



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: August 17, 2023

AGENDA ITEM #2

Project Description

Vicinity Map -

APN: 0609-121-14 and 0609-121-15
Applicant: Erin Stevenson
Community: Twentynine Palms/3rd Supervisorial District
Location: 68282 and 68682 Mesa Drive
Project No: PROJ-2022-00056
Staff: Jon Braginton, Contract Planner
Rep: Daniel Williams
Proposal: A Conditional Use Permit for a campground facility comprised of 11 Mongolian yurts on 10 acres.



11 Hearing Notices Sent on : August 2, 2023

Report Prepared By: Jon Braginton, Planner

SITE INFORMATION:

Parcel Size: 10.00 acres

Terrain: Flat terrain with slight upward slope from southeast to northwest

Vegetation: Scattered creosote bushes

TABLE 1 – SITE AND SURROUNDING LAND USES AND ZONING:

AREA	EXISTING LAND USE	LAND USE CATEORY	LAND USE ZONING DISTRICT
SITE	Single Family Residence	Rural Living (RL)	Rural Living (RL-5) 5-acre minimum lot
North	Vacant	Rural Living (RL)	Rural Living (RL-5) 5-acre minimum lot
South	Vacant	Rural Living (RL)	Rural Living (RL-5) 5-acre minimum lot
East	Vacant	Rural Living (RL)	Rural Living (RL-5) 5-acre minimum lot
West	Single Family Residence	Rural Living (RL)	Rural Living (RL-5) 5-acre minimum lot

	<u>Agency</u>	<u>Comment</u>
City Sphere of Influence:	N/A	No Comments received
Water Service:	Twentynine Palms Water District	No Comments received
Sewer Service:	N/A	EHS Approval

STAFF RECOMMENDATION: That the Planning Commission **ADOPT** the Mitigated Negative Declaration; **ADOPT** the Findings for approval; **APPROVE** the Conditional Use Permit, subject to the conditions of approval; and **DIRECT** staff to file the Notice of Determination.¹

¹ In accordance with Section 86.08.010 of the Development Code, the Planning Commission action may be appealed to the Board of Supervisors.

Figure 1 - VICINITY MAP:

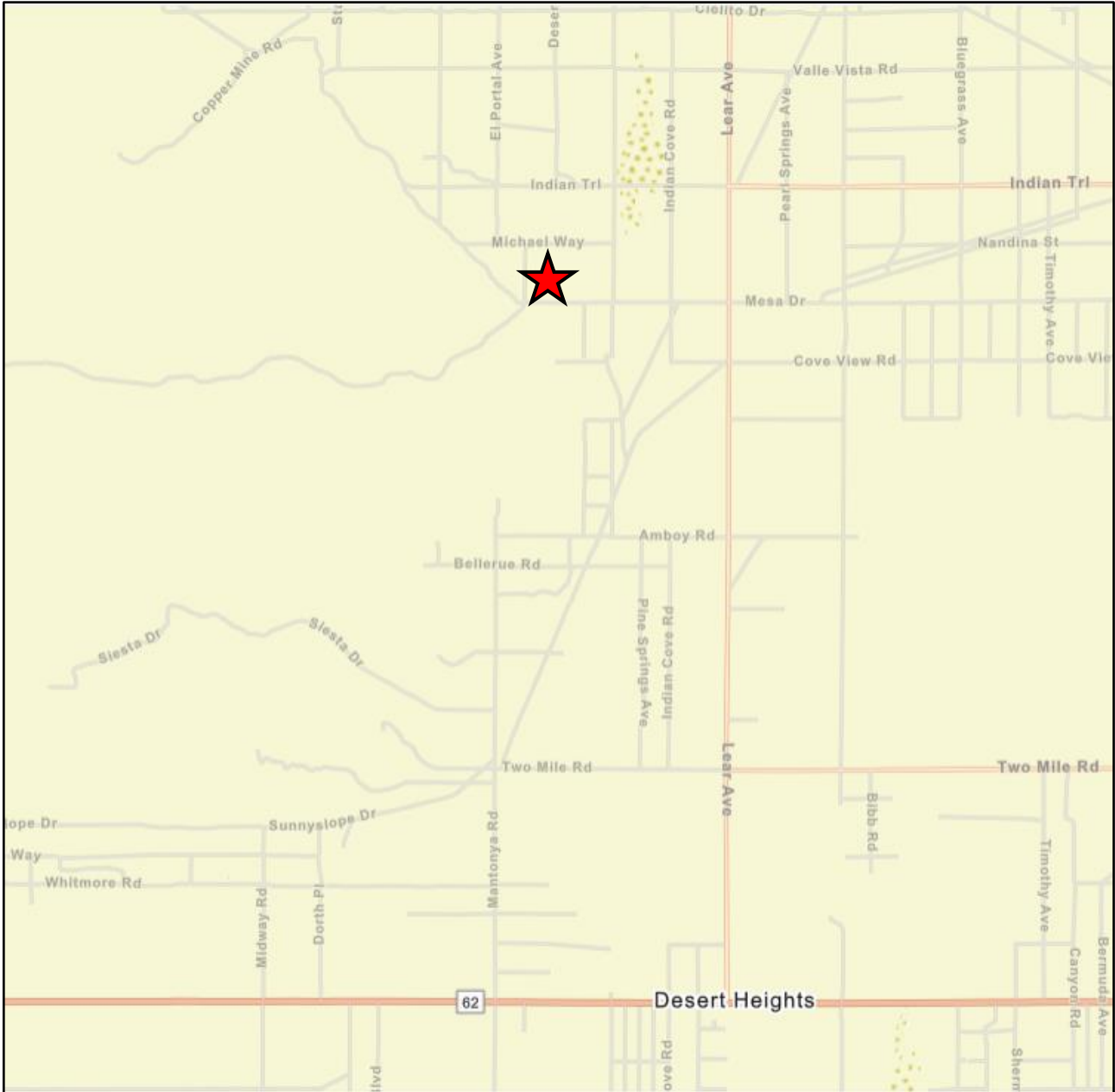


Figure 2 - COUNTYWIDE PLAN/POLICY PLAN LAND USE DESIGNATION

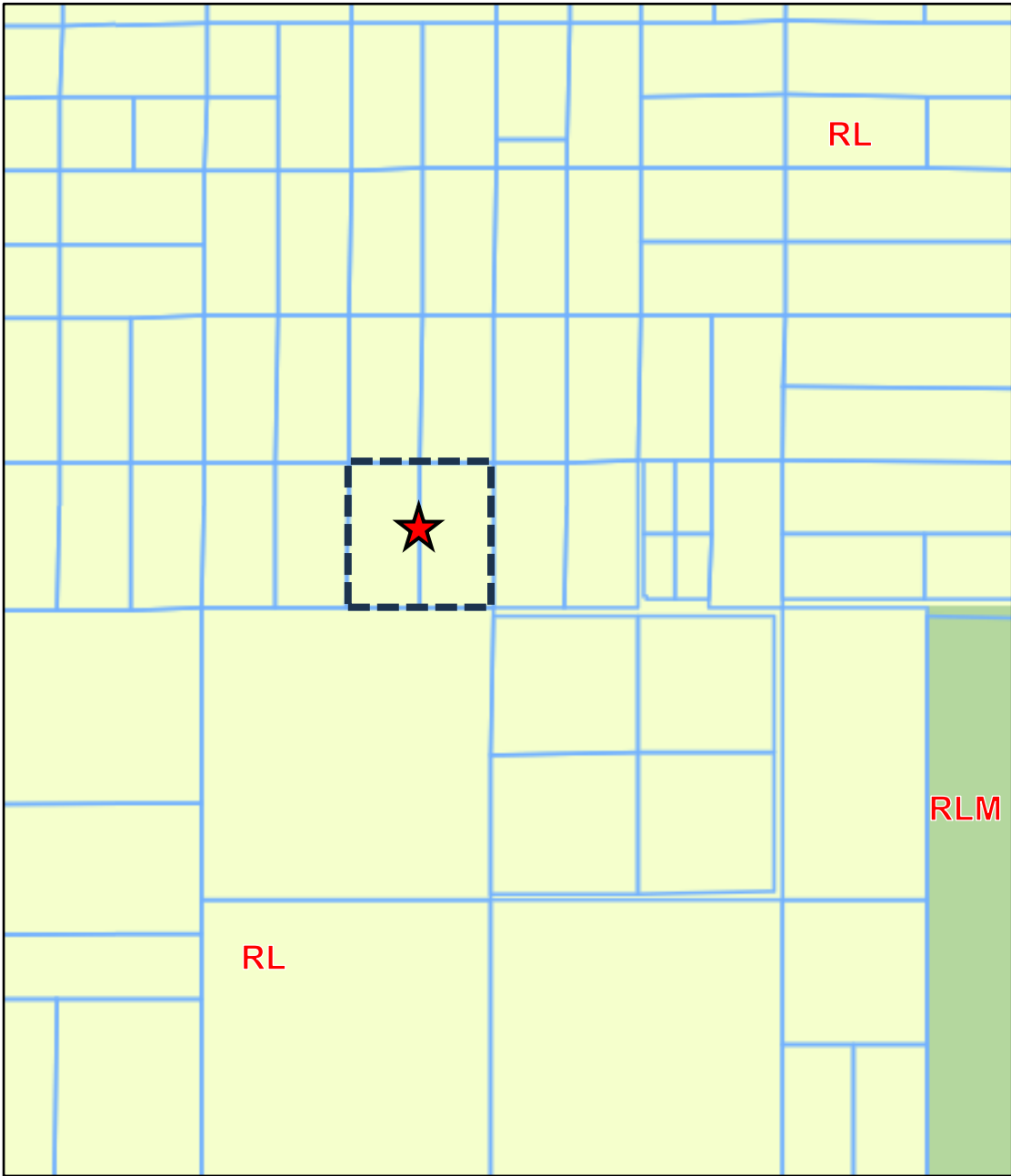


Figure 3 – ZONING MAP DESIGNATIONS:

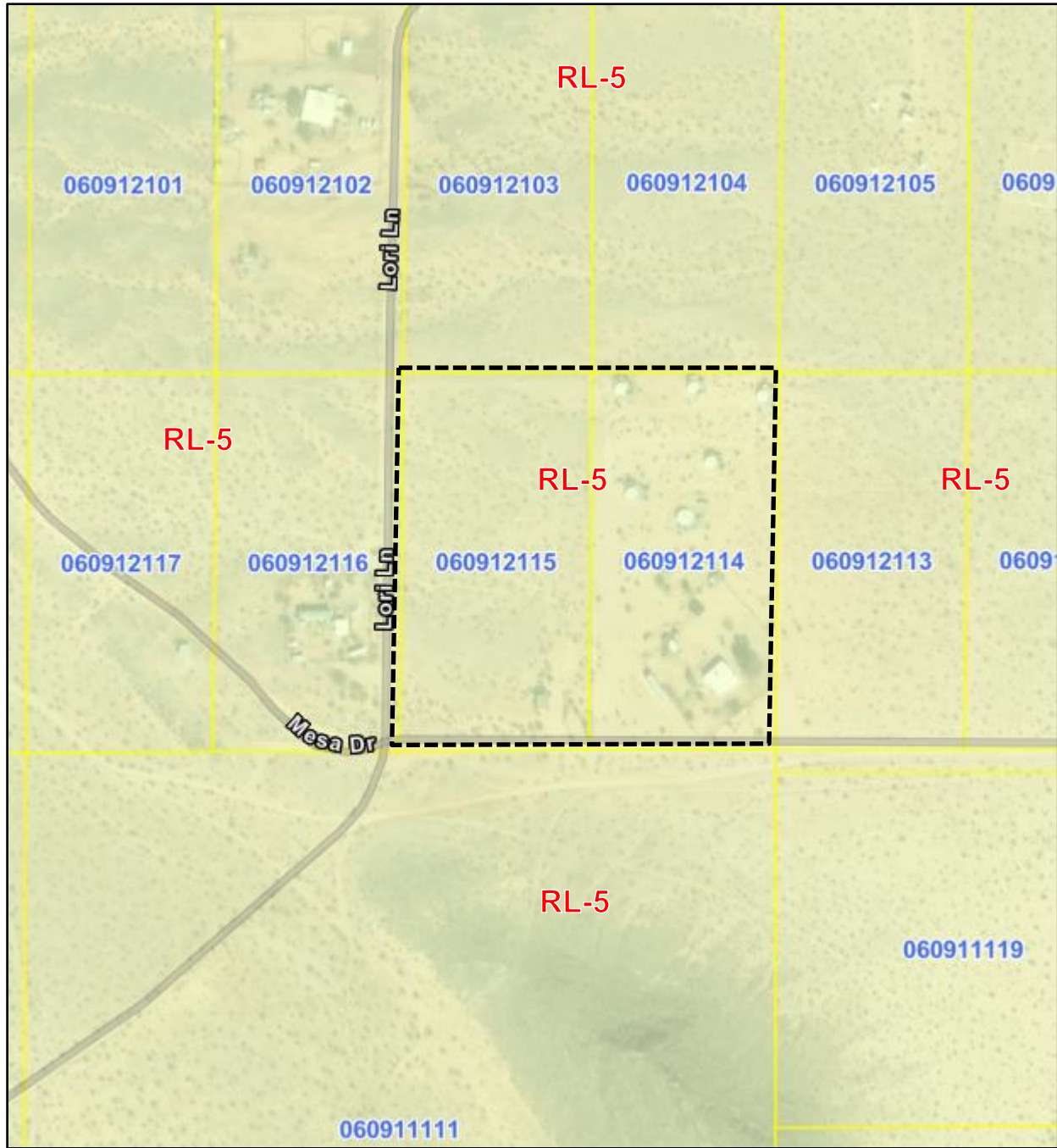
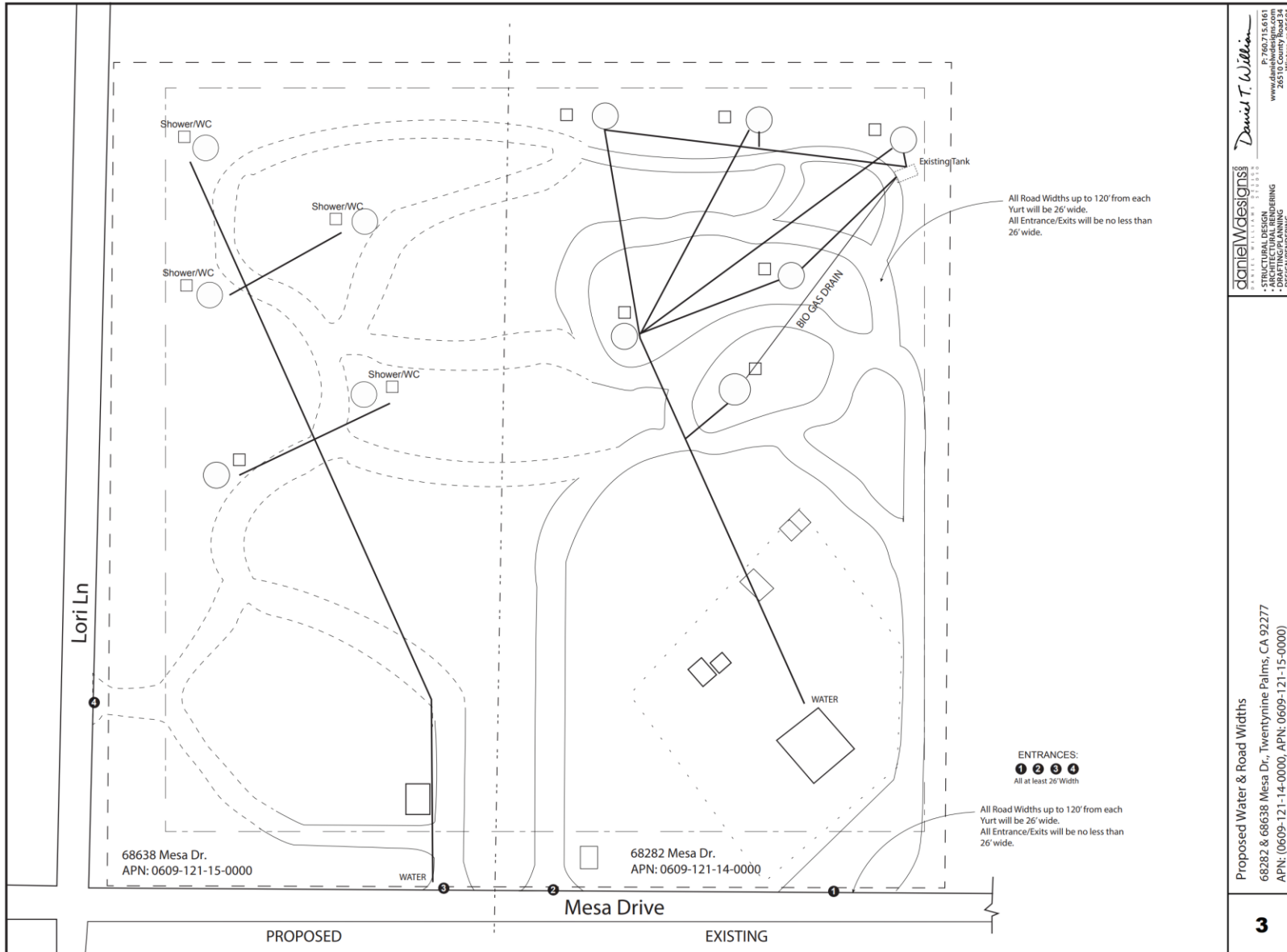


Figure 5 - PROPOSED INTERIOR ROADS AND DRIVEWAYS



David T. Wilkins
 P: 760.715.6161
 www.danielwdesigns.com
 200 Wilshire, CA 95044

danielwdesigns
 1111111111

• STRUCTURAL DESIGN
 • ARCHITECTURAL RENDERING
 • INTERIOR DESIGN
 • DESIGN/RENDERING

Proposed Water & Road Widths
 68282 & 68638 Mesa Dr., Twentynine Palms, CA 92277
 APN: (0609-121-14-0000, APN: 0609-121-15-0000)

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Figure 6 – PROPOSED WATER LINE DISTRIBUTION PLAN

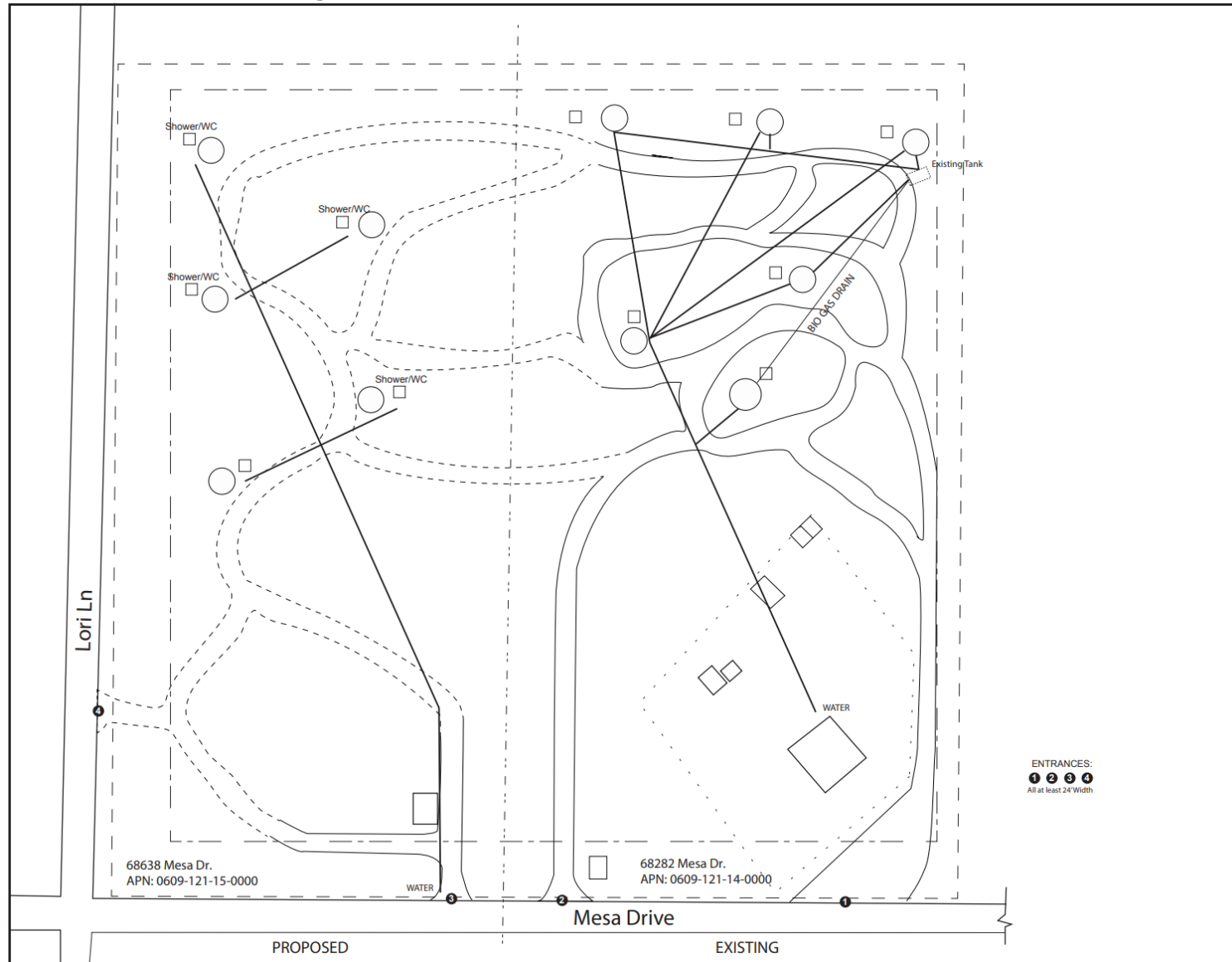


Figure 7 – PROPOSED SEPTIC PLAN

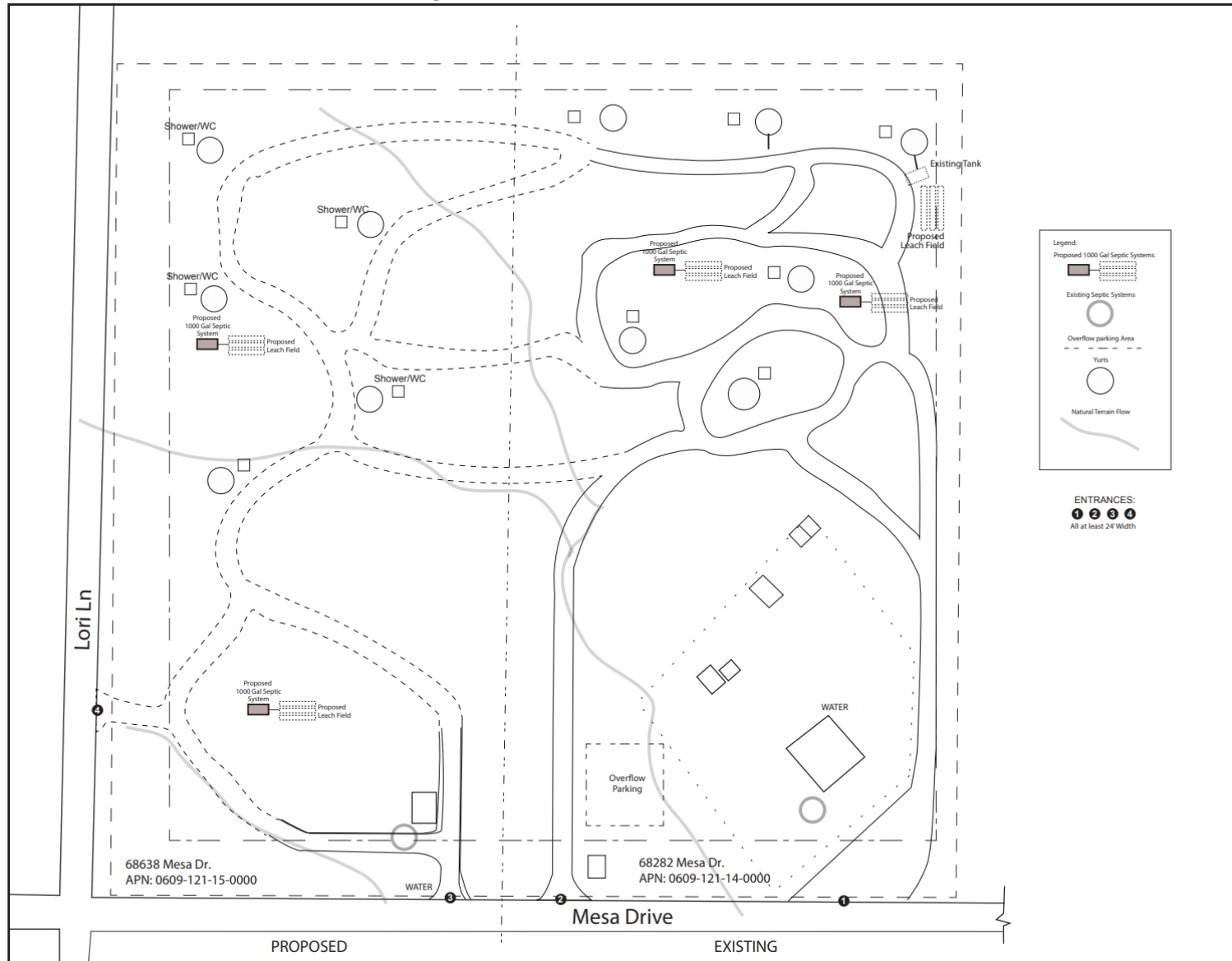


Figure 8 - YURT STRUCTURAL ELEVATIONS

