

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

August 3, 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
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

CITY OF HIGHLAND • 27215 BASE LINE • HIGHLAND, CALIFORNIA 92346 • (909) 864-6861 ☎ • (909) 862-3180 📠

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.

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 August 3, 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
August 3, 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 August 3, 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 July 20, 2021 Regular Meeting.
RECOMMENDATION: That the Planning Commission approve the minutes, as submitted.

LEGISLATIVE ITEM

2. Development Code Interpretation (DCI-21-001) requesting to establish a Party Supply Store within a vacant Nonconforming Structure in the R-1 Single Family Residential Zone. (7755 & 7761 Sterling Avenue)

RECOMMENDATION: Staff recommends the Planning Commission deny use of the structure as a Party Supply Store and uphold the Community Development Director's determination that it is not compliant with Highland Municipal Code Section 16.08.150 Nonconforming parcels uses and structures.

PUBLIC HEARING

3. A Public Hearing to Consider the Appeal of Administrative Citation No. 15051 issued for the discharge of fireworks in violation of Chapter 8.58 of Title 8, of the Highland Municipal Code, at the property located at 7453 Victoria Avenue, Highland, California. Cited: Miguel Abendano (APP-21-002)

RECOMMENDATION: Staff recommends to the Appeals Board conduct the required Public Hearing, uphold Administrative Citation No. 15051, and adopt Appeal Board Resolution No. 2021- ____.

4. Design Review Application (DRA 21-007) for the analysis of a site plan, building elevations, rough grading plan, conceptual landscape plan, and model home complex regarding the construction of a 149 single-family home community, a public park, public trails, a private common area, a private community pool, and recreation center within Phases 1 & 2 of the Mediterra Planned Development. (APN Nos: 0297-021-25, 0297-021-26, 0297-021-27 & 0297-021-28)

RECOMMENDATION: Staff recommends the Planning Commission adopt Resolution No. 2021 – ____ to:

- 1) Make a finding under Public Resources Code Section 21166 and the corresponding CEQA Guidelines Section 15162 that there are no substantial changes or new information of substantial importance that would trigger the preparation of subsequent environmental documents and further find that the project is exempt from additional environmental review under Government Code Section 65457; and
- 2) Approve Design Review Application (DRA 21-007), subject to the Conditions of Approval and Findings of Fact.

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 30th of July 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: July 30, 2021



Camille Goritz Administrative Assistant III



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: August 3, 2021

FROM: Lawrence Mainez, Community Development Director

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

SUBJECT: Minutes from the July 20, 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. <u>1</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
<i>Camille Goritz</i> Recording Secretary		<i>Lawrence Mainez</i> Community Development Director	

**MINUTES
PLANNING COMMISSION REGULAR MEETING
July 20, 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
	Vice Chair	Chandra Thomas
	Commissioner	Edward Amaya
	Commissioner	Jarrold Miller
	Commissioner	Jessica Sutorus

Staff Present: Kim Stater, Assistant Community Development Director
Camille Goritz, Administrative Assistant III
Scott Rice, City 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 July 6, 2021 Regular Meeting.

A MOTION was made by Commissioner Sutorus, seconded by Commissioner Amaya, to approve the minutes, as amended. Motion carried, 5-0.

PUBLIC HEARING

2. Conditional Use Permit (CUP) No. 21-004 is a request to upgrade an existing State of California Alcohol Beverage Control (ABC) license, Type 20 (Off-Sale Beer and Wine) to a Type 21 (Off-Sale General), for the sale and off-site consumption of all alcoholic spirits for an existing convenience store (M & G Market).

Assistant Community Development Director Stater presented the staff report.

Commissioner Sutorus stated you had mentioned that the zoning is going to change in the area, but do you feel like that zone change would have anything significantly impact the location or anything today?

Assistant Community Development Director Stater stated as in its draft form today, it would permit this use.

Chair Hamerly stated it would turn this into a conforming use from a non-conforming.

Commissioner Miller asked does this have any impact on future permits in the City of Highland if we allow for this permit?

Assistant Community Development Director Stater stated it does not.

Chair Hamerly stated yes, not upgrading this one to a 21 would not allow an additional spot within the census tract to add an additional ABC license, because they are already at three regardless the resolution. I think I saw it in the staff report that a sign program was one of the conditions.

Assistant Community Development Director Stater stated it will need a sign permit, but not a full program.

Chair Hamerly asked that would not be addressing the nonconforming pole sign that would be on site?

Assistant Community Development Director Stater stated no not that one, unfortunately, we cannot ask that to be removed.

Chair Hamerly stated right because that would have been back in 1967?

Assistant Community Development Director Stater stated correct.

Chair Hamerly stated ok, I was just curious as to how we would deal with that if they were bringing a sign program back because this would be an existing non-conforming use.

Commissioner Amaya stated regarding the distilled spirits, are we talking about hard liquor?

Assistant Community Development Director Stater stated correct.

Commissioner Amaya asked is the barbed wire fencing that is in the back where you have the wrought iron fence going to be removed?

Assistant Community Development Director Stater stated correct, that is prohibited in our code. We usually recommend if there are businesses that are looking for recommendation on what to substitute those with finials or some other approved type of material.

Chair Hamerly opened the public hearing.

Melvin Evitt, Representative for Applicant stated I worked with the city over the years, and they have been very helpful all the time. The sign you see up there on the slides are all refreshed and cleaned up.

Chair Hamerly stated the spaces on the site plan that are shown on the western boundary of the property, are they loading that aisle in the right of way? Or is the access to those parking spaces that are at the 45-degree angle on site?

Assistant Community Development Director Stater stated they are, I am sure when the vehicles back out of there are partially loading in the in the right of way.

Chair Hamerly stated it did not look like they even had 12 feet to back out. So, they are basically, down the sidewalk paving to the alley, and then that's where the curb break is.

Assistant Community Development Director Stater stated that is the existing condition.

Chair Hamerly stated it is easy to see why you would not want to add three more spaces to that mix. I was just curious how that would have originally been allowed permitted or if they did not have a compliant aisle right there.

Assistant Community Development Director Stater stated one good thing about the site is there seems to be a lot of parking utilized on the east side of the building.

Chair Hamerly closed the public hearing.

A MOTION was made by Commissioner Amaya, seconded by Commissioner Sutorus, to adopt Resolution 2021-012, approving an upgrade to an existing State of California Alcohol Beverage Control (ABC) license, Type 20 (Off-Sale Beer and Wine) to a Type 21 (Off-Sale General), for the sale and off-site consumption of all alcoholic spirits for an existing convenience store. Motion carried, 5-0.

RESOLUTION NO. 2021-012

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP) NO. 21-004 FOR AN UPGRADE TO AN EXISTING STATE OF CALIFORNIA ALCOHOL BEVERAGE CONTROL (ABC) LICENSE, TYPE 20 (OFF-SALE BEER AND WINE) TO A TYPE 21 (OFF-SALE GENERAL), FOR THE SALE AND OFF-SITE CONSUMPTION OF ALL ALCOHOLIC SPIRITS FOR AN EXISTING CONVENIENCE STORE (M & G MARKET), LOCATED AT 26710 5TH STREET (APN NOS.: 1192-542-38)

ANNOUNCEMENTS

The next Planning Commission meeting is scheduled August 3, 2021.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 6:17 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: August 3, 2021

FROM: Lawrence A. Mainez, Community Development Director

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

PREPARED BY: Angela Tafolla, Planning Technician *AT*

SUBJECT: Development Code Interpretation (DCI-21-001) requesting to establish a Party Supply Store within a vacant Nonconforming Structure in the R-1 Single Family Residential Zone.

LOCATION: 7755 & 7761 Sterling Avenue
Assessor's Parcel Number: 1192-171-01-0000

OWNER: Hammuraby Mayorga

RECOMMENDATION: Staff recommends the Planning Commission deny use of the structure as a Party Supply Store and uphold the Community Development Director's determination that it is not compliant with Highland Municipal Code Section 16.08.150 *Nonconforming parcels uses and structures.*

PUBLIC NOTICE: No Public Notice is required prior to the Planning Commission taking action on this matter other than placing the subject request on the Agenda, which was posted at three (3) locations per City Council Resolution, and on the City's Website.

ENVIRONMENTAL REVIEW: Pursuant to the California Environmental Quality Act ("CEQA"), the Planning Division has determined that the subject code interpretation is exempt from the requirements of CEQA and the City's CEQA Guidelines pursuant to CEQA Guidelines Section 15061(b)(3)(general rule) because it can be seen with certainty that there is no possibility that the proposed code interpretation will have a significant effect on the environment.

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

The proposed Code Interpretation will not result in a permanent alteration of property nor the construction of any new or expanded structures. The existing structure was previously developed as an automotive repair shop. If the proposed use of the building is approved as a party supply store or a business office, it will not be more intensive than the prior use. The structures, parking, and on-site circulation are already in place.

SITE DESCRIPTION: The quarter-acre site is located at the northeast corner of Sterling Avenue and 7th Street. The single parcel contains two concrete masonry buildings constructed in 1949; 7755 and 7761 Sterling Avenue.

7755 STERLING AVENUE – EXISTING AUTO REPAIR BUSINESS

The northerly structure at 7755 Sterling Avenue is a single-story commercial building approximately 1,900 square feet in area. A long driveway on Sterling Avenue provides access to a bay door facing west and a drive aisle leading to the interior of the lot. There are numerous windows and a man door on the south side of the building. Historically this building was used as an automotive repair business which continues today.

7761 STERLING AVENUE – VACANT BUILDING, SEEKING CODE INTERPRETATION

The southerly structure, 7761 Sterling Avenue, is also a single-story commercial building, 1,032 square feet in area. There is a man door and four large windows on the west side fronting Sterling with a cantilevered awning over the entry. Stripped parking for six (6) vehicles is located along the easterly boundary. There is a smaller driveway on the south side of the site along 7th Street. Chain link fencing and gates secure the perimeter of the site. This building has been vacant for several years.

The site was constructed prior to the incorporation of the City and is surrounded by R-1 Single-Family Residential and R-2 Two-Family Residential housing on all sides (see Exhibit B - Zoning Map). Further to the north is a vacant lot zoned Neighborhood Commercial and Fire Station No. 3. There are numerous Neighborhood Commercial uses at the intersection of Sterling Avenue and 9th Street.

The entire site is zoned R-1 Single Family Residential. The on-site buildings are considered “Nonconforming” per the Highland Municipal Code meaning that they were legally established at the time of their construction, but they no longer conform to the current zoning or land use development standards.

BACKGROUND: The Applicant purchased the property in March 2017. The auto repair shop on the north at 7755 Sterling continued operation. The Applicant attempted to establish a new business at the vacant 7761 Sterling Avenue building. The Applicant’s letter provides detail on the events that followed as he applied for a business license, rehab permit and request for power (see Exhibit C).

On February 25, 2019, he was issued a Tenant Improvement permit from Building & Safety concurrently with a Code Rehabilitation permit. The permit was withdrawn on September 30, 2019. The Applicant was declined several requests by the City to establish

new and expanded uses (e.g. intensification) because of the site's nonconforming status and current designation as an R-1 Single-Family Residential property.

The Applicant encountered additional difficulties establishing a business due to COVID-19 Pandemic and related State Mandates for business closures.

PROJECT REVIEW: On March 4, 2021, the Applicant requested assistance from City Staff to find an appropriate use for the building. The Applicant requested permission to use the building as a retail Party Supply Store. He intended to rent party supplies and equipment. This request was denied by the Community Development Director. Party Supply Stores are not a permitted use in the R-1 Single Family Residential Zone and because the commercial building had been vacant for more than 180 days, the Nonconforming Land Use provisions prohibit new uses from establishing unless they meet all current requirements.

The Director instead recommended the Applicant utilize the building as a business office and storage to serve the adjacent auto repair business currently in operation on the same parcel (see Exhibit D).

The Applicant disagreed with the Director's interpretation of the Development Code that a Party Supply Store is prohibited for the nonconforming property. The Community Development Director subsequently agreed to refer this interpretation to the Planning Commission for their review and consideration.

With respect to Nonconforming Land Uses, Highland Municipal Code Section 16.08.150.c and d state:

"C. Discontinuation of Nonconforming Use. **Whenever a nonconforming use** other than those residential units or associated accessory structures listed in the exemption in subsection B of this section **has been discontinued for a continuous period of 180 days or more, the nonconforming use shall not be reestablished, and the use of the structure or site thereafter shall be in conformity with the regulations for the district in which it is located.** Discontinuation shall include termination of a use regardless of intent to resume the use (not to be confused with structure)."

G. Community Development Director's Determination. Other than for residential units or their associated accessory structures that are exempt from this regulation pursuant to subsection B of this section, **any request for alteration, expansion, restoration, or reconstruction of a nonconforming use, structure, or sign shall be reviewed by the community development director to determine compliance with the provisions of this title or, at the discretion of the community development director, referred to the planning commission for its review.** The community development director shall determine if the nonconforming use or structure can be or has been declared a public nuisance as provided in Chapter [8.32](#) HMC prior to any determination on a request for alteration, expansion, and restoration. The community development director shall notify

adjoining property owners of the request for alteration, expansion, and restoration of a nonconforming use and structure and pending decision.”

