

CITY OF HIGHLAND REGULAR MEETING OF THE PLANNING COMMISSION AGENDA

MEMBERS

Randall Hamerly, Chair
Chandra Thomas, Vice Chair
Edward Amaya, Commissioner
Jarrod Miller, Commissioner
Jessica Sutorus, Commissioner

REGULAR MEETING

June 15, 2021
6:00 p.m.
City Hall
Donahue Council Chambers
27215 Base Line
Highland, California

STAFF

Lawrence A. Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Ashiq Syed, Associate Planner
Salvador Quintanilla, Associate Planner
Angela Tafolla, Planning Technician II
Camille Goritz, Administrative Assistant III

MISSION STATEMENT

Highland is dedicated to the betterment of the individual, the family, the neighborhood and the community. The City Council and the staff of Highland are dedicated to providing the quality of public facilities and services that its citizens are willing to fund and will do so as efficiently as possible.

Visit the City's Website at: www.cityofhighland.org

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The City of Highland complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the City Clerk's Office at (909) 864-6861 Ext. 226, at least 48 hours prior to the meeting.

Pursuant to Government Code Section 54957.5, any disclosable public records related to an open session item on a regular meeting agenda and distributed by the City of Highland to all or a majority of the Planning Commission, less than 72 hours prior to that meeting, are available for public inspection at Highland City Hall, 27215 Base Line, Highland, CA 92346, during normal business hours.

This meeting is being held in person. Please be advised, facial coverings or masks must be worn in the Council Chambers. If you do not have a facial covering or mask, one will be provided to you. The number of persons permitted in the Council Chambers will be limited to the available seats in order to adhere to social distancing guidelines. Temperature checks will be taken prior to entering the Council Chambers.

If there are no available seats in the Council Chambers, accommodations will be made for members of the public to listen to the meeting outside the Council Chambers. Seating will not be provided outside the Council Chambers.

Submission of Public Comments: To limit the number of persons in the Council Chambers, the public is encouraged to make public comments by email rather than in person. For those wishing to make public comments by email to be read aloud at the meeting by the Community Development Administrative Assistant. Email comments must be submitted by 5:00 p.m. on June 15, 2021 to publiccomment@cityofhighland.org.

For those wishing to make a public comment regarding a public hearing item, please identify the agenda item in the subject line. Comments can be submitted any time prior to the meeting, as well as during the meeting up until the end of the corresponding item. Please email your comments to publiccomment@cityofhighland.org.

Members of the public will be permitted to make public comments in person.

**PLANNING COMMISSION
REGULAR MEETING AGENDA
June 15, 2021 - 6:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

To address the Planning Commission, please complete a speaker form located at the entrance and give it to the Administrative Assistant prior to the beginning of the meeting. Your name will be called when it is your turn to speak. Individual speakers are limited to three minutes each.

Comments received via email by June 15, 2021, 5:00 p.m., will be read into the record, provided that the reading shall not exceed three (3) minutes.

CONSENT CALENDAR

1. Minutes from the June 1, 2021 Regular Meeting.
RECOMMENDATION: That the Planning Commission approve the minutes, as submitted.

PUBLIC HEARING

2. A request for a one-year Extension of Time (EOT) No. 21-001 for Tentative Tract Map No. 19915 (TTM No. 14-004) and Conditional Use Permit (CUP) No. 15-001 facilitating Highland Park Planned Development (SPR No. 15-001) for a residential community, consisting of 46 single-family residential lots, one neighborhood park/water quality basin, roadways, and two (2) lettered landscaped lots. (29300 Base Line)

RECOMMENDATION: Staff recommends the Planning Commission adopt Resolution No. 21-____, recommending the City Council approve Extension of Time No. 21-001 subject to the Conditions of Approval and Findings of Fact.

3. Design Review Application (DRA 21-008) for the reconstruction of a restaurant with a drive-thru lane, onsite parking, and landscaping on a 12,000 square foot parcel. (26468 Base Line)

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution 2021 – ____ approving Design Review Application (DRA 21-008) for the reconstruction of a restaurant with a drive-thru lane, onsite parking, and landscaping, subject to the Conditions of Approval and Findings of Fact.
2. Direct staff to file a Notice of Exemption with the County Clerk of the Board of Supervisors.

4. An Ordinance amending Title 16 (Land Use and Development Code) of the Highland Municipal Code, Chapter 16.06 (Definitions), Chapter 16.16 (Residential Districts), and Chapter 16.44 (Specific Development Standards) regarding Accessory Dwelling Units ("ADUs") and Making Findings Under CEQA.

RECOMMENDATION: The Planning Commission adopt Resolution No. 2021-____ recommending the City Council:

1. Introduce Ordinance No.____, an Ordinance of the City of Highland regarding Accessory Dwelling Units, and making the findings of exemption under section 15282(h) of the California

Environmental Quality Act Guidelines, and Public Resources Code Section 21070.17; and

2. Direct staff to file a Notice of Exemption with the County Clerk of the Board.

ANNOUNCEMENTS

ADJOURN

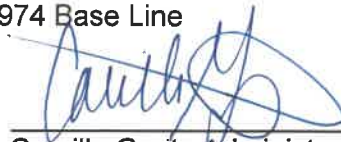
I, Camille Goritz, Administrative Assistant III of the City of Highland, California, certify that I caused to be posted this agenda on or before the 10 of June 2021 by 5:30 p.m. on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library
7863 Central Avenue

Fire Station No. 1
26974 Base Line

City Hall
27215 Base Line

Date: June 10, 2021



Camille Goritz Administrative Assistant III



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: June 15, 2021

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Camille Goritz, Administrative Assistant III *(CG)*

SUBJECT: Minutes from the June 1, 2021 Planning Commission Regular Meeting.

RECOMMENDATION: Staff recommends the Planning Commission approve the Minutes as submitted.

PUBLIC NOTICE: The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

Approved _____	Motion _____	Second _____	Agenda Item No. _____
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
 Recording Secretary		 Community Development Director	

MINUTES
PLANNING COMMISSION REGULAR MEETING
June 1, 2021 – 6:00 P.M.

CALL TO ORDER

The regular meeting of the Planning Commission of the City of Highland was called to order at 6:00 p.m. by Chair Hamerly at the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present:	Chair	Randall Hamerly
	Commissioner	Jarrod Miller
	Commissioner	Jessica Sutorus

Absent:	Vice Chair	Chandra Thomas
	Commissioner	Edward Amaya

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Ash Syed, Associate Planner
Matt Bennett, Assistant Public Works Director
Matt Wirz, Building Official
Camille Goritz, Administrative Assistant III
Scott Rice, Landscape Architect

The Pledge of Allegiance was led by Chair Hamerly.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None

CONSENT CALENDAR

1. Minutes from the May 18, 2021 Regular Meeting.

A MOTION was made by Commissioner Miller, seconded by Commissioner Sutorus, to approve the minutes, as amended. Motion carried, 3-0.

PUBLIC HEARING

2. Design Review Application (DRA 20-010) for a Site Plan, Landscape Plan, and Elevations related to the approved entitlement of a 2,046 square foot drive-thru carwash with nine (9) vacuum stations. (8054 Palm Ave)

Associate Planner Syed presented the Staff Report.

Bernie Mayer, Representative to the Applicant stated we have reviewed the Conditions of Approval and find those to be acceptable. We appreciate the work that has gone into this project by Staff and Planning Commissioners.

Chair Hamerly opened the public hearing.

Chair Hamerly stated the concrete wall base is also an element that is shown on the north elevation and portions of the building elevation. There is approximately 5-foot band at the bottom of the drive-thru portion of the car wash, am I reading that correctly that it is also a concrete wall? That is on the east elevation facing the street.

Bernie Mayer stated that is correct.

Chair Hamerly asked is the concrete wall going to be flush with the face of the metal panels or are the panels going to be projecting beyond that?

Bernie Mayer stated the panels would extend slightly past the wall element for waterproofing purposes.

Chair Hamerly asked so the panels are a rain screen and there is additional waterproofing on the framed wall above the concrete wall?

Bernie Mayer replied that is correct.

Chair Hamerly asked if that is a cast-in-place concrete wall?

Bernie Mayer stated it could either be cast-in-place or we thought of making it a masonry wall with a plaster coating or a split face.

Chair Hamerly stated if it was a cast-in-place concrete wall my concern was the potential for staining with the materials used in the car wash plus the ability to run into or scrape up against it at the entrance and the exit of the car wash. Think about how to make it a little bit more durable. As far as the color board, I do not have a problem with the dramatic red but in contrast with the Mesa Verde, the two seem to be working against each other. We are either trying to tone everything down or spruce everything up. If we are going dramatic go dramatic and then get some contrast here. It seems like the Mesa Verde was a little bit of a tame selection. If you are going for a lot of punch, maybe something lighter that would give you more contrast or another jewel tone color. I think the red will catch your eye so the other building element should try to keep up or provide support for that.

Commissioner Sutorus asked if the trash cans will be covered?

Bernie Mayer stated yes, the requirements are that it be covered.

Chair Hamerly asked if that will be a simple metal roof and a white panel to go with the metal accent that is on the awning or are we looking at another element?

Bernie Mayer stated we would pick up a color off the building itself as a matching color.

Chair Hamerly asked what the roof element is comprised of?

Bernie Mayer stated it has a rounded shape that flares at the end to provide shade, but it has somewhat of a palm leaf appearance the way it flares out over the parking stalls.

Chair Hamerly asked what is it made of and what color?

Bernie Mayer stated the color is our choice and I believe it is an aluminum product.

Commissioner Miller stated I think Sitetech did a great job of the landscape routing the drainage swell around the project.

Commissioner Sutorus stated I noticed that you kept the Washingtonia Palm on here, and to warn you they are very invasive, and they will end up sprouting all around the property. You may consider removing them.

Bernie Mayer stated we will review that with our landscape architect.

Chair Hamerly stated that looks like there is a van assessable parking space, do those vacuum stations come with a longer hose attachment to allow it to reach all the way around the van?

Bernie Mayer replied I am not 100% sure of that, however I am sure they can accommodate that. It was our intention to provide a space where the handicap individual could make use of the facility also.

Commissioner Sutorus stated the way the car washes are designed now have dual vacuums. Now you can pull one from the right side of your car and pull one from the left side of your car.

Landscape Architect Scott Rice stated on designated accessible parking spaces, van spaces are required to load and unload on the passenger side. If that a was vacuum space that was accessible, they would put the vacuum unit on the passenger side of the car so it would serve both purposes.

Chair Hamerly stated so that crosshatched area would be on the incorrect side of the vehicle then?

Scott Rice stated yes.

Chair Hamerly stated okay, I was thinking the same thing.

Chair Hamerly closed the public hearing.

A MOTION was made by Commissioner Sutorus, seconded by Commissioner Miller, to:

1. Adopt Resolution No. 2021 – 008, approving Design Review Application (DRA 20-010) for a drive-thru carwash with nine

- (9) vacuum stations subject to the Conditions of Approval and Findings of Fact; and
2. Direct staff to file a Notice of Exemption with the County Clerk of the Board of Supervisors. Motion carried, 3-0.

RESOLUTION NO. 2021 - 008

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING A DESIGN REVIEW APPLICATION (DRA 20-010) FOR A 2,046 SQUARE FOOT DRIVE-THRU CARWASH WITH NINE (9) VACUUM STATIONS ON A VACANT 0.42 ACRE PARCEL ON THE WEST SIDE OF PALM AVENUE, APPROXIMATELY 250 FEET SOUTH OF THE PALM AVENUE AND 5TH STREET INTERSECTION. ASSESSOR'S PARCEL NUMBER: 1192-641-03.

3. Design Review Application (DRA 21-006) for a Site Plan, Landscape Plan, and Elevations related to the approved redevelopment of an existing 5,800 square foot commercial building into a convenience store with the addition of two (2) covered fueling station canopies with ten (10) fuel pumps on a 0.48-acre parcel. (8020 Palm Ave)

Associate Planner Syed presented the Staff Report.

Chair Hamerly opened the public hearing.

Commissioner Miller stated when we reviewed this site plan previously, one of the questions was regarding the conveyance of drainage in the fuel pump canopy which it still stands today. The site plan reflects conveyance of the fuel pump area to the drainage inlet and into the underground infiltration chambers, is that correct?

Bernie Mayer stated yes, that is correct.

Commissioner Miller stated okay, because we spoke about maybe adding a dead-end sump under that area to basically isolate that rain runoff so it could not make it to the infiltration chamber.

Bernie Mayer stated that is also correct. We do not have that in front of us this evening, however the Water Quality Management Plan (WQMP) has a separation device for those gutters that are going around the canopy before it enters the infiltration basin.

Commissioner Miller asked are you saying the drainage is separated under the fuel canopy from going to the infiltration chamber?

Bernie Mayer stated it was not the infiltration chamber, but the petroleum products are filtered out.

Commissioner Miller stated with any of these hydrocarbon treatments systems, they remove some hydrocarbons but there is probably 10-15% that makes it through. Accepting that amount into an underground system is something that will go into our ground water,

and it is hard for me support. In addition, looking at the treatment system looks like it is proposing a permanent pool and we have had problems with a lot of different diseases being spread like mosquitoes. How would that be managed as to avoid spread of mosquito-borne illness?

Bernie Mayer stated most of the infiltration goes into an underground device, so there is really no standing water. There is a little bit of pre-treatment within the landscape area.

Commissioner Miller stated another item that was addressed in the last meeting was concerns over existing plumes in the area within less than a thousand feet. There is a significant plume down on the Norton Air Force Base. Was there any effort made to touch base with the regional board or any understanding of potential impacts from infiltrating so close to an existing plume?

Bernie Mayer replied we have not pursued that to any great degree. We would think our project would create a minimal impact to that. That seems to be more of a regional type of issue, but we certainly expect to work with the City on that issue. If infiltration is not the best way to treat the pollutants on this site, there are other systems that filter and clean the runoff without introducing infiltration. We do not have enough room on this site to have a surface space like we had for the car wash, however we do not have enough information on that plume issue.

Commissioner Miller stated I believe one of the exemption items that was spoken of during the staff report was there would not be significant impacts to water quality. As I am looking at the site plan, I see there is a potential for an impact water quality as the site stands. I am concerned about that.

Bernie Mayer stated okay. We did work with Engineering Staff to go through the WQMP process and follow the guidelines and direction we got on that. We are still willing to pursue that further as we go into a final WQMP for the property. We do not want to contribute to that problem.

Chair Hamerly stated the two crosshatched elements at the northwest corner of the northern canopy and the northwest corner of the southern canopy, I was reading those grades as being picked up by a line that was going around those infiltration trenches and distributing to the northern landscape area. was I reading those dashed lines incorrectly?

Bernie Mayer stated the intent was to remove the hydrocarbon component of it and then introduce it into the infiltration basin.

Commissioner Miller stated I am used to seeing a dead-end sump under the canopy area that is completely isolated which you essentially allow the drainage under the canopy. Then you regularly vacuum it out and you keep it separate from the infiltration. I think there is real potential here for spills, it happens all the time at gas stations. I think allowing that discharge to go into an infiltration chamber even with hydrocarbon treatment you are allowing some hydrocarbons into the ground water.

Bernie Mayer asked is your suggestion be a separate infiltration chamber for that?

Commissioner Miller stated no infiltration. Completely isolate the drainage under the canopy and drain it into a dead-end sump. What I mean by a dead-end sump is it is essentially an inlet with a concrete bottom that does not drain anywhere. You do not get a lot of water, but it gives you an opportunity to capture those oils, greases, and spills and then vacuum them out regularly.

Bernie Mayer stated we are completely open to that.

Chair Hamerly stated I have drove by the site and I have seen some landscaping has been added but it still seems to be in rough shape, and we are already under served in landscaping on this site. I think to the greatest extent possible introducing new plant materials that will thrive in that environment in small planter areas. I would not rely heavily on what is there right now, because it does not seem to be doing very well.

Bernie Mayer stated we agree with that. You are correct, since the building has not been in use, the landscaping has not been maintained to the point it can thrive.

Chair Hamerly stated the corner statement reinforced what we all recognize that it is a very tight site and there is not a lot of landscaping in there. If there is an opportunity to introduce more tall slender trees or ornamental plant material that would dress that up, right now it looks a little stark because there is such small landscape in that area.

Bernie Mayer stated okay.

Chair Hamerly stated regarding the site plan I see an improvement from the previous site plan. If traffic is coming into Palm Avenue and turning in to the 35-foot entrance a que of one waiting for those southern pumps is basically going to take out half of the access to the site, that is my concern. The diagonal spots that are in the northern canopy, on the plans we have 22.2 feet between the back of the parking spaces that front the building. The edge of canopy and if we assume there is going to be 7 foot wide by 8-foot-long vehicle assuming it is not a truck with a trailer, that is going to leave us under 20 feet to back out of those spaces. Depending on how much volume and traffic this fueling station gets the onsite navigation could be a bit challenging. Those are my concerns regarding the site circulation.

Associate Planner Syed stated when speaking with the Applicant the designated compact space he mentioned that would be for the attendant at the convenience store so whoever parks here would not be leaving during peak business hours.

Chair Hamerly stated if that is the case is it safe to say that the individual would always be driving a compact car?

Associate Planner Syed stated they would have to hire only compact car drivers.

Community Development Director Mainez stated I want to point out that is also a place for air and water pump. They are either going to have to move that or the employee parking

to another space onsite. Staff is concerned about the tightness of the site. If you stand by the pump and pump your vehicle there is not enough space. They are not serving large trucks, but this is a little bit different than what you saw on the Conditional Use Permit (CUP). One option is to reduce some of the pumps or approve as is with impacts.

Chair Hamerly stated I am concerned about the maneuverability. Obviously, you have double side isle coming through here and anyone who has driven in the area there is a lot of construction trucks with trailers. It would only take one of those vehicles either the southern or northern canopy and that site is shutting down for a while. I am a bit concerned with the onsite circulation, maybe reduce the density just to allow maneuverability whether it is reducing one pump on the eastern edge of the southern canopy or northernmost canopy. We do not have a lot of real estate between Palm Avenue and the building, we are trying to squeeze a lot in there.

Community Development Director Mainez stated I would also entertain the Applicant to chime in. We have worked with him extensively on the design. We are really restricting the types of cars that are going to go to this site. We can certainly take it as a directive, but I want the Commission to be comfortable giving us that direction. If you think it is too tight and you want to see something adjusted, then that will be fine too.

Chair Hamerly stated there are not going to be any full-size vehicles coming through here especially full-size pickup trucks because of the logistics of the site. If you look at the life cycle investment that is going into this property, why you would not make it adaptable to be an Electric Vehicle charging station at least in some fashion. There should be some adaptability to that future if that is the size of the vehicle that this site is going to be catering to.

Chair Hamerly asked the Planning Commissioners if these concerns are significant enough, would you want this to continue to another meeting on how they might address some of these issues. Or do you feel comfortable directing staff given what we have said and at that point that would mean we would approve the DRA with the directive that we have given them. What is the reference for those two options?

Commissioner Sutorus asked if Highland adopted the California Green Building Standards Code?

Community Development Director Mainez stated yes.

Commissioner Sutorus stated then you are required to put in an Electric Vehicle infrastructure for your project anyways.

Chair Hamerly stated rather than take an action to either approve or deny, if we are going to take an action on the staff proposal in the DRA that we have before us, if it is acceptable to the Applicant, we would like to continue this to a date certain. How much time would the Applicant need to development another round of ideas based on the input that you have had this evening?

Associate Planner Syed stated essentially you would provide a revised site plan.

Bernie Mayer stated it seems like we could shift a few things and try to minimize some of the concerns, so we would make some modifications to the site plan.

Associate Planner Syed stated July 6th would be when we could bring this back.

Bernie Mayer stated yes.

Chair Hamerly closed the public hearing.

A MOTION was made by Chair Hamerly, seconded by Commissioner Sutorus; to continue this item on July 6, 2021. Motion carried, 3-0.

ANNOUNCEMENTS

The next Planning Commission meeting is scheduled June 15, 2021.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 7:30 p.m.

Submitted by:

Approved by:

Camille Goritz, Administrative Assistant III
Community Development Department

Randall Hamerly, Chair
Planning Commission



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: June 15, 2021

FROM: Lawrence A. Mainez, Community Development Director

REVIEWED BY: Kim Stater, Assistant Community Development Director *KS*

PREPARED BY: Salvador Quintanilla, Associate Planner *SQ*

SUBJECT: A request for a one-year Extension of Time (EOT) No. 21-001 for Tentative Tract Map No. 19915 (TTM No. 14-004) and Conditional Use Permit (CUP) No. 15-001 facilitating Highland Park Planned Development (SPR No. 15-001) for a residential community consisting of 46 single-family residential lots, one neighborhood park/water quality basin, roadways, and two (2) lettered landscaped lots.

LOCATION: 29300 Baseline Street, Highland, CA (APN No.: 0288-562-03).

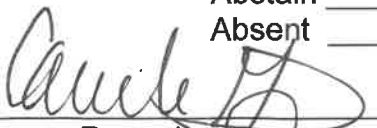
PROPERTY OWNERS: 29300 Baseline Partners, LLC

REPRESENTATIVE: Ray Dorame, Mastercraft Homes Group

RECOMMENDATION: Staff recommends the Planning Commission adopt Resolution No. 21-____, recommending the City Council approve Extension of Time No. 21-001 subject to the Conditions of Approval and Findings of Fact.

FISCAL IMPACT: Staff time for the review of the project and preparation of the staff report is covered by the application fee provided by the Applicant.

ENVIRONMENTAL REVIEW: A Mitigated Negative Declaration for the Highland Park Planned Development and associated Tentative Tract Map No. 19915 were adopted by the City Council on June 14, 2016; Resolution Nos. 2016-034 and 2016-035. A Mitigated Negative Declaration and Associated Mitigation Monitoring and Reporting Program were previously approved concurrently; Resolution No. 2016-032.

Approved _____	Motion _____	Second _____	Agenda Item No. <u>2</u>
Denied _____	Ayes _____		File No. _____
	Noes _____		
	Abstain _____		
	Absent _____		
 Recording Secretary		 Community Development Director	

The Applicant is requesting to extend the approval for Tentative Tract Map No. 19915, for one year to allow for the development plans to be prepared of the proposed community and finalize the final WQMP for the site. The extension does not propose alterations to the project as previously approved. This action does not require additional environmental action or documentation.

PUBLIC NOTICE: As required by City Council Resolution, notice of the public hearing was posted at the City's three designated posting locations. On June 4, 2021, a legal advertisement was published in the Highland Community News. In addition, the notice was posted on the City's website, and mailed to property owners within 300 feet of the project site as well as those who previously requested notice.

DESCRIPTION OF THE SITE: The Highland Park Planned Development is located on an irregularly-shape parcel of approximately 7.6 acres on the north side of Base Line between Club View Drive and Weaver Street. The Applicant previously demolished the vacant single-family home, storage buildings and animal shelters as condition by the Planning Commission. Additionally, there were a number of Eucalyptus trees around the perimeter of the property that were taken down the spring of 2018. Most of the site is covered with non-native vegetation (Attachment No. 2, Project Location Map).

	Current Use	Zoning
Site	Vacant	Two-Family District (R-2)
North	Single-Family Residences	Planned Development (PD), East Highland Ranch (EHR)
South	Base Line and Single-Family Residences	Planned Development (PD) EHR
East	Single-Family Residences	Agricultural Equestrian (AEQ)
West	Single-Family Residences	Planned Development (PD) EHR

PREVIOUS ACTION: On June 14, 2016, the City Council approved the Highland Park Planned Development upon recommendation by the Planning Commission. The Council adopted four resolutions:

- Resolution No. 2016-032, adopting a Mitigated Negative Declaration
- Resolution No. 2016-033, amending the General Plan land use designation to Planned Development
- Resolution No. 2016-034, approving a CUP to establish the Highland Park Planned Development Document (see Attachment No. 3)
- Resolution No. 2016-035, approving Tentative Tract Map No. 19915 to subdivide the property (see Attachment No. 4)

On June 28, 2016, the Council held a second reading and adopted Ordinance No. 406 to amend the City's zoning designation from Two-Family District (R-2) to Planned Development (PD). These actions constituted approval of the project known as Highland Park Planned Development.

On June 25, 2019, the City Council approved a one-year Time Extension (EOT No. 19-001) for the Highland Park Planned Development. As part of the review of the extension of time, staff updated the conditions of approval for the project. As a result, the Council adopted resolution No. 2019-036 (Attachment No. 5) approving the extension of time with the updated conditions of approval.

On August 25, 2020, the City Council approved a one-year Time Extension (EOT No. 20-001) for the Highland Park Planned Development. The Council adopted resolution No. 2020-045.

BACKGROUND: One additional, and final, EOT is available to the project. There are two (2) land use entitlement components of the Highland Park project that are set to expire; a conditional use permit (to establish a Planned Development document) and tentative tract map.

Conditional Use Permit (CUP) to establish Planned Development Document: The CUP application was processed for review of the location and design of the proposed use, configuration of improvements, potential impact on the surrounding area, and evaluation of the use. The Highland Park Planned Development Document proposed a development concept consistent with the General Plan Land Use Designation of Medium Density Residential (12.0 dwelling units per one (1) acre maximum). The PD document was approved and it encompass a detailed development plan defining architectural styles, site layout, lot sizes, grading, circulation, paving, parking, setbacks, recreation, and open space along adjacent properties. It also included planning objectives, public services and facilities, access and circulation, and a discussion of conformity with the general plan. The Highland Park Planned Development document will be used as the design guide for future proposals to build homes within the subdivision.

It was determined that this project met the standard for Planned Development projects and provides a greater level of community amenities and cohesiveness, superior design and created a more desirable living environment than could have been achieved through conventional subdivision design and requirements.

Tentative Tract Map No. 19915 (TTM No. 14-004): Tentative Tract Map No. 19915 proposed to subdivide 7.6 acres into 46 single-family residential lots, one (1) park/water quality basin, and two (2) common area landscaped lots (See Attachment No. 6, Tentative Tract Map No. 19915).

The tract fronts on the north side of Base Line and slopes upward as it narrows at its northern most end. The primary access will be provided along Base Line on its easterly

side. This street will be ending in a cul-de-sac, at its norther end, where connecting streets circling around to the west creating a looped roadway. A secondary emergency access is necessary and will be provided near the southwestern corner of the project site taking access to Base Line between Lot Nos. 41 and 47 (the park). The internal looped streets will provide easy pedestrian access to the park promoting walkability within the neighborhood and offering shared social activity amongst its neighbors with the neighborhood park.

The responsibility and cost of ongoing maintenance of improvements is of vital concern to the City. The developer will be required to enter into a landscape maintenance district (LMD) for the Base Line median and parkway improvements. The property owners within Highland Park will pay the costs to maintain the LMD. Highland Park's neighborhood park/water quality basin, internal landscaped lettered lots, between Highland Park and the neighborhood to the west and along Base Line, will be maintained directly by the Highland Park Home Owners Association (HOA).

Adoption of this tract map gave the City an opportunity to implement Conditions of Approval by its various departments to ensure logical development of lots and infrastructure. The original Planning, Engineering, Building & Safety and Fire Department Conditions of Approval are attached in the previously approved City Council Resolutions. These Conditions address development standards, environmental mitigation, soils, geology, grading, street improvements, water quality, drainage, dedications, fees, utilities, fire mitigation, emergency access, fire hydrants and water delivery, building standards, etc.

PUBLIC COMMENT: Staff received a public comment letter (see Attachment No. 7) expressing its concern on the construction of 46 home within a small parcel and the construction impacts on the adjacent residents. The Applicant has provided a density of 6.37 units per acres which is similar to the adjacent residential development. The Applicant has provided parcels that range from 3,179 square feet to 6,705 square feet. The subdivision of the parcel has been vetted out by the Engineering Department and the has met the guidelines of the Subdivision Map Act. The Applicant will soften the development by adding landscape to breakup the development. In regards to the construction impacts, the Applicant will adhere to the MMRP which limits his construction activities to certain days and times. Additionally, the construction impacts temporary until the project is developed.

ANALYSIS: This Tentative Tract Map and Conditional Use Permit approved in 2016 are valid for a period of 36 months, expiring on June 14, 2019. Subsequently, the applicant received approval for an extension of time on June 25, 2019 and on August 25, 2020. Based on section 16.08.200.B of the Municipal Code outlines the process by which Extensions of Time are granted. Section B.1 vests the authority to grant extensions of time to the original approving authority, the City Council. The Planning Commission will be acting as a recommending body to the City Council.

The Applicant is asking for a one-year time extension for the Tentative Tract Map. The maximum number of extension available under the City's Municipal Code and Subdivision Map Act are three (3) one-year extensions. This would be the third and final of those permitted extensions. If approved, the corresponding Conditional Use Permit would be extended as defined by the Highland Municipal Code Section 16.08.200.4 which reads, "*Entitlements Associated with a Tentative Map*. Approved entitlements associated with a tentative map shall remain effective concurrently with the period of time the tentative map is in effect. If an extension of time is granted for the associated tentative map, including requested extensions and state mandated automatic extensions, a similar extension of time for all associated entitlements shall be granted."

The extension request allows for the revision of the Conditions of Approval by Staff if necessary. They may be amended to reflect changes occurring in the vicinity of the project site and/or changes in City Policy and legislation that arose subsequent to its last approval/extension. The original TTM and CUP conditions previously approved City Council Resolutions 2016-034 and 2016-035 remain in effect. In compliance with Section 16.08.200.B.5, findings have been made that granting of the extension will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity. Therefore, staff recommends the Planning Commission recommend the City Council approve the extension of time.

Attachments:

1. Extension Request Letter
2. Project Location Aerial Map
3. City Council Resolution No. 2016-034, for original approval of CUP No. 15-001 including the Highland Park Planned Development Document
4. City Council Resolution No. 2016-035 for the original approval of TTM No. 19915 (TTM No. 14-004)
5. City Council Resolution No. 2019-036, Extension of Time No. 19-001 (with modified conditions of approval)
6. Tentative Tract Map No. 19915
7. Public Comment Letter
8. Planning Commission Resolution for Extension of Time No. 2021-____

Attachment No. 1

Extension Request Letter

29300 Baseline Partners, LLC

April 14, 2021

City of Highland
Planning Department
Attn: Salvador Quintanilla
27215 Base Line
Highland, CA 92346
(909) 864-6861 Ext. 259

Re: Highland Park TTM 19915 Extension Request

Dear Salvador,

We would like to formally request a 1-year extension of time as it relates to the upcoming expiration of Tentative Tract Map No. 19915. 29300 Baseline Partners, LLC intends to continue with all entitlements and ultimately build out the 46-lot community. We are requesting this extension due to ongoing plan checks relating to the design and approval of the WQMP and Detention Basin.

If you have any questions regarding this request, or need any additional information please feel free to call me at 949-252-1122 or by email at rdorame@mastercraftresidential.com.

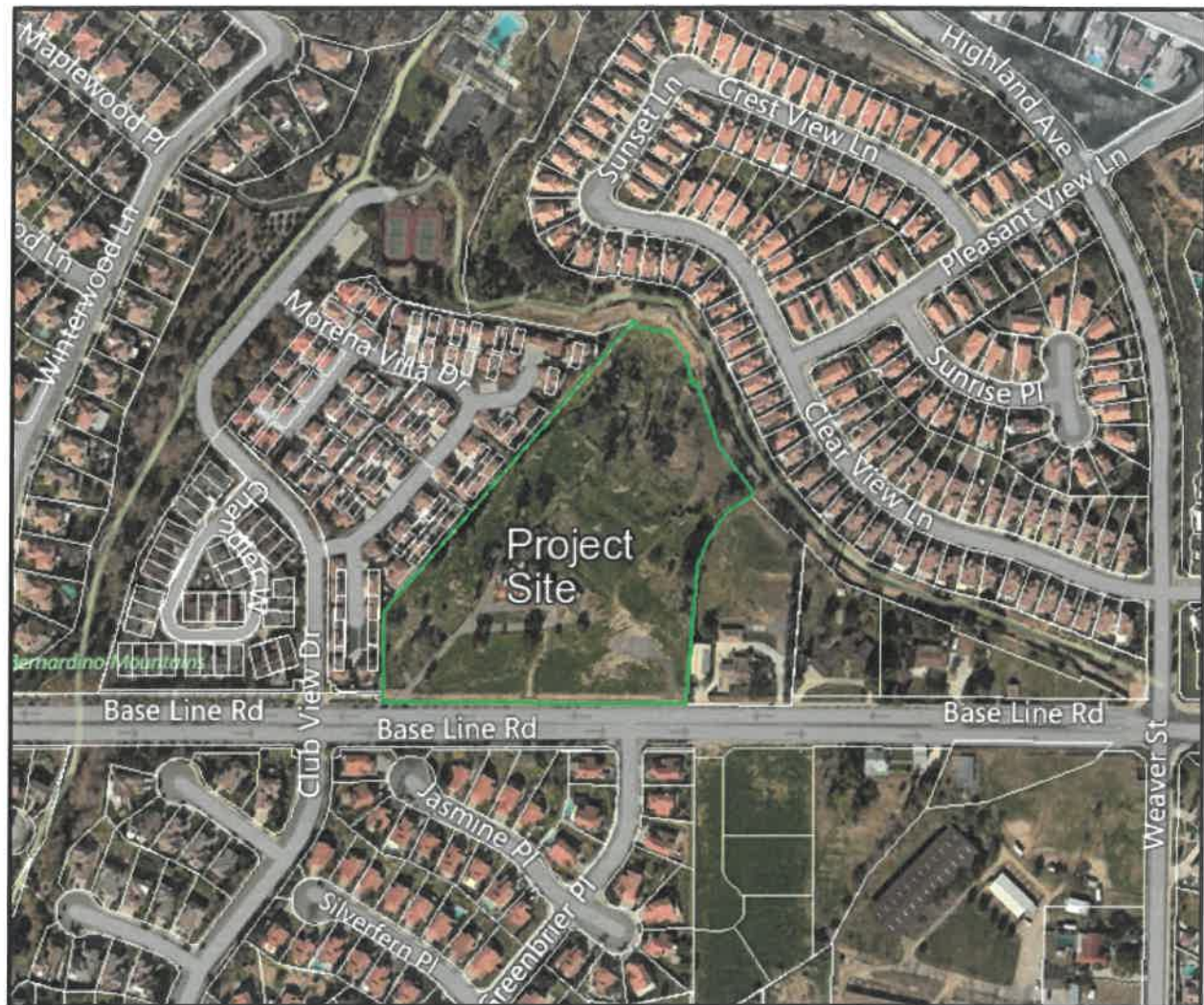
Sincerely,



Raymond E Dorame
Authorized Representative

Attachment No. 2

Project Location Aerial Map



Attachment No. 3

**City Council Resolution No. 2016-034
for the original approval of CUP No. 15-001
Including the Highland Park Planned Development Document**

RESOLUTION NO. 2016-034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 15-001) THEREBY APPROVING THE HIGHLAND PARK PLANNED DEVELOPMENT (SPA 15-001) TO FACILITATE THE CREATION OF A COHESIVE PLANNED RESIDENTIAL DEVELOPMENT COMMUNITY THAT SUBDIVIDES ONE (1) 7.6 ACRES PARCEL INTO 47 NUMBERED LOTS, WITH ONE BEING A COMMUNITY PARK, AND TWO (2) LETTERED LOTS ALONG WITH THE PROPOSED STREET IMPROVEMENTS LOCATED AT 29300 BASE LINE (APN NO. 0288-562-03).

APPLICANT: 29300 BASELINE PARTNERS, LLC

A. RECITALS

1. The Applicant filed an application with the City of Highland for Planned Development (SPA 15-001) through Conditional Use Permit (CUP-15-001) and related entitlements; General Plan Amendment (GPA 15-003), Zone Change (ZC-15-001), and Tentative Tract Map (TTM 14-004) to subdivide one (1) 7.6 acres parcel into 47 numbered lots and 2 lettered lots and a community park for the creation of a cohesive planned residential development located at 29300 Base Line.
2. Pursuant to the California Environmental Quality Act, an Initial Study, to determine whether the project would have a significant effect on the environment, has been prepared for the proposed project. The Initial Study analyzed the potential for environmental impacts on transportation and traffic, hazards and hazardous materials, hydrology and water quality, geology and soils, noise, air quality, aesthetics, agriculture and forest resources, biological, cultural, and mineral resources, greenhouse gas emissions, land use and planning, population and housing, public services, recreation, and utilities and service systems. All topics were found to have either no impact, a less than significant impact or a less than significant impact with mitigation incorporated and, as such, a Mitigated Negative Declaration was prepared and circulated in accordance with the Guidelines for the California Environmental Quality Act (CEQA), California Code of Regulations, Title 14, Chapter 3.
3. On March 15, 2016, the Planning Commission of the City of Highland conducted a public hearing on the subject applications at the Highland City Hall Council Chambers in Highland, California, at 6:00 p.m., and continued the hearing to May 3, 2016, to permit the applicant time to make project revision. The applicant subsequently requested that the hearing be continued to May 17, 2016, and the Planning Commission conducted the public hearing and concluded the hearing on that date.
4. On June 14, 2016, The City Council conducted a public hearing at the Highland City Hall Council Chambers in Highland, California, at 6:00 p.m., and concluded the hearing on that date.

5. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined and resolved by the City Council of the City of Highland as follows:

1. The City Council finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.
2. Pursuant to Title 14, California Code of Regulations, Section 15074, the City of Highland City Council adopted a Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program prepared for the project in compliance with the California Environmental Quality Act (CEQA).
3. The City of Highland City Council after due consideration, inspection, investigation and study made by itself and on its behalf, and after due consideration of all evidence and reports offered at said hearing, including the staff report to the City Council dated June 14, 2016, which is incorporated herein by this reference, does find and determine the following facts:
 - a. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.
4. Conditional Use Permit Findings of Fact (CUP-15-001):
 - a. The proposed use is permitted within the subject district pursuant to the provisions of this section, and complies with all of the applicable provisions of this title; and is consistent with the goals, policies, and objectives of the Highland General Plan, and the applicable development policies and standards of the city.

Response: The proposed project would accommodate a maximum of 46 single-family residential dwellings. This type of development is desirable for the community and consistent with the types of uses and density envisioned by the existing General Plan Medium Density Residential (6.1 - 12 dwelling units per acre) land use designation and also complies with the proposed Planned Development designation which allows any density that is compatible with surrounding existing and planned uses as determined through the development review process. The proposed project also includes implementation of a planned development. The subdivision of land to create 47 numbered lots, with one being a community park, and two (2) lettered lots and the proposed street improvements complies with the development standards specified within the planned development and is compatible with the adjacent single-family neighborhood on all sides.

In addition, the City has reviewed the application and conditions of approval have been included to ensure compliance with applicable development policies and standards of the city.

- b. The proposed use would not impair the integrity and character of the district in which it is to be established or located.

Response: As noted above, the project site is adjacent to existing single-family residential development on all sides. The vacant residence and accessory structures would be demolished and a planned development would be constructed which provides a cohesive design and on-site amenities for future residents. The proposed development would continue the residential pattern of development along Base Line Road and therefore would not impair the integrity and character of the site and surrounding area.

- c. The site is suitable for the type and intensity of use or development which is proposed.

Response: The project site is adjacent to existing single-family residential development to on all sides. The site contains sufficient acreage to accommodate subdividing into 47 numbered lots, with one being a community park, and two (2) lettered lots along with the proposed street improvements while ensuring the minimum building setbacks, parking, landscaping and other development standards as specified in the proposed Highland Park Planned Development are met. This development will be consistent and compatible with the existing single-family development it the surrounding area.

- d. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety.

Response: The project site will require provisions for water, sewer, public utilities, and public health and safety. As required by the Highland Municipal Code, a will-serve letter from the water and sanitation provider must be, and was, submitted prior to deeming a proposed application complete for processing. In addition, the project site will be served by the City of Highland Fire and Police Departments. As conditioned, the Applicant/Developer is required to pay development impact fees which contribute to the additional costs associated with providing these services to the development. Furthermore, as conditioned, the Applicant/Developer will be required to coordinate with the gas and electricity purveyors to ensure that the project site is adequately serviced. As such, there will be adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety.

- e. The proposed use will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity.

Response: As specified within the Highland Municipal Code, processing of a planned development document is processed with a conditional use permit must be accompanied by a zone change and general plan amendment, if the underlying zone and land use are not Planned Development. The proposed project has been reviewed by Planning, Engineering, Building and Safety, the Fire Department and the Police Department and with implementation of certain conditions of approval that are necessary and proper to safeguard and protect the public health, safety, and welfare, the approval of a conditional use permit for the proposed project is warranted.

- f. The proposed use would not result in a significant effect on the environment.

Response: Pursuant to the California Environmental Quality Act, an Initial Study, to determine whether the project would have a significant effect on the environment, was prepared for the proposed project. The Initial Study analyzed the potential for environmental impacts on transportation and traffic, hazards and hazardous materials, hydrology and water quality, geology and soils, noise, air quality, aesthetics, agriculture and forest resources, biological, cultural, and mineral resources, greenhouse gas emissions, land use and planning, population and housing, public services, recreation, and utilities and service systems. All topics were found to have either no impact, a less than significant impact or a less than significant impact with mitigation incorporated and, as such, a Mitigated Negative Declaration was prepared and circulated in accordance with the Guidelines for the California Environmental Quality Act (CEQA), California Code of Regulations, Title 14, Chapter 3. A Mitigation and Monitoring Reporting Program was adopted concurrently with the Mitigated Negative Declaration by the City Council.

5. Planned Development Findings (SPA 15-001) Findings

Based on the Findings above, the City Council does hereby find that the Planned Development:

- a. The proposed plan is consistent with the general plan and any applicable specific plan;

Response: The proposed project would accommodate a maximum of 46 single-family residential dwellings. This type of development is desirable for the community and consistent with the types of uses and density envisioned by the existing General Plan Medium Density Residential (6.1 - 12 dwelling units per acre) land use designation and also complies with the proposed Planned Development designation which allows any density that is compatible with surrounding existing and planned uses as determined through the development review process. The proposed project also includes implementation of a planned development. The subdivision of land to create 47 numbered lots, with one being a community park, and two (2) lettered lots along with the proposed street improvements complies with the development standards specified within the planned development and is compatible with the adjacent single-family neighborhood on all sides.

- b. That the physical characteristics of the site have been adequately addressed and that the site is adequate to accommodate all the proposed land uses and the general arrangement of such uses;

Response: The project site progressively rises from Base Line to its norther edge. Many of the lots include retaining walls as they incrementally move up the slope. The internal roadway loops back upon itself permitting full internal circulation. A secondary emergency ingress/egress is included to provide access to Base Line. At the low point is a community park that serves a due purpose as a retention basin for water quality management.

- c. That the plan adequately addresses and reflects all natural and manmade hazards associated with the project site;

Response: An Initial Study and Mitigated Negative Declaration investigated all potential hazards associated with the site. All have topics related to natural and manmade hazards were found to have no impact, a less than significant impact or a less than significant impact with mitigation incorporated.

- d. That the capacity of the circulation system is adequate or can feasibly be improved to accommodate the anticipated requirements of the proposed development;

Response: The Initial Study and Mitigated Negative Declaration identified Mitigation Measures necessary to address all circulation and traffic related impacts. The Tentative Tract Map Fire Division Conditions of Approval identify additional measures to ensure the safety and adequacy of circulation.

- e. The realistic, feasible methods exist to accommodate the public service and facilities requirements of the proposed development;

Response: The project site will require provisions for water, sewer, public utilities, and public health and safety. As required by the Highland Municipal Code, a will-serve letter from the water and sanitation provider was submitted prior to deeming a proposed application complete for processing. In addition, the project site will be served by the City of Highland Fire and Police Departments. As conditioned, the Applicant/Developer is required to pay development impact fees which contribute to the additional costs associated with providing these services to the development. Furthermore, as conditioned, the Applicant/Developer will be required to coordinate with the gas and electricity purveyors to ensure that the project site is adequately serviced. As such, there will be adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety.

- f. That the proposed land uses and proposed arrangements of such uses will be compatible with the existing and planned land use character of adjacent properties;

Response: As noted above, the project site is adjacent to existing single-family residential development on all sides. The vacant residence and accessory structures would be demolished and a planned development would be constructed which provides a cohesive design and on-site amenities for future residents. The proposed development would continue the residential pattern of development along Base Line Road and therefore would not impair the integrity and character of the site and surrounding area.

