CITY OF HIGHLAND
REGULAR MEETING OF THE PLANNING COMMISSION
AGENDA

REGULAR MEETING

April 19, 2022
6:00 p.m.
City Hall
Donahue Council Chambers
27215 Base Line
Highland, California

MEMBERS

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

STAFF

Lawrence A. Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Ash Syed, Associate Planner
Angela Tafolla, Assistant Planner
Angelica Martinez, Planning Technician II
Camille Goritz, Administrative Assistant III

MISSION STATEMENT

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

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

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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 April 19, 2022 to publiccomment@cityofhighland.org.

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

PLANNING COMMISSION
REGULAR MEETING AGENDA
April 19, 2022 - 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 April 19, 2022, 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 March 15, 2022 Regular Meeting.

   RECOMMENDATION: That the Planning Commission approve the minutes, as submitted.

2. Minutes from the April 5, 2022 Regular Meeting.

   RECOMMENDATION: That the Planning Commission approve the minutes, as submitted.

PUBLIC HEARING

3. Phase two of a mixed-use project to develop 34 single family homes requiring a Conditional Use Permit (CUP 22-001), Design Review Application (DRA 22-001) and Tentative Tract Map (TTM 22-001, TTM No. 20387). (APN No: 1200-421-34)

   RECOMMENDATION: Staff recommends the Planning Commission continue the Public Hearing to May 3, 2022.

4. Request for a one-year Extension of Time (EXT 20-002) for Tentative Tract Map No. 20090 (TTM 17-001) and Tentative Parcel Map No. 19958 (TPM 17-002), entitlements related to the 137-unit Blossom Trails housing development in the East Highlands Ranch. (APN No. 1201-401-02, 1201-431-61)

   RECOMMENDATION: Staff recommends the Planning Commission:

   1. Adopt Resolution No. 22 – ____, approving Extension of Time application (EXT 22-001) for a one (1) year extension of Tentative Parcel Map No. 19958 (TPM 17-002)
   2. Adopt Resolution No. 22 – ____, approving Extension of Time application (EXT 22-001) for a one (1) year extension of Tentative Tract Map No. 20090 (TTM 17-001), subject to the amended Conditions of Approval and Findings of Fact.

5. A Public Hearing to declare the existence of a Public Nuisance in accordance with Title 8, Chapter 8.32, of the Highland Municipal Code, and authorize the abatement thereof, at the Properties generally located at 25046 3rd St., San Bernardino, CA 92410, Tax Assessor's Parcel Numbers 0279-141-67 and 0279-151-40.

   RECOMMENDATION: Staff recommends the Appeals Board conduct the required Public Hearing and adopt Appeals Board Resolution No. 2022-____, declaring the existence of a public nuisance of Properties generally located at 25046 3rd St, San Bernardino, CA 92410 (within the corporate boundaries of the City of Highland) and order the abatement therefore.

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 14th of April 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: April 14, 2022

Camille Goritz Administrative Assistant III

STAFF REPORT

TO THE PLANNING COMMISSION

DATE: April 19, 2022

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Camille Goritz, Administrative Assistant III CG

SUBJECT: Minutes from the March 15, 2022 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.

PREVIOUS ACTION: On April 5, 2022 the Planning Commission first reviewed the draft minutes. Several amendments were requested by Commissioners Miller, Amaya and Hamerly. The Planning Commissioners directed staff to provide a revised draft for review and approval.

Approved _____	Motion _____	Second _____	Agenda Item No. 1
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
Recording Secretary		Community Development Director	

MINUTES
PLANNING COMMISSION REGULAR MEETING
March 15, 2022 – 6:00 P.M.

CALL TO ORDER

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

Present:	Chair	Randall Hamerly
	Commissioner	Edward Amaya
	Commissioner	Jarrod Miller
	Commissioner	Jessica Sutorus
Absent:	Vice Chair	Chandra Thomas

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Carlos Zamano, City Engineer
Matt Bennett, Assistant Public Works Director
Matt Wirz, Building Official
Scott Rice, City Landscape Architect
Camille Goritz, Administrative Assistant III

The Pledge of Allegiance was led by Chair Hamerly.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None

CONSENT CALENDAR

1. Minutes from the March 1, 2022 Regular Meeting.

   A MOTION was made by Commissioner Sutorus, seconded by Vice Chair Thomas, to approve the minutes. Motion carried, 4-0-1, with Vice Chair Thomas being absent.

PUBLIC HEARING

2. Adoption of a Mitigated Negative Declaration for Public Works Project 'Line A Storm Drain and Bledsoe Gulch Outfall Reconstruction'; Environmental Review No. ENV 22-001. (6892 Cloverhill Drive).

   Chair Hamerly opened the public hearing.

   Assistant Community Development Director Stater presented the staff report.

   Commissioner Amaya asked how long is the project going to take?

City Engineer Zamano stated once we begin construction, I anticipate that this is going to be completed within two to three months. This is being done because we had some issues back in 2012, this was after the 2010 floods. There was some sediment that's occurring in that area, so we had to go back out and do another repair. We did another repair, but unfortunately, it didn't quite fix the problem for as long as we thought it would. The challenge here is that outlet pipe currently outlets near the top of the slope and so that's not good design in my opinion. They should have gone down at the bottom, but that's how it was designed. Also, that whole slope of that area is all undocumented un-engineered slope. There's a need to redesign this area and do it in such a way that we hopefully will permanently address this situation, but what we think we found the most sensible cost-effective method to fix that area. What we're going to do is extend the pipe we're going to underground it down to the bottom of the Gulch and regrade that area so that we can also provide access to get down there because the contractor can't build this work as it stands today.

Commissioner Miller stated I'm looking at the profile of the storm drain, running steep about 30% and we've got flow velocities, 48 feet per second. In my experience with storm drainpipe velocity, once we start approaching 25-30 feet per second cavitation it starts becoming a concern of flows going so fast that it rips up the concrete. Is there any plan for an additional thickened section or concrete rings or something within that storm drain to try to mitigate that?

City Engineer Zamano stated yes, there's a note in the plans. The velocity of the reinforced concrete pipe must be increased to a certain minimum thickness to address that issue, where the velocities exceed 20 feet per second, so there is a note to that effect.

Commissioner Miller stated another item looking at the WSGP that was done for the storm drain I realize the main goal of the rip rap is to reduce velocities down to less than erosive. From a hydraulic modeling standpoint developing conclusions based on a boundary condition in a hydraulic model is highly suspect. I recommend having somebody going down a little bit further downstream to verify that those results are representative. Also, it looks like on the outlet of the basin there's also a distilling basin, like a retention area. Is that correct?

City Engineer Zamano stated that I do not know. I haven't been down there into that area and I'm looking at the plan sheet right now, but I'm not quite seeing that.

Commissioner Miller stated I was thinking of a distilling basin could be effective. When the water releases from that distilling basin I see some potential for erosion. The asphalt berm that runs down the north side of the access road slopes so the flows concentrate along that asphalt berm then it goes in outlets on the north side of the headwall and then will discharge over the slope.

City Engineer Zamano stated I see what you are saying.

Commissioner Miller stated the upstream condition and there not a lot of ponding at that upstream and only about 6 inches. If you are trying to maximize the amount of flow that gets into that pipe, I suggest taking that existing 6-inch curb and turn it into an 8 or 12 inch to allow a little bit more ponding on the upstream inlet. It is coming down with a high velocity so it would not take much to jump right over the 6-inch curb.

City Engineer stated good comments.

Chair Hamerly stated the access road that's going over the top of this pipe, what is the average slope of that? it drops off quickly there.

City Engineer Zamano stated it does, we were trying to maintain a certain slope to make sure it's drivable.

Chair Hamerly stated that is my concern.

City Engineer Zamano stated it is for that reason we cut back; we are shifting that inlet on top of the slope. We have shifted that over to the north because of the difference in elevation between the top and the bottom.

Chair Hamerly stated I was looking through the soils report and was trying to figure out where the test results were taken because on areas, they were going down 26 feet and then they were getting refusal. In other areas they said that they weren't going down more than about 8 feet, I was wondering how we're getting the settlement if they're basically the auger is tapping out at only 8 feet of depth.

City Engineer Zamano stated we do not know exactly what is down there. We did need to get an analysis as what is down there to be better prepared. We also consulted with contractors regarding the proposal that we are putting together to see what works.

Chair Hamerly asked are we going to relocate the orange trees before excavation begins?

City Engineer Zamano stated yes, we will relocate the orange trees.

Chair Hamerly closed the public hearing.

A MOTION was made by Commissioner Amaya, seconded by Commissioner Sutorus, to: Adopt Resolution 2022-006, adopting the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for ENV 22-001. Motion carried, 4-0-1, with Vice Chair Thomas being absent.

PC RESOLUTION NO. 2022 – 006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR A PROJECT TITLED 'LINE A STORM DRAIN AND BLEDSOE GULCH OUTFALL RECONSTRUCTION' LOCATED BEHIND THE EAST HIGHLANDS RANCH COMMUNITY CENTER AT 6892 CLOVERHILL DRIVE, HIGHLAND (ENVIRONMENTAL REVIEW NO. ENV-22-001)

3. Design Review Application No. DRA 22-002; Review of the Site Plan, Building Elevations, Rough Grading Plan, and Conceptual Landscape Plan for 'Highland Park' Planned Development, a 46-unit single family home development within Tentative Tract No. 19915 (APN: 288-562-03)

Chair Hamerly opened the public hearing.

Assistant Community Development Director Stater presented the staff report.

Ray Dorame, Applicant stated we have been working on this since 2015. I would like to thank staff for all their work they have done. I'd like to go over just a couple of items on the architecture which is Plan 1 the Plan 1X has a straight slope and we decided to come up with a new plan. What we did is we add a little bit more to the porch, we shifted the upstairs, and we added a downstairs living area.

Commissioner Miller asked if there was going to be an HOA for this project?

Ray Dorame, Applicant stated that is correct.

Chair Hamerly stated regarding the park it originally had the underground water infiltration system and staff reports said that was deemed unpractical. What are the technical aspects of that?

Ray Dorame, Applicant stated we spent a year studying to see what the best possible design would be for that park, and also for the chambers. Before it was a combination of chambers down below and then you'd have the grass on top and we envisioned that as a play area.

Assistant Public Works Director Bennett stated the gate must be open and closed at the proper times, putting that responsibility on HOA or others is problematic in it to a degree as far as when it's going to be closed. The area is viewable, it is an amenity as far as it's going to be landscaped, but as we were seeing it, it was not to be a park active area. Some of the reasons that it went from an underground infiltration system is it's an engineered fill up against a slope, not necessarily a soils Engineer's favorite condition. The infiltration was surprisingly low and did not have adequate capacity, so they looked at resizing, upsizing, dropping a lot, and moving this around. It was recognized that the infiltration could drop down on the hierarchy of BMP's because the infiltration was inadequate and if they were to use infiltration on a hillside at a location like this, it was going to take up greater than 10% of the site.

Commissioner Miller asked is the whole site draining to 27-inch storm drain and Base Line?

Assistant Public Works Director Bennett stated I do not remember the size, however the concentration on that outfall was considerable due to the downstream impacts and if it is a 27 inch, the entire site is draining to that location. There may be some lost at the entry drive, but otherwise through the park, metered at the park and then discharged through that system.

Commissioner Miller asked was there a concern from the city over the capacity of the existing 27-inch pipes to receive flows from this development?

Assistant Public Works Director Bennett stated not capacity, but as far as volume and discharge due to the downstream concerns of this of the system, so it's been reviewed and evaluated.

Chair Hamerly stated regarding the tract map, the corner lots one and two especially lot number one we really need to explore a four sided architecture, because it's not only

visible from Base Line, but it's also visible as you're heading westbound on Base Line. You see the back of that house. Any treatments that might be, whether it's a cottage style or a farm style, the detailing that shows typically on the front either stone or board and batten siding, I would wrap that all the way down the south facade. Also, any porch treatments that wrap around the facade on that one as well, just so it reads more as a four-sided architecture.

Commissioner Amaya stated I applaud Master Craft Homes for a lot of the detail and planning that went into this.

Commissioner Miller stated regarding the grading plan, adjacent to lot 17, it looks like there's a 25 foot roughly significant slope that's not dtraining in lot 17 direction. Does the city have a standard for providing benches on slopes at a certain interval or great breaks or anything like that?

Assistant Public Works Director Bennett stated it looks like the descending slope there could be up above 25 feet. If I've got it right at 30 feet, you're going to have a break in a terrace, so we might be just under that.

Chair Hamerly stated on page 45 we have the wall and fence plan and per the comment of the Applicant, there is a lot of terracing within the tract, but they're the only tube steel fence that would be considered view fencing is around the park area. Is there an opportunity on any of these lots, that might be view lots, whether the tube steel fencing was explored on some of those lots to create additional views or are all the views just kind of down the street and through the natural corridors?

Ray Dorame, Applicant stated most of the views are downstream. Nothing really to the west or the east. I know we try to add as much wrought iron as possible just to keep the open look. I think we add it to the back of lots number 31-40.

Chair Hamerly asked so those are no longer masonry walls?

Ray Dorame, Applicant stated it shouldn't be.

Chair Hamerly stated that's nicely landscaped through there on those big slopes, and that would really open the back yards.

Assistant Community Development Director Stater stated those homes are number 16, 17, 31 through 40 that we will change to wrought iron.

Chair Hamerly stated basically your whole west slope area that goes down to the V ditch and the wall. I was reading as existing as on the condo side and the ditch is at the bottom of that to handle the existing drainage.

Community Development Director Mainez stated I believe this project is a high fire overlay zone (aka requiring a block wall boundary).

Chair Hamerly stated the permitter, if you look at the property line, the extent of the project, there is an existing masonry wall plus a concrete V ditch that's substantial, so technically there is a perimeter of masonry around the project.

Community Development Director Mainez stated I think this is going to be fine, there is enough buffer there, but I want to make sure the Fire Marshal is comfortable with the code.

Chair Hamerly stated regarding the elevations, I would like to reiterate the concerns at the featured lots make sure we've got some of the details that are on the front, whether it's shutters, gables, wrought iron architectural detailing be placed on the sides. Regarding the Spanish style, the rear elevation on that is stark, there's one gable that's offsetting, but the rest of it is flat and the second story is going to be visible on a good portion of the perimeter of the project. Make sure we have some architectural detail up there that's commensurate with the front. There are quite a few attractive details in your planned development document, so use some of those details. On the cottage style, the color board looks nice. One of the things that you typically see on cottage style is a little bit of whimsy on columns and architectural elements. The columns on the elevations is just basically square straight up and down. Introduce some flares at the stone veneer or introduce some sort of a tricked-out archway across the top. There's usually some sort of whimsical element to the cottage style. Maybe add some shutters on the exposed sides on the 2nd floor just to pull the front side details back and wrap it around three to four sides. Same thing would go for the rear elevation there is a gable up there, so the architectural treatments going on the front facade dress up the rear gable on the rear facade step, where that's exposed. Typically, with the farmhouse style you've got the board and batten. It's common to see a combination of the horizontal siding with the board and batten. Whether it's around the garage or a gabled accent introducing the horizontal siding to kind of take that farm style a little bit further on your elevations. On the rear elevation on corner lots that gable element in the rear might be an opportunity to run the board and batten up that element to kind of play off what's going on in the front facade.

Chair Hamerly stated regarding the landscape elevations, the areas that are shown in green, those are HOA maintained?

Ray Dorame, Applicant stated no, the only areas that are maintained by the HOA is lot A, B, and C. Everything else is either on a lot maintained by the homeowner.

Commissioner Miller stated it looks like we are promoting a lot of trees on those slopes. I was wondering if we could hear from our Landscape Architect as to the compatibility of the tree species that are identified here and how they will work with the slope that's being proposed.

City Landscape Architect Scott Rice stated I'm looking at three species, at this stage they've proposed a variety of species to kind of pick and choose. Regarding the trees on the slope especially if it's in a cut slope, it's dependent on the planting pit. If the pit is not dug two or three times the root ball, and the ground beneath doesn't allow for some of the water to seep that's what usually makes the tree die. It's not so much the species, it's the preparation of the soil pit.

Chair Hamerly stated on Base Line the detail that is running down is calling for a V ditch alongside the sidewalk on the east side. There's a very shallow or narrow landscape buffer between the wall on Lot 1 and the walkway. I want to clarify and see if the V ditch was going alongside the walkway, or if that's all going to be landscape? The walkway slopes up and there's hardly any slope at that end of the project, unlike the park where there's a significant slope.

Assistant Public Works Director Bennett stated the section that we're seeing is for the eastern side, so you're maybe looking at a different detail labeled for the section on Base Line.

Chair Hamerly stated I was referencing the landscape sections, the street sections, not the grading civil drawing segments.

Assistant Public Works Director Bennett stated the detail on the grading plan is section II and I think that concrete V ditch will taper out at some point in its use along that portion of Base Line and where the sections cut it just had that V ditch as part of it.

Chair Hamerly stated it didn't seem like there was a need for it along the frontage of lot 1 because that's relatively level referenced the sidewalk.

Chair Hamerly closed the public hearing and clarified for the record there are modifications to Planning Conditions #9 and #14.

A MOTION was made by Commissioner Amaya, seconded by Commissioner Sutorus, to adopt Resolution No. 2022-007, approving DRA 22-002 subject to the Conditions of Approval and Findings of Fact. Motion carried, 4-0-1, with Vice Chair Thomas absent.

PC RESOLUTION NO. 2022 – 007

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING DESIGN REVIEW APPLICATION DRA-22-002 INCLUDING THE SITE PLAN, BUILDING ELEVATIONS, ROUGH GRADING PLAN, AND CONCEPTUAL LANDSCAPE PLAN FOR 'HIGHLAND PARK' PLANNED DEVELOPMENT, A 46-UNIT SINGLE-FAMILY HOME DEVELOPMENT WITHIN TRACT NO. 19915 LOCATED AT 29300 BASE LINE, HIGHLAND. ASSESSOR'S PARCEL NO. 288-562-03

ANNOUNCEMENTS

The next Planning Commission meeting is scheduled April 5, 2022.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 7:57 p.m.

Submitted by:

Camille Goritz, Administrative Assistant III
Community Development Department

Approved by:

Randall Hamerly, Chair
Planning Commission

STAFF REPORT

TO THE PLANNING COMMISSION

DATE: April 19, 2022

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Camille Goritz, Administrative Assistant III

SUBJECT: Minutes from the April 5, 2022 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. 2
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

Recording Secretary

Community Development Director

MINUTES
PLANNING COMMISSION REGULAR MEETING
April 5, 2022 – 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	Jarrod Miller
Absent:	Commissioner	Jessica Sutorus

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

The Pledge of Allegiance was led by Chair Hamerly.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None

CONSENT CALENDAR

1. Minutes from the March 15, 2022 Regular Meeting.

   A MOTION was made by Commissioner Miller, seconded by Vice Chair Thomas, to bring the revised minutes to the April 19, 2022, meeting. Motion carried, 4-0-1, with Commissioner Sutorus being absent.

PUBLIC HEARING

2. Design Review Application No. DRA 22-003; Review of the Site Plan, Building Elevations, Rough Grading Plan, and Conceptual Landscape Plan for a Contractor's Business Office and Shop. (APN No: 1192-621-10)

   Assistant Community Development Director Stater presented the staff report.

   Commissioner Amaya asked is there an ordinance regarding the number of square feet a house can be to a warehouse?

Assistant Community Development Director Stater stated the Highland Municipal Code (HMC) really says to be sensitive to existing residential uses, and there's different provisions for residentially zoned property being next to an industrial site, which is not the case here, but is requires the city to be sensitive to any receptors such as noise, traffic, and lighting. It is not a noisy operation; they are not doing a lot of work on site.

Vice Chair Thomas asked will there be a something before us for signage?

Assistant Community Development Director Stater stated it depends on the way that HMC was amended not too long ago, a lot of signage staff can manage.

Commissioner Miller asked from the city's perspective, is this a redevelopment project or is this a new development?

Assistant Community Development Director Stater stated the site is currently vacant. It is not in use.

Commissioner Miller asked are there existing structures or anything or impervious surfaces on the site?

Assistant Community Development Director Stater stated there are no structures currently on the site.

Public Works Director Bennett stated whether it's 5,000 square feet or greater for water quality purposes as a redevelopment or priority project, it was determined not to be a priority project based on the development. There are some low impact development ideas that are being employed. There are some areas where they've got it applied near the building may or may not be as effective, but the parking areas are going to give it a try there.

Commissioner Miller stated ok, great. If it's a redevelopment project, it's a 5,000 square foot threshold. If it's new development, it's 10,000 square feet, and if you're defining this as new development, you're staying within your threshold, which is good. You are excluding some of this public right of way and pervious surfaces though in that calculation. There was mention of washing will be in a designated area and have an interceptor to the sewer, but I didn't see that interceptor or that line called out anywhere is that being planned?

Public Works Director Bennett stated I'm not seeing on the preliminary grading, I'm not sure where that detail is.

Assistant Community Development Director Stater stated I believe that is an if, if you're going to have washing on the site then you shall provide the interceptor, but I don't think it's been determined that they're going to have any washing on site.

Chair Hamerly stated one of the Conditions of Approval, there's a mention of non-paved, non-built areas would be landscaped. Is the class two base in the rear being considered paving since it's not technically hardscape. Condition 17d states 100% of all landscaped areas, or exposed soil shall be covered with either shrubs or ground cover as approved by the City Landscape Architect.

Assistant Community Development Director Stater stated that's really referring to is in the in the planters themselves, and that's a standard catchall condition that you see in all the projects.

Chair Hamerly stated ok, I was going in a different direction. Is there anything that was going to be done, like put in a mesh under that, or something that would control weeds?

Applicant, Mike Roquet stated we put a sterilant down. Just like we would under paving and then we just put class two base down and that's the surface that we're going to use for parking equipment and storing.

Chair Hamerly stated regarding condition 23, the last sentence vines should be planted at a manner as to provide full coverage. There's a time frame added that because it takes the plants time to grow to get full coverage. The other issue is the vines shall be planted and maintained because it's almost always that those vines have trouble on a couple locations based on exposure or damage.

Assistant Community Development Director Stater stated do you want to say within six months?

Chair Hamerly stated I'm deferring to staff wisdom on that.

City Landscape Architect Scott Rice stated I would say that two years is a fair window for full coverage of vines. Six months would be impressive.

Chair Hamerly stated commercial properties that have storage yards, there's a catchall condition about it needs to be screened, or there's a restriction on what can be stored. They're not saying that they're going to have material in their yard, but typically in commercial applications where there is a storage component there's screening or a limitation on what can be stored there.

Assistant Community Development Director Stater stated ok, I will work on a new condition.

Chair Hamerly opened the public hearing. Regarding the site plan, the trapezoidal shape in the rear, is there going to be restriction on whether this site is going to be allowed to drain into City Creek?

Assistant Community Development Director Stater stated there a berm shown on the plan that runs diagonally across. There's no intention to drain it to City Creek.

Mike Roquet stated the drainage goes to the street away from the flood control. I agree to the Conditions of Approval.

Chair Hamerly stated regarding A2 elevations it looks like based on the colored elevations that we do have two panels worth of vertical siding. There is a note that does say steel stud façade with stucco. The rear north elevation on the back of the parapet wall it's calling out as a stucco, if they went with the ribbed metal on that, the flashing details might be a little simpler.

Vice Chair Thomas stated regarding the color board, the choice of the split face block, pictures and renderings of the color that was chosen. It's hard to see the color renderings, but it just seems like some variation in the color would be helpful. It looks like the same color scheme when I'm looking at it. I prefer the other color pallets that were there. The manor split face is so grey compared to all the other great functions, and I don't know if that was like intentional with the design. It's just the large stucco area that's all grey, it's a little too grey for me.

Representative, Brad Robertson stated regarding the columns we were planning on stucco with a cap, I believe we would go with a precast. As far as signage it isn't going to be that big because the public isn't going to be coming to this site. We thought that grey manor was variegated enough to the point where it would have a tri color look to the building.

Chair Hamerly asked is that the block that has the small black flecks in it?

Brad Robertson stated the manor has some small black specks, it's almost a granite.

Vice Chair Thomas stated I prefer color differentiation just because a little pop of something other than the same grey.

Brad Robertson asked so you would like to see number 8 match the roof cap.

Chair Hamerly stated that is what Vice Chair Thomas was suggesting. I was fine with the cap matching the color of the vertical siding, because then when it goes over the stucco it is going to be a contrasting color at that point because the stucco is much lighter than the siding.

Community Development Director Mainez stated it seems that Vice Chair Thomas was concerned about the lack of variety so I don't know if they could choose various bricks to break that up.

Vice Chair Thomas stated shown on the rendering, it looks the same color. I just don't like all grey because we have the same color on the siding and grey stucco.

Brad Robertson stated it is different textures.

Chair Hamerly stated the split face is a nice character and I think it has a nice industrial look to it.

Vice Chair Thomas stated for the exhibits that have the color with the landscaping, will these actual species be there? At least you have kind of some of the vibrant color of the plants since it is so grey.

City Landscape Architect Scott Rice stated I do not think there is a direct correlation. I think it's just stock landscape that was shown in there.

Brad Robertson stated the trees that are shown on the landscape plan, they'll be placed in these same locations, so they'll be green. I don't know the species in the rendering but, there will be the color palette of the landscape that goes up against the grey building.

City Landscape Architect Scott Rice explained to the Planning Commissioners what species of plants will be on site.

Vice Chair Thomas stated I realize that the block was limited on the color variation, and we're not going to have the contrast in color, but I would just like to state I would think with all the greys, some color in the landscaping is helpful.

Chair Hamerly closed the public hearing.

Assistant Community Development Director Stater stated I would recommend that Condition 24 moved to 26 and then we insert the new 23, 24, and 25. Condition 23 now states clinging vines shall be planted and maintained along the chain link fencing on the westerly and northerly project boundary to screen the site. The vines shall be planted in a manner to provide full coverage within two years.

City Landscape Scott Rice stated since it is a chain link fence, we should call the vines out as twining vines, clinging vines are the kind that grasp onto walls.

Assistant Community Development Director Stater stated ok, I will change that to twining vines instead of clinging vines. Regarding the revised Condition 24 now states all storage areas shall be fully screened, equipment to be stored shall be limited to that being utilized by the subject paving and grading operations.

Assistant Community Development Director Stater stated regarding Condition 25 states the trash enclosure shall be finished with either vertical metal siding or tri colored ORCO block as shown on the approved color and materials exhibit. The old Condition 24 being the new Condition 26.

A MOTION was made by Commissioner Amaya, seconded by Vice Chair Thomas to approve DRA 22-003 subject to the Conditions of Approval as revised and Findings of Fact and direct Staff to file a Notice of Exemption with the San Bernardino County Clerk of the Board. Motion carried 4-0-1, with Commissioner Sutorus being absent.

RESOLUTION NO. 2022 – 008

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING DESIGN REVIEW APPLICATION NO. DRA 22-003, TO CONSTRUCT A 4,920 SQUARE-FOOT CONTRACTOR'S OFFICE, SHOP/GARAGE, AND STORAGE YARD ON A .98-ACRE SITE WITHIN THE INDUSTRIAL (I) ZONING DISTRICT LOCATED AT ON THE NORTH SIDE OF MEINES STREET, 1200' WEST OF PALM AVENUE. ASSESSOR'S PARCEL NUMBER: 1192-621-10.

ANNOUNCEMENTS

The next Planning Commission meeting is scheduled April 19, 2022.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 7:07 p.m.

Submitted by:

Camille Goritz, Administrative Assistant III
Community Development Department

Approved by:

Randall Hamerly, Chair
Planning Commission

STAFF REPORT

TO THE PLANNING COMMISSION

DATE: April 19, 2022

FROM: Lawrence A. Mainez, Community Development Director

PREPARED BY: Kim Stater, Assistant Community Development Director

SUBJECT: Phase two of a mixed-use project to develop 34 single family homes requiring a Conditional Use Permit (CUP 22-001), Design Review Application (DRA 22-001) and Tentative Tract Map (TTM 22-001, TTM No. 20387).

LOCATION: A single parcel, 2.9 acres in area, located approximately 425' north of Base Line spanning Church Avenue to Buckeye Street, north of the Smart & Final grocery store; Assessor's Parcel Number 1200-421-34.

REPRESENTATIVE: Mark Zimmerman, KZ Companies, LLC

RECOMMENDATION: Staff recommends the Planning Commission continue the Public Hearing to May 3, 2022.

REVIEW: The Applicant experienced delays in acquiring final presentation materials for the Public Hearing and is asking the Commission to continue the Hearing to a date specific, May 3, 2022.

Approved _____	Motion _____	Second _____	Agenda Item No. 3
Denied _____	Ayes _____		
	Noes _____		File No. _____
Continue _____	Abstain _____		
	Absent _____		
Recording Secretary		Community Development Director	

STAFF REPORT

TO THE PLANNING COMMISSION

DATE: April 19, 2022

FROM: Lawrence A. Mainez, Community Development Director

REVIEWED BY: Kim Stater, Assistant Community Development Director

PREPARED BY: Ash Syed, Associate Planner

SUBJECT: Request for a one-year Extension of Time (EXT 20-002) for Tentative Tract Map No. 20090 (TTM 17-001) and Tentative Parcel Map No. 19958 (TPM 17-002), entitlements related to the 137-unit Blossom Trails housing development in the East Highlands Ranch.

LOCATION: Southwest corner of Church Street and Greenspot Road
Assessor's Parcel Numbers: 1201-401-02, 1201-431-61

PROPERTY OWNERS: S-P Deerfield, LLC

REPRESENTATIVE: Camille Bahri, Sunland Communities, LLC

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution No. 22 – ____, approving Extension of Time application (EXT 22-001) for a one (1) year extension of Tentative Parcel Map No. 19958 (TPM 17-002)

2. Adopt Resolution No. 22 – ____, approving Extension of Time application (EXT 22-001) for a one (1) year extension of Tentative Tract Map No. 20090 (TTM 17-001), subject to the amended Conditions of Approval and Findings of Fact.

Approved _____	Motion _____	Second _____	Agenda Item No. 4
Denied _____	Ayes _____ Noes _____ Abstain _____ Absent _____		File No. _____
Recording Secretary			Community Development Director

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

ENVIRONMENTAL REVIEW: A Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for an amendment to the East Highlands Ranch Planned Development for the Blossom Trails community were adopted by the City Council on February 28, 2006 via Resolution No. 2006-007.

An Addendum to the adopted 2006 Mitigated Negative Declaration addressed changes to the original project and was approved by the Highland City Council in 2018 (Resolution No. 2018-006). The Addendum discussed shifts in the residential market over the twelve (12) years and introduced a revised proposal for the Blossom Trails development to be reduced from 306 multi-family residential units to 137 single-family homes. It also compared the impacts identified in the 2006 Mitigated Negative Declaration with the projected impacts associated with the requested Planned Development amendment. The findings determined that no further detrimental effects would be triggered and that the anticipated impacts from the 2006 Mitigated Negative Declaration would continue to be addressed by the implemented mitigation measures or by present day regulations. The application for a One (1) year Extension of Time does not constitute additional environmental action.

PUBLIC NOTICE: As required by City Council Resolution, notice of the public hearing was posted at the City's three designated posting locations. On April 8, 2022, a legal advertisement was published in the Highland Community News. In addition, the notice was posted on the City's website, and mailed to property owners within 300 feet of the project site as well as those who previously requested notice.

PUBLIC COMMENT: Staff has not received any public comments in response to the project notice at the time of preparing this staff report.

DESCRIPTION OF THE SITE: The project site is currently vacant and contains only a few trees, primarily on the eastern portion, with onsite vegetation predominantly consisting of non-native grasses. To the east of the site is a boxed and open flood control channel and along the west side is a storm drain outlet approximately 300 feet south of Greenspot Road.

The Blossom Trails Planned Development is located along the south side of Greenspot Road and on the west side of Church Street (Attachment 1 – Project Location Aerial Map). To the north of the site across Greenspot Road are residential homes already constructed as part of the East Highlands Ranch. To the east of the site is the existing East Highland Village housing community. To the northeast of the site, across the Greenspot Road and Church Street intersection is a Stater Brothers shopping center. To the southwest of the property, is a vacant area that was last used as a gun shooting range. Also, along the southern boundary of the site is a 90-foot wide easement containing a major water line managed by the Metropolitan Water District (MWD). The project site has remained vacant since the City was incorporated in 1987.

