

**TWENTYNINE PALMS PLANNING COMMISSION
CITY COUNCIL CHAMBER, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, APRIL 4, 2006
6:00 P.M.**

MINUTES

- 1.0 **CALL TO ORDER** – Chairman Stone called the meeting to order at 6:00 p.m.
PLEDGE OF ALLEGIANCE – Commissioner Caplinger led the Pledge of Allegiance.
ROLL CALL – The following Commissioners were present: Caplinger, Easter, Mintz, Rinkes and Chairman Stone.

- 2.0 **SPECIAL ANNOUNCEMENTS** - This meeting will be televised on Cable TV Channel 6 Wednesday, April 5, 2006 at 7:00 p.m. and Sunday, April 9, 2006 at 1:00 p.m.

- 3.0 **CONSENT CALENDAR**
 - 3.1 Approval of Minutes of the March 7, 2006 regular meeting
 - 3.2 League of Cities, Planner Institute conference materials
 - 3.3 Smart Code and Manual
 - 3.4 News Clip

On a motion made by Commissioner Rinkes, seconded by Commissioner Caplinger and carried with a 5-0 voice vote, the Consent Calendar was approved as submitted.

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

- 5.0 **PUBLIC COMMENTS** – None

- 6.0 **PUBLIC HEARING** -
 - 6.1 PC 06-35 – Appeal of administrative ruling directing property owner to remove eight dogs from premises at 73223 Sun Valley Drive, in excess of two dogs allowed per residence in the RS-4 zone, Section (APN# 0618-193-11).

Chairman Stone opened the Public Hearing.

Community Development Director Meyerhoff (Director Meyerhoff) presented a staff report to the Commissioners, with a recommendation to uphold the Hearing Officer's recommendation.

Michael Billings, Twentynine Palms, said that eight of his dogs are 10 years old and two of them are 12 years old. He said that the City has known about the dogs all along. He said since the complaint came in about the dogs barking he brings them in every night and the problem is now resolved. He said that he circulated a petition and got 800 signatures on it of his neighbors who thought he should be allowed to keep the dogs. He said that he would like to see his dogs live out their lives. Until he received notice from the City he was never told he was over the limit with the number of dogs he had on his property.

Commissioner Caplinger asked if Mr. Billings ever walk his dogs on a leash.

Mr. Billings responded that said that he walks two at a time.

Vice Chairman Mintz asked Mr. Billings if he was treated fairly during this process.

Mr. Billings said that yes, he was, and Animal Control Officer Rick Boyd was very professional.

Commissioner Caplinger asked Mr. Billings if he would allow the authorities to come and remove the dogs if necessary.

Mr. Billings said that he would have the dogs placed somewhere else and then he would start a recall movement.

Gilbert Moreno, Twentynine Palms, said that he verified everything that Mr. Billings had said. He said that the dogs may bark when Mr. Billings returns home, but not for longer than 30 seconds. He said that he never heard complaints from the neighborhood kids, and he said the dogs are very docile. He said that Mr. Billings should be allowed to keep his dogs.

Mel Berlin, Twentynine Palms, stated he never heard the dogs. He said that he has seen all ten dogs at once, and Mr. Billings was very diligent in cleaning up after the dogs. He said that he would hate to see the animals put down and he wished Mr. Billings luck.

Gregory Veals, Twentynine Palms, said that he hopes the City will allow Mr. Billings to keep the dogs.

Joanne Barnett, Twentynine Palms, said that seven of the dogs were born less than 5 years ago, and the dogs were not as old as Mr. Billings claimed. She said that the barking did not bother to.

Chairman Stone asked for a call of hands and observed that the majority or people were in favor of Mr. Billings keeping his dogs.

Following discussion, the Planning Commission consensus was to allow Mr. Billings to keep his animals with the following stipulations: 1) The property owner, Mr. Billings is not to acquire any additional dogs, 2) The dogs would be allowed to expire naturally due to their advanced age; 3) Mr. Billings must ensure that the dogs do not create any future nuisance to any neighbor or any other person, 4) If the dogs constitute a nuisance in the future, the dogs may be removed from the property; and 5) Mr. Billings must screen the rear yard from view from the right of way.

7.0 OTHER HEARINGS - None

8.0 STUDY SESSION –

8.1 Downtown revitalization Specific Plan update

8.2 Sign Code update

- 8.3 Equestrian District
- 8.4 Code Enforcement update
- 8.5 Citywide Traffic Study update

The Commissioners opened the study session, took public testimony, reviewed the recommendations and provided Staff with direction.

9.0 FUTURE AGENDA ITEMS - This is the time for Planning Commissioners to place items on a future agenda.

10.0 COMMISSION COMMENTS/ STAFF COMMENTS – This is the time for comments from the Planning Commissioners on any subject.

10.1 Planners Institute update

Commissioner Caplinger thanked the City for allowing the Planning Commission to attend the Planner’s Institute. He said that three of the Planning Commissioners were able to meet their requirements for the Ethics Training, while attending the conference.

10.1 Ethics training

Director Meyerhoff reported that three Commissioners, himself and Brenda Simmons have completed the ethics training, per the State requirement of AB1234.

11.0 ADJOURNMENT – The Planning Commission meeting adjourned at 7:17 p.m.

Respectfully submitted,

Charlene L. Sherwood CMC City Clerk