- g. That the plan carries out the intent of the planned development provisions of this site;

Response: The planned development provisions of this site will be established as a result of the approval of CUP 14-005 and SPA 15-001. Future development including the subdivision of land to create 47 numbered lots, with one being a community park, and two (2) lettered lots along with the proposed street improvements complies with the development standards specified within the planned development and is compatible with the adjacent single-family neighborhoods to the north, south, and west.

- h. That the proposed development is consistent with the general plan and any applicable community plan or specific plan;

Response: The proposed project would allow for a maximum of 46 future single-family residential dwellings. This type of development is desirable for the community and consistent with the types of uses and density envisioned by the existing General Plan's Medium Density Residential (6.1 - 12 dwelling units per acre) land use designation and also complies with the proposed Planned Development land use designation which allows any density that is compatible with surrounding existing and planned uses as determined through the development review process. The proposed project also includes implementation of a planned development. The subdivision of land to create 47 numbered lots, with one being a community park, and two (2) lettered lots along with the proposed street improvements complies with the development standards specified within the planned development and is compatible with the adjacent single-family neighborhood on all sides.

- i. That the site for the proposed development is adequate in size and shape to accommodate proposed uses and proposed development standards for all yards, open spaces, setbacks, walls and fences, parking areas, loading areas, landscaping and other features;

Response: The site is approximately 7.6 acres. It can more than adequately accommodate the 46 units proposed in compliance with the development standards established Highland Park Planned Development guidelines. Tentative Tract Map 19915 has identified the lot size, width and depth of each lot. The development standards will be enforced when a homebuilder bring forth specific product and plotting for these lots.

- j. That the improvements required by the conditions of approval, and the proposed manner of development, adequately address natural and manmade hazards affecting the proposed development and the project site;

Response: The project has been reviewed and conditioned by the City's Planning, Engineering, Building & Safety and Fire Divisions. Environmental Mitigation Measures in conjunction with the Conditions of Approval from these Departments will ensure natural and manmade hazards have been addressed.

- k. That the site for the proposed development has adequate access, meaning that the site design and development plan conditions consider the limitations of existing and propose streets and highways;

Response: The site takes access from Base Line. Upon completion, it will have one entry access designed to city standards and a secondary emergency ingress/egress. There are no limitations of existing or proposed streets and highways that limit access and proper vehicular movement.

- l. That adequate public services exist or will be provided in accordance with the conditions of approval to service the proposed development and that the approval of the proposed development will not result in a reduction of such public services to properties in the vicinity as to be a detriment to public health, safety and welfare; and

Response: The proposed project has been reviewed by Planning, Engineering, Building and Safety, the Fire Department and the Police Department and with implementation of certain conditions of approval that are necessary and proper to safeguard and protect the public health, safety, and welfare, the approval of a conditional use permit for the proposed project is warranted.

- m. That the proposed development, as conditioned, will not have a substantial adverse effect on the surrounding property or the permitted use thereof, and will be compatible with the existing and planned land use character of adjacent properties.

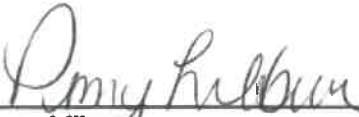
Response: The proposed project would accommodate a maximum of 46 single-family residential dwellings. This type of development is desirable for the community and consistent with the types of uses and density envisioned by the existing General Plan Medium Density Residential (6.1 - 12 dwelling units per acre) land use designation and also complies with the proposed Planned Development designation which allows any density that is compatible with surrounding existing and planned uses as determined through the development review process. The proposed project also includes implementation of a planned development. The subdivision of land to create 47 numbered lots, with one being a community park, and two (2) lettered lots along with the proposed street improvements complies with the development standards specified within the planned development. In addition, the project site is adjacent to existing single-family residential development on all sides. The planned development would provide a cohesive design and on-site amenities for future residents. The proposed development would continue the residential pattern of development along Base Line Road and therefore would not impair the integrity and character of the site and surrounding area.

6. Based on the Findings of Fact and Conclusions set forth above, the City Council approves Conditional Use Permit (CUP-15-001) and the Highland Park Planned Development (SPA 15-001) attached as Exhibit "1".

C. ADOPTION OF RESOLUTION

The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2016.



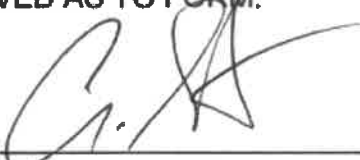
Penny Lilburn
Mayor Pro Tem

ATTEST:



Betty Hughes, MMC
City Clerk

APPROVED AS TO FORM:



Craig Steele
City Attorney

EXHIBIT "1"

**HIGHLAND PARK PLANNED DEVELOPMENT DOCUMENT
(Separate Document)**

HIGHLAND PARK PLANNED DEVELOPMENT

TTM 19915 PLANNED DEVELOPMENT

Lead Agency:

**CITY OF HIGHLAND
27215 Base Line
Highland, CA 92346**

Developed by:

**29300 BASELINE PARTNERS, LLC
20201 SW Birch St., Suite 100
Newport Beach, CA 92660**

Prepared by:

**T&B PLANNING, INC.
17542 East 17th Street, Suite 100
Tustin, CA 92780**

In Consultation With:

**MDS Consulting
Civil Engineering**

**Mark Gross & Associates
Architecture**

**Clark & Green Associates
Landscape Architecture**

May 2016

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I. INTRODUCTION

A. DOCUMENT PURPOSE

This Development Plan for Tentative Tract Map 19915 (TTM 19915, also known as "HIGHLAND PARK"), has been prepared pursuant to the requirements of the City of Highland Municipal Code (Chapter 16.12.010, *Planned Development (PD) District*) and shall be enforced by the City of Highland via Conditions of Approval placed on TTM 19915. Development of the HIGHLAND PARK community is required to substantially conform to the physical characteristics and design concepts set forth in this document. The City's Planning Director has the discretion to determine if implementing actions substantially conform to this Development Plan.

B. PROJECT LOCATION

The HIGHLAND PARK community is located on approximately 7.66 acres in the City of Highland, San Bernardino County, California. Specifically, HIGHLAND PARK is located on the north side of Base Line, west of Weaver Street, east of Club View Drive. The location of the HIGHLAND PARK community is graphically depicted on Figure I-1, *Vicinity Map*.

C. SUMMARY OF PROJECT ENTITLEMENTS

Entitlements approved by the City of Highland to implement the HIGHLAND PARK development include, but are not limited to, Change of Zone (ZC No. 015-001) and Tentative Tract Map (TTM No. 19915). Change of Zone 015-001 changes the property's zoning designation from R-2 to Planned Development (PD), and this Development Plan is required as a condition of the PD zone designation. As shown in Figure I-2, *Tentative Tract Map No. 19915*, TTM 19915 subdivides the property into 46 single-family residential lots, one Neighborhood Park and water quality basin, landscaped slopes, along with roadways and utilities.

D. PROJECT OBJECTIVES

- Provide a high quality, planned residential community that compliments surrounding land uses.
- Create an attractive, cohesive mix of architectural styles and landscaping materials which result in a community which will appeal to residents.
- Provide amenities which meet the diverse needs of residents within the HIGHLAND PARK community, including a community park and thoughtfully landscaped open space areas.

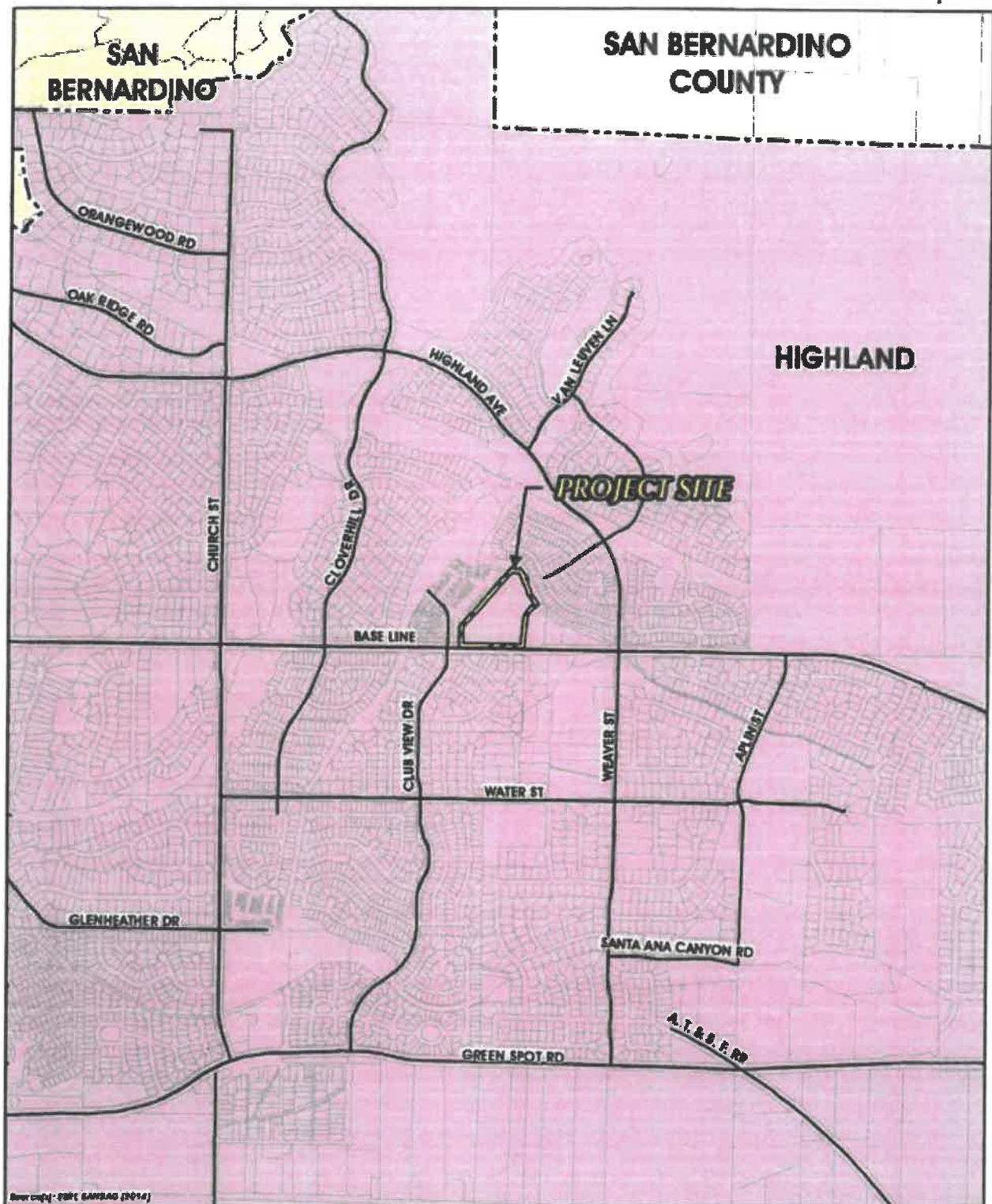


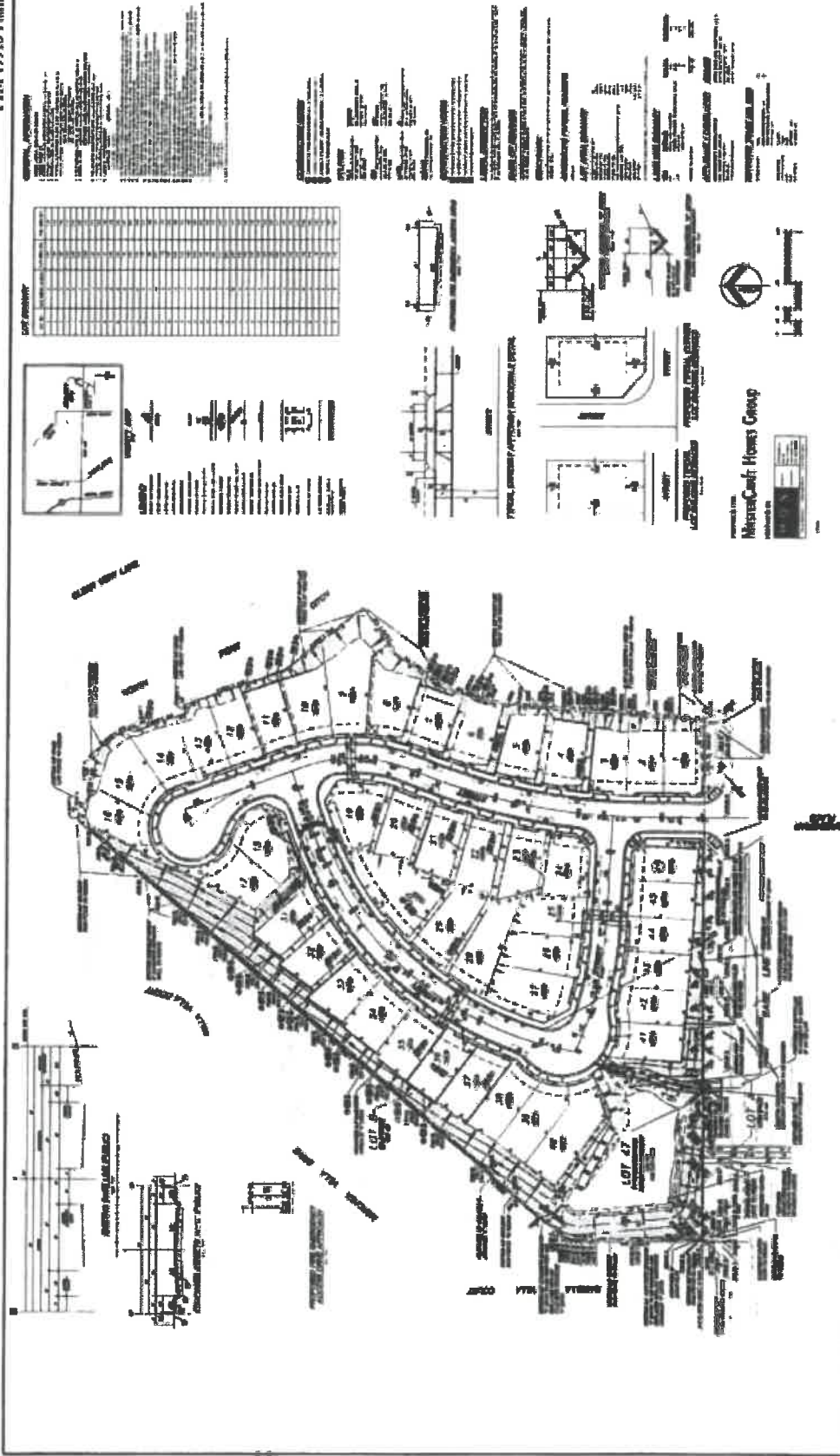
Figure I-1

VICINITY MAP

HIGHLAND PARK

I Introduction

TTM 19915 Planned Development



Source: M&S Consulting / 10.25.12

Figure 1-2

TENTATIVE TRACT MAP NO. 19915

Page 1-3

II. LAND USE AND DEVELOPMENT STANDARDS

This section contains the land use and development standards which establish compliance with the City's Municipal Code and ensure compatibility with surrounding land uses, existing infrastructure, and public services.

A. LAND USE

The HIGHLAND PARK community is a high quality, planned residential community that consists of 46 detached single family homes and a Homeowner Association (HOA) maintained neighborhood park. Other community features include a HOA maintained water quality basin and landscaped slopes, as well as three new interior public neighborhood streets and other supporting infrastructure.

The HIGHLAND PARK community is located within an area of the City that is predominately developed with residential land uses. Three sides of Highland Park are surrounded by the East Highlands Ranch Planned Development, to the north, east, and west. These portions of East Highlands Ranch are residential, with multi-family residential to the west, and single-family residential to the north and east. Single-family residential, not a part of the East Highlands Ranch Planned Development, is located to the south. Development of the HIGHLAND PARK community is compatible with surrounding land uses, land development standards, existing infrastructure, and public services.

B. DEVELOPMENT STANDARDS

The City's Municipal Code provides for the flexibility of design and development standards within the Planned Development zone to achieve the objectives of the City's General Plan more effectively, including the City's design goals and principles for residential neighborhoods. A description of the Highland Park Development Plan's consistency with the City's General Plan is provided in Section IV, *General Plan Consistency*. Table II-1, *Development Standards*, summarizes the PD development standards set forth in this Development Plan.

Table II-1 Development Standards

Lot Requirements	
Minimum Lot Area:	3,000 square feet
Minimum Lot Width at front setback:	34 feet
Minimum Lot Depth:	75 feet
Maximum Lot Coverage:	60%
Yard Requirements	
Minimum Front Yard:	10 feet to patio or porch 12 feet to living area 18 feet to garage from back of sidewalk
Minimum Side Yard: (Interior & Through Lots)	4 feet
Minimum Side Yard: (Corner & Reversed Corner Lots)	4 feet
Rear Yard:	10 feet (flat usable area)
Other	
Maximum Building Height:	30 feet
Parking	2 garage spaces per unit 2 driveway parking spaces per unit 0.5 on-street parking spaces per unit
Garage Standards	Front-facing garage widths shall be limited to 65% of the house width. A minimum 3-foot wide landscape area shall be located on both sides of a driveway. The Covenants, Codes and Restrictions (CC&Rs) for the HIGHLAND PARK community shall include a provision prohibiting the conversion of garages to habitable living spaces.
Ground Mounted Mechanical Equipment	Located in rear setback

C. PLOTTING STANDARDS

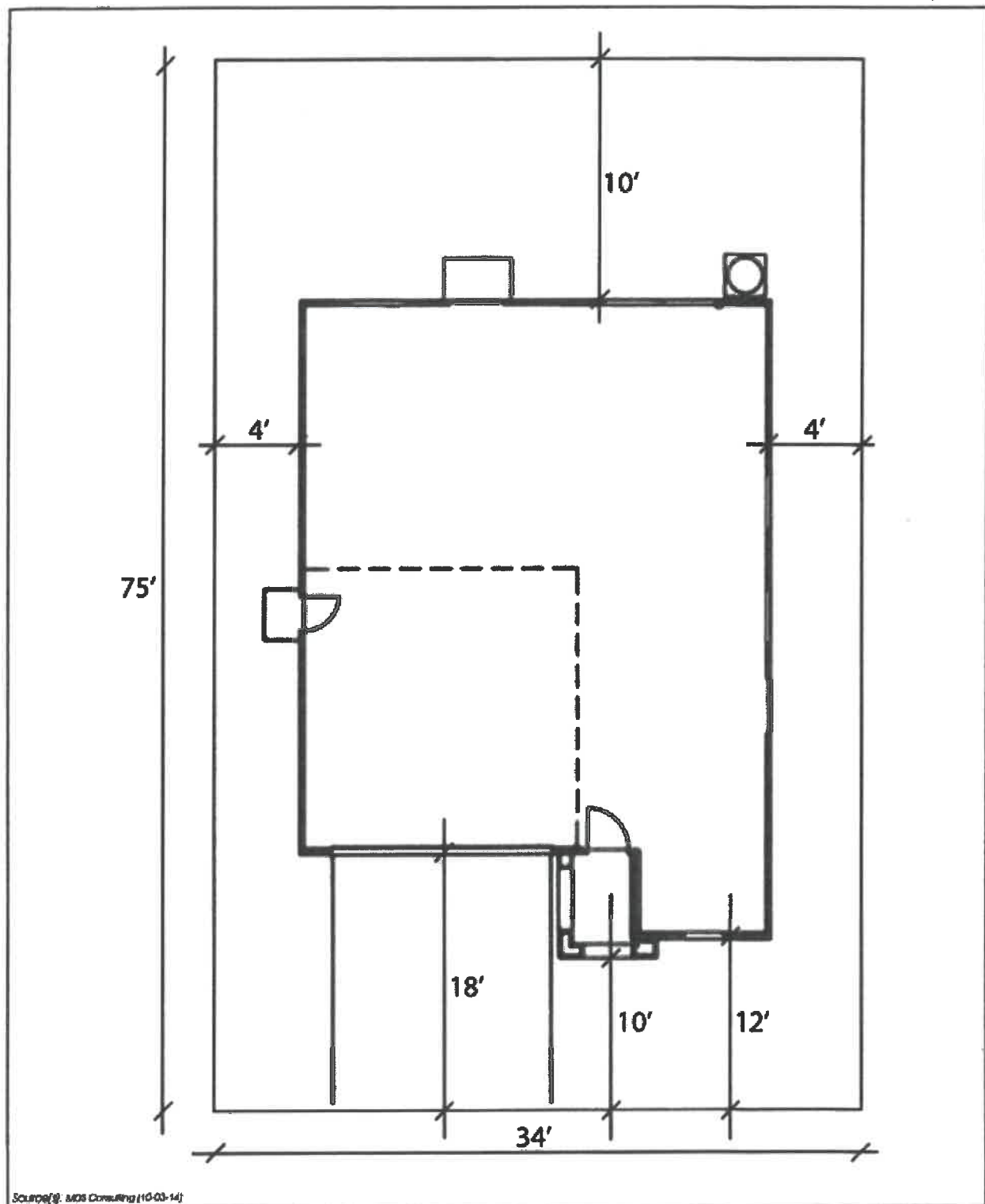
HIGHLAND PARK shall feature a range of home sizes, styles, and floor plans. Figure II-1, *Minimum Setbacks*, provides an illustration of proposed minimum setbacks for each floor plan within the HIGHLAND PARK community.

Detached single-family homes within HIGHLAND PARK creatively utilize “architecture forward” designs, outdoor spaces, varied garage treatments, landscaping, and other innovative neighborhood design techniques to create a visually interesting streetscene and identifiable neighborhood character. Short, curvilinear streets prevent long stretches of linear massing, and when combined with private outdoor spaces such as covered front porches and front yards, result in a welcoming, interactive street scene conducive to pedestrian activity. To ensure a visually interesting street scene, HIGHLAND PARK community shall comply with the following plotting requirements:

- i. The same elevation style shall not be plotted next to itself or directly across the street from itself. “Directly across the street” shall be defined as more than half of the narrower lot overlapping with the wider lot across the street.
- ii. Single-story architectural elements shall be incorporated into the elevations of homes on corner lots. Examples of single-story architectural elements include architectural projections, bay windows, porches, one-story living spaces, and/or a one-story garage element.

D. NEIGHBORHOOD PARK

HIGHLAND PARK provides a Neighborhood Park for the enjoyment of its residents. As depicted on Figure II-2, *Neighborhood Park*, the 0.44 acre Neighborhood Park includes a covered tot lot, open turf play area, barbecue area, trellis shade structure, picnic tables, seating, and benches. Large canopied evergreen and deciduous trees provide shade; flowering shrubs and groundcover create visual appeal.



Source(s): MDS Consulting (10-03-14)

Figure II-1



NOT TO SCALE



MINIMUM SETBACKS

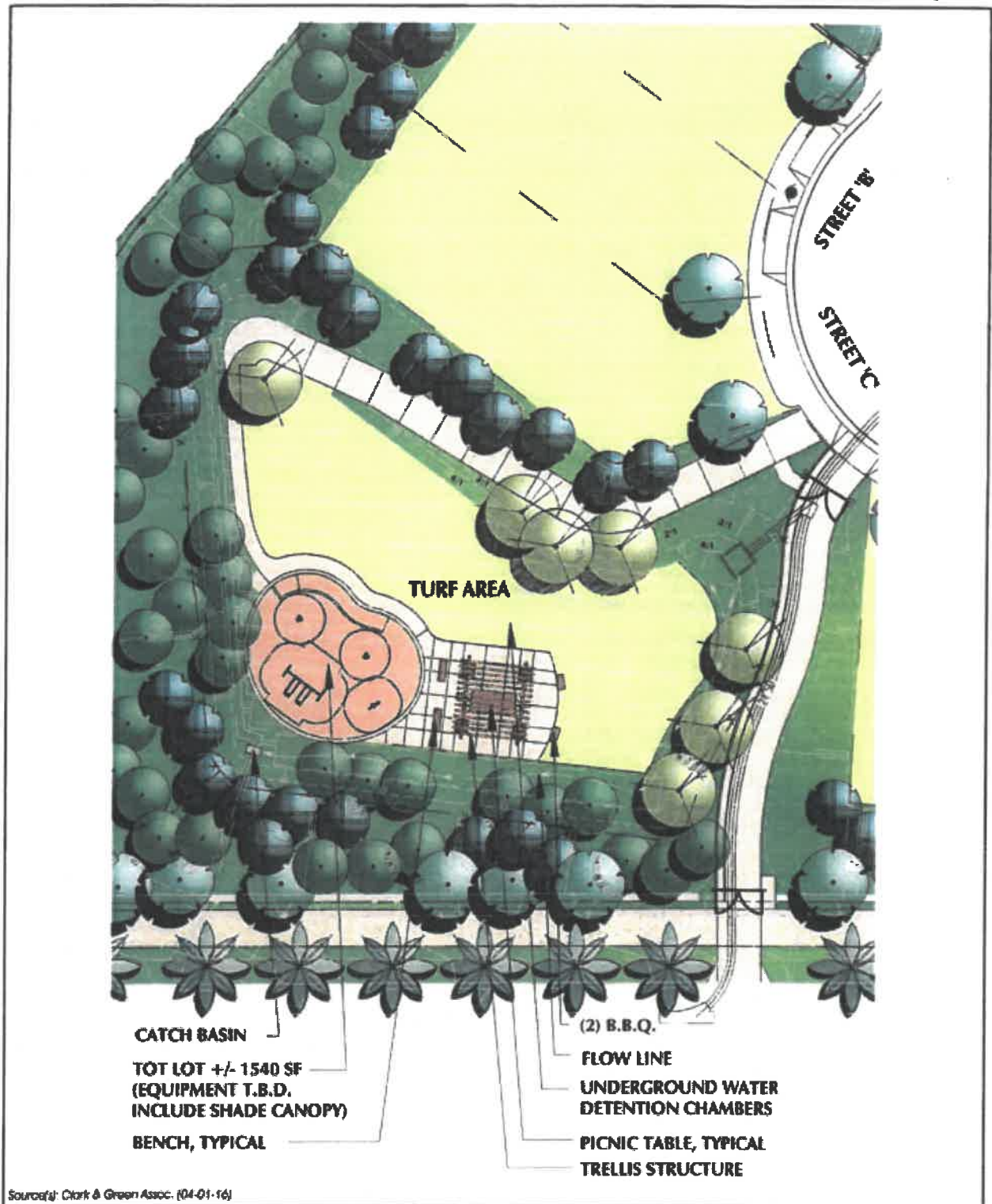


Figure II-2



NEIGHBORHOOD PARK

III. DESIGN GUIDELINES

A. ARCHITECTURAL DESIGN GUIDELINES

1. Architectural Design

These Architectural Guidelines establish the architectural design theme for the HIGHLAND PARK community. The Neighborhood Design Principles identified in the Community Design Element of the City's General Plan are addressed by these Design Guidelines.

a. Design Principles

The architectural designs in HIGHLAND PARK are representative of the three architectural styles described in this document: Traditional; Cottage; and Spanish (refer to Subsection 2, *Architectural Styles*). The defining features of the selected architectural styles must be consistently implemented across the community to visually identify and differentiate each style.

The selection of an architectural style should be compatible with the massing of their floor plans; as such, a certain style should not be forced onto every floor plan if it is not compatible. By emphasizing the use of distinct and identifiable styles, these guidelines discourage monotony. Street scenes shall incorporate multiple architectural styles and should be diverse as to form, massing, features, windows, front doors, garage doors, materials, and colors.

b. Form and Massing

Building mass and scale are two primary design components that affect how a building is perceived. The creative use of articulation of the building's visible facades, variation of rooflines, balance of roof forms, and changes in vertical and horizontal planes reduces the perceived mass of a building. Even if the front elevation setback for adjacent homes is the same, variations in massing can provide considerable visual interest.

It is important to provide variation in front elevation massing along every street in HIGHLAND PARK to provide diversity and avoid a monotonous pattern along the streetscape. Examples of design features that can reduce a home's perceived visual mass include covered front porches, window and door articulation, balconies, extended overhangs, and decorative building edge treatments (cornice, eave, quoins, etc.).

c. Roofs

The roofline is a dominant visual element of a home. A roof's composition should allow for a clean interface with the building and the building facade. A roof's form and composition should reflect the appropriate roof pitch, characteristics, and materials that are consistent and true to the selected architectural style, and shall also not be overbearing nor give the appearance of being disjointed.

- i. Rooflines of adjacent homes should vary to create a variety of silhouettes and ridge heights.

- ii. Roof pitches should vary among floor plans and complement the building's architectural style. Primary roof pitches may be 5:12, 6:12, or 7:12. Secondary roof pitches can vary from primary roof pitches but only if such variation is consistent with the architectural style.
- iii. Roof pitches and colors should vary from one house to the next, when appropriate for the architectural style.
- iv. Roof materials and colors selected for an architectural style must reflect the elements that are typically used in that style.
- v. Roofing materials shall be non-combustible.
- vi. Solar panels, if used, should be a low profile mounted system.
- vii. Eave overhangs should vary among floor plans and complement the building's architectural style.

d. Garage Location and Design

To achieve attractive streetscenes throughout the HIGHLAND PARK community, particular attention must be given to the design and placement of garages.

- i. Garage door style, color and design shall reflect the architectural character of the home and shall vary between adjacent homes, when appropriate. Acceptable garage door styles include, but are not limited to raised panel, recessed panel, flush panel in both roll-up and carriage swing door designs.
- ii. Windows shall be incorporated into the garage door design for at least 50% of all garages. Where provided, garage door window styles shall correspond to the architectural style of the house.
- iii. Architectural features, such as varied rooflines (including height and pitch) and second story setbacks, shall be incorporated into the garage design to reduce building mass and scale and create a visually interesting streetscene, when appropriate for the selected architectural style.

e. Windows and Doors

Window and door details are architectural components that carry a strong visual impact through their placement and design.

- i. Front door details shall be consistent with the architectural style.
- ii. Feature window shapes shall be consistent with the architectural style.
- iii. Accent shutters are not required; however, when used, shutter size shall be proportional to the window and shall reflect the architectural style.
- iv. Windows and/or doors with silver or gold frames or reflective glass are prohibited.

f. Building Materials and Colors

A complementary mixture of colors, textures, and building materials is encouraged throughout the HIGHLAND PARK community. Building material and color selection are integral components in the definition of a specific architectural style and also contribute to a varied streetscape design. A variety of exterior accent materials (e.g., brick, stone, siding, pre-cast concrete, ceramic tile, timber) should be used as an integral feature in home construction to convey the selected architectural styles.

- i. The exterior treatments of houses shall reflect a complementary mix of colors, tones, and textures.
- ii. Color schemes shall be simple, tasteful, and consistent with architectural styles.
- iii. A scheme of color values on all exterior elements shall be distinct from one house to the next, with deeper tones encouraged to promote variations. This avoids a monotonous appearance of multiple buildings of the same colors and tones.
- iv. Material breaks, transitions, and termination shall produce complementary and clear definitions of separation, while maintaining a prescribed color and materials theme. This is especially important in changing from stucco and/or siding to masonry veneers.
- v. Stucco finishes on exterior walls shall include one of two styles: light lace finish or sand finish
- vi. Stucco finishes on exterior walls shall be accompanied by at least one other accent material appropriate to the architectural style (e.g., wood trim, stone, brick), unless an architectural style, such as Spanish, traditionally uses stucco without an accent material.

g. Outdoor Lighting

Lighting standards throughout HIGHLAND PARK shall be similar in style, color and materials, embracing a natural and minimal lighting approach.

- i. All outdoor lighting shall incorporate, to the extent feasible and permissible under City standards, measures to aid in reducing light pollution. Such measures include: wattage reduction, directing lighting downward, shielding lights (or using "cut-off lights" that only illuminate the side or underside of a fixture, rather than shining skyward) and lowering the height of light poles to reduce the illumination radius.
- ii. All outdoor lighting fixtures shall be focused, directed, and arranged to minimize glare and illumination on public streets and adjoining property.

h. Mechanical Equipment

Mechanical equipment such as air conditioners, heaters, evaporative coolers, and other such devices shall not be mounted on any roof or located within the side yards and must be located behind privacy walls or landscaping. Solar panels are not required but are permitted on roofs.

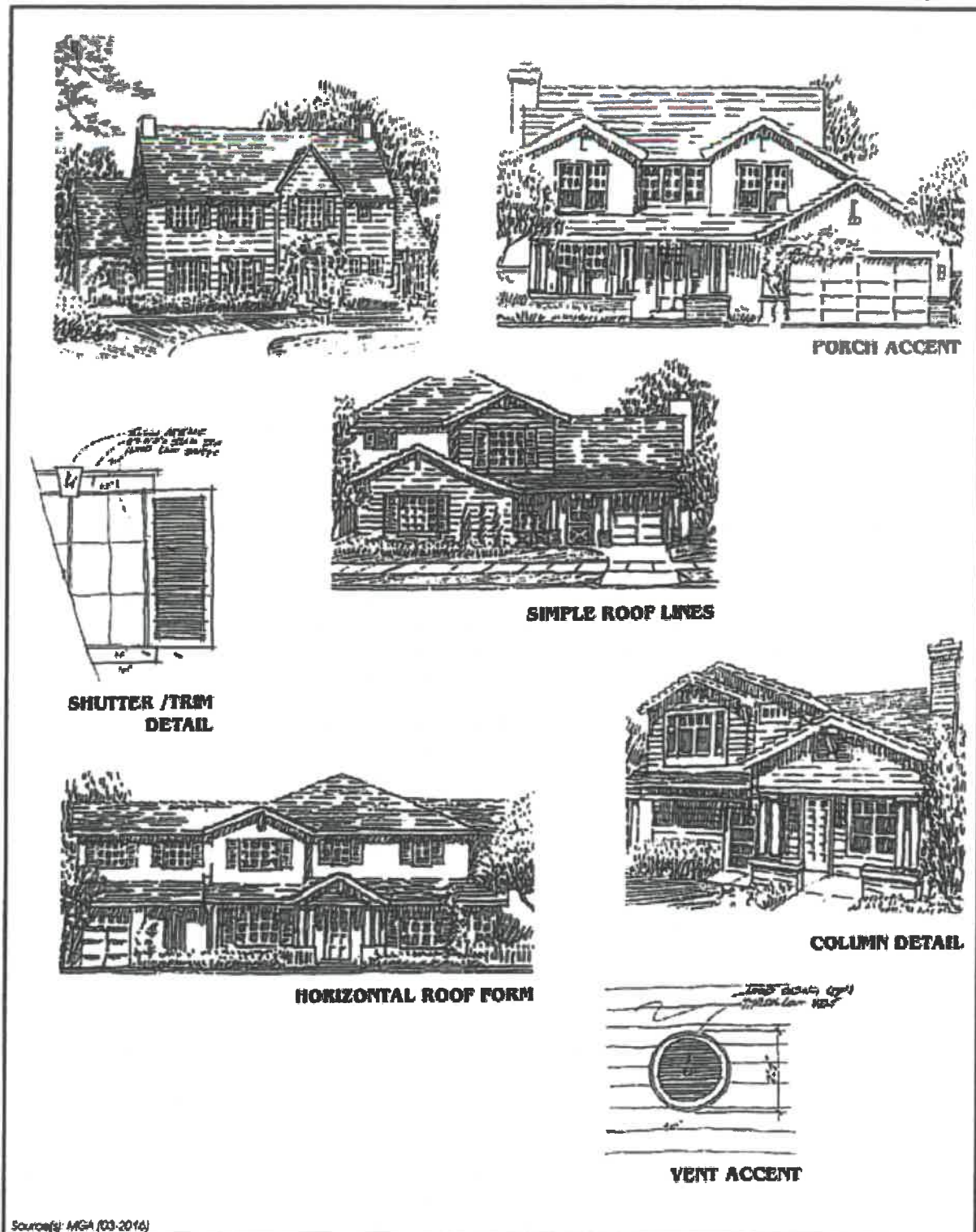
2. Architectural Styles

The residential architecture of HIGHLAND PARK includes a complementary palette of architectural styles that are authentic to the southern California landscape. The architectural styles expected in the HIGHLAND PARK community, and their character-defining elements, are described below.

The following Tables and associated Figures identify each of the three architectural styles and their defining characteristics included in HIGHLAND PARK.

Table III-1 Traditional Style Defining Characteristics

Traditional	
Simple gable-ended architecture and, on occasion, hipped roofs. Narrow and tall window openings and shutters.	
Design Features ☐ Plaster ☐ 18" overhangs ☐ Symmetrical fenestration ☐ Vertical and horizontal forms Colors ☐ White and light tones ☐ Vibrant accents Accent Materials ☐ Stucco – light lace finish ☐ Siding ☐ Brick Accents	Roofs ☐ 5:12 to 6:12 pitched roofs ☐ Simple gabled and hipped roofs ☐ Flat tile Windows ☐ Narrow and tall ☐ Shutters ☐ Pot shelves ☐ Distinctive window trim details



Source(s): MGA (03-2014)

Figure III-1



ARCHITECTURAL DETAILS - TRADITIONAL

Table III-2 Cottage Style Defining Characteristics

Cottage	
Stone and siding accents, simple gable-ended architecture and hipped roofs. Narrow and tall window openings and shutters with periodical use of arches.	
Design Features ☐ Plaster ☐ 18" overhangs ☐ Symmetrical fenestration ☐ Vertical forms ☐ Soft arched openings Colors ☐ Earth tones ☐ Vibrant accents Accent Materials ☐ Stucco – light lace finish ☐ Stone ☐ Siding ☐ Accents at gables	Roofs ☐ Steep-pitched roof (5:12 to 6:12) ☐ Hip roofs with occasional gable forms ☐ Flat tile Windows ☐ Narrow and tall ☐ Shutters ☐ Pot shelves ☐ Distinctive window trim details

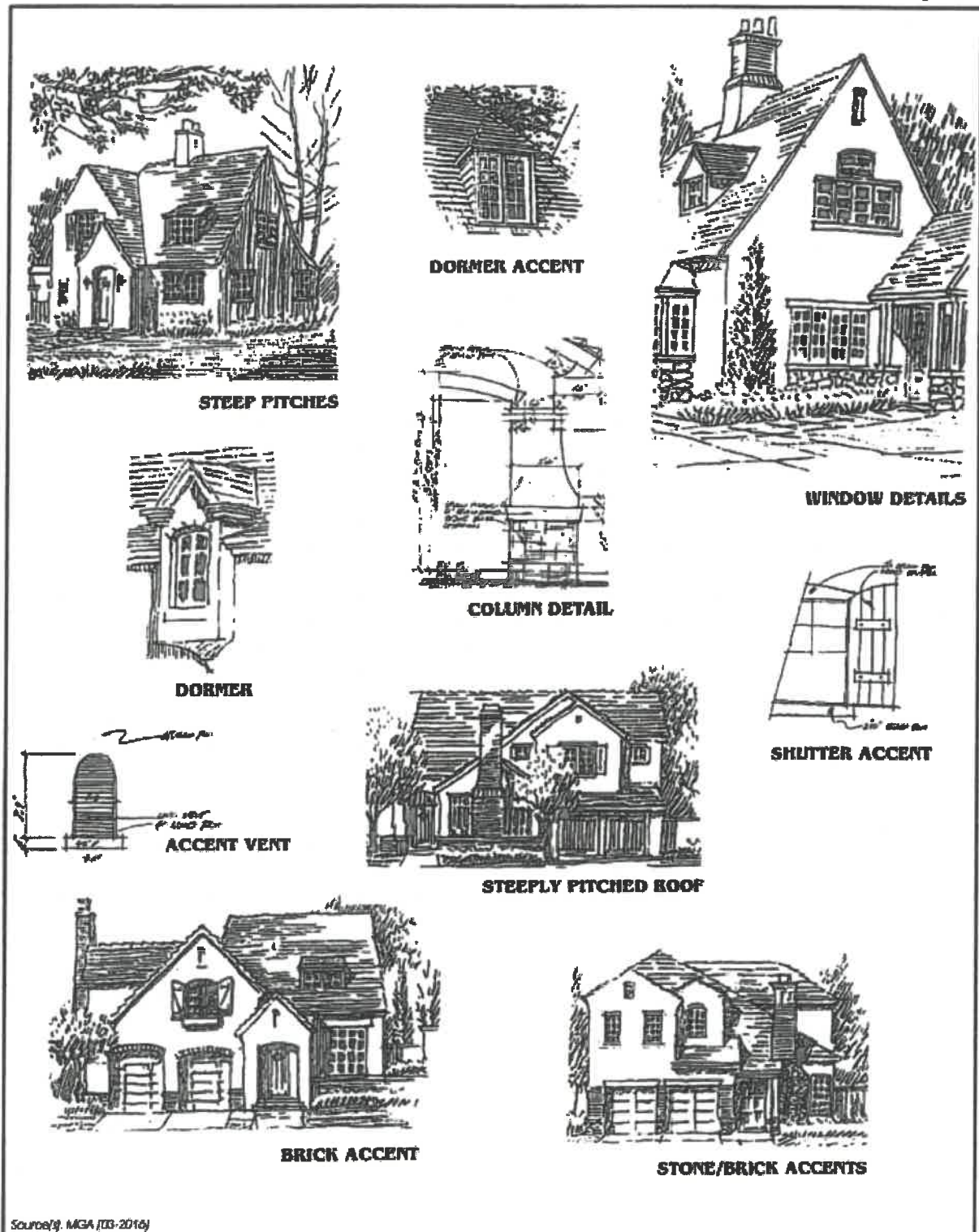


Figure III-2



ARCHITECTURAL DETAILS - COTTAGE

Table III-3 Spanish Style Defining Characteristics

Spanish	
Simple gable-ended architecture. Narrow and tall window openings and shutters with periodical use of arches.	
Design Features ☐ Plaster ☐ Minimal overhangs ☐ Symmetrical fenestration ☐ Vertical forms ☐ Arched Openings Colors ☐ Light tones ☐ Vibrant Accents ☐ Park Facias Accent Materials ☐ Stucco – light lace finish ☐ Terra cotta pipes and gables ☐ Wrought Iron Accent Grates	Roofs ☐ Shallow pitched roof (5:12 to 6:12) ☐ Simple gabled roofs ☐ Terra cotta tiles (Barrel & 'S') Windows ☐ Deep set (2" minimum) on front elevations ☐ Narrow and tall ☐ Occasional use of arched windows ☐ Shutters ☐ Distinctive window trim details



NOT TO SCALE

Page III-10

B. LANDSCAPE DESIGN GUIDELINES

These *Landscape Design Guidelines*, along with the community's companion *Architectural Design Guidelines*, establish a clear and coherent community identity that is contemporary, visually appealing, and sensitive to the environment.

Although a great deal of specific design information is provided in Figure III-4, *Conceptual Landscape Plan*, there will at times be a need for interpretation of the guidelines in keeping with the spirit of the community's landscape theme. When interpreting these guidelines to meet certain parcel-specific or user-identity requirements, opportunities for diversity and visual interest are encouraged. However, it is critical that such opportunities be implemented in manners consistent with the core elements of the overall theme described in this Specific Plan in order to ensure a cohesive and unified community-wide landscape concept.

1. Landscape Theme

The landscape vernacular for HIGHLAND PARK draws from the adjacent foothills. The landscape framework is informal and incorporates informal massing of evergreen and deciduous shade trees along with small flowering accent trees. The backbone trees within Highland Park are comprised primarily of Pines and Oaks. Baseline Street is defined by small flowering accent trees and a combination of Pines and deciduous trees exhibiting fall color. Filibusta Fan Palms line Baseline in the parkway, matching existing trees to the west of the project. The ground plane palette is a mix of Southern California native and compatible drought tolerant, non-native plant materials.

2. Plant Palette

The plant palette for HIGHLAND PARK complements and enhances the setting of the community, while ensuring the conservation of water resources. The plant palette includes colorful shrubs and ground covers along with evergreen and deciduous trees to complement the community's setting and accentuate the community's architectural styles and design elements (hardscape, monumentation, walls and fences, etc.). The landscape theme follows a more natural, informal approach complimentary of the architectural theme and surrounding neighborhood. To ensure the conservation of water resources and to alleviate long-term maintenance concerns, the plant palette for HIGHLAND PARK is comprised of water-efficient species native to southern California or naturalized to the arid southern California climate.