(Text in bold for emphasis only)

The entirety of the Nonconforming Section of the Code is attached (see Exhibit E). The Code allows the Community Development Director to refer a determination of use to the Planning Commission.

Should the Planning Commission support the Applicant’s request to allow a Party Supply Store use, the Planning Commission should continue the item and direct Staff to prepare the appropriate Findings of Fact.

Exhibits: A – Property Location (Aerial)
 B – Zoning Map
 C – Letter from Applicant dated March 4, 2021
 D – Staff’s response letter
 E – HMC Section 16.08.150.G

EXHIBIT A
Property Location (Aerial)

25715 | 1192-171-44-0000

25725 | 1192-171-45-00

7755

7761 | 1192-171-01-0000

2573

7761

Sterling Ave

7th St

7th St

EXHIBIT B
Zoning Map

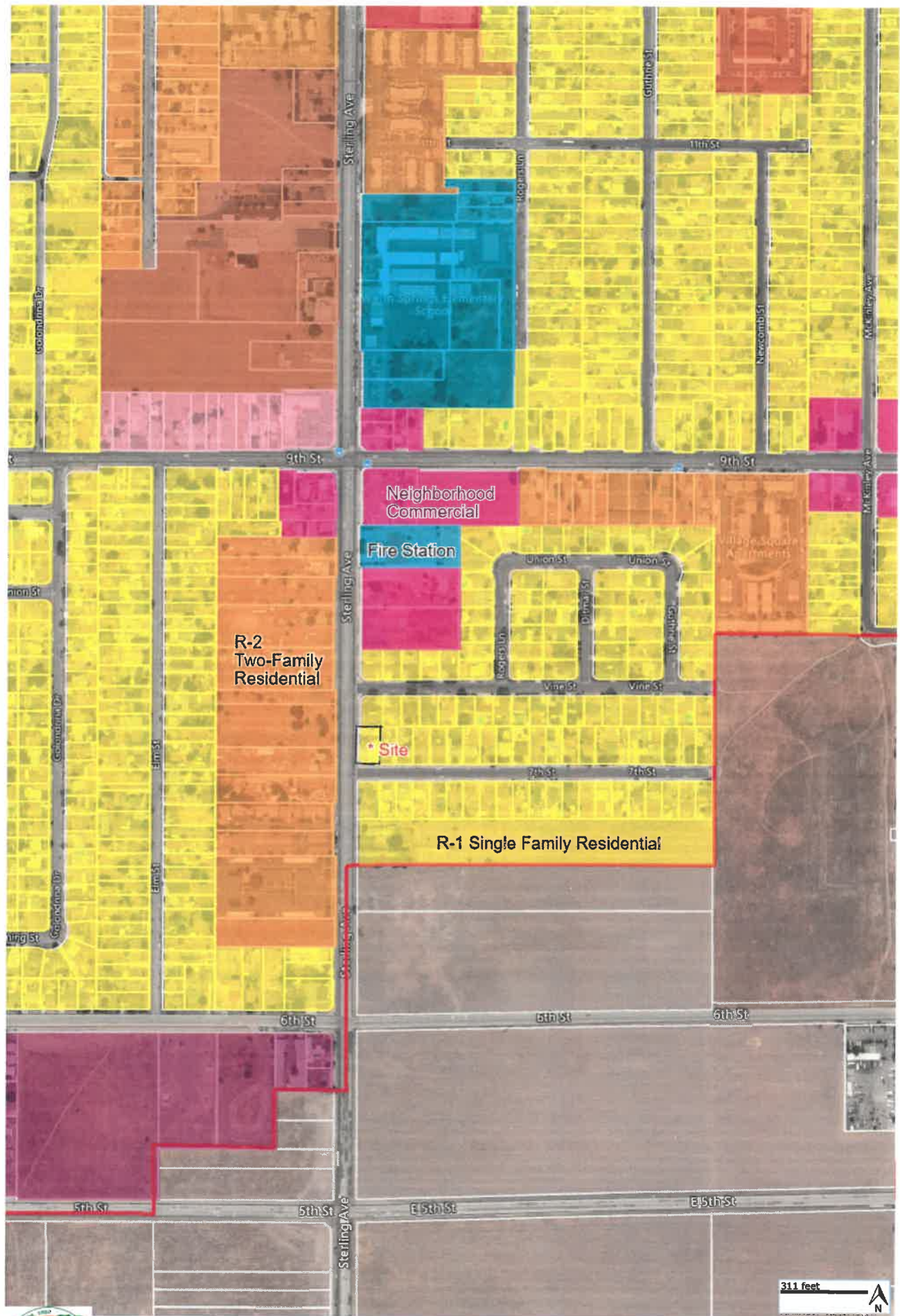


EXHIBIT C

Letter from Applicant dated March 4, 2021

March 4, 2021

Re: Permit #20190053

RECEIVED
MAR 08 2021
CITY OF HIGHLAND

To whom it may concern,

I would like to thank you for taking the time to address my concern of this matter. You may be able to imagine that living in a time like this has been a challenge. I am doing everything in my power to be able to provide for my family. I only hope that your struggles are not like my own.

I bought property to open a tire shop in March of 2017. By April of the same year I paid for the purchase of a fictitious name. In May of the same year, the fire inspection was performed and resulted in many fixes that needed to be done. A lot of money was put into this project, which included the remodeling of the bathroom with new plumbing, fixed light fixtures, fresh paint work, and other general repairs. As soon as I was ready to turn on the electricity, I was told by Edison that I could not because half of the property did not exist. I then submitted a request for an address from the city but did not hear back until May of 2019. More complications arose when I thought I was ready to open. Due to the type of business that I wanted to open, I was asked to submit engineering and architecture plans to widen the doors to the building. I realized that this project would cost more money than what I had already invested in and decided to change my business. With the help of Ms. Angela Tafolla, I decided to change the business from a tire shop to a rental party supply store. I then started investing in buying chairs, tables, heater lamps, etc. to be ready to open business and then COVID-19 hit

and was forced to stop the process of opening business by the order of the government. As you know, we were ordered not to have gatherings outside our immediate family. At that moment in time I was fortunate to be employed, unfortunately, I got infected by the virus and was not able to work for more than two weeks and was let go.

It is with great urgency that I open my business in order to provide for my family.

However, time passed and I was at a standstill until the government slowly allowed businesses to re-open. I am now being told by the city that I waited too long to complete my process, when in fact, I waited to hear from the city for two years to receive the asked address. Additionally, the closures that COVID-19 caused were out of my control.

I have been more than compliant with the city's request to get my business open and I find it unjust that I am being put through all this.

Your consideration will be more than grateful in this matter. I do hope that this will be resolved with no more complications. I look forward to hearing from the city with good news.

Respectfully,

HAMMURABY MG

Hammuraby Mayorga

909 332 9010

EXHIBIT D
Staff's Response Letter



May 7, 2021

Hammuraby Mayorga
26069 Cypress Street
San Bernardino, CA 92410

Subject: Land Use Inquiry related to 7755 and 7761 Sterling Avenue, San Bernardino, CA 92410
(within the City of Highland cooperative boundaries) (APN: 1192-171-01-0000)

Dear Mr. Mayorga:

The City is in receipt of your letter dated March 4, 2021 concerning the subject property. The letter was not clear exactly what you are asking the City permission to do on the subject property. A brief meeting with Salvador Quintanilla, Associate Planner was helpful, and I understand now that your request is to expand the current auto repair business (7755 Sterling Ave.) into the southerly portion of the same property (7761 Sterling Ave.) which includes a vacant structure and paved parking lot. If this is not the case, please continue to work with Mr. Quintanilla for further assistance.

It is my understanding the subject property is one (1) parcel with two separate addresses (7755 Sterling Ave for the Auto Repair and 7761 Sterling Ave for the vacant building and parking lot). The current zoning for the parcel is **R1 Single-Family Residential**, which restricts the subject property to a single-family home and related uses.

It is my understanding a portion of the property was authorized to be used as an auto repair business because that type of operation and configuration had been there prior to the last major zone change in 2006. The remaining portion of the property had been vacant or abandoned for more than six (6) months, therefore the existing use was not permitted to expand. The City of Highland Municipal Code Section 16.08.150 (Nonconforming Parcels, Uses, and Structures) was reviewed to determine the extent you could use the remaining portion of the subject property.

Your request to expand into the southern portion of the subject property (7761 Sterling Avenue) will require the existing business to obtain a Staff Review Permit from the City's Planning Division and accept the following conditions.

- ~~X~~1. Occupancy of 7761 Sterling Avenue structure shall be limited to office and supply storage related to the existing auto repair use located on the northerly portion of the property (7755 Sterling).
- a. The existing paved parking lot located on the east side of the existing structure at 7761 Sterling Avenue shall be reserved for employees only, and no storage of inoperative vehicles shall be permitted.

Mayor
Penny Lilburn

Mayor Pro Tem
Larry McCallon

City Council
Jesse Chavez

City Council
Anaeli Solano

City Council
John P. Timmer

City Manager
Joseph A. Hughes

27215 Base Line, Highland, CA 92346

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- b. No outside auto repair shall take place on the subject property. In accordance with Highland Municipal Code Section 16.44.240, all repair activities and operations shall be conducted entirely within an enclosed building, and outdoor hoists are prohibited.
2. Prior to occupancy of 7761 Sterling Avenue, the Applicant shall first obtain a Tenant Improvement Permit from the City's Building & Safety Division.
 - a. No major structural improvements or expansions shall be permitted to the structure at 7761 Sterling Avenue.
3. Signage proposed for 7761 Sterling Avenue shall be limited to the façade on Sterling Avenue and not to exceed thirty-two (32') square foot of wall area.
4. No customer and employee parking shall occur within the frontage areas along Sterling Avenue and 7th Street (property between the existing curb and gutter and the existing buildings and fencing).
 - a. Temporary customer parking may utilize street parking during regular business hours only. Vehicles parked on the street for more than 72 hours will be towed by the City at the owner's expense.

Please contact the City's Planning Division to complete the required Staff Review Permit process and subsequent Tenant Improvement Permit process.

Should you have any question, please contact Angela Tafolla, Planning Technician II at (909) 864-8732, Ext. 258.

Sincerely,


Lawrence Mainez
Community Development Director

Attachment: Hammuraby Mayorga letter dated March 4, 2021

CC: Angela Tafolla, Planning Technician II

Salvador Quintanilla, Assoc. Planner

Attachment:
Hammuraby Mayorga letter dated March 4, 2021

March 4, 2021

Re: Permit #20190053

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Respectfully,

HAMMURABY MG

Hammuraby Mayorga

909 332 9010

EXHIBIT E
HMC Section 16.08.150.G

16.08.150 Nonconforming parcels, uses and structures.

A. Purpose. This section is intended to limit the number and extent of nonconforming uses by regulating their enlargement, their reestablishment after abandonment, and the alteration or restoration after destruction of the structures they occupy. In addition, this section is intended to limit the number and extent of nonconforming structures by prohibiting them from being moved, altered, or enlarged in a manner that would increase the discrepancy between existing conditions and the standards prescribed in this title.

B. Applicability. This section shall apply to any parcel, structure, or use which was legally established, but does not conform to the provisions of this title, as originally adopted or as may be amended from time to time. However, subsections C, (E)(1), (E)(2), (F)(1) and G of this section shall not apply to nonconforming single-family detached dwelling units that are utilized for residential purposes, along with any associated accessory structures on the same property, insofar as the owners seek to move, repair or modify such dwelling units or accessory structures or only enlarge or expand them by up to 25 percent of the total floor area.

C. Discontinuation of Nonconforming Use. Whenever a nonconforming use other than those residential units or associated accessory structures listed in the exemption in subsection B of this section has been discontinued for a continuous period of 180 days or more, the nonconforming use shall not be reestablished, and the use of the structure or site thereafter shall be in conformity with the regulations for the district in which it is located. Discontinuation shall include termination of a use regardless of intent to resume the use (not to be confused with structure).

D. Continuation and Maintenance.

1. Any nonconforming structure or use may be continued and maintained for the periods of time hereinafter set forth; provided, that there are no structural alterations, except as hereinafter provided:

- a. Agricultural crops shall not be subject to the provisions of this section;

- b. Agricultural uses that involve permanent structures shall be subject to the provisions of this section; however, such uses shall be permitted to make any changes or improvements that are required by any state law or local ordinance, including structural alterations that are necessary as a part thereof.

2. Any structure for which a building permit has been legally issued, and on which substantial construction has been performed in reliance thereon on the site before an amendment to the regulation or ordinance making the use or structure nonconforming, may be continued in accordance with the plans and specifications upon which the permit was issued, subject to the limitations of this section.

