

**TWENTYNINE PALMS PLANNING COMMISSION
CITY COUNCIL CHAMBER, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
WEDNESDAY, SEPTEMBER 16, 2009
6:00 P.M.**

MINUTES

- 1.0 CALL TO ORDER-** Vice Chair Caplinger called the meeting to order at 6:02 p.m.
PLEDGE OF ALLEGIANCE- Commissioner Alderson led the Pledge of Allegiance.
ROLL CALL- The Following Commissioners were present: Alderson, Caplinger, Mintz and Rinke. Community Development Director LaClaire (Director LaClaire) announced Chair Easter was no longer a member of the Planning Commission as his resignation that had become effective when accepted by the Mayor. He said the City Council's task force is looking into seating a new Commissioner.
- 2.0 SPECIAL ANNOUNCEMENTS** – Vice Chair Caplinger announced this meeting will not be televised on Cable TV.

3.0 MINUTES

- 3.1 August 18, 2009 Planning Commission Minutes
- 3.2 September 2, 2009 Planning Commission Meeting Minutes

ACTION: On a motion made by Councilmember Mintz, seconded by Councilmember Alderson and carried with a 4-0 roll call vote, the Planning Commission approved the Minutes as presented.

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

5.0 PUBLIC COMMENTS- None

6.0 PUBLIC HEARINGS

Director LaClaire suggested addressing item 6.2 first as it was being proposed to be a continued item and there were people in attendance waiting to hear the discussion on the item.

Vice Chair Caplinger agreed to move item 6.2 to the beginning of the Public Hearings.

- 6.2 PC 09-58 - An Appeal of the Community Development Director's determination of the "Non-Conforming" status of a land use activity on a roughly 2.4 acre property with a General Plan designation of "Residential – Rural Living" and a Zoning designation of Rural Living One Dwelling Per Acre. The property in question is located approximately 1,675 feet west of the centerline of Adobe Road along the south side of Indian Trail, further described as 73441 Indian Trail (APN 0620-121-04).

RECOMMENDATION: Conduct the Hearing, consider public comment, determine that the request is Exempt from further Environmental review and adopt PC Resolution 09-18 supporting the Director's determination of the non-conforming status of the property located at 73441 Indian Trail (APN 0620-121-04).

Director LaClaire announced the applicant requested a continuance of this request until the next regularly scheduled Planning Commission meeting to allow the applicant time to review and respond to the Public Hearing report.

Vice Chair Caplinger opened the Public Hearing.

There were no requests to speak from the public.

ACTION: On a motion made by Commissioner Mintz, seconded by Commissioner Rinkes and carried with a 4-0 roll call vote, the Planning Commission continued the item to the next regularly scheduled Planning Commission meeting on October 6, 2009.

6.1 PC 09-61 - A Development Code Amendment to amend Title 19 "Development Code" of the City of Twentynine Palms Municipal Code, Chapter 19.32 "Temporary Use Permits", Section 19.32.060 "Approval Authority – Administrative Temporary Use Permit" regarding the standards and criteria applicable to Temporary Sidewalk Sales and Outdoor Displays.

RECOMMENDATION: Conduct the Hearing, consider public comment, determine that the request is Exempt from further Environmental review and adopt PC Resolution 09-17 forwarding a recommendation that the City Council amend Section 19.32.060 "Approval Authority – Administrative Temporary Use Permit" of the Code regarding the standards and criteria applicable to Temporary Sidewalk Sales and Outdoor Displays.

Director LaClaire presented a brief staff report to the Planning Commission.

Vice Chair Caplinger opened the Public Hearing.

Vice Chair Caplinger closed the Public Hearing after there were no requests to speak.

Commissioner Rinkes said she felt that there were no changes to be made to what staff had written.

Vice Chair Caplinger suggested an addition to the wording to add something in reference to artwork.

Director LaClaire responded the language was included on page 2 of 14 under proposed language section C paragraph 2 which could be changed to state, "all merchandise displayed or made available outside an enclosed building shall consist of new items, original artworks, collectables and/or antiques (as defined herein) and new hand-made crafts.

Vice Chair Caplinger said he asked staff to consider the wording due to the community being an art community.

Commissioner Rinkes asked if sculptures were also included and that artwork was not being limited just included into the Code.

Director LaClaire responded this was correct and that sculptures were included.

ACTION: On a motion made by Commissioner Mintz, seconded by Commissioner Rinkes and carried with a 4-0 roll call vote, the Planning Commission determined that the request is Exempt from further Environmental review and adopted PC Resolution 09-17 forwarding a recommendation that the City Council amend Section 19.32.060 "Approval Authority-Administrative Temporary Use Permit" of the Code regarding the standards and criteria applicable to Temporary Sidewalk Sales and Outdoor Displays.

7.0 REPORTS, REQUESTS AND COMMUNICATIONS

- 7.1 Interpretation of Development Code Chapter 19.82 regarding driveway parking to meet the uncovered parking stall requirement for RM zones.

Director LaClaire presented a brief staff report to the Planning Commission. He said the development code will not allow required parking to be located within the area between a garage opening for a multifamily project and a driveway that is utilized by that multifamily project.

By Consensus, the Planning Commission the development code will not allow required parking to be that area between a garage opening for a multifamily project and a driveway that is utilized by that multifamily project.

8.0 FUTURE AGENDA ITEMS– None

9.0 COMMISSION COMMENTS/STAFF COMMENTS

Commissioner Rinkes asked if a workshop could be conducted at the end of the meeting on October 6, 2009 regular meeting of the Planning Commission regarding Vacation Home Rentals.

Commissioner Rinkes suggested the Commission could keep control of the workshop time by doing each section one at a time, stopping as they felt appropriate.

Director LaClaire agreed the Planning Commission could take each proposed section by section, stopping as they wished.

Director LaClaire said a new Vice Chair could be elected at the next Planning Commission meeting due to Vice Chair Caplinger taking over the Chair position.

10.0 STUDY SESSION- None

11.0 ADJOURNMENT- Vice Chair Caplinger adjourned the meeting at 6:25 p.m.

Respectfully Submitted,

Jacqueline Palmer, Deputy City Clerk