



**CITY OF TWENTYNINE PALMS  
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:** January 17, 2006  
**RE:** PC 05-07 - An application by Frank LaChapelle dba Desert Legacy for approval of Tentative Tract Map 17416, the subdivision of 28.83 acres into 104 lots for future development of single-family residences. The project is located on a vacant and previously unimproved site, at the northwest corner of Nicholson Drive and Datura Avenue, Zone RS-4, Section 30, APN # 618-131-05.

**RECOMMENDATION:** Conduct the Public Hearing, consider public comment, adopt the Mitigated Negative Declaration and De Minimis Impact Finding, and approve Tentative Tract Map No. 17416, subject to the attached Conditions of Approval.

**BACKGROUND:** The applicant proposes a 104-lot subdivision in the Single Family Residential (RS-4) land use district. No architecture is proposed at this time. The density of the project, 3.6 dwelling units per acre (du/ac), is less than the maximum allowed density of 4.0 du/ac in the RS-4 land use district.

- | Attachments                      |
|----------------------------------|
| 1. Major Subdivision Application |
| 2. Locator Map                   |
| 3. Draft Negative Declaration    |
| 4. DeMinimis Impact Finding      |
| 5. Tentative Tract Map #17416    |
| 6. Conditions of Approval        |

Pursuant to Chapter 19.98 of the Development Code (Subdivision regulations), a tentative tract map is subject to approval by the Planning Commission. Once approved by the Commission, the applicant prepares subdivision improvement plans in accordance with the Conditions of Approval. These improvement plans are reviewed by appropriate departments and agencies, including the Fire Department, Regional Water Quality Control Board, Water District, Edison, Gas Company, Verizon, Morongo Basin Transit Authority, School District, City Engineer and Community Development Director. When it has been determined that the plans comply with the conditions of approval, the applicant submits the Final Map to the City Council for approval. Following approval of the Final Map, the applicant records the Final Map with the county and may then begin development and/or sale of the individual lots.

The design and improvement of subdivisions are regulated by Government Code Section 66410 through 66413.5 (the Subdivision Map Act). In the Map Act, the state confers upon the City the power to regulate subdivisions through adoption of local law. The City's subdivision regulations are contained in Chapters 19.94 through 19.112 of the City's development code.

**Project Routing/Notification**

The project was routed to the following agencies and departments for review:

- San Bernardino County Clerk
- Twentynine Palms Water District
- County Sheriff's Department
- County Department of Solid Waste Mgmt.
- County Assessor's Office
- San Bernardino Associated Governments
- PC 05-07 SR1

- City Engineer
- Twentynine Palms Fire Department
- County Environmental Health Division
- County Flood Control District
- County Recorder
- Morongo Unified School District

Southern California Edison Company  
 Verizon  
 Waste Management  
 Morongo Basin Ambulance  
 Regional Water Quality Control Board  
 California Department of Fish & Game  
 MCAGCC

Southern California Gas Co.  
 Adelphia  
 Morongo Basin Transit Authority  
 Air Quality Management District  
 Division of Mines and Geology  
 Joshua Tree National Park  
 State Clearinghouse

Input from these agencies has been reviewed and, where appropriate, incorporated into the attached draft Conditions of Approval for the project.

**Surrounding Land Use, General Plan and Zoning Designations**

	Land Use	General Plan	Zone
Site	Vacant	RS-4	RS-4
North	Residential	RS-2	RS-2
East	High school and vacant	Public and RS-4	Public and RS-4
South	Residential and vacant	RS-4	RS-4
West	Residential and vacant	RS-4	RS-4

**General Plan**

The RS-4 district allows a maximum of four dwelling units per acre and permits a minimum lot size of 7,200 square feet. With a density of 3.6 du/ac the project is less dense than the maximum of 4 du/ac allowed by the General Plan. As designed the project is consistent with the General Plan Land Use Element.

**Zoning**

Lot sizes range from 7,348 square feet to 16,278 square feet in area. The project also complies with minimum lot dimensions. The proposed density, lot sizes and lot dimensions meet the requirements for the RS-4 zone. Therefore, the project is consistent with the Zoning Ordinance.

**Site Characteristics**

The subject site slopes from the northwest portion of the site to the northeast and southeast. The site contains typical desert vegetation and has been used by off-road vehicles.

**Phasing**

The applicant has not proposed phasing of this project. However, the Subdivision Map Act and the City’s subdivision regulations allow phasing. The tentative map for a phased development can be approved with one action. Then, the developer is required to design all offsite improvements (curb & gutter, sidewalks, streets) related to a particular phase, prior to City Council approval of that phase of the Final Map. If the City Council finds that the improvements meet the requirements of the City and the Map Act, Final Map approval is given and the developer may commence sale and development of the lots for that phase.

**Environmental Assessment**

Based on the findings of the Initial Study, a Mitigated Negative Declaration is recommended. Because the project will not impact wildlife resources, a De Minimis impact finding can be made, thereby exempting the application from the California Department of Fish and Game environmental fee. Key issues addressed in the Initial Study are summarized below.

