

**ORDINANCE NO. 136**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 8, DIVISION 4, CHAPTER 3, SECTIONS 84.0305 (RESOURCE CONSERVATION), 84.0310 (AGRICULTURE), 84.0320 (RURAL LIVING-RL), 84.0325 (SINGLE FAMILY RESIDENTIAL) OF THE SAN BERNARDINO COUNTY CODE AS ADOPTED AND AMENDED BY THE TOWN OF YUCCA VALLEY RELATING TO PERMITTED LAND USES IN THE HILLSIDE RESERVE DISTRICT, RURAL RESIDENTIAL DISTRICT, AND SINGLE RESIDENTIAL DISTRICT (DCA-02-02).**

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

SECTION 1. Development Code Amended.

1.1 Section 84.0305 of Title 8, Division 4, Chapter 3 of the Development Code of the San Bernardino County Code as adopted and amended by the Town of Yucca Valley is hereby further amended to read as follows:

**“Sections: 84.0305 Hillside Reserve (R-HR) District.**

The Hillside Reserve (R-HR) District shall be located as specified by the Town of Yucca Valley General Plan.

- (a) **GENERAL PROVISIONS:** The specific purposes of the Hillside Reserve District regulations are to:
- (1) Provide for limited single-family residential development within hillside areas and similarly constrained areas and provide the greatest potential for open space preservation and managed animal keeping;
  - (2) Provide adequate light, air, privacy, and open space for each dwelling unit and protect residents from the harmful effects of excessive noise, population density, traffic congestion and other adverse environmental impacts;
  - (3) Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment; and
  - (4) Insure the provision of public services and facilities needed to accommodate planned population densities.
- (b) **USE CLASSIFICATIONS:** In the following schedule, the letter “P” designate use classifications permitted in the RL District, the letters “PD” designate use classification allowed on approval of a Planned Residential Development, the letters “LSP” designate use classification allowed on approval of a Livestock Permit, the letters “CUP” designate use classification allowed on approval of a Conditional Use Permit.

<b>Hillside Reserve (R-HR) Use Classification</b>		P CUP PD LSP	Permitted Conditional Use Permit Planned Residential Development Livestock Permit
<b>Use</b>	<b>Zoning District</b>		<b>Additional Use Regulations</b>
	20 ac		
<b>Residential:</b>			
Family Day Care Homes:			
Large		CUP	Refer to Additional Uses Section of Development Code
Small		P	
Home Occupations		HOP	Refer to HOP Section of Development Code
Institutional Uses		CUP	Refer to Additional Uses Section of Development Code
Manufactured Housing		P	Refer to Single Residential Design Standard Section of the Development Code
Planned Residential Dev.		PD	
Single family dwellings		P	Refer to Single Residential Design Standard Section of the Development Code
Mobile Home Parks		CUP	Not to exceed the underlying land use density on minimum parcel size of forty (40) acres
Second Dwellings		CUP	Refer to Accessory Uses Section of Development Code
Animal raising of densities greater than those specified by Section 84.0560		LSP	
Commercial Kennels & Catteries		CUP	Two (2) acres minimum parcel size
Row, Field, Tree, and Nursery crop cultivation		P	

- (c) **DEVELOPMENT STANDARDS:** The following schedule prescribes development regulations for the Hillside Reserve District:

<b>Hillside Reserve (R-HR) Property Development Regulations</b>		
<b>Use</b>	<b>Zoning District</b>	
Lot Size (acres)	20	Lot area measured in gross acres
Minimum Lot Frontage	150	
Maximum Lot Dimensions (Width to depth ratio)	1:4	
Yards (setbacks):		
Front	75'	(1), (2)
Side	75'	
Arterial/Collector Street Side	75'	
Local Street Side	75'	
Rear	75'	
Maximum Structure Height:	35	
Maximum Lot Coverage	None Required	
Maximum Housing Density (D.U./Acre)	1/20	
Minimum District Size (Acres)	100	

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

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

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

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

- (A) Any accessory structure shall be architecturally compatible with the primary structure.
  - (B) Any single accessory building, excluding any authorized dependant housing or second unit as approved under a Conditional Use Permit, shall not have a floor area in excess of fifty (50%) percent of the footprint of the primary building nor shall the cumulative floor area of all accessory buildings have a floor area in excess of one hundred (100%) percent of the footprint of the primary building.
  - (C) Lots in the R-HR land use district which are 10 acres in size or greater are exempt from any area requirements for accessory structures.
  - (D) All building setback standards of the land use district shall apply.
  - (E) Any accessory structure must be on the same parcel as the primary building.
  - (F) The maximum height of any accessory structure shall not exceed 20 feet.
  - (G) The maximum number of detached accessory structures shall be two, regardless of any requirement for a building permit.
- (2) USE OF CARGO CONTAINERS: As storage for construction clean-up or construction material, a cargo container used as a temporary storage device may be located anywhere on the property, except in the “clear sight triangle” during the duration of the construction activity associated with an active building permit subject to the approval of a Temporary Use Permit.”

