

City of Twentynine Palms
Treasurer's Report
September 30, 2007

| Depository | Term | Matures | Interest Rate | Amount | Market Value | Percent of Total |
|---|---------|---------|---------------|--------------|--------------|------------------|
| Petty Cash | On Hand | | N/A | \$800 | \$800 | 0.00% |
| PFF Bank & Trust Checking account | Demand | | 0.90% | \$219,752 | \$219,752 | 1.30% |
| Pacific Western Payroll Account | Demand | | 0.60% | -\$48,933 | -\$48,933 | -0.29% |
| Local Agency Investment Fund | Demand | | 5.23% | \$16,045,597 | \$16,045,597 | 95.01% |
| Total City Funds | | | | \$16,217,216 | \$16,217,216 | 96.03% |
| Funds Held in Trust: | | | | | | |
| Employee deferred compensation | N/A | | N/A | \$670,430 | \$670,430 | 3.97% |
| Total Funds in the Treasurer's Custody | | | | \$16,887,646 | \$16,887,646 | 100.00% |

NOTES:

- 1) All the above investments are in compliance with the City's Investment Policy, except for the deferred compensation, for which the employees choose their own investment vehicles.
- 2) The City has sufficient funds to meet its expenditure requirements for the next six months.

TWENTYNINE PALMS CHAMBER OF COMMERCE AND VISITORS BUREAU

MONTHLY RECAP REPORT: October 2007

Twentynine Palms Chamber of Commerce is proud to celebrate Pioneer Days with our community that is rich in heritage, it is our chance to come together and strengthen our bonds of friendship.

2007 Pioneer Days was a great success, thanks to the community! The Chamber profit of \$8,039.37, is more than the last two years put together! Butler Amusements was so impressed with the community they want us to sign a three year contract!

Thank you to the volunteers of the 2007 Pioneer Day Events: Betty Wanless, Irene Beard, Leslie Thornburg, Lori Cosgriff, Michelle Michaels, Mytoya Pritchett, Rob and Sandy Fleck, Marine Corps Air Ground Combat Center, Knights of Columbus, Kiwanis, 29 Palms Alumni Association, Palms and Paws, Pioneertown Posse and Laura's Café.

Special thanks to Randy Cuncell and Ryan Wadell of the Twentynine Palms Park and Recreation Department.

Rural Tourism Conference, Keynote Speaker, Berkeley Young, "Trends Driving Demand for Travel to Small Communities, continued

2007-2008 Top Travel & Tourism Trends

In 2005, travel and tourism contributed \$650 billion to the U.S. economy. Travel and tourism is the third largest retail industry in the U.S. behind automotive dealers and food stores. Travel and tourism directly employs more than 8 million people and creates a payroll income of \$171.4 billion and tax revenues of \$104.9 billion for federal, state and local governments.

According to TIA, 2005 leisure travel was up 4%, international travel jumped 7% and business travel increased 1%. Approximately 124 million Americans took a vacation in 2005, amounting to 55% of the adult population, with the typical traveler taking 3 trips per year. On average, the typical household spent \$1,500 on a vacation trip and travels 1,200 miles from home.

Americans are expected to take 1,254.6 million domestic person-trips in 2007, a 2.3% increase over the previous year.

2007 National Leisure Travel Monitor TM reports 95% of all active travelers in America took at least one vacation during the previous 12 months (on average, they took four), and 33% are planning to take more vacations in 2007 than in 2006 (26% are planning to take fewer). The data reveals that Americans view vacations as an essential part of contemporary life with leisure travelers now filling more hotel rooms and airline seats on an annual basis than business travelers.

Time Poverty more to do with less time to do it

Expedia research shows that Americans, with an average 12 vacation days per year, leave a total of 421 million vacation days unused. Nearly 1/3 of respondents to Expedia's 2005 survey reported that they did not take all their vacation days.

Only 14% of Americans plan to take a two-week vacation in 2007, down from 16% in 2006, according to a new study by Harris Interactive for Expedia. One-third of workers do not always use all their vacation days.

Nearly half of Americans suffer from "time poverty"-the generalized sense that people do not have enough time to do what they want. In travel, they report the desire to simplify their lives by buying all inclusive events.

A recent study by Orbitz found a drop in the number of people taking three week or two week vacations and an increase on those taking a week or less. One-third of respondents said they took five or fewer days of vacation in the past year. Many Americans now seem to be foregoing their annual vacations, a trend that has some experts worried that workers are not getting away from their jobs to relax and recharge, both physically and mentally. The reasons vary, from having too few vacation days available to lacking money for travel. But in some cases, it seems, many people just aren't into the habit of getting away.

While people have less free time, there is greater competition for those rare leisure hours. For instance, museums and attractions continue to expand and multiply while attendance is shrinking. Additionally, the last decade has seen a major proliferation of new professional sports

teams in first, second and third tier cities including a Stanley Cup winning team in the south. Cruise lines continue expanding the new and larger ships with new cruises to far reaching exotic ports announced steadily. All this results in “more to do and less time in which to do it.” RTM sees this as one of the top trends underpinning the entire travel industry.

Fragile consumer confidence will affect travel decisions

In June 2007 the Consumer Confidence Index was posted at 103.9, down from 108.5 in May 2007. Lynn Franco, Director of the Conference Board Consumer Research Center addressed the June report statistics saying, “A perceived softening in present-day business and employment conditions are the major reasons behind this month’s pull back in confidence. In fact, the Present Situation Index now stands at levels not seen since the final quarter of last year. Looking ahead, consumers remain rather subdued about short-term economic prospects. All in all, “the glass remains half empty and half full.”

Roger Dow, President/CEO of TIA stated, “Based on our surveys, renewed enthusiasm for summer travel is going to trump high gas prices, travelers are going to keep an eye on gas prices, but there’s nothing to indicate that the prices will significantly alter their plans.” Leisure travelers are planning to take slightly more trips this summer than last, according to a recent TIA survey.

Despite increasing costs, seven in 10 U.S. adults plan to take a summer vacation this year, according to a survey released by Expedia.com.

Even though airline ticket prices are increasing, 60% of respondents say they’ll fly as much as they did last summer, and 9% plan to fly even more.

Traveler frustration with hassles, inconvenience and poor service

The April 2007 Department of Transportation complaint rate for US Airways, still grappling with its 2005 merger with America West Airlines, tripled year over year. The rate for Delta Air Lines, which just emerged from Chapter 11 reorganization, doubled. But United arguably has fallen furthest and fastest amount the big U.S. airlines in its ability to keep customers satisfied. Company officials

acknowledge service problems and say efforts are underway to fix them.

U.S. airports have become crowded they are now “at a tipping point” that soon may tilt toward breakdown, Delta Air Lines’ chief operation officer, James Whitehurst, warned Congress in testimony delivered in July 2007.

Passengers generally comport themselves remarkably well on stranded planes, even amid appalling conditions like backed-up toilets and a lack of food, says New York Times business travel columnist Joe Sharkey.

With U.S. hotels spending a record \$5.5 billion on renovations this year, more travelers than ever are living amid construction zones. Among their inconveniences, gutted lobbies, awful smells, dust, closed restaurants, closed pools, sounds of jack hammering at unfortunate times and constricted room choices. Hotels across the price spectrum are going through renovations, usually while continuing to operate to appeal to younger travelers who prefer sleek design and air public spaces. But the makeovers can be painful for guests and hoteliers alike. The American Customer Satisfaction Index shows the hotel business at its lowest industry rating since 2002.

Internet: #1 Source of travel planning and purchasing

Consumers are using the Internet in record numbers for travel planning but that doesn’t mean they like the process, streamlining of the planning process is critical to long term growth.

The internet still beats other vacation planning tools. A third of U.S. Internet users now research and book travel online, according to the Conference Board and a recent TNS “Consumer Internet Barometer” study. The report covered U.S. households and was conducted in the second quarter of 2007.

Forrester Research predicts that travel will remain the number one online retail category and grow to \$119 billion by 2010.

The majority (66%) of leisure travelers who are airline and hotel users now go exclusively to the Internet when planning a vacation, while 57% report making reservations online. These numbers underscore the remarkable way in which consumers have embraced this medium

since 2000, at which time only 35% of leisure travelers used the Internet to plan travel and just 19% actually made a reservation on line.

An April 2007 survey conducted for Expedia by Harris Interactive asked travelers where they would turn for accurate information for summer travel planning. Online travel agency was the top response (52%) followed by family or friend recommendation (45%). Rounding out the responses were travel guide books (25%), travel community sites (19%), magazines and newspapers (19%), traditional travel agents, (17%) and convention & visitor bureaus (16%).

VISITOR SERVICES

New information/publications available in the Visitor Center include:

- 2007 MB Cultural Art Tour Books;
- RV Journal, Fall 2007;
- November Chamber Newsletter;
- Morongo Basin Night Skies;
- Art in Public Places Post card;
- Hi-Desert Medical Center Newsletter;
- Be Water Wise, 29 Palms Water District;
- Huell Howser Benefit Lunch postcard;
- Joshua Desert Retreats brochure;
- Oct/Nov The Sun Runner;
- 29 Palms Youth Club Annual Luau Dinner and Auction brochure;

Gift Shop -

- Sales in Gift Shop for October 2007: \$101.00

October New Members: 5

Total Chamber Members: 265

Contact Statistics: October 2007:

Phone Calls: 1,949

Visitors: 1,127

Information Packets: 9

29chamber.com

Successful requests: 2,493,843

Average successful requests per day: 3,969

Successful requests for pages: 531,022

Visit29.org:

Successful requests: 2,295,476

Average successful requests per day: 1,621

Successful requests for pages: 348,889

MARKETING

- Pioneer Days;
- California Desert's Visitor Association elected Christina Dooley, as Secretary, October 10, 2007;
- Chamber staff continues participation in designing the Cultural and Heritage workshops for the desert regions. Focus during November workshop will be to identify and develop a regional inventory consisting of themes, architecture, railroad depots, historic trails, petroglyphs, ghost towns and other unique interesting tourist destinations. This workshop will be held in Ridgecrest, CA on November 1st and 2nd;
- Fall RV Journal published two (2) pages, (86 & 87) of Twentynine Palms Fall/Winter Events;
- California Tourism Commission upload submission of articles with information regarding Fall/Winter events;
- Upload of Fall/Winter events to Palm Springs Life, "Desert Guide;"
- Submitted Fall/Winter events to Sunset, West Ways and other various newspapers, magazines, and websites;

Tours, Conferences & Meetings

- Arranged informational conference with Jim Ricker, USMC, regarding USMC demographics, to include: Barry Dee, Broker, CB Platinum Commercial; Marcial Fernandez, CB Platinum Commercial; Greg Bolinger, Developer/Owner, Twenty-Nine Palms Town Center; Dennis Rieger, Developer/Owner, Twenty-Nine Palms Town Center; Marisa Bentley, Broker, Grubb & Ellis BRE; Julie Mungai, National Community Renaissance; John Seymour, National Community Renaissance; Alex Meyerhoff, Twenty-Nine Palms, October 26, 2007;
- City Council Connections, 29 Palms Inn, October 24, 2007;
- Cultural Heritage and Tourism Workshop Steering Committee, (on going);

Other Marketing

Chamber will capitalize event information regarding the following:

- City of Twentynine Palms 20th Birthday;
- Cultural and Heritage Workshop; Ridgecrest, November 1 & 2. Workshop will focus on in identifying the regions cultural heritage and tourism assets and develop a variety of Desert Regional Driving Itineraries;
- Travel Media Showcase, November 27-29;
- Post FAM Tour, Travel Media Showcase, November 30, 2007;

The following articles highlighted Twentynine Palms area and events:

- California Travel and Tourism Commission, "*Highlights of the Year, 2006-2007*;"
- Frommers.com, "*Park of the Week: Joshua Tree National Park*," September 19, 2007;
- Channel 3 News, "*Twentynine Palms Observatory*," September 27, 2007;
- Defenseindustry, "*\$5.6 M for HQ Battalion Amory at Twentynine Palms, CA*," September 27, 2007;
- Desert Tapestry Weavers, "*Desert Magic*," Edition II, October 2007;
- Travel and Leisure/Outdoors, "*Joshua Tree – 'Hiking Ryan Mountain*," October 2007;
- Craftlister, "*Annual Weed Show*," October 2007;
- Insights Year in Review, "*Highlights of the Year*," 2006- 2007;
- Eventful, "*The Soldier's Skin: An Endless Edition*," October 2007;
- Palm Springs Calendar of Events, "*Weed Show*," October 2007;
- Astronomy Update, "*Desert Sky Photography*," October 2007;
- Palm Springs Calendar of Events, "*Art Studio Tours*," October 2007;
- Travel plan idea blog, "*California road trip: cities and nature*," October 1, 2007;
- ModelMayhem.com, "*Photo shoot with SirKoby Photography in 29 Palms, CA*," October 1, 2007;
- TripAdvisor, "*Funky, Friendly*," Harmony Hotel, October 2, 2007;

- LA times, "*U.S. to have say in power line siting, (sic)*" October 3, 2007;
- Southern California Camping, "*Park ready for fall visitor season*," October 3, 2007;
- Wilderness Report #200, "*Update Southern California Wilderness Bill Introduced by Representative Mary Bono and Senator Barbara Boxer*," October 5, 2007;
- Enews Park Forest, "*Sitting Down with Lance Corporal Brian Wiley*," October 7, 2007;
- FunTrivia Community Forum, "*Photo-a-day*," October 9, 2007;
- Pasadena City College, exhibit, "*A Soldier's Skin: An Endless Edition*," October 10, 2007;
- Occidental College, "*A Soldier's Skin: An Endless Edition*," October 10, 2007;
- B.A.C. blog, "*Hey, Birthday!*" , October 11, 2007;
- Hank & Lillie's travels, "*Joshua Tree National Park*," October 11, 2007;
- LA Times, Travel, "*Art seminar on Joshua Tree brush painting*," October 11, 2007;
- Tim Easton, News & Reviews, "*The Red Arrow Gallery Presents: This Machine*," October 12, 2007;
- News of the Force, "*Marine Corps Association honors Marines of the Year*," October 13, 2007;
- NPR, "*Iraqi Actors Train U.S. Soldiers for Conditions in Iraq*," October 14, 2007;
- TripAdvisor, "*WOW – what a nice hideaway*," review of Roughly Manor, October 18, 2007;
- California Collegiate Athletic Association, "*Saturday's Women's Volleyball*," October 20, 2007;
- Orange County Register, "*Travel: Joshua Tree: a bounty of treats*," October 21, 2007;
- My Misanthropic Collage, "*and the music played on – Joshua Tree Music Festival*," October 23, 2007;
- CNN News & Report, "*for clean air go to Twentynine Palms*," October 22, 2007;
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NETWORKING

- Pelican Dinner, Yucca Valley, October 1, 2007;

- Basin Wide Foundation Breakfast, October 4, 2007;
- Pioneer Days Kickoff Mixer, October 11, 2007;
- City Council Connections, October 24, 2007;
- Palms Springs Bureau of Tourism, October 23, 2007;

BUSINESS & ECONOMIC DEVELOPMENT

- Arranged informational conference with Jim Ricker, USMC, regarding USMC demographics, to include: Barry Dee, Broker, CB Platinum Commercial; Marcial Fernandez, CB Platinum Commercial; Greg Bolinger, Developer/Owner, Twenty-Nine Palms Town Center; Dennis Rieger, Developer/Owner, Twenty-Nine Palms Town Center; Marisa Bentley, Broker, Grubb & Ellis BRE; Julie Mungai, National Community Renaissance; John Seymour, National Community Renaissance; October 26, 2007;
- Putting in place informational conference with Jim Ricker, November 16, 2007 to include Veno Nathraj & Associates.

