

TOWN OF YUCCA VALLEY PLANNING COMMISSION MEETING



*The Mission of the Town of Yucca Valley is to
provide a government that is responsive to its citizens
to ensure a safe and secure environment
while maintaining the highest quality of life.*

**PLANNING COMMISSION: 6:00 PM
TUESDAY, SEPTEMBER 22, 2015**

**YUCCA VALLEY COMMUNITY CENTER
YUCCA ROOM
57090 TWENTYNINE PALMS HWY
YUCCA VALLEY, CA 92284**

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**Planning Commission
Jeff Drozd, Commissioner
Jeff Evans, Commissioner
Charles McHenry, Commissioner
Steven Whitten, Vice Chairman
Vicki Bridenstine, Chairman**

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**TOWN ADMINISTRATIVE OFFICE:
760-369-7207**

www.yucca-valley.org

**AGENDA
MEETING OF THE
PLANNING COMMISSION
TUESDAY, SEPTEMBER 22, 2015
6:00 PM**

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.

An agenda packet for the meeting, and any additional documents submitted to the majority of the Planning Commission, are available for public view in the Town Hall lobby and with respect to the staff agenda packet, on the Town's website, www.yucca-valley.org, prior to the Regular Meeting. Any materials submitted to the Agency after distribution of the agenda packet will be available for public review in the Town Clerk's Office during normal business hours and will be available for review at the Regular Meeting meeting. For more information on an agenda item or the agenda process, please contact the Town Clerk's office at 760-369-7209 ext. 226.

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 Commission Secretary. The Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.

Where appropriate or deemed necessary, action may be taken on any item listed in the agenda.

OPENING CEREMONIES:

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

CONSENT AGENDA:

All items listed on the consent calendar are considered to be routine matters or are considered formal documents covering previous Planning Commission instruction. The items listed on the consent calendar may be enacted by one motion and a second. There will be no separate discussion of the consent calendar items unless a member of the Planning Commission or Town Staff requests discussion on specific consent calendar items at the beginning of the meeting. Public requests to comment on

consent calendar items should be filed with the Commission Secretary before the consent calendar is called.

MINUTES APPROVAL:

1. Planning Commission - Regular Meeting - Sep 8, 2015 6:00 PM

PUBLIC HEARING:

DEPARTMENT REPORTS:

2. Retail Special Events/Parking Lot Sales

Recommendation:

That the Planning Commission discuss if retail special events/parking lots sales should be established within the Development Code. The Commission should also consider the display of retail merchandise outside of commercial establishments.

3. Identification of Accessory Buildings vs. Structures Planning Commission Discussion

Recommendation:

That the Planning Commission discuss and identify accessory buildings vs. Structures pursuant to Section 9.07.060, and provide direction to staff.

4. Recommendation to Town Council General Plan Implementation Strategies Development Code Regulation & Special Planning Study Prioritization

Recommendation:

That the Planning Commission review and prioritize Development Code regulations/special planning study prioritization and forward that recommendation to the Town Council for their consideration during strategic planning discussions.

FUTURE AGENDA ITEMS:

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 on the Closed Session or not on the agenda. When you are called to speak, please state your name and community of residence. Please limit your comments to three (3) minutes or less. Inappropriate behavior which disrupts, disturbs 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.

STAFF REPORTS AND COMMENTS:

- Private Land Development Report
- Capital Projects Update Report

COMMISSIONER REPORTS AND COMMENTS:

ANNOUNCEMENTS:

The next meeting of the Planning Commission will be held on October 13, 2015 at 6:00 PM.

ADJOURNMENT:

**TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES
SEPTEMBER 8, 2015**

OPENING CEREMONIES

Chairman Vicki Bridenstine called the meeting to order at 6:00 PM.

CALL TO ORDER

ROLL CALL

PRESENT: Drozd, Evans, McHenry, Whitten, Bridenstine

ABSENT:

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

RESULT: APPROVED [UNANIMOUS]

MOVER: Steven Whitten, Vice Chairman

SECONDER: Jeff Evans, Commissioner

AYES: Drozd, Evans, McHenry, Whitten, Bridenstine

CONSENT AGENDA

RESULT: APPROVED [UNANIMOUS]

MOVER: Steven Whitten, Vice Chairman

SECONDER: Charles McHenry, Commissioner

AYES: Drozd, Evans, McHenry, Whitten, Bridenstine

1. Approve the Planning Commission Minutes of August 11, 2015

A request that the Planning Commission approves as submitted the minutes of the meetings held on July 28, 2015.

PUBLIC COMMENT ON CONSENT AGENDA

None

CLOSE PUBLIC COMMENT

DEPARTMENT REPORTS

2. Environmental Assessment, EA 08-15 ; Land Use Compliance Review, LUCR 01-15 Xalis

STAFF REPORT

Deputy Town Manager Stueckle provided the staff report. He provided an overview of the project, which was a proposal for a use of an existing structure as a restaurant. The project is located within the Old Town Specific Plan area, which included a Program Environmental Impact Report, so as long as the use is consistent with Old Town Specific Plan, no additional environmental review is required. It was staff's finding that the proposed use was consistent with the Old Town Specific Plan. The proposed project did not include expansion of the existing structure, but did include the expansion of the parking lot and improvements. While this specific scenario is not addressed in the Development Code, staff identified the Land Use Compliance Review as the appropriate process. Staff said that the conditions of the project would require the granting of an additional 12 feet of right-of-way dedication along Highway 62.

Staff said that there had been changes to the proposed Conditions of Approval since the drafting of the staff report. The changes were as follows:

- E8 was modified with the addition of the language "or as otherwise determined by the Town Engineer " to read: "The retention basin size will be determined, per County of San Bernardino Flood Control methodology, such that incremental 100 year 24-hour storm volume, plus 10%, is retained on-site, or as otherwise determined by the Town Engineer."
- E20 was modified with the addition of the language "on Kickapoo Trail" and the removal of "or another Agency" to read: "The Applicant shall construct the replacement of any identified damaged curb and gutter, sidewalk, drive approach, asphalt concrete pavement, meter boxes, and other infrastructure on Kickapoo Trail that may be required by the Town Engineer."
- E29 was modified with the addition of the language "if required" to read: "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, if required."

PUBLIC COMMENT ON ITEM 2

- Brian Diebolt, representative for the applicant, spoke in support of the project, and said that the applicant agreed with Staff's recommended conditions.
- Bonnie Brady, Yucca Valley, said that she thought the design included more parking than would be needed and said that she felt the design on the West side of the building was unattractive. She said that she was generally in support of the project.

CLOSE PUBLIC COMMENTS

Commissioner Evans asked what effect the parking lot design would have on water drainage along Kickapoo. Staff said that the applicant will be calculating incremental

difference plus 10% as part of their engineered grading, and will be generating less runoff than the natural state.

Commissioner McHenry no questions.

Commissioner Drozd spoke in support of the project. He asked staff if the architectural design was with the Old Town Specific Plan. Staff said that it was their finding that the project was consistent with the Old Town Specific Plan.

Commissioner Whitten asked applicant if the project design was specifically created for Yucca Valley. The applicant said that it was. The applicant also said that the front of building was the most visible side.

Staff said that the parking requirement for restaurants is one parking space for every 50 square feet of seating area, and that maximum occupancy is determined by the county fire department. The applicant said that they intend to have open seating rather than fixed seats so they weren't sure yet about the exact number of seats.

Commissioner Whitten asked if parking would be allowed along Kickapoo. Staff said that parking was allowed there. Commissioner Whitten asked if parking was allowed along Hwy 62. Staff did not believe parking was allowed in that location.

Commissioner Whitten said that he thought the applicant might be able to add an additional parking spot to their site plan. He expressed concern that there might not be enough parking.

Commissioner Whitten asked staff for clarification on the requirement for underground utilities. Staff said that if new service lines were run they would need to be underground, but there was no requirement to alter existing lines.

Commissioner Whitten asked staff to consider adding a requirement to adhere to federal regulations to the Town's standard Conditions of Approval.

Commissioner Whitten asked if screening, particularly on the south side of the property, had been considered. Staff said that the applicant had indicated that there will be some kind of wall to be determined as part of the engineered grading.

Chair Bridenstine spoke in support of the project. Said that she thought the parking was sufficient.

Commissioner Evans spoke in support of the project. He asked the applicant for an approximate opening time, and the applicant said that expected to open in February of 2016.

MOTION

That the Planning Commission finds:

- A. The review and approval of the Old Town Specific Plan (OTSP) included a Program Environmental Impact Report (EIR). The EIR evaluated future projects within boundaries of the OTSP. 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.
- B. That the Planning Commission approves LUCR 01-15 based upon the information contained within the staff report and the recommended conditions of approval.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Steven Whitten, Vice Chairman
SECONDER: Jeff Evans, Commissioner
AYES: Drozd, Evans, McHenry, Whitten, Bridenstine

FUTURE AGENDA ITEMS

- Ordinance Prioritization/Recommendation to Town Council
- Discussion of Accessory Buildings vs Accessory Structures

PUBLIC COMMENTS

None

STAFF REPORTS AND COMMENTS

Staff provided an overview of upcoming Capital Improvement projects. Staff said that the Capital Improvement Program would be coming before the Planning Commission. Staff provided an overview of the concerns associated with the Water District sewer project and roadway improvements. Staff also said that a traffic study is underway for Yucca Trail. Staff is still working with Caltrans on the permitting process for the Phase II Signal Synchronization Project.

Staff provided an overview of the status of current and upcoming private development projects within the Town.

COMMISSIONER REPORTS AND COMMENTS

Commissioner Drozd thanked staff.

Commissioner Evans thanked the planning department for their work with the applicant, and thanked everyone for their hard work.

Commissioner McHenry had no comments.

Vice Chair Whitten noted that making the sidewalks continuous along Highway 62 and the renovation of the Senior Center should be considered in planning for future capital improvements. He also noted that he would like to see greater detail regarding specific surrounding uses for upcoming projects.

Chair Bridenstine thanked staff.

ANNOUNCEMENTS

The next regularly scheduled meeting of the Planning Commission will be held on Tuesday, September 22, 2015.

ADJOURNMENT

The meeting was closed at 6:55 PM.

Respectfully Submitted,

Allison Brucker

Commission Secretary

Town of Yucca Valley

PLANNING COMMISSION STAFF REPORT

To: Honorable Chair and Planning Commissioners
From: Diane Olsen, Planning Technician
 Shane Stueckle, Deputy Town Manager
Date: September 14, 2015
Meeting Date: September 22, 2015

Subject: Retail Special Events/Parking Lot Sales

Recommendation:

That the Planning Commission discuss if retail special events/parking lots sales should be established within the Development Code. The Commission should also consider the display of retail merchandise outside of commercial establishments.

Prior Review

There has been no prior review of this matter.

Executive Summary

Retail store special events or parking lot sales are currently prohibited by the Development Code. Chapter 9.38, Temporary Special Events, allow for certain short term events, but these are not related to retail commercial outlets. Further details regarding Chapter 9.38 are provided within the body of the staff report. Chapter 9.39, Temporary Use Permits allows for a variety of temporary uses, but none of those include or allow for retail stores to conduct those activities.

Outdoor display of merchandise during regular business hours is also a topic that is not identified as a permitted use within the Development Code and is therefore prohibited by the Development Code.

The Commission should discuss these matters and identify if Development Code amendments are necessary.

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

The Planning Division periodically receives permit application requests for retail store parking lots sales. These sales events are commonly limited to a few days and may be linked to back to school sales periods, holiday sales events, or other similar time periods.

Historically, the Planning Division has issued permits for general retail parking lot sales subject to the issuance of a Temporary Special Event permit. This is a practice that evolved over a number of years, but the Development Code does not contain language specially allowing for these activities.

The Development Code allows for other temporary events such as car shows, parades, carnivals and temporary seasonal sales. Within the Development Code, Chapter 9.38 allows for temporary special events, including the following: church tent revival meetings, circus/carnivals, fairs, concerts, parades, exhibits, festivals, art shows, car shows, street fairs, Certified Farmer's Markets, seasonal holiday sales, or similar events.

There are limitations to the number of events that may occur annually, as well as other related development standards. There have been retail stores which hold a special event as identified in Chapter 9.38 and tie those special events to their retail sales. That is appropriate implementation of this Chapter.

Chapter 9.39, Temporary Use Permits, includes temporary land use activities including construction yards, emergency facilities, temporary residential quarters, temporary construction offices, etc. In similar fashion to Chapter 9.38, retail special events or parking lots sales are not authorized under this Chapter

Temporary special events of any type commonly create conditions that would typically not be present on the site. These may include both vehicular and pedestrian traffic volume increases, elimination of necessary parking to accommodate customer traffic, noise and or disruption to the surrounding business operations, and loss of parking for surrounding or adjoining businesses. Public safety issues also surface when special events are planned which may require the presence of police/fire personnel at the special event site. Outdoor retail sales are identified specifically in the Development Code use tables (Table 2-15). Outside of these land use activities, retail sales are intended to occur within an enclosed structure.

Outdoor display of merchandise during regular business hours is also a topic that is not identified as a permitted use within the Development Code and is therefore prohibited by the Development Code. Outdoor displays are frequently seen at numerous retail stores including

appliance stores, tire stores, home and garden stores (some of which may have CUP approval for said outdoor display), etc. While there are no specific standards established in the Development Code, display area size (square feet) or other similar standards should be established if outdoor display areas are to be allowed.

Staff is requesting Commission discussions on these topics and direction on whether Development Code Amendments should be prepared. If the Commission believes that amendments should be prepared, that recommendation would be forwarded to the Town Council for final consideration prior to bringing a draft ordinance to the Commission for consideration.

Alternatives

The Commission may discuss all alternatives available at this time.

Fiscal Impact

NA

Attachments:

Development Code, Article 2, Table 2-15

Development Code Chapter 9.38 - Temporary Special Events

Development Code Chapter 9.39 - Temporary Uses and Structures

2. There are no structural off-street, on-site improvements lack thereof which pose an immediate threat to the health safety or general welfare of the Town.
3. There are no additions or alterations to the square footage of the existing structure.