3. A property containing a legally established structure that does not conform with applicable development standards for front yards, side yards, rear yards, height, floor area of structures, or open space for the district in which the property is located shall be deemed to be a nonconforming structure, and may be used and maintained as provided herein.

4. A legally established sign or display which does not conform with applicable standards (see Chapter [16.56](#) HMC) may be used and maintained until the associated use or structure is discontinued. Off-site advertising or displays may be used and maintained as provided in HMC [16.56.190](#).

5. Routine maintenance and repairs may be performed on a nonconforming use, structure, or sign. However, maintenance and repairs shall not be of a nature to extend the normal life of the use, structure or sign.

E. Alterations and Enlargements of Nonconforming Uses and Structures.

1. A nonconforming use, other than those residential units or associated accessory structures listed in the exemption in subsection B of this section, shall not be moved or altered unless required by law, or unless the moving or alteration will result in the elimination of the nonconformity, except as permitted in this chapter.

2. A nonconforming use shall not be enlarged or extended in such a way as to occupy any part of the structure or site or another structure or site which it did not occupy at the time it became a nonconforming use, or in such a way as to displace any conforming use occupying a structure or site, except as permitted in this chapter. There is an exemption, however, for the residential units or associated accessory structures listed in the exemption in subsection B of this section, which may be enlarged or extended by up to 25 percent, as measured by total floor area before and after the enlargement or extension.

3. A nonconforming structure shall not be altered or reconstructed so as to increase the discrepancy between existing conditions and the standards for front yards, side yards, rear yards, height of structures, distances between structures, or usable open space prescribed in the regulations for the zone in which the structure is located.

F. Restoration of a Damaged Structure.

1. Whenever a nonconforming structure is destroyed to the extent of 50 percent or less by fire, calamity, or act of God, the structure may be restored and the nonconforming use may be resumed; provided, that restoration is started within 120 calendar days of the destruction and diligently pursued to completion. When the destruction exceeds 50 percent or the structure is voluntarily razed or is required by law to be razed, the structure shall not be restored except in full conformity with the regulations for the zone in which it is located and the nonconforming use shall not be resumed, unless the

residential unit or associated accessory structure is exempt from this regulation pursuant to subsection B of this section.

2. The extent of damage shall be based upon the ratio of the estimated cost of restoring the structure to its condition prior to such damage to the estimated cost of duplicating the entire structure as it existed prior thereto. Estimates for this purpose shall be reviewed and approved by the city building official, and shall be based on the minimum cost of construction which matches quality and scope of structure in compliance with the most current adopted building code.

G. Community Development Director's Determination. Other than for residential units or their associated accessory structures that are exempt from this regulation pursuant to subsection B of this section, any request for alteration, expansion, restoration, or reconstruction of a nonconforming use, structure, or sign shall be reviewed by the community development director to determine compliance with the provisions of this title or, at the discretion of the community development director, referred to the planning commission for its review. The community development director shall determine if the nonconforming use or structure can be or has been declared a public nuisance as provided in Chapter [8.32](#) HMC prior to any determination on a request for alteration, expansion, and restoration. The community development director shall notify adjoining property owners of the request for alteration, expansion, and restoration of a nonconforming use and structure and pending decision. (Ord. 384 § 3, 2013; Ord. 330 § 2, 2008; Ord. 307 §§ 9, 10, 2006; Ord. 270 § 4, 2001; Ord. 171 § 2.150, 1994)



STAFF REPORT

TO THE APPEALS BOARD

DATE: August 3, 2021

FROM: Lawrence Mainez, Community Development Director

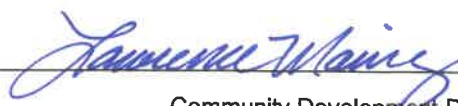
SUBJECT: A Public Hearing to Consider the Appeal of Administrative Citation No. 15051 issued for the discharge of fireworks in violation of Chapter 8.58 of Title 8, of the Highland Municipal Code, at the property located at 7453 Victoria Avenue, Highland, California. Cited: Miguel Abendano (APP-21-002).

APPELLANT: Miguel Abendano

RECOMMENDATION: Staff recommends the Appeals Board conduct the required Public Hearing, uphold Administrative Citation No.15051, and adopt Appeal Board Resolution No. 2021-_____.

FISCAL IMPACT: There is no fiscal impact related to the processing of the subject Appeal, other than City Staff's time to prepare the report and notice for the public hearing. In accordance with the Highland Municipal Code Section 2.56.130(D), the Appellant was granted an advanced deposit hardship waiver, therefore the Citation fine in the amount of \$1,000.00 and the filing fee for processing the Appeal Application in the amount of \$25.00 were waived until the Appeal is settled. If the Appeals Board determines that the administrative citation should be upheld and the fine or penalty has not been deposited pursuant to an advanced deposit hardship waiver, the Board shall set forth in the decision a payment schedule for the fine or penalty (Highland Municipal Code Section 2.56.130(F)(3)). In this case, staff recommends a payment schedule include a \$200.00 per month payment for five (5) months.

PUBLIC NOTICE: Pursuant to Chapter 2.56, Public Hearing Notices were mailed via First Class Mail, and Certified Mail, Return Receipt Requested, to Appellant – Miguel Abendano on June 8, 2021 (attached hereto as Exhibit "1" and incorporated herein by reference). In addition, on July 29, 2021, staff posted the Planning Commission Agenda in the three designated posting locations, and a copy of the agenda was placed on the City's Website.

Approved _____	Motion _____	Second _____	Agenda Item No. <u>3</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
 Recording Secretary		 Community Development Director	

A copy of this report was also provided to the Appellant on Thursday, July 29, 2021.

BACKGROUND:

In 2013, the City of Highland City Council adopted Ordinance No. 377, prohibiting the use of fireworks in the City's corporate boundaries. In 2020, the City of Highland City Council adopted Ordinance No. 444, amending the City's Fireworks Ordinance to eliminate some ambiguities related to the fines for illegal fireworks use and possession.

The City of Highland Municipal Code Chapter 8.58 (Fireworks), Section 8.58.020 (Prohibition), states *"No person shall have in his or her possession, or keep, store, use, shoot, discharge, set off, ignite, explode, manufacture, sell, offer to sell, give or transport, any fireworks, dangerous fireworks or safe and sane fireworks, except for use as agricultural and wildlife fireworks or for use during a public display of fireworks pursuant to a permit obtained under the provisions of Sections [12640](#) through [12654](#) of the California Health and Safety Code, and this code."*

On June 8, 2021, City of Highland Police Department Deputy Jessup personally witnessed and issued the Appellant a citation (Citation No. 15051) for the discharge of fireworks on that date at 7453 Victoria Avenue.

The following is a list of facts and evidence to support staff's recommendation to uphold Citation No. 15051 issued to the Appellant on June 8, 2021.

June 8, 2021	Citation No. 15051 was issued to the Appellant, Miguel Abendano by Highland Police Department Deputy Jessup for discharging fireworks in violation of the Highland Municipal Code Section 8.58.020(A) (Attached hereto as Exhibit 1).
June 18, 2021	Administrative Citation Appeal Application received (Attached hereto as Exhibit 2).
June 21, 2021	Advanced Deposit Hardship Waiver request approved (Attached hereto as Exhibit 3).

CONCLUSION: Staff recommends the Appeals Board uphold the Administration Citation No. 15051 and approve Resolution No. 2021-002, inclusive of a payment plan in the amount of \$200.00 per month for five (5) months or other term as may be approved by the Appeals Board.

Exhibits:	1. Administrative Citation No. 15051 issued on June 8, 2021
	2. Appeal Application dated June 17, 2021 (date stamped June 18, 2021).
	3. Administrative Citation Hardship Waiver application dated June 18, 2021 (dated stamped on June 21, 2021), and approved on June 21, 2021.
	4. Appeals Board Resolution No. 2021-002 (inclusive of a copy of the Citation, a copy of the certified Public Hearing Notices, and recommended payment schedule).

EXHIBIT 1



CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

CITATION NO. 15051

ADMINISTRATIVE CITATION

Date: 6-8-21 Time: 2211 (Violation Observed)

☐ WARNING

☒ 1st Citation - \$ 1,000.00 ☐ 2nd Citation - \$ _____

☐ 3rd Subsequent - \$ _____

The payment listed above is due by 7-7-21. See reverse side for payment and appeal instructions.

Corrections indicated below are required by Im. If you fail to make the indicated corrections by this date, the next level citation may be issued or the City may take other enforcement action or actions.

PERSON CITED: LAST FIRST MIDDLE

ABENOAIO, MICHEL

DL#:

0A17626

DOB:

7-6-82

MAILING ADDRESS:

7453 VICTOR AVE HIGHLAND CA 92346

VIOLATION ADDRESS:

7453 VICTOR AVE HIGHLAND CA 92346

MUNI. / STATE CODE SECTION VIOLATED	VIOLATION DESCRIPTION
<u>8.58.020(A)</u>	<u>Discharge of Firearms Prohibited</u>

CORRECTIONS REQUIRED:

Signature of Issuing Officer

D. S. SCUP

Printed Name of Issuing Officer

Issued Date

6-8-21

Acknowledgement of Receipt (Signature)

READ REVERSE SIDE
FOR IMPORTANT INFORMATION

EXHIBIT 2



RECEIVED
JUN 18 2021

City of Highland
Administrative Citation Notice of Appeal
Request for Hearing

CITY OF HIGHLAND

In regards to property located at: 7453 Victoria, Highland,
California, an Appeal is hereby made relative to Administrative Citation No.
15051 (the "Citation"). It is my desire to Appeal this Citation.

Please select one:

- ☒ This is my first Appeal, so I am appealing to the ~~Public Nuisance Hearing Board~~ ^{Appeals}.

I understand that I have the right to Appeal the Citation within ten (10) calendar days from the date of service of the Citation. The date the Citation was personally issued to me is the date of service. Service by Registered or Certified Mail is deemed effective on the date it is served; service by United States Mail is deemed effective three (3) days after the date of deposit. If I was served in multiple ways, I understand that the earliest service date will prevail.

- ☐ The ~~Public Nuisance Hearing Board~~ ^{Appeals} has already heard my Appeal, so I am appealing to the City Council.

I understand that my Appeal must be filed within ten (10) days from the date that the Public Nuisance Hearing Board made its determination on my first appeal.

I understand that if I do not properly file this Appeal by the appropriate deadline listed above; I have waived my right to an Administrative Hearing and accept that I must pay the total amount of the fine.

To process this Appeal, I am submitting this completed form, along with the following payment.

Select one:

- ☐ This is my first appeal, so I am submitting the advance deposit of the Citation fine and the \$25.00 Administrative Hearing Fee for the first appeal.
- ☒ This is my first appeal, but I am unable to pay the advance deposit of the Citation fine and the \$25.00 Administrative Hearing Fee, so I am filing an Administrative Citation Hardship Waiver Request.
- ☐ This is my second appeal, and I have already submitted the advance deposit of the Citation fine and the \$25.00 first Administrative Hearing Fee, so I am submitting the \$25.00 Administrative Hearing Fee for the second appeal.
- ☐ This is my second appeal, and I have already been granted an Administrative Citation Hardship Waiver, so I do not need to submit any further payments.

I understand that payment should be made by personal check, cashier's check, or money-order payable to the City of Highland. I have written the Citation number on my check or money order. I further understand that the advance deposit of the Citation fine is refundable, if the case is decided in my favor.

I understand that without paying the appropriate payment option listed above, my Appeal cannot be processed. I further understand that I do not make that full payment by the appropriate deadline listed above; I have waived my right to an Administrative Hearing and accept that I may pay the total amount of the fine.

Basis or reason for this appeal?

CANT AFFORD
THE CITATION

I am delivering or mailing all my documents to:

City of Highland
Finance Department
27215 Base Line
Highland, CA 92346

Today's Date:

6-17-21

Name of Appellant:

Miguel Abundano

Address:

7453 Victoria Ave
Highland CA

Signature of Appellant:

[Signature]

EXHIBIT 3

**RECEIVED**

JUN 21 2021

CITY OF HIGHLAND

**CITY OF HIGHLAND
FINANCE DEPARTMENT
ADMINISTRATIVE CITATION
HARDSHIP WAIVER REQUEST.**

NAME: Miguel AbendanoCITATION NO: 15051 DATE: 6-18-21 PENALTY AMOUNT: \$ 1,000**PLEASE COMPLETE THE FOLLOWING****EMPLOYMENT**Employed: ☒ Unemployed: ☐ Disabled: ☐ Welfare: ☐ Other: ☐Employer Name: NORDSTROMEmployer Address: 17335 Glen Helen PKWY San Bernardino CA 92407Employer Telephone: 909-333-7100Number of persons supported: Net Income (take home pay, welfare, unemployment, etc.): \$ 2800 Monthly**ASSETS**

Checking account..... \$
Savings account..... \$
Cash on Hand..... \$
Vehicles..... \$
Home..... \$
Property..... \$
Other..... \$
TOTAL ASSETS..... \$

MONTHLY EXPENSES

Rent/Mortgage..... \$ 1,300
Utilities..... \$ 450
Loans/Credit Cards..... \$ 470
Food/Clothing..... \$ 800
Transportation..... \$ 400
Medical/Dental..... \$ 150
Other..... \$ 450
TOTAL EXPENSES..... \$ 3,550

In accordance with Section 2.56.130 of the Highland Municipal Code, I am requesting a hardship waiver of the administration citation penalty prior to requesting an administrative hearing. I declare under penalty of perjury that the above statements are true and correct to the best of my knowledge and belief. In the event my citation is not dismissed, I understand I must pay the entire amount of the penalty.