Table III-4, *Plant Palette*, provides a list of the specific plant materials proposed for the various component landscape areas of the community. The plant palette is provided as a base palette for the community's landscape design. Other similar plant materials may be substituted provided the selected plant materials are water-efficient, are non-invasive to the region and complement the HIGHLAND PARK community theme. Plant selection for specific areas of the community shall have similar watering requirements so that irrigation systems can be designed to minimize water use and plant materials can thrive under optimal conditions.



Source(s): Clark & Green Assoc. (08-03-16)

Figure III-4



CONCEPTUAL LANDSCAPE PLAN

Table III-4 Plant Palette

Botanical Name	Common Name	So. California Native Y/N	WUCOLS Class-Region 4'	Base Line	Streets A, B, C, Landscape Setback Trees	Park Site	Slopes	Front Yard
Trees								
<i>Chilopsis linearis</i> 'Arts Seedless'	Desert Willow	Y	L				✓	✓
x <i>Chitalpa tashkentensis</i> 'Morning Cloud'	Chitalpa	N	L	✓	✓		✓	
<i>Fraxinus oxycarpa</i> 'Raywood'	Raywood Ash	N	M	✓		✓	✓	✓
<i>Lagerstroemia faurei</i> x <i>indica</i> cultivars	Crape Myrtle	N	M		✓		✓	✓
<i>Pinus eldarica</i>	Afghan Pine	N	L	✓			✓	
<i>Pinus halepensis</i>	Allepo Pine	N	L	✓			✓	
<i>Pistacia chinensis</i>	Chinese Pistache	N	M		✓		✓	
<i>Platanus racemosa</i>	California Sycamore	Y	M			✓		
<i>Podocarpus gracilior</i>	Fern Pine	N	M	✓			✓	✓
<i>Prunus caroliniana</i>	Carolina Laurel Cherry	N	M	✓	✓		✓	
<i>Quercus agrifolia</i>	Coast Live Oak	Y	L			✓	✓	
<i>Quercus ilex</i>	Holly Oak	Y	L	✓	✓	✓	✓	
<i>Rhus lancea</i>	African Sumac	N	L				✓	✓
<i>Sambucus mexicana</i>	Mexican Elderberry	Y	L					
<i>Washingtonia</i> x <i>filibusta</i>	Filibusta Fan Palm	Y	L	✓				
Shrubs/Groundcover								
<i>Abelia</i> x <i>grandiflora</i>	Glossy Abelia	N	M					✓
<i>Acacia</i> 'Desert Carpet'	Desert Carpet Acacia	N	L	✓			✓	
<i>Anigozanthos flavidus</i> /hybrids	Kangaroo Paw	N	L					✓
<i>Arctostaphylos</i> 'Pacific Mist'	Pacific Mist Manzanita	Y	L					✓
<i>Arctostaphylos</i> 'Sunset'	Sunset Manzanita	Y	L			✓	✓	✓
<i>Baccharis pilularis</i> 'Pigeon Point'	Coyote Brush	Y	L	✓	✓	✓	✓	
<i>Bulbine frutescens</i> 'Tiny Tangerine'	Bulbine	N	L	✓				✓
<i>Callistemon</i> 'Little John'	Little John Bottlebrush	N	L		✓		✓	✓
<i>Carpenteria californica</i>	Bush Anemone	Y	L					✓
<i>Chrysactinia mexicana</i>	Damianita	N	L	✓			✓	✓
<i>Cistus hybridus</i>	White Rockrose	N	L					✓

Table III-4 Plant Palette

Botanical Name	Common Name	So. California Native Y/N	WUCOLS Class-Region 4'	Base Line	Streets A, B, C, Landscape Setback Trees	Park Site Slopes	Front Yard
Shrubs/Groundcover (Cont.)							
<i>Dietes iridioides</i>	Fortnight Lily	N	M				✓
<i>Encelia farinosa</i>	Incienso	Y	L			✓	✓
<i>Gaillardia x grandiflora</i>	Blanket Flower	N	M	✓	✓	✓	✓
<i>Hemerocallis hybrids</i>	Daylily	N	M				✓
<i>Hesperaloe parviflora</i> 'Perpa' Brakelights	Crimson Yucca	N	L	✓		✓	✓
<i>Justicia californica</i>	Chuparosa	Y	L			✓	
<i>Lantana</i> 'New Gold'	Lantana	N	V L	✓	✓	✓	✓
<i>Leonotis leonurus</i>	Lion's Tail	N	L	✓	✓	✓	✓
<i>Leucophyllum</i> 'Lynn's Legacy'	Lynn's Legacy Texas Ranger	N	L	✓	✓	✓	✓
<i>Ligustrum japonicum</i> 'Texanum'	Privet	N	M	✓	✓		✓
<i>Macfadyena unguis-cati</i>	Cat's Claw Vine	N	L	✓	✓		
<i>Muhlenbergia capillaris</i> 'Regal Mist'	Regal Mist Muhly	N	M		✓	✓	✓
<i>Muhlenbergia rigens</i>	Deer Grass	Y	M			✓	✓
<i>Myrtus communis</i>	Common Myrtle	N	M				✓
<i>Myrtus communis</i> 'Compacta'	Dwarf Myrtle	N	M				✓
<i>Olea europaea</i> 'Little Ollie'	Little Ollie	N	L	✓	✓	✓	✓
<i>Plumbago auriculata</i>	Cape Plumbao	N	M	✓		✓	
<i>Prunus caroliniana</i> 'Bright 'n Tight'	Carolina Laurel Cherry	N	M	✓	✓	✓	✓
<i>Rhus integrifolia</i>	Lemonade Berry	Y	L			✓	
<i>Rosmarinus officinalis</i> 'Prostrata'	Prostrate Rosemary	N	L	✓	✓	✓	✓
<i>Rosmarinus officinalis</i> 'Tuscan Blue'	Tuscan Blue Rosemary	N	L	✓	✓		✓
<i>Salvia</i> 'Furman's Red'	Furman's Red Sage	N	L	✓	✓	✓	✓
<i>Salvia meliera</i> 'Tera Seca'	Tera Seca Sage	Y	V L	✓		✓	
<i>Simmondsia chinensis</i>	Jojoba	Y	V L			✓	

Table III-4 Plant Palette

Botanical Name	Common Name	So. California Native Y/N	WUCOLS Class- Region 4'	Base Line	Streets A, B, C, Landscape Setback Trees	Park Site	Slopes	Front Yard
Shrubs/Groundcover (Cont.)								
<i>Sphaeralcea ambigua</i>	Apricot Mallow	Y	L		✓	✓	✓	

*WUCOLS (Water Use Classification of Landscape Needs) Categories of Water Needs: VL= Very Low; L=Low; M=Medium; H-High

3. Monumentation

HIGHLAND PARK features an entry point off of Baseline, illustrated in Figure III-5, *Entry Plan*, and Figure III-6, *Entry Elevation*. As shown in Figure III-7, *Entry Monument*, the entry into the community includes a monument pilaster/column with decorative precast concrete detailing and community name. Flowering trees and colorful shrubs provide an inviting shaded entry experience.

Monument signage should be compatible with the character of the community but flexible enough to respond to the individual contexts. Logos, type styles, and color schemes should be consistent throughout the Specific Plan area. General project signs shall vary in size and detail in a manner that reflects their relative importance within the signage hierarchy.

4. Streetscapes

Roadway streetscapes within HIGHLAND PARK are critical to creating a sense of place, and maintaining a high-quality community theme. The scale and proportion of the street scene provides separation of vehicular and pedestrian travel while tying the individual residences together visually, creating a high quality and visually pleasing experience at the pedestrian and vehicular level. Streetscapes throughout the community are planted with a combination of street trees, low shrubs, and masses of groundcovers. Turf grass shall be primarily limited to active use areas such as the neighborhood park. The landscaping plant palette for streetscapes provides continuity throughout the entire community. Streetscapes within the HIGHLAND PARK community are provided as follows:

a. Base Line Landscape Treatment

HIGHLAND PARK is fronted along existing Baseline which includes a ten-foot wide, curb adjacent landscaped parkway and a 10-foot wide sidewalk within the street right of way, as well as a generous landscape setback and community wall. As shown in Figure III-8, *Base Line Streetscape*, the landscape theme along Baseline will feature small flowering trees, seasonal color and a backdrop of screening trees and pines. Ground plane planting is comprised of a hierarchy of informal massing of evergreen and flowering Southern California native and non-native drought tolerant plantings.

b. Local Street Landscape Treatment

As shown in Figure III-9, *Local Street Streetscape*, Local Streets within the HIGHLAND PARK community feature a 50-foot right-of-way, including an 18-foot travel lane in each direction, 6-and-a-half foot wide, curb adjacent sidewalks with a 6-inch mow strip adjacent to residential frontages that are landscaped with street trees and groundcover. A single street tree is provided in the front yard of each unit. The developer shall be responsible for the front yard landscaping of the residential units to ensure an attractive street scene; however, maintenance of the front yard landscaping shall be the responsibility of the individual home owner.

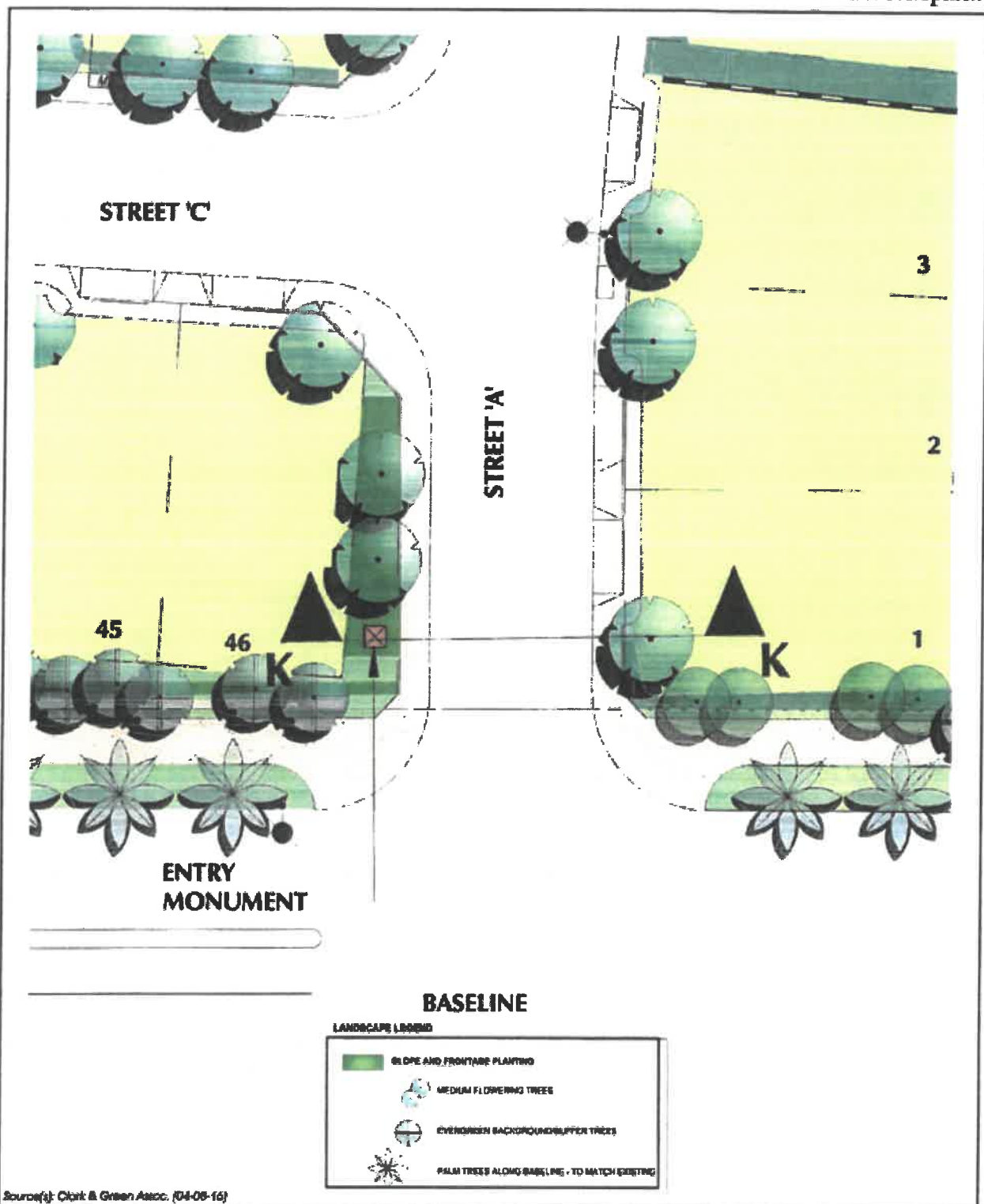


Figure III-5

ENTRY PLAN

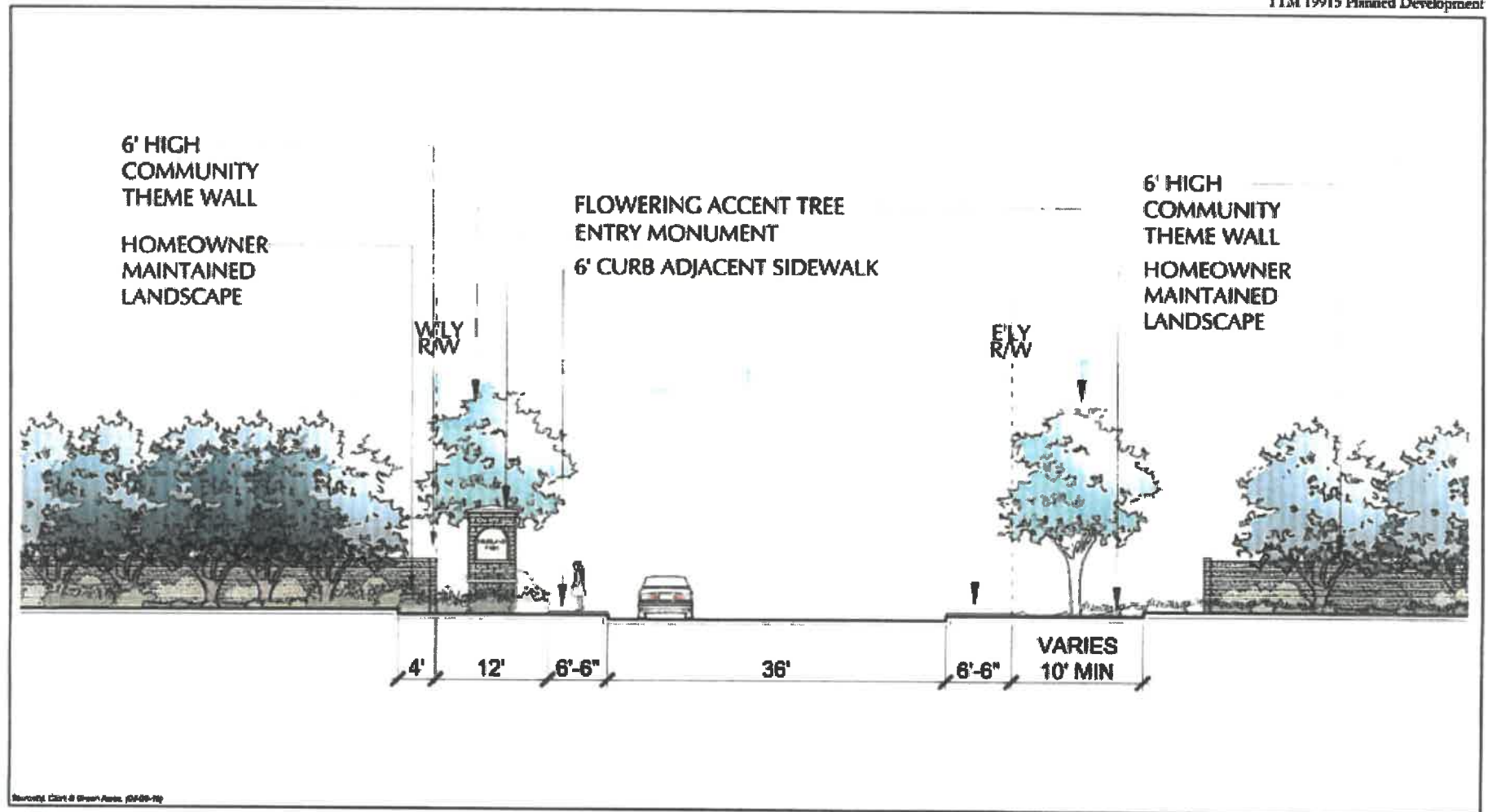


Figure III-6

ENTRY ELEVATION

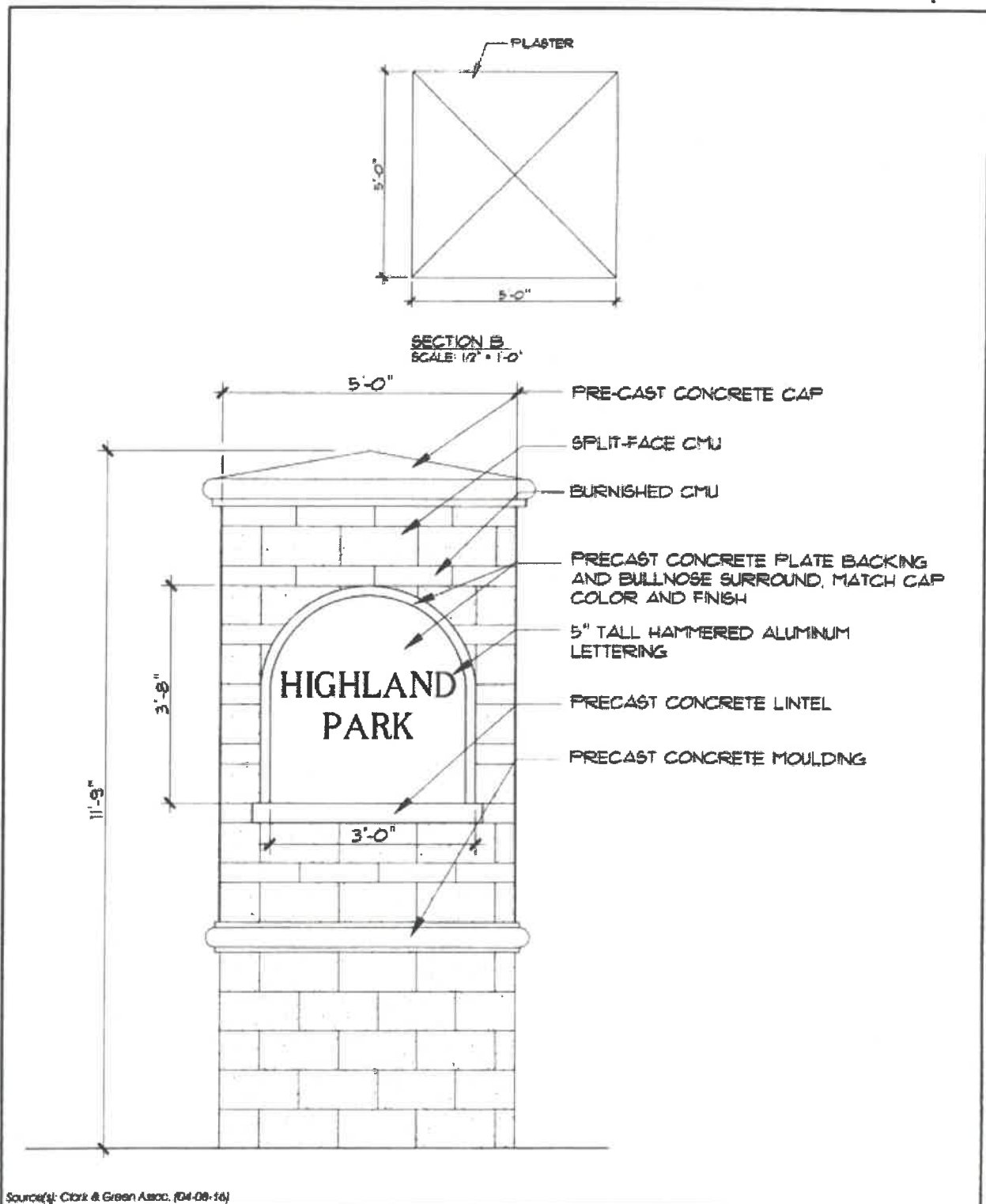
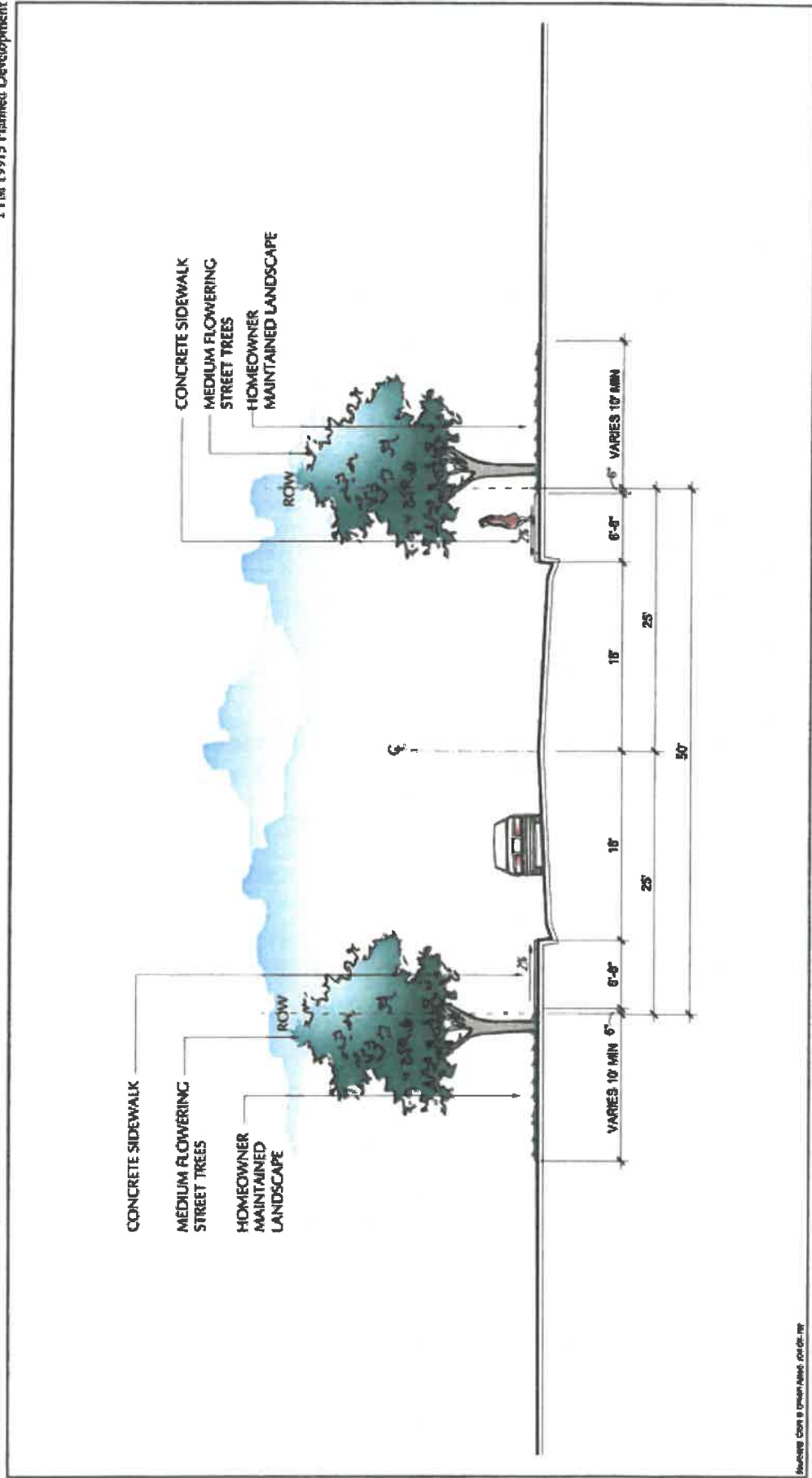


Figure III-7



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ENTRY MONUMENT



Standard Cross Section Name: STD-01-10



Figure III-9

LOCAL STREET STREETScape

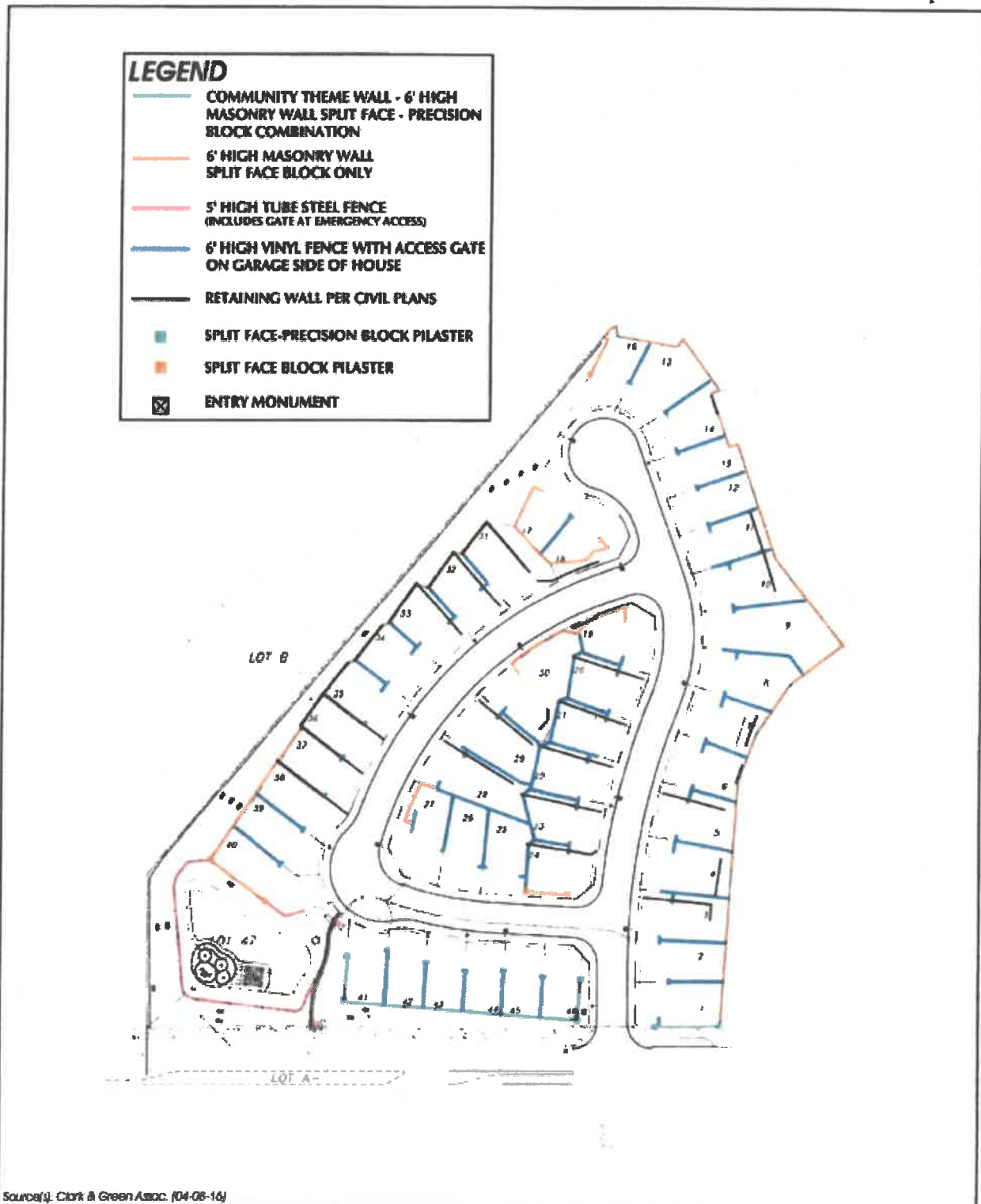
5. Walls and Fences

Walls and fences within the HIGHLAND PARK community are provided for functional purposes. They increase privacy and security and provide a visual element that unifies the community's theme and appearance. As illustrated on Figure III-10, *Wall and Fence Plan*, walls and fences within HIGHLAND PARK are predominantly located around the perimeter boundaries of the homes where these areas interface with roads, the neighborhood park, open space, or off-site land uses.

The walls and fencing within the HIGHLAND PARK community are major visual elements and have been carefully designed to complement the overall theme. The walls and fencing will be easy to maintain and provide a durable, long-term edge. Where provided, gates should be complementary in style and color to its fence or wall. Similarly, walls and fences shall be constructed of materials, colors, and textures that are similar and harmonious with the architecture. Particular importance shall be given to cap details. Walls and fences may be offset occasionally to avoid visual monotony.

The four (4) general types of walls and fencing used within HIGHLAND PARK are described below and conceptually depicted on Figure III-11, *Wall and Fence Details*.

- ☐ **Community Theme Wall:** The HIGHLAND PARK Community Theme Wall along Baseline is a decorative tan, six (6)-foot tall solid masonry wall with masonry block cap. Masonry block pilasters are provided at key wall terminus points, corners, and other key locations. Theme walls create sense of community space, increase privacy and security, and screen neighborhoods from off-site land uses.
- ☐ **Perimeter Wall:** The perimeter wall along the north, east and west perimeter of the project is a tan, six (6)-foot tall solid masonry wall with masonry block cap. Masonry block pilasters are provided at key wall terminus points and corners. The perimeter wall increases privacy and security, and screens neighborhoods from off-site land uses.
- ☐ **View Fences:** View fences are generally located adjacent to natural open space areas. These fences preserve scenic views while maintaining security. View fences have a maximum height of five (5) feet, are constructed of tubular steel, and feature masonry block pilasters with masonry block caps. The color finish of the tubular steel fence should complement the community's design theme.
- ☐ **Tubular Steel Fence:** Tubular steel fence is located around the water quality basins. The fencing consists of two inch square posts at eight feet on center, maximum. The fence is six feet tall.



Source(s): Clark & Green Assoc. (04-08-16)

Figure III-10



NOT TO SCALE



WALL AND FENCE PLAN

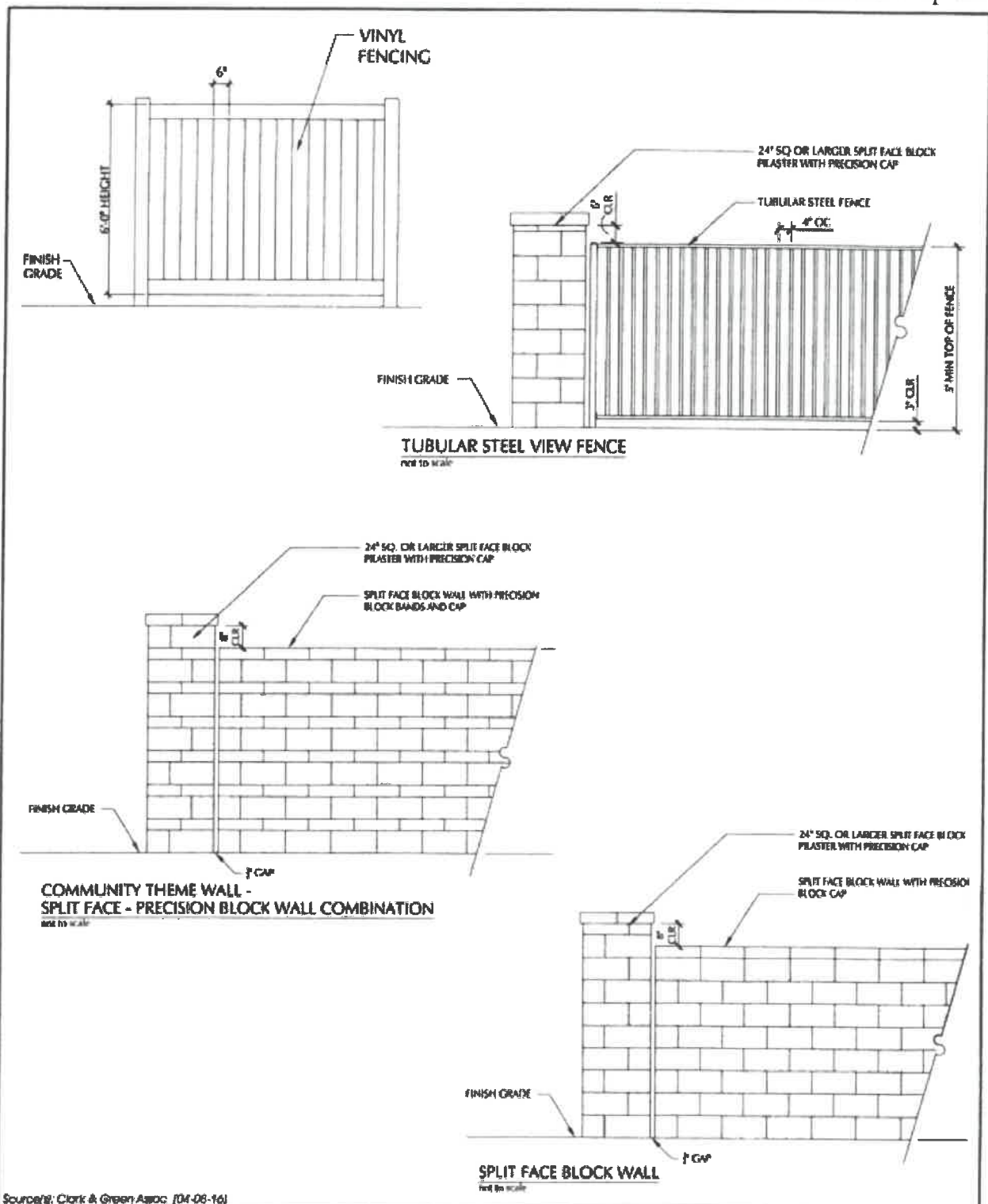


Figure III-11

WALL AND FENCE DETAILS

6. Land Use Transitions and Edge Conditions

The relationships between land uses within the Highland Park community, where one land use transitions into another, are of critical importance because these transitions ensure that neighboring uses are compatible with one another. Figure III-4, *Conceptual Landscape Plan*, identifies the areas in which these key transitions occur within the HIGHLAND PARK community and establishes the design components utilized to ensure and maintain compatibility. The most critical locations are those where residential neighborhoods abut other types of land uses, such as parks or internal slopes, and at the boundary of the HIGHLAND PARK community. The following information provides the design of each edge condition within the HIGHLAND PARK community.

a. Residential/Base Line

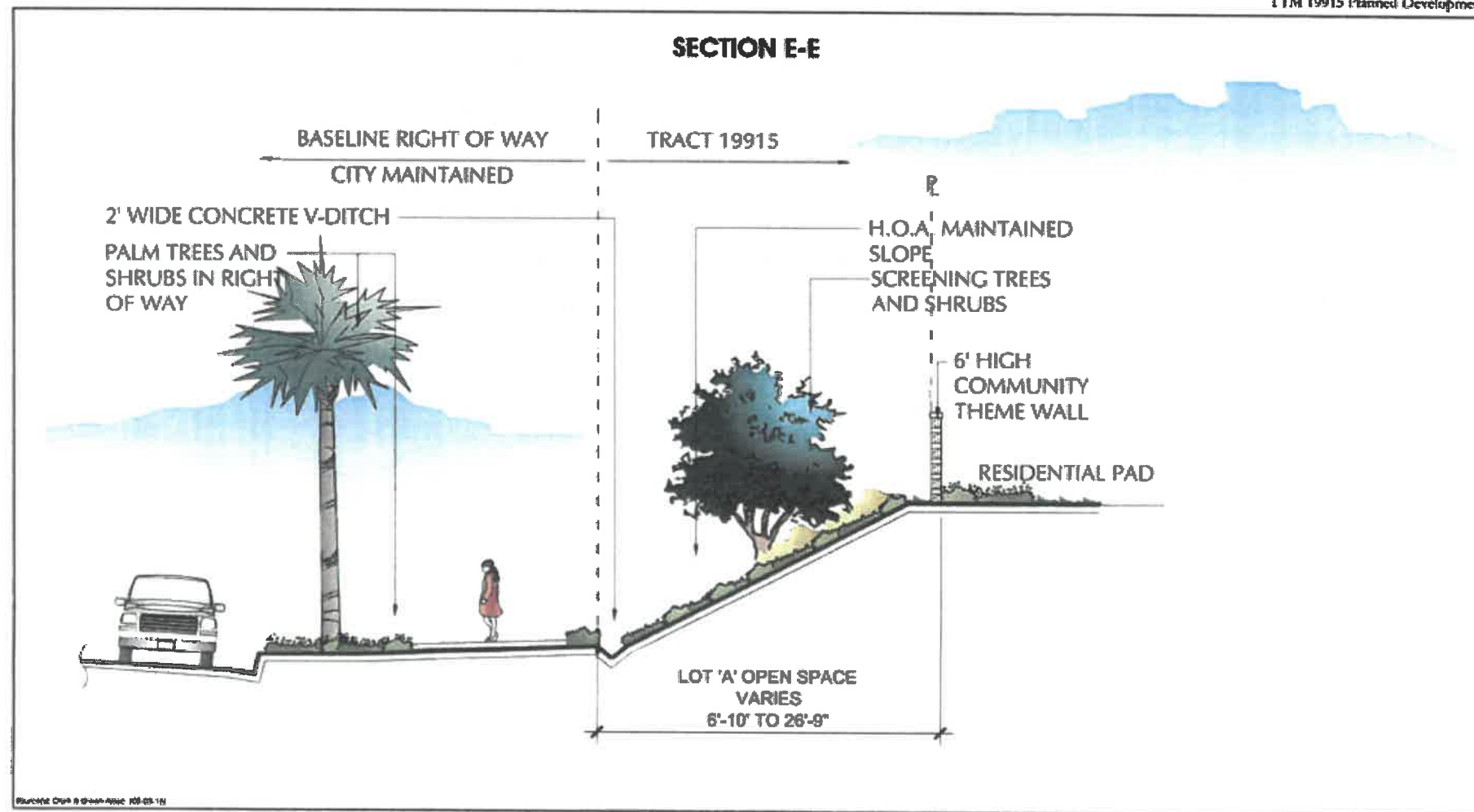
Figure III-12, *Residential Interface at Base Line*, illustrates the interface between residential lots that abut Base Line. Between these residential lots and Base Line is a HOA maintained open space (Lot 'A') with manufactured slope and planted with screening trees and shrubs in accordance with Table III-4, *Plant Palette*. A 6' tall Community Theme Wall is located at the top of the slope to maximize privacy and provide noise attenuation, as discussed in Subsection 5, *Walls and Fences*. A 2' wide concrete v-ditch is located at the Base Line right of way and is designed to carry drainage from the sloped areas to the storm drain located within Base Line.

b. Residential/North Fork Ditch

Figure III-13, *Residential Interface at North Fork Ditch*, illustrates the two types of interfaces between residential lots that bound the northeastern portion of the HIGHLAND PARK community and the north fork ditch. With the exception of Lots 13 and 14 of TTM 19915, there is a homeowner maintained, manufactured slope located between these residential lots and the north fork ditch (refer to Section B-B of Figure III-13, *Residential Interface at North Fork Ditch*). A 6' tall Perimeter Wall is located at the top of the slope to maximize privacy and a maximum 4'6" tall retaining wall is located at the toe of the slope to separate the residential lot from the north fork ditch. Residential Lots 13 and 14 do not abut a sloped area, therefore the 6' tall Perimeter Wall sits on top of the maximum 9'6" tall retaining wall (refer to Section A-A of Figure III-13, *Residential Interface at North Fork Ditch*).

c. Residential/Adjacent Vacant Property

Figure III-14, *Residential Interface at Adjacent Vacant Property*, illustrates the two interface conditions between residential lots and the vacant property adjacent to the eastern portion of the HIGHLAND PARK community. Section C-C of Figure III-14, *Residential Interface at Adjacent Vacant Property*, depicts residential lots in this area that have a homeowner maintained, manufactured slope between the residential lot and a 6' tall Perimeter Wall that separates the residential lot from the adjacent vacant property. Section D-D of Figure III-14, *Residential Interface at Adjacent Vacant Property*, depicts residential lots in this area that have a homeowner maintained, manufactured slope between a maximum 2'8" tall retaining wall located at the toe of slope and the 6' tall Perimeter Wall located at the top of the slope.



