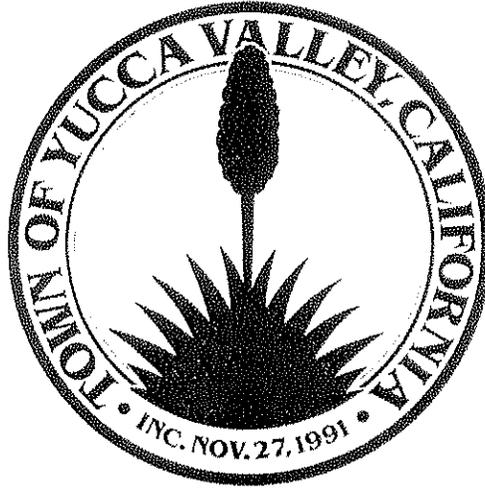


TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING



*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
JANUARY 27, 2015
6:00 p.m.

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

* * * *

PLANNING COMMISSION MEMBERS

*Vickie Bridenstine, Vice Chairman
Jeff Drozd, Commissioner
Steve Whitten, Commissioner*

AGENDA

MEETING OF THE TOWN OF YUCCA VALLEY PLANNING COMMISSION 6:00 P.M., TUESDAY, JANUARY 27, 2015

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
Steve Whitten, Commissioner

PLEDGE OF ALLEGIANCE

SWEARING IN OF NEW COMMISSIONERS

APPROVAL OF AGENDA

Action: Move by _____ 2nd by _____ Roll Call Vote _____

PUBLIC COMMENTS

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

DEPARTMENT REPORT:

1. SELECTION OF PLANNING COMMISSION CHAIRMAN AND VICECHAIRMAN

Recommendation: That the Planning Commission move to appoint the selected Commissioners to serve as the Chairman and the Vice-Chairman of the Planning Commission for the next twelve months.

Nominate and Elect Chairman

Action: Move by _____ 2nd by _____ Roll Call Vote _____

Nominate and Elect Vice Chairman

Action: Move by _____ 2nd by _____ Roll Call Vote _____

**2. ENVIRONMENTAL ASSESSMENT, EA 0514
SITE PLAN REVIEW, SPR 02-14 WALBERN DEVELOPMENT
HOME DEPOT SPECIFIC PLAN, S-01-05**

A request for approval for the construction of approximately 7,768 square feet of commercial space to include retail and quick serve restaurants located on the south side of 29 Palms Hwy, east of Avalon Avenue, Home Depot outparcels. Assessor Parcel Number 601-201-51.

RECOMMENDATION:

ENVIRONMENTAL ASSESSMENT, EA 0514

That the Planning Commission finds the project exempt from further environmental review in that the review and approval of the Home Depot Retail Center Specific Plan included a program Environmental Impact Report (EIR). The EIR evaluated future projects within the boundaries of the Home Depot Retail Center Specific Plan. The proposed project was evaluated to determine if additional CEQA documentation needed to be prepared. The proposed project will not have any effects not considered within the scope of the program EIR. The project is consistent with the program EIR and will not create any additional impacts not previously considered. No additional environmental review is required.

SITE PLAN REVIEW, SPR, SPR 02-14:

That the Planning Commission approves Site Plan Review, SPR 02-14, based upon the findings and the recommended Conditions of Approval.

Action: Move by _____ 2nd by _____ Roll Call Vote _____

3. OLD TOWN SPECIFIC PLAN

RECOMMENDATION: That the Planning Commission receive the presentation and discuss elements of the Old Town Specific Plan in relation to the Development Code.

Action: Move by _____ 2nd by _____ Roll Call Vote _____

CONSENT AGENDA:

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

STAFF REPORTS AND COMMENTS:

FUTURE AGENDA ITEMS:

COMMISSIONER REPORTS AND REQUESTS:

Vice Chair Bridenstine
Commissioner Drozd
Commissioner Whitten

ANNOUNCEMENTS:

The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, February 10, 2015

ADJOURN

PLANNING COMMISSION STAFF REPORT

To: Honorable Chairman & Commissioners
From: Shane Stueckle, Deputy Town Manager
Date: January 19, 2015
For Commission Meeting: January 27, 2015

Subject: Environmental Assessment, EA-05-14
Site Plan Review, SPR-02-14 Walbern Developments
Home Depot Specific Plan, S-01-05
APN: 601-201-51
Construction of approximately 7,768 square feet of commercial space

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

Recommendation: That the Planning Commission approves Environmental Assessment, EA-05-14 and Site Plan Review, SPR-02-14 based upon the information contained within the staff report and the recommended conditions of approval.

Executive Summary: Site Plan Review, SPR-02-14 is a request for approval for the construction of approximately 7,768 square feet of commercial space to include retail and quick serve restaurants.

Order of Procedure:

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

Discussion: Site Plan Review, SPR 02-14 is a request for approval for the construction of approximately 7,768 square feet of commercial space to include retail and quick serve restaurants, to include parking and landscaping improvements. All new utilities will be constructed below grade, and sewage disposal will be a private on-site conventional septic system and future connection to the public sewer system when available. The project is located on 29 Palms Hwy, east of Avalon Avenue on the Home Depot outparcels and is further identified as APN 601-201-51.

Alternatives: None recommended

Fiscal impact: N/A

Attachments:

1. Exhibits
2. Application Materials
3. Project Site Plan, Elevations and Aerial Photo
4. Development Code Chapter 9.63

Planning Commission: January 27, 2015
TOWN OF YUCCA VALLEY
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION STAFF REPORT
WALBERN DEVELOPMENTS

Case: ENVIRONMENTAL ASSESSMENT, EA-05-14
SITE PLAN REVIEW, SPR-02-14 WALBERN DEVELOPMENTS

Request: REQUEST FOR APPROVAL TO CONSTRUCT APPROXIMATELY 7,768 SQUARE FEET OF COMMERCIAL SPACE TO INCLUDE RETAIL AND QUICK SERVE RESTAURANTS, INCLUDING LANDSCAPING AND PARKING IMPROVEMENTS. ALL NEW UTILITIES WILL BE CONSTRUCTED BELOW GRADE, AND SEWAGE DISPOSAL WILL BE A PRIVATE ON-SITE CONVENTIONAL SEPTIC SYSTEM AND FUTURE CONNECTION TO THE PUBLIC SEWER SYSTEM WHEN AVAILABLE. SURROUNDING LAND USES INCLUDE A MIX OF COMMERCIAL AND RESIDENTIAL. ACCESS TO THE SITE IS PROPOSED FROM SR 62, WITH SECONDARY ACCESS FROM PALISADE DRIVE.

Applicant: WALBERN DEVELOPMENTS
228 MONARCH BAY PLAZA, SUITE Q
DANA POINT, CA 92629

Property Owner:
WALBERN DEVELOPMENTS
228 MONARCH BAY PLAZA, SUITE Q
DANA POINT, CA 92629

Representative:
CATHRINE OTIS
GREENBERG FARROW
19000 MACARTHUR, STE 250
IRVINE, CA 92612

Location: THE PROJECT IS LOCATED ON 29 PALMS HWY, EAST OF AVALON AVE ON THE HOME DEPOT OUTPARCELS AND IS FURTHER IDENTIFIED AS APN: 601-201-51.

Existing General Plan Land Use Designation:

THE SITE IS DESIGNATED COMMERCIAL (C),
THE HOME DEPOT RETAIL CENTER SPECIFIC PLAN, S-01-05

Existing Zoning Designation:

THE SITE IS DESIGNATED GENERAL COMMERCIAL (C-G),
THE HOME DEPOT RETAIL CENTER SPECIFIC PLAN, S-01-05

Surrounding General Plan Land Use Designations:

NORTH: COMMERCIAL (C) AND MEDIUM DENSITY RESIDENTIAL
5.1-8.0 UNITS PER ACRE, (MDR)
SOUTH: COMMERCIAL (C), THE HOME DEPOT RETAIL SPECIFIC
PLAN, S-01-05
WEST: COMMERCIAL (C), YUCCA VALLEY RETAIL SPECIFIC PLAN,
S-01-04
EAST: COMMERCIAL (C)

Surrounding Zoning Designations:

NORTH: GENERAL COMMERCIAL (C-G) AND RESIDENTIAL MULTI-
FAMILY, 8 UNITS PER ACRE, (RM-8)
SOUTH: GENERAL COMMERCIAL (C-G), THE HOME DEPOT RETAIL
SPECIFIC PLAN, S-01-05
WEST: GENERAL COMMERCIAL (C-G), YUCCA VALLEY RETAIL
SPECIFIC PLAN, S-01-04
EAST: GENERAL COMMERCIAL (C-G)

Surrounding Land Use:

NORTH: RESIDENTIAL DWELLINGS AND VACANT LAND
SOUTH: HOME DEPOT
WEST: SUPER WAL-MART
EAST: MARSHALLS/PETCO

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

THE REVIEW AND APPROVAL OF THE HOME DEPOT RETAIL
CENTER SPECIFIC PLAN INCLUDED A PROGRAM ENVIRONMENTAL
IMPACT REPORT (EIR). THE EIR EVALUATED FUTURE PROJECTS
WITHIN THE BOUNDARIES OF THE HOME DEPOT RETAIL CENTER
SPECIFIC PLAN. THE PROPOSED PROJECT WAS EVALUATED TO
DETERMINE IF ADDITIONAL CEQA DOCUMENTATION NEEDED TO
BE PREPARED. THE PROPOSED PROJECT WILL NOT HAVE ANY
EFFECTS NOT CONSIDERED WITHIN THE SCOPE OF THE
PROGRAM EIR. THE PROJECT IS CONSISTENT WITH THE
PROGRAM EIR AND WILL NOT CREATE ANY ADDITIONAL IMPACTS
NOT PREVIOUSLY CONSIDERED. NO ADDITIONAL
ENVIRONMENTAL REVIEW IS REQUIRED.

RECOMMENDATIONS:

ENVIRONMENTAL ASSESSMENT, EA-05-14

That the Planning Commission finds the project exempt from further environmental review in that the review and approval of the Home Depot Retail Center Specific Plan included a program Environmental Impact Report (EIR). The EIR evaluated future projects within the boundaries of the Home Depot Retail Center Specific Plan. The proposed project was evaluated to determine if additional CEQA documentation needed to be prepared. The proposed project will not have any effects not considered within the scope of the program EIR. The project is consistent with the program EIR and will not create any additional impacts not previously considered. No additional environmental review is required.

SITE PLAN REVIEW, SPR, SPR-02-14:

That the Planning Commission approves Site Plan Review, SPR-02-14, based upon the findings and the recommended 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 9.68.090 of the Development Code, minor modifications may be approved by the Director if it is determined that the changes would not affect the findings prescribed in Section 9.68.080 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 construct approximately 7,768 square feet of commercial space to include retail and quick serve restaurants, to include parking and landscaping improvements. The project includes two quick serve restaurants of 1,500 sq ft and 1,200 sq ft, with the remainder to be retail uses. All new utilities will be constructed below grade, and sewage disposal is proposed by connecting the buildings to an adjacent future public sewer system when available. An interim, private on-site conventional septic system is proposed until public sewers are available. Surrounding land uses include a mix of commercial and residential. Access to the site is proposed from SR 62 with secondary access from Palisade Drive

LOCATION: The project is located on 29 Palms Hwy, east of Avalon Avenue on the Home Depot outparcels and is further identified as APN 601-201-51.

PROJECT SYNOPSIS:

SITE COVERAGE

PROJECT AREA

1.8 acres gross

BUILDING AREA

2,700+/- square feet of quick
serve restaurants
5,068+/- square feet of retail
space

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, the improvements were
completed with the construction
of the Home Depot.

ASSESSMENT DISTRICTS REQ.

Yes

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	Yes
STREET LIGHTS:	No
SPECIFIC PLAN/ PLANNED DEVELOPMENT AREA:	Yes, The Home Depot Retail Center Specific Plan, S 01-05
FUTURE PLANNING COMMISSION ACTION REQUIRED	None
FUTURE TOWN COUNCIL ACTION REQUIRED	None for the Site Plan Review Yes, for the Assessment District formation

II. PROJECT ANALYSIS

ADJACENT LAND USES: The site is bounded by 29 Palms Hwy on the north. Across SR 62 to the north is a residential neighborhood and limited commercial properties. To the west of the site is Super Wal-Mart and to the east are Marshalls and Petco. Home Depot is located to the south of the property. Surrounding General Plan and designations are all Commercial, except to the north of the project site, which is designated as Medium Density Residential 5.1 – 8.0 dwelling units per acre (MDR). Surrounding zoning designations are all General Commercial (C-G), except to the north of the project which is also designated as Residential Multi-Family, 8 units per acre (RM-8).

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 SPR-02-14 is consistent with the desired development pattern within the Town.

SITE CHARACTERISTICS, GRADING, SETBACKS: The site was rough graded with the construction of the Home Depot project.

Setback Area:	Required	Proposed
SR 62, Front:	15'	190'
West Side:	10'	45'
East Side:	10'	125'
South:	10'	30'

The Development Code provides for maximum 60% of the lot to be covered with building area. As proposed, the site is developed at approximately 10% lot coverage.

PHASING: The construction of approximately 7,768 square feet of commercial space will occur in one phase. This project does not include development of the one remaining stand-alone building pad.

ROADWAY IMPROVEMENTS: The proposed project is bounded by Twentynine Palms Highway on the north. No off-site improvements are required, as the improvements were constructed as part of the Home Depot project.

ASSESSMENT DISTRICTS: The approval of the project includes the requirement to form maintenance assessment district(s) for the purpose of maintaining such public improvements as pavement, drainage facilities, curb and gutter, sidewalk, landscaping, lighting, and other public improvements.

CIRCULATION & PARKING: On site circulation as proposed includes three points of ingress/egress, 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 areas. On-site circulation provides access around the north side of the building, creating the ability for drivers to exit to 29 Palms Hwy.