Land Use and Zoning Table

Location	Current Use	Zoning
Site	Vacant Parcel	Planned Development (PD)
North	Single-Family Residential	Planned Development (PD)
South	Vacant Parcel	Open Space (OS)
East	Single-Family Residential	East Highland Village (EHV)
West	Vacant Parcel	Planned Development (PD)

PREVIOUS ACTION: On March 13, 2018, the City Council amended the Blossom Trails development upon recommendation by the Planning Commission. The Council adopted the following three (3) resolutions:

- Resolution No. 2018-006, adopting the Addendum to the Mitigated Negative Declaration and amending the Mitigation Monitoring and Reporting Program relating to Planning Areas 40 and 42 of the East Highlands Ranch.

- Resolution No. 2018-007, adopting Tentative Tract Map No. 20090 (TTM 17-001), a subdivision of 137 residential lots within Planning Areas 40 and 42 of the East Highlands Ranch.

- Resolution No. 2018-008, adopting Tentative Parcel Map No. 19958 (TPM 17-002), the configuration of 4 phased lots within Planning Area 40 and 42 of the East Highlands Ranch.

On March 27, 2018, the City Council held a second reading and adopted the following two (2) Ordinances:

- Ordinance No. 423, approving a Specific Plan Amendment (SPR 17-001), to amend the Development Agreement between the applicant and the City of Highland for the East Highlands Ranch.

- Ordinance No. 424, approving a Specific Plan Amendment (SPR 17-001), to amend the Development Impact Fee schedule between the applicant and the City of Highland.

On April 20, 2021, the Planning Commission adopted the following two (2) resolutions:

- Resolution No. 2021-004, approving an Extension of Time application for a one (1) year extension of Tentative Parcel Map No. 19958 (TPM 17-002).

- Resolution No. 2021-005, approving an Extension of Time application for a one (1) year extension of Tentative Tract Map No. 20090 (TTM 17-001).

BACKGROUND: On September 26, 2005, Spring Pacific Properties, LLC submitted development applications to amend the "1999 East Highlands Ranch (EHR) Planned

Unit Development, Development Standards Report". The specific area applicable to the Blossom Trails application pertains to Planning Areas 40 & 42 within the EHR. The applications proposed; 1) Amendments to the EHR Planned Unit Development Standards Report, which modified the Land Use Designation on Planning Areas 40 & 42 from Commercial Business Center to Medium Density Residential; 2) Amendments to the EHR Development Agreement; 3) Amendments to the EHR Development Impact Fees Agreement Revision to extend the deadline; and 4) Amendments to the EHR Planning Conditions of Approval. On February 28, 2006, the City Council approved these proposed amendments.

These amendments modified the Design Standards and provided a new Land Use Designation for Planning Areas 40 & 42, the Blossom Trails Community. The adopted Blossom Trails Community – Detached and Attached Neighborhood Design Standards provided design requirements along with a variety of project amenities throughout the development.

However, these amendments to the EHR development for 306 potential multi-family dwelling units were approved in early 2006, at a time when the housing market was in decline. On October 30, 2017, S-P Deerfield explained in a letter to the City of Highland that there were new interests for housing types and that the approved concept would no longer be marketable to the general public. As previously noted, the Applicant then proposed: 1) Amendments to the Blossom Trails Community Detached and Attached Neighborhood Design Standards to establish a new land use category of the EHR development standards; 2) Amendments to the EHR Development Impact Fees Schedule to extend the deadline an additional five years; 3) Approval of Tentative Parcel Map No. 19958 (TPM 17-002) replacing the four lots approved lots in Tentative Parcel Map No. 17630 for four new phased lots within Planning Areas 40 & 42; and 4) Approval of Tentative Tract Map No. 20090 (TTM 17-001), reducing the 306 multi-family units to 137 single-family homes. On March 27, 2018, the City Council approved these proposed amendments.

In December of 2020, the Applicant explained in an Extension of Time Request Letter submitted as part of the Extension of Time (EXT 20-002) application that while trapping for the San Bernardino Kangaroo Rat (SBKR), in compliance with the Mitigation Monitoring and Reporting Program, four (4) SBKRs were caught on the property. The Applicant started the process of securing an Incidental Take Permit (ITP) with the United States Fish and Wildlife Service but justified to City Staff that securing this ITP would not be possible prior to the expiration of Tentative Tract Map No. 20090 (TTM 17-001) and Tentative Parcel Map No. 19958 (TPM 17-002)

In concurrence with the Extension of Time (EXT 20-002) application, the Applicant proposed several amendments to the Tentative Tract Map Conditions of Approval for Planning and Engineering, as some logistics had changed for this project due to shifts in plans relating to adjacent developments.

ANALYSIS: The respective maps were originally approved on March 27, 2018, for a three (3) year span, set to expire on March 27, 2021. The Highland Municipal Code allows for the recordation deadline for both maps to be extended a total of three (3) years, but in one (1) year increments. The approval of the first Extension of Time (EXT 20-002) application pushed the expiration date of both maps to March 27, 2022.

In January of 2022, the Applicant explained in a subsequent Extension of Time Request Letter submitted as part of a second Extension of Time (EXT 22-001) application that they are still in the process of securing the Incidental Take Permit (ITP) with the United States Fish and Wildlife Service and securing this ITP will likely not be possible prior to the expiration of Tentative Tract Map No. 20090 (TTM 17-001) and Tentative Parcel Map No. 19958 (TPM 17-002) on March 27, 2022 (Attachment 2 – Extension of Time Request Letter).

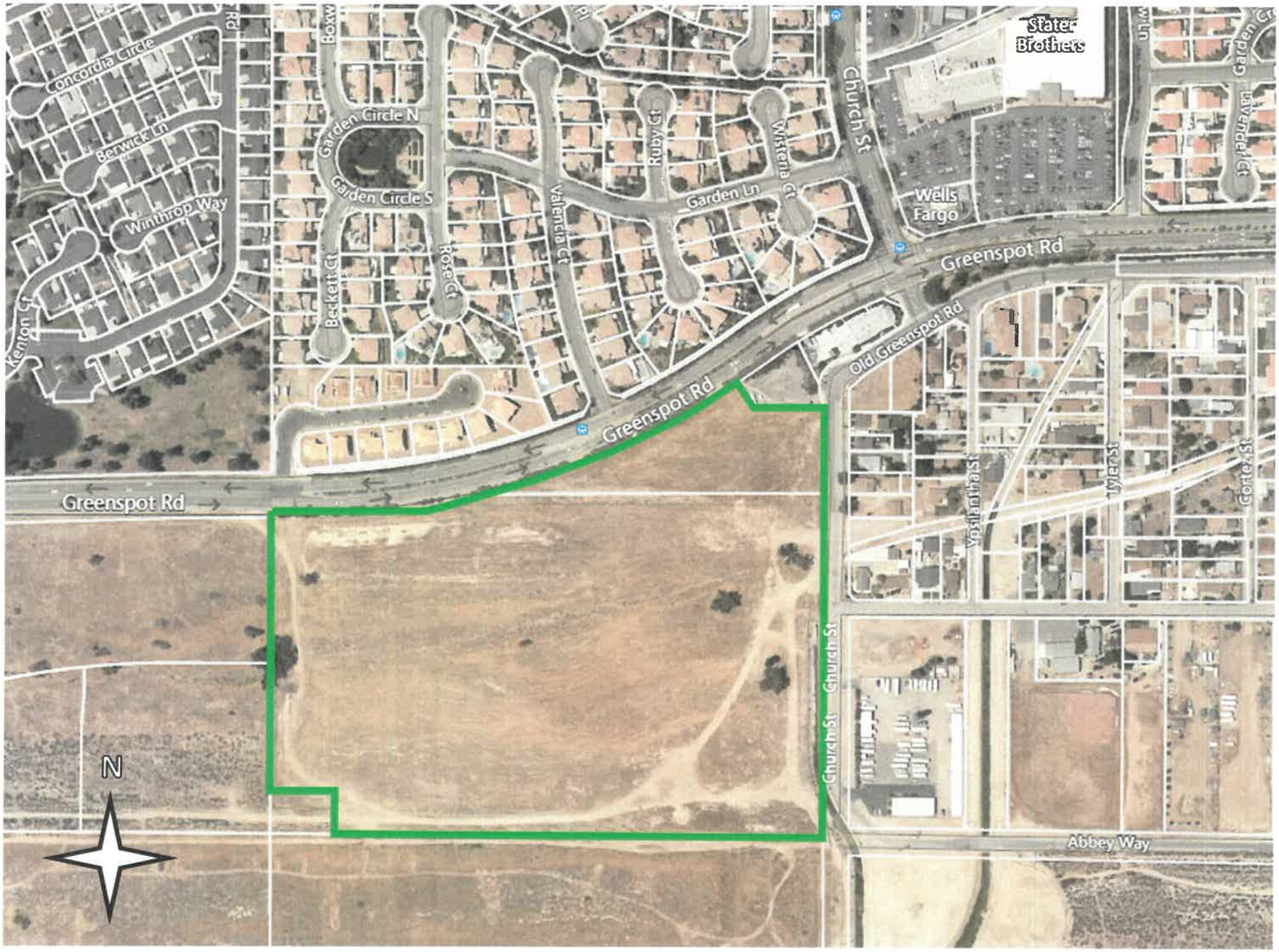
The approval of this Extension of Time (EXT 22-001) application would push the expiration date of both maps to March 27, 2023, at which the Applicant would be eligible for a third and final extension should the maps still not be recorded.

Attachments:

1. Project Location Aerial Map
2. Extension of Time Request Letter
3. City Council Resolution No. 2018-007 for approval of Tentative Tract Map No. 20090 (TTM 17-001)
4. City Council Resolution No. 2018-008 for approval of Tentative Parcel Map No. 19958 (TPM 17-002)
5. Planning Commission Resolution No. 2021-004 for approval of Extension of Time (EXT 20-002) for Tentative Parcel Map No. 19958 (TPM 17-002)
6. Planning Commission Resolution No. 2021-005 for approval of Extension of Time (EXT 20-002) for Tentative Tract Map No. 20090 (TTM 17-001)
7. Planning Commission Resolution No. 2022-____ for approval of Extension of Time (EXT 20-002) for Tentative Parcel Map No. 19958 (TPM 17-002)
   Exhibit A: Tentative Parcel Map No. 19958 (TPM 17-002)
8. Planning Commission Resolution No. 2022-____ for approval of Extension of Time (EXT 20-002) for Tentative Tract Map No. 20090 (TTM 17-001)
   Exhibit A: Tentative Tract Map No. 20090 (TTM 17-001)

Attachment 1:

Project Location Aerial Map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Berwick Ln
Winthrop Way
Kenton Ct
Boxw
Garden Circle N
Garden Circle S
Beckett Ct
Rose Ct
Valencia Ct
Ruby Ct
Garden Ln
Wisteria Ct
Church St
Stater Brothers
Wells Fargo
Lavender Ct
Greenspot Rd
Old Greenspot Rd
Yosilantha St
Tyler St
Cortez St
Abbey Way
N

Attachment 2:

Extension of Time Request Letter

SUNLAND
COMMUNITIES, LLC
10575 Oakdale Drive, Rancho Cucamonga, CA 91730 Phone: (951) 538-4140

January 24, 2022

Ms. Kim Stater, Assistant Director of Community Development
City of Highland
27215 Base Line
Highland CA, 92346

Re: Extension of Tentative Tract Map 20090 and Tentative Parcel Map 19958 approval.

Dear Kim,

The Blossom Trails project received its final approvals from the City Council on March 13, 2018. Since then, we have been working diligently to advance the project to implementation, yet the discovery of 4 individual San Bernardino Kangaroo Rat (SBKR) has caused us lengthy delays.

We are still processing an Incidental Take Permit with the United States Fish and Wildlife Service, but the ITP will not be secured prior to the current expiration of March 13, 2022.

We kindly request that the City of Highland grants the maximum allowable extension of the project approvals in order to give additional time to complete the ITP process.

Thank you very much for your assistance. Please let me know if you have any questions.

Sunland Communities, LLC

Camille G. Bahri
President

Attachment 4:

City Council Resolution No. 2018-008 for approval of Tentative Parcel Map No. 19958 (TPM 17-002)

RESOLUTION NO. 2018-008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING TENTATIVE PARCEL MAP 19958 (TPM 17-002) IN CONJUNCTION WITH PROPOSED AMENDMENTS IN SPECIFIC PLAN REVISION (SPR 17-001) TO THE EAST HIGHLANDS RANCH PLANNED UNIT DEVELOPMENT'S PLANNING AREAS NO. 40 AND 42, SUBJECT TO THE FINDINGS OF FACTS AND CONDITIONS OF APPROVAL, LOCATED ON THE SOUTHSIDE OF GREENSPOT ROAD WEST OF CHURCH STREET (APNS: 1201-401-02, 1201-431-61).

APPLICANT: S-P DEERFIELD, LLC

A. RECITALS

1. The Applicant S-P Deerfield, LLC filed applications with the City of Highland, on May 4, 2017, proposing amendments (Specific Plan Revision SPR 17-001) to the East Highlands Ranch Planned Unit Development Amendment (EHR PUD), related to Planning Areas 40 and 42 (PA 40/42) only, by adopting the "East Highlands Ranch 2018 Amendment to the Development Standards Report" revising the "2006 Development Standards Report" for PUD 05-003 establishing a new land use designation [(Single Family Detached – 3,600 SF (SFD-V)] with changes involving the reduction in dwelling unit count from 306 to 137 single-family units, and a request for a five (5) year extension of the Development Impact Fee Agreement; approval of Tentative Tract Map 20090 (TTM 17-001) creating a 137 residential lot subdivision over 25.5 acres; Parcel Map 19958 (TPM 17-002) configuring four (4) lots for financing and phasing of the project; and a request to adopt an Addendum to the Mitigated Negative Declaration for PUD 05-003 (ENV 017-006).

2. Pursuant to the California Environmental Quality Act, an Addendum was prepared to determine whether the project would have a significant effect on the environment base on the revised dwelling unit count, as had been analyzed with the Initial Study and Mitigated Negative Declaration approved for PUD 05-003. The Addendum analyzed the potential for new environmental impacts on transportation and traffic, hazards and hazardous materials, hydrology and water quality, geology and soils, noise, air quality, aesthetics, agriculture and forest resources, biological, cultural, and mineral resources, greenhouse gas emissions, land use and planning, population and housing, public services, recreation, and utilities and service systems. It was determined that the project changes would not create any new impacts not previously addressed. As such, in accordance with the Guidelines for the California Environmental Quality Act (CEQA), California Code of Regulations, Title 14, Chapter 3, there was no need to circulate the Addendum.

3. The Project site, Planning Areas 40 and 42 (PAs 40/42), in question is presently vacant and undeveloped.

4. The Land Use Element of the General Plan designates the subject Property as Planned Development and the Zoning Designation for the Property is Planned Development referring to the adopted East Highlands Ranch Planned Unit Development, PA 40/42

5 On February 6, 2018, the Planning Commission of the City of Highland conducted a public hearing on the subject applications at the Highland City Hall Council Chambers in Highland, California, at 6:00 p.m., and concluded the hearing on that date.

6. On March 13, 2018, the City Council of the City of Highland, conducted a Public Hearing on the Application and concluded the hearing on that date.

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

B. RESOLUTION

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

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

Section 2. Based upon substantial evidence presented to the City Council during the March 13, 2018, Public Hearing, including public testimony and written and oral Staff Reports, the City Council finds as follows:

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

Section 3 Tentative Parcel Map 19958 Findings of Fact (TPM 17-002 / TPM 19958), covering PAs 40/42, pursuant to California Government Code Section 66474 the City Council hereby finds and determines that:

a. The proposed map is consistent with applicable General and planned developments as specified in Section 65451

Response: The subdivision of 25 5 acres of land by TPM 19958 into four (4) parcels is intend to be a financing map defining the future phases of development for Tentative Tract Map 20090 which has propose 137 single-family residential lots This parcel map does not propose any development unto its self but aids developing the types of uses envisioned by the existing General Plan Planned Development of the East Highlands Ranch Planned Unit Development

b. The design or improvement of the proposed subdivision is consistent with applicable General and planned developments.

Response: The proposed configuration of the parcel map coincides with proposed phasing of development for Tentative Tract Map 20090 and is consistent with the General Plan. The configuration of lots accounts for the required improvements of Greenspot Road along the subdivision boundary and complies with the Circulation Element of the General Plan. Lawful Conditions of Approval have been applied to the project to ensure compliance with applicable General Plan and Development Code provisions. Implementation of the Development Standards within the EHR PUD will further ensure consistency with the General Plan and EHR PUD. There are no Specific Plans affecting the Site.

c. The site is physically suitable for the type of development.

Response: The site is fairly flat without any unusual features and is located within an urbanized area with existing services and infrastructure available to the Site. The proposed Parcel Map PM19958 (TPM 17-002) subdivides twenty-five (25.5) acres into four (4) separate parcels for financing that defines the phases of development based on the configured lots and roadway within Tentative Tract Map 20090.

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

Response: Parcel Map 19958, covering PAs 40/42, is not intended for development but it is intended to facilitate development in concert with Tentative Tract Map 20090 which will permit residential development with recreational amenities at a density of approximately 6 dwelling units per acre. The map is consistent with the proposed EHR PUD Amendments for the property, and permitted by the Planned Development Designation in the General Plan and Zoning Code. The site is physically suitable for the proposed density of development.

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

Response: The project site is adjacent to existing single-family residential development on two sides. The proposed Parcel Map 19958 does not propose or define development but rather defines phased development areas. It has been conditioned to comply with the City of Highland Municipal Code and EHR PUD Conditions of Approval and related Mitigation Measures. Subject to compliance with the Conditions of Approval, the design of the Subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

f. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

Response: The proposed Parcel Map 19958 is financing and to act as a development phasing map for TTM 20090 without the option for development, thus it will not cause public health problems.

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

Response: The design of the subdivision will not conflict with easements for access through, or use of, property within the proposed subdivision. No public access is currently taken over this project site. The proposed Parcel Map 19958) is financing and to act as a phasing map for TTM 20090 without the option for development.

Section 4 Based on the Findings and Conclusions set forth above, the City Council hereby approves Tentative Tract Map 19958 (TPM 17-002) configuring four (4) lots for financing and phasing of the project, subject to the Conditions of Approval attached hereto and incorporated by reference as Attachments "A".

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 13th day of March, 2018.

Larry McCallon
Mayor

ATTEST:

Betty Hughes, MMC
City Clerk

APPROVED AS TO FORM:

Craig Steele
City Attorney

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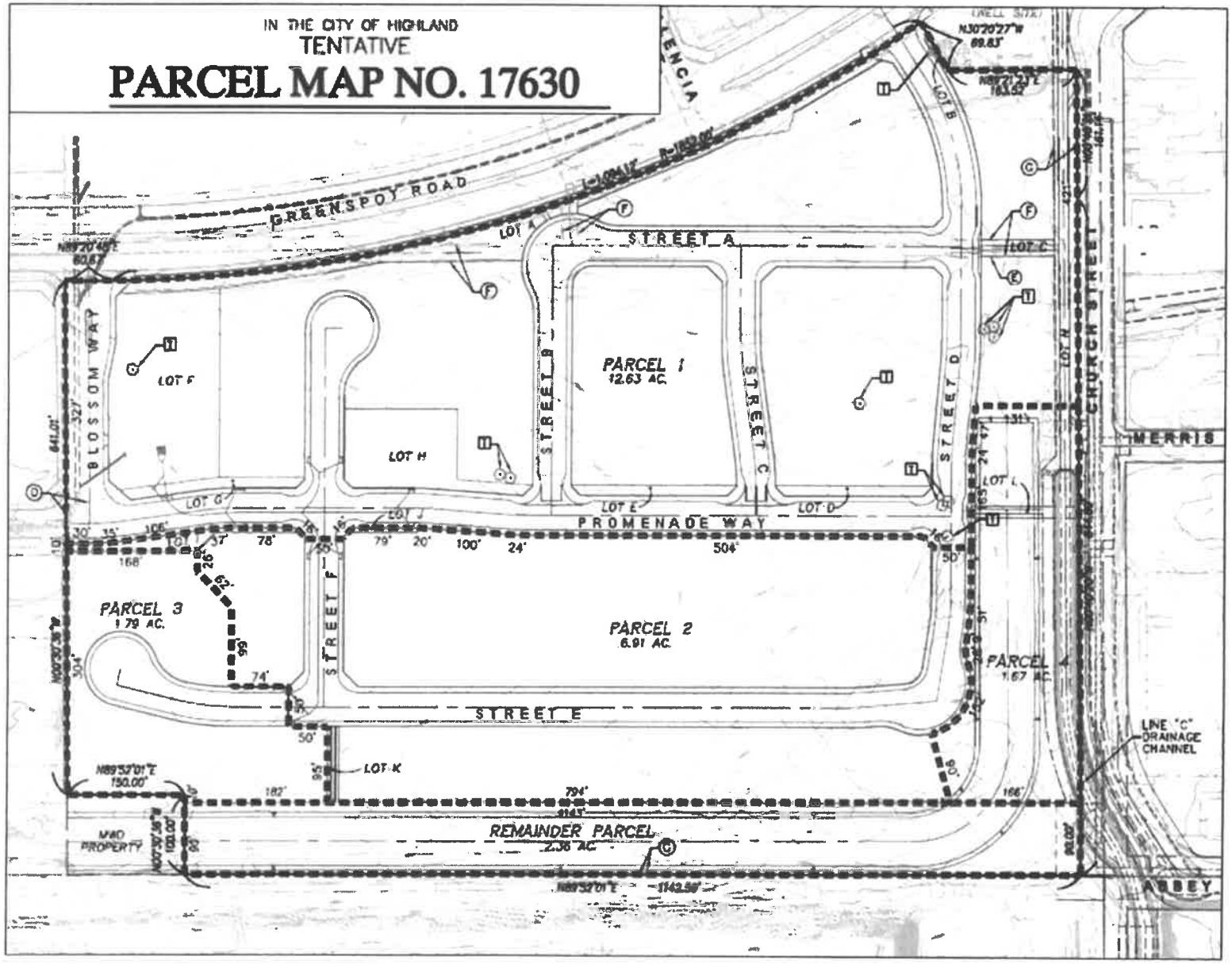


Exhibit 1 – Tentative Parcel Map 19958

STATE OF CALIFORNIA)

COUNTY OF SAN BERNARDINO)

CITY OF HIGHLAND)

I, BETTY HUGHES, MMC, City Clerk of the City of Highland, California, do hereby certify Resolution No. 2018-008 was duly and regularly adopted by the City Council of the City of Highland, California, at a regular meeting thereof held on the 13th day of March, 2018, by the following vote:

AYES: Chavez, Lilburn, McCallon, Solano, Timmer

NOES: None

ABSTAIN. None

ABSENT: None

Dated this 14th day of March, 2018.

Betty Hughes

BETTY HUGHES, MMC
CITY CLERK

Attachment 5:

Planning Commission Resolution No. 2021-004 for approval of Extension of Time (EXT 20-002) for Tentative Parcel Map No. 19958 (TPM 17-002)

RESOLUTION NO. 2021 - 004

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND RECOMMENDING THE APPROVAL OF EXTENSION OF TIME APPLICATION (EXT 20-002) FOR A ONE (1) YEAR EXTENSION OF TENTATIVE PARCEL MAP NO. 19958 (TPM 17-002) RELATED TO THE PROPOSED 137-UNIT BLOSSOM TRAILS HOUSING DEVELOPMENT IN THE EAST HIGHLANDS RANCH.

APPLICANT: CAMILLE BAHRI, SUNLAND COMMUNITIES, LLC

A. RECITALS

1. On September 26, 2005, the Applicant submitted Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005) for review.

2. On February 7, 2006, the Planning Commission recommended approval of the Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005) to the City Council.

3. On February 28, 2006, the City Council adopted Resolutions No. 2006-007, 2006-008, 2006-009, and 2006-010, approving the Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005).

4. On October 30, 2017, the Applicant submitted Tentative Tract Map No. 20090 (TTM 17-001) to replace Tentative Tract Map No. 16448 (SUB 05-003), Tentative Parcel Map No. 19958 (TPM 17-002) to replace Tentative Parcel Map No. 17630 (MS 05-005), an Addendum to the Mitigated Negative Declaration and an amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006) to the East Highlands Ranch Planned Unit Development (PUD 05-003) for review.

5. On February 20, 2018, the Planning Commission recommended approval of the Tentative Tract Map No. 20090 (TTM 17-001), Tentative Parcel Map No. 19958 (TPM 17-002), an Addendum to the Mitigated Negative Declaration and an amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006) to the City Council.

6. On March 13, 2018, the City Council adopted Resolutions No. 2018-006, 2018-007, 2018-008, approving Tentative Tract Map No. 20090 (TTM 17-001), Tentative Parcel Map No. 19958 (TPM 17-002), the Addendum to the Mitigated Negative Declaration and the amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006).

7. On December 30, 2020, the Applicant submitted an Extension of Time Application (EXT-20-002) requesting a one (1) year extension for Tentative Tract Map No. 20090 (TTM 17-001) and Tentative Parcel Map No. 19958 (TPM 17-002).

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

B. RESOLUTION

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

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

Section 2. Based upon substantial evidence presented to the Planning Commission during the April 20, 2021, Public Hearing, including public testimony and written and oral Staff Reports, the Planning Commission finds as follows:

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

Section 3. Findings of Fact

a. The Planning Commission finds that the Findings of Fact made in Resolution No. 2021-____ on April 20, 2021 for Parcel Map No. 19958 (TPM 17-002) are true and correct and uphold all previous findings as stated in the adopted Resolution No. 2018-008.

Section 4. Based on the Findings of Fact and Conclusions set forth above, the Planning Commission recommends approval of Extension of Time Application No. 21-____, subject to the amended conditions of approval, granting a one (1) year Extension of Time for Tentative Parcel Map No. 19958 (TPM 17-002).

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 20TH day of April, 2021.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez,
Community Development Director

Attachment 3:

City Council Resolution No. 2018-007 for approval of Tentative Tract Map No. 20090 (TTM 17-001)

RESOLUTION NO. 2018-007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING TENTATIVE TRACT MAP 20090 (TTM 17-001), A SUBDIVISION OF 137 RESIDENTIAL LOTS ON 25.5 ACRES WITHIN THE EAST HIGHLANDS RANCH PUD PLANNING AREA NOS. 40 & 42, SUBJECT TO THE FINDINGS OF FACTS AND CONDITIONS OF APPROVAL, LOCATED ON THE SOUTHSIDE OF GREENSPOT ROAD WEST OF CHURCH STREET (APNS: 1201-401-02, 1201-431-61).

APPLICANT: S-P DEERFIELD, LLC

A. RECITALS

1. The Applicant S-P Deerfield, LLC filed applications with the City of Highland, on May 4, 2017, proposing amendments (Specific Plan Revision SPR 17-001) to the East Highlands Ranch Planned Unit Development Amendment (EHR PUD), related to Planning Areas 40 and 42 (PA 40/42) only, by adopting the "East Highlands Ranch 2018 Amendment to the Development Standards Report" revising the "2006 Development Standards Report" for PUD 05-003 establishing a new land use designation [(Single Family Detached – 3,600 SF (SFD-V)] with changes involving the reduction in dwelling unit count from 306 to 137 single-family units, and a request for a five (5) year extension of the Development Impact Fee Agreement, approval of Tentative Tract Map 20090 (TTM 17-001) creating a 137 residential lot subdivision over 25.5 acres, Parcel Map 19958 (TPM 17-002) configuring four (4) lots for financing and phasing of the project; and a request to adopt an Addendum to the Mitigated Negative Declaration for PUD 05-003 (ENV 017-006).

2. Pursuant to the California Environmental Quality Act, an Addendum was prepared to determine whether the project would have a significant effect on the environment base on the revised dwelling unit count, as had been analyzed with the Initial Study and Mitigated Negative Declaration approved for PUD 05-003. The Addendum analyzed the potential for new environmental impacts on transportation and traffic, hazards and hazardous materials, hydrology and water quality, geology and soils, noise, air quality, aesthetics, agriculture and forest resources, biological, cultural, and mineral resources, greenhouse gas emissions, land use and planning, population and housing, public services, recreation, and utilities and service systems. It was determined that the project changes would not create any new impacts not previously addressed As such, in accordance with the Guidelines for the California Environmental Quality Act (CEQA), California Code of Regulations, Title 14, Chapter 3, there was no need to circulate the Addendum

3. The Project site, Planning Areas 40 and 42 (PAs 40/42), in question is presently vacant and undeveloped

4. The Land Use Element of the General Plan designates the subject Property as Planned Development and the Zoning Designation for the Property is Planned Development referring to the adopted East Highlands Ranch Planned Unit Development, PA 40/42

5. On February 6, 2018, the Planning Commission of the City of Highland conducted a public hearing on the subject applications at the Highland City Hall Council Chambers in Highland, California, at 6:00 p m , and concluded the hearing on that date.

6. On March 13, 2018, the City Council of the City of Highland, conducted a Public Hearing on the Application and concluded the hearing on that date.

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

B. RESOLUTION

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

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

Section 2. Based upon substantial evidence presented to the City Council during the March 13, 2018, Public Hearing, including public testimony and written and oral Staff Reports, the City Council finds as follows:

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

Section 3 Tentative Tract Map Findings of Fact (TTM 17-001 / TTM 20090), covering PAs 40/42, pursuant to California Government Code Section 66474 the City Council hereby finds and determines that:

a The proposed map is consistent with applicable General and planned developments as specified in Section 65451.

Response: The subdivision of 25 5 acres of land, comprising PA's 40/42 to create 137 single-family residential lots is desirable for the development of the community and consistent the surrounding development and with the types of uses envisioned by the existing General Plan Planned Development with a density equivalent to Medium Density Residential (6 1 - 12 dwelling units per acre) land use designation and also complies with the Planned Development Designation which allows any density that is

compatible with surrounding existing and planned uses as determined through the development review process. In addition, the map is consistent with the proposed planned development of the East Highlands Ranch Planned Unit Development.

b. The design or improvement of the proposed subdivision is consistent with applicable General and Specific Plans

Response: The proposed project establishes a new Land Use Standard *Single Family Detached – 3,600 SF* (SFD-V) for PA 40/42 comprised of 25.5 acres of land, which will be subdivided to create 137 numbered lots, multiple lettered lots, a water quality basins, and multi-purpose trails, that, along with the proposed street improvements complies with the development standards specified within the PUD and is complimentary with the adjacent single-family neighborhoods to the north and east and ultimately to the west. In addition, the project site will provide on-site amenities in the form of a community recreational area, fitness stations, and HOA maintained landscape area.

c. The site is physically suitable for the type of development.

Response: The site is fairly flat without any unusual features and it is located within an urbanized area with existing services and infrastructure available to the Site. It is adjacent to existing single-family residential development to the north and east In order to accommodate the development, the site will be cleared of a few trees and non-native plant The site is comprised of 25.5 acres that can accommodate subdividing into 137 residential numbered lots, multiple lettered lots, and a community recreational area while ensuring the minimum building setbacks, parking, landscaping and other development guidelines are met as specified in the East Highlands Ranch Land Use standards for SFD-V

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

Response: Tentative Tract Map 20090 will permit residential development with recreational amenities at a density of approximately 6 dwelling units per acre. Again, the Map is consistent with the proposed EHR PUD Amendments for the property, and permitted by the site's Planned Development Designation in the General Plan and Zoning Code The site is physically suitable for the proposed density of development

The proposed planned development includes single-family residential and open space in the form of a community pool an recreation area, community landscape areas, multi-purpose trails, and fitness stations with an overall density of approximately 6 dwelling units per acre. As specified, the mapped lots met the East Highlands Ranch Land Use standards for SFD-V which allows a minimum 3,600 s.f. lot size for single-family detached dwelling units. The City's land use designation of Planned

Development allows any density that is compatible with surrounding existing and planned uses as determined through the development review process Given that the proposed project density is approximately 6 units per acre, which falls within the allowed density within the current land use and the type of development is compatible with the surrounding uses, the site is considered suitable for the density proposed.

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

   Response: The project site is adjacent to existing single-family residential development on two sides and adjacent to property along its southern boundary with potentially sensitive habit Numerous biological assessments have been conducted over the project site with varying results over the past 15 years Base on the results of the latest study in 2017, the applicant is working with the USWFS and other agencies to reconcile potential impacts to their satisfaction. The Addendum carried over or amended mitigation measures to reduce any potential impacts to a less than significant level and, therefore, the proposed project is not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat.

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

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

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

   Response: The design of the subdivision will not conflict with easements for access through, or use of, property within the proposed subdivision All point of access to this property can be taken from the adjacent streets. The proposed design of the subdivision is conditioned so as not to conflict with any easements of record.

Section 4 Based on the Findings and Conclusions set forth above, the City Council hereby approves Tentative Tract Map 20090 (TTM 17-001) creating a 137 residential lot subdivision, over 25.5 acres, subject to the Conditions of Approval attached hereto and incorporated by reference as Attachments "A".

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 13th day of March, 2018.

Larry McCallon
Mayor

ATTEST:

Betty Hughes, MMC
City Clerk

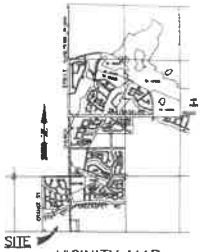
APPROVED AS TO FORM:

Craig Steele
City Attorney

c \users\bhughes\documents\my documents\resords\2018\res 18-07 docx

IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

TENTATIVE MAP - TRACT NO. 20090



VICINITY MAP

NOT TO SCALE

COMPANIES AND AGENCIES SERVICING THIS PROJECT ARE AS FOLLOWS:

WATER/SEWER:
EAST VALLEY WATER DISTRICT
3654 HIGHLAND AVE. SUITE 18
HIGHLAND, CA. 92346
PH: (909) 888-8986

POWER:
SOUTHERN CALIFORNIA EDISON CO.
287 TENNESSEE STREET
REDLANDS, CA. 92373
PH: (909) 307-6787

GAS:
SOUTHERN CALIFORNIA GAS CO.
155 SOUTH "G" STREET
SAN BERNARDINO, CA. 92401
PH: (909) 335-7928

TELEPHONE:
AT&T
2828 E. CORONADO ST., 2ND FLOOR
ANAHEIM, CA. 92807
PH: (714) 666-5415

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

SCHOOL DISTRICT:
REDLANDS UNIFIED SCHOOL DISTRICT
20 WEST LUGONIA AVENUE
REDLANDS, CA. 92373
PH: (909) 793-2301

PHASES:

PHASE I — LOTS 1-59 & LETTERED LOTS A-H
PHASE II — LOTS 60-63, 76-126 & LETTERED LOT I-L
PHASE III — LOTS 64-75
PHASE IV — LOTS 127-137

TREE REMOVAL NOTE:

[T] EXISTING TREES TO BE REMOVED.

EASEMENT NOTES:

(A) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF AN EASEMENT FOR PUBLIC UTILITIES WITHIN 8 FEET OF ALL FRONT LINES; ALSO WITHIN 3 FEET OF ALL SIDE LOT LINES, RECORDED MARCH 9, 1993, INSTRUMENT NO. 93-108788, OFFICIAL RECORDS.

(B) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF AN EASEMENT FOR PUBLIC UTILITIES WITHIN THE FRONT 8 FEET OF ALL LOTS ADJOINING ALL STREETS, RECORDED MARCH 3, 1994, INSTRUMENT NO. 93-108165, OFFICIAL RECORDS.

(C) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF A 4' WIDE EASEMENT FOR ABOVE GROUND OR UNDERGROUND CONDUITS OR BOTH AND INCIDENTAL PURPOSES, RECORDED AUGUST 6, 1987, INSTRUMENT NO. 87-272978, OFFICIAL RECORDS.

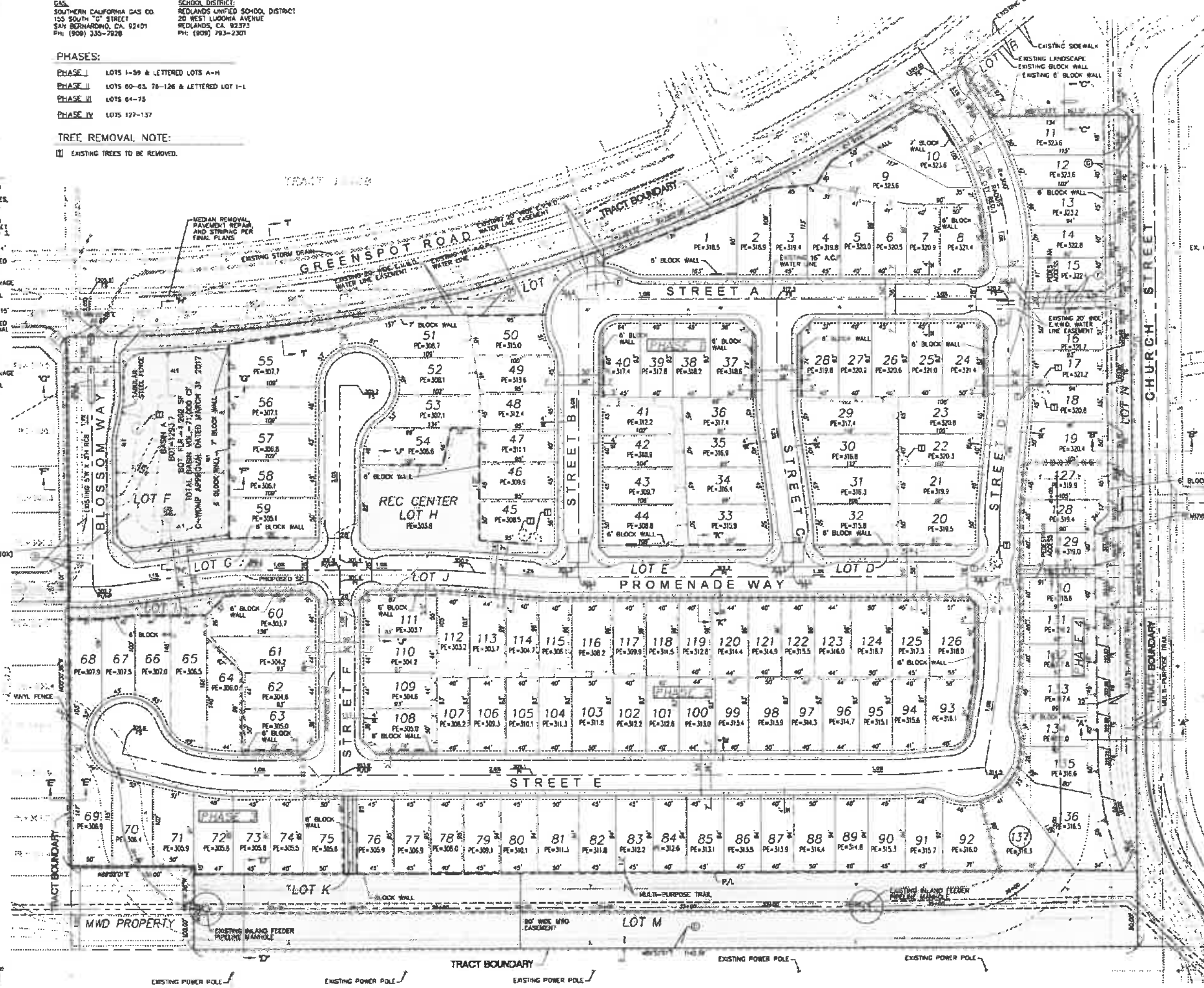
(D) CITY OF HIGHLAND, OWNERS OF AN EASEMENT FOR DRAINAGE PURPOSES, INCLUDING STORM DRAIN CONSTRUCTION AND MAINTENANCE, RECORDED MAY 27, 1993, INSTRUMENT NO. 93-227546, OFFICIAL RECORDS.

(E) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF A 15' WIDE EASEMENT FOR ABOVE GROUND OR UNDERGROUND CONDUITS OR BOTH AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 12, 1997, INSTRUMENT NO. 97-050207, OFFICIAL RECORDS.

(F) EAST VALLEY WATER DISTRICT, OWNER OF A 20' WIDE EASEMENT FOR PIPE LINE APPURTENANCES, RECORDED MARCH 18, 1997, INSTRUMENT NO. 97-091777, OFFICIAL RECORDS.

(G) CITY OF HIGHLAND, OWNERS OF AN EASEMENT FOR DRAINAGE PURPOSES, INCLUDING STORM DRAIN CONSTRUCTION AND MAINTENANCE, RECORDED MAY 27, 1993, INSTRUMENT NO. 93-227547, OFFICIAL RECORDS.

LOT AREA TABLE



IN THE CITY OF HIGHLAND
TENTATIVE

TRACT MAP NO. 20090

A PORTION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

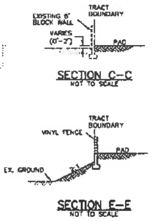
AGUILAR CONSULTING INC. — OCTOBER, 2017

OWNER\APPLICANT
S-P DEERFIELD, LLC
31866 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92675
(949) 496-1316

ENGINEER/MAP PREPARER:
AGUILAR CONSULTING INC.
2155 CHICAGO AVENUE, SUITE 301
RIVERSIDE, CA. 92507
PH: (951) 300-1431

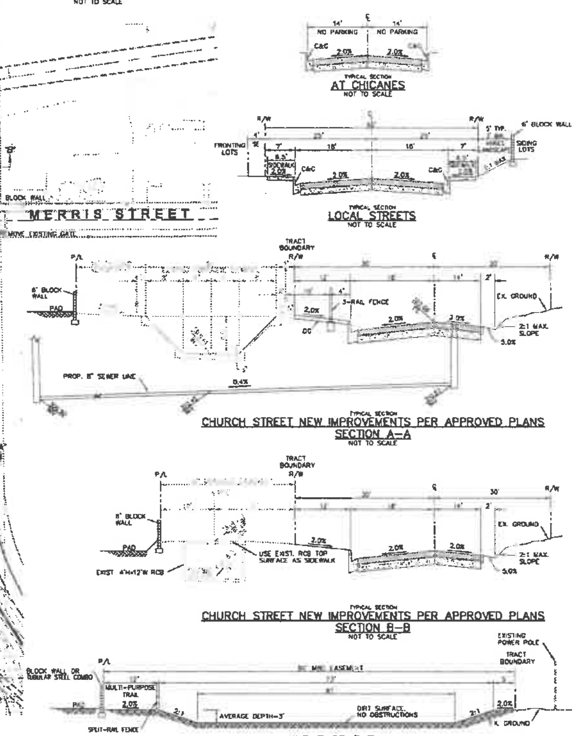
NOTES:

1. ASSESSOR'S PARCEL NUMBER: 1201-401-02 & 1201-431-61
2. EXISTING ZONING IS MEDIUM DENSITY RESIDENTIAL.
3. EXISTING AND PROPOSED LAND USE DESIGNATION IS P.U.D.
4. GENERAL PLAN DESIGNATION IS P.D. (PLANNED DEVELOPMENT).
5. THERE ARE 137 LOTS & 14 LETTERED LOTS WITHIN THIS DEVELOPMENT THAT CONTAINS APPROXIMATELY 25.36 GROSS ACRES FOR AN OVERALL RESIDENTIAL LOT DENSITY OF 5.40 LOTS PER GROSS ACRE. AVERAGE LOT SIZE: 4,578 S.F., SMALLEST: 3,600 S.F.
6. THERE ARE APPROXIMATELY 5,102 LINEAL FEET OF PUBLIC STREET PROPOSED WITHIN THIS DEVELOPMENT. (ALL STREETS WITHIN THIS DEVELOPMENT ARE PUBLIC).
7. THERE ARE 11 TREES TO BE REMOVED AND MITIGATED AS PART OF THIS DEVELOPMENT.
8. THERE ARE NO STRUCTURES TO BE REMOVED AS PART OF THIS DEVELOPMENT.
9. LETTERED LOT "H" IS A COMMUNITY RECREATION FACILITY, LOT "F" IS A WATER QUALITY BASIN FACILITY LOT, LOT "M" IS FOR MWD AREA. ALL LETTERED LOTS WILL BE CONVEYED TO A HOMEOWNERS ASSOCIATION.
10. AREA OUTSIDE CURRENT FLOOD PLAIN CAN BE ISSUED BUILDING PERMITS AND OCCUPANCY WITHOUT ANY FLOOD PROTECTION IMPROVEMENTS.
11. AREA WITHIN CURRENT FLOOD PLAIN CAN BE ISSUED A GRADING PERMIT WITH THE APPROVED CLOMR AND BUILDING PERMITS WITH A LOMR.
12. THERE ARE 4 PHASES ON TENTATIVE MAP 20090.



SECTION C-C
NOT TO SCALE

SECTION E-E
NOT TO SCALE



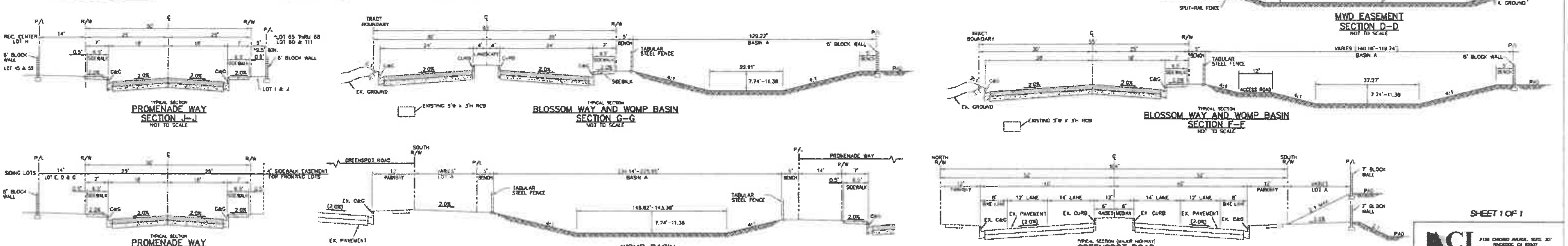
TYPICAL SECTION
AT CHICANES
NOT TO SCALE

TYPICAL SECTION
LOCAL STREETS
NOT TO SCALE

TYPICAL SECTION
CHURCH STREET NEW IMPROVEMENTS PER APPROVED PLANS
SECTION A-A
NOT TO SCALE

TYPICAL SECTION
CHURCH STREET NEW IMPROVEMENTS PER APPROVED PLANS
SECTION B-B
NOT TO SCALE

MWD EASEMENT
SECTION D-D
NOT TO SCALE



TYPICAL SECTION
PROMENADE WAY
SECTION J-J
NOT TO SCALE

TYPICAL SECTION
BLOSSOM WAY AND WOMP BASIN
SECTION G-G
NOT TO SCALE

TYPICAL SECTION
BLOSSOM WAY AND WOMP BASIN
SECTION F-F
NOT TO SCALE

TYPICAL SECTION
PROMENADE WAY
SECTION K-K
NOT TO SCALE

WOMP BASIN
SECTION H-H
NOT TO SCALE

TYPICAL SECTION (MAJOR HIGHWAY)
GREENSPOT ROAD
SECTION I-I
NOT TO SCALE

SHEET 1 OF 1

ACI — 2155 CHICAGO AVENUE, SUITE 301, RIVERSIDE, CA 92507

ATTACHMENT 1

CONDITIONS OF APPROVAL

EXHIBIT 1

BLOSSOM TRAILS PLANNED DEVELOPMENT PROJECT

CONDITIONS OF APPROVAL

Date: March 20, 2018

Applicant: S-P Deerfield, LLC

File/Index: *Blossom Trails* - Planned Unit Development Amendment (SPR 17-001), Tentative Tract Map 20090 (TTM 17-001) and Tentative Parcel Map 19958 (TPM 17-002), and Addendum to a Mitigated Negative Declaration (ENV 017-006).

Proposal: Amend those portions of East Highlands Ranch PUD 05-003 involving Planning Areas 40 and 42 with changes involving the reduction in the dwelling unit count from 306 to 137 single-family units; the establishment of a new land use category and development standards; rescinding of the "Blossom Trails" design guidelines; subdividing 25.5 acres into a four-lot parcel map for financing and phasing and a 137 residential lot subdivision with amenity areas; and a request to extent the EHR Development Agreement and Development Impact Fee Agreement Term and additional five years.

Location: Southside of Greenspot Road west of Church St. (APNs: 1201-401-02, 1201-431-61) within the East Highland Ranch Planned Development

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

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

ATTACHMENT A

CITY OF HIGHLAND

PLANNING DIVISION CONDITIONS OF APPROVAL

Date: February 6, 2018

Applicant: S-P Deerfield, LLC

File/Index: *Blossom Trails* - Planned Unit Development Amendment (SPR 17-001), Tentative Tract Map 20090 (TTM 17-001) and Tentative Parcel Map 19958 (TPM 17-002), and Addendum to a Mitigated Negative Declaration (ENV 017-006).

Proposal: Amend those portions of East Highlands Ranch PUD 05-003 involving Planning Areas 40 and 42 with changes involving the reduction in dwelling unit count from 306 to 137 single-family units; the establishment of a new land use category and development standards; rescinding of the "Blossom Trails" design guidelines; subdividing 25.5 acres into a four-lot parcel map for phasing and a 137 residential lot subdivision with amenity areas; and a request to extent the EHR Development Impact Fee Agreement Term and additional five years.

Location: Southside of Greenspot Road west of Church St. (APNs: 1201-401-02, 1201-431-61) within the East Highland Ranch Planned Development

Note: These Conditions represent Planning Division Conditions only and are meant to be only one part of the Project's overall Conditions that may include Engineering, Fire Department and Building and Safety Conditions of Approval. All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy, except where noted

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

1. This Tentative Tract Map 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 tentative tract map have occurred within thirty-six (36) months from the approval date, this tentative

tract map shall expire and be null and void without further action by the City of Highland.

b. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant an extension of time for a period of time not to exceed an additional thirty-six (36) months. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the 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 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 cannot begin prior to receipt of this signed documentation.

3. The subject property shall be developed in accordance with plans approved by the Planning Commission on February 6, 2018, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein.

4. Revisions, modifications, and/or deletions to the approved plans shall be submitted to the Planning Division for review and approval. Revisions, modifications and/or deletions may require additional review by the Planning Commission.

5. 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.

6. No expansion of the project beyond the scope and nature described in the application, which would tend to increase the projected scale of the project, shall not be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements therefore.

7. Each condition of approval is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

8. Development standard not addressed in the East Highlands Ranch – Planned Unit Development shall comply with the Ordinances, Policy Resolutions, and Standards of the City, in effect at the time of development of this project site and shall be complied with as a condition of this approval.

9. The approval of this project is subject to, and contingent upon, the developer completing all subdivision improvements necessary to support future construction. Necessary subdivision improvements shall include, but not be limited to, design and construction of street, parkway, sidewalk, disabled ramping, driveway approach improvements, multi-use trail connections, water system facilities, water quality improvements, fire suppression facilities, sewer and storm drain facilities, electrical, gas, and telecommunication facilities, grading improvements and retaining walls, perimeter walls and fencing, street trees and landscaping, private front yard landscaping, and landscaping on all applicable lettered lots.

10. Design and construction of all subdivision improvements shall be completed in accordance with the approved plan.

11. No permanent building construction shall commence until the tract map is recorded and the final grading and improvement plans have been approved, rough grading certified, and a building permit issued by the Building Division.

12. Prior to recordation of the final map submit the proposed names for approval by the City's Street Naming Committee prior to designating street names on tentative tract maps or installing street signs.

13. Construction of improvements and structures shall occur substantially in sequence with the approved conceptual Phasing defined with Tentative Parcel Map 17640 as well as the approved construction phasing grading plan. Deviation from the phasing sequence, shall be approved by the Planning Commission.

14. 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.

15. 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.

Easements

16. A minimum 12-foot wide multi-purpose community trail easement shall be labeled and all locations defined on Tentative Tract Map 20090 prior to final map approval

Site Design

17. All future development with East Highlands Ranch Planning Areas 40/42 shall comply with EHR-PUD's Single Family Detached – 3,600 SF (SFC-V) development standards, as shown in the 2018 amended Development Standards Report for the EHR-PUD, as may be amended from time to time.

18. The Applicant / Developer shall be required to file a Design Review Application, with the required filing fee, for review and approval by the Planning Commission prior to the issuance of any permits. The review shall include, but is not limited to: rough and precise grading plans, retaining/boundary walls, housing product mix, all building elevations, privacy fences, all landscaping, hardscape, common recreational area related plans, and model home complexes.

19. The landscape buffer along Greenspot Road shall be no less than seven (7) feet behind the right-of-way.

20. Additional landscape area shall be provided on each corner of Street D where it intersects with Greenspot Road to provide for the installation of an enhanced subdivision entry statement.

21. Conceptual Landscape Plan shall be submitted for review by the City's Landscape Architect and Design Review Board. Said landscaping shall include the following:

    a. The type and location of the required street trees for each unit.

    b. A six foot (6') high split-face block or masonry wall (or as required by an acoustical analysis) shall be constructed, subject to Planning Commission review and approval along Greenspot Road. The boundary wall over drainage easements shall be designed and constructed in a way that drainage flow can be maintained at all times.

       In addition, all walls or fences along street side yards shall be masonry fencing. If a wall should extend into any front yard setback area the maximum height shall be four feet (4'). On corner lots, the maximum wall height shall not exceed thirty inches (30") in the front yard setback (within the vision triangle).

       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. A Typical Front Yard Landscaping Plan shall be provided for each Floor Plan. The landscape material shall be appropriate for the design theme and architecture of each unit

22. In addition to the standard landscaping conditions listed above, the following items shall be incorporated into the final landscaping plans for review and approval by the Planning Commission:

    a. Greenspot Road streetscape and median planting shall match existing Greenspot Road streetscape and median.

    b The use of turf in parkways and frontyard is discouraged.

    c. Vines shall be planted at ten (10') feet on-center spacing along all exterior boundary block walls as designated through a Design Review Application. Consideration should be given to vine species and method of attachment with respect to the type of fence or wall.

23. Landscape and irrigation specifications shall adhere to the adopted Engineering/Public Works Standards as may be amended from time to time.

24. Modifications to approved landscape and irrigation plans, or landscaping requirements described in Specific Plan Section 8.2 Landscaping, resulting from federal, state or local mandates, shall be reviewed and approved by the City's Landscape Architect.

Grading

25. All slopes shall be limited to a maximum ratio of 2 to 1 and shall be a part of the downhill lot when located within or between individual lots.

26. Prior to issuance of a grading permit any designated sensitive areas shall be fenced or protected as recommend by oversight agencies prior to any demolition, grubbing, or grading permit issuance on site.

27. Prior to issuance of a grading permit, a tree removal application shall be reviewed and approved for removal of any on-site trees.

28. If a residential tract 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.

29. In the event the diversion channel is installed across any portion of the site the disturbed area shall be hydro-seeded to limit wind and water erosion. The proposed seed mix shall be acceptable to Metropolitan Water District, the California Department of Fish and Wildlife, and or other agencies with oversite to control erosion.

Construction

30. The recreational center and fitness stations shall be installed prior to the issuance of the 50th building permit for production homes.

31. The multi-purpose trail along Church Street shall include a curb adjacent landscape buffer in the remaining area of the right-of-way. Development of this trial shall occur with development of Phase 1.

32. Multi-purpose trail development plan clearance across the Metropolitan Water District's parcel and easement fee-owned property shall be secured by the applicant/developer prior to development within Phase 2.

33. Prior to issuance of the 1st Certificate of Occupancy in each Phase, adjacent multipurpose and hiking trails shall be constructed and/or fully improved.

34. Prior to the issuance of the 1st building permit, the applicant shall submit development plans for the multipurpose trails inclusive of amenities and signage to be provided at trail entries, forks, and interpretive stations within those sites. The plans shall be reviewed by the City's Landscape Architect, Community Trails Committee and Public Facilities Subcommittee. Trails shall be designed and constructed consistent with the Highland General Plan, and the Highland Development Policies, Standards and Procedures.

35. Prior to issuance of the 1st Certificate of Occupancy in each Planning Area, adjacent multipurpose and hiking trails shall be constructed and/or fully improved.

36. All trails shall be open and accessible to the general public

37. The ultimate height and design of the perimeter wall adjacent to undeveloped areas considered sensitive and critical habitat shall be determined after consultation with U.S. Fish and Wildlife Department and the California Fish and Wildlife Service.

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

39. The Applicant shall construct the property boundary walls prior to first occupancy in accordance with construction phasing plan, as approved by the Planning Commission in conjunction with the Design Review Application for home construction (if applicable).

40. Housing unit elevations visible from the public right-of-way shall be enhanced with architectural elements used on the front elevations as approved by the Planning Commission.

Environmental

41. The East Highlands Ranch Planned Unit Development Final Environmental Impact Report Mitigation Measures and "Mitigation Monitoring Requirements" with the 1999 amendments, as they relate to PAs 40/42 are incorporated herein and made a condition of approval (See "Attachment A-1, Mitigation Monitoring Reporting Program"). Comply with all mitigation measures identified in the Program, the time in which it will be implemented and the responsible party for monitoring its implementation.

42. Pursuant to provisions of California Public Resources Code Section 21089 (b), this Application shall not be operative, vested or final, nor will building permits be issued or a map recorded, until: (1) the Notice of Determination (NOD) regarding the associated environmental action is filed and posted with the Clerk of the Board of Supervisors of the County of San Bernardino, and; (2) any and all required filing fees assessed pursuant to California Fish and Game Code Section 711.4, together with any required handling charges, are paid to the Clerk of the Board of Supervisors of the County of San Bernardino.

43. The Applicant shall provide the Planning Division with a check for the appropriate fee, made payable to the Clerk of the Board of Supervisors, by no later than 24 hours after receiving approval of the project The City will file the NOD and fee payment with the County/State and will provide the Applicant with a copy of the receipt and filed NOD.

44. Based on the *Acoustical Analysis* by Christopher Jean & Associates, Inc, dated February 4, 2014, further analysis may be required to bring the then current Greenspot Road way noise of 72 dBA to the City's required interior noise levels of 45 dBA. The report list additional construction methods that could reduce the noise level further but the final mitigation method needs evaluating when a development plan for homes is proposed.

45. Prior to commencement of project activities project applicant shall obtain either of the following: Written correspondence from the California Department of Fish and Wildlife stating that notification under Section 1602 of the California Fish and Game

Code is not required for the project; or a copy of a Department-executed Lake or Streambed Alteration Agreement, authorizing impacts to California Fish and Game Code, section 1602 resources associated with the project.

Declaration of Conditions, Covenants and Restrictions / Homebuyer Notification

46. Prior to recordation of the final map, two (2) copies of all organizational documents for the project, including Conditions, Covenants and Restrictions (CC&R's) or letters of advisement to future property owners shall be submitted to the Community Development Director for review and approved which identifies the following:

    a. Architectural controls shall be provided and shall include, but not be limited to, establishing the requirement to obtain approval from the City of Highland for any additions, patios, or accessory buildings/structures and establishing minimum design guidelines to ensure compatible development;

    b. Provisions alerting the buyers of any lot that required construction of the dwelling to meet the City's interior noise standard for single-family residential development;

    c. Provisions alerting the owners of any affected lots that those lots are required to accept and accommodate runoff from other lots. Said provisions shall prohibit homeowners from modifying drainage facilities or flow patterns of their lots without first obtaining permission from the City;

    d. Provisions alerting the buyers of any applicable Community Facility District or other assessment districts;

    e. A notice explaining the obligation to comply with Highland Municipal Code regulations pertaining to the parking and storage of recreational vehicles.

    f. Disclosures of surrounding land uses or activities having the potential to disturb purchaser shall be provided as defined in correspondences on file with the City of Highland. These include, but may not be limited to, the following:

        i. City of Redlands letter dated July 31, 2017, regarding the "Area of Special Compatibility Concern: the Redlands Municipal Airport;
        ii. Located within the San Bernardino International Airport "Influence Area;"
        iii. Cemex letter date May 30, 2017, regarding Tentative Tract Map 20090's close proximity to Property that is utilized for permitted quarry mining and processing operations;
        iv. The existing gun club on the south side of the Santa Ana River.
        v. Potential noise impacts associated with traffic along Greenspot Road;

vi. Disclosure of Metropolitan Water District's 144½ inch-diameter welded steel Inland Feeder Pipeline within its easement along the southern property boundary.

47. The approved CC&Rs or letters of advisement shall be recorded concurrently with the recordation of the final map and a copy of the recorded documents shall be submitted to the Planning Division within five (5) days after recordation.

Fees

48. Prior to the issuance of building permits, the Owner/Developer shall pay all applicable Development Impact Fees per the East Highlands Ranch Development Impact Fees Development Agreement. The Development Impact Fees are calculated from the fee schedule in affect at the time of issuance of Building Permits.

SECTION 5.0
MITIGATION SUMMARY

5.1 OVERVIEW

The following Table 5.1-1, *Mitigation and Implementation Summary Matrix*, comprehensively presents mitigation measures incorporated in the 2005 IS/MND, and associated with the development of the Addendum Project described herein.

Within the "Mitigation Measures" column, Mitigation Measures that are no longer required are indicated by ~~strikeout font~~, new Mitigation Measures are indicated by ***bold italic text***. The "Remarks" column identifies status and applicability of Mitigation Measures. Retained or new mitigation measures presented at Table 5.1-1 will be implemented through Project Conditions of Approval or as otherwise deemed appropriate by the City.