C. .

**TABLE 2-15:
PERMITTED LAND USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL ZONING DISTRICTS**

Zoning Districts C-C: Community Commercial C-O: Office Commercial C-N: Neighborhood Commercial
C-G: General Commercial C-MU: Mixed Use Commercial

Permit Required SPR: Site Plan and Design Review CUP: Conditional Use Permit SUP: Special Use Permit
TSEP: Temporary Special Event Permit TUP: Temporary Use Permit S: Specific Plan
PD: Planned Development Review P: Permitted NP : Not Allowed

Type of Use	Permit Required by Zoning District						Notes and Other Regulations
	C-C	C-G	C-O	C-MU	C-N		
Residential							
Mixed Use Development	NP	S	NP	S	NP		
Single-Family Dwelling Unit	NP	NP	NP	NP	NP		
Single-Room Occupancy Housing	NP	CUP	NP	CUP	CUP		
Care Uses							
Child Day Care (small family)	NP	CUP	NP	SPR	CUP		Single family residences located in the commercial land use districts are subject to the standards specified in Section 9.08.040
Child Day Care (large family)	NP	CUP	NP	CUP	CUP		
Child Day Care Center	NP	CUP	NP	CUP	CUP		See Section 9.14.020 (Child Day Care Centers)
Homeless Shelter	NP	NP	NP	NP	NP		Including Transitional and supportive uses.
Home Occupation	HOP	HOP	HOP	HOP	HOP		Permitted for Single family residences located in the commercial land use districts pursuant to Chapter 9.50 (Home Occupation)
Social Care, Congregate Care, Convalescent Care Facilities	NP	CUP	NP	CUP	CUP		Including but not limited to elderly care and sober living facilities

Attachment: Development Code, Article 2, Table 2-15 (1169 : Parking Lot Sales)

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Type of Use	Permit Required by Zoning District						Notes and Other Regulations
	C-C	C-G	C-O	C-MU	C-N		
Agriculture, Animal Related, and Open Space Uses							
Animal Care Facility (w/o exterior kennel, pens and runs)	SPR	SPR	SPR	SPR	SPR		Including, but not limited to animal hospitals, veterinarian, pet stores, and grooming.
Animal Care Facility (w/ exterior kennel, pens and runs)	CUP	CUP	NP	NP	CUP		
Community Gardens	SPR	SPR	SPR	SPR	SPR		
Equestrian Facility	CUP	CUP	NP	NP	CUP		
Feed and Tack	CUP	CUP	NP	NP	CUP		
Horticulture/Agriculture	SPR	SPR	NP	NP	SPR		Including, but not limited to crop production, orchards, and vineyards.
Kennels and Catteries (over 15 animals)	NP	NP	NP	NP	SUP		
Livestock Operations	NP	NP	NP	NP	NP		
Natural Resources Development	NP	NP	NP	NP	NP		
Nature Preserve	SPR	SPR	SPR	SPR	SPR		
Nursery/Garden Supply (with outdoor display)	SPR	SPR	SPR	CUP	CUP		
Nursery/Garden Supply (without outdoor display)	SPR	SPR	SPR	SPR	SPR		
Retail Commercial Uses							
Antique/Second Hand Stores	SPR	SPR	NP	SPR	SPR		
Adult-Oriented Business	NP	CUP	NP	NP	NP		See Chapter 9.52 (Adult-Oriented Uses)
Appliance Sales and Home Goods (no repair)	SPR	SPR	SPR	SPR	NP		
Auto and Vehicle Sales and Rentals and Parts Sales	CUP	CUP	NP	CUP	CUP		

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Type of Use	Permit Required by Zoning District						Notes and Other Regulations
	C-C	C-G	C-O	C-MU	C-N		
Building and Landscape Materials Sales (indoor)	SPR	SPR	SPR	CUP	CUP		
Building and Landscape Materials Sales (outdoor)	CUP	CUP	NP	CUP	NP		
Convenience Store	CUP	CUP	CUP	CUP	CUP		
Construction and Heavy Equipment Sales and Rentals	NP	CUP	NP	NP	NP		
Farmers Market/Arts and Crafts Events	TSEP	TSEP	TSEP	TSEP	TSEP		See Chapter 9.38(Temporary Special Events)
Fuel/Propane Dealer	NP	NP	NP	NP	NP		See Section 9.14.040 (Gas or Other Fueling Stations)
Grocery, Supermarket, Specialty Food Store, Drug Store	SPR	SPR	SPR	SPR	SPR		
Manufactured Home Sales	NP	NP	NP	NP	NP		
Boat and Recreational Vehicle Sales	CUP	CUP	NP--	CUP	CUP		
Pawn Shop	SPR	SPR	NP	NP	NP		
Retail Store (less than 80,000 sf)	SPR	SPR	SPR	SPR	SPR		
Retail Store (80,000 or greater sf)	SPR	SPR	CUP	CUP	CUP		
Seasonal Holiday Sales Facilities	TSEP	TSEP	TSEP	TSEP	TSEP		See Chapter 9.38 (Temporary Special Events Permits)
Swap Meet, Outdoor Market, Auction Yard (permanent)	NP--	CUP	NP	NP	NP		See Section 9.14.080 (Swap Meets)
Shopping Center (neighborhood, community, or regional),	CUP	CUP	CUP	CUP	CUP		
Warehouse Retail	CUP	SPR	CUP	NP	CUP		

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Type of Use	Permit Required by Zoning District						Notes and Other Regulations
	C-C	C-G	C-O	C-MU	C-N		
Business, Financial, and Professional							
ATM	P	P	P	P	P		
Financial Institution and Related Service	SPR	SPR	SPR	SPR	SPR		
Laboratory	SPR	SPR	SPR	SPR	SPR		
Office (Business, Professional, Corporate, Medical)	SPR	SPR	SPR	SPR	SPR		
Eating and Drinking Establishments							
Bakery (retail), Coffee Shop and Similar Uses	SPR	SPR	SPR	SPR	SPR		Including but not limited to ice cream shops, frozen yogurt shops, and candy/sweet shops
Bakery (wholesale)	SPR	SPR	SPR	CUP	NP		
Bar, Lounge, Nightclub, Tavern, and Pool Hall	CUP	CUP	CUP	CUP	CUP		
Catering Service	SPR	SPR	SPR	SPR	SPR		
Fast Food (w/drive through, delivery)	CUP	CUP	CUP	CUP	CUP		See Section 9.14.030 (Drive-in/Drive through Establishments)
Fast Food (w/o drive through, delivery)	CUP	SPR	SPR	SPR	CUP		
Full Service Restaurant	SPR	SPR	SPR	SPR	SPR		
Commercial Service Uses							
Ambulance Service	SPR	SPR	SPR	NP	NP		
Appliance Sales, Service, Repair, and Rental	SPR	SPR	SPR	SPR	SPR		
Automobile Gas Station	SPR	SPR	SPR	CUP	CUP		See Section 9.14.040 (Gas or Other Fueling Stations)
Automobile Service/Repair (minor repair and maintenance)	CUP	SPR	CUP	CUP	CUP		

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Type of Use	Permit Required by Zoning District						Notes and Other Regulations
	C-C	C-G	C-O	C-MU	C-N		
Automobile Service/Repair (major Repair/body work)	NP	CUP	NP	NP	NP		
Automobile Washing (car wash)	CUP	CUP	CUP	CUP	CUP		
Automobile Washing (car wash) (fund raising, temporary)	P	P	P	P	P		
Barber, Beauty Shop, and other Similar Personal Service Uses	SPR	SPR	SPR	SPR	SPR		
Printing and Duplication Services	SPR	SPR	SPR	SPR	SPR		
Equipment Sales, Service, Repair, and Rental	CUP	CUP	CUP	NP	CUP		
Fitness Center (less than 2,000 sf.)	SPR	SPR	SPR	SPR	SPR		
Fitness Center (more than 2,000 sf.)	CUP	CUP	CUP	NP	CUP		
Fortune Telling and Related Service	SPR	SPR	SPR	CUP	SPR		
Funeral Service (excluding crematorium)	NP	SPR	CUP	NP	NP		
Funeral Service (including crematorium)	NP	CUP	CUP	NP	NP		
Laundry and Dry Cleaning	SPR	SPR	SPR	SPR	SPR		
Locksmith	SPR	SPR	SPR	SPR	SPR		
Maintenance and Repair (Minor)	SPR	SPR	CUP	CUP	CUP		
Maintenance and Repair (Major)	NP	CUP	NP	NP	NP		

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Type of Use	Permit Required by Zoning District						Notes and Other Regulations
	C-C	C-G	C-O	C-MU	C-N		
Massage Establishment	SPL	SPL	SPL	SPL	SPL		See Municipal Code Section 41.11 (Massage Services and Establishments)
Studio (dance, music, martial arts, artists)	SPR	SPR	SPR	SPR/ CUP	SPR		Less than 2,000 sf (SPR for C-MU) More than 2,000 sf (CUP for C-MU)
Tattoo and Piercing	SPR	SPR	SPR	SPR	SPR		
Commercial Recreation							
Amusement Arcade or Park	NP	CUP	NP	NP	NP		
Carnivals/Circuses/Festivals/Fairs	TSEP	TSEP	TSEP	TSEP	TSEP		See Chapter 9.38 (Temporary Special Events)
Campgrounds	NP	NP	NP	NP	NP		
Concerts, Open-Air Theaters, Outdoor Entertainment Events	TSEP	TSEP	TSEP	TSEP	TSEP		See Chapter 9.38 (Temporary Special Events)
Game Arcade, Internet Café, and Similar Businesses	CUP	CUP	NP	CUP	CUP		
Golf Course	SPR	SPR	SPR	SPR	CUP		
Hookah Lounge	NP	CUP	NP	NP	CUP		
Parks/ Recreation Facilities	SPR	SPR	SPR	SPR	SPR		
Private Clubs and Lodges	CUP	SPR	CUP	NP	CUP		
Recreation and Entertainment (commercial indoor and outdoor)	CUP	CUP	CUP	CUP	CUP		
Recreational Vehicle Park	NP	NP	NP	NP	NP		See Section 9.08.060 (Recreational Vehicle Parks)
Industry, Manufacturing and Processing, Wholesaling							
Construction/Contractor Storage Yard	NP	CUP	NP	NP	NP		

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Type of Use	Permit Required by Zoning District						Notes and Other Regulations
	C-C	C-G	C-O	C-MU	C-N		
Hazardous Waste Operations	NP	NP	NP	NP	NP		See Section 9.34.110 (Hazardous Materials)
Manufacturing Operations	NP	NP	NP	NP	NP		
Motor Vehicle Storage/Impound Facility	NP	NP	NP	NP	NP		
Recycling Facility (small collection facility)	SUP	SUP	SUP	SUP	SUP		See Section 9.14.070 (Recycling Facilities)
Recycling Facility (processing facility)	NP	NP	NP	NP	NP		
Research and Development	SPR	SPR	SPR	CUP	SPR		
Salvage Facility	NP	NP	NP	NP	NP		
Storage – Mini-Storage (personal storage)	NP	NP	NP	NP	NP		See Section 9.14.060 (Mini-Storage Facilities)
Storage (outdoor vehicles storage)	NP	NP	NP	NP	NP		
Wholesaling and Distribution	NP	NP	NP	NP	NP		
Transportation, Communications, and Infrastructure							
Communication Facility	CUP	CUP	NP	NP	CUP		Including, but not limited to, radio and television stations or towers, satellite receiving stations, but not wireless telecommunication facilities
Wireless Telecommunication Facilities	CUP	CUP	CUP	CUP	CUP		Pursuant to Chapter 9.44
Parking Lot	SPR	SPR	SPR	SPR	SPR		See Chapter 9.33 (Parking and Loading Standards). Accessory or incidental to the primary use of the same property.
Public/Government Facilities	SPR	SPR	SPR	CUP	CUP		
Public Safety Uses (permanent)	SPR	SPR	SPR	SPR	SPR		

Attachment: Development Code, Article 2, Table 2-15 (1169 : Parking Lot Sales)

**TABLE 2-15:
PERMITTED LAND USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL ZONING DISTRICTS**

Zoning Districts C-C: Community Commercial C-O: Office Commercial C-N: Neighborhood Commercial
C-G: General Commercial C-MU: Mixed Use Commercial

Permit Required SPR: Site Plan and Design Review CUP: Conditional Use Permit SUP: Special Use Permit
TSEP: Temporary Special Event Permit TUP: Temporary Use Permit S: Specific Plan
PD: Planned Development Review P: Permitted NP : Not Allowed

Type of Use	Permit Required by Zoning District						Notes and Other Regulations
	C-C	C-G	C-O	C-MU	C-N		
Solar Energy Systems (accessory)	P	P	P	P	P		See Section 9.45.010 (Solar Energy Systems)
Solar Energy Systems (Utility grade/primary use)	NP	NP	NP	NP	NP		See Section 9.44.010 (Solar Energy Systems)
Transmission utility lines, pipelines, and control stations	CUP	CUP	CUP	CUP	CUP		
Utilities (major)	CUP	CUP	CUP	CUP	CUP		
Wind Energy System (accessory)	SPR	SPR	SPR	SPR	SPR		See Section 9.46.010 (Wind Energy System)
Wind Energy System (utility grade /primary use)	NP	NP	NP	NP	NP		See Section 9.44.010 (Wind Energy System)
Other Uses							
Cemeteries, Including Pet Cemeteries	NP	CUP	NP	NP	NP		
Churches, Religious Assembly, and Other Public Assembly	CUP	CUP	CUP	CUP	CUP		
Conference Centers and Group Camps	CUP	CUP	CUP	NP	NP		
Correctional Institution	NP	NP	NP	NP	NP		
Emergency Facilities (temporary)	TUP	TUP	TUP	TUP	TUP		See Chapter 9.39 (Temporary Uses and Structures)
Hotels and Motels	SPR	SPR	CUP	SPR	CUP		
Hospitals/Medical/ Rehabilitation Centers/Clinics	CUP	CUP	CUP	CUP	CUP		
Medical Marijuana Dispensary	NP	NP	NP	NP	NP		See Section 9.14.050 (Medical Marijuana Dispensary)
Museum, Library, Art Gallery, Outdoor Exhibit	SPR	SPR	SPR	SPR	SPR		
Schools (private, vocational, charter, and other)	CUP	CUP	CUP	CUP	CUP		

Attachment: Development Code, Article 2, Table 2-15 (1169 : Parking Lot Sales)

**TABLE 2-15:
PERMITTED LAND USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL ZONING DISTRICTS**

Zoning Districts C-C: Community Commercial C-O: Office Commercial C-N: Neighborhood Commercial
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Permit Required SPR: Site Plan and Design Review CUP: Conditional Use Permit SUP: Special Use Permit
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PD: Planned Development Review P: Permitted NP : Not Allowed

Type of Use	Permit Required by Zoning District						Notes and Other Regulations
	C-C	C-G	C-O	C-MU	C-N		
Temporary Special Events	TSEP	TSEP	TSEP	TSEP	TSEP		See Chapter 9.38 (Temporary Special Events)
Temporary Structures and Uses	TUP	TUP	TUP	TUP	TUP		See Chapter 9.39 (Temporary Uses and Structures)

9.09.030 – Development Standards

Subdivisions, new land uses and structures, and alterations to existing land uses and structures shall be designed, constructed, and established in compliance with the requirements in Table 2-X, in addition to the applicable standards (e.g., landscaping, parking and loading, etc.) in Article 3 (General Development Standards).

**TABLE 2-16:
COMMERCIAL ZONING DISTRICTS
DEVELOPMENT STANDARDS**

Development Feature	Requirements by Zoning District ¹					
	C-C	C-G	C-O	C-MU	C-N	
Minimum Lot Size²	See map suffix ³					
	1 acre ⁴	5 acres ⁴	1 acres ⁴	1 acre ⁴	1 acre ⁴	
Minimum Lot Dimensions (W: width, D: depth)	W: 120 ft. D: 120 ft.	W: 120 ft. D: 120 ft..	W: 120 ft. D: 120 ft..	W: 120 ft. D: 120 ft..	W: 120 ft. D: 120 ft..	
Maximum Lot Dimensions (width to depth)	1:3	1:3	1:3	1:3	1:3	
Setbacks	Minimum setbacks required unless different setbacks are delineated on Final Map, Parcel Map, Composite Development Plan, or are allowed pursuant to Section XX.XXX.					
Front	15 ft.	15 ft.	15 ft.	15 ft.	25 ft.	
Side ⁵	10 ft.	0 ft.	10 ft.	0 ft.	10 ft.	