The project contains the necessary on-site improvements as well as overall parking design and layout. The project is conditioned to record reciprocal access and parking agreements as necessary to ensure long term shared parking when the adjacent parcels have been developed.

The project satisfies the definition of a "shopping center" and as such parking is established at 1 space per 250 square feet for the retail portion of the project and 1 space per 50 square feet of seating area for the quick serve restaurants, resulting in a total of 210 spaces being required based upon the uses identified for the entire shopping center. 49 parking spaces are proposed to be installed with this Site Plan Review. 207 parking spaces were installed with the development of the Marshalls/Petco and an additional 6 spaces are proposed with the development of the final building pad, for a total of 263 parking spaces.

Staff finds the project adequately parked and consistent with the Development Code based upon the "shopping center" calculation approach.

FLOOD CONTROL/DRAINAGE: On site retention for all of the Home Depot parcels was constructed with the Home Depot building.

UTILITIES: Utilities are roughed in on the project site and were installed with the construction of the Home Depot building.

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 go through each utility company permitting processes, including SCE for street lighting.

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.

ARCHITECTURE: The proposed structure is a wood framed with stucco, one story structure. The building has minor articulation achieved through pop-outs on the north, south and west elevations and the use of metal awnings on the east elevation. The building will be desert colors in the tan range. Building height ranges from 22' to 28'.

LANDSCAPING: A conceptual landscape plan was provided with the application submittal. Seven (7) Joshua Trees are being protected in place along 29 Palms Hwy and 18, 24" box trees are being incorporated into the project landscaping, in addition to small shrubs and ground cover. Overall, the project landscaping plan exceeds the quality of common commercial landscaping designs and concepts presented.

A final plan is required to be reviewed and approved by both the Town and Hi-Desert Water District.

ENVIRONMENTAL CONSIDERATIONS: The review and approval of the Home Depot Retail Center Specific Plan included a program Environmental Impact Report (EIR). The EIR evaluated future projects within the boundaries of the Home Depot Retail Center Specific Plan. The proposed project was evaluated to determine if additional

CEQA documentation needed to be prepared. The proposed project will not have any effects not considered within the scope of the program EIR. The project is consistent with program EIR and will not create any additional impacts not previously considered. No additional environmental review is required.

GENERAL PLAN CONSIDERATION: The project is designated Commercial (C), Home Depot Retail Center Specific Plan, and is located in the East Side Special Policy Area of the General Plan. This designation is intended to support and encourage the development of retail, service and professional service economic sector activities within the community, including smaller commercial centers, specialty retail shops and personal service businesses. 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 designations in which it occurs.

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

COMMERCIAL AND INDUSTRIAL POLICIES

POLICY LU 1-15

Maintain Yucca Valley's position as the economic hub of the Morongo Basin. Support a broad range of commercial retail, service, office, business park, research and development, light industrial and industrial uses to provide employment opportunities and contribute to the Town's economic sustainability.

POLICY LU 1-20

Focus commercial development along SR-62 to take advantage of infrastructure improvements.

CONCLUSION: Based upon the facts on the record, the project is consistent with the General Plan, the Development Code, the Home Depot Retail Center Specific Plan 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 the Home Depot Retail Center Specific Plan and no variances or deviations from adopted standards are required for approval.

SITE PLAN REVIEW 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 north and commercial projects on the south, west and east sides. Across SR 62 to the north is a single family residential neighborhood and limited commercial properties. Surrounding General Plan designations are all Commercial, except to the north of the project site, which is designated as Medium Density Residential 5.1 – 8.0 dwelling units per acre (MDR). Surrounding zoning designations are General Commercial, except to the north of the project which is zoned Residential Multi-Family, 8 dwelling units per acre (RM-8). 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. General retail and service oriented commercial uses are anticipated in these areas, and the proposed uses identified in SPR 02-14 are consistent with the desired development pattern within the Town. The project is developed below the maximum lot coverage of 60%, and all set-backs for the General Commercial District are met and exceeded, as outlined in this Staff Report.

The Site Plan Review does not change the “meaning, intent, and is not contrary to any provision of the Specific Plan” and is processed consistent with Section 6.3 of the Specific Plan. This finding is made on the basis of (1) the proposal as submitted consists of 10% lot coverage, which is less than the 60% maximum lot coverage allowed in Section 9.09.030, which is the development standard adopted by Council for this Specific Plan in Section 3.3, (2) the amendment to the project summary and table on page nine (9) of the Specific Plan, does not conflict with any express or apparent implied intent in the Specific Plan to place a cap on the development on the Subject Site inconsistent with the development standards adopted in Section 3.3 (as adopted, the only development standard amended by Council in the Specific Plan in its incorporation of the standards from Section 9.09.030 relating to parcel size); and (3) that the overall percentage change in the square footage on the subject property is approximately a 4% change, which is relatively insubstantial based upon the nature and scope of the approved large scale commercial development.”

The Site Plan Review is consistent with the purpose of the Specific Plan to “establish a vibrant, high-quality commercial retail center that complements surrounding uses and reinforces the character of the community.” The additional square footage will allow the developer to attract a wider range of tenants and/or additional tenants to serve the residents of Yucca Valley and those who travel to the Town to shop at Home Depot, and the larger

development is consistent with the planned surrounding uses, including the neighboring Wal-Mart and planned industrial uses to the east

The Site Plan Review is consistent with the Specific Plan and the General Plan because it complies with the development standards in Section 9.09.030 as adopted in Section 3.3 of the Specific Plan and because after review of the Specific Plan and Council approval of the project, the Council did not intend to limit the square footage of the project as described in the Specific Plan, so long as the project was consistent with Section 9.09.030.

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 bounded by 29 Palms Hwy on the north, commercial projects on the south and west sides and Marshall/Petco to the east. Across SR 62 to the north is a residential neighborhood and limited commercial properties. Surrounding General Plan designations are all Commercial, except to the north of the project site, which is designated as Medium Density Residential 5.1 – 8.0 dwelling units per acre (MDR). Surrounding Zoning designations are General Commercial, except to the north of the project which is zoned Residential Multi-Family, 8 dwelling units per acre (RM-8). 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. General retail and service oriented commercial uses are anticipated in these areas, and the proposed uses identified in SPR 02-14 are consistent with the desired development pattern within the Town. The project is developed below the maximum lot coverage of 60%, and all set-backs for the General Commercial District are met and exceeded, as outlined in this Staff Report.

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 bounded by 29 Palms Hwy on the north, commercial projects on the south and west sides and Marshalls/Petco to the east. Across SR 62 to the north is a single family residential neighborhood and limited commercial properties. Surrounding General Plan designations are all Commercial, except to the north of the project site, which is designated as Medium Density Residential 5.1 – 8.0 dwelling units per acre (MDR). Surrounding Zoning designations are General Commercial, except to the north of the project which is zoned Residential Multi-Family, 8 dwelling units per acre (RM-8). 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. General retail and service oriented commercial uses are anticipated in these areas, and the proposed uses identified in SPR 02-14 are consistent with the desired development pattern within the Town. The project is developed below the maximum lot coverage of 60%, and all set-backs for the General Commercial District are met and exceeded, as outlined in this Staff Report.

The project is developed below the maximum lot coverage of 60%, and all set-backs for the General Commercial District are met and exceeded, as outlined in this Staff Report. The site is adjacent to 29 Palms Hwy on the north and is surrounded by existing commercial development on the south, west and east, with residential development across 29 Palms Hwy to the north.

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

The site is being 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 retail structures have a maximum building height at the tallest point of 28'. This building height is consistent with the commercial development pattern along SR 62 and as such, does not unnecessarily block views from public ways and is 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 conceptual landscape plan submitted indicates that seven (7) Joshua Trees are being protected in place along 29 Palms Hwy and 18, 24" box trees are being

incorporated into the project landscaping, in addition to small shrubs and ground cover. Overall, the project landscaping plan exceeds the quality of common commercial landscaping designs and concepts presented.

- 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 proposed structure is wood framed with stucco, with pop-outs, articulation, and colors consistent with the Specific Plan area as well as the SR 62 Commercial Corridor.

- 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;**

Utilities are roughed in on the project site and were installed with the construction of the Home Depot building.

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.

- 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 as proposed includes three points of ingress/egress, 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 west side of the retail/service building, creating the ability for drivers to exit to 29 Palms Hwy.

The project contains the necessary on-site improvements as well as overall parking design and layout. The project is conditioned to record reciprocal access and parking agreements as necessary to ensure long term shared parking when the adjacent parcels have been developed.

The project satisfies the definition of a "shopping center" and as such parking is established at 1 space per 250 square feet for the retail portion of the project and 1 space per 50 square feet of seating area for the quick serve restaurants, resulting in a minimum standard of 47 parking spaces being required for this portion of the shopping center. A total of 210 parking spaces are required for the shopping center, and 257 parking spaces are provided, including 8 ADA designated parking spaces.

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 review and approval of the Home Depot Retail Center Specific Plan included a program Environmental Impact Report (EIR). The EIR evaluated future projects within the boundaries of the Home Depot Retail Center Specific Plan. The proposed project was evaluated to determine if additional CEQA documentation needed to be prepared. The proposed project will not have any effects not considered within the scope of the program EIR. The project is consistent with program EIR and will not create any additional impacts not previously considered. No additional environmental review is required.

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

Additionally, the project is conditioned to pay Public Facility Development Impact fees in accordance with current Town Council policy, including Street and Traffic Impact Fees. The project is also conditioned to form maintenance districts that generate the necessary revenue to maintain the infrastructure constructed by the project.

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

The review and approval of the Home Depot Retail Center Specific Plan included a program Environmental Impact Report (EIR). The EIR evaluated future projects within the boundaries of the Home Depot Retail Center Specific Plan. The proposed project was evaluated to determine if additional CEQA documentation needed to be prepared. The proposed project will not have any effects not considered within the scope of the program EIR. The project is consistent with program EIR and will not create any additional impacts not previously considered. No additional environmental review is required.

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

Additionally, the project is conditioned to pay Public Facility Development Impact fees in accordance with current Town Council policy, including Street and Traffic Impact Fees. The project is also conditioned to form maintenance districts that generate the necessary revenue to maintain the infrastructure constructed by the project.

- 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 review and approval of the Home Depot Retail Center Specific Plan included a program Environmental Impact Report (EIR). The EIR evaluated future projects within the boundaries of the Home Depot Retail Center Specific Plan. The proposed project was evaluated to determine if additional CEQA documentation needed to be prepared. The proposed project will not have any effects not considered within the scope of the program EIR. The project is consistent with program EIR and will not create any additional impacts not previously considered. No additional environmental review is required.

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 review and approval of the Home Depot Retail Center Specific Plan included a program Environmental Impact Report (EIR). The EIR evaluated future projects within the boundaries of the Home Depot Retail Center Specific Plan. The proposed project was evaluated to determine if additional CEQA documentation needed to be prepared. The proposed project will not have any effects not considered within the scope of the program EIR. The project is consistent with program EIR and will not create any additional impacts not previously considered. No additional environmental review is required.

There is no substantial change to the project nor is there "new information of substantial importance" pursuant to CEQA guidelines section 15162, necessitating the requirement for a supplemental or subsequent EIR or the preparation of an addendum pursuant to Section 15164.

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 review and approval of the Home Depot Retail Center Specific Plan included a program Environmental Impact Report (EIR). The EIR evaluated future projects within the boundaries of the Home Depot Retail Center Specific Plan. The proposed project was evaluated to determine if additional CEQA documentation needed to be prepared. The proposed project will not have any effects not considered within the scope of the program EIR. The project is consistent with program EIR and will not create any additional impacts not previously considered. No additional environmental review is required. 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

**TOWN OF YUCCA VALLEY
CONDITIONS OF APPROVAL
ENVIRONMENTAL ASSESSMENT, EA-05-14
SITE PLAN REVIEW, SPR02-14
WALBERN DEVELOPMENTS**

This approval is for Site Plan Review, SPR-02-14, a request to develop 1.8 acres of a 5.07 acre project site and to construct approximately 7,768 square feet of commercial space to include retail and quick serve restaurants.

The project is located on 29 Palms Hwy, east of Avalon Avenue on the Home Depot outparcels and is further identified as APN: 601-201-51

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 Site Plan Review shall become null and void if no construction has 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.

SPR-02-14 Approval Date: January 27, 2015
Expiration Date: January 27, 2018

- 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) and the Town 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. The applicant shall pay Development Impact Fees in place at the time of issuance of Building Permits.
- G15. At the time of permit issuance the applicant shall be responsible for the payment of fees associated with electronic file storage of documents
- G16. 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.
- G17. 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.
- G18. After final plan check by the Town, original mylars (4 mil) shall be submitted to the Town for signature by the Town Engineer. All original mylars submitted for Town Engineer's signature must contain the design engineer's wet signature and stamp and all other required signatures.

- G19. 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.
- G20. 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.
- G21. 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.
- G22. The Town Engineer may allow phased construction 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.
- G23. 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.
- G24. 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.
- G25. 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.

