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
NOVEMBER 12, 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, Vice Chairman
Jeff Drozd, Commissioner
Warren Lavender, Commissioner
Steve Whitten, Commissioner

AGENDA

MEETING OF THE
TOWN OF YUCCA VALLEY PLANNING COMMISSION
6:00 P.M., TUESDAY, NOVEMBER 12, 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:

ROLL CALL:
Vickie Bridenstine, Vice Chairman
Jeff Drozd, Commissioner
Tim Humphreville, Chairman
Warren Lavender, Commissioner
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.

PUBLIC HEARINGS:

1. ENVIRONMENTAL ASSESSMENT, EA 03-13 CONDITIONAL USE PERMIT, CUP 02-13 PETER NG

Proposal to convert the garage of an existing four bedroom single family residence, currently being used as a residential care facility, into four additional bedrooms and two ADA compliant restrooms. The facility will have a maximum of 12 residents with four full time employees. This is a 24 hour per day residential care facility.

RECOMMENDATION:

ENVIRONMENTAL ASSESSMENT, EA 03-13
That the Planning Commission finds the project exempt from CEAQ under section 15301, class 1, Existing Facilities.

CONDITIONAL USE PERMIT, CUP 02-13:
That the Planning Commission approves Conditional Use Permit, CUP 02-13, based upon the findings and the Conditions of Approval

Action: Moved by_____ 2nd by _____ Voice Vote _____

2. ENVIRONMENTAL ASSESSMENT, EA 06-13 CONDITIONAL USE PERMIT, CUP 03-13 TRACTOR SUPPLY CO

Request for approval for 4,874 square feet of outdoor storage on the west side of the property and 1,621 square feet of permanent storage on the sidewalk on the south side of the building

RECOMMENDATION:

ENVIRONMENTAL ASSESSMENT, EA 006-13
That the Planning Commission finds the project exempt from CEAQ under section 15301, class 1, Existing Facilities.

CONDITIONAL USE PERMIT, CUP 03-13:
That the Planning Commission approves Conditional Use Permit, CUP 03-13, based upon the findings and the Conditions of Approval

CONSENT AGENDA:

3. **MINUTES**
   A request that the Planning Commission approve as submitted the minutes of the meeting held on August 13, 2013.

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.

STAFF REPORTS AND COMMENTS:

FUTURE AGENDA ITEMS:

COMMISSIONER REPORTS AND REQUESTS:

Commissioner Drozd
Commissioner Lavender
Commissioner Whitten
Vice Chairman Bridenstine
Chairman Humphreville

ANNOUNCEMENTS:

The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, November 26, 2013

ADJOURN

Planning Commission: November 12, 2013

TOWN OF YUCCA VALLEY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION STAFF REPORT
PETER NG

Case: ENVIRONMENTAL ASSESSMENT, EA 03-13
CONDITIONAL USE PERMIT, CUP 02-13, PETER NG

Request: REQUEST FOR APPROVAL TO CONVERT THE GARAGE OF AN EXISTING FOUR BEDROOM SINGLE FAMILY RESIDENCE, CURRENTLY BEING USED AS A RESIDENTIAL CARE FACILITY, INTO FOUR ADDITIONAL BEDROOMS AND TWO ADA COMPLIANCE RESTROOMS. THE FACILTY WILL HAVE A MAXIMUM OF 12 RESIDENTS WITH FOUR FULL TIME EMPLOYEES. THIS IS A 24 HOUR PER DAY RESIDENTIAL CARE FACILITY.

Applicant: PETER NG
168 TERRACE DRIVE
OREGON CITY, OR 97045

Property Owner:
STEVE AND JENNIFER PARK
2260 LORAIN RD
SAN MARINO, CA 91108

Representative:
TERESA YIP
168 TERRACE DRIVE
OREGON CITY, OR 97045

Location: THE PROJECT IS LOCATED AT 8980 JOSHUA LANE AND IS FURTHER IDENTIFIED AS APN: 589-331-03.

Existing General Plan Land Use Designation:
THE SITE IS DESIGNATED RURAL LIVING ONE ACRE MINIMUM (RL-1)

Existing Zoning Designation:
THE SITE IS DESIGNATED RURAL LIVING ONE ACRE MINIMUM (RL-1)

Surrounding General Plan Land Use Designations:
NORTH: RURAL LIVING
SOUTH: RURAL LIVING
WEST: RURAL LIVING
EAST: RURAL LIVING

Division Approvals:
Engineering _____ Building & Safety _____ Public Works_____

Surrounding Zoning Designations:

NORTH: RURAL LIVING ONE ACRE MINIMUM (RL-1)
SOUTH: RURAL LIVING ONE ACRE MINIMUM (RL-1)
WEST: RURAL LIVING 2.5 ACRE MINIMUM (RL-2.5)
EAST: RURAL LIVING ONE ACRE MINIMUM (RL-1)

Surrounding Land Use:

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

THE PROJECT WAS REVIEWED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). THE PROJECT IS EXEMPT FROM CEQA UNDER SECTION 15301, CLASS 1, EXISTING FACILITIES.

OUTSIDE AGENCIES COMMENTS RECEIVED

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT:
A letter was provided dated October 17, 2013 indicating that a "Notification of Demolition/Renovation" shall be submitted for the demolition of any load bearing wall or foundation.

SAN BERNARDINO COUNTY DEPT OF PUBLIC WORKS:
An email was provided on October 16, 2013 indicating that SB County Public Works does not have any comment on the project.

DEPARTMENT OF TRANSPORTATION
A letter was provided dated October 23, 2013 indicating that the project does not have any impacts to the State Highway System.

REGIONAL WATER QUALITY CONTROL BOARD
An e-mail was received on October 28, 2013 requesting that the size of the septic tank be reviewed.

COPIES OF ALL LETTERS ARE INCLUDED IN THE PACKET.

RECOMMENDATIONS:

ENVIRONMENTAL ASSESSMENT, EA 03-13
That the Planning Commission finds the project exempt from CEAQ under section 15301, class 1, Existing Facilities.

CONDITIONAL USE PERMIT, CUP 02-13:
That the Planning Commission approves Conditional Use Permit, CUP 02-13, based upon the findings and the Conditions of Approval.

As of the writing of this staff report, the Town has received one letter in opposition to the project. A copy of the letter is included with the staff report.

Appeal Information:

Actions by the Planning Commission, including any finding that a negative declaration be adopted, may be appealed to the Town Council within 10 calendar days. Appeal Application filing and processing information may be obtained from the Planning Division of the Community Development Department. Per Section 83.030145 of the Development Code, minor modifications may be approved by the Planning Division if it is determined that the changes would not affect the findings prescribed in Section 83.030140 of the Development Code, Required Findings, and that the subject of the proposed changes were not items of public controversy during the review and approval of the original permit, including modifications to phasing schedules for the project.

I. GENERAL INFORMATION

PROJECT DESCRIPTION. The applicant is requesting approval to convert the garage of an existing four bedroom single family residence, currently being used as a residential care facility, into four additional bedrooms and two ADA compliant restrooms. The facility will have a maximum of 12 residents with four full time employees. This is a 24 hour per day residential care facility. The facility will house seven ambulatory and five non-ambulatory patients. Non ambulatory is defined as "a person who is unable to leave a building unassisted under emergency conditions."

LOCATION: The project is located at 8980 Joshua Lane and is further identified as APN: 589-331-03

PROJECT SYNOPSIS:	SITE COVERAGE
PROJECT AREA	1.58 acres
GARAGE CONVERSION	869 square feet
PHASED CONSTRUCTION:	No
FLOOD ZONE	Map 8860 zone D, areas in which flood hazards are undetermined, but possible
ALQUIST PRIOLO ZONE	No
OFF-SITE IMPROVEMENTS REQ.	No
ASSESSMENT DISTRICTS REQ.	No
RIGHT-OF-WAY DEDICATION REQ.	No
UTILITY UNDERGROUNDING:	All new service lines shall be underground in conformance to Ordinance No. 233, or as amended by the Town Council
AIRPORT INFLUENCE AREA:	Located outside the Airport Influence area.
TRAILS & BIKE LANE MASTER PLAN	No facilities on or adjacent to the project.
PUBLIC FACILITY MASTER PLAN	No facilities on or adjacent to the project.

PARKS AND RECREATION MASTER PLAN	No public facilities are identified for this site.
MASTER PLAN OF DRAINAGE:	No facilities on or adjacent to the project,
EROSION AND SEDIMENT CONTROL PLAN REQUIRED	No
STREET LIGHTS:	No
SPECIFIC PLAN/ PLANNED DEVELOPMENT AREA:	No
FUTURE PLANNING COMMISSION ACTION REQURIED	No
FUTURE TOWN COUNCIL ACTION REQURIED	No

II. PROJECT ANALYSIS

ADJACENT LAND USES: The project site is surrounded by single family residences and vacant lands. The surrounding properties to the north, south and east are between 1.25 and 1.75 acres. To the west is a 20 acre vacant parcel. Surrounding General Plan and Zoning designations are Rural Living 1 acre minimum to the north, south and east. The General Plan and Zoning designation of the property to the west is Rural Living 2.5 acre minimum.

SITE CHARACTERISTICS: The property is developed with a single family residence of approximately 4900 square feet, with an attached garage of 869 square feet and covered patios of 1351 square feet. A gazebo of 180 square feet and a swimming pool have also been constructed on the property.

The project site is a level lot and the residence is constructed in the center of the property. The property is surrounded by a block wall and wrought iron fence on the front portion of the property and a 6' block wall around the rear portion of the property.

The Development Code allows for maximum 20% of the lot to be covered with building area. The site is currently developed at approximately 11% lot coverage.

PARKING: Section 87.0610 of the Development Code requires one parking space per three licensed beds in a residential care facility. Therefore, a total of four parking spaces are required for the project. The parking spaces will be located on the northeast portion of the property.

GENERAL DISCUSSION: The Town's Development Code, consistent with state law, defines a residential care facility with a maximum of six (6) clients as a residential use of property. State law requires cities and counties to treat these as a typical residential use of property. Increasing clients above six (6) provides agencies with discretion. One primary concern that must be addressed with this application, all similar applications, is the potential for "commercialization" of a residential property in a single family residential neighborhood. For this particular application, with the proposal for a maximum of 12 clients, the mandatory residential parking is eliminated and replaced with a more typical "commercial" parking lot. The facility will have full time employees, 24/7, and due to the number of clients, it is anticipated that traffic volumes or trip generation will increase above that typically associated with a single family residential structure. Commercial deliveries of food, laundry service, and emergency medical service provider vehicle trips are anticipated to be above those typically associated with a single family residential structure.

A similar project was approved by the Town a number of years ago on Mountain View Trail, between Elk and Fox, in the west end of the community. Relatively few issues, concerns or complaints have surfaced over the years from the operation of that facility. That particular neighborhood does have development patterns and higher pre-existing development density than the surrounding neighborhood for this application. That project was also adjacent to a church building that was converted to an educational institution. To address these issues, staff is recommending the following conditions of approval, P4, P5 and P6.

ENVIRONMENTAL CONSIDERATIONS:. The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15301, Class 1, Existing Facilities.

GENERAL PLAN CONSIDERATION: The project is designated Rural Living (RL). This designation provides for the development of single family residences on lots sizes between one and ten acres. It provides intermediate steps in density between typical urban densities and reserve densities, providing lots sufficient for a rural life style, animal keeping and country living.

The General Plan supports this project through the following goals and policies:

GENERAL LAND USE

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.

RESIDENTIAL

GOAL
A variety of all housing types and densities that will accommodate existing and future residents of the community.

CONCLUSION: Based upon the facts on the record, the project is consistent with the General Plan, the Development Code, and the Town's master plans. Commercial based development was anticipated and planned for on this project site with adoption of the General Plan, and the development meets and satisfies the goals, policies and implementation strategies of the General Plan. The project, as designed, meets all requirements of the Development Code and no variances or deviations from adopted standards are required for approval.

CONDITIONAL USE PERMIT FINDINGS:

1. **That the location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of the land use district in which the site is located, and the development policies and standards of the Town;**

   The site is currently developed with a single family residence of 4938 square feet and an attached garage of 869 square feet. The Development Code allows for a maximum of 20% lot coverage in the Rural Living land use district. The property is currently developed at 11% lot coverage. The existing garage will be converted to accommodate the additional bedrooms, therefore no additional square footage will be constructed. The property is located within an area of vacant lots and single family homes.

2. **That the location, size, design and architectural design features of the proposed structures and improvements are compatible with the site's natural landform, surrounding sites, structures and streetscapes;**

The property is currently constructed with a single family residence. No alterations will be made to the exterior of the structure.

3. **That the proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses;**

   The site has been developed with a single family residence. No additional square footage will be added and no alterations will be made to the exterior to change the appearance from a single family residence.

4. **That the building site and architectural design is accomplished in an energy efficient manner;**

   The site has been developed consistent with adopted set back and building height standards. No additional square footage will be constructed.

5. **That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures;**

   As outlined in the staff report and in these findings, the existing structure has been constructed consistent with Development Code standards and requirements and is consistent with surrounding development patterns.

6. **That the development proposal does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;**

   The project is located in a neighborhood of lots that are 1.25 to 1.75 acre in size. The structure is a one story single family residence that is consistent in height and scale with the other residences in the surrounding area.

7. **That the amount, location, and design of open space and landscaping conforms to the requirements of the Development Code, enhances the visual appeal and is compatible with the design and functions of the structure(s), site and surrounding area;**

8. **That quality in architectural design is maintained in order to enhance the visual environment of the Town and to protect the economic value of existing structures;**

The structure is an existing single family residence The structure is a one story single family residence that is consistent in height and scale with the other residences in the surrounding area.

9. **That there are existing public facilities, services, and utilities available at the appropriate levels and/or that new or expanded facilities, services and utilities shall be required to be installed at the appropriate time to serve the project as they are needed;**

Electrical services are provided by Southern California Edison. Natural gas services are provided to by The Gas Company. The Hi-Desert Water District (HDWD, District) serves the Town of Yucca Valley. Solid waste services are provided by Burrtec Inc. The Town of Yucca Valley requires mandatory solid waste services and the project will be served by Burrtec. Verizon facilities are not indicated on the schematic utility plan, but are available to the site.

10. **That access to the site and circulation on and off-site is required to be safe and convenient for pedestrians, bicyclists, equestrians and motorists;**

The project is proposed on a site with an existing single family residence. The project requires four parking spaces, which will be located on the northeast portion of the property.

11. **That traffic generated from the proposed project has been sufficiently addressed and mitigated and will not adversely impact the capacity and physical character of surrounding streets;**

The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15301, Existing Facilities.

12. **That traffic improvements and/or mitigation measures have been applied or required in a manner adequate to maintain a Level of Service D or better on arterial roads, where applicable, and are consistent with the Circulation Element of the Town General Plan;**

The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15332 Class 32, Infill Development. A number of special studies were submitted with the application to support the exemption and the findings. These include the following.

No negative impacts created by the project have been identified, including traffic impacts.

13. **That there will not be significant harmful effects upon environmental quality and natural resources including endangered, threatened, rare species, their habitat, including but not limited to plants, fish, insects, animals, birds or reptiles;**

    The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15332 Class 32, Infill Development.

    No negative impacts created by the project have been identified, including biological resources.

14. **That there are no other relevant or anticipated negative impacts of the proposed use that cannot be mitigated and reduced to a level of non-significance in conformance with CEQA, the California Environmental Quality Act;**

    The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15332 Class 32, Infill Development.

    No negative impacts created by the project have been identified.

15. **That the impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety and welfare of the community or be materially injurious to properties or improvements in the vicinity or be contrary to the adopted General Plan; and**

    The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15332 Class 32, Infill Development.

    No negative impacts created by the project have been identified.

16. **That the proposed development will comply with each of the applicable provisions of this code, and applicable Town policies; except approved variances.**

The project, as designed, complies with the standards and requirements set forth in the Yucca Valley Development Code and the adopted General Plan policies, as identified and set forth in this Staff Report.

Attachments:

1. Standard Exhibits
2. Application materials
3. Site Plan & Elevations
4. Agency comments
5. Section 84.0320 Rural Living District
6. Ordinance 126, Institutional Uses

TOWN OF YUCCA VALLEY
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT, CUP 02-13
PETER NG

This approval is for Conditional Use Permit, CUP 02-13 to convert the garage of an existing single family residence, currently being used as a residential care facility, into four additional bedrooms and two ADA compliance restrooms. The facility will have a maximum of 12 residents with four full time employees. This is a 24 hour per day residential care facility. This approval is valid for 12 months from Planning Commission approval.

The project is located at 8980 Joshua Lane and is identified as APN: 589-331-03.

GENERAL CONDITIONS

G1. The applicant shall agree to defend, indemnify and hold harmless the Town of Yucca Valley, its agents, officers and employees, at his sole expense, against any action, claim or proceedings brought against the Town or its agents, officers or employees, to attack, set aside, void, or annul this approval or 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. The Town shall promptly notify the applicant of any claim, action or proceedings arising from the Town's approval of this project, and the Town shall cooperate in the defense.

G2. This Conditional Use Permit shall become null and void construction has not commenced within three (3) years of the Town of Yucca Valley date of approval. Extensions of time may be granted by the Planning Commission and/or Town Council, in conformance with the Town of Yucca Valley Development Code. The applicant is responsible for the initiation of an extension request.

CUP 02-13 Approval Date:	**November 12, 2013**
Expiration Date:	**November 12, 2016**

G3. The applicant shall ascertain and comply with requirements of all State, County, Town and local agencies as are applicable to the project. These include, but are not limited to, County of San Bernardino Environmental Health Services, County of San Bernardino Transportation/Flood Control, County of San Bernardino Fire Department, Yucca Valley Building and Safety, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water Quality Control

Board, Colorado River Region, the Federal Emergency Management Agency, MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town and utility company requirements.

G4. All conditions are continuing conditions. Failure of the applicant to comply with any or all of said conditions at any time may result in the revocation of any construction permits for the project.

G5. No on-site or off-site work shall commence without obtaining the appropriate permits for the work required by the Town and the appropriate utilities. The approved permits shall be readily available on the job site for inspection by Town personnel.

G6. The applicant shall pay all fees charged by the Town as required for application processing, plan checking, construction and/or inspection. The fee amounts shall be those which are applicable and in effect at the time work is undertaken and accomplished. Fees for entitlement prior to construction permits are based on estimated costs for similar projects. Additional fees may be incurred, depending upon the specific project. If additional fees for services are incurred, they must be paid prior to any further processing, consideration, or approval(s).

G7. All improvements shall be inspected by the Town as appropriate. Any work completed without proper inspection may be subject to removal and replacement under proper inspection.

G8. All refuse shall be removed from the premises in conformance with Yucca Valley Town Code 33.083.

G9. During construction, the applicant shall be responsible to sweep public paved roads adjacent to the project as necessary and as requested by the Town staff to eliminate any site related dirt and debris within the roadways. During business activities, the applicant shall keep the public right-of-way adjacent to the property in a clean and sanitary condition.

G10. No staging of construction equipment or parking of worker's vehicles shall be allowed within the public right-of-way of streets or other public improvements that have been accepted into the Town's maintained system

G11. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB 1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a qualified licensed land surveyor or civil engineer to reset those monuments per Town Standards and file the necessary information with the County Recorder's office as required by law (AB 1414).

G12. Each phase of a phased project shall function independently of all other phases. All improvements shall be completed for each phase to ensure that each phase

functions separate from the remainder of the project, and shall include, but not be limited to, street improvements, wastewater collection, treatment and disposal, drainage and retention/detention facilities, water delivery systems, fire suppressions systems, post construction erosion and sediment control systems, all utilities necessary to serve the project, and those improvements deemed necessary by the Town. All phasing plans shall be illustrated on rough and precise grading plans, erosion and sediment control plans, all plans required for obtaining native plant plan approval, and on any other plan as deemed necessary by the Town.

G13 At least one sign per fronting street shall be posted on the site and must contain the following information: the grading permit number, the project name, map number (if appropriate), the authorized dust controller phone number(s), the Town phone number and the Mojave Desert Air Quality Management District (MDAQMD) phone number. The signs must be obtained and installed by the developer using the sample format to be provided. The signs must be present at the pre-construction meeting or the grading permit will not be issued. The Applicant must keep the contact name and phone number active and current at all times. Failure of the contact system may be considered grounds for revocation of the permit. All signs shall be a minimum of 4' x 8' in size.

G14. At the time of permit issuance the applicant shall be responsible for the payment of fees associated with electronic file storage of documents

G15. The Applicant shall reimburse the Town for the Town's costs incurred in monitoring the developer's compliance with the Conditions of Approval including, but not limited to, inspections and review of developer's operations and activities for compliance with all applicable dust and noise operations. This condition of approval is supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Yucca Valley Municipal Code.

G16. Prior to the issuance of a Certificate of Occupancy for any habitable structure in each phase of the project, all improvements shall be constructed, final inspection performed, punch-list items completed, and all installations approved by the appropriate agency.

G17. Prior to any work being performed within the public right-of-way, the Applicant shall provide the name, address, telephone, facsimile number, and e-mail address of the Contractor to perform the work. A description of the location, purpose, method of construction, and surface and subsurface area of the proposed work shall be supplied. A plat showing the proposed location and dimensions of the excavation and the facilities to be installed, maintained, or repaired in connection with the excavation, shall be provided and such other details as may be required by the Town Engineer.

