

**ORDINANCE NO. 125**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 8, DIVISION 4, CHAPTER 3, SECTION 84.0340 (NEIGHBORHOOD COMMERCIAL) OF THE SAN BERNARDINO COUNTY CODE AS ADOPTED BY THE TOWN OF YUCCA VALLEY RELATING TO PERMITTED LAND USES IN THE NEIGHBORHOOD COMMERCIAL DISTRICT (DCA-01-01).**

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

**SECTION 1. Amendment of Development Code.**

Section 84.0340 of Title 8, Division 4, Chapter 3 of the Development Code of the San Bernardino County code as adopted by the Town of Yucca Valley is amended to read as follows:

“84.0340 Neighborhood Commercial (CN) District

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

**(a) PERMITTED LAND USES.**

- (1) Accessory Uses as specified by Chapter 5 of this Division.
- (2) Institutional Uses as specified in Section 84.0410.
- (3) Neighborhood Commercial land uses proposed to operate from existing structures shall be permitted by right in the following cases.
  - (A) The structure has historically been utilized in fashion similar to the proposed use.
  - (B) There are no structural, off-street or on-site improvements, or lack thereof, which pose a threat to the health, safety, or general welfare of the Town.
  - (C) There are no additions or alterations to the square footage of the existing structure.

**(b) LAND USES SUBJECT TO SPECIFIC PERMIT PROCESSES**

- (1) Those uses identified in the Neighborhood Commercial Use Classifications Table shall be subject to the identified permitting process. In the Neighborhood Commercial Use Classifications Table, the letters “SPR” designates land uses reviewed through the Site Plan Review process, the letters “NP” designate use classifications not permitted, the letters “CUP” designate use classification reviewed

through the Conditional Use Permit process, and the letters "SP" designate use classifications reviewed through the Specific Plan process.

| GENERAL COMMERCIAL<br>USE CLASSIFICATIONS                 |                                    | SPR<br>SP<br>CUP<br>SP        | See Plan Review<br>Not Permitted<br>Conditional Use<br>Permit<br>Specific Plan |
|---|------------------------------------|-------------------------------|--|
| Land Use Classification                                   | Neighborhood<br>Commercial<br>(CN) | Additional Use<br>Regulations |  |
| <b>Residential Uses</b>                                   |                                    |                               |  |
| Single Room Occupancy Housing                             | CUP                                |                               |  |
| <b>Public &amp; Semipublic Uses:</b>                      |                                    |                               |  |
| Private and Public Clubs and Lodges                       | CUP                                |                               |  |
| Cultural Institutions                                     | CUP                                |                               |  |
| Government Offices  | SPR                                |                               | (1)  |
| Hospitals   | CUP                                |                               |  |
| Vocational or Business School                             | CUP                                |                               |  |
| Parking Lots  | SPR                                |                               | (1)  |
| Park & Recreation Facilities                              | SPR                                |                               | (1)  |
| Public Safety Facilities                                  | SPR                                |                               | (1)  |
| Public Utility Service Yards                              | CUP                                |                               |  |
| <b>Utilities</b>  |                                    |                               |  |
| Major   | CUP                                |                               |  |
| Minor   | CUP                                |                               |  |
| <b>Commercial Uses</b>                                    |                                    |                               |  |
| Agriculture (Row, Field, and Nursery<br>Crop Cultivation) | SPR                                |                               | (1)  |