At the discretion of the City Planning Director, any of the mitigation measures identified at Table 5.1-1 may be modified to respond to conditions and context as they may apply to development proposed by the Addendum Project. Any such discretionary modifications cannot result in any new significant environmental impacts; rather, modifications would ensure compliance and consistency with current City goals, policies, regulations, and development programs/plans

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
Aesthetics		
1-1 All lighting within the project sites, including outdoor, houses, streets, and courtyard lighting, shall be shielded, directed downward, and shall use the minimum wattage required to properly illuminate the private and community areas	Applicable to 2017 Addendum Project; incorporated in the 2017 Addendum as Mitigation Measure AES-1.	None
Air Quality		
~~3-1 Traffic Control Plan. Prior to construction of the proposed improvements, the project proponent will provide traffic control plans that will describe in detail safe detours around the project construction sites and provide temporary traffic control (i.e., flag person) during construction-related truck hauling activities. Construction workers will have designated parking illustrated within the traffic control plans.~~	The 2017 Addendum Project-source air pollutant emissions would not exceed applicable SCAQMD regional or local thresholds. Nor would the Addendum Project otherwise generate or result in air pollutant emissions or air pollutant emissions concentrations that would result in potentially adverse impacts No mitigation measures are necessary. As such, Mitigation Measures 3-1 through 3-8, as presented within the 2005 IS/MND, are not applicable to the 2017 Addendum Project.	None
~~3-2 Timing and Tuning of Construction Equipment. During construction of the proposed improvements, construction equipment will be properly maintained at an offsite location. This measure includes the proper timing and tuning of engines. Equipment maintenance records and equipment design specification data sheets shall be kept onsite during construction.~~		
~~3-3 Limit the Idling Time for All Construction Equipment. During construction of the proposed improvements, all contractors~~		

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
~~will be advised to limit the onsite idling of construction equipment to no more than 10 minutes.~~		
~~3-4 Provide Onsite Meals During construction of the proposed improvements, the project applicant will provide onsite meals to construction workers by arranging a lunch wagon to visit each of the construction sites during work breaks, including the lunch break.~~		
~~3-5 Fugitive Dust Plan Prior to construction of the proposed improvements, the project proponent will provide a Dust Control Plan that will describe the application of standard best management practices to control dust during construction. Best management practices will include: application of water on disturbed soils and unpaved roadways a minimum of two times per day; using track out prevention devices at construction site access points, stabilizing construction area exit points, covering haul vehicles; restricting vehicle speeds on unpaved roads to 15 miles per hour (mph), and replanting disturbed areas as soon as practical and other measures, as deemed appropriate to the site, to control fugitive dust. The Fugitive Dust Control Plan shall be submitted to the City and South Coast Air Quality Management District for approval.~~		

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
~~3-6 Use of Low Volatile Organic Compound Paints and High Volume Low Pressure Spray Equipment. During construction of the proposed improvements, only low volatility paints and coatings as defined in South Coast Air Quality Management District Rule 1113 shall be used. All paints shall be applied using either high volume, low pressure spray equipment or by manual application.~~		
~~3-7 Use of Aqueous Diesel Fuel. During construction of the proposed improvements, onsite diesel fueled construction equipment will utilize aqueous diesel fuel when such fuel is available and practical for use. If aqueous diesel fuel is unavailable or impractical, contractors shall reduce the hours of operation for each piece of onsite diesel fueled equipment by 1 hour, 15 minutes per day.~~		
~~3-8 Use of Temporary Construction Power. During construction of the proposed improvements, onsite electrical hook ups shall be provided for electric construction tools including saws, drills and compressors, to eliminate the need for diesel powered electric generators.~~		

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
Biological Resources		
~~4-1 Prior to issuance of a grading permit for Planning Areas 40 and 42, the developer shall retain a qualified biologist to conduct a current assessment for San Bernardino kangaroo rat and Santa Ana River woolly star on the project site. If the assessment indicates that the site still contains suitable habitat for either of these species, focused surveys shall be conducted by a qualified biologist to determine the presence or absence of the species. The biologist shall coordinate with the United States Fish and Wildlife Service (USFWS) to mitigate the loss of suitable habitat by the purchase of offsite mitigation land at a minimum 2:1 ratio as permitted by the USFWS. The surveys shall be conducted prior to grading, and the offsite mitigation land (if required) shall be purchased and transferred to an appropriate conservation organization prior to grading. This measure shall be implemented to the satisfaction of the City Community Development Director in consultation with and under the permitting requirements of the USFWS.~~	Given the dated information presented in the 2005 IS/MND, an updated site-specific Habitat Assessment has been conducted to assess the potential for the Addendum Project to impact sensitive or special status species. New mitigation is incorporated to ensure compliance with applicable California Department of Fish and Wildlife incidental take permit requirements and to mitigate potential impacts to SBKR and SBKR habitat. The Santa Ana River wooly star is not considered to be present or potentially present within the Project site	***BIO-1 The Applicant shall obtain requisite SBKR incidental take permit(s) from CDFW and USFWS.[1] Documentation of the approved take permit(s) shall be provided to the City, prior to the issuance of the first Project development permit. Any required compensation for, or mitigation for, impacts to SBKR and SBKR habitat stipulated in the permit(s) shall be completed prior to issuance of the first Project development permit, or within timeframe(s) mutually agreed to by USFWS, CDFW, the City and the Applicant.***

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
		***BIO-2 The loss of occupied on-site SBKR Critical Habitat shall be mitigated at a ratio agreed to by both CDFW and USFWS through an agreement with the San Bernardino Valley Water Conservation District Upper SAR HCP area. Additionally, the Applicant shall reserve and improve on-site SBKR habitat as required by CDFW and USFWS along the Project site southerly boundary. The proposed on-site SBKR habitat area shall be improved with Primary Constituent Elements (PCEs) determined appropriate by CDFW/USFWS and the City. The proposed on-site SBKR habitat area shall be protected from disturbance by humans, domestic pets, etc. as required by CDFW/ USFWS and the City. Location, configuration, and improvement of proposed on-site SBKR habitat areas shall be approved by CDFW/USFWS and the City prior to the issuance of the first Project development permit. To the satisfaction of CDFW/USFWS and the City, the Applicant shall provide for, or shall otherwise ensure maintenance and long-term management of the proposed on-site SBKR habitat areas.*[2]**

[2] The Applicant is in consultation with the San Bernardino Valley Municipal Water District to ensure maintenance and long-term management of the on-site conservation areas as one component of the Upper Santa Ana River Habitat Conservation Plan (Upper SAR HCP), Wash Plan HCP

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
		BIO-3 The following additional measures shall be implemented to avoid or minimize potential direct and indirect impacts to SBKR and SBKR habitat: • ***Prior to the issuance of the first grading permit, a temporary SBKR Exclusionary Fence (Fence) shall be constructed along the westerly boundary of the Project site. Design of Fence shall comply with applicable USFWS standards. Precise location and orientation of the Fence shall be coordinated with the City. The Fence shall be inspected weekly and shall be repaired as necessary to preclude SBKR entry to the Project site;*** • ***To minimize potential inadvertent disturbance of off-site SBKR habitat, the Project site boundaries and construction limits shall be clearly identified and posted;*** • ***Construction staging areas shall be located outside critical habitat areas and as far away from occupied SBKR habitat as feasible;*** • ***The use of rodenticides, herbicides, insecticides, or other chemicals that could potentially harm SBKR is prohibited;***

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
		• *Construction personnel shall be informed of required SBKR habitat avoidance and conservation measures. Locations of SBKR habitat that must be avoided shall be identified on affected development plans;* • *Contractor pets are prohibited within and adjacent to construction areas;* • *To ensure compliance with the measures noted above, a biological monitor shall be present during clearing and grubbing of the Project site.*
None	Given the dated information presented in the 2005 IS/MND, an updated site-specific Habitat Assessment has been conducted to assess the potential for the Addendum Project to impact sensitive or special status species. New mitigation is incorporated to ensure monitored compliance with the Migratory Bird Treaty Act (MBTA) ensuring impacts to migratory birds would be less-than-significant.	*BIO-4 To the extent practical, all vegetation removal associated with Project development activities shall be conducted outside of the nesting season (February 1 to August 31) If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct nesting bird surveys of affected development sites no more than three (3) days prior to the removal of any vegetation with the potential to support nesting birds. If vegetation is not removed within three (3) days of a nesting bird survey, then the surveys shall be repeated. If no nests are found, the biologist conducting the clearance survey should document a negative survey with a report indicating that no impacts to active avian nests will occur. If active nests are identified, then the biologist shall establish an adequate buffer depending on the species and the*

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
		location of the nest (to be determined in consultation with CDFW), which shall be avoided until the nests are no longer active as determined by the biologist. A monitoring report shall be prepared and submitted to the City of Highland for review and approval prior to initiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until written authorization is received by the applicant from CDFW.
None	Given the dated information presented in the 2005 IS/MND, an updated site-specific Habitat Assessment has been conducted to assess the potential for the Addendum Project to impact sensitive or special status species New mitigation is incorporated to ensure that potential impacts to the Burrowing Owl would be less-than-significant	***BIO-5 In accordance with CDFW's 2012 Staff Report on Burrowing Owl Mitigation, prior to any ground disturbing activities, two burrowing owl clearance surveys shall be conducted. One survey shall be conducted between 14 – 30 days prior to construction and the second 24 hours prior to the commencement of ground disturbing activities. These clearance surveys shall be conducted by a qualified biologist to document the continued absence of the burrowing owls from the Project site.***
~~4-2 Prior to issuance of building permits on PAs 40, 42, and 45, and if the trees have survived the impacts from the Line "C" construction on PAs 40 and 42, the~~	Mitigation included within the Addendum is more specific, reflecting the current (May 1, 2017) Tree Survey and Arborist Report Measure 4-2 is replaced by Addendum	***BIO-6 All non-heritage living trees removed shall be replanted at a 1.1 ratio and heritage trees at a 2:1 ratio (or at the discretion of the City Planner). Any native species shall be***

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
~~developer shall coordinate with the City of Highland Community Planning Director to mitigate the removal of any "Heritage Tree" contained within the project boundary.~~	Mitigation Measure BIO-6.	*replaced with native species. If feasible, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. The nesting season generally extends from early February through August. Removal of all trees must be approved by the City's Planning Director.*
Cultural Resources		
5-1 In the event that any sub-surface paleontological resource is uncovered during the course of construction activities on PAs 39, 40, 42, and 45, ground-disturbing activities in the vicinity of the find shall be redirected until the nature and extent of the find can be evaluated by a qualified paleontologist. As applicable, specimens shall be collected, curated and provided to the San Bernardino County Museum	Applicable to the 2017 Addendum Project, paraphrased and incorporated in the 2017 Addendum as Mitigation Measure CUL-1	*CUL-1 In the event that any subsurface paleontological resource is uncovered during the course of construction activities, ground-disturbing activities in the vicinity of the find shall be redirected until the nature and extent of the find can be evaluated by a qualified paleontologist As applicable, specimens shall be collected, curated, and provided to the San Bernardino County Museum.*
5-2 Prior to the issuance of a grading permit for PAs 39, 40, 42, or 45, the developer shall retain a qualified archaeologist to monitor archeological resources during grading activities on these Planning Areas In the event that any sub-surface archaeological artifacts are uncovered, ground-disturbing activities shall be redirected and the archeologist shall determine the nature and extent of the find As applicable, specimens shall be collected, curated and provided to the San Bernardino County Museum The	Applicable to the 2017 Addendum Project, paraphrased and incorporated in the 2017 Addendum as Mitigation Measure CUL-2	*CUL-2 Prior to the issuance of a grading permit, the developer shall retain a qualified archeologist to monitor archeological resources during grading activities within the Addendum Project site. In the event that any subsurface archeological artifacts are uncovered, ground-disturbing activities shall be redirected and the archeologist shall determine the nature and extent of the find. As applicable, specimens shall be collected, curated, and provided to the San Bernardino County Museum. The archeologist shall also coordinate with local*

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
archeologist shall also coordinate with local Native American groups as necessary if artifacts are found.		***Native American groups as necessary if artifacts are found.***
Geology and Soils		
~~6-1 Prior to issuance of a building permit for PAs 39, 40, and 42, the developer shall demonstrate that the proposed structures and foundations are consistent with the preliminary geotechnical evaluation and the soil engineering and geology investigation of the project site (LOR 2003 and LOR 2005). The developer shall implement the recommended appropriate foundation and other design criteria to effectively mitigate potential hazards as outlined in the two geologic studies mentioned herein. This measure shall be implemented to the satisfaction of the Public Works Director.~~	This Measure contains references to outdated studies. Pursuant to existing policy, the 2017 Addendum Project is required to implement recommendations of the final Project-specific Soil Engineering and Geology Investigation Update	None.
~~6-2 Prior to issuance of a building permit for the single residence on PA 45, the developer shall demonstrate that the proposed structures and foundations are consistent with the preliminary geotechnical evaluation and the soil engineering and geology investigation of the project site (Gary S. Rasmussen and Associates). The developer shall implement the recommended appropriate foundation and other design criteria to effectively mitigate potential hazards as outlined in~~	Planning Area 45 is not located within the Addendum Project site This Measure is therefore not applicable to the 2017 Addendum Project.	None.

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
archeologist shall also coordinate with local Native American groups as necessary if artifacts are found.		***Native American groups as necessary if artifacts are found.***
Geology and Soils		
~~6-1 Prior to issuance of a building permit for PAs 39, 40, and 42, the developer shall demonstrate that the proposed structures and foundations are consistent with the preliminary geotechnical evaluation and the soil engineering and geology investigation of the project site (LOR 2003 and LOR 2005). The developer shall implement the recommended appropriate foundation and other design criteria to effectively mitigate potential hazards as outlined in the two geologic studies mentioned herein. This measure shall be implemented to the satisfaction of the Public Works Director.~~	This Measure contains references to outdated studies. Pursuant to existing policy, the 2017 Addendum Project is required to implement recommendations of the final Project-specific Soil Engineering and Geology Investigation Update	None.
~~6-2 Prior to issuance of a building permit for the single residence on PA 45, the developer shall demonstrate that the proposed structures and foundations are consistent with the preliminary geotechnical evaluation and the soil engineering and geology investigation of the project site (Gary S. Rasmussen and Associates). The developer shall implement the recommended appropriate foundation and other design criteria to effectively mitigate potential hazards as outlined in~~	Planning Area 45 is not located within the Addendum Project site This Measure is therefore not applicable to the 2017 Addendum Project.	None.

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
~~the geologic study mentioned herein. If the existing geotechnical studies are determined to be insufficient, the developer shall provide additional studies to adequately identify the location of the fault and appropriate building setbacks for PA 45. This measure shall be implemented to the satisfaction of the City Engineer in consultation with the County Geologist.~~		
Hazards and Hazardous Materials		
~~7-1 Prior to issuance of occupancy permits for PAs 39, 40 and 42, local homeowners and/or property owners, as appropriate, shall provide recorded deed notices and/or real estate disclosure statements to inform residents of their proximity to the SBIA and of any use or height restrictions related thereto. This measure shall be implemented to the satisfaction of the City Community Development Director.~~	Airport proximity disclosure is a mandated requirement pursuant to California Civil Code § 1103.4(c)(1), and should not be considered mitigation	None.
~~7-2 Prior to issuance of a grading permit for PAs 40 and 42, the developer shall document the status and remediation of any underground storage tanks or other potential sources of contamination on the site. This measure shall be implemented to the satisfaction of the Public Works Director.~~	Current onsite assessments indicate that Mitigation Measure 7-2 should be revised/updated. Relevant Hazards/Hazardous Materials impacts are globally addressed through implementation of Addendum Mitigation Measure HAZ-1.	***HAZ-1 Should evidence of septic systems, USTs, or the water well be observed during grading operations, site preparation in the vicinity shall be halted and an environmental geologist shall be contacted. The geologist shall provide specific recommendations and direction regarding the removal/abandonment of the septic system, UST, and/or the water well. Recommendations shall also include any necessary remediation of surrounding soils. The results of the analysis and***

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
		recommendations shall be reviewed and approved by the City Engineer; and as approved by the City shall be implemented by the Project Applicant.
Hydrology and Water Quality		
~~8-1 Prior to issuance of a grading permit for PAs 39, 40, 42, and 45, the developer shall prepare and submit a Water Quality Management Plan (WQMP) to the Regional Water Quality Control Board for review and approval. The approved WQMP shall be submitted to the City Public Works Department, and the developer shall comply with all requirements of the plan, to the satisfaction of the Public Works Director.~~	Preparation of a WQMP is mandated, not considered mitigation	None.
None	New mitigation is included within the 2017 Addendum to address flood improvements requested by FEMA, subsequent to the approval of the 2005 IS/MND.	***HYD-1 Prior to the issuance of a building permit within delineated flood hazard areas, all floodplain improvements, as outlined within the CLOMR, shall be completed. Upon completion of the improvements, all forms, plans, analyses, and fees requested by FEMA, as set forth in their CLOMR Comment Document, shall be provided so that a final determination for map revision can be approved.***
Land Use and Planning		
~~9-1 Prior to issuance of a grading permit, the developer shall meet all the requirements and successfully process for a Planned Unit Development (PUD) Amendment for East Highlands Ranch to incorporate the~~	Land use amendments allowing for implementation of the 2017 Addendum Project are properly acknowledged as, and incorporated as Lead Agency Discretionary Actions. Please refer to 2017 Addendum,	None.

Table 5.1-1 Mitigation and Implementation Summary Matrix		
2005 IS/MND Mitigation Measures	**Remarks**	**Replacement Mitigation**
~~proposed changes to PAs 28, 39, 40, 42, and45.~~	Section 2.0 *Project Description*, 2.6.1 *Lead Agency Discretionary Actions and Permits.*	
Noise		
~~11-1 Prior to the final design stage, the project developer of PAs 39, 40, and 42 shall include into the project design sound barriers which are consistent with all specifications designated in the Acoustical Analysis report by Gordon Bricken and Associates In addition, all barriers shall meet the design standards for the PUD of the East Highlands Ranch, to the satisfaction of the City Engineer~~	Off-site noise that may affect the Addendum Project is not a CEQA consideration, provided the Project does not substantively contribute to off-site noise sources – it does not. Noise attenuation barriers and noise attenuation performance standards are recommended as Project Conditions of Approval. Please refer to Addendum Checklist 12 *Noise*, and *Blossom Trails Acoustical Analysis, City of Highland* (Christopher Jean & Associates, Inc) February 14, 2014; 2017 Addendum Appendix I.	None
Public Services		
13-1 Prior to the issuance of occupancy permits for PAs 39, 40, 42, and 45, the developer shall pay all legally established development impact fees associated to public services as may be applicable to the East Highlands Ranch development The developer shall also pay the applicable school fees to the East Highlands Ranch Development or be subject to the existing Community Facilities District established by the Redlands Unified School District with boundary covering the project site The developer shall demonstrate payment of applicable fees prior to issuance of building or occupancy permits, as	Applicable to Addendum Project; incorporated in the 2017 Addendum as Mitigation Measure PS-1.	None

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
appropriate This measure shall be implemented to the satisfaction of the City Community Development Director		
13-2 Prior to the issuance of building permits for PAs 39, 40, 42, and 45, the applicant will consult with California Department of Forestry and Fire Protection and the East Valley Water District to ensure that the water system constructed on the project site will provide adequate fire flow	Applicable to Addendum Project, incorporated in the 2017 Addendum as Mitigation Measure PS-2.	None
Transportation/Traffic		
15-1 The developer shall provide the appropriate fair share fee established for the East Highlands Ranch	Applicable to Addendum Project, paraphrased and incorporated in the 2017 Addendum as Mitigation Measure TR-1	***TR-1 Prior to issuance of the first Building Permit, the Project Applicant shall remit transportation/traffic Development Impact Fees (DIF) established under the EHR.***
15-2 Prior to issuance of occupancy permits, the project shall make all required improvements relative to roads and intersections on or adjacent to the project site, including signage, to the satisfaction of the Public Works Director	Applicable to Addendum Project, paraphrased and incorporated in the 2017 Addendum as Mitigation Measure TR-2	***TR-2 Prior to issuance of the first Certificate of Occupancy, and to the satisfaction of the Public Works Director, the Project Applicant shall construct all site adjacent intersection, roadway, signage, and other improvements required pursuant to the Project Conditions of Approval.***
15-3 Prior to final map recordation, the applicant shall prepare a Traffic Signal Warrant Analysis that addresses the need, if any, for controlled access onto and from Greenspot Road. The analysis shall address any onsite or offsite improvements necessary In the event improvements are required, the applicant shall contribute the fair share and/or construct such	Paraphrased and incorporated in the 2017 Addendum as Mitigation Measure TR-3.	***TR-3 At the City Engineer's discretion, the Project Applicant shall prepare a Traffic Signal Warrant Analysis that addresses the need, if any, for controlled access onto and from Greenspot Road. The analysis shall address any on-site or off-site improvements necessary.***

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Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
improvements The analysis shall include the development of the vacant parcel located immediately west of this development and shall be submitted and approved by the City Engineer		
Tribal Resources		
None.	The topic of tribal resources is a recent addition to the CEQA checklist and was not evaluated as part of the 2005 IS/MND New mitigation is included within the 2017 Addendum to address potential impacts in this regard.	***TB-1 In the event that Native American cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. Work on the other portions of the Project outside of the buffered area may continue during this assessment period. Additionally, San Manuel Band of Mission Indians shall be contacted if any such find occurs and be provided information and permitted/invited to perform a site visit when the archaeologist makes his/her assessment, so as to provide Tribal input.***
None		***TB-2 If significant Native American historical resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the Project archaeologist shall develop a cultural resources Treatment Plan, as well as a Discovery and Monitoring Plan, the drafts of which shall be provided to San Manuel Band of Mission Indians for review and comment.*** ***a. All in-field investigations, assessments, and/or data recovery enacted pursuant to the***

Table 5.1-1
Mitigation and Implementation Summary Matrix

2005 IS/MND Mitigation Measures	Remarks	Replacement Mitigation
		finalized Treatment Plan shall be monitored by a San Manuel Band of Mission Indians Tribal Participant(s). ***b. The Lead Agency and/or applicant shall, in good faith, consult with San Manuel Band of Mission Indians on the disposition and treatment of any artifacts or other cultural materials encountered during Project development.***
Utilities & Service Systems		
16-1 Prior to issuance of grading and building permits for PAs 39, 40, 42, and 45, the developer shall coordinate with the East Valley Water District (EVWD) to assure continued access to its facility on the project sites. This measure shall be implemented to the satisfaction of the City Public Works Director in consultation with the EVWD.	Applicable to Addendum Project, incorporated in the 2017 Addendum as Mitigation Measure US-1	None.

Sources· 2005 IS/MND, Applied Planning, Inc

Building and Safety Division Conditions of Approval

Date:	5-26-17
Applicant:	S-P Deerfield, LLC
Address of Applicant:	31866 Camino Capistrano, SJC, CA 92675
Site Location:	Southwest of Greenspot and Church
Telephone:	949-496-1316
APN	1201-401-02, 1201-431-61

1. Please provide three (3) sets of the following construction plans and documents listed below for review of the proposed project. The initial plan review time will take two weeks on most projects. The applicant will receive a plan review number at the time plans are submitted for Building & Safety's plan review. This plan review number is needed to obtain information regarding your project

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

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

3. Gas release is not provided until all final approvals are made and verified by City staff. Policy 295.
4. The Developer/Owner is responsible for the coordination of releasing any Deferral of Development Impact Fees or Bonds after such fees have been paid. The Developer/Owner should be aware, once the deferral notice is sent to the San Bernardino County Recorder's Office; the release process takes two to three weeks. This process will delay final Certificates of Occupancy.

5. The Developer/Owner is responsible for the coordination of the final occupancy The Developer/Owner shall request clearances from each department and/or agency at least two weeks prior to requesting a final building inspection from Building and Safety. Each agency shall sign the back of the Building and Safety Job Card and provide a copy of the signatures to Building and Safety at the time a final inspection is requested.

6. Projects requiring County Health and/or San Bernardino Environmental Control, such as food services, need to obtain those permits prior to building permit issuance.

7. Building and Safety inspection requests can be made 24 hours in advance for the next day inspection. Please contact (909) 864-2136, Ext 228.

8. A security fence with screening shall protect all construction sites. The fencing and screening shall be maintained at all times to protect pedestrians.

9. Portable toilet facilities shall be provided for construction workers and such facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3.

10. All construction materials, which are not used, shall be recycled pursuant to the requirements set forth by Ordinance No. 269. Receipts from the recycle company responsible for picking up the materials shall be kept in the construction office. After the construction is complete and before final occupancy, the trash receipts shall be forwarded to the Planning Division.

11. Construction projects, requiring temporary electrical power, shall obtain an electrical permit from Building and Safety. No temporary electrical power will be granted to a project unless the following item is in place and approved by Building and Safety and the Planning Division.

    a) Installation of a construction trailer through the "Temporary Occupancy Permit", alternatively, a security fenced area where the electrical power will be located. Installation of construction/sales trailers must be located on private property. No trailers can be located in the street unless a permit from the Engineering Department is obtained.

12. Fire Sprinklers are required by Ordinance 209. Submit fire sprinkler plans to the Fire Marshal located at 27215 Base Line, Highland CA. Please contact the Fire Marshal for information on the design requirements. (909) 864-2136, ext. 248.

13. Prior to the issuance of Building Permits, on site water service shall be installed and approved by the responsible agency. On site fire hydrants shall be approved by the Fire Department. No flammable materials will be allowed on the site until the fire hydrants are established and approved. No flammable construction materials shall be placed on the site without approvals by the Fire Department. All street and access roadways around the project shall be paved for emergency response vehicles before flammable materials are placed on the project.

14. Prior to issuance of permits, site-grading certifications and compaction reports shall be submitted to Building and Safety.

15. Prior to issuance of building permits, provide a receipt from the appropriate Unified School District stating that all school fees have been paid.

16. All construction projects shall comply with the NPDES Stormwater Best Management Program. Prior to building permit issuance submit copy of the Water Quality Management Program Report. (WQMP)

17 Prior to final inspection, provide Building & Safety with a flash disk of the approved plans and documents.

18. Site development and grading shall be designed to provide access to all entrances and exterior ground floor exits and access to normal paths of travel. The accessible route(s) of travel shall be the most practical direct route.

19. The City enforces the State of California provisions of the California Building Code disabled access requirements. The Federal Americans with Disabilities Act (ADA) standards may differ in some cases from the California State requirements, therefore it is the building owner's responsibility to be aware of those differences and comply accordingly

City of Highland

Engineering Department
Conditions of Approval
TTM 17-001; PDA 17-001; TPM 17-002
Blossom Trails
SWC of Greenspot Road and Church Street

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

February 2nd, 2018

SOILS/GRADING

A Submit a preliminary soils report, prepared by a licensed Geotechnical Engineer, for review and approval by the City Engineer. Comply with the recommendations contained in the report and any amendments thereto as approved by the City Engineer.

A Design individual lot grading to drain the entire area of each lot directly to the adjacent street

A Submit rough and/or precise grading plans to the City Engineer for review and approval. Comply with the City of Highland grading standards as shown on the Grading Plan Checklist.

A Design grading and on-site improvements to drain the entire site to the proposed Basin A at the northeast corner of Blossom Way and Promenade Way.

E Submit structural design and location for any required retaining walls for review and approval by the City Engineer. Install concrete v-ditches at the back of retaining walls in accordance with the Grading Plan Checklist.

E The grading and landscaping plans must comply with the City's clear sight triangle criteria at public street intersections and at private driveways. Walls, fencing, monument signs, slope, and landscaping, within the clear sight triangle, must not exceed thirty inches in height measured from the flowline of the street, unless a sight distance analysis that demonstrates sight distance is adequately maintained is submitted to and approved by the City Engineer.

A Submit an erosion control plan to minimize potential increases in erosion and sediment transport during construction activity for City Engineer approval. Place erosion control measures during or after grading work as required by the City Engineer.

A Design short term erosion control in accordance with Best Management Practices such as, silt fencing to control the site perimeter, and straw bale barriers, sand bag barriers, rock filters or sediment basins to control internal erosion, or other methods to stabilize disturbed areas, as approved by the City Engineer.

D Implement dust control measures during construction activities including, but not limited to, daily watering of construction area as frequently as necessary during active and inactive periods,

utilizing soil emulsions, limiting construction vehicle speed to 10 miles per hour, stabilizing construction entrances to prevent trackout of sediments, and street sweeping.

B 10. Submit original wet signed and stamped rough grading certifications from the soils engineer and the grading engineer, along with compaction reports, to the City Engineer.

C 11. Submit original wet signed and stamped final grading certification from the grading engineer, to the City Engineer.

STREET IMPROVEMENTS

C* 12. Prior to first occupancy in Phase 1, construct street improvements along the entire project frontage on Greenspot Road including, but not be limited to, 8" curbs and gutters, 5'-wide parkway sidewalk, street lights, curb returns and handicap ramps at the intersections of Blossom Way and Street D. Align centerline of Blossom Way with that of the existing street on the north side of Greenspot Road.

C* 13. Prior to first occupancy in Phase 1, reconstruct the existing landscaped median on Greenspot Road to accommodate a 75'-long westbound left turn pocket at Blossom Way. Construct pavement repairs as required by the City Engineer.

C* 14. Prior to first occupancy in Phase 1, remove existing pavement and construct new street improvements along the entire project frontage on Church Street including the Church Street/Abbey Way intersection. Construct street improvements including, but no limited to: 6-inch curb and gutter located 18' west of the street centerline, asphalt concrete pavement from the lip of gutter to 14' east of centerline, class II aggregate base, redwood header at edge of pavement, and street lights.

A* 15. Design Church Street to eliminate any existing low point along the street profile. Remove existing interim drainage inlets on the west side of Church Street and construct roadway drainage system to convey street flows on Church Street to the Line C Channel as required by the City Engineer.

C* 16. Construct grading along both sides of the existing drainage box culvert located on the west side of Church Street north of Merris Street. Maintain grading with a maximum 2% slope between the east tract boundary wall and the west curb on Church Street. Construct drainage v-ditch to accommodate surface flow if necessary Provide surface treatment on the top of the box culvert as necessary to accommodate pedestrian use over the box culvert.

C* 17. Construct a public trail along both sides of the Line C Channel from Merris Street to the south boundary of the tentative map including a connection to the future trail along the south side of Abbey Way. Grade the trail with a maximum slope of 2% to drain toward the Line C Channel or Church Street. Remove existing chain-linked fence along the west side of the Line C Channel, and replace it with ~~new vinyl split rail fencing~~ decorative fencing, as approved by the City Engineer, the Community Development Director and the Community Trails Committee, a portion of which shall be removable as required by the City Engineer to accommodate City maintenance of the Channel. Improve the trail surface with decomposed granite along both sides of the Channel Protect the existing chain-linked fence in place and construct a new vinyl split rail fencing along the east side of the Channel located at 4' from the proposed curb on Church Street. Install parkway landscaping and irrigation between the trail fencing and the curb as required by the City Planner. Install assess control to trail entrances. Construct an access between the existing concrete maintenance ramp and the east end of Lot M to facilitate City channel maintenance operations and temporary stockpiling and storage of debris removed from maintenance activities. **(PC Amended 2/8/18)**

C*

18. Construct a 12'-wide public trail along the north side of Lot M and behind Lots 69 thru 92 and lots 136 thru 137 within the MWD easement .Construct the trail surface with decomposed granite.

C*

19. Prior to first occupancy in Phase 1, submit to the City Engineer a signal warrant analysis to determine the number of dwelling units within the tentative map that will trigger the need of a new traffic signal.to be constructed at the Greenspot Road/Blossom Way intersection. Construct the traffic signal within the time frame as required by the City Engineer.

D*

20. Construct a traffic signal utilizing a video detection system at the Greenspot Road/Blossom Way intersection Install a fiber optic interconnect between the new signal and the existing signals at Church Street and Orange Street, including any necessary hardware and software. Provide a coordinated timing analysis for the traffic signals on Greenspot Road at Boulder Avenue, Orange Street, the new signal, Church Street and the Greenspot Road entrance to the Village at East Highlands.

D*

21. Construct street improvements within the tentative map necessary to provide proper circulation for each phase of the development For Phase 1, construct Blossom Way, Promenade Way, Street F (north of Promenade Way), Street A, Street B, Street C and Street D (north of Promenade Way). For Phase 2, construct Street F (south of Promenade Way), Street E (to just west of Street F) and Street D (south of Promenade Way). For Phase 3, construct Street E (west of Street F).Street improvements shall include, but not be limited to: 6-inch curb and gutter, asphalt concrete pavement, class II aggregate base, 6-foot curb adjacent sidewalks, driveway approaches, and street lights in accordance with City of Highland Standards.

C*

22. Construct traffic calming devices along Promenade Way and Street D including signage and bulb-outs at street intersections as approved by the City Engineer.

C*

23. Construct walkways in Lots A, C, K, L, and N to provide connectivity with the proposed sidewalk on Greenspot Road and existing sidewalk on Church Street, and the proposed trails in Lots M and N.

C*

24. Adjust the proposed alignment of Street D so that adequate parkway landscaping can be accommodated at the proposed Street D/Greenspot Road intersection adjacent to the northwest corner of the EVWD parcel located easterly of Street D.

C*

25. Install during the first phase, City owned street lights (LS-3) along Church Street using light emitting diode (LED) luminaires on octagonal concrete poles at locations specified by the City Engineer. The poles shall be natural gray with black and white aggregate and shall have a factory-applied anti-graffiti coating. Coordinate with Southern California Edison to energize the streetlights. The property owner shall be responsible for the City's payment of energy charges for 12 months following energizing of the street lights.

D*

26. Install during each phase, City owned street lights (LS-3) on the local streets using light emitting diode (LED) luminaires on octagonal concrete poles at locations specified by the City Engineer. The poles shall be natural gray with black and white aggregate and shall have a factory-applied anti-graffiti coating. Coordinate with Southern California Edison to energize the street lights. The property owner shall be responsible for the City's payment of energy charges for 12 months following energizing of the street lights.

A

27. Submit street improvement plans to the City Engineer for review and approval. Indicate the

location of any existing utility/facility which would affect construction on final plans and profiles. Comply with the City of Highland design standards as shown on the Street and Storm Drain Plan and Profile Checklist.

A

28. Submit a thorough evaluation of the structural road section, for the private and public streets, from a soil engineer to the City Engineer Include a recommended street structural section, designed for a service life of 20 years as outlined in Section 600 of the Caltrans Highway Design Manual. The minimum section is 3" A.C./4" A.B. The City Engineer will provide traffic indexes.

A

29. Design public improvements including sidewalk, drive approaches, and access ramps in accordance with all requirements of the State of California Accessibility Standards, Title 24 California Administrative Code Truncated domes shall be dark gray Armor-Tile Cast in Place System manufactured by Engineered Plastics, Inc.

C

30. Install traffic control signs, striping, and pavement markings, with locations and types approved by the City Engineer.

DRAINAGE/WATER QUALITY

E 31. Obtain approval by the City Engineer of a Final Water Quality Management Plan (F-WQMP), prepared in accordance with the City's National Pollutant Discharge Elimination System (NPDES) permit requirements in effect at the time the Preliminary Water Quality Management Plan was approved unless subsequent City NPDES permits require otherwise. The F-WQMP shall (1) be prepared, signed, and sealed by a licensed Civil Engineer, (2) include Site Design Low Impact Development and Source Control Best Management Practices (BMPs) appropriate for commercial development, (3) include a BMP implementation, operation, and funding mechanism, and (4) be certified by the property owner. The property owner shall also enter into a Stormwater BMP Transfer, Access, and Maintenance Agreement with the City on the City form. Include a copy of the recorded agreement in the F-WQMP. Construct BMPs in accordance with the approved F-WQMP.

E 32. Submit two (2) sets of WQMP BMP Exhibits with a "WQMP BMP As-Built Certificate" wet signed and sealed by the Engineer of Record. The Certificate shall state·

"I hereby certify that the Water Quality Management Plan Best Management Practices have been constructed under my supervision in accordance with the approved plans and are functional to the best of my knowledge."

C* 33 Prior to first occupancy in Phase 1, construct a water quality basin with the size, extent and scope of improvement in conformance with the F-WQMP and as required by the City Engineer. Maintain a maximum side slope of 4:1 or otherwise approved by the City Engineer. Construct a 12'-wide concrete maintenance access from Blossom Way to the basin bottom. Install fencing and landscaping along the top of, and within, the basin as required by the City Planner and the City Engineer.

D* 34. Prior to issuance of building permits for Lot 58, Lot 59 and Lot H in Phase 1, and any lots in Phases 2, construct the overflow channel located within Lots 68 thru 71 in Phase 3, Lot M, and within Lots 127 thru 137 in Phase 4. Obtain from FEMA its final determination on revising the effective FIRM removing these lots from Flood Hazard Zone A.

D* 35. Prior to issuance of building permits for any lots in Phase 3, remove the westerly portion of the

overflow channel from Lots 68 thru 71 in Phase 3, and extend the overflow channel along the south line of Lots 69 thru 71 within the MWD property, and connect the realigned overflow channel to the future overflow channel if it has been constructed as a part of development of Tentative Tract No 17604. If the future overflow channel has not been constructed by future development of Tentative Tract No. 17604 to allow for the realignment of the overflow channel, Phase 3 shall remain undeveloped.

D* 36. Prior to issuance of building permits for any lots in Phase 4, remove the overflow channel from Lots127 thru 137 in Phase 4 if San Bernardino County Flood Control District has completed construction of a project that improves drainage flows in the County's Elder Creek Channel and the City's Line "C" Channel, and FEMA has determined that an overflow channel is no longer needed for flood protection in Phase 4. Obtain written approval from FEMA prior to removal of the overflow channel.

D* 37. Design the overflow channel in accordance with the approved FEMA Conditional Letter of Map Revision (CLOMR). Maintain a maximum side slope of 4·1. Construct additional improvements to the overflow channel as required by the City Engineer prior to acceptance by the City for maintenance. Alternatively, if the overflow channel is to be maintained by San Bernardino County Flood Control District, construct the overflow channel per District requirements

B* 38. Obtain a Letter of Map Revision from FEMA prior to issuance of any building permits in Lots 58, 59 and H within Phase 1 and any lots within Phase 2, 3 and 4.

C* 39. Construct a catch basin on the south side of Greenspot Road easterly of the westerly project entrance.

C* 40. Prior to first occupancy in Phase 1, reconstruct and extend the existing storm drain, and reconstruct and relocate the existing outlet structure to a location west of the west project boundary, and construct additional drainage improvements at the westerly end of Promenade Way as needed to accommodate construction of full street improvements along Blossom Way and the Blossom Way/Promenade Way intersection within the project boundaries.

E 41. Obtain written permission from the owner of the adjoining property west of the tentative map to accept the post-development flows from the tentative map. In case such written permission could not be obtained, design and construct the proposed drainage system and the water quality basin to release flows to the adjoining property in an amount not higher than the pre-development flows.

A* 42. Design project entrances to minimize the possibility of off-site flows entering the site from Greenspot Road. Submit hydraulic calculations to verify the project entrances design.

A 43. Prepare and submit a hydrology study to determine storm runoff quantities tributary to and generated by the site Include in the study hydraulic calculations to determine the extent, size and type of all drainage facilities.

A 44. Prepare and submit drainage improvement plans to the City Engineer for review and approval. Indicate on final plans and profiles the location of any existing utility/facility which would affect construction Comply with City design standards as shown on the street and storm drain improvement checklist.

MAP/DEDICATION/ANNEXATION

A* 45. Apply to the City to annex the project into the City's drainage and trail maintenance districts for storm maintenance of the overflow channel in Lot M, and routine maintenance of public storm drains within the tentative map, and public trails within Lot M and along both sides of the Line C Channel. Sign ballots prepared by the City agreeing to the annexations and amounts of assessment. .

A* 46. Maintain through a homeowners association the water quality basin (Lot F) and the outlet pipe between the basin and the Line A storm drain in Blossom Way, all letter lots including non-storm maintenance of Lot M, and parkway landscaping along all public streets including Greenspot Road and Church Street. Grant all lettered lots to the homeowners association (HOA) for ownership and landscape maintenance. Provide written documentation from the HOA agreeing to accept the lettered lots including the water quality basin

A* 47 Dedicate to the City a drainage easement for City storm maintenance of the overflow channel located within Phase 3, Phase 4 and Lot M. Secure a drainage easement from MWD to be dedicated to the City for City storm maintenance of the overflow channel located within MWD property adjoining the southwest corner of the tentative map. Provide non-storm maintenance of the overflow channel through a homeowners association.

A* 48. Dedicate to the City an easement, and secure an easement from MWD for dedication to the City for City maintenance of public trails located within Lots N and M, and within the MWD property. Provide trail and landscape maintenance in Lots C, L and K through a homeowners association.

A* 49. Dedicate to the City an easement for City maintenance of the Line C Channel, public trails, and parkway landscaping within Lot N along the Church Street frontage of the tentative map.

A* 50. Dedicate to the City street rights-of-way along the project street frontage on Greenspot Road and Church Street, if not previously dedicated.

A* 51. Acquire a drainage easement and an access easement from the property adjoining the west side of the tentative map to accommodate City maintenance of the public storm drain required to be reconstructed and relocated west of the Blossom Way/Promenade Way intersection.

A* 52. Dedicate a landscape easement for potential City maintenance of landscaping along Greenspot Road and Church Street through the City's Landscape Maintenance District.

A 53. Coordinate with the utility companies to eliminate easements not required for any utility facilities.

A 54. Record a Parcel Map and a Final Map with the San Bernardino County Recorder pursuant to the provisions of the State Subdivision Map Act.

A 55. Submit, at the time of Parcel Map and Final Map submittal: Traverse calculations (sheets), copies of recorded maps and deeds used as reference and/or showing original land division, tie notes and bench marks referenced, and a current title report. The traverse calculation sheets shall show error of closure. Inverse calculations will not be acceptable for plan check review.

A 56. Dedicate on the Final Map public street right-of-way and all drainage, landscaping and community trail easements within the project.

A 57. Dedicate corner property line cutoffs on public streets in accordance with City Standards.

A 58. Include an Improvement Certificate/Statement on the Parcel Map in accordance with Section 66411.1 of the Subdivision Map Act.

A 59. Submit a duplicate photo mylar of the map recorded with the San Bernardino County Recorder.

D 60. In the event the Applicant fails to acquire the required off-site property interests, the Applicant shall request the City acquire the off-site property interests. The Applicant shall provide evidence of attempts to acquire any required off-site property interests and shall enter into an agreement with the City committing to complete the improvements pursuant to Government Code Section 66462 after the City has acquired the property interests. Such agreement shall provide for payment by Applicant of all costs incurred by the City to acquire the off-site property interests. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the City, at the Applicant's cost.

FEES/PERMITS/BONDING

E* 61. Obtain written permission from the Metropolitan Water District prior to any encroachment or construction within the District easement.

B* 62. Pay traffic mitigation fees in the amount of $252.71 per dwelling unit.

A 63. Post a deposit for monumentation which shall not be released prior to completion of all on-site construction and submittal of written verification from the project engineer or land surveyor that the monuments have been set and payment for the work has been received. Submit an estimate of the deposit amount prepared by the project land surveyor.

E 64. Post a deposit for erosion control which shall not be released prior to completion of all on-site construction.

A 65. Post Faithful Performance, Labor and Material, and Warranty bonds for all required street, drainage, trail, and Landscape Maintenance District improvements. Post Faithful Performance, and Labor and Material bonds for all required grading, and private landscaping improvements.

A 66. Enter into an agreement with the City of Highland for construction of public improvements using the adopted City form.

D 67. Pay appropriate engineering fees for bond processing, plan check, hydrology report review, WQMP review, structural calculation review, traffic report review, assessment district annexations, on-site and off-site inspection, utility excavation permits, GIS map plan update, microfilming and storage of maps and plans, and other required fees.

D 68. Obtain a permit from Engineering prior to any on-site construction or construction within the City's right-of-way.

E 69. Post a deposit for erosion control which shall not be released prior to completion of all on-site construction.

UTILITIES/CONSTRUCTION

B* 70. Remove existing utility poles and overhead lines along the south side of Greenspot Road crossing the tentative map to the easterly side of Church Street, and on the west side of Church Street along the project frontage.

C 71. Design and construct above ground and flush mount utility structures at locations where retaining walls are not necessary in accordance with the requirements of the utility companies Prepare a Composite Utility Plan indicating locations of slopes and all above ground and flush mount utility structures, and submit the plan to the City for review prior to City issuance of utility permits. Utilize underground utility structures if necessary to avoid construction of retaining walls.

C 72. Construct an extension of the public sewer from Street D easterly to a proposed sewer manhole in Church Street to accommodate connection of a sewer system serving the East Highlands Village neighborhood. Design and construct the sewer extension per EVWD requirements. If construction of the sewer extension requires removal of a portion of the City's Line "C" Channel, reconstruct the Channel as required by the City Engineer.

D 73. Provide all utility services to each unit, including sanitary sewers, water, electric power, cable television, gas, and telephone. All utilities are to be underground.

D 74. Coordinate, and where necessary, pay for the relocation of any existing public utilities as necessary.

D 75. Obtain written permission from the adjoining property owner(s) for off-site grading and/or construction work, if any.

D 76. Street pavement shall be constructed in lifts as directed by the City inspector. Final asphalt lifts shall be placed after all houses are built or within 12 months of the completion of each construction phase. Repair any pavement damage to the satisfaction of the City Engineer if the final asphalt cap is done before the completion of all house construction.

C 77. After all houses are constructed, slurry seal the streets within the tract prior to final bond release or submit cash payment in lieu of slurry seal.

E 78. Reconstruct existing public improvements removed or damaged during construction as approved by the City Engineer. Pavement repair, which may include A.C. overlay, T-cut trench repair and/or slurry seal shall be across all or a portion of existing pavement as determined by the City Engineer.

E 79. Install construction fencing and screening in accordance with Building and Safety Division Policy 335.

B 80. Comply with applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit program. Provide written verification from the Regional Water Quality Control Board specifying the project's WDID number.

B 81. Destroy any abandoned wells on the property or similar structures that might result in contamination of underground waters in a manner approved by the City Engineer.

D 82. All underground structures, except those desired to be retained, must be broken in, backfilled, and inspected before covering.

D 83. Comply with the prevailing City design and construction standards and requirements at the time of permit issuance.

C 84 As an alternative to constructing Blossom Way as shown on the tentative map, the developer may construct Blossom Way along an alignment that could avoid the need to extend the existing storm drain and relocate the existing outlet headwall to the property west of the tentative map, as long as the developer obtains written concurrence from the west adjoining property owner acknowledging their willingness to construct the remaining street and drainage improvements along the west side of Blossom Way that would not be constructed by the developer as a result of the Blossom Way alternate alignment. Include in the alternate design an 8'-wide median, full curb-to-curb width of 56' between Greenspot Road and the south end of the median, a minimum curb-to-curb width of 36" between the south end of the median and Promenade Way, 6' curbs and gutters on both sides, and 6'-wide sidewalk on the east side, Install roadway safety measures. Construct access to accommodate City maintenance of the existing storm drain and outlet on Blossom Way. Dedicate additional street right-of-way. Maintain capacity of the proposed water quality basin in Lot F and adjust the size of Lots No 55 and 59 if necessary.

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

DATE : May 31, 2017 **PAGE 1 OF 6**

APPLICANT :S-P Deerfield, LLC / Aguilar Consulting, Inc.

Address :

SITE LOCATION : SW Corner of Greenspot & Church

FILE / INDEX No.: 17-001 17-002

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

Fire Department Review of all projects is required.

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

ALL CONSTRUCTION (New and renovations to existing) SHALL COMPLY WITH THE CALIFORNIA FIRE CODE **(2016 edition)** Along with amendments as adopted within the Highland Municipal Code (Ord. #387).

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

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

GENERAL.

1. **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 Chapter 49 & HMC**

2. **HF31:** APPROVED FIRE HYDRANT PAVEMENT MARKERS (BLUE DOTS) SHALL BE INSTALLED AT EVERY HYDRANT

3. **HF51:** THE MAIN ELECTRICAL PANEL AND ALL SUB-PANEL(s) SHALL BE LABELED ON INSIDE COVER FOR ALL CIRCUITS. **CEC 408.4**

4. **HF52:** WATER HEATER (FUEL FIRED), SHALL BE PROPERLY VENTED TO EXTERIOR OF STRUCTURE WATER HEATER SHALL BE SEISMIC STRAPPED TO WALL AND BE LOCATED 18" ABOVE A GARAGE FLOOR. **CBC**

5. **HF53:** A SELF-CLOSING AND LATCHING DOOR SHALL BE INSTALLED BETWEEN AN ATTACHED GARAGE AND LIVING SPACE. **CBC**

6. **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

7. EXIT SIGNS SHALL BE INTERNALLY OR EXTERNALLY ILLUMINATED BY TWO LAMPS OR SHALL BE OF THE SELF-LUMINOUS TYPE. **CFC CHPTR 10; CBC**

8. **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 ½" MAXIMUM OPENINGS. **CFC CHPTR 6; CBC; CMC**

9 **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.

10. **HF48:** A CLASS "A" ROOF COVERING STRUCTURE WITH "BIRD STOPS" SHALL BE INSTALLED.

ACCESS:

11. **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 chapter 5, Sec 503**

12. **HF8:** ALL ACCESS ROADS, PUBLIC, PRIVATE STREETS AND RESIDENTIAL DRIVEWAYS SHALL MAINTAIN A MINIMUM VERTICAL CLEARANCE OF THIRTEEN (13) FEET-SIX (6) INCHES. **CFC 503.2.1**

13. **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**

14. **HF10:** DRIVEWAYS EXCEEDING 150 FEET SHALL HAVE A FIRE DEPARTMENT APPROVED TURN-AROUND AT THE TERMINUS. **CFC 503.1.1 / APPENDIX D, D103.4**

15. **HF11:** FIRE DEPARTMENT ACCESS ROADWAY(s) AND/OR PUBLIC/PRIVATE STREET(s) EXCEEDING ONE HUNDRED FIFTY (150) FEET IN LENGTH SHALL PROVIDE AN APPROVED TURN-AROUND AT THE TERMINUS (**CUL-DE-SAC**). MINIMUM RADIUS SHALL BE **NOT LESS THAN 40** FEET. OR AS APPROVED BY THE FIRE MARSHAL. CUL-DE-SACS PROVIDING ACCESS TO PERIMETER EMERGENCY ACCESS ROADS SHALL HAVE A MINIMUM RADIUS OF **44** FEET. **CFC 503.1.1 / APPENDIX D, D103.4, SBCO TRANSPORTATION STD 120/121**

16. **HF12:** FIRE DEPARTMENT ACCESS ROADWAY(s), PUBLIC/PRIVATE STREET(s) AND DRIVEWAYS SHALL NOT EXCEED 12% GRADE **CBC 503.2.7 / APPENDIX D, D103.2 - HMC**

17. **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 503.1.1**

18. **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 503.1.2 - APPENDIX D, Sec D104.3**

19. **HF19:** **MANUALLY** OPERATED GATES ACROSS FIRE DEPARTMENT ACCESS ROADWAYS, PUBLIC AND/OR PRIVATE STREETS AND DRIVEWAYS, SHALL BE EQUIPPED WITH APPROVED EMERGENCY KEY-OPERATED **"KNOX"** PADLOCK OR BOX CONTAINING KEY TO OPEN THE PRIVATE LOCK FOR **AUTOMATIC** GATES, A "KNOX" EMERGENCY ACCESS SWITCH, SHALL BE INSTALLED, AT LOCATION DETERMINED BY FIRE DEPARTMENT, AND SHALL OVER-RIDE ALL COMMAND FUNCTIONS AND OPEN GATE AUTOMATICALLY UPON ACTIVATION. ALL AUTOMATIC GATES SHALL HAVE A MANUAL OVER-RIDE FOR USE DURING LOSS OF ELECTRIC POWER. "KNOX BOX" REQUEST FORM IS AVAILABLE FROM THE FIRE MARSHAL. **CFC 506.6** – Appendix D 103.5 **Note: The city of Highland also requires an electronic "H" key system (Ord. #320) for multi-family, gated communities or secured storage facilities. HMC Chapter 15.56**

20. **HF24:** "NO PARKING – FIRE LANE" SIGNS SHALL BE POSTED AT LOCATIONS DESIGNATED BY FIRE MARSHAL. FIRE LANE CURBS SHALL BE PAINTED RED, WITH WHITE LETTERS STATING "NO PARKING – FIRE LANE" ON TOP, NOT FACE **CFC 503.3 - APPENDIX D, D103.6**

21. **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 506**

WATER:

22. **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 APPENDIX C**

Note: Hydrants shall meet EVWD standards.

23. **HF29:** FIRE HYDRANT SPACING SHALL BE .
SINGLE FAMILY RESIDENTIAL: 600 FEET MAXIMUM
CFC 507 / APPENDIX B AND APPENDIX C.

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

24. **HF26:** TWO SETS OF WATER DELIVERY SYSTEM PLANS, DESIGNED TO MEET THE REQUIRED FIRE FLOW FOR THIS PROJECT AND/OR DEVELOPMENT, SHALL BE SUBMITTED TO THE FIRE DEPARTMENT FOR REVIEW AND APPROVAL. **CFC 501.3**

25. **HF27:** APPLICANT-DEVELOPER SHALL PROVIDE A LETTER FROM THE WATER COMPANY SERVING THE PROJECT-DEVELOPMENT, VERIFYING FINANCIAL ARRANGEMENTS HAVE BEEN MADE AND BONDED FOR THE REQUIRED WATER IMPROVEMENTS. **CFC 501.3**

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

27. **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 150 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, C**

ADDRESSING – IDENTIFICATION:

28. **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 PROVIDE ILLUMINATION.
MINIMUM SIZE OF THE NUMERALS SHALL BE 8" HEIGHT, 3/8" STROKE, OR AS APPROVED BY THE FIRE MARSHAL.
INDUSTRIAL OCCUPANCIES SHALL HAVE ADDRESS NUMBERS OF 12" HEIGHT, ½" STROKE AND SHALL BE 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.
CFC 505.1

29. **HF18:** STREET NAME SIGNS SHALL BE INSTALLED PRIOR TO CONSTRUCTION ON ANY ROADWAY OR PHASE. TEMPORARY SIGNS MAY BE USED AS APPROVED BY THE FIRE MARSHAL. **CFC 505.2** **Note:** Permanent signage shall meet City standards as required by Planning.

30. **HF17:** THE PUBLIC AND/OR PRIVATE ROADWAYS SERVING THIS PROJECT SHALL BE IDENTIFIED WITH **CITY** APPROVED NAMES **CFC 505.2**

31. **HF20:** **RESIDENTIAL** ADDRESS NUMBERS SHALL BE PLACED ON ALL NEW AND EXISTING STRUCTURES IN SUCH A MANNER AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE ACCESS ROADWAY OR STREET. SINGLE FAMILY DWELLINGS SHALL HAVE NUMBERS OF 4" HEIGHT, 3/8" STROKE ON CONTRASTING BACKGROUND. ADDRESS NUMBERS SHALL BE LOW VOLTAGE, AUTOMATICALLY ELECTRICALLY ILLUMINATED WHERE STRUCTURE SETBACK EXCEEDS ONE HUNDRED (100) FEET FROM THE ACCESS ROADWAY OR STREET, ADDITIONAL NON-ILLUMINATED NUMBERS 4" IN HEIGHT, 3/8" STROKE, ON CONTRASTING BACKGROUND SHALL BE DISPLAYED AT PROPERTY ACCESS ENTRANCE. **CFC 505.1**

FIRE PROTECTION & ALARM SYSTEMS:

32. **HF34:** RESIDENTIAL AUTOMATIC FIRE SPRINKLERS SHALL BE INSTALLED ACCORDING TO **NFPA 13D** AND FIRE DEPARTMENT REQUIREMENTS. SUBMIT THREE **(3)** SETS OF SHOP PLANS WITH MATERIAL CUT SHEETS AND HYDRAULIC CALCULATIONS FOR FIRE DEPT. REVIEW AND APPROVAL PRIOR TO ANY INSTALLATION SUBMIT COPY OF CALIFORNIA C-16 LICENSE.

33. THE WATER METER SUPPLYING A 13D SYSTEM SHALL BE OF SUFFICENT SIZE (usually 1-inch) TO PROVIDE THE CALCULATED FLOW REQUIREMENTS OF THE 13D FIRE SPRINKLER SYSTEM. MINIMUM PIPE SIZE BEYOND THE WATER METER SHALL BE 1-INCH. **CFC CHPTR 9; CFC 903; CBC; & HMC 8.24; NFPA13D, CHAPT. 6 & 10**

34. **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 CHPTR 9; CFC 903; CBC; & HMC 8.24**

35. **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 912, 912.2**

36 **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 FEETADDITIONAL 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 SFM SERVICE TAG ATTACHED. FIRE EXTINGUISHERS ARE TO BE SERVICED EVERY TWO YEARS AND INSPECTED & TAGGED EVERY YEAR **CFC 906**; APPLICABLE NFPA STANDARDS.

37. **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 907; CBC; & NFPA 72**

38. **HF46:** SMOKE DETECTORS AND CARBON MONOXIDE DETECTORS, HARD WIRED IN SERIES WITH BATTERY BACK-UP, SHALL BE INSTALLED IN ALL SLEEPING AREAS AND IN ALL HALLWAYS AND AREAS/ROOMS LEADING TO SLEEPING AREAS. SMOKE DETECTORS SHALL BE INSTALLED AT THE TOP OF ALL STAIRWAYS. AT LEAST ONE SMOKE DETECTOR SHALL BE INSTALLED ON THE FIRST FLOOR LEVEL. **CFC 907; CBC**

39. **HF60:** 2016 CALIFORNIA FIRE CODE, CHAPTER 33, **FIRE SAFETY DURING CONSTRUCTION** AND DEMOLITION, SHALL APPLY TO THIS PROJECT. IT IS THE REPSONSIBILITY OF THE PROJECT MANAGER TO MEET WITH THE FIRE MARSHAL TO DISCUSS REQUIREMENTS SPECIFIC TO THIS PROJECT

40. **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 Department
(909) 864-6861 X 248

STATE OF CALIFORNIA)

COUNTY OF SAN BERNARDINO)

CITY OF HIGHLAND)

I, BETTY HUGHES, MMC, City Clerk of the City of Highland, California, do hereby certify Resolution No. 2018-007 was duly and regularly adopted by the City Council of the City of Highland, California, at a regular meeting thereof held on the 13th day of March, 2018, by the following vote:

AYES: Chavez, Lilburn, McCallon, Solano, Timmer

NOES: None

ABSTAIN. None

ABSENT: None

Dated this 14th day of March, 2018.

Betty Hughes

BETTY HUGHES, MMC
CITY CLERK

Attachment 6:

Planning Commission Resolution No. 2021-005 for approval of Extension of Time (EXT 20-002) for Tentative Tract Map No. 20090 (TTM 17-001)

RESOLUTION NO. 2021 - 005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND RECOMMENDING THE APPROVAL OF EXTENSION OF TIME APPLICATION (EXT 20-002) FOR A ONE (1) YEAR EXTENSION OF TENTATIVE TRACT MAP NO. 20090 (TTM 17-001) RELATED TO THE PROPOSED 137-UNIT BLOSSOM TRAILS HOUSING DEVELOPMENT IN THE EAST HIGHLANDS RANCH.

APPLICANT: CAMILLE BAHRI, SUNLAND COMMUNITIES, LLC

A. RECITALS

1. On September 26, 2005, the Applicant submitted Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005) for review.

2. On February 7, 2006, the Planning Commission recommended approval of the Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005) to the City Council.

3. On February 28, 2006, the City Council adopted Resolutions No. 2006-007, 2006-008, 2006-009, and 2006-010, approving the Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005).

4. On October 30, 2017, the Applicant submitted Tentative Tract Map No. 20090 (TTM 17-001) to replace Tentative Tract Map No. 16448 (SUB 05-003), Tentative Parcel Map No. 19958 (TPM 17-002) to replace Tentative Parcel Map No. 17630 (MS 05-005), an Addendum to the Mitigated Negative Declaration and an amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006) to the East Highlands Ranch Planned Unit Development (PUD 05-003) for review.

5. On February 20, 2018, the Planning Commission recommended approval of the Tentative Tract Map No. 20090 (TTM 17-001), Tentative Parcel Map No. 19958 (TPM 17-002), an Addendum to the Mitigated Negative Declaration and an amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006) to the City Council.

6. On March 13, 2018, the City Council adopted Resolutions No. 2018-006, 2018-007, 2018-008, approving Tentative Tract Map No. 20090 (TTM 17-001), Tentative Parcel Map No. 19958 (TPM 17-002), the Addendum to the Mitigated Negative Declaration and the amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006).

7. On December 30, 2020, the Applicant submitted an Extension of Time Application (EXT-20-002) requesting a one (1) year extension for Tentative Tract Map No. 20090 (TTM 17-001) and Tentative Parcel Map No. 19958 (TPM 17-002).

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

B. RESOLUTION

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

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

Section 2. Based upon substantial evidence presented to the Planning Commission during the April 20, 2021, Public Hearing, including public testimony and written and oral Staff Reports, the Planning Commission finds as follows:

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

Section 3. Findings of Fact

a. The Planning Commission finds that the Findings of Fact made in Resolution No. 2021 - ____ on April 20, 2021 for Tentative Tract Map No. 20090 (TTM 17-001) are true and correct and uphold all previous findings as stated in the adopted Resolution No. 2018-007.

b. Granting of the extension will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. In concurrence with the Extension of Time application, several of the Tentative Tract Map Conditions of Approval for Planning and Engineering have been amended as some logistics have changed for this project as a result of shifts in plans relating to adjacent developments.

Section 4. Based on the Findings of Fact and Conclusions set forth above, the Planning Commission recommends approval of Extension of Time Application No. 21-____, subject to the amended conditions of approval, granting a one (1) year Extension of Time for Tentative Tract Map No. 20090 (TTM 17-001).

C. ADOPTION OF RESOLUTION.

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

Exhibit A comprises the revised Conditions of Approval

PASSED, APPROVED AND **ADOPTED** this 20TH day of April, 2021.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez,
Community Development Director

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: April 20, 2021

Owner: S-P Deerfield, LLC

File/Index: Tentative Tract Map No. 20090 (TTM 17-001)

Proposal: Request for a one-year Extension of Time (EXT 20-002) for Tentative Tract Map No. 20090 (TTM 17-001) and amendments to the approved Tentative Tract Map Conditions of Approval related to the 137-unit Blossom Trails housing development in the East Highlands Ranch.

Location: Southwest corner of Church Street and Greenspot Road
Assessor's Parcel Numbers: 1201-401-02, 1201-431-61

Note: These Conditions represent Planning Division Conditions only and are meant to be only one part of the Project's overall Conditions that may include Engineering, Fire Department and Building and Safety Conditions of Approval. All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy, except where noted.

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

1. This Tentative Tract Map 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 tentative tract map have occurred within thirty-six (36) months from the approval date, this tentative tract map shall expire and be null and void without further action by the City of Highland.

    b. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant an extension of time for a period of time not to exceed an additional thirty-six (36) months. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the 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 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 cannot begin prior to receipt of this signed documentation.

3. The subject property shall be developed in accordance with plans approved by the Planning Commission on February 6, 2018, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein.

4. Revisions, modifications, and/or deletions to the approved plans shall be submitted to the Planning Division for review and approval. Revisions, modifications and/or deletions may require additional review by the Planning Commission.

5. 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.

6. No expansion of the project beyond the scope and nature described in the application, which would tend to increase the projected scale of the project, shall not be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements therefore.

7. Each condition of approval is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

8. Development standard not addressed in the East Highlands Ranch – Planned Unit Development shall comply with the Ordinances, Policy Resolutions, and Standards of the City, in effect at the time of development of this project site and shall be complied with as a condition of this approval.

9. The approval of this project is subject to, and contingent upon, the developer completing all subdivision improvements necessary to support future construction. Necessary subdivision improvements shall include, but not be limited to, design and construction of street, parkway, sidewalk, disabled ramping, driveway approach improvements, multi-use trail connections, water system facilities, water quality improvements, fire suppression facilities, sewer and storm drain facilities, electrical, gas, and telecommunication facilities, grading improvements and retaining walls, perimeter walls and fencing, street trees and landscaping, private front yard landscaping, and landscaping on all applicable lettered lots.

10. Design and construction of all subdivision improvements shall be completed in accordance with the approved plan.

11. No permanent building construction shall commence until the tract map is recorded and the final grading and improvement plans have been approved, rough grading certified, and a building permit issued by the Building Division.

12. Prior to recordation of the final map submit the proposed names for approval by the Planning Commission prior to designating street names on tentative tract maps or installing street signs.

13. Construction of improvements and structures shall occur substantially in sequence with the approved conceptual Phasing defined with Tentative Parcel Map 17640 as well as the approved construction phasing grading plan. Deviation from the phasing sequence, shall be approved by the Planning Commission.

14. 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.

15. 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.

Easements

16. A minimum 12-foot wide multi-purpose community trail easement shall be labeled and all locations defined on Tentative Tract Map 20090 prior to final map approval.

Site Design

17. All future development with East Highlands Ranch Planning Areas 40/42 shall comply with EHR-PUD's Single Family Detached – 3,600 SF (SFC-V) development standards, as shown in the 2018 amended Development Standards Report for the EHR-PUD, as may be amended from time to time.

18. The Applicant / Developer shall be required to file a Design Review Application, with the required filing fee, for review and approval by the Planning Commission prior to the issuance of any permits. The review shall include, but is not limited to: rough and precise grading plans, retaining/boundary walls, housing product mix, all building elevations, privacy fences, all landscaping, hardscape, common recreational area related plans, and model home complexes.

19. The landscape buffer along Greenspot Road shall be no less than seven (7) feet behind the right-of-way.

20. Additional landscape area shall be provided on each corner of Street D where it intersects with Greenspot Road to provide for the installation of an enhanced subdivision entry statement.

21. Conceptual Landscape Plan shall be submitted for review by the City's Landscape Architect and Design Review Board. Said landscaping shall include the following:

    a. The type and location of the required street trees for each unit.

    b. A six foot (6') high split-face block or masonry wall (or as required by an acoustical analysis) shall be constructed, subject to Planning Commission review and approval along Greenspot Road. The boundary wall over drainage easements shall be designed and constructed in a way that drainage flow can be maintained at all times.

       In addition, all walls or fences along street side yards shall be masonry fencing. If a wall should extend into any front yard setback area the maximum height shall be four feet (4'). On corner lots, the maximum wall height shall not exceed thirty inches (30") in the front yard setback (within the vision triangle).

       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. Vinyl fencing shall be allowed at property lines between lots, at house returns, and crossing side yards as exhibited on the approved Tentative Tract Map.

    c. A Typical Front Yard Landscaping Plan shall be provided for each Floor Plan. The landscape material shall be appropriate for the design theme and architecture of each unit

22. In addition to the standard landscaping conditions listed above, the following items shall be incorporated into the final landscaping plans for review and approval by the Planning Commission:

    a. Greenspot Road streetscape and median planting shall match existing Greenspot Road streetscape and median.

    b. The use of turf in parkways and front yard is discouraged.

    c. Vines shall be planted at ten (10') feet on-center spacing along all exterior boundary block walls as designated through a Design Review Application. Consideration should be given to vine species and method of attachment with respect to the type of fence or wall.

23. Landscape and irrigation specifications shall adhere to the adopted Engineering/Public Works Standards as may be amended from time to time.

24. Modifications to approved landscape and irrigation plans, or landscaping requirements described in Specific Plan Section 8.2 Landscaping, resulting from federal, state or local mandates, shall be reviewed and approved by the City's Landscape Architect.

Grading

25. All slopes shall be limited to a maximum ratio of 2 to 1 and shall be a part of the downhill lot when located within or between individual lots.

26. Prior to issuance of a grading permit any designated sensitive areas shall be fenced or protected as recommend by oversight agencies prior to any demolition, grubbing, or grading permit issuance on site.

27. Prior to issuance of a grading permit, a tree removal application shall be reviewed and approved for removal of any on-site trees.

28. If a residential tract 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.

29. In the event the diversion channel is installed across any portion of the site the disturbed area shall be hydro-seeded to limit wind and water erosion. If the diversion channel occurs within the MWD easement area, then the proposed seed mix shall be acceptable to Metropolitan Water District, the California Department of Fish and Wildlife, and or other agencies with oversite to control erosion.