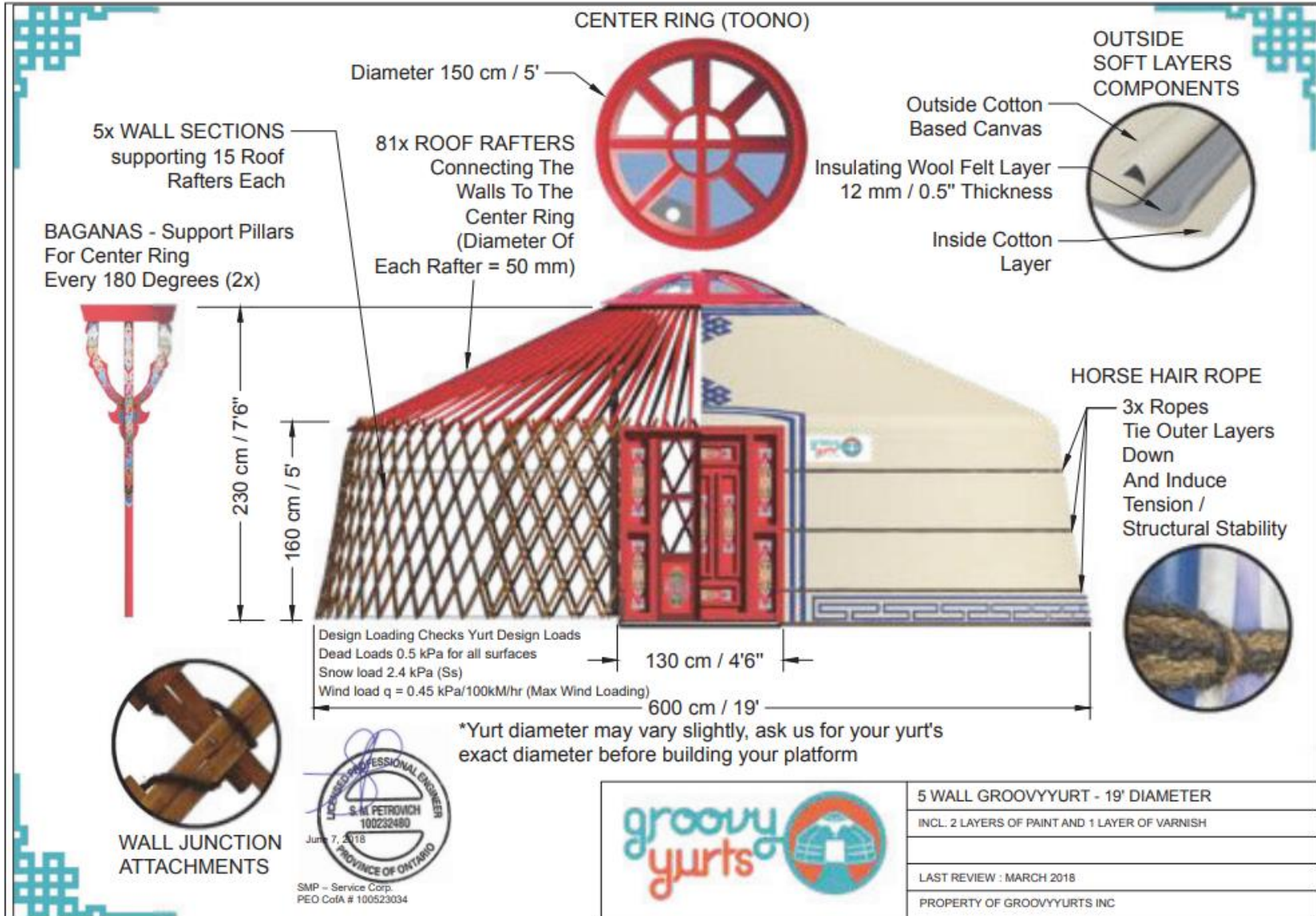


Figure 9 - SITE PHOTOS

Photo 1



Photo 2



Photo 3



PROJECT DESCRIPTION:

The Applicant (28 Palms Ranch) is requesting approval of a Conditional Use Permit (CUP) for the development and expansion of a Mongolian Yurt campground comprised of 11 Mongolian Yurts located on two 5-acre parcels totaling approximately 10 acres (Project) at 68282 and 68682 Mesa Drive in the unincorporated community of Twentynine Palms, in the City of Twentynine Palms Sphere of Influence (Project Site). The Project has been operating without approval, so the Applicant was advised to apply for a CUP in order to bring the Project into compliance with the San Bernardino County Development Code standards for campground. The Project currently has six Mongolian designed yurts to be placed within the eastern parcel (APN 0609-121-14) and proposes an additional five (5) yurts that will be placed at evenly spaced throughout the site on the western parcel (APN 0609-121-15). Each yurt will be mounted onto a poured circular concrete foundation. Upon Project build-out, a total of 11 Mongolian yurts (7'-6" max height) will occupy the Project Site. Each individual yurt campsite will have its own barbecue grill, covered picnic table, outdoor shower, restroom, and a metal shielded fire ring.