G18. The site shall be developed in accordance with the approved plans on file with the Town of Yucca Valley, in accordance with the Conditions of Approval approved for the project, and in accordance with the General Plan and Development Code. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Town.

G19. Prior to issuances of building permits, all site plans, grading plans, landscape and irrigation plans, drainage/flood control plans, public improvement plans, composite development plans, erosion and sediment control plans, and assessment district plans and formations shall be coordinated for consistency with this approval.

G20. The Town Engineer may allow phased constructed of the project provided that the improvements necessary to adequately serve or mitigate the impacts of each phase of development are completed prior to the issuance of a Certificate of Occupancy for that phase.

G21. The applicant or the applicant's successor-in-interest shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust.

G22. If archaeological, paleontological or historical resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person with appropriate expertise shall be consulted by the applicant regarding mitigation measures to preserve or record the find. Recommendations by the consultant shall be implemented as deemed necessary and feasible by the Town before work commences in the affected area. If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains might be those of a Native American, the California Native American Heritage Commission shall be notified and appropriate measures provided by State law shall be implemented.

G23. All street dedications shall be irrevocably offered to the public and shall continue in force until the Town accepts or abandons such offers. All dedications shall be free of all encumbrances as approved by the Town Engineer.

G24. The street design and circulation pattern of this project shall be coordinated with adjoining developments.

G25. The final Conditions of Approval issued by the approving authority shall be photographically or electronically placed on bond (blue/black line) paper and included in the Grading and Street Improvement plan sets on 24" x 36" bond (blue/ black line) paper and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved

plans shall be available in the field and during construction. Plan check fees shall not be charged for sheets containing the Conditions of Approval.

G26. Violations of any condition or restriction or prohibition set forth in these conditions, including all approved construction plans, public and private, for this project and subject to the Town's overall project approval and these conditions of approval, shall subject the owner, applicant, developer or contractor(s) to the remedies as noted in the Municipal Code. In addition, the Town Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

G27. All property corners, logs, easements, street centerlines and curve radii shall be monumented and horizontally tied to identified control points. A copy of the monumentation survey and centerline tie notes shall be provided to the Town Engineer for approval.

G28. For any import or export of material, the applicant shall provide the route of travel, estimated cubic yards of import/export, number of trucks, daily schedule, and length of time necessary to complete the import/export of materials to/from the site. No hauling of material shall occur prior to approval by the Town Engineer.

G29. Prior to issuance of a certificate of occupancy, the applicant shall submit all improvement plans, including asbuilts, on compact disks in digital format acceptable to the Town Engineer.

PLANNING CONDITIONS

P1. The development of the property shall be in conformance with FEMA requirements and the Town's Floodplain Management Ordinance requirements. Adequate provision shall be made to intercept and conduct the existing tributary drainage flows around or through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to modifying existing facilities or by securing a drainage easement.

P2. Utility undergrounding shall be in accordance with Ordinance 233, or as amended.

P3. All exterior lighting shall comply with the Ordinance 90, Outdoor Lighting and shall be illustrated on all construction plans.

P4. This approval for a residential care facility shall be reviewed by the Planning Commission in twelve months.

P5. Required parking shall be in compliance with Ordinance 198, Parking Requirements and applicant shall submit plans for the screening of parking areas from public view.

P6.. Applicant shall record a document requiring the reconstruction of required covered parking if the facility should revert to a single family dwelling.

ENGINEERING CONDITIONS

E1. No on-site or off-site work shall commence without obtaining the appropriate permits for the work involved from the Town. The approved permits shall be readily available on the job-site for inspection by the Town personnel.

E2. All grading activities shall minimize dust through compliance with MDAQMD Rules 402 and 403.

E3. Prior to issuance of a grading permit, a Fugitive Dust and Erosion and Sediment Control Plan shall be submitted and approved by the Town Engineer. The Fugitive Dust and Erosion and Sediment Control Plan shall be illustrated on all proposed phasing for construction of the project.

E4. Prior to any work being performed in the public right-of-way, fees shall be paid and an encroachment permit shall be obtained from the Town. The Applicant shall apply for an encroachment permit from the Town for utility trenching, utility connection, or any other encroachment onto public right-of-way. The Applicant shall be responsible for the associated costs and arrangements with each public utility.

E5. Areas for construction stockpiling, equipment storage and maintenance shall be submitted to the Town Engineer for review and approval with each phase of the project.

E6. The Applicant shall restore any pavement cuts required for installation or extension of utilities for the project within the public right-of-way. In all cases where cuts are allowed, the Applicant is required to patch the cuts to Town standards and the approval of the Town Engineer. The patching shall include a grinding of the pavement to a width 4 feet beyond the edge of the trench on each side, or as determined by the Town Engineer, and replacement with a full-depth asphalt concrete recommended by the Soils Engineer.

E7. The Applicant shall install all water and sewer systems required to serve the project. All water and sewer systems shall be completed to the requirements of the Hi Desert Water District.

E8. The Applicant shall observe the construction of this project to make certain that no damage or potential for damage occurs to adjacent roadway, existing improvements, adjacent property and other infrastructure. The Applicant shall be responsible for the repair of any damage occurring to offsite infrastructure and/or property damage as determined by the Town Engineer. The Applicant shall repair any such damage prior to certificate of occupancy. If the damage is such that it is not repairable within a reasonable amount of time as determined by the Town Engineer, the Applicant may petition the Town Engineer for additional conditions that may allow him the time, amount of surety and other requirements to repair the damage.

E9. The Applicant shall be responsible for all improvements constructed within the public right-of-way as required by the conditions of approval. The improvements shall be constructed to the standards and requirements as determined and approved by the Town Engineer. Any improvements not considered to be to the required standards shall be replaced. The applicant shall be required to maintain and repair those improvements prior to and after acceptance by the Town Council for the length of time required by the applicable conditions, standards and ordinances.

E10. The wastewater collection and treatment system shall be maintained so as not to create a public nuisance and shall be serviced by a maintenance company approved by the Regional Water Quality Control Board. The wastewater collection and treatment system shall be approved by the Regional Water Quality Control Board

E11. All improvement plans shall be designed by a Registered Civil Engineer.

E12. All street closures must be approved by Town Council action.

E13. Improvement plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the Town Engineer.

E14. Any grading or drainage onto private off-site or adjacent property shall require a written permission to grade and/or a permission to drain letter from the affected property owner.

E15. In conjunction with precise grading certification, all retention/detention basins shall be certified by a civil engineer that they have been constructed in substantial conformance with the approved plans, and shall be certified that they have the required capacity and will operate in accordance with the approved drainage reports for the project.

E16. In conjunction with precise grading certification, all drainage systems, both public and private, shall be certified by a civil engineer that they have been constructed in substantial conformance with the approved plans, and shall be certified that they have the required capacity and will operate in accordance with the approved drainage reports for the project.

E17. No on-site or off-site work shall commence without obtaining the appropriate permits for the work involved from the Town. The approved permits shall be readily available on the job-site for inspection by the Town personnel.

E18 All grading activities shall minimize dust through compliance with MDAQMD Rules 402 and 403.

E19. Prior to issuance of a grading permit, a Fugitive Dust and Erosion and Sediment Control Plan shall be submitted and approved by the Town Engineer. The Fugitive Dust and Erosion and Sediment Control Plan shall illustrate all proposed phasing for construction of the project.

E20. The Applicant shall accept and properly dispose of all off-site drainage flowing onto or through the site.

BUILDING AND SAFETY CONDITIONS

B1. Prior to the delivery of combustible materials, the following items shall be accepted as complete:

a. The water system is functional from the source of water past the lots on which permits are being requested (i.e. All services are installed, valves are functional and accessible, etc.); and

b. Fire hydrants are accepted by the County Fire Department and the Hi Desert Water District. The fire hydrants associated with each phase shall be functioning prior to issuance of building permits.

B2. The applicant shall submit three sets of plans to the Building and Safety Dept. for plan check and approval.

B3. At the time of building plan check submittal, the applicant shall provide approval from the San Bernardino County Fire Dept.

B4. Prior to final inspection, all required improvements shall be constructed and finalized and accepted by the appropriate agency prior to the issuance of a Certificate of Occupancy.

FIRE CONDITIONS

F1. Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.

F2. All Group "R", Division "3" Occupancies, single family dwellings, garages duplexes and manufactured homes, which do not have specific fire protection requirements shall require a building inspector to sign off the final inspection. A fire inspector will not be required for the final inspection.

F3. The Applicant shall be responsible for all fees required by San Bernardino County Fire Department.

F4. A water system approved by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Detached single family residential developments may increase the spacing between hydrants to be no more than six hundred (600) feet and no more than three hundred (300) feet (as measured along vehicle travel-ways) from the driveway on the address side of the proposed single family structure.

F5. Prior to issuance of a Certificate of Occupancy, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with County Fire Department Requirements.

F6. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job-site.

F7.

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT CONDITION

M1. The applicant shall comply with the provisions of District Rule 403, Fugitive Dust.

M2. See attached letter from MDAQMD dated October 17, 2013..

UNITED STATES MARINE CORPS CONDITIONS

MC1. The MCAGCC requests that all future residents receive full disclosure, in writing, describing the unique aspects of living near a military installation and under an FAA designed helicopter flight path (a copy of a letter from the MCAGCC to the new residents has been provided).

MC2. The following information regarding the presence of the Marine Corps Air Ground Combat Center (MGAGCC) shall be recorded on the title of each property contained within the boundaries of the tract map.

"The Marine Corps Air Ground Combat Center is located in the Morongo Basin. To prepare Marines for future conflicts, the MGAGCC carries out realistic training with military munitions, both day and night. As a result, Military aircraft fly over the area, and military vehicles drive on and off the base every day. This property is located directly under two aircraft flying routes and is located approximately 13 miles from the installation boundary. Consequently, you should expect to hear military training, see low-flying military aircraft, and encounter other experiences associated with the important mission of the MCAGCC".

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD-COLORADO RIVER BASIN CONDITIONS

WQ1. See attached letter dated October 28, 2013.

