjacent parcels, where the land taken from one (1) parcel is added to an adjacent parcel(s), and where no greater number of parcels are created other than originally existing.

The section was updated to not only remove references to the County but to improve the organization and provide additional detailed information. The current ordinance does not clearly lay out the circumstances that must exist in order for the submittal of an application. Unlike the existing Code, the Draft identifies the standards, including: 4 or fewer lots, the application must be prepared by licensed land surveyor or engineer, and application requirements. By including these standards, those looking at submitting a lot line adjustment know the basic requirements up front.

Lot Merger

A Lot Merger (LM) is the merger of two or more lots into one parcel. This section was also updated to improve organization and remove references to the County.

5. Chapter 9.94 Dedications and Exactions

This section has been added to the Draft to make clear what is required for dedications necessitated by the proposed subdivision. The section includes the requirements for dedications of access rights of way, alleys, drainage, public utilities, streets and other public easements. It also specifies the acceptance procedure and includes language that the Town Council will accept the dedications as part of the approval of a final map.

6. Chapter 9.95 Subdivision Design and Improvement Requirements

The subdivision and design and improvement requirement section establishes the standards for the overall design and layout of subdivisions, the design, construction, or installation of public improvements. The purpose is to ensure that the subdivision is consistent with the General Plan or Specific Plan. The Chapter is new to the code and will help to provide clear requirements such as street design, lot widths and layout and other requirements.

Grading

This section also provides detailed standards as they relate to the grading of subdivisions. Standards established include:

1. Min slope of paved drainage swales is .5 %
2. Min slope of unpaved drainage swales is 2%
3. Building pad minimum of 10" above sidewalk at the lowest point
4. Finished floor shall be a minimum of 16" above the sidewalk
5. No cross lot drainage allowed

It should be noted that Engineering staff are still reviewing the proposed subdivision regulations and there are anticipated modifications that will be presented to the Planning Commission at a future meeting.

Other Improvements

The Code requires the subdivision to provide for other improvements, many of which are already required and either located in other documents (Trails Master Plan) or required by other agencies. This provides the requirements in one location and include:

1. Bike/Walking/Hiking/Equestrian trails
2. Fire hydrants
3. Monuments(relating to location of property lines)
4. Private maintenance facilities
5. Public Utilities
6. Street Lights
7. Street signs and street names
8. Storm drainage

7. Chapter 9.96 Improvement plans, installation and security

When a subdivision is approved various conditions of approval are imposed on the project. Most projects will include the requirement for street, drainage or other public improvements. These improvements all require plans to be submitted to the Town for review and approval. This chapter provides the standards for the preparation and review of the improvement plans, installation of the improvements and for security to guarantee improvement installation.

8. Chapter 9.97 Soils Report

When properties are subdivided the Map Act requires that a soils report be prepared and submitted. This new section has been added to the Draft to implement that portion of the Act, while providing consistency and standards in the materials to be submitted. The section establishes the form and content of the report. A preliminary soils report is required to be submitted with tentative map, to implement the Act.

The Draft Development Code has been developed to be a comprehensive document to meet the Guiding Principles adopted by the Town Council.

- Comprehensive Table of Contents
- Consistent Page Numbering
- Consistent Format Between Chapters
- Removal of language referring to San Bernardino County
- Code organized in a logical order
- Updated to reflect changes in State/Federal Law
- Permitting process are clearly defined
- Ease of Use
- Ease of Readability
- Comprehensive, straight forward, easily understood and useable

Alternatives: N/A

Attachments: Draft Development Code Articles 4, 5 and 6
Phase I Report and Guiding Principles

These attachments are available at www.yucca-valley.org or may be picked up at the Community Development Dept.

PLANNING COMMISSION STAFF REPORT

To: Honorable Chairman & Planning Commission
From: Robert Kirschmann, Associate Planner
Date: February 4, 2013
For Commission Meeting: February 26, 2013

Subject: 2012 General Plan Annual Review
Annual Housing Element Report

Prior Commission Review: None for this specific item. The Planning Commission receives the mandated General Plan annual report in the spring of each year.

Recommendation: That the Planning Commission receives and files the 2012 General Plan Annual Report and forwards the report to the Town Council.

Executive Summary 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, 2012 through December 31, 2012 time period

Order of Procedure:

- Request Staff Report
- Request Public Comment
- Commission Discussion/Questions of Staff
- Motion/Second
- Discussion on Motion
- Call the Question (Voice Vote)

Discussion:

The General Plan was adopted by the Town on December 14, 1995. The implementation section of the General Plan recommends the Town review the General Plan on an annual basis to evaluate implementation progress and to determine if changing conditions make minor adjustments to the Plan desirable.

The attached Annual Report addresses the Land Use and Housing Elements. In each section, there is a discussion that explains the progress the Town has made on its implementation of the General Plan in the past year. In accordance with State requirements, Housing Element implementation is quantified.

Included with the report is the Annual Element Progress Report. There are several tables (Table A, A2, A3, B and C) required to be completed and submitted to the State. Tables A and A2 do not apply for this review period as there were no units constructed, rehabilitated, or acquired which restricted the units to specific income levels. Due to the absence of the restrictions, all units constructed are required by the state to be counted towards the

“above moderate” income range and are reported in table A3. Table B demonstrates the number of units constructed during the current Regional Housing Needs Allocation (RHNA) Planning period. Table C is an evaluation of each Program in the Housing element and the status of the implementation of that program.

Alternatives: N/A

Fiscal impact: None, other than staff time

Attachments:

1. Annual Report
2. Tables A,B, C as required by the State
3. General Plan Land Uses Table



2011 GENERAL PLAN ANNUAL REVIEW

BACKGROUND:

Each year, the Town of Yucca Valley reviews the development activity during the prior year and other programs that worked toward implementing the Town's General Plan. As a major component of this review, residential development activity is reviewed to determine the number and type of dwelling units completed during the year in order to comply with the State of California mandate to monitor the implementation of the Town's housing goals.

The Town of Yucca Valley Comprehensive General Plan is an official document that is adopted by the Town Council after significant public input and based upon a recommendation from the Planning Commission. The General Plan provides goals, policies, programs, and implementation strategies to guide development and redevelopment, and to preserve valued assets and resources.

Land Use Planning is mandated by the State of California, and has multiple components including long-range or comprehensive planning, current planning or development review, and environmental compliance with the California Environmental Quality Act. Land Use Planning processes are regulated by California law.

State law mandates that specific components are addressed within any comprehensive plan. These are termed "Plan Elements". The required Plan elements include:

Land Use	Open Space
Circulation	Noise
Housing	Safety
Conservation	

The Town's existing General Plan addresses all of these components and other local considerations. It should be noted that the Housing Element must be updated every eight years. The current Housing Element for the Town was approved by the Town Council on September 15, 2009, and the next update is mandated by October 2013. The Housing Element update is included in the overall General Plan Update discussed below.

State Law permits the General Plan mandated Elements to be amended up to four times annually. The Town has approved seventeen General Plan Amendments since incorporation. Two were approved prior to the adoption of the current General Plan. There were no General Plan Amendments during this reporting period.

General Plans are dynamic documents, and need to be evaluated regularly in terms of changing views, desires, strategies, and overall effectiveness. It has been noted by the State Office of Planning and Research (OPR) that the Town of Yucca Valley has not

completely revised the General Plan in more than 10 years. This information is provided to the State Attorney General by OPR.

This report does not discuss every component of each Element, but it gives insight into general land use activity, and overall General Plan implementation.

GENERAL PLAN UPDATE:

General Plans are dynamic documents, and need to be evaluated in terms of changing views, desires, strategies, and overall effectiveness on a regular basis. It has been noted by the State office of Planning and Research that the Town of Yucca Valley has not completely revised the General Plan, in its entirety, in more than 10 years. This information is provided to the Attorney General of the State of California; but it does not mean that the Plan is out of date or ineffective.

The Town Council authorized a comprehensive General Plan update in February of 2011. The Town and the selected consultant, The Planning Center, have been working since the initial public outreach kickoff in August 2011 on this important update. Twelve public outreach meetings have been held soliciting input from the community. "Open Town Hall" was launched to help engage and communicate with residents and interest groups that may not be able to attend public meetings. A community profile has been created and is available for viewing and purchase on the Town's website. You may visit our website for the latest information at: <http://www.yucca-valley.org/departments/gpu.html>;

The following are the outreach meetings the Town has held:

- Concert in the Park, August 2011
- Youth Commission Visioning, October 17, 2011
- Community Workshops, August 25 and 26 2012
- Community Workshop-East End Focus, May 4, 2012
- Community Workshop-Mid Town Focus, May 5, 2012
- Planning Commission-Parks, Recreation, & Cultural Commission Workshop May 8, 2012
- Planning Commission-Council Land Use Plan Review June 26, 2012
- GPAC Meeting-Safety Element November 14, 2012
- GPAC Meeting-Housing Element, December 12, 2012
- Planning Commission-Council Housing Element, December 12, 2012
- GPAC Meeting-Open Space and Conservation, February 13, 2013

The General Plan Advisory Committee (GPAC) has been formed. The GPAC reviewed the Draft Safety Element on November 14, 2012, the Draft Housing Element on December 12, 2012, and the Draft Open Space and Conservation Element on February 13, 2012. The Planning Commission recommended and Town Council authorized submittal of the Housing Element to State HCD on December 18, 2012 or initial technical review. The Town has received minor comments back from the State on the draft document and is working to address these issues.

The remaining overall schedule for the Town's General Plan Update is outlined below.

Draft Elements complete by March 31, 2013;
Draft EIR released July 2013
Adoption: September/October 2013

DEVELOPMENT CODE UPDATE:

The Development Code and other regulations play a critical role in implementing the goals, policies, and programs of the General Plan; Specific Plans provide more detailed goals, policies and programs for a more limited, specifically-defined area within the Town's corporate limits.

A complete update of the Development Code is currently underway, and it is anticipated that the updated Development Code will be adopted in the summer of 2013.

GENERAL LAND USE ACTIVITY

The following were major projects submitted and approved during 2011 calendar year:

Southern California Gas, CUP 01-12 - Submitted on June 18, 2012, this project is to convert an existing 6,665 square foot building to an administrative /maintenance facility for Southern California Gas Company. The property is 1.9 acres and is zoned Service Commercial (C-S). The project includes an administrative office, warehouse and the outside storage of utility vehicles, utility pipes, non-flammable, flammable and compressed natural gas bottles and miscellaneous items. The project is located at 7230 Pioneertown Road, and is identified as APN 594-061-08.

Metro PCS, CUP 02-12, - Submitted on August 28, 2012, this project consists of an unmanned wireless facility designed to look like a boulder, standing at approximately 9'. Equipment will be placed in a 14' x 22', 308 square foot block enclosure will be approximately 30' in overall height, less than the maximum permitted in this land use district but taller than the surrounding trees and homes. The project is located approximately 400 feet +/- west of Rockaway Ave, north of the existing High Desert Water District tank and identified as APN 585-301-32.

There were no General Plan amendments requested or approved during 2012. The chart below lists the General Plan Amendments that have been requested since incorporation:

General Plan Amendments Since Incorporation				
DATE	CASE NO.	APPLICANT	PROJECT DESCRIPTION	STATUS
8/23/1993	GPA-01-93	KenLar Construction	Rezone from 4MRM to CO,	Approved
11/3/1993	GPA 02-93	Town of Yucca Valley	Rezone from RS18m to IN	withdrawn
11/3/1993	GPA 03-93		Rezone from RM4M to CO,	Approved
10/24/1996	GPA-01-96	Town of Yucca Valley	Section 11 Annexation	Approved
2/16/1999	GP-01-99	Banks Vaughn		Denied
2/15/2000	GPA 01-00	Town of Yucca Valley	Housing Element Update	Approved
05/30/2001	GPA 01-01	Leon Strand	Rezone R-HR to RL-5	Approved
06/14/2001	GPA 02-01	Barton Pedersen	Rezone R-HR to RL2.5	Approved
09/06/2001	GPA 03-01	Town of Yucca Valley	State Annual Report	Accept and file
03/07/2002	GPA 01-02	Tim Humphreville	RS -RM10 (RZ 01-02)	Denied
04/24/2002	GPA 02-02	Town of Yucca Valley	2001 Annual Report	Accept and file
02/28/2003	GPA 01-03	Bill Scholar	Rezone CG to RM	Approved
05/07/2003	GPA 02-03	Cole Stillwell	Rezone RL to CG	Approved
02/25/2004	GPA-01-04	Danmark Dev	Rezone RS-2 to RS-3.5	Approved
	GPA 02-04	Town of Yucca Valley	Rezone RL-1 to RS-3.5	Approved
12/08/2004	GPA-01-05	TYV	Land use designation changes	Approved
04/07/2005	GPA 02-05	Neighborhood Housing Group	Rezone RL-1 to RM-8	Approved
07/11/2005	GPA 03-05	Century Homes		withdrawn
08/10/2005	GPA-04-05	Randy Werner	Rezone R-HR to RL-5	Approved
03/10/2006	GPA-01-06	Bill Shack	Rezone RL-5 to RS-3.5	Approved
12/07/2006	GPA-02-06	Specialty Homes	Rezone	Approved
12/13/2006	GPA-03-06	Nickolas Ventures	Rezone to RM -10	withdrawn
	GPA 01-07	TYV	Old Town Specific Plan	Approved
12/18/2007	GPA 02-07	Chris Paolini	Rezone RL-1 to RS-2	Approved
03/20/2008	GPA 01-08	Curtis McGrew	Rezone R-HR to RL	Approved
01/19/2009	GPA 01-09	Town of Yucca Valley	Housing Element Update	Approved

Coinciding with the national housing market conditions, the Town did not receive any tentative tract map applications in 2012.

The following chart shows the tentative tract maps that have been approved since incorporation. Those with an asterisk have proceeded through the final map process and

been recorded.

SYNOPSIS OF TENTATIVE TRACT MAPS

APPLICATION DATE	CASE NO.	APPLICANT	LOCATION	TOTAL# OF LOTS	# OF VACANT LOTS
APPROVED PROJECTS					
02/28/2003	TM 16471*	Bill Scholar	Desert Vista Village E. of Palm, S of Pine	106	83
09/05/2003	TM 16649	40 Villas LP	NE corner of Camino del Cielo and Martinez	34	34
02/25/2004	TM 16587*	Danmark Development	S of Mountain View between Acoma and Church	57	48
04/01/2004	TM 16786*	De Silva	Vera Lane west of Joshua Lane	4	4
04/16/2004	TM 16957*	Bob Stadum	E side of Acoma 1 parcel N of Joshua Drive	34	34
09/13/2004	TM 16787	Rondel Ent.	W of SR247 S of Castro	54	54
09/13/2004	TM 16733	Arthur Schultz	S of Santa Barbara E & W of Indio	17	17
10/29/2004	TM 17240*	Leon Strand	Santa Barbara between Balsa and Emerson	4	3
12/13/2004	TM 17328*	Yucca Estates	SW corner of Yucca Tr. And Emerson	17	17
06/14/2005	TM 17633	Burnt Mtn Haciendas	SW corner of Palomar and Onaga	61	61
01/27/2006	TM 17476	SILVATEX,INC	N of Paxton 1 parcel E of Imperial	43	43
08/22/2006	TM 18011	Specialty Homes	SE Corner of Cholla Ave. and Joshua Dr.	8 1 remain	8
03/10/2006	TM 17862	Copper Hills Homes	NE corner of Sage Ave and San Andreas	107	107
06/15/2007	TM 17985	Fred Golestani	NE corner of Palomar Ave and Juarez Dr	20	20
12/18/07	TM 18418	Pueblo Mesa	NE corner of Sage Ave and Golden Bee Drive	142	142
12/23/2009	TM18773	Beverly Lucas	SW corner of Cholla Ave and Carlyle Dr.	60	60
		TOTAL # OF APPROVED LOTS		768	
		TOTAL # OF VACANT LOTS			735

Since incorporation there have been six tract maps that have recorded. They are:

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Tract Map 16471 Desert Vista Village 2. Tract Map 16587 Mesquite 55 3. Tract Map 16786 Da Silva | <ol style="list-style-type: none"> 4. Tract Map 16957 Living Space 5. Tract Map 17240 Strand 6. Tract Map 17328 Yucca Valley Estates |
|--|---|

The following chart shows all of the Tentative Parcel Maps that have been approved since incorporation:

SYNOPSIS OF TENTATIVE PARCEL MAPS

APPLICATION DATE	CASE NO.	APPLICANT	LOCATION	TOTAL # OF LOTS	# OF VACANT LOTS
APPROVED PROJECTS					
08/24/1992	PM 14325	Leonard Malin	SW corner Sunnyslope Dr and Warren Vista Ave	2	1
10/26/1993	PM 14602	Robert Smith	SE corner of Yucca Tr and Valley Vista Ave	3	2
08/24/1994	PM 14722	Alan Petty	SW corner Dulce Ave and Santa Barbara Dr	4	4
10/27/1998	PM 15202	Tom Humphreville	NW corner Country Club Rd and Quemada Tr	2	0
05/30/2001	PM 15708	Leon Strand	SE corner Balsa Ave & Terbush	4	
04/05/2004	PM 16561	Copper Hill Homes	W side of Selecta Ave N of Juarez Dr	2	0
12/10/2004	PM 17012	Andora Sprecher	SW corner Jemez Tr and Mountain View Tr	4	4
03/24/2005	PM 17093	Paul Cook/Jean Smith	SW corn Cortez and Dulce	4	4
06/28/2005	PM 17221	Ted Philips/Janet Grace	NE corner Warren Vista and Santa Barbara	4	4
06/20/2006	PM 18056	Mark Melby	NE corner of Cholla Ave and Buena Vista Dr	4	4
08/15/2006	PM 18321	Marcos Ocequeda	Borrego Tr and Papago Tr	2	2
09/25/2006	PM 18009	Robert & Amelia Smith	SW corner Yucca Tr and Valley Vista	2	2
10/06/2006	PM 17784	Phyllis Haley	corner of Balsa Ave and Vaduz Ave	2	2
03/06/2007	PM 18349	Dawn Rowe	NE corner Emerson Ave and Vera Lane	2	2
04/20/2007	PM 18472	Steve Inverno	NW corner Camino Del Cielo and Onaga Tr	2	2
06/01/2007	PM 18759	Helen Holloway	S of Griffis Rd, east and west of SR 247	2	2
09/27/2007	PM 18818	Curtis McGrew	7953 Valley Vista	2	1
03/20/2008	PM 18967	Curtis McGrew	south end of Valley Vista, east side of street	4	3
07/07/11	PM19288	Mark Stevens	7090, 7110, 7140 Plasse	3	0
			TOTAL # OF APPROVED LOTS	54	
			TOTAL # OF VACANT LOTS		39

COMPREHENSIVE GENERAL PLAN LAND USE ELEMENT
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The Land Use Element is interconnected to all other elements of the General Plan, affecting the need for resources, infrastructure, jobs, housing, public services and facilities. The purpose of the Land Use Element is to provide a comprehensive depiction of land use allocation and distribution throughout Town. The Land Use Element is commonly emphasized, due to its ties with all other Elements of the General Plan.

An on-going program of the Land Use Element is maintaining the zoning map consistent with the General Plan Map land use map and updating simultaneously with each General Plan land use Amendment. During the last reporting period, there were no General Plan Amendments. As indicated under the General Land Use Activity section, there have been only seventeen General Plan Amendments since incorporation; two of these were approved prior to the adoption of the current General Plan. The requests were received in 1993, 1996, 2001, 2003, 2004, and 2005, 2006, 2007, 2008 and 2009.

It has been recognized by the Town and mentioned in previous updates that there are areas within the Town currently zoned R-L-1 and R-L-2.5 that are problematic for infill development or additions to existing structures. Within these specific areas, it is very difficult to meet setback requirements for a home sized typical to the area. As the Town moves forward with the General Plan and Development Code Updates, it is anticipated that these areas will be evaluated and appropriate changes will be made.

Yucca Valley does not typically experience a high level of development from large-scale projects and continues to have a slower growth rate in comparison to other southern California communities. This fact is highlighted by the fact that approximately 1,757 single-family residential dwellings have been permitted in the Town over a 20 year period (June 1992 to December 31, 2012). In addition the California Department of Finance estimates the population change between January 1 2011 and January 1, 2012 at 0.7%. This slow growth rate is due to the economy, and the fact that Yucca Valley is a bedroom community to the Coachella Valley as well as a retirement community. Only during 2002-2006 was there a substantial increase in single family residential construction. For Calendar year 2012 no new single family homes were permitted. The Southern California Association of Governments (SCAG) through their RHNA process is projecting a one percent grown rate for the Town of Yucca Valley over the next 22 years.

COMPREHENSIVE GENERAL PLAN HOUSING ELEMENT

HISTORICAL HOUSING UNITS:

The purpose of the Housing Element is to provide a comprehensive understanding of the housing needs and to set policies and programs that will enable the Town to reach its defined housing goals. Housing goals are based on a Regional Housing Needs Assessment (RHNA), developed by the Southern California Council of Governments

(SCAG). The following identifies the RHNA allocation to the Town of Yucca Valley for the next SCAG planning period.

2014-2021 RHNA:

<u>Income Category</u>	<u>Number of Units</u>
Lower Income:	358
Moderate Income:	172
<u>Above Moderate Income:</u>	<u>400</u>
Total	930

The following chart lists the numbers of single and multi-family building permits issued during the fiscal years listed.

	SFR	MFR
91-92	16	
92-93	31	
93-94	13	
94-95	24	
95-96	11	
96-97	6	
97-98	21	
98-99	44	
99-00	54	
00-01	82	
01-02	118	
02-03	188	
03-04	353	4
04-05	384	4
05-06	244	13
06-07	99	2
07-08	36	2
08-09	7	0
09-10	11	0
10-11	2	0
11-12	13	0
12-13	0	0

As the above chart shows, the number of new single building permits peaked in the 2004-2005 fiscal year and has been in decrease each year since.

Specific actions and expenditures during this reporting period include the following.

LEASE OF AGENCY DUPLEXES:

The Yucca Valley Successor Agency continued to lease the five existing duplex structures to Unity Homes. The duplexes provide housing to ten very low and low to moderate income families. Presently eight units are occupied.

SENIOR HOUSING PROJECT:

The Town approved the Yucca Valley Senior Housing project on May 17, 2011. The project received tax credits in fall of 2012. Building plans are currently being reviewed and construction is expected in spring of 2013.

REVIEW OF GOVERNMENTAL CONSTRAINTS ON HOUSING:

The Town of Yucca Valley has relatively low constraints on housing. This fact is exemplified by the following.

1. Single family residential development requires no architectural review, or any other governmental process, other than the standard Building & Safety Plan Check and field inspection process;
2. The building permit and plan check fees were increased in March 2005 which had not been amended since incorporation of the Town of Yucca Valley in 1991. Per square foot residential valuation remains \$55.18 per square foot for living area.
3. There are no constraints that hinder the development and construction of affordable housing within the Town of Yucca Valley.
4. Repair and rehabilitation of housing units within the Town is not regulated, except through the Uniform Building Codes. There is no requirement for architectural review, design review, or any other entitlement process for the repair and/or rehabilitation of housing units within the Town.
5. Architectural/Site Review processes are included within the entitlement process for new multi-family development projects, and no additional time frames or costs are associated with review of these projects
6. Standard building plans are reviewed within ten business days. Engineered plans may take up to 15 business days to review.
7. The Town Council has reduced the impact fee for all new Infill Single Family Residences to \$2,569.

During the reporting period, issues remained regarding the continued use of septic systems and their impact on water quality. Discussions have continued to take place between the Hi-Desert Water District, Regional Water Quality Board, and the Town. The Regional Water Quality Board has required that Phase One be operational by 2016. The Hi Desert Water District is working to meet this goal. In the interim the Regional Board has relaxed some requirements for package treatment plants, which may make it more appealing for new development to come to Yucca Valley.

REGIONAL HOUSING NEEDS BY INCOME:

The Town of Yucca Valley uses Department of Housing and Urban Development income criteria for San Bernardino County area in determining eligibility for affordable housing programs.

San Bernardino County Income Limits										
FY 2012 Income Limit Area	Median Income	FY 2012 Income Limit Category	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
San Bernardino County	\$63,300	Very Low (50%) Income limit	\$23,450	\$26,800	\$30,150	\$33,500	\$36,200	\$38,900	\$41,550	\$44,250
		Extremely Low (30%) Income limit	\$14,100	\$16,100	\$18,100	\$20,100	\$21,750	\$23,350	\$24,950	\$26,550
		Low (80%) Income Limit	\$37,550	\$42,900	\$48,250	\$53,600	\$57,900	\$62,200	\$66,500	\$70,800

The Town of Yucca Valley’s adopted and State approved Housing Element indicates the Town’s share of regional housing needs is outlined as follows. The Town has updated its Housing Element, which was approved by the Town Council on September 15, 2009. As part of the updated Housing Element the RHNA numbers are listed below. The housing needs figures below reflect the figures for the current SCAG/SANBAG planning period, which expires 2014.

<u>Income Category</u>	<u>Number of Units</u>
Extremely Low	280
Very low Income:	280
Low Income:	399
Moderate Income:	474
Above Moderate Income:	1,076
Total	2,509

For the 2012 (calendar year) review period, no building permits for single family units or multifamily units were issued.

ACTIONS TO IMPLEMENT THE GENERAL PLAN ELEMENTS:

During the reporting period, development proposals of all types have been reviewed and conditioned so they conform to applicable policies of the Comprehensive General Plan.

CONCLUSION:

The Development Code is the primary tool for implementing the General Plan. At the May 26, 2009 Town Council meeting authorization was given to begin the process of a Development Code Update. A consultant has been selected and a community survey conducted. Staff has reviewed the draft code and has scheduled a meeting with the Planning Commission on February 26, 2013.

It is a goal of the Town to establish a safe, attractive community with appropriate infrastructure for area residents, business owners, and visitors. With proper tools, this goal is attainable.

END OF ANNUAL REPORT

ANNUAL ELEMENT PROGRESS REPORT *Housing Element Implementation*

(CCR Title 25 §6202)

Jurisdiction Town of Yucca Valley
Reporting Period 1/1/2012 - 12/31/2012

**Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant
to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

**Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)**

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Town of Yucca Valley							7. Number of infill units*
	Reporting Period	1/1/2012 -	12/31/2012	1.	2.	3.	4.	
		Single Family	2 - 4 Units	5+ Units	Second Unit	Mobile Homes	Total	
No. of Units Permitted for Moderate	0	0	0	0	0	0	0	0
No. of Units Permitted for Above Moderate	0	0	0	0	0	0	0	0

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Town of Yucca Valley
 Reporting Period 1/1/2012 - 12/31/2012

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.	RHNA Allocation by Income Level										Total Units to Date (all years)	Total Remaining RHNA by Income Level		
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 9				
Very Low	Deed													560
	Restricted Non-deed restricted													
Low	Deed													399
	Restricted Non-deed restricted													
Moderate	Deed													474
	Restricted Non-deed restricted													
Above Moderate		147	73	24	4	8	12	0					808	
Total RHNA by COG. Enter allocation number:		147	73	24	4	8	12	0					2,241	
Total Units		147	73	24	4	8	12	0					268	
Remaining Need for RHNA Period		▶	▶	▶	▶	▶	▶	▶	▶	▶	▶	▶		

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Town of Yucca Valley
Reporting Period 1/1/2012 - 12/31/2012

