



## STAFF REPORT

6136 Adobe Road  
Twentynine Palms, CA 92277  
(760) 367-6799 • Fax (760) 367-5400  
*commdev@ci.twentynine-palms.ca.us*

**To:** Planning Commission

**From:** Planning Technician

**Date:** April 19, 2005

**RE: PC 05-11**

Adoption of Chapter 19.67 establishing truck routes within the City

**RECOMMENDATION:** Conduct the public hearing and formulate a recommendation to the City Council

**BACKGROUND:** At the March 1, 2005 meeting, the Planning Commission reviewed truck routes contained in the City's Circulation Plan. Following discussion, staff was directed to add Mojave Road to the network; this amendment was adopted by Council at the April 12<sup>th</sup> meeting.

### Attachments

- Draft Chapter 19.67

The Commission also directed staff to prepare a Development Code Chapter to enact the truck route network into law. Accordingly, Chapter 19.67 is presented at this time for your review. If the truck route network is adopted into the Code, signs can be posted both at non-truck routes where truck traffic exists and along truck routes to identify proper routes.

### Summary

Staff recommends that the Planning Commission conduct the Public Hearing and formulate a recommendation to the City Council for adoption. A May 10, 2005 Council Public Hearing for this matter has been scheduled.



## STAFF REPORT

6136 Adobe Road  
Twentynine Palms, CA 92277  
(760) 367-6799 • Fax (760) 367-5400  
*commdev@ci.twentynine-palms.ca.us*

**To:** Planning Commission  
**From:** Community Development Director  
**Date:** April 19, 2005  
**RE: PC 05-13**  
Correction of General Plan Map, changing Land Use Designation from Multi-family Residential (RM) to General Commercial (CG) for property identified as APN 623-033-08

**RECOMMENDATION:** Conduct the Public Hearing and formulate a recommendation to the City Council.

**BACKGROUND:** Property owner J.B. Carrol recently requested clarification regarding the General Plan Land Use Designation (zoning) of the above-referenced property. In researching this matter, staff determined that the map inaccurately depicts this property as being Multi-family Residential (RM). The land use designation was historically General Commercial (CG) and it was inadvertently identified as RM in the latest map revision. In researching this matter, staff has determined that the General Plan designation/zoning for the subject property was commercial prior to incorporation.

### Attachments

- Locator Map
- Applicant request

Correction of this error is being handled the same as a General Plan Amendment. However, because the error was caused by the City, the applicant was not charged a processing fee.

As review authority, the Planning Commission will conduct a public hearing and formulate a recommendation to the City Council. The City Council will consider the Planning Commission's recommendation at their May 10, 2005 meeting.

Because the City's General Plan Land Use Map specifies zoning, the change in the General Plan designation will change the zoning. If the General Plan Amendment is approved, allowing the commercial land use designation/zoning, this would change the allowable uses of the ½ acre parcel.

### Street Improvements

The City's Development Code specifies when the requirement for offsite improvements is triggered. Because the applicant does not propose development at this time, there is not an increase or change in vehicular traffic. Therefore, the requirement for street improvements is not triggered. If/when development is proposed, the standards specified in the General Plan and in the Development Code would be applicable.

## **General Plan Issues**

Section VII (A) of the General Plan Land Use Plan sets the following standards for General Commercial properties:

### **General Commercial (CG)**

The General Commercial category shall be designated by the letters “CG” on the Land Use Map of the General Plan. The General Commercial district will serve as the City’s primary commercial area(s), suitable to a wide variety of commercial uses.

A commercial setting conducive to the sale of a variety of products and services is emphasized. Sale of items such as clothing, groceries, hardware, appliances, are to be established in a mutually supportive relationship with restaurants, gift shops, art galleries, hair salons, automotive repair, fitness centers, offices, etc.

The following policies and standards shall apply to the CG district:

- Building design shall be Desert Southwest pursuant to the Design Guidelines adopted by the City.
- The undergrounding of utilities will be required where found to be reasonable considering the nature and scope of development.
- Landscaping shall include amenities such as flower boxes, statues and architectural features to beautify and embellish the district and complement the City’s Desert Southwest theme. Palm trees may be used to accent the character of the area.
- It is the intent to eventually provide sewer service to the CG area to allow both healthy and intense development.
- Concrete curb, gutter, and sidewalks are required along rights-of-way for all new projects in all CG zones.
- Solar energy use is desirable.
- Off street parking shall be provided.
- Vehicle storage lots shall be screened from public view.