Attachment: Development Code, Article 2, Table 2-15 (1169 : Parking Lot Sales)

Chapter 9.38 Temporary Special Events

Sections:

- 9.38.010 – Purpose
- 9.38.020 – Duration and Frequency
- 9.38.030 – Permit Required
- 9.38.040 – Standards and Regulations
- 9.38.050 – Requests for Law Enforcement Services at Special Events
- 9.38.060 – Temporary Special Event Amendment
- 9.38.070 – Temporary Special Event Revocation

9.38.010 Purpose

This Chapter provides development standards for temporary special events to ensure that basic health, safety, and community welfare standards are met, while approving suitable temporary special events with the minimum necessary conditions or limitations consistent with the temporary nature of the activity. A Temporary Special Event Permit allows short-term activities that might not meet the normal development or use standards of the applicable zoning district, but may be considered acceptable because of their temporary nature. These activities are regulated to avoid incompatibility between the proposed activity and surrounding areas.

9.38.020 Duration and Frequency

- A. Temporary special events shall be permitted with a Temporary Special Event permit as specified below which indicate each temporary special event permitted, the zones in which the use is allowed, the maximum number of days each use is allowed and the maximum number of occurrences in each calendar year:

**TABLE 3-24:
SPECIAL EVENTS**

Permitted Special Events (With a Special Event Permit)	Land Use District Permitted	Maximum Number of Days Per Events	Maximum Number of Events Per Calendar Year Per Location and/or Vendor
Church tent rival meetings	All Land Use Districts	10	3
Circus, carnival	All "C", "I", and Public/Quasi Public Land Use Districts, , all land use districts in Old Town Specific Plan Area	10	4

**TABLE 3-24:
SPECIAL EVENTS**

Permitted Special Events (With a Special Event Permit)	Land Use District Permitted	Maximum Number of Days Per Events	Maximum Number of Events Per Calendar Year Per Location and/or Vendor
Fair, concerts, parades, exhibits, festivals, art shows, car shows, street fairs or similar events	All "C", "I", and Public/Quasi Public Land Use Districts, all land use districts in Old Town Specific Plan Area	10	10
Certified Farmers Markets	All "C", "I", and Public/Quasi Public Land Use Districts, all land use districts in Old Town Specific Plan Area	Two days per week	Permit is valid for one year
Seasonal Holiday Sales Facilities	Non-Residential Districts	See Subsection D	3

- B.** Where uncertainty exists regarding the interpretation of any provision of this Chapter or its application to specific special event which may not be listed, the Director shall determine the intent of the provision and or determine whether the proposed event is consistent with the provisions of this Chapter.
- C.** Multiple Temporary Special Events may be combined into a single permit, however Certified Farmers Markets shall comply with the California Code Of Regulations, section 1392 and obtain all required permits from the Town.
- D. Seasonal Holiday Sales Facilities.** Seasonal holiday sales activities (e.g., Christmas, Halloween, Thanksgiving, etc.) including temporary residence/security trailers, on nonresidential properties, for up to 45 days.
1. **Date of Opening.** A Christmas tree sales facility shall not be open for business during any calendar day before Thanksgiving. Other holiday sales facilities shall not be open more than 30 days before the holiday.
 2. **Additional Permits.** The applicant shall secure an electrical permit if the facility is to be energized and the proper permits from the Building Division for any temporary structure or shelter.
 3. **Fire Prevention.** Each Christmas tree/holiday sales facility shall comply with fire prevention standards as approved and enforced by the Fire Chief, including any burning or open fires or flocking or painting.
 4. **Maintenance.** Seasonal holiday sales facilities shall be kept clean and free of debris at all times during use of the property.
 5. **Merchandise.** A seasonal holiday sales facility shall not engage in the sale of any merchandise not directly associated with the holiday identified by the applicant as the basis for the seasonal holiday facility.

6. Off-street Parking. The Director shall approve all public access.
7. Removal of Facility. The seasonal holiday facility shall be removed within 14 days after Christmas or other holiday.

9.38.030 Permit Required

Except as otherwise provided by the Town of Yucca Valley or state law, no person or entity shall operate, maintain, conduct, advertise, or provide admission for any temporary special event within the Town of Yucca Valley without possessing an unexpired, unsuspended and unrevoked permit from the Planning Division for each such temporary special event.

To ensure cleanup and restoration of the site, an applicant may be required to post a deposit at the time the application is submitted. Upon the completion of the event and inspection of the site by the Town, the deposit may be returned to the applicant if the cleanup and restoration of the site has been determined by the Town to be sufficient.

9.38.040 Standards and Regulations

Change of Date. Upon the request of the applicant, the issuing authority shall have the power, upon a showing of good cause, to change the date for which the permit has been issued provided established limitations are complied with in respect to time and location.

9.38.050 Requests for Law Enforcement Services at Special Events

Any person or entity required to obtain a permit in accordance with the provisions of this chapter may request law enforcement services to preserve the peace at special events. Such application shall be made to the Sheriff's Department and shall be in writing, stating the name and address of the applicant, the place where the special event is to be held, the estimated number of persons to be present and the purpose of the special event. Upon receipt of said application, the Sheriff's Department shall determine whether law enforcement services are necessary to preserve the peace, and if the Sheriff's Department so determines, and if the services will not reduce the normal and regular on-going service that the Town would otherwise provide, the Sheriff's Department shall contract with the applicant to provide the services at an amount to include all costs to the Town of Yucca Valley.

9.38.060 Temporary Special Event Amendment

Refer to Article 5, Chapter 9.83 Permit Amendments.

9.38.070 Temporary Special Event Revocation

Refer to Article 5, Chapter 9.84 Permit Revocations.

Chapter 9.39 Temporary Uses and Structures

Sections:

- 9.39.010 – Purpose and Intent
- 9.39.020 – Applicability
- 9.39.030 – Exempt Temporary Structures and Uses
- 9.39.040 – Structures and Uses Allowed with Temporary Use Permit
- 9.39.050 – Permitted Temporary Uses
- 9.39.060 – Additional Development Standards
- 9.39.070 – Interim Operation of Activities Requiring a Conditional Use Permit
- 9.39.080 – Camping or Occupancy of Temporary Structure Prohibited
- 9.39.090 - Temporary Use Amendment
- 9.39.100 - Temporary Use Revocation

9.39.010 Purpose and Intent

This purpose of this Chapter is to provide development and use standards for temporary structures and uses that might not meet the normal development or use standards of the applicable land use zoning district, but may otherwise be acceptable because of their temporary nature, and to prohibit the use of vehicles as substitutes for structures unless otherwise allowed, permitted, or exempted. The intent of these standards is to minimize the potential incompatibility of a temporary structure or use of a vehicle in lieu of such structures and to regulate the location, operation, and/or duration to protect the public convenience, health, interest, safety, and general welfare.

9.39.020 Applicability

This Chapter provides development and use standards for structures and uses that fall within the categories in Section 9.39.040 (Structures and Uses Allowed with Temporary Use Permit). Regulations for temporary special events are provided in Chapter 9.38 (Temporary Special Events). See Chapter 9.72 (Temporary Use Permit) for permit requirements and procedures.

9.39.030 Exempt Temporary Structures and Uses

The temporary structures and uses listed in this Section shall be exempt from obtaining a Temporary Use Permit. Temporary structures and uses that do not fall within the following categories shall comply with Section 9.39.040 (Structures and Uses Allowed with Temporary Use Permit).

- A. **Construction Yards - On-Site.** On-site contractors' construction yards, for an approved construction project. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the Building Permit authorizing the construction project, whichever first occurs.
- B. **Emergency Facilities.** Emergency public health and safety needs/land use activities, as determined by the Town.

- C. **Events on Sites Approved For Public Assembly.** An event on the site of, or within, course, meeting hall, religious facility, school, theater, or other similar facility designed, and approved by the Town for public assembly.
- E. **Location Filming.** The temporary use of a specific site for the location filming of commercials, movies, videos, and similar filming, for the time specified by the Director. Even though this use is exempt from a Temporary Use Permit, it may require a Film Permit issued by the Community Development Department and processed in compliance with Chapter 9.78 (Filming Permits).
- F. **Public Property or Public Right-of-Way.** Construction and maintenance activities conducted on public properties that are authorized by an Encroachment Permit issued by the Department of Public Works.
- G. **Emergency public health and safety activities.**

9.39.040 Structures and Uses Allowed with Temporary Use Permit

The temporary structures and uses identified in this Section shall be allowed in any land use zoning district subject to the standards in this Section and a Temporary Use Permit issued in compliance with Section 9.72 (Temporary Use Permits).

- A. **Batch Plants.** Batch plants necessary for the construction of major public infrastructure improvements provided proper review in compliance with the California Environmental Quality Act (CEQA) is completed.
- B. **Construction Yards - Off-site.** Off-site contractors' construction yards, for an approved construction project. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the Building Permit authorizing the construction project, whichever first occurs.

9.39.050 Permitted Temporary Uses

An application for a Temporary use Permit shall be required for the following temporary uses and shall be subject to conditions established in this Code and any other additional conditions as may be prescribed by the Director. The following temporary uses may be permitted subject to the approval of a Temporary Use Permit:

- A. **Temporary Residential Quarters.** Manufactured homes and self-contained recreational vehicles may be used for temporary residential quarters only in the following instances and for a period of time not to exceed one (1) year with one (1) year extensions; not to exceed an aggregate total of four (4) years:
1. Temporary residential quarters for individuals involved in the construction of the first permanent dwelling unit on the same parcel. Such Temporary Use Permits may be approved when construction permits have been issued by the Building and Safety Division;
 2. Temporary residential quarters for security personnel for construction projects for which construction permits have been issued by the Building and Safety Division;
 3. Temporary residential quarters for security personnel for the short-term protection of permitted commercial, commercial agricultural, industrial or institutional use;

4. The provisions of this Section shall not apply to public school property;
5. Temporary Use Permits issued pursuant to this Section shall become invalid upon the cancellation of the building permit or the completion of the construction project for which the building permit and Temporary Use Permit were issued.

B. Temporary Nonresidential Quarters. Manufactured homes, commercial coaches, self-contained recreational vehicles, mobile office vehicles or other appropriate and approved structures may be used for temporary nonresidential quarters as an accessory use to a primary permitted use. Such temporary nonresidential quarters may be used to provide temporary office, retail, meeting, assembly, wholesale, manufacturing and/or storage space for commercial, commercial agricultural, industrial or institutional uses for a period of time not to exceed one (1) year with one (1) year extensions; not to exceed an aggregate total of four (4) years.

1. The Town shall determine that the proposed use complies with the development standards in Article 2 (Zoning Districts and Development Standards) including:
 - a. Adequate access, circulation, and parking.
 - b. Appropriate buffering from abutting uses.
 - c. Fencing.
 - d. Landscaping.
 - e. Lighting.

2. Under exceptional or extraordinary circumstances, a Temporary Use Permit for temporary nonresidential structures may be extended beyond the five-year limitation at the discretion of the Town

C. Temporary Construction Office Quarters. In conjunction with approved construction projects, manufactured homes, commercial coaches, self-contained recreational vehicles, mobile office vehicles or other appropriate and approved structures may be used for temporary construction office quarters for a period of time not to exceed one (1) year with one (1) year extensions; not to exceed an aggregate total of four (4) years. Temporary Use Permits issued pursuant to this Section shall become invalid upon the cancellation of the building permit or the completion of the construction project for which the building permit and Temporary Use Permit were issued.

D. Temporary Real Estate Model Home/Sales Offices. Dwelling units located in residential developments and subdivisions may be used for temporary real estate model home/sales office. Said model home sales office may be used only for conducting the activities necessary for the initial sale or lease of the land or structure located within the residential development or subdivision in which the model home/sales office is located.

1. Model Homes. A model home or model home complex may be authorized before the completion of subdivision improvements in compliance with the following standards.

- a. The sales office and any off-street parking shall be converted back to residential use and removed before the issuance of the Final Occupancy Permit or within 14 days from the close of escrow of the last parcel in the subdivision, whichever first occurs.
 - b. The model home complex shall be used to sell only units within the development within which the complex is located.
 - c. Model home permits and model home sign permits will be finalized and the model homes will be allowed to be open to the public only after all required bonding has been accomplished and accepted by the Town and a Temporary Use Permit has been issued.
 - d. At least one model home shall be fully landscaped with drought tolerant xeriscape materials.
 - e. The Town may require other conditions of approval deemed necessary to protect the public health, safety, and general welfare of persons residing or working in the neighborhood.
2. Real Estate Sales Offices. A temporary real estate sales office (modular structure) may be established within the area of an approved subdivision, solely for the first sale of homes. An application for a temporary real estate office may be approved for a maximum of 12 months from the date of approval.

E. Temporary On-Your-Lot Builder Model Home/Sales Office. Single family dwelling units may be used for temporary on-your-lot builder model homes/sales offices subject to a Temporary Use Permit and the provisions of the Chapter, including the following:

1. Intent. The provisions of this section are intended to regulate the use of a single family dwelling unit when used as a temporary sales office and model home for the sale of construction services to build single family residential units on vacant lots. These provisions are not intended to allow a permanent or temporary real estate office involved in real estate sales other than those involving lots sold in conjunction with the construction services being offered;
2. Finding. Prior to the issuance of a Temporary Use Permit, the reviewing authority shall find and justify that the proposed on-your-lot builder model homes/sales office structure is located fronting on a roadway designated by the Circulation Plan of the General Plan as identified in (5) below.
3. Activities Restricted to Construction Services and Related Sales of Vacant Lots. The on-your-lot builder model home/sales office shall be used only for the sale of construction services to build single-family residential dwelling units on vacant lots and related real estate sales. Real estate sales shall be limited to the sale of vacant lots in conjunction with the sale construction services for the same lot. Real estate sales shall be an accessory and subordinate use to the primary use of construction service or sales.
4. Inspection Annually by Fire Department. An annual inspection shall be made by the Fire Department in order to ensure compliance with conditions of approval of the Temporary Use Permit.

5. Location of Structure. The on-your-lot builder model home/sales office structure shall be located fronting on a roadway designated by the General Plan in the Circulation Element as one of the following:
 - (1) Highway (6 lanes divided)
 - (2) Highway (4 lanes divided)
 - (3) Arterial (4 lanes divided)
 - (4) Collector (4 lanes)
 - (5) Collector (2 lanes)
 - (6) Industrial (2 lanes).
- 6.. Parking. A minimum of two paved and two other alternate parking spaces shall be provided. The Town shall approve alternate parking spaces subject to surfacing requirements and possible alternate locations (e.g., on-street parking) where it is deemed necessary and appropriate.
7. Performance Bond. A bond shall be required to ensure removal of any signs or flags and to reconvert, where necessary, any garage conversion.
8. Xeriscape. The model home shall be fully landscaped with drought-tolerant xeriscape materials.
9. Transfer of Permit. A Temporary Use Permit for an on-your-lot builder model home/sales office may be transferred to another party. A transfer shall not entitle the new owner to use the Temporary Use Permit for a longer time period than five years from the issuance of the original permit. The Code Enforcement Division shall be notified of any transfer of ownership.
 - (a) Agreement to Terminate a Temporary Use. Before the issuance of the Temporary Use Permit for the first year and as a condition of the permit approval, the permittee shall enter into an agreement with the Town, which shall be recorded in the Official Records of the County by the County Recorder. The agreement shall establish the responsibility of the permittee to comply with the provisions of this Chapter. This will include acknowledgement that the permittee shall terminate the model home/sales office no later than five years from the date of the initial permit and shall restore the structure to a use allowed by the current land use zoning district in which the subject property is located.

F. Temporary Outdoor Storage or Sales. Interim operation of an exterior storage area or short-term exterior sales display area. Provisions regulating seasonal sales lots are in 9.39.040 (D) (Seasonal Holiday Sales Facilities).