- G26. The street design and circulation pattern of this project shall be coordinated with adjoining developments.
- G27. 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.
- G28. Prior to recordation of the final map, the applicant shall submit all improvement plans and final maps on compact disks in digital format acceptable to the Town Engineer.
- G29. 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.
- G30. 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.
- G31. 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 final plan identifying all protected plants as well as a Native Plant Relocation Plan with any area proposed to be disturbed in accordance with the Town's Native Plant Protection Ordinance shall be submitted for approval prior to issuance of any construction permits, including grading and utility installations, for the project. The applicant shall make every effort to relocate the regulated native plants back onsite. The adoption of native plants shall be consistent with the Native Plant Ordinance in effect at the time of grading permits.
- P5. Prior to the issuance of any permits the Applicant shall provide three (3) copies of a landscape and irrigation plan showing the size, type and location of all plant and irrigation systems. Said irrigation system shall incorporate a permanent automatic irrigation system, and all landscaping and irrigation systems shall be maintained in good condition at all times. All ground within proposed landscape planter areas shall be provided with approved ground cover. All trees shall be a minimum of 24" boxes. This shall include but not be limited to drought-tolerant plant materials or colored desert rock. The Landscape Plan shall be approved by Hi-Desert Water District. The Landscape and Irrigation review requires a separate application and a current Town fee
- P6. A reciprocal parking and access agreement shall be recorded against all parcels on the project site, 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.
- P7. The project shall comply with all Conditions of Approval for the Home Depot Retail Center Specific Plan, SP 01-05 and Conditional Use Permit, CUP 06-05

ENGINEERING CONDITIONS

- E1. **A grading plan prepared by a professional Civil Engineer shall be prepared for the building and parking area expansions. Drainage facilities proposed shall connect to the existing drainage system.**
- E2. Prior to the issuance of a Grading Permit, a Grading Plan prepared by a recognized professional Civil Engineer shall be submitted, and the corresponding fees shall be paid to the Town prior to any grading activity. The rough and precise Grading Plans shall be reviewed and approved by the Town Engineer prior to issuance of grading permits. The applicant/owner is responsible for all fees incurred by the Town. Prior to Certificate of Occupancy, the Engineer-of-Record shall survey and certify that the site grading was completed in substantial conformance with the approved Grading Plans.
- E3. Prior to the issuance of any building permits the project Engineer shall certify the finished lot was graded in conformance to approved plans.
- E4. The Engineer-of-Record or other civil engineer shall survey and provide pad certification for the site prior to issuance of building permits.
- E5. Prior to the issuance of Permits, the Applicant shall comply with the recommendations of a site-specific Geotechnical and Soils Report which shall be reviewed and subject to Town approval. The report shall include recommendations for any onsite and offsite grading, foundations, compaction, structures, drainage, and existence of fault zones. It shall include recommendations for retention basins, slope stability and erosion control. The soils engineering report shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, when necessary and opinions and recommendation covering the adequacy of sites for development. The report shall identify if the site contains any areas susceptible to landslide risk, liquefaction potential and/or subsidence potential on the project site. The report shall identify and include the location of major geologic features, topography and drainage, distribution and general nature of rock and soils, a reasonable evaluation and prediction of the performance of any proposed cut or fill in relation to geological conditions, and the capability of soils and substrata to support structures.
- E6. All property corners, lots, 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 prior to certificate of occupancy. **Any existing monumentation disturbed, or anticipated to be disturbed, during construction shall be tied-out and corner record(s) filed. After construction any monumentation disturbed during construction shall be re-set and corner record(s) filed.**
- E7. All recommended approved measures identified in the Soils Report shall be incorporated into the project design.

- E8. 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.
- E9. 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.
- E10. All grading activities shall minimize dust through compliance with MDAQMD Rules 402 and 403.
- E11. 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.
- E12. The Applicant shall restore any pavement cuts required for installation or extension of utilities for his 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.
- E13. The Applicant shall construct the replacement of any identified damaged curb and gutter, sidewalk, drive approach, asphalt concrete pavement, meter boxes, and other infrastructure that may be required by the Town Engineer or another Agency.
- E14. 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.
- E15. 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.
- E16. 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 by the Applicant. 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.

- E17. All improvement plans shall be designed by a Registered Civil Engineer.
- E18. Any area which remains undeveloped for a period of more than 30 days shall be stabilized using either chemical stabilizers or a desert wildflower mix hydroseed on the affected portion of the site.
- E19. The Applicant shall be responsible for inspection, modification, and proper maintenance of the erosion control devices as necessary. If the Applicant fails or refuses to properly maintain the erosion control devices, the Town official may cause emergency maintenance work to be done in order to protect potentially impacted property. The cost shall be deducted from the erosion control security posted for the project and shall include all costs related to the emergency maintenance including initial mobilization and performance of the work in addition to applicable administrative costs.
- E20. If construction of erosion control systems outside of the project boundaries is necessary, permission to construct such systems from the owner of such off-site property is required. Plans for the off-site system shall be included with the on-site plans submitted to the Town Engineer. The plans for the off-site erosion control system shall include permission to grade and maintain the erosion control system from all affected property owners and letters of clearance and/or permits from all appropriate governmental entities.
- E21. The Applicant shall submit a post construction erosion and sediment control plan which identifies and illustrates all necessary improvements to prevent the movement and or loss of any soil and sediment materials from the project site, including all individual lots for construction of habitable structures, all slope banks, and all areas of the site capable of resulting in the deposit of soils and sediments with the street or storm drain system. The post construction erosion and sediment improvements shall be certified by a civil engineer that they were constructed in substantial conformance with the approved plans and specifications.
- E22. The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper. Soil testing for the subsurface disposal system shall meet the requirements of the Department of Environmental Health Services. Applicant shall submit a minimum of three (3) copies of percolation reports for the project site and an appropriate fee to DEHS for review and approval, a copy of the cover sheet with an approval stamp to Building and Safety Division at the time of building permit application, and two (2) copies of the approved percolation report to the Building and Safety Division at the time of construction plan check. The location of the septic system shall be shown on the project grading plans.

- E23. It is understood that the Site Plan Review plans correctly shows all existing easements, traveled ways and drainage courses, and that their omission may require the Conditional Use Permit plans to be resubmitted for further consideration.

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. See attached letters from County Fire dated September 09, 2013

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT CONDITION

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

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 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.

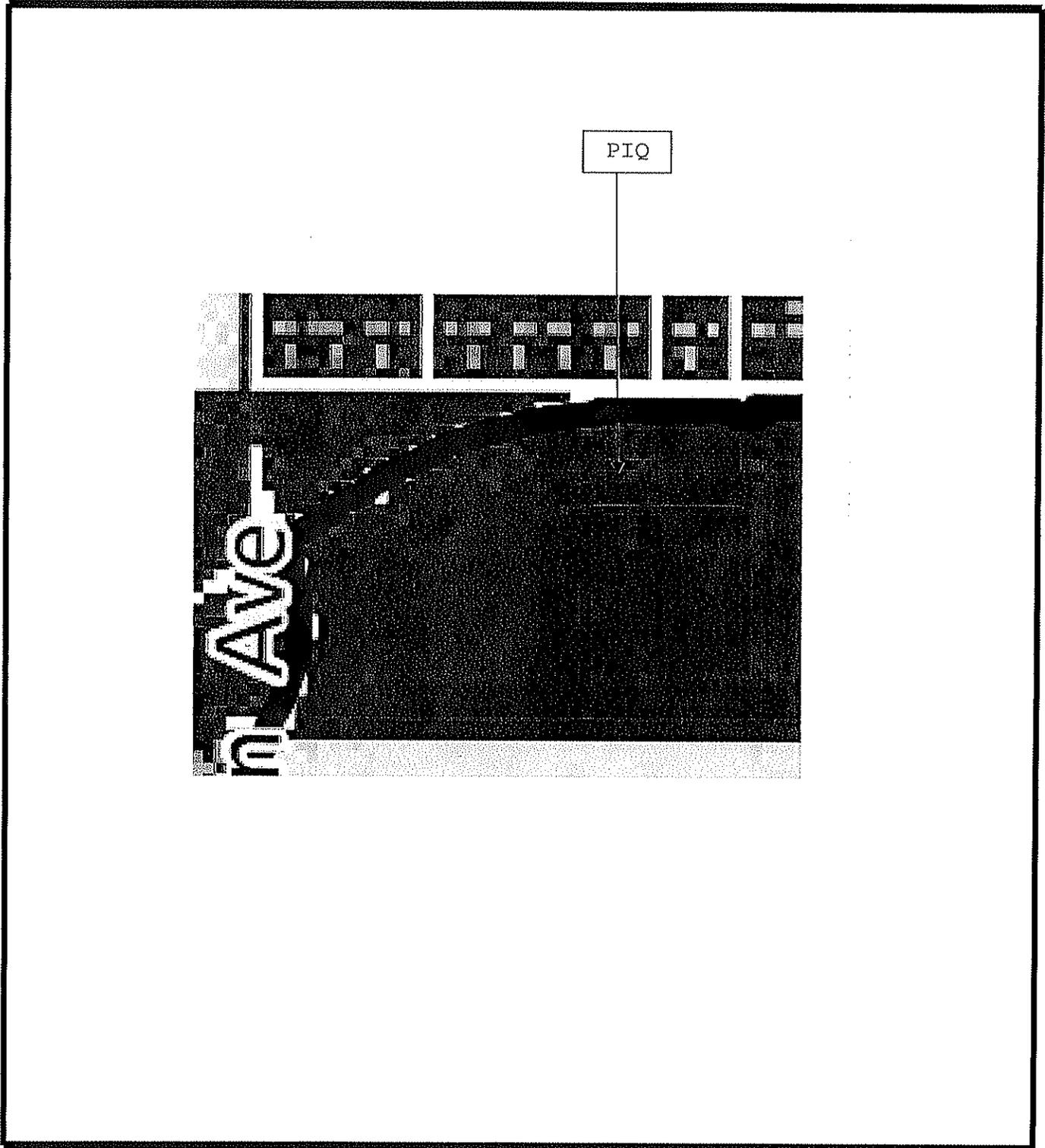
“The Marine Corps Air Ground Combat Center is located in the Morongo Basin. To prepare Marines for future conflicts, the MGAGCC carries out realistic training with military munitions, both day and night. As a result, Military aircraft fly over the area, and military vehicles drive on and off the base 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”.