## **Traffic and Circulation**

A traffic impact analysis has been prepared for this project. The study found that the project would generate 909 trip ends per day, with 71 trips during the AM peak and 96 trips during the PM peak hour. In order for the street system to continue to operate at a Level of Service "C" during peak hours, existing roadways adjacent to the project site will be required to be improved, including the following improvements:

- Datura Avenue (40' half street, Collector street);
- Nicholson Drive (30' half street, Local street);
- La Buena Terra (30' half street, Local street);
- Construct interior streets "A", "B", "C", "D" (60' wide, Local streets)
- Connect to existing streets Granite Avenue and Juniper Avenue;
- Provide stop signs at project site access; and
- Traffic signing and striping; and
- Bike paths on all perimeter streets.

Additionally, all interior streets will be constructed to City Standards and will include curb, gutter, sidewalks and connecting street pavement.

## **Transit Service**

The Morongo Basin Transit Authority has reviewed the project and recommends that the applicant provide a bus turn-out, one covered bus shelter with bench and trash receptacle. The specific location will be determined at a later date.

## **Sewage Disposal**

The California Regional Water Quality Control Board (CRWQCB) has reviewed this project and determined that the proposed discharge of sewage effluent from the project poses a threat to ground water quality. To protect against this threat, the applicant proposes to construct the appropriate sewage treatment facility, as required by CRWQCB. As a condition of approval, the applicant will be required to design and receive approval for an on-site sewage treatment facility from CRWQCB, prior to approval of the Final Map.

## **Drainage**

A preliminary drainage study has been prepared for the project. The retention design accommodates storm flows from a 100-year design storm on site in two retention basins. Prior to issuance of a grading permit, the applicant will prepare the final drainage plan, which will receive and conduct offsite and onsite tributary drainage flows through the site in a manner, which will not adversely affect adjacent or downstream properties.

The basins could be designed and improved as multi-use facilities, and serve as pocket parks on the 355 days per year without rain. The Homeowners Association would be responsible for construction and maintenance of these facilities.

## **Biological Resources**

A biological study of the project site was prepared by Circle Mountain Biological Consultants (CMBC). The site is classified as Mojave Desert creosote-white bursage. The study, conducted in accordance with protocol established by the US Fish and Wildlife Service (USFWS) for the threatened desert tortoise, found no evidence of desert tortoise and concluded that desert tortoise is absent from the site. However, as a precaution, the study recommends having a biological monitor at the site during the initial phases of construction (clearing, grubbing and grading) to verify that tortoises are not present. The recommendation is based on the fact that although tortoises were not observed on site, they could appear at a later date. If tortoises were discovered during construction, the California Fish and Game Department would be called to

have a qualified biologist relocate any tortoises from the site. Any relocation would be completed in accordance with USFWES standards.

### **General**

Staff recommends the formation of a Home Owner's Association (HOA) to operate and maintain the common facilities of the project. These facilities include street maintenance, lighting, perimeter walls, landscaping, storm drainage retention basin maintenance, pocket park maintenance and sewage treatment facilities. Formation of the HOA requires approval by the California Department of Real Estate. The formation of the HOA will enable the project to be self-sustaining and not become a burden to the public.

### **Approval**

The Planning Commission is the Approval Authority for the Tentative Map. In taking action to approve, the Commission must find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan. Because the subject property has the RS-4 General Plan land use designation, development of single-family residential units at the proposed density is consistent with the General Plan Land Use Plan.

In considering the application, the Planning Commission should consider the effects of its action upon the housing needs of the region and balance these needs against the public service needs of its residents and available fiscal and environmental resources (Subdivision Map Act Section 66412.3). Because the applicant proposes residential lot development, approval may ultimately result in an increase in available residential lots, could help to expand the supply of available housing with the region, and therefore, will not negatively impact housing for the region.



**CITY OF TWENTYNINE PALMS**  
**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:** January 17, 2006  
**RE:** PC 05-71 - An application by the City of Twentynine Palms for the Downtown Economic Revitalization Specific Plan, Sections 28, 29, 32 and 33.

**RECOMMENDATION:** Open the Study Session, discuss the topics and take public testimony.

**BACKGROUND:** On August 30, 2005, a Joint Study Session of the City Council and Planning Commission was held to discuss a number of Community Development issues, including preparation of the downtown plan. The Planning Commission conducted a kick-off meeting on this subject on September 20, 2005. On December 9 and 10, 2005 a group of Planning Commissioners toured three downtowns, Burbank, Montrose and Pasadena, to study elements common to these successful downtowns.