H. Temporary Work Trailers. A trailer or mobile home used as a temporary work site for employees of a business; provided, that:

1. The use is authorized by a Building Permit for the trailer or mobile home, and the Building Permit for the permanent structure;
2. The use is appropriate because:

- a. The trailer or mobile home will be in place during construction or remodeling permanent commercial or manufacturing structure for a maximum of 12 months, or upon expiration of the Building Permit for the permanent structure, whichever first occurs; or
- b. The applicant has demonstrated that the temporary work site is a short-term necessity for a maximum of 12 months, while a permanent work site is being obtained; and
3. The trailer or mobile home is removed before final building inspection or the issuance of a Certificate of Occupancy for the permanent structure.
4. A Temporary Use Permit issued in conjunction with a construction project shall become invalid upon:
 - a. Cancellation of the Building Permit for the approved temporary structure or use; or
 - b. Completion of the Building Permit for the approved temporary structure or use; or
 - c. Expiration of the time for which the approval has been granted.

I. Temporary signs. See Section 9.36.100 (Temporary Signs).

J. Temporary Transportable Treatment Units. Temporary Transportable Treatment Units (TTTU) used for treating hazardous waste or groundwater contamination.

1. Temporary transportable treatment units shall only be allowed in either of the following instances:
 - a. The site where a TTTU will be located and operated complies with the siting criteria and procedures identified in the San Bernardino County Hazardous Waste Management Plan; or
 - b. The County Environmental Health Services Division determines that the proposed TTTU use does not create additional health risks as demonstrated by a site-specific health risk assessment and a Land Use Compliance Review is issued and recorded in compliance with Chapter 9.66 (Land Use Compliance Review).
2. A Temporary Use Permit issued in conjunction with a TTTU shall become invalid upon the occurrence of one of the following:
 - a. Violation of a permitting requirement; or
 - b. Completion of the project; or
 - c. Expiration of the time for which the approval has been granted.
3. The County Environmental Health Services Division shall conduct an annual inspection in order to ensure compliance with any conditions of approval.
4. A Temporary Use Permit for a temporary transportable treatment unit shall not be granted or extended for a period of time to exceed five years after the date the Temporary Use Permit was first issued.

- K. Accessory Storage Structures.** A detached, accessory storage structure, where the primary use does not yet exist, shall only be allowed with appropriate bonding to remove the accessory structure if the primary use is not completed within two years.
- L. Similar Temporary Activities.** A temporary activity that the Director determines is similar to the other activities listed in this Section and compatible with the applicable land use zoning district and surrounding land uses.

9.39.060 Additional Development Standards

- A. Additional Standards.** In addition to the standards in Section 9.39.050 (Permitted Temporary Uses), above, the Director shall establish the following additional standards for a proposed temporary structure or use, using the requirements of the applicable zoning district and Article 2 (Zoning Districts and Development Standards) for guidance:
1. Structure and Property Development Improvements. Access, floor areas, heights, landscaping, off-street parking, setbacks, signs, utilities, and other structure and property development improvements and features;
 2. Removal of the Activity and Site Restoration. Measures for removal of the activity and site restoration, to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this Development Code. Performance security may be required before installation of the temporary structure or initiation of the temporary use to ensure cleanup after the structure is removed or the use is finished in compliance with Section 9.80.030(Performance Guarantees); and
 3. Time Limitation. Limitation on the duration of an approved "temporary structure," to a maximum of 12 months, so that it shall not become a permanent or long-term structure.
- B. Display of Permit and Approvals.** A valid Temporary Use Permit shall be prominently displayed so that it is visible at all times from the exterior of the permitted structure or use and available for inspection. A permitted temporary structure shall provide evidence of approval by the State Department of Housing and Community Development as required by the Health and Safety Code or the U.S. Department of Housing and Urban Development, where applicable.
- C. Other Regulations.** Installation of a permitted structure or use shall comply with the requirements and regulations of the Department and the following:
1. Development Code.
 2. Building and Safety Division.
 3. Fire Department.
 4. Environmental Health Services Division.
 5. Applicable State and Federal regulations.

9.39.070 Interim Operation of Activities Requiring a Conditional Use Permit

- A. Interim Operation of Activities Requiring a Conditional Use Permit.** A Temporary Use Permit may be issued for the interim operation of any use requiring a Conditional Use Permit for a period

of time not to exceed 12 months, provided the Temporary Use Permit does not authorize construction or establishment of new permanent structures and the review authority makes the findings required for approval of a Conditional Use Permit in compliance with Chapter 9.63 (Conditional Use Permit).

- B. Concurrent Application Filing.** The Temporary Use Permit application shall be filed concurrently with an application for Conditional Use Permit, where appropriate.

9.39.080 Camping or Occupancy of Temporary Structure Prohibited

A. Prohibited Use.

1. Prohibition. It shall be unlawful to place, install, build, maintain, use, or occupy any temporary structure on any parcel of real property subject to the provisions of this Development Code for the purpose of camping, dwelling, maintaining or establishing temporary or permanent residency unless such placement, installation, construction, maintenance, use, or occupancy is first authorized by a Temporary Use Permit, Special Event Permit, or other land use approval required by this Development Code or as otherwise made an exception herein.

B. Applicability. This section shall apply to the following temporary structure:

1. Any tent, lean-to, box, or other make-shift building or enclosure constructed of any material for which no building permit has been issued and no Temporary Use Permit, Special Use Permit, or other land use approval has been granted;
2. Any vacant building, temporary or permanent, deemed substandard pursuant to Chapter 6.08 (Maintenance of Abandoned Properties) of Title 6 (Health and Sanitation) of the Yucca Valley Municipal Code; and
3. Any building under construction and unfinished, regardless of whether or not building, (plumbing, etc.) permits have been issued.

C. Camping in Vehicle Prohibited.

1. Prohibition. It shall be unlawful to place, maintain, use, or occupy any vehicle on any parcel of real property for the purpose of camping, dwelling, or maintaining or establishing a temporary or permanent residency unless such placement, maintenance, use, or occupancy is authorized pursuant to this chapter.

D. Vehicle Applicability. This section shall apply to the following vehicle types:

1. All recreational motor vehicles;
2. Recreational towed vehicles;
3. Mobile homes;
4. Commercial coaches;
5. Office trailers;
6. Park trailers
7. Passenger vehicles;
8. Trailers;
9. Campers; and

10. Commercial vehicles.

E. Notice to Abate.

1. The Director may issue to any person occupying any structure or vehicle parked in violation of this Section a notice, including an order to vacate the structure or vehicle after 30 days of the date of the notice.
2. If deemed necessary by the Director to prevent or remedy an immediate threat to health and safety of the public or occupants of the structure, the Director may issue any person occupying any structure or vehicle prohibited in violation of this Section an order to vacate the structure or vehicle with less than 30 days notice; or institute any appropriate action or proceeding to prevent, restrain, correct, or abate the violation or nuisance.

9.39.090 Temporary Use Amendment

Refer to Article 5, Chapter 9.83 Permit Amendments.

9.39.100 Temporary Use Revocation

Refer to Article 5, Chapter 9.84 Permit Revocations.

Town of Yucca Valley

PLANNING COMMISSION STAFF REPORT

To: Honorable Chair and Planning Commissioners
From: Diane Olsen, Planning Technician
 Shane Stueckle, Deputy Town Manager
Date: September 10, 2015
Meeting Date: September 22, 2015

Subject: Identification of Accessory Buildings vs. Structures Planning Commission Discussion

Recommendation:

That the Planning Commission discuss and identify accessory buildings vs. Structures pursuant to Section 9.07.060, and provide direction to staff.

Prior Review

The Planning Commission discussed accessory buildings during the Development Code Update process. At the meeting of May 12, 2015, the Commission adopted Resolution No. PC-15-01 establishing large animal shade covers under 200 square feet as accessory structures.

Executive Summary

The Development Code limits residential accessory building to a maximum of four. Based upon the varied residential densities throughout the Town, and especially on larger lots, the number and types of structures and buildings makes it difficult, at times, to determine if permits may be issued for additional construction. Identification of specific buildings and structures will assist in staff implementation of these standards contained within the Development Code.

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

The Development Code definition of a building is *“any structure having a roof supported by columns or walls and used or intended for the shelter, housing, or enclosure of any individual,*

animal, process, equipment or materials of any kind"

The Development Code definition of a structure is *"that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. (By this definition all buildings are structures, however not all structures are buildings)"*.

As noted by the last sentence in the definition of "structure", *(By this definition all buildings are structures, however not all structures are buildings)"*, staff envisions an ongoing process of identifying the individual classifications that apply to both "building" and "structure". As there are many types of residential development within the Town, it is common to see various types of buildings and or structures on an individual property. As the Development Code limits the number of "accessory buildings" on a property, staff sees an ongoing process in the continued identification of buildings vs. structures.

The Development Code definition of accessory building is *"a subordinate building, the use of which is incidental to that of the main building or main use of the land. The use of an accessory building may be for either a primary or an accessory use allowed by the appropriate land use district. An accessory building shall be located on either the same parcel as the main building or main use; or shall be located on a contiguous abutting parcel that is owned by the same owner who owns the parcel which has the main building or use. An accessory building shall always exist in conjunction with and never without a legally established main building or main use that has the same common owner"*.

At the meeting of May 12, 2015, the Planning Commission determined that shade covers 200 square feet or less for animals should not be included in the limitations on the number of allowed accessory buildings, and is therefore identified as a structure.

The following types of construction have been identified by staff as either a building (subject to the number limitation) or a structure (not subject to the number limitation). Staff is seeking input from the Commission on clarification of those construction types staff has identified below, as well as for any additional input the Commission desires to provide.

ACCESSORY BUILDINGS

Garage
Guest house
Barn
Carport
Greenhouse
Storage building
Garden shed

ACCESSORY STRUCTURES

Patio covers
Pool shade covers/shelters
Free standing solar arrays
Aviaries (?)
Garden lattice
CB/HAM radio tower
Flag poles

Pool house	Walls
Cabana	Fences
Gazebo	Detached/free standing patio cover
RV port	Decks
Workshop	Swimming pool
Hay barn/lean-to	Jacuzzi
Second dwelling unit	Satellite dish
Pole barn	Detached pool solar heating equipment
Free standing solar arrays	Architectural/patio walls
	Pergolas

Clear identification of structures vs. buildings assists staff in permit issuance for accessory buildings under the maximum limit of 4 accessory buildings as established in the Development Code. Staff will present a few aerial photos of sites as well as photos of construction types which help illustrate the types of buildings and structures found on residential properties within the community.

Alternatives

The Commission may discuss all alternatives available at this time.

Fiscal Impact

N/A

Attachments:

Article 7, Definitions, Accessory, Building, Structure
 City of Twentynine Palms Development Code Definitions, Building, Structure
 County of San Bernardino Development Code Definitions, Building, Structure
 Planning Commission Resolution 15-01 Accessory Structures

Accessibility for the Disabled: Accessible services, structure or facilities are those which be entered and used by individuals despite handicapping conditions. Accessibility also includes responding to the needs of people with sight or hearing disabilities, in addition to those with developmental, activity, manual or mobility impairment, so that they may enjoy the full and free use of those services, structure or facilities.

Accessory Use: A use of land, building, or portion thereof that is incidental and subordinate to the primary use of the land or building.

Acre: A measure of land containing 43,560 square feet. .

Acre, Gross: The entire acreage of a property, parcel or site, calculated to the centerline of boundary streets.

Acre, Net: The portion of a property or site not reserved or encumbered for public use.

Action: A decision on a permit application or other land use matter, made by the approval authority, including but not limited to, where applicable, appropriate findings, environmental determination, and conditions of approval.

Adaptive Reuse: The conversion of obsolete, old or historic buildings from their original or most recent use to a new use. For example, the conversion of a former hospital or school building to residential use, or the conversion of an historic single family home to office use.

Addition: A structure added to the original structure after the completion of the original structure or an extension or increase in floor area or height of a building or structure.

Administrative Office: An establishment primarily engaged in overall management and general supervisory functions, such as executive, personnel, finance, legal and sales activities.

Adult Oriented Business: (See Chapter 9.52)

Adverse Impact: A negative consequence for the physical, social or economic environment resulting from an action or project.

Advertisement: The publication of a Public Hearing Notice in a paper of general circulation, and through other media sources, indicating the time, place and nature of a Public Hearing and location where the application and pertinent documents may be inspected.

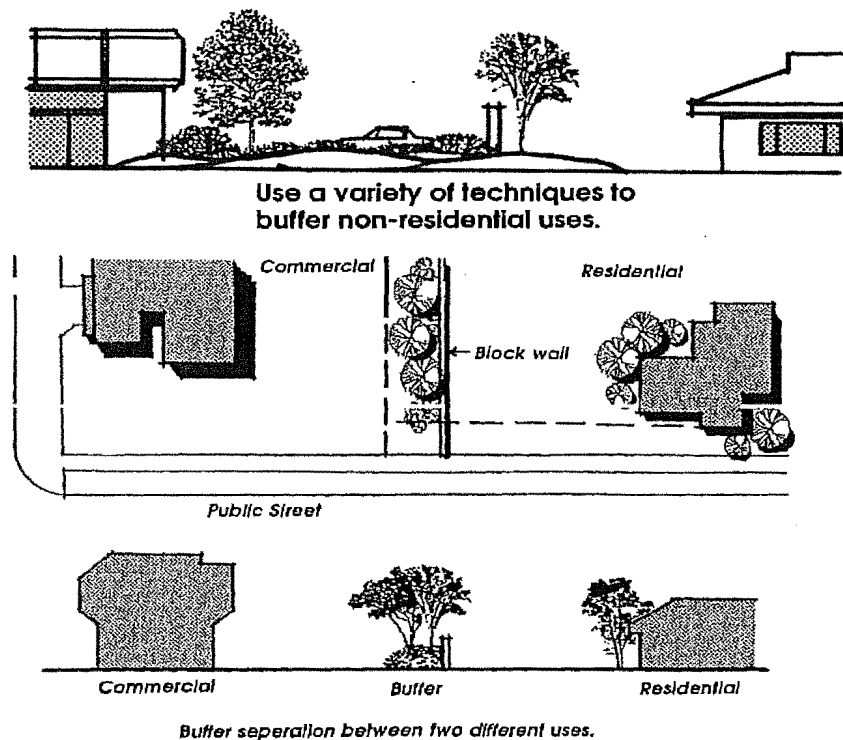
Advertising Structure: Any structure of any kind or character erected or maintained for advertising purposes, upon which an advertising sign may be placed.

Affordable Housing: Housing that can be purchased or rented by a household with very low, low, or moderate income and based on a household's ability to make monthly payments necessary to obtain housing. Housing is considered affordable when a household pays less than 30% of its gross monthly income for housing including utilities.

Agent of Owner: A person authorized to act for the property owner.

Agriculture: The use of land for agricultural purposes, including the growing of vegetables, fruit, fiber, horticulture, pasturage, the keeping of apiaries and the necessary accessory uses for storing produce

Buffer Area: A strip of land established to protect one type of land use from another land use that is incompatible. A buffer includes plantings, berms, or other screens which block vision, noise, or other negative impacts of more intense uses on less intense uses.



Building: Any structure having a roof supported by columns or walls and used or intended for the shelter, housing or enclosure of any individual, animal, process, equipment or materials of any kind..

Building, Accessory: A subordinate building, the use of which is incidental to that of the main building or main use of the land. The use of an accessory building may be for either a primary or an accessory use allowed by the appropriate land use district. An accessory building shall be located on either the same parcel as the main building or main use; or shall be located on a contiguous abutting parcel that is owned by the same owner who owns the parcel which has the main building or use. An accessory building shall always exist in conjunction with and never without a legally established main building or main use that has the same common owner.

Building Area/Building Envelope: The net portion of the lot remaining after deducting all required setbacks from the gross area of the lot.

Building Coverage: The percent of lot area which may be covered by all the footprints of buildings or structures on a lot.

Building Height: The vertical distance above a reference datum to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under floor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story.

Story, First: The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than four feet below grade, as defined herein, for more than 50 percent of the total perimeter, or not more than eight feet below grade, as defined herein, at any point.

Street: Any thoroughfare or public way not less than 16 feet in width which has been dedicated or deeded to the public for public use.

Street Furniture: Man-made above-ground items that are usually found in street rights-of-way, including benches, kiosks, plants, canopies, shelters and phone booths.

Street Hardware: Mechanical and utility systems within a street right-of-way such as hydrants, manhole covers, traffic lights and signs, utility poles and lines, parking meters and the like.

Street, Private: A street that has not been accepted by the Town or other governmental agency.

Streetscape: An urban design component that concentrates on making the road system and road environment useful as a instrument in understanding and organizing the urban development. It may be defined as the sensitive placement of landscaping, signage, lighting and street furniture. Views, driver orientation, meaningful visual sequences, and the design of compatible land use edge conditions are essential objectives of a streetscape system. The primary objective of a streetscape system is to design the major streets with a consistent landscape pattern and appropriate scale to distinguish them from the lesser streets and provide strong visual orientation for the driver.

Strip Development: Commercial or retail development, usually one store deep, that fronts a street.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. (By this definition all buildings are structures, however, not all structures are buildings.)

Subdivision: The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion of land thereof, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future, except for leases of agricultural land for agricultural purposes (i.e., the cultivation of food or fiber or the grazing or pasturing of livestock). Property shall be considered as contiguous units even if it separated by roads, streets, utility easement or railroad rights of way. "Subdivision" includes a condominium project, as defined in Section 1350 of the Civil Code, or a community apartment project, as defined in Section 11004 of the California Business and Professions Code or the conversion of five or more existing dwelling units to a stock cooperative, as defined in Section 11003.2 of the California Business and Professions Code. A conveyance of land to or from a governmental agency, public entity, public utility, common carrier or subsidiary of a public utility for conveyance to the public utility for rights of way shall not be considered a division of land for the purpose of computing the number of parcels.

19.06.020 "B" Definitions

Balcony. A platform that projects from the wall of a building, typically above the first level, and surrounded by a rail, balustrade, or parapet.

Bar. Premises used primarily for the dispensing of alcoholic beverages by the drink for on-site consumption.

Base Flood. A flood which has a one percent chance of being equaled or exceeded in any given year (also called the *100-year flood*). Base flood is the term used throughout this Code.

Basement. Any area of the building having its floor subgrade --- i.e., below ground level --- on all sides.

Bed and Breakfast. A business operated in a dwelling unit offering overnight accommodations and a morning meal.

Bedroom. A private room for sleeping, separated from other rooms, and accessible to a bathroom without crossing another bedroom.

Berm. A mound of earth or the act of pushing earth into a mound.

Blind. A blind person shall be any person who has not more than 20/200 central vision acuity in the better eye after correction, or a person who has visual acuity greater than 20/200 but with a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty (20) degrees.

Boarding House. A dwelling unit or part thereof in which, for compensation, lodging and meals are provided.

Borrow Pit/Site. Any place or premises where

dirt, soil, sand, gravel or other material is removed below the natural grade for any purpose other than that necessary and incidental to site grading or building construction.

Buffer Area. A strip of land established to protect one type of land use from another land use. A buffer may include a physical separation in the form of a specified distance, landscaping, berms, or other screens which block vision, noise, or other negative impacts.

Buildable Area / Building Envelope. The area of a lot remaining after the minimum setback and open space requirements have been met; the area within which primary and accessory structures may be located, unless an encroachment into the setback is otherwise permitted.

Building. Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, or materials of any kind.

Building, Primary. A building in which the principal use is conducted.

Building Height. The distance measured vertically from finished grade to the highest point of any gable, gambrel, hip, shed or similar pitched roofline, parapet or other structural feature that is an essential and integral portion of the structure.

Building Permit. Written permission issued by the City for the construction, repair, alteration, or addition to a structure or building.

Bus Stop Shelter. A small, roofed structure, usually having three walls, located near a street and designed primarily for the protection and convenience of bus passengers.

actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than 6 feet above grade, as defined herein, for more than 50 percent of the total perimeter or is more than 12 feet above grade at any point, such usable or unused under-floor space shall be considered a story.

Story, First. The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet below grade for more than 50 percent of the total perimeter, or not more than 8 feet below grade at any point.

Street, Private. A street that has not been accepted by the City or other governmental entity.

Structure. A walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.

Substandard Housing Unit. A dwelling unit which is either dilapidated or unsafe or does not have adequate plumbing or heating facilities, thus endangering the health or safety of the occupant.

Substantial Damage. (As used in Chapter 19.62) Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

Substantial Improvement. Any reconstruction, rehabilitation, addition, or other proposed new development of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "*Start of Construction*" of the improvement. This term includes structures which have incurred "*Substantial Damage*," regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
- B. Any alteration of a *Historic Structure*, provided that the alteration will not preclude the structure's continued designation as a *Historic Structure*.

Surface Mining Operations. All, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incidental to an underground mine. Surface mining operations shall include, but are not limited to:

- A. In place distillation, retorting or leaching.
- B. Production and disposal of mining waste.
- C. Prospecting and exploratory activities (Public Resources Code, Section 2735).
- D. The creation of borrow pits, streambed skimming, segregation and stockpiling of mined materials, and recovery of same (14 California Code of Regulations, Section 3501).

(n) **BROADCASTING ANTENNAE AND TOWERS.** (See Land Use Tables.) Any structure or device (e.g., antennas, towers, etc.) used for radio and television broadcasting and receiving.

(o) **BROADCASTING STUDIO.** (See Land Use Tables.) Commercial and public communications use including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings. Does not include transmission and receiving apparatus, including antennas and towers, which are instead defined under **BROADCASTING ANTENNAE AND TOWERS.**

(p) **BUFFER.** A strip of land established to separate incompatible or different land uses. Normally a buffer area is landscaped and retained as open space. The term may be used more broadly to describe any area or use that separates two unlike land uses, such as the use of multi-family housing between single-family housing and commercial uses.

(q) **BUILDING.** Any structure built for the support, shelter or enclosure of persons, animals, fowl, chattels or property of any kind.

(r) **BUILDING AND LANDSCAPE MATERIALS SALES.** (See Land Use Tables.) A retail establishment selling hardware, lumber and other large building materials, plant materials, and other landscaping materials. Includes paint, wallpaper, glass, fixtures. Includes all these stores selling to the general public, even if contractor sales account for a major proportion of total sales. An establishment that primarily sells electrical, plumbing, heating, and air conditioning equipment and supplies is classified in **WHOLESALE AND DISTRIBUTION.**

(s) **BUILDING COVERAGE.** The alterations of a lot by the creation of surface area upon which a building rests. It is the building footprint. The percentage surface coverage does not include roadways, swimming pools, tennis courts, solar collection devices or related apparatus. See also **LOT COVERAGE.**

(t) **BUILDING ENVELOPE.** The area delineated on development plans in which all clearing and land disturbance for building construction must be confined unless otherwise authorized by this Development Code. If not delineated, it is the area of a lot not included within a required front yard, rear yard, side yard or side street yard setback area, or any recorded easement, or offer of dedication.

(u) **BUILDING HEIGHT.** See § 83.02.040 (Height Measurement and Height Limit Exceptions).

(v) **BUILDING OFFICIAL.** The Deputy Director of Land Use Services for Building and Safety, charged with the administration and enforcement of this Development Code, or an authorized designee.

(w) **BUILDING SITE.** The ground area occupied or to be occupied by a building or group of buildings, together with all open spaces as required by this Development Code.

(x) **BUSINESS STRUCTURE.** See **STRUCTURE, BUSINESS OR INDUSTRIAL.**
(Ord. 4011, passed - -2007; Ord. 4136, passed--2011)

§ 810.01.050 Definitions, C.

(a) **CAFÉ.** See **RESTAURANT, CAFÉ, COFFEE SHOP** (See Land Use Tables).

(b) **CALF GROWING RANCH.** Any premises used for the raising or keeping of ten or more

Attachment: County of San Bernardino Development Code Definitions, Building, Structure (1168 : Accessory Buildings)

(aaaa) **STORY.** That portion of a building included between the surface of any floor and the surface of the floor immediately above it, or, if there is no floor above it, then the space between the floor and ceiling immediately above it.

(bbbb) **STORY, HALF.** A story with at least two of its opposite sides meeting a sloping roof, nor more than two feet above the floor of the story.

(cccc) **STREAM.** Any watercourse designated by a solid line or dash and three dots symbol on the largest scale of the United States Geological Survey map most recently published, or as indicated in the development permit when it has been field determined that a watercourse either:

- (1) Supports fish at any time of the year;
- (2) Has a significant water flow after any rainstorm; or
- (3) Has a well-defined channel.

(dddd) **STREAM BED SKIMMING.** See **SURFACE MINING OPERATIONS.**

(eeee) **STREET.** Any public or private thoroughfare, with a width of 20 feet or more, that affords a primary means of access to abutting property. See **ROAD SYSTEM.**

(ffff) **STREET LINE.** The boundary line between a street and abutting property.

(gggg) **STRUCTURAL ALTERATIONS.** Any change in the supporting members of a structure, such as the bearing walls or partitions, columns, beams or girders.

(hhhh) **STRUCTURE.** Anything constructed, built, or installed by man, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, including, but without limitation; buildings, towers, smokestack, and overhead lines.

(iiii) **STRUCTURE, APPROVED.** A structure, paved area of impervious substance or sewage disposal area that has been approved by the Building Official or the Chief of the Environmental Health Services Division as an improvement of the site, and that complies with all codes, ordinances and regulations of San Bernardino County.

(jjjj) **STRUCTURE, BUSINESS OR INDUSTRIAL.** An occupied, permanent building, attached to a permanent foundation, approved for the use under the California Building Code, where one or more persons are employed on an eight hour shift, at least five days per week.

(kkkk) **STRUCTURE ENVELOPE.** The interior of a parcel outside of the building setback lines.

(llll) **STRUCTURE FOOTPRINT.** The area of a parcel included within the surrounding exterior walls of a structure. In the absence of surrounding exterior walls, the **STRUCTURE FOOTPRINT** shall be the area under the horizontal projection of the roof.

(mmmm) **STRUCTURE HEIGHT.** See § 83.02.040 (Height Measurement and Height Limit Exceptions). For buildings see **BUILDING HEIGHT.**

(nnnn) **SUBDIVIDER.** A person, firm, corporation, partnership or association who proposes to divide, divides or causes to be divided real property into a subdivision for himself or for others except that employees and consultants of these persons or entities, acting in such capacity, are not **SUBDIVIDERS.**

(oooo) **SUBDIVISION.** The division, by any subdivider, of any unit or units of improved or

RESOLUTION NO PC-15-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, INTERPRETING DEFINITIONS OF BUILDINGS, STRUCTURES AND ACCESSORY BUILDINGS IN RELATIONSHIP TO LARGE ANIMAL SHADE STRUCTURES

WHEREAS, pursuant to Section 9.02.010 of the Yucca Valley Development Code, the Planning Commission is responsible for interpretation determinations of the Development Code when referred by the Director; and

WHEREAS, the Director has referred the interpretation of existing large animal shade structures to the Planning Commission for their consideration; and

WHEREAS, the Development Code definition of “structure” is *“that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. (By this definition all buildings are structures, however not all structures are buildings)”*; and

WHEREAS, the Development Code definition of “building” is *“any structure having a roof supported by columns or walls and used or intended for the shelter, housing, or enclosure of any individual, animal, process, equipment or materials of any kind”*; and

WHEREAS, the Development Code definition of “Accessory Building” is *“a subordinate building, the use of which is incidental to that of the main building or main use of the land. The use of an accessory building may be for either a primary or an accessory use allowed by the appropriate land use district. An accessory building shall be located on either the same parcel as the main building or main use; or shall be located on a contiguous abutting parcel that is owned by the same owner who owns the parcel which as the main building or use. An accessory building shall always exist in conjunction with and never without a legally established main building or main use that has the same common owner”*; and

WHEREAS, the Planning Commission has reviewed the above definitions and the evidence and information related to the large animal shade structures identified in this staff report; and

WHEREAS, the Planning Commission has considered the information provided.

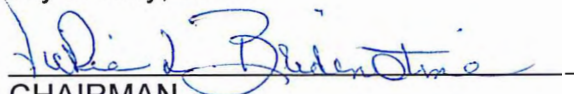
NOW, THEREFORE, THE YUCCA VALLEY PLANNING COMMISSION finds as follows.

Section 1: The large animal shade structures identified in the Staff Report and this

Resolution contain less than 200 square feet.

- Section 2:** The large animal shade structures identified in the Staff Report and this Resolution are portable, and may be relocated on the property.
- Section 3:** The large animal shade structures identified in this Staff Report and this Resolution are relatively easily dismantled and removed from the property.
- Section 4:** The large animal shade structures contain less area than a single car carport which must contain 190 square feet.
- Section 5:** The large animal shade structures do not contain electrical or HVAC systems.
- Section 6:** The Planning Commission finds based upon the facts, evidence and Development Code provisions that the large animal shade structures identified in the Staff Report and the Resolution are “structures” as defined by the Development Code and are not included in the maximum number of Accessory Buildings allowed on residentially zoned property by the Yucca Valley Development Code.
- Section 7:** The Planning Commission directs that the Planning Commission Secretary, Planning Division Staff, and the Town Clerk place this Resolution in the Yucca Valley Development Code for all future reference for accessory residential structures for the keeping of large animals on residentially zoned properties, consistent with the Yucca Valley Development Code.
- Section 8:** The Planning Commission finds that this interpretation is specific to the information before the Planning Commission and is only applicable to these the facts and information contained within this Staff Report and this Resolution.

APPROVED AND ADOPTED THIS 12th day of May, 2015.


 CHAIRMAN

ATTEST:


 PLANNING COMMISISON SECRETARY

Town of Yucca Valley

PLANNING COMMISSION STAFF REPORT

To: Honorable Chair and Planning Commissioners
From: Diane Olsen, Planning Technician

Date: September 17, 2015
Meeting Date: September 22, 2015

Subject: Recommendation to Town Council General Plan Implementation Strategies
 Development Code Regulation & Special Planning Study Prioritization

Recommendation:

That the Planning Commission review and prioritize Development Code regulations/special planning study prioritization and forward that recommendation to the Town Council for their consideration during strategic planning discussions.

Prior Review

There has been no prior review of this item.

Executive Summary

There are a number of policy issues that are identified for development of standards and regulations, both as a result of the General Plan process as well as previously identified local policy issues. This provides the opportunity for the Commission to discuss and identify desired prioritization of those previously identified land use policy areas.

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

The Commission recently raised the issue of addressing existing ordinance updates that were discussed during the Development Update project. In addition, as part of the General Plan Update project, numerous policy issues were identified and recommended for establishing standards and regulations. Those are identified and contained within the Implementation Strategies, which were adopted separately from the General Plan as a standalone document.

As taken from the Implementation Strategies, as well as including input from staff, below is a listing of those policy issues for Commission prioritization.

Adopt new state landscaping/irrigation/water conservation standards (water efficient landscape guidelines)

Buffer Standards, between Residential and Commercial/Industrial Designations

Rural Mixed Use SPA, Development Standards

Update Truck Route Map/Ordinance

Adopt Standards for Soil binders to minimize dust on dirt roads

Develop standards for maintenance areas and utility substations for integration with surrounding uses

Develop standards and guidelines to minimize or eliminate impacts of development on natural open space areas

Develop standards that implement, support and protect open space, wildlife corridors, and protected biological resources

Develop standards for the regulation of location and protection of sensitive receptors from excessive and hazardous emissions

Develop flexible development guidelines, standards and regulations that encourage the provision of open space amenities within new development

Comprehensive grading regulations to protect and conserve open space and natural and visual resources

Consider density bonus program and density incentives for projects that minimize and eliminate impacts to hillsides and ridgelines

Develop standards for noise sensitive land uses

Grading Administration

Film Permits

Wildlife Corridor Evaluation Area Standards

Open Space Resource Area Standards

Signs Regulations

Adult Oriented Businesses

Hot Food Truck Standards

Home Based Cottage Food Industry

Conceptual Master Plans

East Side Special Policy Area

Town Center Special Policy Area

West Side Special Policy Area

Master Plan of Drainage Update

The Town Council will be holding strategic planning discussions on October 6 and October 20th, 2015, at 4:00pm. The Commission's recommendations on prioritization will be provided to the Town Council as part of that strategic planning process.

Alternatives

The Commission can discuss and prioritize the policy issues as deemed appropriate.

Fiscal Impact

N/A

Attachments:

General Plan Implementation Strategies

YUCCA VALLEY

GENERAL PLAN IMPLEMENTATION STRATEGIES



Attachment: General Plan Implementation Strategies (1170 : Prioritization)



IMPLEMENTATION STRATEGIES

This document contains the implementation actions developed to carry out the goals and policies identified in the Town’s General Plan. This stand-alone document was developed concurrently with the 2013 General Plan but is not part of the General Plan. Since it is maintained outside of the plan, it provides flexibility for the Town to prioritize and amend strategies as needed and does not require a General Plan amendment to update. The implementation strategies document is intended to be used as a working tool. The strategies serve to prioritize activities the Town should initiate or maintain to ensure the vision of the General Plan is achieved.

The implementation actions will be referenced by Town staff on an ongoing basis, and review and update of the actions should be included in the Town’s annual progress report, as required by Government Code Section 65700. The General Plan implementation actions will be consulted in conjunction with the Town Council’s annual priority-setting efforts, including the Strategic Plan, Capital Improvements Program, objectives, and budget.

As strategies are implemented, they will be removed from the document. As priorities change, the actions and strategies will be updated. As the Town works toward achieving the vision of the General Plan, new strategies will be added to continue to guide the Town into the future.

Using the Implementation Strategies

This document is a working checklist of action items and next steps for Town staff and local decision makers to ensure that the General Plan vision is realized. The implementation strategy chart consists of an action item, its relationship to corresponding General Plan policies, identification of responsible departments, and the time frame for completion. Figure IS-1, *Implementation Guide*, is a guide for using the implementation chart.



Remembrance Park is home to the Saber Tooth Tiger statue, one of Yucca Valley’s many pieces of public art.

4.a

IMPLEMENTATION

Corresponding **General Plan Element**

Subtopic → **1.1 Administration**

Strategy Number → I 1

Action provides the task to implement a policy or set of policies

Introduction Implementation Actions		Relevant Policies	Responsible Department	Timeframe
1.1 Administration				
I 1	Provide an annual report from the Planning Commission to Town Council on the status of the General Plan and make recommendations that address identified inadequacies or opportunities for updating the plan. The annual review of the General Plan should include a report on how land use decisions relate to adopted goals, policies, and implementation measures of the General Plan. Provide a copy of the annual report to the CA Office of Planning and Research and the Department of Housing and Community Development.	I 1-1	CDD	Annually, Due to OPR by April 1 st each year
I 2	Annually review the Town's capital improvements program and check it for consistency with the General Plan (pursuant to Article 7 of the CA Government Code); provide recommendations if necessary.	I 1-1	CDD, TC	Annually, concurrent with the Town's budgeting process
I 3	Investigate and make recommendations to the Town Council regarding reasonable and practical means for prioritizing and implementing the General Plan when associated with spending public funds.	I 1-1	CDD	Ongoing
I 4	Review and revise the General Plan a maximum of 4 times per year to reflect the changing needs of the community, related documents, or state requirements.	I 1-1	CDD	Ongoing
I 5	Review and revise the Zoning Code to maintain consistency with the General Plan.	I 1-1	CDD	Ongoing
I 6	Communicate with local and regional agencies, such as the County of San Bernardino, SANDBAG, SCAG, and MBTA, regarding programs that may affect the Town of Yucca Valley; establish regular meetings as necessary.	I 1-2	CDD, TM	Ongoing

Relevant Policies list specific policies in the General Plan

Responsible Parties acknowledge the appropriate Town department, commission, or council to implement the strategy

Timeframe provides a target for completion; identifying ongoing, near term (1 to 3 years), and long term (5 to 10 years) completion

The **date** at the bottom of the page indicates when the last update was made to the strategies

Land Use Implementation Actions		Relevant Policies	Responsible Department	Timeframe
1.1 Balanced Land Uses				
LU 1	Update Development Code and Zoning Map to reflect updated General Plan Land Use Map revisions, create mixed use development standards, and establish a process for applicants to submit projects in a Mixed Use land use designation or Special Policy Area (require Master Plan or Specific Plan).	LU1-15 LU2-1	CDD	1 year
LU 2	Amend Development Code to require new residential subdivisions to have pads above the adjacent street grade. All lots must drain to the street frontage of the individual lot, unless otherwise approved by the Town Engineer.	LU1-14	CDD	5 years
LU 3	Prioritize infrastructure improvements in areas with existing and expected concentrated forms of development, and consistent with the phasing of the Wastewater Treatment and Water Reclamation Plan developed by the Hi-Desert Water District.	LU1-1 LU1-3	TM, PW, CDD	Ongoing
LU 4	Enact a hillside ordinance to protect certain slopes and other natural topographic features.	LU1-5	CDD	5 years
LU 5	Amend the Development Code to create standards addressing appropriate treatments to buffer industrial and commercial uses from residential and other sensitive uses.	LU1-13 LU1-16 LU1-18	CDD	5 years
LU 6	Evaluate the feasibility of providing administrative incentives, such as expedited processing, for lot consolidations in the Old Town Yucca Valley Specific Plan area.	LU1-1	CDD	2 years

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Attachment: General Plan Implementation Strategies (1170 : Prioritization)

2 Town of Yucca Valley IMPLEMENTATION STRATEGIES

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IMPLEMENTATION

The Relationship between Goals, Policies, and Implementation Actions

The discussion below is a review of the relationship between goals, policies, and implementation actions; it is also provided in the General Plan.

Guided by the Town's vision and values, each Element of the General Plan contains at least one goal, several related policies, and implementation actions to achieve the identified goal.

Goals are statements of desired future conditions regarding a particular topic in the community, toward which effort and use of resources are or will be directed.

Policies are statements that guide decision making and specify an intended level of Town commitment on a subject.

Implementation Actions are a checklist of strategies for Town staff and local decision makers to carry out the goals and policies in the General Plan.

The example below illustrates the relationship between a goal, policy, and implementation action:

GOAL:

A comprehensive multiuse, quality system of parks and recreational areas that support a broad range of activities, as well as cultural, and passive open space opportunities for current and future residents.

Policy:

Plan, develop, and maintain quality and adequate outdoor recreational and open space areas that utilize and enhance the unique aspects of the desert environment and provide amenities that are responsive to the needs of residents and visitors.

Implementation Action:

Review the Parks and Recreation Master Plan and establish a list of priorities, action items, and target completion dates to implement the highest priority items identified in the plan.



Yucca Valley's annual summer music festival.

IMPLEMENTATION

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Introduction Implementation Actions		Relevant Policies	Responsible Department	Time Frame
1.1 Administration				
I 1	Provide an annual report from the Planning Commission to Town Council on the status of the General Plan and make recommendations that address identified inadequacies or opportunities for updating the plan. The annual review of the General Plan should include a report on how land use decisions relate to adopted goals, policies, and implementation measures of the General Plan. Provide a copy of the annual report to the CA Office of Planning and Research and the Department of Housing and Community Development.	I 1-1	CDD	Annually, Due to OPR by April 1 st each year
I 2	Annually review the Town's capital improvements program and check it for consistency with the General Plan (pursuant to Article 7 of the CA Government Code); provide recommendations if necessary.	I 1-1	CDD, TC	Annually, concurrent with the Town's budgeting process
I 3	Investigate and make recommendations to the Town Council regarding reasonable and practical means for prioritizing and implementing the General Plan when associated with spending public funds.	I 1-1	CDD	Ongoing
I 4	Review and revise the General Plan a maximum of 4 times per year to reflect the changing needs of the community, related documents, or state requirements.	I 1-1	CDD	Ongoing
I 5	Review and revise the Zoning Code to maintain consistency with the General Plan.	I 1-1	CDD	Ongoing
I 6	Communicate with local and regional agencies, such as the County of San Bernardino, SANDBAG, SCAG, and MBTA, regarding programs that may affect the Town of Yucca Valley; establish regular meetings as necessary.	I 1-2	CDD, TM	Ongoing

Land Use Implementation Actions		Relevant Policies	Responsible Department	Time Frame
2.1 Balanced Land Uses				
LU 1	Update Development Code and Zoning Map to reflect updated General Plan Land Use Map revisions, create mixed use development standards, and establish a process for applicants to submit projects in a Mixed Use land use designation or Special Policy Area (require Master Plan or Specific Plan).	LU1-15 LU2-1	CDD	1 year
LU 2	Amend Development Code to require new residential subdivisions to have pads above the adjacent street grade. All lots must drain to the street frontage of the individual lot, unless otherwise approved by the Town Engineer.	LU1-14	CDD	5 years
LU 3	Prioritize infrastructure improvements in areas with existing and expected concentrated forms of development, and consistent with the phasing of the Wastewater Treatment and Water Reclamation Plan developed by the Hi-Desert Water District.	LU1-1 LU1-3	TM, PW, CDD	Ongoing
LU 4	Enact a hillside ordinance to protect certain slopes and other natural topographic features.	LU1-5	CDD	5 years

Attachment: General Plan Implementation Strategies (1170 : Prioritization)

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Land Use Implementation Actions		Relevant Policies	Responsible Department	Time Frame
LU 5	Amend the Development Code to create standards addressing appropriate treatments to buffer industrial and commercial uses from residential and other sensitive uses.	LU1-13 LU1-16 LU1-18	CDD	5 years
LU 6	Evaluate the feasibility of providing administrative incentives, such as expedited processing, for lot consolidations in the Old Town Yucca Valley Specific Plan area.	LU1-1	CDD	2 years
LU 7	Identify a catalyst project in the Old Town Specific Plan Area and identify a strategy to implement it.	LU1-1	TM, CDD, PW, CS, FIN	2 years
LU 8	Maintain regular communication and coordination with Marine Corps Air Ground Combat Center through communication with Community Plan Liaison and monitoring of the General Plan and other plans and programs as possible.	LU1-7 LU1-27	CDD	Ongoing
LU 9	Continue to collaborate with the Chamber of Commerce to promote local business endeavors and general economic development within the Town.	LU1-15	CDD/ PW	Ongoing
LU 10	Support efforts to pursue federal, state, regional and county resources for business development in Yucca Valley.	LU1-15	TM, CDD	Ongoing
LU 11	Periodically meet with Morongo Unified School District representatives to assess the educational and recreational demands on Yucca Valley facilities and to determine if there are any opportunities to provide services that are of mutual benefit to the Town and school district.	LU1-24 LU1-25	TM, CDD	Ongoing
LU 12	Annually revisit public facility priorities through the Capital Improvements Program and annual budget process.	LU1-24	CDD	Annually
LU 13	Coordinate with the Southern California Association of Governments and the Governor's Office of Planning and Research to stay informed of legislation and documentation of the nexus between land use, housing, transportation, and sustainability.	LU1-5	CDD	Ongoing
2.2 Special Policy Areas				
LU 14	Require preparation of a conceptual Master Plan and/or a Specific Plan for new development proposed in the East Side, West Side, and Town Center SPAs.	LU2-3	CDD	2 years
LU 15	Establish a process and protocol to develop and review Master Concept Plans with Town staff.	LU2-3 LU2-4 LU2-5	CDD	2 years
LU 16	Rural Mixed Use SPA: Develop design guidelines for properties north of Skyline Ranch Road that includes guidance regarding: building design and materials, landscaping, walls and fences, lighting, and screening of outdoor storage. Special consideration should also be given to noise compatibility and circulation issues in the area by implementing design solutions (building and site design) that minimize conflicts between industrial and residential uses.	LU2-5 LU2-6	CDD	5 years
LU 17	West Side SPA: Initiate preparation of an Area Plan (a high level concept/master plan) to further refine the development concept for the Westside, including identification of a substantial community amenity that will serve as an anchor for the west side of Town and a conceptual circulation plan.	LU2-13 LU2-14	CDD	5 years

IMPLEMENTATION

Land Use Implementation Actions		Relevant Policies	Responsible Department	Time Frame
LU 18	West Side SPA: Integrate the Area Plan into the General Plan once completed, and use it as the foundation for any future development proposals that come forth for consideration.	LU2-13 LU2-14	CDD	5 years
2.3 Yucca Valley Airport				
LU 19	Periodically coordinate with the Yucca Valley Airport District to stay informed of any operational or facility changes that could impact the community.	LU3-1 LU3-2	CDD/ PW	Ongoing

Housing Implementation Actions	
<p>The implementation actions, referred to as programs, for the Housing Element are provided in the General Plan Housing Element in accordance with state law and the California Department of Housing and Community Development.</p>	

Circulation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
4.1 Roadway Classifications				
C 1	Prioritize and implement the changes to the roadway classifications in Town consistent with the Roadway Classification Map (General Plan Figure C-1) and the 2013 Traffic Study for inclusion in the Town's Capital Improvement Program.	C1-1 C1-3 C1-6 C1-7	CDD/PW	Annually
C 2	Review and revise the street and traffic impact mitigation fee program.	C1-2	CDD/PW	In conjunction with the next update to the Development Impact Fee Study
C 3	Develop and maintain a list of the Town's protected intersections and roadways where: <ul style="list-style-type: none"> • Acquiring the right-of-way is not feasible; • The segment is in the Old Town Specific Plan area where maintaining vehicle levels of service would not be consistent with the goals and policies of that plan; • The improvements would negatively impact the environment; • The improvements would negatively impact other community values or policies; • Other physical or fiscal factors limit the implementation of the proposed mitigation measure. 	C1-4	CDD/PW	Annually

