

TOWN OF YUCCA VALLEY  
PLANNING COMMISSION MEETING



*The Mission of the Town of Yucca Valley is to provide a government that is responsive to the needs and concerns of its diverse citizenry and ensures a safe and secure environment while maintaining the highest quality of life*

**TUESDAY**  
**April 12, 2011**  
**6:00 p.m.**

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

\*\*\*\*\*

**PLANNING COMMISSION MEMBERS**

*Robert Lombardo, Chairman*  
*Merl Abel, Commissioner*  
*Mike Alberg, Commissioner*  
*Michael Hildebrand, Commissioner*  
*Tim Humphreville, Commissioner*

## AGENDA

### REGULAR MEETING OF THE TOWN OF YUCCA VALLEY PLANNING COMMISSION 6:00 P.M., TUESDAY, April 12, 2011

*The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's office at (760) 369-7209 at least 48 hours prior to the meeting.*

*If you wish to comment on any subject on the agenda, or any subject not on the agenda during public comments, please fill out a card and give it to the Planning Commission secretary. The Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.*

#### CALL TO ORDER:

#### SWEARING IN OF PLANNING COMMISSION MEMBERS

ROLL CALL: Merl Abel, Commissioner  
Mike Alberg, Commissioner  
Michael Hildebrand, Commissioner  
Tim Humphreville, Commissioner  
Robert Lombardo, Chairman

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

Action: Move by \_\_\_\_\_ 2<sup>nd</sup> by \_\_\_\_\_ Voice Vote \_\_\_\_\_.

#### PUBLIC COMMENTS

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

**PUBLIC HEARINGS:**

P 1-63 1. **CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS**

A request to construct a roof mounted cellular tower consisting of nine panel antennas, 6TMA antennas and 2 GPS antennas behind an extended parapet wall with four (4) equipment cabinets on the ground behind a block wall.

**Recommendation:** That the Planning Commission recommends the project is categorically exempt from CEQA under Section 15332, class 32, Infill Development and recommends approval of Conditional Use Permit, CUP 01-11 to the Town Council, based on the findings in the staff report, and the Conditions of Approval.

**Action:** Moved by \_\_\_\_\_ 2<sup>nd</sup> by \_\_\_\_\_ Voice Vote \_\_\_\_\_

P. 64-89 2. **TENTATIVE PARCEL MAP, TPM 19288 STEVENS**

A request to subdivide a 30,056 square foot (.69 acre) parcel into three (3) 8,160 square foot (.19 acre) parcels with previously constructed single family homes in the residential single family, five (5) units per acre land use designation.

**Recommendation:** That the Planning Commission determines that the project is categorically exempt from CEQA under Section 15332, class 32, Infill Development and approves Tentative Parcel Map, TPM 19288 Stevens based on the findings in the staff report, and the Conditions of Approval.

**Action:** Moved by \_\_\_\_\_ 2<sup>nd</sup> by \_\_\_\_\_ Voice Vote \_\_\_\_\_.

**DEPARTMENT REPORTS:**

P.90 3. **ASSIGNMENT OF TWO COMMISSIONERS TO PARTICIPATE IN THE AFFORDABLE SENIOR HOUSING PROJECT AD HOC COMMITTEE.**

A request that the Planning Commission designate two Commissioners to participate in the Affordable Senior Housing Project ad hoc committee.

**Recommendation:** That the Planning Commission discusses and assigns two Commissioners to participate in the Affordable Senior Housing Project ad hoc committee.

**Action:** Moved by \_\_\_\_\_ 2<sup>nd</sup> by \_\_\_\_\_ Voice Vote \_\_\_\_\_.

**CONSENT AGENDA:**

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

**4. MINUTES –**

A request that the Planning Commission approve as submitted the minutes of the regular meeting held on March 8, 2011 and March 22, 2011.

Action: Moved by \_\_\_\_\_ 2<sup>nd</sup> by \_\_\_\_\_ Voice Vote \_\_\_\_\_.

**STAFF REPORTS AND COMMENTS:**

**FUTURE AGENDA ITEMS:**

April 26, 2011 Conditional Use Permit, CUP 02-11 Nielson Wind Turbines

**COMMISSIONER REPORTS AND REQUESTS:**

Commissioner Abel  
Commissioner Alberg  
Commissioner Hildebrand  
Commissioner Humphreville  
Chairman Lombardo

**ANNOUNCEMENTS:**

The next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, April 26, 2011 at 6:00 p.m.

**ADJOURN**

Planning Commission: April 12, 2010  
**TOWN OF YUCCA VALLEY**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**CURRENT PLANNING DIVISION STAFF REPORT**  
**T-MOBILE HUTCHINS**

---

**Case:** CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS  
CATEGORICAL EXEMPTION FROM CEQA, SECTION 15332, CLASS  
32, INFILL DEVELOPMENT

---

**Request:** A REQUEST TO INSTALL A ROOF MOUNTED CELLULAR TOWER  
CONSISTING OF NINE PANEL ANTENNAS, 6TMA ANTENNAS AND 2  
GPS ANTENNAS COMPLETELY SCREENED BEHIND AN EXTENDED  
PARAPET WALL WITH FOUR (4) EQUIPMENT CABINETS ON THE  
GROUND BEHIND A BLOCK WALL ENCOMPASSING  
APPROXIMATELY 290 SQUARE FEET.

---

**Applicant:** T MOBILE WEST  
3257 E GUASTI  
ONTARIO, CA 91761

---

**Property Owner:**  
CL AND LJ HUTCHINS FAMILY TRUST  
58325 29 PALMS HWY  
YUCCA VALLEY, CA 92284

---

**Representative:**  
BARBARA SAITO  
AVILA, INC  
418 N. CLOVERDALE LANE  
WALNUT, CA 91789

---

**Location:** THE PROJECT IS LOCATED AT HUTCHINS MOTORSPORTS, 58325  
29 PALMS HIGHWAY, ON THE SOUTH SIDE OF 29 PALMS HWY,  
WEST OF PRESCOTT AND IS IDENTIFIED AS APN 601-412-22.

---

**Existing General Plan Land Use Designation:**  
THE SITE IS DESIGNATED GENERAL COMMERCIAL (CG)

---

**Existing Zoning Designation:**  
THE SITE IS DESIGNATED GENERAL COMMERCIAL (CG)

---

Division Approvals:  
Engineering \_\_\_\_\_ Building & Safety \_\_\_\_\_ Public Works \_\_\_\_\_

---

**Surrounding General Plan Land Use Designations:**

NORTH: GENERAL COMMERCIAL (CG) ACROSS 29 PALMS  
HIGHWAY  
SOUTH: MULTI-FAMILY RESIDENTIAL 8 UNITS PER ACRE (RM-8)  
ACROSS PALISADE DRIVE  
WEST: GENERAL COMMERCIAL (CG)  
EAST: GENERAL COMMERCIAL (CG)

---

**Surrounding Zoning Designations:**

NORTH: GENERAL COMMERCIAL (CG) ACROSS 29 PALMS  
HIGHWAY  
SOUTH: MULTI-FAMILY RESIDENTIAL 8 UNITS PER ACRE (RM-8)  
ACROSS PALISADE DRIVE  
WEST: GENERAL COMMERCIAL (CG)  
EAST: GENERAL COMMERCIAL (CG)

---

**Surrounding Land Use:**

NORTH: VACANT LAND ACROSS 29 PALMS HIGHWAY  
SOUTH: EXISTING SINGLE FAMILY RESIDENCES AND VACANT  
LOTS  
WEST: MEDICAL BUILDING  
EAST: VACANT LAND AND MEDICAL BUILDINGS

---

**Public Notification:**

PURSUANT TO SECTION 83.030115, LEGAL NOTICE IS REQUIRED  
TO BE GIVEN TO ALL PROPERTY OWNERS WITHIN A THREE (300)  
HUNDRED FOOT RADIUS OF THE EXTERIOR BOUNDARIES OF THE  
SUBJECT SITE. THIS PROJECT WAS POSTED ON **TUESDAY  
MARCH 17, 2011 AND PUBLISHED ON MARCH 30, 2011**. THERE HAS  
BEEN NO WRITTEN RESPONSES RECIEVED AS OF THE WRITING  
OF THIS STAFF REPORT.

---

---

**RECOMMENDATION:**

**CONDITIONAL USE PERMIT, CUP 01-11:** Based upon the findings contained within the Staff report and the included Conditions of Approval that the Planning Commission recommends to the Town Council:

- a) That the project is categorically exempt from CEQA under Section 15332, class 32, In-fill Development; and
- b) Recommends approval of Conditional Use Permit, CUP 01-11, for the construction a roof mounted cellular tower consisting of nine panel antennas, 6TMA antennas and 2 GPS antennas completely screened behind an extended parapet wall with four (4) equipment cabinets on the ground behind a block wall encompassing approximately 290 square feet.

Project manager: Robert Kirschmann

Reviewed by: Shane Stueckle

**Appeal Information:**

Actions by the Planning Commission, including any finding that a negative declaration be adopted, may be appealed to the Town Council within 10 calendar days. Appeal filing and processing information may be obtained from the Planning Division of the Community Development Department. Per Section 83.030145 of the Development Code, minor modifications may be approved by the Planning Division if it is determined that the changes would not affect the findings prescribed in Section 83.030140 of the Development Code, Required Findings, and that the subject of the proposed changes were not items of public controversy during the review and approval of the original permit, including modifications to phasing schedules for the project.

## I. GENERAL INFORMATION

**PROJECT DESCRIPTION:** A request to construct a roof mounted cellular tower consisting of nine panel antennas, 6TMA antennas and 2 GPS antennas completely screened behind an extended parapet wall with four (4) equipment cabinets on the ground behind a block wall encompassing approximately 290 square feet.

**LOCATION:** The project is located at Hutchins Motorsports 58325 29 Palms Highway, and is identified as APN 601-412-22.

<b><u>PROJECT SYNOPSIS:</u></b>	<b><u>SITE COVERAGE</u></b>
PROJECT AREA	2.72 acres
BUILDING AREA	No new buildings are proposed Existing building is 15,000 square feet
PHASED CONSTRUCTION:	No
FLOOD ZONE	Map 8120 Zone X, area outside the floodplain
ALQUIST PRIOLO ZONE	No
OFF-SITE IMPROVEMENTS REQ.	Off-site improvements are pre-existing
ASSESSMENT DISTRICTS REQ.	No
RIGHT-OF-WAY DEDICATION REQ.	Existing
UTILITY UNDERGROUNDING:	All new service lines shall be underground in conformance to Ordinance 169
AIRPORT INFLUENCE AREA:	Located within the horizontal surface and safety review area 3 of the airport
TRAILS & BIKE LANE MASTER PLAN	No facilities on or adjacent to the project
PUBLIC FACILITY MASTER PLAN	No facilities on or adjacent to the project.



PARKS AND RECREATION MASTER PLAN	No facilities on or adjacent to the project
MASTER PLAN OF DRAINAGE:	No facilities on or adjacent to the project
STATE OF CALIFORNIA STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REQUIRED:	No, less than 1 acre disturbed
REDEVELOPMENT PROJECT AREA:	No
STREET LIGHTS:	Not applicable
SPECIFIC PLAN/ PLANNED DEVELOPMENT AREA:	No
FUTURE PLANNING COMMISSION ACTION REQUIRED	No
FUTURE TOWN COUNCIL ACTION REQUIRED	Yes, wireless facilities greater than 30' require Town Council approval

## II. PROJECT ANALYSIS

**GENERAL PLAN CONSIDERATION:** The proposed project is located in the General Commercial land use designation. Wireless facilities are permitted in this land use district subject to review and approval of a Conditional Use Permit. The project is also located with 5,000 feet of a scenic highway (Twentynine Palms Highway) as designated in the General Plan. Special consideration must be given to these locations, according to the criteria set forth in the Development Code. The project has been designed to meet these criteria.

Ordinance 114 designates area within 5,000 feet of a scenic highway a "Special Design Area". As a Special Design Area, the antenna must meet certain standards. The proposed facility meets each of these requirements. Each standard is listed and discussed under the discussion portion of the Staff report.

The purpose of Ordinance 114 is to "provide site selection and general standards applicable to wireless communications facilities, as well as special design standards for Town entry points, scenic corridors, and buffer areas in order to protect and enhance aesthetic and scenic values reflecting the community's image and character consistent with the goals and policies of the General Plan". The project proposes to conceal the antenna entirely behind an extended parapet wall. The four proposed equipment cabinets will be screened behind a block wall. The concealments will screen all of the

equipment and antennas from public view. The use, therefore, is consistent with the General Plan, and the land use is compatible with surrounding development.

**ENVIRONMENTAL CONSIDERATIONS:** The project is exempt from the California Environmental Quality Act under Section 15332, class 32, Infill Development.

**ADJACENT LAND USES:** The project site is located at the existing Hutchins Motorsports building. To the north across Twentynine Palms Highway is vacant commercial land. To the east and west are existing commercial medical buildings. To the south, across Palisade Drive are single family residences and vacant residential lots. The subject and properties to the east, west and north are all designated General Commercial. The area to the south are designated RM8, Multi-family residential 8 units to the acre.

**SITE CHARACTERISTICS:** The site is developed with a 15,000 square foot commercial building, parking, landscaping and retention areas.

**BUILDING ELEVATIONS:** No buildings are proposed, however the existing parapet wall will be extended an additional 5'. This increase will provide full screening of the antennas.

The project will also be installing a 290 square foot, 6' tall block enclosure. This enclosure will contain four (4) equipment cabinets required for the tower. The plans call for a CMU wall with a decorative top course. The wall as proposed would match the existing wall the runs north and south along the west property line. Since the enclosure is on the opposite side of the property from the block wall staff is recommending and included a condition of approval to stucco the exterior of the wall to match the existing building. Staff discussed this condition with the applicant and had no objections to the condition.

**ROADWAY IMPROVEMENTS:** No roadway improvements are recommended as part of this project.

**ASSESSMENT DISTRICTS:** No assessment districts are recommended as part of this project.

**DISCUSSION:** Wireless facilities are permitted in any land use district subject to the review and approval of a Conditional Use Permit. The Town adopted Ordinance 114, which provides specific criteria for the location, size and type of antennas, and the procedures required for their approval.

In this case, the applicant proposes to extend a parapet wall a total of 5' in height to screen the antenna. This will bring the total height of the building to 35'. The General Commercial Land Use District permits buildings up to 40' in height. Therefore, the request would comply with height requirements. The ground-based equipment for the antenna will be located inside of 4 new cabinets completely enclosed in an approximately 290 square foot area.

The site is located in a "Special Design Area," as defined by Ordinance 114, insofar as it is within 5,000 feet of a scenic highway (Twentynine Palms Highway). As a Special Design Area, the antenna must meet standards. Each standard is summarized below, and how the proposed project meets those standards is described.

- A) *Antennas to be located on existing structures, or on natural topography, or disguised to be compatible with Town's character.*

The proposed antenna is located on an existing building and will be completely screened behind a parapet wall, thus meeting this criteria.

- B) *Antenna should not extend beyond buildings in the area.*

The proposed antenna meets this criterion, as it will be the same height as the proposed extension of the parapet wall.

- C) *Free-standing antenna should be disguised to look like a tree, building or other structure.*

The proposed wireless facility is attached to an existing building and this criteria does not apply.

- D) *Disguised free-standing antennas must be 275 feet from residentially zoned property.*

The proposed wireless facility is attached to an existing building and this criteria does not apply.

- E) *The location shall be landscaped to screen equipment.*

The block enclosure will screen all equipment cabinets from public view. There is existing landscaping the will help to provide additional screening. A condition of approval has been included that requires any disturbed landscaping to be repaired or replaced prior to issuance of a certificate of occupancy. This condition was discussed with the applicant and there were no objections at that time.

In summary, the application satisfies the Town's criteria for a wireless facility. The findings for approval can be made. Ordinance 114 also requires those antennas which are over 30 feet in height be reviewed by the Planning Commission and by the Town Council. Therefore, the Planning Commission is requested to recommend to the Town Council approval of the proposed CUP in this case.

**CONDITIONAL USE PERMIT FINDINGS:**

- (a) The location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of the land use district in which the site is located, and the development policies and standards of the Town;  
*The proposed wireless facilities will be screened behind an extended parapet wall on an existing commercial building. The ground mounted equipment cabinets will be screened behind a 6' tall block wall. The proposed wireless facility is consistent with General Plan policies.*
- (b) The location, size, design and architectural design features of the proposed structures and improvements are compatible with the site's natural landform, surrounding sites, structures and streetscapes;  
*The proposed wireless facility will extend the existing parapet wall five (5) feet in height. The wall will be stucco and painted to match the existing building. The proposed wireless facility is compatible with the site and surrounding sites, structures and streetscapes.*
- (c) The proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses;  
*The proposed wireless facility is comparable to other commercial buildings. The maximum height will be 35', which is permitted in the General Commercial Land Use District. The lot to the west is graded approximately four (4) to five (5) feet higher than the proposed site. The medical building that was constructed on this lot is approximately 27 feet in height. This will provide for a compatible transition in scale between the commercial buildings. The land to the south of the site is designated as Multi-family residential 8 units to the acre. It is currently developed with single family residences and vacant lots. Both the Multi-family and Single Family residential land use designations permit heights to 35'. Additionally the site is situated approximately 5' below Palisade Drive. This will help to provide transition to the single family residences to the south. The wireless facility is compatible with the surrounding development.*
- (d) The building site and architectural design is accomplished in an energy efficient manner;  
*No new buildings are proposed as part of this request. The tower and all equipment shall be required to meet all standards specified in the Building Code.*
- (e) The materials, textures and details of the proposed construction, to the extent feasible, are compatible and consistent with the adjacent and neighboring structures;  
*The extended parapet wall will be stucco and painted to match the existing building. The block wall is designed to match the existing wall on site. Staff is recommending a condition of approval that would require the block wall to*

*be stucco. This would allow the enclosure to blend better with the adjacent building. The parapet wall and block wall are compatible and consistent with the adjacent and neighboring structures.*

- (f) The development proposal does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;  
*The applicant has provided visual simulations from various points of view. Only a small portion of the existing parapet wall will be extend a maximum of five (5) feet in height. The proposed wireless facility will not unnecessarily block views or dominate surrounding land uses.*
- (g) That the amount, location, and design of open space and landscaping conforms to the requirements of the Development Code, enhances the visual appeal and is compatible with the design and functions of the structure(s), site and surrounding area;  
*The antenna will be located on the roof, behind an extended parapet wall. There are four (4) equipment cabinets proposed to be screened by a six (6) foot tall block wall. This enclosure will be in an existing landscape planter; however there will still be adequate landscaping provided onsite.*
- (h) The quality in architectural design is maintained in order to enhance the visual desert environment of the Town and to protect the economic value of existing structures;  
*The extended parapet wall will be stucco and painted to match the existing building. The integrity of the architecture of the building will not be affected by a five (5) foot extension of an existing parapet wall.*
- (i) There are existing public facilities, services, and utilities available at the appropriate levels and/or that new or expanded facilities, services and utilities shall be required to be installed at the appropriate time to serve the project as they are needed;  
*Utility services required to facilitate this development such as water and electric are currently on the site and accessible to the proposed development.*
- (j) That access to the site and circulation on and off-site is required to be safe and convenient for pedestrians, bicyclists, equestrians and motorists;  
*No changes are requested or required to the circulation as a result of this proposal. The site will have access via several internal driveways and pedestrian walkways.*
- (k) That traffic generated from the proposed project has been sufficiently addressed and mitigated and will not adversely impact the capacity and physical character of surrounding streets;  
*The wireless facility and equipment cabinets are unmanned and require infrequent visitation and maintenance. The project will have no traffic impact of change the capacity/ physical character of the surrounding streets.*

- (l) That traffic improvements and/or mitigation measures have been applied or required in a manner adequate to maintain a Level of Service C or better on arterial roads, where applicable, and are consistent with the Circulation Element of the Town General Plan;  
*The wireless facility and equipment cabinets are unmanned and require infrequent visitation and maintenance. No traffic improvements or mitigation measures are required for this project.*
  
- (m) There will not be significant harmful effects upon environmental quality and natural resources including endangered, threatened, rare species, their habitat, including but not limited to plants, fish, insects, animals, birds or reptiles;  
*The wireless facility will be constructed on an existing developed commercial site that includes a 15,000 square foot building, parking, landscaping and retention areas. The addition of this wireless facility will not have harmful effects on the environmental quality and natural resources.*
  
- (n) There are no other relevant or anticipated negative impacts of the proposed use that cannot be mitigated and reduced to a level of non-significance in conformance with CEQA, the California Environmental Quality Act;  
*The proposal is exempt from the California Environmental Quality Act (CEQA) Section, 15332, Class 32 Infill Development. There are no anticipated effects to the environment*
  
- (o) The impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained will not be considered to be detrimental to the public health, safety and welfare of the community or be materially injurious to properties and/or improvements within the immediate vicinity or be contrary to the General Plan; and  
*There are no anticipated issues resulting from the approval of this project that would be detrimental to the public health, safety and welfare of the community.*
  
- (p) The proposed development will comply with each of the applicable provisions of the Development Code, and applicable Town policies, except approved variances.  
*The project, as conditioned will comply with applicable provisions of the Development Code and Town Policies. No variances are proposed.*

**Attachments:**

1. Standard Exhibits
2. Application materials
3. Site Plans & Elevations
4. Photo Sims
5. Coverage Maps
6. Notice of Hearing
7. Notice of Exemption
8. Ordinance 114, Wireless Communications

**TOWN OF YUCCA VALLEY  
COMMUNITY DEVELOPMENT DEPARTMENT  
RECOMMENDED CONDITIONS OF APPROVAL  
T-MOBILE HUTCHINS**

A request to construct a roof mounted cellular tower consisting of nine panel antennas, 6TMA antennas and 2 GPS antennas behind an extended parapet wall with four (4) equipment cabinets on the ground behind a block wall enclosing an area of 290 square feet. The project is located at Hutchins Motorsports 58325 29 Palms Highway, and is identified as APN 601-412-22.

**GENERAL CONDITIONS**

- G1. The applicant shall agree to defend, indemnify and hold harmless the Town of Yucca Valley, its agents, officers and employees, at his sole expense, against any action, claim or proceedings brought against the Town or its agents, officers or employees, to attack, set aside, void, or annul this approval or because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the Town of Yucca Valley Development Code. The applicant shall reimburse the Town, its agents, officers, or employees for any court costs, and attorney's fees which the Town, its agents, officers or employees may be required by a court to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition. The Town shall promptly notify the applicant of any claim, action or proceedings arising from the Town's approval of this project, and the Town shall cooperate in the defense.
- G2. This Conditional Use Permit shall become null and void if construction has not commenced within three (3) years of the Town of Yucca Valley date of approval. Extensions of time may be granted by the Planning Commission and/or Town Council, in conformance with the Town of Yucca Valley Development Code. The applicant is responsible for the initiation of an extension request.

**Approval Date: April 12, 2011**

**Expiration Date: April 12, 2014**

- G3. The applicant shall ascertain and comply with requirements of all State, County, Town and local agencies as are applicable to the project area. These include, but are not limited to, Environmental Health Services, Transportation/Flood Control, Fire Warden, Building and Safety, State Fire Marshal, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water



Quality Control Board, the Federal Emergency Management Agency, MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town Departments.

- G4. All conditions are continuing conditions. Failure of the applicant to comply with any or all of said conditions at any time shall result in the revocation of the approval on the property.
- G5. No on-site or off-site work shall commence without obtaining the appropriate permits for the work required by the Town and the appropriate utilities. The approved permits shall be readily available on the job site for inspection by Town personnel.
- G6. The applicant shall pay all fees charged by the Town as required for application processing, plan checking, construction and/or electrical inspection. The fee amounts shall be those which are applicable and in effect at the time work is undertaken and accomplished. Fees for entitlement prior to construction permits are based on estimated costs for similar projects. Additional fees may be incurred, depending upon the specific project. If additional fees for services are incurred, they must be paid prior to any further processing, consideration, or approval(s).
- G7. All improvements shall be inspected by the Town as appropriate. Any work completed without proper inspection may be subject to removal and replacement under proper inspection.
- G8. All refuse shall be removed from the premises in conformance with Yucca Valley Town Code 33.083.
- G9. During construction, the applicant shall be responsible to sweep public paved roads adjacent to the project as necessary and as requested by the Town staff to eliminate any site related dirt and debris within the roadways. During business activities, the applicant shall keep the public right-of-way adjacent to the property in a clean and sanitary condition.
- G10. No staging of construction equipment or parking of worker's vehicles shall be allowed within the public right-of-way.
- G11. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB 1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a qualified licensed land surveyor or civil engineer to reset those monuments per Town Standards and file the necessary information with the County Recorder's office as required by law (AB 1414).

## **PLANNING CONDITIONS**

- P1. In accordance with Ordinance 169, utility undergrounding shall be required for all new service and distribution lines that provide direct service to the property being developed; existing service and distribution lines that are located within the boundaries being developed; existing service and distribution lines between the street frontage property line and the centerline of the adjacent streets of the property being developed; existing Service and Distribution lines located on adjacent properties along or within 10 feet of the lot lines of the property being developed; or existing service and distribution lines being relocated as a result of a project.
- P2. All exterior lighting shall comply with the Ordinance 90, Outdoor Lighting and shall be illustrated on all construction plans.
- P3. The proposed block wall shall be stucco and painted to match the existing building.
- P4. Prior to final inspection the landscaping surround the block enclosure shall be restored and designed to help screen the block wall.

## **ENGINEERING CONDITIONS**

- E1. Prior to any work being performed within the public right-of-way, the applicant shall pay the required fees and obtain an encroachment permit from the Department of Community Development. The applicant shall apply for an encroachment permit from the Town for utility trenching, utility connection, or any other encroachment onto public right-of-way. The applicant shall be responsible for the associated costs and arrangements with each public utility.
- E2. Prior to any work being performed within the public right-of-way, the applicant shall provide the name, address, telephone, facsimile number, and e-mail address of the contractor to perform the work. A description of the location, purpose, method of construction, and surface and subsurface area of the proposed work shall be supplied. A plat showing the proposed location and dimensions of the excavation and the facilities to be installed, maintained, or repaired in connection with the excavation, and such other details as may be required by the Town Engineer shall be provided.
- E4. The applicant shall restore any pavement cuts required for installation or extension of utilities for the project within the public right-of-way. In all cases where cuts are allowed, the applicant is required to patch the cuts to City standards and the approval of the Town Engineer. The patching shall include a grinding of the pavement to a width 5 feet beyond the edge of the trench on each side, or as determined by the Town Engineer, and replacement with a full-depth asphalt concrete recommended by the Soils Engineer.

- E5. The applicant shall observe the construction of this project to make certain that no damage or potential for damage occurs to adjacent roadway, existing improvements, adjacent property, and other infrastructure. The applicant shall be responsible for the repair of any damage occurring to offsite infrastructure as determined by the Town Engineer. The applicant shall repair any such damage prior to certificate of occupancy. If the damage is such that it cannot be repaired within a reasonable amount of time as determined by the Town Engineer, the applicant may petition the Town Engineer for additional conditions that may allow the time, amount of surety, or other requirements to repair the damage.

