

Chapter

4

DEVELOPMENT  
REGULATIONS

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# CHAPTER 4: DEVELOPMENT REGULATIONS

## 4.0 Purpose and Intent

This chapter establishes the zoning districts for the Yucca Valley Old Town Specific Plan area, the allowable uses (allowed and conditionally allowed) that apply within each zoning district, and the development and design standards that apply within each district. Together, the table of allowed uses and the development and design standards prescribe the allowed development for the area.

The intent of the Land Use and Development Regulations, together with the Design Guidelines is to implement the goals of the Specific Plan. The land use regulations, development standards, and design standards are consistent with the goals and policies of the General Plan.

### 4.0.1 Organization of this Chapter

- 4.1 General Provisions
- 4.2 Establishment of Land Use Districts
- 4.3 Allowable Land Uses and Permit Requirements
- 4.4 Nonconforming Uses, Structures and Parcels
- 4.5 Zoning District Development Standards
- 4.6 Standards for Specific Land Uses
- 4.7 Off-Street Parking and Loading Standards
- 4.8 Landscaping, Walls and Fences
- 4.9 Signs
- 4.10 Auxiliary Structures, Equipment, and Utilities
- 4.11 General Operating Standards
- 4.12 Development Incentives
- 4.13 Development Review Procedures
- 4.14 Highway Environs Overlay District

# Development Regulations

## 4.1 General Provisions

### 4.1.1 Minimum Requirements

The land use and development standards contained herein are minimum requirements. In reviewing individual projects requiring discretionary approval, more restrictive standards or conditions may be applied by the Town of Yucca Valley to accomplish the goals and objectives of this Specific Plan.

### 4.1.2 Applicability of Development Standards and Guidelines

The land use and development standards contained in this Chapter 4 shall apply to parcels within the Specific Plan's project area boundaries. All new development projects, including additions to buildings and changes in use on a parcel, are subject to the provisions of this chapter.

### 4.1.3 Interpretation, Administration, Enforcement, and Appeals

The Department Director is authorized by the Town Council to interpret, administer, and enforce the provisions of this chapter. The Department Director may designate a representative to act on his or her behalf.

The provisions of this chapter shall be interpreted in a manner that best fulfills the spirit and intent of the Specific Plan. The Department Director shall interpret questions arising from the application of this Chapter. A decision or determination of the Department Director may be appealed in compliance with the appeals procedures set forth in this Specific Plan in addition to the provisions of the Yucca Valley Municipal Code.

## 4.2 Establishment of Land Use Districts

### 4.2.1 Purposes of Land Use Districts

Section A describes the purpose and intent of each of the land use districts in the Old Town Yucca Valley Specific Plan.

1. **(OTMU) Old Town Mixed-Use District.** The Old Town Mixed-Use District is intended to serve as the core downtown district of the Specific Plan and is envisioned to provide a complementary mix of land uses and development types that are compatible with and reinforce pedestrian activity, interaction, and convenient access. The OTMU District is envisioned to unify the area and establish a core downtown environment providing a complementary mix of residential, commercial, and smaller-scale, street-oriented retail developments. This land use district encourages quality design, compact and vertically mixed development, higher residential densities and development intensities.

2. **(OTHC) Old Town Highway Commercial District.** The State Route 62 Highway Commercial District is envisioned to serve as the primary Eastern and Western Gateways to the Old Town Specific Plan through a highway-oriented commercial development that caters to the local and regional markets. The land use district is intended to provide a wide range of retail sales, business uses, and personal services oriented to the automobile customer. The OTHC District is envisioned as a primary node for serving the general commercial needs of the Town by promoting stable and attractive retail development.
3. **(OTCR) Downtown Commercial/Residential District.** The Downtown Commercial/Residential District is intended to provide a complementary mix of commercial and residential development. The district is a buffer between higher-intensity development in the OTMU District and adjacent residential development south of the Specific Plan project area. High-quality, well-designed commercial, office, and residential uses are encouraged within the OTCR District.
4. **(OTIC) Old Town Industrial/Commercial District.** The State Route 62 Industrial/Commercial District is planned to provide a variety of industrial, light industrial, flex-tech, service commercial, and limited live-work residential development. The OTIC District encourages quality-designed, lower-intensity industrial development of smaller-scale manufacturing and assembly. The District is intended to serve as a primary node for locally serving businesses and commercial activity. By establishing streetscape elements, landscaped buffers, and quality site design, the OTIC District is envisioned to contribute to a positive visual image along State Route 62.
5. **(HE) Highway Environs Overlay District.** The intent of the State Route 62 Highway Environs Overlay District is to provide a heightened level of discretionary review for development proposals in areas where changes in land use regulations are contemplated by the potential future realignment of State Route 62 (SR-62). The HE Overlay District ensures that future development proposals are not adversely affected by the realignment of SR-62.

### 4.3 Allowable Land Uses and Permit Requirements

Table 4-1 identifies the allowable land uses for each land use district that is exclusive to the Old Town Specific Plan: OTMU (Old Town Mixed-Use) district, OTHC (Old Town Highway Commercial), OTCR (Old Town Commercial/Residential), OTIC (Old Town Industrial/Commercial) and HE (Highway Environs Overlay). To determine the allowed land uses and development standards in the zones that are not exclusive to the Old Town Specific Plan, refer to applicable sections of the Yucca Valley Municipal Code.

#### 4.3.1 Allowed Uses.

1. **Allowed Land Uses.** Table 4-1 identifies the uses of land allowed by this Specific Plan, and the land use permit required to establish each use.

# Development Regulations

2. **Prohibited Land Uses.** Any table cell indicated a “-” symbol indicates that the listed land use is prohibited in that specific land use district.
3. **Applicable Sections.** Wherever the last column in the tables ("See Standards in Section") includes a Specific Plan section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this Specific Plan or applicable sections of the Yucca Valley Municipal Code may also apply.

**TABLE 4-1  
ALLOWABLE USES AND PERMIT REQUIREMENTS FOR DISTRICTS FOR OLD TOWN YUCCA VALLEY SPECIFIC PLAN**

Land Use	Permit Requirement by District						Notes:
	OTMU	OTHC	OTCR	OTIC	HE Overlay		
<b>Key to Table</b> SPR Site Plan Review is Required. P Use is Allowed (Refer to Development Review Procedures section) CUP Conditional Use Permit is required.							
OTMU= Old Town Mixed-Use OTHC= Old Town Highway Commercial OTCR= Old Town Commercial/Residential OTIC= Old Town Industrial/Commercial HE= Highway Environs (SR-62)							
<b>Miscellaneous</b>							
Alternative Fuels and Recharging Facilities	P		P		SPR		
Broadcast and Recording Studios	P		P		SPR		
Motor Vehicle Storage Facilities				P	SPR		
Public Utility Service Yards	P			P	SPR		
Public Utility Structures and Service Facilities	P			P	SPR		
Public Works Maintenance Facilities and Storage Yards				P	SPR		
Satellite Dishes/Antennas (less than 3 feet/2meters in diameter)	P	P	P	P	SPR		
<b>Education</b>							
Community/Cultural Centers	P		P		SPR		
Commercial Day Care Centers	P		P		SPR		
Membership Organization Facilities – Lodges and Clubs	P		P		SPR		
Schools – K-12, Private	P		P		SPR		

# Development Regulations

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Land Use	Permit Requirement by District						Notes:
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<b>Key to Table</b>						OTMU= Old Town Mixed-Use OTHC= Old Town Highway Commercial OTCR= Old Town Commercial/Residential OTIC= Old Town Industrial/Commercial HE= Highway Environs (SR-62)	
<b>SPR</b>	Site Plan Review is Required.						
<b>P</b>	Use is Allowed (Refer to Development Review Procedures section)						
<b>CUP</b>	Conditional Use Permit is required.						
Schools, Specialized Education and Training – less than 50 students	P		P	P	SPR		
Schools, Specialized Education and Training – more than 50 students			P	P	SPR		
Studios — Art, Dance, Music Photography, etc.	P		P	P	SPR		
Universities/Colleges, Private	P	P	P	P	SPR		
<b>Entertainment, Recreation, Public Assembly</b>							
Adult-Oriented	Refer to Adult Business Ordinance						
Dancing and Live Entertainment	CUP	CUP			SPR		
Health /Fitness Centers	P	P	P	P	SPR		
Indoor Amusement/ Entertainment/ Recreation Centers/ Arcades	P				SPR		
Nightclubs	CUP				SPR		Accessory to restaurant use only
Places of Worship	P	P	P	P	SPR		
Theaters, Auditoriums, and Meeting Halls	P	P	P		SPR		
<b>Manufacturing and Processing</b>							
Chemical Products				P	SPR		

**TABLE 4-1  
ALLOWABLE USES AND PERMIT REQUIREMENTS FOR DISTRICTS FOR OLD TOWN YUCCA VALLEY SPECIFIC PLAN**

Land Use	Permit Requirement by District						Notes:
	OTMU	OTHC	OTCR	OTIC	HE Overlay		
Clothing Products				P	SPR		
Cosmetics				P	SPR		
Electronics and Equipment Manufacturing				P	SPR		
Foam/Plastics Fabrication				P	SPR		
Food and Beverage Product Manufacturing				P	SPR		
Furniture/Cabinet Shops				P	SPR		
Glass Products				P	SPR		
Handicraft Industries, Small Scale Assembly (premanufactured)				P	SPR		
Hazardous Material Storage				P	SPR		
Laboratories			P	P	SPR		
Metal Products Fabrication				P	SPR		
Paper Products				P	SPR		
Pharmaceutical Manufacturing				P	SPR		
Plastics and Rubber Products				P	SPR		
Printing and Publishing	P		P	P	SPR		
Recycling Facilities – Small Collection Facility	P		P	P	SPR		

**Key to Table**  
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Land Use	Permit Requirement by District						Notes:
	OTMU	OTHC	OTCR	OTIC	HE Overlay		
Recycling Facilities – Reverse Vending Machines	P		P	P	SPR		
Research and Development	P		P	P	SPR		
Structural Clay and Pottery Products				P	SPR		
Textile Products				P	SPR		
Warehousing, Wholesaling, and Distribution Facility, Incidental (less than 75% of floor area)				P	SPR		
<b>Motor Vehicle and Related Retail Trade and Services</b>							
Car Wash, Full & Self-Service		P		P	SPR		
Marine Sales, Indoor	P	P	P	P	SPR		
Motor Vehicle Leasing, No Onsite Storage	P	P	P	P	SPR		
Motor Vehicle Leasing, Onsite Vehicle Storage (less than 10 vehicles)		P	P	P	SPR		
Motor Vehicle Parts and Supplies Sales (no onsite repairs)	P	P		P	SPR		

**TABLE 4-1  
ALLOWABLE USES AND PERMIT REQUIREMENTS FOR DISTRICTS FOR OLD TOWN YUCCA VALLEY SPECIFIC PLAN**

Land Use	Permit Requirement by District						Notes:
	OTMU	OTHC	OTCR	OTIC	HE Overlay		
Automated Car Washing		P			SPR		
Motor Vehicle Repair and Maintenance, MAJOR, and only when conducted in an enclosed structure.		P		P	SPR		
Motor Vehicle Repair and Maintenance, MINOR, and only when conducted in an enclosed structure.		P		P	SPR		
Motor Vehicle Sales (New and/or Used), With Service Facilities		P		P	SPR		
Motor Vehicle Sales (New and/or Used), Without Service Facilities, Storage or Outdoor Display	P	P	P	P	SPR		
Motor Vehicle Window Tinting		P		P	SPR		
Service Stations		P		P	SPR		
<b>Public</b>							
Libraries/ Museums, Public	P		P		SPR		
Parking Lots/Structures, Public	P	P	P	P	SPR		
Parks, Public	P	P	P	P	SPR		

# Development Regulations

**TABLE 4-1  
ALLOWABLE USES AND PERMIT REQUIREMENTS FOR DISTRICTS FOR OLD TOWN YUCCA VALLEY SPECIFIC PLAN**

Land Use	Permit Requirement by District						Notes:
	OTMU	OTHC	OTCR	OTIC	HE Overlay		
Service Uses/ Structures, Public			P		SPR		
<b>Retail Trade</b>							
Accessory Retail Uses	P	P	P	P	SPR		
Art, Antiques, Collectibles, and Gifts	P	P	P	P	SPR		
Bakeries, Retail	P	P		P	SPR		
Book Stores	P	P		P	SPR		
Building Material Stores/Yards		P		P	SPR		
Candy Stores	P	P		P	SPR		
Catering Businesses, ONLY When Ancillary to a Restaurant	P	P		P	SPR		
Convenience Markets/Stores (under 5,000 square feet)	P	P		P	SPR		
Furniture, Furnishings and Equipment Stores	P	P		P	SPR		
Garden Centers/Plant Nurseries	P	P		P	SPR		
Grocery Stores, 5,000 sq. ft. and greater		P			SPR		
Liquor Sales (On-site Consumption Only) - Restaurant	P	P			SPR		

**TABLE 4-1  
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Land Use	Permit Requirement by District						Notes:
	OTMU	OTHC	OTCR	OTIC	HE Overlay		
Liquor Sales (Off-site Consumption Only)	P	P			SPR		
Liquor Sales (Off-site Consumption Only) – Beer and Wine Only	P	P			SPR		
Meat Markets or Delicatessens	P	P			SPR		
Music Stores	P	P			SPR		
Pet Stores	P	P			SPR		
Pharmacies/Drug Stores	P	P			SPR		
Pharmacies/Drug Stores, Drive-thru Service		P			SPR		
Restaurants, Fast Food, Drive-thru Service		P			SPR		
Restaurants, Fast Food, Without Drive-thru Service	P	P			SPR		
Restaurants or Cafes (excluding Fast Food or Drive-ins)	P	P			SPR		
Retail Stores, General Merchandise	P	P			SPR		
Shopping Centers (five or more tenants on contiguous parcel)	P	P			SPR		
Temporary Uses/Activities							

**Key to Table**  
**SPR** Site Plan Review is Required.  
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**CUP** Conditional Use Permit is required.

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**TABLE 4-1  
ALLOWABLE USES AND PERMIT REQUIREMENTS FOR DISTRICTS FOR OLD TOWN YUCCA VALLEY SPECIFIC PLAN**

Land Use	Permit Requirement by District						Notes:
	OTMU	OTHC	OTCR	OTIC	HE Overlay		
Big Box Retail Stores (greater than 30,000 square feet)		P			SPR		
<b>Services</b>							
Automated Teller Machines (ATMs)	P		P	P	SPR		
Banks and Financial Services	P	P	P	P	SPR		
Business Support Services, Secretarial and Administrative	P	P	P	P	SPR		
Check Cashing	P	P		P	SPR		
Contractor's Equipment Yards				P	SPR		
Convalescent/Rest Homes			P		SPR		
Equipment Rental Establishments				P	SPR		
Hotels/Motels	P	P			SPR		
Laundromats, Self-Service and Dry Cleaning, Drop-off only	P	P	CUP	CUP	SPR		
Massage Therapy	Refer to Title 8 of the Yucca Valley Municipal Code						
Medical Services, Clinics	P	P	P		SPR		
Medical Services, Laboratories	P		P	P	SPR		
Offices, Professional	P		P	P	SPR		

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Land Use	Permit Requirement by District						Notes:
	OTMU	OTHC	OTCR	OTIC	HE Overlay		
Outdoor Active Activities (e.g., Walk-up Windows)	P				SPR		
Personal Services, General	P		P	P	SPR		
Photocopy/Printing/Desktop Facilities	P		P	P	SPR		
Printing/Photo Developing/Printing Shops	P		P	P	SPR		
Photography Studio/Supply Shop	P		P	P	SPR		
Propane/Liquid Fuel (Storage and Sales)				P	SPR		
Repair and Maintenance, Consumer Products	P		P	P	SPR		
Storage (Mini, Personal, and Self-Storage) Facilities		CUP		P	SPR		
Tanning Studios/Salons	P	P			SPR		
Travel Agencies	P	P	P	P	SPR		
Veterinarian Clinics and Animal Hospitals	P		P	P	SPR		
<b>Residential</b>							
Accessory Uses and Structures	P	P	P	P	SPR		
Multiple Family Residential	P		P	P	SPR		

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**TABLE 4-1  
ALLOWABLE USES AND PERMIT REQUIREMENTS FOR DISTRICTS FOR OLD TOWN YUCCA VALLEY SPECIFIC PLAN**

Land Use	Permit Requirement by District						Notes:
	OTMU	OTHC	OTCR	OTIC	HE Overlay		
Assisted Living Facilities			P	P	SPR		
Condominiums/Townhomes	P		P	P	SPR		
Live-Work Facilities	P		P	P	SPR		
Mixed-Use Developments (Residential over Retail/Office)	P	P	P	P	SPR		
Mixed-Use Developments (Use distributed horizontally on a site)	P	P	P	CUP	SPR		
Residential Care Homes			P		SPR		

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## 4.4 Nonconforming Uses, Structures, and Parcels

### 4.4.1 Purpose and Intent

This section establishes uniform provisions for the regulation of legal nonconforming uses and structures. Within the zoning districts established by this Specific Plan, certain land uses and structures were legally established under the requirements of the Yucca Valley Municipal Code that may be prohibited, regulated, or restricted differently under the terms of this Specific Plan or any subsequent amendments of it.

This Specific Plan discourages the long-term continuance of these nonconformities and encourages their abatement. However, this Specific Plan has provisions that permit these nonconforming uses to be expanded or redeveloped if certain conditions are met.

Nonconforming uses and structures shall not be enlarged, expanded, or extended, except as expressly stated in this section, nor shall the existence of a nonconforming use or structure be a determining factor for adding other uses or structures allowed in the same land use district.

### 4.4.2 Nonconforming Uses

A nonconforming use shall be subject to the provisions contained in Title 8, Division 4, Chapter 8, of the Yucca Valley Municipal Code, in addition to the following standards:

1. A legal nonconforming use may be altered, subject to the approval by the Department Director or Development Review Committee. The Department Director shall have the discretion to refer to the Planning Commission uses that are expanded or modified by greater than twenty-five percent (25%) of the floor space or ground area existing at the time the use became nonconforming.
2. For a nonconforming use of land not involving a structure, the use may not be moved, in whole or in part, from the location it occupied at the time the use became nonconforming to any other portion of the lot or parcel on which it is located.
3. If no structural alterations are made, a nonconforming use of a structure shall be changed to another nonconforming use, provided the Department Director determines that the proposed use is equally or more appropriate to the land use district than the existing nonconforming use. In permitting such a change, the Department Director may impose conditions to ensure that the degree of nonconformity is not subsequently increased, along with such other conditions as are necessary to mitigate any adverse impacts of the changed use upon neighboring properties.

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4. If a nonconforming use is superseded by an allowed use, such use shall thereafter conform to the regulations for the land use district in which it is located, and the nonconforming use may not be resumed.

