

**CITY OF TWENTYNINE PALMS  
PLANNING COMMISSION**

**MINUTES**

**Regular Planning Commission Meeting**

Tuesday, February 1, 2005, 6:00 P.M.

Twentynine Palms City Hall

6136 Adobe Road

Twentynine Palms, California

**1.0 CALL TO ORDER** – Chairman Stone called the meeting to order at 6:00 p.m.

**PLEDGE OF ALLEGIANCE** – Chairman Stone led the Pledge of Allegiance.

**ROLL CALL** - The following Commissioners were present: Caplinger, Masterson, Mintz, Rinkes and Chairman Stone.

**2.0 SPECIAL ANNOUNCEMENTS** - None

**3.0 APPROVAL OF MINUTES** - On a motion of Commissioner Caplinger, seconded by Chairman Stone and carried with a 5-0 voice vote, the minutes of the January 18, 2005 regular meeting were approved.

**4.0 PUBLIC COMMENTS** – None

**5.0 PUBLIC HEARINGS**

**5.1 PC 04-52**

Development Code update, review of chapters 19.07 Rural Living (RL), 19.08 Single Family Residential (RS), 19.09 Multi-family Residential (RM), 19.10 Commercial Districts (CG, CO, CT, and CN), 19.12 Service Commercial (CS) and Community Industrial (IC), 19.14 Open Space Residential (OSR), 19.15 Public (P), 19.20 General Plan Amendments, 19.40 Application Process and Submittal Requirements, 19.44 Public Hearing Notice, 19.48 Accessory Uses, 19.66 Commercial Vehicle Parking, and 19.70 Lighting Standards.

**RECOMMENDATION:** Conduct the Public Hearing and formulate a recommendation to the City Council regarding the Development Code Amendment.

Commissioner Stone opened the Public Hearing.

Director Corbin presented a staff report.

Jim Thompson, Twentynine Palms Fire Department, spoke in opposition to item 5.1.

Dan O'Brien, Twentynine Palms, asked what the existing rule is for underground utilities. He spoke about several different properties that had overhead utilities, and he wanted to know what the mitigation would be.

Director Corbin referred Mr. O'Brien to section 19.09.070. He said that it was an error on staff's part that was brought up at the last meeting. He said if the Planning Commission wants anything changed then he needs direction.

Granton Mark, Twentynine Palms, said that utilities might be better above ground.

Chairman Stone closed the Public Hearing.

Chapters 19.07, 19.08, and 19.14 have text regarding undergrounding utilities. The Commission recommendation is that this requirement is to apply to subdivisions, not to infill development. Accordingly, the Planning Commission directed staff to modify the text to require undergrounding of utilities for residential projects only in cases where a subdivision is proposed. Per the Planning Commission recommendation, subdivisions of more than four dwelling units will be required to underground all utility service; subdivision of up to four will be required to underground onsite utility service (from the pole to the structure) and those utilities in the public right-of-way are to be consistent with the existing surrounding improvements.

Chapter 19.09 Multi-family Residential (RM) – The Planning Commission recommends that the triggering mechanism for multi-family development be the number of units, whether or not a subdivision is proposed. Per the recommendation, new projects of more than 45 units will be required to underground all utility service. Projects of five to 45 units will be required to underground onsite utility service (from the pole to the structure) but utilities in the public right-of-way are to be consistent with the existing surrounding improvements. The code will be silent on this issue regarding multi-family developments of one to four units and this means that there will be no requirements for undergrounding utilities for such development.

Chapters 19.10 and 19.12 The Planning Commission recommendation is that the residential standards applicable to residential development be added to Chapters 19.10 and 19.12, indicating that the residential standards are applicable to residential development "if allowed" per the Code.

The Planning Commission recommendation is to re-establish the 50% height allowance for specified uses and add to the list "communications towers."

Outdoor Storage - The Planning Commission recommendation is deletion of “tow yards” from the listing of uses subject to the standard and the addition of “...or chain-link fencing with slats...” to the standard to allow screening to be either a solid block wall or chain-link fencing with slats.

Chairman Stone re-opened the Public Hearing.

Holly Griffin, Twentynine Palms, asked why a CUP is needed to install brakes, electrical, etc., but a CUP is not required to install automobile stereos.

Joe Breuer, Twentynine Palms, asked what the difference is between a muffler shop requiring a CUP and trailer hitch shop requiring a CUP.

Chairman Stone closed the Public Hearing.

Chapter 19.10 – The Planning Commission recommendation is that the Code include the eight unit per acre limitation on residential development, where allowed.

