



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

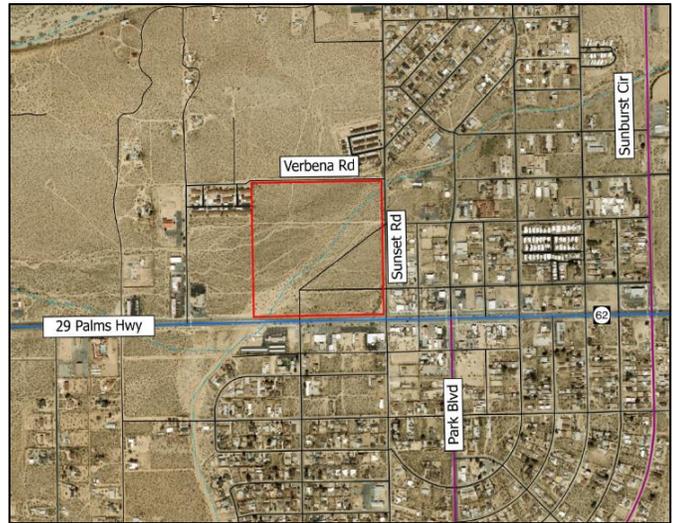
HEARING DATE: October 23, 2025

AGENDA ITEM # 5

Project Description

APN: 0602-371-06
Applicant: NV5, Inc.
Community: Joshua Tree
Location: 61500 Twentynine Palms Highway
 Joshua Tree
Project No: PROJ-2024-00017
Staff: Amy Rossig, Contract Planner
Rep: Vickie Bridenstine
Proposal: A Policy Plan Amendment to amend the Land Use Category split-designation of Medium Density Residential from 33 acres to 24 acres and Commercial from 7 acres to 16 acres, and Zoning Amendment to amend the Land Use Zoning District split-designation of Multiple Residential from 33 acres to 24 acres and General Commercial–Sign Program from 7 acres to 16 acres on one 40-acre parcel.

Vicinity Map



Report Prepared By: Amy Rossig, Contract Planner

Hearing Notices Sent On: October 10, 2025

SITE INFORMATION

Project Size: 40 acres
Terrain: Undeveloped, features the Joshua Tree Creek
Vegetation: Desert related vegetation, including Joshua Trees

TABLE 1 - SURROUNDING LAND USE DESCRIPTION

AREA	EXISTING LAND USE	LAND USE CATEGORY	ZONING DISTRICT
Site	Undeveloped	Medium Density Residential (MDR) and Commercial (C)	Joshua Tree / Multiple Residential (JT/RM) and General Commercial- Sign Program (JT-CG-SCp)
North	Multi-family residential and undeveloped	Medium Density Residential (MDR) and Rural Living (RL)	Joshua Tree/ Multiple Residential (JT/RM) and Rural Living (JT/RL)
South	Commercial buildings with multiple businesses	Commercial (C)	Joshua Tree/ General Commercial-Sign Control Program (JT/CG-SCp)
East	Joshua Basin Water District, industrial uses, and undeveloped	Limited Industrial (LI) and Commercial (C)	Joshua Tree / Community Industrial (JT/IC) and General Commercial- Sign Control Program (JT/CG-SCp)
West	United States Post Office, Multi-family residential and undeveloped	Medium Density Residential (MDR) and Commercial (C)	Joshua Tree / Multiple Residential (JT/RM) and General Commercial-Sign Control Program (JT/CG-SCp)

	<u>AGENCY</u>	<u>COMMENT</u>
City Sphere of Influence:	N/A	N/A
Water Service:	N/A	N/A
Sewer Service:	N/A	N/A

STAFF RECOMMENDATION: That the Planning Commission **Recommend** that the Board of Supervisors take the following actions: 1) **Adopt** the Negative Declaration; 2) **Adopt** the findings in support of the Policy Plan and Zoning Amendment; 3) **Approve** the Policy Plan Amendment to amend the Land Use Category split-designation of Medium Density Residential from 33 acres to 24 acres and Commercial from 7 acres to 16 acres on one 40-acre parcel; 4) **Approve** the Zoning Amendment to amend the Land Use Zoning District split-designation of Multiple Residential from 33 acres to 24 acres and General Commercial-Sign Program from 7 acres to 16 acres on one 40-acre parcel; and 5) **Direct** the Land Use Services Department to file the Notice of Determination.¹

¹ Pursuant to Subsection 86.12.040(a) of the Development Code, the Planning Commission shall either disapprove the application or recommend to the Board of Supervisors that the proposed amendment be made. In the case of disapproval, the decision of the Planning Commission shall become final unless appealed in compliance with Chapter 86.08 of the Development Code.

Figure 1

REGIONAL LOCATION

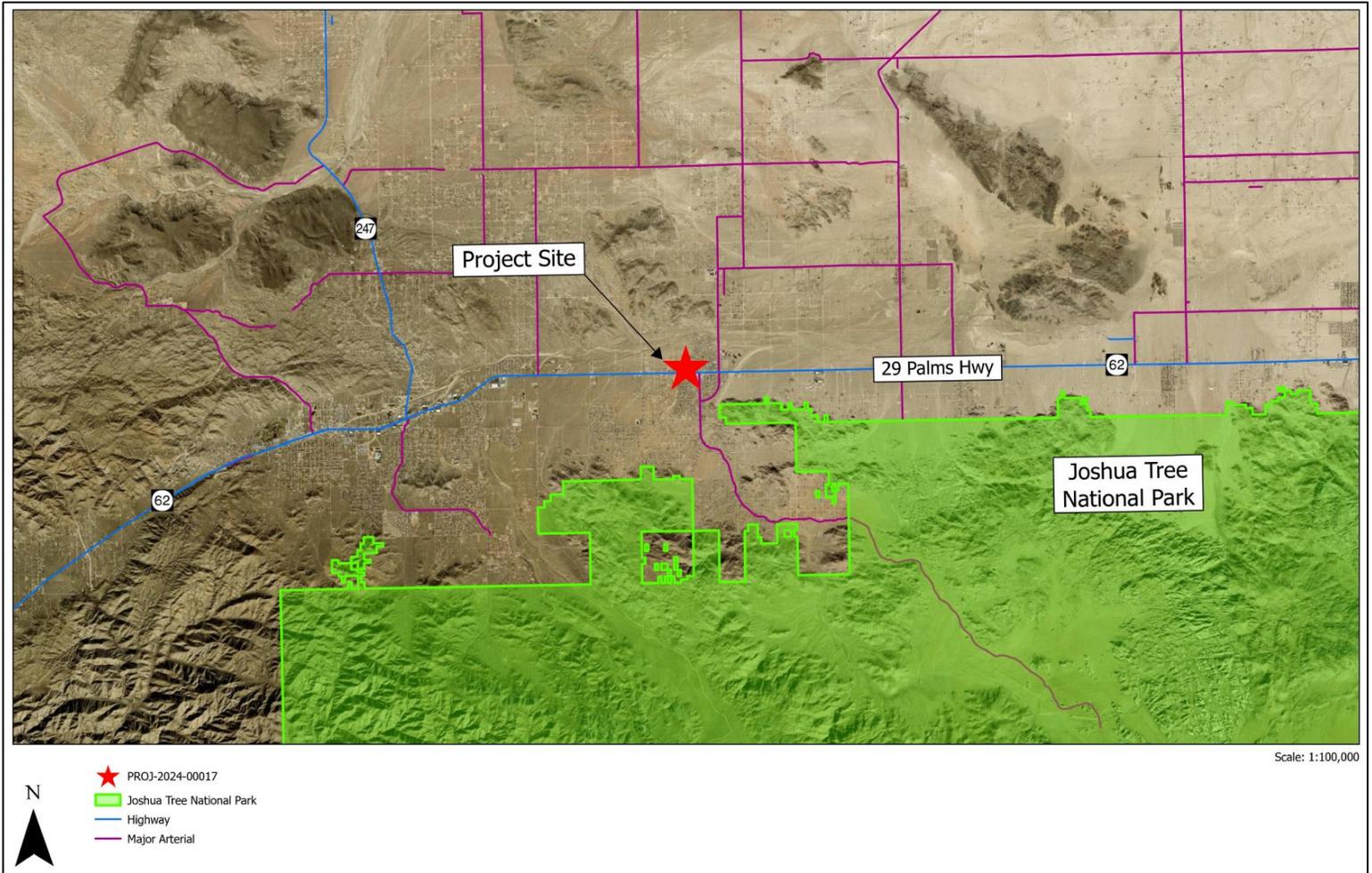


Figure 2
VICINITY MAP



Figure 3

Existing and Proposed Countywide Policy Plan Land Use Categories

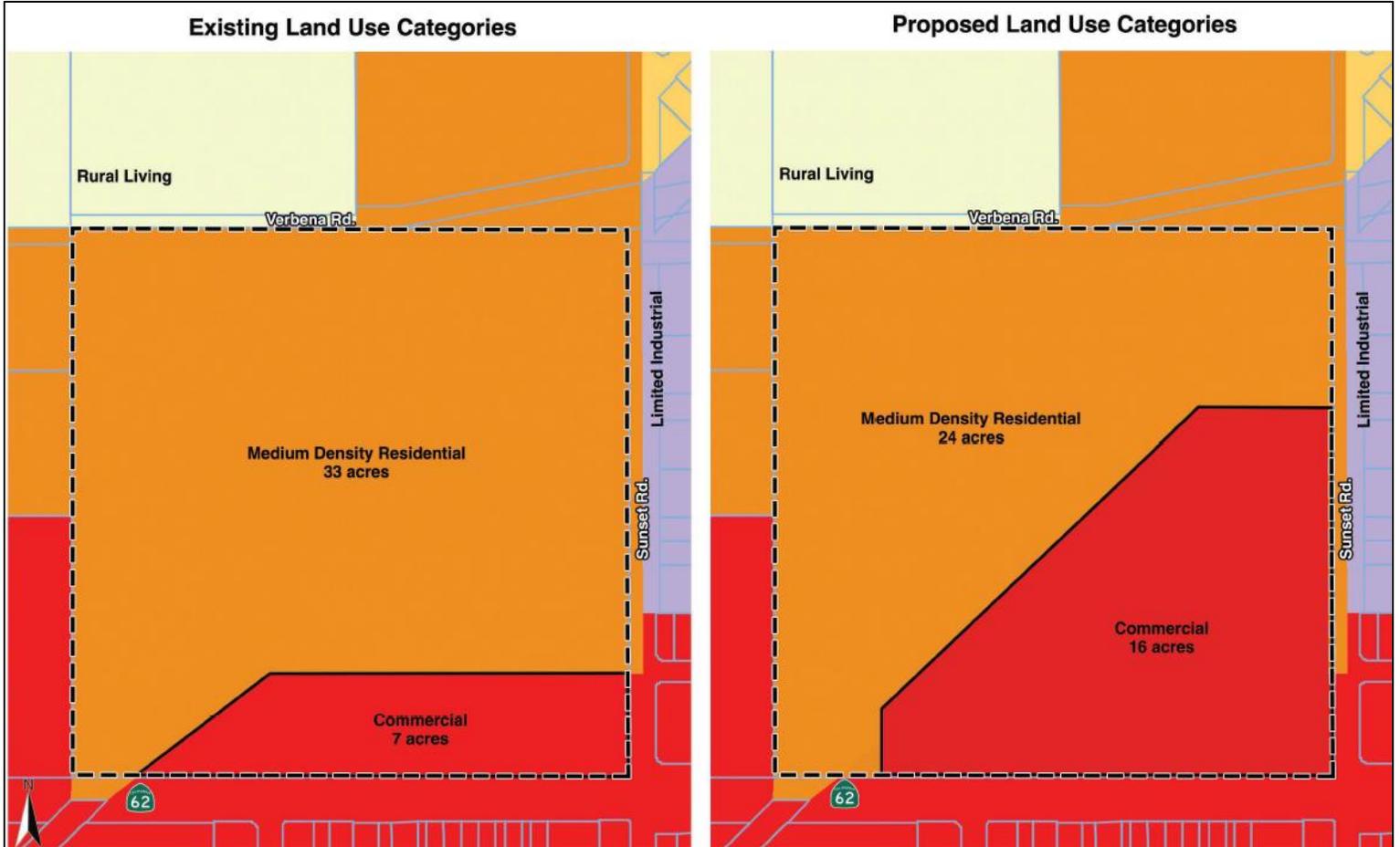
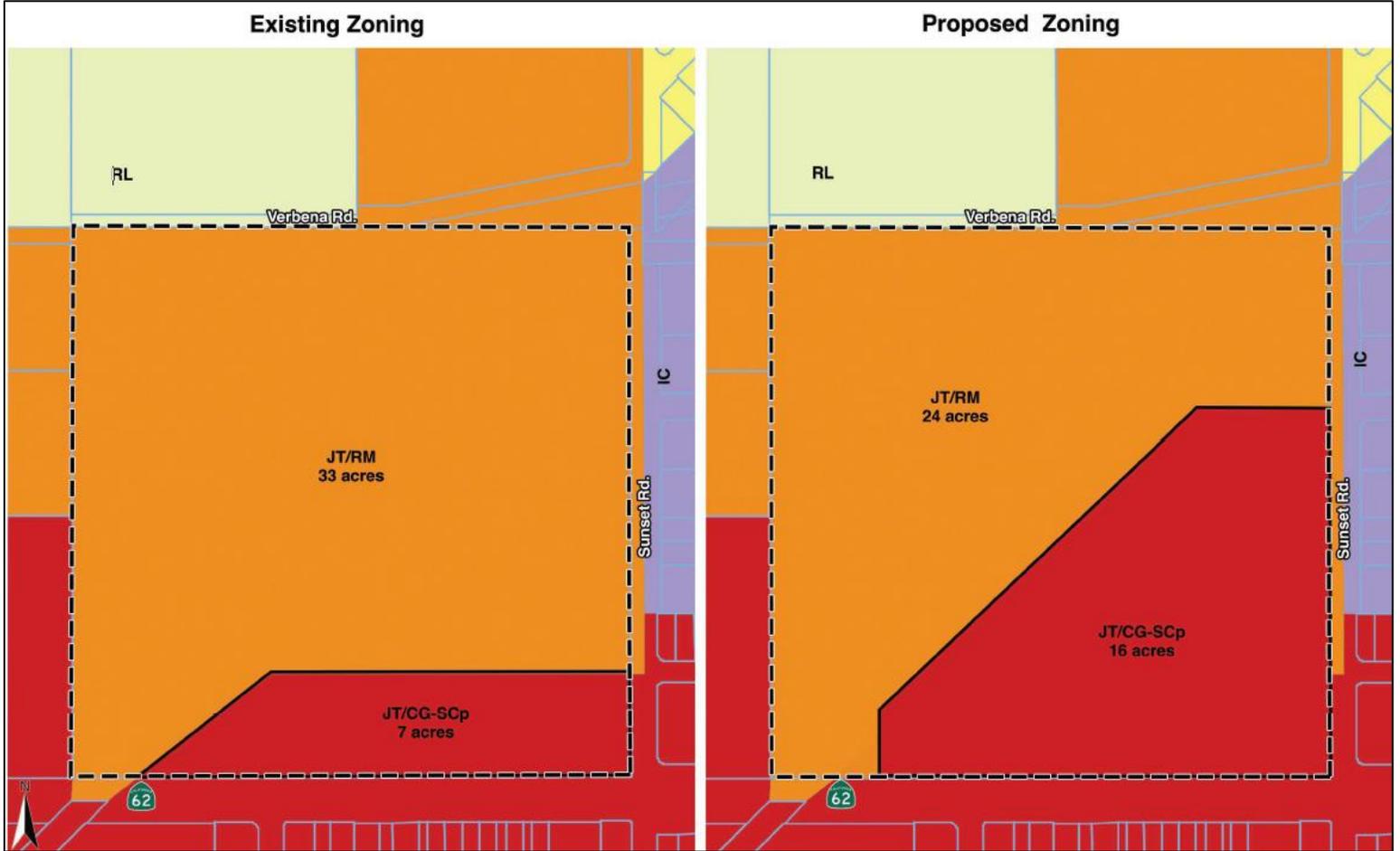