## 4.4.3 Nonconforming Structures

A nonconforming structure may be continued in use so long as it is in compliance with all laws and other than building code regulations as set forth in the Yucca Valley Municipal Code, subject to the following provisions;

1. If a nonconforming structure or nonconforming portion of a structure is destroyed by any means to an extent of more than seventy-five percent (75%) of its reasonable replacement value at the time of destruction, it may not be reconstructed except in conformity with the provisions of this Specific Plan.
  - Exception: A nonconforming residential structure may be reconstructed in any district that allows such a use (i.e., OTMU and OTCR) if it meets all building and safety regulations, and if, to the extent reasonable and feasible, the construction conforms to the regulations of this Specific Plan.
2. If a structure is moved for any reason for any distance, it shall thereafter conform to the regulations for the land use district into which it is relocated.
3. If a nonconforming structure is abandoned or vacated for one-hundred eighty days or more, any subsequent use of the property shall conform to the regulations of the land use district in which it is located.

## 4.4.4 Nonconforming Parcels

Any lot that becomes nonconforming upon adoption of this Specific Plan may be used or built upon, provided that the development project otherwise conforms to the requirements of this Specific Plan.

Any lot that, by action of the Town of Yucca Valley or any other government agency, becomes nonconforming by means of condemnation, acquisition, or dedication shall be allowed to apply the standards for the lot in effect prior to the agency action.

## 4.4.5 Repairs and Maintenance of Nonconformities

On any nonconforming structure, and on any conforming structure containing a nonconforming use, routine maintenance work may be performed and nonbearing walls, fixtures, wiring, or plumbing may be repaired or replaced; provided that:

- The value of the repair and replacement work during any twelve-month period does not exceed ten percent of the replacement cost of the whole structure; and

- The square footage of the structure that is nonconforming or has a nonconforming use is not increased.

## 4.5 Zoning District Development Standards

New land uses and structures, and alterations to existing land uses and structures, shall be designated, constructed, and/or established in compliance with the requirements in *Table 4-2*, below.

Table 4-2  
General Development Standards and  
Requirements for Old Town Yucca Valley Districts

Development Feature	Old Town Mixed-Use (OTMU)	Old Town Highway Commercial (OTHC)
Floor-to-Floor Area Ratio (FAR)	Up to 1.0	0.35
Dwelling Units per acre (du/ac)	Up to 40	–
Minimum Setbacks Required:		
Front (Building)	0 feet	15 feet
Front (Parking)	N/A	10 feet (minimum landscape setback when parking is located at the front setback)
Side (each)	0 feet; when abutting an alley, 5 feet; when abutting residential 10 feet, plus 5 feet for each story above two	10 feet
Street Side	0 feet	15 feet
Rear	10 feet; when abutting an alley, 5 feet; when abutting residential, 20 feet plus 5 feet for each story above two	10 feet; when abutting residential, 20 feet plus 5 feet for each story above two
Minimum Street Frontage	50 feet	50 feet
Maximum Height	3 stories or 45 feet, whichever is less	40 feet
Accessory Structures	See Section 4.10	
Landscaping	See Section 4.8	
Parking	See Section 4.7	
Signs	See Section 4.9	

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Table 4-2 (cont'd)  
 General Development Standards  
 Requirements by Individual Zoning District

Development Feature	Old Town Commercial/Residential (OTCR)	Old Town Industrial/Commercial (OTIC)
Floor Area Ratio	0.40	0.40
Dwelling Units (du/ac)	24	30 <sup>1</sup>
Minimum Setbacks:		
Front (Building)	15 feet	15 feet
Front (Parking)	N/A	10 feet (minimum landscape setback when parking is located at the front setback)
Side (each)	0 feet; when abutting an alley, 5 feet; when abutting residential 10 feet, plus 5 feet for each story above two	0 feet; when abutting residential 10 feet, plus 5 feet for each story above two
Street Side	0 feet;	15 feet
Rear	10 ft; when abutting an alley, 5 feet; when abutting residential, 20 feet plus 5 feet for every story above two	10 feet; when abutting residential, 20 feet plus 5 feet for every story above two
Minimum Street Frontage	50 feet	50 feet
Maximum Height	3 stories or 45 feet, whichever is less	3 stories or 45 feet, whichever is less
Accessory Structures	See Section 4.10	
Landscaping	See Section 4.8	
Parking	See Section 4.7	
Signs	See Section 4.9	

Table 4-2 (cont'd)  
General Development Standards  
Requirements by Individual Zoning District

Development Feature	HE Highway Environs Overlay
Floor Area Ratio	Refer to Section 4.14
Dwelling Units (du/ac)	Refer to Section 4.14
Minimum Setbacks:	
Front (Building)	Refer to Section 4.14
Front (Parking)	Refer to Section 4.14
Side (each)	Refer to Section 4.14
Street side	Refer to Section 4.14
Rear	Refer to Section 4.14
Minimum Street Frontage	Refer to Section 4.14
Maximum Height	Refer to Section 4.14
Accessory Structures	See Section 4.10
Landscaping	See Section 4.8
Parking	See Section 4.7
Signs	See Section 4.9

#### 4.5.1 Limitations and Exceptions to Allowed Uses and Structures

1. **Limitation on Storage.** No material or equipment shall be stored within the space between a street and setback line except temporarily during construction on the same parcel. No required setback area shall be used for storage of any motorized vehicle, mechanical equipment, or parts thereof, or any type of antenna except as provided in this Specific Plan.
2. **Limitation on Outdoor Uses.**
  - a. All uses shall be conducted entirely within a completely enclosed building that is attached to a permanent foundation.
    - Exceptions: Outdoor eating, temporary retail sales, vehicle sales and rental, parking, growing plants, cut flowers, Christmas tree and pumpkin lots, and similar uses, consistent with the Yucca Valley Municipal Code.
  - b. Unless screened from view consistent with Yucca Valley Municipal Code, the outside storage of equipment, materials, supplies, or tools is prohibited.

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- c. All uses shall be conducted in a manner that is not reasonably objectionable to a person of normal sensitivity by reason of dust, fumes, noise, odor, smoke, vibrations, or other similar causes.

## 4.6 Standards for Specific Land Uses

### 4.6.1 Equipment Rental Uses

Equipment rental and leasing businesses are allowed in compliance with Table 4-2 of this chapter, and shall comply with the following standards.

1. All outdoor equipment and machinery shall be stored in a neat and organized manner.
2. Outdoor storage of inoperable vehicles and equipment is prohibited.
3. Maintenance and repair of vehicles and equipment may be performed only within a completely enclosed building.
4. Equipment and vehicles shall not be stored with their lifting arms, booms, blades, buckets, scrapers, etc. in a position higher than the main body of the equipment or vehicle.

### 4.6.2 Live-Work Units

1. **Purpose.** Live-work units are intended to be occupied by business operators (especially artisans and artists) who live in the same structure that contains the commercial or industrial activity. A live-work unit is intended to function predominantly as workspace with incidental residential accommodations being an incidental use.
2. **Applicability and Allowed Uses.** The provisions of this section shall apply to live-work units as allowed by Table 4-2. The nonresidential component of a live-work project shall be only a use allowed within the OTMU, OTCR, and OTIC districts.
3. **Limitations on Use.** A live-work unit shall not be established or used in conjunction with any of the following activities:
  - a. Adult businesses;
  - b. Vehicle maintenance or repair (e.g., body or mechanical work, including on boats and recreational vehicles), vehicle detailing and painting, upholstery, etc.);
  - c. Storage of flammable liquids or hazardous materials beyond those normally associated with a residential use, as subject to review and approval by the Department Director and the Fire Department;

- d. Other activities or uses not compatible with residential activities and/or that could affect the health or safety of live-work unit residents because of dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, other adverse impacts, or hazardous materials, processes, products, or wastes, as determined by the Department Director.

4. **Development Standards.**

- a. Floor Area Requirements. The minimum total floor area of a live-work unit shall be 1,000 square feet. All floor area, other than that reserved for living space, shall be reserved and regularly used for working and display space.
- b. Floor Height Requirements. The minimum floor-to-ceiling height for nonresidential portions of a live-work unit fronting a public street and located at street level shall be 12 feet.
- c. Street Frontage Treatment. Each live-work unit shall have a pedestrian-oriented frontage that publicly displays the interior of the nonresidential areas of the structure. The first 25 feet of the floor area depth at the street-level frontage shall be limited to display and sales activity.
- d. Access to Units. Where more than one live-work unit is proposed within a single structure, each live-work unit shall be separated from other live-work units and other uses in the structure. Access to individual units shall be from common access areas, corridors, or hallways. Access to each unit shall be clearly identified to accommodate emergency services.
- e. Integral Layout. The living space within the live-work unit shall be contiguous with, and an integral part of, the working space with direct access between the two areas, and shall not be a separate stand-alone dwelling unit. The residential component shall not have a separate street address from the business component.

- 5. **Parking.** Each live-work unit shall be provided with at least 2 off-street parking spaces for each 1,000 square feet of floor area. The Department Director may modify this requirement for the use of existing structures with limited parking.

6. **Operating Standards**

- a. Occupancy. A live-work unit may be occupied and used only by a business operator and/or a household of which at least one member is a business operator.
- b. Sale or Rental of Portions of Unit. No portion of a live-work unit may be separately leased, rented, or sold.

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- c. Notice to Occupants. The owner or developer of any structure containing live-work units shall provide written notice to all live-work occupants and users that the surrounding area may be subject to levels of dust, fumes, noise, or other impacts associated with commercial and industrial uses at higher levels than would be expected in more typical residential areas.
  - d. Nonresident Employees. Up to two persons who do not reside in the live-work unit may work in the unit, unless this employment is prohibited or limited by a Use Permit.
7. **Required Findings.** The approval of a live-work unit shall require the Department Director to make all of the following findings:
- a. The establishment of live-work units will not conflict with nor inhibit other uses in the area where the project is proposed;
  - b. The structure containing live-work units, and each live-work unit within the structure, has been designed to ensure that they will function predominantly as work spaces with incidental residential accommodations that meet basic habitability requirements in compliance with applicable regulations; and
  - c. Any changes proposed to the exterior appearance of an existing structure will be compatible with adjacent uses and structures.

## 4.6.3 Mixed-Use Development

For the purpose of this section, mixed-use projects are developments that combine nonresidential and residential uses or structures on a single parcel, or as components of a single development.

1. **Mix of Uses.** A mixed-use project shall combine residential uses with commercial, office, or limited industrial uses. Mixed-use projects may provide nonresidential uses on the ground floor with residential units above or distributed horizontally on a site.
2. **Residential Density.** The allowable density of a mixed-use project shall be as allowed in the OTMU, OTCR, and OTIC land use districts, as illustrated in Table 4-2, and any bonuses or incentives that are approved by the Town of Yucca Valley.
3. **Residential Uses in OTIC District.**
  - a. Purpose. The purpose of this section is to provide specific guidance for residential and mixed-use development within the OTIC land use district.

- b. Required Findings. No residential or mixed-use within the OTIC land use district may be approved unless and until the Town of Yucca Valley has made all of the following findings:
- (1) The design and placement of residential use demonstrates that the use will not be detrimental or adversely affect the use and function of existing nonresidential uses;
  - (2) The establishment of residential or mixed-use units will not conflict with nor inhibit other uses in or adjacent to the area where the project is proposed;
  - (3) The residential or mixed-use units will not be designed or placed on a parcel in such a way that would expose residential uses to objectionable noise, odor, or other nuisances from existing uses;
  - (4) Site access and circulation for residential uses will not compete with or share access with existing nonresidential uses.
  - (5) Residential or mixed-use units will provide all required parking onsite.

#### 4. **Parking – Mixed-Use Projects**

- a. Residential Uses. A minimum of one parking space per bedroom for each dwelling unit shall be provided, except for senior housing, for which a minimum of one parking space per dwelling unit shall be provided. Parking spaces shall be fully enclosed.

One additional parking space per dwelling unit shall be provided for guests. Guest parking shall be accessible, screened from view of the street, and clearly identified with the words "GUEST PARKING" painted in the space with minimum 8-inch-high letters.

- b. Nonresidential Uses. Off-street parking for nonresidential uses shall be provided for each separate use in compliance with applicable sections of this Specific Plan and the Yucca Valley Municipal Code.

c. Parking and Access Standards

- (1) All parking spaces required for the residential use shall be provided on-site.
- (2) Parking spaces to serve residential uses shall be specifically designated and shall be reserved for the exclusive use of residents.
- (3) If structured parking is provided for the entire complex, separate dedicated and accessible areas shall be provided for residential and commercial uses.

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- (4) Whenever possible, separate site access drives shall be provided for the residential uses and commercial uses.
    - (5) Security gates are recommended for access to residential uses and residential parking areas, as well as for commercial parking areas when businesses are closed.
  5. **Trash Collection Areas.** Trash collection areas shall be contained within an enclosed structure. Trash collection areas shall be designed, located, or screened so as not to be readily identifiable from adjacent streets.
  6. **Loading and Storage Facilities.** Loading areas and solid waste storage facilities shall be located as far as possible from the on-site residential units and shall be completely screened from view from adjacent residential portions of the project. The location and design of the solid waste enclosures shall take into account potential nuisances from odors and noise from collection vehicles.
  7. **Private Storage Space.** A minimum 90 cubic feet of private storage space shall be provided for each residential dwelling unit outside the unit, unless a private attached garage, serving only the dwelling unit, is provided. Such storage space shall have a minimum horizontal surface area of 24 square feet and shall be fully enclosed and lockable.
  8. **Exterior Lighting.** Parking lot lighting and security lighting for commercial uses in mixed-use projects shall be appropriately shielded so as not to spill over into residential areas. Residential units shall also be shielded from illuminated commercial signs.
  9. **Exterior Equipment.** All exterior-mounted equipment shall be screened from view. Special consideration shall be given to the location and screening of noise-generating equipment (e.g., air conditioning, exhaust fans, and refrigeration units) Noise-reducing screens and insulation may be required where equipment has the potential to impact residential uses. Satellite dish systems shall be roof mounted and screened from view.
10. **Outdoor Space for Residential Uses – Mixed-Use Projects**
  - a. A minimum outdoor space of 100 square feet shall be provided for each dwelling unit.
  - b. Outdoor space may be provided as common or private open space. Any common outdoor space shall have a minimum level surface dimension of 20 feet and a minimum area of 400 square feet.
  - c. Outdoor space intended for use by residents only shall not be accessible from the commercial areas.
  - d. Open space and courtyards located in the commercial areas may be accessible to residential occupants and visitors.

e. Landscaping and seating shall be permanently integrated into all required outdoor spaces.

11. **Hours of Operation.** The Town of Yucca Valley may restrict the hours of operation of nonresidential uses to mitigate adverse impacts on the residential uses.

12. **Joint Owners' Association.** For integrated mixed-use projects, a joint tenant/owners' association shall be formed to ensure the well-being of each tenant on-site. The association's bylaws shall specify the following: maintenance and landscaping responsibilities, trash facility responsibilities, parking facility maintenance responsibility, assignment of parking spaces per each use, relationship between uses regarding association representation, voting procedures, and ways to solve problems between the different uses. The association's bylaws shall be subject to review by the Town Attorney.

13. **Building Design**

a. Design Standards. A mixed-use project shall be designed and constructed to:

- (1) Be compatible with and complement adjacent land uses;
- (2) Be compatible with the desert landscape and climate;
- (3) Maintain or enhance the character of development in the immediate neighborhood;
- (4) Maintain or increase the existing number of residential units generally, and specifically those for seniors and a variety of income levels; and
- (5) Mitigate to the maximum extent feasible impacts such as glare, light (including light spill into the night sky), noise, and traffic.
- (6) The architectural style and use of materials shall be consistent throughout the entire project. Differences in materials and/or architectural details shall occur on a structure only where the intent is to differentiate between the residential scale and character of the structure and the commercial scale and character.

b. Separate Entrances. When residential and commercial uses are provided in the same structure, separate entrances shall be provided for each use.

c. Distance Between Dwellings. A minimum distance of 10 feet shall separate exterior walls of separate buildings containing dwelling units on the same lot. The windows or window/doors of any dwelling unit shall not face the windows or window/doors of any other dwelling unit unless separated by a distance of 10 or more feet, except where the

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angle between the walls of the separate dwelling units is 90 degrees or more. Walls parallel to each other shall be considered to be at a zero-degree angle.

- d. Sound Mitigation. Residential units shall be designed to be sound-attenuated against present and future project noise. New projects, additions to existing projects, or new nonresidential uses in existing projects shall provide an acoustical analysis report by an acoustical engineer that describes the acoustical design features of the structure required to satisfy the exterior and interior noise standards of the Yucca Valley Municipal Code.
- e. Rooftop Equipment. Rooftop equipment, except solar energy equipment, shall be completely enclosed on all sides or screened from view from public rights-of-way.
- f. Landscaping
  - (1) All street setback areas and other areas not occupied by buildings, parking, driveways, walkways, and other incidental residential activities shall be fully landscaped with live plant materials and shall be permanently maintained in a neat and orderly manner.
  - (2) A minimum of 10 percent of the total parking lot area shall be permanently landscaped. If a parking area that is within a required setback is landscaped, the landscaped area may be counted toward meeting the minimum landscaping area requirement for the project.
  - (3) For the purposes of this section, permanent landscaping shall consist of landscaped areas at the ground level.
  - (4) Decorative design elements (e.g., fountains, sculptures, planters, rocks, native natural materials, and other similar elements) may be allowed where they are integral parts of a landscape plan composed primarily of live plant materials.
  - (5) Pedestrian walks and vehicular accessways shall be allowed in landscaped areas, but shall not be counted as landscaped areas.
  - (6) The street setback area shall incorporate landscaping and shall not consist of paving only.
  - (7) When appropriate, permanent and automatic irrigation facilities shall be provided in all permanent landscaped areas except potted containers.
  - (8) Landscaping shall be permanently maintained in substantial conformance with an approved landscaping plan.

g. Lighting:

- (1) Lighting design, use, and location shall comply with the Town of Yucca Valley Night Sky Ordinance.
- (2) Light fixtures on uncovered parking areas, vehicle accessways, and walkways shall not exceed a height of 16 feet, except that the maximum height of fixtures on the rooftop of any parking structure on a lot adjacent to any residential zone shall not exceed a height of 8 feet. The overall height shall be measured from the paved surface to the uppermost part of the light standard, including the light globe.
- (3) Lighting shall be directed onto the driveways, walkways and parking areas within the development and away from adjacent properties and public rights-of-way. Appropriate shields shall be incorporated into lighting fixtures to ensure that lighting does not spill onto adjoining properties.

h. Laundry Facilities – Residential Uses:

- (1) Laundry facilities and/or hook-ups shall be provided on-site to serve the residential dwelling units.
- (2) Laundry facilities (i.e., washer and dryer appliances connected to utilities) shall be provided in each individual dwelling unit where there are 3 or fewer dwelling units on a lot. Where there are more than 3 dwelling units on a lot, laundry facilities shall be provided in either each individual dwelling unit or in a common laundry room.
- (3) A common laundry room shall be in an accessible location and shall have at least one washer and one dryer for each 10 dwelling units, maintained in operable condition and accessible to all tenants daily between the hours of 7:00 A.M. and 10:00 P.M.
- (4) Common laundry rooms shall provide lighting and be designed and located in such a way that the interior of the facility can be clearly viewed from the outside. Lighting control switches in common laundry rooms shall not be accessible to the general public.