- USMC Birthday Pageant, November 5, 2007, 9:15am;
- Election Day, November 6, 2007;
- USMC Ball, Rivera, Las Vegas, November 7, 2007, 6pm;
- Brunch with Huell Howser; November 10, 2007;
- Joshua Tree 60th Anniversary Tuesday, November 13, 2007, from 5pm to 7pm at the High Desert Cultural Center (behind the Playhouse). Admission is free;
- City of Twentynine Palms Birthday Cake Cutting, Community Building, November 27, 2007;
- Travel Media Showcase, November 27, 28, 29, Casino Morongo;
- Post TMS FAM Tour, November 30, 2007;

LEGISLATIVE AFFAIRS

- Water District Candidate Forum, October 4, 2007;
- City Council Connections, Holiday Inn Express, October 24, 2007;

MILITARY AFFAIRS

- USMC “Welcome Aboard Brief,” October 18, 2007;
- M.A.C. Assistance Fund The Chamber has continued to maintain a small fund of donated monies which has been set aside to assist military personnel and their families with urgent needs. Military personnel are eligible to apply for assistance upon referral from the Navy/Marine Corps Relief Society.

EVENTS

- Basin Wide Foundation Breakfast, November, 1, 2007, 7am
- Cultural and Heritage Workshop, Ridgecrest, November 1 & 2, 2007;

Twentynine Palms Chamber of Commerce
Phone Call/Visitor Breakdown for the Month of September 2007

| Subject | Phone Calls | Walk-Ins |
|--|-------------|-------------|
| Action Council | 2 | |
| Bank | 2 | |
| Camping | 1 | |
| Chamber Business | 339 | 215 |
| Demographics | 5 | 10 |
| Developers | 10 | 3 |
| Directions | 56 | 22 |
| Employment | 6 | 2 |
| Entertainment | 40 | |
| Gift Shop | | 2 |
| Information 411 | 166 | 100 |
| Internet Access | 5 | 4 |
| Joshua Tree N.P. | 94 | 80 |
| Laundromat | | 3 |
| Lodging | 11 | 15 |
| Maps | | 2 |
| Marine Base | 16 | |
| Marketing | | 65 |
| Miscellaneous | 422 | 175 |
| Mixers | 46 | |
| Murals | 7 | 12 |
| Packet Requests (Relocation/Visitor) | 9 | 2 |
| Phone Books | 24 | 4 |
| Pioneer Days | 520 | 384 |
| Realtors, Rentals, Homes, Apartments, Business | 8 | 1 |
| Reporters | 5 | |
| Resturants | 14 | |
| Road Conditions | 19 | 20 |
| RV Park | 32 | 6 |
| Sun Runner | 19 | |
| Transportation | 11 | |
| Weather | 62 | |
| TOTAL | 1949 | 1127 |
| Packets | 9 | |

Twentynine Palms Chamber of Commerce
Contact Statistics for the Month of October 2007

| Subject | Phone Calls | Walk-Ins |
|---|----------------|-------------|
| Action Council | 2 | |
| Bank | 2 | |
| Camping | 1 | |
| Chamber Business | 339 | 215 |
| Demographics | 5 | 10 |
| Developers | 10 | 3 |
| Directions | 56 | 22 |
| Employment | 6 | 2 |
| Entertainment | 40 | |
| Gift Shop | | 2 |
| Information 411 | 166 | 100 |
| Internet Access | 5 | 4 |
| Joshua Tree N.P. | 94 | 80 |
| Laundromat | | 3 |
| Lodging | 11 | 15 |
| Maps | | 2 |
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| Marketing | | 65 |
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| Mixers | 46 | |
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| Realtors, Rentals, Homes, Apartments, Business | 8 | 1 |
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| Restaurants | 14 | |
| Road Conditions | 19 | 20 |
| RV Park | 32 | 6 |
| Sun Runner | 19 | |
| Transportation | 11 | |
| Weather | 62 | |
| TOTAL | 1949 | 1127 |

Packets

9



STAFF REPORT

TO: CITY COUNCIL, AND CITY MANAGER
FROM: COMMUNITY SERVICES DIRECTOR
DATE: NOVEMBER 13, 2007

SUBJECT: APPROVAL OF AN ADDITIONAL \$19,000 IN CITY GENERAL FUNDS FOR THE CITY'S 20TH ANNIVERSARY EVENTS.

RECOMMENDATION: The City Council approve the allocation of an additional \$19,000 in general funds for the City's 20th Anniversary.

Attachments
Contract

ORDER OF PROCEDURE:

Request Staff Report (Randy Councill Presenting)
Request Public Comment
Council Questions of Staff
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (voice vote)

BACKGROUND:

The City Council requested Staff to organize and promote the City's 20th Anniversary this year. The City Council approved \$10,000 in general funds for this event. In September, the Council asked staff to not just have one event, but to have something each month. Staff has been working with the task force, which includes Council members Klink, and Flock, the Chamber of Commerce, the Marine Corps Base, and the community on endeavor.

The task force has come up with a schedule of events for the year for Council approval. As part of the celebration there are cost associated with each event. Below is the schedule of events and their cost associated for the City.

| | | |
|---------------------------|---|-----|
| November 27 th | City's Birthday and City Council Meeting at the Community Services Building. Purchase of City banners, food and refreshments. (Already allocated) | \$0 |
|---------------------------|---|-----|

Review of Staff Report: _____
City Manager City Attorney City Engineer Department Head

| | | |
|----------------|---|-----------------|
| December 22 | Snow Day at Luckie Park. Purchase of snow and miscellaneous supplies for the event. | \$5,000 |
| January 12 | Dedication of Bucklin Park. Music, and food. | \$2,000 |
| | Dedication of Playground at Knott's Sky Park | \$1,000 |
| February 10-16 | Magical Moonshine Theater | \$2,000 |
| March | Girls 30 th and Boys 50 th Basketball Tournament (Separate funds allocated in budget) | \$0 |
| April | Green Day | \$1,000 |
| May | Salute to the Military (Marine Base) | \$1,000 |
| June | Movies in the Park 6-8 movies with free give-a-ways | \$3,000 |
| July | 4 th of July on the Base | \$1,000 |
| August | Teen Pool Free Night with events, food and prizes | \$ 500 |
| September | Shakespeare in the Park | \$1,500 |
| October | Halloween Fun Fest | <u>\$1,000</u> |
| | TOTAL | \$19,000 |

ALTERNATIVES:

The first option is to allocate the necessary funds for each of the events. The second option would be to reduce the number of events, thusly reduce the cost. The third option would be allocate the \$19,000 and have staff solicit sponsors to reduce the allocation.

FISCAL IMPACT:

The City Council allocated funds for the 20th Anniversary meeting, and for the 50th Boy's Basketball Tournament. For staff to promote a monthly program of activities for the entire year, the Council will need to allocate an additional \$19,000 in general funds from the reserves.

Therefore, Staff's recommendation is to approve the additional \$19,000 in funds and allow staff to promote the aforementioned schedule of events.



STAFF REPORT

TO: City Council via City Manager
FROM: Community Services Director
DATE: November 13, 2007

SUBJECT: Approval of the Knott's Sky Park Playground Project

RECOMMENDATION: The recommendation is that the City Council approves \$136,469.97 for the Knott's Sky Park Playground project, to include a contract with GameTime for the purchase and installation of playground equipment in the amount of \$111,469.97.

ORDER OF PROCEDURE:

Request Staff Report (Randy Councill Presenting)
Request Public Comment
Council Questions of Staff
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (roll call vote)

Attachments

1. Contract
2. Playground Diagram

BACKGROUND: The City Council at its October 23, 2007 meeting confirmed their prior decision to demo the Knott's Sky Park Motel building. As part of the discussion on the 23rd, staff recommended the installation of a new playground on the site, using money from its general fund reserves, and as part of its yearlong 20th anniversary celebrations. The Council asked staff to bring back at the November 13th meeting a detailed budget for the playground.

Attached to the staff report is a detailed budget of the proposed playground, as well as a conceptual drawing of the playground. The financial sum of the project is as follows:

| | |
|-----------------------------------|---------------------|
| Total Cost of GameTime Playground | \$149,170.22 |
| Grant | <u>\$ 37,700.55</u> |
| Net Cost to City | \$111,469.97 |

Additionally, the playground will require site preparation (excavation), sidewalk, drinking fountains, and other miscellaneous preparation work. Staff anticipates that the City Council should budget \$25,000 for this work, bringing the total cost for the City to \$136,469.97.

Review of Staff Report:

City Manager

City Attorney

City Engineer

Department Head

ALTERNATIVES: The City Council may choose not to construct the playground, or may direct staff to change the scope of the project.

FISCAL IMPACT: The City Council would need to allocate \$136,469.97 of general fund reserves toward this project. If the Council approves this project staff will include the expenditure in the mid-term budget review for ratification by the Council.



STAFF REPORT

TO: City Council
FROM: Community Development Director via City Manager
DATE: November 13, 2007

SUBJECT: PC 07-71 – Zoning Ordinance Amendment amending Chapters 19.10 and 19.96 of the Development Code.

RECOMMENDATION: Conduct the Public Hearing, consider public comment, adopt a Categorical Exemption pursuant to CEQA, approve the Zoning Ordinance Amendments and introduce Ordinance 209 by title only.

ORDER OF PROCEDURE:

Request Staff Report (Meyerhoff Presenting)
Request Public Comment
Council Questions of Staff
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (voice vote)

- | Attachments | |
|-------------|--|
| 1. | Planning Commission Staff Report, Sept. 18, 2007 |
| 2. | Draft redline/strikeout Development Code Chapter 19.10 Chapter 19.96 |
| 3. | Ordinance 209 |
| 4. | Minutes, Planning Commission Meeting September 18, 2007 |

BACKGROUND:

The proposed Zoning Ordinance Amendment has two elements, including Sections:

- 19.10 (Commercial Districts); and
- 19.96 (General Subdivision Standards).

On September 18, 2007 the Planning Commission conducted a public hearing on this matter. No public comment was received and the Planning Commission voted to recommend that the City Council approve the amendments. On October 23, 2007 the City Council conducted a public hearing on this matter. No public comment was received and the City Council voted (5-0) to introduce the ordinance.

The Planning Commission has conducted a series of study sessions regarding land uses in the Commercial Zoning districts (Section 19.10, Commercial Districts). This amendment is the culmination of those efforts.

The proposed amendment also includes the clarification language regarding two points of paved access for subdivisions (Section 19.96 General Subdivision Standards). The City Council had asked for clarification of the language that specifies that the two points of access be subject to review and approval by the City Engineer.

Review of Staff Report: _____
City Manager City Attorney City Engineer Department Head

California Environmental Quality Act

The proposed zoning code amendments are not defined as a project under CEQA, and are therefore exempt from further environmental review under state law.

Approval Authority

The Planning Commission is the Review Authority and the City Council is the Approval Authority for this Zoning Ordinance Amendment.

ALTERNATIVES:

In taking action on this application, the City Council may:

- Take no action;
- Approve the amendments;
- Approve portions of the amendments; or
- Deny the amendments.

FISCAL IMPACT:

None.

ORDINANCE NO. 209

AN ORDINANCE OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, AMENDING THE SECTION 19.10 AND 19.96 OF THE CITY OF TWENTYNINE PALMS DEVELOPMENT CODE.

The City of Twentynine Palms makes the following findings:

WHEREAS, the Planning Commission conducted a series of study sessions regarding land uses in the Commercial Zoning districts (Section 19.10, Commercial Districts).

WHEREAS, the proposed amendment also includes clarification language regarding two points of paved access for subdivisions (Section 19.96 General Subdivision Standards). The City Council had asked for clarification language that specifies that the two points of access be subject to review and approval by the City Engineer.

WHEREAS, the City Council finds that the Planning Commission conducted duly a notice public hearing, provided an opportunity for but received no testimony regarding the proposed amendments, and recommended approval of the Development Code amendments, and the City Council has considered the recommendation of the Planning Commission before taking action.

WHEREAS, the City Council conducted duly notice public hearings on October 23, 2007, and received testimony regarding the proposed amendments, and the City Council finds that opportunity has been extended to citizens wishing to review and comment upon the projects.

WHEREAS, the City Council finds that the review process has provided opportunity for all interested agencies to consider and comment on the proposals.

WHEREAS, the City Council finds that the proposed action will not result in an adverse effect on wildlife resources or the public health safety and welfare.

WHEREAS, the City Council finds that the proposed action is consistent with the City's adopted General Plan.

NOW, THEREFORE, the City Council of the City of Twentynine Palms hereby ordains as follows:

SECTION 1: That on October 23, 2007, the City Council adopted a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), because the proposed zoning code amendments are not defined as a project under CEQA, and are therefore exempt from further environmental review under state law.

SECTION 2: That Section 19.10 and 19.96 of the Development Code be amended as follows in Attachment 1.

SECTION 3: This Ordinance shall be effective 30 days from the date of its adoption and the City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published as required by law.