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

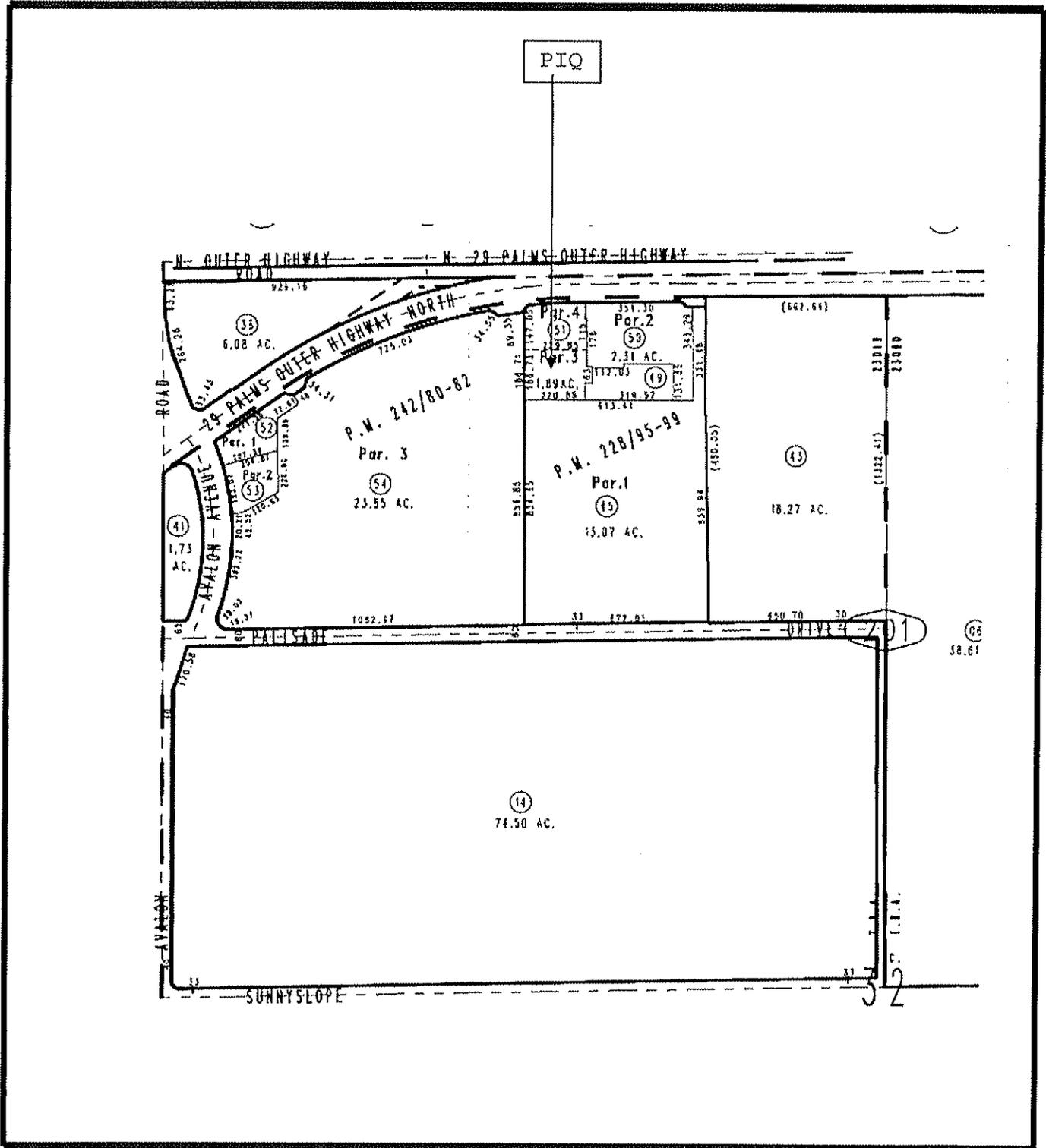
PROJECT NO.: SITE PLAN REVIEW, SPR 02-14 WALBERN DEVELOPMENTS



GENERAL PLAN LAND USE MAP

TOWN OF YUCCA VALLEY

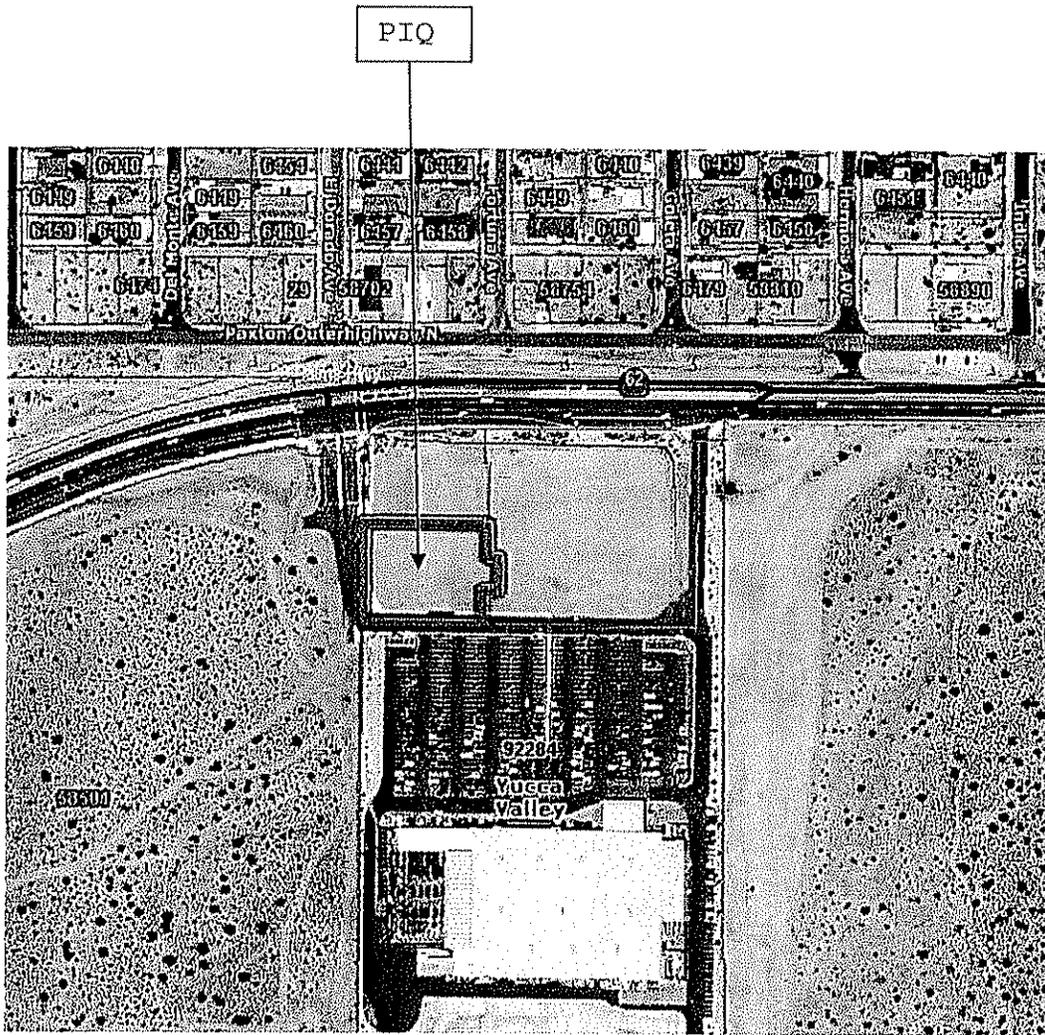
PROJECT NO.: SITE PLAN REVIEW, SPR 02-14 WALBERN DEVELOPMENTS



ASSESSORS PARCEL MAP

TOWN OF YUCCA VALLEY

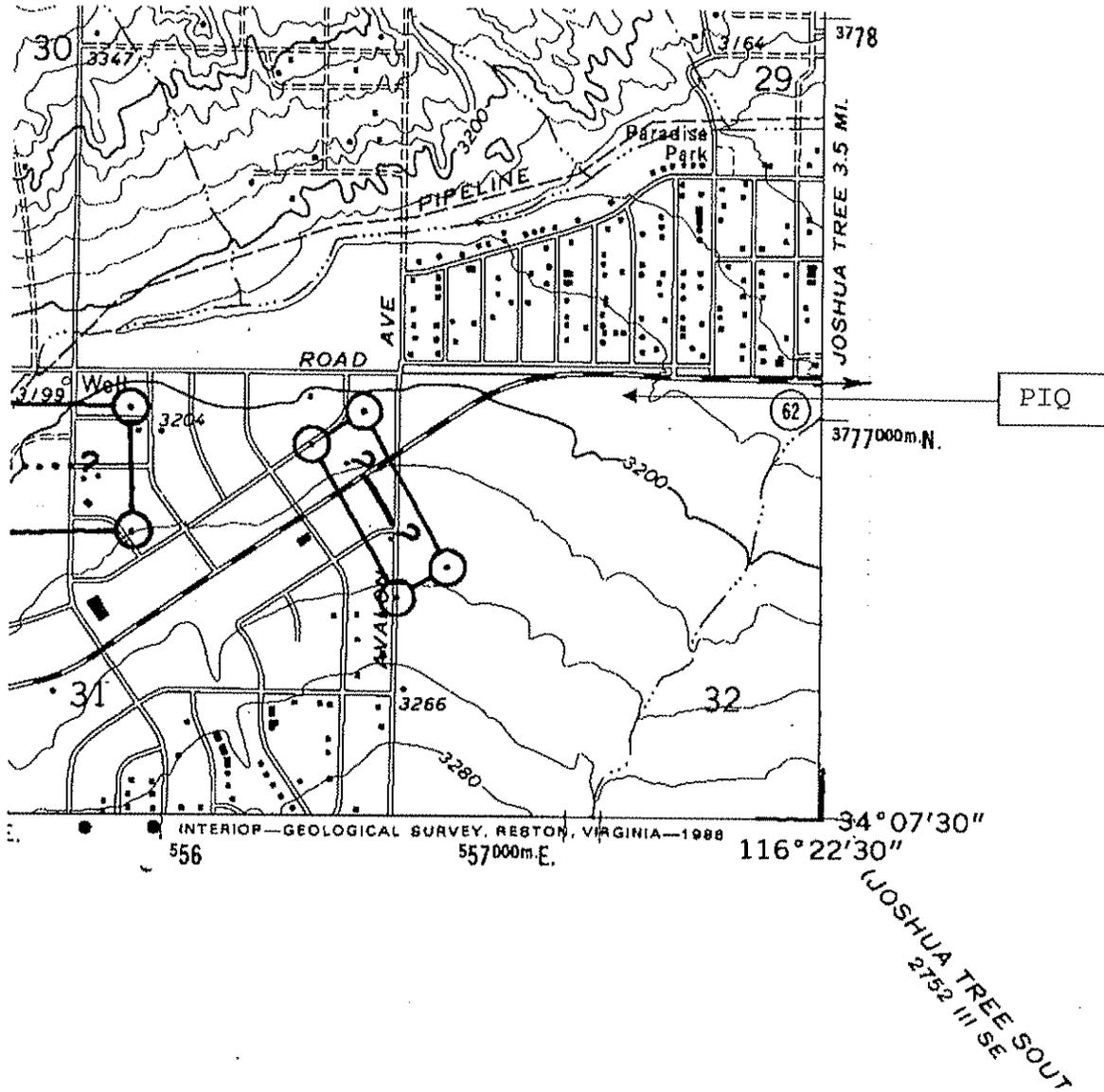
PROJECT NO.: SITE PLAN REVIEW, SPR 02-14 WALBERN DEVELOPMENTS



AERIAL PHOTO

TOWN OF YUCCA VALLEY

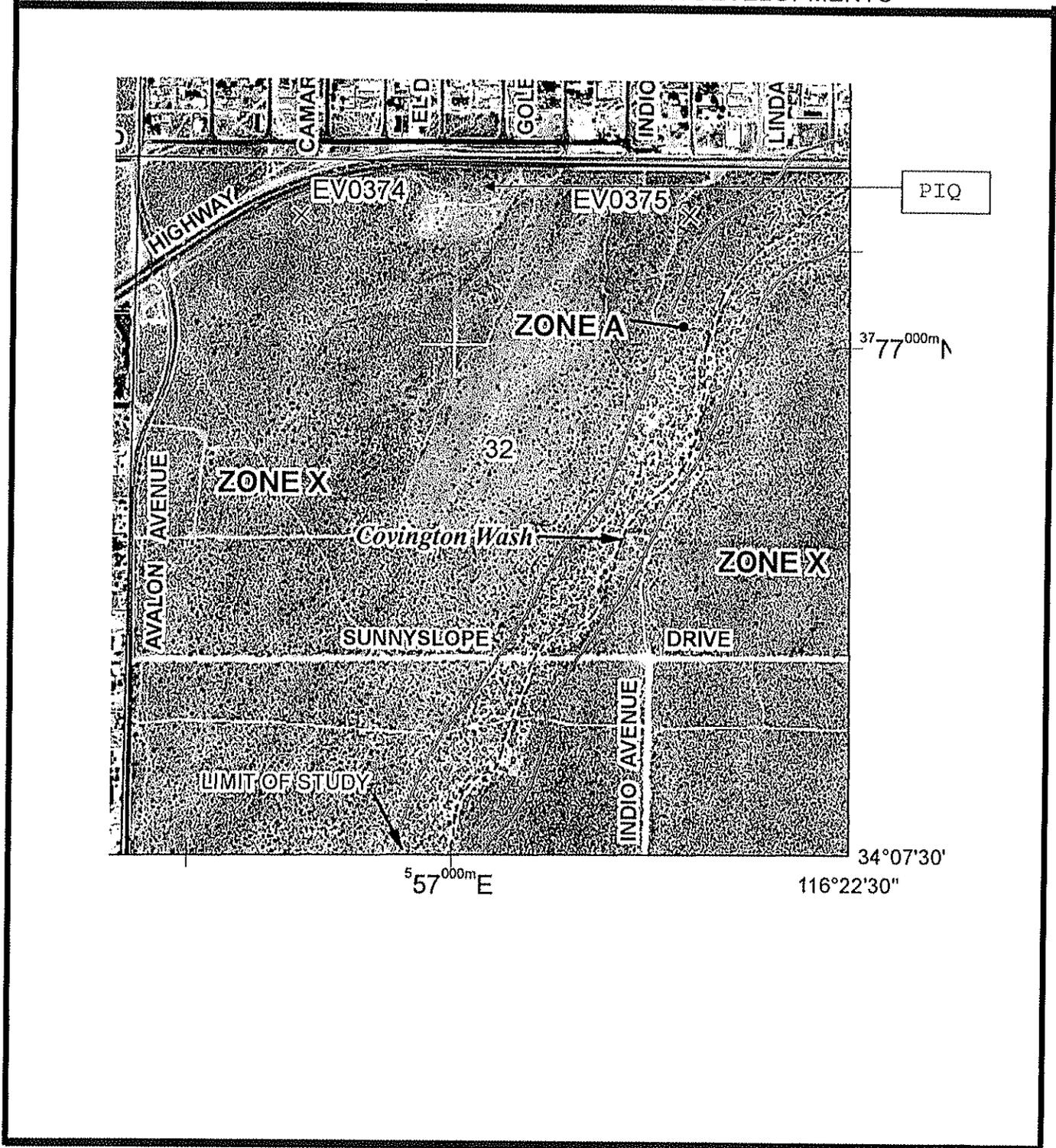
PROJECT NO.: SITE PLAN REVIEW, SPR 02-14 WALBERN DEVELOPMENTS



ALQUIST PRIOLO MAP

TOWN OF YUCCA VALLEY

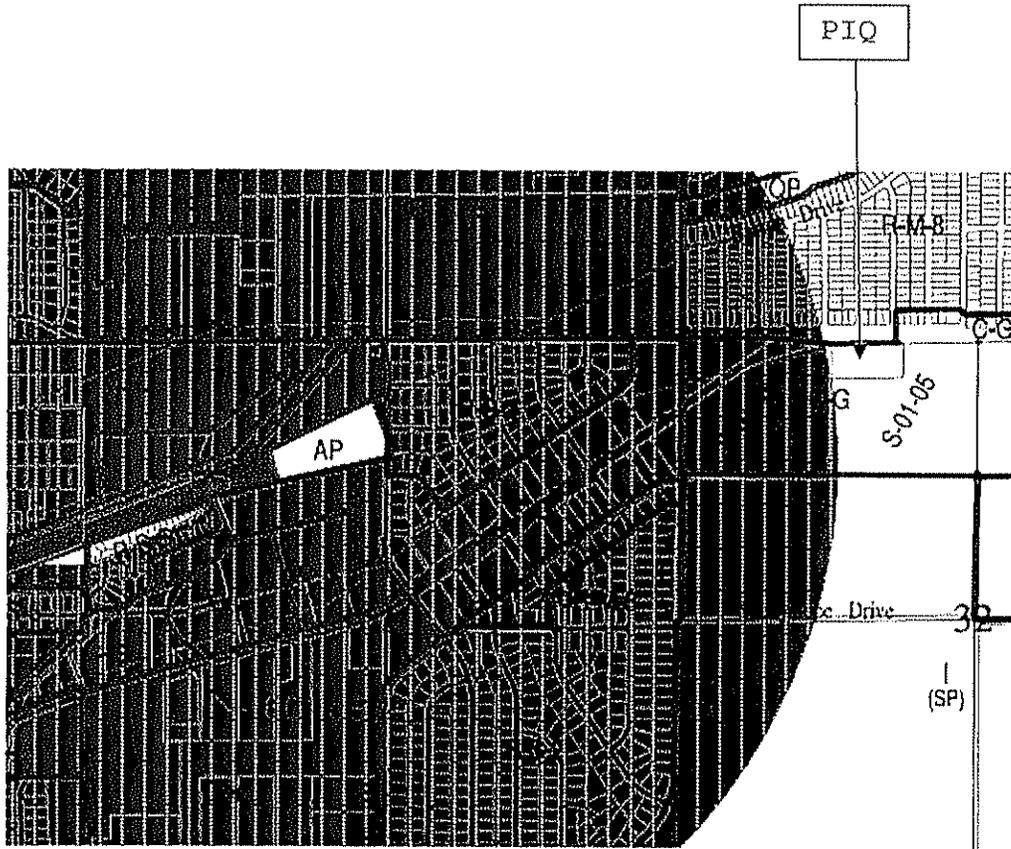
PROJECT NO.: SITE PLAN REVIEW, SPR 02-14 WALBERN DEVELOPMENTS



FEMA FLOOD MAP

TOWN OF YUCCA VALLEY

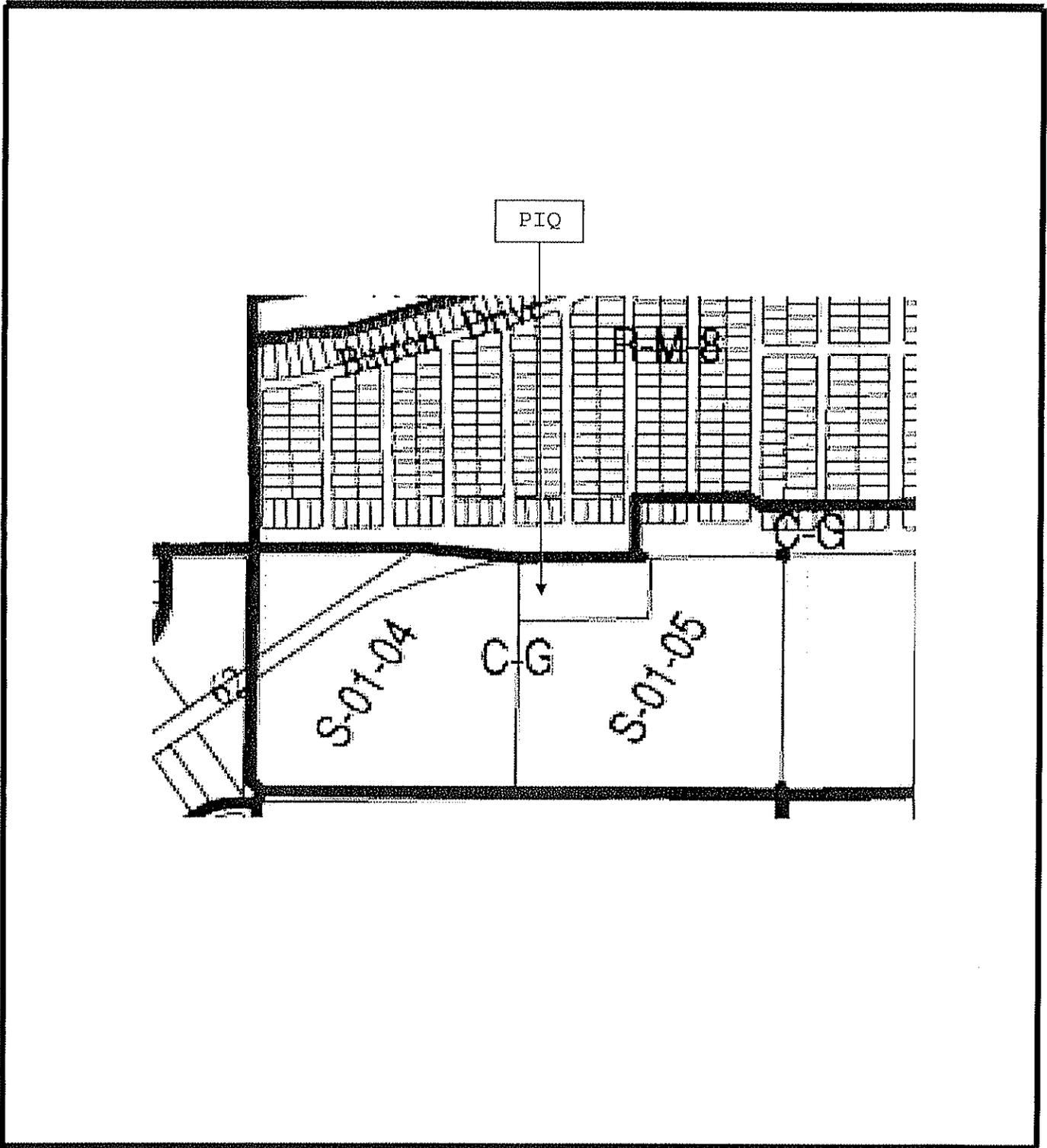
PROJECT NO.: SITE PLAN REVIEW, SPR 02-14 WALBERN DEVELOPMENTS



AIRPORT INFLUENCE MAP

TOWN OF YUCCA VALLEY

PROJECT NO.: SITE PLAN REVIEW, SPR 02-14 WALBERN DEVELOPMENTS



ZONING MAP



Site Plan Review Application

Date Received	<u>12/15/14</u>
By	<u>DOLSEN</u>
Fee	<u>\$ 2910</u>
Case #	<u>SPR-02-14</u>
EA #	<u>05-14</u>

General Information

APPLICANT Walbern Developments Phone 949-276-7571 Fax _____

Mailing Address 228 Monarch Bay Plaza Suite Q Email matt@walbern.com

City Dana Point State CA Zip 92629

REPRESENTATIVE GreenbergFarrow (Catherine Otis) Phone 949-536-8028 Fax _____

Mailing Address 19000 MacArthur Suite 250 Email cotis@greenbergfarrow.com

City Irvine State CA ZIP 92612

PROPERTY OWNER Same as above (applicant) Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

Project Information

Project Address _____ Assessor Parcel Number(s) 0621-201-46,47 & 48

Project Location SEQ Twenty-Nine Palms & Avalon

Project Description: 7,768 SF building to include retail and QSR user's.

Two quick serve restaurants proposed at 1,500 SF and 1,200 SF each & remainder to be retail uses7

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.yucvalley.org

Environmental Assessment

1. Property boundaries, dimensions and area (also attach an 8 1/2 x 11" site plan):

2. Existing site zoning: CG /HD SP 3. Existing General Plan designation: Commercial
4. Precisely describe the existing use and condition of the site: the subject site is developed with a Marshall's & Petco and associated parking, landscaping & site improvements.
5. Existing Zoning of adjacent parcels:
North R-S-5/CG South CG East CR West CG
6. Existing General Plan designation of adjacent parcels:
North CG South CG East CG West C-RR
7. Precisely describe existing uses adjacent to the site: Home Depot directly south of the site, Wal-Mart to the west, Twenty-Nine Palms road to the north and Marshall's/Petco directly east
8. Describe the plant cover found on the site, including the number and type of all protected plants: Developed site

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)

Project Description

Complete the items below as they pertain to your project. Attach a copy of any plans submitted as part of the project application and any other supplemental information that will assist in the review of the proposed project pursuant to CEQA.

1. Commercial, Industrial, or Institutional Projects:

- A. Specific type of use proposed: Commercial Retail
- B. Gross square footage by each type of use: 7,768 SF - 2 food users one @ 1,500 SF and one at 1,200 with remainder retail uses
- C. Gross square footage and number of floors of each building: 7,768 SF/One story
- D. Estimate of employment by shift: +/- 4-6 per tenant space
- E. Planned outdoor activities: None

2. Percentage of project site covered by:

 % Paving, 20.27 % Building, 1.4 % Landscaping, % Parking

3. Maximum height of structures 28 ft. in.

4. Amount and type of off street parking proposed: 262 stalls

5. How will drainage be accommodated? Connect to existing 24" storm drain which was extended with development of the Marshall's & Petco project.

6. Off-site construction (public or private) required to support this project:

None

7. Preliminary grading plans estimate cubic yards of cut and cubic yards of fill

8. Description of project phasing if applicable: None

9. Permits or public agency approvals required for this project: Planning, building, engineering, SB County health, Hi Desert Water District

10. Is this project part of a larger project previously reviewed by the Town? If yes, identify the review process and associated project title(s) Yes - the overall project including

the 7,460 shops building was reviewed with the Home Depot project (Home Depot SP & EIR) & under SPR for Marshall's /Petco

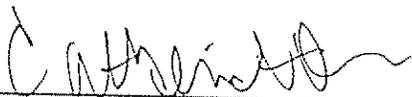
11. During construction, will the project: (Explain any "yes" or "maybe" responses to questions below – attach extra pages if necessary.)

Yes Maybe No

- A. Emit dust, ash, smoke, fumes or odors?
- B. Alter existing drainage patterns?
- C. Create a substantial demand for energy or water?
- D. Discharge water of poor quality?
- E. Increase noise levels on site or for adjoining areas?