PLANNING CODE 9.00-00-000 100-00-10



Figure III-12

RESIDENTIAL INTERFACE AT BASE LINE

Page III-26

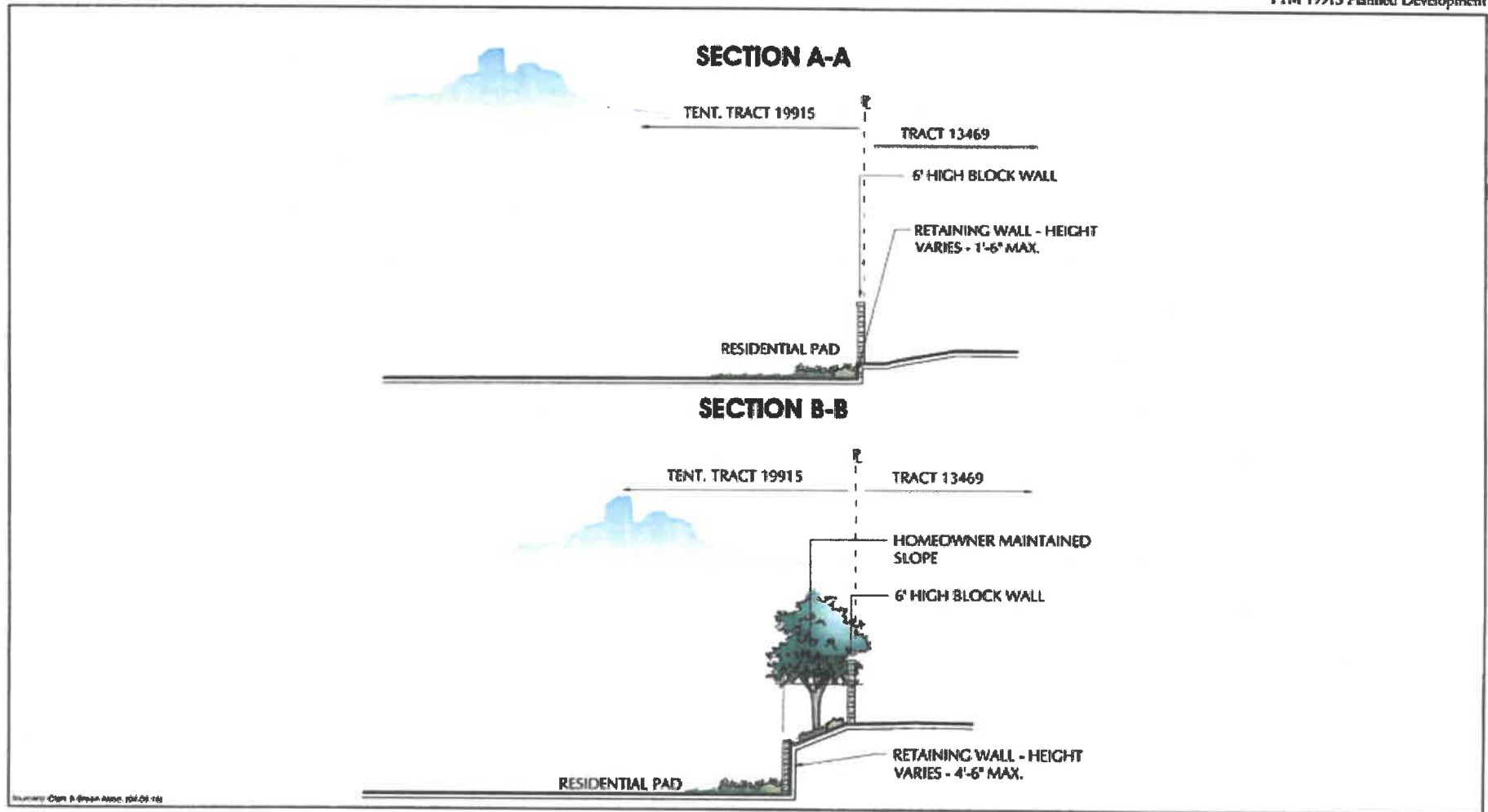
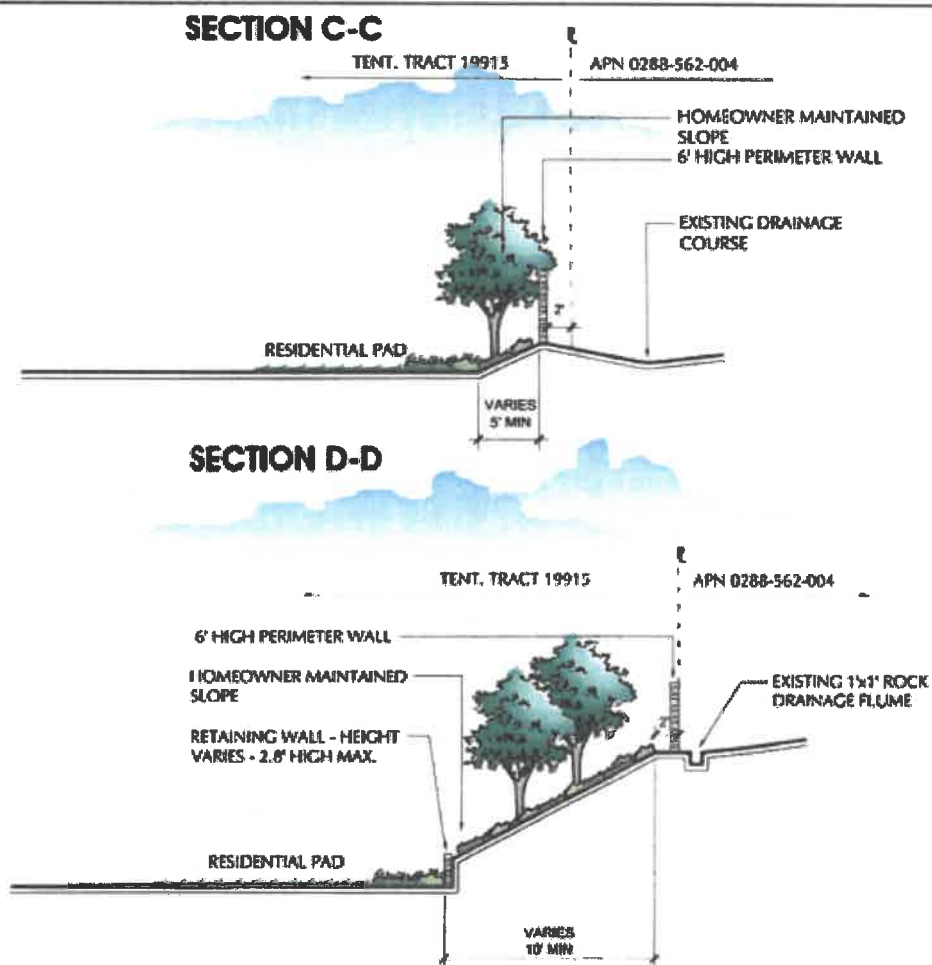


Figure III-13

RESIDENTIAL INTERFACE AT NORTH FORK DITCH



FOOTNOTES: Create & Amend: 1/14/08-15/



Figure III-14

RESIDENTIAL INTERFACE AT ADJACENT VACANT PROPERTY

d. Residential/Existing Residential

Figure III-15, *Residential Interface at Existing Residential*, illustrates the interface between residential lots and existing residences located west of the HIGHLAND PARK community. An HOA maintained open space (Lot 'B') with a manufactured slope landscape is located between these residential lots and existing residential lots. A 6' tall Perimeter Wall is located at the top of the slope and a concrete drainage ditch is located at the toe of slope. The drainage ditch abuts an existing retaining wall that borders the rear and side yards of the existing residential lots.

e. Residential/Neighborhood Park

Figure III-16, *Residential Interface at Neighborhood Park*, illustrates the interface between residential lots and the Neighborhood Park. A 6' tall Community Theme Wall to protect the privacy of community residents. The park is planted with large canopy evergreen and deciduous trees and low shrubs and ground cover to visually buffer residential areas from the neighborhood park. The landscape treatments also serve to soften the appearance of residential areas from the neighborhood park. The basin slopes are planted with native and naturalized plant materials, including trees and groundcovers

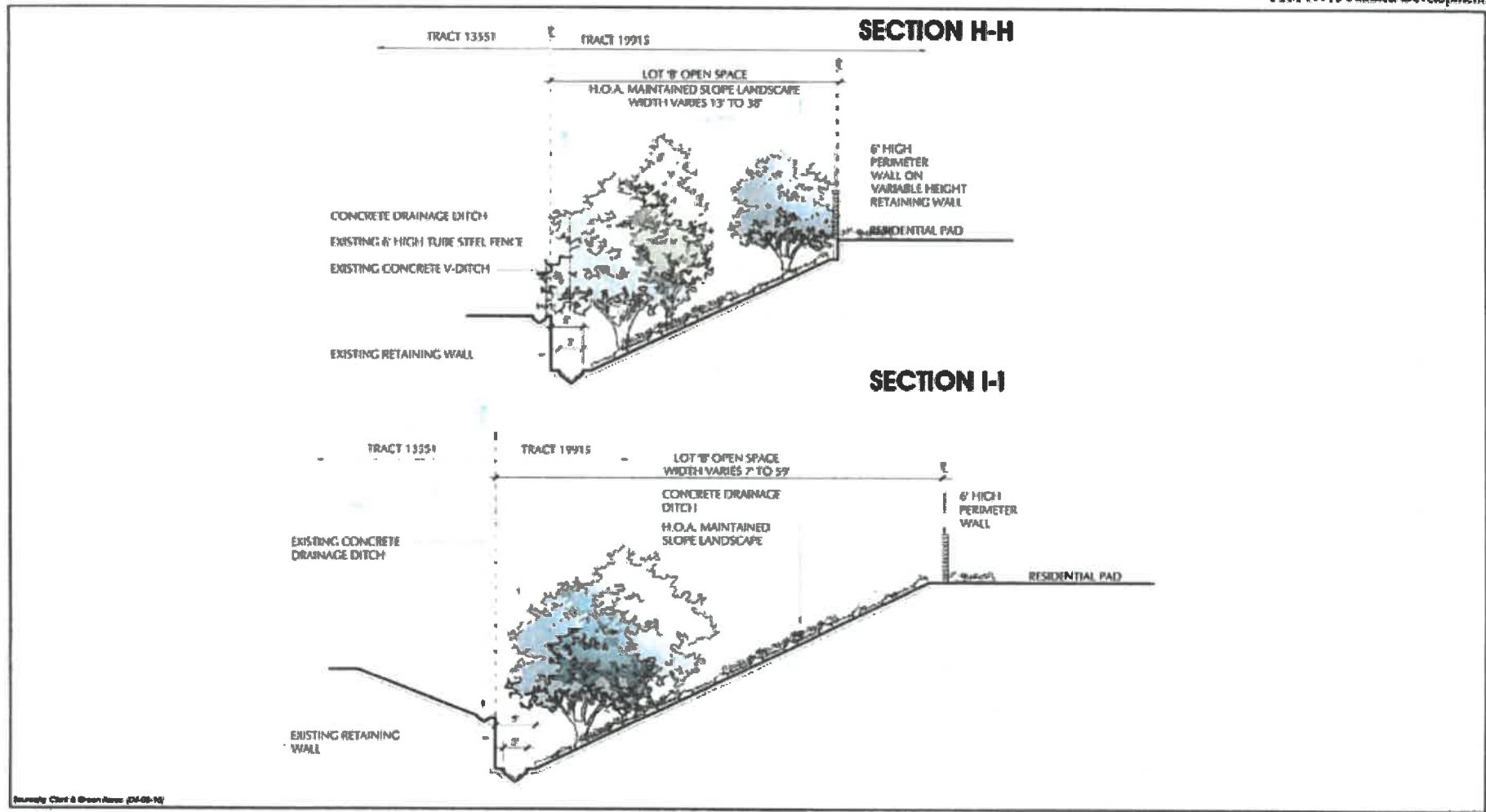


Figure III-15

RESIDENTIAL INTERFACE AT EXISTING RESIDENTIAL

SECTION L-L

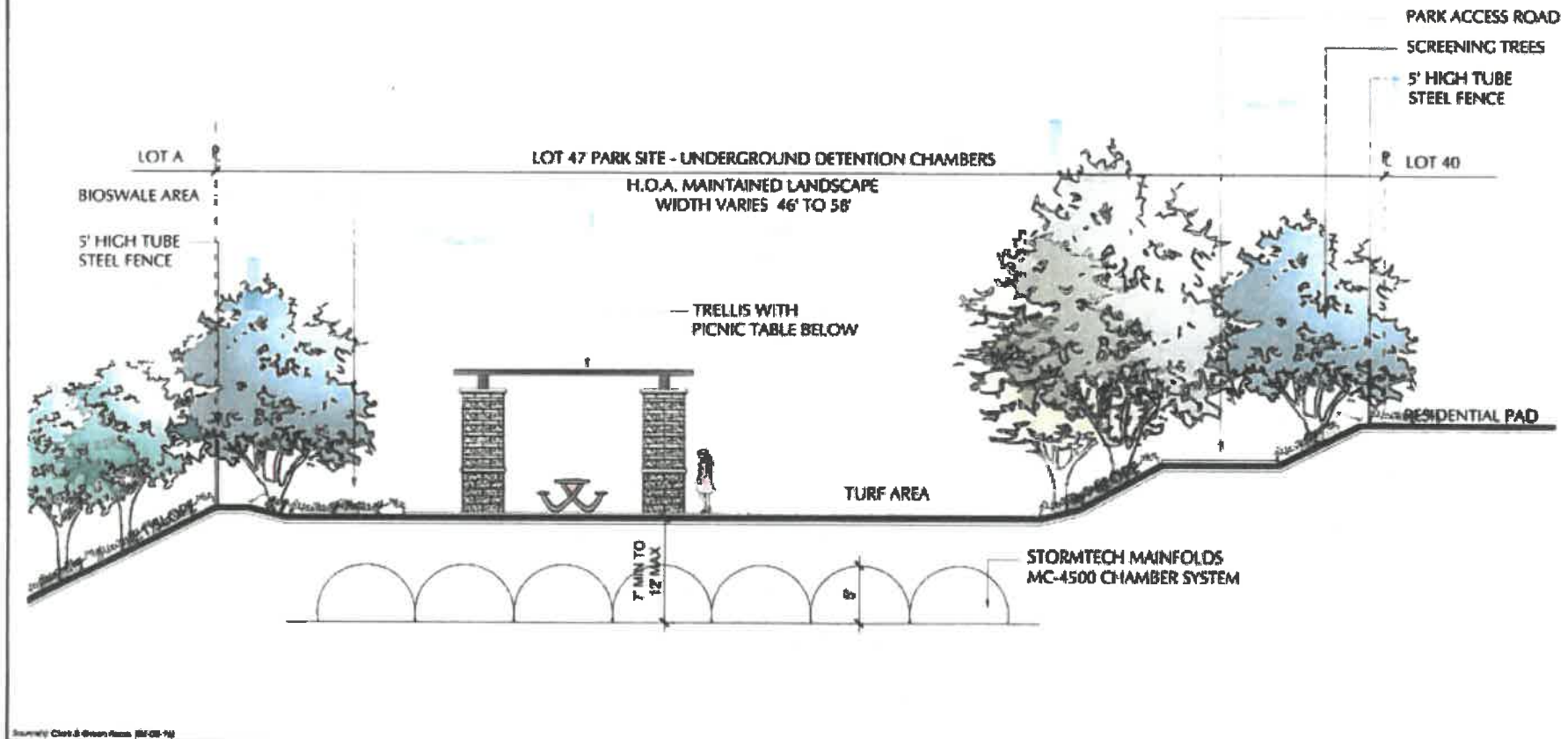


Figure III-16

RESIDENTIAL INTERFACE AT NEIGHBORHOOD PARK

7. Recreational Amenities

HIGHLAND PARK includes a 0.44-acre Neighborhood Park to provide a recreational amenity for community residents. HIGHLAND PARK also features pedestrian walkways, landscaped buffers, and passive open space areas. A detailed description of the Neighborhood Park site is provided below.

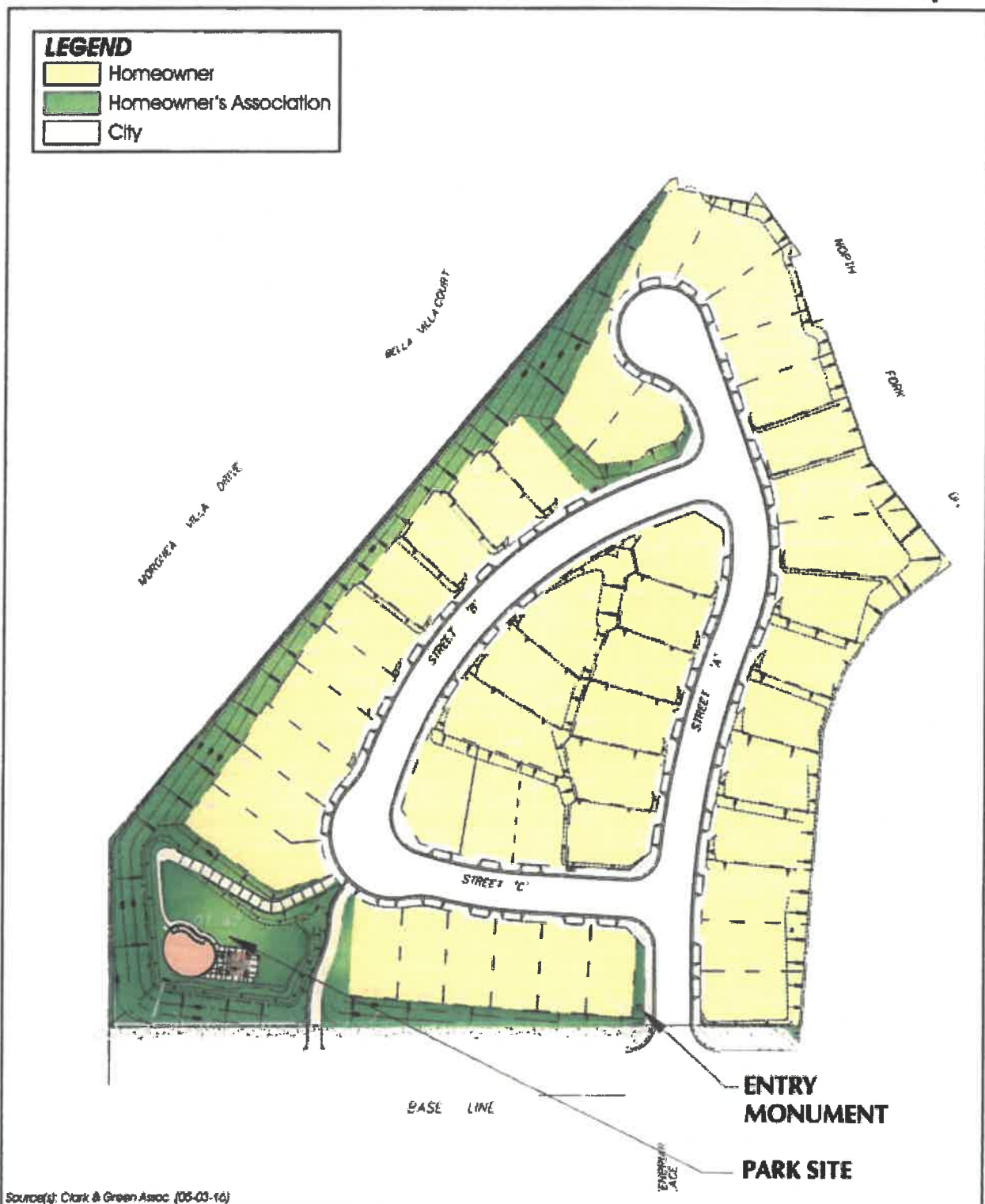
a. Neighborhood Park

The Neighborhood Park is centrally located within the neighborhood. As illustrated on Figure II-2, *Neighborhood Park*, the park features a shade trellis, picnic area, walking paths and turf open space. The planting palette is predominately Southern California native, featuring Sycamore and Oak trees.

8. Maintenance of Common Areas and Recreational Amenities

Maintenance responsibilities for common areas and recreational amenities within the HIGHLAND PARK community are described below and depicted on Figure III-17, *Maintenance Plan*. Individual homeowners shall be responsible for the maintenance of the public street landscape along their property frontage unless otherwise identified within their legal ownership documents. Private homeowners shall also be responsible for all maintenance within their private lot area as well as fences and wall faces on their internal boundaries. For all other areas of the community maintenance responsibilities shall be as follows:

- ☐ City of Highland: Public streets (including street sweeping), street lighting, and landscape and sidewalks within public rights-of-way.
- ☐ Homeowner Association: Community Park, common open space areas (including slopes), landscape buffers, the water quality basin and streetscape behind sidewalk.



Source(s): Clark & Green Assoc. (05-03-16)

Figure III-17



MAINTENANCE PLAN

IV. GENERAL PLAN CONSISTENCY

The HIGHLAND PARK community consists of 46 single-family homes, a 0.44 acre Neighborhood Park, open space, a Water Quality Basin, and supporting infrastructure. The HIGHLAND PARK community is located within a residential area and is surrounded by existing residential development. As such, the HIGHLAND PARK community is consistent with surrounding land uses and development. Additionally, the high quality design of the HIGHLAND PARK community and accessibility to adequate public services achieves the goals and policies of the City's General Plan. Overall, the HIGHLAND PARK community is a residential community that offers attractive amenities to accommodate the diverse needs of Highland's residents.

A. FEATURES AND AMENITIES

The City of Highland General Plan Land Use Map designates the HIGHLAND PARK community as Medium Density Residential, a designation intended for single family residential development at a density between 6.1 and 12.0 dwelling units per acre (du/ac). The Highland Park Planned Development is consistent with the General Plan Land Use Element because this single family residential development has a net density of 6.37 du/ac, which is within the allowed Medium Density Residential land use.

Goal 10.6 of the City's General Plan identifies the primary goal for single-family neighborhood design is to "Maintain and enhance single-family neighborhoods with attractive streetscapes, compatible architecture and a high quality of life (p. 10-17)." The architectural and landscape design guidelines of the HIGHLAND PARK community set forth in this Planned Development document work together to achieve Goal 10.6, as well as Goal 10.10, and implement other associated policies contained in the City's Community Design Element (p. 10-17 through p. 10-18). Specifically, the features and amenities included in the HIGHLAND PARK community are consistent with the achievement of Goals 10.6 and 10.10 along with the implementation of the associated policies include:

- In accordance with Policy #1 of Goal 10.6, HIGHLAND PARK provides continuous sidewalks with consistently spaced medium, flowering trees provide for a pleasant pedestrian streetscape.
- In accordance with Policy #3 of Goal 10.6, three different floor plans, each featuring three different architectural styles provide for a varied and aesthetically pleasing street scene.
- In accordance with Policy #8 of Goal 10.6, the architectural design standards create a high quality, aesthetically pleasing residential design that unifies the community and is compatible with existing residential development.
- In accordance with Policy #9 of Goal 10.6, front yard setbacks provide for maximum landscape coverage of the front yard area.
- In accordance with Policy #6 of Goal 10.10, the Neighborhood Park provides for a common open space that encourages recreational uses and enhances the community environment.

B. PUBLIC SERVICES

The HIGHLAND PARK community provides adequate infrastructure for all public services and facilities needed to serve the community. A summary of services and agencies responsible for providing these services are provided below.

1. Water Service

Water service to the HIGHLAND PARK community is provided by the East Valley Water District. There is an existing 12" water main located along Base Line. The HIGHLAND PARK community will be served by the construction of an 8" water line within the community's local roadways 'A', 'B', and 'C', which will connect to the water main along Base Line.

2. Sewer Service

Sewer service to the HIGHLAND PARK community will be provided by the East Valley Water District. There is an existing 8" sewer line located along Base Line. The HIGHLAND PARK community will be served by the construction of an 8" private sewer line within the community's local roadways 'A', 'B', and 'C', which will connect to the existing sewer line along Base Line.

3. Police and Fire Services

Police protection services are provided to the HIGHLAND PARK community by the San Bernardino County Sheriff's Department through a contract with the City of Highland. The closest police station is located at 26985 Base Line, approximately 3.0 miles west of the community, which will allow the City to maintain a four-minute response time for police services as mandated by the General Plan.

Fire protection services are provided to the HIGHLAND PARK community by the California Department of Forestry and Fire Protection (CDF) through a cooperative agreement with the City of Highland. The closest fire station is located at 29507 Base Line, approximately 0.25 mile east of the community, which will allow the City to maintain a four-minute response time for fire services as mandated by the General Plan.

4. Trash and Recycling

Trash and recycling services are provided to the HIGHLAND PARK community by Burrtec Waste Industries, Inc. and Cal Disposal Co., Inc. through contract with the City of Highland's residential and commercial trash collection program. Under this program, trash collection is provided once a week, and each home is provided three 95-gallon carts, one for trash, one for recyclables, and one for green waste. As such, each home within the HIGHLAND PARK community will be provided with these trash collection services, which are considered to be adequate for single-family homes.

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF HIGHLAND)

I, BETTY HUGHES, City Clerk of the City of Highland, California, do hereby certify Resolution No. 2016-034 was duly and regularly adopted by the City Council of the City of Highland, California, at a regular meeting thereof held on the 14th day of June, 2016, by the following vote:

AYES: Lilburn, Racadio, Scott, Timmer

NOES: None

ABSTAIN: None

ABSENT: McCallon



BETTY HUGHES, MMC
CITY CLERK

Attachment No. 4

**City Council Resolution No. 2016-035
for the original approval of TTM No. 14-004**

RESOLUTION NO. 2016-035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING TENTATIVE TRACT MAP NO. 19915 (TTM 14-004) TO SUBDIVIDE ONE (1) 7.6 ACRES PARCEL INTO 47 NUMBERED LOTS, WITH ONE BEING A COMMUNITY PARK, AND TWO (2) LETTERED LOTS ALONG WITH THE PROPOSED STREET IMPROVEMENTS LOCATED ON APPROXIMATELY 7.6 ACRES AT 29300 BASE LINE (APN NOS. 0288-562-03).

APPLICANT: 29300 BASELINE PARTNERS, LLC

A. RECITALS

1. The Applicant filed an application with the City of Highland to request approval of Tentative Tract Map No. 19915 (TTM 14-004) to subdivide to subdivide one (1) 7.6 acres parcel into 47 numbered lots, with one being a community park, and 2 lettered lots for the creation of a cohesive planned residential development and related land use entitlements; General Plan Amendment (GPA 15-003), Zone Change (ZC 15-001), planned development (SPA 15-001), and conditional use permit (CUP 15-001) located on approximately 7.6 acres located at 29300 Base Line.
2. Pursuant to the California Environmental Quality Act, an Initial Study, to determine whether the project would have a significant effect on the environment, has been prepared for the proposed project. The Initial Study analyzed the potential for environmental impacts on transportation and traffic, hazards and hazardous materials, hydrology and water quality, geology and soils, noise, air quality, aesthetics, agriculture and forest resources, biological, cultural, and mineral resources, greenhouse gas emissions, land use and planning, population and housing, public services, recreation, and utilities and service systems. All topics were found to have either no impact, a less than significant impact or a less than significant impact with mitigation incorporated and, as such, a Mitigated Negative Declaration was prepared and circulated in accordance with the Guidelines for the California Environmental Quality Act (CEQA), California Code of Regulations, Title 14, Chapter 3.
3. On March 15, 2016, the Planning Commission of the City of Highland conducted a public hearing on the subject applications at the Highland City Hall Council Chambers in Highland, California, at 6:00 p.m., and continued the hearing to May 3, 2016, to permit the applicant time to make project revision. The applicant subsequently requested that the hearing be continued to May 17, 2016, and the Planning Commission conducted the public hearing and concluded the hearing on that date.
4. On June 14, 2016, The City Council conducted a public hearing at the Highland City Hall Council Chambers in Highland, California, at 6:00 p.m., and concluded the hearing on that date.
5. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined and resolved by the City Council of the City of Highland as follows:

1. The City Council finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.
2. Pursuant to Title 14, California Code of Regulations, Section 15074, the City of Highland City Council adopted a Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program prepared for the project in compliance with the California Environmental Quality Act (CEQA).
3. The City of Highland City Council after due consideration, inspection, investigation and study made by itself and on its behalf, and after due consideration of all evidence and reports offered at said hearing, including the staff report to the City Council dated June 14, 2016, which is incorporated herein by this reference, does find and determine the following facts:
 - a. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.
4. Tentative Tract Map Findings of Fact (TTM 14-004/19915):
 - a. Pursuant to California Government Code Section 66474 the City Council hereby finds and determines that:
 - i. The proposed map is consistent with applicable General and specific plans as specified in Section 65451.

Response: The subdivision of land to accommodate a maximum of 46 single-family residential dwellings is desirable for the development of the community and consistent the surrounding development and with the types of uses and density envisioned by the existing General Plan Medium Density Residential (6.1 - 12 dwelling units per acre) land use designation and also complies with the proposed Planned Development designation which allows any density that is compatible with surrounding existing and planned uses as determined through the development review process. In addition, the map is consistent with the proposed planned development.

- ii. The design or improvement of the proposed subdivision is consistent with applicable General and specific plans.

Response: The proposed project includes implementation of a planned development and subdivision of land to create 47 numbered lots, with one being a community park, and two (2) lettered lots along with the proposed street improvements complies with the development standards specified within the planned development and is compatible with the adjacent single-family neighborhoods to the north, south, and west. In addition, the project site will provide on-site amenities in the form of a park and HOA maintained landscape area.

- iii. The site is physically suitable for the type of development.

Response: The project site is adjacent to existing single-family residential development on all sides. In order to accommodate the development, the site will be cleared and the vacant residence and remaining accessory structures will be demolished. The site contains sufficient acreage to accommodate subdividing into 47 numbered lots, with one being a community park, and two (2) lettered lots along with the proposed street improvements while ensuring the minimum building setbacks, parking, landscaping and other development standards as specified in the Highland Park Plan Development guidelines and the Highland Municipal Code are met.

- iv. The site is physically suitable for the proposed density of development.

Response: The project site consists of approximately 7.6 acres. The proposed project includes subdivision of the site into 47 numbered lots, with one being a community park, and two (2) lettered lots along with the proposed street improvements. The proposed planned development includes single-family residential and open space in the form of a community park and community landscape areas with an overall density of 6.37 dwelling units per acre. As specified in the General Plan, the current land use designation of Medium Density Residential allows a minimum of 6.1 dwelling units per acre and a maximum of 12.0 dwelling units per acre and the proposed land use designation of Planned Development allows any density that is compatible with surrounding existing and planned uses as determined through the development review process. Given that the proposed project density is 6.37, which falls within the allowed density within the current land use and the type of development is compatible with the surrounding uses, the site is considered suitable for the density proposed.

- v. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Response: The project site is adjacent to existing single-family residential development on all sides. The Initial Study prepared for the project analyzed the potential for environmental impacts on biological resources, which includes whether there are adverse impacts on wetlands and fish or wildlife species, and all topics were found to have either no impact or a less than significant impact with mitigation incorporated. The Initial Study incorporated mitigation measures to reduce any potential impacts to a less than significant level and, therefore; the proposed project is not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat.

- vi. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Response: The proposed project has been reviewed by Planning, Engineering, Building and Safety, the Fire Department and the Police Department and the subdivision map design and conditions of approval have been incorporated to ensure the development of the project will not cause serious public health problems.

- vii. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Response: The design of the subdivision will not conflict with easements for access through, or use of, property within the proposed subdivision. The project has been designed to minimize impacts to future homeowners by ensuring easements are located within the proposed streets and open space.

- b. Pursuant to California Government Code Section 66474.02 the Planning Commission hereby finds and determines that:

- i. The design and location of each lot in the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code.

Response: The design of the proposed project was reviewed by the Fire Department for compliance with the State Board of Forestry and all applicable fire protection regulations and local ordinances. As determined by the Fire Department, the design of the project is in compliance with all regulations, policies and ordinances pertaining to fire protection. In addition, conditions of approval have been included by the Fire Department which ensure compliance with all applicable regulations, ordinances and policies.

- ii. Structural fire protection and suppression services will be available for the subdivision through any of the following entities:

- ii.i A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity; or

- ii.ii The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, or 4144 of the Public Resources Code.

Response: Fire protection services are provided to all existing and future development within the City of Highland through contract with CalFire. The proposed project is located within the City of Highland and therefore, fire protection services will be provided by CalFire. In addition, conditions of approval have been included which require the Applicant/Developer to pay development impact fees which will contribute to the costs of providing fire protection services to the project site.

- iii. To the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and any applicable local ordinance.

Response: The design of the proposed project was reviewed by the Fire Department for compliance with State Fire Protection regulations and local ordinances. As determined by the Fire Department, the design of the project with its secondary emergency ingress/egress complies with all State and local regulations pertaining to fire protection. In addition, conditions of approval have been included which ensure compliance with all State and local regulations, ordinances and policies.

- 5. Based on the Findings of Fact and Conclusions set forth above, the City Council approves Tentative Tract Map No. 19915 (TTM-14-004).

C. ADOPTION OF RESOLUTION

The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED this 14th day of June, 2016.



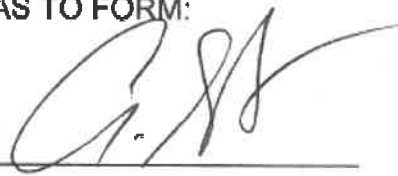
Penny Lilburn
Mayor Pro Tem

ATTEST:



Betty Hughes, MMC
City Clerk

APPROVED AS TO FORM:



Craig Steele
City Attorney

EXHIBIT "1"

TENTATIVE TRACT MAP NO. 19915

Tentative Tract Map No. 19915

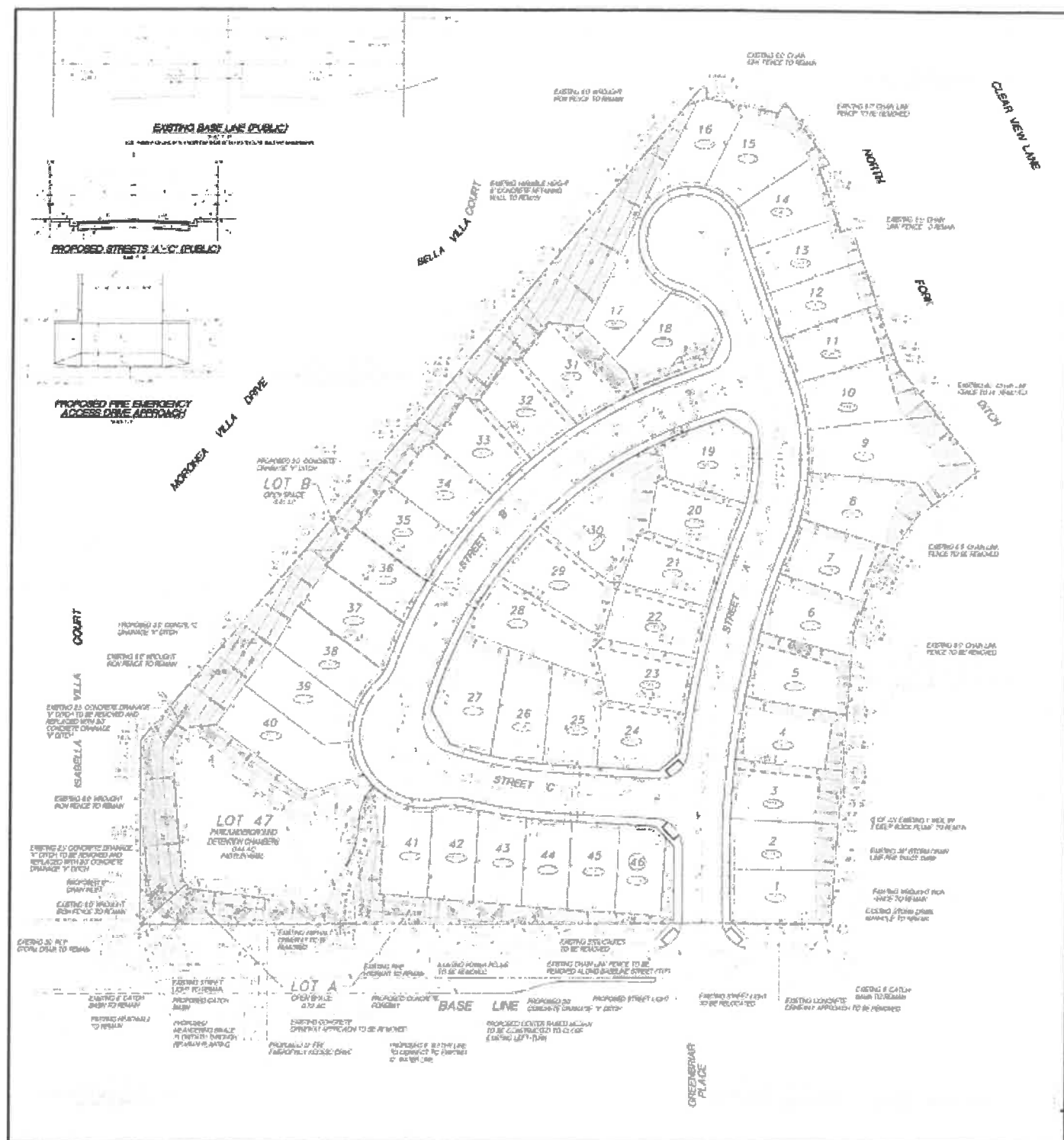


EXHIBIT "2"

**TTM 14-004 CONDITIONS OF APPROVAL
TENTATIVE TRACT MAP NO. 19915**

EXHIBIT 1

HIGHLAND PARK PLANNED DEVELOPMENT PROJECT

CONDITIONS OF APPROVAL

Date: June 14, 2016
File: GPA 015-003, ZC 015-001, CUP 015-001, SPA 015-001, ENV 015-003, and TTM 014-004 (Tentative Tract Map 18893)
Applicant: 29300 Baseline Partners, LLC
Proposal: Request to subdivide one (1) parcel into 47 numbered lots and 2 lettered lots and a community park for the creation of a cohesive planned residential development
Location: An approximately 7.6 acres lot at 29300 Base Line (APN Nos. 0288-562-03.)

The departments and agencies listed below have reviewed and conditioned the above referenced application.

Attachment A	Planning Division including Mitigation Monitoring Reporting Program (Attachment "A-1")
Attachment B	Building & Safety Division
Attachment C	Engineering Division
Attachment D	Fire Prevention Division

ATTACHMENT A

PLANNING COMMISSION CONDITIONS OF APPROVAL

Date: June 14, 2016
File: GPA 015-003, ZC 015-001, CUP 015-001, SPA 015-001, ENV 015-003, and TTM 014-004 (Tentative Tract Map 18893)
Applicant: 29300 Baseline Partners, LLC
Proposal: Request to subdivide one (1) parcel into 47 numbered lots and 2 lettered lots and a community park for the creation of a cohesive planned residential development
Location: An approximately 7.6 acres lot at 29300 Base Line (APN Nos. 0288-562-03.)

PLANNING DIVISION CONDITIONS OF APPROVAL

Note: These conditions represent Planning Conditions and are meant to be one part of overall conditions that may include, but are not limited to, Engineering, Fire Department and Building and Safety conditions of approval. All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy unless otherwise stated herein.

The Tentative Tract Map Application has been conditionally approved, subject to compliance with the requirements as specified below. The conditions listed below are continuing conditions. Failure of the Applicant and/or developer to comply with any or all of said conditions at any time shall result in the revocation of the application.

General

1. This approval shall become null and void:
 - a. Unless all conditions have been complied with and the occupancy or use of the land or structures authorized by this application have occurred within thirty-six (36) months from the approval date of this tentative tract map application, this tentative tract map application shall expire and be null and void without further action by the City of Highland.
 - b. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant an extension of time for a period of time not to exceed an additional thirty-six (36) months. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the Planning Division a minimum of thirty (30) calendar days prior to the expiration of the project. Such application shall be filed together with the City's processing fee, as established by the City Council.

2. The subject property shall be developed in accordance with plans and materials approved by the Planning Commission on May 17, 2016, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein.
3. Revisions, modifications, and/or deletions to the approved plans shall be submitted to the Planning Division for review and approval. Revisions, modifications and/or deletions may require additional review by the Planning Commission.
4. In compliance with the Highland Municipal Code, the Applicant/Owner shall agree, at his/her sole cost and expense, to defend, indemnify, and hold harmless, the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third-party against the City, its officers, agents, and employees, which seeks to attack, set aside, challenge, void, or annul an approval of the City Council, Planning Commission, or other decision-making body, including staff, concerning this project. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve the Applicant/Owner of his/her obligations under this condition.
5. No expansion of the project beyond the scope and nature described in the application (i.e., GPA 015-003., ZC 015-001, SPA 015-001, CUP 015-001, ENV 16-006, and TTM 014-004), which would tend to increase the projected scale of the project, shall not be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements therefore.
6. The Applicant/Owner of the property shall submit to the Planning Division written evidence of agreement with all conditions of this approval before the approval becomes effective.
7. The Applicant/Owner is responsible for implementing all conditions of approval to the satisfaction of the Community Development Director, City Engineer, Fire Department, and Police Department. No final inspection or clearances shall be given until all conditions are met. Each condition of approval is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.
8. Prior to issuance of permits, all proposed construction work shall be subject to plan check and approval with the Planning Division, Engineering Division, Building Division and Fire Department. The plans shall demonstrate compliance with the 2013 California Building, Plumbing, Mechanical, Electrical, Fire, Energy, and Green Codes, Highland Municipal Code, Engineering Directives and Standards, and all conditions contained herein.

9. The Applicant shall obtain any necessary permits from the Engineering Division prior to commencement of work within public right-of-way or public easements.
10. Prior to the start of operations (i.e. construction), the developer shall obtain any necessary permits. The developer shall arrange for a final inspection by representatives of the Planning Division, Building Division, Engineering Division, and Fire Department prior to the start of operations (i.e., occupancy). Any discrepancy between the approved plans and the field conditions shall be remedied prior to the start of operations (i.e., occupancy) such that the field condition is consistent with the approved plans. If the field condition cannot be reconfigured to match the approved plans, the Community Development Director shall consider any requested deviation and may refer the matter to the Planning Commission for review and consideration.
11. This approval may be terminated for violation of any provisions of Title 16 of the Highland Municipal Code or any other applicable laws, or for fraud or misrepresentation in the application process.
12. All Ordinances, Policy Resolutions, and Standards of the City in effect at the time this project is approved shall be complied with as a condition of this approval.
13. The approval of this project is subject to, and contingent upon, the developer completing all subdivision improvements necessary to support future construction. Necessary subdivision improvements shall include, but not be limited to, design and construction of street, parkway, sidewalk, disabled ramping, driveway approach improvements, multi-use trail connections, water system facilities, water quality improvements, fire suppression facilities, sewer and storm drain facilities, electrical, gas, and telecommunication facilities, grading improvements and retaining walls, perimeter walls and fencing, street trees and landscaping, private front yard landscaping, and landscaping on all applicable lettered lots.
14. Design and construction of all subdivision improvements shall be completed in accordance with the approved plan.
15. No permanent building construction shall be commenced until the final grading and improvement plans have been approved, rough grading certified, and a building permit issued by the Building Division.
16. No release of surety, or any other final clearance, shall be given until all other conditions are met.
17. Prior to recordation of the final map, the Applicant/Owner shall obtain approval from the Street Naming Committee for all new streets.

Easements

18. Prior to the issuance of permits, the Applicant/Owner shall obtain a non-interference letter from any utility company that may have rights of easements within the property boundaries and shall provide the letter to the Planning Division.
19. Easements of record not shown on the tentative tract map shall be relinquished or relocated. Lots affected by proposed easements or easements of record which cannot be relinquished or relocated shall be redesigned subject to review and approval of the Assistant Community Development Director.

Site Design

20. The Applicant/Developer shall obtain approval of a Design Review Application from the Planning Commission prior to the issuance of permits. The review shall include, but is not limited to, grading plans, interior and perimeter walls and fences, architectural elevations, colors/materials, plotting, landscaping and park.
 - a. Traffic control bollards or similar barrier shall be installed into the park access pathway to limit vehicular access.
21. A decorative masonry block wall shall be installed around the perimeter of the tract and along all property lines visible from the public right-of-way in compliance with the Planned Development design guidelines.

Grading

22. All slopes shall be limited to a maximum ratio of 2 to 1 and shall be a part of the downhill lot when located within or between individual lots.
23. Prior to issuance of a grading permit a demolition permit shall be request from Building and Safety for the removal of all structure on site.
24. Prior to issuance of a grading permit, a tree removal application shall be reviewed and approved for removal of any on-site trees.

Construction

25. The developer shall not engage in any construction activities other than between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. No construction shall be permitted on Sundays or National Holidays.

Environmental

26. The Developer shall comply with all applicable mitigation measures specified within the Mitigated Negative Declaration for the project (State Clearinghouse No. 2015101076) attached hereto.

Declaration of Conditions, Covenants and Restrictions

27. Prior to recordation of the final map, all organizational documents for the project, including Conditions, Covenants and Restrictions (CC&R's) shall be submitted and approved by the Planning Division. The approved CC&R's shall be recorded concurrently with the recordation of the final map and a copy of the recorded documents shall be submitted to the Planning Division within five (5) days after recordation. This document shall include, but not be limited to, the following:
- a. The City shall be included as a party to the CC&Rs for enforcement purposes of those CC&R provisions in which the City has an interest. However, the City shall not be obligated to enforce the CC&Rs;
 - b. Architectural controls shall be provided and shall include, but not be limited to, establishing the requirement to obtain approval from the City of Highland for any additions, patios, or accessory buildings/structures and establishing minimum design guidelines to ensure compatible development;
 - c. Provisions alerting the buyers of any lot that the construction of dwellings has been required to meet the City's interior noise standard for single-family residential development;
 - d. Provisions alerting the owners of any affected lots that those lots are required to accept and accommodate runoff from other lots. Said provisions shall prohibit homeowners from modifying drainage facilities or flow patterns of their lots without first obtaining permission from the City;
 - e. Provisions alerting the buyers of any applicable Community Facility District or other assessment districts; and,
 - f. Provisions alerting the buyers of residential lots with slopes over two (2) feet in height that it is their responsibility to maintain the slope and any landscaping on the slope.

Homebuyer Notification

28. Prior to recordation of the final map, the Applicant/Owner shall submit to the Planning Division for review and approval a homebuyer notification document that includes, but is not limited to, the notifications listed below. The notification shall be signed by each buyer at the time of sale.
- a. A notice explaining the obligation to maintain any on-site slopes over two (2) feet in height and prohibit altering of any on-site drainage facilities or flow patterns without obtaining approval from the City of Highland;
 - b. A notice indicating potential restrictions for lots affected by any on-site easements; and,
 - c. A notice explaining the obligation to comply with Highland Municipal Code regulations pertaining to the parking and storage of recreational vehicles.
 - d. A notice disclosing the proximity to the Alquist-Priolo Earthquake Fault Zone.

- e. A notice disclosing the inclusion of this property within the Very High Fire Severity Zone.

Fees

- 29. Prior to the issuance of building permits, the Owner/Developer shall pay all applicable Development Impact Fees.
- 30. Prior to issuance of building permits, the Owner/Developer shall provide receipts indicating payment of any applicable school fees.