Signature: [Signature] Date: 6-18-21**WAIVER REQUEST REVIEW**Approved: ☒ Denied: ☐ Reason for Denial: Signature: [Signature] Date: 6/21/21**PLEASE RETURN TO FINANCE DEPARTMENT**

EXHIBIT 4

APPEALS BOARD RESOLUTION NO. 2021 - _____

A RESOLUTION OF THE APEALS BOARD OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING THAT A VIOLATION OF HMC 8.58.020(A) OCCURRED ON THE PROPERTY LOCATED AT 7453 VICTORIA AVE, HIGHLAND, CALIFORNIA, ON JUNE 8, 2021, THEREBY UPHOLDING ADMINISTRATIVE CITATION NO. 15051 AND ORDERING THE APPEALLANT TO PAY THE CITATION FEE IN ACCORDANCE WITH HMC 8.58.060(B).

(APPEALS BOARD CASE NO. APP-2021-002)

WHEREAS, on June 8, 2021, the City of Highland Police Department Deputy Jessup issued Administrative Citation No. 15051 ("Citation") which is attached hereto and incorporated herein by this reference, for violation of the Highland Municipal Code related to fire works on the property located at 7453 Victoria Ave, Highland, California ("Property"), and;

WHEREAS, the City of Highland Police Department Deputy Jessup served the Citation on, who is the Property Owner or Occupant ("Appellant") in person with request for signature at the time the violation of the Highland Municipal Code occurred, and is attached herein as Attachment A;

WHEREAS, the Appellant timely submitted a Request for Hearing Form in order to appeal the Citation to the Appeals Board, and;

WHEREAS, the Appellant timely submitted the Administrative Citation Hardship Waiver Request Form and has been granted an advance deposit hardship waiver by the City's Finance Department until such as the Appeal is settled, and;

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

1. All of the facts set forth in the Recitals of this Resolution are true and correct and are hereby incorporated into this Resolution by this reference.
2. Staff timely notified Appellant that the Appeals Board would be holding a Public Hearing on August 3, 2021; that Notice is attached hereto and incorporated herein as Attachment B. The Appeals Board held a Public Hearing on that Hearing Date, at which time all written and oral evidence and testimony from the Appellant, the Public and Staff were considered.

3. Based upon the evidence and testimony presented to the Appeals Board during the above-referenced Hearing, the Appeals Board finds that violation of the Highland Municipal Code Sections 8.58.020(A) existed on the Property on the Citation Date, as follows:
 - a. A Violation of the Highland Municipal Code Section 8.58.020(A) existed on the Property on the Citation Date when Deputy Jessup made contact with the Appellant, Mr. Miguel Abendano and witnessed the illegal possession of fireworks at the residence.
4. The aforementioned constitute a Violation of the Highland Municipal Code, and thus the Appeals Board hereby upholds Administrative Citation No. 15051 and orders Appellant to pay the citation fee in accordance with the Highland Municipal Code Section 8.58.060(B).
5. Based on the Advanced Deposit Hardship Waiver approved by the City, the Appeals Board hereby sets forth a payment plan for the Appellant (as authorized under the Highland Municipal Code Section 2.56.130(F)(3)) in the amount of \$200.00 per month for five (5) months.
6. Pursuant to the Highland Municipal Code Chapter 2.56, Section 2.56.130(B) (Appeals), the Appellant may further appeal the determination of the Appeals Board to the City Council within ten (10) days of the Appeals Board's decision.

PASSED, APPROVED AND ADOPTED this 3rd day of August, 2021.

AYES:

NOES:

ABSENT:

ATTEST:

Appeal Board Chair

Community Development Director

Attachments:

- A. Citation No. 15051
- B. Appellant Notice of Hearing

ATTACHMENT – A



CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

CITATION NO. 15051

ADMINISTRATIVE CITATION

Date: 6-8-21 Time: 2211 (Violation Observed)

☐ WARNING

☒ 1st Citation - \$ 1,000.00 ☐ 2nd Citation - \$ _____

☐ 3rd Subsequent - \$ _____

The payment listed above is due by 7-7-21. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 7-7-21. If you fail to make the indicated corrections by this date, the next level citation may be issued or the City may take other enforcement action or actions.

PERSON CITED: LAST FIRST MIDDLE

ABENOMAO, MICHAEL A

DL #:

04176461

DOB:

7-6-82

MAILING ADDRESS:

7453 VICTOR AVE HIGHLAND CA 92346

VIOLATION ADDRESS:

7453 VICTOR AVE HIGHLAND CA 92346

MUNI. / STATE CODE SECTION VIOLATED	VIOLATION DESCRIPTION
<u>8.58.024(A)</u>	<u>Discharge of Firearms Prohibited</u>

CORRECTIONS REQUIRED:

[Signature]
Signature of Issuing Officer

6-8-21
Issued Date

D. S. S. S. S.
Printed Name of Issuing Officer

[Signature]
Acknowledgement of Receipt (Signature)

**READ REVERSE SIDE
FOR IMPORTANT INFORMATION**

ATTACHMENT – B

July 8, 2021

City of
HIGHLAND
Inc. 1987



Miguel Abendano
7453 Victoria Ave
Highland, CA 92346

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND FIRST CLASS MAIL

NOTICE OF PUBLIC HEARING

Dear Mr. Abendano,

This Notice is to inform you of a Public Hearing to be held before the City of Highland Appeals Board (the "Board") regarding a Notice of Appeal and Request for Hearing on Administrative Citation No. 15051, issued to you on June 8, 2021.

This letter is written to inform you that you will be required to appear at the Appeals Board Hearing on August 3, 2021, at 6:00 PM, in accordance with Chapter 2.56 of Title 2 of the Highland Municipal Code. You may bring any witnesses, photographs, reports, or any other exhibits to this Hearing, and you may also be represented by an attorney. During the Appeals Board Hearing you will have an opportunity to examine all evidence and question witnesses testifying against you.

Time and date of Hearing: 6:00 pm on Tuesday, August 3, 2021

**Location of Hearing: Leo Donahue Chamber
27215 Base Line
Highland, CA 92346**

Lawrence A. Mainez
Community Development Director

CC: Captain Casey Jiles, Highland Police Department
Deputy Daniel Jessup, Highland Police Department
Code Enforcement File

Mayor
Penny Lilburn

Mayor Pro Tem
Larry McCallon

City Council
Jesse Chavez

City Council
Anaeli Solano

City Council
John P. Timmer

City Manager
Joseph A. Hughes

27215 Base Line, Highland, CA 92346

Tel: (909) 864-6861 • Fax: (909) 862-3180 • Web: www.cityofhighland.org



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: August 3, 2021

FROM: Lawrence A. Mainez, Community Development Director

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

PREPARED BY: Ash Syed, Associate Planner *AS*

SUBJECT: Design Review Application (DRA 21-007) for the analysis of a site plan, building elevations, rough grading plan, conceptual landscape plan, and model home complex regarding the construction of a 149 single-family home community, a public park, public trails, a private common area, a private community pool, and recreation center within Phases 1 & 2 of the Mediterra Planned Development.

LOCATION: North side of Greenspot Road approximately 600 feet east of Santa Paula Street.

Assessor's Parcel Numbers: 0297-021-25, 0297-021-26, 0297-021-27 & 0297-021-28

APPLICANT: D.R. Horton

RECOMMENDATION: Staff recommends the Planning Commission adopt Resolution No. 2021 – ____ to:

- 1) Make a finding under Public Resources Code Section 21166 and the corresponding CEQA Guidelines Section 15162 that there are no substantial changes or new information of substantial importance that would trigger the preparation of subsequent environmental documents and further find that the project is exempt from additional environmental review under Government Code Section 65457; and

Approved _____	Motion _____	Second _____	Agenda Item No. <u>4</u>
Denied _____	Ayes _____		File No. _____
Continue _____	Noes _____		
	Abstain _____		
	Absent _____		
<i>Cavella</i> Recording Secretary		<i>Kim Stater for</i> Community Development Director	

- 2) Approve Design Review Application (DRA 21-007), subject to the Conditions of Approval and Findings of Fact.

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

PUBLIC NOTICE: As required by City Council Resolution, notice of the public hearing was posted at the City's three designated posting locations. The notice was posted on the City's website, mailed to property owners within 300 feet of the project site and to parties requesting notice. The notice was published in the Highland Community News on July 23, 2021.

DESCRIPTION OF THE SITE: The proposed development is located on roughly 38 acres of vacant land on the north side of Greenspot Road and approximately 600 feet east of Santa Paula Street (Exhibit 1 – Area Map).

	Current Use	General Plan Designation	Zoning Designation
Site	Vacant	Planned Development	Planned Development (PD 13-001)
North	San Bernardino National Forest	N/A	N/A
South	EVWD Office / Santa Ana River	Open Space (OS)	Open Space (OS)
East	Mediterra Planning Areas 3, 4, 5, 6, and 7	Planned Development	Planned Development (PD 13-001)
West	Single Family Residential – <i>Entrada Ventana</i>	Low Density (LD)	Single Family (R-1 10,000)

PREVIOUS ACTION:

Planned Development (PUD 13-001)

In March of 2016, the Highland City Council approved the Mediterra Planned Development (PUD 13-001) via Conditional Use Permit (CUP 14-005). Consisting of 316 units within eight (8) Planning Areas on approximately 180 acres, the project approval was comprised of several, separate entitlements. These included a Planned Development Document (CUP 14-005) adopted via Resolution No. 2016-012, Tentative Tract Map No. 18893 (TTM 14-002) adopted via Resolution No. 2016-013, General Plan Amendment (GPA 15-001) adopted via Resolution No. 2016-011, and Zone Change (ZC 15-002) adopted via Ordinance No. 405.

In December of 2019, the Highland City Council approved a revision to the Mediterra Planned Development (REV 19-002), via Resolution No. 2019-048, that proposed a reduction in the minimum allowable density in Planning Area 4, a delay in construction timing of the “private portion” of Mediterra Park, and altering the approved fencing materials between residential lots.

In December of 2020, the Highland City Council approved an Addendum to the Mediterra Planned Development Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the incorporation of an additional nine (9) lots into Phase I of the Mediterra Planned Development. This parcel had previously been identified as “Not A Part” (NAP) of the Mediterra Planned Development but within the boundary for Planning Area 1 and surrounded by low density residential lots.

PROJECT REVIEW/ANALYSIS:

The Applicant is requesting the approval of Design Review Application (DRA 21-007) for the construction of 149 single-family homes, a public park, a public trail, a private common area, a private community pool, and a recreation center within Phases 1 & 2 of the Mediterra Planned Development. This project also incorporates the construction of a stormwater management basin on the south side of Greenspot Road (Exhibit 2 – Site Plan).

Development Plan

Phase 1

Phase 1 of the development is located toward the northwest area of the project site and is comprised of 98 residential lots within Planning Area 1, specifically lot numbers 1 through 88 and 671 through 680. At a total acreage of 25.8 acres, residential lots within phase 1 will range from a minimum of 6,500 square feet up to 10,300 for the larger lots. Phase 1 will feature four distinct models of homes in both one and two-story configurations. Beginning from Plan 4, at 2,319 square feet, ranging up to Plan 7X, at 2,929 square feet with a third garage bay, the various floor plans each offer a 4 bedroom and 3 full bathroom layout with an additional bedroom available as an option on Plan 5.

Access will be through Portofino Street, at the southwest corner of the site, and through Avenida Ramblas, which travels through the center of the development. The internal roadways to be constructed in phase 1 will be Portofino Street, Marbella Way, Santorini Lane, Ravello Court, Campania Road, Terranova Court, and the western segment of Avenida Ramblas.

Additionally, this phase includes the construction of Pine Park, a 0.5 acre site within Planning Area 1, which features an exercise station and picnic tables for outdoor gatherings. To be constructed on the south side of Greenspot Road is a 3.4 acre section dedicated as a water quality management basin, within

Planning Area 8, for the containment and treatment of stormwater runoff from the housing development, consistent with the City-approved Water Quality Management Plan (WQMP).

Phase 2

Phase 2 of the development is the southern portion of the project site and consists of 51 residential lots within Planning Area 2, specifically lot numbers 89 through 139. With a total area of 11.9 acres, residential lots within Phase 2 will range from a minimum of 5,500 square feet up to 8,500 square feet for the larger lots. Phase 2 will feature three distinct models of homes in one and two-story configurations as well. Beginning from Plan 1, at 1,898 square feet, ranging up to Plan 3, at 2,435 square feet, the floor plans within Phase 2 each offer a 4 bedroom and 3 full bathroom layout with an additional powder room offered on Plan 3.

Access to Phase 2 will be from through Mediterra Parkway, which is the primary access point to the project from Greenspot Road, and through Avenida Ramblas, which will eventually span the entire length of the Mediterra Planned Development. The proposed roundabout at Mediterra Parkway will be constructed but closed off to traffic attempting to travel east from the circle, as the timeline for the construction of the ensuing phases of the project has not been finalized. The streets to be constructed in Phase 2 will be Capri Way, Sanremo Place, Palermo Court, Sorrento Way, Mediterra Parkway, and the continuation of Avenida Ramblas.

Incorporated into Phase 2 will be the construction of Mediterra Park, within Planning Area 6. At approximately 2.1 acres in size, the park will feature a variety of amenities and equipment that includes picnic tables for outdoor gatherings, a small children's' play area and jungle gym with adjacent bike racks, park benches, a walking path, public restrooms, and a private community pool accessible only to the homeowners. This combination of provided amenities and facilities satisfies the requirements for Mediterra park as specified in the Mediterra Planned Development Document (Exhibit 3 – Mediterra Park).

Trails

There are two community trails already in place that will be encompassed as part of the development. The North Fork Trail shall run along the northern boundary of the community, through Pine Park, and into the Entrada Ventana community to the west. The trail will be improved from its current dirt state to asphalt pavement, allowing it to function as a Multi-Use Trail for recreational and equestrian purposes and as well as fire protection. Public access to the North Fork Trail will be provided for pedestrians and cyclists while vehicular access will be limited for the Fire Department, emergency response, and maintenance vehicles.

The Hillside Trail, an existing dirt road along the open space area north of the project site, is also referred to as Road 1N16 by the U.S. Forest Service and open to vehicular traffic. This trail, also known as Alder Creek Road, provides access to agencies such as the Forest Service, the Corps of Engineers, and the Fire Department. The Hillside Trail, in contrast to the North Fork Trail, is a more challenging course with varying inclines and terrains around the mountains and canyons with stretches along the face of steep cliffs and ridgelines. The trail continues for many miles beyond the City limits and offers a great opportunity for scenic views of the valley below.

The integration of these two trails into the proposed development as a social and recreational element will be a significant improvement to the City of Highland's plan for Multi-Use Trails and satisfies the vision as described within the Mediterra Planned Development Document.

Design Elements

The design characteristics proposed by the Applicant include three (3) of the four (4) architectural styles approved for the Mediterra Planned Development (Exhibit 4 – Elevations & Materials / Colors).

Italianate Style

The Italianate elevation, a variant of the Italian Renaissance style that became popular in Europe in the mid-1800s, is characterized by cornices supported by corbels that are uniformly spaced, elongated vertical windows, and front porches that provide a setback area from the front doors. Similar to other Mediterranean influenced architecture, the Italianate elevation includes a low-pitched roof, arch details by the doorway, and various shades of brown as the primary colors with lighter accent trims around the garage doors and window frames.

Santa Barbara Style

The Santa Barbara elevation, similar to the Italianate with its arched, extended porches, features more of a mission-style architecture with white-washed stucco walls and warm, earth tone accent trims. The arched porches are also accentuated by brick trims and door frames. Additionally, the simple, low-pitched gable roof, plantation shutters, and s-tile awnings over the windows add to the mission-like architecture seen on many of the buildings in the Santa Barbara area.

Tuscan Style

The Tuscan elevation is a traditional design originating from Tuscany, Italy. The tan colors on the exterior walls and natural materials are neutral, giving a soft

appearance to the home's appeal while using a warmer browns and earth-tone greens as accents. The windows are rectangular and framed with full wooden shutters, similar to the Santa Barbara architecture. Roofs are shallow-pitched with light colored s-tiles. The overall color of the stucco, wood-framed windows, and low-pitched roofs help to create the aesthetic appeal of a Tuscan home.

Landscaping

Perimeter landscaping along the portions of the development adjacent to Greenspot Road will feature Natchez Crape Myrtle and African Fern Pine trees. Additionally, Cork Oak Trees will be planted by the entrances to the development from Greenspot Road at Portofino Street and Mediterra Parkway. To complement the landscape variety along the northside of Greenspot Road, Tuscarora Crape Myrtle and various shrubs and groundcover are proposed along the median. The two sides of the Mediterra Parkway entrance to the development, as well as the central roundabout, will feature Strawberry Trees with Wilson Fruitless Olive Trees along the median. Avenida Ramblas, which travels along the center of the community, will be adorned with Tuscarora Crape Myrtle and Magnolia Trees placed in between for greater landscape diversity. The remaining interior streets throughout the development feature Chitalpa with additional Magnolia Trees. Lastly, Mediterra Park will feature a selection of California Sycamore, Coast Live Oak, and Italian Stone Pine Trees with African Fern Pine located along the backside of the adjacent residential properties (Exhibit 5 – Landscape Plan).

The northerly perimeter of Planning Areas 1 and 2 will be landscaped in compliance with the Fuel Modification Zone, as discussed in the Fire Exposure Management section of the Mediterra Planned Development Document. Staff and the Applicant have engaged in multiple discussions about some items of pertaining to the overall design of some of the landscape elements. For instance, the Applicant has submitted a landscape plan that proposes 1 tree per residential lot and occasionally 2 trees for some of the larger lots within the community. Per the city standards, the community is to feature 2 trees per interior residential lot and 3 trees for corner lots. Thus, the project has been conditioned to satisfy this requirement. Additionally, the primary entrance to the community, through Mediterra Parkway, is to be embellished with a notable entry statement featuring the name of the community. Considering that the landscape plan provided by the Applicant does not depict this detail, a condition for this requirement has been added accordingly.

With regard to the amenities provided within Mediterra Park, Staff had also recommended the two picnic tables be moved together and a shade structure be provided overhead, the Applicant has declined this option. While the Applicant has stated that adding such a structure will impact the ability to grade the site, Staff's position has not changed and a condition to require a shade structure over the picnic table has been included.

The responsibility and cost of ongoing maintenance and improvements is vital to the City of Highland. The Applicant will be required to initiate the process of establishing a Community Facilities District (CFD) prior to the first occupancy for maintenance and upkeep of landscaping within the community, frontage and medians along Greenspot Road, and neighborhood parks. The Homeowners Association shall be required to provide the costs to maintain the CFDs. The proposed outdoor landscaping with underground water quality infiltration system on the south side of Greenspot Road will be maintained directly by the development.

Paseo Ramblas

Paseo Ramblas functions as a linear park and will traverse the community along the entire length of Avenida Ramblas. Designed to promote pedestrian mobility and exercise areas for community residents, the Paseo encourages comfortable walking, jogging, bike riding, trail access, and recreational activity opportunities. Traffic calming measures, such as chicanes, along Avenida Ramblas have been provided to emphasize pedestrian safety, satisfying the suggestions provided within the Mediterra Planned Development Document.

Fencing

A variety of fences and walls will be utilized throughout the project that incorporates both security and aesthetics. 6-foot high precision masonry walls with decorative caps are proposed along the interior roadways, tubular steel fencing is proposed in public areas of the park and around the water quality management basin, 7-foot high precision masonry walls with split face caps will be installed along Greenspot Road, and 6-foot high vinyl fencing is proposed along common property lines. In the case of adjacent properties with different elevations, walls along the side and rear property lines will not be greater than six (6) feet in height, with the exception of properties adjacent to Greenspot Road which will feature the aforementioned 7-foot high precision masonry walls. (Exhibit 6 – Wall/Fencing Plan).

Parking

In compliance with the parking requirements for Phases 1 and 2 of the Mediterra Planned Development, the Applicant has provided seven (7) floor plans that each offer 2 and 3-car garage configurations, satisfying the minimum requirement for a 2-car garage. Additionally, each residence features an additional driveway space for guest parking respective to the number of garage spaces offered. Meaning, residences with 2 car garages offer 2 additional spaces on the driveway while the residences with 3-car garages offer 3 additional spaces for parking on the driveway. Additional guest parking is also available along the local streets.

WQMP

Planning Area 8, as previously discussed, is dedicated as the water quality management basin for the treatment of storm water runoff from the residential development area. It will also be designed to be aesthetically compatible with its surroundings with native boulders and shrubs with access and 6-foot tall black tubular steel fencing with capped posts around the perimeter.

The Site Aerial photo shows the current state of the vacant property as well as the surrounding parcels and boundary walls. The East Valley Water District sewer and water plans provide a map of the sewer and water pipelines for the overall area and the location the lines will feed into the proposed development.

Plotting

As previously mentioned, Phases 1 and 2 of the development offer 7 distinct models of varying sizes and floorplans. Phase 1, which features Plan 4 through Plan 7X, comprises of 31 Plan 4 homes, 20 Plan 5 homes, 22 Plan 6 homes, 14 Plan 7 homes, 10 Plan 7X homes with the optional third garage bay, and a single Plan 2 as part of the Model Home Complex. With a minimum setback of 10 feet to livable space and 20 feet to the garage doors, 5 feet along side yards, and 10 feet in the rear yards, each of the plans satisfies the setback requirements per Planning Area 1. Phase 2 of the development, which features Plan 1 through Plan 3, comprises of 16 Plan 1 homes, 18 Plan 2 homes, and 17 Plan 3 homes. With a minimum setback of 8 feet to livable space and 19 feet to the garage doors, 5 feet along side yards, and 10 feet in the rear yards, each of the plans satisfies the setback requirements per Planning Area 2. Each of the floorplans will also be constructed in a normal or mirrored layout for added visual diversity along the street frontages as well as variety within the community. Each of the corner lots within the phases will feature either a Plan 4 or Plan 1, respectively, as the one-story design helps to alleviate concerns over line-of sight issues for drivers as well as provide a more open concept feel within the community (Attachment 7 – Plot Plan).

Grading

The proposed development will follow the natural topography of the land and confine the community to the less incline areas of the property in an effort to preserve the steeper terrain for open space as well as agricultural and equestrian use. This approach will minimize the environmental impacts and the large scale grading efforts with relatively shallow cuts and fills. The rough grading plan for the development area primarily follows the land's natural contours. The final grading plan will be designed to balance the grading quantities on-site and minimize the importing and exporting of soil (Attachment 8 – Rough Grading Plan).

Model Home Complex

In addition to this development of 149 homes, the Applicant is also proposing the construction of three (3) homes as part of the Model Home Complex. Located at the southwest corner of development, within phase 1, Lots number 74, 75, 76, and 77 will feature models of Plan 4, Plan 2R (reverse), Plan 7, and a parking lot. While this report had previously stated that phase 1 of the development would feature only Plans 4 through 7X, the model for Plan 2R will be the only such plan not located within phase 2. The Applicant has explained that the community sales office will be located within the temporarily modified garage of the model for Plan 7, adjacent to the guest parking lot. There will be 4-foot tall white vinyl trap fencing temporarily installed along the front of the Model Home Complex and guest parking area that will be removed upon completion of the community. The three (3) model homes will be placed on the market once the remaining 146 homes within the development have each been purchased and construction is underway.

ENVIRONMENTAL REVIEW: This development of 149 single-family homes was anticipated the 2016 Initial Study / Mitigated Negative Declaration and 2020 Addendum prepared for the Mediterra Planned Development and certified by the City of Highland City Council on March 8, 2016 & December 8, 2020. The project shall thus comply with the Mitigation Monitoring and Reporting Program adopted concurrently with Mitigated Negative Declaration (ENV 15-006). No further action is required.

ANALYSIS: As the City of Highland continues to develop its easterly limits, Staff finds this proposal to complement both the natural surroundings and already developed adjacent communities. With Italianate, Santa Barbara, and Tuscan influenced architecture that embraces the Mediterranean appeal, this development complies with the visual aspirations discussed in the Mediterra Planned Development Document. This site has a tremendous opportunity to develop nearly 38 acres of vacant land and provide 149 single-family housing units in east Highland.

As discussed in various sections of this report, the design elements proposed by the Applicant are very much in compliance with the Mediterra Planned Development Document with regard to plan elevations in Chapter 7 and community features in Chapter 8. The precision block wall along Greenspot Road, as per the Planned Development Document, was approved for a chocolate/tan finish. The Applicant has instead proposed a Ladera Red finish, which although is not compliant with the approved color scheme, also does not negatively impact the surrounding vicinity in any major way. In fact, the bold color of the wall helps to provide a visual delineation between this housing development and the adjacent Entrada Ventana community to the west.

Additionally, Planning Condition No. 25, as part of the approval of Tract Map No. 18893, requires that "No more than three (3) two-story residence shall be constructed on adjacent lots unless otherwise approved by the Planning Commission". Per the Applicant's plot plan submittal, there is one location, Lot numbers 75 through 80 on the south side of

Campania Road, where there are six (6) consecutive two-story plans proposed. Staff is seeking the Planning Commission's direction on these two issues.