- F. Generate abnormally large amounts of solid waste or litter?
- G. Use, produce, store, or dispose of potentially hazardous materials such as toxic or radioactive substances, flammable or explosives?
- H. Require unusually high demands for such services as police, fire, sewer, schools, water, public recreation, etc.
- I. Displace any residential occupants?

Certification

I hereby certify that the information furnished above, and in the attached exhibits, is true and correct to the best of my knowledge and belief.

Signature:  Date: 10/06/14

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: M. J. Wa
Date: 10/6/2014

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

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

Signed: _____
Dated: _____

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: \$ 2910.00

Applicant's Signature *M. J. Waken* Date: 10/6/2014

Applicants Name Matthew J. Waken, President
(Please print) Yucca Retail 5, LLC

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: _____

Cross street: _____

Date this Disclosure Statement is completed: _____

Name of Applicant: Yucca Retail 5, LLC

The Applicant is a:

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

Information for LLC, Partnership, Corporation

Name Yucca Retail 5, LLC Phone 949-276-7571 Fax _____
28 Monarch Bay Plaza, Ste Q Dana Point, CA 92629

Mailing Address 28 Monarch Bay Plaza, Suite Q Email Matt@walbern.com

City Dana Point State CA Zip 92629

State of Registration CA

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

Name Matthew J. Waken Phone 626-710-6377 Fax _____

Mailing Address 28 Monarch Bay Plaza #Q Email Matt@Walbern.com

City Dana Point State CA Zip 92629

Attach additional sheets if necessary

Agent for Service of Process

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

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

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

The Owner is a:

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

Information for LLC, Partnership, Corporation

Name Yucca Retail 5, LLC Phone 949-276-7571 Fax _____

Mailing Address 28 Monarch Bay Plaza Ste D Email Matt@walbern.com

City Dana Point, State CA Zip 92629

State of Registration CA

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

Name Matthew J. Waken Phone 626-710-637 Fax _____

Mailing Address 28 Monarch Bay Plaza Ste D Email Matt@walbern.com

City Dana Point State CA Zip 92629

Attach additional sheets if necessary

Agent for Service of Process

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

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

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

The Party in escrow is a (if property is in escrow): N/A

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

Information for LLC, Partnership, Corporation

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

State of Registration _____

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

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

Attach additional sheets if necessary

Agent for Service of Process

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

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

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

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

Matthew J. Waken
Signature _____

Print Name: Matthew J. Waken

Title: President

Date of signing: 10/06/2014

Location: Dana Point, California P. 45 629

Hazardous Waste and Substance Sites

Government Code Section 65962.5 requires each applicant for any development project to consult the State List of Hazardous Waste and Substance Sites. Based upon the list, the applicant/representative is required to submit a signed statement to the Town of Yucca Valley indicating whether the project is located on a site which is included on the list before the Town accepts the application as complete. If the project is listed by the State as a hazardous waste or substance site, the applicant must fully describe on the "Environmental Information Form" the nature of the hazard and the potential environmental impact. Attached is a standard statement for the applicant to sign.

The State list of Hazardous Waste and Substance Sites (which is annually updated) may be reviewed at the following web site address:

http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm

Attachment: Hazardous Waste Site Statement



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).

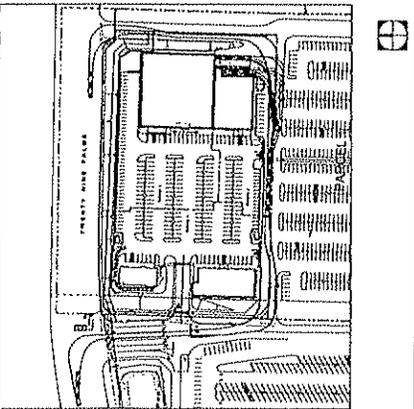
I am informed and believe that the proposed site, for which a development application has been submitted, is not within any area specified in said Section 65962.5 as a hazardous waste site.

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

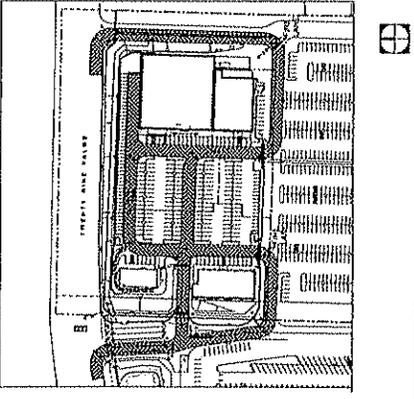
Dated: 10/27/14

Catherine Otis, GreenbergFarrow
Applicant/Representative printed name

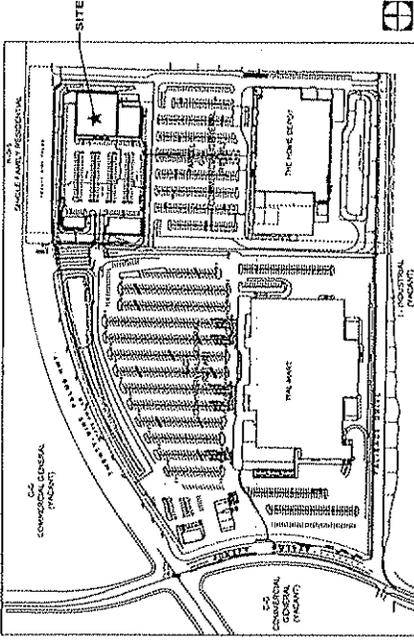
Catherine Otis
Applicant/Representative signature



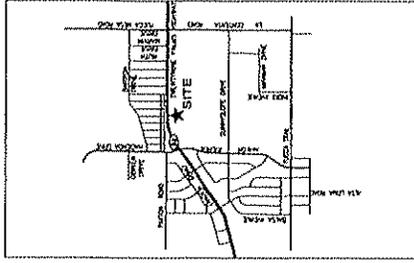
KEY MAP - TRUCK ACCESS
N.T.S.