## **BUILDING AND SAFETY CONDITIONS**

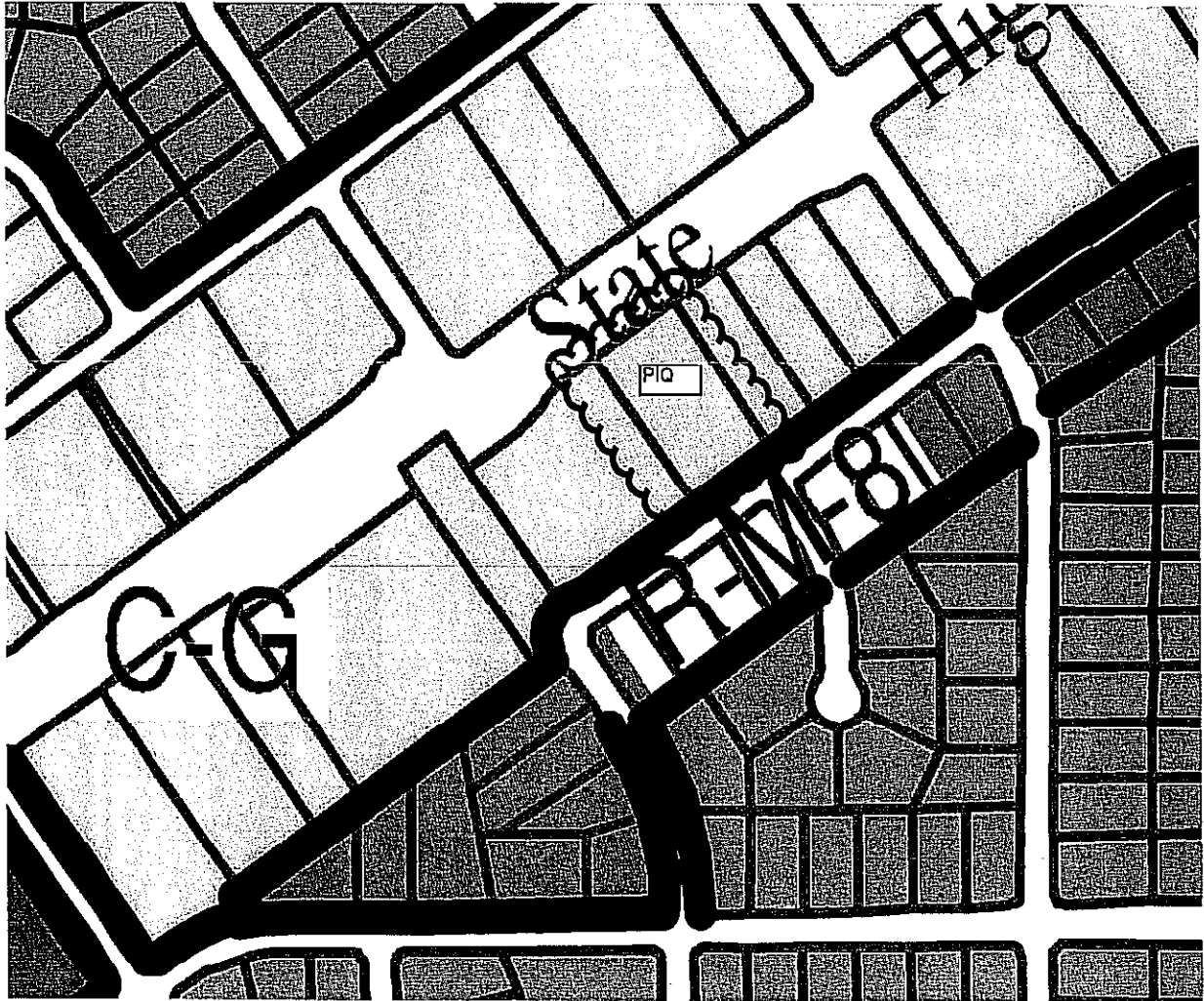
- B1. Prior to the delivery of combustible materials, the following items shall be accepted as complete:
- a. The water system is functional from the source of water past the lots on which permits are being requested (i.e. All services are installed, valves are functional and accessible, etc.); and
  - b. Fire hydrants are accepted by the Fire Marshal and the Hi Desert Water District. The fire hydrants associated with each phase shall be functioning prior to issuance of building permits.
- B2. The applicant shall submit three sets of plans to the Building and Safety Dept. for plan check and approval prior to the installation of any equipment.
- B3. At the time of building plan check submittal, the applicant shall provide approval from the San Bernardino County Fire Dept.
- B4. At the time of permit issuance the applicant shall be responsible for the payment of fees associated with electronic file storage of documents.
- B5. The applicant shall pay Development Impact Fees in place at the time of issuance of Building Permits.
- B6. Prior to final inspection, all required improvements shall be constructed and finalized and accepted by the appropriate agency prior to the issuance of a Certificate of Occupancy.

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

# TOWN OF YUCCA VALLEY

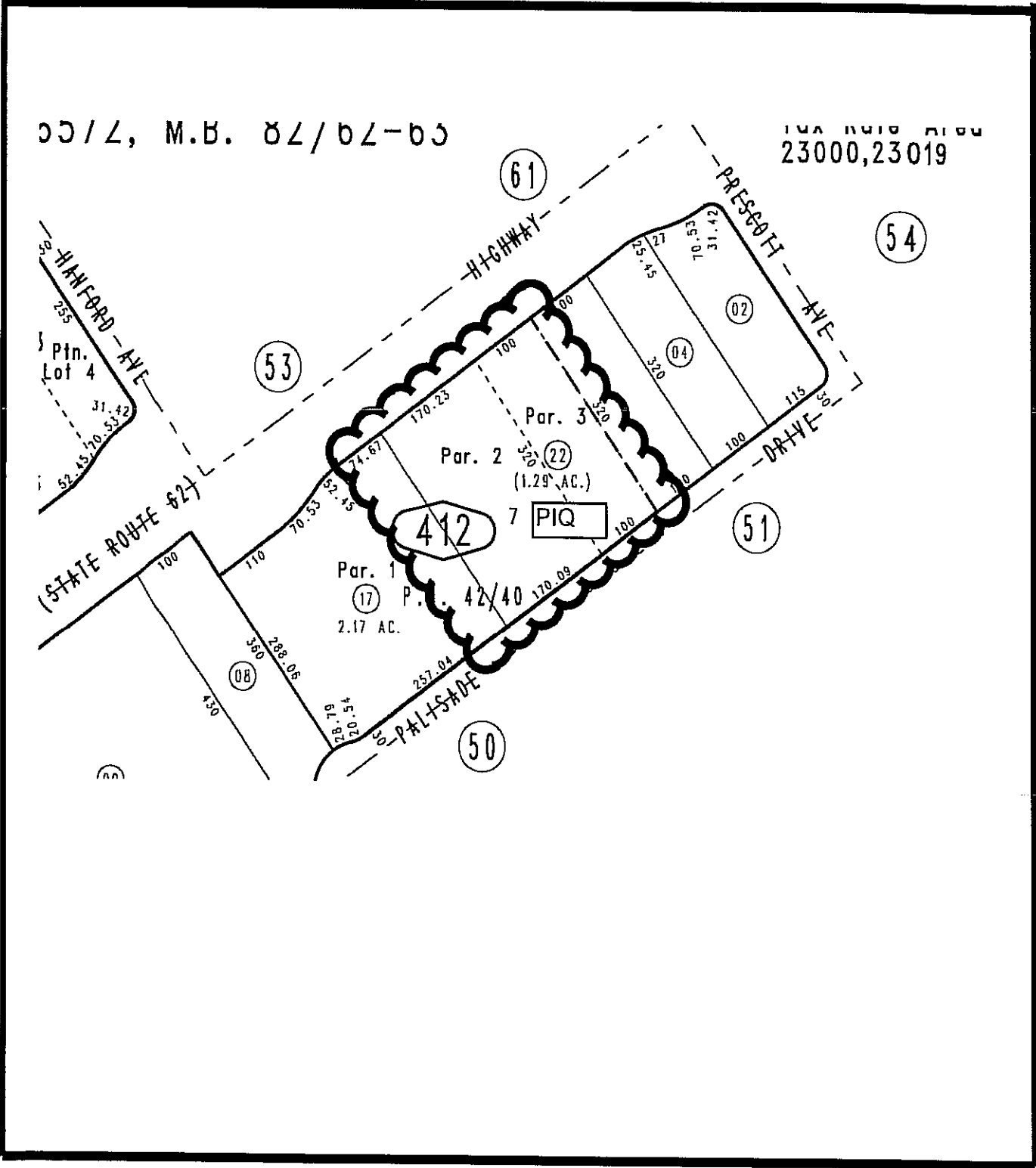
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS



ZONING AND GENERAL PLAN LAND USE MAP

# TOWN OF YUCCA VALLEY

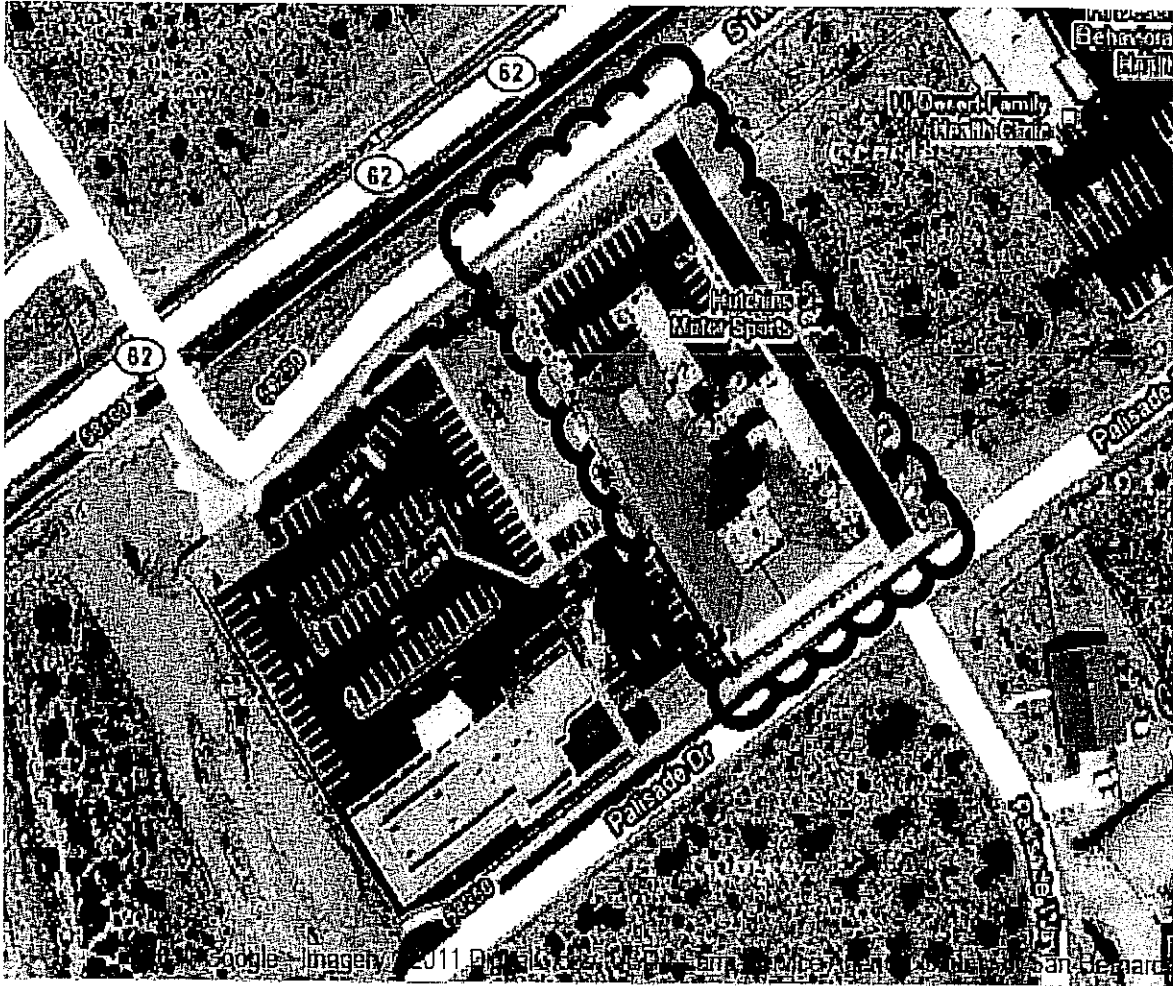
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS



Assessor's Parcel Map

# TOWN OF YUCCA VALLEY

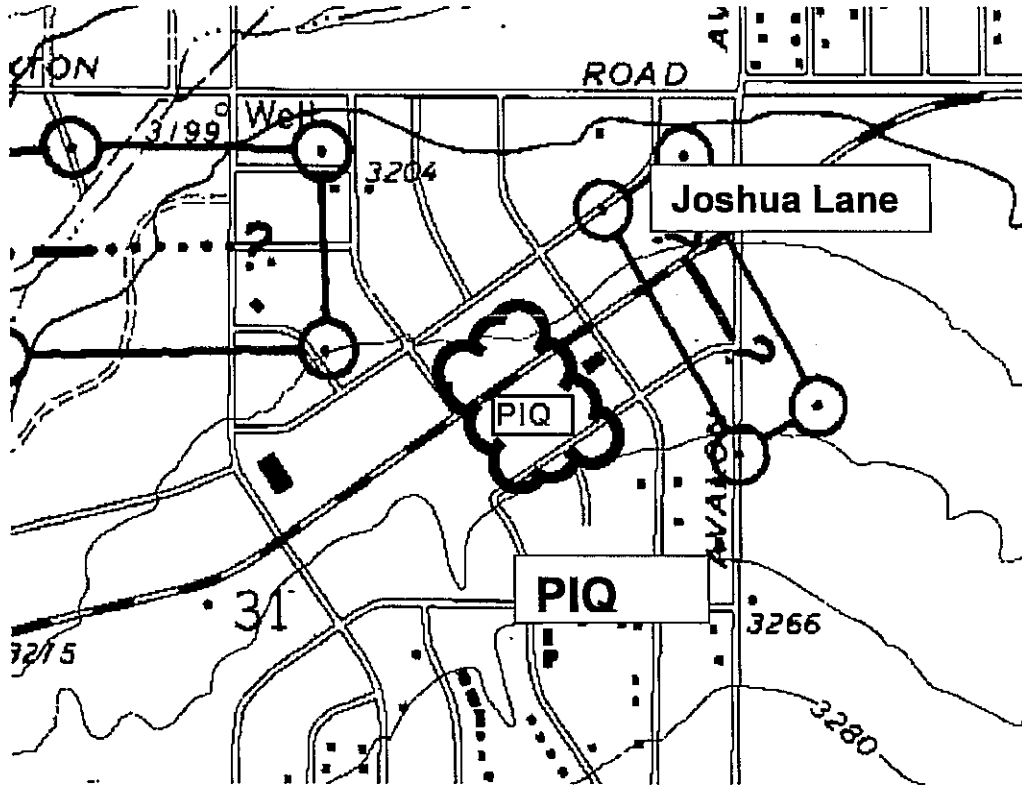
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS



**AERIAL PHOTO**

# TOWN OF YUCCA VALLEY

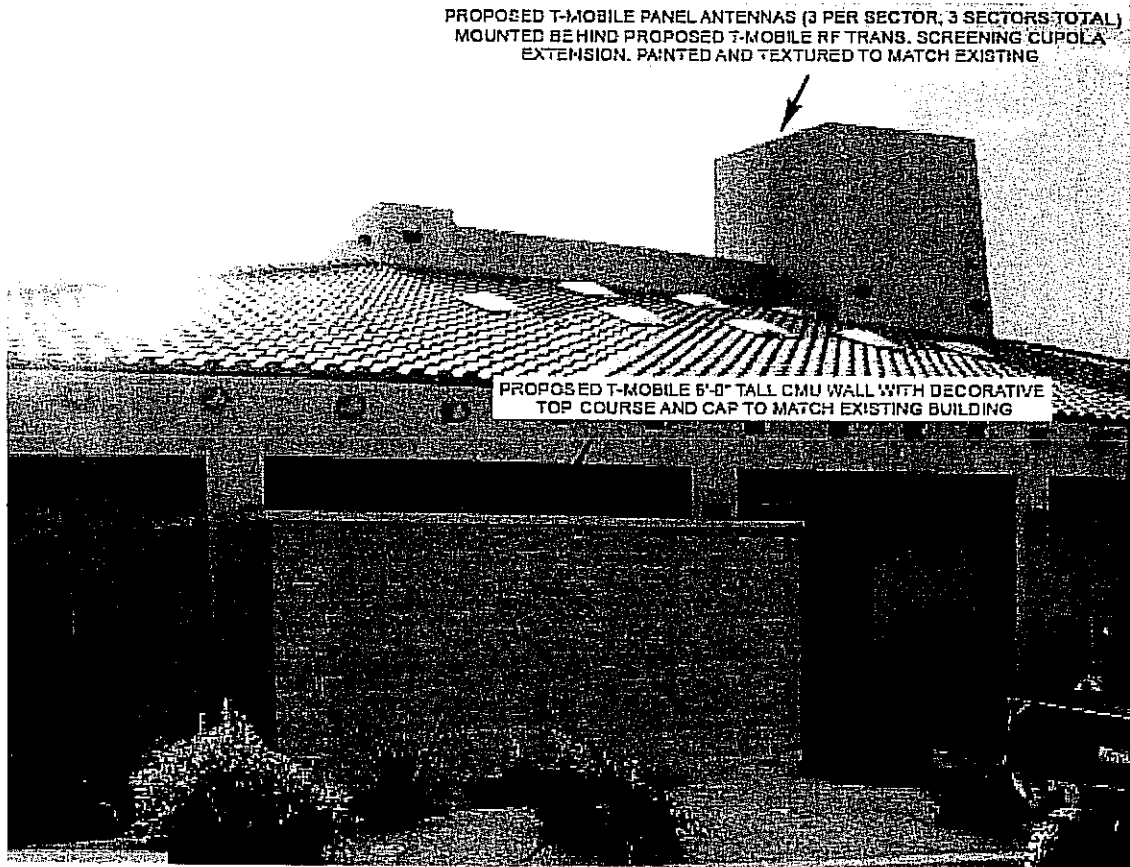
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS



**Alquist-Priolo Map**

# TOWN OF YUCCA VALLEY

PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS

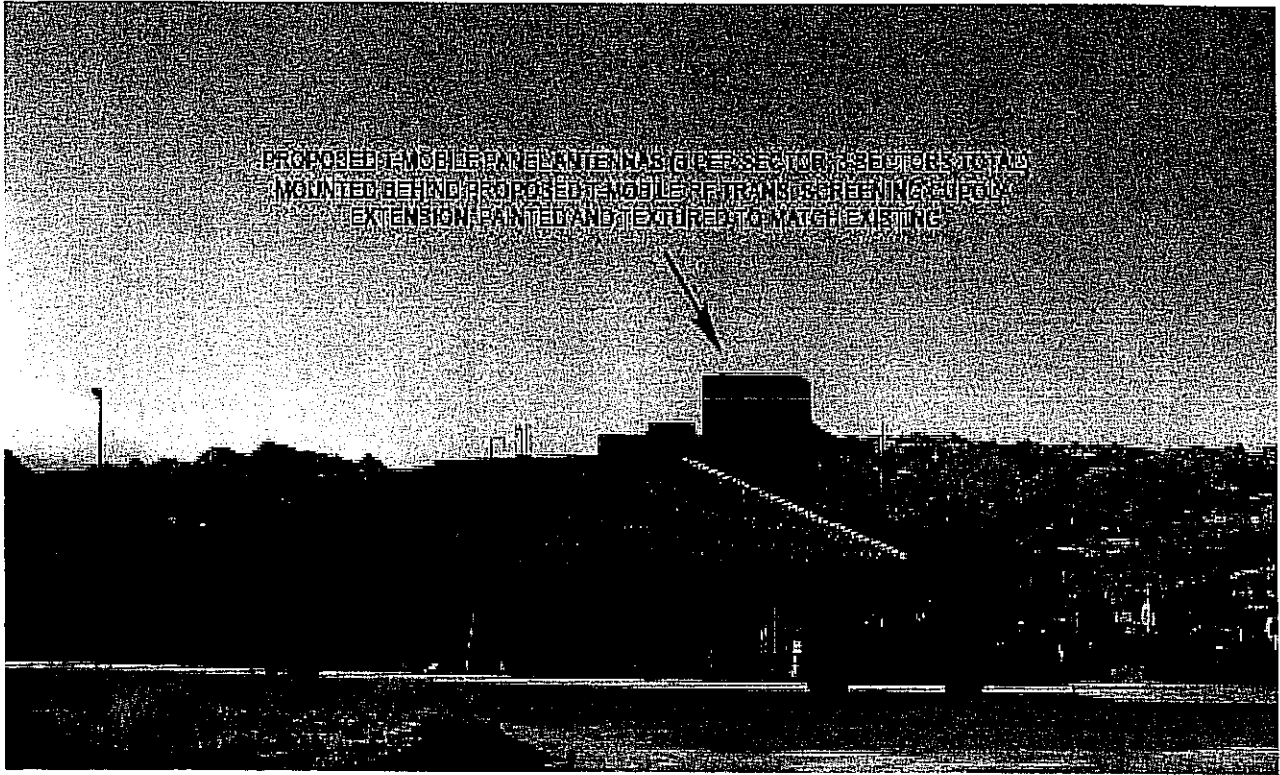


**Photo Sim**



# TOWN OF YUCCA VALLEY

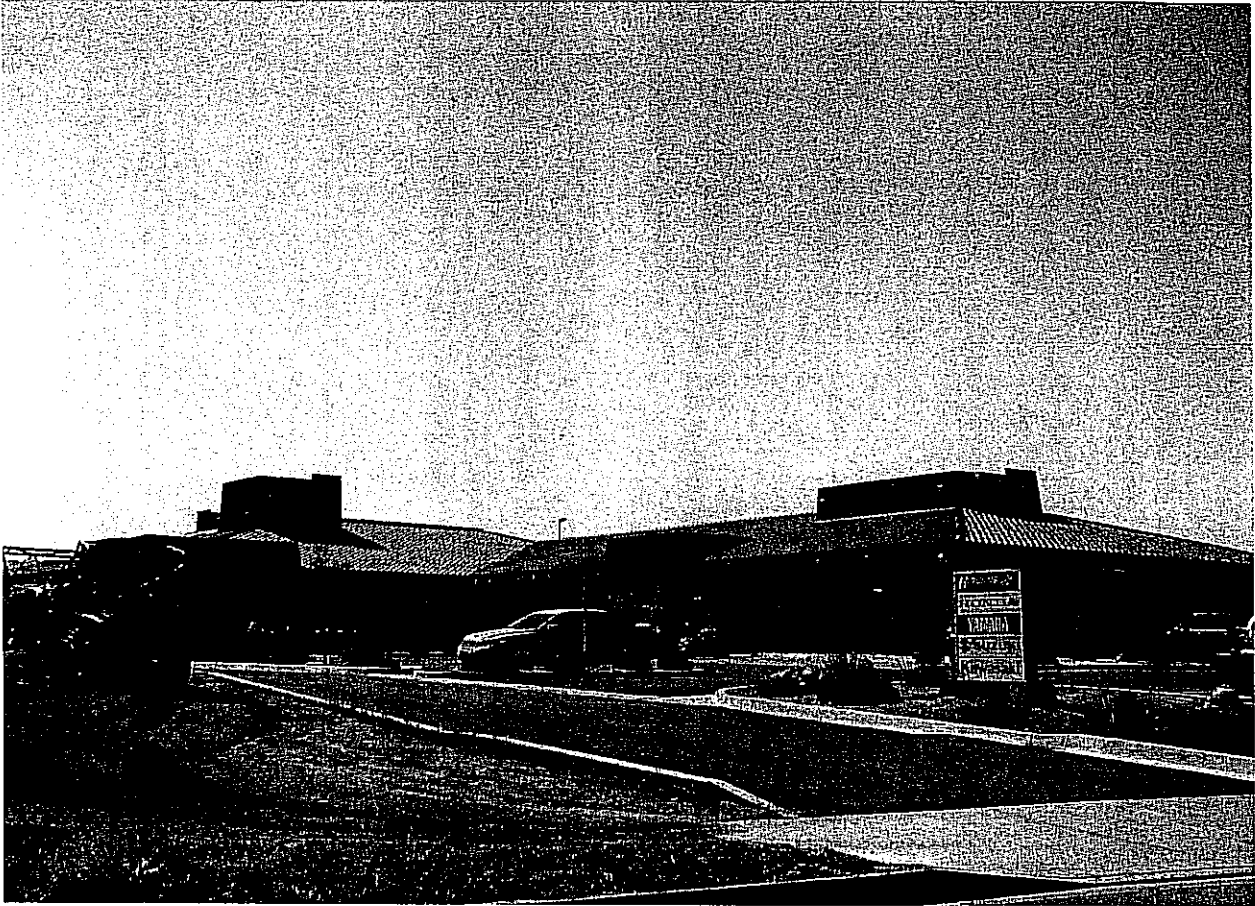
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS



**Photo Sim**

# TOWN OF YUCCA VALLEY

PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS

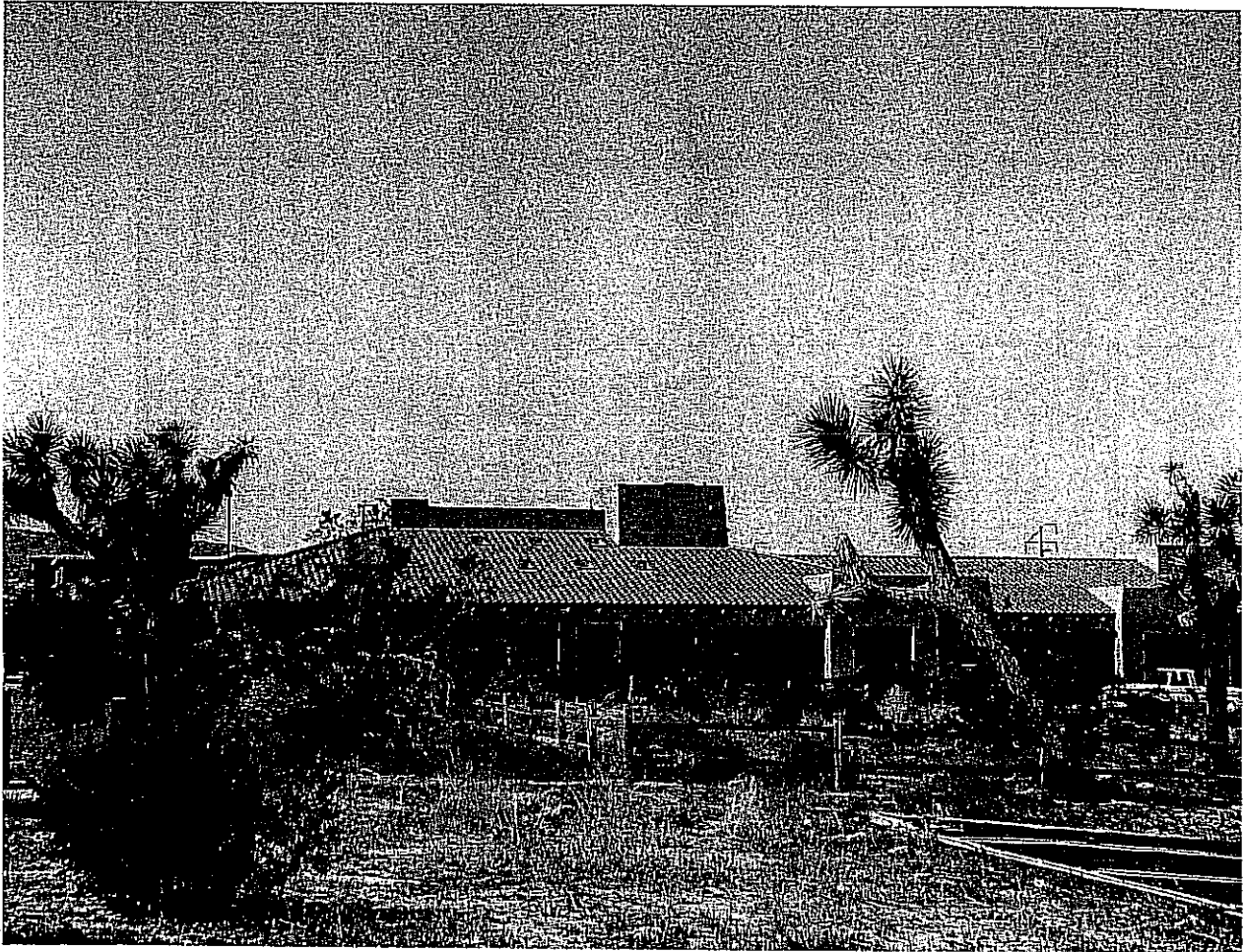


Existing Conditions

**Site Photo**

# TOWN OF YUCCA VALLEY

PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS

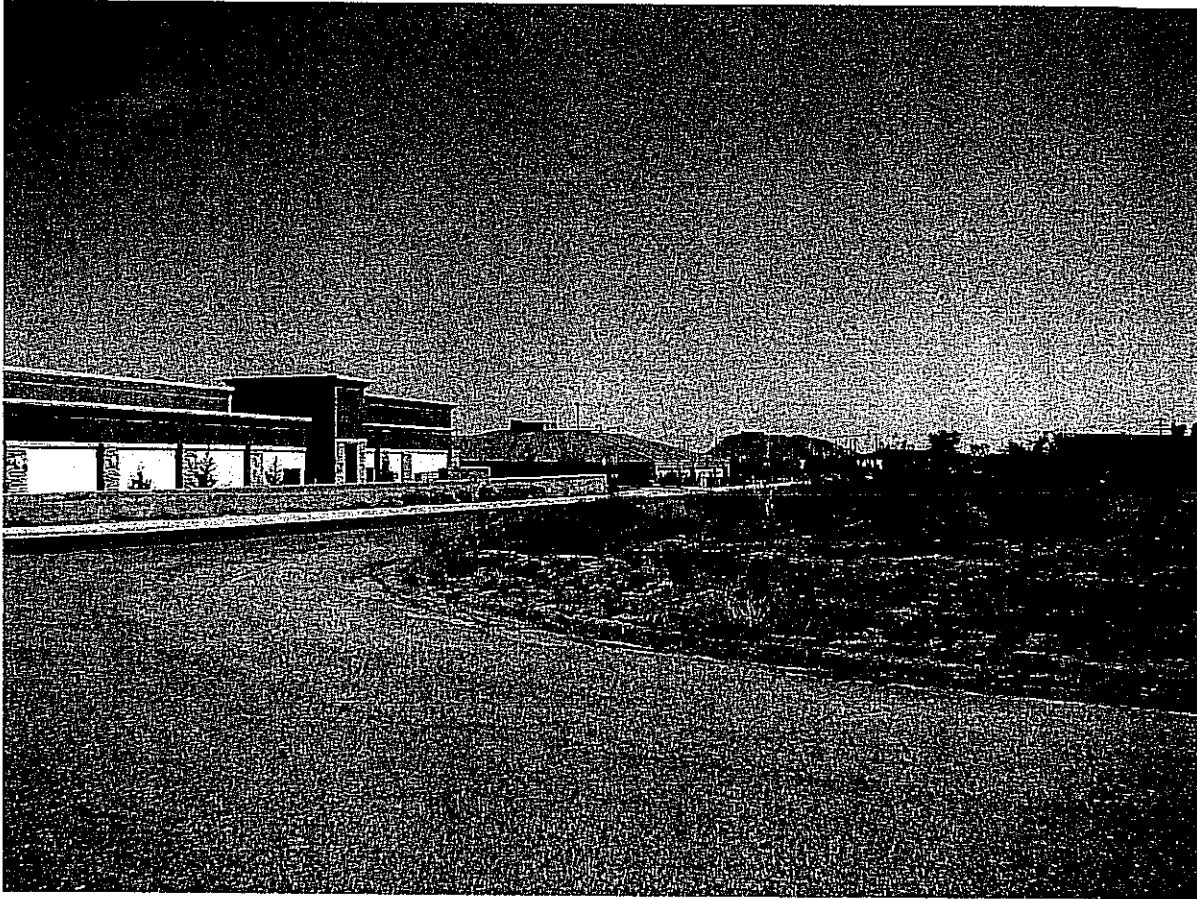


Existing Conditions

**Site Photo**

# TOWN OF YUCCA VALLEY

PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS

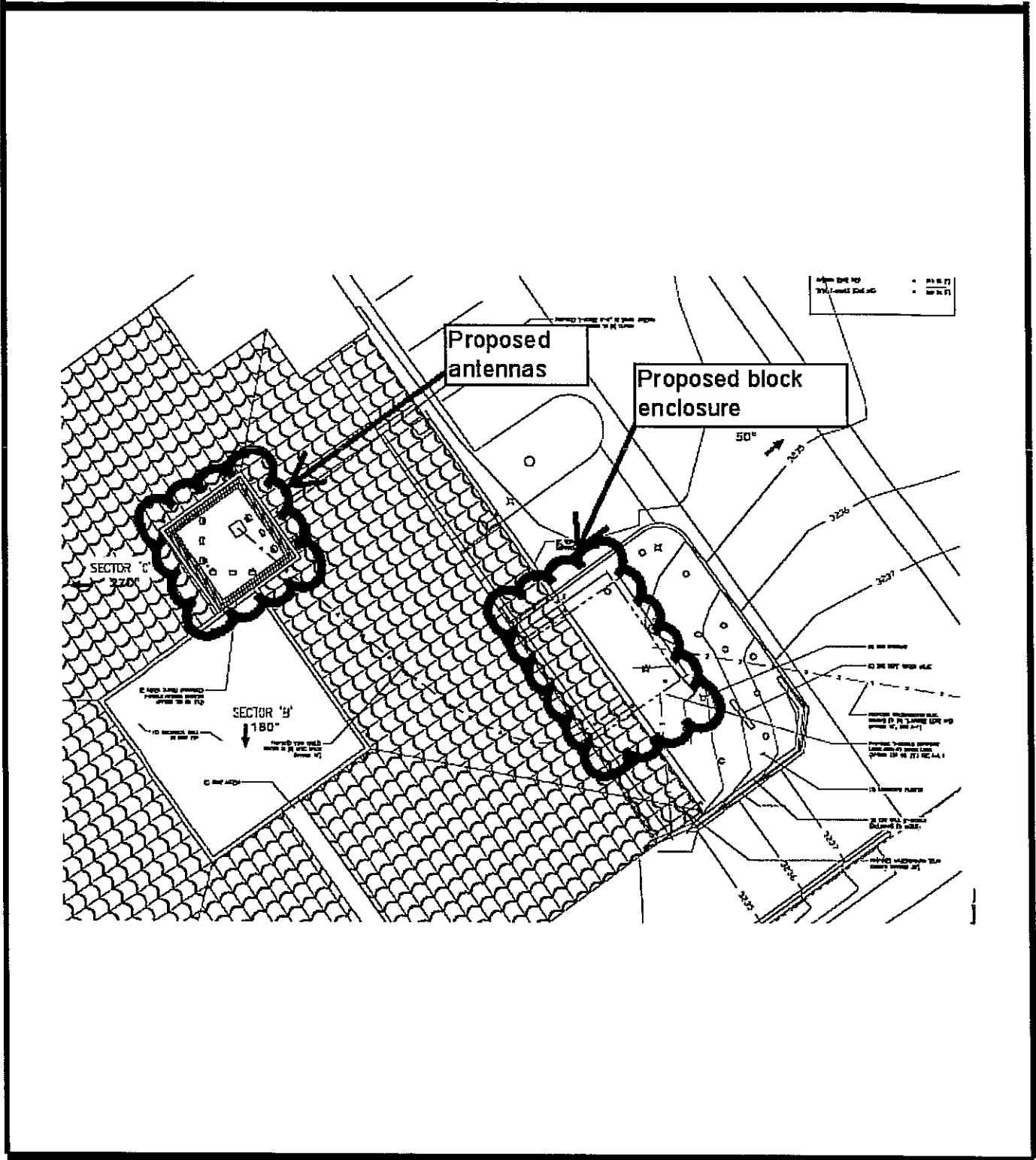


Existing Conditions

**Site Photo**

# TOWN OF YUCCA VALLEY

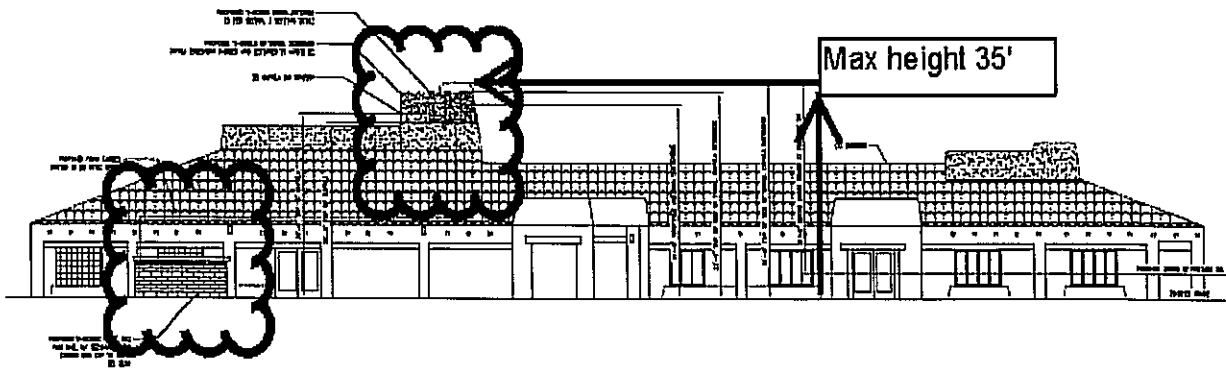
PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS



Site Plan

# TOWN OF YUCCA VALLEY

PROJECT NO.: CONDITIONAL USE PERMIT, CUP 01-11 T-MOBILE HUTCHINS



**South Elevation**



Date:	_____	Fee	_____
Case No.:	_____	Fee	_____
Case No.:	_____	Fee	_____
Case No.:	_____	Fee	_____
EA No.:	_____	Fee	_____

- |                                                            |                                                 |
|------------------------------------------------------------|-------------------------------------------------|
| <input checked="" type="checkbox"/> CONDITIONAL USE PERMIT | <input type="checkbox"/> TRACT MAP              |
| <input type="checkbox"/> SITE PLAN REVIEW                  | <input type="checkbox"/> PARCEL MAP             |
| <input type="checkbox"/> PLANNED DEVELOPMENT               | <input type="checkbox"/> GENERAL PLAN AMENDMENT |
| <input type="checkbox"/> ENVIRONMENTAL ASSESSMENT          | <input type="checkbox"/> REZONING               |

(Please Print Legibly)

Applicant FUDOLK WEST, dba T-MOBILE  
 Address 3257 E GASTI #200 City ONTARIO State CA Zip 91761  
 Phone \_\_\_\_\_ Fax \_\_\_\_\_ Cell \_\_\_\_\_  
 E-mail Address \_\_\_\_\_  
 Project Name (if any): 1E255456 HARLEY

Contact Person/Representative BARBARA SAITO for Avilo  
 Address 416 N Cloverdale Lane City WALNUT State CA Zip 91789  
 Phone 9097236162 Fax \_\_\_\_\_ Cell \_\_\_\_\_  
 E-mail Address barbara.saito@everzon.net

Property Owner CL & L HITCHINS FAMILY TRUST Phone \_\_\_\_\_  
 Address 5825 29 PALMS HWY City YUCCA VALLEY State CA Zip 92284  
 E-Mail Address \_\_\_\_\_ Fax \_\_\_\_\_

Assessor Parcel Number(s) 0601-412-22 Tract Map # \_\_\_\_\_ Lot # \_\_\_\_\_

Property Dimensions 176 x 320 Existing Land Use retail

Structure Square Footage \_\_\_\_\_ General Plan Designation/Zoning Commercial

Location: (Example: Address & Street or SW corner of Elk & Onaga or 300 ft N of Paxton on W side of Airway)  
5825 29 PALMS HWY, YUCCA VALLEY  
29 PALMS HWY BETWEEN BALSANI'S & PRESCOTT

Proposed Project Description: Precisely describe the proposed project for which approval is being sought and the application is being submitted. Use additional sheets and attach to application if necessary.  
Installation of a wireless telecommunication facility consisting of antennas on an existing roof plus equipment on the ground. Please see attached project description

→ Owner's Signature [Signature] Date 2/8/11

NOTE: THE INFORMATION I HAVE PROVIDED IS TRUE AND OPEN AS PUBLIC INFORMATION. THE PLANNING APPLICATION DOES NOT GUARANTEE APPROVAL OR CONSTITUTE A BUILDING PERMIT APPLICATION. ADDITIONAL FEES MAY BE REQUIRED DEPENDING ON ANY ADDITIONAL ADMINISTRATIVE COSTS.

Applicant's Signature [Signature] Date 5-8-11

Town of Yucca Valley  
 Community Development/Public Works Department

## ENVIRONMENTAL ASSESSMENT

1. Property boundaries, dimensions and area (also attach an 8 1/2" x 11" site plan):  
approx 9x18 on ground, 15x16 on roof.
2. Existing site zoning: Commercial
3. Existing General Plan designation: COMMERCIAL
4. Precisely describe the existing use and condition of the site:  
fully developed with retail building
5. Zoning of adjacent parcel:  
 North GC      South RMS      East GC      West GC
6. Existing General Plan designation of adjacent parcels:  
 North \_\_\_\_\_      South \_\_\_\_\_      East \_\_\_\_\_      West \_\_\_\_\_
7. Precisely describe existing uses adjacent to the site:  
North: Hwy, South vacant + resident, east vacant, west - commercial
8. Describe the plant cover found on the site, including the number and type of all protected plants:  
landscaped with drought tolerant materials

Note: Explain any "yes" or "maybe" responses to questions below. If the information and responses are insufficient or not complete, the application may be determined incomplete and returned to the applicant.

Yes    Maybe    No

- |                          |                                     |                                     |                                                                                                                                                                     |
|--------------------------|-------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 9. Is the Site on filled or slopes of 10% or more or in a canyon? (A geological and/or soils Investigation report is required with this application.)               |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 10. Has the site been surveyed for historical, paleontological or archaeological resources? (If yes, a copy of the survey report is to accompany this application.) |
| <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 11. Is the site within a resource area as identified on the archaeological and historical resource General Plan map?                                                |
| <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 12. Does the site contain any unique natural, ecological, or scenic resources?                                                                                      |
| <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 13. Do any drainage swales or channels border or cross the site?                                                                                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 14. Has a traffic study been prepared? (If yes, a copy of the study is to accompany this application.)                                                              |
| <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 15. Is the site in a flood plain? (See appropriate Federal Insurance Rate Map)                                                                                      |



**T-Mobile**  
 Stick Together<sup>SM</sup>  
 1337 S. GARDEN ST. SUITE 200  
 ANAHEIM, CA 92805

**EDG**  
 CONSULTING ENGINEERS, LLC  
 10000 S. GARDEN ST. SUITE 200  
 ANAHEIM, CA 92805  
 (714) 952-1100  
 WWW.EDGCONSULTING.COM

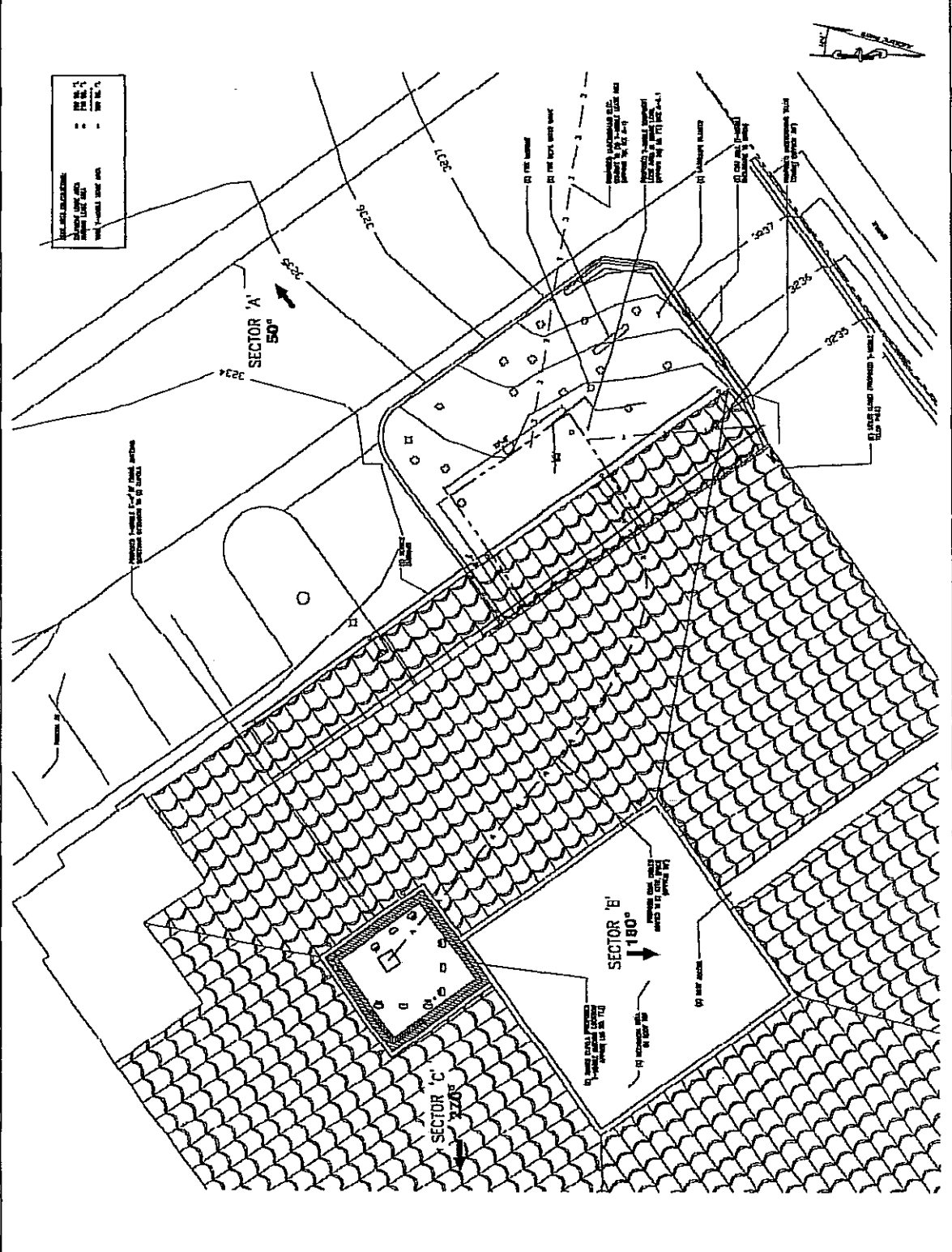
**AVILA INC.**  
 625A AVILA RD.  
 YUCCA VALLEY, CA 92284  
 (760) 228-1888

NO.	DATE	DESCRIPTION	BY
1	02/17/11	908 ZONE	JPC
2	04/29/11	1008 ZONE	JPC

**HUTCHINS HARLEY**  
**IE25545B**  
 10000 S. GARDEN ST. SUITE 200  
 ANAHEIM, CA 92805

**ENLARGED SITE PLAN**

**A-2**



**SITE PLAN**

## PROJECT DESCRIPTION

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

### 1. Commercial, Industrial, or Institutional Projects:

A. Specific type of use proposed: Wireless telecommunication facility

B. Gross square footage by each type of use: \_\_\_\_\_

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

D. Estimate of employment by shift: none

E. Planned outdoor activities: none

2. Percentage of project site covered by: site is fully developed  
\_\_\_\_\_% Paving, \_\_\_\_% Building, \_\_\_\_% Landscaping, \_\_\_\_% Parking

3. Maximum height of structures 35 ft. \_\_\_\_\_ in.

4. Amount and type of off street parking proposed: N/A

5. How will drainage be accommodated? N/A

6. Off-site construction (public or private) required to support this project: none

7. Preliminary grading plans estimate \_\_\_\_\_ cubic yards of cut and \_\_\_\_\_ cubic yards of fill none

8. Description of project phasing if applicable: none

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

10. Is this project part of a larger project previously reviewed by the Town? If yes, identify the review process and associated project title(s) NO

Site is fully developed. The project requires a CUP because of the proximity to 29 Palms Hwy.

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

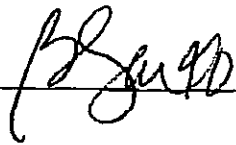
Yes Maybe No

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

**Certification**

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

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

11 e. There will be some increase in noise during daytime hours during construction.

AVILA INC  
BARBARA SAITO  
418 N. Cloverdale Lane, Walnut, CA 91789  
Cell: (909) 723-6152 Email: barbara.saito1@verizon.net

March 3, 2011

Authorized Agent for T-Mobile  
T-Mobile Project Number: IE25545b  
T-Mobile Project Name: Hutchins Harley

**City of Yucca Valley**  
**Conditional Use Permit**  
*Project Information and Justification*

T-Mobile West Corporation (T-Mobile) is requesting approval of a conditional use permit for the construction and operation of an unmanned wireless telecommunications facility (cell site), and presents the following project information for your consideration.

**Project Location**

Address: 58325 29 Palms Highway  
APN: 0601-412-22  
Zoning: Commercial

**Project Representative**

Barbara Saito for Avila Inc  
418 N. Cloverdale Lane, Walnut, CA 91789  
909-723-6152

**T-Mobile Contact**

Linda Paul, Real Estate and Zoning Manager  
3257 E. Guasti Rd. #200, Ontario, CA 91761  
909-975-3698

**Project Description**

The installation of a wireless telecommunication facility consisting of 9 panel antennas, 6 TMA antennas, and two GPS antennas behind an extended parapet on the existing building with radio equipment cabinets on the ground behind a new wall

**Project Objectives**

There are several reasons why a wireless carrier requires the installation of a cell site within a specified area:

Coverage – No service, or insufficient service, currently existing in the vicinity

Capacity – Service exists, but is currently overloaded or approaching overload, preventing successful call completion during times of high usage.

Quality – Service exists, but signal strength is inadequate or inconsistent.

E911 – Effective site geometry within the overall network is needed to achieve accurate location information for mobile users through triangulation with active cell sites. (Half of all 911 calls are made using mobile phones.)

Enhanced Voice and Data services – Current service does not provide adequate radio-support for advanced services.

All constitute a significant gap in the coverage or quality of service provided. In this specific case, this location was selected to provide in-building coverage to the residents on Avalon and the businesses along 29 Palm Highway. The enclosed coverage plots indicate the existing coverage, the coverage provided by the site, and the cumulative coverage.

## **Project Benefits**

More than 80-percent of all Americans subscribe to cell phone service. People of all ages rely increasingly on their cell phones to talk, text, send media, search the Internet, and conduct business. It takes a robust physical network of antennas and supporting radio equipment to successfully provide those wireless connections, virtually anywhere and at anytime, as expected by each one of our customers.

The installation and operation of the proposed facility will also offer improved:

- Communications for local, state, and federal emergency services providers, such as police, fire, paramedics, and other first-responders.
- Personal safety and security for community members who are experiencing emergencies, or have an urgent need to reach family members or friends. Safety is the primary reason parents provide cell phones to their children. Currently 25% of all preteens, ages 9 to 12, and 75% of all teens, aged 13 to 19, have cell phones.
- Capability of local businesses to better serve their customers.
- Opportunity for a city or county to attract businesses to their community for greater economic development.

## **Site Selection**

Customer demand drives that need for new cell sites. Data relating to incomplete and dropped calls is gathered, drive-tests are conducted, and scientific modeling using sophisticated software are all taken into account. Once the need for a new site is identified, a target search area is provided to a real estate professional to begin a search for a suitable location.

First, properties under consideration for the installation of a cell site must appear to have enough space to accommodate an antenna structure and its supporting radio equipment. The size of this space will vary depending on the objective of the site.

Additionally, four key elements are considered in the selection process:

- **The Lease:** The property must have an owner who is willing to enter into a long-term lease agreement under specific terms and conditions.
- **Zoning:** It must be suitably zoned in accordance with local land-use codes to allow for a successful permitting process.
- **Construction:** Construction constraints and costs must be reasonable from a business perspective, and the proposed project must be capable of being constructed in accordance with local building codes and safety standards.
- **RF:** It must be strategically located to be able to meet the radio-frequency engineer's objective and antennas must be located at a height to clear nearby obstructions.

The subject parcel was chosen because of its location, the parcel zoning, and the design of the existing building which lends itself to an easy modification for screening the antennas.

## **Alternative Site Analysis**

The following locations were evaluated and the reasons why they were not selected for this project are addressed:

This is a very difficult area with changing terrain. Most of the property is zoned residential and either is developed with homes, or is vacant land. One additional candidate was reviewed:

**Business Park**—This location has the appropriate zoning (Industrial) but is surrounded by residential properties. The proposed facility would be a new tower which must meet the codified setback to residential and be limited in height because of the proximity to residential.

## **Project Setting**

The project is located on a 2.72 acre parcel with an existing building with an existing parapet. The property is bordered on three sides with streets. The rear of the property is sub grade to the street, causing the need for the antennas to be raised to provide the necessary coverage. The parapet will be raised approximately 5 feet to screen the proposed antennas. The radio equipment will be installed adjacent to the building in an area currently used for landscaping. The equipment will be enclosed with a wall designed to match the existing walls.

## **Findings/Burden of Proof**

*The location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of the zoning land use district in which the site is located, and the development policies, and standards of the Town.*

The proposed facility will occupy approximately 245 feet of ground space which is currently used for landscaping on a 2.72 ac parcel. The antennas are proposed to be installed on the existing building behind a raised parapet.

*The Location size, design and architectural design features of the proposed structures and improvements are compatible with the site's natural landform, surrounding sites, structures and streetscapes.*

The existing parapet will be raised approximately 5 feet to screen the antennas. The increase is required because the building is sub grade to the adjacent street.

*The proposed development produces compatible transitions in the scale, bulk, coverage, density and character of the development between adjacent land uses.*

This is no significant change to the scale, bulk, coverage, density or character of the existing development in that the addition of the parapet will match the color, texture and lines of the existing parapet.

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

The existing site is fully developed. The addition of the proposed use will not affect the existing use.

*The materials, textures, and details of the proposed construction, to the extent feasible, are compatible and consistent with the adjacent and neighboring structures.*

The proposed construction will match the color, texture and style of the existing structure.

*That the development proposal does not unnecessarily block views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use.*

The proposed facility will not change the views from any existing structures in a significant manner in that the height will only be increased by 5 feet and the perimeter of the parapet is approximately 12 feet by 12 feet. The majority of the surrounding properties are vacant. The existing building sits off the main corridor (29 Palms Hwy) by several hundred feet.

*That the amount, location, and design of open space and landscaping conforms to the requirements of the Development Code, enhances the visual appeal and is compatible with the design and functions of the structures, site and surrounding area.*

The proposed design will camouflage the proposed wireless telecommunication facility antennas per the development code.

*That quality in architectural design is maintained in order to enhance the visual desert environment of the Town and to protect the economic value of existing structures.*

The proposed design will be match the current "adobe" design in style, color and texture.

*There are existing public facilities, services, and utilities available at the appropriate levels and/or that new or expanded facilities, services and utilities shall e required to be installed at the appropriate time to serve the project as they are needed.*

There adequate utilities serving the property for the proposed use. The proposed facility is unstaffed.

*The access to the site and circulation on and off-site is required to be safe and convenient for pedestrians, bicyclists, and motorists.*

Access will be taken from an existing driveway from Palisade Drive. There will be no change to circulation patterns on or off-site.

*The traffic generated from the proposed project has been sufficiently address and mitigated and will not adversely impact the capacity and physical character of surrounding streets.*

There is no traffic generated by the proposed facility. The facility is unstaffed and will be visited by an engineer approximately once a month.

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

There is no traffic generated by the proposed facility.

*There will not be significant harmful effects upon environmental quality and natural resources including endangered, threatened, rare species, their habitat, including but not limited to plants, fish, insects, animals, birds or reptiles.*

The existing site is fully development in accordance with previously approved environmental determinations. The proposed project will have no environmental impact on the site.

*There are not other relevant or anticipated negative impacts of the proposed use that cannot be mitigated and reduced to a level of non-significance in conformance with CEQA, the California Environmental Quality Act.*

There are no negative impacts anticipated by the proposed use. It meets the qualifications for categorical exemption.

*The impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained will not be considered to be detrimental to the public health, safety and welfare of the community or be materially injurious to properties and/or improvements within the immediate vicinity of be contrary to the General Plan.*

The proposed facility meets the FCC regulations for wireless facilities. The letter of compliance is included with the application.

*The proposed development will comply with each of the applicable provisions of the Development Code, and applicable Town policies except approved variances:*

*The site for the proposed use is adequate in size and shape.*

The existing property is quite large in shape and has adequate room to place the proposed facility without affecting parking or access.

*The proposed location has sufficient access to streets and highways that are adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.*

The existing property takes its access from Palisade Drive. There will be no traffic generated by this proposed facility.

*The proposed use will not have an adverse effect upon adjacent or abutting properties.*

The proposed design will not have any effect upon the adjacent or abutting properties in that it maintains the same style as the existing building.

*The proposed use is deemed essential and desirable to the public convenience or welfare.*

Wireless communication has been deemed essential and desirable to public convenience and welfare based on consumer demand and the FCC mandated connection to 911 services.

#### **T-Mobile Company Information**

T-Mobile is one of the fastest growing nationwide service providers offering all digital voice, messaging and high-speed data services to nearly 30 million customers in the United States.

T-Mobile is a "telephone corporation", licensed by the Federal Communications Commission (FCC) to operate in the 1950.2-1964.8, 1965.2-1969.8 MHz and 1870.2-1884.8-1889.8 MHz frequencies, and a state-regulated Public Utility subject to the California Public Utilities Commission (CPUC). The CPUC has established that the term "telephone corporation" can be extended to wireless carriers, even though they transmit signals without the use of telephone lines.

T-Mobile will operate this facility in full compliance with the regulations and licensing requirements of the FCC, Federal Aviation Administration (FAA) and the CPUC, as governed by the Telecommunications Act of 1996, and other applicable laws.

The enclosed application is presented for your consideration. T-Mobile requests a favorable determination and approval of a Conditional Use Permit to build the proposed facility. Please contact me at 909-723-6152 for any questions or requests for additional information.