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Circulation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
C 4	Apply for regional, state, and federal grant funding to improve the Town's circulation infrastructure.	C1-2	CDD/PW	Ongoing
4.2 Complete Streets				
C 5	Provide signs and improve trails, bicycle, equestrian, and pedestrian connections consistent with the Town Trails Master Plan and Park and Recreation Master Plan based on available funding.	C 1-8	CDD/PW	5 years
C 6	Close gaps in the existing sidewalk network and provide sidewalks adjacent to schools consistent with the Future Sidewalks Map (Figure 4-3 of the 2013 Transportation Study).	C1-9	CDD/PW	10 years
C 7	Update the Park and Recreation Master Plan to include bicycle and pedestrian facilities that are complementary to the connectivity and trails planning identified in the Town's Trails Master Plan.	C1-8	CDD/PW	2 years
C 8	Apply for funding opportunities to improve pedestrian facilities near schools (such as Safe-Routes-To-School (SR2S) funding).	C 1-9	CDD/PW	Ongoing
C 9	Work with MBTA to plan and provide enhanced bus service to employment areas outside of the Town.	C1-10 C1-14	CDD/PW	Ongoing
C 10	Coordinate with MBTA and religious facilities to discuss expanding opportunities for implementing park-and-ride facilities.	C 1-11	CDD/PW	2 years
C 11	Consult with MBTA for bus stop placement and design.	C1-8	CDD/ PW	Ongoing
C 12	Consult with MBTA on street design to ensure the street accommodates access for a variety of transit options.	C1-8	CDD/ PW	Ongoing
C 13	Work with MBTA to create a program to expand ridership in Yucca Valley.	C1-10 C1-11 C1-12 C1-13	CDD	Ongoing
C 14	Establish right-of-way landscaping, signage, and lighting requirements and guidelines to provide an attractive, user-friendly, and safe environment for all users.	C1-8	PW	5 years
4.3 Efficient Goods Services and Movement				
C 15	Update the Truck Routes Map as needed.	C1-18 C1-25	PW	Ongoing
C16	Work with Marine Corps Air Ground Combat Center to notify residents of traffic impacts due to Marine caravans.	C1-25	CDD	Ongoing

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Circulation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
C17	Coordinate with the Yucca Valley Airport District to provide appropriate level of supporting transportation infrastructure connecting to the Yucca Valley Airport.	C1-18	CDD/PW	Ongoing
4.4 Traffic Management				
C 18	Work with Caltrans to pursue funding for and implement low-cost transportation improvements such as traffic signal coordination where applicable.	C1-5 C1-16 C1-17	CDD/PW	Ongoing
C 19	Pursue funding to pave unpaved roadways where the traffic volume exceeds 500 daily trips.	C-21	CDD/PW	Ongoing
C 20	Update the development code to require the application of nontoxic soil binder annually to minimize dust emissions on existing and new unpaved roads where traffic volumes exceed 500 daily trips if paving is not feasible.	C1-20 C1-22	CDD	2 years
C 21	Establish a time frame and parameters for paving unpaved roadways, consistent with implementation action C 19.	C1-20 C1-22	CDD/PW	2 years
C 22	Reevaluate traffic volumes through the annual Traffic Census Program.	C1-23 C1-24 C1-25	CDD	Annually
4.5 Utilities				
C 23	Amend the Development Code to require that all new maintenance areas and utility substations and similar facilities are integrated with surrounding land uses, appropriately buffered, and aesthetically pleasing through the use of design and landscaping.	C2-1 C2-4	CDD	2 years
C 24	Coordinate with utility providers such as Southern California Edison to identify and estimate future demand and corresponding facilities required to serve projected local and regional growth.	C2-2 C2-5	CDD	Ongoing
C 25	Evaluate and prioritize public infrastructure improvements for inclusion in the Town's Capital Improvement Program.	C2-3	CDD/PW	Annually

Open Space and Conservation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
5.1 Natural Open Space and Parks				
OSC 1	Implement development regulations and guidelines that minimize or eliminate impacts of development on natural open space areas.	OSC1-1 OSC1-5	CDD	5 years

Attachment: General Plan Implementation Strategies (1170 : Prioritization)

IMPLEMENTATION

Open Space and Conservation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
OSC 2	Review the Parks and Recreation Master Plan and establish a list of priorities, action items, and target completion dates to implement the highest priority items identified in the plan. The plan should also be updated to reflect a minimum parkland objective of 3 acres per 1,000 residents and identify a strategy to provide access to land-locked passive park areas such as North Park.	OSC2-1 OSC2-5	CS	2 years
OSC 3	Implement a Capital Improvement Program to provide scheduled improvements needed for the park system to meet current and projected needs, ADA requirements, and to retrofit existing facilities using Crime Prevention through Environmental Design (CPTED) principles, based upon available financial resources.	OSC1-3 OSC2-2	PW/ENG, TC	2 years
OSC 4	Pursue agreements with San Bernardino County to establish pass-through parkland dedication and park in-lieu fees when residential development takes place within two miles of Town boundaries.	OSC1-1 OSC1-2	CS	5 years
OSC 5	Adopt and implement flexible development standards to ensure provision of parkland dedication within residential development to satisfy the 3 ac/1,000 population park standard.	OSC1-1 OSC1-4	CDD	2 years
OSC 6	Evaluate and utilize alternative available state, federal, and other funding sources to acquire and maintain recreational trail facilities; pursue identified funding sources as they become available.	OSC1-1 OSC1-3	CS	Ongoing
OSC 7	Establish and/or revise, as needed, agreements with Morongo Unified School District, other agencies, and community organizations that govern joint use of facilities to maximize availability and benefit to the community.	OSC1-1	CS	Ongoing
OSC 8	Evaluate alternative revenue sources, and use other forms of park financing and acquisition methods to fund the purchase, improvement, and maintenance of the Town park system.	OSC1-3	CS & TM	Ongoing
OSC 9	Update the Land Use Map when necessary to designate newly identified hazard zones as open space areas.	OSC1-1 OSC2-3	CDD & PW/ENG	Ongoing
OSC 10	Review development proposals adjacent to designated open space lands and assure that land uses are compatible, and buffers and/or linkages are provided when necessary to maintain natural resource value.	OSC1-5 OSC1-6	CDD	Ongoing
5.2 Recreational Trails				
OSC 11	Promote the development of pedestrian/multiuse/bike paths/lanes as an alternative mode of transportation to vehicular travel.	OSC3-3 OSC3-2	CS	Ongoing
OSC 12	Coordinate with local utility purveyors, County Flood Control District, and other appropriate parties to include the development of a multiuse trail system within easements and right-of-ways to the greatest extent possible.	OSC3-3	CS, CDD & PW	5 years
OSC 13	Review the Park Master Plan to assess the feasibility of trails and establish a priority list and associated implementation actions for priority trails.	OSC3-1	CS	5 years

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Open Space and Conservation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
OSC 14	Amend the Park Master Plan to include natural trails design standards for hiking, riding, and mountain biking.	OSC3-1 OSC3-2	CS	5 years
5.3 Biological Resources				
OSC 15	Establish standards and regulations that implement, support, and protect open space, wildlife corridors, and protected biological resources.	OSC4-1 OSC4-2 OSC4-5 OSC4-7	CDD	3 years
OSC 16	Establish standards and regulations in the Development Code that minimize impacts of new development on open space and conservation areas.	OSC4-1 OSC4-2	CDD	3 years
OSC 17	Develop flexible development guidelines, standards, and regulations that encourage the provision of open space amenities within new development.	OSC4-2 OSC4-4	CDD	3 years
OSC 18	Adopt a comprehensive grading ordinance that will protect and conserve open space and natural and visual resources.	OSC4-1 OSC8-7	CDD	5 years
OSC 19	Revise landscape standards and guidelines to encourage the retention and use of existing native and approved nonnative drought-tolerant plant species in development.	OSC4-2 OSC4-6	CDD & PW/ENG	10 years
OSC 20	Identify and assess lands based upon site-specific biological resources evaluations within the WCEAs and OSRAs that are suitable for preservation and may be preserved as public or private lands and as passive or active open space.	OSC4-11 OSC4-1	CDD & PW/ENG	5 years
OSC 21	Develop standards and guidelines for the WCEA and OSRA areas that includes the following strategies: <ul style="list-style-type: none"> a) Maintain residential land use designations with low and very low densities in WCEA and OSRA areas. b) Discourage conversion of low density residential uses in the WCEA and OSRA to higher density or nonresidential uses, retaining onsite areas for undeveloped, natural open space. c) Apply design features in the WCEA and OSRA that interface with the natural environment such as: limiting the amount of grading that can occur on site or identifying the type of fencing that can be installed that supports wildlife movement. d) Develop and implement standards and guidelines that limit the maximum disturbance of the land in WCEAs and OSRAs. Design standards and guidelines shall address wildlife corridor connectivity, limitations of ground disturbance, and the retention of native, undisturbed open space. 	OS 4-1 OSC4-4 OSC4-5 OSC 4-10 OSC 4-11 OSC8-4 OSC8-7 OSC8-8	CDD	2 years
OSC 22	Explore the possibility of developing a transfer of development rights ordinance to allow the transfer of units or square footage from one property to another to preserve properties with significant biological resources, hillside areas, and natural slopes. This may result in an increased density or intensity of the "receiving site" to preserve property development potential.	OSC4-1 OSC8-1 OSC8-2	CDD	10 years

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Open Space and Conservation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
OSC 23	Coordinate with other agencies in the Morongo Basin to evaluate the possibility of developing a Habitat Conservation Plan (HCP). Discussions could include the benefits and constraints of a local HCP, identification of interested agencies, potential funding mechanisms, and a general outline of the process to develop a plan.	OSC4-1 OSC4-2 OSC4-5 OSC4-7	CDD	5 years
5.4 Water Resources				
OSC 24	Continue to support the Hi-Desert Water District's groundwater recharge program, while protecting recharge sites from potential impacts of proposed development.	OSC5-2 OSC5-3 OSC6-1	CDD	Ongoing
OSC 25	Track data collected by HDWD's groundwater quality data monitoring program.	OSC5-2 OSC5-3	CDD	Annually
OSC 26	Continue to work with HDWD in the pursuit of outside financial resources to reduce the costs to property owners for wastewater system implementation.	OSC5-4 OSC6-2	TM	Ongoing
OSC 27	Update water efficient-landscape guidelines, which address the use of drought-tolerant plant materials and irrigation standards in the Development Code in accordance with state law.	OSC6-3	CDD	5 years
OSC 28	Provide development standards and guidelines for the construction of onsite storm-water retention facilities that are consistent with community design standards and local and regional drainage plans.	OSC5-3 OSC5-4 OSC6-6		5 years
5.5 Cultural Resources				
OSC 29	In cooperation with local historical associations, the Town shall periodically review the historical and archaeological resources of the area for possible application for status as a historical landmark or inclusion in the National Register of Historic Places.	OSC7-1	CDD	Biannually
OSC 30	Maintain an inventory of archeological and paleontological resources.	OSC7-1 OSC7-4		Create in 2 years, Maintain ongoing
OSC 31	Maintain information, including mapping that identifies specific locations of sensitive cultural resources, in a confidential manner, access to such information shall be provided only to those with appropriate professionals and organizations.	OSC7-1	CDD	Ongoing
OSC 32	Review projects to ensure compliance with SB 18 (traditional tribal cultural places) requirements.	OSC7-1	CDD	Ongoing

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Open Space and Conservation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
5.6 Scenic Resources				
OSC 33	<p>Evaluate the benefits and constraints of pursuing official designation of SR-247 and/or SR-62 as scenic highways and consider enacting a Corridor Protection Program. The program could:</p> <ul style="list-style-type: none"> a) Mitigate activities within the corridor that detract from its scenic quality by requiring proper siting, landscaping, or screening. b) Prohibit billboards so that they do not detract from scenic views. c) Make development more compatible with the environment and in harmony with the surroundings. d) Regulate grading to prevent erosion and cause minimal alteration of existing contours. 	OSC8-3 OSC8-4	CDD & PW	5 years
OSC 34	<p>Develop a Hillside Ordinance that establishes standards and regulations which implement measures in the following areas, at a minimum:</p> <ul style="list-style-type: none"> a) Requires structures in areas with slopes ranging from 15 percent to less than 30 percent, to conform to the natural topography and natural grade by using appropriate techniques, including stepped or split-level foundations, stem walls, stacking, and clustering. Walls shall be as natural appearing as possible. Conventional grading may be considered for limited portions of a project when its plan includes special design features, extensive open space, or significant use of greenbelts. b) Restricts development on slopes 31percent to less than 40 percent to sites where it can be demonstrated that safety will be maximized while environmental and aesthetic impacts will be minimized. Use of large parcels, variable setbacks, and variable building structural techniques (e.g., stepped foundations) shall be expected. Extra erosion control measures may be included as conditions of approval. c) Prohibits pad grading in slopes 41 percent or greater. 	OSC8-6 OSC8-7 OSC8-8	CDD & PW	5 years
OSC 35	In conjunction with the hillside development regulations, establish and maintain maps that identify hillsides and associated areas subject to the regulations.	OSC8-1 OSC8-2	CDD	5 years
OSC 36	Consider establishing a density bonus program, providing density incentives for projects that minimize and eliminate impacts to hillsides and ridgelines.	OSC8-8	CDD	10 years

IMPLEMENTATION

Open Space and Conservation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
5.7 Energy Resources				
OSC 37	Participate in the regional energy management and conservation efforts and encourage the expanded use of energy efficient and alternative fuels, buses with bike racks, and other system improvements, including infrastructure for alternative energy vehicles that enhance overall energy efficiency and conservation.	OSC9-1	CDD	Ongoing
OSC 38	Coordinate with the county to review land use applications proposing to develop solar or wind farms to protect view sheds and scenic resources of the community.	OSC9-2	CDD	Ongoing
OSC 39	Continue the Town's efforts on community participation in reducing, reusing, and recycling household and business waste.	OSC9-4	CDD & PW	Ongoing
OSC 40	Provide informational materials and non-Town incentive program information to residents regarding available alternative energy and energy efficiency programs and rebates.	OSC9-1 OSC9-3 OSC9-9	CDD & PW	Ongoing
OSC 41	Evaluate the Town's ability to create a program to waive or reduce the permit fees on solar installation projects and promote state, federal, and private rebate programs.	OSC9-7 OSC9-8 OSC9-9	CCC & PW	2 years
5.8 Air Quality				
OSC 42	Amend the Development Code to identify land use sources of toxic air contaminants and adopt standards for the regulation of location and protection of sensitive receptors from excessive and hazardous emissions.	OSC 10-3	CDD	2 years
OSC 43	Actively promote and pursue expansion of an air quality monitoring station within Yucca Valley that monitors all criteria pollutants (O ₃ , NO _x , SO _x , CO, and PM _{2.5} and PM ₁₀).	OSC 10-1	CDD	2 years
OSC 44	Continue to proactively work with the MDAQMD in conjunction with other local and regional agencies in the development and application of air quality regulations.	OSC 10-2	CDD	Ongoing
OSC 45	Require all projects that have the potential to generate significant levels of air pollution to provide detailed impact analyses and design mitigation that incorporates the most advanced technological methods available. Prior to the issuance of construction permits, the Town shall review and determine the effectiveness of proposed mitigation measures and set additional measures as needed.	OSC 10-2 OSC 10-4	CDD & PW	2 years

IMPLEMENTATION

Open Space and Conservation Implementation Actions		Relevant Policies	Responsible Department	Time Frame
5.9 Greenhouse Gases				
OSC 46	Establish a goal for solar installations on new and existing homes as well as new commercial/industrial development to be achieved before 2020.	OSC 11-2	CDD	1 year
OSC 47	Pursue partnerships with other governmental entities and with private companies and Southern California Edison to establish incentive programs for renewable energy.	OSC 11-1	CDD & PW	Ongoing