ATTACHMENT A-1

MITIGATION MONITORING REPORTING PROGRAM

Mitigation Monitoring Reporting Program

Mitigation Monitoring Reporting Program ENV 015-003 for: CUP-015-001 - SPR 015-001 - GPA 015-003 - ZC 015-001 - TTM 015-004						
Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initials/Date)
Biological Resources	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	MM BIO 4.1 Suitable nesting habitat is present within and immediately adjacent to the property and compliance with the following conservation measure would ensure compliance with the federal MBTA. Potential direct/indirect impacts to common passerine and raptor species will require compliance with the federal MBTA. Construction outside the nesting season (between September 1st and January 31st) does not require pre-removal nesting bird surveys. If construction is proposed between February 1st and August 31st, a qualified biologist must conduct a nesting bird survey(s) no more than three days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Project Site, if access is permitted. The survey(s) will focus upon identifying any raptor and/or passerine nests that are directly or indirectly affected by construction activities. If active nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be postponed until the young birds have fledged. A minimum exclusion buffer of 500 feet for raptor and listed species nests and 300 feet for non-listed passerines nests shall be maintained during construction, depending upon the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the City of Highland prior to initiation of grading in the nest setback zone. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. Any nest permanently vacated for the season, as verified by a qualified biologist, would not warrant protection pursuant to the MBTA.	No more than 3 days prior to commencement ground disturbing activities, including but not limited to issuance tree removal permit or grading permit.	Planning Department	Qualified biologist/ nesting bird survey	

Mitigation Monitoring Reporting Program ENV 015-003 for: CUP-015-001 - SPR 015-001 - GPA 015-003 - ZC 015-001 - TTM 015-004

Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initials/Date)
		MM BIO 4.2 Although no characteristic sign of bats was documented during the site assessment, potentially suitable roosting habitat for the pallid bat (abandoned structures) and western yellow bat (mature trees and palms), and other common bat species was documented on-site. A preconstruction bat survey shall be conducted by a qualified biologist prior to demolition of the abandoned structures on-site or the removal of mature trees and palms. If a non-breeding bat colony is detected, all individuals shall be humanely evicted based upon the direction of the monitoring biologist. If a maternity colony is detected on-site, a construction-free buffer shall be established around the buildings and/or mature trees and palms until it has been determined by a qualified biologist that the nursery is no longer active. Removal should preferably be done between March 1st and April 15th, or August 15th and October 15th, to avoid interfering with the active nursery.	Prior to demolition of the abandoned structures on-site or the removal of mature trees and palms.	Planning Department	Qualified biologist	
		MM BIO 4.3 A certified arborist, horticulturist, or registered landscape architect familiar with the City of Highlands Heritage Tree Preservation Ordinance will be required to conduct an assessment of mature trees documented onsite to determine if a tree removal permit from the Community Development Director is required.	Prior to the removal of mature trees and palms.	Planning Department	Certified arborist, horticulturist, or registered landscape architect	
Cultural Resources	b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	MM CUL 5.1 A Certified Tribal Monitor(s) from the Gabrieleno Band of Mission Indians shall be on site at this project location during all ground disturbances (this includes but is not limited to pavement removal, pot-holing or auguring, boring, grading, excavation and trenching). The monitor will provide daily written reports (as well as photographic proof) of all activities including construction along with any cultural materials identified. Should resources be discovered the monitor will assess the find, determine its significance, and make recommendations for appropriate mitigation measures consistent with the professional management standards for such resources. Prior to the start of ground disturbance activities, the developer shall enter into an agreement with the designated monitor for their recommended management requirements for accidentally exposed cultural resources and provide verification to the City of Highland Planning Department.	Prior to the start of ground disturbance and during project construction	Planning Department	Qualified archaeologist or Native American designated monitor	

Mitigation Monitoring Reporting Program ENV 015-003 for: CUP-015-001 - SPR 015-001 - GPA 015-003 - ZC 015-001 - TTM 015-004

Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initials/Date)
	d) Disturb any human remains, including those interred outside of formal cemeteries?	MM CUL 5.2 If cultural resources are discovered during project construction, all work in the area of the find shall cease, and a qualified archaeologist shall be retained by the project sponsor to investigate the find, and to make recommendations on its disposition. If human remains are encountered during construction, all work shall cease and the San Bernardino County Coroner's Office shall be contacted pursuant to Health and Safety Code provisions.	During project construction			
Noise	a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	MM NOS-1 The installation of a minimum 3-foot high noise barrier is required on Lot 1 along its east and south property boundary adjacent to Base Line. The noise barrier may be constructed using one of the following materials: • Masonry block • Stucco veneer over wood framing (or foam core), or 1 inch thick tongue and groove wood of sufficient weight per square foot • Glass (1/4 inch thick), or other transparent material with sufficient weight per square foot • Earthen berm • Any combination of these construction materials The barrier must present a solid face from top to bottom.	Plan check and construction	Planning & Building Department	Building inspections	
		MM NOS-2 In order to meet the City of Highland 45 dBA CNEL interior noise standards the Project shall provide the following or equivalent noise mitigation measures: • Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped assemblies and shall have a minimum sound transmission class (STC) rating of 27. • Doors: All exterior doors shall be well weather-stripped solid core assemblies at least one and three-fourths-inch thick. • Roof: Roof sheathing of wood construction shall be well fitted or caulked plywood of at least one-half inch thick. Ceilings shall be well fitted, well-sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space. • Ventilation: Arrangements for any habitable room shall be such that any exterior door or window can be kept closed when the room is in use. A forced air circulation system (e.g. air conditioning) shall be	Plan check and construction	Planning & Building Department	Building inspections	

Mitigation Monitoring Reporting Program ENV 015-003 for: CUP-015-001 - SPR 015-001 - GPA 015-003 - ZC 015-001 - TTM 015-004

Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initials/Date)
		provided which satisfies the requirements of the Uniform Mechanical Code.				
	d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	MM NOS-3 Prior to grading, the project contractor shall submit to the City a noise management plan that shall include, but not be limited to, the following noise abatement measures: • All construction equipment, fixed or mobile, will be equipped with properly operating and maintained mufflers consistent with manufacturers' standards. • The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors. • The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors. • During all project site construction activities, the construction contractor shall limit all construction-related activities to between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. No construction activities shall be allowed on Sundays and public holidays.	Prior to grading	Planning & Building Department	Site inspection	

ATTACHMENT B
BUILDING AND SAFETY

Conditions of Approval

Date: November 30, 2015
Applicant: Mastercraft Homes
Address of Applicant:
Site Location: 29300 Base line
Telephone:
File / Index No.: TTM 015-004, CUP 015-001, SPA 015-001, ENV 015-003, GPA 015-003, and ZC 015-001

1. Provide two (2) of the following construction plans and information for review of the proposed project. Initial plan review usually will take three weeks on most projects. You will receive a plan review number at the time you submit plans for the proposed project. This number will be needed to obtain information regarding your plan review.

Sets needed:

- (2) Architectural Plans
- (2) Structural Plans
- (2) Structural Calculations
- (2) Plot/Site Plans
- (2) Electrical Plans
- (2) Electrical Load Calculations
- (2) Plumbing Plans/Isometrics
- (2) Mechanical Plans
- (2) Duct layout Plans
- (2) Roof and Floor Truss Plans
- (2) Title 24 Energy Calculations
- (2) Soils Report
- (2) Compaction Report
- (2) Precise Grading Plans with erosion control Best Management Practices shown.
- (2) Condition of Approval Packages
- (2) Temporary Fence Plan

General Conditions

2. All structures shall be designed in accordance with the adopted Building Code at the time of plan submittal; currently the 2013 California Residential Codes and the California Green Standard Building Code are adopted by the City of Highland, Ordinance No. 386. Design

all structures to comply with Seismic Design Category D, wind speed 85 MPH, at exposure "C". Habitable structures shall comply with the 2013 California Energy Code requirements."

3. The Developer/Owner is responsible for the coordination of releasing any Deferral of Development Impact Fees or Bonds after such fees have been paid. The Developer/Owner should be aware, once the deferral is sent to the San Bernardino County Records Office; the release process takes two to three weeks. This process will delay final Certificates of Occupancy.
4. The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall request final clearances from each department and division prior to requesting the final building inspection from Building and Safety. Each agency shall sign the back of the Building and Safety Job Card and provide a copy of the signatures to Building and Safety at the time a final inspection is requested.
5. Building and Safety inspection requests can be made 24 hours in advance for the next day inspection. Please contact (909) 864-2136, Ext 228.

If your inspection request is left on another phone extension, your inspection will not be performed.

6. You may also fill out an inspection request at the Building and Safety counter. The request must be given to the front counter receptionist for the next day inspection.
7. A security fence with screening must protect all construction sites. The fencing and screening shall be maintained at all times to protect pedestrians. See Construction fencing requirement policy.
8. Toilet facilities shall be provided for construction workers and such facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3.
9. All construction materials, which are not used, shall be recycled pursuant to the requirements set forth by Ordinance No. 269. Receipts from the recycle company responsible for picking up the materials shall be kept in the construction office. After the construction is complete and ***before final occupancy***, the receipts shall be forwarded to the Planning Division.
10. Construction projects, which require temporary electrical power, shall obtain an Electrical Permit from Building and Safety. No temporary electrical power will be granted to a project unless one of the following items is in place and approved by Building and Safety and the Planning Division.
 - a. Installation of a Construction Trailer through the Temporary Occupancy Permit (TOP) procedure, or;
 - b. Security fenced area where the electrical power will be located

11. Installation of construction/sales trailers must be located on private property. No trailers can be located in the street unless a permit from the Engineering Department is obtained.

Attached to the approved plans are Building and Safety Policies, which are part of the Condition of Approval for this project.

12. Ordinance 209 requires Fire Sprinklers. Submit Fire Sprinkler Plans to the Deputy Fire Marshal located at 27215 Base Line, Highland CA. Please contact the Deputy Fire Marshal for information on the design requirements. (909) 864-2136, ext. 248.
13. Structures constructed within designated Very High Fire Hazard Severity Zone, shall comply with the requirement of the 2013 California Residential Code, Chapter 7A "Materials and Construction Methods For Exterior Wildfire Exposure"
14. Prior to the issuance of Building Permits, on site water service shall be installed and approved by the responsible agency. On site Fire Hydrants shall be approved by the Fire Department. No flammable materials will be allowed on the site until the Fire Hydrants are established and approved. No flammable construction materials shall be placed on the site without approvals by the Fire Department. All street and access roadways around the project shall be paved for emergency response vehicles before flammable materials are placed on the project.
15. Prior to issuance of permits, site-grading certifications shall be submitted to Building and Safety. Compaction reports shall accompany certifications.
16. Prior to issuance of building permits, provide a receipt from the Unified School District stating that all school fees have been paid. This project is located in the Redlands/ San Bernardino Unified School District.
17. Prior to issuance of building permits, provide Building and Safety with a Sewer and Water availability Letter from East Valley Water District. (909) 888-8986
18. The property shall be connected to East Valley Water District sewer service. If the sewer is not available, provide Building and Safety with a letter from East Valley Water District explaining that the sewer is not available to the site and the building can be serviced by a private septic system. The letter is required prior to plan review process. Submit the septic design plans along with a percolation test report for review, approval and permits.
19. All construction projects shall comply with the NPDES Stormwater Best Management Program. Prior to permit issuance; submit a plan indicating compliance methods.
20. Prior to the demolition of the existing structures, the following will be required:
 - a. Submit copies of property title to prove ownership.
 - b. Provide a hazardous materials survey (Asbestos and lead) for each structure.
 - i. If hazardous materials are present, contract with an approved abatement contractor to remove all materials to an approved landfill or disposal site.

- ii. Provide landfill or disposal site receipts to the Building Department prior to obtaining permits.
 - iii. Provide a hazardous material clearance certification from the abatement contractor or industrial hygienist.
- 21. Submit AQMD notification application a minimum of 10 days prior to start of the demolition work. (Provide copies of the certified mail receipt to the Building Department).
- 22. Contact the approved City waste hauler for disposal of the demolition materials. All recyclable materials must be weight and reported. (Submit material amount estimates prior to issuance per Ordinance).
- 23. Obtain demolition permits from the Building Department.
- 24. Completely demolish each structure, removing all materials, foundations, slabs, trash and debris.
- 25. Cap utility connections within 5 feet of the property line.
- 26. Obligation and responsibility for determining the location of any or all wells, shafts, openings, septic tanks, cesspools, basements, pits or other like hazards lies with the property owner or contractor. All such hazards shall be abated as per the California Plumbing Code or by methods approved by the Building Official. (Septic systems shall be pumped, filled with sand with lids shall be crushed).
- 27. Burying, covering or otherwise discarding of debris on the demolition site is prohibited.
- 28. In instances regarding excavation and removal of fuel storage tanks, or other excavations involving substantial backfill, a compaction report by an approved agency shall be filed with the Building Department. Fuel storage tanks removal will require notification of San Bernardino County Fire, Hazardous Materials and San Bernardino County Environmental Health Department.
- 29. All Best Management Practices set by NPDES shall be implemented and complied with.
- 30. All dead trees shall be removed and other vegetation shall be trimmed to comply with weed abatement procedures.

Development Code Regulation

- 31. All residential dwelling units shall be equipped with security lighting affixed to the exterior of each garage door and/or above the exterior of each front and rear man doors.
 - a. Motion sensor devices shall activate lighting.
 - b. Lights shall be installed a minimum of eight feet above grade and shall be hard wired into the electrical power source.
 - c. Lights shall be shielded and directed away from surrounding residential uses and shall not blink, oscillate or be of unusually high intensity.

Amendments to the Plumbing Code

32. Due to pinhole leaks in copper tubing in the City of Highland we refer you to, Section 604.1, of the California Plumbing Code which has been changed to allow the use of CPVC and Cross Linked Polyethylene (PEX) for domestic water supply.
33. Copper pipe may be used in buildings if a letter from the owner of the building is submitted to Building and Safety accepting liability for future copper pipe failures in the structure. If copper pipe is proposed, Type K should be used below and above the ground. Water supply lines to fixtures should be plumbed in stainless steel or other approved materials.

ATTACHMENT C
ENGINEERING DIVISION

ATTACHMENT C

ENGINEERING CONDITIONS OF APPROVAL TRACT 19915/MASTERCRAFT HOMES

- A - Required Prior to Final Map Approval
- B - Required Prior to Construction/Building Permit
- C - Required Prior to Building Occupancy
- D - Ongoing
- E - Required Prior to Grading Permit
- * - Non Standard Conditions

April 25, 2016

SOILS/GEOLOGY/GRADING

- B* 1. Comply with the recommendations of the Preliminary Geotechnical Evaluation, prepared by Petra Geotechnical, Inc., J.N.13-627 dated April 15, 2014, and any amendments thereto as approved by the City Engineer.
- A 2. Submit rough and/or precise grading plans to the City Engineer for review and approval. Comply with the City of Highland grading standards as shown on the grading plan checklist.
- A 3. Design individual lot grading to drain the entire area of each lot directly to the adjacent street.
- C* 4. In order to eliminate the creation of a strip of fenced-in area along the northwesterly tract boundaries behind Lots 9 through 16, attempt to obtain permission from the adjoining property owner to remove the existing chain link fence behind Lots 9 through 16. If the permission cannot be obtain after a good faith verifiable effort has been made, the existing chain-linked fence may remain as is.
- A 5. Submit structural design and location for any required retaining walls for review and approval by the City Engineer. Install concrete v-ditches at the back of retaining walls in accordance with the grading plan checklist.
- A 6. Submit an erosion and sediment control plan to minimize potential increases in erosion and sediment transport during construction activity for City Engineer approval. Place erosion control measures during or after grading work as required by the City Engineer.
- A 7. Design short term erosion control in accordance with Best Management Practices such as, hydroseeding, mulching, jute matting or plastic sheeting to protect slopes; silt fencing to control site perimeter; and straw bale barriers, sand bag barriers, rock filters or sediment basins to control internal erosion, or other methods to stabilize disturbed areas, as approved by the City Engineer.

- D 8. Implement dust control measures during construction activities including, but not limited to, daily watering of construction area as frequently as necessary during active and inactive periods, utilizing soil emulsions, limiting construction vehicle speed to 15 miles per hour, stabilized construction entrances to prevent trackout of sediments, and street sweeping.
- B 9. Submit original wet signed and stamped rough grading certifications from the soils engineer and the grading engineer, along with compaction reports, to the City Engineer.
- C 10. Submit original wet signed and stamped final grading certifications from the grading engineer, to the City Engineer.

STREET IMPROVEMENTS

- C* 11. Remove the existing curb-adjacent sidewalk and construct a 10' wide parkway sidewalk located 10' north of the face of curb with a 9.5' wide landscaped parkway across the Base Line project frontage. Remove existing curb and gutter and sidewalk necessary to construct a new cross-gutter, 25-foot radius curb returns, and access ramps at the Street 'A' intersection with Base Line. Remove the existing driveway approaches on Base Line and construct new curb and gutter and parkway sidewalk. Relocate the existing conflicting street light to the west side of Street 'A' and install 24-inch wide "Bike Lane" sign (R81-CA) and "No Parking" sign (R8-3a) on the street light pole. Grade the area within the public right-of-way to provide a two percent crossfall to the street.
- C* 12. Modify the existing landscaped median on Base Line to close off the existing median break and to provide for a 75-foot eastbound left-turn pocket with a 60-foot taper, as approved by the City Engineer and the Community Developer Director. Modify the irrigation system to include a water meter, an electric meter, a backflow device, and a controller that are separate from those of the existing irrigation system of the East Highlands Ranch Homeowners Association. Maintain the landscaping for one year after the City has approved the initial landscaping installation.
- C* 13. Construct street improvements on all interior streets including, but not limited to, curb and gutter, asphalt concrete pavement, class II aggregate base, six-foot curb adjacent sidewalk, and one driveway approach per lot. The minimum street grade shall be one percent on all new streets. Street widths shall be 36 feet, curb to curb, within a 50-foot right-of-way.
- A 14. Design all streets to comply with horizontal and vertical sight distance requirements in accordance with the Caltrans Highway Design Manual and the City street and storm drain improvement checklist.
- C* 15. Install street name signs, traffic control signs, and pavement markings with locations and types as approved by the City Engineer. Streets 'B' and 'C' shall be stop controlled at the intersections with Street 'A'.

- C* 16. Construct a 14' wide improved emergency access from the knuckle at the Street 'B'/Street 'C' intersection to the north side of Base Line as approved by the City Engineer and the Fire Marshall. Use City standard driveway approaches with 4-foot sidewalks. Construct access control to restrict day-to-day vehicular use but allow day-to-day pedestrian use of the emergency access.
- C* 17. Design and Install City owned and maintained street lighting system on interior streets using energy efficient luminaires on octagonal concrete poles at locations specified by the City Engineer. The poles shall be natural gray with black and white aggregate and shall have a factory-applied anti-graffiti coating. Install street lighting conduits, wirings, controls, electric meters etc. per City requirements. Pay Southern California Edison to energize the street lights. The property owner shall be responsible for the City's payment of energy charges for 12 months following energizing of the street lights.
- A 18. Submit street improvement and street lighting plans for required improvements to the City Engineer for approval. Indicate on the plans the location of any existing utility/facility which would affect construction of the improvements. Comply with City design standards as shown on the City's street and storm drain improvement checklist.
- B 19. Submit a design and a recommendation from a soils engineer for the structural sections to be constructed on the interior streets. Design the pavement structural section for a service life of 20 years as outlined in Section 600 of the Caltrans Highway Design Manual. The minimum pavement structural section is 3" A.C./4" A.B. The City Engineer will provide traffic indexes to be used in the pavement design.
- A 20. All required improvements shall be designed and constructed in accordance with the State of California Accessibility Standards, Title 24 California Administrative Code.
- D 21. After all houses are constructed, slurry seal the streets within the tract prior to final bond release or submit a cash payment in lieu of slurry seal.

WATER QUALITY/DRAINAGE

- E 22. Obtain approval by the City Engineer of a Final Water Quality Management Plan (F-WQMP), prepared in accordance with the City's NPDES permit requirements in effect at the time the Preliminary Water Quality Management Plan was approved unless subsequent City NPDES permits require otherwise. The WQMP shall (1) be prepared, signed, and sealed by a licensed Civil Engineer, (2) include Site Design Low Impact Development and Source Control Best Management Practices (BMPs) appropriate for residential development, (3) include a BMP implementation, operation, and funding mechanism, and (4) be certified by the property owner. The property owner shall also enter into a Stormwater BMP Transfer, Access, and Maintenance Agreement with the City on the City form. Include a copy of the recorded agreement in the WQMP.

- A* 23. The park/water quality basin shall have maximum side slopes of 4:1, horizontal to vertical, including the entire slope south of the access road. Design of the basin, including types of drainage outlet and inlet, emergency overflow, access road, landscaping and fencing, etc. shall be as approved by the City Engineer and the Community Development Director. A 12-inch wide 2-sack slurry cut-off wall shall extend four (4) feet below the bottom of the infiltration chamber system.
- C 24. Submit two sets of WQMP BMP Exhibits with a "WQMP BMP As-Built Certificate" wet signed and sealed by the Engineer of Record. The Certificate shall state:
- "I hereby certify that the Water Quality Management Plan Best Management Practices have been constructed under my supervision in accordance with the approved plans and are functional to the best of my knowledge."
- C* 25. Remove the existing rock flume and concrete v-ditch within Lot B along a portion of the westerly and northwesterly tract boundary. Construct a new concrete v-ditch within Lot B at the toe of slope along the entire northwesterly and westerly tract boundary, and connect it to the existing headwall at the southwest corner of the project.
- C* 26. Construct a new concrete v-ditch within Lot A at the toe of slope along the south tract boundary west of Street "A", and connect it to the existing headwall at the southwest corner of the project.
- C* 27. Construct concrete v-ditches at the top of the northerly rear slopes of Lots 9 through 16, and construct swales, drain pipes or concrete v-ditches as necessary to intercept and convey storm runoff to a public street or storm drain. Utilize under sidewalk drains at all street outlet locations.
- C* 28. Attempt to obtain permission from the owner of the easterly adjoining property to replace the existing rock flume along Lots 1 through 8 with a concrete channel or concrete v-ditch, and remove the existing chain link fence along Lots 3 through 8. If permission cannot be obtained after a verifiable good faith effort has been made, submit for review and approval by the City Engineer an alternate design to protect the proposed lots within Tract 19915 that are subject to potential impact if seepage from the existing rock flume occurs.
- C* 29. Construct storm drain in Street 'C' and the emergency access road and connect it to the existing storm drain in Base Line. Construct catch basins at locations as required by the City Engineer, including a catch basin located upstream and west of the emergency access.
- A 30. Prepare and submit a hydrology study to determine storm runoff quantities tributary to and generated by the site. Include hydraulic calculations to determine the size, locations and type of all drainage pipes, inlets, and catch basins.

- A 31. Submit storm drain plans for required improvements to the City Engineer for review and approval. Indicate on the plans the location of any existing utility/facility which would affect construction of the improvements. Comply with City design standards as shown on the City's street and storm drain improvement checklist.

MAP/DEDICATION/ANNEXATION

- B 32. Record a Final Map with the San Bernardino County Recorder pursuant to the provisions of the State Subdivision Map Act.
- A 33. At the time of Final Map submittal, include traverse calculation sheets which show error of closure, copies of recorded maps and deeds used as reference and/or showing original land division, tie notes and bench marks referenced, and a current title report. Inverse calculations will not be accepted for plan check.
- A 34. Dedicate corner property line cutoffs for all corner lots in accordance with City standards.
- A 35. Dedicate five-foot public utility easements and sidewalk easements on all interior streets.
- A* 36. Dedicate drainage easements within Lot A as required by the City Engineer.
- A* 37. Reserve private drainage easements for conveyance of landscape irrigation and storm runoff for the benefit of affected lots and/or upstream properties.
- A 38. Dedicate all public street rights-of-way and all necessary easements within the tract boundary by Final Map.
- A* 39. Attempt to purchase the property northerly of Lots 15 and 16, and easterly of Lots 13 and 14, to eliminate the angles in the property line and perimeter wall. If the property cannot be purchased after a good faith verifiable effort has been made, the property line may remain as is.
- B* 40. Establish a Homeowners Association (HOA) and secure a commitment from the HOA by means of an agreement with the City, and include in its By-laws and Covenants, Conditions and Restrictions, to maintain the park/water quality basin (Lot 47), landscaping and drainage ditches within Lots A and B, and the landscaped parkway areas along the Base Line project frontage.
- A* 41. Apply to the City to annex the project into "shell" Consolidated Landscaping and Lighting District for improvements that are to be maintained by the HOA but may be potentially maintained by the City by means of the maintenance districts, if deemed necessary by the City. The areas subject to potential City maintenance include the park/water quality basin (Lot 47), Lot A, and the parkway areas along Base Line. Sign ballots prepared by the City agreeing to the annexation and amount of assessment.

- A* 42. Apply to the City to annex the project into the City's Street and Drainage Maintenance District for maintenance of the emergency access and the public storm drains. Sign a ballot prepared by the City agreeing to the annexation and amount of assessment.
- A* 43. Apply to the City to annex the project into the City's Consolidated Landscape and Lighting District for maintenance of street lights and median landscaping on Base Line. Sign a ballot prepared by the City agreeing to the annexation and amount of assessment.

FEES/PERMITS/BONDING

- D* 44. Make a cash payment for one year of maintenance of median landscaping on Base Line. Maintenance will be provided by the City through the Landscape Maintenance District after a one-year maintenance period provided by the developer and acceptance of the landscaping by the City. City Public Works staff and the City's Landscape Architect will perform inspections at the beginning and end of the one-year maintenance period.
- D 45. Pay appropriate engineering fees for bond processing, district annexations, grading and improvement plan check, hydrology report review, water quality management plan review, retaining wall calculation review, on-site and off-site inspection, utility excavation permits, GIS map plan update, microfilming and storage of maps and plans, and other required fees.
- B 46. Obtain a permit from engineering prior to any on-site construction or construction within the City's right-of-way.
- E 47. Obtain coverage under the National Pollutant Discharge Elimination System General Construction Permit (GCP) for Storm Water Discharges Associated with Construction and Land Disturbance Activities. Submit a copy of the Waste Discharge Identification (WDID) receipt letter issued by the State Water Resources Control Board confirming coverage under the CGP.
- A 48. Post a deposit for monumentation based on an estimate of the cost to perform the work prepared by the project surveyor or engineer as approved by the City Engineer. The deposit shall not be released prior to written verification from the surveyor or engineer that the monuments have been set and payment for the work has been received.
- E 49. Post a deposit for erosion control based on an estimate of the cost to perform the work prepared by the project engineer as approved by the City Engineer. The deposit shall not be released prior to completion of all on-site construction.
- A 50. Submit bonds for all required street and drainage improvements, grading, and median landscaping, in accordance with the City's Municipal Code.
- A 51. Enter into an agreement for construction of improvements with the City using the adopted City form.

UTILITIES/CONSTRUCTION

- C 52. Provide all utility services to each lot, including sanitary sewers, water, electric power, cable TV, internet, gas, and telephone. All utilities are to be underground.
- D 53. Coordinate, and where necessary, pay for the relocation of any existing public utilities as necessary.
- C* 54. Install underground electric burd transformers, telephone risers, and cable television and internet risers etc. located in the front yards of residential lots whenever the underground installation is an available option offered by the utility companies. If the underground installation is not available and utility enclosures must be installed above ground, install the above-ground utility enclosures and any flush mount utility structures at locations where construction of retaining walls will not be necessary for compliance with the setback requirements of the utility companies.
- D 55. Street pavement shall be constructed in lifts as directed by the City inspector. Final asphalt lifts shall be placed after all houses are built or within 12 months of the completion of each construction phase. Repair any damage and slurry seal all interior streets if the final asphalt cap is done before the completion of all house construction.
- E 56. Obtain written permission from the adjoining property owner(s) for off-site grading or construction, if any.
- E 57. Submit a Storm Water Pollution Prevention Plan for review and acceptance by the City.
- B 58. Destroy any abandoned wells on the property or similar structures that might result in contamination of underground waters in a manner approved by the City Engineer.
- B 59. All underground structures, except those desired to be retained, must be broken in, backfilled, and inspected before covering.
- D 60. Comply with the prevailing City design and construction standards and requirements at the time of permit issuance.
- D 61. Submit "Record Revisions" to construction plans which reflect the improvements as constructed, and any changes made during construction of public improvements such as streets, storm drains, parks, trails, public landscaping, etc. Provide original mylars and AutoCAD files.
- D 62. Comply with the City's Public Works Policies, Standards and Procedures prevailing at the time of permit issuance.

ATTACHMENT D
FIRE PREVENTION DIVISION

City of Highland, **FIRE PREVENTION DIVISION**, Conditions of Approval.

DATE : December 9, 2015

PAGE 1 OF 5

APPLICANT : Mastercraft: 'Highland Park'

Address : 29300 Baseline, Highland

SITE LOCATION : same 46 lot sub-division

FILE / INDEX No.: TTM 19915

THIS PROJECT IS PROTECTED BY THE CITY OF HIGHLAND FIRE DEPARTMENT / CAL-FIRE / CALIFORNIA DEPARTMENT of FORESTRY and FIRE PROTECTION.

Fire Department Review of all projects is required.

SUBMIT TO FIRE MARSHAL'S OFFICE: ONE COPY OF BUILDING AND/OR STRUCTURE PLANS FOR FIRE DEPARTMENT REVIEW.

ALL CONSTRUCTION (New and renovations to existing) SHALL COMPLY WITH THE CALIFORNIA FIRE CODE (2013 edition) Along with amendments as adopted within the Highland Municipal Code (Ord. #387).

Note: All weather access roads (CFC 503.2.3) and fire hydrant/water system installations shall be in place, inspected and approved, **PRIOR** to combustible material being brought on site.

Note: The City of Highland has 2 areas within the 'FIRE SAFETY OVERLAY DISTRICT' designated as FR-1 and FR-2. Both areas may border or overlap areas identified by the State/CalFire as 'High Fire Severity Zone' or 'Very High Fire Severity Zone'. See HMC Section 4905.4 for construction requirements.

GENERAL.

1. **HF2:** THIS PROJECT IS LOCATED WITHIN **FIRE SAFETY REVIEW AREA 2**. THIS IS A 'HIGH FIRE HAZARD AREA'. THIS PROJECT SHALL COMPLY WITH THE CONSTRUCTION AND DEVELOPMENT STANDARDS FOR A **FR-2 AREA**. CONTACT THE CITY BUILDING & SAFETY DIVISION FOR **FR-2 AREA** CONSTRUCTION AND DEVELOPMENT STANDARDS. A MINIMUM 30' CLEARANCE IS REQUIRED AROUND ANY STRUCTURE(s). CFC CPTR 49 / CBC CPTR 7A

2. **HF31:** APPROVED FIRE HYDRANT PAVEMENT MARKERS (BLUE DOTS) SHALL BE INSTALLED AT EVERY HYDRANT.
3. **HF50:** HIGH FIRE HAZARD AREAS FR-1 & FR-2: ONE-HOUR FIRE RESISTIVE CONSTRUCTION IS REQUIRED FOR EXTERIOR(s) WALL(s). HMC 4905.4 / CBC Chapter. 7-A
4. **HF51:** THE MAIN ELECTRICAL PANEL AND ALL SUB-PANEL(s) SHALL BE LABELED ON INSIDE COVER FOR ALL CIRCUITS. CEC 408.4
5. **HF52:** WATER HEATER (FUEL FIRED), SHALL BE PROPERLY VENTED TO EXTERIOR OF STRUCTURE. WATER HEATER SHALL BE SEISMIC STRAPPED TO WALL AND BE LOCATED 18" ABOVE A GARAGE FLOOR. CBC
6. **HF53:** A ONE-HOUR, SOLID CORE, SELF-CLOSING AND LATCHING DOOR (MINIMUM 1-3/8 INCH) SHALL BE INSTALLED BETWEEN AN ATTACHED GARAGE AND LIVING SPACE. CBC
7. **HF47:** FOR EACH CHIMNEY, USED IN CONJUNCTION WITH ANY FIREPLACE OR HEATING APPLIANCE, IN WHICH SOLID OR LIQUID FUEL IS USED, AN APPROVED SPARK ARRESTER SHALL BE INSTALLED AND VISIBLE FROM THE GROUND. SPARK ARRESTER SHALL BE OF STAINLESS STEEL, COPPER OR BRASS, WOVEN GALVANIZED WIRE MESH, TWELVE (12) GAUGE, AND MINIMUM OF 3/8" TO 1/2" MAXIMUM OPENINGS. CFC CHPTR 6; CBC; CMC
8. **HF60:** ADDITIONAL PLANS FOR ACCESS, FIRE SAFETY SYSTEMS, FIRE LANES AND SIGNAGE, GATES, STORAGE, OR OTHER SPECIAL CONDITIONS MAY BE REQUESTED FOR REVIEW, CONDITIONING AND APPROVAL BY THE FIRE MARSHAL.
9. **HF48:** A CLASS "A" ROOF COVERING STRUCTURE WITH "BIRD STOPS" SHALL BE INSTALLED.

ACCESS:

10. **HF7:** FIRE DEPARTMENT EMERGENCY ACCESS ROAD (SPECIFIC TO THIS PROJECT) SHALL MEET THE FIRE DEPT. MINIMUM UNOBSTRUCTED WIDTH OF TWELVE (12) FEET. THIS STANDARD SHALL NOT LESSEN OTHER AGENCY REQUIREMENTS. ACCESS ROADS SHALL BE PAVED (ASPHALT/CONCRETE) AND IN PLACE PRIOR TO OCCUPANCY OF FIRST HOME.
11. **HF8:** ALL ACCESS ROADS, PUBLIC, PRIVATE STREETS AND RESIDENTIAL DRIVEWAYS SHALL MAINTAIN A MINIMUM VERTICAL CLEARANCE OF THIRTEEN (13) FEET-SIX (6) INCHES. CFC 503.2.1
12. **HF11:** FIRE DEPARTMENT ACCESS ROADWAY(s) AND/OR PUBLIC/PRIVATE STREET(s) EXCEEDING ONE HUNDRED FIFTY (150) FEET IN LENGTH SHALL PROVIDE AN APPROVED TURN-AROUND AT THE TERMINUS (CUL-DE-SAC). MINIMUM RADIUS SHALL BE NOT LESS THAN 40 FEET. OR AS APPROVED BY THE FIRE MARSHAL. CUL-DE-SACS PROVIDING ACCESS TO PERIMETER EMERGENCY ACCESS ROADS SHALL HAVE A MINIMUM RADIUS OF 44 FEET. CFC 503.1.1 / APPENDIX D, D103.4, SBCO TRANSPORTATION STD 120/121
13. **HF12:** FIRE DEPARTMENT ACCESS ROADWAY(s); PUBLIC/PRIVATE STREET(s) AND DRIVEWAYS SHALL NOT EXCEED 12% GRADE. CBC 503.2.7 / APPENDIX D, D103.2 - HMC

14. **HF13:** FIRE DEPARTMENT ACCESS ROADWAY(s); SHALL EXTEND TO WITHIN ONE HUNDRED FIFTY (150) FEET OF AND SHALL GIVE REASONABLE ACCESS TO ALL PORTIONS OF THE EXTERIOR WALLS OF THE FIRST STORY OF ANY BUILDING.
15. **HF14:** IN FR-1/FR-2 AREAS, STREETS ENDING IN A CUL-DE-SAC SHALL NOT EXCEED 350 FEET, IN ALL OTHER AREAS, NON CIRCULATING STREETS SHALL NOT EXCEED 600 FEET IN LENGTH AND SHALL PROVIDE AN APPROVED CUL-DE-SAC. HMC
16. **HF19:** MANUALLY OPERATED GATES ACROSS FIRE DEPARTMENT ACCESS ROADWAYS, PUBLIC AND/OR PRIVATE STREETS AND DRIVEWAYS, SHALL BE EQUIPPED WITH APPROVED EMERGENCY KEY-OPERATED "KNOX" PADLOCK OR BOX CONTAINING KEY TO OPEN THE PRIVATE LOCK. FOR AUTOMATIC GATES, A "KNOX" EMERGENCY ACCESS SWITCH, SHALL BE INSTALLED, AT LOCATION DETERMINED BY FIRE DEPARTMENT, AND SHALL OVER-RIDE ALL COMMAND FUNCTIONS AND OPEN GATE AUTOMATICALLY UPON ACTIVATION. ALL AUTOMATIC GATES SHALL HAVE A MANUAL OVER-RIDE FOR USE DURING LOSS OF ELECTRIC POWER. "KNOX BOX" REQUEST FORM IS AVAILABLE FROM THE FIRE MARSHAL. CFC 506.6
17. **HF24:** "NO PARKING – FIRE LANE" SIGNS SHALL BE POSTED AT LOCATIONS DESIGNATED BY FIRE MARSHAL. FIRE LANE CURBS SHALL BE PAINTED RED, WITH WHITE LETTERS STATING "NO PARKING – FIRE LANE" ON TOP, NOT FACE. CFC 503.3 - APPENDIX D, D103.6

WATER:

18. **HF25:** MINIMUM REQUIRED FIRE FLOW, AS DETERMINED BY I.S.O. FORMULA, IS AS FOLLOWS:
RESIDENTIAL; GPM =1500; AT 20 PSI RESIDUAL; FOR 2 HOUR DURATION.
CFC APPENDIX B AND APPENDIX C

Note: Hydrants shall meet EVWD standards.

19. **HF29:** FIRE HYDRANT SPACING SHALL BE :
SINGLE FAMILY RESIDENTIAL: 600 FEET

CFC 507 / APPENDIX B AND APPENDIX C.

Note: Existing fire hydrants (off-site) can be included if they meet spacing requirements. Hydrants shall not be located at the 'bulb' end of cul-de-sacs.

20. **HF26:** TWO SETS OF WATER DELIVERY SYSTEM PLANS, DESIGNED TO MEET THE REQUIRED FIRE FLOW FOR THIS PROJECT AND/OR DEVELOPMENT, SHALL BE SUBMITTED TO THE FIRE DEPARTMENT FOR REVIEW AND APPROVAL. CFC 501.3
21. **HF27:** APPLICANT-DEVELOPER SHALL PROVIDE A LETTER FROM THE WATER COMPANY SERVING THE PROJECT-DEVELOPMENT, VERIFYING FINANCIAL ARRANGEMENTS HAVE BEEN MADE AND BONDED FOR THE REQUIRED WATER IMPROVEMENTS. CFC 501.3

22. **HF28:** FIRE HYDRANTS SHALL BE INSTALLED, INSPECTED AND OPERATIONAL AS PER APPROVED WATER SYSTEM DELIVERY PLANS PRIOR TO ANY FRAMING, CONSTRUCTION OR DELIVERY OF COMBUSTIBLE MATERIALS TO PROJECT SITE. CFC 501.4 / CFC 3312.1

C

ADDRESSING – IDENTIFICATION:

23. **HF18:** STREET NAME SIGNS SHALL BE INSTALLED PRIOR TO CONSTRUCTION ON ANY ROADWAY OR PHASE. TEMPORARY SIGNS MAY BE USED AS APPROVED BY THE FIRE MARSHAL. CFC 505.2 **Note:** Permanent signage shall meet City standards as required by Planning.
24. **HF17:** THE PUBLIC AND/OR PRIVATE ROADWAYS SERVING THIS PROJECT SHALL BE IDENTIFIED WITH CITY APPROVED NAMES. CFC 505.2
25. **HF20:** RESIDENTIAL ADDRESS NUMBERS SHALL BE PLACED ON ALL NEW AND EXISTING STRUCTURES IN SUCH A MANNER AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE ACCESS ROADWAY OR STREET. SINGLE FAMILY DWELLINGS SHALL HAVE NUMBERS OF 4" HEIGHT, 3/8" STROKE ON CONTRASTING BACKGROUND. ADDRESS NUMBERS SHALL BE LOW VOLTAGE, AUTOMATICALLY ELECTRICALLY ILLUMINATED WHERE STRUCTURE SETBACK EXCEEDS ONE HUNDRED (100) FEET FROM THE ACCESS ROADWAY OR STREET, ADDITIONAL NON-ILLUMINATED NUMBERS 4" IN HEIGHT, 3/8" STROKE, ON CONTRASTING BACKGROUND SHALL BE DISPLAYED AT PROPERTY ACCESS ENTRANCE. CFC 505.1

FIRE PROTECTION & ALARM SYSTEMS:

26. **HF34:** RESIDENTIAL AUTOMATIC FIRE SPRINKLERS SHALL BE INSTALLED ACCORDING TO NFPA 13D AND FIRE DEPARTMENT REQUIREMENTS. SUBMIT THREE (3) SETS OF SHOP PLANS WITH MATERIAL CUT SHEETS AND HYDRAULIC CALCULATIONS FOR FIRE DEPT. REVIEW AND APPROVAL PRIOR TO ANY INSTALLATION. SUBMIT COPY OF CALIFORNIA C-16 LICENSE.
27. THE WATER METER SUPPLYING A 13D SYSTEM SHALL BE OF SUFFICIENT SIZE (usually 1-inch) TO PROVIDE THE CALCULATED FLOW REQUIREMENTS OF THE 13D FIRE SPRINKLER SYSTEM. MINIMUM PIPE SIZE BEYOND THE WATER METER SHALL BE 1-INCH. RESIDENTIAL SPRINKLER HEADS OF PROPER TEMPERATURE RATING SHALL BE INSTALLED IN ATTIC AND BUILT-UP STORAGE SPACES WHERE MECHANICAL EQUIPMENT (FAU, WATER HEATER, etc.) IS INSTALLED. CFC CHPTR 9; CFC 903; CBC; & HMC 8.24; NFPA13D, CHAPT. 6 & 1.
28. **HF46:** SMOKE DETECTORS, HARD WIRED IN SERIES WITH BATTERY BACK-UP, SHALL BE INSTALLED IN ALL SLEEPING AREAS AND IN ALL HALLWAYS AND AREAS/ROOMS LEADING TO SLEEPING AREAS. SMOKE DETECTORS SHALL BE INSTALLED AT THE TOP OF ALL STAIRWAYS. AT LEAST ONE SMOKE DETECTOR SHALL BE INSTALLED ON THE FIRST FLOOR LEVEL. CFC 907; CBC
29. **HF60:** 2013 CALIFORNIA FIRE CODE, CHAPTER 33, FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION, SHALL APPLY TO THIS PROJECT. IT IS THE RESPONSIBILITY OF THE PROJECT MANAGER TO MEET WITH THE FIRE MARSHAL TO DISCUSS REQUIREMENTS SPECIFIC TO THIS PROJECT.

30. HF62: ADDITIONAL PLANS FOR ACCESS, FIRE SAFETY SYSTEMS, STORAGE OR OTHER SPECIAL CONDITION MAY BE REQUESTED FOR REVIEW, CONDITIONING AND APPROVAL BY THE FIRE MARSHAL.
31. HF63: SUBMIT TO FIRE MARSHAL'S OFFICE: ONE COPY OF BUILDING AND/OR STRUCTURE PLANS FOR FIRE DEPARTMENT REVIEW.

Scott DeForge, Deputy Fire Marshal
City of Highland Fire Department
(909) 864-6861

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF HIGHLAND)

I, BETTY HUGHES, City Clerk of the City of Highland, California, do hereby certify Resolution No. 2016-035 was duly and regularly adopted by the City Council of the City of Highland, California, at a regular meeting thereof held on the 14th day of June, 2016, by the following vote:

AYES: Lilburn, Racadio, Scott, Timmer

NOES: None

ABSTAIN: None

ABSENT: McCallon



BETTY HUGHES, MMC
CITY CLERK

Attachment No. 5

**City Council Resolution No. 2019-036
for Extension of Time No. 19-001
(with modified conditions of approval)**

RESOLUTION NO. 2019-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING EXTENSION OF TIME APPLICATION NO. 019-001 FOR A ONE (1) YEAR EXTENSION OF TENTATIVE TRACT MAP NO. 15-004 (TTM 19915) AND CONDITIONAL USE PERMIT NO. 15-001 WHICH ESTABLISHED THE HIGHLAND PARK PLANNED DEVELOPMENT (SPR-15-001) FOR 46 MEDIUM DENSITY LOTS AND A PARK/WATER QUALITY BASIN

APPLICANT: 29300 Baseline Partners, LLC

A RECITALS

1. On June 14, 2016, the City of Highland City Council adopted Resolution No. 2016-034 approving Conditional Use Permit No. 15-001, the Highland Park Planned Development Document, and Resolution No. 2016-035 approving Tentative Tract Map No. 19915 to subdivide one (1) 7 6 acres parcel into 47 numbered lots and 2 lettered lots and a community park for the creation of a cohesive planned residential development located at 29300 Base Line (APN: 0288-562-03). Both approvals expire on June 14, 2019.
2. On June 14, 2016, the City of Highland City Council adopted Resolution No. 2016-032, adopting a Mitigated Negative Declaration of the project
3. Highland Municipal Code section 16 68 070(D) provides that 30 days prior to the expiration date of the tentative map, an applicant may submit an application to extend the tentative tract map. In compliance with this requirement, on April 10, 2019, the Applicant filed Extension of Time Application (EXT-19-001) requesting a one year extension to Tentative Tract No. 19915/TTM-15-004 and Conditional Use Permit No. 15-001, which established the Highland Park Planned Development (SPR 15-001).
4. On June 4, 2019, the Planning Commission of the City of Highland, conducted a public hearing on the subject Extension of Time Application and concluded the hearing on that date. The Planning Commission voted three to two recommending that the City Council deny the Extension of Time.
5. On June 25, 2019, the City of Highland City Council conducted a public hearing to consider the Extension of Time at the Highland City Hall Council Chambers in Highland, California, at 6.00 p.m., after providing notice to the public in a manner and for the time required by law to hear and consider both oral and written evidence regarding said Extension of Time. The City Council considered of all evidence, testimony and reports offered at said hearing, including (without limitation) the staff report to the City Council dated June 25, 2019.
6. All legal prerequisites to the adoption of this Resolution have occurred.