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

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

**“Section: 84.0320 Rural Living (RL) District.**

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

- (a) **GENERAL PROVISIONS:** The specific purposes of the Rural Living District regulations are to:
  - (1) Provide appropriately located areas for single family dwellings that are consistent with the General Plan and the standards of public health and safety established by the Yucca Valley Municipal Code;
  - (2) Provide adequate light, air, privacy, and open space for each dwelling unit and protect residents from the harmful effects of excessive noise, population density, traffic congestion and other adverse environmental impacts;
  - (3) Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment; and
  - (4) Insure the provisions of public services and facilities needed to accommodate planned population densities.
  
- (b) **USE CLASSIFICATIONS:** In the following schedule, the letter “P” designate use classifications permitted in the RL District, the letters “PD” designate use classification allowed on approval of a Planned Development, the letters “LSP” designate use classification allowed on approval of a Livestock Permit, the letters “CUP” designate use classification allowed on approval of a Conditional Use Permit.

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

Row, field, tree, and nursery  
crop cultivation

P

Any structure associated with  
this activity is limited to 10,000  
Sq. Ft. on parcels of 5 acres or  
less.

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

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

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- (1) The setbacks delineated in this table shall be the standard unless a different setback is delineated on said Final Map, Parcel Map, or Composite Development Plan.
- (2) Reduced setbacks may be allowed pursuant to Section 87.0510 unless otherwise stated in this Section.

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

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

- (A) Any accessory structure shall be architecturally compatible with the primary structure.
  - (B) Any accessory building, excluding any authorized dependant housing or second unit as approved under a Conditional Use Permit, shall not have a floor area in excess of fifty (50%) percent of the footprint of the primary building nor shall the cumulative floor area of accessory buildings have a floor area in excess of one hundred (100%) percent of the footprint of the primary building.
  - (C) Lots in the RL land use district which are ten (10) acres in size or greater are exempt from the area requirements for accessory structures.
  - (D) All building setback standards of the land use district shall apply.
  - (E) Any accessory structure must be on the same parcel as the primary building.
  - (F) The maximum number of detached accessory structures shall be two, regardless of any requirement of a building permit.
  - (G) The maximum height of any accessory structure shall not exceed 20 feet.
- (2) USE OF CARGO CONTAINERS: As storage for construction clean-up or construction material, a cargo container used as a temporary storage device may be located anywhere on the property, except in the “clear sight triangle” during the duration of the construction activity associated with an active building permit subject to the approval of a Temporary Use Permit.”

Section 84.0325 of Title 8, Division 4, Chapter 3 of the Development Code of the San Bernardino County code as adopted and amended by the Town of Yucca Valley is further amended to read as follows:

**“Sections: 84.0325 Single Residential District (RS).**

The Single Residential (RS) District shall be located as specified by the Town of Yucca Valley General Plan.

- (a) **GENERAL PROVISIONS:** The specific purposes of the Single Residential District regulations are to:
  - (1) Provide appropriately located areas for single family dwellings that are consistent with the General Plan and the standards of public health and safety established by the Yucca Valley Municipal Code;
  - (2) Provide adequate light, air, privacy, and open space for each dwelling unit and protect residents from the harmful effects of excessive noise, population density, traffic congestion and other adverse environmental impacts;
  - (3) Provide sites for public and semipublic land uses needed to complement residential development or requiring a residential environment; and
  - (4) Insure the provisions of public services and facilities needed to accommodate planned population densities.
  
- (b) **USE CLASSIFICATIONS:** In the following schedule, the letter “P” designate use classifications permitted in the RS District, the letters “PD” designate use classification allowed on approval of a Planned Development, the letters “LSP” designate use classification allowed on approval of a Livestock Permit, the letters “CUP” designate use classification allowed on approval of a Conditional Use Permit.

<b>RS (Single Residential) Use Classification</b>		<b>P</b> <b>CUP</b> <b>PD</b> <b>LSP</b>	<b>Permitted Conditional Use Permit Planned Residential Development Livestock Permit</b>
<b>Use</b>	<b>Zoning District</b>	<b>Additional Use Regulations</b>	
	<b>RS-2, 3.5, 5</b>		
<b>Residential:</b>			
Family Day Care Homes:			Refer to Additional Uses Section of Development Code
Large	CUP		
Small	P		
Home Occupations	HOP		Refer to HOP Section of Development Code
Institutional Uses	CUP		Refer to Additional Uses Section of Development Code
Manufactured Housing	P		Refer to Single Residential Design Standard Section (88.0101) of the Development Code
Planned Residential Dev.	PD		
Single Family Dwellings	P		
Second Dwellings	CUP		Refer to Accessory Uses Section of Development Code
Mobile Home Parks	CUP		Not to exceed the underlying land use density on minimum parcel size of ten (10) acres
Animal raising of densities greater than those specified by Section 84.0560	LSP		
Row, Field, Tree, and Nursery Crop Cultivation	P		Any structure associated with this activity is limited to 10,000 sq. Ft. on parcels of 5 acres or less.