Figure 4

Existing and Proposed Zoning



PROJECT DESCRIPTION AND BACKGROUND:

The applicant is requesting approval of a Policy Plan Amendment (e.g., General Plan) and Zoning Amendment to modify the land use category and zoning split-designations for a one 40-acre parcel to align with Joshua Tree Creek. The proposed acreage modifications are summarized in Table 2.

The site includes two Policy Plan land use category split-designations and two Zoning District split-designations. The current Policy Plan land use designations (Figure 3) are Medium Density Residential and Commercial. The current Zoning Districts (Figure 4) are Joshua Tree/Multiple Residential (JT/RM) and Joshua Tree/General Commercial-Sign Control Program (JT/CG-SCp).²

TABLE 2 - Existing and Proposed acreage of Land Use Category and Zoning

LAND USE CATEGORY / ZONING	EXISTING ACREAGE	PROPOSED ACREAGE
Medium Density Residential (MDR) / Joshua Tree/Multiple Residential (JT/RM)	33	24
Commercial (C) / Joshua Tree/General Commercial-Sign Control Program (JT/CG-SCp)	7	16
Total acres	40	40

Site Description and Surrounding Land Uses

The Project Site is located in the central area of Joshua Tree on the north side of Twentynine Palms Highway and is a 40-acre undeveloped parcel. The site is surrounded by public roads on three sides; Twentynine Palms Highway on the south, Sunset Road on the east, and Verbena Road (unpaved along Project site boundary) on the north. Natural features include Joshua Tree Creek, which traverses the property diagonally from the northeast to the southwest corner. The site contains diverse vegetation including Joshua trees, yucca, creosote bush, several varieties of cholla and beavertail cactus, and other small grasses and brushes. Surrounding land uses include multi-family residential and undeveloped parcels to the north and west, commercial and undeveloped parcels to the east, and commercial buildings with multiple businesses to the south.

Land Use Designations and Zoning

The applicant proposes to retain the existing land use categories and zoning of the parcel, but adjust the acreage allocated to each designation to facilitate future development planning.

On April 4, 2023, the Federal Emergency Management Agency (FEMA) issued a Letter of Map Revision (LOMR) Determination Document (Exhibit D) for Joshua Tree Creek. The LOMR revised the Special Flood Hazard Areas, including the areas subject to inundation by the base (1-percent-annual-chance) flood, Base Flood Elevations (BFEs), and the regulatory floodway along the flood source, Joshua Tree Creek. The updated Flood Insurance Rate Map is included in Figure 5.

Figure 5 – Flood Insurance Rate Map

² The reference to “Joshua Tree” in the zoning designation is no longer applicable following the Board of Supervisors repeal of the Joshua Tree Community Plan in 2020.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

A Negative Declaration (ND) was prepared in compliance with the California Environmental Quality Act (CEQA) and circulated for public review from April 16, 2025, to May 16, 2025. Due to an error, a second circulation occurred from June 16, 2025, to July 16, 2025. The ND concluded that the Project would not have a significant effect on the environment, and no mitigation measures were proposed.

In accordance with Senate Bill 18 and Assembly Bill 52, project notices were sent on February 6, 2025 and March 12, 2025, to Tribes with ancestral interest in the property, including the Twenty-Nine Palms Band of Mission Indians, Chemehuevi Indian Tribe, Colorado River Indian Tribe, Fort Mojave Indian Tribe, Fort Yuma Quechan Tribe, Kern Valley Indian Community, Morongo Band of Mission Indians, and Yuhaaviatam of San Manuel Nation. On February 18, 2025, the Yuhaaviatam of San Manuel Nation requested a copy of the cultural report, which was provided by the Land Use Services Department staff along with relevant project information. Following review, the Tribe recommended cultural mitigation measures to be applied during ground-disturbing activities. After evaluating the recommendation, staff determined that the measures are not applicable at this time since no substantial evidence indicates that the Project would cause a significant effect to a tribal cultural resource as no ground disturbance is proposed and any future development of the Project Site is speculative at this time. However, any future development would be subject to environmental review, at which time these measures would be considered. Consultation with the Yuhaaviatam of San Manuel Nation concluded with agreement that the mitigation measures were not applicable at this time (Exhibit F).

During the circulation of the ND, the California Department of Fish and Wildlife submitted a comment letter dated May 15, 2025. The letter recommended standard mitigation measures related to Western Joshua trees, sensitive plant species, desert tortoise, nesting birds, burrowing owls, and streambed alteration agreements. The ND evaluated the Project's impact to these natural resources, and a General Biological Resource Assessment (Assessment) was prepared in February 2021 and revised in November 2023 by Circle Mountain Biological Consultants, Incorporated. The Assessment included a focused survey for Agassiz's desert tortoise, burrowing owl and Joshua tree. During the focused USFWS protocol survey conducted by the Project biologist, no tortoise sign was found either onsite or in adjacent areas. Very limited tortoise sign was found in the greater area surrounding the subject site, which suggests that tortoises that might persist near urban development are being extirpated over time. As such, the Project biologist concluded that Agassiz's desert tortoise is absent from the subject property. A habitat assessment was conducted for burrowing owls in 2021. The site survey found no sign of burrowing owl, nor any inactive California ground squirrel burrows or tortoise burrows that are suitable for burrowing owls. In addition, no burrowing owls have been reported during previous surveys within an approximately one-mile radius of the Project site. Therefore, burrowing owls are presumed absent from the subject property. Joshua trees, Mohave yucca, catclaw acacia, smoke tree, silver cholla, pencil cholla, hedgehog cactus, and beavertail cactus were observed onsite. Avoidance and/or mitigation measures, including Tree or Plant Removal Permits per the County Development Code Section 88.01.050, as well as permits for the translocation or removal of Joshua trees from the CDFW would be required if future development onsite could impact these resources. However, as the current Project does not involve construction and any future use of the property is speculative at this time, these measures were determined as not applicable or necessary to mitigate a potential impact of the Project.