Table C
Program Implementation Status

Program Description (By Housing Element Program Names)	Objective	Timeframe in H.E.	Status of Program Implementation
Program 1.A	Maintain the Home Improvement Program for low/very low income households to encourage rehab of 120 existing housing units.	Ongoing	With the elimination of the RDA by the State this program will need to be evaluated as part of the General Plan Update process.
Program 1.B	All applicable codes enforced to keep existing units in good repair	Immediate, ongoing	This is monitored through Code Enforcement and determination is made on a case by case basis.
Program 1.C	Continue to ID neighborhoods with substandard infrastructure and quantify for improvements	Ongoing	The Town has continued to maintain a 5 year Capital Improvements program which identifies allocation of financial resources to infrastructure improvements Town wide.
Program 2.A	Maintain and update inventory of all land suitable for residential development	Annually	The Town continues to maintain the Zoning and General Plan Maps. Further a table is maintained which has an inventory of all General Plan Amendments and tabulates the acreage changes. Table III-14 in the GP Housing Element lists the vacant high density land inventory within the Town Boundaries.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Town of Yucca Valley

Reporting Period 1/1/2012 - 12/31/2012

Program 2.B	Maintain land use zoning designations in General Plan and zoning maps that allow different housing types consistent with low density rural character of the Town	Ongoing	The Town continues to maintain the Zoning and General Plan Maps. The Towns Development Code and General Plan provide for a wide variety of housing types. These include 1 dwelling unit per 20 acres (Rural Hillside Reserve) up to 40 units per acre in the Old Town OTSP (OTMU). These designations allow for higher densities in appropriate areas along the highway and more rural type development as you move away from the Highway.
Program 2.C	RDA to establish lot consolidation for the OTSP area	2010-2011, annually thereafter	With the elimination of the RDA by the State this program will need to be evaluated as part of the General Plan Update process.
Program 2.D	Monitor capacity of all Specific Plan lands in Inventory (table III-14) to assure sufficient capacity of the Town's lower income need remains	Annually	There has been no development within the OTSP boundaries resulting in the elimination or reduction of affordable housing.
Program 2.E	Incentives development in the OTSP	Ongoing	With the elimination of the RDA by the State this program will need to be evaluated as part of the General Plan Update process.
Program 3.A	Town's Density Bonus Ordinance shall be updated and maintained current with State Requirements	2008-2009, Ongoing	The Town is currently updating the Development Code. The density bonus ordinance will be updated with the development code while the policies will be updated with the General Plan. These will be included as part of these updates.

ANNUAL ELEMENT PROGRESS REPORT *Housing Element Implementation*

(CCR Title 25 §6202)

Jurisdiction Town of Yucca Valley

Reporting Period 1/1/2012 - 12/31/2012

<p>Program 3.B</p>	<p>Continue coordination with San Bernardino County Housing Authority(SBCHA) to ensure section 8 housing assistance and HOME rental property rehabilitation programs within the Town are actively pursued.</p>	<p>Ongoing</p>	<p>In the absence of the RDA, the Town is continuing to coordinate closely with the SBCHA for current HOME funds that are available for construction of new affordable units. The RDA had entered into an exclusive negotiating agreement(ENA) with a private developer for the construction of up to 75 affordable units, and the developer will be applying for San Bernardino County HOME funds for the project. The Town will continue to work to provide affordable units to the community. The project received tax credits in Fall of 2012. Building Plans have been submitted to the Town for this project and construction is anticipated this spring.</p>
<p>P. 34 Program 3.C</p>	<p>Work with private organizations in assisting with housing for handicap residents.</p>	<p>Ongoing</p>	<p>There have been no requests received for assistance with housing for handicapped residents.</p>
<p>Program 3.D</p>	<p>Continue to support and assist in enforcing the provisions of the Federal Fair Housing Act</p>	<p>Ongoing</p>	<p>Any complaints the Town receives are forwarded to the County for their consideration. Town Code enforcement also addresses service requests regarding the condition of housing units and take appropriate action to ensure the upgrade of substandard units.</p>
<p>Program 3.E</p>	<p>Continue working with SBCHA to encourage the development of 11 acres owned by the Housing Authority in Town for affordable housing.</p>	<p>Ongoing</p>	<p>There have been no applications received for the development of a County affordable housing project received by the Town.</p>
<p>Program 3.F</p>	<p>Amend the Development Code to allow Homeless shelters by right, with approval of a Site Plan Review, in the Industrial or Public/Quasi Public zoning Designations</p>	<p>2008-2009</p>	<p>The Town is currently updating the Development Code. This will be included in the Update.</p>

ANNUAL ELEMENT PROGRESS REPORT *Housing Element Implementation*

(CCR Title 25 §6202)

Jurisdiction	Town of Yucca Valley	
Reporting Period	1/1/2012 -	12/31/2012
Program 3.G	<p>The RDA shall establish a program of incentives for the Development of housing for extremely low and very low income residents to include application fee waivers, plan check fee waivers, and financial assistance with infrastructures improvements.</p>	<p>2008-2009</p>
P. 35 Program 3.H	<p>Consistent with Government Code Section 65583 the Development Code Shall be amended to define Single Room Occupancy, to allow as Conditionally Permitted in the Industrial Zone and transitional/supportive housing shall be subject to only those restrictions that apply to other residential uses in the same zone.</p>	<p>2008-2009</p>
Program 3.I	<p>The Development Code shall be clarified to state handicapped ramps are permitted in front, side and rear setbacks of any residential structures.</p>	<p>2010-2011</p>
Program 4.A	<p>Expedientiously calculate and allocate Housing set-aside funds to affordable housing programs.</p>	<p>Annually</p>
	<p>In the absence of the RDA, the Town is continuing to coordinate closely with the SBCCHA for current HOME funds that are available for construction of new affordable units. The RDA had entered into an exclusive negotiating agreement(ENA) with a private developer for the construction of up to 75 affordable units, and the developer will be applying for San Bernardino County HOME funds for the project. The Town will continue to work to provide affordable units to the community.</p>	<p>The Town is currently updating the Development Code. This will be included in the Update.</p>
	<p>The Town is currently updating the Development Code. This will be included in the Update.</p>	<p>The Town is currently updating the Development Code. This will be included in the Update.</p>
	<p>The Towns finance division allocates all LMI set aside funds to an account that it restricted to expenses for the preservation or construction of affordable housing units.</p>	<p>The Towns finance division allocates all LMI set aside funds to an account that it restricted to expenses for the preservation or construction of affordable housing units.</p>

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Town of Yucca Valley	Reporting Period	1/1/2012 - 12/31/2012
Program 4.B		The RDA will develop program(s) for the development of new residential units for very low households and assign set-aside funds for these units.	2009-2010 In the absence of the RDA, the Town is continuing to coordinate closely with the SBCHA for current HOME funds that are available for construction of new affordable units. The RDA had entered into an exclusive negotiating agreement(ENA) with a private developer for the construction of up to 75 affordable units, and the developer will be applying for San Bernardino County HOME funds for the project. The Town will continue to work to provide affordable units to the community.
P. 36 Program 4.C		Assist developers in preparation of applications for State and Federal housing grants and loans(HOME/LMI Tax credit) as available.	Ongoing No requests were received this year. However last year the Town assisted Highland Property Development LLC, in preparation of their applications for the California Tax Credit Allocation Committee. The project consisted of 83 affordable units. The Town is coordinating closely with the SBCHA for current HOME funds that are available for construction of new affordable units. The RDA had entered into an exclusive negotiating agreement(ENA) with a private developer for the construction of up to 75 affordable units, and the developer will be applying for San Bernardino County HOME funds for the project. The project received tax credits in Fall of 2012. Building Plans have been submitted to the Town for this project and construction is anticipated this spring.
Program 4.D		Continue to distribute County materials for developers and low income households which contain information on assistance in the development and rehabilitation of low income housing.	Continuous The Town provides a wide variety of handouts to assist both the citizens and development community. The Town issues requests for Proposals for an affordable housing project. This resulted in an ENA to develop a Town owned piece of property.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Town of Yucca Valley	Reporting Period	1/1/2012 - 12/31/2012
Program 4.E	Should the Town be notified of intent to sell any at risk/affordable housing developments all possible funding sources including CDBG/RDA set asides should be considered for purchase.	Continuous	The Town has and will continue monitor if any such properties are proposed to be sold.
Program 5.A	Conversion of existing mobile home parks to permanent housing will continue to be regulated by ordinance to ensure appropriate relocation plan for park residents is developed and implemented.	Ongoing	No mobile home park conversions have been proposed.
Program 6.A	Ensure that new development and rehabilitation efforts maximize energy efficiency through architectural and landscape design and the use or renewable resources and conservation.	Ongoing	New construction is required to comply with the standards set forth in the California Building Codes.
Program 6.B	Encourage the use of LEED design principles in multifamily projects.	Ongoing	No multi-family projects have been formally submitted in this review period.
Program 7.A	Maintain a Planned Development Ordinance (PRD) permit ordinance which allows flexibility in development standards.	Continuous	The Planned Development Ordinance provides for flexibility in design and helps to assist in the affordability of the units. No Planned Developments were approved this calendar year.
Program 8.A	Specific Plans shall incorporate a variety of housing types and shall include senior and affordable housing within the project.	Ongoing, as Specific Plans are submitted	The Town approved a Specific Plan for the Senior Affordable Housing project. This proposal was to allow for the construction of 75 age and income restricted units.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Town of Yucca Valley	Reporting Period	1/1/2012 - 12/31/2012
Program 8.B	Encourage infill and expansion of existing wherever possible to lower info structure costs.	Continuous	The Town has and will continue to encourage the development of infill projects. The majority of new single family residential units are in fact infill lots. Only 43 out of 1,700+ new single family residential permits issued since incorporation in 1991 were for lots in newly record tracts.
Program 8.C	Ensure that infill development occurs in areas with adequate infrastructure to support neighborhood build-out.	Continuous	The Town has and will continue to encourage the development of infill projects, in areas where infrastructure can support. The majority of new single family residential units are in fact infill lots. Only 43 out of 1,700+ new single family residential permits issued since incorporation in 1991 were for lots in newly record tracts.
Program 8.D	Promote development of mixed use projects in the OTSP area . The Town shall post Table III-14 on the Towns website as part of a page dedicated to development in the OTSP.	2008-2009, ongoing	The Town has the entire OTSP posted in its website at: http://www.yucca-valley.org/departments/otyv_sp.html
Program 9.A	Encourage multi-family rental and owner-occupied projects which construct 3 and 4 bedroom units as a substantial portion of the overall development. Larger units shall be encouraged through Town funding or bond financing.	Continuous	No multifamily units were constructed during this review period. The Town will continue to encourage this as projects are submitted.
Program 9.B.	Amend the Development Code to allow second units on single family residential lots consistent with state law.	2008-2009	The Town is currently updating the Development Code. This will be included in the Update, if required.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Town of Yucca Valley