EXHIBITS:

- 1) Area Map
- 2) Site Plan
- 3) Mediterra Park
- 4) Elevations & Materials / Colors
- 5) Landscape Plan
- 6) Wall/Fencing Plan
- 7) Plot Plan
- 8) Rough Grading Plan

ATTACHMENTS:

- 1) Planning Commission Resolution No. 2021 - ____ for Design Review Application (DRA 21-007)
 - A) Conditions of Approval

Exhibit 1:

Area Map

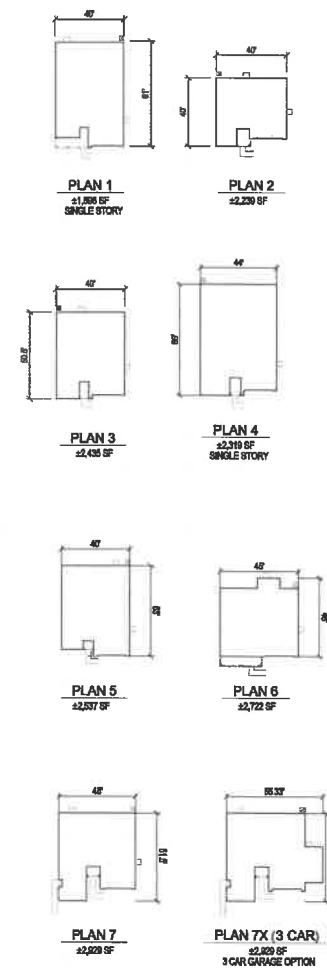


Exhibit 2:

Site Plan

VICINITY MAP

The map shows a network of roads. At the top, Daniel J. Road runs horizontally. Below it, Church St runs vertically. To the left of Church St, Greenbriar Rd runs horizontally. Further left, a road with a '20' shield runs vertically. The project location is marked with a shaded area at the intersection of Greenbriar Rd and Church St. A north arrow points towards the top right.



BUILDING DIMENSIONS
SCALE: 1" = 40'

COMPANIES AND AGENCIES SERVICING THIS PROJECT ARE AS FOLLOWS:

WATER/SEWER:
EAST VALLEY WATER DISTRICT
31111 GREENSPOT ROAD
HIGHLAND, CA. 92346
PH: (909) 888-8968

TELEPHONE:
ATT
2828 E. CORONADO ST., 2ND FLOOR
ANAHEIM, CA 92807
PH: (714) 668-5415

GAS:
SOUTHERN CALIFORNIA GAS CO.
165 SOUTH "G" STREET
SAN BERNARDINO, CA. 92401
PH: (909) 335-7828

POWER:
SOUTHERN CALIFORNIA EDISON CO
287 TENNESSEE STREET
REDLANDS, CA. 92373
PH: (909) 307-8787

CABLE:
TIME WARNER CABLE
1722 ORANGETREE LANE
REDLANDS, CA 92374
PH: (909) 798-3588

SCHOOL DISTRICT:
REDLANDS UNITED SCHOOL DISTRICT
20 WEST LUGONIA AVENUE
REDLANDS, CA. 92374
PH: (808) 783-2301

OWNER / APPLICANT

D.R. HORTON
2280 WARDLOW CIRCLE, SUITE 100
CORONA, CA 92880
CONTACT: Ms. ALYSSA N. BOTTINELLI, MBA
(951) 733-5801

LEGAL DESCRIPTION

TRACT 18893-1 AS RECORDED IN BOOK XX OF MAPS
PAGES XX-XX, RECORDS OF THE COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA.

TOGETHER WITH

TRACT 18893-2 AS RECORDED IN BOOK XX OF MAPS
PAGES XX-XX, RECORDS OF THE COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA.

TRACT 18893-1
UNIT SUMMARY

PLAN 4:	31 EA	(32%)
PLAN 5:	20 EA	(20%)
PLAN 6:	22 EA	(22%)
PLAN 7:	14 EA	(14%)
PLAN 7X:	10 EA	(11%)
PLAN 2:	1 EA	(1%)
TOTAL:	98	(100%)

TRACT 18893-2
UNIT SUMMARY

PLAN 1: 16 EA	(32%)
PLAN 2: 18 EA	(35%)
PLAN 3: 17 EA	(33%)
TOTAL: 51	(100%)



OTTE-BERKELEY GROUPE, INC.
575 E. CARREON DRIVE
COLTON, CALIFORNIA 92324-3000
TEL: (909) 370-0911 FAX: (909) 370-1211

BENCHMARK:

1½" BRASS CAP IN SOUTH END OF CONCRETE
CATCH BASIN, 78' NORTH OF CENTERLINE
OF GREENSPOT ROAD AND 32.5' EAST
OF CENTERLINE OF CHURCH STREET.

Elev: 1327.363

△			
△			
△			
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△			
△			
MARK	REVISIONS	APPR.	DATE

CITY OF HIGHLAND

DRAWN BY:		DESIGNED BY:		CHECKED BY:	
RECOMMENDED FOR APPROVAL BY:			APPROVED BY:		
DATE			CITY ENGINEER		

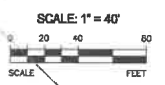
PLOT PLAN
TRACT 18893-1 and 18893-2

	W.O.
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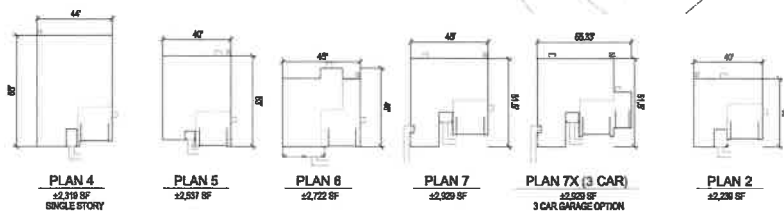
SCALE

FILE NO.

SHEET 1 OF 3



LOT NUMBER COLOR SCHEME
PLAN NUMBER ELEVATION
R-INDICATES REVISION
WHERE SHOWN



BUILDING DIMENSIONS
SCALE: 1" = 40'

UNIT SUMMARY

PLAN 4:	31 EA	(32%)
PLAN 5:	20 EA	(20%)
PLAN 6:	22 EA	(22%)
PLAN 7:	14 EA	(14%)
PLAN 7X:	10 EA	(11%)
PLAN 2:	1 EA	(1%)
TOTAL:	98	(100%)

HOUSE ELEVATION SCHEDULE

PLAN ELEVATION	A	B	D
PLAN 4:	10	12	9
PLAN 5:	8	8	6
PLAN 6:	7	7	6
PLAN 7:	6	4	4
PLAN 7X:	2	4	4
PLAN 2:	-	-	1
TOTAL	33	33	32



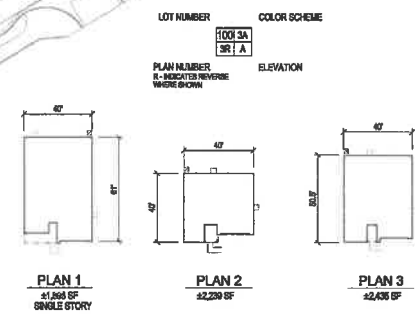
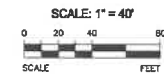
OTTE-BERKELEY GROUPE, INC.
575 E. CARREON DRIVE
COLTON, CALIFORNIA 92324-3000
TEL: (909) 370-0911 FAX: (909) 370-1214

BENCHMARK:
1/4" BRASS CAP IN SOUTH END OF CONCRETE CATCH BASIN, 78' NORTH OF CENTERLINE OF GREENSPOT ROAD AND 92.8' EAST OF CENTERLINE OF CHURCH STREET.
Elev: 1327.363

REVISIONS	APPR.	DATE
1		
2		
3		
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CITY OF HIGHLAND		
DRAWN BY:	DESIGNED BY:	CHECKED BY:
RECOMMENDED FOR APPROVAL BY:	APPROVED BY:	
DATE	CITY ENGINEER	DATE

PLOT PLAN TRACT 18893-1 and 18893-2		W.O.
SCALE:		FILE NO.
SHEET 2 OF 3		



BUILDING DIMENSIONS
SCALE: 1" = 40'

UNIT SUMMARY

PLAN 1:	18 EA	(32%)
PLAN 2:	17 EA	(33%)
PLAN 3:	16 EA	(35%)
TOTAL:	51	(100%)

HOUSE ELEVATION SCHEDULE

	PLAN ELEVATION		
	A	B	D
PLAN 1:	7	5	4
PLAN 2:	8	6	5
PLAN 3:	8	6	6
TOTAL	19	17	15



OTTE-BERKELEY GROUP, INC.
575 E. CARREON DRIVE
COLTON, CALIFORNIA 92324-3000
TEL: (909) 370-0911 FAX: (909) 370-1211

BENCHMARK:
1"X6" BRASS CAP IN SOUTH END OF CONCRETE CATCH BASIN, 75' NORTH OF CENTERLINE OF GREENSPOT ROAD AND 32.7' EAST OF CENTERLINE OF CHURCH STREET.

Elev: 1327.363

REVISIONS	APPR. DATE

CITY OF HIGHLAND		
DRAWN BY:	DESIGNED BY:	CHECKED BY:
RECOMMENDED FOR APPROVAL BY:	APPROVED BY:	

W.O.
SCALE:
FILE NO.
SHEET 3 OF 3

Exhibit 3:
Mediterra Park



PLANT PALETTE:

THEME TREES

- INTERIOR STREET TREES - (24" Box)**
- Magnolia grandiflora* 'Blanchard' • Magnolia
 - Chitalpa Tashkentensis* • Chitalpa
- SMALL FLOWERING ACCENT TREE - (15 Gal)**
- Lagerstroemia i. 'Tuscarora'* • Tuscarora Crape Myrtle
- SLOPE TREE - (15 Gal)**
- Quercus agrifolia* • Coast Live Oak
 - Cercis c. 'Forest Pansy'* • Western Redbud
- PARK TREE - (48" Box)**
- Platanus Racemosa* • California Sycamore
 - Quercus agrifolia* • Coast Live Oak
 - Pinus Canariensis* • Canary Island Pine
 - Podocarpus Gracilior* • African Fern Pine

SHRUBS AND GROUNDCOVER

BACKGROUND

- ACACIA REDOLANS* 'DESERT CARPET'
- ARBUTUS UNEDO* 'COMPACTA'
- BACCHARIS PILULARIS* 'TWIN PEAKS'
- CALLISTEMON* 'LITTLE JOHN'
- CISTUS SPECIES*
- DIETES BICOLOR*
- ECHINUM FASTUOSUM*
- FESTUCA O. 'GLAUCA'*
- JUNIPERUS SPECIES*
- PROSTRATE ACACIA
- DWARF STRAWBERRY TREE
- COYOTE BRUSH
- DWARF BOTTLEBRUSH
- ROCKROSE
- FORTNIGHT LILY
- PRIDE OF MADEIRA
- BLUE FESCUE
- JUNIPER

MIDGROUND

- LAVANDULA SPECIES*
- LAVATERA ASSURGENTIFLORA*
- LIGUSTRUM TEXANUM*
- MUHLENBERGIA RIGENS*
- PYRACANTHA SPECIES*
- ROMNEYA COULTERI*
- ROSMARINUS SPECIES*
- SALVIA SPECIES*
- LAVENDER
- TREE MALLOW
- WAXLEAF PRIVET
- DEER GRASS
- FIRETHORN
- MATILJA POPPY
- ROSEMARY
- SAGE

FOREGROUND

- SESLERIA AUTUMNALIS*
- SISYRINCHIUM BELLUM*
- TRACHELOSPERMUM JASMINOIDES*
- SESLERIA
- BLUE-EYED GRASS
- STAR JASMINE

FEATURE LEGEND:

- | | |
|---|---|
| ① CONCRETE STAIRS WITH CHEEK WALLS AND HANDRAILS. | ⑪ BENCH SETTING |
| ② RESTROOM BUILDING AT POOL | ⑫ PERIMETER WALL PER WALL AND FENCE PLAN. |
| ③ POOL EQUIPMENT AREA. | ⑬ INTERIOR VINYL FENCE PER WALL AND FENCE PLAN. |
| ④ ADA CURB RAMP PER CIVIL ENGINEERS PLANS. | ⑭ TUBULAR STEEL VIEW FENCING PER WALL AND FENCE PLAN. |
| ⑤ ASPHALT PAVEMENT ADJACENT DECOMPOSED GRANITE TRAIL. | ⑮ 3 RAIL PVC TRAIL FENCING PER WALL AND FENCE PLAN. |
| ⑥ PEDESTRIAN WALKING / JOGGING PATH. | ⑯ PICNIC AREA. |
| ⑦ CURB ADJACENT PARKWAY | ⑰ PLAYGROUND WITH RUBBER SURFACING. |
| ⑧ PROPOSED EXERCISE STATION. | ⑱ WOOD OVERHEAD STRUCTURE. |
| ⑨ COMMUNITY RECREATION AREA AND POOL (PRIVATE HOA). | ⑲ CONCRETE HEADER. |
| ⑩ CURB AND GUTTER PER CIVIL ENGINEERS PLANS. | ⑳ CMU RETAINING WALL. |
| | ㉑ RAISED PLANTER |