| Land Use Classification   | Neighborhood Commercial (CN) | Additional Use Regulations |
|---|------------------------------|----------------------------|
| Amusement Arcade or Park  | NP                           |                            |
| Ambulance Services  | SPR                          | (1)                        |
| Animal Care Facility (including animal hospital, veterinarian, commercial kennel, grooming) |                              |                            |
| Excluding exterior kennel, pens and run.  | SPR                          | (1)                        |
| Including exterior kennel, pens and run.  | CUP                          |                            |
| Antique Shop  | SPR                          | (1)                        |
| Appliance Sales and Repair  | SPR                          | (1)                        |
| Arcades   | CUP                          |                            |
| Automobile Sales and Rental   | CUP                          |                            |
| Automobile Service Station  | CUP                          |                            |
| Automobile Storage  | NP                           |                            |
| Automobile Washing  | CUP                          |                            |
| Bakeries  |                              |                            |
| Retail  | SPR                          | (1)                        |
| Wholesale   | SPR                          | (1)                        |
| Barber and Beauty Shop  | SPR                          | (1)                        |
| Bicycle Shop  | SPR                          | (1)                        |
| Blueprint and Photocopy Services  | SPR                          | (1)                        |
| Book, Gift, Stationary Store (except adult related material)                                | SPR                          | (1)                        |

| Land Use Classification                  | Neighborhood Commercial (CN) | Additional Use Regulations |
|--|------------------------------|----------------------------|
| Catering Services                        | SPR                          | (1)                        |
| Clinics                                  | SPR                          | (1)                        |
| Clothing Store                           | SPR                          | (1)                        |
| Commercial Recreation & Entertainment    | CUP                          |                            |
| Communication Facilities                 | CUP                          |                            |
| Communications Equipment Buildings       | SPR                          | (1)                        |
| Convenience Store                        | CUP                          |                            |
| Department Store                         | CUP                          |                            |
| Drug Store                               | CUP                          |                            |
| Entertainment, live                      | NP                           |                            |
| Equipment Sales, Service & Rentals       | NP                           |                            |
| Feed and Tack                            | CUP                          |                            |
| Florist Shop                             | SPR                          | (1)                        |
| Food Stores and Supermarkets             | SPR                          | (1)                        |
| Furniture Store                          | SPR                          | (1)                        |
| Financial Services                       | SPR                          | (1)                        |
| Fitness Centers                          | CUP                          |                            |
| Funeral Services (excluding crematorium) | CUP                          |                            |
| General Retail                           | SPR                          | (1)                        |

| Land Use Classification   | Neighborhood Commercial (CN) | Additional Use Regulations |
|---|------------------------------|----------------------------|
| Hardware Store (outdoor storage of lumber or other building material must be secondary and/or incidental to indoor sales) | CUP                          |                            |
| Hotels and motels   | SPR                          | (1)                        |
| Laboratories  | NP                           |                            |
| Laundries:  |                              |                            |
| Limited   | SPR                          | (1)                        |
| Unlimited   | SPR                          | (1)                        |
| Locksmith   | SPR                          | (1)                        |
| Maintenance & repair services:  |                              |                            |
| Major   | NP                           |                            |
| Minor   | CUP                          |                            |
| Mini-Storage Facility   | NP                           |                            |
| Motor Vehicle Repair  |                              |                            |
| Major   | NP                           |                            |
| Minor   | CUP                          |                            |
| Open Lot Plant Nurseries and Garden Supplies  | CUP                          |                            |
| Offices:  |                              |                            |
| Business & Professional   | SPR                          | (1)                        |
| Medical   | SPR                          | (1)                        |
| Pawn Shops  | SPR                          | (2)                        |
| Personal Improvement Services   | SPR                          | (1)                        |
| Personal Services   | SPR                          | (1)                        |
| Printing & Publishing:  |                              |                            |
| Limited   | SPR                          | (1)                        |
| Unlimited   | SPR                          | (1)                        |

| Land Use Classification                                | Neighborhood Commercial (CN) | Additional Use Regulations |
|--|------------------------------|----------------------------|
| Recreation Vehicle and Boat Storage                    | NP                           |                            |
| Recycling Facilities                                   | NP                           |                            |
| Research and Development Services                      | SPR                          | (1)                        |
| Restaurant   |                              |                            |
| Drive-thru, take-out, delivery                         | CUP                          |                            |
| Fast Food w/out drive-thru, take-out, delivery         | SPR                          | (1)                        |
| Full Service Restaurant                                | SPR                          | (1)                        |
| Studio (including dance, music, artists)               | SPR                          | (1)                        |
| Thrift or Second Hand Store                            | SPR                          | (2)                        |
| Tire Sales and Service (excluding any outdoor storage) | CUP                          |                            |