B RESOLUTION

NOW, THEREFORE, it is hereby found, determined and resolved by the City Council of the City of Highland as follows:

Section 1. The City Council finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.

Section 2. Findings of Fact

- a. The City Council finds that the Findings of Fact made in City Council Resolution No. 2016-034 and Resolution No. 2016-035 made on June 14, 2016, for Conditional Use Permit No. 15-001 and Tentative Tract No. 19915/TTM-15-004, are still true and correct as adopted herein by reference.
- b. A Mitigated Negative Declaration for the Highland Park Planned Development and associated Tentative Tract Map No. 19915 were adopted by the City Council on June 14, 2016; Resolution Nos. 2016-034 and 2016-035. A Mitigation Monitoring and Reporting Program was approved and included in the Planning Division Conditions of Approval for the Map; Resolution No. 2016-032. The Applicant is requesting to extend the tentative tract map and conditional use permit approvals for one year to allow for the development plans to be prepared for the proposed community. The extension does not propose alterations to the project as previously approved. The City Council finds that none of the circumstances described in Section 15162 and 15164 of the State CEQA Guidelines exists and, therefore, no further environmental review is required.

Section 3. Legislative Findings

- a. Highland Municipal Code section 16.08.200.B.5 provides that an extension of the approval of a project may be granted only if it is found that granting of an extension will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Extending the time for the tentative tract map will not be detrimental to the public health, safety, and welfare, or materially injurious to properties or improvements in the vicinity. The property will be governed by the Highland Park Planned Development Document. This document is a detailed development plan that is intended to create community cohesiveness, superior design and create a more desirable living environment than could have been achieved through conventional subdivision design and requirement. The project is excepted to construct much needed housing in the City as well as a local park that will be open to the general public.

Moreover, the project has been conditioned to require that the property owner clear and abate the overgrown weeds and non-native vegetation on the property as well as demolish the vacant single family home, storage buildings, and animal shelters on the property. The property owner is required to perform this work by November 1, 2019. Therefore, the City Council finds that extending the tentative tract map will not be detrimental to the public health, safety and welfare or will not be materially injurious to properties or improvements in the vicinity of the project.

- b. Highland Municipal Code section 16.68.070.D.2 provides that an extension of time for a tentative subdivision map shall not be granted unless the land division conforms to the general plan, is consistent with existing zoning and with applicable improvement standards, and will not be detrimental to the public health, safety and welfare. The City Council hereby finds as follows:

The land division conforms to the General Plan. The General Plan designation for the property is Planned Development and the land division has an approval for the Highland Park Planned Development. The land division is also consistent with the existing zoning and with applicable improvement standards. The zoning designation for the property is Planned Development and the land division has an approval for the Highland Park Planned Development. The Highland Park Planned Development Document includes a detailed development plan defining architectural styles, site layout, lot sizes, grading, circulation, paving, parking, setbacks, recreation, and open space along adjacent properties. It includes planning objectives, public services and facilities, access and circulation, and a discussion of conformity with the general plan. The Highland Park Planned Development Document will be used as the design guide for future proposals to build homes within the subdivision.

Extending the time for the tentative tract map will not be detrimental to the public health, safety, and welfare because the property will be governed by the Highland Park Planned Development Document. As noted above, this document is a detailed development plan that is intended to create community cohesiveness, superior design and create a more desirable living environment than could have been achieved through conventional subdivision design and requirement. The project is excepted to construct much needed housing in the City as well as a park/water basin.

Moreover, the project has been conditioned to require that the property owner clear and abate the overgrown weeds and non-native vegetation on the property as well as demolish the vacant single family home, storage buildings, and animal shelters on the

property. The property owner is required to perform this work by November 1, 2019. Therefore, the City Council finds that extending the tentative tract map will not be detrimental to the public health, safety and welfare or will not be materially injurious to properties or improvements in the vicinity of the project.

Section 4. Based on the Findings of Fact and Conclusions set forth above, the City Council approves Extension of Time Application No. 19-001, to grant a one (1) year Extension of Time for and Tentative Tract No. 19915/TTM-15-004 and Conditional Use Permit No. 15-001, which established the Highland Park Planned Development Document (SPR-15-001) for a residential subdivision and associated amenities.

C. ADOPTION OF RESOLUTION.

The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED this 25th day of June, 2019.


Penny Lilburn
Mayor

ATTEST:


Betty Hughes, MMC
City Clerk

EXHIBIT "1"

**Extension of Time 19-001 CONDITIONS OF APPROVAL
TENTATIVE TRACT MAP NO. 19915**

EXHIBIT 1

EXTENSION OF TIME 2019-001 TENTATIVE TRACT MAP 29915 HIGHLAND PARK PLANNED DEVELOPMENT PROJECT

CONDITIONS OF APPROVAL

Date: June 4, 2019
File: Extension of Time (EOT-019-001) Highland Park
Applicant: 29300 Baseline Partners, LLC
Proposal: A request for a one-year Extension of Time for Tentative Tract Map No. 19915 (TTM-14-004) and Conditional Use Permit (CUP-15-001) facilitating Highland Park Planned Development (SPR-15-001) for a residential community consisting of 46 single-family lots, one neighborhood park/water quality basin, roadways, and 2-lettered landscaped lots.
Location: 29300 Base Line (APN Nos. 0288-562-03.)

The departments and agencies listed below have reviewed and conditioned the above referenced application.

Attachment A	Planning Division and Fire
Attachment B	Building & Safety Division

ATTACHMENT A

PLANNING DIVISION CONDITIONS OF APPROVAL

Date: June 4, 2019
File: Extension of Time (EOT 19-001)
Applicant: 29300 Baseline Partners, LLC
Proposal: A request for a one-year Extension of Time for Tentative Tract Map No 19915 (TTM-14-004) and Conditional Use Permit (CUP-15-001) facilitating Highland Park Planned Development (SPR-15-001) for a residential community consisting of 46 single-family lots, one neighborhood park/water quality basin, roadways, and 2-lettered landscaped lots.

Location: 29300 Base Line (APN Nos. 0288-562-03.)

PLANNING AND FIRE PREVENTION DIVISIONS CONDITIONS OF APPROVAL

Note: These Conditions represent updated Planning Conditions and Fire Marshal Conditions and are meant to be one part of the overall Conditions approved with City Council Resolutions 2016-034 (for CUP 015-001) and Resolution 2016-035 (for TTM 014-004) that may include, but are not limited to, Engineering, Fire Department and Building and Safety Conditions of Approval. All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy, except where noted.

This Extension of Time Application has been conditionally approved, subject to compliance with the requirements as specified below. The conditions listed below are continuing conditions. Failure of the Applicant and/or developer to comply with any or all of said conditions at any time shall result in the revocation of the application.

General

1. This approval shall become null and void:
 - a. Unless all conditions have been complied with and the occupancy or use of the land or structures authorized by this application have occurred within twelve (12) months from the approval date of this extension of time application, the tentative tract map and conditional use permit application shall expire and be null and void without further action by the City of Highland
 - b. Applicant may request two (2) additional one-year extensions of time on an annual basis for a maximum of two (2) years

- c. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant an extension of time for a period of time not to exceed an additional twelve (12) months. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the Planning Division a minimum of thirty (30) calendar days prior to the expiration of the project. Such application shall be filed together with the City's processing fee, as established by the City Council.
2. The Conditions of Approval for Highland Park Planned Development and Tentative Tract Map 29915 approved with City Council Resolutions 2016-034 (for CUP 015-001) and Resolution 2016-035 (for TTM 014-004) respectively shall remain in affect accept as modified herein.
3. The subject property shall be developed in accordance with Highland Park Planned Development approved by the City Council on June 14, 2016, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein.
4. Revisions, modifications or deletions of these Plans must be submitted to the Planning Division and/or approving authority for review and approval. Revisions may require additional review by the Planning Commission.
5. In compliance with City Ordinance, the Applicant shall agree to defend, at the Applicant's sole expense, any action brought against the City, its agents, officers, or employees, because of the issuance of such approval. The Applicant shall reimburse the City, its agents, officers or employees for any court cost and attorney's fees which the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at his own expense in the defense of any such action, but such participation shall not relieve Applicant of his obligations under this Section.
6. The property owner shall have the site cleared of all weed and debris and all structures on-site demolished and removed by November 1, 2019.
7. All previous Fire Conditions of Approval are to be updated in relation to the currently adopted Fire Code for 2016 or those codes in effect at the time of development plan submittal.

ATTACHMENT B

Building and Safety Division Conditions of Approval

Date: 5-2-2019 Updated from 11-30-2015
Applicant: Mastercraft Homes
Address of Applicant:
Site Location: 29300 Base Line
Telephone:
File / Index: TTM 015-004, DRA 015-002, SPA 015-001, ENV 015-003, ZC 015-001

1. Please provide the following number of construction plans and documents listed below for the first review of the proposed project. The initial plan review time will take two weeks on most projects. The applicant will receive an application number at the time plans are submitted for Building & Safety's plan review. This number is needed to obtain information regarding your project.

- (3) Architectural Plans
- (3) Structural Plans
- (2) Structural Calculations
- (3) Plot/Site Plans
- (3) Electrical Plans
- (3) Electrical Load Calculations
- (3) Plumbing Plans/Isometrics
- (3) Mechanical Plans
- (3) HVAC Duct Layout Plans
- (2) Roof and Floor Truss Plans
- (2) Title 24 Energy Calculations
- (2) Geology Report
- (2) Soils Report
- (3) Precise Grading Plans
- (3) Site Disabled Access Plan
- (2) Condition of Approval Packages
- (3) Temporary Fence Plan
- (2) Condition of Approval Packages

2. All structures shall be designed in accordance with the current version of the California Building Codes, including the California Green Building Standards Code. Design all structures to comply with Seismic Design Category D, wind speed 85 / 110 (ULT) MPH, at exposure "C", and Energy Climate Zone 10

3. Prior to issuance of building permits, provide a receipt from the appropriate Unified School District stating that all school fees have been paid.
(Redlands or San Bernardino Unified School Districts)
4. All onsite utilities are to be underground. As approved by the Planning Division, utility cabinets are exempt.
5. Construction projects requiring fire permits must apply and submit fire plans prior to the issuance of the building permit, including fire sprinkler submittals.
6. Building and Safety does not release all meters until final approvals are obtained from all agencies and departments. Policy 295.
7. It has come to the City's attention that premature failures have occurred in copper piping when used within the City of Highland, particularly east of City Creek. Property Owners, Contractors and Developers are advised to analyze soil and water compositions when considering the type of pipe material to be utilized. City staff makes no recommendations on which Plumbing Code approved products or methods to utilize, this is the responsibility of the property owner or contractor. Alternate unapproved code materials may be submitted for City approval at the time of plan submittal.
8. The Developer/Owner is responsible for the coordination of releasing any Deferral of Development Impact Fees or Bonds after such fees have been paid. The Developer/Owner should be aware, once the deferral notice is sent to the San Bernardino County Recorder's Office; the release process takes two to three weeks. This process will delay final Certificates of Occupancy.
9. The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall request clearances from each department and/or agency at least two weeks prior to requesting a final building inspection from Building and Safety. Each agency shall sign the back of the Building and Safety Job Card, or provide agency approved signed documentation, and provide a copy of the signatures to Building and Safety at the time the final inspection is requested.
10. Building and Safety inspection requests can be made 24 hours in advance for the next day inspection. Please contact (909) 864-2136, Ext 228.
11. Projects requiring County Health and/or San Bernardino Environmental Control, such as food services or interceptors, need to obtain those permits prior to building permit issuance.
12. A security fence with screening shall protect all construction sites. The fencing and screening shall be maintained at all times to protect pedestrians.

All development projects shall submit a construction fencing plan with the construction design plans. Construction projects that have phased occupancy shall be completely separated by a construction fence that is screened and show the adjusted fence locations at each phase.

13. On site toilet facilities shall be provided for construction workers and such facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3 and on site per NPDES stormwater requirements.
14. All construction materials, which are not used, shall be recycled pursuant to the requirements set forth by Ordinance No. 269. Receipts from the recycle company responsible for picking up the materials shall be kept in the construction office. After the construction is complete and before final occupancy, the trash receipts shall be forwarded to the City Public Services division.
15. Construction projects, requiring temporary electrical power, shall obtain an electrical permit from Building and Safety. No temporary electrical power will be granted to a project unless the following item is in place and approved by Building and Safety and the Planning Division.
 - a) Installation of a construction trailer through the "Temporary Occupancy Permit", alternatively, a security fenced area where the electrical power will be located. Installation of construction/sales trailers must be located on private property. No trailers can be located in the street unless a permit from the Engineering Department is obtained.
16. Prior to the issuance of Building Permits, on site water service shall be installed and approved by the responsible agency. On site fire hydrants shall be approved by the Fire Department. No flammable materials will be allowed on the site until the fire hydrants are established and approved. No flammable construction materials shall be placed on the site without approvals by the Fire Department. All street and access roadways around the project shall be paved for emergency response vehicles before flammable materials are placed on the project.
17. Prior to issuance of building permits, site-grading certifications, compaction reports, and survey report shall be submitted to Building and Safety or to Public Works, as applicable.
18. All construction projects shall comply with the NPDES Stormwater Best Management Program. Prior to building permit issuance submit copy of the Water Quality Management Program Report. (WQMP)

19. Structures constructed within designated within the Wildland Urban Interface area, Very High Fire Hazard Severity Zone, shall comply with the construction requirements of the California Residential and Building Codes, Chapter 7A.
20. The dwelling's sewer is to be connected to the public sewer system when provided. When the public system is not available, an onsite septic system is to be installed. Obtain a septic system handout at the permit counter for requirement information. The County of San Bernardino no longer permits and inspects on-site septic systems. The City of Highland is now the enforcing agency for systems within the City. Percolation test is required with report provided at time of septic system application.
21. Site development and grading shall be designed to provide access to all entrances and exterior ground floor exits and access to normal paths of travel. The accessible route(s) of travel shall be the most practical direct route.
22. Demolition of any onsite structures requires the following information or action.
 - a. Submit copies of the property title at permit submittal.
 - b. Provide copy of the hazardous materials survey (asbestos and lead) for each structure.
 - c. Contact the City of Highland Public Services Division for current abatement and documentation requirements prior to performing demolition.
23. For the removal of fuel storage tanks, or other excavations involving backfill, a compaction shall be filed with the Building Division. Fuel storage tank removal will require notification of San Bernardino County Fire, Hazardous Materials and San Bernardino County Environmental Health Department.
24. All dead and removed trees and foliage is to be properly removed from the site.
25. The City enforces the State of California provisions of the California Building Code disabled access requirements. The Federal Americans with Disabilities Act (ADA) standards may differ in some cases from the California State requirements, therefore it is the building owner's responsibility to be aware of those differences and comply accordingly.
26. Prior to final inspection, provide Building & Safety with a flash disk of the approved plans and documents.

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF HIGHLAND)

I, BETTY HUGHES, MMC, City Clerk of the City of Highland, California, do hereby certify Resolution No 2019-036 was duly and regularly adopted by the City Council of the City of Highland, California, at a regular meeting thereof held on the 25th day of June, 2019, by the following vote:

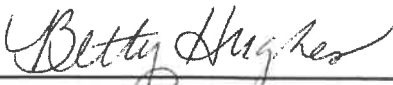
AYES: Chavez, Lilburn, McCallon, Solano, Timmer

NOES: None

ABSTAIN: None

ABSENT: None

Dated this 26th day of June, 2019.



BETTY HUGHES, MMC
CITY CLERK

Attachment No. 6
Tentative Tract Map No. 19915



Attachment No. 7

Public Comment Letter



City of Highland

27215 Base Line, Highland, CA. 92346

Phone: (909) 864-8732, x 259 Fax: (909) 862-3180

Contact: Salvador Quintanilla, Associate Planner, squintanilla@cityofhighland.org

RECEIVED
MAY 25 2021
CITY OF HIGHLAND

PROJECT NOTICE

The proposal listed below has been filed with the City of Highland Planning Department. You are invited to comment because you may own property or have a regulatory interest in development in the area.

FILE/INDEX: Extension of Time (EOT) for *Highland Park Planned Development* (EOT No. 21-001)

Entitlements to be extended by the action include:

- Conditional Use Permit (CUP No. 15-001)
- Tentative Tract Map No. 19915 (TTM No. 14-004)

APPLICANT: 29300 Baseline Partners, LLC

LOCATION: 29300 Baseline Street, Highland, CA., on the north side of Baseline Street, east of Club View Drive and west of Weaver Street. (APN: 0288-562-03)

PROPOSAL: A request for a one-year Extension of Time for the *Highland Park Planned Development*, Tentative Tract Map No. 19915 (TTM No. 14-004) that was previously approved by the City Council on June 28, 2016. The applicant proposes to extend the project for an additional one-year as permitted by the Highland Municipal Code and Subdivision Map Act.

The previously approved project is to subdivide 7.66 acres into 46 single-family residential lots within Tentative Tract Map No. 19915 (TTM No. 14-004) and Conditional Use Permit (CUP No. 15-001) for the project known as 'Highland Park', a planned residential community. The development is for the construction of approximately 46 single-family residential lots, one neighborhood park, a water quality basin, landscaped slopes, roadways, and utilities.

ENVIRONMENTAL ASSESSMENT: A Mitigated Negative Declaration was adopted by the City Council on June 14, 2016. The proposed request to extend the amount of time allowed to complete the development does not include any alterations to the project as previously approved. No additional environmental action or documentation is required.

COMMENTS REGARDING EXTENSION OF TIME FOR (EOT) No. 21-001 (Highland Park Planned Development):

Your comments must be received by this office no later than **May 28, 2021**. Comments received after that date may not be considered in the decision. If you have no comment, no reply is necessary. The Planning Commission is tentatively scheduled to make a recommendation to the City Council regarding this proposal on July 6, 2021.

As homeowners adjacent to the proposed development, we strongly disagree with approving an extension. The area is too small & Baseline too narrow to accommodate 46 new homes. Construction dust, allergens, and other pollutants will impact our air quality because we are all so close. The noise disturbance and uprooting rodents and other pests will impact surrounding neighborhoods.

NO EXTENSION!

PRINTED NAME

DATE

SIGNATURE

(Location Map on reverse.)

Attachment No. 8

Planning Commission Resolution for Extension of Time No. 2021-____

RESOLUTION NO. 2021- ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND RECOMMENDING THAT THE CITY COUNCIL APPROVE EXTENSION OF TIME APPLICATION NO. 21-001, FOR A ONE-YEAR EXTENSION OF TENTATIVE TRACT MAP NO. 19915/14-004 AND CONDITIONAL USE PERMIT NO. 15-001 WHICH ESTABLISHED THE HIGHLAND PARK PLANNED DEVELOPMENT (SPR NO. 15-001) FOR 46 MEDIUM DENSITY LOTS AND A PARK/WATER QUALITY BASIN.

APPLICANT(S): 29300 Baseline Partners, LLC

A. RECITALS

1. On June 14, 2016, the City of Highland City Council adopted Resolution No. 2016-034 approving Conditional Use Permit No. 15-001, the Highland Park Planned Development Document, and Resolution No. 2016-035 approving Tentative Tract Map No. 19915 to subdivide one (1) 7.6 acre parcel into 46 medium density residential lots and a park/water quality basin located at 29300 Base Line (APN: 0288-562-03).
2. On June 14, 2016, the City of Highland City Council adopted Resolution No. 2016-032, adopting a Mitigated Negative Declaration for the project.
3. On June 4, 2019, the Planning Commission of the City of Highland, conducted a Public Hearing on the subject Extension of Time Application and concluded the Hearing on that date.
4. On June 25, 2019, the City of Highland City Council adopted Resolution No. 2019-036 approving a One-year Time Extension for the Highland Park Planned Development and the updated conditions of approval for the proposed project.
5. On August 4, 2020, the Planning Commission of the City of Highland, conducted a Public Hearing on the subject Extension of Time Application and concluded the Hearing on that date.
6. On August 25, 2020, the City of Highland City Council adopted Resolution No. 2020-045 approving a One-year Time Extension for the Highland Park Planned Development Documents, which includes Tentative Tract Map No. 19915 to subdivide one (1) 7.6 acre parcel into 46 medium density residential lots and a park/water quality basin located at 29300 Base Line (APN No.: 0288-562-03). Both approvals expire on June 14, 2020.
7. On April 28, 2021, the Applicant filed Extension of Time Application (EOT No. 21-001) which is a request to extend Tentative Tract No. 19915/TTM No.14-004 and Conditional Use Permit No. 15-001, which established the Highland

Park Planned Development (SPR No. 15-001), a residential subdivision of 7.6 acres into 46 medium density residential lots and a park/water quality basin.

8. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Highland as follows:

Section 1. The Planning Commission finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.

Section 2. Based upon substantial evidence presented to the Planning Commission during the June 15, 2021, Public Hearing, including public testimony and written and oral Staff Reports, the Planning Commission finds as follows:

a. All necessary Public Meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.

Section 3. Findings of Fact

a. The Planning Commission finds that the Findings of Fact made in City Council Resolution No. 2016-034 and Resolution No. 2016-035 made on June 14, 2016, for Conditional Use Permit No. 15-001 and Tentative Tract No. 19915/TTM No. 14-004, are true and correct and are adopted herein by reference.

b. Granting of the extension will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity because it will comply with all project conditions from the Planning, Building & Safety, and Engineering Divisions as established by Resolution Nos. 2016-034 and 2016-035.

Section 4. Based on the Findings of Fact and Conclusions set forth above, the Planning Commission recommends that the City Council approve Extension of Time Application No. 21-001, subject to the original conditions of approval, granting a one (1) year Extension of Time for and Tentative Tract No. 19915/TTM No. 14-004 and Conditional Use Permit No. 15-001, which established the Highland Park Planned Development Document (SPR No. 15-001) for a residential subdivision and associated amenities.

PASSED, APPROVED AND ADOPTED this 15th day of June, 2021.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez,
Community Development Director



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: June 15, 2021

FROM: Lawrence A. Mainez, Community Development Director

REVIEWED BY: Kim Stater, Assistant Community Development Director *[Signature]*

PREPARED BY: Ash Syed, Associate Planner *[Signature]*

SUBJECT: Design Review Application (DRA 21-008) for the reconstruction of a restaurant with a drive-thru lane, onsite parking, and landscaping on a 12,000 square foot parcel.

LOCATION: Nikko's Burgers
26468 Base Line, Highland, CA 92346
Assessor's Parcel Number: 1191-231-34

OWNER: Tony Shabke

REPRESENTATIVE: Shan McNaughton, McNaughton Architecture Inc.

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution 2021 – ____ approving Design Review Application (DRA 21-008) for the reconstruction of a restaurant with a drive-thru lane, onsite parking, and landscaping, subject to the Conditions of Approval and Findings of Fact.
2. Direct staff to file a Notice of Exemption with the County Clerk of the Board of Supervisors.

FISCAL IMPACT: The Applicant submitted the required deposit for processing a Design Review Application. Staff time spent working on the application is charged to this deposit.

Approved _____	Motion _____	Second _____	Agenda Item No. <u>3</u>
Denied _____	Ayes _____		File No. _____
	Noes _____		
Continue _____	Abstain _____		
	Absent _____		
<i>[Signature]</i> Recording Secretary		<i>[Signature]</i> Community Development Director	

PUBLIC NOTICE: As required by City Council Resolution, a notice of the public hearing was posted on June 10, 2021, at the City's three designated posting locations within the City. A legal notice was posted on the City's website and mailed to property owners within 300 feet of the project site. A legal advertisement was published in the Highland Community News on June 4, 2021. No further notice is required.

PUBLIC COMMENT: At the time of preparation of this Staff Report, no comments were received from the public by the Planning Division in response to the Project Notice.

DESCRIPTION OF SITE: The project site is located along Base Line, approximately 200 feet west of the Victoria Avenue intersection, a segment defined by the General Plan as a "major highway." The property is composed of a single parcel spanning approximately 12,000 square feet. Originally constructed in 1963, the building has been in operation as "Nikko's Burgers" restaurant with dine-in and drive-thru service since late 2005.

In mid-2019, it was reported that a fire ignited in the kitchen and nearly 25% of the interior of the restaurant had sustained considerable fire-damage. In the process of removing the scorched portion of the building, the Applicant ultimately demolished over 50% of the existing building. Prior to the fire, the building featured a wood and stucco exterior with a steeply-pitched, composition shingle roof. There was a customer entrance at the southeast corner of the building and an employee/service entrance on the northside. The restaurant parking is located along the eastern and northern boundary of the property with the drive-thru designed in a U-formation around the building. With wheel stops for the parking spaces right at the property lines, the overhang from the parked vehicles encroaches onto the adjacent properties. While lines delineating the existing parking are not entirely clear, there appears to be fourteen (14) onsite spaces. The asphalt on the property has aged considerably but still appears to be in satisfactory condition. There are concrete drive approaches located at both the "entrance" and "exit" segment along Base Line. A wooden trash enclosure is located at the northwest corner of the property with double doors opening outward.

The site has remained relatively clear of vegetation since opening in 2005 as the property owner has maintained the property well. There is currently no landscaping on the site (Exhibit A – Aerial Location Map).

BACKGROUND: Per the Highland Municipal Code, the reconstruction of a structure that has been demolished by over 50%, either voluntarily or involuntarily, triggers the requirement for a Design Review Application.

Surrounding Land Uses:

The City of Highland General Plan and Municipal Code designate the parcel as Mixed Use (MU). The area is developed with a variety of small commercial buildings with grandfathered uses, all constructed between the mid-1960s and early-1990s.

	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
North	Auto Repair Facility	Mixed Use (MU)	Mixed Use (MU)
South	Base Line & Vacant Parcel	Planned Commercial (PC)	Planned Commercial (PC)
West	<i>Vacant with Wireless Telecommunication Tower in rear</i>	<i>City of San Bernardino Commercial Land Use</i>	<i>City of San Bernardino Commercial Zone</i>
East	Knob Hill Road & Gas Station / Strip Shopping Center	Mixed Use (MU)	Mixed Use (MU)

The proposed land use is consistent with the City of Highland General Plan and Municipal Code (Exhibit B – Site Plan).

ENVIRONMENTAL REVIEW: This project is Categorically Exempt from environmental proceedings under the California Environmental Quality Act (CEQA) guidelines pursuant to Section 15301, Class 1. Existing Facilities as it consists of the operation, repair, maintenance, permitting and minor alteration of a private structure. It involves negligible expansion of the use beyond the previous use. Section 15301(d) specifically exempts for “Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety”.

PROJECT REVIEW: The applicant is proposing to rebuild the restaurant known as “Nikko’s Burgers”, a drive-thru establishment known locally for its American fast food and Mexican inspired entrée(s). The dine-in service will be a cafeteria style experience where patrons select and purchase their entrée(s) at the counter and then have access to seating in the dining area. Customers will also have the choice to order items to-go. The proposed hours of operation for the establishment will be 7:00am to 9:00pm and the restaurant will be operated by five to ten employees at any time, depending on the crowd. Since the restaurant does not plan to sell alcoholic beverages, there will be no separate Conditional Use Permit for an ABC application that needs to be processed.

Parking

There are currently fourteen (14) on-site parking spaces, which does not meet the requirement per the Municipal Code. By relocating the existing trash enclosure from the northwest corner to its new position at the northeast corner, the Applicant has been able to include an additional parking space along the north side. Furthermore, after restriping the parking spaces per the City’s established diagonal parking space dimensions requirement, the total onsite available parking will be increased to eighteen (18) spaces.

The restaurant features 872 square feet of indoor dining area on the first floor as well as 672 square feet of restaurant-related office space on the second story. Thus, with a requirement of 1 space per 75 square feet of total dining area and 1 space per 250

square feet of office use, the fifteen (15) proposed standard parking spaces, two (2) compact spaces, and one (1) handicap stall bring the total available parking spaces onsite to eighteen (18), satisfying the parking requirements.

No landscape islands between spaces are required in the parking lot as there are no sequences of more than 8 consecutive parking spaces. Instead, the parking spaces are in groups of 8 and 6 along the perimeter with a cluster of 4 spaces at the south end. Nonetheless, a 3-foot wide landscape planter has been proposed along the west side of the property with additional landscape planters placed at the southeast and northeast corners for aesthetic relief.

Access

The site will consist of both vehicular and pedestrian accessibility. Currently, both vehicles and pedestrians can access the property from Base Line on the south side, and Knob Hill Road on the east side. The applicant is proposing to leave the existing access as-is, with the designated curb-cuts for ingress and egress.

Elevations

The building has been designed with the appropriate fascia for a drive-thru establishment (Exhibit C – Architectural Elevations). The building's elevations include a clean design with bright and colorful tones that fall in line with conventional "fast-food experience". The majority of the exterior will feature a white stucco with vinyl framed doors and windows. The exterior awning along the south side, above the proposed new entrance, is a bright yellow color that complements the yellow tone found in the "Nikko's Burgers" logo. The steeply pitched roof will feature concrete tiles finished in a bold red color, also corresponding with the "Nikko's Burgers" logo. The accent portions of the exterior, such as the door frames, parking lot adjacent windows, rear employee-access door, and storefront trims will feature a dark metal border (Exhibit D – Color Samples).

Floorplan

The proposed restaurant will primarily maintain the existing 0.14 lot coverage ratio left by the previous eating establishment. As previously mentioned, the building, prior to the blaze in 2019, featured a primary entrance at the southeast corner facing the parking spaces along the east side. Per to the revised design, the entrance is being relocated to the southern side, fronting Base Line. Just inside the entrance are two (2) dine-in booths to the left with the ordering counter straight ahead. Along the eastern side of the establishment are four (4) additional dine-in booths with six (6) four-seat dining tables spaced through the center of the dining area. Behind the ordering counter and serving area are the sinks, shelving, and storage areas for dry spices. In the far back of the restaurant is the kitchen, where fresh food is prepared. The eating establishment also features a men's and women's restroom located in a hallway with access from the main dining area, the kitchen, and the rear entrance/exit.

Landscaping

The conceptual landscape plan has been reviewed by the City's landscape architect and must comply with the conditions of approval specified for the proposed project site. The landscaping must also comply with the Highland Municipal Code Section 16.40.390 (Water Efficient Landscape Requirements).

The landscaping proposed for the site is primarily found along the perimeter and is comprised of various trees, shrubs, groundcovers and vines. With a street-side setback of 20-feet, the 10-feet of proposed landscaping outside of the drive approaches satisfies the 40% landscape requirement for the setback zone. The trees around the eastern and partially the northern perimeter of the property are Shademaster Locust while the remainder of the north and western border feature Long Leaf Yellow Wood Column trees. Additionally, the landscape planter at the southeast corner of the property features three (3) Queen Palms while the landscape planter along Base Line features Red Crape Myrtle. The landscaping in the border along the west side and northeast corner of the lot include Mexican Bush Sage with Moyers Red Heavenly Bamboo and Fortnight Lily to further enhance the aesthetic appeal. (Exhibit E – Landscape Plan).

Because the redevelopment of this site does not increase the current floor area ratio or add any additional paved area, this project is not required to prepare a new Water Quality Management Plan (WQMP).

Walls and Fences

Currently, there is an existing 6-foot tall chain-link fence along the northern and western property lines. Additionally, there is a bollard and chain fence on the eastern boundary, along Knob Hill Road. For the revised design, the applicant plans to remove the existing chain link fence entirely on the north and west side and repaint the bollards and install a new chain along the east side.

Signs

One (1) building-mounted business sign will be installed atop the storefront just below the roofline fronting Base Line to the south. The applicant will submit elevations for a sign along with an Accessory Sign Review application at a later date.

Exhibits: A – Aerial Location Map
 B – Site Plan
 C – Architectural Elevations
 D – Color Samples
 E – Landscape Plan

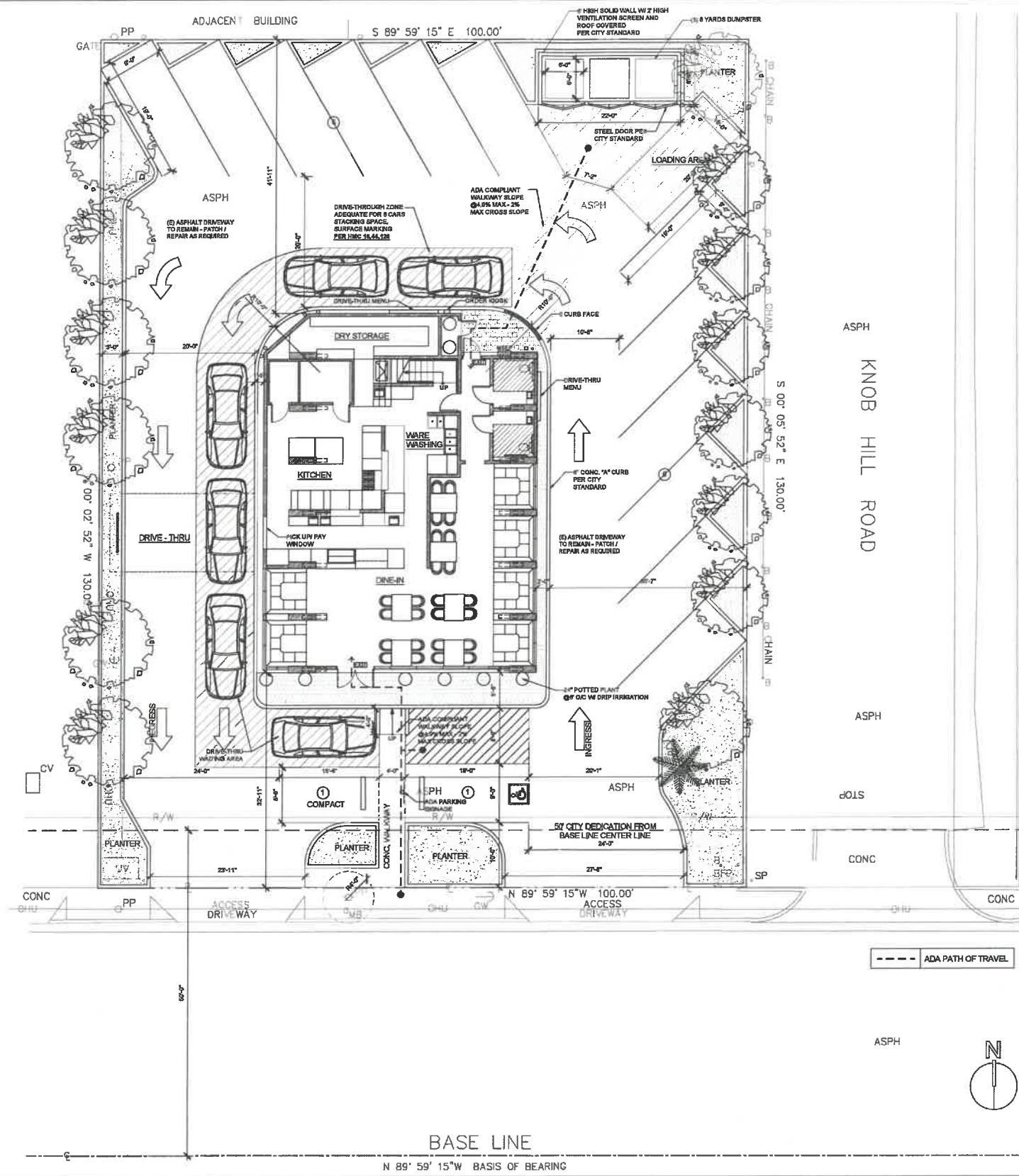
Attachments: 1. Resolution 2021-____ for Design Review Application (DRA 21-008)
 Exhibit 1: Conditions of Approval

Exhibit A:
Aerial Location Map



Exhibit B:

Site Plan



PROJECT SUMMARY			
APN : 1191-231-34			
LOT AREA : 12,125 SF			
ZONING : MU			
USE GROUP : A-2 / CONST. TYPE : V-8, SPRINKLERED			
BUILDING AREA			
1ST FL	2,138 GSF		
2ND FL	762 GSF		
TOTAL FLOOR AREA		2,899 GSF	
LOT COVERAGE			
LOT AREA : 12,125 SF			
BUILDING AREA : 2,138 SF			
OVERHANG / DRIVE-THRU ROOF COVERED : 117 + 267 SF			
LOT COVERAGE : (2,138 + 117 + 267) / 12,215 = 0.20			
= 20%			
BUILDING OCCUPANT LOAD SUMMARY (EXITING)			
OCCUPANCY GROUP : A-2			
OCCUPANT LOAD SUMMARY PER TABLE 1004.5 CFC			
SPACE	AREA (GSF)	OCCUPANT LOAD FACTOR	OCCUPANT LOAD
1ST FL			
- KITCHEN	891	200	3.3 = 4
- DINING	872	15	58.1 = 59
- STORAGE	273	300	0.9 = 1
			TOTAL 1ST = 64
2ND FL			
- OFFICE	580	100	5.8 = 7
			TOTAL 2ND = 7
TOTAL AREA 2,486 GSF			
TOTAL OCCUPANT LOAD 4 + 59 + 1 + 7 = 71			
71 TOTAL = (2) EXITS REQUIRED, (2) EXITS PROVIDED			
PLUMBING FIXTURE SUMMARY PER 2019 CFC			
OCCUPANCY GROUP : A-2			
PLUMBING OCCUPANT LOAD = 872 GSF/30			
= 30/2			
= 15 WOMEN, 15 MEN			
	WATER CL.	URINALS	LAV
MEN	1 REQUIRED		1 REQUIRED
	1 PROVIDED		1 PROVIDED
WOMEN	1 REQUIRED		1 REQUIRED
	1 PROVIDED		1 PROVIDED
LANDSCAPE CALCULATION			
LOT AREA : 12,125 SF			
LANDSCAPE (EXCLUDING < 5' PLANTER) : 760 SF			
OVERALL LANDSCAPE : 916 / 12,125 = 0.075 = 7.5%			
PARKING AREA : 9,363 SF			
LANDSCAPE PARKING AREA : 916 SF			
PARKING AREA LANDSCAPE : 916 / 9,363 = 0.097 = 9.7%			
PARKING SUMMARY			
PER Table 16.52.030.A HMC			
h, eating and drinking establishments with drive-in/take-out			
required 1 space / 75 sf of gross dining area, allow 25% compact use			
1ST FL DINING SPACE	872 GSF		
			872/75 = 11.62 = 12 SPACES REQUIRED
1 office required 1 space / 250 sf of gross area, allow 35% compact use			
2ND FL OFFICE SPACE	500 GSF		
			500/250 = 2 SPACES REQUIRED
PER Table 16.52.040.A HMC			
LOADING SPACE			
TOTAL AREA < 5,000 SF = 1 SPACE REQUIRED			
			TOTAL 14 SPACES REQUIRED
			14 SPACES PROVIDED
INCLUDE (12) STANDARD PARKING SPACES			
(1) COMPACT SPACE			
(1) VAN ACCESSIBLE ADA COMPLIANT PARKING SPACE			
(1) LOADING SPACE			



Architect: MCNAUGHTON ARCHITECTURE, INC.
900 E. 87th ST., SUITE 200
POMONA, CA 92673
PHONE: (909) 557-3588
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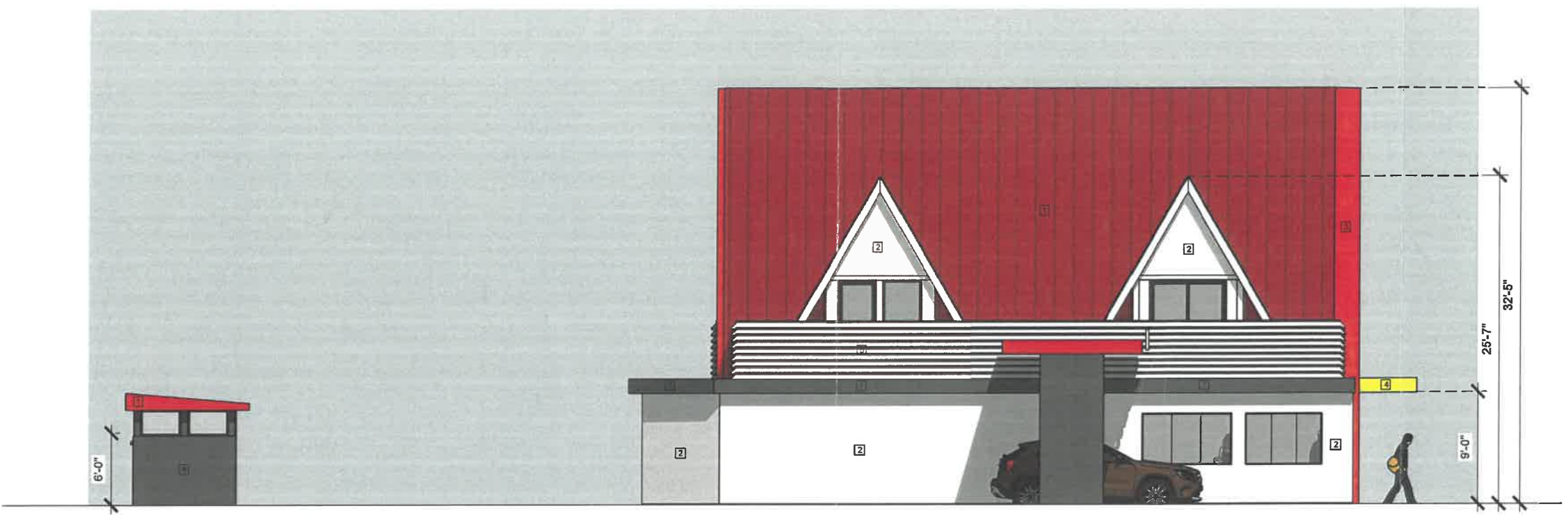
Owner: NIKKO'S BURGERS - TONY'S LLC
PO BOX 7783, REDLANDS, CA 92373
TONYS2019@YAHOO.COM

Job Title: NIKKO'S BURGERS
Sheet Title: ARCHITECTURAL SITE PLAN

Revisions:

Scale: 1/8" = 1'-0"
Date: 03/24/21
Drawn By: Thanyarat Locharoenrat, AIA
Checked By: Shen McNaughton, AIA
Sheet Number: A-1.0

Exhibit C:
Architectural Elevations



2 WEST ELEVATION

SCALE 1/4" = 1'-0"



ELEVATION KEYNOTES	
[1]	ROOF - METAL STANDING SEAM - SIGNAL RED
[2]	WALL FINISH - SYNTHETIC STUCCO SMOOTH FINISH - PURE WHITE
[3]	STRUCTURAL FRAME - SIGNAL RED
[4]	ENTRY CANOPY - 24 GAUGE METAL - LUMINOUS YELLOW
[5]	MECHANICAL EQUIPMENT SCREEN - METAL LOUVERS - ANODIZED ALUMINUM SATIN FINISH
[6]	STOREFRONT GLASS - DUAL GLAZE SOLAR BRONZE GLASS, CLEAR ANODIZED ALUMINUM FRAME
[7]	FASCIA TRIM - 24 GAUGE METAL FLASHING, BASALT GREY
[8]	TRASH ENCLOSURE - STEEL - BASALT GREY

1 EAST ELEVATION

SCALE 1/4" = 1'-0"



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 www.mcnaughton.com

Owner:
 NIKKO'S BURGERS - TONY'S LLC
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 TONY52018@YAHOO.COM

Job Title:
 NIKKO'S BURGERS
 EXTERIOR ELEVATIONS

Revisions:

Scale: 1/4" = 1'-0"
 Date: 03/24/21
 Drawn By: Thanyaman Locharoenwet, AIA
 Checked By: Shan McVaughn, AIA
 Sheet Number

A-4.0



2 SOUTHWEST VIEW FROM BASELINE ST.

SCALE 1/4"= 1'-0"



1 SOUTHEAST VIEW FROM BASELINE ST.

SCALE 1/4"= 1'-0"