Construction

30. The recreational center and fitness stations shall be installed prior to the issuance of the 50th building permit for production homes.

31. The multi-purpose trail along Church Street shall include a curb adjacent landscape buffer in the remaining area of the right-of-way. Development of this trial shall occur with development of Phase 1.

32. An access easement across the Metropolitan Water District's parcel to the benefit of the City shall be secured by the applicant/developer prior to development within Phase 2 for the dedication of a multi-purpose trail. No physical improvements will be required by the project within the MWD parcel or along any portion of Pole Line Road.

33. Prior to issuance of the 1st Certificate of Occupancy in each Phase, adjacent multipurpose and hiking trails shall be constructed and/or fully improved.

34. Prior to the issuance of the 1st building permit, the applicant shall submit development plans for the multipurpose trails inclusive of amenities and signage to be provided at trail entries, forks, and interpretive stations within those sites. The plans shall be reviewed by the City's Landscape Architect, Community Trails Committee and Public Facilities Subcommittee. Trails shall be designed and constructed consistent with the Highland General Plan, and the Highland

Development Policies, Standards and Procedures. The existing trail within the MWD easement area shall remain as-is.

35. Prior to issuance of the 1st Certificate of Occupancy in each Planning Area, adjacent multipurpose and hiking trails shall be constructed and/or fully improved.

36. All trails shall be open and accessible to the general public.

37. The ultimate height and design of the perimeter walls and fences adjacent to undeveloped areas considered sensitive and critical habitat shall be determined after consultation with U.S. Fish and Wildlife Department and the California Fish and Wildlife Service.

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

39. The Applicant shall construct the property boundary walls and fences prior to first occupancy in accordance with construction phasing plan, as approved by the Planning Commission in conjunction with the Design Review Application for home construction (if applicable).

40. Housing unit elevations visible from the public right-of-way shall be enhanced with architectural elements used on the front elevations as approved by the Planning Commission.

Environmental

41. The East Highlands Ranch Planned Unit Development Final Environmental Impact Report Mitigation Measures and "Mitigation Monitoring Requirements" with the 1999 amendments, as they relate to PAs 40/42 are incorporated herein and made a condition of approval (See "Attachment A-1, Mitigation Monitoring Reporting Program"). Comply with all mitigation measures identified in the Program, the time in which it will be implemented and the responsible party for monitoring its implementation.

42. Pursuant to provisions of California Public Resources Code Section 21089 (b), this Application shall not be operative, vested or final, nor will building permits be issued or a map recorded, until: (1) the Notice of Determination (NOD) regarding the associated environmental action is filed and posted with the Clerk of the Board of Supervisors of the County of San Bernardino, and; (2) any and all required filing fees assessed pursuant to California Fish and Game Code Section 711.4, together with any required handling charges, are paid to the Clerk of the Board of Supervisors of the County of San Bernardino.

43. The Applicant shall provide the Planning Division with a check for the appropriate fee, made payable to the Clerk of the Board of Supervisors, by no later than 24 hours after receiving approval of the project. The City will file the NOD and fee

payment with the County/State and will provide the Applicant with a copy of the receipt and filed NOD.

44. Based on the *Acoustical Analysis* by Christopher Jean & Associates, Inc, dated February 4, 2014, further analysis may be required to bring the then current Greenspot Road way noise of 72 dBA to the City's required interior noise levels of 45 dBA. The report list additional construction methods that could reduce the noise level further but the final mitigation method needs evaluating when a development plan for homes is proposed.

45. Prior to commencement of project activities project applicant shall obtain either of the following: Written correspondence from the California Department of Fish and Wildlife stating that notification under Section 1602 of the California Fish and Game Code is not required for the project; or a copy of a Department-executed Lake or Streambed Alteration Agreement, authorizing impacts to California Fish and Game Code, section 1602 resources associated with the project, or evidence of avoidance of impacts on jurisdictional areas through the final design of the project per Engineering Condition No. 84 and a statement from the project's biologist and California Department of Fish and Wildlife approval.

Declaration of Conditions, Covenants and Restrictions / Homebuyer Notification

46. Prior to first occupancy, two (2) copies of all organizational documents for the project, including Conditions, Covenants and Restrictions (CC&R's) or letters of advisement to future property owners shall be submitted to the Community Development Director for review and approved which identifies the following:

    a. Architectural controls shall be provided and shall include, but not be limited to, establishing the requirement to obtain approval from the City of Highland for any additions, patios, or accessory buildings/structures and establishing minimum design guidelines to ensure compatible development;

    b. Provisions alerting the buyers of any lot that required construction of the dwelling to meet the City's interior noise standard for single-family residential development;

    c. Provisions alerting the owners of any affected lots that those lots are required to accept and accommodate runoff from other lots. Said provisions shall prohibit homeowners from modifying drainage facilities or flow patterns of their lots without first obtaining permission from the City;

    d. Provisions alerting the buyers of any applicable Community Facility District or other assessment districts;

    e. A notice explaining the obligation to comply with Highland Municipal Code regulations pertaining to the parking and storage of recreational vehicles.

f. Disclosures of surrounding land uses or activities having the potential to disturb purchaser shall be provided as defined in correspondences on file with the City of Highland. These include, but may not be limited to, the following:

   i. City of Redlands letter dated July 31, 2017, regarding the "Area of Special Compatibility Concern: the Redlands Municipal Airport;
   ii. Located within the San Bernardino International Airport "Influence Area;"
   iii. Cemex letter date May 30, 2017, regarding Tentative Tract Map 20090's close proximity to Property that is utilized for permitted quarry mining and processing operations;
   iv. The existing gun club on the south side of the Santa Ana River.
   v. Potential noise impacts associated with traffic along Greenspot Road;
   vi. Disclosure of Metropolitan Water District's 144½ inch-diameter welded steel Inland Feeder Pipeline within its easement along the southern property boundary.

47. The approved CC&Rs or letters of advisement shall be recorded prior to the first occupancy and a copy of the recorded documents shall be submitted to the Planning Division within five (5) days after recordation.

Fees

48. Pursuant to City Council Resolution, as may be amended from time to time, the Owner/Developer shall pay all applicable Development Impact Fees per the East Highlands Ranch Development Impact Fees Development Agreement. The Development Impact Fees are calculated from the fee schedule in affect at the time of issuance of Building Permits.

City of Highland

Engineering Department
Conditions of Approval
TTM 17-001; PDA 17-001; TPM 17-002
Blossom Trails
SWC of Greenspot Road and Church Street

03017-544

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

April 20th, 2021

SOILS/GRADING

A 1. Submit a preliminary soils report, prepared by a licensed Geotechnical Engineer, for review and approval by the City Engineer. Comply with the recommendations contained in the report and any amendments thereto as approved by the City Engineer.

A 2. Design individual lot grading to drain the entire area of each lot directly to the adjacent street.

A 3. Submit rough and/or precise grading plans to the City Engineer for review and approval. Comply with the City of Highland grading standards as shown on the Grading Plan Checklist.

A 4. Design grading and on-site improvements to drain the entire site to the proposed Basin A at the northeast corner of Blossom Way and Promenade Way.

E 5. Submit structural design and location for any required retaining walls for review and approval by the City Engineer. Install concrete v-ditches at the back of retaining walls in accordance with the Grading Plan Checklist.

E 6. The grading and landscaping plans must comply with the City's clear sight triangle criteria at public street intersections and at private driveways. Walls, fencing, monument signs, slope, and landscaping, within the clear sight triangle, must not exceed thirty inches in height measured from the flowline of the street, unless a sight distance analysis that demonstrates sight distance is adequately maintained is submitted to and approved by the City Engineer.

A 7. Submit an erosion control plan to minimize potential increases in erosion and sediment transport during construction activity for City Engineer approval. Place erosion control measures during or after grading work as required by the City Engineer.

A 8. Design short term erosion control in accordance with Best Management Practices such as, silt fencing to control the site perimeter, and straw bale barriers, sandbag barriers, rock filters or sediment basins to control internal erosion, or other methods to stabilize disturbed areas, as approved by the City Engineer.

D 9. Implement dust control measures during construction activities including, but not limited to, daily watering of construction area as frequently as necessary during active and inactive periods,

utilizing soil emulsions, limiting construction vehicle speed to 10 miles per hour, stabilizing construction entrances to prevent trackout of sediments, and street sweeping.

B 10. Submit original wet signed and stamped rough grading certifications from the soils engineer and the grading engineer, along with compaction reports, to the City Engineer.

C 11. Submit original wet signed and stamped final grading certification from the grading engineer to the City Engineer.

STREET IMPROVEMENTS

C* 12. Prior to first occupancy in Phase 1, construct street improvements along the entire project frontage on Greenspot Road including, but not be limited to, 8" curbs and gutters, 5'-wide parkway sidewalk, streetlights, curb returns and handicap ramps at the intersections of Blossom Way and Street D. Align centerline of Blossom Way with that of the existing street on the north side of Greenspot Road.

C* 13. Prior to first occupancy in Phase 1, reconstruct the existing landscaped median on Greenspot Road to accommodate a 75'-long westbound left turn pocket at Blossom Way. Construct pavement repairs as required by the City Engineer.

C* 14. Prior to first occupancy in Phase 1, remove existing pavement and construct new street improvements along the entire project frontage on Church Street including the Church Street/Abbey Way intersection. Construct street improvements including, but no limited to: 6-inch curb and gutter located 18' west of the street centerline, asphalt concrete pavement from the lip of gutter to 14' east of centerline, class II aggregate base, redwood header at edge of pavement, and street lights.

A* 15. Remove existing interim drainage inlets on the west side of Church Street and construct roadway drainage system to convey street flows on Church Street to the Line C Channel as required by the City Engineer.

C* 16. Construct grading along both sides of the existing drainage box culvert located on the west side of Church Street north of Merris Street. Maintain grading with a maximum 2% slope between the east tract boundary wall and the west curb on Church Street. Construct drainage v-ditch to accommodate surface flow if necessary. Provide surface treatment on the top of the box culvert as necessary to accommodate pedestrian use over the box culvert.

C* 17. Construct a public trail along both sides of the Line C Channel from Merris Street to the south boundary of the tentative map including a connection to the future trail along the south side of Abbey Way. Grade the trail with a maximum slope of 2% to drain toward the Line C Channel or Church Street. Remove existing chain-linked fence along the west side of the Line C Channel, and replace it with ~~new vinyl split rail fencing~~ decorative fencing, as approved by the City Engineer and the Community Development Director, a portion of which shall be removable as required by the City Engineer to accommodate City maintenance of the Channel. Improve the trail surface with decomposed granite along both sides of the Channel. Protect the existing chain-linked fence in place and construct a new vinyl split rail fencing along the east side of the Channel located at 4' from the proposed curb on Church Street. Install parkway landscaping and irrigation between the trail fencing and the curb as required by the City Planner. Install assess control to trail entrances. Construct an access between the existing concrete maintenance ramp and the east

end of Lot M to facilitate City channel maintenance operations and temporary stockpiling and storage of debris removed from maintenance activities. **(PC Amended 2/8/18)**

C* 18. Prior to first occupancy in Phase 1, submit to the City Engineer a signal warrant analysis to determine the number of dwelling units within the tentative map that will trigger the need of a new traffic signal.to be constructed at the Greenspot Road/Blossom Way intersection. Construct the traffic signal within the time frame as required by the City Engineer.

C* 19. If and when warranted, construct a traffic signal utilizing a video detection system at the Greenspot Road/Blossom Way intersection Install a fiber optic interconnect between the new signal and the existing signals at Church Street and Orange Street, including any necessary hardware and software. Provide a coordinated timing analysis for the traffic signals on Greenspot Road at Boulder Avenue, Orange Street, the new signal, Church Street and the Greenspot Road entrance to the Village at East Highlands.

D* 20. Construct street improvements within the tentative map necessary to provide proper circulation for each phase of the development. For Phase 1, construct Blossom Way, Promenade Way, Street F (north of Promenade Way), Street A, Street B, Street C and Street D (north of Promenade Way). For Phase 2, construct Street F (south of Promenade Way), Street E (to just west of Street F) and Street D (south of Promenade Way). For Phase 3, construct Street E (west of Street F).Street improvements shall include, but not be limited to: 6-inch curb and gutter, asphalt concrete pavement, class II aggregate base, 6-foot curb adjacent sidewalks, driveway approaches, and street lights in accordance with City of Highland Standards.

C* 21. Construct traffic calming devices along Promenade Way and Street D including signage and bulb-outs at street intersections as approved by the City Engineer.

C* 22. Construct walkways in Lots A, C, K, L, and N to provide connectivity with the proposed sidewalk on Greenspot Road and existing sidewalk on Church Street, and the proposed trail in Lot N.

C* 23. Adjust the proposed alignment of Street D so that adequate parkway landscaping can be accommodated at the proposed Street D/Greenspot Road intersection adjacent to the northwest corner of the EVWD parcel located easterly of Street D.

C* 24. Install during the first phase, City owned streetlights (LS-3) along Church Street using light emitting diode (LED) luminaires on octagonal concrete poles at locations specified by the City Engineer. The poles shall be natural gray with black and white aggregate and shall have a factory-applied anti-graffiti coating. Coordinate with Southern California Edison to energize the streetlights. The property owner shall be responsible for the City's payment of energy charges for 12 months following energizing of the streetlights.

D* 25. Install during each phase, City owned streetlights (LS-3) on the local streets using light emitting diode (LED) luminaires on octagonal concrete poles at locations specified by the City Engineer. The poles shall be natural gray with black and white aggregate and shall have a factory-applied anti-graffiti coating. Coordinate with Southern California Edison to energize the streetlights. The property owner shall be responsible for the City's payment of energy charges for 12 months following energizing of the streetlights.

A 26. Submit street improvement plans to the City Engineer for review and approval. Indicate the location of any existing utility/facility which would affect construction on final plans and profiles.

Comply with the City of Highland design standards as shown on the Street and Storm Drain Plan and Profile Checklist.

A 27. Submit a thorough evaluation of the structural road section, for the private and public streets, from a soil engineer to the City Engineer. Include a recommended street structural section, designed for a service life of 20 years as outlined in Section 600 of the Caltrans Highway Design Manual. The minimum section is 3" A.C./4" A.B. The City Engineer will provide traffic indexes.

A 28. Design public improvements including sidewalk, drive approaches, and access ramps in accordance with all requirements of the State of California Accessibility Standards, Title 24 California Administrative Code. Truncated domes shall be dark gray Armor-Tile Cast in Place System manufactured by Engineered Plastics, Inc.

C 29. Install traffic control signs, striping, and pavement markings, with locations and types approved by the City Engineer.

DRAINAGE/WATER QUALITY

E 30. Obtain approval by the City Engineer of a Final Water Quality Management Plan (F-WQMP), prepared in accordance with the City's National Pollutant Discharge Elimination System (NPDES) permit requirements in effect at the time the Preliminary Water Quality Management Plan was approved unless subsequent City NPDES permits require otherwise. The F-WQMP shall (1) be prepared, signed, and sealed by a licensed Civil Engineer, (2) include Site Design Low Impact Development and Source Control Best Management Practices (BMPs) appropriate for commercial development, (3) include a BMP implementation, operation, and funding mechanism, and (4) be certified by the property owner. The property owner shall also enter into a Stormwater BMP Transfer, Access, and Maintenance Agreement with the City on the City form. Include a copy of the recorded agreement in the F-WQMP. Construct BMPs in accordance with the approved F-WQMP.

E 31. Submit two (2) sets of WQMP BMP Exhibits with a "WQMP BMP As-Built Certificate" wet signed and sealed by the Engineer of Record. The Certificate shall state:

"I hereby certify that the Water Quality Management Plan Best Management Practices have been constructed under my supervision in accordance with the approved plans and are functional to the best of my knowledge."

C* 32. Prior to first occupancy in Phase 1, construct a water quality basin with the size, extent and scope of improvement in conformance with the F-WQMP and as required by the City Engineer. Maintain a maximum side slope of 4:1 or otherwise approved by the City Engineer. Construct a 12'-wide concrete maintenance access from Blossom Way to the basin bottom. Install fencing and landscaping along the top of, and within, the basin as required by the City Planner and the City Engineer.

D* 33. Prior to issuance of building permits for Lot 58, Lot 59 and Lot H in Phase 1, and any lots in Phases 2, construct the overflow channel located within Lots 68 thru 71 in Phase 3, Lot M, and within Lots 127 thru 137 in Phase 4 or at an alternate location as approved b the City Engineer. Obtain from FEMA its final determination on revising the effective FIRM removing these lots from Flood Hazard Zone A.

D* 34. Prior to issuance of building permits for any lots in Phase 3, remove the westerly portion of the overflow channel from Lots 68 thru 71 in Phase 3, and extend the overflow channel along the south line of Lots 69 thru 71 within the MWD property, and connect the realigned overflow channel to the future overflow channel if it has been constructed as a part of development of Tentative Tract No 17604. An alternate alignment may be submitted by the applicant for approval by the City Engineer. If the future overflow channel has not been constructed by future development of Tentative Tract No. 17604 to allow for the realignment of the overflow channel, Phase 3 shall remain undeveloped.

D* 35. Prior to issuance of building permits for any lots in Phase 4, remove the overflow channel from Lots 127 thru 137 in Phase 4 or as may have been approved the City Engineer, if San Bernardino County Flood Control District has completed construction of a project that improves drainage flows in the County's Elder Creek Channel and the City's Line "C" Channel, and FEMA has determined that an overflow channel is no longer needed for flood protection in Phase 4. Obtain written approval from FEMA prior to removal of the overflow channel.

D* 36. Design the overflow channel in accordance with the approved FEMA Conditional Letter of Map Revision (CLOMR). Maintain a maximum side slope of 4:1. Construct additional improvements to the overflow channel as required by the City Engineer prior to acceptance by the City for maintenance. Alternatively, if the overflow channel is to be maintained by San Bernardino County Flood Control District, construct the overflow channel per District requirements.

B* 37. Obtain a Letter of Map Revision from FEMA prior to issuance of any building permits in Lots 58, 59 and H within Phase 1 and any lots within Phase 2, 3 and 4.

C* 38. Prior to first occupancy in Phase 1, reconstruct and extend the existing storm drain, and reconstruct and relocate the existing outlet structure to a location west of the west project boundary, and construct additional drainage improvements at the westerly end of Promenade Way as needed to accommodate construction of full street improvements along Blossom Way and the Blossom Way/Promenade Way intersection within the project boundaries.

E 39. Obtain written permission from the owner of the adjoining property west of the tentative map to accept the post-development flows from the tentative map. In case such written permission could not be obtained, design and construct the proposed drainage system and the water quality basin to release flows to the adjoining property in an amount not higher than the pre-development flows.

A* 40. Design project entrances to minimize the possibility of off-site flows entering the site from Greenspot Road. Submit hydraulic calculations to verify the project entrances design.

A 41. Prepare and submit a hydrology study to determine storm runoff quantities tributary to and generated by the site. Include in the study hydraulic calculations to determine the extent, size and type of all drainage facilities.

A 42. Prepare and submit drainage improvement plans to the City Engineer for review and approval. Indicate on final plans and profiles the location of any existing utility/facility which would affect construction. Comply with City design standards as shown on the street and storm drain improvement checklist.

MAP/DEDICATION/ANNEXATION

A* 43. Apply to the City to annex the project into the City's drainage and trail maintenance districts for storm maintenance of the overflow channel in Lot M, and routine maintenance of public storm drains within the tentative map, and public trails within Lot M and along both sides of the Line C Channel. Sign ballots prepared by the City agreeing to the annexations and amounts of assessment.

A* 44. Maintain through a homeowners association the water quality basin (Lot F) and the outlet pipe between the basin and the Line A storm drain in Blossom Way, all letter lots including non-storm maintenance of Lot M, and parkway landscaping along all public streets including Greenspot Road and Church Street. Grant all lettered lots to the homeowners association (HOA) for ownership and landscape maintenance. Provide written documentation from the HOA agreeing to accept the lettered lots including the water quality basin.

A* 45. If applicable, dedicate to the City a drainage easement for City storm maintenance of the overflow channel located within Phase 3, Phase 4 and Lot M. Secure a drainage easement from MWD to be dedicated to the City for City storm maintenance of the overflow channel located within MWD property adjoining the southwest corner of the tentative map. Provide non-storm maintenance of the overflow channel through a homeowners association.

A* 46. Dedicate to the City an easement for City maintenance of public trails located within Lot N. Provide trail and landscape maintenance in Lots C, L and K through a homeowners association

A* 47. Dedicate to the City an easement for City maintenance of the Line C Channel, public trails, and parkway landscaping within Lot N along the Church Street frontage of the tentative map.

A* 48. Dedicate to the City street rights-of-way along the project street frontage on Greenspot Road and Church Street, if not previously dedicated.

A* 49. If the existing drainage improvements are modified as described in condition No. 38, acquire a drainage easement and an access easement from the property adjoining the west side of the tentative map to accommodate City maintenance of the public storm drain required to be reconstructed and relocated west of the Blossom Way/Promenade Way intersection. This condition No. 49 shall not be applicable if condition No. 82 is implemented.

A* 50. Dedicate a landscape easement for potential City maintenance of landscaping along Greenspot Road and Church Street through the City's Landscape Maintenance District.

A 51. Coordinate with the utility companies to eliminate easements not required for any utility facilities.

A 52. Record a Parcel Map and a Final Map with the San Bernardino County Recorder pursuant to the provisions of the State Subdivision Map Act.

A 53. Submit, at the time of Parcel Map and Final Map submittal: Traverse calculations (sheets), copies of recorded maps and deeds used as reference and/or showing original land division, tie notes and bench marks referenced, and a current title report. The traverse calculation sheets shall show error of closure. Inverse calculations will not be acceptable for plan check review.

A 54. Dedicate on the Final Map public street right-of-way and all drainage, landscaping and community trail easements within the project.

A 55. Dedicate corner property line cutoffs on public streets in accordance with City Standards.

A 56. Include an Improvement Certificate/Statement on the Parcel Map in accordance with Section 66411.1 of the Subdivision Map Act.

A 57. Submit a duplicate photo mylar of the map recorded with the San Bernardino County Recorder.

D 58. In the event the Applicant fails to acquire the required off-site property interests, the Applicant shall request the City acquire the off-site property interests. The Applicant shall provide evidence of attempts to acquire any required off-site property interests and shall enter into an agreement with the City committing to complete the improvements pursuant to Government Code Section 66462 after the City has acquired the property interests. Such agreement shall provide for payment by Applicant of all costs incurred by the City to acquire the off-site property interests. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the City, at the Applicant's cost.

FEES/PERMITS/BONDING

E* 59. Obtain written permission from the Metropolitan Water District prior to any encroachment or construction within the District easement.

B* 60. Pay traffic mitigation fees in the amount of $252.71 per dwelling unit.

A 61. Post a deposit for monumentation which shall not be released prior to completion of all on-site construction and submittal of written verification from the project engineer or land surveyor that the monuments have been set and payment for the work has been received. Submit an estimate of the deposit amount prepared by the project land surveyor.

E 62. Post a deposit for erosion control which shall not be released prior to completion of all on-site construction.

A 63. Post Faithful Performance, Labor and Material, and Warranty bonds for all required street, drainage, trail, and Landscape Maintenance District improvements. Post Faithful Performance, and Labor and Material bonds for all required grading, and private landscaping improvements.

A 64. Enter into an agreement with the City of Highland for construction of public improvements using the adopted City form.

D 65. Pay appropriate engineering fees for bond processing, plan check, hydrology report review, WQMP review, structural calculation review, traffic report review, assessment district annexations, on-site and off-site inspection, utility excavation permits, GIS map plan update, microfilming and storage of maps and plans, and other required fees.

D 66. Obtain a permit from Engineering prior to any on-site construction or construction within the City's right-of-way.

E 67. Post a deposit for erosion control which shall not be released prior to completion of all on-site construction.

UTILITIES/CONSTRUCTION

B* 68. Remove existing utility poles and overhead lines along the south side of Greenspot Road crossing the tentative map to the easterly side of Church Street, and on the west side of Church Street along the project frontage.

C 69. Design and construct above ground and flush mount utility structures at locations where retaining walls are not necessary in accordance with the requirements of the utility companies. Prepare a Composite Utility Plan indicating locations of slopes and all above ground and flush mount utility structures and submit the plan to the City for review prior to City issuance of utility permits. Utilize underground utility structures if necessary, to avoid construction of retaining walls.

C 70. Construct an extension of the public sewer from Street D easterly to a proposed sewer manhole in Church Street to accommodate connection of a sewer system serving the East Highlands Village neighborhood. Design and construct the sewer extension per EVWD requirements. If construction of the sewer extension requires removal of a portion of the City's Line "C" Channel, reconstruct the Channel as required by the City Engineer.

D 71. Provide all utility services to each unit, including sanitary sewers, water, electric power, cable television, gas, and telephone. All utilities are to be underground.

D 72. Coordinate, and where necessary, pay for the relocation of any existing public utilities as necessary.

D 73. Obtain written permission from the adjoining property owner(s) for off-site grading and/or construction work, if any.

D 74. Street pavement shall be constructed in lifts as directed by the City inspector. Final asphalt lifts shall be placed after all houses are built or within 12 months of the completion of each construction phase. Repair any pavement damage to the satisfaction of the City Engineer if the final asphalt cap is done before the completion of all house construction.

C 75. After all houses are constructed, slurry seal the streets within the tract prior to final bond release or submit cash payment in lieu of slurry seal.

E 76. Reconstruct existing public improvements removed or damaged during construction as approved by the City Engineer. Pavement repair, which may include A.C. overlay, T-cut trench repair and/or slurry seal shall be across all or a portion of existing pavement as determined by the City Engineer.

E 77. Install construction fencing and screening in accordance with Building and Safety Division Policy 335.

B 78. Comply with applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit program. Provide written verification from the Regional Water Quality Control Board specifying the project's WDID number.

B 79. Destroy any abandoned wells on the property or similar structures that might result in contamination of underground waters in a manner approved by the City Engineer.

D 80. All underground structures, except those desired to be retained, must be broken in, backfilled, and inspected before covering.

D 81. Comply with the prevailing City design and construction standards and requirements at the time of permit issuance.

C 82. As an alternative to constructing Blossom Way as shown on the tentative map, the developer may construct Blossom Way along an alignment that could avoid the need to extend the existing storm drain and relocate the existing outlet headwall to the property west of the tentative map. Include in the alternate design an 8'-wide median, full curb-to-curb width of 56' between Greenspot Road and the south end of the median, a minimum curb-to-curb width of 36" between the south end of the median and Promenade Way, 6' curbs and gutters on both sides, and 6'-wide sidewalks on the east side, Install roadway safety measures. Construct access to accommodate City maintenance of the existing storm drain and outlet on Blossom Way. Dedicate additional street right-of-way. Maintain capacity of the proposed water quality basin in Lot F and adjust the size of Lots No. 55 and 59 if necessary.

STATE OF CALIFORNIA)

COUNTY OF SAN BERNARDINO)

CITY OF HIGHLAND)

I, Camille Goritz, Administrative Assistant III of the City of Highland, California, do hereby certify Resolution No. 2021-005 was duly and regularly adopted by the Planning Commission of the City of Highland, California, at a regular meeting thereof held on the 20th day of April, 2021, by the following vote:

AYES: Amaya, Hamerly, Miller, Sutorus, Thomas

NOES:

ABSTAIN:

ABSENT:

Camille Goritz, Administrative Assistant III

Attachment 7:

Planning Commission Resolution No. 2022-____ for approval of Extension of Time (EXT 20-002) for Tentative Parcel Map No. 19958 (TPM 17-002)

RESOLUTION NO. 2022 - ___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND RECOMMENDING THE APPROVAL OF EXTENSION OF TIME APPLICATION (EXT 22-001) FOR A ONE (1) YEAR EXTENSION OF TENTATIVE PARCEL MAP NO. 19958 (TPM 17-002) RELATED TO THE PROPOSED 137-UNIT BLOSSOM TRAILS HOUSING DEVELOPMENT IN THE EAST HIGHLANDS RANCH.

APPLICANT: S-P DEERFIELD, LLC

A. RECITALS

1. On September 26, 2005, the Applicant submitted Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005) for review.

2. On February 7, 2006, the Planning Commission recommended approval of the Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005) to the City Council.

3. On February 28, 2006, the City Council adopted Resolutions No. 2006-007, 2006-008, 2006-009, and 2006-010, approving the Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005).

4. On October 30, 2017, the Applicant submitted Tentative Tract Map No. 20090 (TTM 17-001) to replace Tentative Tract Map No. 16448 (SUB 05-003), Tentative Parcel Map No. 19958 (TPM 17-002) to replace Tentative Parcel Map No. 17630 (MS 05-005), an Addendum to the Mitigated Negative Declaration and an amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006) to the East Highlands Ranch Planned Unit Development (PUD 05-003) for review.

5. On February 20, 2018, the Planning Commission recommended approval of the Tentative Tract Map No. 20090 (TTM 17-001), Tentative Parcel Map No. 19958 (TPM 17-002), an Addendum to the Mitigated Negative Declaration and an amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006) to the City Council.

6. On March 13, 2018, the City Council adopted Resolutions No. 2018-006, 2018-007, 2018-008, approving Tentative Tract Map No. 20090 (TTM 17-001), Tentative Parcel Map No. 19958 (TPM 17-002), the Addendum to the Mitigated Negative Declaration and the amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006).

7. On April 20, 2021, the Planning Commission adopted Resolution No. 2021-004 and 2021-005, approving an Extension of Time (EXT 22-001) application for a one (1) year extension of Tentative Parcel Map No. 19958 (TPM 17-002) and Tentative Tract Map No. 20090 (TTM 17-001), respectively.

8. On January 24, 2022, the Applicant submitted an Extension of Time (EXT (22-001) application to extend the expiration date of Tentative Parcel Map No. 19958 (TPM 17-002) and Tentative Tract Map No. 20090 (TTM 17-001) an additional one (1) year.

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

B. RESOLUTION

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

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

Section 2. Based upon substantial evidence presented to the Planning Commission during the April 20, 2021, Public Hearing, including public testimony and written and oral Staff Reports, the Planning Commission finds as follows:

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

Section 3. Findings of Fact

a. The Planning Commission finds that the Findings of Fact made in Resolution No. 2022-____ on April 19, 2022 for Tentative Parcel Map No. 19958 (TPM 17-002) are true and correct and uphold all previous findings as stated in the adopted Resolution No. 2021-004.

b. Granting of the extension will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

Section 4. Based on the Findings of Fact and Conclusions set forth above, the Planning Commission recommends approval of Extension of Time Application No. 22-____, subject to the conditions of approval, granting a one (1) year Extension of Time for Tentative Parcel Map No. 19958 (TPM 17-002).

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 19TH day of April, 2022.

ATTEST:

Randall Hamerly, Chairman Planning Commission	Lawrence A. Mainez, Community Development Director

Exhibit A:

Tentative Parcel Map No. 19958 (TPM 17-002)

IN THE CITY OF HIGHLAND

TENTATIVE

PARCEL MAP NO. 19958

A PORTION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

AGUILAR CONSULTING INC. — OCTOBER, 2017

EASEMENT NOTES:

(A) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF AN EASEMENT FOR PUBLIC UTILITIES WITHIN 8 FEET OF ALL FRONT LINES; ALSO WITHIN 3 FEET OF ALL SIDE LOT LINES, RECORDED MARCH 9, 1993, INSTRUMENT NO. 93-106786, OFFICIAL RECORDS.

(B) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF AN EASEMENT FOR PUBLIC UTILITIES WITHIN THE FRONT 8 FEET OF ALL LOTS ADJOINING ALL STREETS, RECORDED MARCH 3, 1994, INSTRUMENT NO. 93-109165, OFFICIAL RECORDS.

(C) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF A 4' WIDE EASEMENT FOR ABOVE GROUND OR UNDERGROUND CONDUITS OR BOTH AND INCIDENTAL PURPOSES, RECORDED AUGUST 6, 1957, INSTRUMENT NO. 87-272978, OFFICIAL RECORDS

(D) CITY OF HIGHLAND, OWNERS OF AN EASEMENT FOR DRAINAGE PURPOSES, INCLUDING STORM DRAIN CONSTRUCTION AND MAINTENANCE, RECORDED MAY 27, 1993, INSTRUMENT NO. 93-227546, OFFICIAL RECORDS.