Respectfully submitted,

Barbara Saito for Avila Inc  
Authorized Agent for T-Mobile



# T-Mobile

3257 E. Guastl Road  
Suite 200  
Ontario, CA 91761

Date: Mar 03, 2011

## STATEMENT OF COMPLIANCE WITH FCC/FAA

This Letter is to confirm that T-Mobile West Corporation's proposed cell site located at **58325 Twenty Nine Palms Highway, Yucca Valley, CA 92284 ( Site Coordinates: Longitude - 116.39039000, Latitude 34.13016000 & Site name: Hutchins Harley )**, will comply with the FCC regulations regarding PCS frequency emissions.

T-Mobile operational frequencies of (PCS-Tx) 1970.4 to 1979.6 and (UMTS-Tx) 2130-2135, 2150 to 2155 Megahertz for the transmit and (PCS-Rx) 1890.4 to 1899.6 and (UMTS-Rx) 1730-1735, 1750 to 1755 Megahertz for the receive are well outside the frequency bands associated with Radio Stations, Television Stations, Police, Fire and Emergency services.

T-Mobile obtained a broadcast license in the PCS F Block, 1970 to 1975, PCS Block C3, 1975 to 1980 Megahertz for the transmit and 1890 to 1895, 1895 to 1900 Megahertz for the receive, UMTS Band 2130 to 2135, 2150 to 2155 MHz for the Transmit and 1730 to 1735, 1750-1755 for the receive. Pursuant to FCC regulations 47 CFR part 24, subpart E, sections 24.200 through 24.238 – T-Mobile must comply with the stated directives for Broadband PCS providers. T-Mobile will meet or exceed the stated requirements for Broadband PCS providers.

In addition, T-Mobile will comply with FAA Notice Criteria, 47 CFR Part 77.13 regarding the proposed site.

If you have any questions, please feel free to contact me at 469-734-9041.



Dennis F. Beltran  
RF Engineer  
T-Mobile

# RF INFORMATION SHEET

( JE25545B – Hutchins Harley )

1. Identify specific Frequencies to be licensed with the Federal Communications Commission (FCC).

T-Mobile is licensed to use F & C3 Band Frequencies.

Block	Uplink [MHz]	Downlink [MHz]	ARFCN
F	1890-1895	1970-1975	713-736
C3	1895-1900	1975-1980	737-759

T-Mobile is licensed to use AWS Frequencies.

2130-2135	1730-1735
2150-2155	1750-1755

2. Identify aggregate sector Effective Radiated Power (ERP) to be licensed.
  - Sector A ERP : ( 59.5 dbm or 1,034.56 Watts )
  - Sector B ERP : ( 59.5 dbm or 1,034.56 Watts )
  - Sector C ERP : ( 59.5 dbm or 1,034.56 Watts )
3. Identify Antenna(s) model/ gain; Height Above Ground (AGL).
  - Sector A = TMBXX-6516-R2M (17.3 dBi) @ 32' RC
  - Sector B = TMBXX-6516-R2M (17.3 dBi) @ 32' RC
  - Sector C = TMBXX-6516-R2M (17.3 dBi) @ 32' RC
4. Identify site Coordinates (Latitude/Longitude) in NAD83; site Above Mean Sea Level (AMSL). 3238 ft.
  - Latitude: 34.13016 Longitude: -116.39039
5. Provide the Radio Frequency (RF) field strength intensity in terms of dbm/dbu (standard power parameters), and minimum power level required to achieve desired level of reliability for RF coverage.
  - $\geq -84$  dBm ( Dark Green ) will provide in door commercial coverage
  - $\geq -90$  dBm ( Light Green ) will provide in door residential coverage
  - $\geq -98$  dBm ( Yellow ) will provide in car coverage
  - $\geq -104$  dBm ( Gray ) will provide outdoor coverage



**Mojave Desert Air Quality Management District**

14306 Park Avenue, Victorville, CA 92392-2310

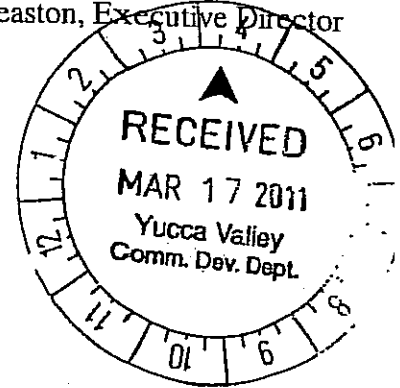
760.245.1661 • fax 760.245.2699

Visit our web site: <http://www.mdaqmd.ca.gov>

Eldon Heaston, Executive Director

March 15, 2011

Diane Olsen, Planning Technician  
Town of Yucca Valley  
58928 Business Center Drive  
Yucca Valley, CA 92284



**Project Title: Conditional Use Permit CUP 01-11 (T-Mobile Hutchins)**

Dear Ms. Olsen:

The Mojave Desert Air Quality Management District (MDAQMD) has received the request for comments for Conditional Use Permit 01-11. This project proposes to install a roof mounted cellular tower consisting of 9 panel antennas, 6 TMA antennas and 2 GPS antennas behind an extended parapet wall with radio equipment cabinets on the ground behind a block wall. The project is located at 58325 29 Palms Highway.

If the proposed project includes a 50 HP or larger generator, the District recommends that the Town of Yucca Valley require the submission of applicable permit applications and the associated application and permit fees to the District as a condition of approval.

Thank you for the opportunity to review these planning documents. If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726, or Tracy Walters at extension 6122.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan J. De Salvio".

Alan J. De Salvio  
Supervising Air Quality Engineer

AJD/tw

YV CUP 01-11 T-Mobile Hutchins.doc

# T-Mobile

**SITE NUMBER:** IE25545B **CITY:** YUCCA VALLEY  
**SITE NAME:** HUTCHINS HARLEY **COUNTY:** SAN BERNARDINO  
**SITE TYPE:** ROOFTOP **JURISDICTION:** CITY OF YUCCA VALLEY

**PROJECT SUMMARY:**

**SITE ADDRESS:**  
 6254 AVILA RD  
 YUCCA VALLEY, CA 92284  
**PROJECT DOWNS:**  
 6254 AVILA RD  
 YUCCA VALLEY, CA 92284  
 PHONE (760) 228-1555

**APPLICANT:**  
 AVILA INC.  
 6254 AVILA RD. SUITE 205  
 YUCCA VALLEY, CA 92284  
 PHONE (760) 228-1555

**DESIGNER:**  
 HUTCHINS HARLEY  
 11000 WILSON AVENUE  
 SUITE 100  
 YUCCA VALLEY, CA 92284  
 PHONE (760) 228-1555

**PROJECT DESCRIPTION:**

INSTALLATION OF 4 T-SHIRT OUTDOOR DISPLAY CABINETS AND  
 REQUIRED UTILITY CABLES ABOVE A NEW DOW ROAD TO MATCH (D)  
 5'-0" ELEVATION OF AN EXISTING CURB ON THE ROOF TOP WITH  
 THE EXISTING ROOF. THE PROJECT IS TO BE COMPLETED BY  
 THE END OF THE YEAR. THE PROJECT IS TO BE COMPLETED BY  
 THE END OF THE YEAR. THE PROJECT IS TO BE COMPLETED BY  
 THE END OF THE YEAR.

**CONSULTING TEAM:**

**SAC/ENGINEER/DESIGNER:**  
 6254 AVILA RD  
 YUCCA VALLEY, CA 92284  
 PHONE (760) 228-1555

**ARCHITECTURAL & ENGINEERING:**  
 11000 WILSON AVENUE  
 SUITE 100  
 YUCCA VALLEY, CA 92284  
 PHONE (760) 228-1555

**ELECTRICAL ENGINEER:**  
 2445 LAMAR PARK BLVD  
 SUITE 100  
 YUCCA VALLEY, CA 92284  
 PHONE (760) 228-1555

**TELECOM. UTILITY CONTRACTOR:**  
 11000 WILSON AVENUE  
 SUITE 100  
 YUCCA VALLEY, CA 92284  
 PHONE (760) 228-1555

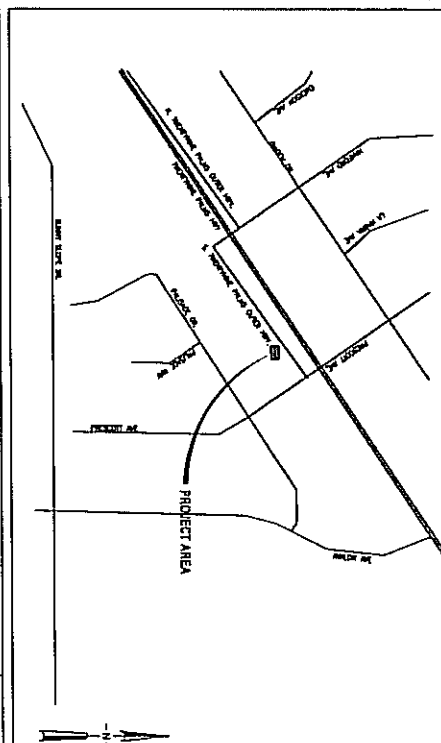
**SHEET INDEX:**

SHEET NUMBER	TITLE	DESCRIPTION
1-1	TITLE SHEET	
1A-1		PROPOSED ELECTRICAL
1A-2		PROPOSED ELECTRICAL
1A-3		PROPOSED ELECTRICAL
1A-4		PROPOSED ELECTRICAL
1A-5		PROPOSED ELECTRICAL

**APPROVALS:**

NAME	SIGNATURE	DATE
DESIGNER		
ENGINEER		
ARCHITECT		
TELECOM. UTILITY CONTRACTOR		

**VICINITY MAP:**



SECTOR	AZIMUTH	CENTERLINE	# OF ANTENNAS	ANTENNA MODEL	# OF COAX LINES	COAX DIAMETER	COAX LENGTH
A	30°	31'-4"	3	TW81-3318-418	6	1/2"	18' 8"
B	180°	31'-3"	3	TW81-3318-418	6	1/2"	18' 8"
C	330°	31'-3"	3	TW81-3318-418	6	1/2"	18' 8"
	0/4	0/4	1	0/4	1	1/2"	18' 8"

**NOTES:**  
 1. ALL WORK IS TO BE COMPLETED BY THE END OF THE YEAR.  
 2. THE PROJECT IS TO BE COMPLETED BY THE END OF THE YEAR.  
 3. THE PROJECT IS TO BE COMPLETED BY THE END OF THE YEAR.  
 4. THE PROJECT IS TO BE COMPLETED BY THE END OF THE YEAR.

**T-Mobile**  
 Stick Together  
 2007 E. GARDEN BLVD. SUITE 200  
 BIRMINGHAM, AL 35203

**EDBE**  
 COMMERCIAL DESIGN ENGINEER, LLC  
 11000 WILSON AVENUE  
 SUITE 100  
 YUCCA VALLEY, CA 92284  
 PHONE (760) 228-1555

**AVILA INC.**  
 6254 Avila Rd.  
 Yucca Valley, CA 92284  
 (760) 228-1555

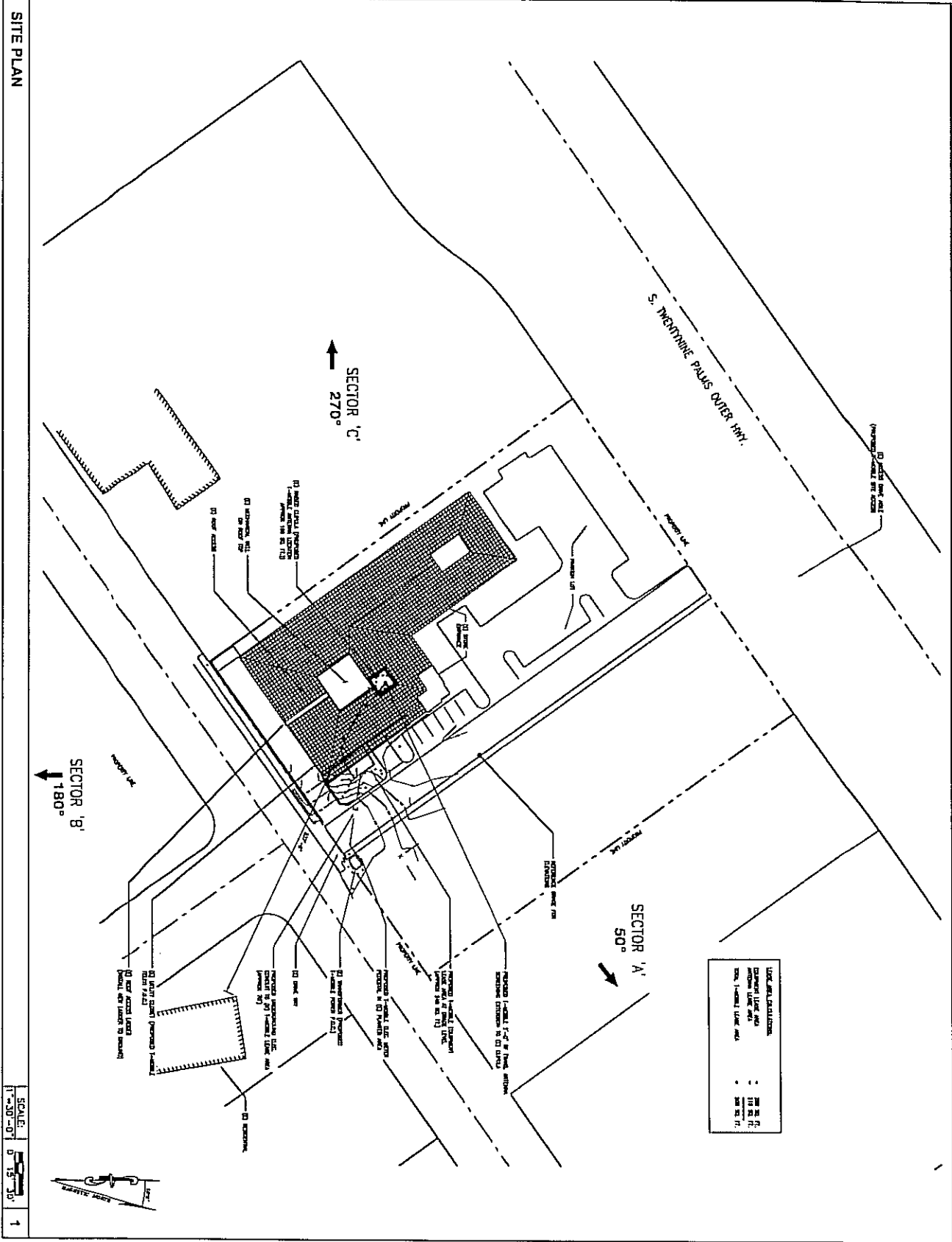
NO.	DATE	DESCRIPTION	BY
1	02/17/11	BOX 205	JPC
2	02/24/11	100% 205	JPC

**HUTCHINS HARLEY**  
**IE25545B**  
 11000 WILSON AVENUE  
 SUITE 100  
 YUCCA VALLEY, CA 92284

**TITLE SHEET**  
**T-1**



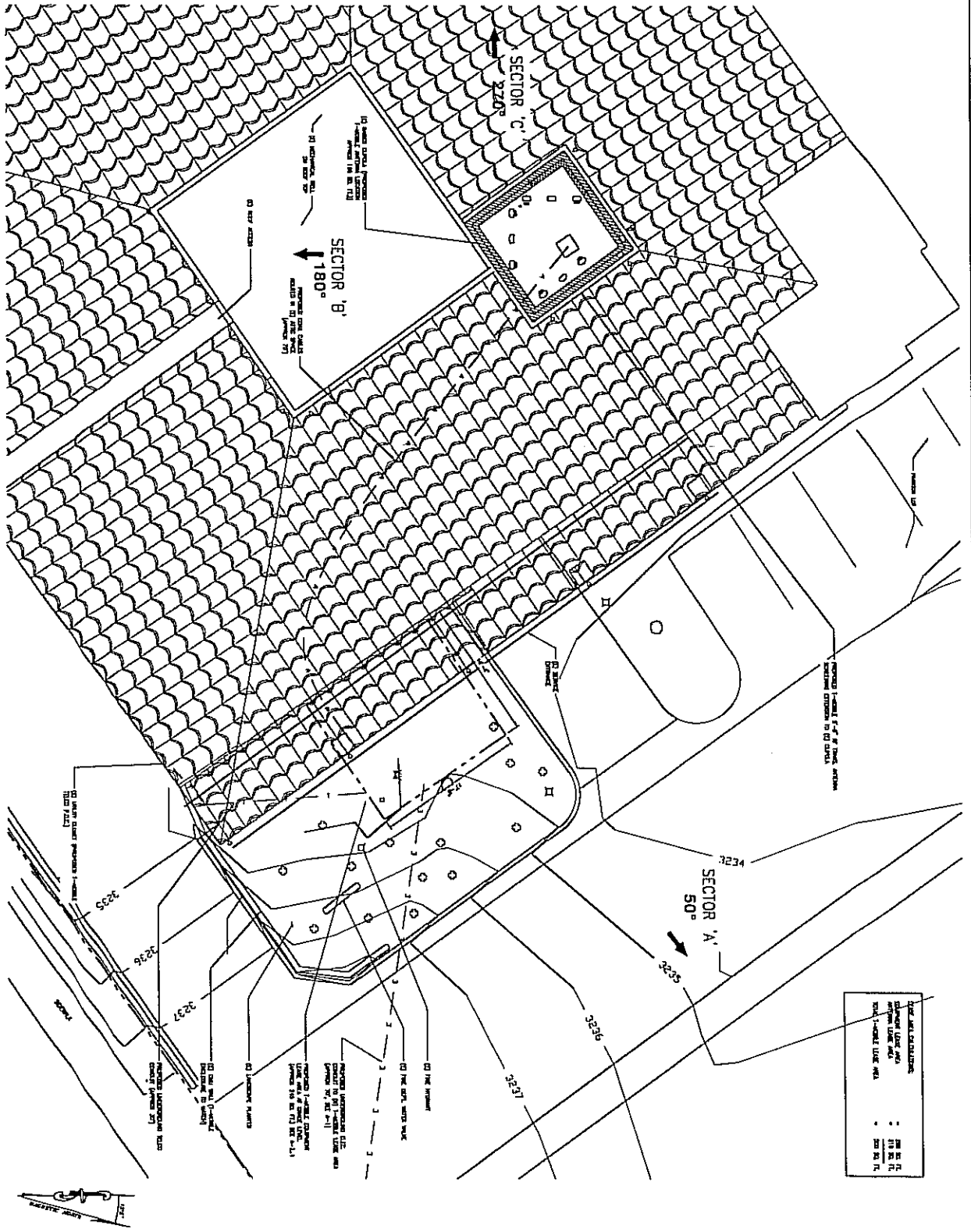




LEGEND  
 --- 10' AS BUILT  
 --- 10' AS BUILT  
 --- 10' AS BUILT  
 --- 10' AS BUILT  
 --- 10' AS BUILT

SCALE: 1" = 30'-0"  
 0" 15' 30'  
 1

<b>Stick Together</b> Jeff E. Quinn, P.E., LEED AP Director, CA 91791		<b>ED&amp;G</b> ENVIRONMENTAL DESIGN GROUP, LLC 14011 Santa Fe Avenue, Suite 100 San Diego, CA 92127 (619) 594-1100 FAX: (619) 594-1101 CDG#: 11-6802		<b>AVILA INC.</b> 8254 Avila Rd. Yucca Valley, CA 92284 (760) 228-1555	
NO.	DATE	DESCRIPTION	BY		
1	02/17/11	SIX 20'S	JPC		
2	02/24/11	100'S 20'S	JPC		
P. 43					
SHEET TITLE: <b>SITE PLAN</b> SHEET NUMBER: <b>A-1</b>					
CLIENT: <b>HUTCHINS HARLEY IE25545B</b> 8828 W PALME HIGHWAY YUCCA VALLEY, CA 92284					



SCALE: 1" = 30'-0"  
 0 15' 30' 1

**ST • Mobile**  
 Stick Together

2007 S. GARDEN ST., SUITE 200  
 YUCCA VALLEY, CA 92284



**EDDG**  
 ENVIRONMENTAL DESIGN GROUP, LLC  
 10011 BROADWAY, SUITE 200  
 YUCCA VALLEY, CA 92284  
 (760) 228-1556  
 CDG#: 11-6802

CONTRACTING ENGINEER:

**AVILA INC.**  
 6254 Avila Rd.  
 Yucca Valley, CA 92284  
 (760) 228-1556

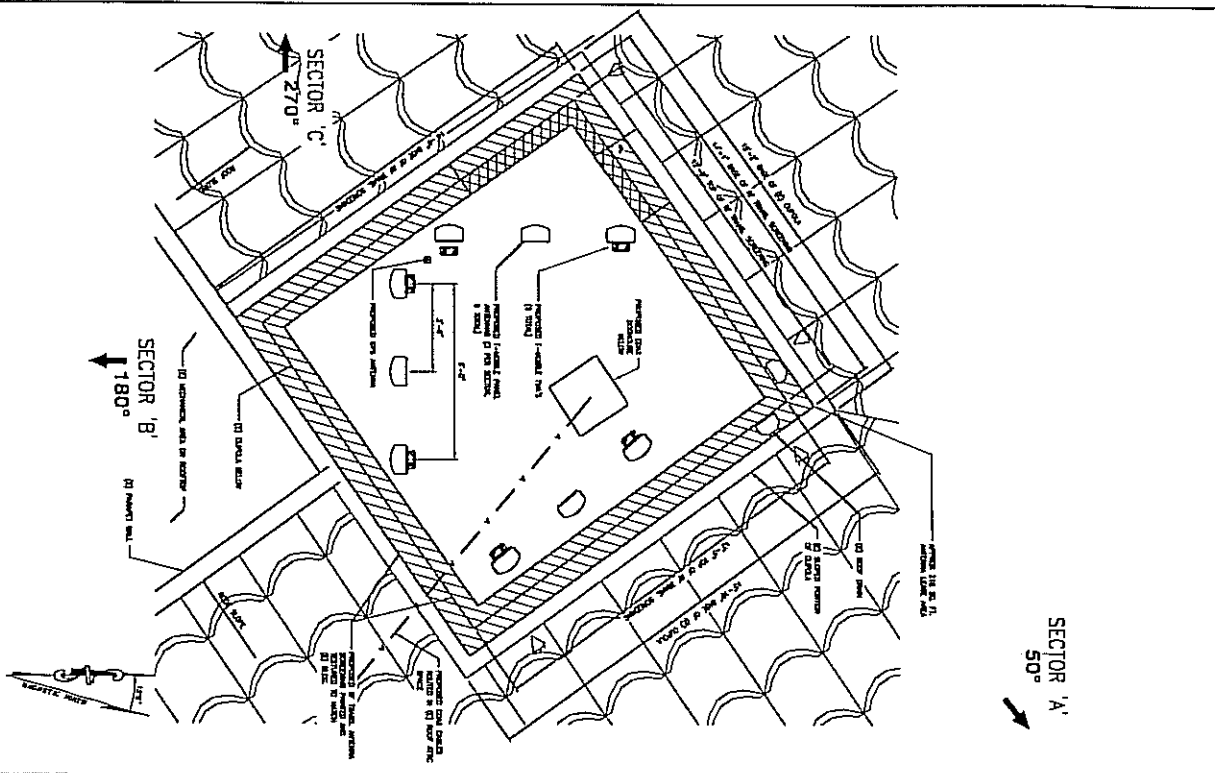
NO.	DATE	DESCRIPTION	BY
1	02/17/11	BOX 20'S	JPC
2	02/24/11	1800 20'S	JPC

SITE INFORMATION:			
HUTCHINS HARLEY			
IE25545B			
4425 N PALMS HIGHWAY			
YUCCA VALLEY, CA 92284			
SEAL:			
P.44			

SHEET TITLE:  
 ENLARGED SITE PLAN

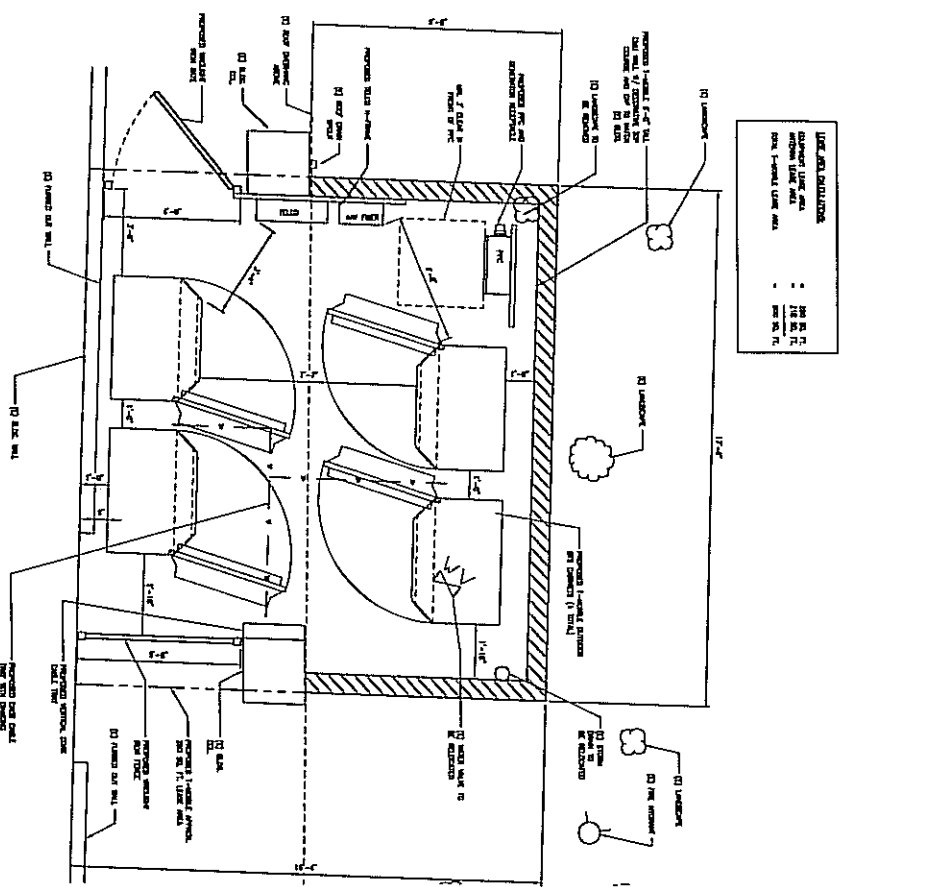
SHEET NUMBER:  
**A-2**





SCALE: 1/2" = 1'-0"

2



SCALE: 1/2" = 1'-0"

1

**T-Mobile**  
Stick Together

2501 E. GARDEN ST., SUITE 100  
DENVER, CO 80202

PLANS PREPARED BY:

**EDGE**  
CONNELL DESIGN GROUP, LLC  
CENTRAL DESIGN GROUP, INC.  
1001 JEFFERSON PARKWAY, SUITE 1200  
DENVER, CO 80202  
CDG#: 11-8802

AVILA INC.  
6254 Avila Rd.  
Yucca Valley, CA 92284  
(760) 228-1556

NO.	DATE	DESCRIPTION	BY
1	02/17/11	90% 20'S	JHC
2	02/24/11	100% 20'S	JHC

SITE INFORMATION:

**HUTCHINS HARLEY**  
**IE25545B**  
8425 SE PALME HIGHWAY  
YUCCA VALLEY, CA 92284

P.45

SHEET TITLE:  
**EQUIPMENT AND ANTENNA LAYOUT**

SHEET NUMBER:  
**A-2.1**

**Stick Together**

333 E. MAIN ST., SUITE 200  
DENVEN, CO 81201

**EDGE**

CONSTRUCTION GROUP  
1111 17TH ST., SUITE 100  
DENVER, CO 80202  
PHONE: 303-733-1111  
FAX: 303-733-1112  
WWW.EDGECONSTRUCTION.COM  
CDCC#: 11-5802

PLANS PREPARED BY:

**AVILA INC.**  
6254 AVILA RD.  
YUCCA VALLEY, CA 92284  
(760) 228-1556

NO.	DATE	DESCRIPTION	BY
1	02/17/11	BOX 20'S	JPC
2	02/24/11	100X 20'S	JPC

SITE INFORMATION	
P.46	

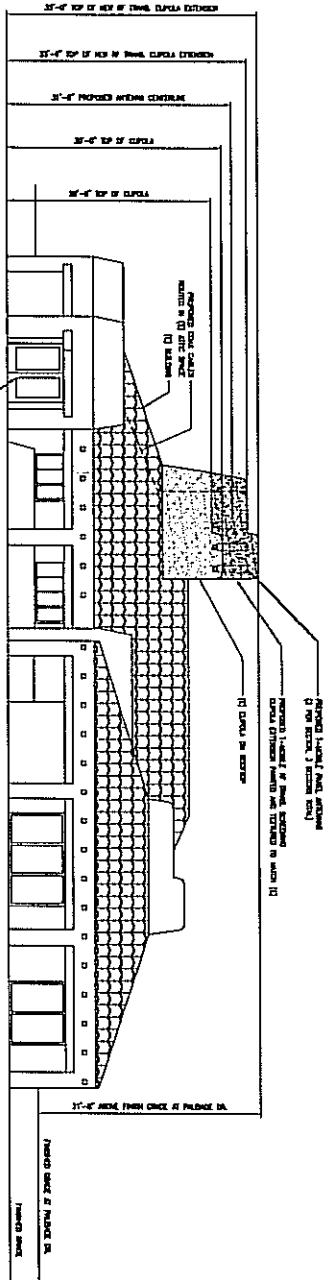
**HUTCHINS HARLEY**  
**IE25545B**  
18218 38 PALMS HIGHWAY  
YUCCA VALLEY, CA 92284

SCALE

SHEET NUMBER	A-3
--------------	-----

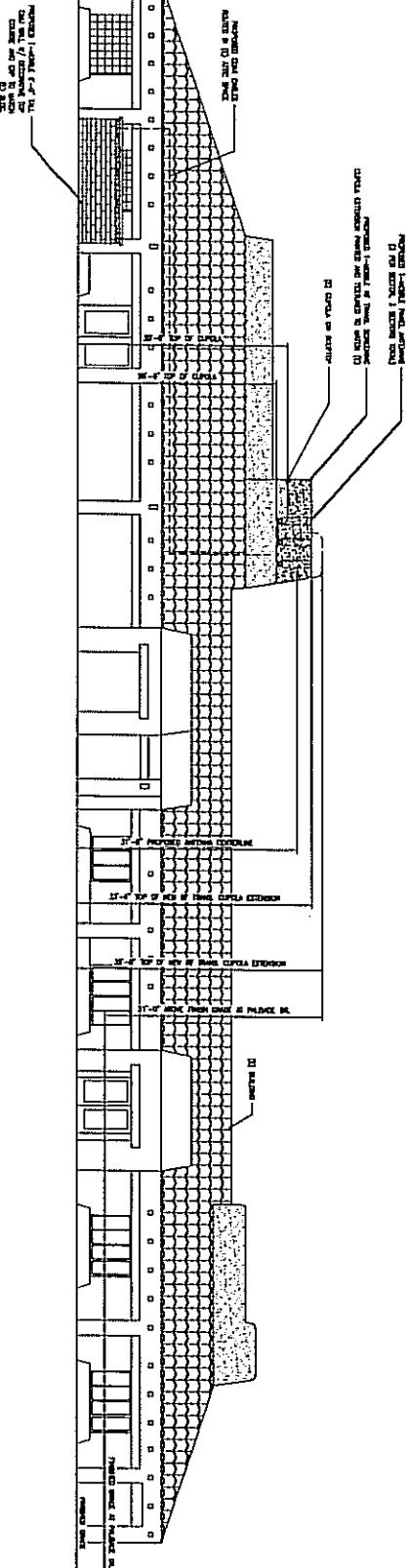
ARCHITECTURAL  
ELEVATIONS

A-3



NORTH ELEVATION

SCALE  
1/8" = 1'-0"  
1



SOUTH ELEVATION

SCALE  
1/8" = 1'-0"  
2

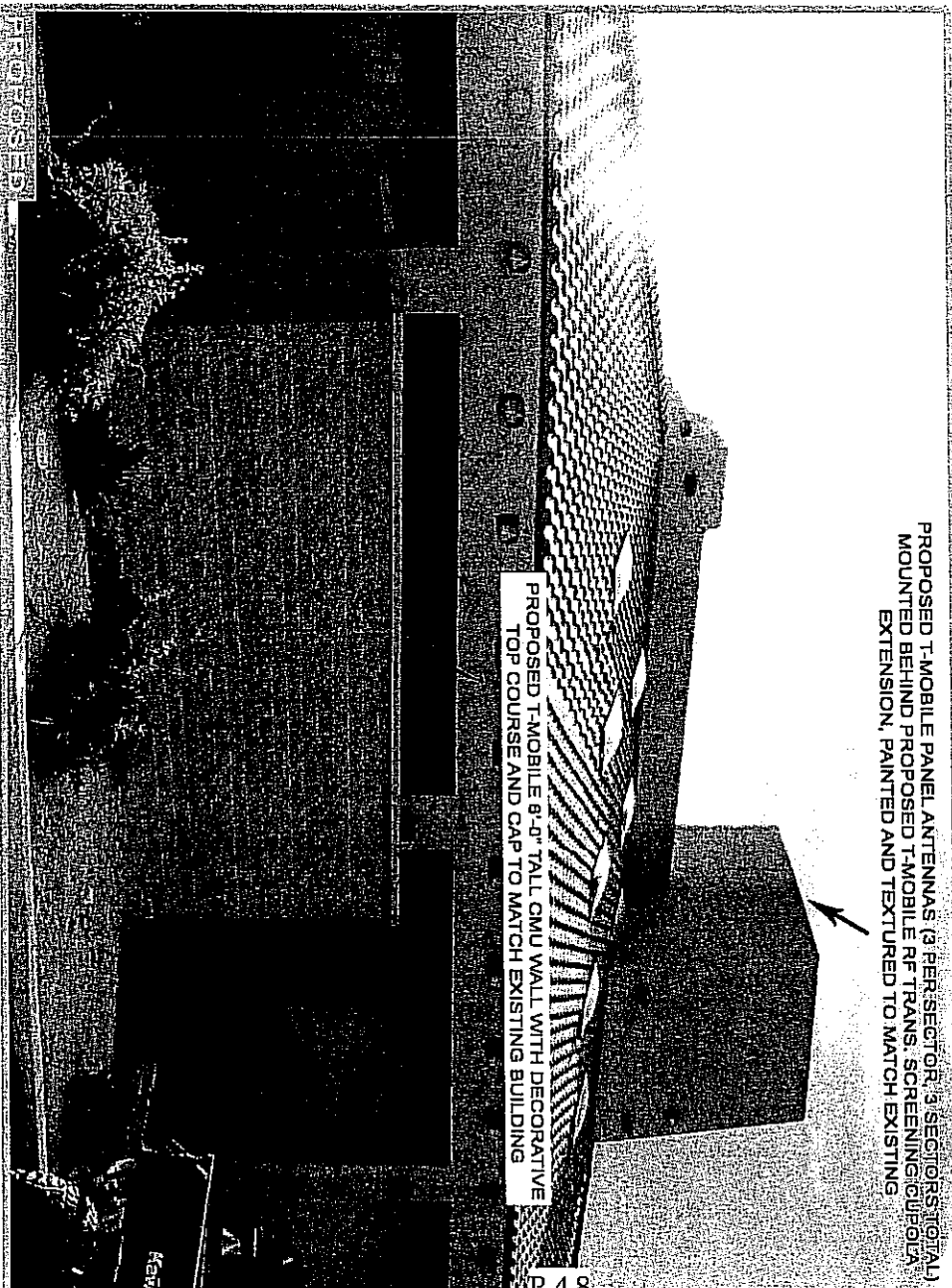
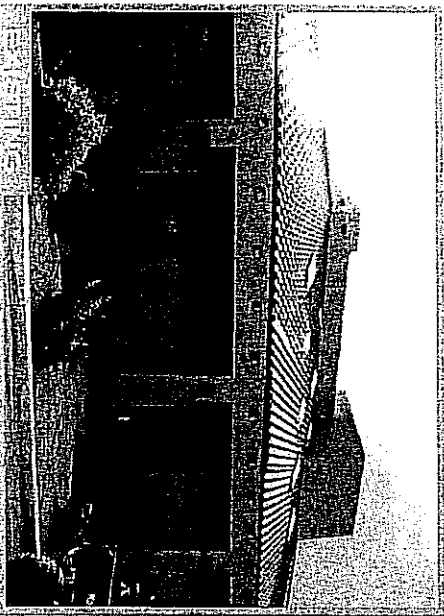
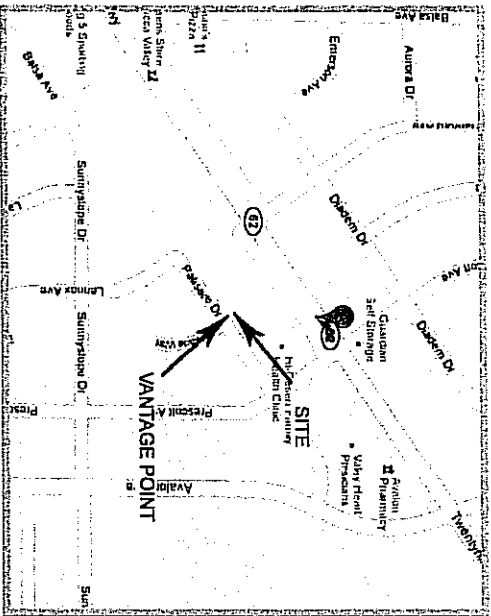


· · T · · Mobile ·

1E25545B HUTCHINS HARLEY  
58325 TWENTYNINE PALMS HIGHWAY YUCCA VALLEY, CA 92284

AVILA INC

VIEW POSITIVE



PROPOSED T-MOBILE PANEL ANTENNAS (3 PER SECTOR, 3 SECTORS/TOTAL)  
MOUNTED BEHIND PROPOSED T-MOBILE RF TRANS. SCREENING CURBOLA  
EXTENSION, PAINTED AND TEXTURED TO MATCH EXISTING

PROPOSED T-MOBILE 8'-0" TALL CMU WALL WITH DECORATIVE  
TOP COURSE AND GAP TO MATCH EXISTING BUILDING

Photo simulations based on available plans and client project data, and is intended to be a realistic representation of the proposed project. The final constructed site may vary.

• • F • • Mobile •

1E25545B HUTCHINS HARLEY  
58325 TWENTYNINE PALMS HIGHWAY YUCCA VALLEY, CA 92284

AVILA INC

VIEW FROM WEST ON PALMS SIDE

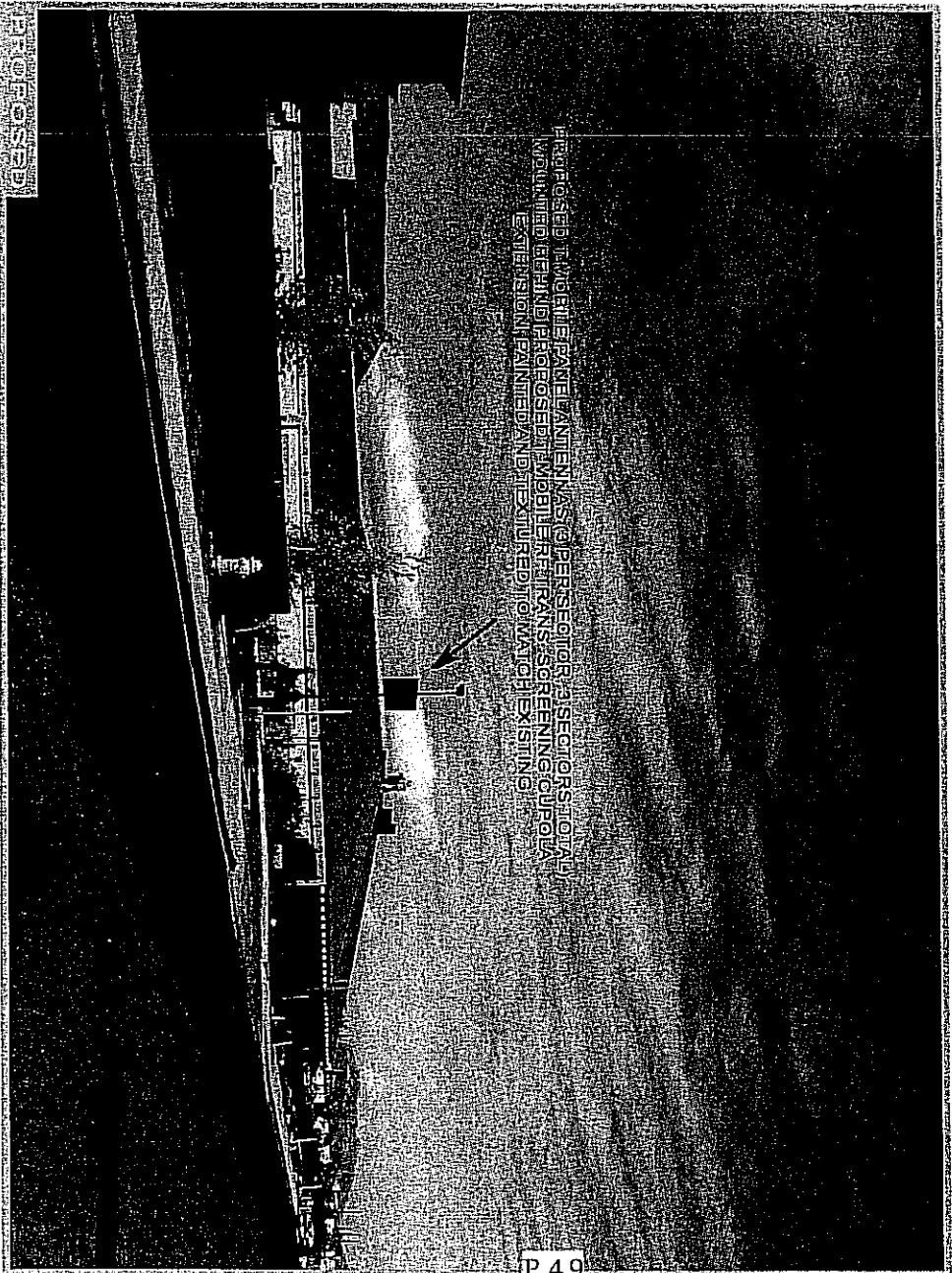
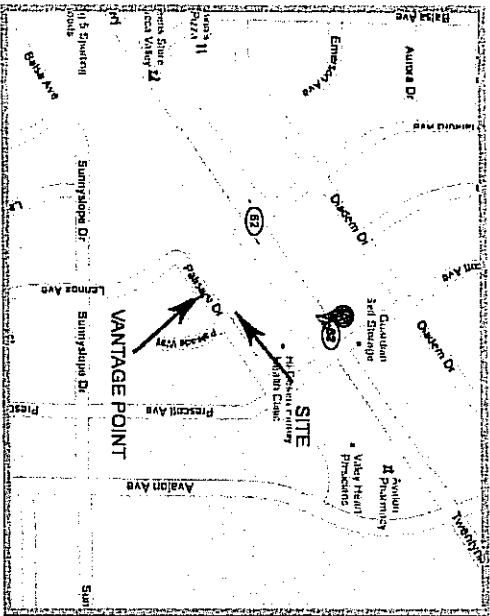


Photo simulations based on available plans and client project data, and is intended to be a realistic representation of the proposed project. The final constructed site may vary.

..F..Mobile

1E25545B HUTCHINS HARLEY  
58325 TWENTYNINE PALMS HIGHWAY YUCCA VALLEY, CA 92284

AVILA INC

VIEW FROM NEAR RESIDENTIAL LOT

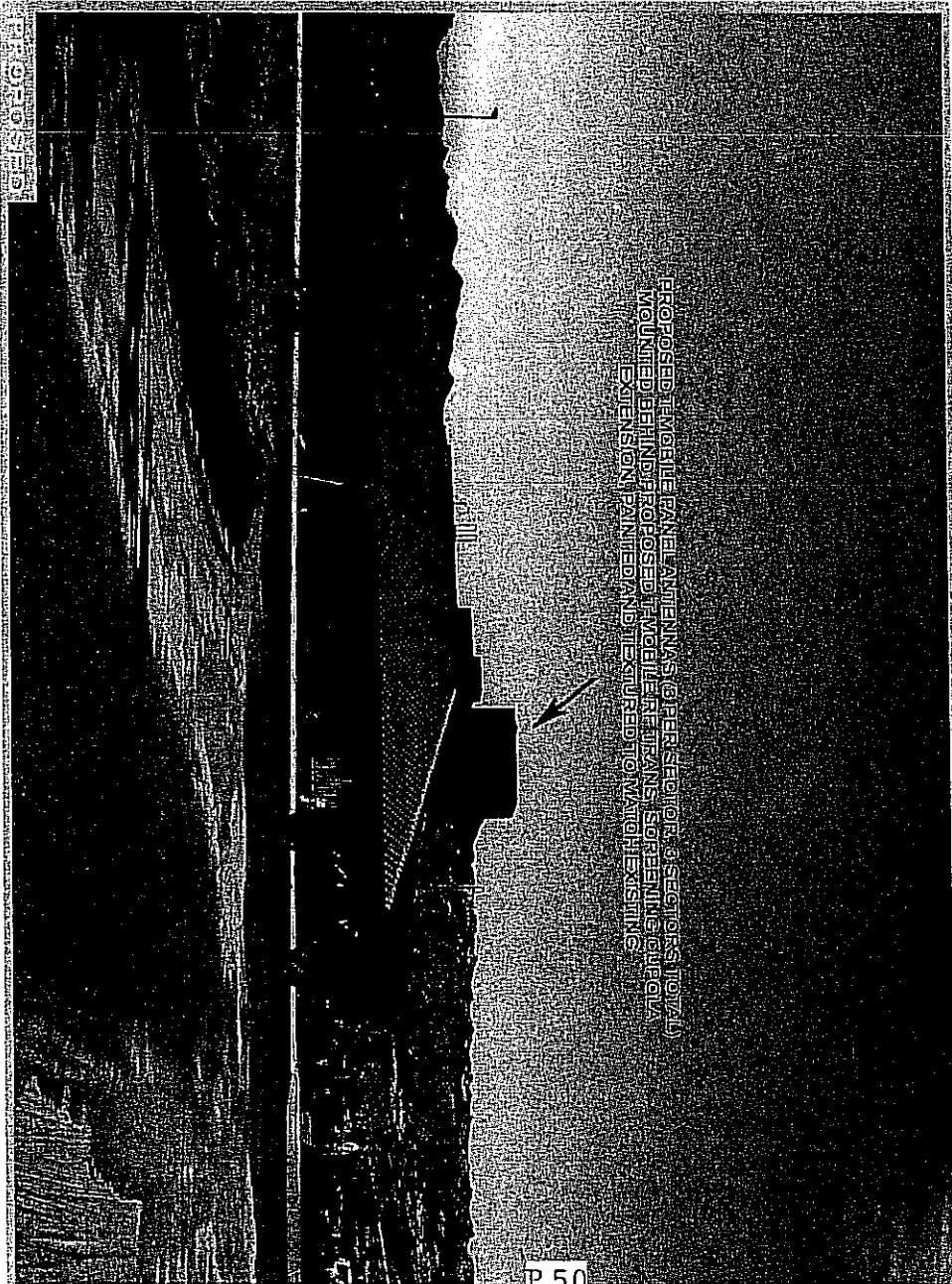
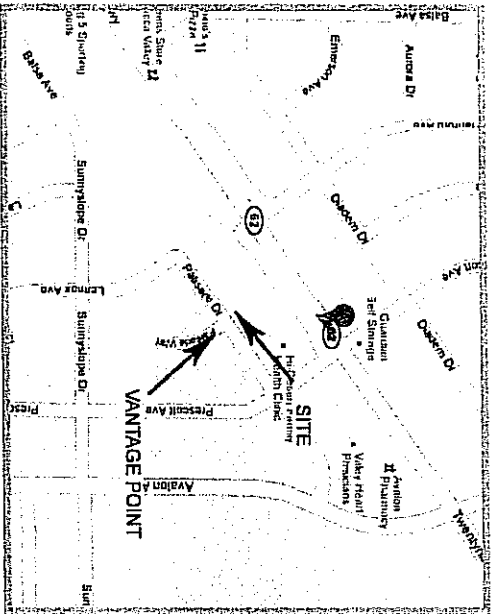
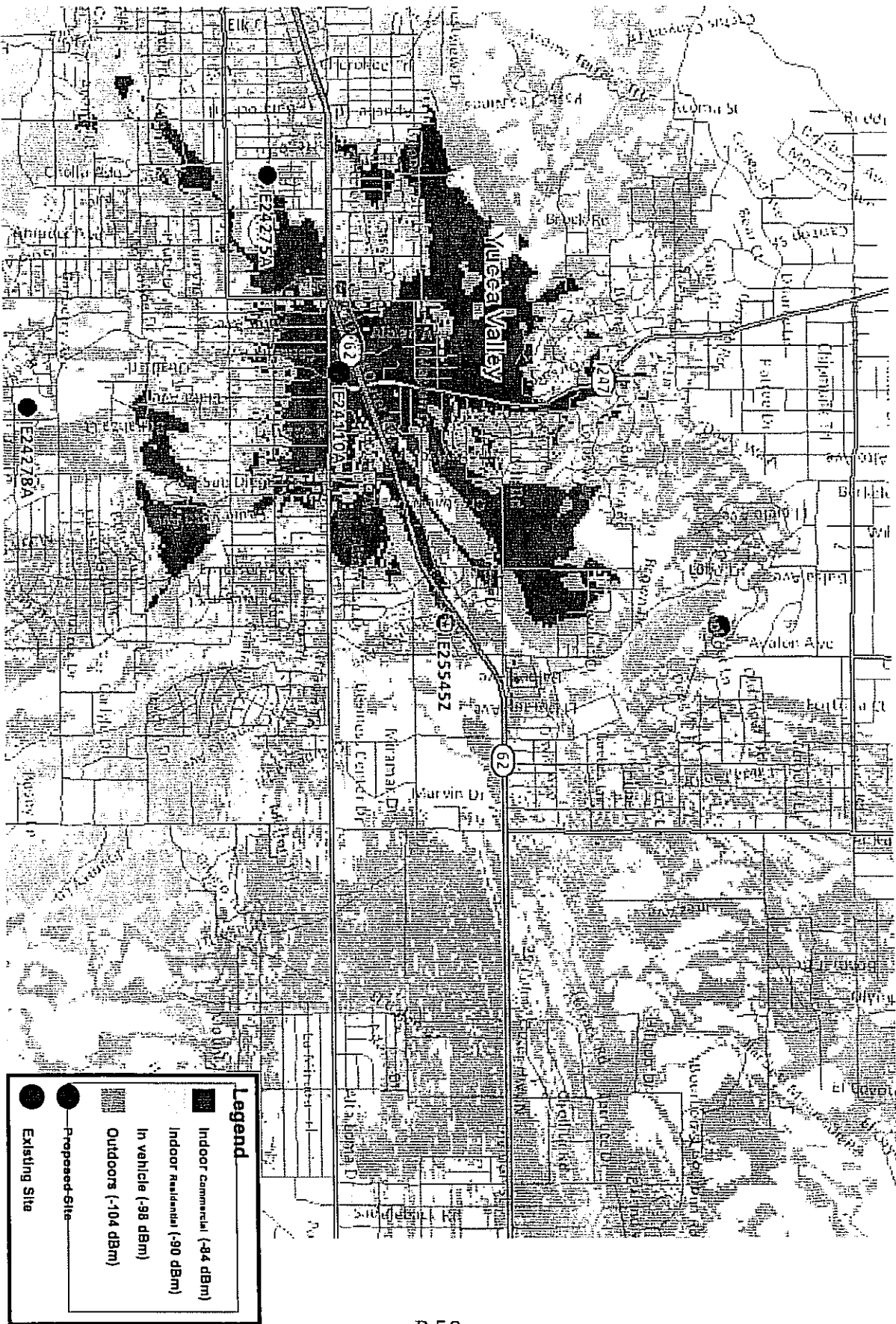


Photo simulations based on available plans and client project data, and is intended to be a realistic representation of the proposed project. The final constructed site may vary.

# Zoning RF Maps for IE25545B

**Predicted Coverage - without the proposed site**



**T-Mobile stick together**

Confidential and Proprietary Information of T-Mobile USA



Predicted Coverage - with the proposed site



T-Mobile stick together

Confidential and Proprietary Information of T-Mobile USA

Predicted Coverage - proposed site only



T-Mobile stick together™

Confidential and Proprietary Information of T-Mobile USA

ADVERTISING FOR  
NOTICE OF PUBLIC HEARING  
YUCCA VALLEY COMMUNITY CENTER  
57090 29 PALMS HIGHWAY  
YUCCA VALLEY, CALIFORNIA 92284

TUESDAY, APRIL 12, 2011, BEGINNING AT 6:00 P.M.

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE TOWN OF YUCCA VALLEY PLANNING COMMISSION TO CONSIDER THE FOLLOWING DESCRIBED APPLICATION:

**CASE NUMBER:** Conditional Use Permit, CUP 01-11 T-Mobile Hutchins

**APPLICANT:** T Mobile West  
3257 E Guasti #200  
Ontario, CA 91761

**PROPOSAL:** Proposal to install a roof mounted cellular tower consisting of nine panel antennas, 6TMA antennas and 2 GPS antennas behind an extended parapet wall with radio equipment cabinets on the ground behind a block wall.

**LOCATION:** The project is located at 58325 29 Palms Hwy, on the south side of 29 Palms Hwy, west of Prescott Ave and identified as APN 601-412-22.

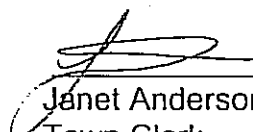
**ENVIRONMENTAL DETERMINATION:** The project was reviewed under the California Environmental Quality Act (CEQA) and the Town's Guidelines to Implement same. The project is exempt from CEQA under Section 15301, Existing Facilities.

Any person affected by the application(s) may appear and be heard in support or opposition to the proposal at the time of the hearing. The environmental findings, along the with proposed project application(s) are available and may be reviewed at the Town of Yucca Valley Planning Division, 58928 Business Center Drive, Yucca Valley, CA 92284 from 7.30 a.m. to 5:30 p.m., Monday through Thursday or obtain information at (760) 369-6575.

The Planning Commission in their deliberation could recommend approval of the project, deny the project, or approve the project in an alternative form. If you challenge any of the projects in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Town Planning Division at, or prior to the Public Hearing.

Publish Date: Posted on March 17, 2011 and published on March 30, 2011.

*March 16, 2011*  
Date

  
Janet Anderson  
Town Clerk

**Notice of Exemption**

Form D

To:  Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 222  
Sacramento, CA 95812-3044

From: (Public Agency) Town of Yucca Valley  
58928 Business Center Drive  
Yucca Valley, CA 92284  
(Address)

County Clerk  
County of San Bernardino  
385 N. Arrowhead, 2nd Flr.  
San Bernardino, CA. 92415

Project Title: Conditional Use Permit, CUP 01-11

**Project Location - Specific:**

The project is located at Hutchins Motorsports 58325 29 Palms Highway, and is identified as APN 601-412-22.

Project Location - City: Yucca Valley Project Location - County: San Bernardino

**Description of Project:**

A request to construct a roof mounted cellular tower consisting of nine panel antennas, 6TMA antennas and 2 GPS antennas completely screened behind an extended parapet wall with four (4) equipment cabinets on the ground behind a block wall.

Name of Public Agency Approving Project: Town of Yucca Valley

Name of Person or Agency Carrying Out Project: T-Mobile West

**Exempt Status: (check one)**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15332, class 32, Infill Development
- Statutory Exemptions. State code number: \_\_\_\_\_

**Reasons why project is exempt:**

The project is exempt from CEQA due to the fact that the project is located on a site that is currently developed with a 15,000 square foot motorsports dealership.