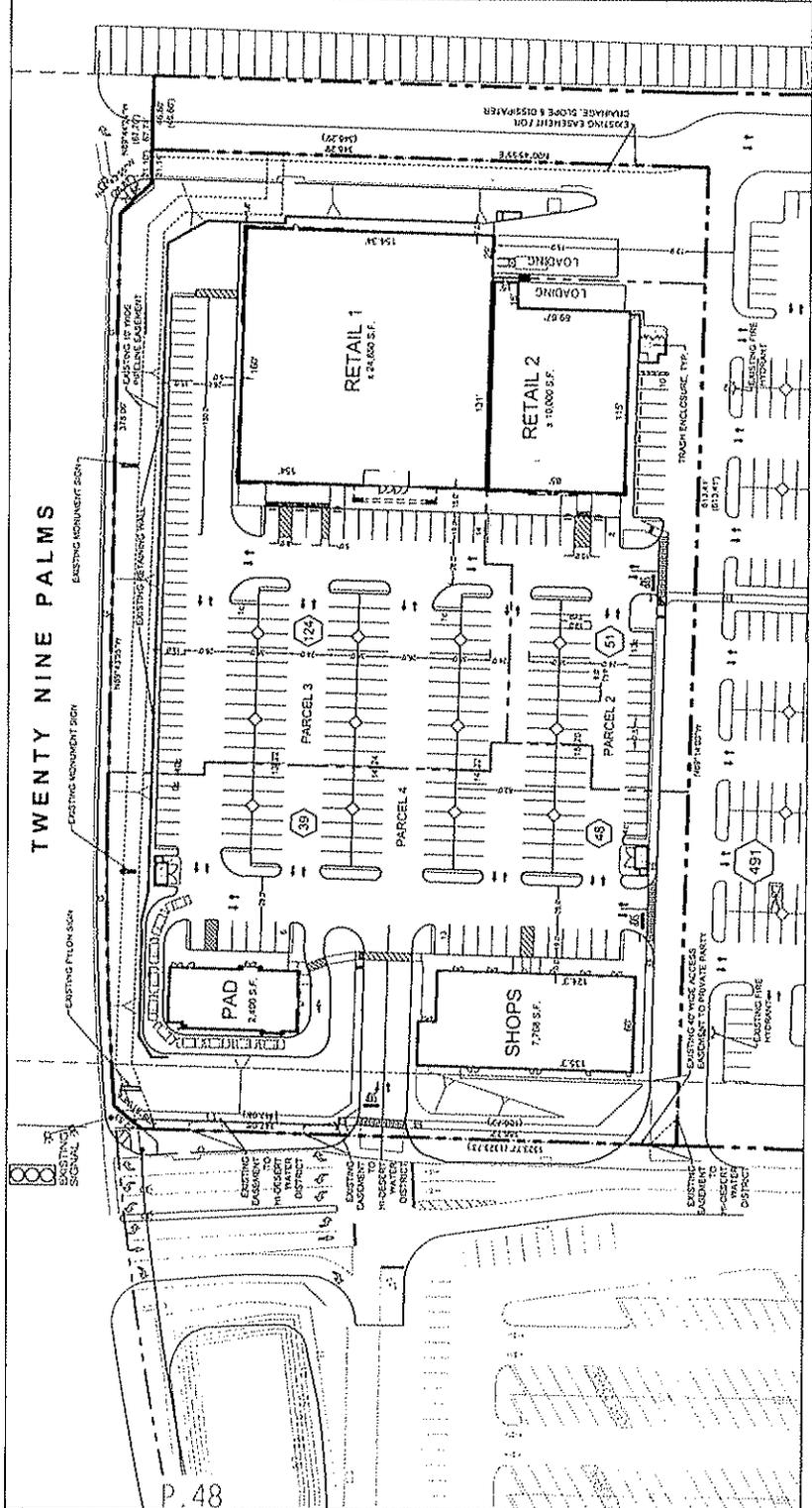
KEY MAP - FIRE LANE
N.T.S.



KEY MAP
N.T.S.



VICINITY MAP
N.T.S.



PROJECT INFORMATION

APN	060120140		
APN	060120147		
APN	060120148		
SITE AREA			
PARCEL 1	15,866 ACRES		
PARCEL 2	14,407 ACRES		
PARCEL 3	14,407 ACRES		
NET TOTAL SITE AREA	44,680 ACRES		
BUILDING AREA			
RETAIL 1	424,000 SF		
RETAIL 2	310,000 SF		
SHOPS	7,700 SF		
PAD	2,400 SF		
TOTAL	747,100 SF		
NET TOTAL SITE COVERAGE	16.73% (12,550 SF)		
PARKING SUMMARY			
TYPE	REQUIRED	SPACES	PROVIDED
RETAIL 1			
SHOPPING	1,000 SF	80	104
RETAIL	1,000 SF	21	43
RESTAURANT	1,000 SF	2	3
TOTAL		103	150
RETAIL 2			
SHOPPING	1,000 SF	80	104
RETAIL	1,000 SF	21	43
RESTAURANT	1,000 SF	2	3
TOTAL		103	150
SHOPS			
SHOPPING	1,000 SF	80	104
RETAIL	1,000 SF	21	43
RESTAURANT	1,000 SF	2	3
TOTAL		103	150
PAD			
SHOPPING	1,000 SF	80	104
RETAIL	1,000 SF	21	43
RESTAURANT	1,000 SF	2	3
TOTAL		103	150
TOTAL PARKING TO BE PROVIDED			
RETAIL 1	150		
RETAIL 2	150		
SHOPS	150		
PAD	150		
TOTAL	600		

PARCEL REQUIREMENTS FOR RESTAURANT ARE 1,000 SF OF RESTAURANT SPACE AND 1,000 SF OF SEATING AREA IN 50% GROSS FLOOR AREA.

CONTACT PARKING ALLOWED
CONTACT PARKING PROVIDED

ASSOCIATION
YUCCA VALLEY
GENERAL COMMERCIAL
GENERAL COMMERCIAL

DRAWING ISSUANCE/REVISION RECORD

DATE	REVISION
11/15/10	ISSUE FOR PERMITTING
02/11/11	ISSUE FOR PERMITTING
02/11/11	ISSUE FOR PERMITTING

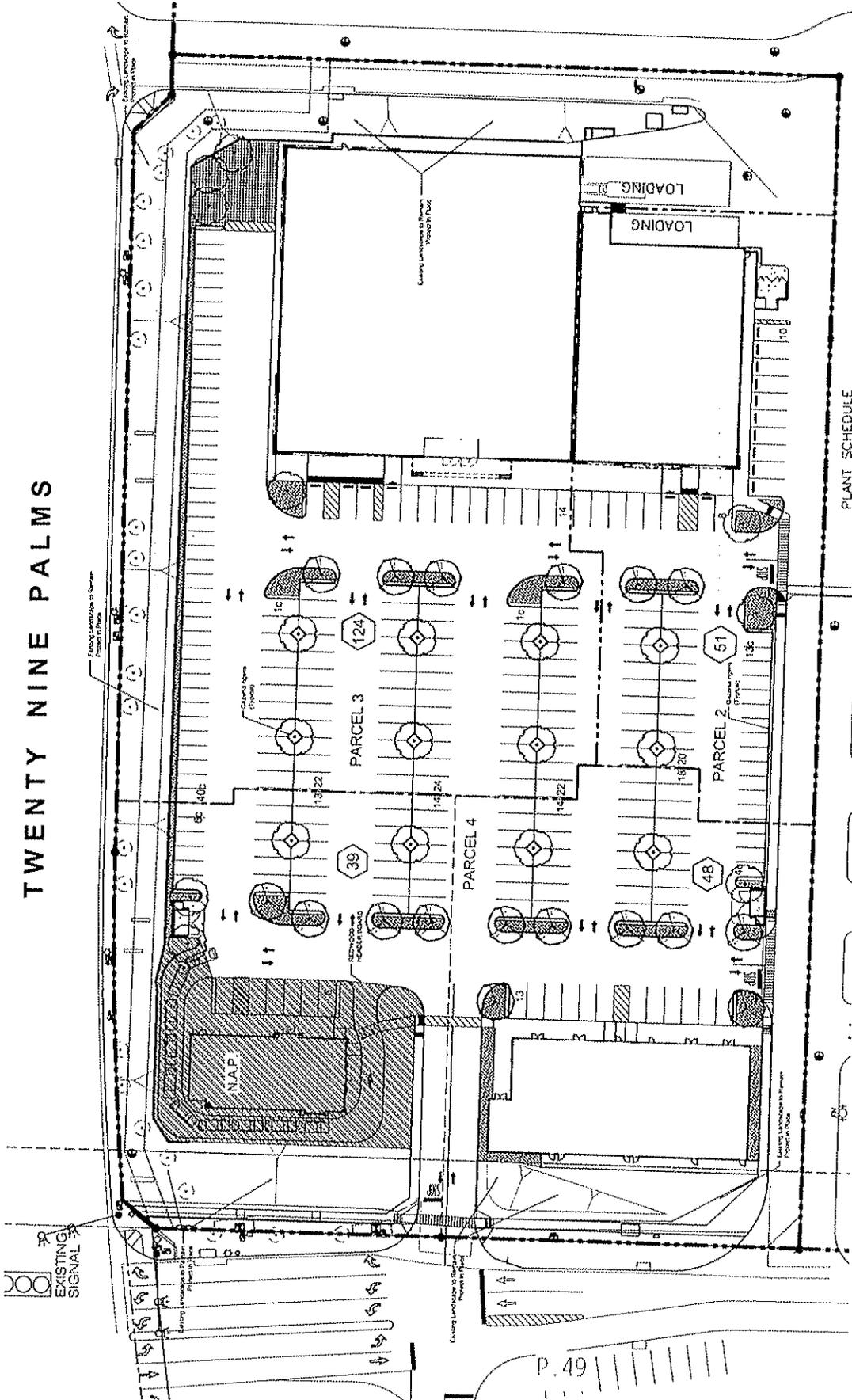


WALBERN DEVELOPMENTS YUCCA VALLEY
 500 TWENTY NINE PALMS & AVALON AVENUE
 YUCCA VALLEY, CA 92083
 381100000

GreenbergFarrow
 19000 Washington Blvd., Suite 200
 Irvine, CA 92618
 T 949 255 0000 F 949 255 5015

WALBERN
 381100000

TWENTY NINE PALMS



PLANT SCHEDULE

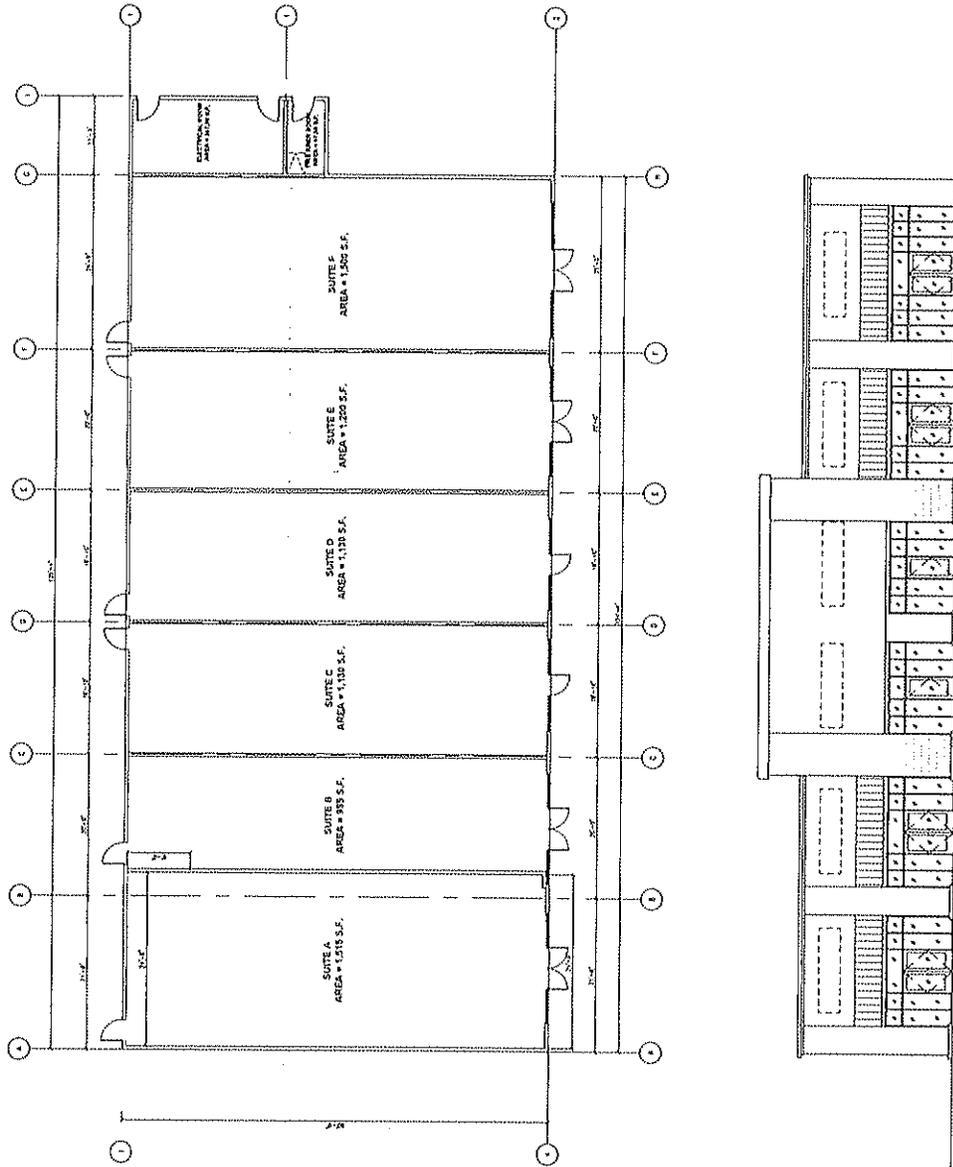
SYMBOL	PLANT NAME	QUANTITY	PLANT TYPE
(Symbol)	17 Upright Palm 'Nobol'	24	Tree
(Symbol)	21 Florida Citrus	24	Shrub
(Symbol)	1000 Yucca	1000	Shrub
(Symbol)	1781 Agave comi	5	Tree
(Symbol)	3188 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3189 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3190 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3191 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3192 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3193 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3194 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3195 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3196 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3197 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3198 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3199 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3200 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3201 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3202 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3203 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3204 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3205 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3206 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3207 Citrus 'Peach Candy'	100	Shrub
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(Symbol)	3210 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3211 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3212 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3213 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3214 Citrus 'Peach Candy'	100	Shrub
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(Symbol)	3216 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3217 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3218 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3219 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3220 Citrus 'Peach Candy'	100	Shrub
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(Symbol)	3222 Citrus 'Peach Candy'	100	Shrub
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(Symbol)	3224 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3225 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3226 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3227 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3228 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3229 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3230 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3231 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3232 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3233 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3234 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3235 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3236 Citrus 'Peach Candy'	100	Shrub
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(Symbol)	3238 Citrus 'Peach Candy'	100	Shrub
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(Symbol)	3240 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3241 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3242 Citrus 'Peach Candy'	100	Shrub
(Symbol)	3243 Citrus 'Peach Candy'	100	Shrub
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(Symbol)	3246 Citrus 'Peach Candy'	100	Shrub
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(Symbol)	3250 Citrus 'Peach Candy'	100	Shrub