Exhibit 4:
Elevations & Materials / Colors
(Under Separate Cover)

Exhibit 5:
Landscape Plan

PLANT PALETTE:

THEME TREES		
MULTI-TRUNK SPECIMEN TREE - (48" Box)		
	<i>Quercus suber</i> - Cork Oak	1 %
EVERGREEN THEME TREES - (48" Box)		
	<i>Arbutus 'Marina'</i> - Strawberry Tree	5 %
	<i>Olea e. Wilsonii</i> - Wilson Fruitless Olive	2 %
INTERIOR STREET TREES - (24" Box)		
	<i>Magnolia g. 'Blanchard'</i> - Magnolia	12 %
	<i>Chitalpa Teshkentensis</i> - Chitalpa	20 %
SMALL FLOWERING ACCENT TREES - (15 Gal)		
	<i>Lagerstroemia l. 'Tuscarora'</i> - Tuscarora Crape Myrtle	25 %
	<i>Lagerstroemia l. 'Natchez'</i> - Natchez Crape Myrtle	11 %
COLUMNAR TREE - (36" Box)		
	<i>Cupressus sempervirens</i> - Italian Cypress	9 %
PARK / PERIMETER TREES - (48" Box)		
	<i>Platanus Racemosa</i> - California Sycamore	3 %
	<i>Quercus agrifolia</i> - Coast Live Oak	1 %
	<i>Pinus Pinea</i> - Italian Stone Pine	1 %
	<i>Podocarpus Gracillor</i> - African Fern Pine	5 %
	<i>Eucalyptus Sideroxyton</i> - Red Ironbark	5 %
TOTAL		100 %
SLOPE TREE - (15 Gal)		
	<i>Quercus agrifolia</i> - Coast Live Oak	70 %
	<i>Cercis c. 'Forest Pansy'</i> - Western Redbud	30 %
TOTAL		100 %
EXISTING TREE		
	EXISTING PINES	

SHRUBS AND GROUND COVER

HOA MAINTAINED LANDSCAPE AREA		
	<i>Acacia redolans</i> 'desert carpet'	Prostrate acacia
	<i>Aloe striata</i>	Coral aloe
	<i>Arbutus unedo</i> 'compacta'	Dwarf strawberry tree
	<i>Baccharis pilularis</i> 'twin peaks'	Coyote brush
	<i>Callistemon 'little john'</i>	Dwarf bottlebrush
	<i>Cistus species</i>	Rockrose
	<i>Dietes bickor</i>	Fortnight lily
	<i>Echium fastuosum</i>	Pride of Madeira
	<i>Festuca o. 'glauca'</i>	Blue fescue
	<i>Juniperus species</i>	Juniper

PRIVATE HOMEOWNER MAINTAINED SLOPES OVER 10'

	<i>Lavandula species</i>	Lavender
	<i>Lavatera assurgentiflora</i>	Tree mallow
	<i>Ligustrum texanum</i>	Waxleaf privet
	<i>Muhlenbergia rigens</i>	Deer grass
	<i>Pyracantha species</i>	Firethorn

PRIVATE HOMEOWNER MAINTAINED SLOPES OVER 3'

	<i>Sesleria autumnalis</i>	Sesleria
	<i>Sisyrinchium bellum</i>	Blue-eyed grass
	<i>Trachelospermum jasminoides</i>	Star jasmine

IRRIGATION NOTES:

ALL HOA MAINTAINED LANDSCAPE AREA SHALL BE INSTALLED WITH AUTOMATIC IRRIGATION SYSTEM THAT MEETS THE CITY'S WATER EFFICIENT LANDSCAPE ORDINANCE, AND APPROPRIATE FOR THE LANDSCAPE HYDROZONES TO PROVIDE 100% COVERAGE.

THE IRRIGATION SYSTEM SHALL INCLUDE A COMBINATION OF LOW VOLUME POP-UP STREAM SPRAY BUBBLERS FOR TREES, AND SUB-SURFACE PRESSURE COMPENSATING DRIP LINES FOR SHRUBS AND GROUND COVER.

FEATURE LEGEND:

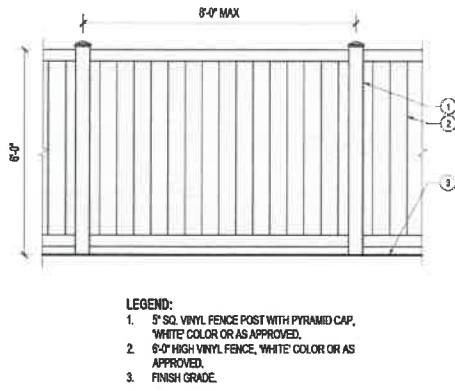
- | | | | |
|---|---|---|--|
|  | 1 FIRE ZONE 1 (DEFENSIBLE SPACE) |  | 11 CURB AND GUTTER PER CIVIL ENGINEERS PLANS. |
|  | 2 FIRE ZONE 2 (BUFFER) |  | 12 ENTRY MONUMENT. |
|  | 3 FIRE ZONE 3 (THINNING) |  | 13 PERIMETER WALL PER WALL AND FENCE PLAN. |
|  | 4 ADA CURB RAMP PER CIVIL ENGINEERS PLANS. |  | 14 INTERIOR VINYL FENCE PER WALL AND FENCE PLAN. |
|  | 5 ASPHALT PAVEMENT ADJACENT DECOMPOSED GRANITE TRAIL. |  | 15 TUBULAR STEEL VIEW FENCING PER WALL AND FENCE PLAN. |
|  | 6 INTERIOR TRACT PEDESTRIAN SIDE WALK. |  | 16 3 RAIL PVC TRAIL FENCING PER WALL AND FENCE PLAN. |
|  | 7 CURB ADJACENT PARKWAY |  | 17 PICNIC AREA WITH DROUGHT TOLERANT LANDSCAPE. |
|  | 8 LARGE MEDITERRANEAN PARKWAY ROUND-A-BOUT. |  | 18 PLAYGROUND WITH RUBBER SURFACING. |
|  | 9 WQMP BASINS. |  | 19 PROPOSED EXERCISE STATION. |
|  | 10 COMMUNITY RECREATION AREA AND POOL. |  | 20 LIGHTING PER CIVIL ENGINEERS PLANS. |
| | |  | 21 BIKE RACK |

Exhibit 6:
Wall/Fencing Plan

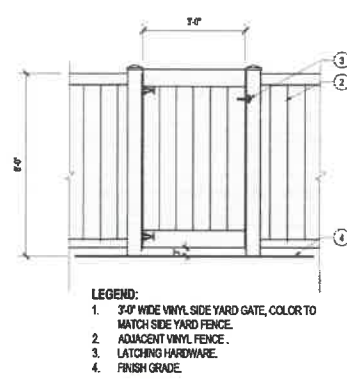


WALL AND FENCE LEGEND:

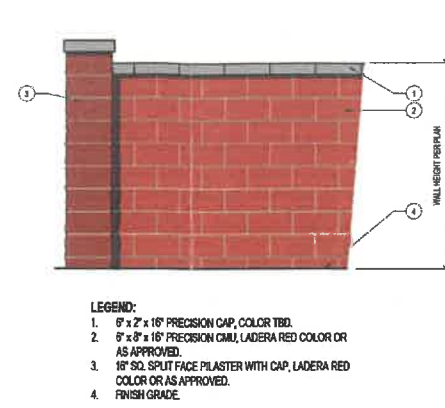
- 6'-0" HIGH VINYL FENCING CENTERED ON PROPERTY LINE. COLORS WHITE. SEE DETAIL A, SHEET LC-2.
- 6'-0" HIGH PRECISION CMU BLOCK PERIMETER AND PRIVACY WALL WITH DECORATIVE CAP. COLOR 'LADERA RED'. SEE DETAIL C, SHEET LC-2.
- 7'-0" HIGH PRECISION CMU BLOCK PERIMETER AND PRIVACY WALL WITH DECORATIVE CAP. COLOR 'LADERA RED'. SEE DETAIL C, SHEET LC-2.
- RETAINING WALLS. SEE DETAIL C, SHEET LC-2.
- PROPOSED MONUMENT WALLS. SEE DETAIL F, SHEET LC-2.
- PROPOSED TUBULAR STEEL FENCING. SEE DETAIL D, SHEET LC-2.
- 3 RAIL VINYL FENCING. COLORS WHITE. SEE DETAIL E, SHEET LC-2.



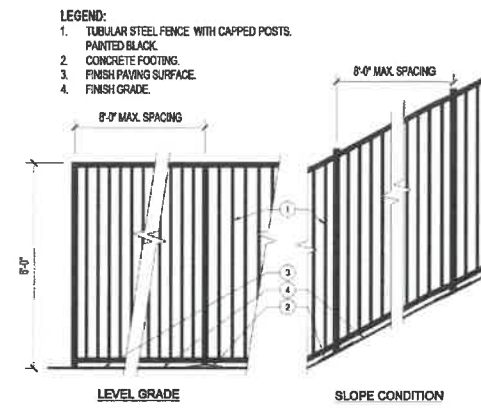
A 6'-0" HIGH VINYL FENCE
SCALE: 1/2" = 1'-0"



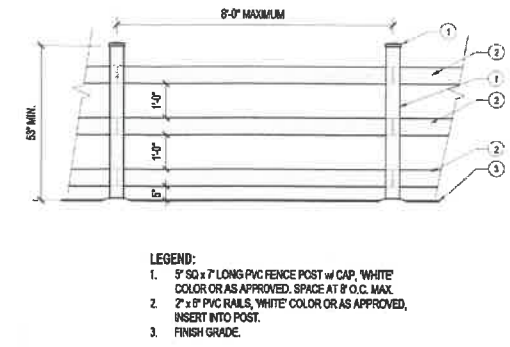
B 3'-0" WIDE VINYL GATE AND FENCE
SCALE: 1/2" = 1'-0"



C 6'-0" PRECISION BLOCK WALL
SCALE: 1/2" = 1'-0"



D TUBULAR STEEL FENCE
SCALE: 1/2" = 1'-0"



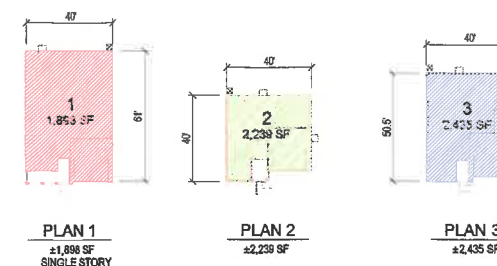
E 2-RAIL VINYL FENCE AT MONUMENTS
SCALE: 1/2" = 1'-0"



F PROPOSED MONUMENT SIGN

Exhibit 7:

Plot Plan



BUILDING DIMENSIONS
SCALE: 1" = 40'

UNIT SUMMARY	
PLAN 1: 18 EA	(32%)
PLAN 2: 18 EA	(35%)
PLAN 3: 17 EA	(33%)
TOTAL: 51	(100%)

PREPARED UNDER THE SUPERVISION OF:

SEAL-DESIGN ENGINEER

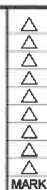


OTTE-BERKELEY GROUPE, INC.
575 E. CARREON DRIVE
COLTON, CALIFORNIA 92324-3000
TEL: (909) 370-0911 FAX: (909) 370-1211

BENCHMARK:

1 1/2" BRASS CAP IN SOUTH END OF CONCRETE
CATCH BASIN, 78' NORTH OF CENTERLINE
OF GREENSPOT ROAD AND 32.5' EAST
OF CENTERLINE OF CHURCH STREET.

Elev: 1327.363



CITY OF HIGHLAND

DRAWN BY:	DESIGNED BY:	CHECKED BY:
RECOMMENDED FOR APPROVAL BY:	APPROVED BY:	
DATE	CITY ENGINEER RCE XXXXX EXP XXXXX	DATE

W.O.

SCALE:

FILE NO.

SHEET OF

Exhibit 8:

Rough Grading Plan

(Under Separate Cover)

Attachment 1:

Planning Commission Resolution

No. 2021 - ____ for Design Review Application

(DRA 21-007)

RESOLUTION NO. 21-____

A RESOLUTION OF PLANNING COMMISSION TO APPROVE DESIGN REVIEW APPLICATION (DRA 21-007) FOR THE CONSTRUCTION OF 149 SINGLE-FAMILY HOMES, A PUBLIC PARK, A PUBLIC TRAIL, A PRIVATE COMMON AREA, A PRIVATE COMMUNITY POOL, AND A RECREATION CENTER WITHIN PHASES 1 & 2 OF THE MEDITERRA PLANNED DEVELOPMENT (APN NO. 0297-021-25, 0297-021-26, 0297-021-27 & 0297-021-28).