#### 4.6.4 Outdoor/Sidewalk Dining

1. **Applicability.** Outdoor/sidewalk dining areas that encroach into the public right-of-way shall be subject to obtaining an encroachment permit from the Town of Yucca Valley.
2. **Standards.** Outdoor/sidewalk dining areas shall be subject to the following standards;

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- a. Outdoor/sidewalk dining shall maintain a 4-foot minimum clearance along the public sidewalk, exclusive of landscape areas, fire hydrants, streetlights, other street furniture, and on-street auto overhang.
- b. Applicants requesting an encroachment of the public right-of-way shall submit a brief description of the proposed encroachment and its proposed location in the right-of-way.
- c. Applicants shall submit, to the Town of Yucca Valley, a properly scaled and dimensioned site plan showing existing site conditions, including street and sidewalk width, and the location and dimension of all existing and proposed street furniture and other elements on the sidewalk. Applicants shall identify the number of tables and seating requested and the maximum number of seating in the outdoor area.
- d. An applicant's permit for outdoor/sidewalk dining may be revoked by the Town of Yucca Valley after a 30-day written notice. The Town of Yucca Valley shall provide the applicant with findings of fact for the revocation of the permit.
- e. Sound amplification devices or sound reproduction devices shall not be used or operated with outdoor/sidewalk dining unless approved by a temporary use permit.
- f. Lighting shall comply with the standards set forth in this Specific Plan and applicable sections of the Yucca Valley Municipal Code.
- g. Prior to the approval of any permit, the Department Director shall make a finding that the outdoor/sidewalk dining does not adversely affect the neighborhood or is detrimental to persons working, living, or visiting the area.
- h. A liability insurance policy naming the Town of Yucca Valley as additionally insured for a minimum of \$1,000,000 shall be kept on file with the Town of Yucca Valley.

## 4.6.5 Nightclubs and Entertainment Uses – Accessory to Restaurant Use Only

1. Nightclubs, bars, and similar establishments shall comply with the requirements set forth in the Yucca Valley Municipal Code.

## 4.6.6 Parking Structures and Garages

1. **Applicability.** The following standards shall apply to enclosed parking structures, including those above grade and below grade.

2. **Site Organization**

- a. Where appropriate, parking garages shall incorporate a ground-floor retail use adjacent to the public sidewalk.
- b. A minimum 5-foot landscaped setback shall be provided on all sides of the parking structure, except where ground-floor retail space is provided. Landscaping shall include adequate facilities to enable proper maintenance.

3. **Access and Circulation**

- a. Vehicle-stacking areas for entering and exiting traffic shall be of sufficient length to minimize vehicle stacking onto surrounding streets or within the parking structure. A minimum of two vehicle lengths of stacking distance shall be provided between the street and the control gate.
- b. Exit lanes shall be provided at a ratio of one lane for each 200-250 vehicles. The maximum aisle length shall not exceed 400 feet without providing a cross aisle.
- c. Ramp grades shall not exceed ten percent and parking areas shall not exceed a slope of four to five percent.

4. **Lighting and Security**

- a. A minimum illumination of 5 foot-candles shall be provided inside the structure and a minimum of 3 foot-candles for exterior parking areas. Higher levels are recommended for remote areas subject to security considerations (e.g., stairways, elevators, and other pedestrian access points). Minimum illumination levels, measured from the adjacent finished floor, shall be as provided in Table 4-3.

**Table 4-3  
Minimum Illumination Levels  
For Parking Structures and Garages**

Facility	Minimum Illumination Level
Stairways and exits	5 foot-candles
Interior driving aisles at centerline	5 foot-candles
Interior parking areas at barrier railings	0.5 foot-candle
Roof parking areas	0.5 foot-candle

- b. Lighting fixtures shall be designed and placed to provide uniform illumination over all parking areas.
- c. Light sources shall be shielded so that the source of the illumination is not seen from outside the structure.

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- d. The architectural design of the garage shall eliminate possible hiding places and openings that could allow random pedestrian access.
- e. During periods when parking activity is substantially less than the garage capacity (as at night), there shall be a means of securing unused parking levels from use, including stairwells and elevators. If the garage is not operated on a 24-hour basis, the entire facility shall be secured from access during hours when the facility is closed to normal business activities.
- f. At a minimum, stair towers shall include glass, or appropriate visually penetrable material running vertically along the height of the tower. Elevators shall be provided with glass-backed cabs and shafts.
- g. Stairs and elevators should be located adjacent to a street on the exterior of the structure where lobbies can be exposed to outside view.

## 5. Building Design

- a. Parking garages shall be designed to help reduce the mass and scale of the garage and to ensure their compatibility with surrounding uses. The following design guidelines shall apply to parking structure design.
- b. Vehicles shall be concealed from view through a combination of screen walls and plantings.
- c. The design of exterior and interior elevations shall provide an adequate level of design detail to reduce a monolithic appearance. This can be accomplished through a combination of the following methods:
  - (1) Minimize horizontal and vertical banding by balancing both horizontal and vertical elements.
  - (2) Incorporate simple, clean geometric forms, and coordinated massing; step back upper levels of the garage.
  - (3) Use ground-floor retail or other uses adjacent to the setback.
  - (4) If the parking garage contains other uses, coordinate openings in the parking garage with the size and modulation of adjacent windows, structural bays, and storefronts.
  - (5) Design openings in the parking garage to resemble architectural elements of the adjoining structure.

- (6) Use masonry materials that are compatible with the natural desert landscape; minimize the use of unpainted concrete.
- (7) Avoid a sloping ramp appearance by providing level and uniform spandrels.
- (8) Visually define and differentiate between pedestrian and vehicular entrances through appropriate architectural detailing.

## 4.7 Off-Street Parking and Loading Standards

### 4.7.1 Purpose

The purpose of this section is to ensure that parking and loading areas are sufficient and are properly designed and located. Any use, including a change in or expansion of an existing use or structure, shall have appropriately maintained off-street parking and loading areas in compliance with the standards as described in this Specific Plan. For standards and provisions that are not explicitly stated, the standards and provisions of the Yucca Valley Municipal Code shall apply.

### 4.7.2 Regulations for Off-Street Parking

Off-street parking and loading for uses within the Old Town Specific Plan area shall be provided in accordance with applicable sections of the Yucca Valley Municipal Code, with the following modifications:

1. **Fractional Spaces.** Fractional spaces shall be rounded upwards.
2. **On-Street Parking.** Existing parking spaces for standard-sized vehicles along a public street that abut a parcel are eligible to meet part or all of the parking requirements for the development on that parcel. For parcels fronting on State Route 62 within the OTMU district, 50 percent of the on-street parking spaces for standard sized vehicles within 100 feet of a parcel or 50 percent of the spaces that will be within 100 feet upon completion of planned street and parking improvements (whichever is greater) may be counted toward the required number of parking spaces for commercial or mixed-uses.
3. **Off-Street Parking Reduction.** For parcels with mixed-use development in the OTMU, OTCR and OTIC districts, the number of off-street parking spaces required by the Yucca Valley Municipal Code may, upon approval by the Department Director, be reduced by the greater of the number of spaces listed below.

If the parcel is within 400 feet of a public parking lot or parking structure, a reduction of 10 spaces or 25 percent of the required number of spaces (whichever is greater) shall be allowed.

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4. **Structure Parking.** A ten percent reduction of required parking spaces for all new development may be approved by the Department Director if 50 percent or more of required off-street parking spaces are located within an on-site parking structure.
5. **Location of Parking.** Required parking spaces for commercial or mixed-uses shall be located on the same parcel or on another parcel not farther than 400 feet from the parcel they are intended to serve. On-site parking areas shall be located as specified in Table 4-4.
6. **Parking Study Required- Shared Parking.** The utilization of shared parking facilities within the Old Town Specific Plan project area is strongly encouraged. Shared parking standards are based on the assumption that patrons will use a single parking space for more than one destination in certain locations within the Specific Plan area and that one parking space will be open and available for short-term parking to serve different uses that may have different peak hours. Shared parking shall be provided in accordance with the following provisions:
  - a. **Eligible Development.** The following categories of development shall be eligible to use shared parking to meet parking requirements:
    - (1) Commercial or mixed-use new construction on sites of less than 30,000 square feet in size;
    - (2) New construction on sites greater than 30,000 square feet in size for retail commercial, restaurants, community centers, museums, and movie theaters; and
    - (3) Additions to existing buildings, rehabilitation of existing buildings, or changes in use or occupancy of existing buildings.
  - b. **Ineligible Development.** The following types of uses are not eligible to use shared parking standards:
    - (1) New or existing residential uses not part of a mixed-use development; and
    - (2) New construction of hotel or office uses on sites greater than 30,000 square feet.
7. **Parking Study Required – Sites Greater Than 30,000 Square Feet.** All commercial uses, and any mixed-use development within the Old Town Specific Plan area that exceeds a site area of 30,000 square feet, shall be required to prepare a parking and loading study, or other study approved by the Department Director, that demonstrates adequate parking for average daily demand (rather than peak-day demand).
  - a. For any development larger than 30,000 square feet, a parking study may be used in lieu of the standards and provisions of this Specific Plan, provided that the following conditions are met:

- (1) The parking study provides sufficient factual justification for modifications to prescribed standards;
  - (2) The project demonstrates the use of creative design concepts, including, but not limited to, mixed-use, shared parking facilities, transit access, pedestrian amenities, and bicycle amenities.
8. **Parking Study Option – Sites of 30,000 Square Feet or Less.** At the discretion of the Department Director, commercial uses and mixed-use development within the Specific Plan area that are 30,000 square feet or smaller shall be provided the option of preparing a parking and loading study that justifies the need for parking and loading facilities, provided the following conditions are met:
- a. The parking study sufficiently justifies modifications to prescribed standards; and
  - b. The project demonstrates the use of creative design concepts, including but not limited to Mixed-Use, shared parking facilities, transit accessibility, pedestrian amenities and bicycle amenities.
9. **On-Street and Common Loading.** As approved by the Department Director, the following loading requirements may apply:
- a. Within the OTMU District, multi-story, mixed-use development that has less than 10,000 square feet of gross leasable area may utilize on-street loading when it is demonstrated that the loading activity will not be detrimental to the public health, safety, or welfare, and will not adversely affect traffic patterns.
  - b. Uses within a mixed-use development may utilize common loading facilities when demonstrated that the loading activity will not be detrimental to the public health, safety, or welfare, and will not adversely affect traffic patterns.