Downtown Twentynine Palms is the commercial corridor along Twentynine Palms Highway (depicted below) between Donnell Hill and Cienega Avenue, and along Adobe Road from Twentynine Palms Highway north to the Flood Control Channel. The Downtown area is designated CG and will serve as a focus and identity point of the community.

The City’s Downtown is a unique business district, offering goods and services to local citizens and visitors. An emphasis on the continued development of a “sense of place” is important to the long-range vision of the Downtown. Pedestrian friendly amenities are necessary as is the need for traffic calming, to allow opportunities for travelers to enjoy this unique area and to provide for safe

pedestrian circulation.

**General Plan Amendment Procedure**

Section 19.20.070 of the Development Code sets forth required Findings for General Plan Amendments. The Section states:

Prior to approving a General Plan amendment as prescribed by this Chapter, the City Council shall make 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.

Section 19.20.080 states that the Council’s approval of a General Plan amendment shall be in the form of a Resolution. Accordingly, staff will prepare a draft Resolution for consideration which contains the above reference Findings.

**Review Authority**

The Planning Commission, acting in their role as the Review Authority for this matter, will conduct a Public Hearing and formulate a recommendation to the City Council.



## STAFF REPORT

6136 Adobe Road  
Twentynine Palms, CA 92277  
(760) 367-6799 • Fax (760) 367-5400  
*plantech@ci.twentynine-palms.ca.us*

**To:** Planning Commission  
**From:** Planning Tech via City Manager  
**Date:** April 19, 2005  
**RE: PC 05-16**

Minor Use Permit (MUP) application for Kyle Stratton of American Made Tattoos for proposed tattoo studio at 6005 Adobe Road (APN 0623-081-10 & 11)

**RECOMMENDATION:** Conduct the hearing and approve the environmental exemption and MUP, subject to the standards of the City's General Plan and Development Code

**BACKGROUND:** The applicant seeks to establish a tattoo studio in the existing strip mall at 6005 Adobe Road. Per Table 19.10 A in Section 19.10.020 of the Development Code, a Minor Use Permit is required.

Zoning for the subject parcel is General Commercial (CG). The proposed use can be allowed in the CG land use district subject to the Planning Commission's approval of the MUP. The MUP can be approved if the findings specified in Section 19.31.060 *Findings* are met. The required finds are:

- 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 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.

### Attachments

- MUP application
- Locator Map
- Conditions of Approval
- Site plan
- Site photographs

In approving an application for a MUP, the Planning Commission may impose reasonable and appropriate conditions to achieve the purposes of the Development Code and to justify making necessary findings. Section 19.31.070 Conditions of Approval, states that conditions may include, but shall not be limited to:

- A. Requirements for special building setbacks, open spaces, buffers, fences, walls and screening.

- B. Requirements for installation and maintenance of landscaping, and erosion control measures.
- C. Requirements for street and other infrastructure improvements and related dedications.
- D. Regulation of vehicular ingress, egress, and traffic circulation.
- E. Regulation of hours of operation or other characteristics of operation.
- F. Requirements for increased security.
- G. Requirements for periodic review.
- H. Requirements for special building design and features to enhance the visual impact and integrate the use into the community.
- I. Other conditions as may be deemed necessary to make the findings required by this Chapter.

### **Parking**

The parking requirement for the 2740 sq. ft. strip mall is twenty-four spaces, one of which is handicapped accessible. Off-street parking was established in 1979 prior to incorporation of City. Twenty-three off-street parking spaces are provided (22 regular parking stalls, one handicapped accessible stall.)

### **Conditions of Approval**

As noted above, the Planning Commission may impose reasonable conditions on the approval.

### **Environmental Clearance**

The California Environmental Quality Act (CEQA) provides for several areas of exemption. Class 1 includes "Operation, repair, maintenance or minor alteration of existing structures or facilities not expanding existing uses." Staff believes that this class of exemption can be applied to the proposed project, therefore motion to approve the Minor Use Permit should include a finding that the project is exempt from CEQA. If the Commission does not concur, the matter should be referred back to staff for completion of an environmental analysis.

