GENERAL PLAN AMENDMENT AND REZONE APPLICATION AND INFORMATION OUTLINE

This outline provides you with information on the application process and submittal requirements for a General Plan Amendment(GPA) and Rezone (RZ). We hope that this information is beneficial in instructing you on what information is required and what steps must be taken to process your application. The more thorough and complete the application submitted to the Town, the better we are able to serve you and help you achieve your goals.

Included is the **GENERAL PLAN AMENDMENT AND REZONE APPLICATION, ENVIRONMENTAL ASSESSMENT FORM AND OTHER REQUIRED DOCUMENTS**. Should you have any questions, please contact the Planning Division at (760) 369-6575 x317 or x328. The Planning Division is located in the Community Development/Public Works Department building at 58928 Business Center Dr., off of Indio and Yucca Trail, north of the Monterey Business Center. You may visit the Town's website for additional information at:
http://www.yucca-valley.org/departments/planning.html

Things You Should Know Before You Start

What is a General Plan Amendment?

The General Plan is the long-range policy document that guides all physical development in the Town. The General Plan includes both a Land Use Map and text. State Law requires that all development be consistent with all provisions of the General Plan. Any proposed development project that is not consistent with the General Plan will require an amendment of the Plan before it can be approved.

Applications to amend the General Plan are reviewed by the Planning Commission in public hearing and acted upon by the Town Council at public hearing. An action recommending denial by the Planning Commission terminates the action on the requested General Plan Amendment unless the action of the Planning Commission is appealed to the Council.

State law limits the number of times per year that the General Plan may be amended with exceptions for qualified affordable housing projects. Because of this limitation, it is necessary to group General Plan Amendment requests into four groups each year. Your request will be grouped with other requests for one of the four main hearings each year and you will be notified of the scheduled date for the hearing.

Town of Yucca Valley
Community Development Department
Planning Division
58928 Business Center Dr
Yucca Valley, CA 92284
760 369-6575 Fax 760 228-0084
www.yucca-valley.org

You may find the Town's General Plan Land Use Map at:
http://www.yucca-valley.org/pdf/planning/zoningmap2009.pdf

What is a Rezone?

A zoning ordinance is the local law that spells out the immediate, allowable uses for each piece of property within the community. Zoning is broken down into residential, commercial, industrial, public, and other districts. The particular zone determines the uses to which land may be put. If a landowner proposes a use that is not allowed in the zone, a rezoning (change in zone) application would be required to allow that development.

You may find the Town's Zoning map at:
http://www.yucca-valley.org/pdf/planning/zoningmap2009.pdf

How is the application processed?

Upon the submittal of the required materials and payment of fees, the proposal will be reviewed and scheduled for the earliest Development Review Committee (if necessary) and Planning Commission and Town Council meetings. **State law limits the number of times per year that the General Plan may be amended with exceptions for qualified affordable housing projects. Because of this limitation, it is necessary to group General Plan Amendment requests into four groups each year. This could affect the processing of your application.**

Assuming the materials submitted are accurate and complete, and dependent upon the limitations imposed by State law, the Community Development Department staff can process the application and present it to the Planning Commission within approximately 30 to 45 days if the project is exempt from the California Environmental Quality Act (CEQA) or 45 to 60 days if a Mitigated Negative Declaration is required. The processing includes the preparation of a staff report (subject to environmental analysis and findings as required by the California Environmental Quality Act) for the Planning Commission and Town Council. If it is determined that an Environmental Impact Report (EIR) is required to be completed, the timing for review will be dependent upon the complexity of the project.

It is recommended that the applicant and/or representative attend all meetings, and be prepared to answer questions and present evidence supporting the requested General Plan Amendment and or Rezone. The Planning Commission is very interested in hearing all views concerning the proposed project, and how the project is or is not consistent with the required findings.

The Planning Commission and Town Council staff reports will be available to the applicant no less than 72 hours prior to the meetings.

What Happens after Planning Commission's Decision?

At the closing of the Commission's meeting, the Planning Commission may recommend to the Council: approval, approval in an alternative form, or may deny the project. A denial terminates the process unless the applicant submits an appeal application. The Appeal Application and required fees must be received within ten (10) calendar days of the

Commission decision. The Town Council may affirm, modify or overturn the Planning Commission action.

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 your project may not cover the total cost of processing this application. If the account has 25% or less remaining prior to completion of the project, staff will notify the applicant 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.

Listed on the following page are the fees that might be required with your application for a SPR.

Please feel free to contact the Planning Division at (760) 369-6575 ext. 317 or 328 if you have any questions.

The applicant is responsible for any and all fees charged by other agencies including but not limited Hi Desert Water District, San Bernardino County Fire, San Bernardino County Environmental Health, Morongo Unified School District etc. The applicant is responsible for obtaining specific fees from the various agencies. The following are some links you may find helpful.