PASSED AND ADOPTED THIS 13TH DAY OF NOVEMBER, 2007

Joel Klink, Mayor

CERTIFICATION:

I, Charlene L. Sherwood, City Clerk of the City of Twentynine Palms, do hereby certify that the foregoing Ordinance No. 209 was introduced and placed upon first reading at a regular meeting of the City Council on the 23rd day of October, 2007. That thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 13th day of November, 2007, by the following vote, to wit:

AYES: COUNCIL MEMBER:

NOES: COUNCIL MEMBER:

ABSENT: COUNCIL MEMBER:

ABSTAIN: COUNCIL MEMBER:

Charlene L. Sherwood, City Clerk

Chapter 19.10**COMMERCIAL DISTRICTS
(CG, CO, CT, and CN)****Sections:**

- 19.10.010 Purpose**
- 19.10.020 Permitted and Conditional Uses**
- 19.10.030 Development Standards**
- 19.10.040 Design Standards**
- 19.10.050 Outdoor Storage and Use Standards**
- 19.10.060 Performance Standards**
- 19.10.070 Encroachments into Yards or Setbacks**
- 19.10.080 Parking and Driveways**
- 19.10.090 Street Dedications and Improvements**
- 19.10.100 Utilities**
- 19.10.110 Signage**

19.10.010 Purpose. The purpose of this chapter is to detail the land use/zoning districts for commercial and offices in the City along with the intended and allowed uses. The Commercial and Office Districts are further subdivided into four (4) classifications: Office Commercial (CO), General Commercial (CG), Neighborhood Commercial (CN), and Tourist Commercial (CT).

The Service Commercial (CS) district is included in Chapter 19.12, with the Community Industrial district because of the nature of services and uses intended for the district.

A. **Office Commercial (CO).** The purpose of the Office Commercial district is to create, preserve and enhance areas for businesses and professions which provide services primarily from offices, rather than goods for retail sale. However, such retail sales could be expected to occur in conjunction with related office uses, such as a pharmacy located in a medical office complex. This district provides an opportunity for grouping of businesses, professions and other services having related and compatible functions. Consumers of these services may travel from throughout the community or

portions of the community. This district is also intended to provide a transition or buffer between other more intensive retail and service centers and residential land uses.

B. **General Commercial (CG).** The purpose of the General Commercial district is to create, preserve and enhance areas for business which provide a depth and variety of comparison shopping goods and services (including office-type services), and serve a community or regional market. This district also provides for the grouping of retail and service uses with restaurant and other food uses.

The “Downtown” commercial corridor is designated General Commercial to provide for retail and service uses in a pedestrian-friendly setting.

C. **Neighborhood Commercial. (CN).** The purpose of the Neighborhood Commercial district is to create, preserve and enhance areas mainly for convenience shopping where residents can purchase daily or frequently used necessities, household goods and personal services, in relative

proximity to their place of residence.

Business and government office services may also be allowed as these uses would either serve the neighborhood or generate a limited number of clients or visitors. These commercial areas are to be compatible with their surrounding residential district(s).

- D. **Tourist Commercial (CT).** The purpose of the Tourist Commercial district is to create, preserve and enhance areas for businesses which provide for the needs of recreational or resort uses. This district provides a location for commercial establishments that meet the needs of those who reside in or are transient residents of a resort or recreational area as well as day visitors to the area.

19.10.020 Permitted and Conditional Uses.

Permitted and conditional uses for each classification are provided in Table 19.10-A, and have been determined to be compatible with the values and character of the district, subject to appropriate development conditions. Any use identified in the table that is left blank (or identified by a “-”) shall be prohibited.

Any use not included in the table shall be considered prohibited, unless it is determined by the Community Development Director to be compatible with the values and character of the district. Such determination is dependent upon both the compatibility of the use with the purpose and function of the district, and the anticipated impacts, including, but not limited to, aesthetics, generation of traffic, types of traffic, parking requirements, hazards, and noise generation.

New construction or development of permitted uses are subject to Site Plan Review approval pursuant to Chapter 19.28. The establishment of conditional uses, whether through new construction or establishment within an existing facility, is subject to review and approval pursuant to Chapter 19.30, *Conditional Use Permits* or Chapter 19.31, *Minor Use Permits*. All temporary uses are subject to review and approval pursuant to Chapter 19.32, *Temporary Use Permits*.

**Table 19.10-A
PERMITTED AND CONDITIONAL USES**

Key: P = Permitted Uses
C = Conditional Uses
M= Minor Use Permit

| Use | CO | CG | CN | CT | Notes |
|--|----|----|----|----|--|
| <u>A. Commercial / Office</u> | | | | | |
| <i>Alcohol</i> | | | | | |
| Alcoholic beverage sales | - | C | C | C | |
| <i>Automotive Related Sales and Services</i> | | | | | |
| Automobile rental agency | - | C | - | - | |
| Automotive parts and accessories stores | - | P | - | - | |
| Automotive services - (i.e., tune-up, emission tests, batteries, etc.) | - | C | C | - | <u>Entirely within a building</u> |
| Automotive repair - minor (i.e., brakes, tires, radiators, electrical, etc.) | - | C | C | - | May include outdoor vehicle storage incidental to the use. Outdoor storage must be screened from offsite view. <u>Entirely within a building</u> |
| Automotive repair - major (i.e., engine and transmission repair/rebuild, etc.) | - | C* | - | - | May include outdoor vehicle storage incidental to the use. Outdoor storage must be screened from offsite view. A wall made of block, masonry, or other similar material, minimum six (6) feet in height, must be installed to separate use from adjacent properties. *Not permitted in Downtown <u>Entirely within a building</u> |
| Automotive stereo and sound system installation. | - | P | - | - | |
| Body, paint, and upholstery shops | - | C* | - | - | *Not permitted in Downtown. |
| Car wash - full service | - | C | - | - | |
| Car wash - self service | - | M | - | - | |
| Gas station | - | C | C | C | |

| Use | CO | CG | CN | CT | Notes |
|---|------------|------------|------------|------------|---|
| Motorcycle sales/service | - | C | - | - | <u>Service must be indoors.</u> |
| Motor vehicle sales, new and used | - | C* | - | - | With sales display area and repair. *Not permitted in Downtown. |
| <u>Motor vehicle storage:</u> | | | | | Outdoor vehicle storage area(s) must be screened from offsite view. |
| Indoor | - | C* | - | - | |
| Outdoor - operable vehicles | - | C* | - | - | |
| Outdoor - inoperable vehicles | - | - | - | - | *Not permitted in Downtown. |
| Parking: commercial lot / garage | P | P | - | P | |
| Tire stores | - | C | - | - | |
| Towing service (with tow truck parking - no auto storage) | - | C* | - | - | *Not permitted in Downtown. |
| Trailer and mobile home sales and rental | - | C* | - | - | With sales display area and repair. *Not permitted in Downtown. |
| Truck and trailer rental | - | C* | - | - | *Not permitted in Downtown |
| <i>Day Care Facilities</i> | | | | | |
| Commercial - more than 14 children | C | C | C | C* | *Incidental to primary tourist use only |
| Large family day care (8 - 14 children) | P | C | C | - | |
| Small family (fewer than 8 children) | P | - | P | - | |
| <i>Eating / Drinking Places and Food Services</i> | | | | | |
| Banquet facilities | - | P | P | P | |
| Bar / cocktail lounge | - | C | C | C | |
| Catering Establishment | - | € P | € P | € P | |
| Fast food/quick serve | | | | | |
| With drive - through | - | C | C | C | |
| Without drive - through | € P | P | P | P | |
| Restaurants (sit down / full service) | € P | P | P | P | |
| <i>Entertainment and Recreation</i> | | | | | |

| Use | CO | CG | CN | CT | Notes |
|--|-----------------|-------------------|-------------------|-------------------|---|
| Adult-oriented business | | | | | See Chapter 19.50, <i>Adult Oriented Businesses</i> |
| Amusement park (including simulated racing; i.e. slick track, dragsters, etc.) | - | C* | - | C | *Not permitted in Downtown |
| Athletic fields | - | C | - | C | |
| Auditoriums and other public assembly facilities | C | C | - | C | |
| Batting cages - indoor - outdoor | - - | P C* | - - | - - | *Not permitted in Downtown |
| <u>Bicycle Motocross Facility (BMX)</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| Billiard parlor / pool hall | - | C | - | C | <u>* CUP required if alcohol served.</u> |
| Bowling alley <u>center</u> | - | P | - | P | <u>* CUP required if alcohol served.</u> |
| Go-cart track | - | C | - | C | |
| Golf course | - | C | - | C | |
| Golf driving range | - | C | - | C | |
| Health club / gymnasium - indoor | P | P | P | P | |
| Live entertainment | - | C | - | C | |
| Miniature golf course | - | € <u>P</u> | € <u>P</u> | € <u>P</u> | |
| Movie theater | - | € <u>P</u> | - | P | |
| Motocross / off-road mini-bike course | - | - | - | - | |
| Recording and sound studios | <u>P</u> | € <u>P</u> | <u>P</u> | <u>P</u> | |
| Recreational facilities (as part of a mixed-use development) | P | P | - | - | |
| Simulated shooting games - indoor (laser tag, etc.) | - | € <u>P</u> | - | € <u>P</u> | |
| Shooting range | - | - | - | - | |
| Skate park | - | C | <u>C</u> | C | |
| Skating rink (ice / roller) | - | € <u>P</u> | € <u>P</u> | € <u>P</u> | |
| Stadium / sports arena | - | C | - | C | |
| Tennis / swim club - outdoor | - | C | C | C | |
| Theaters (live performance) | | | | | |

| Use | CO | CG | CN | CT | Notes |
|---|-----------------|------------------|-----------------|-----------------|--|
| Outdoor | - | C | - | C | |
| <u>Indoor</u> | | <u>P</u> | | <u>P</u> | |
| Video / electronic / computer game arcade | - | C | C | C | |
| <i>Lodging</i> | | | | | |
| Hotels / motels | <u>C</u> | C | <u>C</u> | C | |
| Recreational vehicle parks and campgrounds, not exceeding a density of twelve (12) units per acre | - | C* | <u>C</u> | C | Subject to the limitations, regulations and standards in Chapter 19.72, <i>Mobilehome/RV Parks and Campgrounds</i> . *Not permitted in Downtown. |
| <i>Retail / Wholesale Sales</i> | | | | | |
| Adult book store | | | | | See Chapter 19.50, <i>Adult Oriented Businesses</i> |
| Antique shop | P | P | P | P | |
| Art galleries and art supply store | P | P | P | P | |
| Auctions | | | | | For temporary or one-time events, see Chapter 19.32, <i>Temporary Use Permits</i> . |
| <u>Outdoor</u> | C | C | - | C | |
| <u>Indoor, including storage</u> | <u>P</u> | <u>P</u> | - | <u>P</u> | |
| Auctions, livestock | - | - | - | - | |
| <u>Bakeries:</u> | | | | | |
| retail only | - | P | P | P | |
| Wholesale | - | <u>CP</u> | <u>P</u> | <u>P</u> | |
| Bicycle shop (may include repair) | <u>P</u> | P | P | P | |
| <u>Building materials and hardware stores</u> (May include indoor nursery / plant sales): | | | | | *May include outdoor nursery / plant sales up to 25% of building area. For nursery as a primary use, see Agricultural. * Not permitted in Downtown. |
| Within completely enclosed building | - | P | - | - | |
| With outdoor storage | - | C* | - | - | |
| Boat sales | - | C | - | - | |
| Camera and photographic supply store | P | P | <u>P</u> | P | |
| Computer, radio, television, and small electrical appliance shop (including repair when incidental to retail sales) | P | P | - | - | * Outdoor storage must be screened. |
| <u>Convenience store:</u> | | | | | Alcohol sales for offsite consumption only |
| Without alcoholic beverage sales | C | P | P | P | |
| With alcoholic beverage sales | - | C | - | C | |
| Feed store | - | P | - | - | |

| Use | CO | CG | CN | CT | Notes |
|---|----------|------------|------------|----------|--|
| Florist shop | P | P | P | P | |
| Food locker (for individual home locker rental only; no slaughtering permitted) | - | P* | - | - | *Not permitted in Downtown |
| Furniture and home furnishing store | <u>P</u> | P | <u>C</u> | <u>P</u> | |
| <u>General merchandise stores:</u> | | | | | *Not permitted in Downtown |
| Department store | - | P | - | - | |
| Discount / Variety store (new products at a discounted price) | - | P | - | - | |
| Warehouse club stores | - | <u>C*</u> | - | - | |
| Grocery store | <u>C</u> | P | C | - | |
| Guns and ammunition stores | - | C | - | - | |
| Hobby, toy and game store | <u>P</u> | P | P | P | |
| Household appliance store | - | P | <u>C</u> | - | * Outdoor storage must be screened. |
| Music and video sales and rental stores | <u>P</u> | P | P | P | |
| Office supply, stationery and gift stores | <u>P</u> | P | P | P | |
| Pawnbrokers / pawnshops | - | C* | - | - | *Not permitted in Downtown. |
| Pet and pet supply stores | - | <u>P C</u> | <u>P C</u> | - | |
| Secondhand and thrift stores | - | P* | - | - | *Not permitted in Downtown No outdoor display or storage. |
| Sporting goods store | - | P | - | P | For facilities which sell guns and ammunition, see "Guns and ammunition stores" above. |
| Swap meets | | | | | |
| Indoor swap meet | - | C* | - | - | *Not permitted in Downtown |
| Outdoor swap meet | - | - | - | - | |
| Wholesale stores and distributors | - | C* | - | - | In completely enclosed building. *Not permitted in Downtown. |

| Use | CO | CG | CN | CT | Notes |
|----------------------------|----------|-----------|----|----|--|
| Services | | | | | |
| <u>Business Services:</u> | | | | | |
| Blueprinting services | <u>P</u> | <u>CP</u> | - | - | |
| Data processing services | | <u>P*</u> | - | - | |
| Exterminating service | P | P | - | - | Offices only, no hazardous materials storage |
| Equipment sales and rental | <u>P</u> | P/C* | - | C | *CUP required for facilities in |