Architect
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 ARCHITECTURE, INC.**
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 TONY52019@YAHOO.COM

Job Title:
 NIKKO'S BURGERS
 Sheet Title:
 EXTERIOR PERSPECTIVES

Revisions:

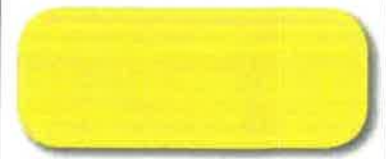
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 Date: 03/24/21
 Drawn By: Thanyamon Locharoenrat, AIA
 Checked By: Shen McNaughton, AIA
 Sheet Number

A-5.0

Exhibit D:
Color Samples

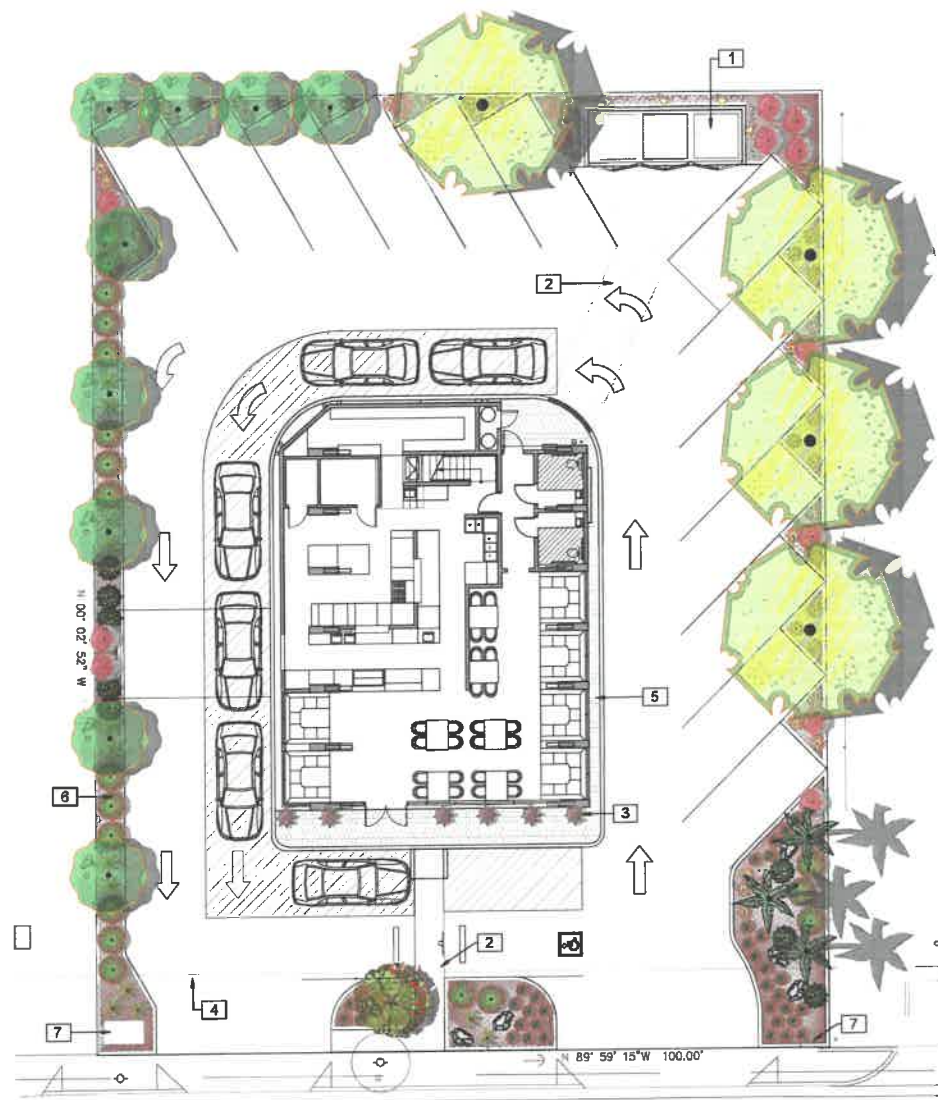


ELEVATION KEYNOTES	
1	ROOF : METAL STANDING SEAM - REGAL RED COLOR BY EVERLAST METAL OR EQUAL
2	SYNTHETIC STUCCO SMOOTH FINISH - DOVE GREY COLOR BY LA HABRA OR EQUAL
3	STRUCTURAL FRAME & FASCIA TRIM - BRIGHT RED COLOR BY ALUMET SUPPLY OR EQUAL
4	ENTRY CANOPY : 24 GAUGE METAL - BRIGHT YELLOW COLOR BY ALUMET SUPPLY OR EQUAL
5	MECHANICAL EQUIPMENT SCREEN : METAL LOUVERS - ANODIZED ALUMINUM SATIN FINISH BY ALUMET SUPPLY OR EQUAL
6	STOREFRONT GLASS : DUAL GLAZE SOLAR BRONZE GLASS - BLACK ALUMINUM FRAME BY TUBELITE OR EQUAL
7	FASCIA TRIM : 24 GAUGE METAL FLASHING - DARK GREY COLOR BY ALUMET SUPPLY OR EQUAL
8	TRASH ENCLOSURE : STEEL - BASALT GREY

1	ROOF : METAL STANDING SEAM - REGAL RED COLOR BY EVERLAST METAL OR EQUAL	2	SYNTHETIC STUCCO SMOOTH FINISH - DOVE GREY COLOR BY LA HABRA OR EQUAL	3	STRUCTURAL FRAME & FASCIA TRIM - BRIGHT RED COLOR BY ALUMET SUPPLY OR EQUAL	4	ENTRY CANOPY : 24 GAUGE METAL - BRIGHT YELLOW COLOR BY ALUMET SUPPLY OR EQUAL	5	MECHANICAL EQUIPMENT SCREEN : METAL LOUVERS - ANODIZED ALUMINUM SATIN FINISH BY ALUMET SUPPLY OR EQUAL	6	STOREFRONT GLASS : DUAL GLAZE SOLAR BRONZE GLASS - BLACK ALUMINUM FRAME BY TUBELITE OR EQUAL	7	FASCIA TRIM : 24 GAUGE METAL FLASHING - BASALT GREY COLOR BY TUBELITE OR EQUAL
													



Architect: MCNAUGHTON ARCHITECTURE, INC. SHAN MCNAUGHTON, AIA 300 E. STATE ST. SUITE 360 REDLANDS CA 92373 PHONE (909) 557-7358 shan@mna-p.com www.mna-p.com	Job Title: NIKKO'S BURGERS MATERIAL BOARD	Owner: NIKKO'S BURGERS - TONY'S LLC PO BOX 7763, REDLANDS, CA 92373 TONYS2019@YAHOO.COM	Date:	Sheet Number A-8.0
			Drawn By: Thunyamon Locharoenrat, AIA	
			Checked By: Shan McNaughton, AIA	



BASE LINE
N 89° 59' 15" W BASIS OF BEARING

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
	4	GLEDTISIA TRICANTHOS INERMIS 'SHADEMASTER'	SHADEMASTER LOCUST	36" BOX	MODERATE
	1	LAGERSTROEMIA INDICA 'ARAPAHO' SINGLE TRUNK	RED CRAPE MYRTLE	24" BOX	LOW
	9	PODOCARPUS HENKELI	LONG LEAFED YELLOW WOOD COLUMN FORM	15 GAL	MODERATE
	3	SYAGRUS ROMANOFFIANA	QUEEN PALM	48" BOX	MODERATE
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
	6	CORYLINE X 'DESIGN-A-LINE BURGUNDY' PLANT IN PLANTER POTS PER ARCHITECT'S PLAN	CORYLINE	5 GAL	LOW
	14	NANDINA DOMESTICA 'MOYERS RED'	MOYERS RED HEAVENLY BAMBOO	5 GAL	MODERATE
	19	SALVA LEUCANTHA 'SANTA BARBARA'	MEXICAN BUSH SAGE	5 GAL	LOW
GRASSES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
	8	DIETES X 'LEMON DROP'	FORTNIGHT LILY	5 GAL	MODERATE
	16	LOMANDRA LONGIFOLIA 'BREEZE' TM	BREEZE MAT RUSH	1 GAL	LOW
PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
	47	HENIEROCALLIS HYBRID	YELLOW DAYLILY	1 GAL	MODERATE
SHRUB COVER	QTY	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
	35	CALYLOPHUS HARTWEGII FENDLERI	SUNDROPS	1 GAL	LOW
VINE/ESPALEIR	QTY	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
	5	MACFADYENA UNGUIS-CATI	YELLOW TRUMPET VINE	5 GAL	LOW
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS
	1,308 SF	WOOD MULCH REDWOOD GORILLA HAIR	INSTALL IN ALL SHRUB BEDS-3" DEEP	---	---

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
	TRASH ENCLOSURE PER ARCHITECT'S PLAN	1
	ADA PATH-OF-TRAVEL PER ARCHITECT'S PLAN	2
	PLANTER POTS PER ARCHITECT'S PLAN	3
	50' CITY DEDICATION FROM BASELINE CENTER LINE TRAVEL PER ARCHITECT'S PLAN	4
	CURBING AND HARDSCAPE LAYOUTS PER ARCHITECT'S PLAN	5
	OVERHEAD WIRES GUY-WIRE PER SURVEY	6
	EXISTING UTILITY PER SURVEY	7
	BOULDER-NATIVE GRANITE-SIZE 30"x36"	6

WATER CONSERVATION STATEMENT:
FINAL LANDSCAPE PLANS MEET ALL WATER CONSERVATION REQUIREMENTS SET FORTH IN BOTH THE CITY AND STATE ORDINANCES. THE FINAL PLANS WILL ACHIEVE THESE GOALS THROUGH THE USE OF HIGHLY EFFICIENT DROPLINES AND/OR EMITTERS AND TREE BUBBLERS TO ALL PLANTED AREAS, COMBINED WITH A "SMART" I.T. BASED CONTROLLER AND RAIN SHUT-OFF DEVICE. THE CONTROLLER WILL REDUCE E.T. INFORMATION THAT WILL ALLOW THE CONTROLLER TO UP-DATE RCLY, RUN TIMES ON A DAILY BASIS THEREBY REDUCING THE NEED FOR MANUALLY ADJUSTING THE CONTROLLER FOR WEEKLY OR SEASONAL WEATHER CHANGES.

TREE SIZE TABLE		
SIZE	COUNT	%
15 GAL=	8	53%
24" BOX=	1	5%
36" BOX=	4	24%
48" BOX=	3	18%
TOTAL TREES:	17	100%

COMMERCIAL

3/17/2021

Eto

55.6

Water Conservation Ordinance

Domestic Water

MAWA	Eto	Sq. Ft.	% of ET	gallon conversion	total gallons
landscape area	55.6	1308	0.45	0.62	20,290.22
Special Landscape Area	55.6	0	0.45	0.62	0.00
		1308			MAWA = 20,290.22

EAWU	Eto	Sq. Ft.	PF % of ET	gallon conversion	I.E.	total gallons
Turf spray	55.6	0	0.9	0.62	0.65	0.00
Turf rotor	55.6	0	0.5	0.62	0.8	0.00
Turf Drip	55.6	0	0.8	0.62	0.9	0.00
Shrub spray	55.6	0	0.4	0.62	0.65	0.00
Shrub rotor	55.6	0	0.4	0.62	0.8	0.00
Tree Bubbler	55.6	0	0.4	0.62	0.9	0.00
Drip	55.6	1308	0.4	0.62	0.9	20,039.72
		1308				EAWU = 20,039.72

ETAF = Evapotranspiration Adjustment Factor

55	Residential
45	Commercial
1	Recycled Water

Plant Factor (WUCOLS)

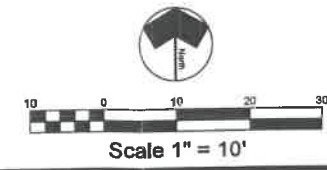
Water Use Classification of Landscape Species

0 - 0.1 = Very Low Water Use Plants
0.1 - 0.3 = Low Water Use Plants
0.4 - 0.6 = Moderate Water Use Plants
0.7 - 1.0 = High Water Use Plants

I.E. = Irrigation Efficiency

spray	0.65
rotor	0.8
drip / bubbler	0.9

ESTIMATED WATER USE CALCULATIONS



PRELIMINARY-NOT FOR CONSTRUCTION

PLANTING PLAN

NIKKO'S BURGERS
26468 E. BASELINE ROAD
HIGHLAND, CALIFORNIA

DESIGNED BY
STB

CHECKED BY
CR

DATE
3/22/21

JOB NO.
21-18

SHEET
1 OF 1

LP-1

UNDERGROUND SERVICE ALERT
CALL TOLL FREE
811
TWO HOURS BEFORE YOU DIG

Attachment 1:

Resolution 2021 – ____ for

Design Review Application (DRA 21-008)

Exhibit E:
Landscape Plan

RESOLUTION NO. 2021 – ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING A DESIGN REVIEW APPLICATION (DRA 21-008) FOR THE RECONSTRUCTION OF A RESTAURANT WITH A DRIVE-THRU LANE, ONSITE PARKING, AND LANDSCAPING LOCATED AT 26468 BASE LINE, HIGHLAND, CA 92346. ASSESSOR'S PARCEL NUMBER: 1191-231-34.

OWNER: TONY SHABKE

A. RECITALS

1. The Applicant submitted a Design Review Application (DRA 21-008) with the City of Highland for the reconstruction of a restaurant with a drive-thru lane, onsite parking, and landscaping at 26468 Base Line, Highland, CA 92346. Assessor's Parcel Number: 1191-231-34
2. The reconstruction will be in regard to a new dining area, kitchen equipment, paint, exterior improvements, parking area, landscaping, and modified trash enclosure on an approximately 12,000 square foot property.
3. On June 15, 2020, the Planning Commission of the City of Highland conducted a public hearing on the subject application and concluded the hearing on that date.
5. All legal prerequisites to the adoption of this Resolution have occurred.
6. Pursuant to CEQA, this project is Categorically Exempt from environmental proceedings under the California Environmental Quality Act (CEQA) guidelines pursuant to Section 15301, Class 1. Existing Facilities as it consists of the operation, repair, maintenance, permitting and minor alteration of a private structure. It involves negligible expansion of the use beyond the previous use. Section 15301(d) specifically exempts for "Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety".

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Highland as follows:

1. The Planning Commission finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.

2. The City of Highland Planning Commission after due consideration, inspection, investigation and study made by itself and on its behalf, and after due consideration of all evidence and reports offered at said hearing, including the staff reports to the Planning Commission dated June 15, 2021, which is incorporated herein by this reference, does find and determine the following facts:
 - a. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.

3. Findings of Fact:

- a. That the proposed project is consistent with the general plan or specific plan;

Response: The proposal includes components of a Design Review Application; a Site Plan, a Landscape Plan, and Building Elevations. The project is located within the Mixed Use (MU) land use designation, where fast food restaurants are permitted in both attached and detached multi-use structures through the approval of a Major Design Review Application. There is appropriate street frontage, setbacks from the right-of-way line for the adjacent roadway, parking for the proposed restaurant use, per the Highland Municipal Code.

- b. That the proposed use is in accordance with the objectives of this title, and the purposes of the land use district in which the site is located;

Response: The proposed use is appropriate in nature and in keeping with the development standards of the Mixed Use (MU) land use designation, where fast food restaurants are permitted in both attached and detached multi-use structures through the approval of a Major Design Review Application. The site features ingress and egress to both eastbound and westbound traffic along Palm Avenue. Further, the proposed colors on the existing building are in keeping with traditional "fast food" color schemes and complement the surrounding vicinity. Additionally, the landscape buffer around the property are consistent with the landscape requirements for such a project.

- c. That the proposed use is in compliance with city design and landscape standards and criteria; and

Response: The restaurant features 872 square feet of indoor dining area on the first floor as well as 672 square feet of restaurant-related office space on the second story. Thus, with a requirement of 1 space per 75 square feet of total dining area and 1 space per 250 square feet of office

use, the fifteen (15) proposed standard parking spaces, two (2) compact spaces, and one (1) handicap stall bring the total available parking spaces onsite to eighteen (18), satisfying the parking requirement.

The Landscape Coverage is 20%. No landscape islands between spaces are required. A 3-foot wide landscape planter has been proposed along the west side of the property with additional landscape planters placed at the southeast and northeast corners for aesthetic relief.

- d. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or will not be materially injurious to properties or improvements in the vicinity of the site.

Response: The proposed project design will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity. Adequate onsite landscaping and parking availability has been exhibited on the proposed site plans. The conditions of approval have been provided to ensure compliance with applicable development policies and standards within the city.

- 4. Based on the Findings of Fact set forth above, the Planning Commission approves Design Review Application (DRA 21-008) for the reconstruction of a drive-thru restaurant at 26468 Base Line, Highland, CA 92346.

C. ADOPTION OF RESOLUTION.

The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be published or posted in the manner prescribed by law.

Exhibit 1 attached provides the Conditions of Approval for the project.

PASSED, APPROVED and ADOPTED this 15th day of June, 2021.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez
Community Development Director

Exhibit 1:

Conditions of Approval

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: June 15, 2021

Owner: Tony Shabke

Project No: DRA 21-008

Proposal: Design Review Application (DRA 21-008) for the reconstruction of a drive-thru restaurant with 18 parking spaces, landscaping, and a trash enclosure on a 12,000 square foot parcel.

Location: 26468 Base Line, Highland, CA 92346
Assessor's Parcel Number: 1191-231-34

PLANNING CONDITIONS

These conditions of approval represent the Planning Divisions conditions of approval and are meant to be one part of overall conditions of approval that may include, Engineering, Building and Safety, Fire Department, and other agency conditions of approval.

The conditions below are continuing conditions. Failure of the applicant and/or operator to comply with any or all said conditions at any time shall result in the revocation of this permit granted to use the subject property.

1. This Design Review Application (DRA 21-008) approval shall become null and void:
 - a. Unless all conditions have been complied with and the occupancy or use of the land or existing structures authorized by such conditional use permit approval has occurred within thirty-six (36) months from the approval date of said Design Review Application.
 - b. Where circumstances beyond the control of the applicant cause delays which do not permit compliance within the time limitation established in this section, the City of Highland may grant an extension of time for a period of time not to exceed an additional thirty-six (36) months, in 1-year increments. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the Planning Division a minimum of thirty (30) calendar days prior to the expiration of the Design Review Application approval. Such application shall be filed together with the city's processing fee, as established by the City Council.

2. This Design Review Application (DRA 21-008) proposes the reconstruction of a drive-thru burger restaurant with 18 parking spaces, landscaping, and a trash enclosure on a 12,000 square foot parcel.
3. The applicant shall agree to defend, at his sole expense, any action brought against the city, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the city, its agents, officers, or employers, for any court costs and attorney's fees which the city, its agents, officers or employees may be required by a court to pay as a result of such action. The city may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of his obligations under this condition.
4. The Owner/Applicant is responsible for implementing all conditions of approval to the satisfaction of the Community Development Director, City Engineer, Fire Department, and Police Department. No final inspection or clearances shall be given until all conditions are met. Each condition of approval is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.
5. The subject property shall be developed in accordance with plans and materials approved by the Planning Commission on June 15, 2021, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein. Revisions, modification, or deletions of associated plans must be submitted to the Planning Division for review and approval. Revisions may require additional review by the Planning Commission.
6. Prior to the issuance of Building Permits, a copy of the utility plan shall be submitted to the Planning Division and City Engineer for review and approval. The Utility Plan shall show the location of all proposed above ground electrical transformers, utility cabinets, and back flow devices. All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining building's architectural design.
7. Any change of use of this project site, the occupancy, or tenant change in the Building, or portion thereof, may require a plot plan be submitted to the City for review and approval, which identifies location of use, letter of intent and parking requirements.
8. All permanent parking areas shall be paved and permanently maintained with asphalt or concrete and designated with clearly painted lines. The number of parking spaces, including disabled parking, shall comply with the requirements of the City's Municipal Code.

9. All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining building's architectural design.
10. No floodlights or other up-lighting shall be permitted to be attached to parking lot standards for the purpose of illuminating the building.
11. The operator shall be responsible for the regular maintenance of the site, including, but not limited to, keeping the premises free of graffiti. If graffiti is present, it shall be removed within 48 hours of notification to the operator. The operator shall also ensure the facility maintains its appearance and shall repair the facility as necessary. Any request by the City to replace and/or repair aesthetic aspects of the facility shall be completed within 120 days.

Building and Safety Division Conditions of Approval

Date: June 15, 2021

Project: Reconstruct Drive-thru Burger Restaurant

Applicant: Tony Shabke

Site Location: 26468 Base Line, Highland Ca 92346

APN: 1191-231-34-0000

Project Numbers **DRA:** 21-008

1. Please provide three (3) sets of the following construction plans and documents listed below for review of the proposed project. The initial plan review time will take two weeks on most projects. The applicant will receive a plan review number at the time plans are submitted for Building & Safety's plan review. This plan review number is needed to obtain information regarding your project.
 - (3) Architectural Plans
 - (3) Structural Plans
 - (2) Structural Calculations
 - (3) Plot/Site Plans
 - (3) Electrical Plans
 - (3) Electrical Load Calculations
 - (3) Plumbing Plans/Isometrics
 - (3) Mechanical Plans
 - (3) HVAC Duct Layout Plans
 - (3) Roof and Floor Truss Plans
 - (3) Title 24 Energy Calculations
 - (3) Soils Report
 - (3) Precise Grading Plans
 - (3) Site Disabled Access Plan
 - (3) Condition of Approval Packages (to be included in the plan set)
 - (3) Temporary Fence Plan
2. All structures shall be designed in accordance with the current version of the California Building Codes, including the California Green Building Standards Code.
3. Building and Safety does not release all meters until final approvals are obtained from all agencies and departments. See City Policy 295.
4. It has come to the City's attention that premature failures have occurred in copper piping when used within the City of Highland, particularly east of City Creek. Property Owners, Contractors and Developers are advised to analyze soil and water compositions when considering the type of pipe material to be

utilized. City staff makes no recommendations on which Plumbing Code approved products or methods to be utilize, this is the responsibility of the property owner or contractor. Alternate unapproved code materials may be submitted for City approval at the time of plan submittal via an alternate material and methods application.

5. The Developer/Owner is responsible for the coordination of releasing any Deferral of Development Impact Fees or Bonds after such fees have been paid. The Developer/Owner should be aware, once the deferral notice is sent to the San Bernardino County Recorder's Office; the release process takes two to three weeks. This process will delay final Certificates of Occupancy.
6. The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall request clearances from each department and/or agency at least two weeks prior to requesting a final building inspection from Building and Safety. Each agency shall sign the back of the Building and Safety Job Card and provide a copy of the signatures to Building and Safety at the time a final inspection is requested.
7. Projects requiring County Health and/or San Bernardino Environmental Control, such as food services, interceptors or connection to public waste systems, need to obtain permits from those agencies prior to City building permit issuance.
8. Building and Safety inspection requests must be made by 4:00 pm. on the previous City working day to receive a next business day inspection. Please contact (909) 864-2136, Ext 228.
9. A security fence with screening shall protect all construction sites. The fencing and screening shall be maintained at all times to protect pedestrians. Policy 335
10. Portable toilet facilities shall be provided for construction workers and such facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3 and NPDES stormwater requirements.
11. All construction materials, which are not used, shall be recycled pursuant to the requirements set forth by Ordinance No. 269. Receipts from the recycle company responsible for picking up the materials shall be kept in the construction office. After the construction is complete and before final occupancy, the trash receipts shall be forwarded to the Planning Division.
12. Construction projects, requiring temporary electrical power, shall obtain an electrical permit from Building and Safety. No temporary electrical power will be granted to a project unless the following item is in place and approved by Building and Safety and the Planning Division.
 - a) Installation of a construction trailer through the "Temporary Occupancy Permit", alternatively, a security fenced area where the electrical power will be located. Installation of construction/sales trailers must be located on private property. No trailers can be located in the street unless a permit from the Engineering Department is obtained.

13. Construction projects requiring fire permits must apply and submit fire plans prior to the issuance of the building permit, including fire sprinkler submittals.
14. Prior to the issuance of Building Permits, on site water service shall be installed and approved by the responsible agency. On site fire hydrants shall be approved by the Fire Department. No flammable materials will be allowed on the site until the fire hydrants are established and approved. No flammable construction materials shall be placed on the site without approvals by the Fire Department. All street and access roadways around the project shall be paved for emergency response vehicles before flammable materials are placed on the project.
15. Prior to issuance of building permits, provide a receipt from the appropriate Unified School District stating that all school fees have been paid.
(San Bernardino Unified School Districts)
16. All construction projects shall comply with the NPDES Stormwater Best Management Program.
17. Prior to final inspection, provide Building & Safety with a flash disk of the approved plans and documents.
18. Site development and grading shall be designed to provide access to all entrances and exterior ground floor exits and access to normal paths of travel. The accessible route(s) of travel shall be the most practical direct route.
19. The City enforces the State of California provisions of the California Building Code disabled access requirements. The Federal Americans with Disabilities Act (ADA) standards may differ in some cases from the California State requirements, therefore it is the building owner's responsibility to be aware of those differences and comply accordingly.



City of Highland, **FIRE PREVENTION DIVISION**, Conditions of Approval.

DATE : June 4, 2021

Page 1 of 6

APPLICANT : Shan McNaughton

ADDRESS : 26468 Baseline

SITE LOCATION: Nikko's Burgers

FILE / INDEX No.: DRA# 21-008

A tiered level of mitigation options has been developed and listed below are the systems and/or modifications required for your project. Compliance of the following items are a condition of **FINAL OCCUPANCY APPROVAL**. These conditions are required as acceptable solutions to the adverse fire conditions impacting firefighting and emergency operations accompanying the site/area. They will either assist in detection and extinguishment of the fire and/or facilitate the anticipated emergency operations.

This project is protected by the City of Highland Fire Department / Cal-Fire / California Department of Forestry and Fire Protection. Prior to any construction occurring on any parcel, the applicant shall contact the city of highland fire marshal office for verification of current fire protection development requirements. All new construction shall comply with the currently adopted California Fire Code and all applicable statutes, appendices, codes, ordinances, standards and policies of the City of Highland Fire Department/ Fire Prevention Division / Cal-Fire / California Department of Forestry and Fire Protection.

Fire Department Review of all projects is required.

ALL CONSTRUCTION (New and renovations to existing) SHALL COMPLY WITH THE CALIFORNIA FIRE CODE Along with amendments as adopted within the Highland Municipal Code (Ord. #411).

Note: All weather access roads (CFC) and fire hydrant/water system installations shall be in place, inspected and approved, **PRIOR** to combustible material being brought on site.

GENERAL.

1. **HF3:** A fuel break of one hundred (100) feet (brush and weed clearance) is required prior to construction. The clearance shall be maintained on a year-round basis. **CFC & HMC**

2. **HF31:** Approved fire hydrant pavement markers (blue dots) shall be installed at every hydrant.
3. **HF51:** The main electrical panel and all sub-panel(s) shall be labeled on inside cover for all circuits. **CEC**
4. **HF52:** Water heater (fuel fired), shall be properly vented to exterior of structure. Water heater shall be seismic strapped to wall and be located 18" above a garage floor. **CBC**
5. **HF55:** Commercial exit requirements:
 - A. Required exit doors shall be maintained in an operable condition at all times
 - B. Required exit doors shall swing outward and away in the direction of exit travel.
 - C. Obstructions shall not be placed in the required width of an exit. Exits shall not be blocked or locked shut or obstructed in any manner during business hours.
 - D. Exit paths shall be illuminated when structure is occupied.
 - E. Exit path illumination shall be supplied from two (2) sources of power when occupant load is one hundred (100) persons or more.
 - F. When exit way/exit pathway and/or exit doorway is not easily identified, additional exit signs shall be installed.
6. Exit signs shall be internally or externally illuminated by two lamps or shall be of the self-luminous type. **CFC; CBC**
7. **HF60:** Additional plans for access, fire safety systems, fire lanes and signage, gates, storage, or other special conditions may be requested for review, conditioning and approval by the fire marshal.
8. **HF48:** A class "A" roof covering structure with "bird stops" shall be installed.

ACCESS:

9. **HF7:** Fire department **access** roads shall meet the fire dept. minimum unobstructed width of twenty (20) feet. (twenty-six (26) feet within FR-1&2 zones). **This standard shall not lessen other agency requirements.** Access roads shall be paved (asphalt/concrete) and in place **prior** to delivery of combustible building materials on site. Roads shall be designed and constructed to meet adopted city standards. **CFC**
10. **HF8:** All access roads, public, private streets and residential driveways shall maintain a minimum vertical clearance of thirteen (13) feet-six (6) inches. **CFC**

11. **HF12:** Fire department access roadway(s); public/private street(s) and driveways shall not exceed 12% grade. **CBC / APPENDIX D, HMC**
12. **HF13:** Fire department access roadway(s); shall extend to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
An access road, approved by the fire dept., shall be provided to within fifty (50) feet of all structures when the natural grade between access road and structure is in excess of 30%.
Where an approved access road cannot be provided, a fire protection system shall be required and approved by the fire department. **CFC**
13. **HF24:** "NO PARKING – FIRE LANE" signs shall be posted at locations designated by fire marshal. Fire lane curbs shall be painted red, with white letters stating, "NO PARKING – FIRE LANE" on top, not face. **CFC - APPENDIX D**
14. **HF54:** commercial and industrial structures-occupancies and gated complexes shall have a "KNOX BOX" system installed on the exterior of the building(s) or complex. location of device to be determined by the fire department. The box shall contain keys necessary to gain access and may contain pre-plans and MSDS information as required by the fire department. New and existing multi-tenant commercial buildings shall provide a 'KNOX' box large enough to contain keys to access each individual tenant space. Installation location(s) to be determined by the fire marshal. The box shall contain clearly marked keys to each tenant space or other areas as determined by the fire marshal. **CFC**
15. **HF61:** Aerial fire apparatus access roads. **Where required:** buildings or facilities **exceeding 30-feet** in height above the lowest level of fire dept. Vehicle access shall be provided access roads capable of accommodating aerial apparatus. **Width:** aerial apparatus access roads shall provide a minimum unobstructed width of **26-feet** in the immediate vicinity of any building exceeding 30-feet in height. **Proximity to buildings:** aerial apparatus access roads shall be located a minimum of 15-feet to a maximum of 30-feet from the building, and shall be positioned parallel to one entire side of the structure, as approved by the fire code official. **CFC APPENDIX D**

WATER:

16. **HF25:** Minimum required fire flow, as determined by Appendix 'B' of the currently adopted California Fire Code.
System shall be looped with minimum eight (8) inch mains; six (6) inch laterals, six (6) inch risers; six (6) inch dia. Hydrants with two 2 ½" outlet(s) and one 4" outlet.
CFC APPENDIX B AND C

Note: Hydrants shall meet EVWD standards.

17. **HF29:** Fire hydrant spacing shall be:
Commercial retail: 300 FEET
CFC / APPENDIX B AND C.

Note: Existing fire hydrants (off-site) can be included if they meet spacing requirements. Hydrants shall not be located at the 'bulb' end of cul-de-sacs.

18. **HF26:** Three sets of water delivery system plans, designed to meet the required fire flow for this project and/or development, shall be submitted to the fire department for review and approval. **CFC**
19. **HF27:** Applicant-developer shall provide a letter from the water company serving the project-development, verifying financial arrangements have been made and bonded for the required water improvements. **CFC**
20. **HF28:** Fire hydrants shall be installed, inspected and operational as per approved water system delivery plans **prior** to any framing, construction or delivery of combustible materials to project site. **CFC / CFC**
21. **HF38:** Approved fire hydrant(s) capable of supplying required fire flow, shall be provided to all premises upon which facilities, buildings or portions of buildings are constructed or moved within the jurisdiction. When any portion of the facility or building protected is in excess of 400 feet from a fire hydrant on a public street, as measured by an approved route around the exterior of the facility or building, additional fire hydrants or on-site fire hydrants, meeting the required fire flow, shall be provided. **CFC APPENDIX B AND C**

ADDRESSING – IDENTIFICATION:

22. **HF21:** **Commercial** and **multi-family residential** address numbers shall be displayed on all **new and existing** structures in such a manner as to be plainly visible and legible from the access roadway or street. Numerals shall be of a contrasting color to the building and electrically illuminated.
Minimum size of the numerals shall be **8"** height, **3/4"** stroke, or as approved by the fire marshal.
Industrial occupancies shall have address numbers of 12" height, 1" stroke and shall be electrically illuminated so as to be visible and legible from access roadway or street.
Note: Depending on height and setback of a building, larger numerals may be required and at additional locations on the building, as determined by a case-by-case review.
HMC

FIRE PROTECTION & ALARM SYSTEMS:

23. **HF36:** Plans indicate a fire sprinklered building. Automatic fire sprinklers shall be installed according to **NFPA 13** and fire dept. requirements. Submit three (3) sets of shop plans with material cut sheets and hydraulic calculations, indicating the type of occupancy, type of materials to be stored (if any), for fire dept. review and approval prior to any installation. Submit copy of California C-16 license. **CFC; CBC; HMC**
24. **HF37:** Automatic fire sprinkler control devices (P.I.V & O.S.&Y.) Shall be visible from fire dept. access roadway, and identify system being controlled and address of structure.
Fire Dept. Connection (FDC) shall be located no closer than forty (40) feet and not to exceed one hundred fifty (150) from structure. Required fire hydrant shall have a maximum distance from FDC of thirty (30) feet. FDC shall identify address and system of structure being protected. **CFC**
25. **HF39:** An automatic fixed fire extinguishing system (**UL-300**) shall be installed in the hood and duct system of commercial cooking equipment. Three (3) sets of shop plans with material cut sheets and calculations shall be submitted to fire department for review and approval prior to installation. **CFC**
26. **HF41:** A minimum of one 2A-10BC fire extinguisher shall be installed for each 3,000 sq.ft. of floor area. Travel distance to any one fire extinguisher shall not exceed 75 feet. Additional fire extinguishers, size and class to be determined by fire department, may be required. Fire extinguishers shall be serviced bi-annually and shall have a current State Fire Marshall service tag attached. Fire extinguishers are to be serviced every two years and inspected & tagged every year. **CFC; NFPA**
27. **HF42:** A 40BC (K-Type) fire extinguisher shall be installed within 30 feet of commercial food heat-processing equipment. Fire extinguishers shall be serviced annually and shall have a current SFM service tag attached. Fire extinguishers are to be serviced every two years and inspected & tagged every year.
CFC; T-19
28. **HF43:** An automatic fire detection and alarm system meeting the requirements of CFC 907, CBC and NFPA 72 shall be installed. Three (3) sets of shop plans with material cut sheets and calculations shall be submitted to the fire department for review and approval prior to installation. **CFC; CBC; NFPA**
29. **HF60:** California Fire Code, **FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION**, shall apply to this project. it is the responsibility of the project manager to meet with the fire marshal to discuss requirements specific to this project.

30. **HF61: TENANT IMPROVEMENT.** Review the 'tenant improvement information' handout. If any of the items listed apply to this project, they must be included in the 'fire department notes' section on the plan.
31. **HF62:** Additional plans for access, fire safety systems, storage or other special condition may be requested for review, conditioning and approval by the fire marshal.
32. **HF63:** Submit to fire marshal's office: **one copy** of building and/or structure plans for fire department review.

Craig Sanchez, Fire Marshal
City of Highland Fire Prevention
(909) 864-8732 x 248

City of Highland

Engineering Department
Conditions of Approval
26468 Base Line
(APN: 1191-231-34)

- B - Required Prior to Building Permit/Construction
- C - Required Prior to Building Occupancy
- D - Ongoing
- E - Required Prior to Grading Permit
- * - Non Standard Conditions

GRADING

June 4, 2021

- E 1. Design grading and landscaping plans to comply with the City's clear sight triangle criteria at public street intersections and at private driveways. Walls, fencing, monument signs, slope, and landscaping, within the clear sight triangle, must not exceed thirty inches in height measured from the flowline of the street, unless a sight distance analysis that demonstrates sight distance is adequately maintained is submitted to and approved by the City Engineer.
- E 2. Design on-site improvements to accommodate off-site drainage, if any, around or through the project site in a manner that does not adversely affect adjacent properties and demonstrate erosion/ sediment control measures to be utilized during grading and construction.
- E 3. Design short term erosion control in accordance with Best Management Practices such as, silt fencing to control the site perimeter, and straw bale barriers, sand bag barriers, rock filters or sediment basins to control internal erosion, or other methods to stabilize disturbed areas, as approved by the City Engineer.

STREET IMPROVEMENT

- C 4. Construct 6' wide sidewalk and sidewalk swerves along entire project frontage and as determined by the City Engineer.
- C 5. Design and construct public improvements including sidewalk, drive approach in accordance with the State of California Accessibility Standards, Title 24 of the California Administrative Code.

DRAINAGE

- C 6. Design drainage overflow to tie into the street improvements via under sidewalk drain or area drains with curb cores at Base Line. Implement Low Impact Development strategies to minimize impact of hydrology and to protect water quality.

DEDICATION/ ANNEXATION

- D 7. Dedicate a 4.5' sidewalk easement across the drive approaches on Base Line as required to provide per City Standard 213.
- D 8. Dedicate to the City, via a separate instrument, public right-of-way to provide a 52-foot half-width public street across the Base Line frontage.

FEES/ PERMITS

- D 9. Obtain a permit from Engineering prior to any on-site construction or construction within the City's right-of-way.
- D 10. Pay appropriate Engineering fees for legal description review, plan check, on-site and off-site inspection, GIS map plan update, microfilming and storage of maps and plans, and other required fees.

UTILITIES/ CONSTRUCTION

- E 11. Obtain written permission from the adjoining property owner(s) for off-site grading, if any, and construction of new wall if on property line.
- C 12. Provide and/ or restore all utility service to building, including sanitary sewers, water, electric power, cable, gas, and telephone. All onsite utilities are to be underground as required by City Ordinance 315.
- C 13. Coordinate, and where necessary, pay for the relocation of any existing public utilities as necessary.
- D 14. No public street work shall commence until dedication for that street has been recorded.
- D 15. Reconstruct existing public improvements removed or damaged during construction as approved by the City Engineer. Pavement repair, which may include A.C. overlay, T-cut trench repair and/or slurry seal, shall be across all or a portion of the damaged pavement caused by this project as determined by the City Engineer.
- D 16. Comply with prevailing City design and construction standards and requirements at the time of permit issuance.
- C 17. Submit "Record Revisions" to all plans to reflect the improvements as constructed, and any changes made during construction.
- E 18. Provide a preliminary title report for the subject site.



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: June 15, 2021

FROM: Lawrence A. Mainez, Community Development Director
Maricela E. Marroquin, City Attorney

SUBJECT: An Ordinance amending Title 16 (Land Use and Development Code) of the Highland Municipal Code, Chapter 16.06 (Definitions), Chapter 16.16 (Residential Districts), and Chapter 16.44 (Specific Development Standards) regarding Accessory Dwelling Units ("ADUs") and Making Findings Under CEQA.

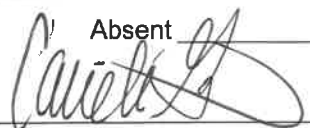
RECOMMENDATION: The Planning Commission adopt Resolution No. 2021-_____ recommending the City Council:

1. Introduce Ordinance No. _____, an Ordinance of the City of Highland regarding Accessory Dwelling Units, and making the findings of exemption under section 15282(h) of the California Environmental Quality Act Guidelines, and Public Resources Code Section 21070.17; and
2. Direct staff to file a Notice of Exemption with the County Clerk of the Board.

FISCAL IMPACT:

There is no fiscal impact related to this action other than staff and attorney time to prepare the staff report and ordinance, and staff time to study appropriate ADU regulations. However, the City was awarded SB 2 grant funds to offset the cost of preparing this ADU ordinance, including City Attorney time.

PUBLIC NOTICE: The agenda was posted at the City's three (3) designated posting locations as required by Resolution and on the City's Website. A display ad was published in the Highland Community Newspaper on Friday, June 4, 2021.

Approved _____	Motion _____	Second _____	Agenda Item No. <u>4</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
			
Recording Secretary		Community Development Director	

ENVIRONMENTAL REVIEW: The adoption of this ordinance is exempt from environmental review under the California Environmental Quality Act, (California Public Resources Code §§ 21000, *et seq.*, (“CEQA”) and the CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because this zoning ordinance implements the provisions of Government Code Section 65852.2 and is therefore exempt from CEQA pursuant to Public Resources Code Section 21080.17 and California Code of Regulations Section 15282(h). To the extent that any provisions of this ordinance are not exempt pursuant to Section 15282(h), the amendments are not subject to CEQA pursuant to CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

BACKGROUND: The California State Legislature adopted several bills in 2019 relating to the planning for and permitting of accessory dwelling units (ADUs). In October of 2020, among other bills, the Governor signed into law Assembly Bill (AB) 68, AB 881, and Senate Bill (SB) 13 amending the section of the California Government Code related to ADUs (Government Code Section 65852.2). Additionally, AB 68 amended standards for Junior ADUs (JADUs), and SB 13 made additions to the State Health and Safety Code (Health and Safety Code Section 1790.12). Collectively, these bills will be referred to as “New Legislation.”

The New Legislation further limits the standards that the City can impose on ADUs, and preempts local regulations for certain types of ADUs. Discussed below are some of the highlights of the State-mandated changes with a discussion of how the ordinance addresses these changes. This report also highlights the additional provisions that are included in the City’s existing ADU regulations that are incorporated into the ordinance because they are allowed, but are not required, by State law. The attached ordinance has been prepared so that the City can preserve and enforce the City’s allowable objective standards that are set forth in the existing ordinance that regulates ADUs.

DISCUSSION:

A. Building Permit Only ADUs

Previously, cities were required to approve certain converted ADUs with only a building permit (i.e., without a separate ADU permit, even if that permit was ministerial). Under the New Legislation, cities must approve the following ADUs and JADUs under this streamlined “building-permit-only” process, without applying any additional standards:

- Attached ADUs/JADUs on single-family lots: Where certain requirements are met, cities must approve, with only a building permit, one ADU or one Junior ADU (“JADU”), which is a unit that is no more than 500 square feet in size that is located entirely within a single-family residence. [Government Code (“GC”) §§ 65852.2(e)(1)(A) and 65852.22(a)(2)]. The ADU/JADU may expand the existing or proposed space up to 150 square feet beyond the physical dimensions of the dwelling or accessory structure to allow for ingress and egress. Rear and side yard setbacks must be sufficient for fire and safety. A JADU must also comply with the requirements in Government Code Section 65852.22, including owner-occupancy of either the primary dwelling or the JADU. [GC § 65852.2(e)(1)(A), GC

§ 65852.22(a)(2)]

- Detached ADUs on single-family lots: One detached, new construction ADU, so long as the ADU maintains at least 4-foot rear and side yard setbacks. Cities may limit floor area to 800 square feet and height to 16 feet [GC § 65852.2(e)(1)(B)]. A detached ADU may be combined with a JADU that complies with the requirements described above, such that two additional units (one detached and one attached) are allowed on the lot. Given the size limitations, this means that under the New Legislation, a property could have a 500-square-foot JADU attached to the house and an up to an 800-square-foot detached ADU.
- Converted ADUs in multifamily dwellings: Multiple ADUs within the portions of the existing multifamily dwelling, in spaces not used as livable space. The New Legislation provides examples including storage rooms, boiler rooms, attics, basements, and garages, but each unit must comply with building standards. The number of ADUs that may be created in a multifamily dwelling is equal to 25% of the number of existing units, or one ADU, whichever is greater [GC § 65852.2(e)(1)(C)]. For example, if there are eight units on the lot, two ADUs can be created in spaces not used as livable space.
- Detached ADUs on multifamily lots: Not more than two detached ADUs, on a lot with an existing multifamily dwelling. The ADUs are subject to a 16-foot height limit and must maintain at least 4-foot rear and side yard setbacks [GC § 65852.2(e)(1)(D)].
- Nonconforming zoning conditions: Cities cannot require, as a condition of approval of an ADU or JADU approved under this building permit only approval process, the correction of nonconforming zoning conditions [GC § 65852.2(e)(2)].
- Short-term rentals: Whereas cities have the option of allowing other ADUs to be used as short-term rentals, a rental of an ADU approved under this building permit only process must be for a term longer than 30 days [GC § 65852.2(e)(4)].
- As with other ADUs, fire sprinklers are not required if not required for the primary residence [GC § 65852.2(e)(3)].