(E) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF A 15' WIDE EASEMENT FOR ABOVE GROUND OR UNDERGROUND CONDUITS OR BOTH AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 12, 1997, INSTRUMENT NO. 97-050207, OFFICIAL RECORDS

(F) EAST VALLEY WATER DISTRICT, OWNER OF A 20' WIDE EASEMENT FOR PIPE LINE APPURTENANCES, RECORDED MARCH 18, 1997, INSTRUMENT NO. 97-091777, OFFICIAL RECORDS.

(G) CITY OF HIGHLAND, OWNERS OF AN EASEMENT FOR DRAINAGE PURPOSES, INCLUDING STORM DRAIN CONSTRUCTION AND MAINTENANCE, RECORDED MAY 27, 1993, INSTRUMENT NO. 93-227547, OFFICIAL RECORDS.

COMPANIES AND AGENCIES SERVICING THIS PROJECT ARE AS FOLLOWS:

WATER/SEWER:
EAST VALLEY WATER DISTRICT
3654 HIGHLAND AVE SUITE 18
HIGHLAND, CA. 92346
PH: (909) 888-8986

POWER:
SOUTHERN CALIFORNIA EDISON CO.
287 TENNESSEE STREET
REDLANDS, CA. 92373
PH: (909) 307-6767

GAS:
SOUTHERN CALIFORNIA GAS CO.
155 SOUTH "D" STREET
SAN BERNARDINO, CA. 92401
PH: (909) 335-7925

TELEPHONE:
ATT
2828 E. CORONADO ST., 2ND FLOOR
ANAHEIM, CA. 92807
PH: (714) 666-5415

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

SCHOOL DISTRICT:
REDLANDS UNIFIED SCHOOL DISTRICT
20 WEST LUCOMIA AVENUE
REDLANDS, CA. 92373
PH: (909) 793-2301

TRACT DATA:

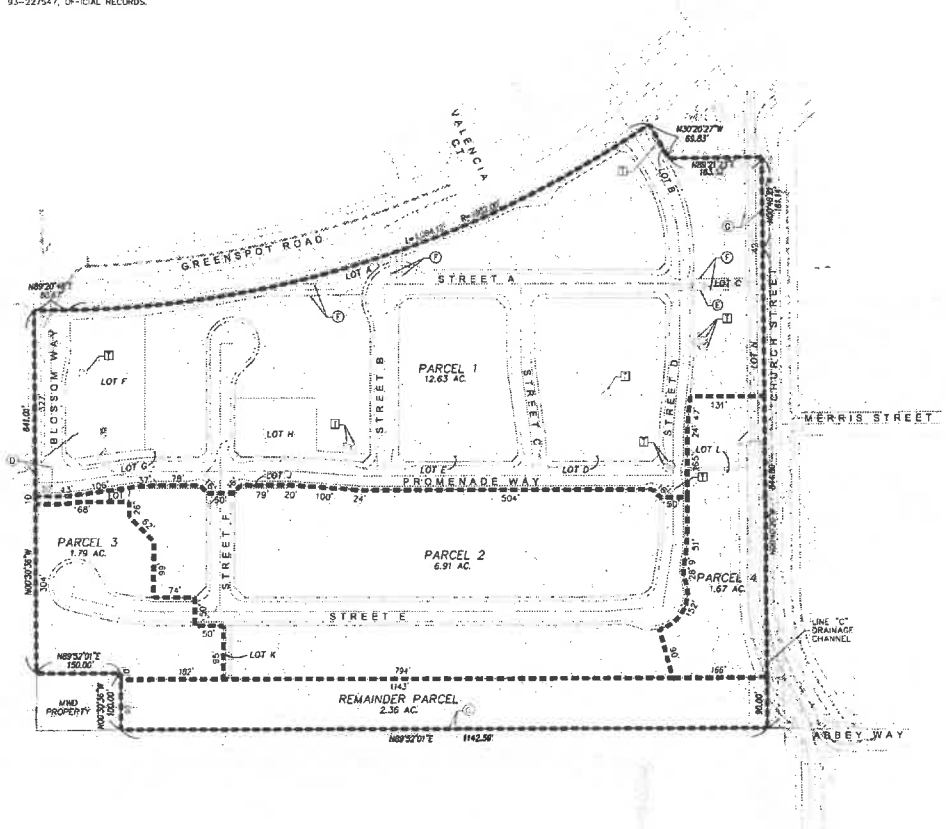
GROSS AREA = 25.36 ACRES
RESIDENTIAL AREAS = PARCELS 1 THRU 4 = 23.00 ACRES
OPEN SPACE = REMAINDER PARCEL = 2.36 ACRES

OWNER\APPLICANT:
S-P DEERFIELD, LLC
31866 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92675
(949) 496-1316

ENGINEER/MAP PREPARER:
AGUILAR CONSULTING INC.
2155 CHICAGO AVENUE, SUITE 301
RIVERSIDE, CA. 92507
PH: (951) 300-1431

NOTES:

1. ASSESSOR'S PARCEL NUMBER: 1201-401-02 & 1201-431-61
2. EXISTING ZONING IS MEDIUM DENSITY RESIDENTIAL.
3. EXISTING AND PROPOSED LAND USE DESIGNATION IS P.U.D.
4. GENERAL PLAN DESIGNATION IS P.D. (PLANNED DEVELOPMENT).
5. THERE ARE 4 PARCELS PROPOSED WITHIN THIS DEVELOPMENT AND A REMAINDER PARCEL WHICH CONTAINS APPROXIMATELY 25.36 GROSS ACRES
6. THERE ARE APPROXIMATELY 5,102 LINEAL FEET OF PUBLIC STREET PROPOSED WITHIN THIS DEVELOPMENT.
7. THERE ARE 11 TREES TO BE REMOVED AND MITIGATED AS PART OF THIS DEVELOPMENT.
8. THERE ARE NO STRUCTURES TO BE REMOVED AS PART OF THIS DEVELOPMENT.
9. LETTERED LOT "H" IS A COMMUNITY RECREATION FACILITY AND LOT "F" IS A WATER QUALITY BASIN FACILITY LOT. ALL LETTERED LOTS WILL BE CONVEYED TO A HOMEOWNERS ASSOCIATION.
10. THIS PARCEL MAP IS INTENDED TO FACILITATE THE LAND SALE OF PHASES WITHIN EAST HIGHLANDS RANCH PLANNING AREA 40 AND 42.
11. REMAINDER PARCEL IS FOR MWD AREA



LEGEND

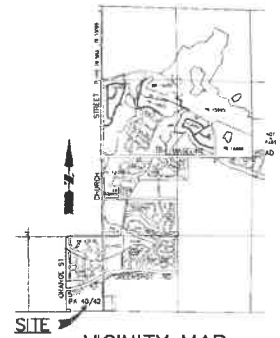
- INDICATES EXISTING TREES.
- INDICATES MASONRY WALL.
- INDICATES CHAIN LINK FENCE.
- INDICATES CONCRETE CURB ONLY.
- INDICATES CONCRETE CURB AND GUTTER.
- INDICATES PARCEL BOUNDARY
- MH – INDICATES INDICATES MANHOLE.
- FH – INDICATES FIRE HYDRANT.
- AV – INDICATES AIR VAC ASSEMBLY
- BO – INDICATES BLOW-OFF.
- WV – INDICATES WATER VALVE.
- PP – INDICATES POWER POLE.
- GW – INDICATES POWER POLE GUY WIRE.
- GV – INDICATES GAS VALVES.

NOTE:

1) ALL PUBLIC AND PRIVATE STREETS ARE TO BE CONSTRUCTED AS PART OF THE FUTURE DEVELOPMENT OF EACH PARCEL.
2) ROADWAY EASEMENTS TO BE DEDICATED FOR PROPOSED PUBLIC STREETS AS PART FO THIS MAP.

TREE REMOVAL NOTE:

(T) EXISTING TREES TO BE REMOVED AND MITIGATED PER TREE SURVEY AND ARBORIST REPORT FOR BLOSSOM TRAILS PROJECT PREPARED BY: GOLDEN STATE LAND AND TREE ASSESSMENT GEORGE J. WIRTES, MS ISA CERTIFIED ARBORIST DATED MAY 1, 2017



VICINITY MAP

NOT TO SCALE

GRAPHIC SCALE
100 0 50 100 200
1" = 100'

AGUILAR CONSULTING INC.
2155 CHICAGO AVENUE, SUITE 301
RIVERSIDE, CA 92507

Attachment 8:

Planning Commission Resolution No. 2022-____ for approval of Extension of Time (EXT 20-002) for Tentative Tract Map No. 20090 (TTM 17-001)

RESOLUTION NO. 2022 - ___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND RECOMMENDING THE APPROVAL OF EXTENSION OF TIME APPLICATION (EXT 20-002) FOR A ONE (1) YEAR EXTENSION OF TENTATIVE TRACT MAP NO. 20090 (TTM 17-001) RELATED TO THE PROPOSED 137-UNIT BLOSSOM TRAILS HOUSING DEVELOPMENT IN THE EAST HIGHLANDS RANCH.

APPLICANT: S-P DEERFIELD, LLC

A. RECITALS

1. On September 26, 2005, the Applicant submitted Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005) for review.

2. On February 7, 2006, the Planning Commission recommended approval of the Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005) to the City Council.

3. On February 28, 2006, the City Council adopted Resolutions No. 2006-007, 2006-008, 2006-009, and 2006-010, approving the Amendments to the East Highlands Ranch Planned Unit Development (PUD 05-003), Tentative Tract Map No. 16448 (SUB 05-003) and Tentative Parcel Map No. 17630 (MS 05-005).

4. On October 30, 2017, the Applicant submitted Tentative Tract Map No. 20090 (TTM 17-001) to replace Tentative Tract Map No. 16448 (SUB 05-003), Tentative Parcel Map No. 19958 (TPM 17-002) to replace Tentative Parcel Map No. 17630 (MS 05-005), an Addendum to the Mitigated Negative Declaration and an amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006) to the East Highlands Ranch Planned Unit Development (PUD 05-003) for review.

5. On February 20, 2018, the Planning Commission recommended approval of the Tentative Tract Map No. 20090 (TTM 17-001), Tentative Parcel Map No. 19958 (TPM 17-002), an Addendum to the Mitigated Negative Declaration and an amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006) to the City Council.

6. On March 13, 2018, the City Council adopted Resolutions No. 2018-006, 2018-007, 2018-008, approving Tentative Tract Map No. 20090 (TTM 17-001), Tentative Parcel Map No. 19958 (TPM 17-002), the Addendum to the Mitigated Negative Declaration and the amendment to the Mitigation Monitoring and Reporting Program (ENV-18-006).

7. On April 20, 2021, the Planning Commission adopted Resolution No. 2021-004 and 2021-005, approving an Extension of Time (EXT 22-001) application for a one (1) year extension of Tentative Parcel Map No. 19958 (TPM 17-002) and Tentative Tract Map No. 20090 (TTM 17-001), respectively.

8. On January 24, 2022, the Applicant submitted an Extension of Time (EXT (22-001) application to extend the expiration date of Tentative Parcel Map No. 19958 (TPM 17-002) and Tentative Tract Map No. 20090 (TTM 17-001) an additional one (1) year.

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

B. RESOLUTION

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

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

Section 2. Based upon substantial evidence presented to the Planning Commission during the April 19, 2022, Public Hearing, including public testimony and written and oral Staff Reports, the Planning Commission finds as follows:

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

Section 3. Findings of Fact

a. The Planning Commission finds that the Findings of Fact made in Resolution No. 2022 - ____ on April 19, 2022 for Tentative Tract Map No. 20090 (TTM 17-001) are true and correct and uphold all previous findings as stated in the adopted Resolution No. 2021-005.

b. Granting of the extension will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

Section 4. Based on the Findings of Fact and Conclusions set forth above, the Planning Commission recommends approval of Extension of Time Application No. 22-____, subject to the conditions of approval, granting a one (1) year Extension of Time for Tentative Tract Map No. 20090 (TTM 17-001).

C. ADOPTION OF RESOLUTION.

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

Exhibit A comprises the revised Conditions of Approval

PASSED, **APPROVED** AND **ADOPTED** this 19TH day of April, 2022.

ATTEST:

Randall Hamerly, Chairman Planning Commission	Lawrence A. Mainez, Community Development Director

Exhibit A:

Tentative Tract Map No. 20090 (TTM 17-001)

IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

TENTATIVE MAP - TRACT NO. 20090

IN THE CITY OF HIGHLAND
TENTATIVE
TRACT MAP NO. 20090

A PORTION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

AGUILAR CONSULTING INC. — OCTOBER, 2017

OWNER/APPLICANT:
S-P DEERFIELD, LLC
31866 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92675

ENGINEER/MAP PREPARER:
AGUILAR CONSULTING INC.
3159 CHICAGO AVENUE, SUITE 301
RIVERSIDE, CA 92507
PH: (951) 300-1431

COMPANIES AND AGENCIES SERVICING THIS PROJECT ARE AS FOLLOWS:

WATER/SEWER:
EAST VALLEY WATER DISTRICT
3654 HIGHLAND AVE, SUITE 1B
HIGHLAND, CA. 92346
PH: (909) 886-8886

POWER:
SOUTHERN CALIFORNIA EDISON CO.
287 TENNESSEE STREET
REDLANDS, CA. 92373
PH: (909) 307-6787

GAS:
SOUTHERN CALIFORNIA GAS CO.
155 SOUTH "G" STREET
SAN BERNARDINO, CA. 92401
PH: (909) 335-7928

TELEPHONE:
ATT
2828 E. CORONADO ST., 2ND FLOOR
ANAHEIM, CA. 92807
PH: (714) 666-5415

CABLE:
TIME WARNER CABLE
1732 ORANGETREE LANE
REDLANDS, CA. 92374
PH: (909) 798-3368

SCHOOL DISTRICT:
REDLANDS UNIFIED SCHOOL DISTRICT
20 WEST LUGONIA AVENUE
REDLANDS, CA. 92373
PH: (909) 793-2301

PHASES:

PHASE I	LOTS 1-59 & LETTERED LOTS A-H
PHASE II	LOTS 60-63, 76-126 & LETTERED LOT I-L
PHASE III	LOTS 64-75
PHASE IV	LOTS 127-137

TREE REMOVAL NOTE:

(1) EXISTING TREES TO BE REMOVED.

NOTES:

1. ASSESSOR'S PARCEL NUMBER: 1201-401-03 & 1201-431-81
2. EXISTING ZONING IS MEDIUM DENSITY RESIDENTIAL.
3. EXISTING AND PROPOSED LAND USE DESIGNATION IS P.U.D.
4. GENERAL PLAN DESIGNATION IS P.D. (PLANNED DEVELOPMENT).
5. THERE ARE 137 LOTS & 14 LETTERED LOTS WITHIN THIS DEVELOPMENT THAT CONTAINS APPROXIMATELY 25.35 GROSS ACRES FOR AN OVERALL RESIDENTIAL LOT DENSITY OF 5.40 LOTS PER GROSS ACRE. AVERAGE LOT SIZE: 4,576 S.F., SMALLEST: 3,600 S.F.
6. THERE ARE APPROXIMATELY 3,100 LINEAL FEET OF PUBLIC STREET PROPOSED WITHIN THIS DEVELOPMENT. (ALL STREETS WITHIN THIS DEVELOPMENT ARE PUBLIC).
7. THERE ARE 11 TREES TO BE REMOVED AND MITIGATED AS PART OF THIS DEVELOPMENT.
8. THERE ARE NO STRUCTURES TO BE REMOVED AS PART OF THIS DEVELOPMENT.
9. LETTERED LOT "H" IS A COMMUNITY RECREATION FACILITY, LOT "I" IS A WATER QUALITY BASIN FACILITY LOT, LOT "M" IS FOR MWD AREA. ALL LETTERED LOTS WILL BE CONVEYED TO A HOMEOWNERS ASSOCIATION.
10. AREA OUTSIDE CURRENT FLOOD PLAIN CAN BE ISSUED BUILDING PERMITS AND OCCUPANCY WITHOUT ANY FLOOD PROTECTION IMPROVEMENTS.
11. AREA WITHIN CURRENT FLOOD PLAIN CAN BE ISSUED A GRADING PERMIT WITH THE APPROVED CLOMR AND BUILDING PERMITS WITH A LOMR.
12. THERE ARE 4 PHASES ON TENTATIVE MAP 20090

EASEMENT NOTES:

(A) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF AN EASEMENT FOR PUBLIC UTILITIES WITHIN 8 FEET OF ALL FRONT LINES, ALSO WITHIN 3 FEET OF ALL SIDE LOT LINES, RECORDED MARCH 9, 1993, INSTRUMENT NO. 93-108798, OFFICIAL RECORDS.
(B) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF AN EASEMENT FOR PUBLIC UTILITIES WITHIN THE FRONT 8 FEET OF ALL LOTS ADJOINING ALL STREETS, RECORDED MARCH 11, 1994, INSTRUMENT NO. 93-100165, OFFICIAL RECORDS.
(C) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF A 4' WIDE EASEMENT FOR ABOVE GROUND OR UNDERGROUND CONDUITS OR BOTH AND INCIDENTAL PURPOSES, RECORDED AUGUST 6, 1987, INSTRUMENT NO. 87-272978, OFFICIAL RECORDS.
(D) CITY OF HIGHLAND, OWNERS OF AN EASEMENT FOR DRAINAGE PURPOSES, INCLUDING STORM DRAIN CONSTRUCTION AND MAINTENANCE, RECORDED MAY 27, 1993, INSTRUMENT NO. 93-227646, OFFICIAL RECORDS.
(E) SOUTHERN CALIFORNIA EDISON COMPANY, OWNERS OF A 12' WIDE EASEMENT FOR ABOVE GROUND OR UNDERGROUND CONDUITS OR BOTH AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 12, 1997, INSTRUMENT NO. 97-050207, OFFICIAL RECORDS.
(F) EAST VALLEY WATER DISTRICT, OWNER OF A 20' WIDE EASEMENT FOR PIPE LINE APPURTENANCES, RECORDED MARCH 18, 1997, INSTRUMENT NO. 97-097177, OFFICIAL RECORDS.
(G) CITY OF HIGHLAND, OWNERS OF AN EASEMENT FOR DRAINAGE PURPOSES, INCLUDING STORM DRAIN CONSTRUCTION AND MAINTENANCE, RECORDED MAY 27, 1993, INSTRUMENT NO. 93-227647, OFFICIAL RECORDS.

LOT AREA TABLE

PHASE I	
LOT(S)	S.F.
1	8,100
2	6,300
3	6,300
4	6,300
5	6,300
6	6,300
7	6,300
8	6,300
9	6,300
10	6,300
11	6,300
12	6,300
13	6,300
14	6,300
15	6,300
16	6,300
17	6,300
18	6,300
19	6,300
20	6,300
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26	6,300
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32	6,300
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37	6,300
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39	6,300
40	6,300
41	6,300
42	6,300
43	6,300
44	6,300
45	6,300
46	6,300
47	6,300
48	6,300
49	6,300
50	6,300
51	6,300
52	6,300
53	6,300
54	6,300
55	6,300
56	6,300
57	6,300
58	6,300
59	6,300

PHASE 2	
LOT(S)	S.F.
60	6,300
61	6,300
62	6,300
63	6,300
64	6,300
65	6,300
66	6,300
67	6,300
68	6,300
69	6,300
70	6,300
71	6,300
72	6,300
73	6,300
74	6,300
75	6,300
76	6,300
77	6,300
78	6,300
79	6,300
80	6,300
81	6,300
82	6,300
83	6,300
84	6,300
85	6,300
86	6,300
87	6,300
88	6,300
89	6,300
90	6,300
91	6,300
92	6,300

PHASE 3	
LOT(S)	S.F.
93	6,300
94	6,300
95	6,300
96	6,300
97	6,300
98	6,300
99	6,300
100	6,300
101	6,300
102	6,300
103	6,300
104	6,300
105	6,300
106	6,300
107	6,300
108	6,300
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110	6,300
111	6,300
112	6,300
113	6,300
114	6,300
115	6,300
116	6,300
117	6,300
118	6,300
119	6,300
120	6,300
121	6,300
122	6,300
123	6,300
124	6,300
125	6,300
126	6,300

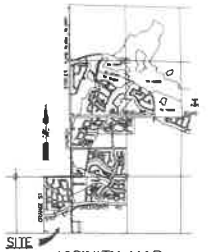
PHASE 4	
LOT(S)	S.F.
127	6,300
128	6,300
129	6,300
130	6,300
131	6,300
132	6,300
133	6,300
134	6,300
135	6,300
136	6,300
137	6,300

LETTERED LOTS	
LOT	S.F.
A	1,000
B	1,000
C	1,000
D	1,000
E	1,000
F	1,000
G	1,000
H	1,000

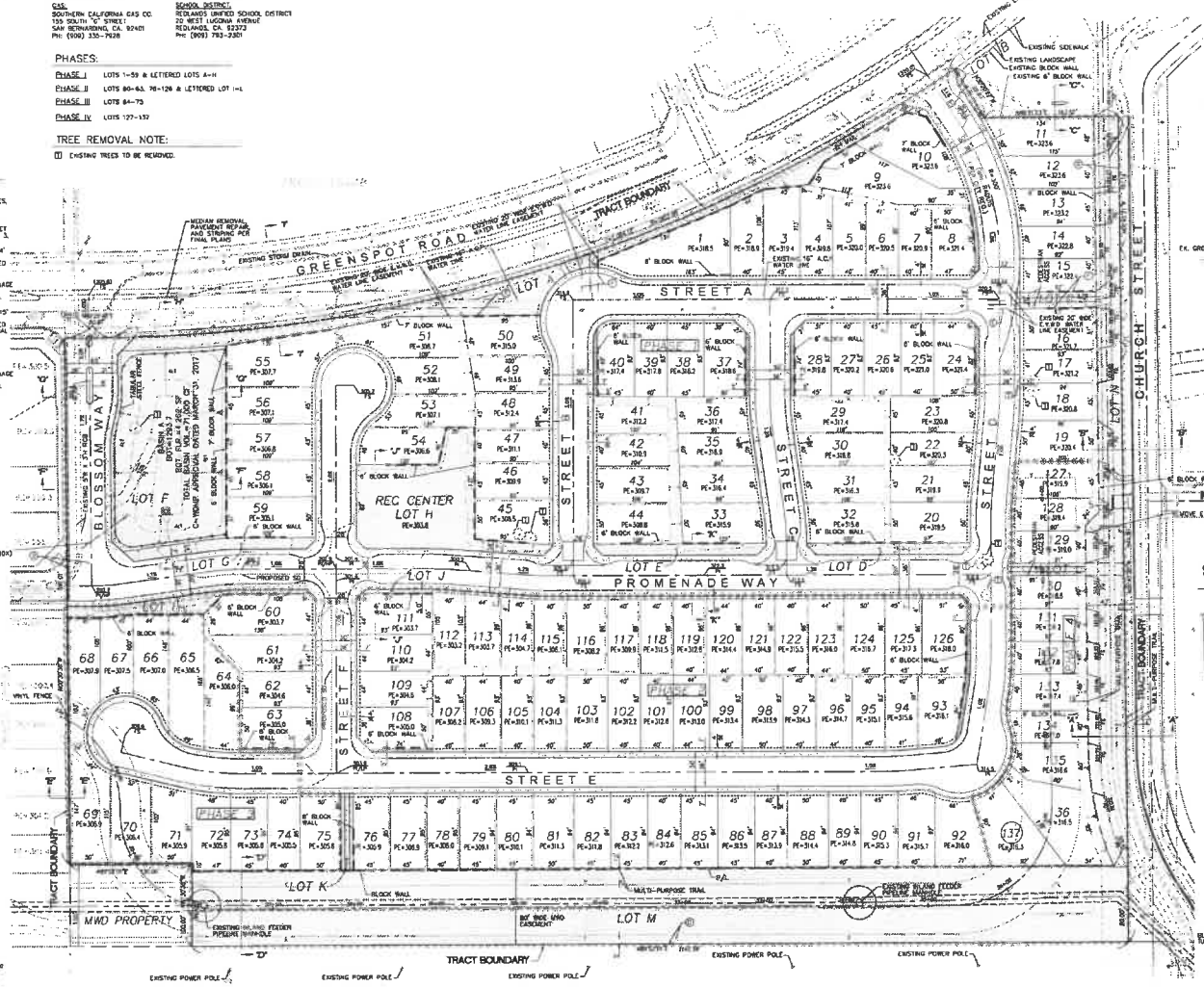
LETTERED LOTS	
LOT	S.F.
I	1,000
J	1,000
K	1,000
L	1,000

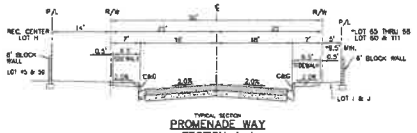
LETTERED LOTS	
LOT	S.F.
M	1,000

LETTERED LOTS	
LOT	S.F.
N	1,000
O	1,000

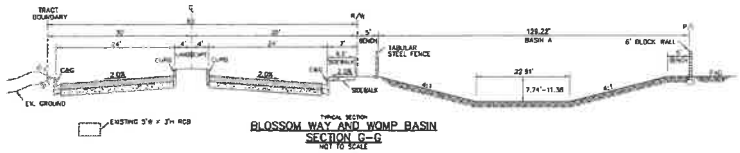


VICINITY MAP
NOT TO SCALE

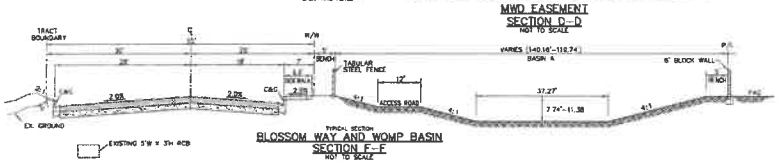




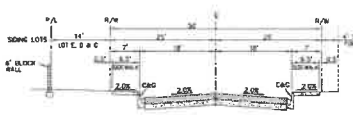
TYPICAL SECTION
PROMENADE WAY
SECTION J-J
NOT TO SCALE



TYPICAL SECTION
BLOSSOM WAY AND WOMP BASIN
SECTION G-G
NOT TO SCALE



TYPICAL SECTION
BLOSSOM WAY AND WOMP BASIN
SECTION F-F
NOT TO SCALE



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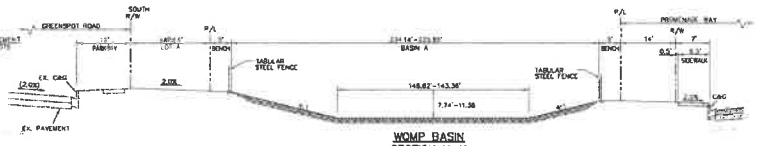
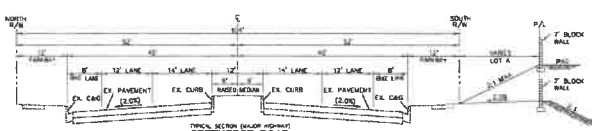
SECTION K-K
NOT TO SCALE



WOMP BASIN
SECTION H-H
NOT TO SCALE



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GREENSPOT ROAD
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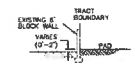
NOT TO SCALE



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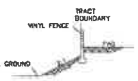

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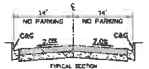

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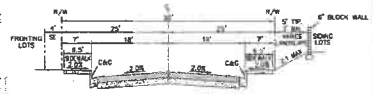

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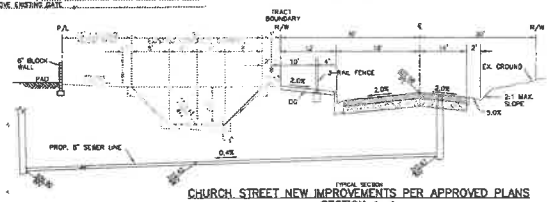

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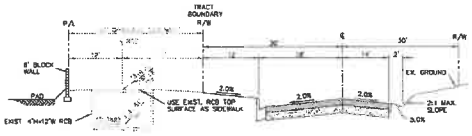
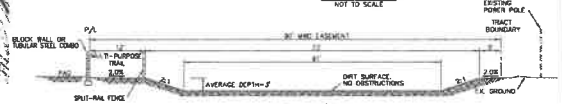
CHURCH STREET NEW IMPROVEMENTS PER APPROVED PLANS
SECTION A-A
NOT TO SCALE



TYPICAL SECTION
CHURCH STREET NEW IMPROVEMENTS PER APPROVED PLANS
SECTION B-B
NOT TO SCALE



MWD EASEMENT
SECTION D-D
NOT TO SCALE

SHEET 1 OF 1

CI
3159 CHICAGO AVENUE, SUITE 301
RIVERSIDE, CA 92507

STAFF REPORT

TO THE APPEALS BOARD

DATE: April 19, 2022

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Gary Chambers, Code Compliance Officer G.C.

SUBJECT: A Public Hearing to declare the existence of a Public Nuisance in accordance with Title 8, Chapter 8.32, of the Highland Municipal Code, and authorize the abatement thereof, at the Properties generally located at 25046 3rd St., San Bernardino, CA 92410, Tax Assessor's Parcel Numbers 0279-141-67 and 0279-151-40.

PROPERTY OWNER: Feles Family Living Trust 9/2/93

RECOMMENDATION: Staff recommends the Appeals Board conduct the required Public Hearing and adopt Appeals Board Resolution No 2022 - ____, declaring the existence of a public nuisance on Properties generally located at 25046 San Bernardino, California 92410 (within the corporate boundaries of the City of Highland), and order the abatement thereof.

FISCAL IMPACT: The full cost to the city regarding the abatement of the Public Nuisance is currently unknown. Staff has accounted for its time in its attempt to abate the nuisance conditions on the Properties. Staff will present the Property Owner(s) of record with the cost of the City's efforts to abate the violations at the time all violations are remedied. If the Property Owner(s) elect not to pay for the City's cost to abate the violations, a Public Hearing will be held to assess the property for the cost of the abatement process.

PUBLIC NOTICE: Pursuant to Chapter 8.32, Public Hearing Notices were mailed via First Class Mail, and Certified Mail, Return Receipt Requested, to the Property Owner(s) on March 31, 2022. (Attached hereto as Exhibit "1" attachment "F" and incorporated herein by reference). In addition, on March 31, 2022, staff posted the Public Hearing Notice at the subject property and the Agenda was posted at three designated locations in accordance with City policy, and a copy of said Agenda was placed on the City's Website (see Affidavit of Posting / Mailing and attached hereto as Exhibit "1" attachment

Approved _____	Motion _____	Second _____	Agenda Item No. 5
Denied _____	Ayes _____		
	Noes _____		File No. _____
Continue _____	Abstain _____		
	Absent _____		
Recording Secretary		Community Development Director	

"G" and incorporated herein by reference).

BACKGROUND:

Apr. 20, 2021 This case was initiated due to a complaint received regarding the unpermitted parking or storage of tractor-trailers on the properties generally located at 25062 3rd St., San Bernardino, CA 92410, APN: 0279-151-23 and 0279 -151-36 (within the corporate boundaries of the City of Highland). Code Compliance Officer Gary Chambers arrived at the properties to conduct an inspection and observed the unpermitted parking or storage of numerous tractor-trailers. Code Compliance Officer Gary Chambers contacted the property owner, Lukas Feles, by phone who stated that he did not have approval from the City to use the properties for the parking or storage of tractor-trailers. Code Compliance Officer Gary Chambers directed the property owner to contact the City's Planning Division for zoning and Land use information. A **Notice of Violation** was mailed to the property owner's address of record.

May 5, 2021 Angela Tafolla, Planning Technician III, contacted the property owner by phone and explained to him that the parking or storage of tractor-trailers on his property were not permitted per the City's Zoning and Land use codes, and would need to be removed. Mr. Feles stated that he had contracts with the owners of the tractor-trailers, and it would be difficult to have them removed quickly. Mr. Feles stated that he would contact Code Compliance Officer Gary Chambers and request additional time to remove the tractor-trailers from the property.

May 21, 2022 Code Compliance Officer Gary Chambers conducted a reinspection of the subject properties and observed no change in the condition of the properties. The properties were still being utilized for the unpermitted parking or storage of tractor-trailers. A **2nd Notice of Violation** was mailed to the property owners address of record. The property owner was granted ninety (90) days to have all tractor-trailers removed from the property.

Aug. 9, 2021 Code Compliance Officer Gary Chambers conducted a reinspection of the subject properties to assess compliance and observed that the property identified as parcel number 0279-151-23 was still being utilized for the unpermitted parking or storage of tractor-trailers. In addition, Code Compliance Officer Gary Chambers also observed the unpermitted parking or storage of tractor-trailers on two (2) adjacent properties identified as parcel numbers 0279-141-67 and 0279-151-40

(both identified as 25046 3rd St.). Further research revealed that both properties were owned by Lukas & Penny Feles.