| Use | CO | CG | CN | CT | Notes |
|---|-----------|-----------|-------------|----------|---|
| <u>General Office Uses, including</u> Administrative professional, medical, real estate, property management, etc. | P | P | <u>P/C*</u> | P | Downtown *Hours outside normal business hours requires CUP. |
| Photocopying / duplicating services | P | P | - | - | |
| Photography studio | P | P | P | P | |
| <u>Financial services:</u> | | | | | |
| Banks, credit unions, etc. | P | P | <u>P</u> | <u>P</u> | |
| Check cashing / payday advance | - | C | - | - | |
| Mortgage / lending | P | P | <u>P</u> | P | |
| Other financial services | P | P | <u>P</u> | P | |
| <u>Personal services:</u> | | | | | |
| Barber, beauty, nail salon | P | P | P | P | |
| Cemeteries and mausoleums | - | - | - | - | |
| Dry cleaner | - | P | C | - | |
| Funeral parlor, mortuary | - | C | - | - | |
| Laundry - commercial | - | C | - | - | |
| Laundry - self-serve | - | C | C | C | |
| Pet grooming - commercial | - | P | - | - | |
| Public / self storage | - | C* | - | - | * Not permitted In Downtown |
| Tailor | - | P | P | P | |
| Tattoo / body piercing | - | M | - | - | |
| Taxidermy | - | C* | - | - | * Not permitted In Downtown |
| <u>Recycling collection facilities:</u> | | | | | |
| Small - to 500 sq. ft. in area | - | M | M | - | |
| Large - 500+ sq. ft. in area | - | - | - | - | |
| <u>Repair Services:</u> | | | | | |
| Computer, home electronics and small home appliances | - | P | - | - | |
| Electrical equipment, industrial | - | - | - | - | |
| Furniture refinishing | - | C | - | - | |
| Furniture re-upholstery | - | P | - | - | For automotive upholstery, see "Automotive Services" |
| Home appliances | - | P | - | - | |
| Jewelry / watches / clocks | P | P | P | - | |
| Lawnmower / garden equipment | <u>C</u> | <u>CP</u> | <u>P</u> | - | |
| Locksmith / key shop | <u>CP</u> | P | <u>P</u> | - | |
| Shoe repair | P | P | P | - | |
| <u>B. Agricultural</u> | | | | | |
| Plant nurseries - cultivation of plants, indoors or outdoors | C | C | C | - | May include retail sales |
| <u>C. Institutional Uses</u> | | | | | |

| Use | CO | CG | CN | CT | Notes |
|---|-------------------------|--------------|----------|----|--|
| Ambulance service | - | C | - | - | |
| Animal hospital | | | | | |
| - Small animals | - | C | <u>C</u> | - | |
| - Large animals | - | - | - | - | |
| Churches, synagogues, temples, and other religious facilities | C | C | C | C | |
| Community care facility | - | C | - | - | |
| Community center | - | P | C | P | |
| Congregate care facility | - | C | - | - | |
| Convalescent hospital / care facility | - | C | - | - | |
| Governmental facilities | P | P | - | P | |
| Hospitals | - | C | - | - | |
| Schools such as music conservatories, dancing schools, and other schools that offer training in nonindustrial professions | P | P | P | - | |
| <u>Schools:</u> | | | | | * Public schools are regulated by the State |
| Preschools | C | C | C | - | |
| K-12, Private* | C | C | C | - | |
| Universities / Colleges | C | C | C | - | |
| Vocational and trade schools | C | C | C | - | |
| <u>D. Residential Uses and Transient Lodging Facilities</u> | | | | | |
| Caretaker's residence | P | M | M | M | |
| Multiple family dwellings | <u>P*/</u> <u>**</u> | <u>P*/**</u> | - | - | * limited to 2 units/parcel ** In Downtown, only on second level |
| Single family residences | <u>P*/</u> <u>**</u> | <u>P*/**</u> | - | - | * limited to 2 units/parcel ** In Downtown, only on second level |
| <u>E. Transportation, Communication, and Utilities</u> | | | | | |
| Communication facilities (See also Chapter 19.58, <i>Telecommunications Facilities</i>) | C | C | C | C | Including radio and television stations or towers, satellite receiving stations, microwave relay towers, and similar facilities. |
| Transportation facilities | C | C | C | C | Including, but not limited to airports, bus stations, and carpool facilities. |

| Use | CO | CG | CN | CT | Notes |
|---|--------------------------|--------------------------|--------------------------|--------------------------|---|
| Utility and service uses and structures | C | C | C | C | Including, but not limited to reservoirs, pumping plants, electrical substations, central communications offices, sewer plants, sewer treatment facilities, solid waste disposal sites. |
| <i>F. Temporary and Interim Uses (See Chapter 19.32, Temporary Use Permits)</i> | | | | | |
| <i>G. Accessory Uses</i> | | | | | |
| Attached, unenclosed patio roofs, decks, porches, awnings, canopies, and other similar shading devices If located in required setback areas. | P M | P M | P M | P M | May encroach to within one (1) foot of the property line with approval of Fire Department pursuant to Uniform Fire Code. |
| Drive-through | M <u>C</u> | M <u>C</u> | M <u>C</u> | M <u>C</u> | * Unless CUP is otherwise required for the use. See Chapter 19.82, <i>Off-street Parking and Loading Regulations</i> for standards. |

19.10.030 Development standards. The development standards for each office commercial district shall be as delineated in Table 19.010-B:

**Table 19.10-B
OFFICE AND COMMERCIAL DISTRICTS**

DEVELOPMENT STANDARDS

| Standard | C-O | C-G | C-N | C-T |
|---|---|---------------|--------------|---------------|
| Minimum lot size | 10,000 15,000 s.f. | 15,000 s.f. | 10,000 s.f. | 20,000 s.f. |
| Minimum lot dimensions - interior lot (width/depth) | 80 x 125 100 X 150 ft. | 100 x 150 ft. | 80 x 125 ft. | 100 x 150 ft. |
| Minimum lot dimensions - ratio (width to depth) | 1:3 | 1:3 | 1:3 | -- |
| Maximum lot coverage (impervious surface) | 75 80 % | 80% | 75% | 55% |
| *Maximum building height | 35 45 ft. | 45 ft. | 35 ft. | 35 ft. |
| Front yard setback | 25 15 ft. | 15 ft. | 25 ft. | 25 ft. |
| Side yard setback | 10 ft. | 10 ft. | 10 ft. | 10ft. |
| Street side yard setback | 15 ft. | 15 ft. | 15 ft. | 25 ft. |
| Rear yard setback | 10 ft | 10 ft. | 10 ft. | 10 ft. |

**Structures such as chimneys, cupolas, flagpoles, steeples, communications towers and the like may exceed height limits up to fifty (50) percent.*

19.10.040 Design Standards.

- A. A Desert Southwest theme is encouraged where possible. A modern building design may be acceptable where the Desert Southwest theme is not feasible and the proposed design will not detract from or conflict with the established theme of the neighborhood.
- B. Landscaping reflecting a desert theme, including use of drought resistant plants is encouraged. A minimum of ten percent (10%) of the front setback area shall be landscaped using either locally adaptable drought-tolerant plants, complimented where necessary with a drip irrigation system; or decorative rock, gravel, bark or sand, or a combination thereof; provided, however, that some live plant material must be provided in all landscaped areas.
- C. All driveway entries on Twentynine Palms Highway and Adobe Road shall have enhanced entry treatments, which shall include textured and/or colored paving or similar treatment and enhanced landscaping with accent trees and other landscape treatments, **consistent with the Desert Southwest Design Guidelines.**
- D. A minimum six (6) foot wide landscaped area shall separate parking areas from a street or public sidewalk.
- E. Special architectural treatments, materials, and colors shall be used to identify major building entries.
- F. All mechanical equipment shall be screened from public rights-of-way and parking lots as an integral part of the building design through the use of parapets, screen walls, equipment wells, or similar design features, **a minimum of six inches above the tallest piece of mechanical equipment.**
- G. All architectural structures should be coordinated with site landscaping to create attractive spaces and environments for pedestrians. Tree canopies and/or trellises with greenery trained to grow on the trellises, combined with landscaped boundaries consisting of seat walls and/or shrubs of two (2) to three (3) feet in height should be provided wherever possible to provide comfortable pedestrian spaces.
- H. Architectural quality should enhance surrounding land uses and promote compatibility. Desirable architectural treatment typically creates visual interest by breaking up uniform blank walls, glass and other building forms into areas that are more human in scale.
- I. All structure elevations visible from the public right-of-way and adjacent land uses shall provide one or more appropriate design components, including but not limited to: color variation, wall indentations, window treatment, variations in materials, columns, horizontal or vertical building plane alterations, cornices, or other similar architectural treatment that defines space and promotes visual interest.
- J. Site design should orient buildings, parking, and drive aisles, sidewalks and plazas to provide users a clear indication of the building entrance and clear pathways from parking to the entry. Providing a view corridor along the pathway and a unique and consistent landscape or paving theme along the pathways are good techniques to achieve orientation.
- K. A trash enclosure(s) shall be provided to serve the development. Each trash enclosure shall be placed on a slab or paved area and shall be screened on at least three sides with a solid wall, made of block, masonry or other similar material, minimum five (5) feet high. The trash receptacles shall not be visible above the wall. A visually solid gate shall be provided to adequately screen the receptacles.
- L. Residential development, where allowed, shall not exceed eight (8) dwelling units per

acre (gross) and shall comply with Development Code Section 19.08.090, Standards for Residential Development.

19.10.050 Outdoor Storage and Use Standards.

- A. Outdoor storage. Outdoor storage on properties in the CG, CT, CO and CN districts shall be screened so that it is not visible from the **public right of way** ~~following streets:~~

- ~~1. Twentynine Palms Highway throughout the City;~~
- ~~2. Adobe Road north of Twentynine Palms Highway;~~
- ~~3. National Park Drive;~~
- ~~4. Amboy Road east of Adobe Road to the City limit;~~
- ~~5. Utah Trail between Amboy Road and the National Park entrance.~~

Screening shall be provided and maintained by the use of solid walls, wood fencing, or chain link fencing with either shade cloth, slats, or drought tolerant vegetation. If drought tolerant vegetation is utilized to accomplish screening, the vegetation used shall:

1. provide adequate screening within one year of planting, and
2. be maintained to provide continual screening of any outdoor storage, and
3. be watered with an automatic watering system equipped with a timer.

If shade cloth or slats are utilized to accomplish screening, such materials shall be of uniform design and color and shall be maintained in good repair at all times.

- B. Vehicle storage, appliance or vehicle repair

or service, and similar uses. A solid wall made of block, masonry, or other similar material or chain-link fence with slats shall be constructed and maintained around the perimeter of the use to substantially block the view of the yard. A minimum of three (3) feet of landscaping shall be provided along the street frontage to provide aesthetic relief along the wall. The areas of the yard that are visible from offsite shall be paved with concrete or asphalt paving. Suitable Best Management Practices (BMP) shall be constructed and/or practiced to ensure that any vehicle fluids shall not leave the site and shall not contaminate soil.

19.10.060 Performance Standards.

- A. Lighting shall be designed and installed in conformance with Chapter 19.70 *Lighting Standards*.
- B. Energy conservation, including use of both direct and passive solar energy, is encouraged.
- C. Noise generated on-site shall be controlled so as to be compatible with surrounding land uses. For uses that may generate noise during the hours of 7 p.m. to 7 a.m., a detailed noise assessment and plan addressing and mitigating these impacts shall be submitted for review and approval.
- D. Vibrations generated on-site shall not be detectable off-site. For uses that may generate vibrations detectable off-site, a detailed vibration assessment and plan addressing and mitigating these impacts shall be submitted for review and approval.
- E. Electrical disturbances or interference. For uses that may produce electrical disturbances or interference to surrounding land uses, a detailed electrical interference assessment and plan addressing and mitigating these impacts shall be submitted for review and approval.
- F. Odors, dust and airborne pollution shall be

controlled so as not to impact surrounding land uses or the public right-of-way. For uses that may generate odors, dust, or airborne pollution, a detailed assessment and plan addressing and mitigating these impacts shall be submitted for review and approval.

19.10.070 Encroachments into Yards or Setbacks. Provided that the projection does not obstruct the view in a required Clear Sight Triangle (See Section 19.06.030 *Definitions*), the following encroachments or projections are permitted in required yard areas:

- A. No projection may be permitted to obstruct the view of a required Clear Sight Triangle.
- B. Attached architectural features such as awnings, canopies, eaves, chimneys, cornices, planter boxes, bay windows, and cantilevered portions of the structure (not exceeding fifty percent (50%) of the length of the wall on any one story) are permitted to encroach up to four (4) feet into front, rear, and side yards.
- C. Attached, unenclosed patio roofs, decks, porches, awnings, canopies, and other similar shading devices, as an accessory to the primary use, subject to Minor Use Permit. (May encroach to within one (1) foot of the property line.)
- D. Stairways, landings, corridors and fire escapes are permitted to encroach up to five (5) feet in front and street side yards, up to four (4) feet in interior side yards, and up to ten (10) feet in rear yards.
- E. Fences, walls, screening, safety guard rails, and dense hedges are permitted to encroach up to a maximum of four (4) feet in height in front and street side yards, and a maximum of eight (8) feet in height in side and rear yards.
- F. Open storage of boats, recreational vehicles, trailers, construction vehicles and equipment are not allowed in front and street side yard areas.

19.10.080 Parking and Driveways. All improved or disturbed areas not covered by buildings or landscaping shall be paved in concrete or asphalt paving, or otherwise appropriately treated to contain wind and soil erosion and accommodate traffic and circulation. Areas of heavy vehicle traffic, loading areas and other site areas for heavy vehicles or equipment shall have paving design and thickness of sufficient strength to support such vehicles and traffic.

Parking and driveways shall be provided consistent with the regulations of Chapter 19.82, Off Street Parking and Loading Regulations.

19.10.090 Street Dedications and Improvements.

- A. Before building permits are issued for the construction of a structure or improvement which would result in an increase or change in vehicular and/or pedestrian traffic, the dedication of additional right-of-way and construction of required street improvements shall be required in accordance with the General Plan Circulation Element.

“Street improvements” include any or all of curb and gutter, sidewalks, concrete driveway approaches, drainage structures, paving, back-filling and preparation of the road surface to rough grade, and the placement of paving, and other necessary improvements as determined by the City Engineer, unless otherwise approved pursuant to Chapter 19.85, *Public Improvements - Delaying or Deferring*.

- B. Before occupancy shall be granted for any such building or improvement, the Building Official shall determine the following:
1. That all of the required dedications have been provided.
 2. That all of the required street improvements have either been installed or that a cash deposit, surety bond or

other form of surety acceptable to the City Council in an amount equal to the estimated cost of the street improvements has been posted with the City to assure the installation of said street improvements.

- C. In all Commercial Districts, the following street improvement standards shall apply to all rights-of-way:
1. Concrete curbs and gutters shall be installed.
 2. Sidewalks shall be installed.

