

**9.09.050: NATIVE LANDSCAPE DOCUMENTATION PACKAGE:**

A. General Provisions: Commercial development projects shall be allowed to transplant on and off site and to remove all regulated desert native plants from their native locations within the property boundaries, pursuant to the following development standards and requirements. Regulated desert native plants for all commercial land development projects, include the following:

**REGULATED DESERT NATIVE PLANTS**

Botanical Name	Common Name
Yucca brevifolia	Joshua tree
Yucca schidigera	Mojave yucca
Nolina parryi	Parry's nolina
Juniperus californica	California juniper
Yucca whipplei	Our Lord's candle
Pinus monophylla	Pinon pine

Pursuant to section 80117 of the state Food And Agricultural Code, the clearing or removal of native plants from a canal, lateral ditch, survey line, building site, or road or other right of way by the landowner or his agent, if the native plants are not to be transported from the land or offered for sale, are not subject to state regulations. For plants regulated by the state to be transplanted off site, the town shall issue permits for their relocation in accordance with this section.

B. Submission: A native landscaping documentation package shall be submitted to the division at the time of filing land use applications for development of commercial projects. Land use applications for commercial projects may include, but are not limited to, specific plans, conditional use permit, site plan and development review applications, land use compliance applications, parcel and tract map applications, grading permit applications, building permit applications, and any other applications necessary for town authorization of land disturbing or development activity. The native landscaping documentation package may be combined with landscaping and water conservation requirements (chapter 9.32 of this title).

C. Information: The native landscaping documentation package shall contain the following information:

1. The botanical and common name of the regulated desert native plant.
2. The precise location of each regulated desert native plant.
3. The trunk or stem diameter of each regulated desert native plant.
4. The height of each regulated desert native plant.
5. The health or condition of the regulated desert native plant, including the identification of those regulated desert native plants that are not likely to survive transplanting procedures.
6. The proposed placement or disposition of the regulated desert native plant, i.e., transplant on site, adopt off site, remove, etc. The plans for the regulated desert native plant survey shall be no smaller than twenty four inches by thirty six inches (24" x 36") unless otherwise approved by the director.

D. Transplanting Off Site And On Site: All regulated desert native plants identified in the native landscaping documentation package as likely to survive transplanting shall be made available for adoption or shall be transplanted on site as part of the project's landscaping plan. All native plant permit applications shall illustrate maximum utilization of regulated desert native plants in the project's landscaping plan. It is strongly encouraged that all Yucca brevifolia (Joshua trees) identified for adoption and transplantation be relocated through the uses of an adequately sized tree spade.

E. Adoption: Those regulated desert native plants identified in the native landscaping documentation package as likely to survive transplanting procedures, and which are not incorporated into a project's landscaping plan, shall be available for adoption.

1. Any regulated desert native plant that is part of a commercial development project, which are determined likely to survive transplanting procedures and not incorporated into a project's landscaping plan

shall be made available for adoption. The project shall provide a minimum thirty (30) day noticing period and thirty (30) day adoption period. The adoption period may be less than thirty (30) days if all available regulated desert native plants have been adopted.

2. A native landscape permit may include nonregulated desert native plants at the remover's discretion.

3. In the adoption of regulated desert native plants first priority shall be within the town of Yucca Valley and the second priority is Morongo Basin.

4. It is strongly recommended by native plant experts that native plants be moved only once to ensure survivability.

5. Prior to the adoption a thirty (30) day signage period is required which may commence with submittal of the regulated desert native plant permit. All projects required by this title to offer native plants for adoption shall at a minimum install the required on site signage on the property notifying the general public pursuant to the following:

a. A minimum of one sign shall be displayed. The sign may be incorporated into a subdivision sign or other permitted sign. The minimum size of the sign shall be not less than twenty four inches (24") in height by thirty six inches (36") in width. Signs shall be no larger than thirty two (32) square feet in area.

b. Signage shall be displayed perpendicular to roadways.

c. Where multiple signs are proposed, signs shall be displayed on separate roadways, where possible.

d. Signs shall, at a minimum, display the following:

(1) A heading and statement indicating that regulated desert native plants are available for adoption.

(2) The name of the individual or entity removing the regulated desert native plants.

(3) A phone number where the individual or entity removing the regulated desert native plants may be contacted.

(4) A statement indicating that the individual or entity removing the regulated desert native plants is the primary contact, and that the town of Yucca Valley may be contacted for more information on the regulated desert native plants available for adoption and for contacting the individual or entity removing the regulated desert native plants.

(5) The phone number for the town of Yucca Valley's community development department.

e. Signs required by this section are in addition to the subdivision signage allowed by this development code.

f. The sign may be installed in conjunction with the native landscape documentation package submittal.

F. Adoption, Transplanting And Maintenance Of Regulated Desert Native Plants: All regulated desert native plants made available for adoption shall be transplanted and/or stockpiled and maintained until transplanted in accordance with the following standards:

1. Written permission must be obtained from and signed by the owner of the property on which the plants are to be located. A copy of the document granting such permission shall be submitted to the director prior to issuance of the permit.

2. Approval of transplanting must take into consideration the plant's original and transplanted physical orientation, prevailing wind direction, soil type of the original and transplanted locations, and other related attributes which may affect the successful transplantation of the native plants in question.

3. Native plants that are proposed to be removed shall be transplanted or stockpiled for future transplanting wherever possible. In the instance of stockpiling for future transplanting the permittee shall have submitted and received approval of a native plant maintenance plan. The maintenance plan shall include the following:

a. The proposed schedule of watering.

b. The proposed location of stockpiled plants.

- c. How the plants will be supported.
- d. The method of trap fencing to be used.

G. Removal: Those regulated desert native plants not incorporated into a project's landscaping plan and not adopted during the thirty (30) day adoption period are allowed to be removed. In addition plants determined to be unlikely to survive transplantation may be removed. (Ord. 253, 12-16-2014)