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

Applicant's Signature _____ Date _____

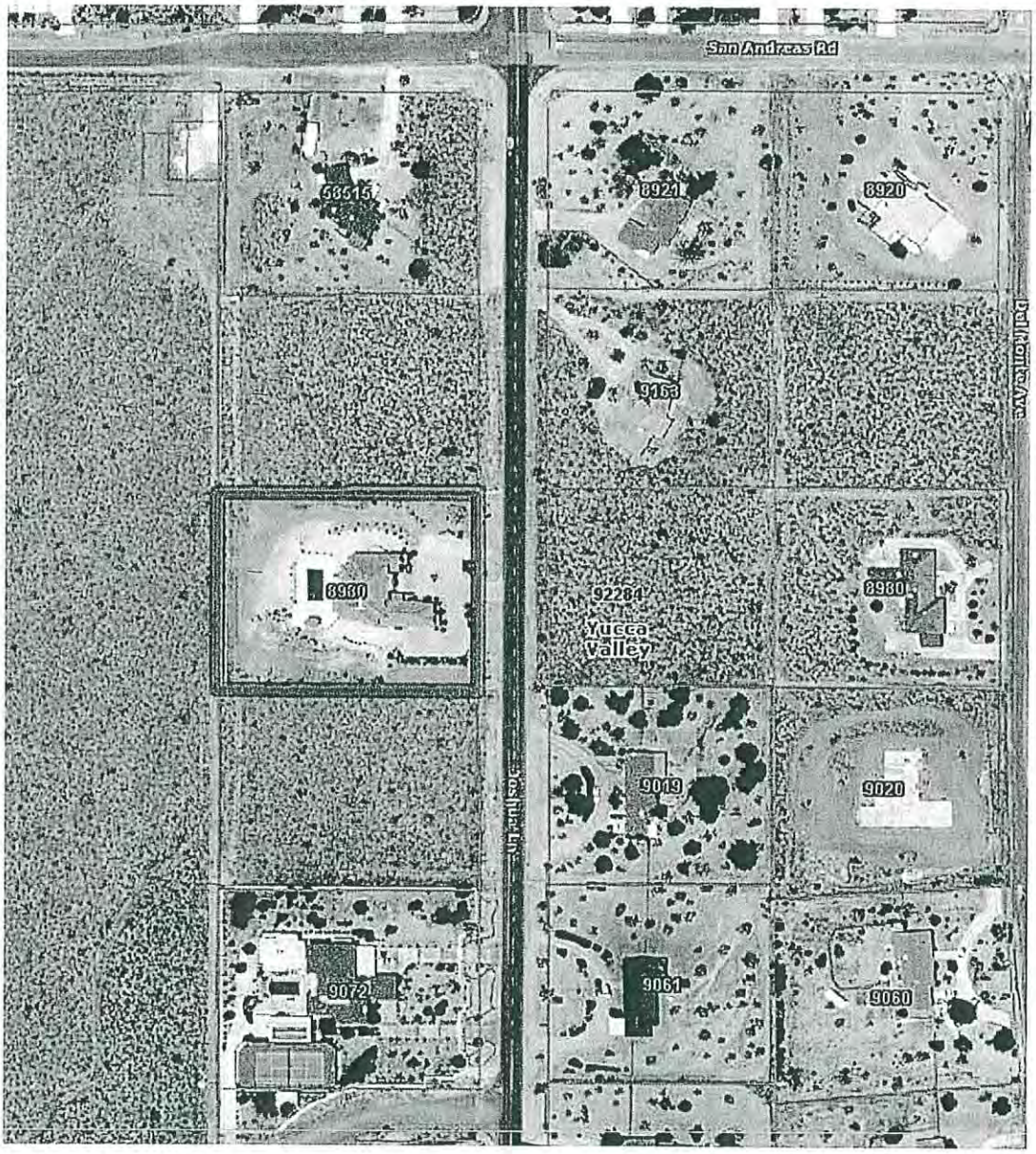
TOWN OF YUCCA VALLEY

PROJECT NO. CONDITIONAL USE PERMIT, CUP 02-13 PETER NG

ZONING AND GENERAL PLAN LAND USE MAP

TOWN OF YUCCA VALLEY

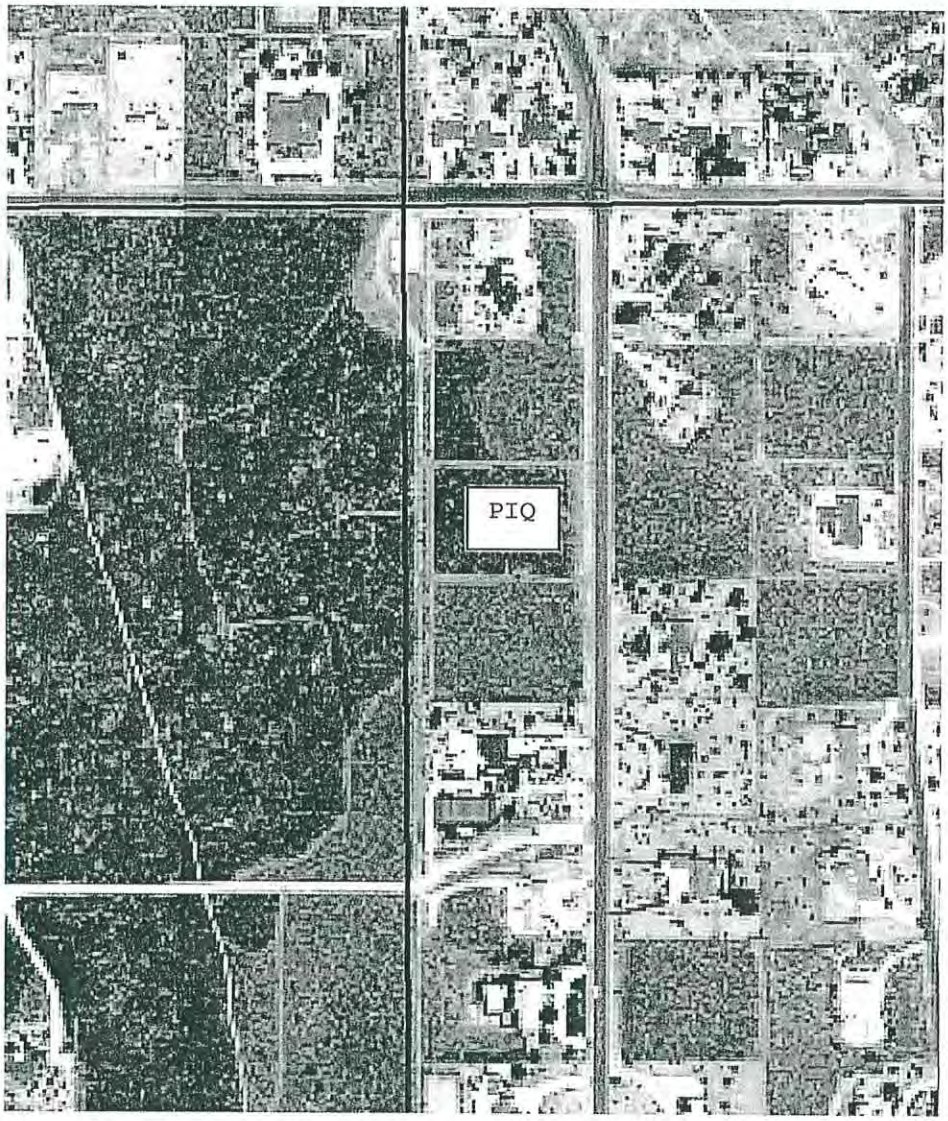
PROJECT NO. CONDITIONAL USE PERMIT, CUP 02-13 PETER NG



AERIAL PHOTO

TOWN OF YUCCA VALLEY

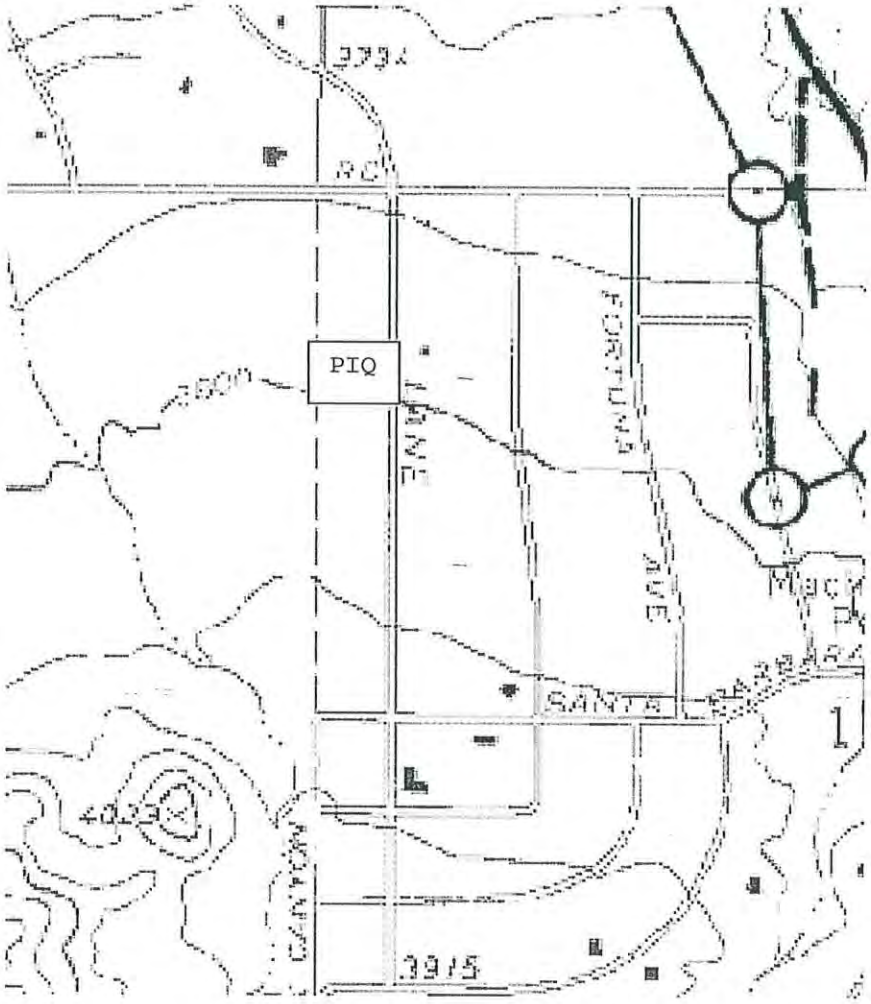
PROJECT NO. CONDITIONAL USE PERMIT, CUP 02-13 PETER NG



FEMA FLOOD MAP

TOWN OF YUCCA VALLEY

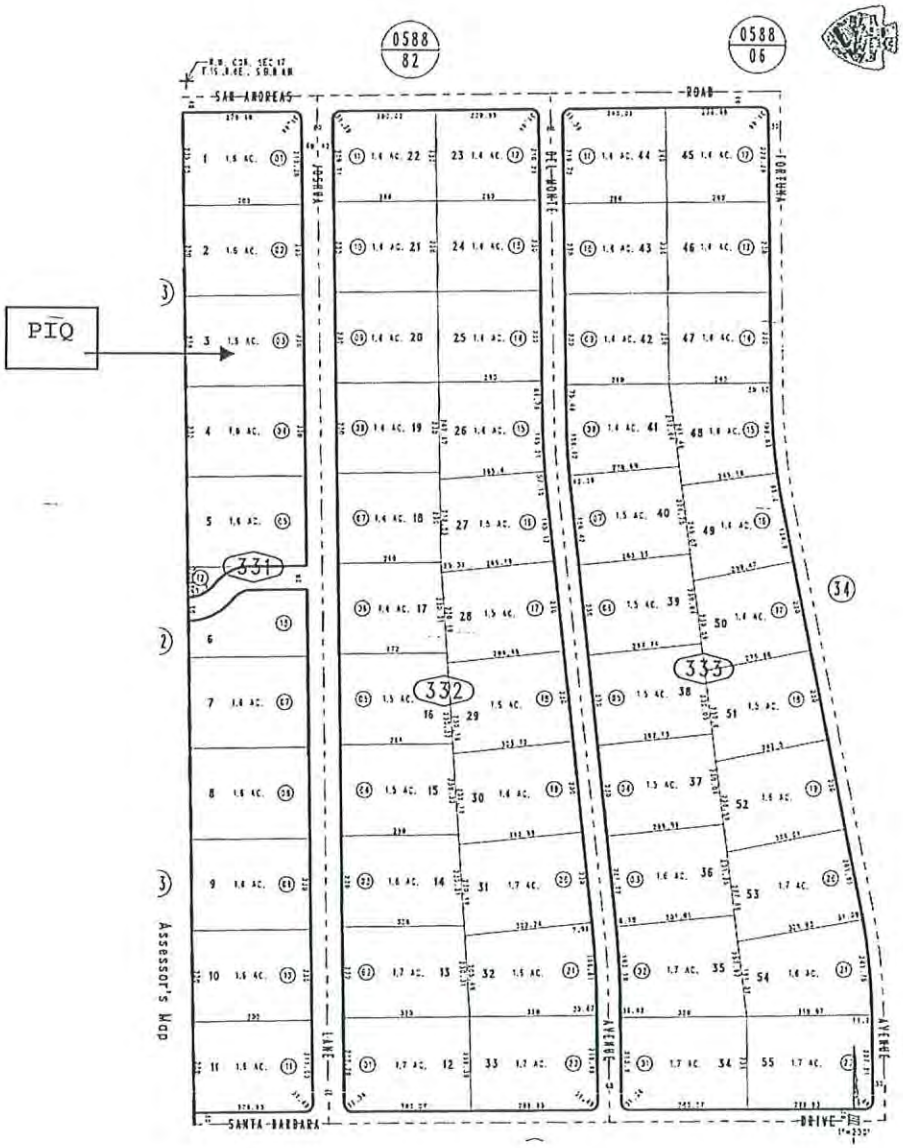
PROJECT NO. CONDITIONAL USE PERMIT, CUP 02-13 PETER NG



ALQUIST PRIOLO MAP

TOWN OF YUCCA VALLEY

PROJECT NO. CONDITIONAL USE PERMIT, CUP 02-13 PETER NG



ASSESSOR MAP

Conditional Use Permit Application

Date Received 08/20/13
By D OLSEN
Fee 2985.00
Case # CUP. 02-13
EA # EA - 03-93

General Information

APPLICANT Peter Ng Phone 503 969 9905 Fax 503 607 1191

Mailing Address 168 Terrace Drive Email ng@europa.com

City Oregon City State Oregon Zip 97045

REPRESENTATIVE _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ ZIP _____

PROPERTY OWNER same as above Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

Project Information

Project Address 8980 Joshua Lane Assessor Parcel Number(s) 589.331.03

Project Location Yucca Valley, 92284

Project Description: Existing 4,534 sf.-4 bedroom residence will convert existing interior space into 4 additional bedrooms and 2 adittional ADA restrooms. No exterior building other than replacing existing windows will be constructed.

Please attach any additional information that is pertinent to the application.

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

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. Additional fees may be required depending on additional administrative costs.

Signed: Peter Ng

Date: 8/7/2013

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. Additional fees may be required depending on additional administrative costs. I am hereby authorizing

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

Signed: Steven Park Jennifer Park

Dated: 8/7/13

Agreement to Pay All Development Application Fees

In accordance with Town Council Resolution 04-38 the Town collects certain fees based on the actual cost of providing service. The application deposit for this project (as indicated below) may not cover the total cost of processing this application. I/We are aware that if the account has 25% or less remaining prior to completion of the project, staff will notify the undersigned in writing, of the amount of additional deposit required to complete the processing of the application, based on Staff's reasonable estimate of the hours remaining to complete this application process.

Further, I understand that if I do not submit the required additional deposit to the Town within 15 business days from the date of notification by the Town, the Town will cease processing of the application and/ or not schedule the project for action by the Planning Commission or Town Council until the fees have been paid.

Any remaining deposit will be refunded to me at time of closeout after I have submitted any required approved project plans and forms, including signed conditions of approval, or upon my written request to withdraw the application.

As the applicant, I understand that I am responsible for the cost of processing this application and I agree that the actual costs incurred processing this application will be paid to the Town of Yucca Valley.

Deposit Paid: $ 2985.00

Applicant's Signature Peter Ng Date: 7/31/13

Applicants Name Peter Ng
(Please print)

HAZARDOUS WASTE SITE STATEMENT

I have been informed by the Town of Yucca Valley of my responsibilities, pursuant to California Government Code Section 65962.5, to notify the Town as to whether the site for which a development application has been submitted is located within an area which has been designated as the location of a hazardous waste site by the Office of Planning and Research, State of California (OPR).

I am informed and believe that the proposed site, for which a development application has been submitted, is not within any area specified in said Section 65962.5 as a hazardous waste site.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Dated: 7/31/13

Peter Ng
Applicant/Representative printed name

Peter Ng
Applicant/Representative signature

Applicable utility service availability letter

This remodeling project is to convert the garage into bedrooms and bathrooms within the existing building. All utilities are the same as the existing building, which include water, electrics, gas, septic system, and cables.

Signature: Peter Ng

Date: 7/31/2013

Environmental Assessment

1. Property boundaries, dimensions and area (also attach an 8 ½ x 11" site plan):
   300' x 230'= 6,900 sf= 1.58 acres

2. Existing site zoning: RL-1 3. Existing General Plan designation: RL-1

4. Precisely describe the existing use and condition of the site: New residence with swimming Pool is converted to senior housing use. Total 8 bedrooms when complete.

5. Existing Zoning of adjacent parcels:

   North RL-1 South RL-1 East RL-1 West RL-2.5

6. Existing General Plan designation of adjacent parcels:

   North RL-1 South RL-1 East RL-1 West RL-2.5

7. Precisely describe existing uses adjacent to the site: Non occupied residential property on all adjacent sides.

8. Describe the plant cover found on the site, including the number and type of all protected plants:
   Landscaping consists of many mature Junipers and Liquid Amber. No changes anticipated.

Note: Explain any "Yes" or "'Maybe" responses to questions below. If the information and responses are insufficient or not complete, the application may be determined incomplete and returned to the applicant.

Yes	Maybe	No	
☐	☐	☑	9. Is the Site on filled or slopes of 15% or more or in a canyon? (A geological and/or soils Investigation report is required with this application.)
☐	☐	☑	10. Has the site been surveyed for historical, paleontological or archaeological resources? (If yes, a copy of the survey report is to accompany this application.)
☐	☐	☑	11. Is the site within a resource area as identified in the archaeological and historical resource element?
☐	☐	☑	12. Does the site contain any unique natural, ecological, or scenic resources?
☑	☐	☐	13. Do any drainage swales or channels border or cross the site?
☐	☐	☑	14. Has a traffic study been prepared? (If yes, a copy of the study is to accompany this application.)
☐	☐	☑	15. Is the site in a flood plain? (See appropriate FIRM)

Developer Disclosure Statement

This portion of the application must be fully completed and signed by the applicant. If not fully completed and signed, the application will be deemed incomplete.

Address of subject property: 8980 Joshua Lane, Yucca Valley, CA 92284

Cross street: _____

Date this Disclosure Statement is completed: 8-1-2013

Name of Applicant: Peter Ng

The Applicant is a:

- [x] Limited Liability Company (LLC)
- [ ] Partnership
- [ ] Corporation
- [x] None of the above

Information for LLC, Partnership, Corporation

Name PETER T NG Phone 503-969-9905 Fax 503-656-2276

Mailing Address 168 TERRACE AVE Email NG@EUROPA.COM

City OREGON CITY, State OR Zip 97045

State of Registration CALIFORNIA

Managing member(s), General Partner(s) officer(s)

Name SAME Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

Attach additional sheets if necessary

Agent for Service of Process

Name SAME Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder

Name BENTHANA NG Phone 503-969-9905 Fax 503-656-2276

Mailing Address 168 TERRACE AVE Email NG@EUROPA.COM

City OREGON CITY State OR Zip 97045

The Owner is a:

- [x] Limited Liability Company (LLC)
- [ ] Partnership
- [ ] Corporation
- [ ] None of the above

Information for LLC, Partnership, Corporation

Name PETER T NG Phone 503-969-9905 Fax 503-656-2276

Mailing Address 168 TERRACE AVE Email NG@EUROPA.COM

City OREGON CITY State OR Zip 97045

State of Registration CALIFORNIA

Managing member(s), General Partner(s) officer(s)

Name SAME Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

Attach additional sheets if necessary

Agent for Service of Process

Name SAME Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder

Name BENJAMIN NG Phone 503-281-1323 Fax 503-656-2276

Mailing Address 168 TERRACE AVE Email NG@EUROPA.COM

City OREGON CITY, State OR Zip 97045

The Party in escrow is a (if property is in escrow):

- [x] Limited Liability Company (LLC)
- [ ] Partnership
- [ ] Corporation
- [ ] None of the above

Information for LLC, Partnership, Corporation

Name PETER T NG Phone 503-969-9905 Fax 503-656-2276

Mailing Address 168 TERRACE AVE Email NG@EUROPA.COM

City OREGON CITY. State OR Zip 97045

State of Registration CALIFORNIA

Managing member(s), General Partner(s) officer(s)

Name SAME Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

Attach additional sheets if necessary

Agent for Service of Process

Name SAME Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder

Name BENYAMIN NG Phone 503-281-1323 Fax 503-656-2276

Mailing Address 168 TERRACE AVE Email NG@EUROPA.COM

City OREGON CITY, OR State _____ Zip 97045

For any deeds of trust or other liens on the property (other than real property tax liens) please state the following:

A. Name of beneficiary of the deed of trust or lien _____

B. Date of the deed of trust or lien. _____

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on the date and location set forth below

Signature

Print Name: PETER T NG

Title: MEMBER

Date of signing: 8-1-2013

Location: CA

Agreement to Pay All Development Application Fees

In accordance with Town Council Resolution 04-38 the Town collects certain fees based on the actual cost of providing service. The application deposit for this project (as indicated below) may not cover the total cost of processing this application. I/We are aware that if the account has 25% or less remaining prior to completion of the project, staff will notify the undersigned in writing, of the amount of additional deposit required to complete the processing of the application, based on Staff's reasonable estimate of the hours remaining to complete this application process.

Further, I understand that if I do not submit the required additional deposit to the Town within 15 business days from the date of notification by the Town, the Town will cease processing of the application and/ or not schedule the project for action by the Planning Commission or Town Council until the fees have been paid.

Any remaining deposit will be refunded to me at time of closeout after I have submitted any required approved project plans and forms, including signed conditions of approval, or upon my written request to withdraw the application.

As the applicant, I understand that I am responsible for the cost of processing this application and I agree that the actual costs incurred processing this application will be paid to the Town of Yucca Valley.

Deposit Paid: $ 2985.00 VR

Applicant's Signature Peter Ng Date: 7/31/13

Applicants Name Peter Ng
(Please print)

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

RE: Conditional Use Application Cover Letter

Dear Members of the Town of Yucca Valley, Planning Department

This Conditional Use submittal involves the interior redesign of the residence at 8980 Joshua Lane, Yucca Valley, CA. Involved is the addition of two ADA restrooms and four bedrooms to be located in the area previously designated for garage use. There is no additional building square footage added to the present building to accomplish this interior redesign, only the use of property already constructed.

Issues requested such as topography information, landscaping, and parking, swales etc. are therefore not addressed in the "Application Submittal Requirements" and are listed as NA (non-applicable) because they are existing conditions already reviewed and approved on the original submission when the building permit was originally issued.

The only exterior addition will be the extension of the septic tank and drain field which is noted on the site plan as submitted. The site plan identifies the location of the present 1,500 gal septic tank, the 90 feet of drain tile and the addition of the additional 90 feet of drain line added to accommodate the four added bedrooms with two added ADA bathrooms. No other exterior changes, increases in parking or other site additions are contemplated for this residence.

Yours very truly,

Peter Ng

Peter Ng 8/12/2013

Project description and existing conditions

This remodeling project is to increase square footage within the existing building by converting the garage into 4 bedrooms and 2 bathrooms that meet the ADA requirements.

Signature: Peter Ng

Date: 7/31/2013

September 8, 2013

Diane Olsen
Planning Technician
Yucca Valley communication development public works department
58928 Business Center Dr
Yucca Valley, CA 92284

RE: Conditional Use Permit
8980 Joshua Lane, Yucca Valley, CA 92284

Dear Diane:
Thank you very much for your assistance with this project. Here are the answers for the 6 identified items.

1. Description of the level of care that is provided for the residents

High Desert Residential Care staff provides services to elderly population. The services include maintaining a clean and safe environment for the elderly, assisting the elderly with activities of daily living, providing personal care, meals preparation, medication management and other supports to maintain a healthy living.

2. The number of beds in the facility after the remodeling will be 10, but no more than 12.
3. Current License and application for increase capacity – See attachment.
4. We will have total of 4 FTE employees. See attachment for staffing pattern.
5. Parking plan - Please refer to the blue print.
   The following information is directly from the Architects (Joe Van Lom).

"Each parking space is 9 feet x 18 feet. To the North from the end of the parking space to the property line is 50 feet. From the garage to the property line to the South, the dimension is 75 feet."

"The parking to the street property line (East) is 30 feet."

(FYI: These dimensions are taken off of the site plan that was submitted to the City. They are not actual measured on-site dimensions.)

6. The distance of the existing garage from the property line is 50 feet.

"The end line of the garage to the street property line is 50 feet."

If further information is needed, please do not hesitate to contact me. My cell phone number is 610-909-4776.

Sincerely,

Teresa Yip, Administrator

RECEIVED
SEP 19 2013
TOWN OF YUCCA VALLEY
COM DEV

APPLICATION FOR A COMMUNITY CARE FACILITY OR RESIDENTIAL CARE FACILITY FOR THE ELDERLY LICENSE *(See Instructions on next page)*

FOR DEPARTMENT USE ONLY

DISTRICT: _____

COUNTY: _____ FACILITY NUMBER: _____

DATE: _____ ACTION TYPE: _____

REVIEWED BY: _____ FACILITY TYPE: _____

REPLY TO:

1. APPLICANT(S) NAME(S) (PLEASE PRINT)
High Desert Residential Care, LLC

2. REQUESTED ACTION *(CHECK ONE)*:
- ☐ A. INITIAL APPLICATION
- ☒ B. CHANGE OF CAPACITY
- ☐ C. CHANGE OF LOCATION
- ☐ D. CHANGE OF FACILITY TYPE
- ☐ E. CHANGE OF AMB/NON-AMB BEDRIDDEN STATUS
- ☐ F. CHANGE WITHIN CORPORATION
- ☐ G. OTHER (Specify)

3. APPLICANT MAILING ADDRESS: 168 Terrace Ave | CITY: Oregon City | STATE: OR | ZIP CODE: 97045 | AREA CODE/TELEPHONE: (610)909-4776

4. TYPE OF AGENCY OR FACILITY
- ☐ ADULT RESIDENTIAL FACILITIES
- ☐ FOSTER FAMILY AGENCIES
- ☐ ADULT DAY PROGRAMS
- ☐ TRANSITIONAL HOUSING PLACEMENT PROGRAMS
- ☐ SOCIAL REHABILITATION FACILITIES
- ☐ ADOPTION AGENCIES
- ☐ GROUP HOMES
- ☐ CRISIS NURSERIES
- ☒ RESIDENTIAL FACILITIES--ELDERLY
- ☐ RESIDENTIAL FACILITIES--CHRONICALLY ILL
- ☐ SMALL FAMILY HOMES
- ☐ OTHER(SPECIFY)_____

5. **APPLICATION FILED BY:**
- ☐ A. INDIVIDUAL
- ☐ B. PARTNERSHIP
- ☐ C. NON PROFIT CORP.
- ☐ D. PROFIT CORP
- ☐ E. COUNTY
- ☐ F. OTHER PUBLIC AGENCY
- ☒ G. LIMITED LIABILITY CORPORATION

6. FACILITY OR AGENCY NAME: High Desert Residential Care, LLC | EMAIL ADDRESS (NOT REQUIRED): Yipt@AOL.com | AREA CODE/TELEPHONE: (76)369-7315

7. FACILITY STREET ADDRESS: 8980 Joshua Lane | CITY: Yucca Valley | COUNTY: San Bernardino | ZIP CODE: 92284 | ALTERNATIVE PUBLIC TELEPHONE: (610)909-4776

8. FACILITY MAILING ADDRESS: 168 Terrace Ave | CITY: Oregon City | STATE: OR | ZIP CODE: 97045

9. ADMINISTRATOR OR PERSON IN CHARGE OF FACILITY: Teresa Yip | TITLE: Administrator

10. TOTAL REQUESTED CAPACITY: 12 | 10A. NUMBER OF NON-AMBULATORY (IF ANY): 5 | 10B. NUMBER OF BEDRIDDEN UNABLE TO TURN OR REPOSITION IN BED (IF ANY): 0

11. FOR CHILDREN'S FACILITY ONLY:
NUMBER OF INFANTS (AGES 0 THROUGH 2) NA CHILDREN (AGES 3 THROUGH 17) _____

12. DAYS AND HOURS OF OPERATION: 24/7

13. PROPERTY OWNERSHIP: ☐ OWN ☒ RENT ☐ OTHER (SPECIFY) _____

13A. NAME, ADDRESS AND PHONE NUMBER OF PROPERTY OWNER, IF RENTING OR LEASING:
Steve and Jennifer Park - 2260 Lorain Rd. San Marino, CA 91108

14. WAS FACILITY PREVIOUSLY LICENSED? ☒ YES ☐ NO | IF YES, FACILITY NAME AND NUMBER: High Desert Residential Care, LLC | LICENSING AGENCY NAME: CA Community Licensing - RCF

15. IS MAJOR CONSTRUCTION REQUIRED? ☐ YES ☒ NO
DATE CONSTRUCTION TO BEGIN: _____
DATE TO BE COMPLETED: _____

16. SOURCE OF WATER FOR HUMAN CONSUMPTION ☒ PUBLIC ☐ PRIVATE

17. ENTER THE INFORMATION BELOW FOR ANY RESIDENTIAL CARE OR HEALTH CARE FACILITY PREVIOUSLY OR CURRENTLY OPERATED. REFER TO INSTRUCTIONS.
FACILITY NAME AND NUMBER — LICENSING AGENCY NAME
A. NA
B. _____

18. *APPLICANT(S)/LICENSEE(S) RESPONSIBILITIES:*
- *A. IN ADDITION TO COMPLYING WITH THE HEALTH AND SAFETY CODES AND REGULATIONS APPLICABLE TO LICENSING AND FIRE SAFETY, I/WE UNDERSTAND THAT THERE MAY BE OTHER STATE, FEDERAL AND/OR LOCAL LAWS, WHICH ARE NOT ENFORCED BY THIS AGENCY, THAT MAY NEED TO BE MET SUCH AS: ZONING, BUILDING, SANITATION AND LABOR REQUIREMENTS.*
- *B. I/WE HAVE READ AND UNDERSTAND THE STATUTES AND REGULATIONS WHICH PERTAIN TO MY/OUR LICENSING CATEGORY PRIOR TO THE ISSUANCE OF MY/OUR LICENSE.*
- *C. I/WE SHALL ENSURE THAT ALL PERSONS SUBJECT TO FINGERPRINT REQUIREMENTS SHALL HAVE A DEPARTMENT OF JUSTICE CLEARANCE OR A CRIMINAL RECORD EXEMPTION PRIOR TO EMPLOYMENT, RESIDENCE OR INITIAL PRESENCE IN THE FACILITY AS REQUIRED.*
- *D. IF I/WE OPERATE A FACILITY WHICH PROVIDES CARE AND SUPERVISION TO CHILDREN. I/WE SHALL ENSURE THAT A CHILD ABUSE INDEX CHECK FORM FOR EACH PERSON SUBJECT TO FINGERPRINT REQUIREMENTS IS SUBMITTED TO THE DEPARTMENT OF JUSTICE AS REQUIRED.*
- *E. I/WE SHALL OBTAIN APPROVAL FROM THE LICENSING AGENCY PRIOR TO MAKING ANY CHANGE(S) THAT AFFECT THE TERMS OF THE LICENSE.*

19. *I/WE UNDERSTAND THAT I/WE HAVE THE RIGHT TO APPEAL ANY DECISION REGARDING THE DISPOSITION OF THIS APPLICATION.*

20. *I/WE DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS ON THIS APPLICATION AND ON THE ACCOMPANYING ATTACHMENTS ARE CORRECT TO THE BEST OF MY/OUR KNOWLEDGE.*

21. *I/WE AM/ARE AUTHORIZED TO SIGN THIS APPLICATION ON BEHALF OF THE NAMED APPLICANT.*

SIGNED _____ TITLE Administrator COUNTY WHERE SIGNED San Bernadino DATE 9/12/2013

SIGNED _____ TITLE _____ COUNTY WHERE SIGNED _____ DATE _____

State of California

Department of Social Services

Facility Number: 366424971

Effective Date: 09/27/2010 Total Capacity: 6

In accordance with applicable provisions of the Health and Safety Code of California, and its rules and regulations; the Department of Social Services hereby issues

this License to

HIGH DESERT RESIDENTIAL CARE, LLC

to operate and maintain a

RESIDENTIAL CARE ELDERLY

Name of Facility

HIGH DESERT RESIDENTIAL CARE, LLC
8980 JOSHUA LANE
YUCCA VALLEY, CA 92284

This License is not transferable and is granted solely upon the following:

TOTAL CAPACITY IS SIX (6) RESIDENTS, AGE 60 AND OLDER. TWO (2) NON-AMBULATORY APPROVED IN ROOM 5. FOUR (4) AMBULATORY ONLY IN ROOMS 1, 2, 3, 4. STAFF ROOM UPSTAIRS (ROOM 6).

