

**TWENTYNINE PALMS PLANNING COMMISSION
CITY COUNCIL CHAMBER, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, NOVEMBER 17, 2009
6:00 P.M.**

AGENDA

**1.0 CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**

2.0 SPECIAL ANNOUNCEMENTS – This meeting will be televised on Cable TV Channel 10 Monday, November 23, 2009 at 6:30 p.m. and Friday, November 27, 2009 at 6:30 p.m.

3.0 MINUTES

- 3.1 October 6, 2009 Planning Commission Meeting Minutes
- 3.2 October 20, 2009 Planning Commission Meeting Minutes

4.0 CONSENT CALENDAR - None

5.0 ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION - None

6.0 PUBLIC COMMENTS – There will be a time limitation of three minutes per person. Please fill out name and address slips and give to the Deputy City Clerk.

6.1 This is the time for comments from the public on any subject within the Planning Commission's jurisdiction not on the agenda. Comments on agenda items will be taken when the item is considered. The Brown Act prohibits the Planning Commission from responding at length to questions on matters not on the agenda. Matters may, however, be referred to staff for scheduling on a future agenda.

7.0 PUBLIC HEARINGS

7.1 PC 09-68 - An Appeal of the Community Development Director's determination that a Medical Marijuana "facility" is not a use listed within Table 19.10-A "Permitted and Conditional Uses". The property in question is located at 74017 Twentynine Palms Highway (APN 0617-221-18) within the City of Twentynine Palms.

RECOMMENDATION

Conduct the Public Hearing, consider public comment and uphold the determination of the Community Development Director that a Medical Marijuana facility is not a use listed within Table 19.10-A "Permitted and Conditional Uses" and, therefore, is not a permitted use within the General Commercial zoning district.

7.2 PC 09-74 - An amendment to Chapter 19.10 "Commercial Districts", Table 19.10-A "Permitted and Conditional Uses" and Chapter 19.12 "Service Commercial and (CS) Community Industrial (IC) Districts", Table 19.12-A "Permitted and Conditional Uses" of the "Development Code" of the City of Twentynine Palms establishing Medical Marijuana facilities as either a permitted use, a use subject to Temporary/Conditional Use Permit approval or a use that is expressly prohibited within the City of Twentynine Palms.

RECOMMENDATION

Conduct the Public Hearing, consider public comment and adopt PC Resolution 09-23 forwarding a recommendation that the City Council determine that PC 09-68 is Exempt from further environmental review and adopt the proposed changes to Chapter 19.10 “Commercial Districts”, Table 19.10-A “Permitted and Conditional Uses” and Chapter 19.12 “Service Commercial and (CS) Community Industrial (IC) Districts”, Table 19.12-A “Permitted and Conditional Uses” of the “Development Code”.

- 7.3 PC 09-47 - Mr. Maurice Pegorelli of MP Investments is requesting a Conditional Use Permit, Parcel Merger and Vacation of Right-of-Way. The Conditional Use Permit is for the phased conversion of an existing used furniture store to a lounge (to include live music and espresso bar), a billiard hall, retail shop, banquet dining facilities, food service, restroom, storage and office areas. The project is located at 5864 Adobe Road.

RECOMMENDATION

Conduct the Public Hearing, consider public comment, find the project Categorically Exempt pursuant to CEQA, adopt Planning Commission Resolution 09-21 and recommend that the City Council approve the project subject to the draft Conditions of Approval.

- 7.4 PC 08-53 - Jose Martinez of Yucca Valley is proposing a Conditional Use Permit to allow a used car sales lot at 4004 Adobe Road.

RECOMMENDATION

Conduct the Public Hearing, consider public comment, find the project Categorically Exempt pursuant to CEQA, adopt Planning Commission Resolution 09-20 and approve the project subject to the Conditions of Approval.

- 7.5 PC 09-64 - A City initiated amendment to Title 19 “Development Code” of the City of Twentynine Palms Municipal Code by the addition of a new Chapter 19.57 “Farmers’ Market” regarding the standards and criteria applicable to such markets.

RECOMMENDATION

Conduct the Public Hearing, consider public comment and continue PC 09-64 to a date certain, returning with a draft PC Resolution 09-18 to forward a recommendation that the City Council determine that PC 09-64 is Exempt from further environmental review and adopt the proposed addition of Chapter 19.57 “Certified Farmers’ Market, Open Air Market, Craft or Job Fair” to the “Development Code”.

8.0 REPORTS, REQUESTS AND COMMUNICATIONS – None

9.0 FUTURE AGENDA ITEMS

10.0 COMMISSION COMMENTS/STAFF

- 10.1 Discussion on recently reviewed General Plan Update Guiding Principals

11.0 STUDY SESSION – None

12.0 ADJOURNMENT

It is the intention of the City of Twentynine Palms to comply with the American with Disabilities Act (ADA) in all respects. If you are a person with a disability who requires a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, please request such modification or accommodation from the City Clerk at (760) 367-6799 (telephone) or (760) 367-4890 (facsimile). Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting. Please advise us at that time whether you will require accommodations to participate in meetings on a regular basis. Any person affected by any application on this agenda may submit their concerns in writing prior to the meeting or appear in person and be heard in support of or opposition to the proposal at the time the matter is considered. Staff reports, applications and environmental documents may be reviewed at the office of Community Development, 6136 Adobe Road, between the hours of 7:00 a.m. and 6:00 p.m., Monday through Thursday, except legal holidays. Telephone inquiries may be made to (760) 367-6799.

If you challenge any item on this agenda in court, you may be limited to raising only those issues that you or someone else raised at the public meeting described in this notice, or in written correspondence delivered to the City of Twentynine Palms at, or prior to, the public meeting.

This notice of Agenda is hereby certified to have been posted on or before 3 p.m., November 12, 2009.

Jacqueline Palmer, Deputy City Clerk

Time/Date