19.10.100 Utilities. All utilities serving new projects of ~~more than four (4) acres~~ shall install underground utilities both onsite and in the public right-of-way. ~~New projects of four (4) or less acres shall install underground utilities onsite; utilities in the public right of way may be installed in a manner consistent with the existing surrounding improvements.~~

19.10.110 Signage. All signs shall comply with the regulations provided in Chapter 19.84, *Signs*.

Chapter 19.96**GENERAL SUBDIVISION STANDARDS****Sections:**

- 19.96.010 Circulation**
- 19.96.020 Lot Design**
- 19.96.030 Access**
- 19.96.040 Street Layout**
- 19.96.050 Reverse Frontage Lots**
- 19.96.060 Energy Conservation**

19.96.010 Circulation. The street pattern of the proposed subdivision shall conform to the Circulation Element of the City's General Plan, and:

- A. The street system in the proposed subdivision shall be designed and constructed to coordinate with the existing streets in the area adjoining the proposed subdivision; and
- B. The proposed street pattern shall consider the future land division and use of adjoining undivided property; and
- C. Part-width boundary streets in a subdivision adjacent to undivided land shall have a minimum right-of-way width of forty (40) feet.

19.96.020 Lot Design.

- A. Lot size is determined by the zoning district classification and the General Plan designation of the subject property.
- B. City, County, school, other district, or other taxing agency boundary lines may not divide a lot.
- C. All required lot dimensions shall be as established in the Development Code for the land use district.
- D. For pie-shaped or other irregular lots (non rectangular), the frontage shall be measured

as the straight line drawn between the terminuses of the side property lines at their intersection with the street right-of-way. For such lots, depth shall be the average of the two side lot lines.

- E. Lot dimensions for width must also be satisfied by the average dimensions of the front and rear lot lines. Lot dimensions for depth must also be satisfied by the average dimensions of the two side lot lines.
- F. Side lot lines are to intersect street right-of-way lines at right angles wherever practicable.

19.96.030 Access. All subdivisions shall abut a public street or have an approved access as follows:

- A. Each lot or unit within the subdivision shall have approved direct access to a public or private street.
- B. No new direct driveway access from individual residential lots onto expressways, arterials, or collector streets shall be permitted unless approved in writing by the City Engineer.
- C. Access to residential property along expressways, arterials, collectors (unless no reasonable alternative exists), or flood control channels shall be provided by either a frontage road or a street separated by a tier of lots (reverse frontage lots). The City may

recommend the location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for appropriate use of the intervening land. Such distance shall be determined with due regard to approach grades, drainage, bridges or future grade separation.

- D. When direct access to residential property from expressways, arterials, or collectors is unavoidable, a circular driveway or turnaround shall be provided.
- E. For private streets, the subdivider shall provide an appropriate method for permanent maintenance subject to the approval of the City Engineer and the City Attorney.
- F. A Tentative Tract or Parcel Map shall provide at least two (2) different standard routes of ingress and egress. **Access to the project shall be subject to review and approval by the City Engineer.** A standard route is a road dedicated to the City and paved to City standards.

19.96.040 Street Layout.

- A. Street layout and design shall be consistent with the Circulation Element of the General Plan and surrounding developments.
- B. Cross-sections shall be in compliance with standards established by the City Engineer.
- C. Intersections shall be a minimum of 150 feet apart.
- D. Cul-de-sac streets shall not exceed 600 feet in length, unless approved by the Fire Department and City Engineer.

19.96.050 Reverse Frontage Lots. When access to residential property along expressways, arterials, collectors, or flood control channels is provided by a street separated by a tier of lots (reverse frontage lots) such lots shall not front on said right-of-way except on collectors where no reasonable

alternative exists, and:

- A. Access to the reverse frontage lots shall be from the interior street.
- B. The subdivider shall provide a minimum one (1) foot vehicular non-access easement (waiver of access) along the rear of the lots.
- C. The subdivider shall provide improvements as specified in Chapter 19.108 of this Code.

19.96.060 Energy Conservation. The design of the subdivision shall provide, to the extent feasible, opportunities for passive or natural heating and cooling opportunities to each of the proposed lots. Such opportunities may include, but are not limited to:

- A. Siting of structures to take optimum advantage of passive cooling and heating opportunities.
- B. Providing additional opportunities through land use controls for the use of solar energy systems.
- C. Adjusting of building setback lines to promote the optimum spacing of structures to create adequate solar access.



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: November 13, 2007

SUBJECT: Purchase and Installation of an Electronically Regenerated Diesel Particulate Filter for City Water Truck

RECOMMENDATION: The recommendation is that the City Council approves \$20,000 for the Electronically Regenerated Diesel Particulate Filter Project, to include the purchase and installation of an electronically regenerated diesel particulate filter for the City's sole water truck in the amount of \$14,545 from Ironman Parts & Services.

ORDER OF PROCEDURE:

Request Staff Report (Michael Tree Presenting)
Council Questions of Staff
Request Public Comment
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (roll call vote)

Attachments

1. Horizon-M Summary Sheet

BACKGROUND: On December 8, 2005, the California Air Resources Board adopted a fleet rule to reduce diesel particulate matter emissions from fleets operated by public agencies and utilities.

A city that owns on-road diesel-fueled heavy-duty vehicles with a 1960 to 2006 model-year medium heavy-duty engine and a manufacturer's gross vehicle weight rating greater than 14,000 pounds must comply with the regulation. The City of Twentynine Palms has six (6) such vehicles.

The compliance requirements of the regulation are that the City of Twentynine Palms must apply best available emissions control technology to vehicles according to a specified implementation schedule. For our City this means installing emissions control technology for one (1) vehicle before the end of calendar year 2007. Additionally, by the end of 2008 two (2) additional vehicles must receive best available emissions technology, with the remaining applicable fleet receiving best available technology before the end of 2009.

Review of Staff Report: _____
City Manager City Attorney City Engineer Department Head

The fine for not complying with the requirements of the regulation is \$100 per vehicle per day.

The City has identified the Horizon-M Electronically Regenerated Diesel Particulate Filter as the best available control technology in bringing its 1993 Ford L900 Water Truck into compliance. The Horizon-M is installed in place of the current muffler. Attachment 1 contains a summary sheet of the Horizon-M.

The following are the three phone quotes received for the Horizon-M installed:

| | | |
|---------------|--------------------------|-----------------------|
| A-Z Bus Sales | Ironman Parts & Services | Cummins Diesel Repair |
| \$15,000 | \$14,545 | \$15,469 |

Staff has checked the references provided by Ironman Parts & Services and finds the company to be reputable. Staff recommendation is that the project be awarded to Ironman Parts & Services in the amount of \$14,545.00.

Finally, for the Horizon-M Electronically Regenerated Diesel Particulate Filter to be functional it must be plugged into a 208V outlet in between usage. Currently, the City Public Works Yard does not have such an electrical outlet. Staff therefore recommends that the City Council approves \$20,000 for the Electronically Regenerated Diesel Particulate Filter Project, to include the purchase and installation of an electronically regenerated diesel particulate filter for the City's sole water truck in the amount of \$14,545 from Ironman Parts & Services, and to provide \$5,455 towards the purchase and installation of a 208v outlet.

ALTERNATIVES: N/A

FISCAL IMPACT: This project is not included in the FY 2007-08 budget approved by the City Council. If approved, staff will include the project in the mid-year budget amendment for ratification.



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: November 13, 2007

SUBJECT: Approval of Budget for City's Welcome Sign Improvement Project

RECOMMENDATION: The recommendation is that the City Council approves \$11,000 towards the City's Welcome Sign Improvement Project.

ORDER OF PROCEDURE:

Request Staff Report (Michael Tree Presenting)
Request Public Comment
Council Questions of Staff
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (roll call vote)

Attachments

1. Conceptual Design of City Welcome Sign

BACKGROUND: The City Council budgeted \$7,500 in FY 2007/08 for the improvement of the City's Welcome Sign at the southeast corner of Elk Drive and HWY 62.

At the October 23rd City Council meeting the Council, per the recommendation of the Park Task Force, approved the installation of palm trees and other small desert plants and rock to improve the appearance of the sign.

Staff has found that the quote for the palm trees, small plants, and rocks is no longer available. Additionally, a surcharge by Caltrans was accidentally left off the quote staff received for the installation of the needed water meter for the project.

Staff seeks the following project budget to perform the work required:

| | |
|------------------------------|-----------------|
| Palm trees, plants, and rock | \$13,000 |
| Water meter | \$ 2,000 |
| Contingency | <u>\$ 3,500</u> |
| | \$18,500 |

ALTERNATIVES: The City Council can modify the project as appropriate.

FISCAL IMPACT: \$7,500 has been approved for this project by the City Council in the FY 2007-08 Budget. The remaining \$11,000, if approved, will be included by staff from the City's General Fund reserves in the mid-year budget amendment for ratification.

Review of Staff Report:

_____ City Manager

_____ City Attorney

_____ City Engineer

_____ Department Head



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: November 13, 2007

SUBJECT: Update of Management Action Plan

RECOMMENDATION: Review and provide direction to staff as appropriate.

ORDER OF PROCEDURE:

Request Staff Report (Michael Tree Presenting)
Council Questions of Staff
Provide Direction as Appropriate

Attachments

1. Management Action Plan
2. Council Planning Calendar

BACKGROUND: Utilizing the City Council's FY 2007/08 Goals and Strategies, staff has organized a FY 2007/08 Management Action Plan (MAP) that details the action items necessary by staff to reach the goals. The MAP is provided to the City Council on a monthly basis to provide updates on actions taken.

The MAP also has deadlines associated with the action items. For most of the strategies these deadlines culminate with a report and/or action item to be received and/or considered by the City Council.

In an effort to assist the City Council staff has also prepared a FY 2007/08 City Council Meeting Planning Document that is linked to the deadlines in the MAP. This document will keep staff focused and allow the Council to see the year of reports and action items to be received and considered.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

Review of Staff Report: _____
City Manager City Attorney City Engineer Department Head

FY 2007-08 Goals and Objectives

Last Updated—November 1, 2007

MANAGEMENT ACTION PLAN

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|--|---|---------|------------------------------------|-------------------------|---|-----------|
| Infrastructure | | | | | | |
| Packaged Wastewater Treatment Facilities (High Priority) | <ul style="list-style-type: none"> • Work with Regional Water Quality Control Board (RWQCB) to find agreement on when facilities will be required • Work with RWQCB and consultants to establish minimum standards for installation and maintenance • Determine whether a home owners association or assessment district should maintain | CM, ENG | Jan 08 Mar 08 Jan 08 | ► Budget for consultant | <p>→Draft agreement sent to RWQCB. Meeting date set for November 12th</p> <p>→Working with RWQCB and Winzler & Kelly.</p> <p>→New project.</p> | |
| Central Wastewater Treatment Facility (High Priority) | <ul style="list-style-type: none"> • Update Joint Wastewater Treatment Facility Study with Marine Base, to include a timeline and funding resources | CM, ENG | Jun 08 | ► Budget for study | <p>→Working through drafts scope of project for update of study.</p> <p>→Kick off mtg held on Sept 26th</p> <p>→<u>Contract approved for timeline work</u></p> | |

Underlined text indicates changes since last report

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|---------------------------------------|---|--|--|------------------------------|--|-----------|
| Roads and Highways (High Priority) | <ul style="list-style-type: none"> • Bid and perform slurry seal, overlay, and/or reconstruction per Pavement Management System (PMS). Incorporate bike/ped paths in PMS. • Analyze slurry seal/overlay costs to see if it makes sense to perform in house • Clean up side of roadways (red zone repainting, de-weeding, remove trash, prune palm trees, cleaning of crosswalks, etc.) • Bid Award: Reconstruction of El Rey Road • Adobe Rd Project. Finish bid specs and obtain right of way | <p>ENG</p> <p>ENG</p> <p>ENG</p> <p>ENG</p> <p>ENG</p> | <p>Feb 08</p> <p>Oct 07</p> <p>Ongoing</p> <p>Feb 08</p> <p>Jun 08</p> | <p>► Budget</p> <p>► PMS</p> | <p>→Reviewing PMS</p> <p>→<u>Presented on Oct 23rd</u></p> <p>→Clean up this month on Adobe & HWY 62 (curb, gutter, shoulders). →Work being finished in Nov.</p> <p>→County approving plans for bid. Bid scheduled for <u>Dec</u></p> <p>→Right of way acquisition to begin in <u>Nov</u></p> | OCT |
| Flood Control (High Priority) | <ul style="list-style-type: none"> • Evaluate flood control issues in Hanson track • Analyze density impacts on flood control during review of General Plan • Alternative Plan for County Master Plan of Storage/Drainage | <p>ENG, PWS</p> <p>ENG</p> <p>ENG</p> | <p>Oct 07</p> <p>Ongoing</p> <p>Jun 08</p> | <p>► Budget</p> | <p>→<u>Presented to Council Oct 9th</u></p> <p>→New Project</p> <p>→New Project</p> | OCT |

Underlined text indicates changes since last report

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|------------------------------|---|--------------------------|-------------------------------------|--------------------|---|-----------|
| Street Improvements | <ul style="list-style-type: none"> Review In-Lieu Fee for street improvements. Consider multi-zone. Submit "Safe Routes to School" & bike trail grants for street improvements. | Eng Eng | Jan 08 Nov 07 | ► Staff Time | →New Project →Grants being revised | |
| Under Grounding of Utilities | <ul style="list-style-type: none"> Review under grounding of utilities policy Evaluate what areas of community to underground Long term plan for under grounding | CD CD CD | Jan 08 Feb 08 Mar 08 | ► Staff Time | →New Project →New Project →New Project | |
| Alternative Energies | <ul style="list-style-type: none"> Investigate what alternative energies and green building techniques are available for current/new City buildings Investigate programs for business/homes Continue to investigate partnership potentials | CSD CSD CM | Mar 08 Mar 08 Ongoing | ► Staff Time | →New Project →New Project →Mtg with consultant held. Partnership with Base and JTNP being explored. → <u>Meeting with CMC held. Joint meeting being planned.</u> | |