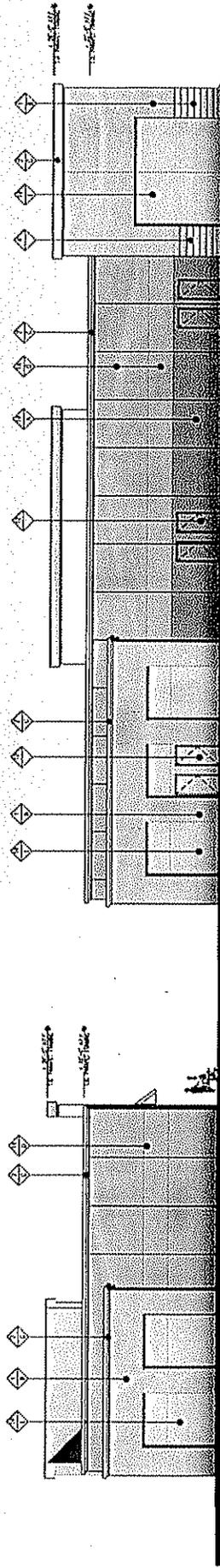
NOTES:
 ALL LANDSCAPE AREAS SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
 A LANDSCAPE MAINTENANCE AGREEMENT SHALL BE PROVIDED TO THE CITY.
 PLANT MATERIAL NOT LISTED MAY BE USED, SUBJECT TO APPROVAL BY THE CITY.
 PLANT MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.
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WALBERN DEVELOPMENTS YUCCA VALLEY LANDSCAPE CONCEPT
 2011/05/20 12.01.2014

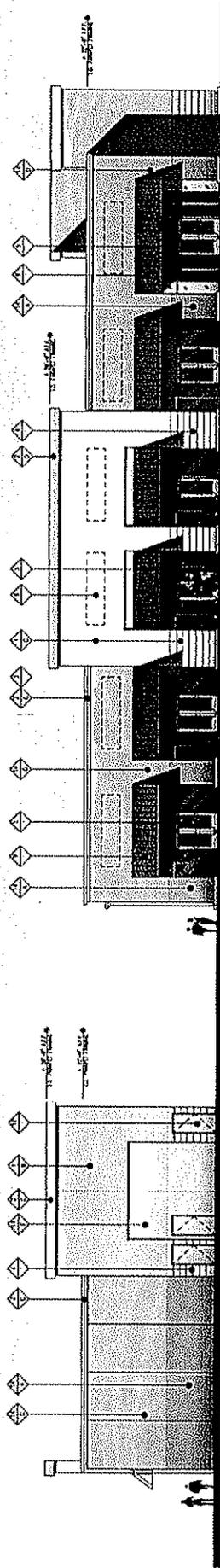
Walbern
 10000 Westline Blvd., Suite 200
 Yucca Valley, CA 92389
 760.225.2000 | 760.225.0475





LEFT ELEVATION

REAR ELEVATION



RIGHT ELEVATION

FRONT ELEVATION

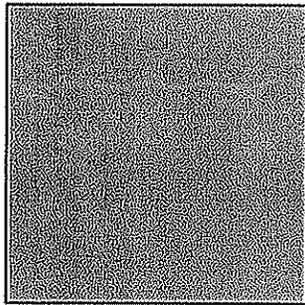
FINISH SCHEDULE

NO.	DESCRIPTION	FINISH
1	INTERIORS	
2	CEILING	ACCOUSTIC TILE
3	WALLS	PAINT
4	FLOORING	CONCRETE
5	DOORS	WOOD
6	WINDOWS	ALUMINUM
7	STAIRS	WOOD
8	ELEVATOR	WOOD
9	MECHANICAL	PAINT
10	ELECTRICAL	PAINT
11	MECHANICAL	PAINT
12	ELECTRICAL	PAINT
13	MECHANICAL	PAINT
14	ELECTRICAL	PAINT
15	MECHANICAL	PAINT
16	ELECTRICAL	PAINT
17	MECHANICAL	PAINT
18	ELECTRICAL	PAINT
19	MECHANICAL	PAINT
20	ELECTRICAL	PAINT
21	MECHANICAL	PAINT
22	ELECTRICAL	PAINT
23	MECHANICAL	PAINT
24	ELECTRICAL	PAINT
25	MECHANICAL	PAINT
26	ELECTRICAL	PAINT
27	MECHANICAL	PAINT
28	ELECTRICAL	PAINT
29	MECHANICAL	PAINT
30	ELECTRICAL	PAINT
31	MECHANICAL	PAINT
32	ELECTRICAL	PAINT
33	MECHANICAL	PAINT
34	ELECTRICAL	PAINT
35	MECHANICAL	PAINT
36	ELECTRICAL	PAINT
37	MECHANICAL	PAINT
38	ELECTRICAL	PAINT
39	MECHANICAL	PAINT
40	ELECTRICAL	PAINT
41	MECHANICAL	PAINT
42	ELECTRICAL	PAINT
43	MECHANICAL	PAINT
44	ELECTRICAL	PAINT
45	MECHANICAL	PAINT
46	ELECTRICAL	PAINT
47	MECHANICAL	PAINT
48	ELECTRICAL	PAINT
49	MECHANICAL	PAINT
50	ELECTRICAL	PAINT

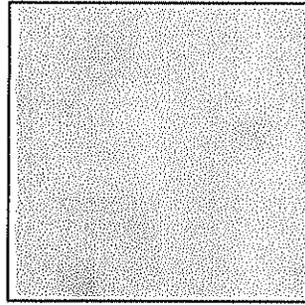
SHOPS BUILDING SHOPS
 SCALE: 1/8" = 1'-0"
 YUCCA VALLEY, CA
 WALBERN DEVELOPMENT
 201-4072710



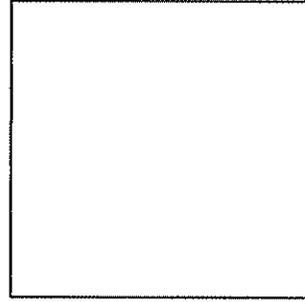
GreenbergFarrow
 1000 MacArthur Blvd., Suite 250
 Irvine, CA 92612
 T 949 259 6456 F 949 259 6437



PAINT - DUNN EDWARDS DE6074
FRONTIER LAND



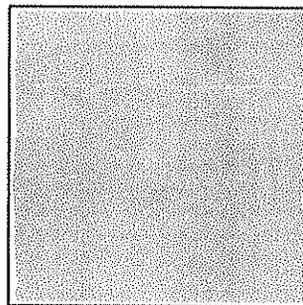
PAINT - DUNN EDWARDS DE6213
FINE GRAIN



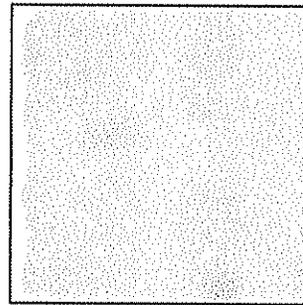
PAINT - DUNN EDWARDS DE5301
TATAMI MAT



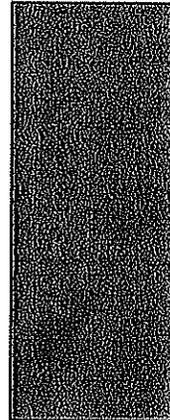
STOREFRONT - CLEAR ANODIZED
ALUMINUM



PAINT - DUNN EDWARDS DE6143
ALMOND LATTE



PAINT - DUNN EDWARDS DE6142
FLOATING FEATHER



METAL AWNING - BUTLER - LAVA

Chapter 9.68 Site Plan and Design Review

Sections:

- 9.68.010 – Purpose and General Plan consistency
- 9.68.020 – Applicability
- 9.68.030 – Authority
- 9.68.040 – Application Submittal Requirements
- 9.68.050 – Application Fee
- 9.68.060 – Investigation and Report
- 9.68.070 – Action by review Authority
- 9.68.080 – Required Findings
- 9.68.090 – Minor Modification of Previously Approved Site Plan and Design Review
- 9.68.100 – Lapse of Permits/Permit Expiration
- 9.68.110 – Extension of Time
- 9.68.120 – Amendment
- 9.68.130 – Revocation
- 9.68.140 – Development of Property Before Final Decision

9.68.010 – Purpose and General Plan consistency

The Site Plan and Design Review procedure allows the Town to evaluate proposed development and determine its consistency with the General Plan, the Development Code and applicable Town ordinances. The Site Plan and Design Review procedure is intended to protect and enhance the visual appeal, environment, economic stability and property values of the Town's residential, commercial, and industrial areas through the application of the provisions of this Code and the General Plan. Review of such uses is necessary and specific conditions of approval may be necessary to ensure that the uses are developed, operated, and located properly with respect to their effects on surrounding properties and so that any and all potentially adverse impacts are mitigated, and to ensure the general health, safety and welfare of the community through implementation of the General Plan through this Chapter.

9.68.020 – Applicability

The provisions of this Article apply to:

- A. All new construction which is listed in the use classification charts for the underlying land use districts that require a Site Plan and Design Review.
- B. Expansions which exceed the thresholds of Table 4.5 and are permitted subject to a Site Plan and Design Review as specified in the use classification charts for the underlying land use district shall require a Site Plan and Design Review.

TABLE 4.5
SITE PLAN AND DESIGN REVIEW
EXPANSION THRESHOLDS

SQUARE FOOTAGE OF EXISTING BUILDING	MAXIMUM SQUARE FOOTAGE	MAXIMUM PERCENTAGE
up to 5,000	1250 sq ft	50%
5,001 – 10,000	2000 sq ft	40%
10,001 +	2500 sq ft	25%

C. Change in use of an existing building

D. Projects which fall within the thresholds of the Site Plan and Design Review shall comply with the General Plan, the Development Code and applicable Town Ordinances and regulations, including but not limited to:

1. Half-width (½) street Improvements (curb, gutter, sidewalk, street lights, and pavement) on all streets fronting the project except as defined by the parameters of the Council policies regarding Street Reconstruction.
2. Onsite water retention of the incremental increase
3. Dedication of easements for drainage facilities, streets, trails, avigation easements as required by this code and any adopted plans.
4. Improvements to drainage facilities except as defined by the parameters of the Council policies regarding drainage facilities.
5. Assessment Districts Formation (including Landscape and Lighting, Street and Drainage Community Facilities District and Public Safety)
6. Utility Undergrounding, pursuant to adopted standards
7. Landscaping and Landscaping Plan regulations (greater than 500 square feet of landscape area require approval by Hi Desert Water District)
8. Commercial Design Guidelines
9. Outdoor Lighting regulations
10. Parking and screening requirements
11. Sign regulations
12. All other Development Code regulations

E. Expansions which fall within the thresholds specified in Table 4.5 shall be processed as a Land Use Compliance Review, pursuant to Chapter 9.66.

9.68.030 – Authority

A. Level of Review:

TABLE 4.6
SITE PLAN AND DESIGN REVIEW
LEVEL OF REVIEW

APPLICABILITY	LEVEL OF REVIEW	NOTICE REQUIREMENTS
New structures, including accessory structures and uses;	Commission	None
Expansion of an existing structure in conformance with Table 4.5;	Director	None
Expansion of an existing structure which exceeds the standards as established in Table 4;	Commission	None
Conversion of an existing structure (i.e. change in use);	Commission	None
Construction or conversion of a structure(s) to allow a mixed-use development.	Commission	None

Where the review for Site Plan and Design Review Permits is not specified, the Director shall determine the appropriate review authority.

B. **Referral to Next Higher Review Authority.** The Commission may refer an application for a Site Plan and Design Review Permit to the Council based upon the following criteria:

1. Impact upon public services and facilities greater than typical for the type of project proposed;
2. Impact upon surrounding properties greater than typical for the type of project proposed;
3. Floor or site square footage greater than typically found in the type of project;
4. Intensity of use greater than typically found in the type of projects;
5. Operating Characteristics not typical of the type of project proposed.
6. Other factors including but not limited to public opposition to development of the project.
7. The need for Commission and or Council interpretation of the General Plan and/or Development Code as related to the project.