FOOTNOTES

- (1) Where no CUP, a Site Plan Review is required in accordance with Title 8, Division 3, Chapter 3, Article 12
  - (2) Special License Permit required in accordance with Title 4, Division 1
- (c) **REVIEW CRITERIA.** Land uses allowed subject to a Conditional Use Permit shall comply with the review criteria established in Section 83.030105 of this Title or where a Site Plan Review is required, shall comply with the review criteria established Section 83.031205 of this Title.
- (d) **PROPERTY DEVELOPMENT STANDARDS.** The following property development standards shall apply to all land uses within the CN District. In order to achieve compatibility with provisions of the CN District, all property development standards must be complied with.

| <b>84.0340 (CN) NEIGHBORHOOD COMMERCIAL (CN) DISTRICT DEVELOPMENT STANDARDS</b> |               |
|---|---------------|
| Maximum Structure Height (Ft.)  | 35            |
| Minimum Lot Size (Acres) Map suffix will modify                                 | See (1) below |
| Maximum Lot Coverage (Building coverage]  | 40%           |
| Maximum Lot Dimensions (Width to Depth Ratio)                                   | 1:3           |
| Minimum Lot Dimensions (Width/Depth in Ft.)                                     | 120/120       |
| Front Yard Setback (Ft.)  | 25            |
| Side Yard Setbacks (Ft.) See (2) Below  | 10            |
| Rear Yard Setbacks (Ft.) See (3) Below  | 10            |
| Street Side Setbacks (Ft.)  | 25            |
| Maximum Floor Area Ratio (FAR) (Floor Area/Lot Area)                            | 0.47          |
| Minimum District Size (Acres)   | 5             |

- (1) Minimum lot size can be less than one (1) acre if the subdivision application is filed concurrently with a Site Plan Review, Planned Development or Conditional Use Permit Application.
- (2) Only one (1) side yard setback is required if deemed necessary for emergency access. If the adjacent property is not designated commercial or industrial; a side yard shall be required along that side of the property.
- (3) A rear yard is required only when the adjacent property is not designated commercial or industrial.
- (4) All projects shall comply with the Commercial Design Guidelines as adopted by the Town”

SECTION 2. NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section 36933 of the Government Code.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after the date of its adoption.

APPROVED AND ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this 1st day of November, 2001.

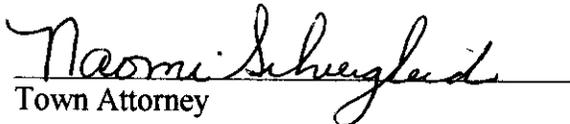
  
MAYOR

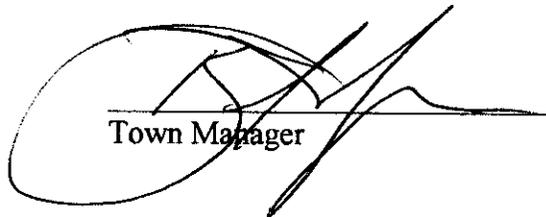
ATTEST:

  
Town Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

  
Town Attorney

  
Town Manager

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Janet M. Anderson, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the Town Council on the 18<sup>th</sup> day of October, 2001, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 1<sup>st</sup> day of November, 2001, by the following vote, to wit:

Ayes: Council Members Cook, Earnest, Leone, Neeb and Mayor Scott

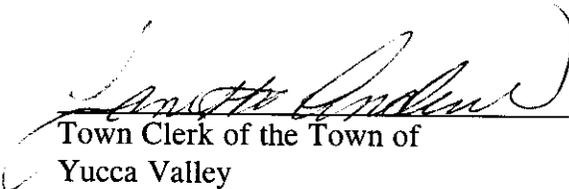
Noes: None

Absent: None

Abstain: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 2<sup>nd</sup> day of November, 2001.

(SEAL)

  
Town Clerk of the Town of  
Yucca Valley