## 4.8 Landscaping, Walls, and Fences

### 4.8.1 Landscaping - General

All projects shall provide and maintain landscaping and irrigation in compliance with applicable sections of this Specific Plan and the Yucca Valley Municipal Code. Standards for the provision of landscaping within the public right-of-way in conjunction with any private development shall be in compliance with the Yucca Valley Municipal Code.

### 4.8.2 Required Preservation of Native Vegetation and Trees

All project applicants shall consult with the Town of Yucca Valley prior to the removal or modification of any existing tree or any native vegetation within private property. It is the intent of

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this section to preserve historically important vegetation and tree resources within the Town of Yucca Valley community.

## 4.8.3 Landscaping

1. **Landscaping Adjacent to Streets.** All street-adjacent landscaped areas shall include a combination of landscaping materials consistent with a desert climate. For properties that provide no setback, planters, potted plants, and/or other appropriate materials shall be provided.
2. **Required Drought-Tolerant Landscaping.** All landscaping shall be installed and maintained to minimize irrigation demand. All landscape materials, including shrubs, trees, vines, perennials, and ground cover, shall demonstrate drought-tolerant features consistent with the High Desert Water District Conservation Ordinance requirements.

## 4.8.4 Walls and Fences

1. **Height and Location.** Perimeter fences and walls that are within a front yard setback shall not exceed a height of 3 feet unless specifically allowed (by the Department Director) to be up to 6 feet high to achieve a specific screening purpose.
  - Exception: Walls adjacent to mobile home sites that front the public right-of-way shall be allowed to be up to 6 feet high, subject to the requirements of this section and with approval by the Department Director.
2. **Design.** The design of walls and fences shall be consistent with the overall project design and/or adjacent streetscape. Additionally, the design shall be complementary to the desert landscape.
3. **Walls and Fencing.** Perimeter walls and fences shall be articulated by varying the wall plane at least every 50 feet. The design of the wall shall include an appropriate mix of materials and landscaping.
4. **Chain Link and Fencing.** Chain link or similar fencing shall not be allowed within the public view.

## 4.9 Signs

Except as otherwise stated in this section, the sign standards and review procedures in Chapter 7, Division 7, Title 8, of the Yucca Valley Municipal Code, as amended, shall apply to all signs within the Old Town Specific Plan project area.

### 4.9.1 Monument Signs

1. **Allowed Signs.** Monument Signs shall be allowed in the OTCR, OTHC and OTIC districts.
2. **Number of Signs.** One monument sign per property frontage is allowed.
3. **Sign Height.** Monument signs shall have a maximum height of 6 feet.
  - Exception: Monument sign heights in the OTMU and OTHC districts may exceed 6 feet to accommodate desirable architectural features or other elements that contribute to quality design, but shall be subject to approval by the Department Director.
4. **Sign Area and Copy.** A maximum of 40 square feet of sign per face shall be allowed.
5. **Illumination.** Monument signs may be internally illuminated, provided only the sign copy is illuminated; however, external illumination is preferred. External illumination shall illuminate only the monument sign and provide consistency with the architectural design of the primary structure on the site.
6. **Design.** Monument signs shall be consistent with the Old Town Specific Plan Design Guidelines.
7. **Spacing.** There shall be a minimum of 75 feet between monument signs to ensure proper visibility of all signs. The Department Director may waive this requirement in situations where its enactment may be impractical due to the location of signs on adjacent properties.
8. **Location.** Monument signs shall not project over or into public property or easements. Monument signs shall not obstruct traffic sight lines or create any visual obstruction that may create hazards to life, health, or safety.
9. **Required Landscaped Base.** Signs shall be located within a landscaped area, with the base of the sign equal to at least twice the area of one face of the sign. A permanent irrigation system shall be provided and landscaping shall be maintained so as to preclude obstruction of the sign copy.

### 4.9.2 Freestanding Signs in Public Right-of-Way

1. For the purpose of this Specific Plan, freestanding signs shall be defined as signs that stand directly on the ground and are independent from any building or structure within the public right-of-way or landscaped setback. Freestanding signs in the public right-of-way shall be allowed in the OTMU district in compliance with the following conditions:
  - a. Only one freestanding sign per business is allowed.

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Examples of freestanding signs

- b. A maximum of 2 faces is allowed per sign.
- c. Maximum sign size shall be 3 feet high and 2 feet wide.
- d. No external or internal illumination is allowed.
- e. No highly reflective or fluorescent colors are allowed.
- f. No sign may be permanently affixed to any object, structure, or the ground, including utility poles, light standards, trees, or any merchandise or products displayed outside of building. Freestanding signs may be anchored with removable devices to prevent being blown over by winds, etc.
- g. Signs shall be portable, self-supporting, stable, and weighted or constructed to withstand being overturned by wind or contact.
- h. Signs shall be removed during nonbusiness hours.
- i. Signs shall be located directly in front of the building or business.
- j. Signs shall not be placed in such a way as to interfere with pedestrian or vehicular sight lines or corner clearance zones.
- k. Signs shall not be placed in such a way as to obstruct access to a public sidewalk, public street, parking space, fire door, fire escape, or disabled access, or that will, in any way, obstruct the free passage over any portion of the public right-of-way.
- l. Signs shall not obscure or interfere with a public safety device or official public notice.

- m. Signs shall maintain a minimum of 4 feet for pedestrian clearance over the entire length of the sidewalk or public right-of-way in front of the business.
2. **Placement of Freestanding Signs in the Public Right-of-Way.** In addition to the standards specified in Section 4.9.B above, freestanding signs shall be subject to review and approval by the Department Director. Placement of signs in the public right-of-way shall require the submittal of the following information, and are subject to the following limitations:
    - a. Applicant shall submit a brief description of the proposed sign and its proposed location in the public right of way.
    - b. Applicant shall submit an appropriately scaled and dimensioned site plan showing local conditions, including width of the street and sidewalk, and the location and dimension of all street furniture and elements on the sidewalk
    - c. The description and site plan are subject to the review and approval (at his or her sole discretion) of the Department Director.
    - d. The approval of a freestanding sign may be revoked by the Town of Yucca Valley after a 30-day notice. The Town shall make findings of fact for any revocation action.
    - e. A liability insurance policy naming the Town of Yucca Valley as additionally insured in the amount of \$1,000,000 shall be on file with the Town.
  3. **Signs for Shopping Centers, Office Complexes, and Mixed-Use Development.** Integrated office complexes, commercial centers, and mixed-use development in the OTMU, OTHC, OTCR, and OTIC districts with a minimum of 200 feet of street frontage shall be subject to the following:
    - a. One freestanding identification sign is allowed near the primary street entrance to the center that identifies up to five primary tenants of the center.
    - b. The maximum size is 100 square feet per sign face.
    - c. The maximum height is 10 feet.
    - d. The minimum streetside setback is 10 feet.
    - e. Signs shall be located within a landscaped area equal to at least twice the area of one face of the sign. A permanent irrigation system shall be provided, and landscaping maintained so as to preclude obstruction of the sign copy.

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- f. One additional secondary monument sign is allowed along each street frontage (except for the street on which the primary identification sign is located), in compliance with the following standards:
  - (1) Signs shall not be located directly across from a residential use.
  - (2) No more than three tenants may use one sign.
  - (3) The maximum size per sign face is 50 square feet.
  - (4) The maximum sign height is 5 feet.
  - (5) The minimum streetside setback is 10 feet.

## 4.9.3 Pole Signs

Pole signs are not allowed within the Specific Plan area.

## 4.9.4 Awning Signs

Awning signs shall be allowed in all districts, subject to the following requirements.

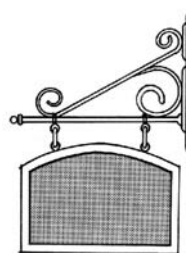
1. Awnings with signs shall be located only on structure frontages, including those fronting a parking lot or pedestrian way.
2. Signs on awnings are limited to the ground level and second story only.
3. A clear distance of at least 8 feet shall be maintained from the lowest part of the awning sign to the ground.
4. The maximum area of an awning sign shall be calculated in accordance with the requirements for wall signs in Section 4.9.F.

## 4.9.5 Projecting Signs

Projecting signs shall be allowed in the OTMU, OTHC, OTIC and OTCR districts, subject to the following requirements:

1. Signs shall be located only on the wall frontage with the primary entrance to the structure.
2. A clear distance of at least 10 feet shall be maintained from the lowest point of the projecting sign to the ground level. For projecting signs over public driveways, alleys, and thoroughfares, a clear distance of at least 15 feet shall be maintained from the lowest point of the projecting sign to the ground.