San Bernardino County Fire Department Fees can be found at:
http://www.sbcfire.org/fire_marshal/planning_engineering/content/fire_service_fees.pdf

San Bernardino County Environmental Health Department fees can be found at:
http://www.sbcounty.gov/dehs/Depts/EnvironmentalHealth/EHS%20Documents/fee_schedule.pdf

Hi Desert Water District fees can be found at:
http://www.hdwd.com/Portals/0/HDWD/Documents/Handouts/Rates%20&%20Fees.pdf

Regional Water Quality Control Board Fees can be found at (if applicable):
http://www.waterboards.ca.gov/resources/fees/

California Fish and Game fees can be found at:
http://dfg.ca.gov/habcon/ceqa_changes.html and the OPR Web site at www.opr.ca.gov.

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Application Processing Fees, Per Town Council Resolution 04-38 adopted 9-2-04

General Plan Amendment…..……$3,145 deposit

Zone Change……..……..$3,145 deposit

General Plan Amendment & Zone Change……...$4,100 deposit

Pre-Application (optional)……$535 deposit

Environmental

Environmental Impact Report ..... actual cost +10% admin deposit
Environmental Assessment ..... $925 deposit
Mitigation Monitoring ..... actual cost deposit

Fish and Game Fees (payable to the San Bernardino County Clerk of The Board)*

- Negative Declarations $2,151.50
- Environmental Impact Report $2,969.00
- Notice of Exemption .....$ 50.00
- Notice of Determination .....$ 50.00

Appeals

Appeals to Planning Commission ..... $720 deposit
Appeals to Town Council ..... $845 deposit

Fish and Game Fee Requirement

Permit applicants are advised that pursuant to Section 711.4 of the Fish and Game Code, a fee of $2,151.50 for a Negative Declaration and $2,969.00 for an Environmental Impact Report shall be paid to the County Clerk at the time of recording the Notice of Determination for this project. This fee is required for Notices of Determination recorded after December 31, 2010. A Notice of Determination cannot be filed and any approval of the project shall not be operative, vested, or final until the required fee is paid. This shall mean that building and other development permits cannot be approved until this fee is paid. *These fees are required to be submitted to the Town at time of application submittal.*

Effective January 1 of each year the fees are subject to an increase.

This fee is **not** a Town of Yucca Valley or County of San Bernardino fee; it is required to be collected by the County pursuant to State law for transmission to the State Department of Fish and Game. This fee was enacted by the State Legislature in 2006, and is adjusted each January 1st in accordance with *Implicit Price Deflator for State and Local Government Purchases of Goods and Services, as Published by the U. S. Department of Commerce.*

Information regarding the updated 2012 Environmental Filing Fee is also available at the Department of Fish and Game at http://dfg.ca.gov/habcon/ceqa_changes.html and the OPR Web site at www.opr.ca.gov.

General Plan Amendment and Rezone Application

☐ General Plan Amendment

☐ Rezone

Date Received _____
By _____
Fee _____
GP# _____
RZ# _____
EA # _____

General Information

APPLICANT_____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

REPRESENTATIVE _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ ZIP _____

PROPERTY OWNER_____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

Project Information

Project Address _____ Assessor Parcel Number(s) _____

Project Location _____

Project Description: _____

_____

_____

_____

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

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Environmental Assessment

1. Property boundaries, dimensions and area (also attach an 8 ½ x 11" site plan):

   _____

2. Existing site zoning: _____ 3. Existing General Plan designation: _____

4. Precisely describe the existing use and condition of the site: _____

   _____

5. Existing Zoning of adjacent parcels:

   North _____ South _____ East _____ West _____

6. Existing General Plan designation of adjacent parcels:

   North _____ South _____ East _____ West _____

7. Precisely describe existing uses adjacent to the site: _____

   _____

8. Describe the plant cover found on the site, including the number and type of all protected plants: _____

   _____

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: _____

   B. Gross square footage by each type of use: _____

   _____

   C. Gross square footage and number of floors of each building: _____

   _____

   D. Estimate of employment by shift: _____

   E. Planned outdoor activities: _____

2. **Percentage of project site covered by:**

   _____% Paving, _____% Building, _____ % Landscaping, _____% Parking

3. **Maximum height of structures** _____ft._____ in.

4. **Amount and type of off street parking proposed**: _____

5. **How will drainage be accommodated?** _____

   _____

   _____

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

   _____

   _____

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

8. **Description of project phasing if applicable:** _____

   _____

9. **Permits or public agency approvals required for this project**: _____

   _____

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)** _____

    _____

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: _____

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.