Client Groups Served:

ELDERLY

Complaints regarding services provided in this facility should be directed to:

CCLD Regional Office (951) 782-4207

Jeffrey Hiratsuka
Deputy Director,
Community Care Licensing Division

Authorized Representative of Licensing Agency 2/18/11

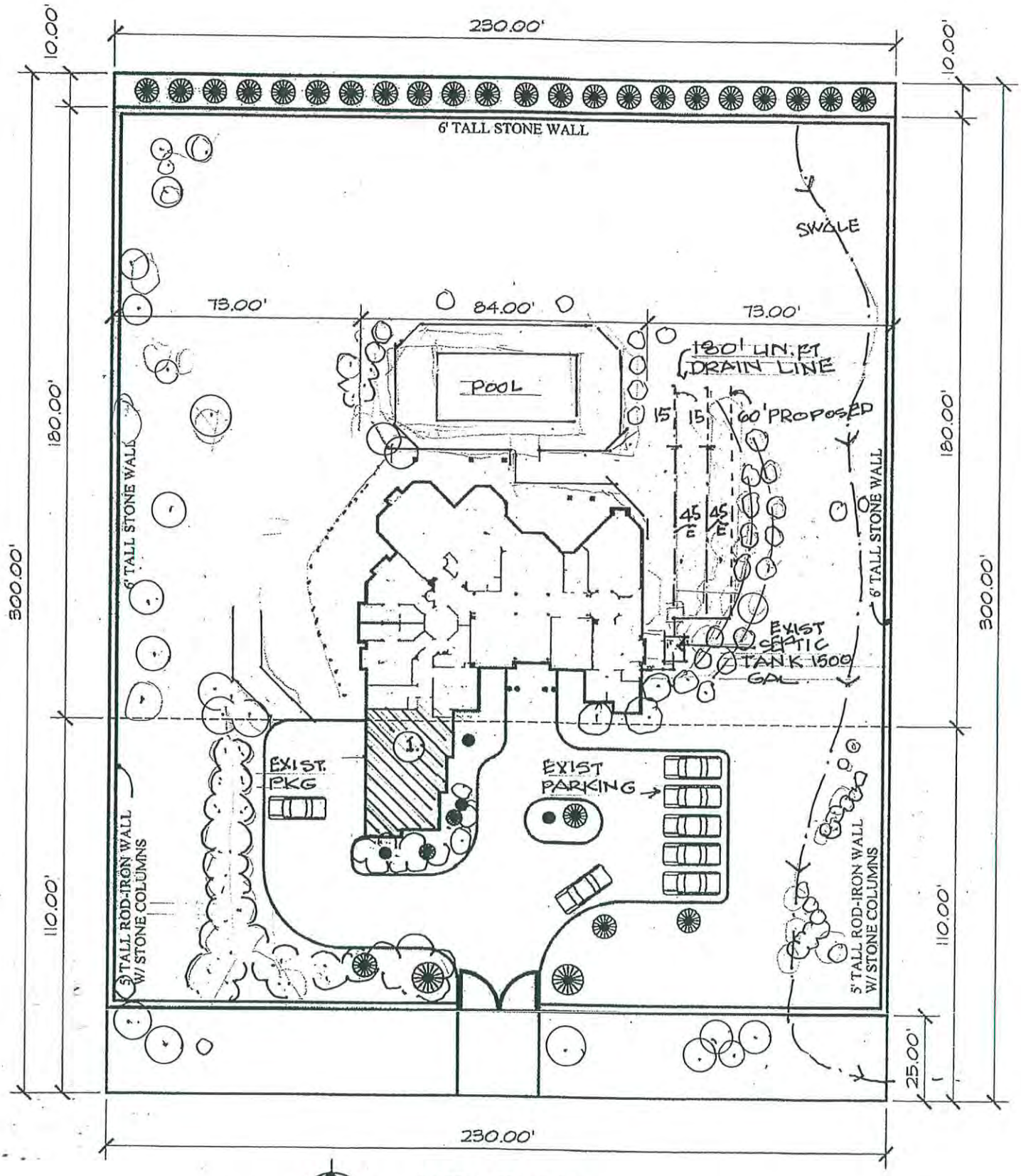
POST IN A PROMINENT PLACE

LIC203A (03/07) FAS
Print Date 02/18/2011

CU-TAO18b

High Desert Residential Care
Schedule Plan

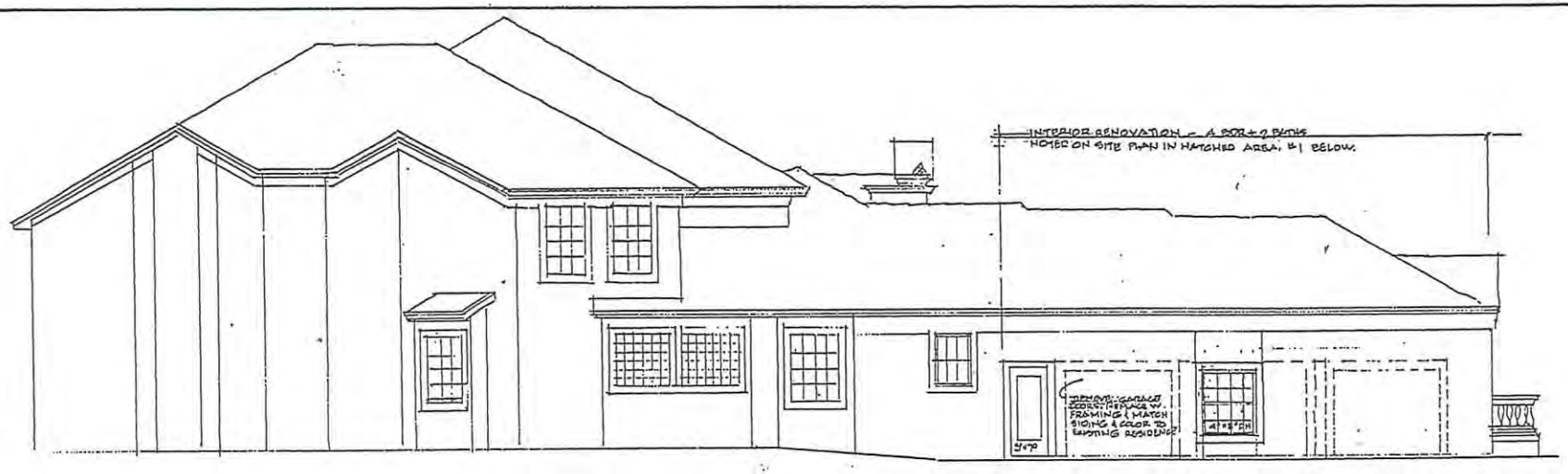
Hour	Live-in Employee	Employee #1	Employee #2	Employee #3	Total
7A	X	X			**2**
8A	X	X			**2**
9A	X	X	X		**3**
10A	X	X	X		**3**
11A	X	X	X		**3**
12A	X	X	X	X	**4**
1P	X	X	X	X	**4**
2P	X	X	X	X	**4**
3P	X	X	X	X	**4**
4P	X		X	X	**3**
5P	X		X	X	**3**
6P	X			X	**2**
7P	X			X	**2**
8P	X			X	**2**
9P	X				1
10P	X				1
11P	X				1
12MN	X				1
1A	X				1
2A	X				1
3A	X				1
4A	X				1
5A	X				1
6A	X				1



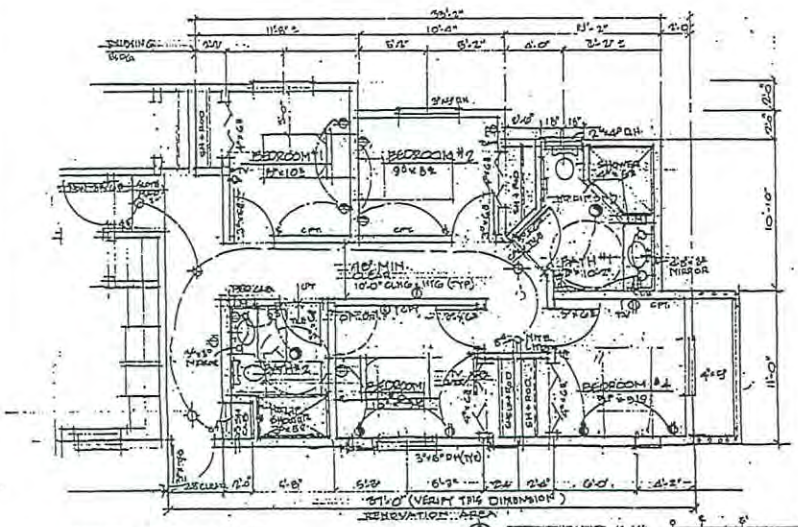
SITE PLAN

SCALE: 1" = 40'-0"

0' 10 20 40 60 80'

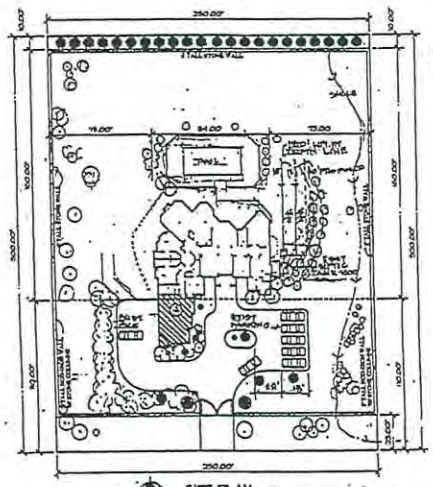


SOUTH SIDE ELEVATION (EXISTING RESIDENCE)
SCALE: 1/8" = 1'-0" - NORTH SIDE SIMILAR



FLOOR PLAN
RENOVATION CONCEPT: WALLS & ROOF EXIST. @ EXTERIOR.

FLOORS TO BE LEVEL THROUGHOUT
FULLY SPRINKLERED BLDG.
REMOVE/MOVE WALLS TO ROOF SHEG. BETWEEN SLEEPING AREAS.
5/8" TYPE X SHEETROCK - 10' CEILINGS
2x6, 90 ELBOW ON OPPOSITE SIDE STACK - INSULATE WALLS TYP.
ONE SIDE OF WALL ON LOCATION CHANNELD OR USE "QUIET ROCK"
ALL DOORS TO BE SELF CLOSING - LEVER HARDWARE
ADD CORRIDOR DOORS TO BE SERRATED - MIN 1'-10" CLEARANCE REQ



NOTE:
1) SITE PLAN (HATCHED AREA) IS REPLACED BY FLOOR PLAN AT LEFT.

SITE PLAN CONTENT

Assessor Parcel Number: 519.31.03
Zoning: RL-1: General Plan designation: RL-1
Around: N: RL-1; S: RL-1; E: RL-1; W: RL-1.5
No residences adjacent
Gross Site area: 69,000 1.58 acres RL-1: 1 acre min.
Net Site area 64,466 sf 1.48 acres
Topography: NA No building expansion beyond existing walls.
Frontage Street: Joshua Lane (no width know)
Parking: 1 for 3 senior units (4/3) = 2 + 1 caretaker = 4 required
Parking available: 6+
Setbacks: NA No building expansion beyond existing walls.

Owner: Peter Ng
168 Terrace Drive
Oregon City, Oregon 97045
Ph: 503.969.9305
Email: ng@[illegible].com
Property address: 9380 Joshua Lane
Yucca Valley, CA 92284
Sanitary Sewer with added drain field is shown on site plan
Utilities are on separate sheet.
There are no special hazard zones on or near this property.

Van Lom

A RESIDENCE IN THE LOS RENOVATION FOR
PETER NG
OWNER ADDRESS: 168 TERRACE DRIVE
OREGON CITY, OR 97045
RESIDENCE LOCATION: 9380 JOSHUA LANE
YUCCA VALLEY, CA 92284

DATE: JULY 12, 2013
REVISION:

Linda & Steve Moffitt
9163 Joshua Ln.
Yucca Valley, CA 92284

In Regards to Case Number: Conditional Use Permit , CUP 02-13 Environmental Assessment, EA 03-13

Dear members of the Yucca Valley Planning Commission,

We are writing to oppose the proposal by Peter Ng to convert the garage of an existing four bedroom single family residence being used as a residential care facility into additional bedrooms in order to increase residency to 12 and the addition of full time employees.

Our property is across the street from this facility and we have observed more traffic due to the use of the residence which negatively affects our comfort and pleasure of living in what is suppose to be a residential area. The CCRs of this area include residences for use as single family dwellings and is not zoned for use as a commercial business.

We do not wish to see increased traffic, emergency vehicle use, and visitor use of the property as a 12 residence commercial business operating 24 hours per day as indicated in the public hearing letter sent to us. Having a commercial business across the street from us in what is suppose to be a residential neighborhood has already brought a negative feel to our area as a neighborhood and we do not want to see use of it increased by adding more residential care staff and an increased population in a single dwelling.

Sincerely,

November 4, 2013

RECEIVED
NOV 07 2013
TOWN OF YUCCA VALLEY
CLERK

Mojave Desert Air Quality Management District
14306 Park Avenue, Victorville, CA 92392-2310
760.245.1661 • fax 760.245.2699
Visit our web site: http://www.mdaqmd.ca.gov
Eldon Heaston, Executive Director

October 17, 2013

Ms. Diane Olsen, Planning Technician
Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284

Project: CUP 02-13 (Peter Ng), EA 03-13

Dear Ms. Olsen:

The Mojave Desert Air Quality Management District (District) has received the Request for Comments for Conditional Use Permit 02-13 and Environmental Assessment 03-13. This is a proposal to convert the garage of an existing four bedroom single family residence, currently being used as a residential care facility, into four additional bedrooms and two ADA restrooms. The facility will have a maximum of twelve residents with four full time employees. This is a 24 hour per day residential care facility located at 8980 Joshua Lane.

The District recommends that the Town advise the applicant that a "Notification of Demolition/Renovation" application must be completed and submitted to the District pursuant to Health and Safety Code §19827.5 for the demolition of any load bearing wall or foundation. This application may be located at http://www.mdaqmd.ca.gov/index.aspx?page=80 under the Asbestos Program section. A survey for asbestos must be completed prior to any major renovation work. Please contact Victor Ramirez at extension 1806 with any questions regarding demolition/renovation. The District has no further comments.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,

Alan J. De Salvio
Supervising Air Quality Engineer

AJD/tw YV CUP 02-13 EA 13-03

Diane Olsen

From: Mendoza, Richard <rmendoza@dpw.sbcounty.gov>
Sent: Wednesday, October 16, 2013 3:13 PM
To: Diane Olsen
Cc: Ali, Mohammad
Subject: RE: Town of Yucca Valley CUP application submittal

Diane,

After looking at the site plan and comparing the location of the construction to County right-of-way, I have come to the conclusion that the San Bernardino County Flood Control District(SBCFCD) and the San Bernardino County Road Department do not have any comment/question/concerns with the plans provided. The CUP is located within the Town of Yucca Valley, and therefore no County roads are being impacted, and there is not any SBCFCD right-of-way in the area.

Please understand that the review is only from the perspective viewpoints of the Permits Department of SBCFCD and County Road. No other county division has been notified/asked for input into this matter.

Thank you,

Richard Mendoza
Engineering Technician III
Department of Public Works - Flood Operations Support Division
(909) 387-8008
rmendoza@dpw.sbcounty.gov

"Our job is to create a county in which those who reside and invest can prosper and achieve well-being."

From: Ali, Mohammad
Sent: Wednesday, October 16, 2013 1:12 PM
To: Mendoza, Richard
Subject: FW: Town of Yucca Valley CUP application submittal

Hi Richard, Please take a look at this one also and respond back to Diane directly and cc me a copy. Thanks

---

From: Diane Olsen [mailto:dolsen@YUCCA-VALLEY.ORG]
Sent: Friday, October 11, 2013 9:28 AM
Subject: Town of Yucca Valley CUP application submittal

The Town of Yucca Valley is currently reviewing a Conditional Use Permit application for the conversion of a garage in an existing single family residence, currently being used as a residential care facility, into four additional bedrooms and two ADA compliance restrooms. The facility will have a maximum of 12 residents with four full time employees. This a 24 hour per day residential care facility.

Attached for your review are the application materials and the site plan. Please take the time to review the attached documents and provide any comments that you may have. Please contact me at dolsen@yucca-valley.org or 760-369-6575 x317, if you have any questions or require any additional information.

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING (MS 725)
464 WEST 4th STREET, 6th FLOOR
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-5936
TTY 711
www.dot.ca.gov/dist8

Flex your power!
Be energy efficient!

October 23, 2013

Ms. Diane Olson
The Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284

Dear Ms. Diane Olson:

Conditional Use Permit CUP 02-13, PETER NG, APN 589-331-03,
08-SBd-62 PM 12.407

We have received the Environment Assessment, EA 03-13 for the above referenced project, located near State Route 62.

Your project does not appear to have impacts to the State Highway System. However, the California Department of Transportation reserves the right to comment on any future revisions to this project.

Should this proposal be later modified please forward copies of revised plans as necessary so that we may reevaluate all proposed changes for potential impact to SR62.

If you have any questions regarding this letter, please contact me at (909) 383-4557 or Dina Harrell at (909) 388-7139 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Special Studies, IGR/CEQA Review

1.2 Section 84.0310 of Title 8, Division 4, Chapter 3 of the Development Code of the San Bernardino County Code as adopted by the Town of Yucca Valley is hereby repealed.

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

"Section: 84.0320 Rural Living (RL) District.
The Rural Living (RL) District shall be located as specified by the Town of Yucca Valley General Plan.

(a) **GENERAL PROVISIONS**: The specific purposes of the Rural Living District regulations are to:

(1) Provide appropriately located areas for single family dwellings that are consistent with the General Plan and the standards of public health and safety established by the Yucca Valley Municipal Code;

(2) Provide adequate light, air, privacy, and open space for each dwelling unit and protect residents from the harmful effects of excessive noise, population density, traffic congestion and other adverse environmental impacts;

(3) Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment; and

(4) Insure the provisions of public services and facilities needed to accommodate planned population densities.

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

R-L (Rural Living) Use Classification		P Permitted CUP Conditional Use Permit PD Planned Residential Development LSP Livestock Permit
Use	**Zoning District** **R-L-1, 2.5, 5, 10, 20 ac**	**Additional Use Regulations**
Residential:		
Family Day Care Homes: Large Small	 CUP P	Refer to Additional Uses Section of Development Code
Home Occupations	HOP	Refer to HOP Section of Development Code
Institutional Uses	CUP	Refer to Additional Uses Section of Development Code
Manufactured Housing	P	Refer to Single Residential Design Standard Section of the Development Code
Planned Residential Dev.	PD	
Single Family Dwellings	P	Refer to Single Residential Design Standard Section of the Development Code
Second Dwellings	CUP	Refer to Accessory Uses Section of Development Code
Mobile Home Parks	CUP	Not to exceed the underlying land use density on minimum parcel size of twenty (20) acres
Animal raising of densities greater than those specified by Section 84.0560	LSP	
Commercial Kennels & Catteries	CUP	Two (2) acre minimum parcel size

Row, field, tree, and nursery crop cultivation	P	Any structure associated with this activity is limited to 10,000 Sq. Ft. on parcels of 5 acres or less.

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

Rural Living (RL) Property Development Regulations		
Use	Zoning District	
	RL-1, 2.5, 5, 10, 20 ac	
Lot Size (acres)	see map suffix	Lot area measured in gross acres
Minimum Lot Dimension (width/Depth in ft.)	150/150	
Maximum Lot Dimensions (Width to depth ratio)		
Less than 10 ac	1:4	
Greater than 10 ac	1:3	
Yards (setbacks):		
Front	50'	(1), (2)
Side	15'	
Arterial/Collector Street Side	50'	
Local Street Side	25'	
Rear	15	
Maximum Structure Height:	35	
Maximum Lot Coverage	20%	
Minimum District Size (Acres)	30	

(1) The setbacks delineated in this table shall be the standard unless a different setback is delineated on said Final Map, Parcel Map, or Composite Development Plan.

(2) Reduced setbacks may be allowed pursuant to Section 87.0510 unless otherwise stated in this Section.