Safety Implementation Actions		Relevant Policies	Responsible Department	Time Frame
6.1 Geologic Hazards				
S 1	Disseminate information on areas of landslide susceptibility at Town Hall and on the Town's website by making available/ posting a link to the Slope Distribution Map.	S1-1	CDD	Immediate
S 2	Develop and adopt a detailed hillside grading ordinance with review standards to assess potential impacts from development on slopes 30 percent or greater.	S1-2 S1-3 S1-4	B&S, CDD	2 years
S 3	Contract with a state-certified geologist and/or geological engineer to review and determine the adequacy of geotechnical studies for proposed projects.	S1-3	CDD, B&S	Ongoing
6.2 Seismic Hazards				
S 4	Establish and maintain a reference collection of maps and other materials illustrating the location of seismic hazards occurring within the Town boundaries.	S2-6	CDD	Ongoing
S 5	Disseminate information on fault locations at Town Hall and on the Town website by making available/ posting a link to the Seismic Hazards Map.	S2-2 S2-8	CDD	Immediate
S 6	Update building, zoning, and grading codes as needed to ensure adopted standards mitigate potential seismic hazards and comply with the Alquist-Priolo Act and Unreinforced Masonry Law.	S2-6 S2-7	B&S, CDD	Ongoing
S 7	Communicate with the Hi-Desert Water District to ensure the seismic safety of all existing and proposed water storage tanks and pipe connections.	S2-1	CDD	Annually
S 8	Revise the Municipal Code to include requirements that protect the community from liquefaction.	S2-3 S2-4	CDD	1 year
S 9	Identify unreinforced masonry structures and maintain an inventory of their locations to inform local emergency response personnel and educate the public of the dangers associated with these structures during a catastrophic event.	S2-7	CDD	5 years

Attachment: General Plan Implementation Strategies (1170 : Prioritization)

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Safety Implementation Actions		Relevant Policies	Responsible Department	Time Frame
6.3 Flood Hazards				
S 10	Work with the San Bernardino County Flood Control District to update and implement the Master Plan of Drainage for the near- and long-term protection of the community and its residents. Encourage the county to develop and include strategies to address local drainage issues unique to Yucca Valley's desert environment, such as drainage over private properties in semi-developed areas and unpaved roads that cross natural drainage areas that cannot be remedied by standard measures in the existing Master Plan, which typically applies to more urbanized areas.	S3-1 S3-4 S3-10	PW	1 year, Ongoing
S 11	Continue to disseminate information on flooding, flood control on private property, floodplains, and flood preparedness to the public at Town Hall and on the Town's website.	S3-8	CDD	Ongoing
S 12	Periodically review county, state, and federal flood control best practices and incorporate appropriate standards into the Municipal Code.	S3-5 S3-6 S3-7	CDD	Ongoing
S 13	Apply for grants that provide funding for local drainage controls. CalEPA and the CA State Water Resources Control Board both offer grants to municipalities throughout California.	S3-2	CDD, PW	5 years
S 14	Secure a Conditional Letter of Map Revision (CLOMAR) and final map amendment recognizing the redesignation of the 100-year flood plain within the Town boundaries.	S3-8	CDD	Based upon available funding
S 15	Enforce onsite retention of stormwater and runoff, plus a minimum of 10 percent above the incremental increase, through the development review process and routine site inspections.	S3-11	CDD	Ongoing
S 16	Communicate with FEMA regarding Flood Insurance Rate Maps.	S3-9	CDD	Ongoing
S 17	Map areas that frequently flood to track priority places for infrastructure improvements. Use this data to apply for grant funding.	S3-2 S3-8	CDD, PW	Ongoing
6.4 Wildland Fire Hazards				
S 18	Continue to implement San Bernardino County Fire Department standards that include wildfire safety planning measures, including buffer space and defensible space requirements (100 ft. around structures adjacent to wildland areas).	S4-1 S4-4 S5-5	CDD	Immediate, Ongoing
S 19	Disseminate information on wildfire hazard zones at Town Hall and on the Town's website by making available/ posting a link to the Wildfire Hazards Map.	S4-2	CDD	Immediate
S 20	Coordinate with the Hi-Desert Water District to monitor peak water supply to ensure adequate capacity in the event of an urban fire, wildfire, or other emergency.	S4-3	CDD, OES (Office of Emergency Services)	Ongoing
S 21	In conjunction with the San Bernardino County Fire Department, assess the need for fuel modification zones (greenbelts, fuel breaks, fuel reduction, and buffer zones) around new and existing development to mitigate potential losses due to wildfire.	S4-4	CDD	1 year
S 22	Update the Wildfire Hazards Map as needed.	S4-5	CDD	Ongoing

IMPLEMENTATION

Safety Implementation Actions		Relevant Policies	Responsible Department	Time Frame
6.5 Extreme Weather				
S 23	Develop a guide for protecting homes and businesses from extreme weather conditions. Include ideas for protective architectural features, wind barriers, and drought-resistant landscaping.	S5-1	CDD	5 years
6.6 Hazardous Materials				
S 24	Update the inventory of all hazardous materials sites, including underground storage tanks.	S6-5 S6-6	CDD	Ongoing
S 25	Work with the County of San Bernardino's Hazardous Material Division to distribute information to the community on the proper disposal, handling, transport, delivery, treatment, recovery, recycling, and storage of hazardous materials. Include disposal and recycling locations that are closest to Yucca Valley as well as emergency contact information. Make the information available at Town Hall and on the Town's website.	S6-1 S6-4	CDD	Ongoing
S 26	Stay up to date on hazardous materials associated with industrial and commercial uses by communicating with county, state, and federal agencies.	S6-2	CDD	Ongoing
S 27	Make information available to local businesses for incentives to reduce the generation of hazardous waste. Program components can include rebates for recycling; apply for grant funding through CalRecycle.	S6-3	CDD	Ongoing
S 28	Require new businesses handling hazardous materials to submit a Business Plan consistent with County Fire Department standards for handling, storing, transporting, and disposing of hazardous materials and wastes. The plan should be submitted as a part of the development approval process.	S6-9	CDD	Ongoing
S 29	Communicate with the San Bernardino County Fire Department and other regulators of hazardous materials to enforce safe handling of hazardous materials.	S6-8 S6-10	CDD	Ongoing
6.7 Emergency Services				
S 30	Review and update the Emergency Operations Plan with local key staff members, including medical, fire, police, etc., to ensure that the Town is adequately prepared for most likely and demanding emergency disasters.	S7-4	OES	Annually (required by state law)
S 31	Work with San Bernardino County Sheriff and Fire Departments to create an educational program to enhance awareness of public safety. Components of the program could include a brochure, a workshop, a booth at community events, and additional information posted to the Town's website. Topics can include earthquakes, urban and wildfires, severe weather conditions, hazardous materials, and flooding.	S7-7	CDD	Ongoing
S 32	Cooperate and coordinate with other agencies and utility companies in the preparation of public information materials to assist residents and business owners in responding to local disasters. Provide the public information materials at Town Hall and on the Town's website.	S7-6	CDD	Ongoing

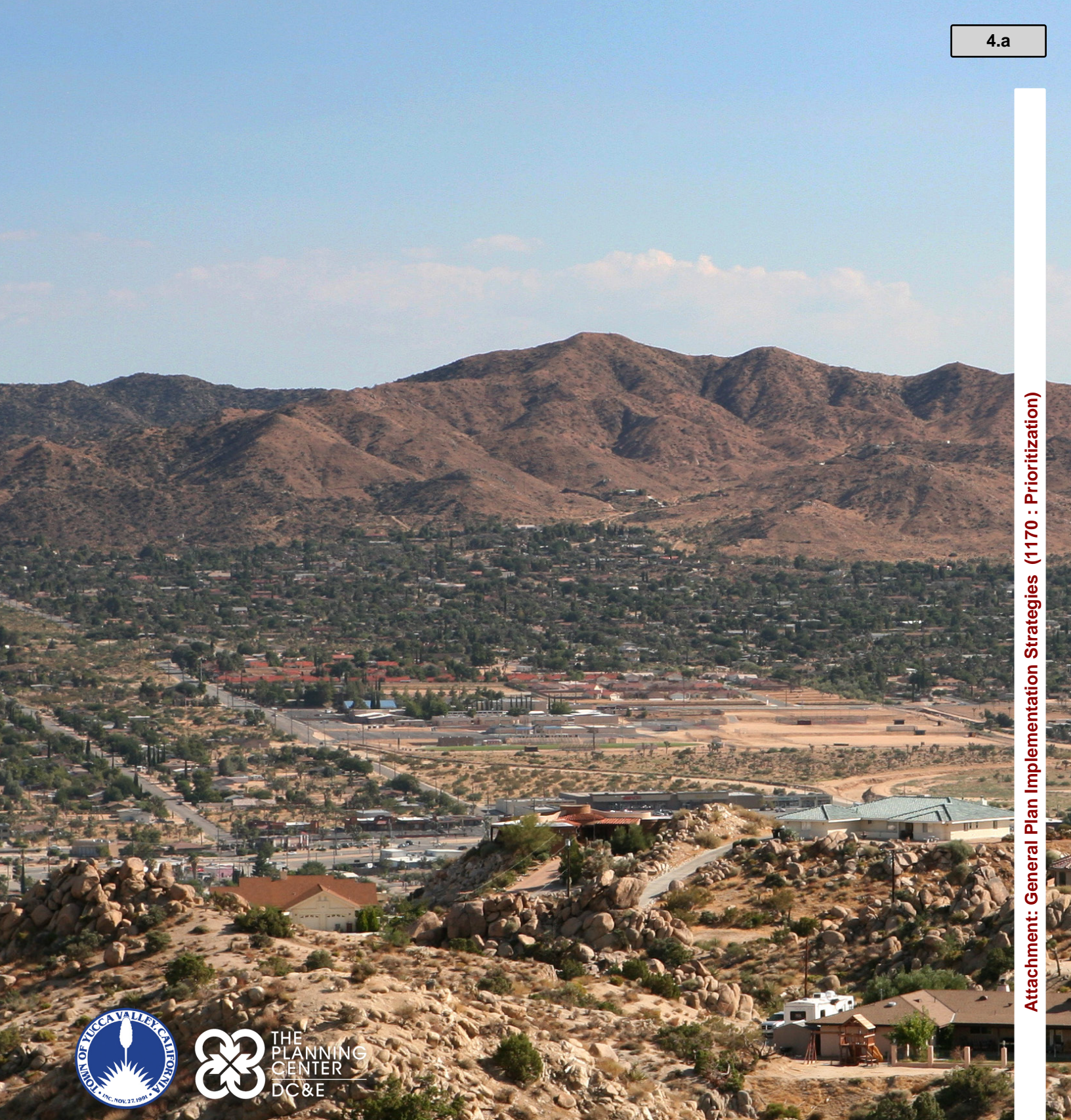
IMPLEMENTATION

Safety Implementation Actions		Relevant Policies	Responsible Department	Time Frame
S 33	When feasible, encourage ongoing education for Town staff to better understand local natural and human-made hazards and how they can affect development proposals and disrupt vital services.	S7-4	CDD	Immediate, Ongoing
S 34	Encourage the San Bernardino County Sheriff to evaluate new development applications for consistency with Crime Prevention Through Environmental Design (CPTED) principals as a part of project review.	S7-3	CDD, Sherriff	Ongoing
S 35	Maintain the Town of Yucca Valley Hazards Mitigation Plan and update it to include hazardous materials and the emergency evacuation routes with guidance for signage. Continue to make it available to the public at Town Hall and on the Town's website.	S7-4 S7-5	CDD, Town Manager	1 year, Ongoing
S 36	Communicate with the San Bernardino County Sheriff and Fire Departments to ensure an adequate level of service.	S7-1	Town Manager	Ongoing
S 37	Analyze the possibility of establishing a Public Safety Assessment District to offset the costs of providing police and fire services to new development.	S7-2	Town Council	Ongoing
S 38	Encourage the County Fire Department to conduct periodic inspection of commercial, industrial, and institutional buildings and multifamily developments to ensure fire code compliance and to educate building and development managers on fire safety issues.	S7-6	CDD, B&S	Ongoing

Noise Implementation Actions		Relevant Policies	Responsible Department	Time Frame
7.1 Noise Sensitive Land Uses				
N 1	Update the Development Code to: <ul style="list-style-type: none"> a) Establish noise exposure standards that trigger project-specific studies for noise-sensitive uses proposed along SR-62 and SR-247. b) Provide development standards and design guidelines that include a variety of mitigation measures to reduce noise impacts to sensitive uses. c) Establish truck delivery times and exterior noise generation limits for commercial, industrial, and mixed-use projects abutting residential development. d) Require new construction of noise-sensitive uses within the 65+ CNEL contour to demonstrate compliance with exterior and interior noise standards. 	N1-1 N1-2 N1-3	CDD	2 years
7.2 Transportation-Related Noise				
N 2	Study the cost of installation and maintenance of rubberized asphalt for road improvements and new roads to reduce vehicle-related noise and apply where practicable.	N1-5	CDD & PW	5 years

IMPLEMENTATION

Noise Implementation Actions		Relevant Policies	Responsible Department	Time Frame
N 3	Conduct traffic studies and speed surveys to evaluate traffic volumes and speeds, use the 85 th percentile speed rationale for determining when to implement speed and noise reduction measures.	N1-5 N1-6	PW	5 years
N 4	Communicate with CalTrans to: <ul style="list-style-type: none"> a) Review and comment on any noise mitigating plans for SR-62 or SR-247. b) Support efforts to reduce highway traffic noise in Yucca Valley. c) Stay aware of funding opportunities for roadway noise mitigation in Town. 	N1-7 N1-8	CDD & PW	
N 5	Discuss opportunities to address exposure to motor vehicle noise through project design during the preapplication process.	N1-9	CDD	
N 6	Annually communicate with all law enforcement agencies operating within the Town to specifically encourage the enforcement of the State Vehicle Code noise standards.	N1-10	CDD	1 year
N 7	Periodically communicate with the Yucca Valley Airport District to encourage the enforcement of aircraft noise monitoring and land use compatibility.	N1-11	CCD	
N 8	Consider updating the Development Code to limit the development of heliports and helipads to projects where helicopter access has a Townwide benefit.	N1-12	CDD	2 years
7.3 Non-Transportation-Related Noise				
N 9	Establish a measurable program to monitor noise from stationary sources when complaints or service requests are received.	N1-13	CDD	5 years
N 10	Apply for noise mitigation grants and programs when appropriate.	N1-14	CDD & PW	
N 11	Update the Development Code to: <ul style="list-style-type: none"> a) Include noise generation standards for construction sites b) Establish time limits for refuse collection, street and parking lot sweeping, and other property maintenance operations 	N1-15 N1-16 N1-20 N1-18 N1-19	CDD	2 years
N 12	Establish criteria to be considered when purchasing large or heavy equipment for Town facilities, including noise impacts to onsite and adjacent users.	N1-17	CDD & PW	2 years
7.4 Marine Corps Air Ground Combat Center Noise				
N 13	Periodically communicate with Marine Corps Air Ground Combat Center about intermittent or stationary sources of noise that have the potential to impact people and property in Yucca Valley.	N1-21 N1-22	CDD	Ongoing
N 14	Provide adequate notice of scheduled noise-generating military operations to Yucca Valley residents and businesses through press releases and other appropriate means.	N1-23	CDD	Ongoing



Attachment: General Plan Implementation Strategies (1170 : Prioritization)