Name: _____

Signed: _____

Date: _____

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

Name: _____

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

Name: _____

Signed: _____

Dated: _____

General Plan Amendment and Zone Change Application Submittal Requirements

Initial Submittal Requirements
Letter of Justification addressed to the Town of Yucca Valley that discusses the following items: •Proposed designations •How the following required "findings" can be made to support the project: a. The proposed land use district change is in the public interest, there will be a community benefit and other existing and permitted uses will not be compromised. b. The proposed land use district change is consistent with the goals and policies of the General Plan, and will provide a reasonable and logical extension of the existing land use pattern in the surrounding area. c. The proposed land use district change does not conflict with provisions of the Development Code, or any applicable specific plan. d. The proposed land use district will not have a substantial adverse effect on surrounding property.
All maps, plans, special studies, reports, etc. submitted in hard copy as part of this application are also to be delivered electronically, by CD, flash drive or email at time of submittal.
Please note that each project and each property are unique. Some projects may not require the submittal of each item listed above at time of submittal. Some circumstances may require items not included on the above list. Please contact Planning Staff if you have any questions.

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: $_____

Applicant's Signature_____ Date: _____

Applicants Name _____
(Please print)

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:_____

The Applicant is 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 _____

The Owner is 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 _____

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

- ☐ 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

_____

Signature

Print Name:_____

Title:_____

Date of signing:_____

Location:_____

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:_____

_____
Applicant/Representative printed name

_____
Applicant/Representative signature

Special Studies

In order to ensure a project will comply with applicable local, State and Federal requirements, special studies or reports may be required for a project. These special studies can include biological, hydrologic, soils, geotechnical, noise, photometric, traffic, etc. Some of these studies are valid for a limited period of time. The following information is intended to provide some basic information on the types of studies that may be necessary based upon the project

Biological:

A General Biological Assessment is typically required for projects that have seen little or no disturbance. The report generally includes a focused tortoise survey and burrowing owl habitat assessment. The desert tortoise is protected under both state and federal law. The burrowing owl is listed as a species of special concern by the state Fish and Game Department. Together this study helps to evaluate the site and recommend mitigation measures to help avoid impacts to biological resources if required.

Additional information on the Desert Tortoise can be obtained from the following website:http://www.deserttortoise.org/documents/2010DTPre-projectSurveyProtocol.pdf

Additional information on the Burrowing Owl can be obtained from the following website:http://www.safca.org/documents/Environmental%20Protections%20page%20folders/Protection.southsacstreams/CDFG.BUOWsurveyProtocol.pdf

The studies are valid for a period of one year. If a project is in the planning process and the report expires prior to the start of construction it is possible that an update will be required.

Native Plant Plans: Should your site be enriched with native plants, including but not limited to joshua trees, mojave yuccas, or junipers a native plant plan is required to be submitted with your project. The plan shall include an inventory of the size, health, and condition of the plant. Recommendations for the plant can include relocate, protect in place or destroy. It is encouraged to incorporate as many plants as possible back into the project landscaping.

Traffic: When it is anticipated that a project will have an impact on traffic circulation or a project is expected to generate in excess of 50 average daily trips (ADTs) then a traffic study is likely required. These reports can range from a simple one page letter prepared by a traffic engineer to complex traffic studies depending on the scope of the project.

Hydrology: The project shall provide retention for the incremental storm flows generated during the worst case 100 year storm event plus an additional 10% minimum, and 20% incremental retention is desired. A hydrology study shall be provided detailing the retention amounts required.

Geotechnical/Soils Report: This study evaluates what type of soils occur onsite and makes recommendations for construction on the site. These are required to be submitted with the final grading plans.

Photometric Analysis: A photometric analysis evaluates lighting to be installed on the site and predicts the intensity of the light and locations on the site. Additionally, lighting cut sheets of all proposed exterior lights shall be submitted.

Geotechnical/Fault Hazard Investigation: If any portion of your site is in an Alquist-Priolo Special Study, area fault trenching approved and coordinated with the Town and San Bernardino County Geologist, is required. The trenching is to determine the location of any faults on the site. The consultants, in conjunction with the County Geologist will determine if there are any restrictions that must be imposed for construction on the site.

Noise: A noise study or acoustical analysis may be required for different reasons. One example is if the project is expected to generate large amounts of noise that could impact surrounding neighbors, businesses, etc. Another example is if a nearby roadway may be generating noise in excess of acceptable standards and mitigation to protect the future occupants is required.

Air Quality Assessment: Larger projects and/or those that involve the movement of significant amounts of earth, or will have an impact on air quality are required to provide an air quality assessment. This assessment will recommend mitigation measures to reduce the impacts to less than significant levels.

Greenhouse Gas Inventory: In order to comply with state requirements, many projects are required to prepare and submit a greenhouse gas emissions inventory. The study will look at both short and long term impacts the project will have on Greenhouse gas and make recommendations to reduce any impacts to levels which are less than significant.