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

<b>Single Residential (RS) Property Development Regulations</b>		
<b>Use</b>	<b>Zoning District</b>	
	<b>RS- 2, 3.5, 5</b>	
Lot Size (square feet)	7,200 map suffix will modify	Lot area measured in net square feet
Minimum Lot Dimension (width/Depth in ft.)		
Less than 1 acre	60/100	
Greater than 1 acre	150/150	
Maximum Lot Dimensions (Width to depth ratio)		
Less than 10 ac	1:4	
Greater than 10 ac	1:3	
Yards (setbacks):		(1), (2), (3)
Front	25	
Side	5 & 10	
Arterial Street Side	25	
Local Street Side	15	
Rear	15	
Maximum Structure Height:	35	
Maximum Lot Coverage	40%	
Minimum District Size (Acres)	10	

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- (1) The setbacks delineated in this table shall be the standard unless a different setback is delineated on said Final Map, Parcel Map, or Composite Development Plan.
  - (2) Reduced setbacks may be allowed pursuant to Section 87.0510 unless otherwise stated in this Section.
  - (3) A Final or parcel map may establish front yard setbacks no less than twenty-two (22) feet provided the average setback of all parcels is at least twenty-five (25).

- (d) **ACCESSORY STRUCTURES REGULATIONS:** Residential accessory structures include any of those customarily related to a residence, including garages, greenhouses, storage sheds, studios, barns, workshops, and similar structures.
- (1) Any new accessory building requiring a building permit shall be subject to the following standards:
- (A) Any accessory building shall be architecturally compatible with the primary structure.
  - (B) Any accessory building, excluding any authorized dependant housing or second unit as approved under a Conditional Use Permit, shall not have a floor area in excess of fifty (50%) percent of the footprint of the primary building not to exceed 750 square-feet.
  - (C) Any accessory building shall meet the minimum building setback standards of the land use district but that an accessory structure not requiring a building permit may encroach up to 3 feet from the rear property line.
  - (D) The maximum number of detached accessory structures:
    - (1) Any RS lot having less than 20,000 square-feet in area shall be limited to one accessory structure.
    - (1) Any RS lot greater in size than 20,000 square-feet shall be limited to two accessory structures.
  - (E) Any accessory structure must be on the same parcel as the primary structure.
  - (F) The maximum height of any accessory structure shall not exceed 20 feet.
- (2) **USE OF CARGO CONTAINERS:** As storage for construction clean-up or construction material, a cargo container used as temporary storage device may be located anywhere on the property, except in the “clear sight triangle” during the duration of an active building permit subject to the approval of a Temporary Use Permit.”

SECTION 2. All prior enactment's of the Town including ordinances or portions of ordinances adopted, or incorporated by reference which are in conflict with this ordinance including chapter 5 of Division 4, of Title 8 of the San Bernardino County Code as adopted and amended by the Town of Yucca Valley are hereby repealed, effective upon the date upon which this ordinance becomes effective and operative.

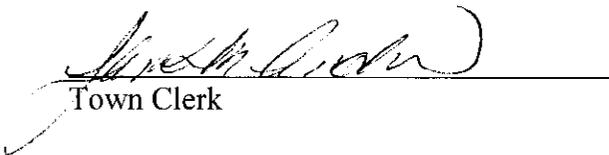
SECTION 3. NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section 36933 of the Government Code.

SECTION 4. 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 6<sup>th</sup> day of February, 2003.

  
MAYOR

ATTEST:

  
Town Clerk

APPROVED AS TO FORM:

  
Town Attorney

APPROVED AS TO CONTENT:

  
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 No. 136 as duly and regularly introduced at a meeting of the Town Council on the 16<sup>th</sup> day of January, 2003, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 6<sup>th</sup> day of February, 2003, by the following vote, to wit:

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

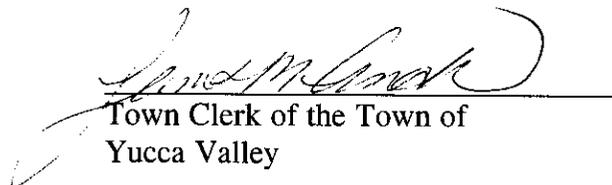
Noes: None

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 7<sup>th</sup> day of February, 2003.

(SEAL)

  
Town Clerk of the Town of  
Yucca Valley