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

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

(A) Any accessory structure shall be architecturally compatible with the primary structure.

(B) Any accessory building, excluding any authorized dependant housing or second unit as approved under a Conditional Use Permit, shall not have a floor area in excess of fifty (50%) percent of the footprint of the primary building nor shall the cumulative floor area of accessory buildings have a floor area in excess of one hundred (100%) percent of the footprint of the primary building.

(C) Lots in the RL land use district which are ten (10) acres in size or greater are exempt from the area requirements for accessory structures.

(D) All building setback standards of the land use district shall apply.

(E) Any accessory structure must be on the same parcel as the primary building.

(F) The maximum number of detached accessory structures shall be two, regardless of any requirement of a building permit.

(G) The maximum height of any accessory structure shall not exceed 20 feet.

(2) USE OF CARGO CONTAINERS: As storage for construction clean-up or construction material, a cargo container used as a temporary storage device may be located anywhere on the property, except in the "clear sight triangle" during the duration of the construction activity associated with an active building permit subject to the approval of a Temporary Use Permit."

ORDINANCE NO. 126

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 8, DIVISION 4, CHAPTER 4, SECTION 84.0410 OF THE COUNTY OF SAN BERNARDINO CODE AS ADOPTED BY THE TOWN OF YUCCA VALLEY RELATING TO INSTITUTIONAL USES BY AMENDING SUBSECTION 84.410(a) AND ADDING NEW SUBSECTION 84.410(e) AND (f) (DCA-04-00)

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

Chapter 4

ADDITIONAL USES

1.1 Section 84.0410(a)(4) is amended to read in its entirety as follows:

84.410 List of Additional Uses.

"(a) The following uses shall be allowed in any official land use district subject to the reviews specified by Sections 84.0401 and 84.0405.

(4) Airports, heliports, train stations, bus station, car pool facilities, and organizational camps."

1.2 Subsection 84.410(a)(9) is hereby deleted.

1.3 A new Subsection 84.410(e) relating to additional institutional uses, is hereby added to the Code to read as follows:

"(e) **Institutional Uses**: Churches, school, college and university, residential care facility (congregate care), convalescent home, hospitals, interim housing, or similar type of uses

(1) **Purpose:** The purpose of this section is to provide general standards applicable to institutional uses to preserve neighborhood character, provide compatibility with adjoining properties, and to insure that existing traffic improvements for the site are at appropriate levels and that traffic improvements are required in accordance with the Circulation Element of the General Plan.

(2) **Permitted Land Use Districts**: Unless otherwise specifically prohibited by this section, institutional uses shall be permitted in all land use districts subject to the requirements of an approved Conditional Use Permit.

(3) **Churches, School, Hospital, College and University**: The following standards shall apply:

(A) The site shall be located on or adjacent to a paved street.

(B) The site shall be located on a 80-foot wide collector or greater as shown on the Circulation Element of the General Plan;

(C) Building setback of 50 feet from all property lines as required when developing in or adjacent to a single family residential land use district; otherwise the underlying building setbacks of the land use district shall apply;

(D) Minimum parcel size shall be 2.5 acres in single family residential land use districts;

(E) Mid-block locations within a single family residential land use districts shall be discouraged;

(F) The height of any structure shall be compatible with that of the surrounding development;

(G) The architectural design of facilities shall be designed in such a manner that the facility is compatible with and in scale with the surrounding development. For development within a commercial land use district the project shall be consistent with the adopted Commercial Design Guidelines;

(H) Parking areas for facilities in residential land use districts that accommodate a large number of vehicles shall be divided into a series of smaller parking areas by landscaping and by offsetting portions of lots in ways that effectively reduce the visual impacts of large parking areas;

(I) Access drives and parking aisles shall be kept at the maximum distance possible from any adjacent residential units."

(4) **Residential Care Facility (congregate care), Convalescent Home, Community Care Facility, and Interim Housing (homeless shelter, halfway house, emergency shelter, dormitories, fraternities, sororities, and labor camps)**: No Conditional Use Permit is required for facilities with six or fewer persons as allowed by State law. The following standards shall apply for any facility which serves seven (7) to eighteen (18) persons. Facilities with nineteen or more persons shall be subject to Section 84.410(e)(3):

(A) The site shall be located on or adjacent to a paved street where required street improvements can connect.

(B) Building setback of 50 feet from all property lines as required when developing in or adjacent to a single family land use district; otherwise the underlying building setbacks of the land use district shall apply.

(C) Common outdoor recreational amenities shall be provided subject to review and approval by the Planning Commission.

(D) The heights of any proposed structure(s) shall be compatible with that of the surrounding development

(E) The architectural design of facilities shall be compatible and in scale with the surrounding development. A project within a commercial land use district shall be consistent with the adopted *Commercial Design Guidelines.*

(F) Parking areas for facilities in residential land use districts that accommodate more than ten vehicles shall be divided into a series of smaller parking areas by landscaping and by offsetting portions of lots in ways that effectively reduce the visual impacts of large parking areas.

(G) Access drives and parking aisles shall be kept at a maximum distance possible from any adjacent residential units."

1.4 Section 84.0410(f) relating to Family Day Care Homes is hereby added to the Code to read as follows:

"(f) **Family Day Care Homes**:

(1) **Definitions**:

(A) Child Care Facility. A child care facility is a facility which provides non-medical care to children under eighteen (18) years of age in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. A Child Care Facility includes day care centers and family day care homes.

(B) Family Day Care Home. Family Day Care Home means a home which regularly provides care, protection, and supervision of fourteen (14) or fewer children, in the provider's own home, for periods for less than 24 hours per day, while the parents or guardians are away, and includes the following:

(1) Large Family Day Care Home: means a home which provides family day care to nine (9) to fourteen (14) children, including children under the age of (10) years who reside at the home, as defined in regulations issued by the State of California.

(2) Small Family Day Care Home: means a home which provides family day care for eight (8) or fewer children, including children under the age of ten (10) years who reside at the home, as defined in regulations issued by the State of California.

(C) Day Care Center. Day Care Center means any child care facility which serves 15 children or more, other than a family day care homes, and includes infant center, preschools, and extended day care facilities.

(2) **Family Day Care Homes.**

(A) Small Family Day Care Homes. Small family day care homes shall be considered a residential use of property for the purposes of the Yucca Valley Development Code, and shall be a permitted use in all zones in which residential uses are permitted.

(B) Large Family Day Care Homes. Large family day care homes shall be considered a residential use of property for the purposes of the Yucca Valley Development Code, and shall be a permitted use in all zones in which residential uses are permitted.

(3) **Non-discretionary Permits.**

(A) A non-discretionary permit approved by the Community Development Department shall be required for all large family day care homes located in Hillside Reserve (R-HR), Rural Living (RL), and Single Residential (RS) land use districts prior to the commencement of the use.

(B) No hearing shall be held before a decision is made on the application.

(C) The Community Development Department shall approve the application upon finding that the proposed use:

(1) Provides one off street parking space for each employee who drives to the program and who requires a parking space;

(2) Provides drop-off facilities as necessary to avoid interference with traffic and to promote the safety of children;

(3) Is not located within 300 linear feet of an existing large family day care home; provided, however, that the Community Development Department shall disregard this requirement where the administrative use permit applicant can demonstrate that:

(a) The existing large family day care home is operating at full capacity; or

(b) A need exists for a particular service not provided by the existing large family day care home.

(4) Complies with the noise element of the Town's General Plan;

(5) Has been licensed for such use by the State of California;

(6) Complies with all State Fire Marshal requirements for building and safety which apply to large family day care homes, and with all local building and fire codes which apply to single family residences.

(D) Written Decision. The Community Development Department shall prepare a written decision which shall contain the findings of fact upon which such decision is based. The decision shall be mailed to the applicant and to property owners of parcels adjacent to the parcel for which the non-discretionary Permit was requested. Copies of the decision shall also be provided to the Planning Commission.

(E) Revocation. A non-discretionary Permit may be revoked by the Community Development Department or the Planning Commission on appeal, if anyone of the following findings can be made:

(1) That the permit was obtained by misrepresentation or fraud.

(2) That the use for which the permits was granted has ceased or has been suspended for six or more consecutive months.

(3) That one or more of the required standards have not been complied with.

The Community Development Department shall notify the permit holder in writing of the pending revocation and state specifically the grounds therefore. In the event the grounds stated for the revocation are not corrected within fourteen (14) calendar days or if evidence of substantial compliance is not provided to the Community Development Department within fourteen (14) calendar days from the date upon which the notice is mailed, the permit shall be revoked. The fourteen (14) day period may be extended if good faith corrective action is taken by the applicant and approved by the Community Development Department.

(4) **Day Care Centers.** Day Care Centers may be permitted in any district, subject to a Conditional Use Permit. Any facility with more than 18 children shall be subject to the standards specified in Section 84.410(e)(3)."

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 attested by the Town Clerk this 17th day of January 2002.

MAYOR

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

APPROVED AS TO CONTENT:

Town Manager

G:\RESTOREF\COMMON\COMMON\ORDINANC\2000\DCA400T3.doc
Jan. 3, 2002 mtg

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 was duly and regularly introduced at a meeting of the Town Council on the 3rd day of January, 2002, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 17th day of January, 2002, by the following vote, to wit:

Ayes:	Council Members Cook, Earnest, Leone, Scott and Mayor Neeb
Noes:	None
Absent:	None
Abstain:	None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 18th day of January, 2002.

(SEAL)

Town Clerk of the Town of
Yucca Valley

Planning Commission: November 12, 2013

TOWN OF YUCCA VALLEY
COMMUNITY DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION STAFF REPORT
TRACTOR SUPPLY CO

Case: CONDITIONAL USE PERMIT, CUP 03-13, TRACTOR SUPPLY CO

Request: REQUEST FOR APPROVAL FOR 4,874 SQUARE FEET OF OUTDOOR STORAGE ON THE WEST SIDE OF THE PROPERTY AND 1,621 SQUARE FEET OF PERMANENT STORAGE ON THE SIDEWALK ON THE SOUTH SIDE OF THE BUILDING.

Applicant: TRACTOR SUPPLY COMPANY
200 POWELL PLACE
BRENTWOOD, TN 37027

Property Owner:
WALMART REALTY CO
2001 SE 10TH STREET
BENTONVILLE, AR

Representative:
ADA ARCHITECTS
17710 DETROIT AVE
LAKEWOOD, OH 44107

Location: THE PROJECT IS LOCATED AT 57980 29 PALMS HWY AND IS FURTHER IDENTIFIED AS APN: 601-402-08 AND 09.

Existing General Plan Land Use Designation:
THE SITE IS DESIGNATED COMMUNITY COMMERCIAL (C-C)

Existing Zoning Designation:
THE SITE IS DESIGNATED COMMUNITY COMMERCIAL (C-C)

Surrounding General Plan Land Use Designations:
NORTH: INDUSTRIAL (I)
SOUTH: COMMERCIAL MIXED USE (C-MU)
WEST: COMMUNITY COMMERCIAL (C-C)
EAST: NEIGHBOR COMMERCIAL (C-N)

Surrounding Zoning Designations:
NORTH: INDUSTRIAL (I)
SOUTH: COMMERCIAL MIXED USE (C-MU)

Division Approvals:
Engineering _____ Building & Safety _____ Public Works_____

WEST: COMMUNITY COMMERCIAL (C-C)
EAST: NEIGHBORHOOD COMMERCIAL (C-N)

Surrounding Land Use:

NORTH: VACANT LAND
SOUTH: VACANT LAND, AUTO DEALERSHIP
WEST: VACANT LAND, RETAIL
EAST: RETAIL

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

THE PROJECT WAS REVIEWED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). THE PROJECT IS EXEMPT FROM CEQA UNDER SECTION 15301, CLASS 1, EXISTING FACILITIES.

OUTSIDE AGENCIES COMMENTS RECEIVED

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT:
A letter was provided dated October 17, 2013 indicating that a "Notification of Demolition/Renovation" shall be submitted for the demolition of any load bearing wall or foundation

SAN BERNARDINO COUNTY ENVIRONMENTAL HEALTH:
An e-mail was received on October 25, 2013 stating the SB County Environmental Health has no comments on the project.

SAN BERNARDINO COUNTY DEPT OF PUBLIC WORKS
An e-mail was received on October 17, 2013 indicating that the area on the west side of the property is within a trap channel and should remain free of anything that could impact the flood channel.

DEPARTMENT OF TRANSPORTATION
A letter was provided dated October 29, 2013 requesting a site plan and a truck turning template.

COPIES OF ALL LETTERS ARE INCLUDED IN THE PACKET.

RECOMMENDATIONS:

ENVIRONMENTAL ASSESSMENT, EA 06-13

That the Planning Commission finds the project exempt from CEAQ under section 15301, class 1, Existing Facilities.

CONDITIONAL USE PERMIT, CUP 03-13:

That the Planning Commission approves Conditional Use Permit, CUP 03-13, based upon the findings and the Conditions of Approval.

Appeal Information:

Actions by the Planning Commission, including any finding that a negative declaration be adopted, may be appealed to the Town Council within 10 calendar days. Appeal Application filing and processing information may be obtained from the Planning Division of the Community Development Department. Per Section 83.030145 of the Development Code, minor modifications may be approved by the Planning Division if it is determined that the changes would not affect the findings prescribed in Section 83.030140 of the Development Code, Required Findings, and that the subject of the proposed changes were not items of public controversy during the review and approval of the original permit, including modifications to phasing schedules for the project.

I. GENERAL INFORMATION

PROJECT DESCRIPTION. The applicant is requesting approval for 4,874 square feet of storage on the west side of the property and 1,621 square feet of outdoor display area on the sidewalk on south side of the property. The storage area on the west side of the property will be for trailer display. The outdoor display area on the south side of the building will be for the display of merchandise as described in the attached letter from ADA Architects date November 05, 2013. This outdoor display area is permanent and the merchandise will remain 24 hours per day.

LOCATION: The project is located at 57980 29 Palms Hwy and is further identified as APN: 601-402-08 and 09.

PROJECT SYNOPSIS:	SITE COVERAGE
PROJECT AREA	12.7 acres
STORAGE AREA	4,874 square feet 1,621 square feet
PHASED CONSTRUCTION:	No
FLOOD ZONE	Map 8120 zone X, areas determined to be outside the 0.2% annual chance floodplain
ALQUIST PRIOLO ZONE	No
OFF-SITE IMPROVEMENTS REQ.	No
ASSESSMENT DISTRICTS REQ.	No
RIGHT-OF-WAY DEDICATION REQ.	No
UTILITY UNDERGROUNDING:	All new service lines shall be underground in conformance to Ordinance No. 233, or as amended by the Town Council
AIRPORT INFLUENCE AREA:	Located inside the Airport Influence area.
TRAILS & BIKE LANE MASTER PLAN	No facilities on or adjacent to the project.

PUBLIC FACILITY MASTER PLAN	No facilities on or adjacent to the project.
PARKS AND RECREATION MASTER PLAN	No public facilities are identified for this site.
MASTER PLAN OF DRAINAGE:	No facilities on or adjacent to the project.
EROSION AND SEDIMENT CONTROL PLAN REQUIRED	No
STREET LIGHTS:	No
SPECIFIC PLAN/ PLANNED DEVELOPMENT AREA:	No
FUTURE PLANNING COMMISSION ACTION REQURIED	No
FUTURE TOWN COUNCIL ACTION REQURIED	No

II. PROJECT ANALYSIS

ADJACENT LAND USES: The site is bounded by 29 Palms Hwy on the south and Hilton Ave on the west. Across SR 62 to the south is an existing automobile dealership. To the north of the property is vacant land and to the east are existing retail commercial businesses. Surrounding General Plan and Zoning designations are Industrial to the north, Commercial Mixed Use to the south, Neighborhood Commercial to the east and Community Commercial to the west. Commercial development was anticipated and planned for on this project site with adoption of the General Plan, and the development meets and satisfies the goals, policies and implementation strategies of the General Plan. General retail and service oriented commercial uses are anticipated in these areas, and the proposed use identified in CUP 03-13 is consistent with the desired development pattern within the Town.

SITE CHARACTERISTICS, SETBACKS: The property is currently developed with approximately 100,000 square feet of retail space. The structure will be divided in several spaces and Tractor Supply will be occupying the west portion of the building along with the outdoor garden area.

The Development Code provides for maximum 60% of the lot to be covered with building area. As proposed, the site is developed at approximately 18% lot coverage.

CIRCULATION & PARKING: On site circulation includes three points of ingress/egress. One point of ingress/egress along 29 Palms Hwy and two points along Hilton Ave, sufficient controls over left hand turn movements into/out of the facility, and on-site circulation meeting Town and Fire Department standards. Internal circulation provides access to required parking. On-site circulation provides access around the south side and west side of the building, creating the ability for drivers to exist to Hilton Ave and to SR 62 for ingress/egress.

FLOOD CONTROL/DRAINAGE: There is a trap channel located on the west side of the property. This channel is separated from the proposed storage area by a block wall approximately three feet high.

UTILITIES: Electrical services are provided by Southern California Edison. Natural gas services are provided to by The Gas Company. The Hi-Desert Water District (HDWD, District) serves the Town of Yucca Valley. Solid waste services are provided by Burrtec Inc. The Town of Yucca Valley requires mandatory solid waste services and the project will be served by Burrtec.

LANDSCAPING: The property is an existing retail site and landscaping was completed at the time of original construction.

ARCHITECTURAL FEATURES: The building is an existing block structure. The building has been recently repainted. New 14' glass doors will be installed at the east end of the lease space. A corrugated metal panel will be installed above the new doors and a new 75 square foot sign will be installed on the metal panel.

OUTDOOR STORAGE: Section 84.0350 of the Development Code allows for outdoor storage of material for a Home Improvement Center subject to a Conditional Use Permit. The storage area on the west side of the property will be for the storage of trailers and will be delineated with a six inch yellow painted border. The storage area on the south side of building will be located on the sidewalk. Typical items to be located on the sidewalk will include but not be limited to lawn mowers, dog kennels, rakes, wheel barrels, and bagged fertilizer. Photos of outdoor storage at other locations have been included with the staff report.

ENVIRONMENTAL CONSIDERATIONS:. The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15301 Class 1, Existing Facilities.

GENERAL PLAN CONSIDERATION: The project is designated Community Commercial (C-C). This designation provides for larger community scale shopping centers, anchored by department stores and a variety of retail and entertainment uses.

This designation anticipates and encourages a wide range of retail sales, business uses and personal services oriented to the automobile customer. The proposed project is consistent with the designation in which it occurs.

The General Plan supports this project through the following goals and policies:

GENERAL LAND USE

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.

COMMERCIAL

GOAL
A full range of commercial land uses conveniently and appropriately distributed throughout the Town, meeting the community's needs and taking full advantage of emerging development and economic opportunities.

POLICY 1
Sufficient lands shall be designated to provide a full range of commercial services to the community and surrounding areas to meet present and future needs.

CONCLUSION: Based upon the facts on the record, the project is consistent with the General Plan, the Development Code, and the Town's master plans. Commercial based development was anticipated and planned for on this project site with adoption of the General Plan, and the development meets and satisfies the goals, policies and implementation strategies of the General Plan. The project, as designed, meets all requirements of the Development Code and no variances or deviations from adopted standards are required for approval.

CONDITIONAL USE PERMIT FINDINGS:

1. **That the location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of the land use district in which the site is located, and the development policies and standards of the Town;**

   The site is bounded by 29 Palms Hwy on the south and Hilton Ave to the west. Across SR 62 to the north is an existing auto dealership. To the north of the property is vacant land and to the east are existing retail commercial businesses. Surrounding General Plan and Zoning designations are Industrial to the north, Commercial Mixed Use to the south, Neighborhood Commercial to the east and Community Commercial to the west.

2. **That the location, size, design and architectural design features of the proposed structures and improvements are compatible with the site's natural landform, surrounding sites, structures and streetscapes;**

   The site is developed with an existing structure of approximately 100,000 square feet of retail space. There are existing retail, fast food and automobile dealers surrounding the site.

3. **That the proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses;**

   The site is developed with an existing one story structure of approximately 100,000 square feet of retail space and is surrounded by existing retail.

4. **That the building site and architectural design is accomplished in an energy efficient manner;**

   The site has been developed consistent with adopted set back and building height standards, allowing opportunities to maximize energy efficiency and conservation measures in construction and building operations.

5. **That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures;**

   As outlined in the staff report and in these findings, the construction materials, colors, textures, height and bulk are consistent with the Development Code standards and requirements and are consistent with surrounding development patterns.

6. **That the development proposal does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;**

   The project is an existing one story retail building of approximately 100,000 square feet and is surrounded by existing retail and fast food restaurants. There is an existing automobile dealership located across the highway to the south of the property. These building heights are consistent with the commercial development pattern along SR 62 and as such, do not unnecessarily block views from public ways and are similar in mass and scale to the local built environment.

7. **That the amount, location, and design of open space and landscaping conforms to the requirements of the Development Code, enhances the visual appeal and is compatible with the design and functions of the structure(s), site and surrounding area;**

   The property is an existing building and the landscaping was installed during the original construction in conformance to County Code standards in place at that time. .

8. **That quality in architectural design is maintained in order to enhance the visual environment of the Town and to protect the economic value of existing structures;**

   The existing structure is wood framed with stucco. The building has been recently repainted. New 14' glass doors will be installed at the east end of the lease space. A corrugated metal panel will be installed above the new doors and a new sign will be installed on the metal panel

9. **That there are existing public facilities, services, and utilities available at the appropriate levels and/or that new or expanded facilities, services and utilities shall be required to be installed at the appropriate time to serve the project as they are needed;**

   Each utility provider charges connection and service fees which are designed to include the need for additional facilities as growth occurs. The project applicant will be required to pay these fees as applicable.

   Electrical services are provided by Southern California Edison. Natural gas services are provided to by The Gas Company. The Hi-Desert Water District (HDWD, District) serves the Town of Yucca Valley. Solid waste services are provided by Burrtec Inc. The Town of Yucca Valley requires mandatory solid waste services and the project will be served by Burrtec. Verizon facilities are not indicated on the schematic utility plan, but are available to the site.

10. **That access to the site and circulation on and off-site is required to be safe and convenient for pedestrians, bicyclists, equestrians and motorists;**

    On site circulation includes three points of ingress/egress. One point of ingress/egress along 29 Palms Hwy and two points along Hilton Ave, sufficient controls over left hand turn movements into/out of the facility, and on-site circulation meeting Town and Fire Department standards. Internal circulation provides access to required parking. On-site circulation provides access around the south side and west side of the building, creating the ability for drivers to exist to Hilton Ave and to SR 62 for ingress/egress.

11. That traffic generated from the proposed project has been sufficiently addressed and mitigated and will not adversely impact the capacity and physical character of surrounding streets;

The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15301 Class 1, Existing Facilities.

No negative impacts created by the project have been identified, including traffic impacts.

12. That traffic improvements and/or mitigation measures have been applied or required in a manner adequate to maintain a Level of Service D or better on arterial roads, where applicable, and are consistent with the Circulation Element of the Town General Plan;

The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15301Class 1, Existing Facilities.

No negative impacts created by the project have been identified, including traffic impacts.

13. That there will not be significant harmful effects upon environmental quality and natural resources including endangered, threatened, rare species, their habitat, including but not limited to plants, fish, insects, animals, birds or reptiles;

The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15301 Class 1, Existing Facilities.

No negative impacts created by the project have been identified, including biological resources.

14. That there are no other relevant or anticipated negative impacts of the proposed use that cannot be mitigated and reduced to a level of non-significance in conformance with CEQA, the California Environmental Quality Act;

The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15301 Class 1, Existing Facilities.

No negative impacts created by the project have been identified.

15. **That the impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety and welfare of the community or be materially injurious to properties or improvements in the vicinity or be contrary to the adopted General Plan; and**

    The project was reviewed under the California Environmental Quality Act (CEQA). The project is exempt from CEQA under Section 15301 Class 1, Existing Facilities.

    No negative impacts created by the project have been identified.

16. **That the proposed development will comply with each of the applicable provisions of this code, and applicable Town policies; except approved variances.**

    The project, as designed, complies with the standards and requirements set forth in the Yucca Valley Development Code and the adopted General Plan policies, as identified and set forth in this Staff Report.

Attachments:

1. Standard Exhibits
2. Application materials
3. Site Plan & Elevations
4. Agency comments
5. Ordinance 88, General Commercial District
6. Photos

TOWN OF YUCCA VALLEY
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT, CUP 03-13
TRACTOR SUPPLY CO

This approval is for Conditional Use Permit, CUP 03-13 Tractor Supply Co. A request for 4,874 square feet of storage on the west side of the property and 1,621 square feet of outdoor display area on the sidewalk on south side of the property.

The project is located at 57980 29 Palms Hwy, and identified as APN: 601-402-08 and 09.

GENERAL CONDITIONS

G1. The applicant shall agree to defend, indemnify and hold harmless the Town of Yucca Valley, its agents, officers and employees, at his sole expense, against any action, claim or proceedings brought against the Town or its agents, officers or employees, to attack, set aside, void, or annul this approval or 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. The Town shall promptly notify the applicant of any claim, action or proceedings arising from the Town's approval of this project, and the Town shall cooperate in the defense.

G2. This Conditional Use Permit shall become null and void if construction has not commenced within three (3) years of the Town of Yucca Valley date of approval. Extensions of time may be granted by the Planning Commission and/or Town Council, in conformance with the Town of Yucca Valley Development Code. The applicant is responsible for the initiation of an extension request.

CUP 03-13 Approval Date:	**November 12, 2013**
Expiration Date:	**November 12, 2016**

G3. The applicant shall ascertain and comply with requirements of all State, County, Town and local agencies as are applicable to the project. These include, but are not limited to, County of San Bernardino Environmental Health Services, County of San Bernardino Transportation/Flood Control, County of San Bernardino Fire Department, Yucca Valley Building and Safety, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water Quality Control Board, Colorado River Region, the Federal Emergency Management Agency,

MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town and utility company requirements.

G4. All conditions are continuing conditions. Failure of the applicant to comply with any or all of said conditions at any time may result in the revocation of any construction permits for the project.

G5. No on-site or off-site work shall commence without obtaining the appropriate permits for the work required by the Town and the appropriate utilities. The approved permits shall be readily available on the job site for inspection by Town personnel.

G6. The applicant shall pay all fees charged by the Town as required for application processing, plan checking, construction and/or inspection. The fee amounts shall be those which are applicable and in effect at the time work is undertaken and accomplished. Fees for entitlement prior to construction permits are based on estimated costs for similar projects. Additional fees may be incurred, depending upon the specific project. If additional fees for services are incurred, they must be paid prior to any further processing, consideration, or approval(s).

G7. All improvements shall be inspected by the Town as appropriate. Any work completed without proper inspection may be subject to removal and replacement under proper inspection.

G8. All refuse shall be removed from the premises in conformance with Yucca Valley Town Code 33.083.

G9. During construction, the applicant shall be responsible to sweep public paved roads adjacent to the project as necessary and as requested by the Town staff to eliminate any site related dirt and debris within the roadways. During business activities, the applicant shall keep the public right-of-way adjacent to the property in a clean and sanitary condition.

G10. No staging of construction equipment or parking of worker's vehicles shall be allowed within the public right-of-way of streets or other public improvements that have been accepted into the Town's maintained system

G11. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB 1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a qualified licensed land surveyor or civil engineer to reset those monuments per Town Standards and file the necessary information with the County Recorder's office as required by law (AB 1414).

G12. Each phase of a phased project shall function independently of all other phases. All improvements shall be completed for each phase to ensure that each phase functions separate from the remainder of the project, and shall include, but not be

limited to, street improvements, wastewater collection, treatment and disposal, drainage and retention/detention facilities, water delivery systems, fire suppressions systems, post construction erosion and sediment control systems, all utilities necessary to serve the project, and those improvements deemed necessary by the Town. All phasing plans shall be illustrated on rough and precise grading plans, erosion and sediment control plans, all plans required for obtaining native plant plan approval, and on any other plan as deemed necessary by the Town.

G13. At the time of permit issuance the applicant shall be responsible for the payment of fees associated with electronic file storage of documents

G14. The Applicant shall reimburse the Town for the Town's costs incurred in monitoring the developer's compliance with the Conditions of Approval including, but not limited to, inspections and review of developer's operations and activities for compliance with all applicable dust and noise operations. This condition of approval is supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Yucca Valley Municipal Code.

G15. Prior to the issuance of a Certificate of Occupancy for any habitable structure in each phase of the project, all improvements shall be constructed, final inspection performed, punch-list items completed, and all installations approved by the appropriate agency.

G16. Prior to any work being performed within the public right-of-way, the Applicant shall provide the name, address, telephone, facsimile number, and e-mail address of the Contractor to perform the work. A description of the location, purpose, method of construction, and surface and subsurface area of the proposed work shall be supplied. A plat showing the proposed location and dimensions of the excavation and the facilities to be installed, maintained, or repaired in connection with the excavation, shall be provided and such other details as may be required by the Town Engineer.

G17. The site shall be developed in accordance with the approved plans on file with the Town of Yucca Valley, in accordance with the Conditions of Approval approved for the project, and in accordance with the General Plan and Development Code. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Town.

G18. Prior to issuances of building permits, all site plans, grading plans, landscape and irrigation plans, drainage/flood control plans, public improvement plans, composite development plans, erosion and sediment control plans, and

assessment district plans and formations shall be coordinated for consistency with this approval.

G19. The Town Engineer may allow phased constructed of the project provided that the improvements necessary to adequately serve or mitigate the impacts of each phase of development are completed prior to the issuance of a Certificate of Occupancy for that phase.

G20. The applicant or the applicant's successor-in-interest shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust.

G21. If archaeological, paleontological or historical resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person with appropriate expertise shall be consulted by the applicant regarding mitigation measures to preserve or record the find. Recommendations by the consultant shall be implemented as deemed necessary and feasible by the Town before work commences in the affected area. If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains might be those of a Native American, the California Native American Heritage Commission shall be notified and appropriate measures provided by State law shall be implemented.

G22. All street dedications shall be irrevocably offered to the public and shall continue in force until the Town accepts or abandons such offers. All dedications shall be free of all encumbrances as approved by the Town Engineer.

G23. The street design and circulation pattern of this project shall be coordinated with adjoining developments.

G24. The final Conditions of Approval issued by the approving authority shall be photographically or electronically placed on bond (blue/black line) paper and included in the Grading and Street Improvement plan sets on 24" x 36" bond (blue/ black line) paper and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field and during construction. Plan check fees shall not be charged for sheets containing the Conditions of Approval.

G25. Violations of any condition or restriction or prohibition set forth in these conditions, including all approved construction plans, public and private, for this project and subject to the Town's overall project approval and these conditions of approval, shall subject the owner, applicant, developer or contractor(s) to the remedies as noted in the Municipal Code. In addition, the Town Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as

it has been determined that all operations and activities are in conformance with these conditions.

G26. For any import or export of material, the applicant shall provide the route of travel, estimated cubic yards of import/export, number of trucks, daily schedule, and length of time necessary to complete the import/export of materials to/from the site. No hauling of material shall occur prior to approval by the Town Engineer.

G27. Prior to issuance of a certificate of occupancy, the applicant shall submit all improvement plans, including asbuilts, on compact disks in digital format acceptable to the Town Engineer.

PLANNING CONDITIONS

P1. The development of the property shall be in conformance with FEMA requirements and the Town's Floodplain Management Ordinance requirements. Adequate provision shall be made to intercept and conduct the existing tributary drainage flows around or through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to modifying existing facilities or by securing a drainage easement.

P2. Utility undergrounding shall be in accordance with Ordinance 233, or as amended.

P3. All exterior lighting shall comply with the Ordinance 90, Outdoor Lighting and shall be illustrated on all construction plans.

P4. A reciprocal parking and access agreement shall be recorded against all parcels on the project site (if not in existence), ensuring shared parking and access and that development on each parcel shall comply with the General Plan and Development Code following final subdivision of the land, subject to Town Attorney and Town Engineer review and Director approval.

ENGINEERING CONDITIONS

E1. No on-site or off-site work shall commence without obtaining the appropriate permits for the work involved from the Town. The approved permits shall be readily available on the job-site for inspection by the Town personnel.

E2. Prior to any work being performed in the public right-of-way, fees shall be paid and an encroachment permit shall be obtained from the Town. The Applicant

shall apply for an encroachment permit from the Town for utility trenching, utility connection, or any other encroachment onto public right-of-way. The Applicant shall be responsible for the associated costs and arrangements with each public utility.

E3. Areas for construction stockpiling, equipment storage and maintenance shall be submitted to the Town Engineer for review and approval with each phase of the project.

E4. The Applicant shall restore any pavement cuts required for installation or extension of utilities for the project within the public right-of-way. In all cases where cuts are allowed, the Applicant is required to patch the cuts to Town standards and the approval of the Town Engineer. The patching shall include a grinding of the pavement to a width 4 feet beyond the edge of the trench on each side, or as determined by the Town Engineer, and replacement with a full-depth asphalt concrete recommended by the Soils Engineer.

E5. The Applicant shall observe the construction of this project to make certain that no damage or potential for damage occurs to adjacent roadway, existing improvements, adjacent property and other infrastructure. The Applicant shall be responsible for the repair of any damage occurring to offsite infrastructure and/or property damage as determined by the Town Engineer. The Applicant shall repair any such damage prior to certificate of occupancy. If the damage is such that it is not repairable within a reasonable amount of time as determined by the Town Engineer, the Applicant may petition the Town Engineer for additional conditions that may allow him the time, amount of surety and other requirements to repair the damage.

E6. The Applicant shall be responsible for all improvements constructed within the public right-of-way as required by the conditions of approval. The improvements shall be constructed to the standards and requirements as determined and approved by the Town Engineer. Any improvements not considered to be to the required standards shall be replaced. The applicant shall be required to maintain and repair those improvements prior to and after acceptance by the Town Council for the length of time required by the applicable conditions, standards and ordinances.

E7. The wastewater collection and treatment system shall be maintained so as not to create a public nuisance and shall be serviced by a maintenance company approved by the Regional Water Quality Control Board. The wastewater collection and treatment system shall be approved by the Regional Water Quality Control Board

E8. **The project shall make provisions for connection to the future Phase 1 sewer system improvements and shall connect immediately when sewer service becomes available.**

E9. All improvement plans shall be designed by a Registered Civil Engineer.

E10. With submittal of grading plans, street improvement plans, storm drain and retention/detention basin plans, and erosion and sediment control plans, the Applicant shall cause to be formed or shall not protest the formation of a maintenance district(s) for landscape, lighting, streets, drainage facilities or other infrastructure as required by the Town. The Applicant shall initiate the maintenance and benefit assessment district(s) formation by submitting a landowner petition and consent form (provided by the Town) and deposit necessary fees concurrent with the application for street and grading plan review and approval; and said maintenance and benefit assessment district(s) shall be established concurrent with the approval of the final map in the case of the subdivision of land, or prior to issuance of any certificate of occupancy where there is no subdivision of land. The applicant is responsible for formation costs.

E11. A construction area traffic control plan, including temporary and final permanent striping, shall be designed by a registered Civil Engineer or Traffic Engineer for review and approval by the Town Engineer for any street construction, closure, detour or other disruption to traffic circulation.

E12. All street closures must be approved by Town Council action.

E13. No on-site or off-site work shall commence without obtaining the appropriate permits for the work involved from the Town. The approved permits shall be readily available on the job-site for inspection by the Town personnel.

E64. The Applicant shall accept and properly dispose of all off-site drainage flowing onto or through the site.

BUILDING AND SAFETY CONDITIONS

B1. Prior to the delivery of combustible materials, the following items shall be accepted as complete:

a. The water system is functional from the source of water past the lots on which permits are being requested (i.e. All services are installed, valves are functional and accessible, etc.); and

b. Fire hydrants are accepted by the County Fire Department and the Hi Desert Water District. The fire hydrants associated with each phase shall be functioning prior to issuance of building permits.

B2. The applicant shall submit three sets of plans to the Building and Safety Dept. for plan check and approval.

B3. At the time of building plan check submittal, the applicant shall provide approval from the San Bernardino County Fire Dept.

B4. Prior to final inspection, all required improvements shall be constructed and finalized and accepted by the appropriate agency prior to the issuance of a Certificate of Occupancy.

FIRE CONDITIONS

F1. Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.

F2. All Group "R", Division "3" Occupancies, single family dwellings, garages duplexes and manufactured homes, which do not have specific fire protection requirements shall require a building inspector to sign off the final inspection. A fire inspector will not be required for the final inspection.

F3. The Applicant shall be responsible for all fees required by San Bernardino County Fire Department.

F4. A water system approved by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Detached single family residential developments may increase the spacing between hydrants to be no more than six hundred (600) feet and no more than three hundred (300) feet (as measured along vehicle travel-ways) from the driveway on the address side of the proposed single family structure.

F5. Prior to issuance of a Certificate of Occupancy, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with County Fire Department Requirements.

F6. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job-site.

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT CONDITION

M1. The applicant shall comply with the provisions of District Rule 403, Fugitive Dust.

M2. See attached letter from MDAQMD dated October 17, 2013.

HIGH DESERT WATER DISTRICT CONDITIONS

H1. Water and sewer improvement plans will need to be submitted to the Water District for review and approval.

H2. All costs for plan review, hydraulic modeling analysis, construction, testing and inspection shall be the responsibility of the Applicant.

H3. Landscape plans should be submitted in accordance with Hi Desert Water District Landscape Ordinance Package if total landscape area exceeds 500 square feet and a separate landscape meter will also be required.

H4. An agreement for water service shall be approved by HDWD Board of Directors prior to construction.

UNITED STATES MARINE CORPS CONDITIONS

MC1. The following information regarding the presence of the Marine Corps Air Ground Combat Center (MGAGCC) shall be recorded on the title of each property contained within the boundaries of the project .

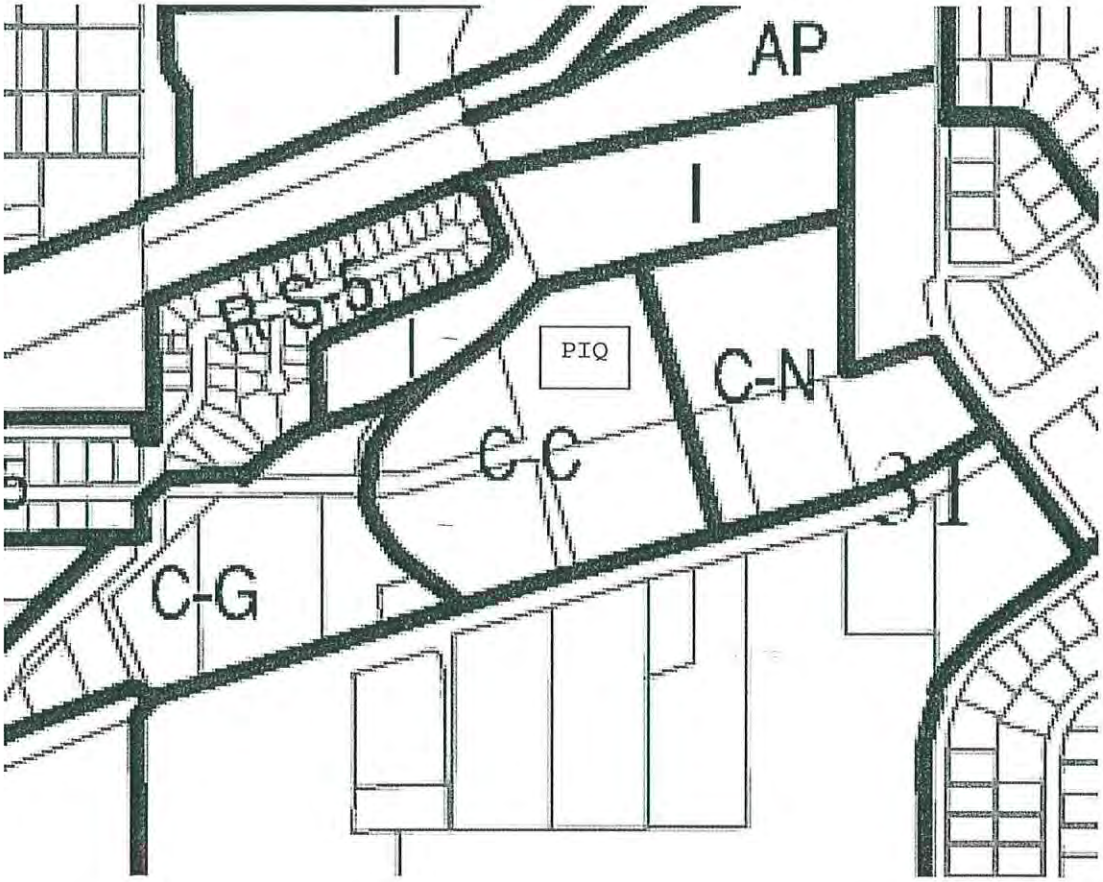
"The Marine Corps Air Ground Combat Center is located in the Morongo Basin. To prepare Marines for future conflicts, the MGAGCC carries out realistic training with military munitions, both day and night. As a result, Military aircraft fly over the area, and military vehicles drive on and off the base every day. This property is located directly under two aircraft flying routes and is located approximately 13 miles from the installation boundary. Consequently, you should expect to hear military training, see low-flying military aircraft, and encounter other experiences associated with the important mission of the MCAGCC".