The City does not have any discretion with respect to 'building permit only' ADUs and JADUs. Instead, Section 5(E) of the ordinance provides that an applicant shall not be required to submit an application for an ADU or JADU permit under this ordinance, and may instead seek building permit approval for an ADU or JADU that satisfies the requirements of Government Code Section 65852.2(e)(1), as the same may be amended from time to time, and the California Building Standards Code, as amended by the City. The requirements set forth above are incorporated into the ordinance.

B. State-Mandated Requirements for Local Ordinance:

Cities are allowed, but are not required, to adopt an ordinance regulating ADUs that do not qualify for the building permit only process set forth above. If a city does **not** adopt a local ordinance, the city would be required to approve ADUs through a ministerial approval process in accordance with the minimal standards set forth in GC 65852.2(a). In adopting local standards, however, the City's ability to use floor area ratio or lot coverage, height, open space, or other requirements to limit the

size of ADUs is significantly limited. Under the New Legislation, at least an 800 square foot, 16-foot tall ADU must be allowed. The New Legislation also prohibits restrictions based on lot size.

In order to comply with the New Legislation, an ADU ordinance must provide for the following:

1. Ministerial review. The application process for an ADU must be ministerial, meaning that it must be approved without any discretionary review or public input. This precludes the application of a conditional use permit requirement or design review of ADUs that comply with the objective requirements of the Municipal Code and the New Legislation. This requirement was already included in the Municipal Code pursuant to existing state law, which provided for a ministerial permit process for ADUs that met certain criteria. However, the New Legislation shortens the time period to conduct such review from 120 days to 60 days and, therefore, the existing 120-day review period found in Highland Municipal Code section 16.44.180(B)(5) has not been incorporated into the ordinance.

2. Location. Under the New Legislation, the ordinance must allow ADUs in all residential zones, including in multi-family zones, unless the City makes specific findings regarding the adequacy of water and sewer service or the impact of ADUs to traffic flow and public safety. Highland Municipal Code section 16.44.180(C)(3) currently allows ADUs in various residential zones but provides that ADUs may only be constructed on lots that contain no more than one legally established single-family residence either existing, or proposed to be constructed, concurrent with the ADU. This requirement that ADUs can only be constructed on lots with one single family residence has not been incorporated into the ordinance as this type of regulation is no longer permissible.

In addition, for public safety reasons, the City is, through this ordinance, prohibiting the construction of ADUs in areas located in high fire severity zones. Concerns have been raised about allowing the construction of ADUs in areas that have been designated by the State Fire Marshal as high fire severity zones. Staff working closely with the City's Fire Marshal, the City's Battalion Chief, and the State Fire Marshall's Office has studied the potential public safety and traffic impacts of allowing new ADUs to be built on lots in various areas of the City. These areas are prone to fires, and the increase of the population in these areas can increase the risk of people not being able to evacuate quickly in event of a fire emergency. On June 27, 2017 there was a 900-acre wildfire in Highland that forced the evacuation of about 200 residents. On July 12, 2017, there was a 33-acre fire that burned in the City. A few days later on July 14, 2017, there was a 450-acre brush fire that burned around homes in the City. In the neighboring city of San Bernardino, there was a brush fire on October 21, 2019 that destroyed or damaged nine homes. On October 24, 2019 there was a wildfire in San Bernardino that burned 145 acres. According to CalFire, there have been 7,860 fires that have been recorded to CalFire and the US Forest Service in 2019, an increase from the 7,571 fires in 2018. In 2020, these figures increased again to 9,639 fire incidents. The CalFire website states that "Warmer spring and summer temperatures, reduced snowpack, and earlier spring snowmelt create longer and more intense dry seasons that increase moisture stress on vegetation and make forests more susceptible to severe wildfire. The length of fire season is estimated to have increased by 75 days across the Sierras and seems to correspond with an increase in the extent of forest fires across the state." In September 2020, the El Dorado Fire occurred in Yucaipa where 22,744 acres were burned, 10 structures were destroyed, and tragically, one firefighter died. The City is prone to strong winds which help fuel brush fires and can create a dangerous situation, particularly if there is only one escape route from

the fire. Increasing the population in high fire severity zone areas could have devastating consequences if there is not sufficient infrastructure to account for the additional people that must be moved from the area in the event of an emergency. According to most fuel modification and defensible space plans, there are generally areas where no combustible construction is to occur adjacent to development in the high fire hazard severity zones. Should construction of an ADU (or any combustible construction) occur in these areas, it will compromise the design of any fuel modification and defensible space plan.

Attached to this report as Attachment B is the map showing the High Fire Severity Zones in the City. However, it should be noted that pursuant to Government Code 65858.2(e) the City does not have discretion to prohibit the construction of ADUs that are approved by a building permit only process.

3. Minimum/maximum unit size. If there is an existing primary dwelling, the total floor area of an attached ADU shall not exceed 50% of the existing primary dwelling. For detached ADUs, the New Legislation provides that the total floor area shall not exceed 1,200 square feet [GC § 65852.2(a)(1)(D)(iv), (v)]. The City is permitted to further restrict the floor area requirements as long as it allows for a studio or one bedroom ADU (attached or detached) that is at least 850 square feet in size, and a two or more bedroom ADU (attached or detached) that has a floor area of at least 1,000 square feet in size. Staff has opted to draft the ordinance to allow up to an 850 square foot ADU (for studios and one bedrooms) and a 1,200 square foot ADU (with two or more bedrooms), allowed under State law.

4. Other development standards. Other development standards, including limits on lot coverage, floor area ratio, or open space requirements, cannot be applied to the extent they would prohibit an ADU that is at least 800 square feet and 16 feet tall, with 4-foot rear yard and side setbacks [GC § 65852.2(c)(2)(C)]. This language has been added by the ordinance.

5. Setbacks. No setbacks can be required for an ADU that is located in the same location and with the same dimensions as an existing structure, regardless of whether the ADU is a conversion or a new structure in the same location. A city may still apply building or fire code standards. The maximum rear yard and side setback for all other ADUs is now reduced to 4 feet [GC § 65852.2(a)(1)(D)(vii)]. Highland Municipal Code Section 16.44.180(C)(7) currently provides that the construction of a detached ADU shall be subject to the same minimum required front, side and rear yard setbacks as required by the lot's zoning designation except under specified conditions. This regulation has been modified in the ordinance to be consistent with the New Legislation. In addition, the ordinance provides that an ADU shall comply with all required front yard setbacks otherwise required by the Municipal Code

6. Parking Requirements. The New Legislation provides that the City can require a maximum of one parking space per ADU, which is consistent with the City's current standard. The ordinance continues to require only one parking space per ADU.

Notwithstanding the general requirement that a property owner provide one off-street parking space per ADU, the City cannot require parking for an ADU in any of the following circumstances:

- The ADU is located within one half-mile of public transit, which is measured by walking distance. Notably, "public transit" is defined broadly to include any bus stop, train station,

or other location where the public can access buses, trains, subways, and other forms of public transportation, and is not limited to high frequency public transit stops [GC § 65852.2(d)(1), (j)(10)].

- The ADU is located within an architecturally or historically significant historic district.
- The ADU is part of a proposed or existing single-family dwelling or accessory structure (i.e., an attached ADU or a converted accessory structure).
- The ADU is located in an area where off-street parking permits are required but not offered to an ADU occupant.
- The ADU is located within one block of a city-approved and dedicated parking space for a car share vehicle.

The ordinance contains language that is consistent with these requirements. In addition, when a garage or carport is demolished or converted to an ADU, the City can no longer require those parking spaces to be replaced. The ordinance incorporates this new restriction, which is a significant change from Highland Municipal Code section 16.44.180(D)(1)(c), which requires that there be replacement parking.

7. Fees and Utility Connections. Cities can consider an ADU a new residential use for the purpose of calculating connection fees or capacity charges only if it is constructed in conjunction a new single-family dwelling [GC § 65852.2(f)(2)]. Separately, the City cannot impose any impact fee on an ADU less than 750 square feet. For larger ADUs (i.e., 750 square feet or more), the impact fee must be charged proportionally to the square footage of the primary dwelling unit. For example, if a primary dwelling is 1,600 square feet and a proposed ADU is 800 square feet, the applicable impact fee for the ADU is 50% of the amount of the fee for the single-family dwelling [GC § 65852.2(f)(3)]. Where an ADU will be within the space of an existing single-family dwelling or accessory structure, and qualifies for approval with just a building permit, an agency cannot require the applicant to install a new or separate utility connection. A new or separate utility connection can be required for any other ADUs [GC 65852.2(f)(4), (5)].

C. JADUs

Previously, State law authorized, but did not require, a city to adopt an ordinance to provide for the creation of JADUs in single-family residential zones. As amended by AB 68 and AB 881, Government Code Sections 65852.2 and 65852.22 now require a city to permit the construction of certain JADUs through the building-permit-only process, whether or not the city has a JADU ordinance in place. A city must ministerially approve a building permit for a JADU, if it meets both the criteria in Government Code section 65852.2(e)(1)(A) and Government Code section 65852.22 requirements described below [GC § 65852.22(g)]. If a city adopts a JADU ordinance, the ordinance must include the following standards:

- One JADU is allowed on a lot with a proposed or existing single-family home [GC § 65852.22(a)(1), (a)(4), (h)(1)].
- A JADU must have a separate entrance from the main entrance of the residence, and must

include an efficiency kitchen with cooking appliances and a small food preparation and storage area [GC § 65852.22(a)(5), (6)].

- In contrast to ADUs, owner-occupancy of the JADU or the primary dwelling is required, unless the owner is a governmental agency, land trust, or housing organization [GC § 65852.22(a)(2)].
- A deed restriction must be recorded to prohibit separate conveyance and restrict the size and attributes of the JADU [GC § 65852.22(a)(3)].
- No additional parking can be required [GC 65852.22(b)(1)].

The ordinance contains standards consistent with these requirements.

D. Local Permitted Regulations

The New Legislation does allow cities to regulate certain characteristics of ADUs in their ordinances, provided that the criteria are objective. Accordingly, the ordinance preserves the additional objective regulations that the City adopted previously, which are:

- **Architectural Features.** The City still may regulate architectural features of ADUs, but such regulations must be ministerial and objective in nature. The ordinance continues to require that ADUs have the same design, architecture, colors and materials of the primary dwelling unit and the ADU comply with the objective design standards adopted by the City that are applicable to the zoning district or Specific Plan area where the ADU is located.
- **Deed Restriction.** The legislation allows the City to require that a deed restriction be recorded ensuring that any ADU will not be sold separately from the single-family residence; only a property with a JADU must remain owner-occupied (the owner can live in the primary residence or in the JADU), and any ADU shall not be rented for less than 31 days (i.e., no short-term rentals). Like the existing Code, the ordinance requires a deed restriction to be recorded for any approved ADU.

E. Next Steps

Any ordinance that is adopted by the City that regulates ADUs is required to be submitted to the State Department of Housing and Community Development (HCD) for the Department's review within 60 days of adoption. HCD will advise the City if it finds that the ordinance violates the provisions of state law. Given the breadth of the new state regulations and some ambiguities in the new laws, additional revisions to the state laws regulating ADUs should be expected in the future.

Attachments:

- A. Planning Commission Resolution with Ordinance as Exhibit - 1.**
- B. High Fire Severity Zone Map (Highland General Plan Figure 6-6).**

ATTACHMENT – A
Planning Commission Resolution with Ordinance as Exhibit – 1

RESOLUTION NO. 2021- _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA AMENDING TITLE 16 (LAND USE AND DEVELOPMENT CODE) OF THE HIGHLAND MUNICIPAL CODE, CHAPTER 16.06 (DEFINITIONS), CHAPTER 16.16 (RESIDENTIAL DISTRICTS), AND CHAPTER 16.44 (SPECIFIC DEVELOPMENT STANDARDS) REGARDING ACCESSORY DWELLING UNITS ("ADUs"), AND MAKING FINDINGS UNDER CEQA (MCA-18-005-R1)

A. RECITALS

1. Effective January 1, 2020, AB 881, AB 68, SB 13, AB 587, and AB 670 amend Government Code Sections 65852.2 and 65852.22, and other provisions of State law, to further limit the application of local development standards, fees, and discretionary approval processes to accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs").
2. As amended, Government Code Section 65852.2 allows the City to designate, under a ministerial review process, areas where new ADUs may be permitted and to establish objective standards related to parking, height, setback, landscaping, architectural review, and maximum size of units.
3. On January 14, 2020, the City Council adopted an interim ordinance to impose a moratorium on the construction of ADUs in high fire severity zones. The interim ordinance was subsequently extended on February 28, 2020. Staff has studied the issue of whether there should be a permanent ban on the construction of ADUs in high fire severity zones or if certain health and safety regulations should be adopted to allow ADUs to be constructed in these areas under certain parameters. As a result of careful consideration by Staff working closely with the City's Fire Marshal, the City's Battalion Chief, and the State Fire Marshall's Office, it was determined to be appropriate to ban all construction of ADUs in high fire severity zones due to the concentration of housing tracts with units built near each other along the foothills of the National Forest. It was further determined appropriate to ban ADU in high fire severity zones because detached ADUs along the foothills will intrude into the rear setbacks (and others) and could result in impacts to the fuel modification zones, both designed to protect the residential neighborhoods from wildfires.
4. The City has determined that the construction of ADUs in areas that have been designated by the State Fire Marshall as high fire severity zones could endanger the public health and safety. These areas are prone to fires, and

increasing the density in these areas can hinder the ability of the fire personnel to evacuate people quickly in event of a fire emergency. On June 27, 2017, there was a 900-acre wildfire in Highland that forced the evacuation of about 200 residents. On July 12, 2017, there was a 33-acre fire that burned in the City. A few days later on July 14, 2017, there was a 450-acre brush fire that burned around homes in the City. In the neighboring city of San Bernardino, there was a brush fire on October 21, 2019, that destroyed or damaged nine homes. On October 24, 2019, there was a wildfire in San Bernardino that burned 145 acres. According to CalFire, 7,860 fires have been recorded to CalFire and the US Forest Service in 2019, an increase from the 7,571 fires in 2018. In 2020, these figures increased again to 9,639 fire incidents. The CalFire website states that "Warmer spring and summer temperatures, reduced snowpack, and earlier spring snowmelt create longer and more intense dry seasons that increase moisture stress on vegetation and make forests more susceptible to severe wildfire. The length of fire season is estimated to have increased by 75 days across the Sierras and seems to correspond with an increase in the extent of forest fires across the state." In September 2020, the El Dorado Fire occurred in Yucaipa where 22,744 acres were burned, 10 structures were destroyed, and tragically, one firefighter died. The City is prone to strong winds which help fuel brush fires and can create a dangerous situation, particularly if there is only one escape route from the fire. Increasing the population in high fire severity zone areas could have devastating consequences if there is not sufficient infrastructure to account for the additional people that must be moved from the area in the event of an emergency. According to most fuel modification and defensible space plans, there are generally areas where no combustible construction is to occur adjacent to development in the high fire hazard severity zones. Should construction of an ADU (or any combustible construction) occur in these areas, it will compromise the design of any fuel modification and defensible space plan.

5. On June 15, 2021, the City of Highland Planning Commission conducted a public hearing for Municipal Code Amendment MCA-18-005-R1 at the Highland City Hall Council Chambers in Highland, California, at 6:00 p.m., after providing notice to the public in the manner required by law to hear and consider both oral and written evidence regarding said Municipal Code Amendment 18-005-R1 and Notice of Exemption and make findings and recommendations in connection therewith.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Highland as follows:

1. The Planning Commission finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.
2. The City of Highland Planning Commission after due consideration, inspection, investigation, and study made by itself and on its behalf, and

after due consideration of all evidence and reports offered at said hearing, including the staff report to the Planning Commission dated June 15, 2021, which is incorporated herein by this reference, does find and determine the following facts:

- a. All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Highland.
3. Environmental Compliance:
 - a. In accordance with the California Environmental Quality Act (CEQA), the proposed Ordinance implements the provisions of Government Code Section 65852.2 and is therefore exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 21080.17 and California Code of Regulations, Title 14, Chapter 3, Section 15282(h), therefore the Planning Commission recommends that the City Council of the City of Highland adopt a Notice of Exemption for the proposed ordinance.
4. Municipal Code Amendment (MCA 18-005-R1):
 - a. The proposed revision is consistent with the goals, objectives, policies, and programs of the general plan because the amendments to the Land Use and Development Code related to Accessory Dwelling Units help to provide a unique opportunity to address a variety of housing needs and provide affordable housing options for family members, friends, students, the elderly, in-home health care providers, people with disabilities, and others. The proposed amendments would allow additional ADUs to be constructed to meet state wide and community needs for greater housing options. This type of development is desirable for the City and is consistent with the goals, objectives, and policies and program of the General Plan. Goal 8.3, Policy 2 of the of the City of Highland General Plan Housing Element states, "provide a variety of home building opportunities for a range of housing types," and Policy 3 states "expand the affordable housing stock and provide homeowners with an additional source of income by facilitating the construction of second dwelling units."
 - b. The proposed revision will not adversely affect the public health, safety, and welfare because the amendments to the Land Use and Development Code all new ADUs constructed in the City are required to comply the local building codes, and to further protect the public health and safety, and welfare of the City, ADUs will be prohibited in an area designated as high fire severity zone and areas without public sewer connections.
 - c. The proposed revision is consistent with the purpose and intent of the remainder of this title not under consideration because the amendments to the Land Use and Development Code only address those sections associated with ADUs as restricted by state law and

do not impact other Code sections relative to land use review and permits and/or construction permits.

- d. The Planning Commission finds that the aforementioned amendments are in conformity with the City of Highland General Plan, or part thereof, in accordance with Government Code Section 65402.
5. Based on the findings and conclusions set forth above, the Planning Commission recommends the City Council approve Municipal Code Amendment 18-005-R1; adopt a Notice of Exemption and direct Staff to file a Notice of Exemption with the County Clerk of the Board and introduce an Ordinance amending Title 16 (Land Use and Development code) of the Highland Municipal Code, Chapter 16.06 (Definitions), Chapter 16.16 (Residential Districts), and Chapter 16.44 (Specific Development Standards) regarding Accessory Dwelling Units ("ADUs"), and making findings under CEQA (MCA-18-005-R1), attached hereto and incorporated by reference as Exhibit 1.

C. ADOPTION OF RESOLUTION.

The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED this 15th day of June 2021.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez,
Community Development Director

ORDINANCE NO. _____ **“EXHIBIT 1”**

AN ORDINANCE OF THE CITY OF HIGHLAND REGARDING ACCESSORY DWELLING UNITS, AND MAKING A FINDING OF EXEMPTION UNDER SECTION 15282(H) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES AND PUBLIC RESOURCES CODE SECTION 21070.17

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HIGHLAND DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Purpose, Findings, and Intent.

A. Effective January 1, 2020, AB 881, AB 68, SB 13, AB 587, and AB 670 amend Government Code Sections 65852.2 and 65852.22, and other provisions of State law, to further limit the application of local development standards, fees, and discretionary approval processes to accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”).

B. As amended, Government Code Section 65852.2 allows the City to designate, under a ministerial review process, areas where new ADUs may be permitted and to establish objective standards related to parking, height, setback, landscaping, architectural review, and maximum size of units.

C. On January 14, 2020, the City Council adopted an interim ordinance to impose a moratorium on the construction of ADUs in high fire severity zones. The interim ordinance was subsequently extended on February 28, 2020. Staff has studied the issue of whether there should be a permanent ban on the construction of ADUs in high fire severity zones or if certain health and safety regulations should be adopted to allow ADUs to be constructed in these areas under certain parameters. As a result of careful consideration by Staff working closely with the City’s Fire Marshal, the City’s Battalion Chief, and the State Fire Marshall’s Office, it was determined to be appropriate to ban all construction of ADUs in high fire severity zones due to the concentration of housing tracts with units built near each other along the foothills of the National Forest. It was further determined appropriate to ban ADU in high fire severity zones because detached ADUs along the foothills will intrude into the rear setbacks (and others) and could result in impacts to the fuel modification zones, both designed to protect the residential neighborhoods from wildfires.

D. The City has determined that the construction of ADUs in areas that have been designated by the State Fire Marshall as high fire severity zones could endanger the public health and safety. These areas are prone to fires, and increasing the density in these areas can hinder the ability of the fire personnel to evacuate people quickly in event of a fire emergency. On June 27, 2017 there was a 900-acre wildfire in Highland that forced the evacuation of about 200 residents. On July 12, 2017 there was a 33-acre fire that burned in the City. A few days later on July 14, 2017, there was a 450-acre brush fire that burned around homes in the City. In the neighboring city of San Bernardino, there was a brush fire on October 21, 2019 that destroyed or damaged nine homes. On October 24, 2019 there was a wildfire in San Bernardino that burned 145 acres. According to CalFire, 7,860 fires have been recorded to CalFire and the US Forest Service in 2019, an increase from the 7,571 fires in 2018. In 2020, these figures increased again to 9,639 fire incidents. The CalFire website states that “Warmer spring and summer temperatures, reduced

snowpack, and earlier spring snowmelt create longer and more intense dry seasons that increase moisture stress on vegetation and make forests more susceptible to severe wildfire. The length of fire season is estimated to have increased by 75 days across the Sierras and seems to correspond with an increase in the extent of forest fires across the state.” In September 2020, the El Dorado Fire occurred in Yucaipa where 22,744 acres were burned, 10 structures were destroyed, and tragically, one firefighter died. The City is prone to strong winds which help fuel brush fires and can create a dangerous situation, particularly if there is only one escape route from the fire. Increasing the population in high fire severity zone areas could have devastating consequences if there is not sufficient infrastructure to account for the additional people that must be moved from the area in the event of an emergency. According to most fuel modification and defensible space plans, there are generally areas where no combustible construction is to occur adjacent to development in the high fire hazard severity zones. Should construction of an ADU (or any combustible construction) occur in these areas, it will compromise the design of any fuel modification and defensible space plan.

E. The Planning Commission considered this Ordinance, including the environmental exemption, on June 15, 2021, at a duly noticed public hearing, as prescribed by law, at which time City Staff and interested persons had an opportunity to and did testify either in support of or opposition to this matter.

F. At the conclusion of the Planning Commission hearing and after due consideration of the testimony, the Planning Commission adopted Resolution No. 2021-___, recommending approval of the Ordinance by the City Council.

G. The City Council, at a regular meeting, considered the Ordinance, including the environmental exemption, on August 10, 2021, at a duly noticed public hearing, as prescribed by law, at which time City Staff and interested persons had an opportunity to and did testify either in support or opposition to this matter.

H. All legal prerequisites to the adoption of this Ordinance have occurred.

Section 2. General findings

In compliance with Section 16.08.140(D) of the Highland Municipal Code, the City Council makes the following findings:

A. The proposed change of zone or revision is consistent with the goals, objectives, policies, and programs of the general plan, and is necessary and desirable to implement the provisions of the general plan;

Response: The proposed revision is consistent with the goals, objectives, policies, and programs of the general plan because the amendments to the Land Use and Development Code related to Accessory Dwelling Units help to provide a unique opportunity to address a variety of housing needs and provide affordable housing options for family members, friends, students, the elderly, in-home health care providers, people with disabilities, and others. The proposed amendments would allow additional ADUs to be constructed to meet state wide and community needs for greater housing options. This type of development is desirable for the City and is consistent with the goals, objectives, and policies and program of the General Plan. Goal 8.3,

Policy 2 of the of the City of Highland General Plan Housing Element states, “provide a variety of home building opportunities for a range of housing types,” and Policy 3 states “expand the affordable housing stock and provide homeowners with an additional source of income by facilitating the construction of second dwelling units.”

B. The proposed change of zone or revision will not adversely affect the public health, safety, and welfare or result in an illogical land use pattern;

Response: The proposed revision will not adversely affect the public health, safety, and welfare because the amendments to the Land Use and Development Code for all new ADUs constructed in the City are required to comply the local building codes, and to further protect the public health and safety, and welfare of the City, ADUs will be prohibited in an area designated as high fire severity zone and areas without public sewer connections.

C. The proposed change of zone or revision is consistent with the purpose and intent of the remainder of this title not under consideration; and

Response: The proposed revision is consistent with the purpose and intent of the remainder of this title not under consideration because the amendments to the Land Use and Development Code only address those sections associated with ADUs as restricted by state law and do not impact other Code sections relative to land use review and permits and/or construction permits.

D. The potential environmental impacts of the proposed change of zone or revision are insignificant or there are overriding considerations which outweigh the potential impacts.

Response: The potential environmental impacts of the proposed revision are insignificant because the amendment to Land Use and Development Code implements the provisions of Government Code Section 65852.2 and is therefore exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 21080.17 and California Code of Regulations, Title 14, Chapter 3, Section 15282(h). A Notice of Exemption will be filed with the County Clerk of the Board.

Section 3. Table 16.16.030A (Uses permitted within residential districts) of Section 16.16.030 (Use regulations for residential districts.) of Chapter 16.16 (Residential Districts) of Title 16 (Land Use and Development) of the Highland Municipal Code is hereby amended to move “Accessory Dwelling Units” from its current placement in Section A(1) and to move it to a new Section A(13) and to add a new row entitled “Accessory Dwelling Unit and Junior Accessory Dwelling Unit” that shall read as follows, with all other provisions of Table 16.16.030A to remain unchanged:

	A/EQ	R-1	R-2	R-3	R-4	HDS	VR	R-2C	EHV
Accessory Dwelling Unit and Junior accessory dwelling units (shall comply	P	P	P	P	■	■	P	P	P

with the provisions of HMC 16.44.180)									
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Section 4. Section 16.06.010 (A definitions), Section 16.06.040 (C definitions), Section 16.06.050 (E definitions), Section 16.06.100 (J definitions), and Section 16.06.160 (P definitions) of Chapter 16.06 (Definitions) of Title 16 (Land Use and Development) of the Highland Municipal Code is hereby amended to include the following definitions as follows:

1. “Accessory Dwelling Unit” or “ADU” has the meaning ascribed in Government Code Section 65852.2, as the same may be amended from time to time.
2. “Attached ADU” means an ADU that is constructed as a physical expansion (i.e. addition) of the Primary Dwelling and shares a common wall with the Primary Dwelling.
3. “Detached ADU” means an ADU that is constructed as a separate structure from the Primary Dwelling, which does not share any walls with the Primary Dwelling.
4. “Existing Structure” means an existing single-family dwelling, multi-family dwelling, or other accessory structure that can be safely converted into habitable space under the California Building Standards Code, as amended by the City, and other applicable law.
5. “Junior Accessory Dwelling Unit” or “JADU” has the meaning ascribed in Government Code Section 65852.22, as the same may be amended from time to time.
6. “Primary Dwelling” means the existing or proposed single-family dwelling or multi-family dwelling on the lot where an ADU would be located.
7. “Public Transit” has the meaning ascribed in Government Code Section 65852.2(j), as the same may be amended from time to time.

Section 5. Section 16.44.180 (Accessory Dwelling Units) of Chapter 16.44 (Specific Development Standards) of Title 16 (Land Use and Development) of the Highland Municipal Code is hereby amended in its entirety as follows:

“A. **Intent.** This section is intended to provide reasonable regulations for the development of accessory dwelling units (“ADUs”) and junior ADU (“JADUs”) in certain residential areas on lots developed or proposed to be developed concurrently with single-family residential or multi-family residential dwellings in compliance with state law regarding ADUs and JADUs (California Government Code Sections 65852.2 and 65852.22). ADUs and JADUs contribute needed housing to the community’s housing stock and are intended to provide livable housing at lower cost while providing greater security, companionship and family support for the occupants. In addition, the regulations in this section are intended to ensure that ADUs and JADUs located in residential districts do not adversely impact adjacent residential parcels or the surrounding neighborhood, have access to adequate water and sewer services, will have limited

impacts on traffic flow and public safety, and are developed in a manner which protects the integrity of the residential district, while providing for needed housing opportunities for owners of eligible parcels. Moreover, the regulations are intended to ensure that ADUs are not constructed in high fire severity zones as this poses a great risk to the public health and safety in the event of a fire and the need to quickly evacuate residents.

B. Definitions.

The following words shall have the meanings set forth below, unless the context otherwise permits or requires:

1. "Accessory Dwelling Unit" or "ADU" has the meaning ascribed in Government Code Section 65852.2, as the same may be amended from time to time.
2. "Attached ADU" means an ADU that is constructed as a physical expansion (i.e. addition) of the Primary Dwelling and shares a common wall with the Primary Dwelling.
3. "Detached ADU" means an ADU that is constructed as a separate structure from the Primary Dwelling, which does not share any walls with the Primary Dwelling.
4. "Existing Structure" means an existing single-family dwelling, multi-family dwelling, or other accessory structure that can be safely converted into habitable space under the California Building Standards Code, as amended by the City, and other applicable law.
5. "Junior Accessory Dwelling Unit" or "JADU" has the meaning ascribed in Government Code Section 65852.22, as the same may be amended from time to time.
6. "Primary Dwelling" means the existing or proposed single-family dwelling or multi-family dwelling on the lot where an ADU would be located.
7. "Public Transit" has the meaning ascribed in Government Code Section 65852.2(j), as the same may be amended from time to time.

C. General Requirements and Application Procedure.

1. An application for an ADU or JADU shall be considered ministerially, without discretionary review or a hearing, pursuant to either "Planning ADU" Review or a streamlined "Building Permit Only" Review. The city shall act on the application within 60 days from the date the city receives a completed application if there is an existing single-family dwelling or multi-family dwelling on the lot. If the application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the application for the ADU or JADU until the city acts on the permit application to create the new single-family dwelling, but the application to create the ADU or JADU shall still be considered ministerially without discretionary review or public hearing under either the Planning ADU Review or Building Permit Only Review. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. Table 16.44.180 summarizes the level of ministerial review required for various types of ADUs.

Table 16.44.180 - Ministerial ADU Review

Applications Subject to “Planning ADU” Review [See Section 16.44.180(D)]	Applications Subject to “Building Permit Only” Review [See Section 16.44.180(E)]
Any application for an ADU that is <u>not</u> eligible for “Building Permit Only” Review, including: • An attached ADU within the space of an existing accessory structure that expands the physical dimensions of that accessory structure by more than 150 square feet, and • A detached ADU with a floor area that exceeds 800 square feet on a lot with an existing or proposed single-family dwelling.	• One ADU within the space of an existing or proposed single-family dwelling or an accessory structure. The ADU may expand the physical dimensions of an existing accessory structure by not more than 150 square feet to allow for ingress and egress. The space must have exterior access from the proposed or existing or proposed single-family dwelling. The rear and side yard setbacks must be sufficient for fire and safety. • One detached, new construction ADU, so long as the ADU does not exceed (1) a total floor area of 800 square feet, and (2) a height of 16 feet. • Multiple ADUs within the portions of an existing multi-family dwelling, in spaces not used as living space. Examples include conversion of storage rooms, boiler rooms, attics, basements, and garages. Each accessory dwelling unit must comply with state building standards for dwellings. The number of accessory dwelling units that may be created within a multi-family dwelling is equal to 25 percent of the number of existing multi-family dwelling units, or one ADU, whichever is greater. • Not more than two detached ADUs, on a lot with an existing multi-family dwelling. The ADUs are subject to a 16-foot height limit and must maintain at least a 4-foot rear and side yard setback.

2. All ADUs and JADUs shall satisfy the requirements of the California Building Standards Code, as amended by the City.

3. In accordance with State law, ADUs are an accessory use or an accessory structure to the Primary Dwelling on the lot. ADUs shall not be considered to exceed the allowable density for the lot.

4. The application for the Planning Review ADU or Building Permit Only ADU or JADU must be signed by the owner(s) of the parcel of land.

D. Planning Review ADUs

Except as otherwise set forth in subsection E of this section, the city shall not approve an application for a new ADU unless the ADU satisfies all of the standards below. An application for a new ADU that satisfies each of the below standards shall be approved by the director of community development, or designee, following a ministerial review for compliance. ADUs approved pursuant to "Planning Review" shall comply with the following standards, unless State law mandates that different standards shall apply in which case the mandated State law standards shall apply:

1. Location Restrictions: One ADU shall be allowed on a lot with a proposed or existing Primary Dwelling that is zoned residential, except as otherwise set forth herein. To protect the public safety, no ADUs shall be constructed in an area designated as a high fire severity zone, and areas without public sewer connection (i.e. on septic tank system).

2. Development Standards:

a. Size restrictions. The total floor area of an Attached ADU or Detached ADU that is a studio or 1-bedroom shall not exceed 850 square feet. The total floor area of an Attached ADU or Detached ADU that has two or more bedrooms shall not exceed 1,200 square feet. For an attached ADU where there is an existing Primary Dwelling, the total floor area shall not exceed 50 percent of the size of the existing Primary Dwelling, or the size restrictions stated above, whichever is less. In no case shall an ADU be a smaller size than an "efficiency unit" as defined in Section 17958.1 of Health and Safety Code.

b. Height restrictions. A Detached ADU shall not exceed 16 feet in height, and an Attached ADU shall not exceed the height of the Primary Dwelling.

c. Setback. No setback shall be required for an ADU that is within an Existing Structure or within a structure constructed in the same location and that has the same dimensions as an Existing Structure. For all other ADUs, the required setback from side and rear lot lines shall be four feet. An ADU shall comply with all required front yard setbacks otherwise required by the Municipal Code.

d. Lot Coverage. An ADU shall conform to all lot coverage requirements applicable to the zoning district in which the property is located, except where the application of the lot coverage regulations would not permit construction of an 800 square foot ADU that is 16 feet in height with four-foot side and rear yard setbacks.

e. Historic Resources. An ADU that has the potential to adversely impact any historical resource listed on the California Register of Historic Resources, shall be designed and constructed in accordance with the "Secretary Of The Interior's Standards For The Treatment Of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring, And Reconstructing Historic Buildings" found at 36 CFR 68.3, as amended from time to time.

3. Design and Features:

a. Design. The ADU shall have the same design, colors, materials, and architectural details (including windows and roof pitch) of the Primary Dwelling, and shall comply with any objective design standards adopted by the City that are applicable to the zoning district, Specific Plan area, or Planned Unit Development where the ADU is located.

b. Fire Sprinklers. ADUs are required to provide fire sprinklers if they are required for the Primary Dwelling, or as required under the existing California Residential Code.

c. Entrance. An attached ADU shall have a separate entrance from the Primary Dwelling.

4. Covenant Required: The property owner shall record a declaration of restrictions, in a form approved by the City Attorney, placing the following restrictions on the property, the property owner, and all successors in interest: (i) the ADU is to be rented only for terms of 31 days or longer; and (ii) the ADU is not to be sold or conveyed separately from the Primary Dwelling. Proof of recordation of the covenant shall be provided to the City at a time deemed appropriate by the Director of Community Development.

5. Transfer. An ADU shall not be sold, transferred, or assigned separately from the Primary Dwelling, but may be rented. The ADU shall not be used for short term rentals for less than 31 days.

6. Parking Requirements:

a. In addition to the off-street parking space(s) required for the Primary Dwelling, one off-street parking space shall be provided for each ADU, except when:

i. The ADU is located within one-half mile walking distance of Public Transit;

ii. The ADU is located within an architecturally and historically significant historic district;

iii. The ADU is part of a proposed or existing Primary Dwelling or accessory structure;

iv. The ADU is located in an area where on-street parking permits are required but not offered to an ADU occupant; or

v. The ADU is located within one block of a city-approved and dedicated parking space for a car share vehicle.

b. Off-street parking shall be permitted in setback areas in locations determined by the planning department or through tandem parking.

c. When the ADU is created by converting or demolishing a garage, carport or covered parking structure, replacement of parking space(s) eliminated by the construction of the ADU shall not be required as long as the ADU remains in use as a legal ADU.

7. Permits required. Except as otherwise required herein, all construction, structural alterations or additions made to create an ADU shall comply with current development standards and building, electrical, fire and plumbing codes. The applicant shall obtain a building permit and any other applicable construction permits prior to the construction of the ADU.

E. Building Permit ADUs

1. An applicant shall not be required to submit an application for an ADU or JADU permit under this ordinance, and may instead seek building permit approval for an ADU or JADU that satisfies the requirements of Government Code Section 65852.2(e)(1), as the same may be amended from time to time, and the California Building Standards Code, as amended by the City.

2. In addition to obtaining a building permit under this process, the applicant shall be required to obtain all other applicable construction permits prior to the construction of the ADU or JADU.

3. An ADU or JADU approved by a building permit only process shall be rented only for terms of 31 days or longer.

4. The property owner shall record a declaration of restrictions, in a form approved by the City Attorney, placing the following restrictions on the property, the property owner, and all successors in interest: (i) the ADU or JADU is to be rented only for terms of 31 days or longer; (ii) the ADU or JADU is not to be sold or conveyed separately from the Primary Dwelling, and (iii) the JADU or single family residence shall be occupied by the owner of record. Proof of recordation of the covenant shall be provided to the City before a Certificate of Occupancy may be issued for the ADU and JADU.

5. Pursuant to Government Code section 65858.2(e), the City shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

a. One ADU or JADU per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The ADU or JADU is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing

accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The JADU complies with the requirements of Section 65852.22 and with the requirements set forth in subsection 6 below.

b. One detached, new construction, ADU that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The ADU may be combined with a JADU described in subparagraph (A) above. The ADU shall be no more than 800 square feet in size, with a height limit of 16 feet.

c. Multiple ADUs within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

d. One ADU within an existing multifamily dwelling and up to 25 percent of the existing multifamily dwelling units.

e. Not more than two ADUs that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

6. In accordance with the standards set forth in Government Code section 65852.22, JADUs shall comply with the following requirements, unless State law is amended to set forth different standards in which case State law standards will govern:

a. A JADU shall be a minimum of 220 square feet and a maximum of 500 square feet of gross floor area. The gross floor area of a shared sanitation facility shall not be included in the maximum gross floor area of a JADU.

b. A JADU must be contained entirely within the walls of the existing or proposed single-family dwelling.

c. A separate exterior entry from the main entrance to the single-family dwelling shall be provided to serve a JADU.

d. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing single-family dwelling.

e. A JADU shall include an efficiency kitchen meeting the requirements of Government Code Section 65852.22.

f. No additional parking is required for a JADU.

g. Unless State law is amended, the JADU or single family residence shall be occupied by the owner of record.

F. Fees and Utility Connections.

ADUs that are processed under either the Planning Review ADUs set forth in Section D or through the Building Permit Only ADU process set forth in Section E, shall comply with the following:

1. ADUs shall have adequate water and sewer services. These services may be provided from the water and sewer points of connection for the Primary Dwelling and need not be a separate set of services, unless the local water and sewer service provider requires a new or separate utility connection directly between the ADU and the utility if the ADU is constructed with a new single family residence.

2. The owner of an ADU shall be subject to the payment of all sewer, water and other applicable fees, including impact fees set forth in Government Code section 66000 *et seq.*, except as specifically provided in California Government Code Sections 65852.2 and 65852.22.

3. Prior to receiving a building permit, the owner of an ADU must submit letters of service availability for water and sewer disposal to the Building Official.”

Section 6. CEQA. The City Council hereby finds that this ordinance implements the provisions of Government Code Section 65852.2 and is therefore exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 21080.17 and California Code of Regulations, Title 14, Chapter 3, Section 15282(h). The Community Development Director is hereby directed to file a Notice of Exemption.

Section 7. Severability. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 8. Savings Clause Neither the adoption of this Ordinance nor the repeal or amendment by this Ordinance of any ordinance or part or portion of any ordinance previously in effect in the City, or within the territory comprising the City, shall in any manner affect the prosecution for the violation of any ordinance, which violation was committed prior to the effective date of this Ordinance, nor be construed as a waiver of any license, fee or penalty or the penal provisions applicable to any violation of such ordinances.

Section 9. **Submittal of Ordinance.** The Community Development Director, or his designee, shall submit a copy of the Ordinance to the Department of Housing and Community Development within 60 days after adoption of this Ordinance. An Interim Ordinance (Ordinance No. 441) was submitted to the Department of Housing and Community Development on January 31, 2020, and the City received a response on February 3, 2020 confirming receipt but no further comments received after 60 days.

PASSED, APPROVED AND ADOPTED by the Highland City Council on _____, 2021.

Penny Lilburn, Mayor

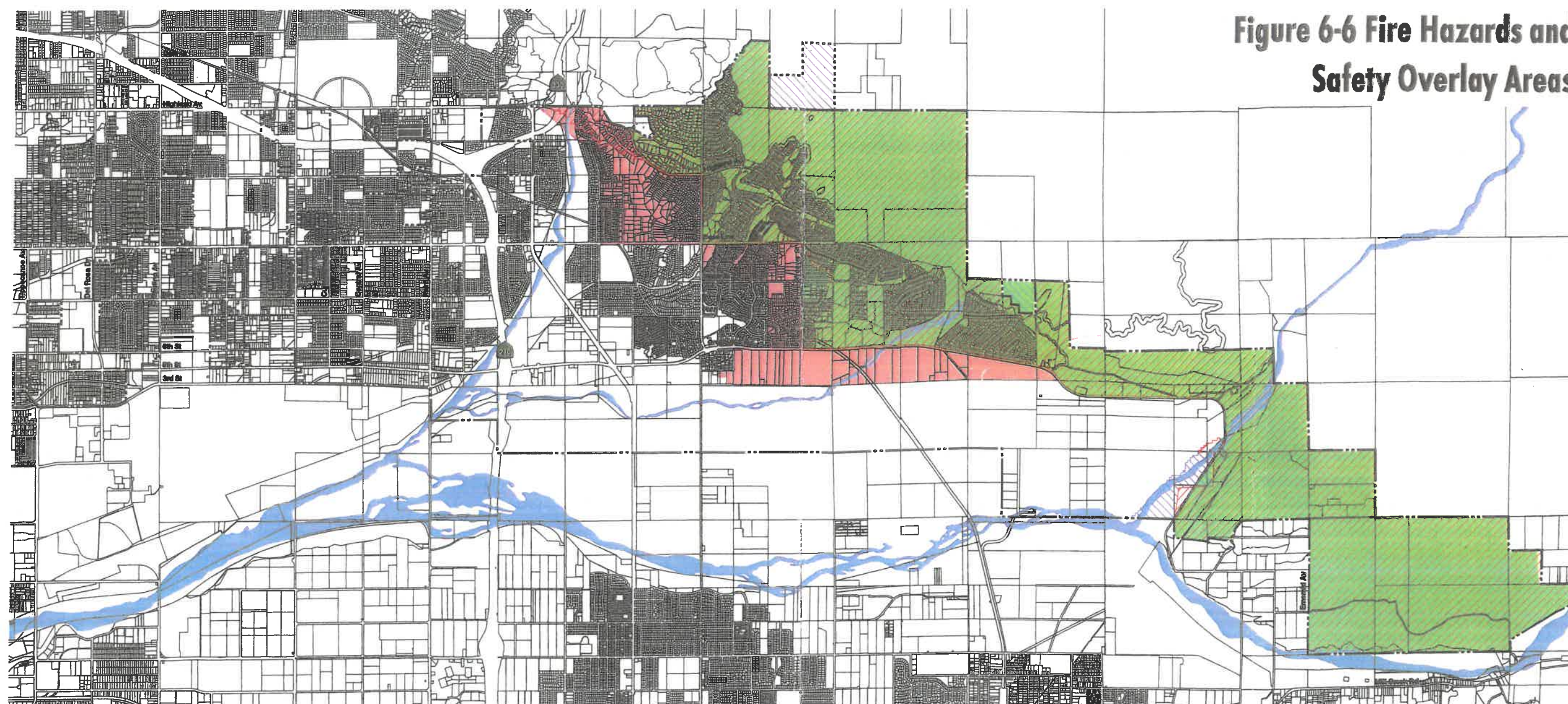
ATTEST:

Betty Hughes, City Clerk

ATTACHMENT – B

High Fire Severity Zone Map (Highland General Plan Figure 6-6)

Figure 6-6 Fire Hazards and Safety Overlay Areas



- Fire Severity Zone 1
- Fire Severity Zone 2
- Very High Fire Hazard Severity Zone* - Local Responsibility Area
- Very High Fire Hazard Severity Zone* - State or Federal Responsibility Area
- City Boundary
- Sphere of Influence

*Figure reflects 2009 State Fire Severity Zones