Reporting Period 1/1/2012 - 12/31/2012

Program 10.A	Maintain the Home Rehabilitation Program to enable 10 senior residents to maintain and rehabilitate their homes. Flyers advertising the program shall be posted at various locations.	Ongoing	The Town provides a wide variety of handouts to assist the citizens of the community.
Program 10.B	Provide assistance to developers of affordable senior housing through Housing set-aside funds.	Ongoing	The Town entered into an ENA with a developer for the construction of 75 affordable senior housing units. Entitlement documents are currently in discussion.
Program 11.A	Require Specific Plan projects to develop design guidelines which provide for buffers between land uses, mall scale architecture and appropriate architecture.	Continuous	No Specific Plans were submitted or approved during this review period.
Program 11.B	Residential projects shall be required to provide bicycle and pedestrian facilities, including trails, sidewalks, benches and open space.	Continuous	The Town has an approved Trails Masterplan Map. During this review period one residential project was adjacent to a proposed bike lane. The project was conditioned to provide for this lane when construction moves forward. Additionally this project will provide sidewalks, various walking trails, open space and other amenities. An addition project was adjacent to a future horse trail and was required to provide the appropriate dedications. This Development also included large undisturbed portions and sidewalks in the more dense(1/2 acre lot) portion of the development.
Program 12.A	Require developers of affordable senior housing projects to confer with the public transit agency regarding the provision of service to the project.	Continuous	All development projects are sent to the Mórongo Basin Transit Agency for review and comment. If the Agency has any conditions those are included with the Conditions of approval for the project.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Town of Yucca Valley	
Reporting Period	1/1/2012 -	12/31/2012
Program 12.B	<p>Ensure affordable and senior housing projects are located in areas with adequate public improvements including streets and sidewalks.</p>	<p>Continuous</p>
		<p>No affordable or senior housing projects were formally submitted or approved during this review. However, as previously mentioned the Town entered into an ENA a developer for a senior housing project in an appropriate location. The location is in close proximity to the Senior Center, Museum facility, restaurants and shopping facilities.</p>

**TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES
OCTOBER 09, 2012**

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

Commissioners Present: Alberg, Bridenstine, Drozd, Hildebrand, and Chair Humphreville.

Pledge of Allegiance was led by Chair Humphreville

APPROVAL OF AGENDA

Commissioner Alberg moved to approve the agenda. Commissioner Bridenstine seconded. Motion carried 5-0-0.

PUBLIC COMMENTS

None

PUBLIC HEARING:

1. CONDITIONAL USE PERMIT, CUP 02-12 METRO PCS

Request for the Planning Commission to review the proposed construction of a wireless communication antenna disguised as a 9' tall boulder. A 308 square foot, 8' tall block enclosure will also be constructed to house the necessary equipment cabinets.

Chair Humphreville opened the public hearing.

Associate Planner Kirschmann gave staff report contained in the printed agenda and displayed a power point presentation during the discussion. The project is located approximately 400 feet west of Rockaway Ave, north of the existing Hi Desert Water District tank. The property is identified as APN's 585-301-32 and 585-401-06. Because the structure is less than 30 feet tall, the Planning Commission's action is final, unless reviewed by Town Council.

Associate Planner Kirschmann continued to describe project construction, site characteristics, and adjacent land use. The project is located within 5,000 feet of a scenic highway (29 Palms Highway) as designated in the General Plan. Special consideration must be given to these locations according to the criteria set forth in the Development Code. The proposal includes a new access road to the site. With other paved access roads in the same area, the project has been conditioned to make every effort possible to utilize the existing easement to limit the amount of disturbance required to construct the access road.

The proposed wireless facility has been designed to meet the Town of Yucca Valley’s criteria with the condition of approval, requiring that the facility include a setback area of 275 feet from property lines in accordance to Ordinance 114.

Public Comment:

Chair Humphreville opened public comment.

Todd Show, Yucca Valley spoke in opposition of the project expressing his concerns about using private property to conduct commercial business. Show asked about the number of antennas that can be placed in this location and if there have been studies done on the rays that come off of the antennas. Show stated he understands that it is a good location for the wireless companies; he is just not sure if private land should be used for this purpose. Show also expressed concern about cutting a new road through the existing lot, potentially increasing off-road traffic in this area.

Veronica Arvizu, Metro PCS Representative from Murrieta, CA spoke in favor of the project and explained the importance of using this current location to increase the coverage area.

Chair Humphreville closed public hearing.

Commissioner Hildebrand questioned if there was anything that limits the hillside use for this purpose. Deputy Town Manager Stueckle responded with an explanation that the ordinance does give guidance to minimize visual impact, and usage of residential or commercial properties. In response to comments received regarding radio frequency wave, Deputy Town Manger Stueckle explained that radio frequencies were regulated by the FCC.

Commissioner Bridenstine moved to find the project to be exempt from CEQA under Section 15322, Class 32 Infill Development and to approve the construction of a 9’ tall wireless communications tower disguised as a rock and a 308 square foot, eight foot tall block enclosure and the recommended conditions of approval. Commissioner Hildebrand seconded. Motion carried 5-0-0

CONSENT AGENDA

No items on consent

STAFF REPORTS AND COMMENTS

2. APPOINTMENT TO GENERAL PLAN ADVISORY COMMITTEE (GPAC)

A request for the Planning Commission to select one member to represent the commission on the General Plan Advisory Committee.

Associate Planner Robert Kirschmann explained the formation of the GPAC and the need for representation of the Planning Commission on this new committee.

Chair Humphreville opened nominations. Commissioner Hildebrand nominated Commissioner Bridenstine. Commissioner Drozd Seconded the nomination. Commissioner Bridenstine accepted the nomination. Chair Humphreville closed nominations. Consensus was made by the commission. Vicki Bridenstine will be the GPAC representative for the Planning Commission.

COMMISSIONER REPORTS AND REQUESTS

Chair Humphreville announced he will be unavailable for the next meeting on October 23, 2012.

FUTURE AGENDA ITEMS

ANNOUNCEMENTS

The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, October 23, 2012 at 6:00 p.m.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chair Humphreville at 6:20 p.m.

Respectfully submitted,

Lesley Copeland
Deputy Town Clerk