Underlined text indicates changes since last report

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|---------------------------------------|---|---------|-------------|--|--|-----------|
| Natural Gas Availability | <ul style="list-style-type: none"> Work with Gas Co to conduct a seminar for residents of Indian Cove Area. | CM, CD | Dec 07 | <ul style="list-style-type: none"> Budget Staff Time | → <u>Seminar conducted for Oct 27th</u> | OCT |
| | <ul style="list-style-type: none"> Work on mailer for City residents along the natural gas line | CM | Dec 07 | | → <u>Map received. Creating address list.</u> | |
| | <ul style="list-style-type: none"> Create brochure/flyer for building department | CD | Dec 07 | | →Brochure/flyer is created and available at City Hall. | SEPT |
| | <ul style="list-style-type: none"> Notify developers where gas line is in relation to projects | CD | Ongoing | | →Policy in place in Planning Department | SEPT |
| Community Image And Appearance | | | | | | |
| Eradicate Graffiti (High Priority) | <ul style="list-style-type: none"> Seek to remove graffiti within 24 hours of reporting | PWS, CM | Ongoing | <ul style="list-style-type: none"> Staff Time Budget | → Working with legal to find quicker ways to enter on private property to remove graffiti | OCT |
| | <ul style="list-style-type: none"> Establish a reward program. Budget for graffiti removal trailer. | CM | Oct 07 | | → <u>Presented at Oct 23rd Council mtg</u> | |
| | <ul style="list-style-type: none"> Aggressively follow-up with court system on offenders. Evaluate security cameras in key areas | CM, PWS | Ongoing | | →In Sept. PW Superintendent went to court to discuss issue with judge. A \$7,500 judgment against offender was given to recoup City costs on graffiti incident | |
| | <ul style="list-style-type: none"> Condition new developments to install graffiti sealant to block walls | CD | Ongoing | | →Policy in place in Planning Department | SEPT |

Underlined text indicates changes since last report

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|---|---|-----------------------------------|--|--------------------------|---|-----------|
| Enhance Code Enforcement (High Priority) | <ul style="list-style-type: none"> Hire/contract with second full-time code enforcement officer | CD | Oct 07 | | → <u>Code Enforcement Officer Hired</u> | OCT |
| | <ul style="list-style-type: none"> Provide Council with a presentation on code enforcement | CD | Aug 07 | ▶ Budget ▶ Staff Time | →Code Enforcement Officer to present on Aug 28th | AUG |
| | <ul style="list-style-type: none"> Establish a weekly review of code enforcement cases for management support | CD | <u>Nov 07</u> | | → <u>Software being evaluated</u> | |
| Improve Community Clean-up Programs (High Priority) | <ul style="list-style-type: none"> Adopt out 5 new street segments Continue HWY 62 Adoption by City Employees Utilize work release when available Conduct 4 neighborhood clean-ups Conduct 2 community clean-ups | PT PWS CE CC | Ongoing Ongoing Ongoing Quarterly Semiannually | ▶ Budget ▶ Staff Time | →Two streets adopted by Perez, Kaufmann, and Weale families. → <u>Next clean-up scheduled for Nov 24th</u> →Work release cleaned up Two Mile during month. → <u>Clean-up on Oct 27th a success</u> → <u>Clean-Up on Oct 27th a success</u> | |

Underlined text indicates changes since last report

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|--|--|--------|---------------|--|---|-----------|
| Encourage Desert Landscaping (High Priority) | <ul style="list-style-type: none"> • Reprint brochure on native desert plants | CD | <u>Oct 07</u> | | →Brochures printed. Available in Planning Dept. | SEPT |
| | <ul style="list-style-type: none"> • Work with nurseries to promote and have in stock desert native plants for purchase | CM, CS | Ongoing | <ul style="list-style-type: none"> ▶ Budget ▶ Staff Time | →New Project | |
| | <ul style="list-style-type: none"> • Condition when appropriate new developments to “go native” | CD | Ongoing | | →Policy in place in Planning Dept | AUG |
| Improve Storefronts | <ul style="list-style-type: none"> • Reconsider storefront improvement program in mid-term RDA review | CM | Nov 07 | | →Consultant for review under consideration. <u>Mid Term Review scheduled for Oct & Nov by RSG</u> | |
| | <ul style="list-style-type: none"> • Work with business owners to consider improvements and take advantage of programs | CD | Ongoing | <ul style="list-style-type: none"> ▶ RDA Budget ▶ Staff Time | → <u>Seven applications being completed.</u> | |

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|------------------------------------|---|-------------------------------------|---|-------------------------------------|--|-----------|
| Expand Street Sweeping | <ul style="list-style-type: none"> • Work with Caltrans to reimburse for work on HWY 62 • Monitor street sweeping • Map out areas of community with curb and gutter and establish schedule of cleaning | <p>CM</p> <p>CM, PWS</p> <p>PWS</p> | <p>Aug 07</p> <p>Ongoing</p> <p>Sept 07</p> | <p>► Budget</p> <p>► Staff Time</p> | <p>→<u>Agreement approved.</u></p> <p>→New Project</p> <p>→Under Review</p> | AUG |
| Increase Public Art | <ul style="list-style-type: none"> • Consider adoption of ordinance to finance public art • Initiate rotating art gallery at City Hall • Enhance movies, concerts, and plays in parks. Continue support of Theatre 29. | <p>CD</p> <p>CS</p> <p>CS</p> | <p>Mar 08</p> <p>Ongoing</p> <p>Ongoing</p> | <p>► Budget</p> <p>► Staff Time</p> | <p>→New Project</p> <p>→<u>Rotating gallery in place</u></p> <p>→Schedule being completed for FY 07-08</p> | OCT |
| Review Hillside Building Standards | <ul style="list-style-type: none"> • Make a presentation to Council and receive direction | <p>CD, ENG</p> | <p>Dec 07</p> | <p>► Staff Time</p> | <p>→New Project</p> | |

Underlined text indicates changes since last report

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|------------------------------------|--|--------------|--------------------|---------------------------|--|------------------|
| Open Space Preservation | <ul style="list-style-type: none"> Participate in regional open space committee | CD | Ongoing | | →Staff working with committee on regional trail system and conservation corridor | |
| | <ul style="list-style-type: none"> Give emphasis to Open Space Element during completion of Park Master Plan | CS | Dec 07 | ► Staff Time | →Regional park under discussion with Base and County | |
| | <ul style="list-style-type: none"> Work with BLM to acquire key property. Work with conservation groups to preserve conservation corridors. | CD, CM | Ongoing | | →Next committee mtg in Nov | |
| Public Safety | | | | | | |
| Proactive Programs (High Priority) | <ul style="list-style-type: none"> Evaluate “Choices” program | PC, CM | Feb 08 | | →New project | |
| | <ul style="list-style-type: none"> Evaluate & improve “Crime Free Multi Housing Program” | PC, CM | Feb 08 | | →New Project | |
| | <ul style="list-style-type: none"> Evaluate & improve “Neighborhood Watch” program | PC, CM | Ongoing | ► Staff Time | →New Project | |
| | <ul style="list-style-type: none"> Consider Community Service Officer to assist with key programs | PC, CM, FD | Feb 08 | | →New Project | |

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|--|---|---------------------------|-------------------------------------|--|--|-----------|
| Proper Staffing (High Priority) | <ul style="list-style-type: none"> • Monitor on a quarterly basis staffing levels in public safety | CM, PC | Ongoing | ▶ Staff Time | → <u>Staffing performed in Oct. Ok</u> | |
| Traffic and Pedestrian Safety Improvements (High Priority) | <ul style="list-style-type: none"> • Move crosswalk at Adobe and El Paseo • Complete engineering and right of way acquisition for Mesquite Springs Rd project • Continue to seek funding for curb, gutter, and sidewalks along HWY, arterials, and collectors. | ENG ENG ENG | Dec 07 Jun 08 Ongoing | ▶ Budget ▶ Staff Time | → <u>Crosswalk Task Force to review bid package in Nov for Dec bid.</u> → Final engineering being performed. Right of way acquisition to begin in <u>Nov.</u> → "Safe Routes to School" grant to be submitted in winter. Trails grant to be submitted in winter. | |
| Emergency Equipment Needs Review (High Priority) | <ul style="list-style-type: none"> • Conduct survey • Create list of deficiencies • Budget for deficiencies | FD FD FD | Nov 07 Dec 07 Feb 08 | ▶ Staff Time ▶ Task Force ▶ Budget | → <u>Survey underway</u> → New Project → New Project | |

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|--|--|----------------|----------------------------|---------------------------|--|------------------|
| Review of Plan Checks by Fire Marshall | <ul style="list-style-type: none"> • Work with Fire Chief to assure that plans are routed to Fire Dept. | CD | Ongoing | ► Staff Time | → New projects currently being routed. | |
| Review of Provisions of Fire Services | <ul style="list-style-type: none"> • Water District to discuss and provide direction • Task Force to meet and evaluate • Recommendation to be made to Water District and City Council | CM CM CM | Aug 07 Apr 08 Mar 08 | ► Staff Time ► Budget | →Water Board approved Joint Task Force. →LAFCO mtg held. Joint Task Force to meet in Oct to discuss. <u>First mtg after elections.</u> →New Project | Aug |
| Annual Fire Inspection Policy | <ul style="list-style-type: none"> • Water District to provide direction • Task Force • Recommendation to be made to Water District and City Council | CM CM CM | Dec 07 Feb 08 Mar 08 | ► Staff Time | →Staff working with Fire Chief to discuss feasibility of using code enforcement to conduct fire inspections. Also evaluating possibility of using business permit fee. →New Project →New Project | |

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|--|---|---|--|---------------------------|--|------------------|
| Financing of City Operations and Infrastructure | | | | | | |
| Explore New Revenue Sources (High Priority) | <ul style="list-style-type: none"> • Create Development Agreements where possible • Explore partnerships | CD, CM CM | Ongoing Ongoing | ► Staff Time | →Staff working with Granite Const. →Staff working with Base, JTNP, and CMC for solar project. | |
| Review Service Contracts (High Priority) | <ul style="list-style-type: none"> • Review janitorial contract • Review traffic light contract • Review Chamber contract • Review Reach Out MB/County Nutrition/ Knott's Preschool contracts • Review building and safety and engineering contracts | CM CM, PWS CM CM CM | Apr 08 Apr 08 Apr 08 Apr 08 Apr 08 | ► Staff Time | →New Project →New Project →New Project →New Project →New Project | |

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|---|---|--------------|--------------------|---------------------------|---|------------------|
| Review Service Fee & Fine Schedule (High Priority) | <ul style="list-style-type: none"> • Compare current fees and fines | CM, CD | Aug 07 | | →Comparison done | SEPT |
| | <ul style="list-style-type: none"> • Establish recommendations via Task Force | CM, CD | Aug 07 | ▶ Staff Time | → <u>Task force working on recommendation for planning fees.</u> | SEPT |
| | <ul style="list-style-type: none"> • Make Recommendations to Council | CM, CD | Sept 07 | | → <u>Council adopted recommendations on fine fees, CUP fee, and pre-application fee. Will consider changes to development fees.</u> | SEPT |
| Classification Review and Compensation Study and Full Cost Analysis by Department (High Priority) | <ul style="list-style-type: none"> • Have a consultant review classification and conduct a salary study. Consider a full cost analysis by department | CM | Feb 08 | ▶ Budget ▶ Staff Time | → <u>Project currently advertised.</u> | |
| | <ul style="list-style-type: none"> • Task Force recommendation to Council | CM | Mar 08 | | →New Project | |
| Review Reserve Policy | <ul style="list-style-type: none"> • Staff to review alternatives with Finance Task Force | FD | Nov 07 | ▶ Staff Time | →Task Force Meeting beings scheduled. | |

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|--|--|---------------------------|------------------------------|---------------------------|--|------------------|
| Planning & Economic Development | | | | | | |
| Consider Review & Update of the General Plan (High Priority) | <ul style="list-style-type: none"> Seek public input on current general plan via a facilitator Consider updates to General Plan Begin updates | CM,CD CM, CD CM, CD | Jan08 Jan 08 Jun 08 | ► Budget ► Staff Time | → <u>RSG preparing for public workshops.</u> → New Project → New Project | |
| Streamline the Development Review Process (High Priority) | <ul style="list-style-type: none"> Conduct a comprehensive review of development review process Recommendations to City Council | CD, CM, CA CD, CM, CA | Mar 08 Apr 08 | ► Staff Time | →New Project | |
| Locate Appropriate Businesses to the Community (High Priority) | <ul style="list-style-type: none"> Finish revision of Economic Dev Action Plan. Attend ICSC Work with RDA/Economic Development Consultant | CD CD, CM CD, CM | Dec 07 Ongoing Ongoing | ► Budget ► Staff Time | →Economic Dev Task Force to meet next in Oct. 07 →Staff attended ICSC in Sept → <u>RSG kick off meeting for Economic Development scheduled for Nov</u> | SEPT |

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|--|---|-----------------------------|-----------------------|--------------------|---|-----------|
| High Standards for Building and Public Works Inspections | <ul style="list-style-type: none"> Review training schedules for inspectors Conduct seminars for builders in area on expectations/standards | CD, ENG, CM CM | Oct 07 Ongoing | ► Staff Time | →CAA to provide schedule in Oct <u>→Seminar on owner/builder rules and regulations on Nov 20th. Builders routable breakfast scheduled for Nov 07.</u> | OCT |
| Preserve Right of Way for Circulation | <ul style="list-style-type: none"> Review all building permits & development projects for dedication of right of way Adopt Citywide Traffic Study | CD ENG | Ongoing Dec 07 | ► Staff Time | → Currently implementing → Task Force meeting frequently to create recommendation | |
| Promote Community Airport | <ul style="list-style-type: none"> Work with County to update airport master plan Work with County to fund promotion of airport | CM CM | Jun 08 Ongoing | ► Staff Time | →New Project → County aware of City staff desire to look at airport potential. County gathering vital information. | |

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|---|--|--------------|--------------------|---------------------------|---|------------------|
| Parks and Recreation | | | | | | |
| Complete and Implementation of Park Master Plan (High Priority) | <ul style="list-style-type: none"> • Adopt Park Master Plan | CS | Jan 07 | ► Staff Time | →Park Task Force and consultant to meet in Nov | |
| | <ul style="list-style-type: none"> • Begin implementation of recommendations | CS | Jan 08 | | →New Project | |
| Investigate Possibility of Acquiring BLM Land (High Priority) | <ul style="list-style-type: none"> • Work with fed gov to acquire property | CD | Ongoing | ► Staff Time | →Initial meeting held to discuss property in City limits | |
| Community and Public Buildings | | | | | | |
| Consider Master Planning for Government Center (High Priority) | <ul style="list-style-type: none"> • Create Task Force | CM | Aug 07 | ► Staff Time | →Task Force Created | AUG |
| | <ul style="list-style-type: none"> • Evaluate feasibility/requirements /location of a government center in City (City Hall, DMV, Post Office, Courts, etc.) | CM, CD | Feb 08 | | →Task Force met and exploring various options. | |
| Planning for a Joint Use Visitor Center (High Priority) | <ul style="list-style-type: none"> • Work with partners to develop | CM | Ongoing | ► Staff Time ► Budget | →Extensive work done with NP Service to support new center. | |
| | <ul style="list-style-type: none"> • Work with local, county, state, and fed governments and private groups to fund | CM | Ongoing | | →Working with lobbyist for earmark. Coordinating mtgs with county and state for future funding. Met with Assemblyman Cook in regard to project. | |

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|--|---|----------------|-------------------------------|--|---|------------------|
| Conduct Long Term Facility Maintenance Planning for City Buildings (High Priority) | <ul style="list-style-type: none"> Hire a consultant to create plan | PWS | Feb 08 | <ul style="list-style-type: none"> ▶ Staff Time ▶ Staff Time | →Project 80% complete. | |
| Open and Forward-Thinking City Government | | | | | | |
| Increase Community Spirit and Feeling of Neighborliness (High Priority) | <ul style="list-style-type: none"> Year long 20th Anniversary Celebrations Improve support for Chamber events: Pioneer Days and Car Show Look at an "Operation Phoenix" | EA EA CM | Ongoing Ongoing Jan 08 | <ul style="list-style-type: none"> ▶ Staff Time | <p>→ Task Force to meet in Oct. Calendar to be presented to Council Nov 13th</p> <p>→<u>Staff assisted Pioneer Days celebrating. Big success.</u></p> <p>→New Project</p> | |
| Improve Communication with Citizens (High Priority) | <ul style="list-style-type: none"> Update web-site and make more user friendly. Release more news releases about City business Assist Chamber with Council Connections | CM CM EA | Ongoing Ongoing Ongoing | <ul style="list-style-type: none"> ▶ Budget ▶ Staff Time | <p>→Reviewing RDA/Economic Development Information</p> <p>→Staff taking extra effort to provide news release for each community event and City accomplishment.</p> <p>→Oct event attended by Mayor and CM</p> | |

| GOALS & STRATEGIES | ACTION REQUIRED | STAFF | TARGET DATE | RESOURCES REQUIRED | STATUS | Task Done |
|---|---|--------------|--------------------|---------------------------|---|------------------|
| Continue to Instill Confidence in City Government (High Priority) | <ul style="list-style-type: none"> Evaluate idea of a "Citizen Academy" Review procedures in each Department for handling of complaints & compliments | CD | Dec 07 | | →New Project | |
| | | CM | Oct 07 | ▶ Staff Time | →Software to track in review. | |
| Seek a Spirit of Volunteerism (High Priority) | <ul style="list-style-type: none"> Improve recognition of volunteers Increase exposure for opportunities to volunteer at City | EA | Ongoing | ▶ Staff Time | → Regularly recognize volunteer at Council meetings | |
| | | EA | Ongoing | ▶ Budget | →Booth to be put together for 20 th anniversary celebrations. Newspaper articles being planned | |
| Partners and External Relationships | | | | | | |
| USMC, JTNP, Water Dist, CMC, MUSD, SANBAG, Chamber, County, State, Federal, Indian Tribe, Non-Profits, HDMC, YV | <ul style="list-style-type: none"> Correlation/planning meeting 1x each month with each | CM | Ongoing | ▶ Staff Time | → <u>Staff met with USMC, JTNP, MUSD, Chamber, County, state and YV during Sept.</u> | |



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: November 13, 2007

SUBJECT: Amendment #4 to the City and County Waste Disposal Agreement, Which Changes the Date of the Calculation of the Change in the Cost of Living.

RECOMMENDATION: Staff recommends that the City Council approve Amendment #4 to the City and County Waste Disposal Agreement.

ORDER OF PROCEDURE:

Request Staff Report (Michael Tree Presenting)
Council Questions of Staff
Request Public Comment
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (roll call vote)

Attachment

1. Amendment #4 to Waste Disposal Agreement

BACKGROUND: On July 28, 1998 the City and County entered into a Waste Disposal Agreement (WDA). Following the adoption of WDA changes in law occurred relating to the length of the required notice to be given prior to the adoption of certain fees.

Recently, the County has adopted a new policy of enacting its revised fees earlier in the calendar year. Base on the forgoing, it will assist both the City and the County if the annual cost of living adjustment to the Contract Rate in the WDA is calculated earlier in the calendar year. To this end, Amendment #4 of the WDA has been created.

While Amendment #4 changes the date of the calculation of the change in the cost of living, it does not change the date that such change is effective. The change in the Contract Rate to reflect the annual cost of living adjustment will continue to be effective on July 1 of each year.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

Review of Staff Report: _____
City Manager City Attorney City Engineer Department Head



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: November 13, 2007

SUBJECT: Caltrans Contribution Agreement for Canyon Road to Easy Street Highway Widening Project

RECOMMENDATION: Staff recommendation is that the City Council approves the Contribution Agreement with Caltrans, and authorizes staff to pay to Caltrans \$300,000 in Measure I Regional/Arterial Funds towards the project.

ORDER OF PROCEDURE:

Request Staff Report (Michael Tree Presenting)
Council Questions of Staff
Request Public Comment
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (roll call vote)

Attachment

1. Contribution Agreement

BACKGROUND: For several years the City has been working with Caltrans to have constructed a two-way turn lane, which would require road widening, from Canyon Road to Sunrise Road on HWY 62. The scope of the project has since been narrowed due to budget constraints to be from Canyon Road to Easy Street. The engineering and environmental work has been performed, with right of way acquisition started, and construction anticipated for summer of 2008.

To facilitate the approval of the project the City committed to pay \$300,000 of the projected \$2,054,302 cost. Attached is the Contribution Agreement that has been prepared to formalize the previous verbal agreement.

Staff recommendation is that the City Council approves the Contribution Agreement.

ALTERNATIVES: N/A

FISCAL IMPACT: The City Council has budgeted \$300,000 in Measure I Regional/Arterial Funds this fiscal year for the project.

Review of Staff Report: _____
City Manager City Attorney City Engineer Department Head



STAFF REPORT

TO: Redevelopment Agency Board/City Council
FROM: Executive Director/City Manager
DATE: November 13, 2007

SUBJECT: Purchase of Replacement Trash Enclosures for Downtown and Adobe Road

RECOMMENDATION: The recommendation is that the City Council approves the purchase of 20 replacement trash/recycling enclosures from Great Lakes Specialty in the amount of \$30,262.50.

ORDER OF PROCEDURE:

Request Staff Report (Michael Tree Presenting)
Council Questions of Staff
Request Public Comment
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (roll call vote)

Attachments

1. Quotes from Manufacturers/Distributors
2. Pictures of Quoted Products from Manufacturers/Distributors

BACKGROUND: In the spring of 2006 the City received 50 trash receptacles from an agreement with Waste Management. Due to the composition of the trash receptacles being stone aggregate they have been susceptible to vandalism. To date 28 of the trash receptacles have been damaged beyond repair and have been discarded. Of the 22 trash receptacles that remain half do not have lids (they have become disconnected from trash enclosures and lost), and many have cracks in the stone side panels.

Staff finds great value in the trash receptacles and recommends the purchase of 20 replacement trash enclosures that are composed of a more sturdy recycled material, and which have a recycling component attached. Attached are three quotes that would meet these goals.

The first quote in the amount of \$29,818.78 is from Barco Products. Although the quoted enclosures are attractively southwest the company does not offer trash and recycling enclosures that are manufacturer as a station. Thus, the City would need to purchase three separate trash enclosures and secure them together for a station affect at each location placed. The company also does not offer the placement of the City logo on the containers.

The second quote is from Gilmore-Kramer Company in the amount of \$31,213.85. While company does offer trash and recycle enclosures that are adjoined in a station type arrangement, the style appears very metro and may not be the best fit for the City. The company also does not offer the placement of the City logo on the containers.

Review of Staff Report:

_____ City Manager

_____ City Attorney

_____ City Engineer

_____ Department Head

The third quote is from Great Lakes Specialty in the amount of \$30,262.50. This company offers an attractive trash and recycling station that has a southwest style (desert tan is the color quoted to the City). The quote received includes the City logo being placed on the center enclosure.

ALTERNATIVES: The City Council may amend the recommendation as desired.

FISCAL IMPACT: The Twentynine Palms Redevelopment Agency Five Year Implementation Plan has a Downtown Enhancement budget of \$433,000.00. Staff recommends that the purchase from Great Lakes Specialty be authorized from this account in the amount of \$30,262.50.



STAFF REPORT

TO: City Council via City Manager
FROM: Community Development Director
DATE: November 13, 2007

SUBJECT: PC 05-81 - An application by Brooks Bauer on behalf of Judy Beltz, for approval of a General Plan Amendment and Change of Zone from RL-1 (Rural Living) to CG (General Commercial), Conditional Use Permit to construct a 26,576 square foot mini-storage facility, and a Variance to the CG zone standards to eliminate the side yard setbacks, on approximately 2.39 acres at 73441 Indian Trail, west of Bullion Avenue and east of Desert Queen Avenue, on APN #0620-121-04, T1N, R9E, Section 8.

RECOMMENDATION: The Planning Commission recommends that the City Council conduct the public hearing, consider all oral and written testimony, adopt Resolution 07-37 (attached) and deny the application.

ORDER OF PROCEDURE:

Request Staff Report (Meyerhoff Presenting)
Request Public Comment
Council Questions of Staff
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (roll-call vote)

Attachments

1. Resolution 07-37
2. Staff Reports
3. Meeting Minutes
4. Correspondence
5. Site Plan

SUMMARY:

The project site is located on approximately 2.39 acres at 73441 Indian Trail, west of Bullion Avenue and east of Desert Queen Avenue. The application includes a request to amend the General Plan Land Use Designation and Change the Zone from RL-1 (Rural Living) to CG (General Commercial), and a Conditional Use Permit to construct a 26,576 square foot mini-storage facility, which would include a 1,320 square foot office and managers residence. The application also requests approval of a Variance to the CG zone side yard setback standards, which require a minimum ten foot side yard setback, to eliminate the side yard setbacks and allow construction of the project to occur on the side yard property lines. This is also referred to as "Zero-lot line construction", and is commonly found in established commercial areas, such as the Downtown and Historic Plaza.

BACKGROUND:

On January 20, 2004, the Planning Commission conducted a Public Hearing on a related application for a General Plan Amendment and Change of Zone for this project site from Rural Living (RL-1) to General Commercial (CG). At that meeting the Planning Commission recommended approval of the proposed amendment.

Review of Staff Report:

_____ City Manager

_____ City Attorney

_____ City Engineer

_____ Department Head

On February 10, 2004 the City Council held a Public Hearing on this project. At that meeting the City Council requested that the applicant file an application for a Conditional Use Permit for the mini-storage project.

An application for a Conditional Use Permit was received and deemed incomplete in 2005. The application was revised in 2006.

On May 15, 2007, the Planning Commission voted 4-1 (Opposed - Rinkes) to recommend that the City Council approve the project. On June 12, 2007, following a public hearing, the City Council referred the case back to the Planning Commission for further review. The Council was concerned about land use compatibility and the history of the parcel.

APPEAL

When processing Conditional Use Permit and Variance applications, the Planning Commission serves as the Approval Authority. On General Plan Amendment and Zone Change applications the Planning Commission serves as the Review Authority and the City Council serves as the Approval Authority.

When the Planning Commission voted to recommend denial of these applications, the applicant filed an appeal. Staff accepted the appeal application. With an abundance of caution, and in order to protect the applicant's due process rights, this matter was placed on the City Council's October 23, 2007 agenda with a public hearing scheduled for the appeal.

Pursuant to Section 19.40.040(D) of the Development Code (Approval Authority Involving Multiple Actions) when processing a project that requires multiple permits, the final decision on the project shall be made at the highest Approval Authority of all the required permits. Therefore, the appeal was un-necessary.

The matter was re-noticed, and the applicant and the surrounding property owners were re-noticed for this public hearing.

In this case, the City Council's action will be final and there is no right to appeal.

COUNTY ZONING AND HISTORIC USES

San Bernardino County has provided additional background information on the history of parcel. Prior to incorporation and until 1977, the parcel was designated M-1 (Limited Manufacturing District) by San Bernardino County. Under the M1 zone, a number of manufacturing uses, including "Contractors equipment storage yard", were permitted.

Prior to incorporation, in 1977, the zoning was changed to A1 – 2 ½ -T (Limited Agricultural District), and under the new zoning "Contractors equipment storage yards" were no longer a "Permitted Use" for that parcel. The applicant recalls that the property was utilized as an equipment storage yard when they purchased the property in 1976. Some area residents have a different recollection of the history of the site.

BUSINESS LICENSE HISTORY

Business licenses for the land use date back to 1991. A business license for Beltz Portable Toilet at this site expired in 2001. A business license for J & J Enterprises, on which the description of the business is listed as the rental and service of portable toilets, is licensed elsewhere in the City. A business license for K & J's Truck Rental at this site expired in 2004. This business is no longer licensed within the City. Currently, there are no active business licenses on this site. The site is presently used as a construction and equipment storage yard.

FINDINGS:

On September 4, 2007, the Planning Commission, acting as the Review Authority, voted 5-0 to deny the application. The Planning Commission's vote to recommend denial of the General Plan Amendment and Change of Zone application was based upon the following findings:

1. The location is a rural, low-density residential area.
2. Approval of the application constitutes impermissible spot zoning.
3. The area is not presently served by commercial uses.
4. The proposed land use is incompatible with existing uses in the vicinity.
5. There is an abundant supply of commercially zoned land city-wide which would better accommodate the proposed use.
6. The last Business License at the site expired in 2004.

The Planning Commission's vote to recommend denial of the Conditional Use Permit application was based upon the following facts:

- A. That the proposed design and location of the conditional use and the conditions under which it would be operated are not in accordance with the purpose of the Development Code, the zoning regulations applicable to the site, the City of Twentynine Palms General Plan, and other applicable development policies and standards of the City; and
- B. That the proposed design and location of the conditional use and the conditions under which it would be operated will be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity; and
- C. That the proposed site would not accommodate the use and integrate it with the existing and planned uses in the vicinity; and
- D. Appeal of the project would allow for the intrusion of commercial uses in the rural residential neighborhood; and
- E. The project is not consistent with development in the vicinity; and
- F. The project would have growth inducing impacts and stimulate additional commercial development in the vicinity uncharacteristic of the rural residential area.

The Planning Commission's vote to recommend denial of the Variance application was based upon the following facts:

- A. That, because of special circumstances applicable to the property, (size, shape, topography, location or surroundings) or the intended use of the property, the strict application of the Development Code does not deprive the property of privileges enjoyed by other properties in the vicinity under identical zoning classification; and
- B. That granting the Variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning classification; and

- C. That granting the Variance will be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements; and
- D. That granting of the Variance does constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zoning classification in which the property is located; and
- E. That granting the Variance does allow a use or activity which is prohibited by the zoning regulation governing the parcel; and
- F. That granting the Variance will be inconsistent with the City of Twentynine Palms General Plan and the Development Code; and
- G. The property has no unique characteristics that would justify approval of a Variance; and
- H. The intended use would not justify approval of the Variance; and
- I. No properties in the vicinity and under identical zoning enjoy the privilege of zero lot line development; and
- J. No properties in the vicinity, under identical zoning classification enjoy the property right of zero lot line development.

PUBLIC CONTROVERSY

At previous public hearings on this topic, correspondence and oral testimony has been received from neighbors in opposition to the project. The opposition is based on the following themes:

- Development pattern in area is very low density, single family rural residential;
- Proposed project is incompatible with existing low density residential land uses;
- Property has a history of non-compliance with City regulations; and
- Community aesthetics.

FINDINGS REQUIRED FOR APPROVAL OF A GENERAL PLAN AMENDMENT

Pursuant to Section 19.20.070 of the Development Code (Findings), prior to approving a General Plan Amendment, the City Council must make all of the following findings:

- A. That the amendment is consistent with the intent of the goals and policies of the General Plan as a whole, and is not inconsistent with any element thereof; and
- B. That the amendment prescribes reasonable controls and standards for affected land uses to ensure compatibility and integrity of those uses with other established uses; and
- C. That the amendment provides reasonable property development rights while protecting environmentally sensitive land uses and species; and
- D. That the amendment provides for the protection of the general health, safety, or welfare of the community.

If the City Council can not make all of these findings, the Council must deny the application.

FINDINGS REQUIRED FOR APPROVAL OF A CHANGE OF ZONE

Pursuant to Section 19.22.050 of the Development Code (Findings), prior to approving a Zone Change or Development Code Amendment, the City Council shall make the following findings:

- A. The Zone Change or Development Code Amendment is consistent with the intent of the goals and policies of the General Plan; and
- B. The Zone Change or Development Code Amendment prescribes reasonable controls and standards to ensure compatibility with other established uses; and
- C. The Zone Change or Development Code Amendment provides reasonable property development rights while protecting environmentally sensitive land uses and species; and
- D. The Zone Change or Development Code Amendment ensures protection of the general health, safety, and welfare of the community.

If the City Council can not make all of these findings, the Council must deny the application.

FINDINGS REQUIRED FOR APPROVAL OF A CONDITIONAL USE PERMIT

Pursuant to Section 19.30.060 of the Development Code (Findings for Approval), prior to approving a Conditional Use Permit as prescribed by this Chapter, the Approval Authority shall make the following findings:

- A. That the proposed design and location of the conditional use and the conditions under which it will be operated are in accordance with the purpose of this Development Code, the zoning regulations applicable to the site, the City of Twentynine Palms General Plan, and other applicable development policies and standards of the City; and
- B. That the proposed design and location of the conditional use and the conditions under which it will be operated will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity; and
- C. That the proposed site is adequate in size and shape to accommodate the use and integrate it with the existing and planned uses in the vicinity.

If the City Council can not make all of these findings, the Council must deny the application.

FINDINGS REQUIRED FOR APPROVAL OF VARIANCE

Pursuant to Section 19.34.050 of the Development Code (Findings), prior to approving a Variance as prescribed by this Chapter, the Planning Commission shall make the following findings:

- A. That, because of special circumstances applicable to the property, (size, shape, topography, location or surroundings) or the intended use of the property, the strict application of the Development Code deprives the property of privileges enjoyed by other properties in the vicinity under identical zoning classification; and
- B. That granting the Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning classification; and
- C. That granting the Variance will not be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements; and

- D. That granting of the Variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zoning classification in which the property is located; and
- E. That granting the Variance does not allow a use or activity which is prohibited by the zoning regulation governing the parcel; and
- F. That granting the Variance will not be inconsistent with the City of Twentynine Palms General Plan.

If the City Council can not make all of these findings, the Council must deny the application.

ALTERNATIVES:

Pursuant to Section 19.02.050 (General Plan Amendments, Approval Authority) the City Council may:

- Approve;
- Approve with modifications; or
- Deny application for General Plan Amendments.

Should the City Council deny the application for the General Plan Amendment, the City Council must deny the entire project.

FISCAL IMPACT: None.

CITY OF TWENTYNINE PALMS
CITY COUNCIL
RESOLUTION NO. 07-37

A RESOLUTION OF CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, DENYING PC 05-81 – A GENERAL PLAN AMENDMENT AND CHANGE OF ZONE FROM RURAL LIVING (RL-1) TO GENERAL COMMERCIAL (CG), DENYING A CONDITIONAL USE PERMIT FOR A MINI-STORAGE FACILITY, AND DENYING A VARIANCE FOR THE ELIMINATION OF SIDE YARD SETBACKS, LOCATED AT 73441 INDIAN TRAIL, WEST OF BULLION ROAD AND EAST OF DESERT QUEEN AVENUE, APN #0620-121-04, T1N, R9E, SECTION 8.

WHEREAS, an application for a General Plan Amendment from Rural Living (RL-1) to General Commercial (CG) was received from Judy Beltz; and

WHEREAS, the applicant also seeks approval of a Conditional Use Permit for a 26,576 square foot mini-storage facility, including 1,320 square foot office and managers residence, and a Variance to eliminate the side yard setback, and to construct buildings on the side yard property line, on approximately 2.39 acres at 73441 Indian Trail, west of Bullion Avenue and east of Desert Queen Avenue; and

WHEREAS, the parcel was designated M-1 (Limited Manufacturing District) by San Bernardino County until 1977; and

WHEREAS, under the M1 zone, a number of manufacturing uses, including “Contractors equipment storage yard”, were permitted; and

WHEREAS, in 1977, the zoning was changed to A1 – 2 ½ -T (Limited Agricultural District), and under the new zoning designation “Contractors Storage Yards” were no longer permitted; and

WHEREAS, an investigation of the business license history of the project site indicates that the site has not had an active business license since December 31, 2004; and

WHEREAS, business licenses for the land use date back to 1991, a license for Beltz Portable Toilet at the site expired in 2001, and a license for K&J's Truck Rental at this site expired in 2004; and

WHEREAS, the site is presently used as a construction and equipment storage yard, there are no active business licenses on this; and

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA), an Initial Study and Negative Declaration of environmental impact have been prepared; and

WHEREAS, a public hearing notice for the Planning Commission Public Hearing was published in a newspaper of record and notice was mailed to all property owners located within 300 feet of the project site; and

WHEREAS, Public Hearings were held by the Planning Commission on May 15, 2007 and September 4, 2007; and

WHEREAS, the City Council conducted a public hearing on this project on June 12, 2007, and referred the matter back to the Planning Commission; and

WHEREAS, the Planning Commission conducted a public hearing on this project on September 4, 2007, and following consideration of the staff report, public hearing, and all written and oral testimony, voted to recommend that the City Council deny the application; and

WHEREAS, on November 13, 2007, the City Council conducted a duly noticed public hearing on this matter; and

WHEREAS, pursuant to Section 19.20.070 of the Development Code, which sets forth the required Findings for General Plan Amendments, the City Council hereby finds:

- A. That the amendment is not consistent with the intent of the goals and policies of the General Plan as a whole; and
- B. That the amendment does not prescribe reasonable controls and standards for affected land uses to ensure compatibility and integrity of those uses with other established uses; and
- C. That the amendment would not provide reasonable property development rights while protecting environmentally sensitive land uses and species; and
- K. That the amendment does not provide for the protection of the general health, safety, or welfare of the community because:
 - 1. The location is a rural, low-density residential area.
 - 2. Approval of the application constitutes impermissible spot zoning.
 - 3. The area is not presently served by commercial uses.
 - 4. The proposed land use is incompatible with existing uses in the vicinity.
 - 5. There is an abundant supply of commercially zoned land city-wide which would better accommodate the proposed use.
 - 6. The last Business License at the site expired in 2004.

WHEREAS, pursuant to Section 19.30.060 of the Development Code, which sets forth the required findings for Conditional Use Permits, the City Council hereby finds:

- A. That the proposed design and location of the conditional use and the conditions under which it would be operated are not in accordance with the purpose of the Development Code, the zoning regulations applicable to the site, the City of Twentynine Palms General Plan, and other applicable development policies and standards of the City; and
- B. That the proposed design and location of the conditional use and the conditions under which it would be operated will be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity; and
- C. That the proposed site would not accommodate the use and integrate it with the existing and planned uses in the vicinity.
- D. Appeal of the project would allow for the intrusion of commercial uses in the rural residential neighborhood;

- E. The project is not consistent with development in the vicinity.
- F. The project would have growth inducing impacts and stimulate additional commercial development in the vicinity uncharacteristic of the rural residential area.

WHEREAS, pursuant to Section 19.34.050 of the Development Code, which sets forth the required Findings for Variances, the City Council hereby finds:

- A. That, because of special circumstances applicable to the property, (size, shape, topography, location or surroundings) or the intended use of the property, the strict application of the Development Code does not deprive the property of privileges enjoyed by other properties in the vicinity under identical zoning classification; and
- B. That granting the Variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning classification; and
- C. That granting the Variance will be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements; and
- D. That granting of the Variance does constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zoning classification in which the property is located; and
- E. That granting the Variance does allow a use or activity which is prohibited by the zoning regulation governing the parcel; and
- F. That granting the Variance will be inconsistent with the City of Twentynine Palms General Plan and the Development Code; and
- G. The property has no unique characteristics that would justify approval of a Variance; and
- H. The intended use would not justify approval of the Variance; and
- I. No properties in the vicinity and under identical zoning enjoy the privilege of zero lot line development; and
- J. No properties in the vicinity, under identical zoning classification enjoy the property right of zero lot line development.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Twentynine Palms following the public hearing, consideration of all public testimony, written materials and correspondence denies the General Plan Amendment, Change of Zone, Conditional Use Permit and Variance.

APPROVED AND ADOPTED THIS 13th DAY OF NOVEMBER, 2007.

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Joel A. Klink, Mayor

ATTEST:

Charlene L. Sherwood, City Clerk

I hereby certify that the foregoing is a true copy of Resolution No. _____ duly adopted by the City Council of the City of Twentynine Palms in a meeting held on the _____ day of _____, _____, in Twentynine Palms, California.
Dated this _____ day of _____, _____.

Charlene L. Sherwood, City Clerk



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: November 13, 2007

SUBJECT: Review of Adobe Road Reconstruction Project

RECOMMENDATION: The recommendation is to receive staff report and provide direction as appropriate.

ORDER OF PROCEDURE:

Request Staff Report (Danny Chow Presenting)
Council Questions of Staff
Request Public Comment
Council Discussion
Provide Direction as Appropriate

BACKGROUND: Assistant City Engineer Danny Chow has been working on the final plans for the reconstruction of Adobe Road from Amboy to the Base entrance, including right-of-way acquisition requirements. A verbal report will be provided at the Council meeting as to the status of the project.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

Review of Staff Report:

City Manager

City Attorney

City Engineer

Department Head



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: November 13, 2007

SUBJECT: City Closure Schedule

RECOMMENDATION: Staff recommendation is that the City Council approves Resolution No. 07-41 and approves the revised closure schedule.

ORDER OF PROCEDURE:

Request Staff Report (Michael Tree Presenting)
Council Questions of Staff
Request Public Comment
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (roll call vote)

| <i>Attachments</i> | |
|--------------------|---------------------------------|
| 1. | Current City Closure Schedule |
| 2. | Current County Closure Schedule |
| 3. | Resolution No. 07-41 |

BACKGROUND: The City's current closure schedule is not consistent with the County of San Bernardino closure schedule, which is closely aligned with other public agency closure schedules. City staff generally finds that when other public agencies and institutions (such as banks) are closed minimal work can be accomplished.

The Personnel Task Force recommends that the City closure schedule be equal to the current County closure schedule. This requires the addition of the following holidays into the City's closure schedule:

- Columbus Day
- Christmas Eve
- New Year's Eve

ALTERNATIVES: City Council can modify recommendation as appropriate.

FISCAL IMPACT: None.

Review of Staff Report: _____
City Manager City Attorney City Engineer Department Head



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: November 13, 2007

SUBJECT: Enforcement of the California Vehicle Code on Certain Privately Owned and Maintained Roads within the City of Twentynine Palms.

RECOMMENDATION: The recommendation is that the City Council receives staff report and provides direction as appropriate.

ORDER OF PROCEDURE:

Request Staff Report (Michael Tree Presenting)
Council Questions of Staff
Request Public Comment
Council Discussion
Provide Direction as Appropriate

Attachments

1. Calls for Service
2. City Map
3. Vehicle Code Section 21107.5

BACKGROUND: The City Council recognizes that there are privately owned and maintained roads within the City of Twentynine Palms that are generally held open for use by the public for vehicular travel and which so connect with the publicly owned and maintained roads that the public cannot determine if the roads are privately or publicly owned and maintained.

The abovementioned issue becomes important when considering Vehicle Code enforcement, to include enforcement of off-road vehicles, as the Police Department is currently prohibited from enforcing the Vehicle Code on privately owned and maintained roads with the City. Attachment 1 contains the number of calls for service for off-road vehicle issues within the City from July 1, 2006 thru June 30, 2007. Attachment 2 contains a City map which shows which roads are privately owned and maintained.

Vehicle Code Section 21107.5 provides a mechanism for the City to enforce the Vehicle Code on privately owned and maintained property (see Attachment 3). In brief, Vehicle Code Section 21107.5 provides that a city, upon enactment of an ordinance or resolution, can enforce the Vehicle Code to privately owned and maintained roads, with the exception of those roads where the owner has erected a notice that the road is privately owned and maintained and that it is not subject to public traffic regulations or control.

City staff seeks direction from the Council on how to proceed.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

Review of Staff Report: _____
City Manager City Attorney City Engineer Department Head