3. A sign shall be attached to the wall so that the nearest point of the sign is a maximum of 2 feet from the adjacent wall face.
4. All mounting hardware shall be designed to be compatible with the sign and architectural theme of the building.
5. No part of a sign shall be located within two feet of a curb.
6. Signs may comprise or be configured as logotypes, symbols, or figures in addition to or instead of written words.
7. The maximum area of each sign face shall be 10 square feet.



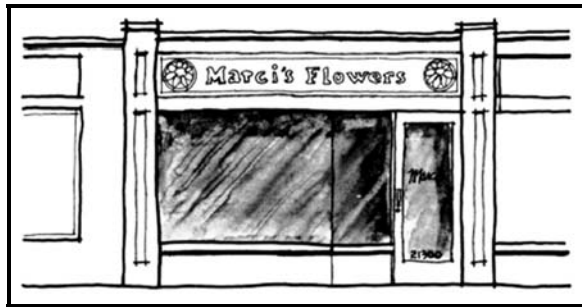
Example of Projecting Sign

#### 4.9.6 Wall Signs

1. Wall signs shall be located only on walls having frontage along streets, alleys, parking lots, or on-site parking lots, and shall not be located directly across from a residential use.
2. Wall signs shall only consist of individual letters, no panel signs.
3. Wall signs shall not project from the surface from which they are attached more than required for construction purposes and, in no case, more than 6 inches.
4. Wall signs shall not project above the eave of a roof or parapet
5. Wall signs shall not be mounted in such a way as to obstruct any portion of a window or storefront, except for window signs in compliance with Section 4.9.G, below.
6. For ground-floor storefronts with direct access to the street, alley, or on-site parking lot, wall signs shall have a maximum of 2 square feet of sign area per linear foot of building frontage or tenant space.

# Development Regulations

7. One address identification sign for the structure per street frontage is allowed, with a maximum size of 15 square feet.



Example of Wall Sign

## 4.9.7 Window Signs

Window signs shall be allowed in the OTMU, OTHC, OTCR, and OTIC zoning districts, subject to the following requirements:

1. Signs shall be allowed only on the ground-floor level and second story of a structure frontage.
2. Signs shall not occupy more than 25 percent of the window area.
3. The maximum area for window signs shall be calculated in conjunction with the requirements for wall signs.

## 4.9.8 Neon Signs

The use of exposed neon signs shall be allowed within the OTMU, OTHC, OTCR, and OTIC districts, subject to the following requirements;

1. Neon signs shall contain no flashing or moving parts.
2. Neon signs and linear tubing shall be Underwriters Laboratory listed, with a maximum of 20 amperes per circuit, and shall be designed to accommodate an automatic dimmer to reduce the brightness of the neon.
3. Neon tubing shall not exceed one-half inch in diameter.
4. Neon lighting shall not be located within 300 feet of a single-family residential property unless the neon lighting is not visible from the residential use. The distance shall be measured in a straight line from nearest point of the proposed sign.

5. Neon tubing shall minimize reflection from any reflective materials in such a manner that it does not obscure the readability of the sign.
6. Neon tubing shall not be used to line storefront windows or doors.
7. Neon tubing shall be allowed to be used as a minor accent for projecting signs or as other building accents, subject to the review and approval of the Department Director.

#### 4.10 Accessory Structures, Equipment, and Utilities

- A. Auxiliary structures, equipment, and utilities shall not be located directly adjacent to the street frontage of any property.
- B. All roof appurtenances, including but not limited to, air conditioning units and mechanical/electrical equipment, shall be shielded and architecturally screened from view from on-site parking areas, adjacent public streets, and adjacent properties. Screening should be designed to be compatible with the architectural design and color of the building.
- C. All ground-mounted mechanical/electrical equipment, including heating and air conditioning units and refuse disposal areas, shall be in a solid enclosed structure and completely screened from surrounding properties by a wall or landscaping, or shall be enclosed within a building. Walls shall be screened with landscaping.
- D. Storage areas shall be enclosed by a solid, architecturally-compatible, masonry wall, with a height adequate to fully screen such areas from public view. Walls shall be screened with landscaping.
- E. Outdoor storage shall not be located adjacent to any street-facing property line, unless storage is the primary use of the site.

#### 4.11 General Operating Standards

##### 4.11.1 Air Quality

1. **Air Pollution.** Sources of air pollution shall comply with rules established by the Environmental Protection Agency (Code of Federal Regulations, Title 40) and the California Air Resources Board. No person shall operate a regulated source of air pollution without a valid operation permit issued by the designated regulatory agency.
2. **Exhaust Emissions.** Construction-related and business activity exhaust emissions shall be minimized by maintaining equipment in good operating condition, in proper tune, and in compliance with manufacturer's specifications. Equipment shall not be left idling for long periods of time.

# Development Regulations

3. **Odor Emissions.** Noxious, odorous emissions from a substance or in a volume that is detrimental to, or endangers the public health, safety, comfort, or welfare is a public nuisance, is unlawful, and shall be modified to prevent further emissions release.

## 4.11.2 Electrical Interference

Activities, processes, and uses shall not operate in a manner that produces electric and/or magnetic fields that adversely affect the public health or safety, or the general welfare of the community, including interference with normal radio, telephone, or television reception from off the premises where an activity is located.

## 4.11.3 Light and Glare

Lights, spotlights, floodlights, reflectors, and other means of illumination shall be shielded or equipped with special lenses in such a manner as to prevent any glare or direct illumination on any public street or other property.

## 4.11.4 Noise

Activities, processes, and uses shall not produce noise that may be considered a nuisance or hazard on any adjacent property.

## 4.11.5 Vibrations

Uses that generate vibrations that may be considered a nuisance or hazard on any adjacent property shall be cushioned or isolated to prevent the generation of vibrations.

## 4.11.6 Outdoor Storage

Outdoor storage areas for commercial, industrial, and manufacturing uses shall be utilized only for the express purpose of the storage of material or equipment directly related to the use or activity on site. Such outdoor storage shall be fully enclosed by a masonry wall, and the stored material shall be kept below the horizontal plane of the top. Outdoor storage areas shall not be used for manufacturing, assembly, or construction of any equipment or material.

## 4.11.7 Parking

Parking shall be designed to provide adequate space for access and adequate on-site maneuvering. Loading facilities shall not conflict with or obstruct the proper function of parking facilities.

Off-street parking for one use shall not be considered as providing required off-street parking for any other use, except as expressly authorized by this section.

Parking facilities shall maintain adequate access and maneuverability for emergency vehicles.

### 4.11.8 Outdoor Activities

Outdoor activities shall be limited to activities that are allowed within the zoning district in which they occur, and shall not limit or obstruct the normal function of adjacent uses. In compliance with the Yucca Valley Municipal Code, temporary outdoor activities shall require a Temporary Use Permit.

## 4.12 Development Incentives

The following development incentives provide specific guidance for the granting of additional development potential, provided that certain conditions are met. The development incentives in this section encourage the effective utilization and consolidation of parcels to establish more viable development opportunities. The following provisions apply to all land use districts within the Old Town Specific Plan.

### 4.12.1 Lot Consolidation Incentives

1. **Purpose.** This section provides incentives for the consolidation of adjacent parcels within any land use district of the Old Town Specific Plan. The Town of Yucca Valley encourages the consolidation of real property within the Old Town Specific Plan area as a means to maximize development and redevelopment potential that is consistent with the purpose and intent of this Specific Plan.
2. **Incentives.** The following incentives shall be made available to applicants who consolidate two or more parcels within the Old Town Specific Plan project area;
  - a. Development Intensity (FAR) Bonus. Increased floor-to-area ratio (FAR) bonus of the amount listed in Table 4-4 shall be granted to properties initiating a lot consolidation. The bonus incentives shall apply to the gross square footage of a single parcel following consolidation.

Table 4-4  
Lot Consolidation FAR Bonus

Land Use District	Base Intensity (FAR)	Allowable Intensity Bonus
OTMU	1.0	15%
OTHC	0.35	10%
OTIC	0.40	5%
OTCR	0.40	10%

- b. Residential Density Bonus. Residential density bonus incentives shall be provided for the amount listed in Table 4-5. The density bonus incentives shall apply to the gross square footage of a single parcel following consolidation.

Table 4-5  
Lot Consolidation Residential Density Bonus

Land Use District	Base Density (Dwelling Units per Acre)	Allowable Density Bonus (Dwelling Units per Acre)
OTMU	40	10
OTHC	—	—
OTIC	30	5
OTCR	24	5

- c. Financial Incentives. At the discretion of the Town of Yucca Valley Redevelopment Agency, and contingent upon available funding as determined by the Agency Board, fee assistance and other financial incentives may be made available to encourage lot consolidation.

(1) *Types of Incentives*

- Financial incentives may include, but are not limited to:
  - Permit fee assistance (waivers, reduced fees, etc.)
  - Shortening the approval procedure timeline.
  - Other incentives, as determined by the Redevelopment Agency Board.

- (2) *Written Requests*. Prior to the approval of any financial incentives, interested parties shall submit a written request for fee assistance to the Department Director. These requests shall be reviewed on a case-by-case basis and granting such requests is contingent upon funding availability, as prescribed by the Town Council.

- (3) *Pre-Application Hearing*. Prior to the approval of any financial incentives, a pre-application meeting with the project applicant(s) and the Department Director is highly recommended. Fees for pre-application meetings shall be waived.

- (4) *Determination*. Prior to the issuance of any permit, the Department Director shall determine the availability and extent of financial assistance. The terms and conditions of the approved financial incentives shall not be modified, extended, or revised.