C. **General Authority.** The Commission is authorized to approve, approve with conditions, or deny applications for Site Plan and Design Review Permits in compliance with the procedures established in this Section. In approving an application for a Site Plan and Design Review Permit, the Commission may impose conditions to ensure compliance with this Code. Conditions may include, but shall not be limited to:

1. Requirements for special structure setbacks;

2. Open spaces;
3. Buffers;
4. Fences;
5. Walls and screening;
6. Requirements for the installation and maintenance of landscaping and erosion control measures;
7. Control of street improvements, other public infrastructure and related dedications;
8. Control of vehicular ingress and egress;
9. Control of traffic circulation;
10. Control of signs;
11. Control of hours of operation;
12. Control of potential nuisances;
13. Establishing standards for maintenance of buildings and grounds;
14. Establishment of development schedules and development standards;
15. Control of periodic review;
16. Control of architectural and/or building design
17. Any other conditions as may be deemed necessary to ensure the compatibility with surrounding uses, to preserve the public health, safety and welfare, and to enable the Commission to make the findings required by Section 9.68.080, *Required Findings*.

D. Performance Guarantee. In order to ensure implementation of conditions attached to a Site Plan and Design Review, the applicant may be required to furnish a surety in a form of an instrument of credit, money or surety bond in the amount fixed by the authority granting or modifying the Site Plan and Design Review Permit.

E. Providing Required Improvements. Whenever a Site Plan and Design Review is approved or modified subject to the condition that specified public improvements shall be installed by the applicant to meet Town standards and be accepted by the Town, the applicant may be required to execute an agreement approved by the Town to make such improvements prior to the time/construction events specified in the Site Plan and Design Review Permit.

F. Conditions Declared Void. Whenever any final judgment of a court of competent jurisdiction declares one or more of the conditions of a Site Plan and Design Review to be unconstitutional or

invalid, such decision shall not affect the validity of the approval as a whole, or any portion thereof other than the section so declared.

- G. Violation of Condition.** Whenever a Site Plan and Design Review Permit is approved or modified by the Commission subject to a condition(s), non-compliance with such conditions shall constitute a violation of this Code. Conditions which are not observed or which are violated may be enforced as provided in Chapter 9.82 or said Site Plan and Design Review Permit may be revoked or modified under Chapter 9.83, *Permit Amendments* and Chapter 9.84, *Permit Revocation*.

9.68.040 – Application Submittal Requirements

Applications for Site Plan and Design Review Permits shall be filed on a form prescribed by the Planning Division and shall contain such information and reports as may be required by the application submittal package or by other applicable ordinances or by the Town in order for the Commission to make the required findings.

9.68.050 – Application Fee

The application shall be accompanied by a fee established by resolution of the Council to cover the cost of handling and processing the application as prescribed in this Chapter.

9.68.060 – Investigation and Report

The Director shall cause an analysis of each application for a Site Plan and Design Review to be made. The level of detail of the analysis shall be appropriate to the type of project proposed and the needs of the Commission. The analysis shall examine the application's consistency with the content, intent and purpose of the General Plan, the Development Code, and any other applicable Town standards or policies. To insure effective implementation of General Plan policies and the provisions of this Code, applications may be reviewed by the Development Review Committee prior to consideration by the Commission. As a result of the analysis, the Director shall cause a report to be completed which shall include a listing of proposed conditions necessary to guarantee the public health, safety and welfare, should the proposed project be approved.

9.68.070 – Action by review Authority

Commission Action. Pursuant to Section 9.68.030, *Authority*, the Commission shall review each application for a Site Plan and Design Review. The applicant shall be provided with a copy of the Planning Division's report regarding the application prior to the Commission's consideration. The Commission shall approve, deny, or conditionally approve applications for Site Plan and Design Review. Decisions by the Commission shall be final unless appealed as provided in Chapter 9.81, *Appeals*.

9.68.080 – Required Findings

Before approving a Site Plan and Design Review Permit, the Commission shall find that the circumstances established below apply;

- A. 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;
- B. 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;
- C. That the proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses;
- D. That the building site and architectural design is accomplished in an energy efficient manner;
- E. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures.
- F. 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;
- G. 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;
- H. 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;
- I. 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;
- J. That access to the site and circulation on and off-site is required to be safe and convenient for pedestrians, bicyclists, equestrians and motorists;
- K. 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;
- L. That traffic improvements and/or mitigation measures have been applied or required in a manner adequate to maintain a Level of Service C or better on arterial roads, where applicable, and are consistent with the Circulation Element of the Town General Plan;
- M. 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;
- N. 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;

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

9.68.090 – Minor Modification of Previously Approved Site Plan and Design Review

An approved Site Plan and Design Review Permit may be modified upon the request of the property owner, or by the Town. Minor Modifications may be approved by Director if it is determined that the changes would not affect the findings prescribed in Section 9.68.080, *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.

9.68.100 – Lapse of Permits/Permit Expiration

- A. **Expiration.** A Site Plan and Design Review Permit approval shall expire three (3) years from the date the permit is approved unless it is otherwise conditioned or unless prior to the expiration of the three (3) years the following have occurred:
 - 1. A building permit is issued and substantial construction is diligently pursued towards completion of the project which was the subject of the Site Plan and Design Review Permit application. After construction is commenced, if work is discontinued for a period of two (2) years, the Site Plan and Design Review Permit requires review and reauthorization by the Commission; or
 - 2. A certificate of occupancy is issued for the structure which was the subject of the Site Plan and Design Review Permit application.
- B. **Phased Projects.** Projects may be built in phases if so approved by the Commission or Director pursuant to Section 9.68.090 *Minor Modifications of Previously Approved Site Plan and Design Review*.

9.68.110 – Extension of Time

The Commission may grant extensions not to exceed three (3) years. Applications shall be made on a form to be provided by the Planning Division. Prior to the granting of an extension, the Planning Division shall review the previously approved project to ensure it is consistent with all current General Plan, Development Code and other Town Ordinances and that the findings for approval of a Site Plan and Design Review Permit in compliance with Section 9.68.080, *Required Findings*, can be made. Based upon this review, additional Conditions of Approval may be imposed upon the project by the review authority when the Extension of Time is approved.

- 2. The Commission may grant additional extensions of time provided that the project is consistent with the General Plan, Development Code, Master Plans and Specific Plans..

9.68.120 – Amendment

Refer to Article 5, Chapter 9.83 Permit Amendments.

9.68.130 – Revocation

Refer to Article 5, Chapter 9.84 Permit Revocations.

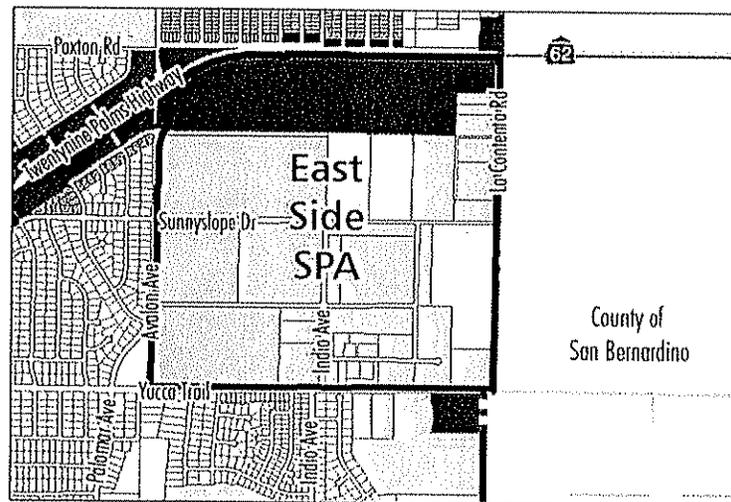
9.68.140 – Development of Property Before Final Decision

A building permit shall not be issued for, and no person shall commence to use, any structure until that structure and its accompanying development has received a Site Plan and Design Review in compliance with the provisions of this Chapter. In addition, no other permits shall be issued for any use or structure requiring a Site Plan and Design Review unless and until the Site Plan and Design Review has been approved.

East Side Special Policy Area

The East Side SPA is envisioned as the Town's primary industrial employment center. The East Side SPA is approximately 480 acres and contains the largest concentration of industrial uses in the Town. The Rural Mixed Use SPA also allows for industrial uses; however, the nature and scale of those uses is envisioned to be significantly different than the industrial uses in the East Side SPA. Although most of the land in the East Side SPA is currently vacant, it is important to maintain the industrial land use designation in the area to ensure the Town has reserved enough industrial land to provide for a growing industrial jobs base for the community as it builds out over time. Future conversion of the commercial and industrial uses in this area is discouraged. The East Side SPA consists of several large parcels that can be developed as part of a comprehensive vision and conceptual master plan for the area.

Large-scale retail uses are envisioned along the SR-62 corridor. Commercial uses in this area will likely be compatible or complementary to industrial uses, or they could be smaller retail uses that can capture business from adjacent communities or visitors traveling to Joshua Tree National Park. The retail properties at the intersection of Yucca Mesa Road and SR-62 also serve as a gateway into Yucca Valley, providing a prime opportunity to create an entryway statement through landmark landscaping or signage treatments. La Contenta Middle School and the Black Rock High School are along Yucca Mesa Road, and a wastewater treatment plant is proposed east of Indio Drive at the core of the SPA. As new development occurs over time, adequate buffers will be needed to ensure that there is an appropriate transition and ongoing interface between these public facilities and the industrial uses envisioned for the area.



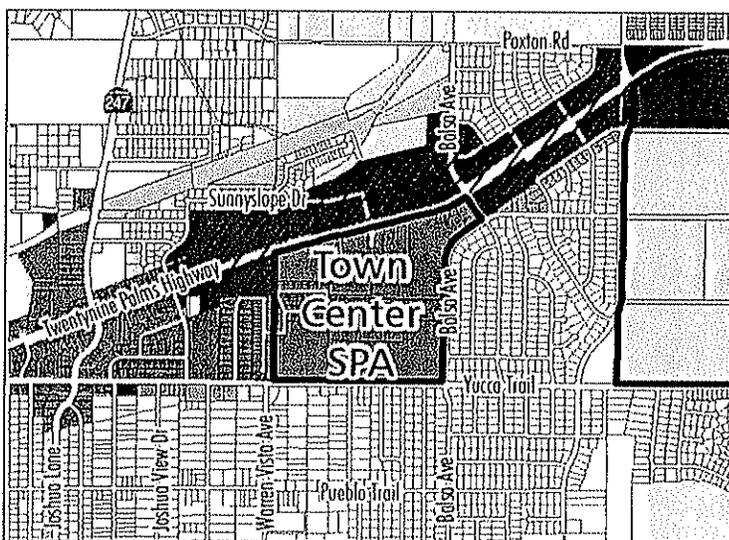
East Side Special Policy Area.

The interface between the industrial uses in the East Side SPA and the adjacent residential neighborhoods to the west and south will also be a high priority in this area. Consideration should be made to design a buffer that can provide a physical and visual separation of uses, but could also possibly serve as a landscape or recreational amenity for the residents and businesses in the area. A Specific Plan or creation of a Master Development Plan is required in the SPA for new development to ensure that each new project relates to one another; that opportunities for design, development, or infrastructure improvements that can benefit the entire SPA are not overlooked; and that a comprehensive vision for the area is achieved.

Town Center Special Policy Area

The Town Center SPA is envisioned to be a regional commercial destination and employment hub that is characterized by integrated public spaces and complementary office and residential uses. The Town Center SPA provides an opportunity for new commercial businesses that residents otherwise must travel “down the hill” to patronize. Uses in this area are assumed to build out at 60 percent retail, 20 percent office (0.50 FAR), and 20 percent residential (18 du/ac) mix.

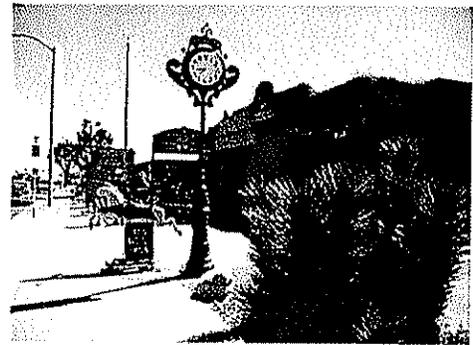
The area was designated as a SPA because of its prominent location on SR-62 and the economic opportunities it provides in conjunction with the other SPAs and Mixed Use properties along the corridor. All properties in the SPA are designated Mixed Use, which should provide places for people to gather, common design themes, and linkages to other uses in areas where the Town would like to promote a concentration of community activity.



Town Center Special Policy Area.

Commercial and Industrial Policies

- Policy LU 1-15 Maintain Yucca Valley's position as the economic hub of the Morongo Basin. Support a broad range of commercial retail, service, office, business park, research and development, light industrial, and industrial uses to provide employment opportunities and contribute to the Town's economic sustainability.
- Policy LU 1-16 Require high quality building design, property maintenance, amenities for pedestrian access, and adequate circulation, utilities, and infrastructure.
- Policy LU 1-17 Encourage the renovation of existing commercial and industrial areas to improve appearance, environmental responsiveness, use of infrastructure, and functionality.
- Policy LU 1-18 Locate industrial uses near commercial uses when feasible to create synergy between the uses and established business nodes.
- Policy LU 1-19 Encourage the relocation of industrial operations that are not compatible with adjacent uses to areas that are conducive to such operations.
- Policy LU 1-20 Focus commercial development along SR-62 to take advantage of infrastructure improvements.
- Policy LU 1-21 Facilitate lot consolidation to create larger sites for higher performing commercial and industrial projects.
- Policy LU 1-22 Attract and retain nonpolluting, clean industrial development that expands the economic opportunities in the Town.
- Policy LU 1-23 Adequately buffer or otherwise ensure compatibility between commercial and industrial uses and residential areas (See also Policy LU 1-17).



Commercial Businesses are a vital part of the SR-62 corridor.

Public/Quasi-Public Policies

- Policy LU 1-24 Plan for the adequate and logical expansion of public facilities that are compatible with surrounding land uses, reflect community character, are educationally enriching, and meet a broad range of local needs.
- Policy LU 1-25 Support a variety of educational opportunities and foster a culture of life-long learning through libraries, museums, schools, and other institutions.