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

Applicant's Signature _____ Date _____

TOWN OF YUCCA VALLEY

PROJECT NO. CONDITIONAL USE PERMIT, CUP 03-13 TRACTOR SUPPLY CO



ZONING AND GENERAL PLAN LAND USE MAP

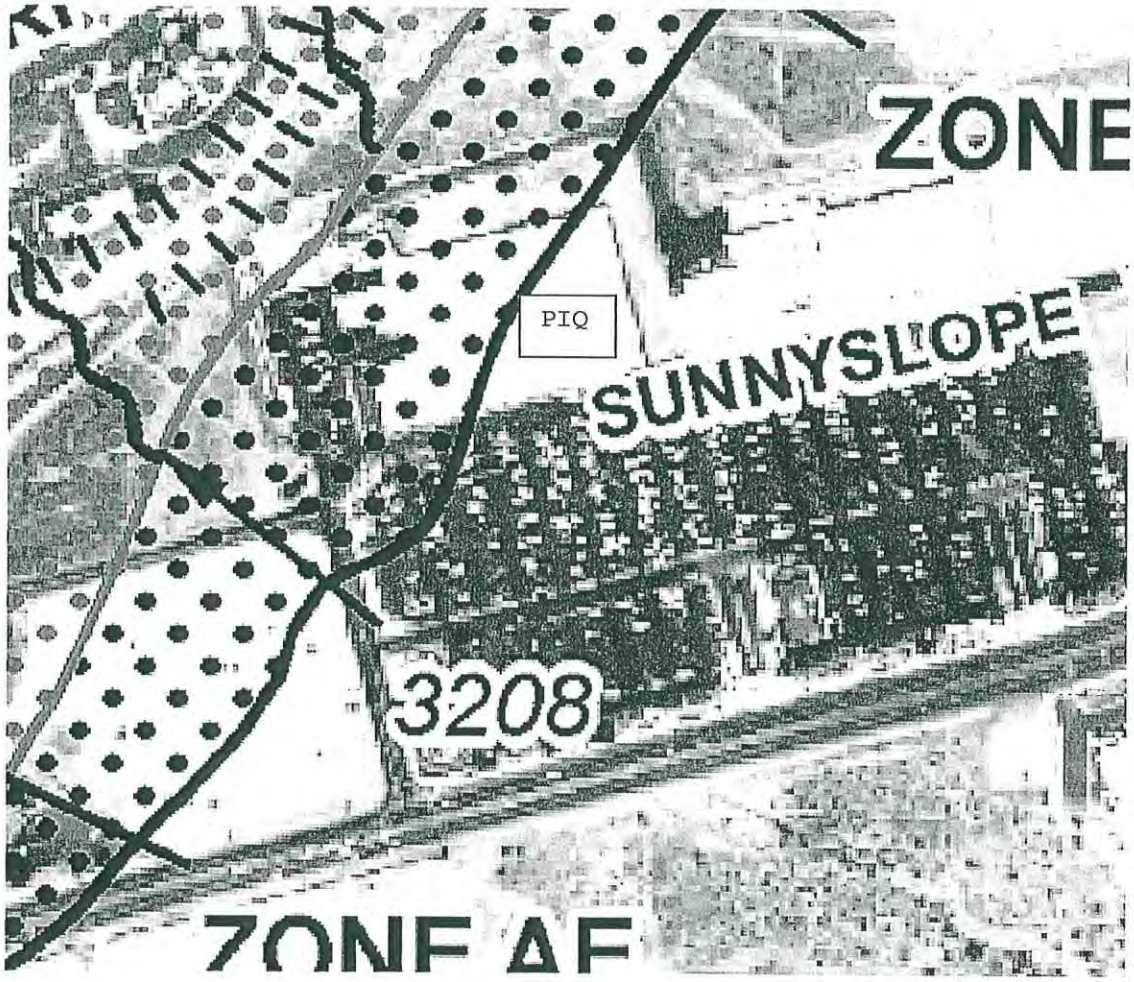
TOWN OF YUCCA VALLEY

PROJECT NO. CONDITIONAL USE PERMIT, CUP 03-13 TRACTOR SUPPLY CO

AERIAL PHOTO

TOWN OF YUCCA VALLEY

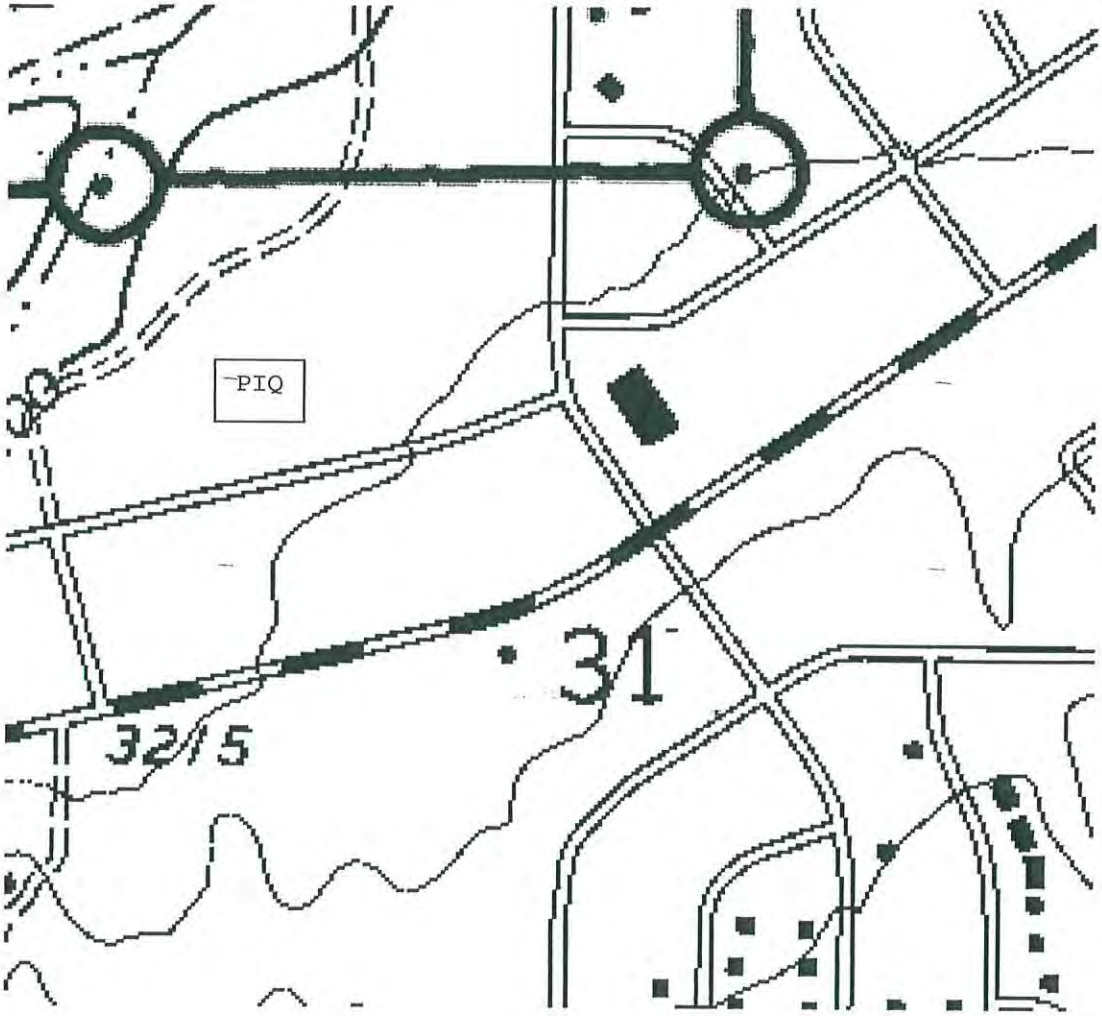
PROJECT NO. CONDITIONAL USE PERMIT, CUP 03-13 TRACTOR SUPPLY CO



FEMA FLOOD MAP

TOWN OF YUCCA VALLEY

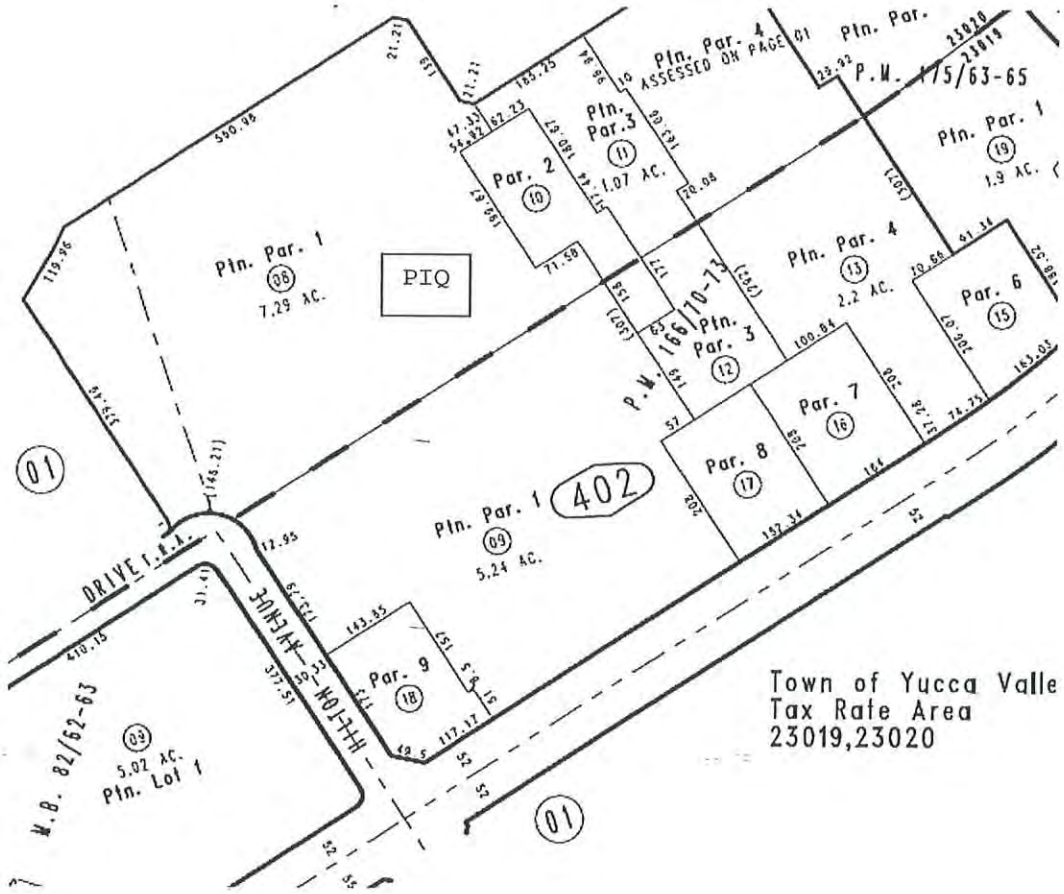
PROJECT NO. CONDITIONAL USE PERMIT, CUP 03-13 TRACTOR SUPPLY CO



ALQUIST PRIOLO MAP

TOWN OF YUCCA VALLEY

PROJECT NO. CONDITIONAL USE PERMIT, CUP 03-13 TRACTOR SUPPLY CO



ASSESSOR MAP

Conditional Use Permit Application

Date Received 10/02/13
By D OLSEN
Fee
Case # CUP-03-03
EA # 06-13

General Information

APPLICANT TRACTOR SUPPLY COMPANY Phone 615/440.4649 Fax 615/484.4649

Mailing Address 200 POWELL PLACE Email WPOLISKY@TRACTORSUPPLY.COM.

City BRENTWOOD State TN Zip 37027

REPRESENTATIVE ADA ARCHITECTS Phone 216/521.5134 Fax 216/521.4824

Mailing Address 17710 DETROIT AVE Email AWHITACRE@ADAARCHITECTS.CC

City LAKEWOOD State OH ZIP 44107

PROPERTY OWNER WAL-MART REALTY CO. Phone 479/204.0805 Fax 479/273.8119

Mailing Address 2001 SE 10TH STREET Email JOHN.WALSH@WAL-MART.COM

City BENTONVILLE State AR Zip 72716.5535

Project Information

Project Address 57980 TWENTYNINE PALMS Assessor Parcel Number(s) 0601402080000 0601402090000

Project Location NORTH SIDE OF TWENTYNINE PALMS HWY. BETWEEN HILTON RD & BALSA AVE

Project Description: REMODEL OF PORTION OF FORMER WALMART BUILDING FOR NEW TENANT. INCLUDING NEW ENTRY, MODIFICATION OF EXISTING FENCED AREA; TRAILER DISPLAY AREA, & LOADING RAMP.

Please attach any additional information that is pertinent to the application.

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

ARCHITECTS, INC.

17710 DETROIT AVENUE
LAKEWOOD, OHIO 44107
(216) 521-5134
FAX (216) 521-4824

November 5, 2013

Diane Olsen
Town of Yucca Valley
Planning Department
58928 Business Center Drive
Yucca Valley, CA 92284

Regarding: CUP 03-13
Tractor Supply TI – 57980 Twentynine Pines Hwy. – Yucca Valley, CA
ADA Project No. 13087

Dear Ms. Olsen,

Tractor Supply Company is a large retail chain of stores that offers a number of products for home improvement, agriculture, lawn and garden maintenance, and livestock, equine and pet care. Their hours will be 8am-8pm, 7 days a week. Typically, they have 4-5 employees in the store. Deliveries can occur at any time during business hours but typically, deliveries occur between 7am and opening.

Items Typically Displayed in the Permanent Sidewalk Display Areas: The following items may not appear in all stores as merchandise mix varies by region and by season.

A. LAWN AND GARDEN EQUIPMENT

Push Lawn Mowers	Log Splitters	Garden Carts
Riding Lawn Mowers	Mow-n-Vacs	Chippers and Shredders
Snow Blowers	All-Terrain Vehicles/Utility Vehicles	

B. FENCING MATERIALS

Gates – small selection may show seasonally

C. PET AND LIVESTOCK EQUIPMENT

Dog Kennels
Dog Houses

D. 3-POINT EQUIPMENT

Plows	Fertilizer Spreaders	Seeder
Box/Grader Blades	Cultivators	Bale Carriers
Rakes	Harrows	Sprayers w/tanks
Scoops	Tillers	Rotary Cutters
Finish Mowers		

E. MISCELLANEOUS/SEASONAL

Go Karts	Pedal Boats	Dirt Bikes
Wheel Barrows	Bagged Pine Shavings	Bulk Propane
Bagged Feed	Bagged Fertilizer	Tool Rental

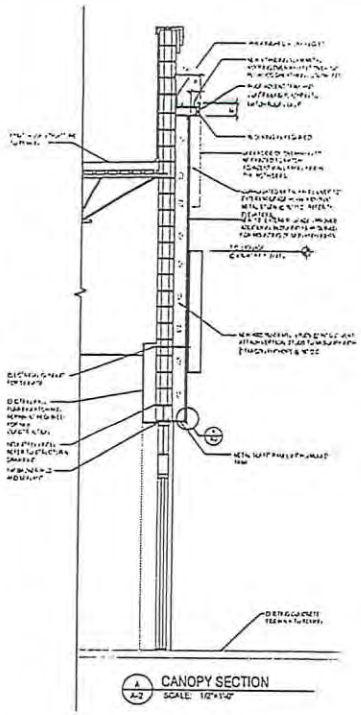
Attached is a cut sheet of the proposed exterior gooseneck light fixtures at the new entrance gable.

Should you have any questions, or require additional information, please contact our office.

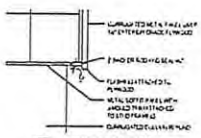
Sincerely,

Amy E. Whitacre

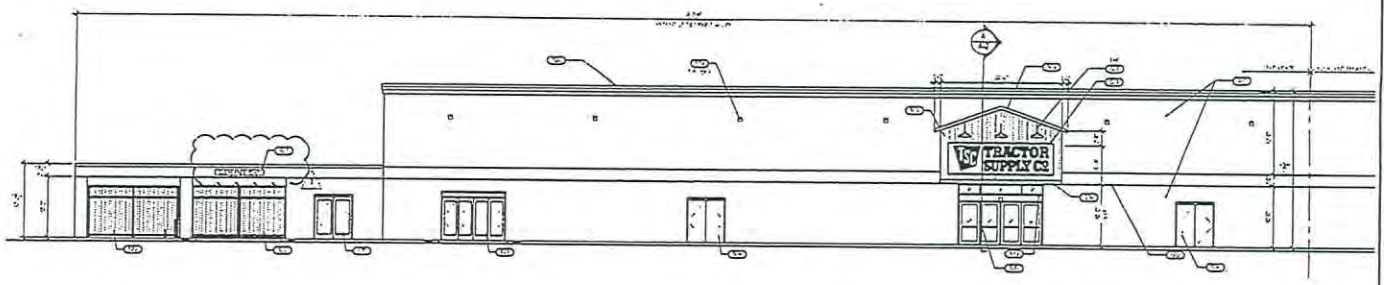
Amy E. Whitacre
ADA Architects



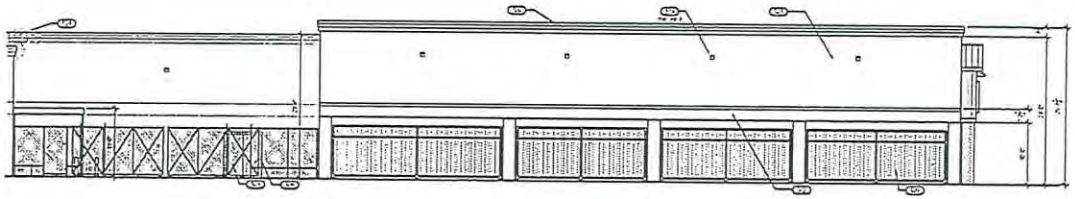
A A-2 CANOPY SECTION
SCALE: 1/2"=1'-0"



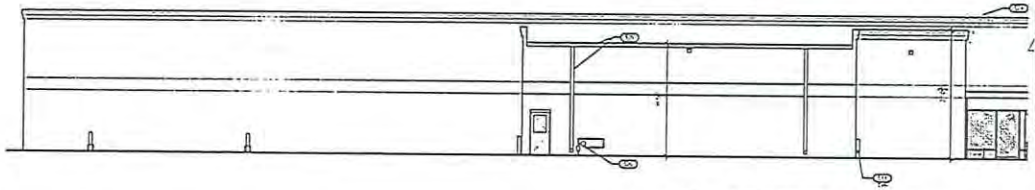
6 A-2 SOFFIT DETAIL
SCALE: 3/4"=1'-0"



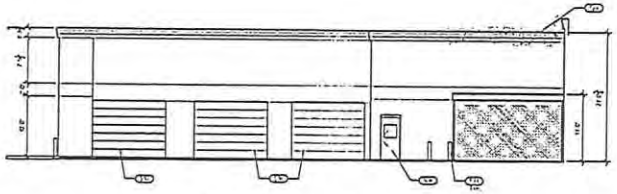
1 A-2 FRONT ELEVATION
SCALE: 1/8"=1'-0"



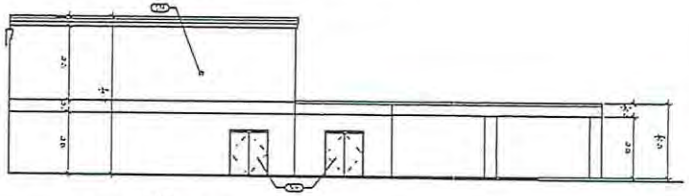
2a A-2 SIDE ELEVATION
SCALE: 1/8"=1'-0"



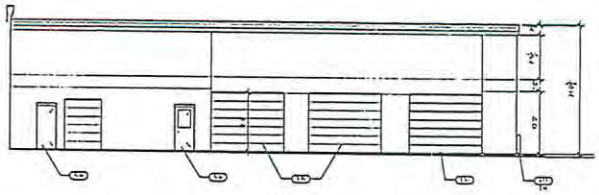
2b A-2 SIDE ELEVATION
SCALE: 1/8"=1'-0"



4 A-2 PARTIAL REAR ELEVATION
SCALE: 1/8"=1'-0"



3 A-2 PARTIAL REAR ELEVATION
SCALE: 1/8"=1'-0"



5 A-2 PARTIAL REAR ELEVATION
SCALE: 1/8"=1'-0"

500 SERIES - ELEVATION WORK

ADA ARCHITECTS, INC.

TRACTOR SUPPLY CO.