### 4.12.2 Façade Improvement Incentives

1. **Purpose.** This section provides incentives to encourage improvement of building façades by offering design assistance or financial incentives established by the Yucca Valley Town Council. These incentives are intended to fulfill the following objectives:
  - a. Provide a financial incentive for property owners within the Old Town Specific Plan project area to upgrade the exteriors of their buildings;
  - b. Promote the retention and attraction of businesses to strengthen the business potential in the Specific Plan area;
  - c. Increase the utilization and restore the economic vitality of buildings within the Specific Plan area; and
  - d. Maintain and enhance the property values and economic benefits of property ownership within the Specific Plan area.
2. **Eligible Improvements.** Improvements may include sign renovation or replacement, wall repairs and repainting, window replacement or modification, door replacement or modification, planter box installation, landscaping, disabled-access improvements, ornamental or decorative features, exterior lighting, awnings, and other improvements that increase the visual quality of the building. Professional services and Town permit fees are also considered eligible expenses.
3. **Nonqualifying Improvements.** Interior improvements are not eligible for façade improvement incentives.
4. **Evaluation Criteria.** The following evaluation criteria shall be used when evaluating any application for Façade improvements:
  - a. Demonstrated upgrade of building façade conditions;
  - b. Maintenance or resuscitation of historic character;
  - c. Enhancement of the pedestrian environment;
  - d. Renovation of prominent locations;
  - e. Consistency with the Old Town Specific Plan Design Guidelines;
  - f. Improvements that will lead to the occupancy of vacant buildings; and

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- g. Facilitation of the retention and growth of existing businesses and expansion of economic activity.
5. **Streamlined Approval.** All eligible façade improvements shall be subject to approval at the staff level. Staff will evaluate each proposal for consistency with the evaluation criteria as described in this chapter.
  - Exception: At the discretion of the Department Director, eligible improvements may require additional design review, subject to the requirements of this chapter.

## 4.12.3 Mixed-Use Development Incentives

1. **Purpose.** This section provides incentives to encourage mixed-use development within applicable zoning districts of the Old Town Specific Plan. Mixed-use development shall meet the requirements of applicable sections of this Specific Plan and the Yucca Valley Municipal Code. The Town of Yucca Valley encourages the development of mixed-use projects within the OTMU, OTCR, and OTIC land use districts to maximize development and redevelopment potential that is consistent with the purpose and intent of this Specific Plan.
2. **Mixed-Use Requirement.** Mixed-use development incentives shall apply to projects that combine residential and nonresidential units. Any development excluding residential use shall not be considered mixed-use for the purpose of this section.
3. **Development Intensity (FAR) Incentives.** A bonus of increased floor-to-area ratio (FAR) for the amount listed in Table 4-6 shall be granted to project applicants requesting the development of Mixed-Use projects. The bonus incentives shall apply to the nonresidential gross square footage of the development site.

Table 4-6  
Mixed-Use FAR Incentives

Land Use District	Base Intensity (FAR)	Allowable Bonus
OTMU	1.0	15%
OTHC	0.35	—
OTIC	0.40	10%
OTCR	0.40	10%

4. **Development Density Incentives.** A development density bonus for the amount listed in Table 4-7 shall be granted to properties requesting the development of mixed-use projects. The bonus incentives shall apply to the residential gross square footage of a single parcel.

Table 4-7  
Mixed-Use Residential Density Incentives

Land Use District	Base Density (Dwellings Units per Acre)	Allowable Bonus (Dwellings Units per Acre)
OTMU	40	10
OTHC	—	—
OTIC	30	5
OTCR	24	10

5. **Height Bonus.** A height bonus for the amount listed in Table 4-8 shall be granted to properties requesting the development of Mixed-Use projects. The bonus incentives shall apply to any combination of nonresidential or residential gross square footage of a single parcel.

Table 4-8  
Mixed-Use Development Height Bonus

Land Use District	Allowable Height (Stories)	Height Bonus (Stories)
OTMU	3	1
OTCR	3	1
OTIC	3	1

6. **Additional Incentives.** At the discretion of the Town of Yucca Valley, additional intensity or density bonuses may be granted if the project exhibits any one or more of the following:
- a. Exemplary architectural design;

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- b. Further promotion of the purpose and intent of this Specific Plan in terms of development quality, design, and economic opportunity; or
- c. Contribution to increased employment opportunities.

Granting of additional incentives in addition to those allowed in this section shall be subject to review by, and approval of, the Planning Commission.

## 4.13 Development Review Procedures

### 4.13.1 Applicability

The procedures and regulatory provisions necessary to administer development review for applicable properties, structures, and uses within the Specific Plan area shall be subject to the requirements of the Yucca Valley Municipal Code, in addition to the provisions in this section.

### 4.13.2 Uses Allowed by Right

For uses designated as “Allowed” in Table 4-1 of this chapter, project applicants shall be subject to the development review procedures provided in the Town of Yucca Valley Development Code. All applicants are subject to Plan Review, and to miscellaneous permits as determined by the particular use.

### 4.13.3 Site Plan Review

Site Plan Review permits are intended to streamline review of development proposals that conform to the regulations and standards as set forth in this Specific Plan, but that may have characteristics that necessitate a higher level of discretionary review. Site Plan Reviews are intended to be approved at the staff level.

### 4.13.4 Conditional Use Permit

1. **Applicability.** An application for a Conditional Use Permit within the boundaries of the Old Town Specific Plan area shall be considered by the Planning Commission and Town Council in compliance with applicable sections of this chapter and the Yucca Valley Municipal Code.
2. **Uses Requiring a Conditional Use Permit.** Conditional Use Permits may be granted for only the following land uses or activities (in addition to those listed in Table 4-1):
  - a. Denied applications appealed by the applicant;
  - b. Mixed-Used development greater than 30,000 square feet;
  - c. Applications for heights greater than 3 stories; and

- d. Uses within the Highway Environs Overlay district, subject to the requirements of Section 4.14 of this Specific Plan.

3. **Application Filing, Processing and Review**

- a. Exercising Approved Applications. Approved applications shall be exercised within one year of approval. Two one-year time extensions are allowed, subject to separate applications and fees, after which time a new application shall be filed with the Department Director.
- b. Run with the land. A Conditional Use Permit that is valid and in effect, and was granted in compliance with the provisions of this Specific Plan, shall run with the land and continue to be valid upon the change of ownership of the land, or of any lawfully existing structure on the land. Conditional Use Permits shall run with the land as long as there is continuous use of the approved use. Any unauthorized change in use may subject the Conditional Use Permit to revocation.

## 4.14 Highway Environs Overlay District

### 4.14.1 Purpose

The purpose of the Highway Environs Overlay District is to provide for discretionary review of development proposals in areas where changes in land use regulations are contemplated because of the potential future realignment of State Route 62. The provisions of this section apply in addition to the provisions for each land use district of this Specific Plan.

### 4.14.2 Specific Plan Land Use Map Designator

The Highway Environs Overlay District may be combined with any base district in the Specific Plan area. The parcels applicable to the Highway Environs Overlay District shall be shown on the Specific Plan land use map.

### 4.14.3 Review Procedures in the HE Overlay District

1. **Required Site Plan Review.** For all development applications within the Highway Environs Overlay District, Site Plan Review shall be required for the establishment of any new or expanded use or structure.
  - a. Site Plan Review shall be in compliance with Title 8, Division 3, Chapter 3, Article 12, of the Yucca Valley Municipal Code.
2. **Pre-Application Meeting.** Prior to the submittal of a formal Site Plan Review Permit, a meeting with the Department Director or designee is strongly recommended to discuss the project in

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detail. The purpose of this pre-application meeting is to evaluate the proposed use in consideration of the potential future realignment of Route 62.

## 4.14.4 Site Plan Review Procedures – Old Town Specific Plan

Site Plan Review Procedures for the Old Town Specific Plan Highway Environs Overlay shall consist of the following:

### 1. Tier I Site Plan Review – Staff Level Review

Projects requiring minor site review as determined following the Site Plan Review Permit application shall be reviewed at the staff level. The Community Development Director may impose conditions of approval for the approval of the Site Plan Review Permit.

At the discretion of the Department Director, Tier 1 Site Plan Review may be referred to the Development Review Committee or the Planning Commission.

### 2. Tier II Site Plan Review – Development Review Committee

At the discretion of the Department Director, Site Plan Review may be referred to the Development Review Committee, as determined following the submittal of a Site Plan Review Permit application.

In its Tier II Site Plan Review, the Development Review Committee may impose conditions of approval.

The following activities shall require Tier II Site Plan Review:

- Mixed-use projects of 30,000 square feet or less
- Projects appealed after Tier I review

Site Plan Review Permits denied during Tier II review may be appealed to the Planning Commission at the discretion of the applicant.

### 3. Tier III Site Plan Review – Planning Commission Review

At the discretion of the Department Director or the Development Review Committee, Tier I and Tier II projects may be referred to the Planning Commission. The following activities shall require Tier III Site Plan Review:

- Mixed-use projects greater than 30,000 square feet;
- Projects requesting density/intensity bonus;
- Staff-referred projects; and
- Projects appealed from the Development Review Committee.

#### 4.14.5 Development Regulations

Development regulations and additional conditions of approval for the Highway Environs Overlay District shall be specified by a Site Plan Review Permit or shall be those of the base district with which the HE Overlay district is combined.

#### 4.14.6 Expiration of HE Overlay District and Renewal

The adoption of the Old Town Specific Plan shall establish the Highway Environs Overlay District. Upon the determination of the future alignment of State Route 62 and acquisition of associated rights-of-way, the provisions of the HE Overlay District shall be terminated.

#### 4.14.7 Re-submittal of Development Proposals

Notwithstanding the provisions of this section, a permit application that has been denied, or approved subject to conditions unacceptable to the applicant, may be resubmitted on or after the effective expiration date of the Highway Environs Overlay District.

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