APPLICANT: D.R. HORTON

A. RECITALS

1. On March 31, 2021, the Applicant submitted a Design Review Application (DRA 21-007) for the construction of 149 single-family homes, a public park, a public trail, a private common area, a private community pool, and a recreation center within Phases 1 & 2 of the Mediterra Planned Development.
2. On August 3, 2021, the Planning Commission of the City of Highland conducted a public hearing on the subject Application and concluded the hearing on that date.
3. All legal prerequisites to the adoption of this Resolution have occurred.
4. This development of 149 single-family homes was anticipated the 2016 Initial Study / Mitigated Negative Declaration and 2020 Addendum prepared for the Mediterra Planned Development and certified by the City of Highland City Council on March 8, 2016 & December 8, 2020. The project shall thus comply with the Mitigation Monitoring and Reporting Program adopted concurrently with Mitigated Negative Declaration (ENV 15-006). No further action is required.

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 August 3, 2021, and 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 for DRA 21-007:

- 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 Mediterra Planned Development which specifies lot coverage limits, minimum widths, and lengths. The Design Review Application submittal proposes a housing community that satisfies the size and design guidelines outlined in the Mediterra Planned Development Document. There is also appropriate street frontage, setbacks from the right-of-way line for the adjacent roadway, parking for the proposed development.

- 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 project will provide 149 future residential dwellings. This type of development is what was originally envisioned for the community and is consistent with the uses and densities proposed by the Mediterra Planned Development. It also complies with the Planned Development land use designation, per the Highland Municipal Code, that permits any density that is compatible with surrounding existing and planned uses as determined through the development review process. Then Mediterra Planned Development Document, which was first approved in March of 2016, established development standards for lot sizes, lot coverage, and land uses for the future development of 3016 homes on this 182.2 acre site. This proposal by the applicant for the development of Phases 1 and 2, the first 149 homes, satisfies these established requirements. Additionally, this housing development is an appropriate proposal as there is an adjacent existing housing community directly to the west of the site.

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

Response: The proposed development complements both the natural surroundings and already developed adjacent communities. With Italianate, Santa Barbara, and Tuscan influenced architecture that embraces the Mediterranean appeal, this development complies with the design aspirations discussed in the Mediterra Planned Development Document. Additionally, the proposed landscaping within the development consists of a variety of trees such as Cork Oak trees by the Greenspot Road entrances,

Tuscarora Crape Myrtle and Magnolia trees along Avenida Ramblas, and California Sycamore, Cost Live Oak, Stone Pine, and African Fern Pine trees planted throughout the Mediterra Parks as described in Chapter 9 of the Planned Development Document.

- 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 has been reviewed by Planning, Engineering, Building and Safety, the Fire Department and the Police Department. With the adoption of a Mitigation Monitoring and Reporting Program, along with the implementation of certain conditions of approval necessary to safeguard and protect the public health, safety, and welfare of the general vicinity, the approval of this Design Review Application for the proposed project is warranted.

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 3rd day of August, 2021.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez
Community Development Director

Attachment A:
Conditions of Approval

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: August 3, 2021

Applicant: D.R. Horton

File/Index: Design Review Application (DRA 21-007) – Vista Verde at Mediterra

Proposal: The construction of 149 single-family homes, a public park, a public trail, a private common area, a private community pool, and a recreation center within Phases 1 & 2 of the Mediterra Planned Development.

Location: North side of Greenspot Road approximately 600 feet east of Santa Paula Street. Assessor's Parcel Numbers: 0297-021-25, 0297-021-26, 0297-021-27 & 0297-021-28

PLANNING CONDITIONS OF APPROVAL

Note: These conditions represent Planning Division conditions only and are meant to be only one part of the Project's overall conditions that include the Fire Department 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.

Design Review Application (DRA 21-007) is conditionally approved, subject to compliance with the requirements as specified below. The conditions listed below are continuing conditions; failure of the Applicant and/or operator to comply with any / all Conditions at any time shall result in initiating revocation of the subject permit.

1. These entitlements 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 conditional use permit, design review and tentative tract map application have occurred within thirty-six (36) months from the approval date, this conditional use permit 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 a one-year extension of time, up to 3 times, for a period of not to exceed an additional thirty-six (36) months from the initial approval date off the project. 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 community development department no less than 30 calendar days nor more than 90 calendar days prior to the expiration date of the permit

or approval. Such application shall be filed together with the City's processing fee, as established by the City Council.

2. The proposed entitlements permit the 149 single-family homes, a public park, public trails, a private common area, a private community pool, and recreation center within Phases 1 & 2 of the Mediterra Planned Development. Submittal includes a site plan, architectural elevations, grading plans, and landscaping plans.
3. The operator and recorded 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. Plan check shall begin prior to receipt of this signed documentation.
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. The Owner/Applicant is responsible for implementing all conditions of approval to the satisfaction of the Community Development Director, City Engineer, and Fire 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.
6. The subject property shall be developed in accordance with plans and materials approved by the Planning Commission, 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.
7. If the property will remain undeveloped for longer than 18 months after initial grading has been completed, the applicant shall submit an interim landscape plan, consisting of temporary measures for screening, hydro-seeding, and dust control. Such plan shall include the timing of installation of necessary measures, and shall be approved by the Community Development Director.

8. The applicant shall be responsible for making arrangements with the City's franchised waste collection and hauling services provider for any/all construction debris or solid waste generated as a result of this project.
9. Prior to issuance of Building Permits, the Applicant/Contractor/Occupant shall submit and obtain approval from the Public Services Division, a Construction Waste Diversion Plan, in accordance with Section 8.12.285 of the Highland Municipal Code.
10. The frontage and perimeter landscaping, paseos, perimeter walls, and recreational amenities shall be constructed in advance of the first residential Certificate of Occupancy.
11. Conceptual Landscape Plan submitted for review by the City's Landscape Architect shall include the following:
 - a. The type and location of all trees, shrubs and groundcover.
 - b. All garden and retaining walls noted on the project plans. All walls and fences shall be designed and constructed to incorporate design features such as tree planter wells, variable setback, split-block face, columns, or other such decorative features to provide visual and physical relief along the face of the wall and fence.
 - c. Landscape plans in substantial conformance with Chapter 16.40.390 of the Highland Municipal Code (HMC). A minimum of three (3) copies of the landscape plan shall be submitted to the Planning Division for plan check in conjunction with the construction plans, and landscaping shall be installed prior to final inspection. The landscape plans shall incorporate all requirements of HMC Chapter 16.40.390.
 - d. Landscape and irrigation specifications shall adhere to the adopted Engineering/Public Works Standards as may be amended from time to time.
12. Egress onto Greenspot Road must have clear line of sight. Tree canopy needs to be high enough to not obstruct any view.
13. Trash enclosures need to be screened with a trellis or solid roof.
14. The Development Impact Fees shall be paid in accordance with City policy.
15. The Project shall comply with the City's Inclusionary Housing Ordinance.

16. An electronic fob will be provided to all tenants to access private gathering areas, such as the community pool gates. Gates will otherwise remain locked at all times.
17. Entry Statements along Greenspot Road at the Portofino Street and Mediterra Parkway entrances shall be embellished as approved by the Community Development Director.
18. Interior residential lots must feature 2 trees onsite. Corner residential lots must feature 3 trees.
19. Entrance at Mediterra Parkway must feature a notable entry statement wall on each side of the roadway with Mediterranean influenced accents and detail as approved by the Community Development Director
20. The access point from Capri Way to the 1N16 trail must feature a lockable vehicular access gate.
21. Picnic tables within Mediterra Park shall be located together and covered by a lattice or solid material shade structure.



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

DATE : July 22, 2021

Page 1 of 8

APPLICANT : DR Horton

ADDRESS : Greenspot Road & Santa Ana Canyon

SITE LOCATION: Phases 1 & 2 of Mediterra Planned Developement

FILE / INDEX No.: DRA 21-007

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.

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** for construction requirements.

GENERAL.

1. **HF1:** This project is in fire safety review area 1. This is a 'very high fire hazard' area. The project shall comply with the construction and development standards for a FR-1 area. Contact the city building & safety division for construction and development standards. A minimum 30' clearance is required around any structure(s). **CFC / CBC**
2. **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**
3. **HF4:** An additional fuel modification zone of 100 feet shall be provided on all side(s) of the proposed lot(s). Fuels in this zone are to be thinned and/or removed or otherwise modified to provide a reasonable level of fire defense protection to the proposed structure(s). **CFC & HMC**
4. **HF5:** A greenbelt or fuel modification zone plan is required for this project. Fuel modification plan requirements shall be site specific to this project. The applicant shall submit a fuel modification plan to the fire prevention department for review and comments or approval. Maintenance of the fuel modification zone, located in designated open space, and enforcement of the fuel modification zone, within the property of individual property owners, shall be the responsibility of a homeowners' association or other approved maintenance authority. **CFC / CBC / HMC**
5. **HF6:** Prior to delivery of combustible building materials, the entire fuel modification zone, as approved by the fire department shall be completed. Any phased implementation of the fuel modification zone shall be done only with **prior** approval of the fire department. **CFC / CBC / HMC**
6. **HF31:** Approved fire hydrant pavement markers (blue dots) shall be installed at every hydrant.
7. **HF49:** An alternative type of construction may be considered, if it provides an equivalent level of fire resistance. Contact the fire prevention department or city building official for more information. **CFC, CBC**
8. **HF50:** High fire hazard areas FR-1 & FR-2: One-hour fire resistive construction is required for exterior(s) wall(s). **HMC / CBC**
9. **HF51:** The main electrical panel and all sub-panel(s) shall be labeled on inside cover for all circuits. **CEC**
10. **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**

11. **HF53:** A solid core, self-closing and latching door (minimum 1-3/8 inch) shall be installed between an attached garage and living space. **CBC**
12. **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.
13. Exit signs shall be internally or externally illuminated by two lamps or shall be of the self-luminous type. **CFC; CBC**
14. **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; CBC; CMC**
15. **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.
16. **HF48:** A class "A" roof covering structure with "bird stops" shall be installed.

ACCESS:

17. **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**
18. **HF8:** All access roads, public, private streets and residential driveways shall maintain a minimum vertical clearance of thirteen (13) feet-six (6) inches. **CFC**

19. **HF9:** Residential driveways shall be paved (asphalt/concrete) and shall provide a minimum width of twelve (12) feet. Driveways of this standard shall serve no more than two single family dwellings and shall not exceed 10% in grade. **HMC**
20. **HF10:** Driveways exceeding 150 feet shall have a fire department approved turn-around at the terminus. **CFC / APPENDIX D**
21. **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 forty (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 forty four (44) feet. **CFC / APPENDIX D, SBCO TRANSPORTATION STD**
22. **HF12:** Fire department access roadway(s); public/private street(s) and driveways shall not exceed 12% grade. **CBC / APPENDIX D, HMC**
23. **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**
24. **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**
25. **HF15:** "Phased" projects may be required to provide a minimum of two (2) remote points of approved access during construction. A secondary access, for fire and other emergency equipment and for routes of escape, which will safely handle evacuations. **CFC - APPENDIX D**
26. **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 or may be ordered directly from www.knoxbox.com (specify City of Highland, CA) **CFC – Appendix D Note: The city of Highland also requires an electronic "H" key system (Ord. #320) for multi-family, gated communities or secured storage facilities. HMC**

27. **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**
28. **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**
29. **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:

30. **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.
COMMERCIAL; GPM = 3000; at 20 psi residual; for 3 hour duration.
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.

31. **HF29:** Fire hydrant spacing shall be:
- | | |
|----------------------------|----------|
| Single family residential: | 600 FEET |
| Multi-family residential: | 300 FEET |
| High density residential: | 300 FEET |
| 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.

32. **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**
33. **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**
34. **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**
35. **HF32:** A temporary water storage and delivery system for use during grading and foundation work (no combustible material), meeting fire dept. Fire flow requirements shall be installed prior to framing construction or delivery of combustible materials to project site. **CFC; NFPA – 1142**
36. **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:

37. **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
38. **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**

Note: Permanent signage shall meet City standards as required by the City of Highland Planning Department.

39. **HF17:** The public and/or private roadways serving this project shall be identified with city approved names. **CFC**
40. **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, 1/2" 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, 1/2" stroke, on contrasting background shall be displayed at property access entrance. **CFC**

FIRE PROTECTION & ALARM SYSTEMS:

41. **HF34:** Residential automatic fire sprinklers shall be installed according to **NFPA 13D or CRC R313** 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.
42. The water meter supplying a 13D system shall be of sufficient size (usually 1-inch) to provide the calculated flow requirements of the residential fire sprinkler system. Minimum pipe size beyond the water meter shall be 1-inch. **CFC; CBC; HMC; NFPA**
43. **HF36:** 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**
44. **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**
45. **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**

46. **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**
47. **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**
48. **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**
49. **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. **CARBON MONOXIDE DETECTORS** shall be installed per manufacturer's instructions minimum one per floor where fuel fired appliances and/or an attached garage is present. Units also to be hard wired in series with corresponding smoke detectors **CFC; CBC**
50. **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.
51. **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.
52. **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
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