The Planning Commission seeks input from the community regarding the downtown. The following topics may serve as an organizational frame work for brainstorming. Other topics may be included:

- Existing policies and programs
- Opportunities and challenges
- Land use and economic development
- Parking and circulation
- Pedestrian enhancements
- Infrastructure requirements
- Community standards and design
- Other issues

The following rules should be used for brainstorming sessions:

1. One speaker at a time
2. Respect every speaker
3. There are no bad ideas
4. Ask for clarification when necessary
5. Record all ideas

The next step in this process will be to invite the community to rank and prioritize values related to the downtown at a future meeting in February 2006.

Downtown Revitalization Specific Plan – Action Plan  
PC 05-71  
January 17, 2006

1. Vision statement
  - a. Identity
    - i. Current and future – Business loop, extend retail south of 62
    - ii. Redefine and reframe
  - b. Characteristics to retain
    - i. Village
    - ii. Oasis theme
    - iii. Plaza
    - iv. Downtown as living space
    - v. History
    - vi. Charm
    - vii. Mixed use residential is an important aspect
2. Stakeholders – Residents, Property owners, Business, Chamber, Caltrans
3. Boundaries of study area, redefine as necessary
  - a. Hwy 62 to Donnell Hill, south of 62, 3-4 blocks deep north/south
  - b. Extend Adobe past Two Mile Road, to Manana, include Plaza
  - c. Smoke Tree, a companion piece, future study area
  - d. Four corners area – 1<sup>st</sup> improvements
  - e. Hwy 62 Business loop, Office Commercial, south of 62
  - f. Intersection of Utah/62
4. Timeline - FY 2005-2006
5. Procedure
  - a. Joint City Council and Planning Commission meeting (8/30/05)
  - b. Planning Commission and Staff (9/20/05)
  - c. Workshops
    - i. Public
    - ii. Business community in joint meeting with Chamber
      1. Business
      2. Property owners
  - d. Staff draft plan
  - e. Special studies - Traffic, Economic, Community Design
  - f. City Council review midway
  - g. City Council adoption after preparation by Planning Commission
6. Challenges and Opportunities
7. Existing policies and programs
8. Field trip - What have others done? Pasadena, Monterey, Imperial Beach, Huntington Beach, Long Beach, Montrose, Coronado, Oceanside
9. Circulation
  - a. Pedestrian safety, an immediate and pressing concern
    - i. Ped crossing of Hwy 62
  - b. Highway alignment – study alternatives
    - i. Reroute 62 to one way streets

- ii. Divide highway with median
  - iii. Bulb-outs at intersections
  - iv. Add left hand turn pockets – design
- c. Back streets
- d. Traffic calming, Engineering and enforcement
- e. Traffic signals
- f. Traffic speed
- g. Transit routes, service, infrastructure
- h. Parking to support a growing downtown and mixed uses
- 10. Twentynine Palms Highway (St. Hwy 62)
  - a. Design alternatives
  - b. Reroute
  - c. Assume responsibility from Caltrans
  - d. Parking
- 11. Infrastructure
  - a. Curb gutters sidewalks
  - b. Storm drainage plan
  - c. Centralized parking
  - d. Implementation
- 12. Economic Development
  - a. Existing retail mix and demographics
  - b. Business retention, expansion and recruitment
  - c. Economic niches
  - d. Identify anchors - draws
  - e. Marketing to average consumer – resident and tourist
    - i. Create marketing list for realtors and Chamber of Commerce
  - f. Promote tourism
  - g. Identify opportunities for RDA programs
    - i. Existing storefront improvement program
  - h. Understand consumer demographics
  - i. Market economics study
  - j. Fiscal impact analysis
  - k. Identify elements of transformation
  - l. Sales tax leakage
- 13. Land uses
  - a. Commercial, book stores, galleries, movie theaters
  - b. Office
  - c. Mixed use/ residential (off 62), behind, upstairs, adj. neighborhoods
- 14. Public art
- 15. Community design guidelines
  - a. Land use and development
    - i. Urban design concept Architecture
    - ii. Small town designs
  - b. Aesthetics
  - c. Public spaces
  - d. Circulation

- e. Parking
  - f. Building height, mass, scale, and orientation, two to three story
  - g. Landscape - palms, deciduous trees, limit number of palms to 29 Highway
  - h. Streetscape
    - i. Open space
    - ii. Signage
    - iii. Lighting
    - iv. Beautification
    - v. Street furniture, seating, shade, trash cans
16. Pedestrian friendly environment – aesthetic and functional
    - a. Inviting and walkable
    - b. Clean and safe
    - c. Prioritize pedestrian safety
    - d. Seating
    - e. Shade
  17. City Hall/Civic Center as focal point
  18. CEQA documentation, MND
  19. Legal requirements (Section 65451)
    - a. Land use plan
    - b. Utilities and public transportation
    - c. Development standards
    - d. Implementation measures
    - e. Statement of relationship to General Plan (consistency)
    - f. Optional subjects
    - g. Plan implementation fee
    - h. CEQA exemption for projects consistent with plan
  20. Implementation
  21. Method of adoption - Resolution or Ordinance