Table 19.10-A of the Development Code establish permitted and conditional uses. Per the table “automotive stereo and sound system installation” is a conditional use. The Planning Commission recommendation is revision of this section of the Code to make such uses permitted.”

Chapter 19.12 – The Planning Commission recommendation is to amend Chapter 19.12 to state that the Desert Southwest theme is required in the CS land use district for properties visible from Adobe Road, north of Twentynine Palms Highway and encouraged in other CS areas.

The Planning Commission recommendation is to amend Section 19.20.050 to make the Planning Commission the Approval Authority for denial of General Plan Amendments. The affect of this change, if adopted, is that the Planning Commission denial of a General Plan Amendment would be a final action, avoiding a situation where Council is asked to approve a General Plan Amendment that is not recommended for approval by the Planning Commission. It would, however, leave intact the provision for an applicant to appeal a Planning Commission denial of a proposed General Plan Amendment.

19.44 Public Hearing Notice - The Planning Commission is recommending that the requirement for increased notification for larger parcels be removed from the Code.

The Planning Commission recommendation is that Section 19.48.030 be expanded, adding subsection (E)(6) to state: Placement/use of sea-going cargo

containers and similar storage devices for institutional or nonconforming commercial uses shall comply with requirements.

Section 19.48.060, regulating accessory residential dwellings is also recommended for modification to avoid conflict in the Code.

19.66 Commercial Vehicle Parking – The Planning Commission is recommending modifications to the Chapter to provide an exemption for on-call tow trucks.

Section 19.66.010 establishes the purpose of the Chapter. The modification is the addition of a sentence that states, “This Chapter is applicable only to commercial vehicles with an unladen weight of 10,000 pounds or more.”

To avoid a situation where a conflicting interpretation could result, the Planning Commission recommendation is to insert additional text, as shown in *italics* in the attached draft.

19.70 Lighting Standards – The Planning Commission’s revised recommendation is to delete references to light trespass as a result of light intensity measurement and instead have the focus of the regulation be on shielding. The revised recommendation is that the chapter will apply to all lighting fixtures, allowing a compliance period for existing fixtures. Per the recommendation, all property owners are given a one-year compliance period. Staff level approval of up to three one-year extensions may be granted if compliance would cause a financial hardship. In cases where an extreme hardship exists, the Planning Commission could approve additional time extensions.

Chairman Stone reopened the Public Hearing.

Valerie Driscoll, asked where the funds are to enforce the Light Ordinance.

Alex Nichols, Twentynine Palms, said that the Tom Nichol Field has very bright lights.

Geri Hagman, Twentynine Palms, said that the Observatory is a huge asset, and they need to protect it. She said information should be handed out about the Light Ordinance.

Esther Herbert, Twentynine Palms, said that the light needs to be shielded aimed straight down.

Granton Mark, Twentynine Palms, said that he is all for the night sky.

Pat Flanagan, Twentynine Palms, said that neighbors should talk to each other about lights if they are a problem. She said that the lights should be shielded so they do not shine into someone's eyes.

D.J. Masker, Twentynine Palms, said that porch lights are not shielded.

Chairman Stone closed the Public Hearing.

Chairman Stone called for a 15 minute recess at 8:00 p.m.

The meeting was reconvened at 8:15 p.m.

Chairman Stone opened the Public Hearing.

D.J. Masker suggested that Building and Safety check on lighting.

Geri Hagman, suggested that people be given a time frame to change their lights.

Chairman Stone closed the Public Hearing.

On motion of Commissioner Caplinger, seconded by Commissioner Stone and carried with a 5-0 roll call vote, the Planning Commission approved recommending the adoption of the Development Code Amendment with the recommended changes.

## **6.0 OTHER HEARINGS**

### **6.1 PC 05-02**

Adoption of a policy regarding requirements for traffic studies for development projects.

**RECOMMENDATION:** Review the draft policy and formulate a recommendation to the City Council.

Director Corbin presented a staff report.

Chairman Stone opened the Hearing. There were no requests to speak and Chairman Stone closed the Hearing.

Commissioner Rinkes asked what would happen to the traffic reports.

Director Corbin explained the uses of a traffic report and how they form the basis for staff recommendations on street improvements.

On a motion of Commissioner Caplinger, seconded by Chairman Stone, and carried with a 5-0 voice vote the Planning Commission recommended sending the traffic study policy to the City Council on February 22, 2005.

**7.0 STUDY SESSIONS** - None

**8.0 FUTURE AGENDA ITEMS** - None

**9.0 ADJOURNMENT** – the Planning Commission meeting adjourned at 8:48 p.m.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk