

**TWENTYNINE PALMS PLANNING COMMISSION
CITY COUNCIL CHAMBER, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
WEDNESDAY, MARCH 17, 2010
6:00 P.M.
MINUTES**

SPECIAL MEETING

- 1.0 CALL TO ORDER-** Commissioner Mintz called the meeting to order at 6:00 p.m.
PLEDGE OF ALLEGIANCE- Vice Chair Rinkes led the Pledge of Allegiance.
ROLL CALL- The following Commissioners were present: Alderson, Caplinger, Rinkes and Mintz. Commissioner Easter had an excused absence.
- 2.0 SPECIAL ANNOUNCEMENTS** – Chair Mintz announced this meeting will be televised on Cable TV Channel 10 Monday, March 22, 2010 at 6:30 p.m. and Friday, March 26, 2010 at 6:30 p.m.
- 3.0 MINUTES**
- 3.1 The February 16, 2010 Planning Commission Meeting Minutes.
3.2 The March 2, 2010 Planning Commission Meeting Minutes.

ACTION: On a motion made by Vice Chair Rinkes, seconded by Commissioner Alderson and carried with a 4-0-1 roll call vote (Easter absent) the Planning Commission approved the February 16, 2010 and March 2, 2010 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 – None**
- 7.0 PUBLIC HEARINGS**
- 7.1 PC 09-83 – A request to amend the Development Code by the creation of a new Chapter 19.145 “Planned Unit Development”, establishing the standards and criteria to process and consider an overlay which would allow a concentration/clustering of residential development within a defined and confined portion of a property within any residential zoning district. (Continued from February 16 and March 2, 2010.)

RECOMMENDATION - Conduct the Public Hearing, consider public comment and adopt PC Resolution 10-05 forwarding a recommendation that the City Council determine that PC 09-83 is Exempt from further environmental review and adopt the proposed change to Title 19 “Development Code” by the addition of a new Chapter 19.145 “Planned Unit Development”.

Community Development Director LaClaire (Director LaClaire) presented a staff report to the Planning Commission. He presented two illustrations to the Planning Commission regarding Hillside Slopes and the FEMA Flood Zones and Earthquake Fault

Chair Mintz re-opened the continued Public Hearing.

Chair Mintz closed the Public Hearing after there were no requests to speak from the public.

Vice Chair Rinkes asked if it was the developer's responsibility to find an appropriate organization that would hold the land in trust.

Director LaClaire responded this was correct. He said the developer may already have a relationship with an existing organization that may take that land for a preserve. Any such organization would have to be a legally established nonprofit entity accepted by the City prior to the approval of the PUD. Alternatively, the City could create an independent, nonprofit corporation, not controlled by the City, and allowing land to be placed with this organization but which could not be taken back by the City. He said the City can form an organization, but it must be independent from City control. He said the issue regarding a City trust has not yet been raised to the City Council for consideration.

Director LaClaire said the issue regarding the duration of PUD's had been raised previously by a member of the public, and although alternative language is presented within the draft language, his recommendation to the Planning Commission is still two years.

Commissioner Alderson asked if the land was going to a trust, when it would become official and if the PUD were to fall through would the land be given to that trust.

Director LaClaire responded that as soon as the tentative tract map was recorded, the transfer would be official. He said with the recordation of the map the title is then recorded to that particular organization, he said if the map is never recorded the land is never transferred.

ACTION: On a motion made by Commissioner Caplinger, seconded by Vice Chair Rinkes and carried with a 4-0-1 roll call vote (Easter absent) the Planning Commission adopted PC Resolution 10-05 forwarding a recommendation that the City Council determine that PC 09-83 is Exempt from further environmental review and adopt the proposed change to Title 19 "Development Code" by the addition of a new Chapter 19.145 "Planned Unit Development".

8.0 REPORTS, REQUESTS AND COMMUNICATIONS - None

9.0 FUTURE AGENDA ITEMS - None

10.0 COMMISSION COMMENTS/STAFF

Chair Mintz thanked the Planning Commission and staff for changing the date of the regularly scheduled Planning Commission meeting.

11.0 STUDY SESSION –

- 11.1 A Study Session to discuss a possible amendment to Title 19 “Development Code” of the City of Twentynine Palms Municipal Code, Chapter 19.48 “Accessory Structures”, Section 19.48.050 “Accessory Uses in Industrial Districts” regarding the current standards and criteria applicable to the placement of “sea-going cargo containers and similar storage devices” within the City of Twentynine Palms.

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

The Planning Commission discussed each question within the staff report, giving guidance to staff.

Frank Thomas, Twentynine Palms, spoke in favor of sea going cargo containers.

The Planning Commission directed staff to move forward with a code amendment and bring it back to the Planning Commission as a Public Hearing at a future Planning Commission meeting.

12.0 ADJOURNMENT- Chair Mintz adjourned the meeting at 7:09 p.m.

Respectfully Submitted,

Jacqueline M. Palmer, Deputy City Clerk