### **Approval Authority**

The Planning Commission is the Approval Authority for the MUP. If the CEQA Exemption is approved the Commission may, 1) Make the required findings and take action to approve the MUP, subject to the conditions of approval, 2) Make the required findings and take action to approve the MUP subject to modified Conditions of Approval, 3) Continue the matter to a future specific date to allow additional time for consideration of the issues, or 4) Direct staff to develop findings for denial and take actions to deny the project.

### **Staff Recommendation**

Staff recommends approval of the MUP, subject to the conditions of approval.



## STAFF REPORT

6136 Adobe Road  
Twentynine Palms, CA 92277  
(760) 367-6799 • Fax (760) 367-5400  
*commdev@ci.twentynine-palms.ca.us*

**To:** Planning Commission via City Manager  
**From:** Planning Technician  
**Date:** April 19, 2005  
**RE: PC 05-18**

Appeal of City Manager's determination regarding Street Improvements for minor subdivision at Utah Trail and Rocky Road for applicant Brooks Bauer, APN 0590-111-08

**RECOMMENDATION:** Present appeal to Planning Commission for a decision regarding street improvements.

**BACKGROUND:** The applicant has proposed to subdivide the existing 4.8± acre parcel, creating two lots. The easterly lot borders Utah Trail (an Arterial), the southern border of the property is Rocky Road, (a Local street), and the west border of the parcel is a ¼ section line. Street improvements and road dedications are required along these streets.

### Attachments

- Appeal application
- Locator Map
- Dev. Code Chapter 19.08

Applicants who propose new parcel maps and building permits are required to comply with the standards established in the Development Code Section 19.96.040 A... Street layout and design shall be consistent with the Circulation Element of the General Plan and surrounding developments.

### Requirements for Improvement:

On March 25, 2005 the City Manager reviewed the proposal and determined that the applicant would dedicate the right-of-way but would not have to improve Utah Trail along the project boundaries to the Arterial standard, leaving in place the current street improvements. He also determined that Rocky Road would require pavement along the project boundaries, no asphalt berm will be required. This requirement will result in conformance with the existing paved streets in Hansen Tract east of Utah Trail as the area west of Hansen Tract develops. Offers of dedications would be required for all three streets bordering the parcel.

### Recommendation

Per General Plan Circulation Element street improvements requirements, deny the appeal.



# STAFF REPORT

April 19, 2005

**TO:** PLANNING COMMISSION  
**FROM:** COMMUNITY SERVICES DIRECTOR  
**SUBJECT:** DESIGN CONCEPT OF SKY'S THE LIMIT OBSERVATORY

## **RECOMMENDATION**

The Planning Commission review and give input on the basic design concept of the Sky's The Limit Observatory project.

## **DISCUSSION**

In early 2004, a local group of citizens got together and kicked around the idea about building an observatory in Twentynine Palms. The group formed a committee under the umbrella of the Basin Wide Foundation and began meeting on finding a suitable property in which to build an observatory. Soon afterwards, a 7.5 acre site was located and acquired on Utah Trail adjacent to the Joshua Tree National Park boundaries, with another 2.5 acre site a couple of months later, and the Sky's The Limit was thusly formed.

In the fall of 2004, the Sky's The Limit approached the City about working together in developing the land including the observatory, along with restrooms, picnic area, scenic view, kiosk, and parking built by the City. City staff was then appointed to sit on the committee to work on the development of the project.

In December of 2004 a former resident and local property owner, Ann Congdon, AIA, volunteered her services as a design consultant. Ann has worked with the Sky's The Limit committee over the past several months to develop a site plan and building design that would enhance the natural beauty of the site, while making the facilities as sustainable as possible and causing minimal disturbance to the landscape and native plant and animal life.

The Sky's The Limit organization and Staff, would like to present the basic design concepts to the Planning Commission and the public, and would like to receive comments, input and thoughts before proceeding with the project. Final design of the project will be brought forward to the Planning Commission at a later date.

*"We Create Community Through People, Parks, and Programs."*