57900 TWENTYNINE PALMS HWY YUCCA VALLEY, CA

THESE DOCUMENTS CONTAIN PROPRIETARY TO ADA ARCHITECTS, INC.
UNAUTHORIZED USE OF THESE DOCUMENTS PROHIBITED UNLESS AGREED UPON IN WRITING

P. 89

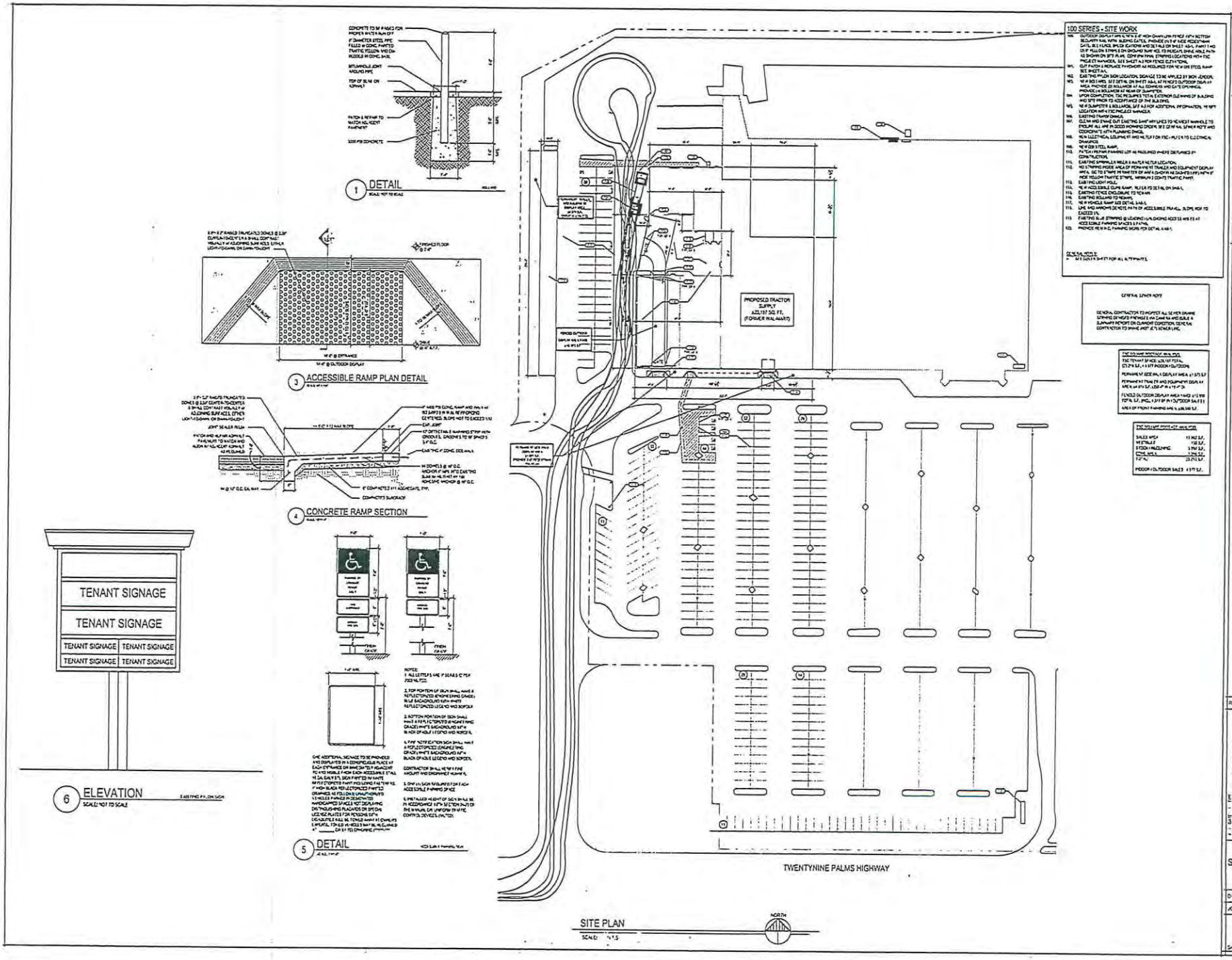
REVISIONS

EXTERIOR ELEVATIONS

DATE 04/23/13

JOB NO. 13087

SHEET NO. A-2


1 DETAIL
3 ACCESSIBLE RAMP PLAN DETAIL
4 CONCRETE RAMP SECTION
TENANT SIGNAGE
TENANT SIGNAGE
TENANT SIGNAGE
TENANT SIGNAGE
TENANT SIGNAGE
TENANT SIGNAGE
6 ELEVATION
5 DETAIL
PROPOSED TRACTOR SUPPLY
TWENTYNINE PALMS HIGHWAY
SITE PLAN
NORTH
100 SERIES - SITE WORK
ARCHITECTS, INC.
TRACTOR SUPPLY CO.
YUCCA VALLEY, CA
57950 TWENTYNINE PALMS HWY
THESE DOCUMENTS CONTAIN UNAUTHORIZED USE OF THESE DOCUMENTS
PROHIBITED UNLESS AGREED UPON IN WRITING
REVISIONS
ARCHITECTURAL SITE PLAN & TRUCK TURN
DATE 04/23/13
JOB NO 13087
AS-1
SHEET NO

MOJAVE DESERT air quality management district

Mojave Desert Air Quality Management District
14306 Park Avenue, Victorville, CA 92392-2310
760.245.1661 • fax 760.245.2699
Visit our web site: http://www.mdaqmd.ca.gov
Eldon Heaston, Executive Director

October 17, 2013

Ms. Diane Olsen, Planning Technician
Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284

Project: CUP 03-13 (Tractor Supply Company)

Dear Ms. Olsen:

The Mojave Desert Air Quality Management District (District) has received the Request for Comments for Conditional Use Permit 03-13. This is a request for approval for 4,874 square feet of outdoor storage on the west side of an existing commercial location, and 1,621 square feet of permanent storage on the sidewalk on the south side of the building located at 57980 29 Palms Highway.

The District recommends that the Town advise the applicant that a "Notification of Demolition/Renovation" application must be completed and submitted to the District pursuant to Health and Safety Code §19827.5 for the demolition of any load bearing wall or foundation. This application may be located at http://www.mdaqmd.ca.gov/index.aspx?page=80 under the Asbestos Program section. A survey for asbestos must be completed prior to any major renovation work. Please contact Victor Ramirez at extension 1806 with any questions regarding demolition/renovation. The District has no further comments.

Thank you for the opportunity to review this planning document. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,

Alan J. De Salvio
Supervising Air Quality Engineer

AJD/tw YV CUP 03-13 Tractor Supply Co

Diane Olsen

From: Ballesteros, Jessica <Jessica.Ballesteros@dph.sbcounty.gov>
Sent: Friday, October 25, 2013 8:36 AM
To: Diane Olsen
Subject: RE: Town of Yucca Valley CUP application for Tractor Supply Co.

Diane,

San Bernardino County EHS has no comments.

Jessica Ballesteros, REHS
County of San Bernardino
Department of Public Health
Community Environmental Health
Phone (800) 442-2283
Fax (909) 387- 4323
Email: jessica.ballesteros@dph.sbcounty.gov
Website: www.sbcounty.gov/dph/dehs

From: Diane Olsen [mailto:dolsen@YUCCA-VALLEY.ORG]
Sent: Friday, October 11, 2013 10:08 AM
Subject: Town of Yucca Valley CUP application for Tractor Supply Co.

The Town of Yucca Valley is currently reviewing a Conditional Use Permit application for Tractor Supply Co. for the approval of 4,874 square feet of outdoor storage on the west side of the property and 1,621 square feet of permanent storage on the sidewalk on the south side of the property. The property is located at 57980 29 Palms Hwy.

Attached for your review are the application materials and the site plan. Please take the time to review the attached documents and provide any comments that you may have. . Please contact me at dolsen@yucca-valley.org or 760-369-6575 x317, if you have any questions or require any additional information.

Thank you,
Diane Olsen
Planning Technician
760-369-6575 x317

Diane Olsen

From: Mendoza, Richard <rmendoza@dpw.sbcounty.gov>
Sent: Thursday, October 17, 2013 7:37 AM
To: Diane Olsen
Cc: Ali, Mohammad
Subject: RE: Town of Yucca Valley CUP application for Tractor Supply Co.
Attachments: CUP 03-13 Tractor Supply comments.pdf

Diane,

I've looked over the plans and only concern the Flood Control District would have is that the plans show an area that is proposed to be used for "permanent trailer and equipment display area" that is actually within a trap channel that leads directly into a Flood Control District facility(Burnt Mountain Wash). Please keep this area free of anything that could negatively impact the channel. I have attached the plans with a comment pointing out the area in question.

Richard Mendoza
Engineering Technician III
Department of Public Works - Flood Operations Support Division
(909) 387-8008
rmendoza@dpw.sbcounty.gov

"Our job is to create a county in which those who reside and invest can prosper and achieve well-being."

From: Ali, Mohammad
Sent: Wednesday, October 16, 2013 9:46 AM
To: Mendoza, Richard
Subject: FW: Town of Yucca Valley CUP application for Tractor Supply Co.

Hi Richard, Please take a look at this one also and respond back to Diane directly and cc me a copy. Thanks

---

From: Diane Olsen [mailto:dolsen@YUCCA-VALLEY.ORG]
Sent: Friday, October 11, 2013 10:08 AM
Subject: Town of Yucca Valley CUP application for Tractor Supply Co.

The Town of Yucca Valley is currently reviewing a Conditional Use Permit application for Tractor Supply Co. for the approval of 4,874 square feet of outdoor storage on the west side of the property and 1,621 square feet of permanent storage on the sidewalk on the south side of the property. The property is located at 57980 29 Palms Hwy.

Attached for your review are the application materials and the site plan. Please take the time to review the attached documents and provide any comments that you may have. . Please contact me at dolsen@yucca-valley.org or 760-369-6575 x317, if you have any questions or require any additional information.

Thank you,
Diane Olsen
Planning Technician
760-369-6575 x317

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING (MS 725)
464 WEST 4th STREET, 6th FLOOR
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-5936
TTY 711
www.dot.ca.gov/dist8

Flex your power!
Be energy efficient!

October 29, 2013

Ms. Diane Olson
Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284

Dear Ms. Diane Olson:

Conditional Use Permit CUP 03-13, Tractor Supply Co.
08-SBd-62 PM 12.76

We have reviewed the above referenced project and have the following comments.

1. Provide site plan include the street name, adjacent existing driveways, and State highway.

2. Is Hilton Road being used? Provide the truck turning template at SR62 EB left onto NB Hilton Road.

If you have any questions regarding this letter, please contact me at (909) 383-4557 or Dina Harrell at (909) 388-7139 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community and Regional Planning

ORDINANCE NO. 88

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 8, DIVISION 4, CHAPTER 3, SECTION 84.0350 (GENERAL COMMERCIAL) OF THE COUNTY OF SAN BERNARDINO DEVELOPMENT CODE AS ADOPTED BY THE TOWN OF YUCCA VALLEY MUNICIPAL CODE REGARDING PERMITTED LAND USES IN THE GENERAL COMMERCIAL DISTRICT.

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

Section 1. Amendment of Development Code.

Section 84.0350 of Chapter 3, Division 4, Title 8 of the Development Code of the County of San Bernardino as adopted by the Town of Yucca Valley is amended to read as follows:

"84.0350 General Commercial (CG) District

The General Commercial (CG) District shall be located as specified by the Town of Yucca Valley General Plan.

(a) PERMITTED LAND USES.

(1) Accessory Uses as specified by Chapter 5 of this Division.

(2) General Commercial land uses proposed to operate from existing structures shall be permitted by right in the following cases.

(A) The structure has historically been utilized in fashion similar to the proposed use.

(B) There are no structural, off-street or on-site improvements, or lack thereof, which pose an immediate threat to the health, safety, or general welfare of the Town.

(C) There are no additions or alterations to the square footage of the existing structure.

(D) Those uses permitted by right, at the approval of the Director, include the following.

(1) Professional services as defined in Section 84.0230 of this title.

(2) Retail Trade/Personal Services, including Class I, Limited Retail Trade/Personal Services: Class II, General Retail Trade/Personal Services as defined in Section 84.0230.

(E) LAND USES SUBJECT TO SPECIFIC PERMIT PROCESSES

(1) Those uses identified in the General Commercial Use Classifications Table shall be subject to the identified permitting process. In the General Commercial Use Classifications Table, the letter "SPR" designates land uses reviewed through the Site Plan Review process, the letters "NP" designate use classifications not permitted, the letters "CUP" designate use classification reviewed through the Conditional Use Permit process, and the letters "SP" designate use classifications reviewed through the Specific Plan process..

GENERAL COMMERCIAL USE CLASSIFICATIONS		SPR Site Plan Review NP Not Permitted CUP Conditional Use Permit SP Specific Plan PDR Planned Dev. Review
Land Use Classification	**General Commercial (CG)**	**Additional Use Regulations**
Residential Uses		
Family Day Care Homes:		
Large	CUP	
Small	CUP	
Interim Housing	NP	
Multifamily (Mix Use Development)	PDR	(4)
Residential Care Facilities	NP	
Second Dwellings	NP	
Single Family Dwellings	PDR	(4)
Single Room Occupancy Housing	CUP	
Public & Semipublic Uses:		
Private and Public Clubs and Lodges	SPR	(1)
Convalescent Facilities	CUP	
Cultural Institutions	CUP	
Day Care Centers	SPR	(1)
Government Offices	SPR	(1)
Hospitals	CUP	
Vocational or Business School	SPR	(1)

Land Use Classification	GENERAL COMMERCIAL (CG)	Additional Use Regulations
Parking Lots	SPR	(1)
Park & Recreation Facilities	SPR	(1)
Public Safety Facilities	SPR	(1)
Public Utility Service Yards	CUP	
Religious Assembly	CUP	
Public/Private School	SPR	(1)
Utilities		
Major	CUP	
Minor	CUP	
Commercial Uses		
Adult Entertainment Facilities	NP	
Agriculture (Row, Field, and Nursery Crop Cultivation)	SPR	(1)
Amusement Arcade or Park	CUP	
Ambulance Services	SPR	(1)
Animal Care Facility (including animal hospital, veterinarian, commercial kennel, grooming)		
Excluding exterior kennel, pens and run.	SPR	(1)
Including exterior kennel, pens and run.	CUP	
Antique Shop	SPR	(1)
Appliance Sales and Repair	SPR	(1)
Arcades	CUP	
Automobile Sales and Rental	CUP	
Automobile Service Station	SPR	(1)
Automobile Storage	CUP	

Land Use Classification	General Commercial (C-G)	Additional Use Regulations
Automobile Washing	SPR	(1)
Bakeries		
Retail	SPR	(1)
Wholesale	SPR	(1)
Barber and Beauty Shop	SPR	(1)
Bicycle Shop	SPR	(1)
Blueprint and Photocopy Services	SPR	(1)
Book, Gift, Stationary Store (except adult related material)	SPR	(1)
Catering Services	SPR	(1)
Clinics	SPR	(1)
Clothing Store	SPR	(1)
Commercial Recreation & Entertainment	CUP	
Communication Facilities	CUP	
Communications Equipment Buildings	SPR	(1)
Convenience Store	CUP	
Department Store	CUP	
Drug Store	SPR	(1)
Entertainment, live (excluding adult entertainment)	CUP	
Equipment Sales, Service & Rentals	CUP	

Land Use Classification	General Commercial (C-G)	Additional Use Regulations
Feed and Tack	CUP	
Florist Shop	SPR	(1)
Food Stores and Supermarkets	SPR	(1)
Furniture Store	SPR	(1)
Financial Services	SPR	(1)
Fitness Centers	CUP	
Funeral Services (including crematorium)	CUP	
General Retail	SPR	(1)
Hardware Store	SPR	(1)
Home Improvement Center		
Material stored and sold within a enclosed building	SPR	(1)
Outdoor storage of material such as lumber and other building material	CUP	
Hotels and motels	SPR	
Laboratories	SPR	
Laundries:		
Limited	SPR	(1)
Unlimited	SPR	(1)
Locksmith	SPR	(1)
Maintenance & repair services:		
Major	CUP	
Minor	SPR	(1)
Mini-Storage Facility	NP	
Motor Vehicle Repair		
Major	NP	
Minor	SPR	(1)

Land Use Classification	General Commercial (C-G)	Additional Use Regulations
Nurseries and Garden Supplies (including outdoor display of plants)	SPR	(1)
Offices:		
Business & Professional	SPR	(1)
Medical	SPR	(1)
Pawn Shops	SPR	(2)
Personal Improvement services	SPR	(1)(2)
Personal Services	SPR	(1)
Printing & Publishing:		
Limited	SPR	(1)
Unlimited	SPR	(1)
Recreation Vehicle Park	CUP	
Recreation Vehicle and Boat Storage	NP	
Recycling Facilities	NP	
Research and Development Services	SPR	(1)
Restaurant		
Drive-thru, take-out, delivery	CUP	
Fast Food w/out drive-thru, take-out, delivery	SPR	(1)
Full Service Restaurant	SPR	(1)
Studio (including dance, music, artists)	SPR	(1)
Temporary Use Permit	SPR	(3)
Thrift or Second Hand Store	SPR	(2)
Tire Sales and Service (excluding any outdoor storage)	SPR	(1)
Transportation Facilities	CUP	

FOOTNOTES

(1) Where no CUP, a Site Plan Review is required in accordance with Title 8, Division 3, Chapter 3, Article 12
(2) Special License Permit required in accordance with Title 4, Division 1
(3) Refer to Temporary Use Sections 84.0701 - 84.0740
(4) Planned Development Review in accordance with Sections 88.0501 - 88.0520

(b) REVIEW CRITERIA. Land uses allowed subject to a Conditional Use Permit shall comply with the review criteria established in Section 83.030105 of this Title or where a Site Plan Review is required, shall comply with the review criteria established Section 83.031205 of this Title.

(c) PROPERTY DEVELOPMENT STANDARDS. The following property development standards shall apply to all land uses within the CG District. In order to achieve compatibility with provisions of the CG District, all property development standards must be complied with.

84.0350 (CG)	**GENERAL COMMERCIAL (CG) DISTRICT DEVELOPMENT STANDARDS**
Maximum Structure Height (Ft.)	40
Minimum Lot Size (Acres) Map suffix will modify See (1) below	5
Maximum Lot Coverage (Building coverage]	60%
Maximum Lot Dimensions (Width to Depth Ratio)	1:3
Minimum Lot Dimensions (Width/Depth in Ft.)	120/120
Front Yard Setback (Ft.)	15
Side Yard Setbacks (Ft.) See (2) Below	10
Rear Yard Setbacks (Ft.) See (3) Below	10
Street Side Setbacks (Ft.)	15
Maximum Floor Area Ratio (FAR-Fl Area/Lot Area)	1.20
Minimum District Size (Acres)	5

(1) Minimum lot size can be less than five (5) acres if the subdivision application is filed concurrently with a Site Plan Review, Planned Development or Conditional Use Permit Application.

(2) Only one (l) side yard setback is required to be provide if deemed necessary for emergency access. If the adjacent property is not designated commercial or industrial; a side yard shall be required along that side of the property.

(3) A rear yard is required only when the adjacent property is not designated commercial or industrial."

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 March 1998.

MAYOR

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

APPROVED AS TO CONTENT:

Town Manager

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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 was duly and regularly introduced at a meeting of the Town Council on the 19th day of February, 1998, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 5th day of March, 1998, by the following vote, to wit:

Ayes:	Council Members Crouter, Hockett, Leone, Loveless and Mayor Hunt
Noes:	None
Absent:	None
Abstain:	None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 6th day of March, 1998.

(SEAL)

Janet M. Anderson
Town Clerk of the Town of
Yucca Valley

TSC
TRACTOR
SUPPLY Co
4151

TSC
TRACTOR
SUPPLY Co

1131
TSC TRACTOR SUPPLY Co

TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES
AUGUST 13, 2013

Chair Humphreville called the regular meeting of the Yucca Valley Planning Commission to order at 6:00 p.m. Commissioners present were, Bridenstine, Drozd, Whitten and Chair Humphreville. Commissioner Lavender was absent.

The Pledge of Allegiance was led by Chair Humphreville.

APPROVAL OF AGENDA

Commissioner Whitten moved to approve the agenda. Vice Chair Bridenstine seconded. Motion carried 4-0-1 on a voice vote.

PUBLIC COMMENTS

None

PUBLIC HEARING

1. DEVELOPMENT CODE AMENDMENT, DCA 06-13, ARTICLE 4

Chair Humphreville opened the public hearing for DCA 06-13, Article 4.

Deputy Town Manager Shane Stueckle presented the staff report regarding DCA 06-13. Stueckle explained that Article 4 Permit Procedures establishes the review authority and permit processing procedures for the land use permits established in the Yucca Valley Development Code. Processing applications including, but not limited to, General Plan Amendments, Development Code Amendments, Conditional Use Permits, Site Plan Reviews, and all other land use permits issued by the Town.

Stueckle continued to explain that the item was not ready for review, but since the hearing was publicly advertised, it is required to hold the hearing to allow for public input. Staff recommends continuing the item until the Planning Commission meeting of August 27, 2013.

With no members of the public wishing to speak on the item, Chair Humphreville closed the public hearing.

Commission Whitten inquired if vacation rentals were included with conditional use permits.

Vice Chair Bridenstine commented on the square footage allowances included in each of the tables.

Chair Humphreville questioned the activity of vacation rentals in Yucca Valley. Deputy Town Manager Stueckle replied, stating that according to the Town's Transient Occupancy Tax activity, there are two vacation rentals paying the appropriate taxes in Yucca Valley.

Commissioner Whitten moved to hold the public hearing and take public testimony and that the Planning Commission continue the matter to the meeting of August 27, 2013. Commissioner Drozd seconded. Motion carried 4-0-1

STAFF REPORTS AND COMMENTS

Deputy Town Manager Stueckle stated that earthwork as commenced at the Senior Housing Project and Super Walmart is close in finishing. Staff has had discussion with developers for the front parcels of the Home Depot Center. Desert Vista Village continues to move forward. Stueckle continued to give updates on the local golf course plans and the Yucca Valley Animal Shelter.

FUTURE AGENDA ITEMS

None

COMMISSIONER REPORTS AND REQUESTS

Commissioner Drozd thanked staff for their work on the Development Code

Commission Whitten inquired about the housing project on Acoma, and questioned the reasoning behind the stop sign at the corner of Avalon and Palisades. Deputy Town Manager Stueckle explained that because the major development in the area, the high volume of traffic warranted the stop sign. Whitten continued by questioning the speed limits and enforcement on local residential streets.

Vice Chair Bridenstine commented on the inclusion of bike routes in the Town's General Plan and thanked staff.

ANNOUNCEMENTS

The next regular meeting of the Yucca Valley Planning Commission will be held at 6 p.m. on Tuesday, August 27, 2013.

With no further business, Chair Humphreville adjourned the meeting at 6:40 p.m.

Respectfully submitted,

Lesley Copeland, CMC
Town Clerk