**Lead Agency**

Contact Person: Robert Kirschmann Area Code/Telephone/Extension: (760) 369-6575

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

- Signed by Lead Agency
  - Signed by Applicant
- Date received for filing at OPR: \_\_\_\_\_

Revised May 1999

**ORDINANCE NO. 114**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, AMENDING TITLE 8, DIVISION 4, CHAPTER 4, SECTION 84.0410 OF THE COUNTY OF SAN BERNARDINO CODE AS ADOPTED BY THE TOWN OF YUCCA VALLEY RELATING TO WIRELESS COMMUNICATIONS FACILITIES (DCA-4-99)**

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

**SECTION 1. Code Amended**

Title 8, Division 4, Chapter 4, Section 84.0410 of the San Bernardino County Code as adopted by the Town of Yucca Valley is hereby amended as follows:

**"Chapter 4**

**ADDITIONAL USES**

**Sections:**

**84.0410 List of Additional Uses.**

**(c) Wireless Communications Facilities**

- (1) Purpose:** The purpose of this section is to provide site selection and general standards applicable to wireless communications facilities, as well as special design standards for Town entry points, scenic corridors, and buffer areas in order to preserve the Town's desert rural neighborhood character and protect and enhance aesthetic and scenic values reflecting the community's image and character consistent with the goals and policies of the General Plan.
- (2) Applicability:** This section identifies regulations applicable Townwide for the location, design, and screening of all wireless communication facilities, including satellite, cellular, paging, and other wireless communication technologies.
- (3) Definitions:**
  - (A) Co-location:** means locating wireless communication equipment from more than one provider on a single site.
  - (B) Lattice Tower:** means a guyed or self-supporting, three or four sided, open frame structure used to support telecommunications equipment.
  - (C) Monopole Tower:** mean a communications tower consisting of a single

- pole, constructed with or without guy wires and ground anchors.
- (D) **Whip Antennas:** means an omni-directional antenna that is very thin, less than two inches in diameter, and not exceeding eighteen feet in height.
  - (E) **Wireless Communication Facilities:** means a broad range of telecommunications services that enable people and devices to communicate independent of location. This includes the technologies of cellular communications and personal Communications Services. This excludes non-commercial antennas, radio and television signals, and non-commercial satellite dishes typically associated with residential development. For the purpose of this definition, non-commercial antennas is not defined based on FCC filing status.
  - (F) **Wireless Communication Facilities - Height:** The height of wireless communication towers or poles shall be measured from natural, undisturbed ground surface below the center of the tower or pole to the top of the highest antenna or piece of equipment attached thereof. In the case of building mounted facilities, the height shall include the height of the portion of the building on which it is mounted.
- (4) **Special Design Areas:** Special Design Areas shall be located within five thousand (5,000) feet on both sides of the scenic highways identified on Exhibit III – 13 of the Scenic Highways Element of the General Plan or within five hundred (500) feet of property zoned for residential units with a minimum lot size of one acre or less. The scenic highways identified in the General Plan are State Highways 62 and 247, Joshua Lane, and Pioneertown Road. Additional special landscape and architectural treatments shall be given to major Entry Points to the Town.
- (5) **Permitted Land Use Districts:** Wireless communications facilities may be permitted in all land use districts, subject to the reviews specified by Sections 84.0401 and 84.0405 and further defined in Subsection (6), *Review Process*.
- (6) **Review Process:**
- (A) Wireless communications facilities within Special Design Areas, identified in Subsection (4), *Special Design Areas*, except those located on existing structures and natural features in compliance with Subsection (7)(B)(1a & b), *General Policies* shall be subject to a Conditional Use Permit – Planning Commission Review.
  - (B) Wireless communication facilities greater than thirty (30) feet in height shall be subject to Conditional Use Permit – Planning Commission review and shall also be referred to the Town Council for final review and approval.
  - (C) Wireless communication facilities outside the Special Design Areas, and those located on existing structures and natural features less than 30 feet in

height, shall be subject to a Conditional Use Permit - Administrative Review.

(7) **General Policies**

(A) **General:** Community and neighborhood visual concerns should be considered paramount in the consideration of and selection of wireless communications facilities sites. These concerns should be evaluated in consideration of the goals, policies, and programs of the General Plan and the standards set forth in this section.

(B) **Site Selection and General Standards:** The following standards shall apply to all wireless communications facilities.

- (1) Within any land use district, wireless communications facilities sites should be located in the following order of preference:
  - (a) On existing structures such as buildings, communication towers, water towers, or similar structures. Antennas should be located so that they do not extend above the height or profile of the structure on which they are located. When located on a building or structure, antennas shall be painted and texturized to match the existing building or structure.
  - (b) On natural features or topography, located so that structures or antennas, other than whip antennas, do not project above the ridgeline, or into the skyline for both community and neighborhood views.
  - (c) Outside the Special Design Areas identified in Subsection (4) *Special Design Areas*.
  - (d) Sites otherwise located shall comply with the visual impact and screening requirements in Subsection (8) *Visual Impact and Screening Standards*.
- (2) Facilities, including any towers and equipment buildings, should be located to avoid the dominant silhouette on ridgelines. Preservation of viewsheds of surrounding residential development should also be considered in the location and design of facilities.
- (3) Facilities greater than thirty (30) feet in height shall be subject to Town Council review and approval and may be required to provide additional visual mitigation to disguise their appearance to look like a tree, natural feature, building, or other structure subject to the approval of the Town Council. Such designs shall be in scale with the surrounding development or landscaping.
- (4) Facilities, including equipment buildings, shall be architecturally and visually compatible, including scale, size, and use of similar colors and building materials, with surrounding existing buildings, structures, and uses in the vicinity.
- (5) Antennas shall not be light reflective and shall not have any sign copy on them, nor shall they be illuminated.

- (6) Where the result of adding a second facility on an existing tower or monopole is of a less visual impact than what exists and sufficient vertical separation can be provided, sites should be co-located with other wireless communication providers.
- (7) All sites shall be landscaped or treated with a soil binder to prevent erosion, including wind erosion.
- (8) Applicants for wireless communications facilities shall submit a certification from an engineer qualified in radiofrequency radiation that the proposed facility complies with the Federal Communications Commission (FCC) Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation and complies with the standards for maximum emissions of radiofrequency radiation of the American National Standards Institute (ANSI)/Institute of Electronics and Electrical Engineers (IEEE) C95.1-1992 and the National Council on Radiation Protection and Measurement (NCRP).
- (9) A visual simulation and detailed viewshed analyses shall be prepared to demonstrate the compatibility of the proposal with the standards and criteria of this ordinance and with surrounding development and viewsheds.
- (10) Site location and development shall preserve the pre-existing vegetation, topography, and character of the site as much as possible.
- (11) Security fencing shall be kept to a minimum and shall be colored or shall be of a design that blends into the character of the existing environment.
- (12) Access roads shall be limited to 12 feet in width except where the Fire Department requires a greater width. The access road may be paved unless a gravel or other non-paved surface is approved by the Town.
- (13) Any new parking areas constructed shall be no larger than to accommodate two parking spaces and maneuvering area.
- (14) The proposed antenna facility will operate in compliance with all applicable Federal safety regulations for such facilities in that the applicant provides documentation to show that their facility will operate below such standards and conditions have been included requiring testing upon installation and operation on the facility.
- (15) New projects shall be conditioned to ensure the facilities do not cause interference with other utilities or communication infrastructure or services.
- (16) Existing facilities shall not cause interference or disturbance with other utilities or communication infrastructure or services. If it is determined that existing facilities do cause such interference, operations shall cease until repairs are made or further clearance is granted.

**(8) Visual Impact and Screening Standards: Facilities within Special Design Areas**



shall comply with the following standards, in addition to the policies in Subsection (7) *General Policies*.

- (A) Within Special Design Areas, antennas shall be located on existing buildings, communication towers, water towers, or similar structures; on natural features or topography; or shall be disguised or screened in a manner compatible with the Town's desert rural neighborhood character.
  - (B) Facilities should be located so that they do not extend above the height or profile of the structure on which they are located. When located on a building or structure, antennas shall be painted and texturized to match the existing building or structure.
  - (C) Structures or antennas located on natural features or topography, other than whip antennas, should not project above the ridgeline, or into the skyline for both community and neighborhood views. Free-standing monopole and/or lattice towers shall be designed to disguise their appearance, to look like a tree, natural feature, building, or other structure subject to the approval of the Planning Commission. Such designs shall be in scale with surrounding development or landscaping.
  - (D) Free-standing monopole and/or lattice towers shall have a minimum setback of four hundred fifty (450) feet from any property zoned for residential units with a minimum lot size of one acre or less. Those facilities designed to disguise their appearance in accordance with Section (8)(C) shall have a minimum setback of two hundred seventy-five (275) feet from any property zoned for residential units with a minimum lot size of one acre or less.
  - (E) Sites shall be landscaped to screen buildings, equipment and the base of any towers and from surrounding land uses.
- (9) **Abandonment:** Lawfully erected wireless communication facilities that are abandoned shall be removed promptly from the premises, and no later than 90 days after the discontinuance of use. A wireless communication facility is considered abandoned if it no longer provides wireless communication service. In the case of multiple operators sharing use of a single tower, this provision shall become effective until all users cease operation. Such removal shall be in accordance with proper health and safety requirements.

A written notice of the determination of abandonment shall be sent or delivered to the operator of the wireless communication facility. The operator shall have 90 days to remove the facility or provide the Community Development Director with evidence that the use has not been discontinued. All abandoned facilities not removed within the 90 day period shall be in violation of the Code and operators of

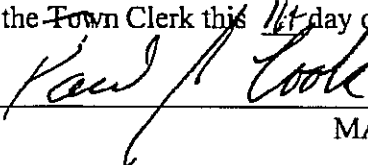
the facility and the owners of the property shall be subject to penalties in accordance with the Town of Yucca Valley Municipal Code."

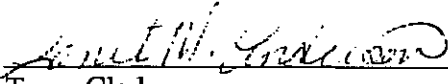
SECTION 2. NOTICE OF ADOPTION. Within fifteen (15) days after the adoption hereof, the Town Clerk shall certify to the adoption of this Ordinance and cause it to be published once in a newspaper of general circulation printed and published in the County and circulated in the Town pursuant to Section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

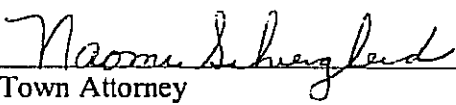
SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after the date of its adoption.

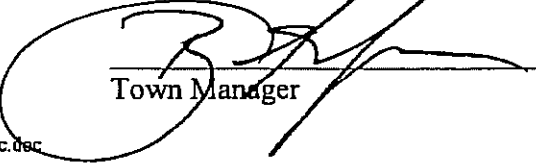
SECTION 4. REPEAL OF ORDINANCE 109. Ordinance 109 is repealed effective on the effective date of this Ordinance.

APPROVED AND ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this 16<sup>th</sup> day of December, 1999.

  
\_\_\_\_\_  
MAYOR

ATTEST:  
  
\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Town Attorney

APPROVED AS TO CONTENT:  
  
\_\_\_\_\_  
Town Manager

G:\RESTORE\FCOMMON\COMMON\ORDINANCE\CA499tc.doc  
Dec. 16, 1999 TC

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Janet M. Anderson, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the Town Council on the 2nd day of December, 1999, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 16th day of December, 1999, by the following vote, to wit:

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

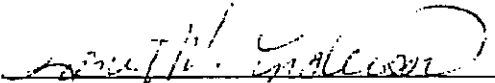
Noes: None

Absent: None

Abstain: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 17th day of December, 1999.

(SEAL)

  
Town Clerk of the Town of  
Yucca Valley

*Planning Commission: April 12, 2011*  
**TOWN OF YUCCA VALLEY**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
**CURRENT PLANNING DIVISION STAFF REPORT**  
**TENTATIVE PARCEL MAP 19288 STEVENS**

---

**Case:** TENTATIVE PARCEL MAP, TPM 19288 STEVENS  
CATEGORICAL EXEMPTION FROM CEQA, SECTION 15315, CLASS  
15, MINOR LAND DIVISIONS

---

**Request:** A REQUEST TO SUBDIVIDE A 30,056 SQUARE FOOT (.69 ACRE)  
PARCEL INTO THREE (3) 8,160 SQUARE FOOT (.19 ACRE) PARCELS  
WITH PREVIOUSLY CONSTRUCTED SINGLE FAMILY HOMES IN THE  
RESIDENTIAL SINGLE FAMILY, FIVE (5) UNITS PER ACRE LAND USE  
AND ZONING DESIGNATIONS.

---

**Applicant:** MARK A. STEVENS  
125 E. 17TH STREET  
NATIONAL CITY, CA 91950

---

**Property Owner:**  
SAME

---

**Representative:**  
BILL WARNER  
NOLTE ASSOCIATES  
73-185 HWY 111, SUITE A  
PALM DESERT, CA 92260

---

**Location:** THE PROPERTY IS LOCATED ON THE WEST SIDE OF PLASSE  
DRIVE (7090, 7110, 7140 PLASSE), SOUTH OF CASSIA DRIVE AND  
IDENTIFIED AS APNS 595-122-13, 34, AND 38.

---

**Existing General Plan Land Use Designation:**  
THE SITE IS DESIGNATED SINGLE FAMILY RESIDENTIAL FIVE (5)  
UNITS PER ACRE (RS-5).

---

**Existing Zoning Designation:**  
THE SITE IS DESIGNATED SINGLE FAMILY RESIDENTIAL FIVE (5)  
UNITS PER ACRE (RS-5).

---

---

Division Approvals:  
Engineering \_\_\_\_\_ Building & Safety \_\_\_\_\_ Public Works \_\_\_\_\_

---

**Surrounding General Plan Land Use Designations:**

NORTH: SINGLE FAMILY RESIDENTIAL FIVE (5) UNITS PER ACRE (RS-5)  
SOUTH: SINGLE FAMILY RESIDENTIAL FIVE (5) UNITS PER ACRE (RS-5)  
WEST: SINGLE FAMILY RESIDENTIAL FIVE (5) UNITS PER ACRE (RS-5)  
EAST: SINGLE FAMILY RESIDENTIAL FIVE (5) UNITS PER ACRE (RS-5)

**Surrounding Zoning Designations:**

NORTH: SINGLE FAMILY RESIDENTIAL FIVE (5) UNITS PER ACRE (RS-5)  
SOUTH: SINGLE FAMILY RESIDENTIAL FIVE (5) UNITS PER ACRE (RS-5)  
WEST: SINGLE FAMILY RESIDENTIAL FIVE (5) UNITS PER ACRE (RS-5)  
EAST: SINGLE FAMILY RESIDENTIAL FIVE (5) UNITS PER ACRE (RS-5)

---

**Surrounding Land Use:**

NORTH: SINGLE FAMILY RESIDENCES  
SOUTH: SINGLE FAMILY RESIDENCES  
WEST: VACANT RESIDENTIAL LAND AND SAN BERNARDINO COUNTY  
DRAINAGE FACILITY  
EAST: SINGLE FAMILY RESIDENCES

---

**Public Notification:**

PURSUANT TO DEVELOPMENT CODE SECTION 83.030115, LEGAL NOTICE IS REQUIRED TO BE GIVEN TO ALL PROPERTY OWNERS WITHIN A THREE (300) HUNDRED FOOT RADIUS OF THE EXTERIOR BOUNDARIES OF THE SUBJECT SITE. THIS PROJECT WAS POSTED ON **TUESDAY MARCH 17, 2011 AND PUBLISHED ON MARCH 30, 2011.** THERE HAS BEEN NO WRITTEN RESPONSES RECIEVED AS OF THE WRITING OF THIS STAFF REPORT.

---

**RECOMMENDATION:**

**TENTATIVE PARCEL MAP, TPM 19288:** That the Planning Commission that finds the project is categorically exempt from CEQA under Section 15332, class 15, Minor Land Divisions and approves Tentative Parcel Map, TPM 19288 Stevens based on the findings in the staff report, and the Conditions of Approval.

Project manager: Robert Kirschmann

Reviewed by: Shane Stueckle

**Appeal Information:**

Actions by the Planning Commission, including any finding that a negative declaration be adopted, may be appealed to the Town Council within 10 calendar days. Appeal filing and processing information may be obtained from the Planning Section of the Community Development Department. Town Staff cannot modify Planning Commission Actions except for substantial conformance determinations.

**I. GENERAL INFORMATION**

**PROJECT DESCRIPTION:** A request to subdivide a 30,056 square foot (.69 acre) parcel into three (3) 8,160 square foot (.19 acre) parcels with previously constructed single family homes in the residential single family, five (5) units per acre land use designation.

**LOCATION:** The property is located on the west side of Plasse drive (7090, 7110, 7140 Plasse), south of cassia drive and identified as APNs 595-122-13, 34, and 38.

**PROJECT SYNOPSIS:**

**SITE COVERAGE**

PROJECT AREA	Gross .68 acres (28,895 sq. ft.) Net .56 acres (24,495 sq. ft.)
BUILDING AREA	No new buildings are proposed There are three (3) existing 2,400 square foot (including garage and patio) single family residences
PHASED CONSTRUCTION:	No
FLOOD ZONE	Yes, Map 8860 zone A, areas located in the flood zone
ALQUIST PRIOLO ZONE	No, Yucca Valley South Map
OFF-SITE IMPROVEMENTS REQ.	None recommended
ASSESSMENT DISTRICTS REQ.	No
RIGHT-OF-WAY DEDICATION REQ.	Yes
UTILITY UNDERGROUNDING:	All utility lines are existing and located underground
AIRPORT INFLUENCE AREA:	Located within the approach surface and safety review area 3 of the airport
TRAILS & BIKE LANE MASTER PLAN	No facilities on or adjacent to the project
PUBLIC FACILITY MASTER PLAN	No facilities on or adjacent to the project.

PARKS AND RECREATION MASTER PLAN	No facilities on or adjacent to the project
MASTER PLAN OF DRAINAGE:	No facilities on or adjacent to the project
STATE OF CALIFORNIA STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REQUIRED:	No disturbance is proposed
REDEVELOPMENT PROJECT AREA:	Yes
STREET LIGHTS:	Not applicable
SPECIFIC PLAN/ PLANNED DEVELOPMENT AREA:	No
FUTURE PLANNING COMMISSION ACTION REQUIRED	No
FUTURE TOWN COUNCIL ACTION REQUIRED	Yes, approval of the final map

## II. PROJECT ANALYSIS

**GENERAL PLAN CONSIDERATION:** The proposed subdivision is located in the Residential Single Family, 5 units per acre land use designation. The land could therefore be subdivided into lots as small as 7,200 square feet. The applicant is proposing lots of 8,160 square feet. The project is therefore consistent with the General Plan.

**ENVIRONMENTAL CONSIDERATIONS:** The project is exempt from the California Environmental Quality Act under Section 15332, class 15, Minor Land Divisions.

**ADJACENT LAND USES:** The project site is surrounded to the north, south and east (across Plasse) by single family residences. The property to the west is vacant land, also zoned Single Family Residential, five (5) units to the acre (RS-5).

**SITE CHARACTERISTICS:** The site is developed with three (3) single family homes all 2,400 square feet in size including the garage and covered patios.

**BUILDING ELEVATIONS:** The single family homes have already been constructed. There are no changes proposed to the buildings.

**ROADWAY IMPROVEMENTS:** Staff is not recommending that the applicant complete any street improvements. The single family homes were previously constructed and currently occupied. The access to the site, Plasse is a public non maintained road easement and not part of the Town's maintained street system. There is pavement, in very poor repair, covered by dirt in many places and missing altogether in other locations. The site is approximately 165' to the south of Cassia Drive, a Town maintained paved road. Additionally, if the applicant were to provide improvements only in front of the project site the condition of the road segments on the north and south could lead to the rapid degradation of the improvement. The Town has no plans on improving or maintaining Plasse Drive and therefore the payment of estimated construction costs is also not recommended. A Condition of Approval has been included which requires that the applicant dedicate the full half width of right of way for Plasse Drive.

**ASSESSMENT DISTRICTS:** Since no public improvements are recommended to be constructed as a part of this project, no assessment districts are recommended.

**DISCUSSION:** In May of 2006 the applicant submitted building plans for three 2,400 square foot single family homes for APNs 595-122-13, 34, and 38. There was no previous tract or parcel map recorded for these parcels. The San Bernardino County Assessor's map showed three separate parcels. The applicant believed that he had purchased 3 separate legal lots and obtained building permits for their construction. The homes were completed and received final inspection by Building and Safety in June of 2007. The applicant has recently learned that the homes are in fact all built on one (1) lot. The parcels shown on the tax assessor map were drawn for tax purposes but never subdivided in accordance with the California Subdivision Map Act. Therefore, the applicant is now requesting approval of the parcel map to subdivide the lot into three separate legal parcels. The proposed parcel lines will follow those shown on the tax assessor's map.

The proposed tentative parcel map meets the standards for the Residential Single Family, five (5) units per acre RS-5 Land Use District. The RS-5 designation requires that lots be a minimum of 7,200 square feet. The applicant is proposing three (3) lots of 8,160 square feet. When the single family homes were reviewed during the Building and Safety plan check process the setbacks were all reviewed to determine compliance with the Code. The minimum required setbacks, which were met at that time are twentyfive (25) feet for the front yard setback, five (5) and ten (10) for the side yard setbacks and fifteen (15) for the rear yard setback. This tentative map is proposing to subdivide these lots on the same boundaries and shown on the Assessors map. Therefore, it is not anticipated that there will be any issues with the structures complying with setbacks.

In conclusion, the proposed tentative parcel map meets or exceeds the standards within the Development Code, General Plan and upon final map recordation the Subdivision Map Act. The findings for approval can be made.



**TENTATIVE PARCEL MAP FINDINGS:**

1. The proposed map is consistent with the applicable general and specific plans.  
*The parcel is designated Single Family Residential, five (5) units to the acre (RS-5). The project meets the requirements of the designation.*
2. The design or improvement of the proposed subdivision is consistent with the applicable general plan or specific plans.  
*The parcel is designated Single Family Residential, five (5) units to the acre (RS-5). The project meets the requirements of the designation. There is no specific plan in the area.*
3. The site is physically suitable for the type of development.  
*The site has been zoned and developed to facilitate the construction of the three (3) existing single family residences. The required services have already been installed to facilitate the development.*
4. The site is physically suitable for the proposed density of development.  
*As discussed above the site has been zoned, and the project designed to meet the requirements of the RS-5 designation.*
5. The design of the subdivision or the improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife.  
*The single family homes have already been constructed. No additional construction is proposed or required, and therefore there will be no impacts to the environment. A preliminary notice of exemption has been prepared for the project.*
6. The design of the subdivision or proposed improvements are not likely to cause serious public health problems.  
*The proposed project is consistent with the Town's General Plan and Development Code. No new construction is proposed or required. There will be no public health problems as a result of the maps approval.*
7. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision  
*The project is conditioned to provide a dedication for the right of way for Plasse Drive. No conflicts have been experienced or are expected as a result of the map approval.*

**Attachments:**

1. Standard Exhibits
2. Application materials
3. Site Plans and Tentative Map
4. Notice of Hearing
5. Preliminary Notice of Exemption

**TOWN OF YUCCA VALLEY  
COMMUNITY DEVELOPMENT DEPARTMENT  
RECOMMENDED CONDITIONS OF APPROVAL  
TENTATIVE PARCEL MAP, PM 19288 STEVENS**

A request to subdivide a 30,056 square foot (.69 acre) parcel into three (3) 8,160 square foot (.19 acre) parcels with previously constructed single family homes in the residential single family, five (5) units per acre land use designation. The property is located on the west side of Plasse drive (7090, 7110, 7140 Plasse), south of cassia drive and identified as APNs 595-122-13, 34, and 38.

**GENERAL CONDITIONS**

- G1. The applicant shall agree to defend, indemnify and hold harmless the Town of Yucca Valley, its agents, officers and employees, at his sole expense, against any action, claim or proceedings brought against the Town or its agents, officers or employees, to attack, set aside, void, or annul this approval or because of the issuance of such approval, or in the alternative, to relinquish such approval, in compliance with the Town of Yucca Valley Development Code. The applicant shall reimburse the Town, its agents, officers, or employees for any court costs, and attorney's fees which the Town, its agents, officers or employees may be required by a court to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition. The Town shall promptly notify the applicant of any claim, action or proceedings arising from the Town's approval of this project, and the Town shall cooperate in the defense.
- G2. This Tentative Tract Map shall become null and void if the tentative tract map has not recorded within three (3) years of the Town of Yucca Valley date of approval. Extensions of time may be granted by the Planning Commission and/or Town Council, in conformance with the Town of Yucca Valley Development Code. The applicant is responsible for the initiation of an extension request.

**Approval Date: April 12, 2011  
Expiration Date: April 12, 2014**

- G3. The applicant shall ascertain and comply with requirements of all State, County, Town and local agencies as are applicable to the project. These include, but are not limited to, County of San Bernardino Environmental Health Services, County of San Bernardino Transportation/Flood Control, County of San Bernardino Fire Department, Yucca Valley Building and Safety, Caltrans, High Desert Water District, Airport Land Use Commission, California Regional Water Quality Control Board, Colorado River Region, the Federal Emergency Management Agency,

MDAQMD-Mojave Desert Air Quality Management District, Community Development, Engineering, and all other Town Departments.

- G4. All conditions are continuing conditions. Failure of the applicant to comply with any or all of said conditions at any time may result in the revocation of any construction permits for the project.
- G5. The applicant shall pay all fees charged by the Town as required for application processing, plan checking, construction and/or inspection. The fee amounts shall be those which are applicable and in effect at the time work is undertaken and accomplished. Fees for entitlement prior to construction permits are based on estimated costs for similar projects. Additional fees may be incurred, depending upon the specific project. If additional fees for services are incurred, they must be paid prior to any further processing, consideration, or approval(s).
- G6. All refuse shall be removed from the premises in conformance with Yucca Valley Town Code 33.083.
- G7. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB 1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a qualified licensed land surveyor or civil engineer to reset those monuments per Town Standards and file the necessary information with the County Recorder's office as required by law (AB 1414).
- G8. The Applicant shall reimburse the Town for the Town's costs incurred in monitoring the developer's compliance with the Conditions of Approval including, but not limited to, inspections and review of developer's operations and activities for compliance with all applicable dust and noise operations. This condition of approval is supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Yucca Valley Municipal Code.
- G9. After final plan check by the Town, original mylars (4 mil) shall be submitted to the Town for signature by the Town Engineer. All original mylars submitted for Town Engineer's signature must contain the design engineer's wet signature and stamp and all other required signatures.
- G10. The final Conditions of Approval issued by the approving authority shall be photographically or electronically placed on bond (blue/black line) paper and included in the Final Map plan sets on 24" x 36" bond (blue/ black line) paper and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field and during construction. Plan check fees shall not be charged for sheets containing the Conditions of Approval.

- G11. Prior to recordation of the final map, the applicant shall submit all improvement plans and final maps on compact disks in digital format acceptable to the Town Engineer.
- G12. The site shall be developed in accordance with the approved plans on file with the Town of Yucca Valley, in accordance with the Conditions of Approval approved for the project, and in accordance with the General Plan and Development Code. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Town.
- G13. All street dedications shall be irrevocably offered to the public and shall continue in force until the Town accepts or abandons such offers. All dedications shall be free of all encumbrances as approved by the Town Engineer.
- G14. Violations of any condition or restriction or prohibition set forth in these conditions, including all approved construction plans, public and private, for this project and subject to the Town's overall project approval and these conditions of approval, shall subject the owner, applicant, developer or contractor(s) to the remedies as noted in the Municipal Code. In addition, the Town Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.
- G15. All property corners, logs, easements, street centerlines and curve radii shall be monumented and horizontally tied to identified control points. A copy of the monumentation survey and centerline tie notes shall be provided to the Town Engineer for approval.

### **PLANNING CONDITIONS**

- P1. Prior to recordation of the final map, the applicant shall pay park in-lieu fees based upon the fair market value of the amount of land which would otherwise be required for dedication, as provided in Section 811.0302(F) of Ordinance 175.
- P2. All exterior lighting shall comply with the Ordinance 90, Outdoor Lighting and shall be illustrated on all construction plans.
- P3. ***The final map shall be designed so that each single family residence meets the requirements of the Development Code, including setbacks.***

### **ENGINEERING CONDITIONS**

- E1. ***Dedicate the thirty (30) foot half width right of way for Plasse Drive. The right of way shall be offered for street and public utility purposes on the final Parcel Map by the Owner, but the Town Clerk's Statement shall be***

***worded such that the street is accepted for street and public utility purposes but not accepted into the Town's maintained street system.***

- E2. ***It is understood that the tentative map correctly shows all existing easements, traveled ways and drainage courses, and that their omission may require the tentative map to be resubmitted for further consideration.***
- E3. The Applicant shall cause to be formed or shall record a non-opposition agreement to participation in a future public safety assessment district formed by the Town. The total annual assessment upon each single family residential property shall not exceed Two Hundred Ninety Five Dollars (\$295.00).
- E4. All improvement plans shall be designed by a Registered Civil Engineer.
- E5. Prior to final map approval, the applicant shall enter into a subdivision improvement agreement with the Town of Yucca Valley. In addition to the subdivision improvement agreement, the applicant shall submit bonds including but not limited to, 100% faithful performance bond, 50% labor and materials bond, 25% guaranty/ warranty bond, monument bond and grading bond.
- E6. Private drainage easements for cross-lot drainage shall be dedicated and delineated on the final map.
- E7. The following information regarding the presence of the Marine Corps Air Ground Combat Center (MGAGCC) shall be recorded on the title of each property contained within the boundaries of the tract map.

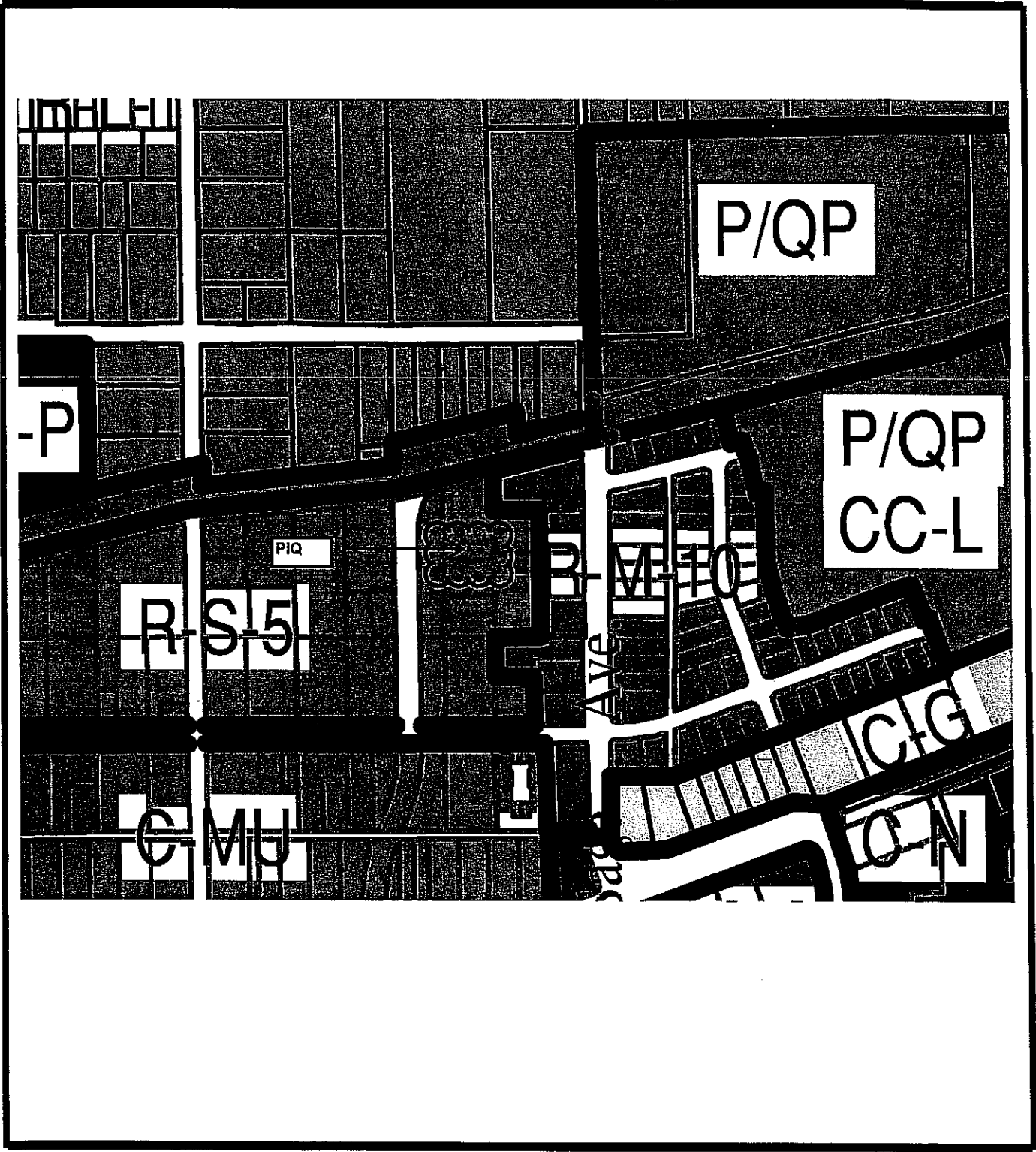
"The Marine Corps Air Ground Combat Center is located in the Morongo Basin. To prepare Marines for future conflicts, the MGAGCC carries out realistic training with military munitions, both day and night. As a result, Military aircraft fly over the area, and military vehicles drive on and off the base every day. This property is located directly under two aircraft flying routes and is located approximately 13 miles from the installation boundary. Consequently, you should expect to hear military training, see low-flying military aircraft, and encounter other experiences associated with the important mission of the MCAGCC".

I HEREBY CERTIFY THAT THE APPROVED CONDITIONS OF APPROVAL WILL BE SATISFIED PRIOR TO OR AT THE TIMEFRAMES SPECIFIED AS SHOWN ABOVE. I UNDERSTAND THAT FAILURE TO SATISFY ANY ONE OF THESE CONDITIONS WILL PROHIBIT THE ISSUANCE OF ANY PERMIT OR ANY FINAL MAP APPROVAL.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

# TOWN OF YUCCA VALLEY

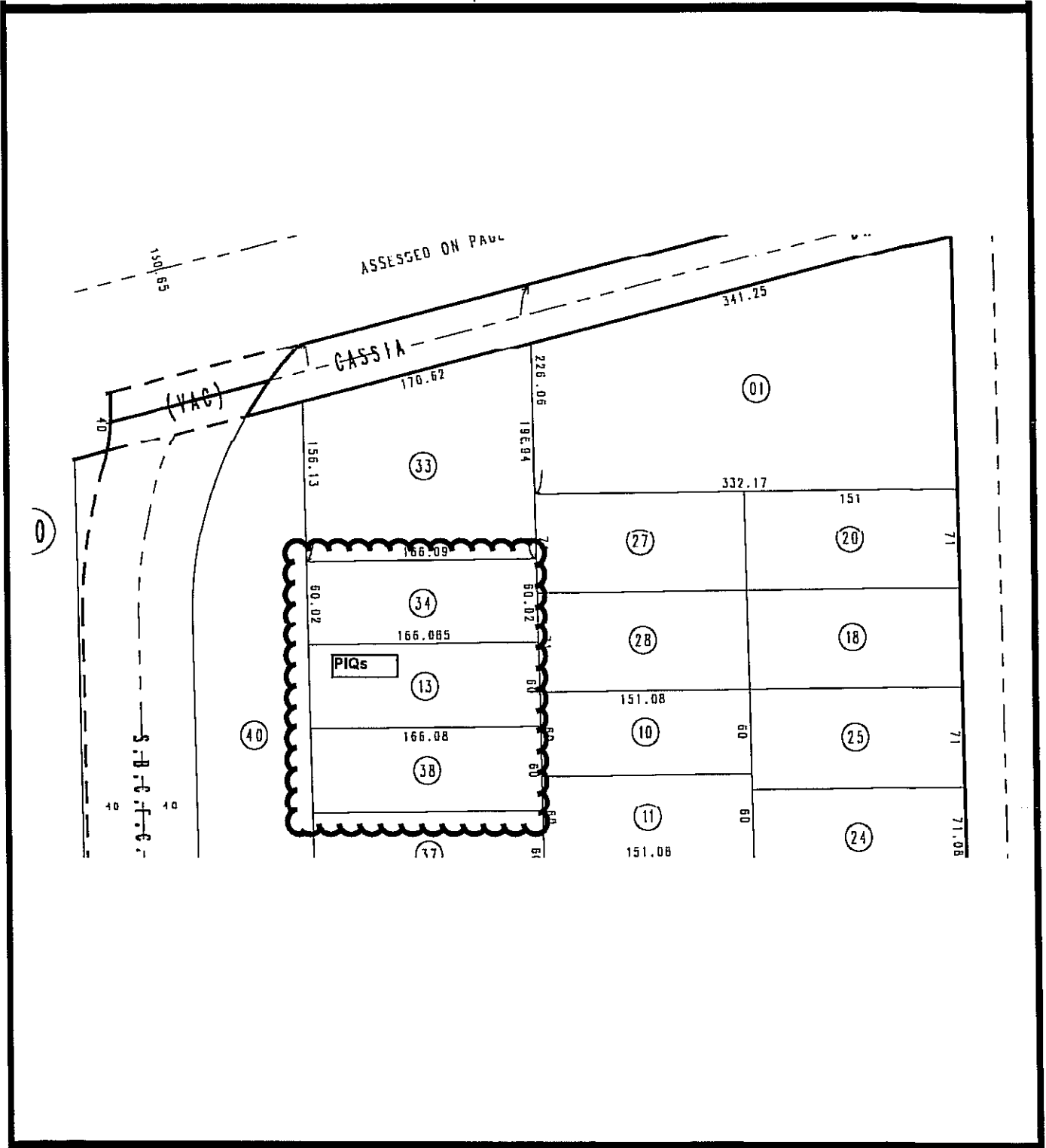
PROJECT NO.: TENTATIVE PARCEL MAP, TPM 19288 STEVENS



ZONING AND GENERAL PLAN LAND USE MAP

# TOWN OF YUCCA VALLEY

PROJECT NO.: TENTATIVE PARCEL MAP, TPM 19288 STEVENS



**Assessor's Parcel Map**



# TOWN OF YUCCA VALLEY

PROJECT NO: TENTATIVE PARCEL MAP, TPM 19288 STEVENS

(Valley)

**ZONE X**

**CASSIA  
DRIVE**

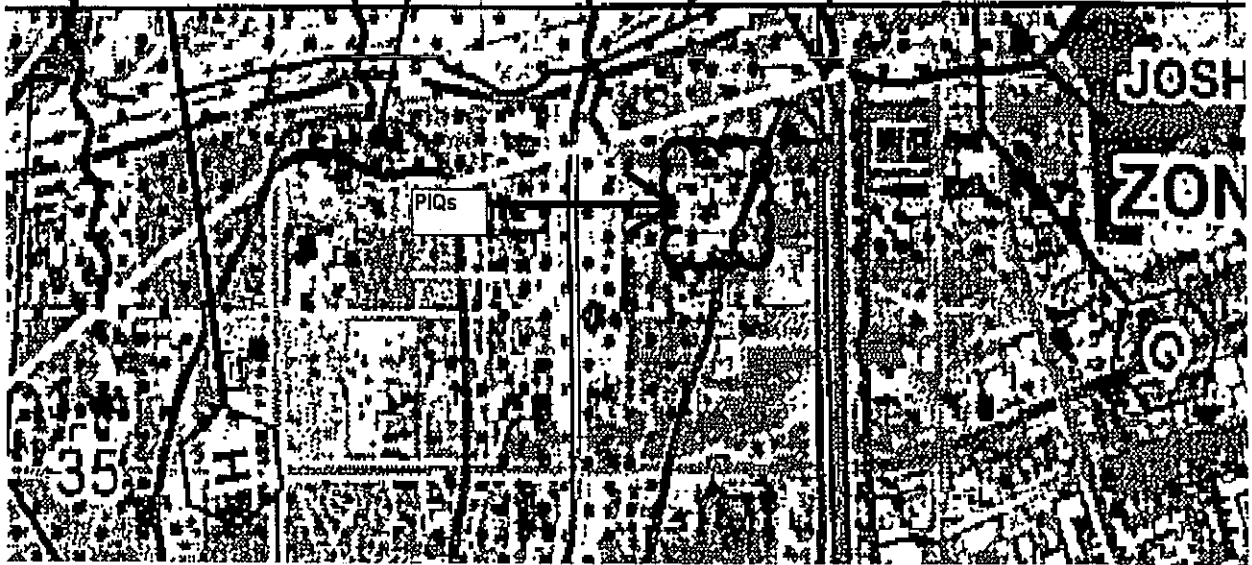
3263

3258

3254

3251

704000



**FEMA Map**

# TOWN OF YUCCA VALLEY

PROJECT NO.: TENTATIVE PARCEL MAP, TPM 19288 STEVENS



**Aerial Photo**



Date:	02	23	11
Case No.	PM 19288		Fee 2440
Case No.:			Fee
Case No.			Fee
EA No.:			Fee

- |                                     |                          |                                     |                        |
|-------------------------------------|--------------------------|-------------------------------------|------------------------|
| <input type="checkbox"/>            | CONDITIONAL USE PERMIT   | <input type="checkbox"/>            | TRACT MAP              |
| <input type="checkbox"/>            | SITE PLAN REVIEW         | <input checked="" type="checkbox"/> | PARCEL MAP             |
| <input type="checkbox"/>            | PLANNED DEVELOPMENT      | <input type="checkbox"/>            | GENERAL PLAN AMENDMENT |
| <input checked="" type="checkbox"/> | ENVIRONMENTAL ASSESSMENT | <input type="checkbox"/>            | REZONING               |

(Please Print Legibly)

Applicant Mark A. Stevens  
 Address 125 E. 17th Street City National City State CA Zip 91950  
 Phone (619) 477-7893 Fax (619) 477-7895 Cell \_\_\_\_\_  
 E-mail Address mastevens@sbcglobal.net  
 Project Name (if any): \_\_\_\_\_

Contact Person/Representative Nolte Associates / Bill Warner  
 Address 73-185 Hwy. 111, Suite A City Palm Desert State CA Zip 92260  
 Phone (760) 341-3101 Fax (760) 341-5999 Cell \_\_\_\_\_  
 E-mail Address bill.warner@nolte.com

Property Owner Mark A. Stevens Phone (619) 477-7893  
 Address 125 E. 17th Street City National City State CA Zip 91950  
 E-Mail Address mastevens@sbcglobal.net Fax (619) 477-7895

Assessor Parcel Number(s) 0595-122-13, -34 & -38 Tract Map # \_\_\_\_\_ Lot # \_\_\_\_\_  
 Property Dimensions 166' x 180' Existing Land Use Single Family Residences  
 Structure Square Footage 5,000 s.f. total General Plan Designation/Zoning R-S-5  
 Location: (Example: Address & Street or SW corner of Elk & Onaga or 900 ft N of Paxton on W side of Airway)  
7090, 7110 & 7140 Plasse Dr., Yucca Valley, CA (west side of Plasse Dr., 200-ft south of Cassia Dr.)

Proposed Project Description: Precisely describe the proposed project for which approval is being sought and the application is being submitted. Use additional sheets and attach to application if necessary.  
Creation of three separate parcels in order to comply with State law and the Town Development Code following designation of separate Assessor's parcels and construction of one single family residence on each of the parcels.

Owner's Signature [Signature] Date 2/17/11

NOTE: THE INFORMATION I HAVE PROVIDED IS TRUE AND OPEN AS PUBLIC INFORMATION. THE PLANNING APPLICATION DOES NOT GUARANTEE APPROVAL OR CONSTITUTE A BUILDING PERMIT APPLICATION. ADDITIONAL FEES MAY BE REQUIRED DEPENDING ON ANY ADDITIONAL ADMINISTRATIVE COSTS.

Applicant's Signature [Signature] Date 2/17/11

Town of Yucca Valley  
 Community Development/Public Works Department  
 66928 Business Center Dr., Yucca Valley, CA 92284  
 760 369-6575 Fax 760 328-0084

## ENVIRONMENTAL ASSESSMENT

1. Property boundaries, dimensions and area (also attach an 8 1/2" x 11" site plan):  
166' x 180'
2. Existing site zoning: R-S-5
3. Existing General Plan designation: RS
4. Precisely describe the existing use and condition of the site:  
Existing single family residences
5. Zoning of adjacent parcel:  

North	<u>R-S-5</u>	South	<u>R-S-5</u>	East	<u>R-S-5</u>	West	<u>R-S-5</u>
-------	--------------	-------	--------------	------	--------------	------	--------------
6. Existing General Plan designation of adjacent parcels:  

North	<u>R-S-5</u>	South	<u>R-S-5</u>	East	<u>R-S-5</u>	West	<u>R-S-5</u>
-------	--------------	-------	--------------	------	--------------	------	--------------
7. Precisely describe existing uses adjacent to the site:  
West: Vacant, North: Residence, South: Residence & East: Residence
8. Describe the plant cover found on the site, including the number and type of all protected plants:  
Sparse ground cover; no new construction proposed.

**Note:** Explain any "yes" or "maybe" responses to questions below. If the information and responses are insufficient or not complete, the application may be determined incomplete and returned to the applicant.

Yes    Maybe    No

- |                                     |                          |                                     |                                                                                                                                                                     |
|-------------------------------------|--------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 9. Is the Site on filled or slopes of 10% or more or in a canyon? (A geological and/or soils Investigation report is required with this application.)               |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 10. Has the site been surveyed for historical, paleontological or archaeological resources? (If yes, a copy of the survey report is to accompany this application.) |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Is the site within a resource area as identified on the archaeological and historical resource General Plan map?                                                |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Does the site contain any unique natural, ecological, or scenic resources?                                                                                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 13. Do any drainage swales or channels border or cross the site?                                                                                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 14. Has a traffic study been prepared? (If yes, a copy of the study is to accompany this application.)                                                              |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | 15. Is the site in a flood plain? (See appropriate Federal Insurance Rate Map)<br>Flood Zone 'A'                                                                    |

**PROJECT DESCRIPTION**

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

- 1. **Commercial, Industrial, or Institutional Projects:** N/A
  - A. Specific type of use proposed: \_\_\_\_\_
  - B. Gross square footage by each type of use: \_\_\_\_\_  
\_\_\_\_\_
  - C. Gross square footage and number of floors of each building: \_\_\_\_\_  
\_\_\_\_\_
  - D. Estimate of employment by shift: \_\_\_\_\_
  - E. Planned outdoor activities: \_\_\_\_\_
- 2. **Percentage of project site covered by:**  
4± % Paving, 17± % Building, 1 % Landscaping, 4 % Parking
- 3. **Maximum height of structures** 20± ft \_\_\_\_\_ in.
- 4. **Amount and type of off street parking proposed:** 3 two car garages
- 5. **How will drainage be accommodated?** From building pads across graded lots to street or adjacent lots
- 6. **Off-site construction (public or private) required to support this project:** None
- 7. **Preliminary grading plans estimate** \_\_\_\_\_ cubic yards of cut and \_\_\_\_\_ cubic yards of fill N/A
- 8. **Description of project phasing if applicable:** N/A
- 9. **Permits or public agency approvals required for this project:** Town of Yucca Valley; Tentative and Final Maps
- 10. **Is this project part of a larger project previously reviewed by the Town? If yes, identify the review process and associated project title(s)** N/A

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

N/A - No construction proposed

Yes Maybe No

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

**Certification**

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

Signature: Walter H. Wilson

Date: 2/16/2011

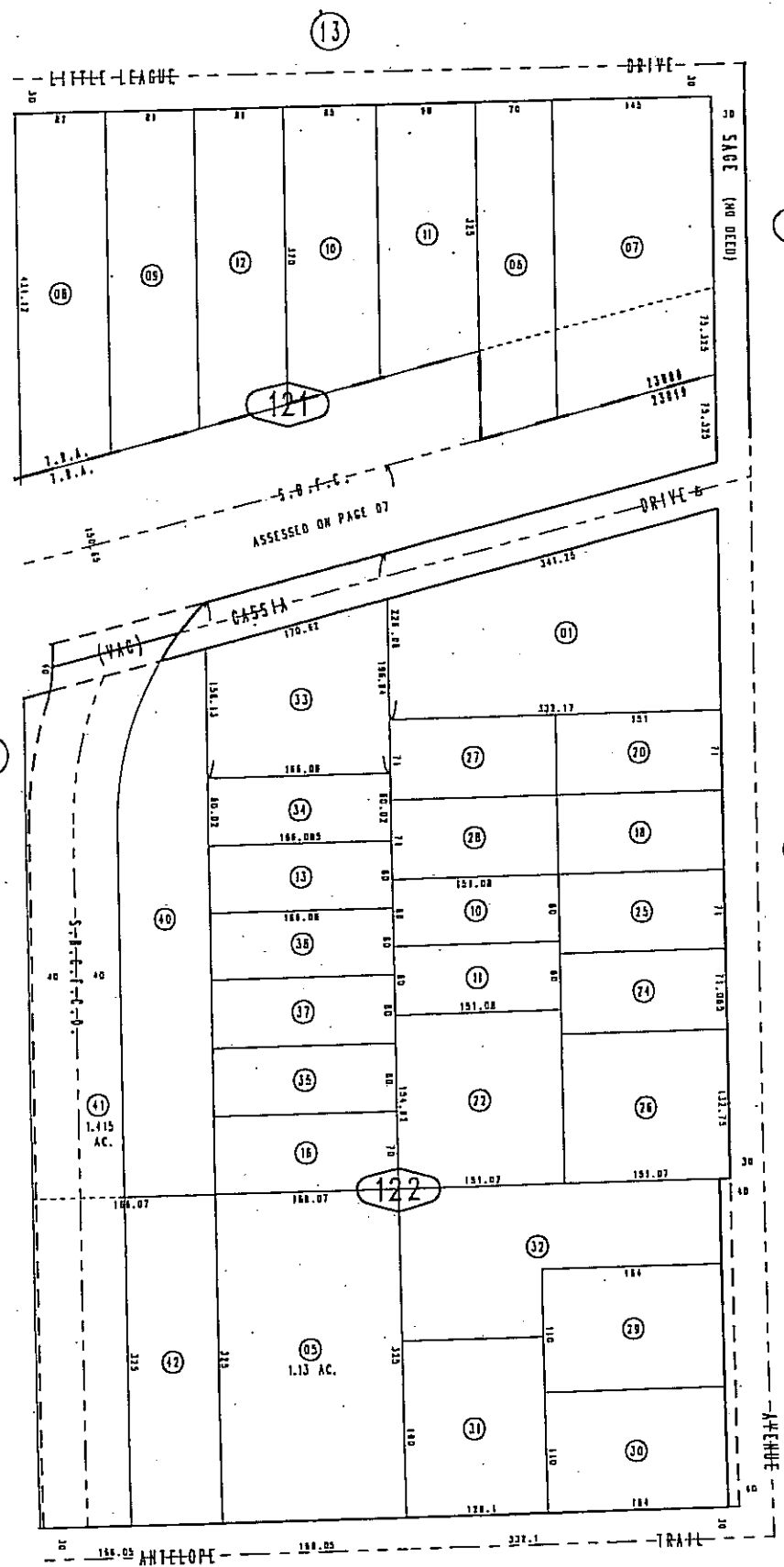
THIS MAP IS FOR THE PURPOSE  
OF AD VALOREM TAXATION ONLY.



Ptn. S.E.1/4, Sec.35, T.1N.,R.5E., S.B.B.&M.

Town of Yucca Valley  
Tax Rate Area  
23000,23019

0595-12



February 2005

Assessor's Map  
Book 0595 Page 12  
San Bernardino County

REVISED

JUN 07 2005

February 16, 2011  
PDB023900



Town of Yucca Valley  
Community Development Department  
58928 Business Center Drive  
Yucca Valley, CA 92284

Attn: Planning Division

**Subject:** Tentative Parcel Map 19288  
SB County APN's 0595-122-13, 34 & 38  
Applicant: Mark A. Stevens

Dear Planning Department,

On behalf of the applicant, and in compliance with the submittal requirements for a Tentative Parcel Map (TPM), we are providing this letter of project description and justification.

This application is to seek approval of creation of three separate parcels in order to comply with State Law and the Town Development Code following creation of separate Assessor's parcels and construction of one single-family residence on each of the parcels.

The applicant purchased the subject property in 2005. At that time, and through the present day, the legal description of the property describes a single parcel. Prior to the applicant's purchase, the County Assessor assigned separate parcel numbers to each of three portions of the described property. There is no record of the single parcel having been divided in accordance with the requirements of the State Subdivision Map Act (SMA).

Following the applicant's purchase of the subject property, permits were issued by the Town of Yucca Valley to construct three single family homes on the described parcel, which lies in the single family land-use district.

The applicant is seeking approval of the TPM with reasonable conditions in order for the applicant to sell and/or finance the homes separately, and to comply with the current land-use district designation and the SMA.

**PROPOSED FINDINGS:**

- 1) The proposed subdivision is consistent with the General Plan since the minimum lot size, dimensions and existing setbacks comply with the RS-5 Land Use District.

NOLTE ASSOCIATES, INC.  
73-185 HIGHWAY 111, SUITE A  
PALM DESERT, CA 92260  
760.341.3101 TEL 760.341.5999 FAX  
WWW.NOLTE.COM

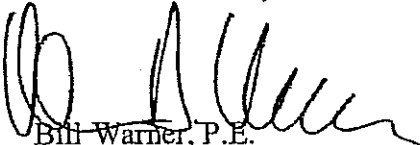


- 2) The parcels are physically suitable for the type and proposed density of development since the existing homes were constructed in compliance with the development code.
- 3) The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidable injure fish or wildlife or their habitat, since no new improvements or construction is proposed by this subdivision.
- 4) The design of the subdivision or type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the subdivision since no new easements, vacations, improvements or construction is proposed by this subdivision.
- 5) The proposed subdivision, its density and type of development, and improvements conform to the regulations of the Development Code and the regulations of any public agency having jurisdiction by law since the development of the existing homes were approved and permitted by the Town of Yucca Valley, as if the subdivision already existed.

If you have any questions or comments or need any additional information, please call (760) 365-7638.

Sincerely,

NOLTE ASSOCIATES, INC.

By:   
Bill Warner, P.E.  
Senior Project Manager

WHW/jb

ecc: [mastevensinc@sbcglobal.net](mailto:mastevensinc@sbcglobal.net)

IN THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, CALIFORNIA

# TENTATIVE PARCEL MAP 19288

THAT PORTION OF THE EAST HALF OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN

**NOLTE**  
BEYOND ENGINEERS

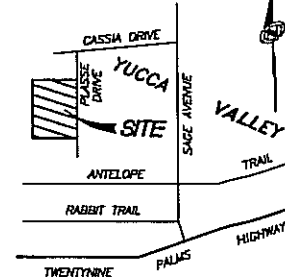
PALM DESERT, CALIFORNIA  
FEBRUARY 2011

**NOTE**



**TOPOGRAPHY DATA**

TOPOGRAPHY DATA PROVIDED FROM  
SURVEY CONDUCTED 11/29/2008



**VICINITY MAP**  
NO SCALE

**OWNER/APPLICANT**

MARK ALLEN STEVENS & KATHY J. STEVENS  
125 EAST 17TH STREET  
NATIONAL CITY, CA 91320  
(619) 477-2953

**PROJECT DESCRIPTION**

CREATION OF THREE SEPARATE PARCELS IN ORDER TO COMPLY WITH STATE LAW AND THE TOWN DEVELOPMENT CODE FOLLOWING DESIGNATION OF SEPARATE ACCESSORY PARCELS AND CONTRIBUTION OF ONE SINGLE FAMILY RESIDENCE ON EACH OF THE PARCELS.

**LEGAL DESCRIPTION**

REAL PROPERTY IN THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE EAST HALF OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

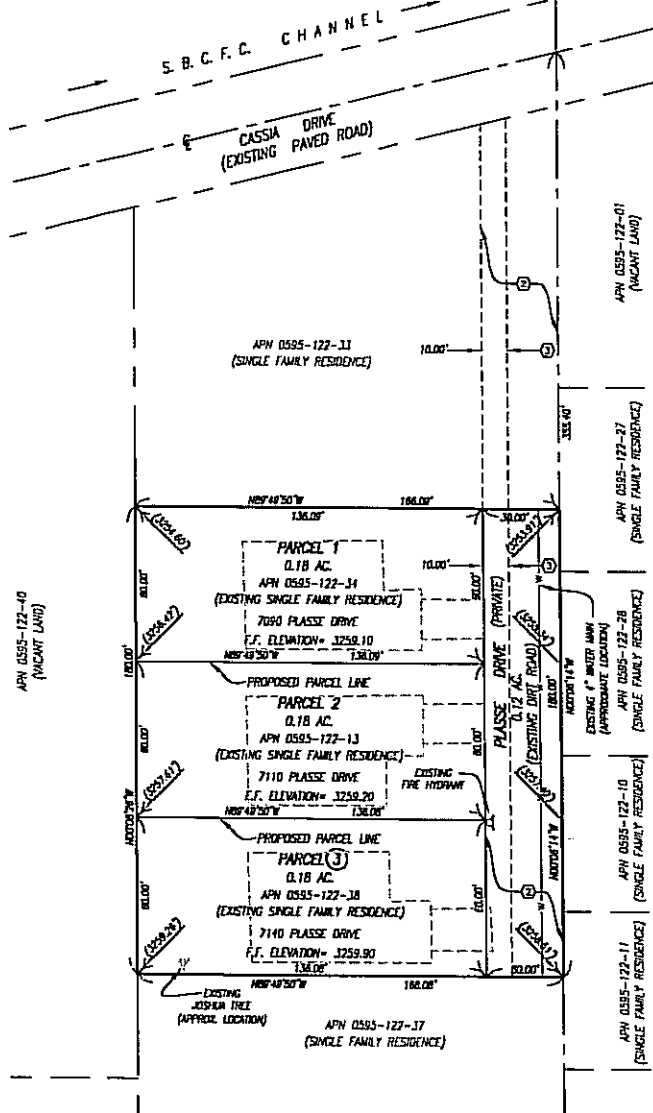
BEGINNING AT A POINT IN THE EAST LINE OF SAID SECTION 35 DISTANCE NORTH 00° 05' 50" WEST THEREON 184.57 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION; THENCE NORTH 89° 48' 50" WEST 332.14 FEET TO THE MOST SOUTHEASTLY CORNER OF THAT LAND SHOWN ON MAP FILED IN BOOK 18, PAGE 81, RECORDS OF SURVEY IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID RECORD OF SURVEY NORTH 00° 00' 14" WEST, 1.8400 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 89° 48' 50" WEST 184.00 FEET; THENCE NORTH 00° 00' 38" WEST 180.00 FEET; THENCE SOUTH 89° 48' 50" EAST 180.00 FEET; THENCE SOUTH 00° 00' 14" EAST 180.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

**EASEMENT DATA**

- ① AN EASEMENT FOR POLE LINES AND INCIDENTAL PURPOSES IN FAVOR OF CALIFORNIA ELECTRIC POWER COMPANY PER DOCUMENT RECORDED JULY 31, 1928, IN BOOK 4591 PAGE 438, OFFICIAL RECORDS OF SAN BERNARDINO COUNTY, SAID EASEMENT NOT PLOTTABLE. (TITLE REPORT ITEM 7).
- ② A 30.00' EASEMENT FOR ROAD AND INCIDENTAL PURPOSES PER DOCUMENT RECORDED DECEMBER 24, 1989, INSTRUMENT NO. 210 IN BOOK 7380 PAGE 136, OFFICIAL RECORDS OF SAN BERNARDINO COUNTY, SAID EASEMENT AFFECTS THE PROPERTY AND IS SHOWN HEREON. (TITLE REPORT ITEM 8).
- ③ A 10.00' EASEMENT FOR TRANSMISSION OF ELECTRIC ENERGY AND INCIDENTAL PURPOSES IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA PER DOCUMENT RECORDED DECEMBER 18, 1980 AS INSTRUMENT NO. 80-282101, OFFICIAL RECORDS OF SAN BERNARDINO COUNTY, SAID EASEMENT AFFECTS THE PROPERTY AND IS SHOWN HEREON. (TITLE REPORT ITEM 9).

**UTILITY COMPANIES AND SERVICE PROVIDERS**

<b>WATER</b>	IN-DESERT WATER DISTRICT 25430 TWENTYNINE FALLS HWY YUCCA VALLEY, CALIFORNIA 92284 ATTENTION: MARTHA ESTERMAN PHONE: (760)365-8333
<b>TELEPHONE</b>	VERIZON CALIFORNIA 263 N. SURPRISE HWY PALM SPRINGS, CALIFORNIA 92262 ATTENTION: LARRY MOORE PHONE: (760)778-3610
<b>ELECTRICITY</b>	SOUTHERN CALIFORNIA Edison 6999 OLD WOMAN SPRINGS ROAD YUCCA VALLEY, CALIFORNIA 92284 ATTENTION: ARIAN ABERY PHONE: (760)365-8413
<b>GIS</b>	SOUTHERN CALIFORNIA GIS COMPANY 71348 MOHAWK TRAIL, SC0077 YUCCA VALLEY, CALIFORNIA 92284 ATTENTION: BRUCE LOWMEYER PHONE: (760)328-1400
<b>TV CABLE</b>	THE BURNER CABLE 23181 MEDITERRANEAN PALM DESERT, CALIFORNIA 92211 ATTENTION: CYNTHIA FRANKLIN PHONE: (760)374-5404
<b>WASTE DISPOSAL</b>	SUNTEC 4878 NEWTON ROAD YUCCA VALLEY, CALIFORNIA 92284 ATTENTION: ANGELA PHONE: (760)365-2018
<b>PUBLIC TRANSPORTATION</b>	MBTA 61403 VERBENA ROAD JOSHUA TREE, CALIFORNIA 92257 PHONE: (760)386-2385 TOLL FREE: (800)794-8282
<b>SEWAGE DISPOSAL</b>	EXISTING SEPTIC SYSTEMS



**SITE AREAS**

GROSS AREA 25,895 SQ. FT. 0.59 ACRES  
NET AREA 24,485 SQ. FT. 0.56 ACRES  
PLASSE DRIVE ADDITION 2/1/11  
5,400 SQ. FT. 0.12 ACRES

**ASSESSOR'S PARCEL NO.'s**

0595-122-13, 34 & 38

**EXISTING AND PROPOSED ZONING**

RS-3 - SINGLE FAMILY RESIDENTIAL

**EXISTING LAND USE**

SINGLE FAMILY RESIDENCE

**FLOOD ZONE**

DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING ZONE DESIGNATIONS OF A BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ON FLOOD INSURANCE MAP NO. 08071C0003 H WITH A DATE OF IDENTIFICATION OF AUGUST 28, 2008, FOR YUCCA VALLEY COMMUNITY NO. 000303, IN SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.



*William H. Warner*  
WILLIAM H. WARNER, NOLTE ASSOCIATES, INC.  
R.C.E. NO. 23228  
DATE 02/10/11

IN THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, CALIFORNIA

# TENTATIVE PARCEL MAP 19288

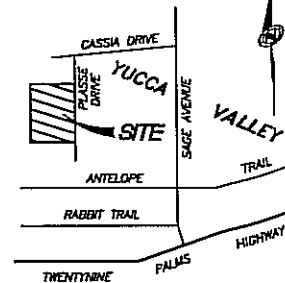
THAT PORTION OF THE EAST HALF OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN

**NOLTE**  
BEYOND ENGINEERS

PALM DESERT, CALIFORNIA  
FEBRUARY 2011

## LAND USE EXHIBIT

**NOTE**



**VICINITY MAP**  
NO SCALE



**OWNER/APPLICANT**

MARY ALLEN STEVENS & KATHY J. STEVENS  
125 EAST 17TH STREET  
NATIONAL CITY, CA 91950  
(619) 477-7883

**PROJECT DESCRIPTION**

CREATION OF THREE SEPARATE PARCELS IN ORDER TO COMPLY WITH STATE LAW AND THE TOWN DEVELOPMENT CODE FOLLOWING DESIGNATION OF SEPARATE ASSessor'S PARCELS AND CONSTRUCTION OF ONE SINGLE FAMILY RESIDENCE ON EACH OF THE PARCELS.

**LEGAL DESCRIPTION**

REAL PROPERTY IN THE TOWN OF YUCCA VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE EAST HALF OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF SAID SECTION 35 DISTANCE NORTH 00° 05' 50" WEST THEREON 854.33 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION; THENCE NORTH 89° 48' 50" WEST 332.14 FEET TO THE MOST SOUTHEASTLY CORNER OF THAT LAND SHOWN ON MAP FILED IN BOOK 18, PAGE 61, RECORD OF SURVEY IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE NORTHWESTERLY ALONG THE EASTERLY LINE OF SAID RECORD OF SURVEY NORTH 00° 06' 14" WEST; 194.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 89° 48' 50" WEST (18.00 FEET); THENCE NORTH 00° 06' 38" WEST (3.00 FEET); THENCE SOUTH 89° 48' 50" EAST (18.00 FEET); THENCE SOUTH 00° 06' 14" EAST 180.02 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

**EASEMENT DATA**

- ① AN EASEMENT FOR POLE LINES AND INCIDENTAL PURPOSES IN FAVOR OF CALIFORNIA ELECTRIC POWER COMPANY PER DOCUMENT RECORDED JULY 31, 1928, IN BOOK 4871 PAGE 438, OFFICIAL RECORDS OF SAN BERNARDINO COUNTY, SAID EASEMENT NOT MUTUABLE. (TITLE REPORT ITEM 7).
- ② A 30.00' EASEMENT FOR ROAD AND INCIDENTAL PURPOSES PER DOCUMENT RECORDED DECEMBER 24, 1988 AS INSTRUMENT NO. 210 IN BOOK 7340 PAGE 138, OFFICIAL RECORDS OF SAN BERNARDINO COUNTY, SAID EASEMENT AFFECTS THE PROPERTY AND IS SHOWN HEREON. (TITLE REPORT ITEM 8).
- ③ A 10.00' EASEMENT FOR TRANSMISSION OF ELECTRIC ENERGY AND INCIDENTAL PURPOSES IN FAVOR OF CENTRAL TELEPHONE COMPANY OF CALIFORNIA PER DOCUMENT RECORDED DECEMBER 10, 1980 AS INSTRUMENT NO. 80-28218, OFFICIAL RECORDS OF SAN BERNARDINO COUNTY, SAID EASEMENT AFFECTS THE PROPERTY AND IS SHOWN HEREON. (TITLE REPORT ITEM 9).

**UTILITY COMPANIES AND SERVICE PROVIDERS**

WATER	H-DESERT WATER DISTRICT 55439 TWENTYNINE PALMS HWY YUCCA VALLEY, CALIFORNIA 92284 ATTENTION: MARION COSTAMANDER PHONE: (760)365-8533
TELEPHONE	VERIZON CALIFORNIA 283 N. SURPRISE WAY PALM SPRINGS, CALIFORNIA 92262 ATTENTION: LARRY MOORE PHONE: (760)778-3610
ELECTRICITY	SOUTHERN CALIFORNIA Edison 6999 OLD WOMAN SPRINGS ROAD YUCCA VALLEY, CALIFORNIA 92284 ATTENTION: ARLAN AHERY PHONE: (760)369-6413
GAS	SOUTHERN CALIFORNIA GAS COMPANY 71248 MONAHY TRAIL, 92267 YUCCA VALLEY, CALIFORNIA 92284 ATTENTION: BRUCE LOEWAND PHONE: (760)328-1400
TV CABLE	THE BURNER CABLE 73181 MEEDTERAMEN PALM DESERT, CALIFORNIA 92211 ATTENTION: CYNTHIA FRANKLIN PHONE: (760)674-8404
WASTE DISPOSAL	BURSTEC 4878 MORTON ROAD YUCCA VALLEY, CALIFORNIA 92284 ATTENTION: ANGELA PHONE: (760)365-2015
PUBLIC TRANSPORTATION	ASTER 63403 VERBENA ROAD JOSHUA TREE, CALIFORNIA 92252 PHONE: (760)366-2385 TOLL FREE: (800)794-6282
SEWER DISPOSAL	EXISTING SEPTIC SYSTEMS

**SITE AREAS**

DRYSDY AREA 35,285 SQ. FT. 0.81 ACRES  
NET AREA 31,426 SQ. FT. 0.72 ACRES  
PLASSE DRIVE ADDITION 1/4" 3,450 SQ. FT. 0.08 ACRES

**ASSESSOR'S PARCEL NO.'s**

0283-123-12, 34 & 38

**EXISTING AND PROPOSED ZONING**

RS-5 - SINGLE FAMILY RESIDENTIAL

**EXISTING LAND USE**

SINGLE FAMILY RESIDENCE

**FLOOD ZONE**

DEVELOPED PROPERTY IS LOCATED WITHIN AN AREA HAVING ZONE DESIGNATIONS OF A BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT. ON FLOOD INSURANCE MAP NOS. 08071C0250 H WITH A DATE OF IDENTIFICATION OF AUGUST 28, 2009, FOR YUCCA VALLEY COMMUNITY NO. 080702L IN SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROMISES IS SITUATED.



*William H. Warner* 02/10/11  
WILLIAM H. WARNER, NOLTE ASSOCIATES, INC. DATE  
R.C.E. NO. 23256

ADVERTISING FOR  
NOTICE OF PUBLIC HEARING  
YUCCA VALLEY COMMUNITY CENTER  
57090 29 PALMS HIGHWAY  
YUCCA VALLEY, CALIFORNIA 92284

TUESDAY, APRIL 12, 2011, BEGINNING AT 6:00 P.M.

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE TOWN OF YUCCA VALLEY PLANNING COMMISSION TO CONSIDER THE FOLLOWING DESCRIBED APPLICATION:

**CASE NUMBER:** Tentative Parcel Map 19288

**APPLICANT:** Mark Stevens  
125 E 17<sup>th</sup> Street  
National City, CA 91950

**PROPOSAL:** Proposal to subdivide one parcel of .69 acre with three previously constructed single family residences into three residential lots of 8160 square feet.

**LOCATION:** West side of Plasse Drive, south of Cassia Drive and identified as APN 595-122-13, 34, 38

**ENVIRONMENTAL**

**DETERMINATION:** The project was reviewed under the California Environmental Quality Act (CEQA) and the Town's Guidelines to implement same. The Town determined that the proposed project is exempt from CEQA under Section 15315, Minor Division of Land.


Any person affected by the application(s) may appear and be heard in support or opposition to the proposal at the time of the hearing.

The environmental findings, along the with proposed project application(s) are available and may be reviewed at the Town of Yucca Valley Planning Division, 58928 Business Center Drive, Yucca Valley, CA 92284 from 8:00 a.m. to 5:00 p.m., Monday through Friday or obtain information at (760) 369-6575.

The Planning Commission in their deliberation could recommend approval of the project, deny the project, or approve the project in an alternative form. If you challenge any of the projects in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Town Planning Division at, or prior to the Public Hearing.

Publish Date: Posted March 17, 2011 and published March 30, 2011.

*March 16, 2011*  
Date

  
Janet Anderson  
Town Clerk

# Notice of Exemption

Form D

To:  Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 222  
Sacramento, CA 95812-3044

From: (Public Agency) Town of Yucca Valley

58928 Business Center Drive

Yucca Valley, CA 92284

(Address)

County Clerk  
County of San Bernardino

385 N. Arrowhead, 2nd Flr.

San Bernardino, CA. 92415

Project Title: Tentative Parcel Map, TPM 19288

### Project Location - Specific:

The property is located on the west side of Plasse drive (7090, 7110, 7140 Plasse), south of cassia drive and identified as APNs 595-122-13, 34, and 38.

Project Location - City: Yucca Valley

Project Location - County: San Bernardino

### Description of Project:

A request to subdivide a 30,056 square foot (.69 acre) parcel into three (3) 8,160 square foot (.19 acre) parcels with previously constructed single family homes in the residential single family, five (5) units per acre land use designation.

Name of Public Agency Approving Project: Town of Yucca Valley

Name of Person or Agency Carrying Out Project: Mark A. Stevens

### Exempt Status: (check one)

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(a));

Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Categorical Exemption. State type and section number: Section 15332, class 32, Infill Development

Statutory Exemptions. State code number: \_\_\_\_\_

### Reasons why project is exempt:

The project is exempt from CEQA due to the fact that the project is located on a site that is currently developed with three 2,400 square foot single family residences.

### Lead Agency

Contact Person: Robert Kirschmann

Area Code/Telephone/Extension: (760) 369-6575

### If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency

Signed by Applicant

Date received for filing at OPR: \_\_\_\_\_

Revised May 1999

## PLANNING COMMISSION STAFF REPORT

**To:** Honorable Chairman & Commissioners  
**From:** Robert Kirschmann, Associate Planner  
**Date:** April 4, 2011  
**For Commission Meeting:** April 12, 2011

**Subject:** Assignment of two Commissioners to participate in the Affordable Senior Housing Project ad hoc committee.

**Executive Summary:** From time to time Commissioners are asked to participate in discussions outside of Commission meetings which concern important topics in the community, and report back to the full Commission on that participation and those discussions.

**Recommendation:** That the Planning Commission discusses and assigns two Commissioners to participate in the Affordable Senior Housing Project ad hoc committee.

**Order of Procedure:**

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

**Discussion:** The Redevelopment Agency and Town Council have been discussing the construction of an Affordable Senior Housing Project on Town owned property at the northwest corner of SR62 and Dumosa Ave. At the meeting on February 1, 2011 the Town Council established an ad hoc committee to work with an ad-hoc committee from the Planning Commission; this committee will support the site planning and project development efforts associated with the Town's proposed Senior Housing project.

This process is anticipated to include tours of existing similar facilities in surrounding communities and possible attendance at workshops which may or may not be scheduled during regular business hours. No specific dates have been scheduled for the commencement of these activities.

On December 21, 2010 the Town Council authorized the Town Manager to enter into an Exclusive Negotiating Agreement ("ENA") with National Community Renaissance of California (CORE) regarding the development of an affordable senior housing opportunity, proposed at the Town of Yucca Valley's vacant property at Dumosa and SR62.

Staff will be providing an overview of the project at the Planning Commission meeting. Staff recommends that the Commission select the representatives.



Chair Lombardo called the regular meeting of the Yucca Valley Planning Commission to order at 6:00 p.m.

Commissioners present: Chair Robert Lombardo, Commissioners Mike Alberg, Gregory Graham, Tim Humphreville

Chairman Lombardo led the Pledge of Allegiance.

**APPROVAL OF AGENDA:**

Mr. Alberg moved that the Agenda be approved, which motion was seconded by Mr. Graham and passed unanimously by voice vote.

**PUBLIC COMMENTS:**

None

**DEPARTMENT REPORTS:**

**1. GENERAL PLAN ANNUAL REVIEW FOR CALENDAR YEAR 2010**

The annual report for calendar year 2010 on the status of the General Plan and progress on its implementation pursuant to Government Code Section 65400.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Robert Kirschmann presented the project discussion to the meeting. Each year the Town is required to present a report to the Planning Commission and Town Council on the status of the implementation of the General Plan.

The General Plan was adopted in 1995 and the Council has authorized the General Plan to go through an update process and expect to be going through that for the next two years. New to the report this year, the State is requiring forms to be completed that consist of several tables. The eight single family homes that were constructed were spec homes and not restricted to certain income levels.

During the last review period there were three Conditional Use Permits submitted, the Brehm Youth Sports Center and two cell towers for T-Mobile, one at Joshua Springs and one at St Marys. All three of those projects were approved during the last year. We also approved Pueblo Mesa, which included a General Plan amendment just to the north of the Copper Hills Homes subdivision. We also approved the Lucas Tract Map over near Cholla and Carlyle Ave. In the staff report are tables that go through the number of General Plan Amendments since incorporation, which total 17. Also included is a list of approved Tract Maps and Parcel Maps and number of single family residences since incorporation.

Mr. Humphreville questioned time frame for starting Development Code update



Mr Kirschmann replied that the Dev Code update is already underway and the General Plan RFQ has been released and a mandatory pre-bid meeting has been scheduled.

Mr Stueckle stated that the joint meeting of the Town Council and Planning Commission for the Dev Code update is anticipated for late April or early May which will provide policy direction for the consultant and staff on drafting the language for the ordinances

Mr. Lombardo questioned how building permit fees are calculated.

Mr. Stueckle explained how fees are calculated.

Mr. Alberg moved that the Commission accept and file the annual review of the General Plan and forward to the Town Council. Mr Humphreville seconded the motion.

**DISCUSSION ITEMS:**

**CONSENT AGENDA: MINUTES –**

None

**STAFF REPORTS AND COMMENTS:**

**FUTURE AGENDA ITEMS:**

March 22, 2011, a Home Occupation Permit request to assemble firearms purchased in kit form and to buy and sell firearms to the public from an existing single family residence

A discussion of revised Tentative Tract Map application and Conditions of Approval.

**COMMISSIONER REPORTS AND REQUESTS:**

**ANNOUNCEMENTS:**

Mr. Lombardo announced that the next regular meeting of the Yucca Valley Planning Commission will be held on Tuesday, March 22, 2011 at 6:00 PM

**ADJOURNMENT**

The meeting adjourned at 6:12 PM.

Respectfully submitted by,

Diane Olsen  
Planning Technician

**TOWN OF YUCCA VALLEY  
PLANNING COMMISSION MEETING MINUTES  
March 22, 2011**

Chair Lombardo called the regular meeting of the Yucca Valley Planning Commission to order at 6:00 p.m.

Commissioners Present: Albergh, Graham, Humphreville and Chair Lombardo

Pledge of Allegiance was led by Chair Lombardo

**APPROVAL OF AGENDA**

Commissioner Albergh moved to approve the agenda. Commissioner Humphreville seconded. Motion carried 5-0 on a voice vote.

**PUBLIC COMMENTS**

None

**PUBLIC HEARINGS**

**1. HOME OCCUPATION PERMIT, HOP 01-11 ZORAWICKI**

A request for the approval of a home occupation permit for the purpose of assembling firearms that are purchased in kit form and for the buying and selling of firearms from and to the public from an existing single family residence.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Kirschmann presented the project discussion to the meeting. A PowerPoint presentation was projected on the screen during the discussion, a printed copy of which is preserved in the meeting file.

On February 22, 2011 the application was reviewed by Deputy Town Manager Stueckle at a staff level hearing. Based upon the amount of communication received from the public and those in attendance at the permit hearing, the item is being forwarded to the Planning Commission for review. Prior to the hearing the Town had received eleven responses in support of the project, fifteen in opposition and one response requesting the application be forwarded to the Commission. The objections raised dealt with concerns of safety and firing of weapons for tests.

Jonathan Zorawicki, Applicant, advised his request is for a small quiet business in his home assembling small rifles. He has submitted his application to the ATF and will be on an appointment only basis. His immediate neighbors have been notified and have no objections, as well as the Sheriff's Department.

Commission Humphreville moved to approve the Home Occupation Permit, HOP 01-11 based upon the information contained within the staff report and findings. Commissioner Graham seconded. Motion carried unanimously on a voice vote.

**DEPARTMENT REPORTS:**

**2. DISCUSSION ON THE REGULATION OF WIND ENERGY GENERATORS AND PRESENTATION OF A DRAFT ORDINANCE.**

A request from staff that the Commission discuss and provide direction on regulations regarding wind energy generators

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Kirschmann presented the project discussion to the meeting. A PowerPoint presentation was projected on the screen during the discussion, a printed copy of which is preserved in the meeting file. At this time the Town has no regulations for the installation of renewable energy systems such as wind generators. The Town has recently received a number of inquiries for the installation of both roof mounted and freestanding wind generators, and since there are no regulations, staff is seeking feedback and direction on the draft regulations.

Deputy Town Manager Stueckle advised that there are examples of several of these generators between here and Apple Valley mounted on poles as high as 50 to 60 feet, noting if we have these on every parcel in Town it will have an impact.

Commissioner Alberg questioned the 2 acre lot size limitation and whether or not the units are loud. Planner Kirschmann advised the concern would be of height and the appearance of the systems on every residence in small lot areas. He noted the units are generally fairly quiet.

Commissioner Graham questioned how many inquiries the Town has had, expressed concern regarding the term "fall zone" noting there is no such requirement for cell towers or flag poles. He noted he feels it should be required that a Civil Engineer design the foundation and mounting. He also questioned the height restriction of 35'. Deputy Town Manager Stueckle advised there have been between 10-50 requests, and advised that engineering calculations would be necessary for both the roof and pole mounted systems, and the fall zone requirement is designed to insure that a pole mounted design would not fall on someone else's property. It is an additional safety element built into a number of ordinances in other jurisdictions. With regard to height, Planner Kirschmann advised that the Town's maximum height limitation is 35' and note that generally the poles are 33' plus the height of the blades would bring the

height to 39' so the poles would have to be cut to accommodate the Town's requirement.

Commissioner Humphreville stated the footing should be engineered so that a fall zone isn't necessary, and expressed concern about eliminating the ability of owners with smaller properties to install a system. He recommended looking at limiting the size and height of the system to the size of the property. He also questioned what the permit fee would be. Planner Kirschmann advised the fees would not be established in the ordinance, but determined by Building and Safety. Deputy Town Manager Stueckle advised the two types of fees would be WECS permit application and building permit based on valuation. Commissioner Humphreville recommended that there needs to be discussion regarding what is necessary to make the system useful, rather than talking about limiting height.

Chair Lombardo expressed concern about the number of units, noting he wants the systems to be effective and useful to those wanting to do it. The concern about overpopulation is understandable, however it is important to look at alternative energy forms and make them available for as many people as easily as possible. He is in favor of maybe allowing a larger quantity of them if appropriate, noting it should be based on lot size. The minimum lot size might be dropped so more people can participate, and the Commission should look at the possibility of allowing only roof mounted systems for smaller parcels. He also thinks that a fall zone may not be necessary if the foundation is well engineered.

Commissioner Graham expressed concern regarding the requirement to place the systems in the rear of the property noting there are many variables in the community and many lots don't have enough rear property area. He suggested requiring the rear half of the property and keep them out of the front setback. He also expressed concern about the recommendation for underground wiring, noting that is fine for pole mounted but there should be a variance for roof mounted units.

Commissioner Alberg shared the other Commissioners concern regarding lot size.

**John Wright, and Andy Canada**, Yucca Valley, distributed information regarding the units that will be retained in the file and answered questions of the Commissioners.

**Larry Calendar**, Yucca Valley, spoke in favor of allowing these systems on ½ acre or more lots.

Chair Lombardo requested Commissioner input regarding the impact of these units on the community.

Commissioner Alberg commented this is a green energy alternative and will be a benefit.

Commissioner Graham commented regarding the need to get as much public input as possible.

Commissioner Humphreville stated it is important to get plenty of public input noting the Commission can look at limiting the height of the structure on smaller lots but he would hate to limit it to people who have an acre or more.

Chair Lombardo commented there is consensus to receive more public input, lot size needs to be reviewed with the possibility of those with smaller lots having the option to install the units. With regard to allowing multiple units on one pole, the consensus was that multiple units may be ok especially if the lot size is bigger.

Deputy Town Manager Stueckle stated that, potentially Lancaster's ordinance provides for units on smaller residential lots.

Chair Lombardo questioned the ability of allowing a variance. Deputy Town Manager Stueckle advised that it is desirable to set standards by lot size etc., noting that ordinances call out precise measurements but they can be written with some flexibility. Commissioner consensus was to add flexibility in the language.

**Dana Collins**, Joshua Tree, expressed concern about the visual impact of allowing the units on smaller properties and the view shed on surrounding properties. She likes the 2 acre minimum lot size and the 110% setback.

**Mary Ann Hill**, Yucca Valley, expressed concern about the visual aspect on surrounding property, they should not be any more than 35' and the fall zone is very important.

**Andy Canada**, Yucca Valley, advised the units are designed to be small so they are not obtrusive.

**Sarann Graham**, Yucca Valley, commented there have been a lot of good points made tonight and the suggestions about getting public input would be recommended. She noted the number of units required to be useful changes the whole nature of the issue.

Commissioner Alberg advised he is looking forward to what staff brings back for review.

Chair Lombardo questioned if property owners have the ability to construct these units at this time. Planner Kirschmann advised there are several potential applications that may come in but there is the ability to apply for a conditional use permit.

Deputy Town Manager Stueckle have heard all commissions comments this evening in terms of way to look at standards will bring back and notice public hearing

**3. CONTINUATION OF DISCUSSION OF REVISED TENTATIVE TRACT MAP APPLICATION AND FOLLOW UP TO COMMISSION QUESTIONS**

A request from staff that the Commission receives and provides any additional feedback and comment on general timeframes for processing Tentative Tract Map applications and provide feedback and comment on the Standard Conditions of Approvals.

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Kirschmann presented the project discussion to the meeting. A PowerPoint presentation was projected on the screen during the discussion, a printed copy of which is preserved in the meeting file.

With regards to Condition of Approval E1 Commissioner Graham questioned if the Town is only concerned about height not length. Planner Kirschmann stated it is evaluated on a case by case basis.

Commissioner Humphreville commented regarding the shelf life of special studies. Deputy Town Manager Stueckle advised that many of the timeframes are set by state and federal law, noting that information will be included in our application materials. Commissioner Humphreville commented that appraisals cost more than the actual park fee, and advised of the need to add a Condition of Approval to stop extortion payments to special interest groups, noting that he heard that such a group is suing Granite Construction on one of their projects. Deputy Town Manager Stueckle advised that issue is on the staff, Town Attorney discussion list.

Commissioner Graham questioned if it would be appropriate to flag fees so we can see what the estimated fees are. Deputy Town Manager Stueckle advised that one change staff is making to all application forms, primarily in area of Planning and Engineering, is including application fees specific to those for a plat map.

Commissioner Humphreville commented that frequently we have people stand in front of us and tell us he Town hinders development, noting we actually have very little to do with the requirements, they are mainly State and Federal requirements.

Deputy Town Manager Stueckle stated that the Commission has provided enough additional feedback so staff will be finalizing the application, bring back a flow chart and will return to the Commission one more time for discussion.

**CONSENT AGENDA**

None

**FUTURE AGENDA ITEMS**

April 2011 – Conditional Use Permit, CUP 01-11, a request to install a roof mounted cell tower at the location of Hutchins Motor Sports.

Tentative Parcel Map 19288, a request to subdivide a 0.69 acre parcel containing three previously constructed residences into three residential lots

**STAFF REPORTS AND COMMENTS**

None

**COMMISSIONER REPORTS AND REQUESTS**

Commissioner Alberg – None

Commissioner Graham - questioned if review of the antenna ordinance is still on the Commission's to do list. Deputy Town Manager Stueckle advised that it is.

Commissioner Humphreville – None

Chairman Lombardo – None

**ANNOUNCEMENTS**

Time, date and place for the next Planning Commission Meeting.

The next regular meeting of the Yucca Valley Planning Commission is Tuesday, April 12, 2011 at 6:00 p.m. in the Yucca Valley Community Center.

**ADJOURNMENT**

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Jamie Anderson  
Town Clerk