PROJECT ANALYSIS:

Accessibility and Parking

As shown in Figure 4 (Site Plan), the Project will provide three 26-foot wide access driveways off of Mesa Drive and one 26-foot wide access driveway off of Lori Lane (no asphalt or paving is proposed). As shown in Figure 5 (Interior Roads and Driveways), the Project meets San Bernardino County Fire Protection District requirements for emergency accessibility. Further, internal access roads to campsites will be surface graded and compacted. If fugitive dust is observed, access roads will be covered with compacted pea gravel, sprayed with water, or will utilize other means to minimize dust emissions. Overall, the Project will provide a total of 32 parking spaces and dispersed through a 17' x 18' foot double wide parking area per campsite.

Staffing

The Project will retain the existing two single-family homes within the two parcels, with the Applicant (site caretaker and manager) to reside in the easterly single-family residence within the site, and to retain the westerly single-family residence as living quarters for a family but may transition the single-family residence into a long-term rental in the future under a separate permit. The Project will provide a total of three full-time employees, with one part-time employee to be utilized on an as-needed-basis for maintenance and landscaping purposes.

Electricity

Southern California Edison provides electricity to existing residences and will be able to support the power needs for all 11 yurt campsites. However, the Applicant has expressed interest in installing photo voltaic panels in the future to provide an extra source of power for the campground.

Water

Water services are currently provided by Twentynine Palms Water District which supplies water to the property via an existing underground pipeline along Mesa Drive. As shown in Figure 6 (Water Line Distribution Plan), both existing onsite residential structures are connected to this pipeline and that additional underground water lines will be constructed to extend to all 11 yurt campground sites.

Upon completion, the campground would have a maximum occupancy of 48 guests and up to three onsite residents. If the Project were to be fully occupied year-round, water demand would be approximately 7.72 acre-feet-per year (AFY). However, due to seasonal changes in temperature and with less guest attendance occurring during the summer due to extreme heat conditions, it is anticipated that the Project would have an average occupancy of 50 percent of full capacity over 365

days per year. Thus, it is estimated that the Project would have a water demand of approximately 3.36 AFY.

Wastewater Treatment

The existing septic systems will remain in place and will not be modified as part of the Project. As shown in Figure 7 (Septic Plan), each new septic tank system will accommodate two-three Yurts, and it is anticipated that four new septic systems would be developed in support of the Project. The systems would be capable of handling about 900 gallons of waste per day or about 300 gallons per Yurt per day and would be developed in accordance with 2022 California Plumbing Code (Part 5, Title 24, California Code of Regulations) standards, which sets parameters for private sewage disposal, and in compliance with the San Bernardino County Code, Title 6. The systems (1,000-gallon holding capacity tanks) have been sized to accommodate greater waste than is anticipated to be generated by each Yurt per day.

In addition, the Applicant is currently in the process of proposing for aboveground HomeBiogas generators to dispose of wastewater and food products. Restroom facilities at six of the existing Yurts on the easterly parcel are proposed to utilize aboveground HomeBiogas generators to dispose of wastewater and food products. The HomeBiogas system has a capacity to reduce the total effluent to 1.2 liters per flush, accommodating up to 12 gallons of solid waste per day for a total capacity of 36 flushes per day. However, if HomeBiogas systems are not approved for use by the County Environmental Health Services (EHS), the HomeBiogas system would then be utilized in conjunction with the four proposed septic systems to process solid waste at each bathroom. Furthermore, each septic system has been sized (1,000-gallon capacity) to accommodate greater wastewater than is anticipated to be generated by each Yurt per day. The project has been conditioned (See Condition # 43) prior to ground disturbance to provide to the County with the following chosen wastewater treatment plan to be implemented in concurrence with approval from County EHS:

1. HomeBiogas; or
2. HomeBiogas plus Septic System

See table below which demonstrates the capacities of the two alternatives for wastewater disposal, described above, proposed for use by the Project.

WASTEWATER DISPOSAL SYSTEM ALTERNATIVES

	HomeBiogas	HomeBiogas + Septic	Existing Septic
Overall Tank Capacity	700 gallons	Up to 1,700 gallons	Up to 1,700 gallons
Total Number Proposed of System	11	4	2 existing systems
Daily Capacity	Solid Waste: 12 gallons	900 gallons of wastewater	900 gallons of wastewater
Daily Capacity needed to accommodate Project	Solid Waste: 10 gallons ²	300 gallons of wastewater per septic system ¹	300 gallons of wastewater per septic system ¹

Notes:

1. Septic system capacity is based on showers being connected to the septic system, thereby requiring additional capacity (about 100 gallons per Yurt).
2. HomeBiogas capacity is based on connection to toilet system only. Existing shower systems presently are discharged to a holding tank, and the tank is pumped and disposed of utilizing a pump connected to the existing septic system. This will continue under the proposed Project either to the existing septic system or to the proposed septic system.
3. At most, the new septic systems would require emptying by a qualified septic plumber once every 2 years. A septic tank pumping provider, such as local provider Action Pumping, would be appointed to maintain and remove wastewater from exceeding septic tank capacities, thereby preventing excess wastewater from being leached out into soils.

Code Compliance Summary

As noted above, the Project satisfies all applicable standards of the Development Code for development in the Rural Living (RL) Land Use Category designation and Rural Living 5-acre minimum (RL-5) Land Use Zoning District, as illustrated in Table 2:

Table 2: PROJECT CODE COMPLIANCE

Project Component	Development Code Standard		Project Plans
Campgrounds	CUP		CUP
Parking	<ul style="list-style-type: none"> Yurt Campsites: 1 space for each site = 11 spaces N/A Existing SFRs (qty.2) = 4 spaces <p>Total Required = 15 spaces</p>		<ul style="list-style-type: none"> 2 spaces for each Yurt campsite = 22 spaces Overflow = 10 spaces Existing SFRs = 4 spaces <p>Total provided = 32 spaces</p>
Landscaping	Landscaping	N/A	99.4 percent (433,310 sq. ft.) to be existing desert landscaping
Yurt Setbacks	Front	25'	130'
	Street Side	25'	35'
	Side	15'	30'
	Rear	15'	40'
Building Height	35 feet maximum		7'-6" feet
Maximum Lot Coverage	20%		5%
Drive Aisles	26'		26'

Landscaping: Desert-appropriate landscaping will be installed throughout the whole of the site, including non-invasive, shrubs and other plants native to the desert region.

Fencing: The Project will utilize existing chain link fencing to separate existing resident structures from the campground. Perimeter boundary fencing is not proposed.

Hours of Operation: The Project would operate year-round. Check-In for guests arriving at the campsite will be at 3:00 PM and Check-Out for guests departing from the campsite will be at 11:00 AM. Guest activities will be required to be reduced for quite time at 10 PM each evening.

California Environmental Quality Act Compliance

An Initial Study (IS) has been completed in compliance with the California Environmental Quality Act (CEQA) (Exhibit B). The IS concluded that the Project will not have a significant adverse impact on the environment with the implementation of recommended mitigation measures contained in the IS and in the Mitigation Monitoring and Reporting Program (MMRP), which have been incorporated in the Conditions of Approval (Exhibit A). A Notice of Availability/Notice of Intent (NOA/NOI) to adopt a Mitigated Negative Declaration (MND) was advertised and distributed to initiate a 20-day public comment period, which concluded on August 10, 2023.

One comment letter was received from the Desert Tortoise Council in requesting that the MND address project impacts discussion components relevant to Air Quality, Biological Resources, Hazards and Hazardous Materials, Utilities and Cumulative Impacts. A detailed response letter has been prepared in reply to the comment letter and changes are reflected as part of the Final MND recommended for adoption (See Exhibit B). In summary, the response letter addresses comments and includes edits to mitigation measures AQ-1 and BIO-1.

A lead agency may change mitigation measures without recirculation of a MND when the agency concludes, as a result of the public review process, that a proposed mitigation measure is infeasible or otherwise undesirable and finds that the revised mitigation measure is equivalent or more effective in mitigated environmental impact than the original measure. The proposed changes to the existing measures would provide clarification on various aspects of each measure identified above. A CEQA finding is included with the Project's findings and concludes that the changes are equivalent or more effective in mitigating environmental impacts as previously determined in the circulated MND and that the proposed changes do not itself cause any potentially significant effect. The modified mitigations measures have been updated and adopted as a condition of approval of the Project and made part of the Project's MMRP. As a result, the changes to the mitigation measures do not require recirculation of the MND. Staff concludes that the MND adequately reduces all potential impacts to a less than significant impact.

Public Comments:

Project notices were sent to surrounding property owners within 300 feet of the Project Site, as required by Development Code Section 85.03.080. One comment letter (Exhibit D) was received from a neighboring property owner, located east of the Project Site, expressing concern that the Project would have potential to create vandalism and unauthorized usage of the commentor's property. In addressing this concern, staff will condition the Project to have the entire eastern border to be surveyed and staked (with notification) to delineate the boundary between the adjacent property owner to the east that will alert and prevent unauthorized vehicle entry onto the adjacent property to the east.

RECOMMENDATION:

That the Planning Commission:

1. **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Exhibit B);
2. **ADOPT** the recommended Findings (Exhibit C);
3. **APPROVE** the Conditional Use Permit for a 10-acre Mongolian Yurt Campground facility comprised of 11 Mongolian Yurts located at 68282 and 68682 Mesa Drive, subject to the Conditions of Approval (Exhibit A); and,
4. **DIRECT** staff to file the Notice of Determination (Exhibit E).

ATTACHMENTS:

- Exhibit A: Conditions of Approval
- Exhibit B: Mitigated Negative Declaration, Response to Comments and Mitigation Monitoring and Report Program:
https://www.sbcounty.gov/uploads/LUS/Environmental/PROJ_2022_00056/28%20Palms%20Ranch%20Campsite%20Initial%20Study_June%202023.pdf
- Exhibit C: Findings
- Exhibit D: Public Notice Letter and Response
- Exhibit E: Notice of Determination