PUBLIC COMMENT AND NOTICES

Project notices were circulated to surrounding property owners within 700 feet of the project boundaries on September 27, 2024. A Notice of Availability (NOA) and Notice of Intent (NOI) were distributed to interested parties on April 16, 2025, and June 11, 2025. During the public review period, four comment letters were received from organizations and community members:

1. Center for Biological Diversity (May 16, 2025): The comment asserts that the environmental review improperly segments analysis by treating the general plan amendment and rezoning as isolated policy actions, and that these approvals are the first step toward significant development of the site.

Response: The Project does not propose physical development at this time, nor does it authorize land uses not previously considered as part of the recent adoption of the Countywide Plan in 2020. The request is limited to adjustments in general plan and zoning boundaries to align with Joshua Tree Creek, while retaining the existing land use designations and permitted uses previously evaluated as part of the San Bernardino Countywide Plan Program Environmental Impact Report (PEIR). Since the amendments would not alter the existing allowed uses and since future development of the site is speculative, any future development proposal would be subject to its own project-level CEQA review, including analysis of potential environmental impacts and/or subject to countywide mitigation adopted as part of the PEIR.

2. Joshua Tree Association of Business and Culture (July 8, 2025): The comment raises concerns regarding historic flooding on the Project Site.

Response: FEMA issued a LOMR for Joshua Tree Creek on April 4, 2023, revising the Special Flood Hazard Areas, BFEs, and regulatory floodway. Future development proposals would be required to comply with FEMA floodplain management standards and County flood hazard regulations.

3. Steph Cronshaw (July 14, 2025): The comment objects to the proposal, citing potential increases in traffic, strain on local resources, and irreversible impacts to the desert ecosystem.

Response: As no development is proposed at this time, the Project would not generate traffic, resource demands, or environmental impacts. Any future development of the site would undergo environmental review, including traffic analysis, biological resource assessment, and other required technical studies.

4. David Rick (July 10, 2025): The comment raises concerns about noticing errors and flooding on the project site.

Response: The County re-circulated the ND from June 16, 2025, to July 16, 2025, to correct the noticing error. This ensured that the public and agencies had adequate opportunity to review and comment on the document. With respect to flooding concerns, the FEMA LOMR for Joshua Tree Creek provides updated mapping and regulatory standards that will apply to any future development.

RECOMMENDATION: That the Planning Commission recommend that the Board of Supervisors:

1. Adopt the Negative Declaration;
2. Adopt the findings in support of the Policy Plan and Zoning Amendments;
3. Approve the Policy Plan Amendment to amend the Land Use Category split-designation of Medium Density Residential from 33 acres to 24 acres and Commercial from 7 acres to 16 acres on one 40-acre parcel;
4. Approve the Zoning Amendment to amend the Land Use Zoning District split-designation of Multiple Residential from 33 acres to 24 acres and General Commercial-Sign Program from 7 acres to 16 acres on one 40-acre parcel; and
5. Direct the Land Use Services Department to file the Notice of Determination in accordance with the California Environmental Quality Act.

ATTACHMENTS:

- Exhibit A: Findings
Exhibit B: Zoning Map
Exhibit C: Land Use Categories Map
Exhibit D: FEMA Letter of Map Revision Determination Document
Exhibit E: Initial Study / Negative Declaration
<https://lus.sbcounty.gov/planning-home/environmental/desert-region/lus.sbcounty.gov/wp-content/uploads/sites/48/Negative-Declaration.pdf>
Exhibit F: Yuhaaviatam of San Manuel Nation Correspondence
Exhibit G: CDFW Comment Letter, dated May 15, 2025
Exhibit H: Public Comment Letters
- Center for Biological Diversity, dated May 16, 2025
 - Joshua Tree Association of Business and Culture, dated July 8, 2025
 - Steph Cronshaw, dated July 1, 2025
 - David Fick, dated July 10, 2025