Aug. 10, 2021 Code Compliance Officer Gary Chambers mailed a **3rd Notice of Violation**, which included the properties identified as parcel numbers 0279-141-67, 0279-151-40, and 0279-151-23 to the property owner(s) address of record. Code Compliance Officer Gary Chambers gave the property owner(s) sixty (60) days to remove the unpermitted parking or storage of tractor-trailers from the properties. A copy of the **Notice of Violation** was posted at the properties.

Oct. 12, 2021 Code Compliance Officer Gary Chambers arrived at the subject properties to conduct a reinspection and observed that the properties identified as parcel numbers 0279-141-67, 0279-151-40, and 0279-151-23 were still being utilized for the unpermitted parking or storage of tractor-trailers. **Administrative Citation #15564 ($100)** was issued for the violation of the Highland Municipal and Development codes. One copy of the Citation was mailed to the property owner's address of record and an additional copy was posted at the properties.

Nov. 9, 2021 Code Compliance Officer Gary Chambers contacted the property owner, Mr. Feles, by phone, who stated that he was trying to remove the tractor-trailers from the properties but was having difficulties. Code Compliance Officer Gary Chambers explained that he did not have the authority to grant any additional time for compliance and would be issuing a 2nd citation on the next reinspection date of November 15, 2021. If there was no further attempt to comply, the case would be presented to the Appeals Board for a Declaration of Public Nuisance.

Nov. 15, 2021 Code Compliance Officer Gary Chambers arrived at the subject properties to conduct a reinspection and observed that the properties identified as parcel numbers 0279-141-67, 0279-151-40, and 0279-151-23 were still being utilized for the unpermitted parking or storage of tractor-trailers. **Administrative Citation, #15574 ($200)** was issued for the violation of the Highland Municipal and Development codes. One copy of the Citation was mailed to the property owner's address of record and an additional copy was posted at the properties.

Dec. 16, 2021 Code Compliance Officer Gary Chambers arrived at the subject properties to conduct a reinspection and observed that the properties identified as parcel numbers 0279-141-67, 0279-

151-40, and 0279-151-23 were still being utilized for the unpermitted parking or storage of tractor-trailers. A **Pending Notice of Non-Compliance/Public Nuisance Hearing** was mailed to the property owner(s) address of record. A copy of the notice was also posted at the properties.

Feb. 11, 2022 Code Compliance Officer Gary Chambers arrived at the subject properties to conduct a reinspection and observed no progress towards compliance on the properties identified as parcel numbers 0279-141-67 and 0279-151-40 (both identified as 25046 3rd St.). Numerous tractor-trailers and trucks were still being parked or stored on the properties without approval or permits. However, Code Compliance officer Gary Chambers did observe that all tractor-trailers had been removed from the property identified as parcel number 0279-151-23 (also identified as 25062 3rd St.). A **Notice of Non-compliance/Public Nuisance Hearing,** advising the owner(s) that a Public Nuisance Hearing had been scheduled for April 05, 2022, at 6 pm, or soon thereafter, was mailed to the property owner(s) address of record by certified and regular mail. A copy of the notice was also mailed to property owner's business address.

Mar. 28, 2022 Code Compliance Officer Gary Chambers arrived at the subject properties to conduct a reinspection and observed no progress towards compliance on the properties identified as parcel numbers 0279-141-67 and 0279-151-40 (both identified as 25046 3rd St.). Numerous tractor-trailers and trucks were still being parked or stored on the properties without approval or permits.

CONCLUSION: As evidenced by all inspections conducted and the exhibits incorporated herein by reference, the properties, identified as APN: 0279-141-67 and 0279-151-40 (both identified as 25046 3rd St.), have been permitted to exist in violation of the following sections of the Highland Municipal & Development Code, and therefore constitutes a Public Nuisance. Specifically, the two (2) properties are in violation of the following provisions of the Municipal & Development Code:

I. Highland Municipal Code Section 8.32.020 C (A public nuisance is created by any building, structure, or property that is in violation of any provision of the Highland Municipal Code, including the Highland Development Code, or the statutes of the state of California).

II. Highland Municipal Code Section 16.20.030 (Commercial use regulations); There is no use specifically listed for the parking or storage of semi-trucks or tractor-trailers in Commercial Districts (Table 16.20.030.A). Furthermore, the City of Highland's Land Use and Development Code Title 16 is a permissive code, which

means if a use is not specifically listed within in the applicable use tables it should be considered a 'not permitted' use. The land use of trucking services and terminals (i.e. tractor-trailers) is only allowed in the Business Park (BP) Zoning District if ancillary to a permanent warehousing or other related business on the property (Table 16.24.030.A (B)(2), Wholesale and Warehousing Uses). The unimproved subject properties being used for the unpermitted parking and storage of trucking services and terminals (i.e. tractor-trailers) not related to and/or ancillary to an on-site warehousing or similar type use constitutes a public nuisance.

III. Highland Municipal Code Section 5.04.030 A (No person shall conduct any business in the city without first having obtained a business license, paid the appropriate license fee, and complied with any and all applicable provisions of this code).

The property owner(s) is requested to remove all unpermitted parking or storage of Semi-trucks and tractor-trailers from the property(ies) and obtain land use approvals or any other applicable permits prior to the establishment of any future uses on the property(ies) by no later than sixty (60) days from the issuance of an order of the Appeals Board in accordance with Chapter 8.32 of title 8 of the Highland Municipal Code.

Exhibit "1" Appeals Board Declaration of Public Nuisance Resolution 2022_____, inclusive of the following attachments:

A. Notice of Violation Letter dated April 20, 2021

B. Notice of Violation Letter dated May 21, 2021

C. Notice of Violation Letter dated August 09, 2021

D. Administrative Citation, #15564, dated October 12, 2021

E. Administrative Citation, #15574, dated November 15, 2021

F. Notice of Public Hearing/Affidavit of Mailing dated March 31, 2022

G. Notice of Public hearing (Public Posting Copy) dated March 31, 2022

Exhibit "2" Pending Notice of Non-Compliance/Public Nuisance Hearing dated December 16, 2021

Exhibit "3" Notice of Non-Compliance/Public Nuisance Hearing dated

February 14, 2022

Exhibit "4" Aerial/Site Location Map

Exhibit "5" Case photographs dated August 09, 2021

Exhibit "6" Case photographs, NOV posting, dated August 10, 2021

Exhibit "7" Case photographs dated October 12, 2021

Exhibit "8" Case photographs dated November 15. 2021

Exhibit "9" Case photographs dated December 16, 2021

Exhibit "10" Case photographs dated February 11, 2022

Exhibit "11" Case photographs dated March 28, 2022

Exhibit "12" Case photographs, Posted Public Hearing Notice, dated March 31, 2022

EXHIBIT "1"

Appeals Board Resolution, inclusive of the following attachments

RESOLUTION NO. 2022-

A RESOLUTION OF THE PLANNING COMMISSION/APPEALS BOARD OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING THAT A PUBLIC NUISANCE EXISTS ON THE PROPERTIES IDENTIFIED AS APN's 0279-141-67-0000 and 0279-151-40-0000, GENERALLY LOCATED AT 25046 3rd ST., SAN BERNARDINO, CA 92410 (WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF HIGHLAND), AND ORDERING THE OWNERS OF THE PROPERTIES TO ABATE THE NUISANCE CONTAINED THEREON.

(CODE CASE #7982)

A. RECITALS

1. On August 09, 2021, while conducting an inspection at 25062 3rd St., San Bernardino, CA 92410, the City observed that the properties identified as San Bernardino County APN's 0279-141-67 and 0279-151-40, (collectively, "the Properties") were being used for the unpermitted parking and storage of semi-tractors & tractor-trailers. Further research revealed that the semi-tractors and tractor-trailers were being parked/stored on the properties without approval from the city.

2. The City of Highland has since inspected the Properties numerous times and discovered the Properties being maintained and permitted to exist in violation of multiple sections of the Highland Municipal Code, and therefore constitutes a public nuisance.

3. Notices of Violations were mailed/posted on;

   04/20/2021 (Attachment A)
   05/21/2021 (Attachment B)
   08/10/2021 (Attachment C)

4. Administrative Citations, were issued/mailed on;

   10/12/2021 (Attachment D)
   11/15/2021 (Attachment E)

5. Pursuant to Chapter 8.32 of the Highland Municipal Code, a Notice of Public Hearing was mailed via First Class Mail, and Certified Mail, Return Receipt Requested, to the property owner(s) on March 31, 2022. A copy of the notice was also posted at the Properties (Attachment F).

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission/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 the owners of the Properties that the Planning Commission/Appeals Board would be holding a Public Hearing on April 19th, 2022; that Notice is attached hereto as Attachment G. The Appeals Board held a Public Hearing on that Hearing Date, at which time, all written and oral evidence and testimony from the owner of the Properties, the Public, and Staff were considered.

3. All necessary hearings and opportunities for testimony, and comment have been conducted in compliance with the Municipal Code of the City of Highland.

4. The Public Nuisance Hearing has independently considered all relevant information of both the public, and Staff testimony, written and oral, including the Staff Report and its exhibits which are incorporated herein by this reference.

Order Finding and Ordering Abatement of Public Nuisance

5. Based upon substantial evidence in the record, the Planning Commission/Appeals Board hereby declares that a public nuisance, as defined by Highland Municipal Code 8.32.020, has been allowed to exist on the Properties generally located at 25046 3rd St., San Bernardino, California 92410, since at least August 9, 2021.

6. Specifically, based upon the evidence and testimony presented to the Planning Commission/Appeals Board during the above-referenced Hearing, the Planning Commission/Appeals Board finds as follows;

    a. Highland Municipal Code Section 16.20.030 (Commercial use regulations); There is no use specifically listed for the parking or storage of semi-tractors or tractor-trailers in Commercial Districts (Table 16.20.030.A) Furthermore, the City of Highland's Land Use and Development Code Title 16 is a permissive code, which means if a use is not specifically listed within in the applicable use tables it should be considered a 'not permitted' use. The land use of trucking services and terminals (i.e., tractor-trailers) is only allowed in the BP Zoning District if ancillary to a permanent warehousing or other related business on the property (Table 16.24.030.A (B)(2), Wholesale and Warehousing Uses). The subject properties being used for the unpermitted parking and storage of trucking services and terminals

(i.e., tractor-trailers) not related to and/or ancillary to an on-site warehousing or similar type use constitutes a public nuisance.

b. Highland Municipal Code Section 5.04.030 A (No person shall conduct any business in the city without first having obtained a business license, paid the appropriate license fee, and complied with any and all applicable provisions of this code).

7. The Planning Commission/Appeals Board of the City of Highland hereby finds that the aforementioned Violations constitute a public nuisance, and hereby orders the Property Owner(s) to abate the aforementioned Violations, **within sixty (60) days**. The Planning Commission/Appeals Board of the City of Highland hereby sets forth the actions necessary to abate the public nuisance from the Properties as follows:

   a. Remove all unpermitted parking or storage of semi-trucks, commercial trucks, tractor-trailers, or any other vehicles which constitute a public nuisance from the properties.

   b. Obtain Land use approvals and any other applicable permits prior to the establishment of any future uses on the properties.

8. The administrative and incidental costs and expenses incurred in abating the nuisance, which are proved in accordance with provision of Highland Municipal Code Section 8.32.180, shall be assessed against the Properties and shall result in a lien until paid.

9. Pursuant to Highland Municipal Code Section 8.32.110, the Planning Commission/Appeals Board of the City of Highland authorizes the abatement of the public nuisance by the city as follows:

   (a) If the owner, agent of the owner, lessee, occupant, or person in possession of the Properties who are served with a notice of the final decision of the Planning Commission/Appeals Board finding and ordering the abatement of a public nuisance, shall fail to take the required action within sixty (60) days as specified above, the City shall commence with the lawful procedures to have the Properties abated.

   (b) The costs and expenses of demolition, removal, and abatement by the City, including any additional administrative and legal and incidental expenses, pursuant to Highland Municipal Code Section 8.32.110, shall also be assessed and result in a lien upon the Properties until paid.

10. Any owner, occupant, or other party who has a legal or equitable interest in the Properties may appeal the final order of the Planning

Commission/Appeals Board finding and ordering the abatement of a public nuisance pursuant to Highland Municipal Code Section 8.32.210. The appeal must be in writing and must be filed with the City Council no later than 10 days from the date of service of this Planning Commission/Appeals Board Resolution finding and ordering the abatement of a public nuisance. After 10 days from the date of service of the Planning Commission/Appeals Board resolution finding and ordering the abatement of the public nuisance, the order is deemed final and may no longer be appealed.

11. A property owner also has a right to appeal the order ordering liability incidental and administrative expenses incurred and ordering the abatement of a public nuisance

PASSED, APPROVED AND ADOPTED this 19th day of April 2022.

_____

Randall Hamerly,
Planning Commission/Appeals Board Chairman

ATTEST:

_____

Lawrence A. Mainez,
Community Development Director

ATTACHMENT "A"

Notice of Violation dated April 20, 2021

City of Highland
Community Development Department
Notice of Violation
Public Nuisance Violations

To: Lukas Feles Date: 04/20/2021

Property Located at: 25062 3rd St., San Bernardino, CA 92410

33387 James Stewart Cir, Yucaipa, CA 92399

YOUR PROPERTY IS IN VIOLATION OF THE CITY OF HIGHLAND MUNICIPAL CODE

- ☐ **Title 16, Chapter 52, Section, 16.52.060 B.4.b.i**
  Parking on unimproved/landscaped areas is prohibited
- ☐ **Title 16, Chapter 52, Section, 16.52.060 B.4.a.iii**
  Any vehicle parked in plain view, must be currently registered to operation a street or road way.
- ☐ **Title 8, Chapter 32, Section, 8.32.020 B.3**
  Trash containers shall generally be placed out of direct public view.
- ☐ **8.32.020 Declaration of public nuisance**
  A public nuisance is created by every building or structure which:
  - ☐ Dilapidation, dangerous or at risk of collapse from neglect
  - ☐ Is a breeding place for rodents, vermin, or vagrants
  - ☐ Is boarded up, abandoned, destroyed and is allowed to remain in a state of partial construction
  - ☐ Allows access through doors, windows, into vacant structure
- ☐ **Title 6, Chapter 6.04, Section, 6.04.020C/SBCC 32.0209**
  Every Resident in the City who owns, who has an interest, harbors feeds, takes care of, charge or custody of shall be required to obtain a city Dog license at 4 months of age
- ☐ **Title 16, Chapter 44, Section, 16.44.040.D.1.a**
  All lots smaller than 20,000 square feet-each residential parcel shall not exceed (4) four adult dogs or four (4) adult cats, or a combination totaling not more than four adult animals.
- ☐ **Title 15, Chapter 15.52.040, Section, 15.52.040**
  Residential rental without a business license.
- ☑ Other : Land use
- ☐ Violation of condition of site approval or conditional use permit
- ☐ Has overgrown weeds, trash accumulation, has noxious smell
- ☐ Is unsafe, has graffiti, is left unpainted
- ☐ Attractive nuisance to children

CA13 Firecode - 505.1

☐ **Premises Identification** - 4" minimum address numbers. Numbers shall be placed on front of the building, said numbers shall be on contrasting background.

☐ **CA13 Electrical Code 590.3 B** - Temporary Installations (Holiday Lights)

Title 10, Chapter 10.20, Section 10.20.040

☐ **Public nuisances - Vehicle Abatement**

The accumulation and storage of dismantled, wrecked, inoperative, junked, abandoned vehicles or parts thereof, on private or public property is found to create a condition tending to reduce the value of private or public property, to promote blight and deterioration, invite plundering, to create fire hazards, to constitute an attractive nuisance, creating a hazard to the health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare of the public.

Please correct conditions by taking the following actions:

** 1st Notice ** HMC 8.32.020 C - A public nuisance is created by any building, structure, or property that is in violation of any provision of the Highland Municipal Code, including the Highland Development Code, or the statutes of the state of California; Corrective Actions: All storage, including, but not limited to, the storage of tractor-trailers is prohibited on this property unless approvals have been obtained from the Planning Division. For questions or concerns regarding zoning or land use, please contact the Planning Division at (909) 864-6861 ext. 258. To avoid future notices or citations please remove all storage from this property by 05/20/2021. Thank you for your cooperation in resolving this matter.

You have 30 **days to complete the abatement of this violation. A reinspection of this property is scheduled for 05/20/2021**

Failure to correct the existing condition will result in further action. You may be charged for any corrective action taken by the City if you fail to correct the violation.

No person shall violate any provision, or fail to comply with any of the requirements to the Municipal Code, unless a different penalty is prescribed for violation of the Municipal Code, every act prohibited is declared unlawful, and every failure to perform an act made mandatory by the Municipal Code is punishable as a misdemeanor. The City Attorney may specify an accusatory pleading that the offense shall be an infraction. Each person shall be deemed guilty of a separate offense for each, and every day during any provision of the Municipal Code committed, continued, or permitted

by such person, and shall be punishable accordingly. City administrative costs may be assessed to the property for noncompliance.

The City of Highland appreciates your cooperation. If you have any questions, contact a Code Compliance officer, at Phone: (909) 864-8732 Ext. 220 Fax (909) 862-3180

Accepted By: "MAILED"

Thank You,

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

Gary Chambers

Code Compliance Officer

ATTACHMENT "B"

Notice of Violation dated May 21, 2021

City of Highland
Community Development Department
Notice of Violation
Public Nuisance Violations

To: Lukas Feles Date: 05/21/2021

Property Located at: 25062 3rd St., San Bernardino, CA 92410

33387 James Stewart Cir, Yucaipa, CA 92399

YOUR PROPERTY IS IN VIOLATION OF THE CITY OF HIGHLAND MUNICIPAL CODE

- ☐ **Title 16, Chapter 52, Section, 16.52.060 B.4.b.i**
  Parking on unimproved/landscaped areas is prohibited
- ☐ **Title 16, Chapter 52, Section, 16.52.060 B.4.a.iii**
  Any vehicle parked in plain view, must be currently registered to operation a street or road way.
- ☐ **Title 8, Chapter 32, Section, 8.32.020 B.3**
  Trash containers shall generally be placed out of direct public view.
- ☐ **8.32.020 Declaration of public nuisance**
  A public nuisance is created by every building or structure which:
  - ☐ Dilapidation, dangerous or at risk of collapse from neglect
  - ☐ Is a breeding place for rodents, vermin, or vagrants
  - ☐ Is boarded up, abandoned, destroyed and is allowed to remain in a state of partial construction
  - ☐ Allows access through doors, windows, into vacant structure
- ☐ **Title 6, Chapter 6.04, Section, 6.04.020C/SBCC 32.0209**
  Every Resident in the City who owns, who has an interest, harbors feeds, takes care of, charge or custody of shall be required to obtain a city Dog license at 4 months of age
- ☐ **Title 16, Chapter 44, Section, 16.44.040.D.1.a**
  All lots smaller than 20,000 square feet-each residential parcel shall not exceed (4) four adult dogs or four (4) adult cats, or a combination totaling not more than four adult animals.
- ☐ **Title 15, Chapter 15.52.040, Section, 15.52.040**
  Residential rental without a business license.
- ☑ Other : Land use
- ☐ Violation of condition of site approval or conditional use permit
- ☐ Has overgrown weeds, trash accumulation, has noxious smell
- ☐ Is unsafe, has graffiti, is left unpainted
- ☐ Attractive nuisance to children

CA13 Firecode - 505.1

☐ **Premises Identification** - 4" minimum address numbers. Numbers shall be placed on front of the building, said numbers shall be on contrasting background.

☐ **CA13 Electrical Code 590.3 B** - Temporary Installations (Holiday Lights)

Title 10, Chapter 10.20, Section 10.20.040

☐ **Public nuisances - Vehicle Abatement**

The accumulation and storage of dismantled, wrecked, inoperative, junked, abandoned vehicles or parts thereof, on private or public property is found to create a condition tending to reduce the value of private or public property, to promote blight and deterioration, invite plundering, to create fire hazards, to constitute an attractive nuisance, creating a hazard to the health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare of the public.

Please correct conditions by taking the following actions:

** 2nd Notice ** HMC 8.32.020 C - A public nuisance is created by any building, structure, or property that is in violation of any provision of the Highland Municipal Code, including the Highland Development Code, or the statutes of the state of California; Corrective Actions: All storage, including, but not limited to, the storage of tractor-trailers is prohibited on this property unless approved by the Planning Division. To avoid citations and/or a Public Nuisance Hearing, please comply by 08/22/2021. A reinspection for progress will be conducted on 07/05/2021. Thank you for your prompt attention and cooperation in resolving this matter.

You have 90 **days to complete the abatement of this violation. A reinspection of this property is scheduled for 08/23/2021**

Failure to correct the existing condition will result in further action. You may be charged for any corrective action taken by the City if you fail to correct the violation.

No person shall violate any provision, or fail to comply with any of the requirements to the Municipal Code, unless a different penalty is prescribed for violation of the Municipal Code, every act prohibited is declared unlawful, and every failure to perform an act made mandatory by the Municipal Code is punishable as a misdemeanor. The City Attorney may specify an accusatory pleading that the offense shall be an infraction. Each person shall be deemed guilty of a separate offense for each, and every day during any provision of the Municipal Code committed, continued, or permitted

by such person, and shall be punishable accordingly. City administrative costs may be assessed to the property for noncompliance.

The City of Highland appreciates your cooperation. If you have any questions, contact a Code Compliance officer, at Phone: (909) 864-8732 Ext. 220 Fax (909) 862-3180

Accepted By: "MAILED"

Gary Chambers
Code Compliance Officer

Thank You,
City of Highland, 27215 Base Line, Highland, CA 92346

ATTACHMENT "C"

Notice of Violation dated August 09, 2021

City of Highland
Community Development Department
Notice of Violation
Public Nuisance Violations

To: Lukas Feles Date: 08/09/2021

Property Located at: APN's: 0279-151-23-0000, 0279-151-40-0000, 0279-141-67-0000, San Bernardino, CA 92410

YOUR PROPERTY IS IN VIOLATION OF THE CITY OF HIGHLAND MUNICIPAL CODE

- ☐ **Title 16, Chapter 52, Section, 16.52.060 B.4.b.i**
  Parking on unimproved/landscaped areas is prohibited
- ☐ **Title 16, Chapter 52, Section, 16.52.060 B.4.a.iii**
  Any vehicle parked in plain view, must be currently registered to operation a street or road way.
- ☐ **Title 8, Chapter 32, Section, 8.32.020 B.3**
  Trash containers shall generally be placed out of direct public view.
- ☑ **8.32.020 Declaration of public nuisance**
  A public nuisance is created by every building or structure which:
  - ☐ Dilapidation, dangerous or at risk of collapse from neglect
  - ☐ Is a breeding place for rodents, vermin, or vagrants
  - ☐ Is boarded up, abandoned, destroyed and is allowed to remain in a state of partial construction
  - ☐ Allows access through doors, windows, into vacant structure
- ☐ **Title 6, Chapter 6.04, Section, 6.04.020C/SBCC 32.0209**
  Every Resident in the City who owns, who has an interest, harbors feeds, takes care of, charge or custody of shall be required to obtain a city Dog license at 4 months of age
- ☐ **Title 16, Chapter 44, Section, 16.44.040.D.1.a**
  All lots smaller than 20,000 square feet-each residential parcel shall not exceed (4) four adult dogs or four (4) adult cats, or a combination totaling not more than four adult animals.
- ☐ **Title 15, Chapter 15.52.040, Section, 15.52.040**
  Residential rental without a business license.
- ☑ Other : Land use approvals
- ☐ Violation of condition of site approval or conditional use permit
- ☐ Has overgrown weeds, trash accumulation, has noxious smell
- ☐ Is unsafe, has graffiti, is left unpainted
- ☐ Attractive nuisance to children

CA13 Firecode - 505.1

☐ **Premises Identification** - 4" minimum address numbers. Numbers shall be placed on front of the building, said numbers shall be on contrasting background.

☐ **CA13 Electrical Code 590.3 B** - Temporary Installations (Holiday Lights)

Title 10, Chapter 10.20, Section 10.20.040

☐ **Public nuisances - Vehicle Abatement**

The accumulation and storage of dismantled, wrecked, inoperative, junked, abandoned vehicles or parts thereof, on private or public property is found to create a condition tending to reduce the value of private or public property, to promote blight and deterioration, invite plundering, to create fire hazards, to constitute an attractive nuisance, creating a hazard to the health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare of the public.

Please correct conditions by taking the following actions:

** Final Notice ** Parcel #'s: 0279-151-23-0000, 0279-151-40-0000, & 0279-141-67-0000 HMC 8.32.020 C - A public nuisance is created by any building, structure, or property that is in violation of any provision of the Highland Municipal Code, including the Highland Development Code, or the statutes of the state of California; HMC 8.32.020 B1 - Violation of any condition of a site approval or conditional use permit; HMC 16.08.020 - Establishes and explains the processes and procedures which must be followed, and the application types which are required to be filed, before new land uses or modifications of existing land uses can be legally initiated; HMC 16.20.030 - Commercial use regulations; HMC 5.04.030 A - No person shall conduct any business in the city without first having obtained a business license, paid the appropriate license fee, and complied with any and all applicable provisions of this code; Corrective Actions: The parking/storage of tractor-trailers, or any other type of vehicle, is prohibited on this property(ies) unless approved by the City's Planning Division. Remove all unpermitted parking/storage of tractor-trailers from the property(ies). Obtain land use approvals and any other applicable permits prior to the establishment of any future uses on the property(ies). To avoid citations and/or a Public Nuisance Hearing, please comply by 10/08/2021. Thank you for your cooperation in resolving this matter.

You have 60 **days to complete the abatement of this violation. A reinspection of this property is scheduled for 10/08/2021**

Failure to correct the existing condition will result in further action. You may be charged for any corrective action taken by

the City if you fail to correct the violation.

No person shall violate any provision, or fail to comply with any of the requirements to the Municipal Code, unless a different penalty is prescribed for violation of the Municipal Code, every act prohibited is declared unlawful, and every failure to perform an act made mandatory by the Municipal Code is punishable as a misdemeanor. The City Attorney may specify an accusatory pleading that the offense shall be an infraction. Each person shall be deemed guilty of a separate offense for each, and every day during any provision of the Municipal Code committed, continued, or permitted by such person, and shall be punishable accordingly. City administrative costs may be assessed to the property for noncompliance.

The City of Highland appreciates your cooperation. If you have any questions, contact a Code Compliance officer, at Phone: (909) 864-8732 Ext. 220 Fax (909) 862-3180

Accepted By: "MAILED"

Thank You,

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

Gary Chambers

Code Compliance Officer

ATTACHMENT "D"

Administrative Citation, #15564, October 12, 2021

CASE # 7982

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

CITATION NO. 15564

ADMINISTRATIVE CITATION

Date: 10-12-2021 Time: 10:31am (Violation Observed)

☐ WARNING

☒ 1st Citation - $ 100.00 ☐ 2nd Citation - $

☐ 3rd Subsequent - $

The payment listed above is due by 11-6-2021. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 11-11-2021. 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*
Feles, Lukas

DL. #: N/a

DOB: N/a

MAILING ADDRESS:
33397 James Stewart Cir Yucaipa, CA 92399

VIOLATION ADDRESS Parcel # 0279-151-23-0000, 0279-151-40-0000, 0279-141-67-0000

MUNI. / STATE CODE SECTION VIOLATED	VIOLATION DESCRIPTION
HMC 8.32.020C	Violation of Highland Development Code.

CORRECTIONS REQUIRED: Remove all storage / parking of tractor-trailers or vehicles of any kind from the properties. To avoid a Public Nuisance Hearing, please comply by 11/11/2021.

Signature of Issuing Officer 10-12-2021 *Issued Date*

Eric Chambers
Printed Name of Issuing Officer

"Mailed & Posted"
Acknowledgement of Receipt (Signature)

READ REVERSE SIDE FOR IMPORTANT INFORMATION

GREEN: FILE

ATTACHMENT "E"

Administrative Citation, #15574, dated November 15, 2021

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

CITATION NO. 15574

ADMINISTRATIVE CITATION

Date: 11-15-2021 Time: 10:24 am (Violation Observed)

☐ WARNING

☐ 1st Citation - $ _____ ☒ 2nd Citation - $ 200.00

☐ 3rd Subsequent - $ _____

The payment listed above is due by 12-10-2021. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 12-15-2021. 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
Fekes, Lukas

DL #: N/a

DOB: N/a

MAILING ADDRESS:
33587 James Stewart Cir, Yucaipa, CA 9239

VIOLATION ADDRESS: Parcel # 0279-151-23-0000
0279-151-40-0000, # 0279-141-67-0000

MUNI. / STATE CODE SECTION VIOLATED	VIOLATION DESCRIPTION
HMC 8.32.020 C	Violation of Highland Development Code

CORRECTIONS REQUIRED: Remove all unpermitted parking/storage of tractor-trailers from the properties. To avoid a public nuisance hearing, please comply by 12

Signature of Issuing Officer

11-15-2021
Issued Date

Gary Chambers
Printed Name of Issuing Officer

"Marked & Posted"
Acknowledgement of Receipt (Signature)

READ REVERSE SIDE FOR IMPORTANT INFORMATION

GREEN: FILE

ATTACHMENT "F"

Notice of Public Hearing (Affidavit of Mailing) dated March 31, 2022

VIA CERTIFIED MAIL
RETURN SERVICE REQUESTED
AND FIRST CLASS MAIL

CITY OF HIGHLAND
NOTICE OF PUBLIC HEARING

27215 Baseline, Highland, CA 92346
Telephone (909) 864-6861 FAX: (909) 862-3180

CITY OF HIGHLAND NOTICE OF PUBLIC HEARING BEFORE THE CITY OF HIGHLAND APPEALS BOARD (BOARD)

This notice is to inform you of a hearing to be held before the City of Highland Appeals Board to determine whether certain conditions and/or uses are existing on properties identified as APN's 0279-141-67 & 0279-151-40 generally located at 25046 3rd St. (referred to hereafter as ("The Properties") continue to constitute a public nuisance pursuant to the Highland Municipal Code & Ordinances of the City of Highland at the following place, date, and time.

TIME AND DATE OF HEARING: Tuesday, April 19,2022 at 6:00PM

LOCATION OF HEARING: City Hall Council Chambers 27215 Base Line Highland, CA 92346

You may bring any witnesses, pictures, photographs, reports, or any other exhibits to this hearing which you feel will establish or prove the Property is not a public nuisance. You may be represented by an attorney. You will have an opportunity to examine all evidence and witnesses testifying against you.

If the Appeals Board determines at the end of the hearing, that this Property is in fact a public nuisance, you will be ordered to abate the public nuisance or the condition thereof and your property will be assessed the City's administrative and incidental costs incurred up to that stage in the abatement process. This assessment will result in a lien upon your property until paid. Thereupon, if you fail to obey the Appeals Board's order to abate this nuisance, the City may do so for you, in accordance with applicable statutes [HMC Section 8.28.010 (A)(B)]. The costs and expense of abating the nuisance including the City's incidental and administrative expenses, may be recovered in an appropriate civil action, and will result in a lien upon the Property until it is paid. (HMC Section 8.28.020).

VIA CERTIFIED MAIL
RETURN SERVICE REQUESTED AND
FIRST CLASS MAIL

The conditions of the Property constituting a public nuisance are as follows:

Unapproved/Unpermitted land use, storage of tractor-trailers.

You may voluntarily abate the nuisance yourself by doing the following things:

Stop all operation of unapproved/unpermitted land use, remove all tractor-trailers, as well as other vehicles associated with this public nuisance.

If you choose to voluntarily abate this nuisance prior to this hearing, you may notify the Community Development Director at least three (3) days prior to the date of hearing set below, for a prehearing inspection.

Lawrence A. Mainez

Community Development Director Cc:

Code Enforcement File

AFFIDAVIT OF MAILING

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)

I am employed in the County of San Bernardino, State of California. I am over the age of 18 and not a party to the within action. My business address is City of Highland, 27215 Base Line, Highland, CA 92346.

On March 31, 2022, I caused to be served a copy of the attached Public Hearing Notice, Case #7982, Certified Mail, Return Receipt Requested, to the following parties: Lukas T. Feles and Penny L. Feles. Said service was made by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail, at Highland, California, and addressed to the Parties as more fully detailed below.

Lukas T. Feles, Penny L. Feles
33387 James Stewart Cir.
Yucaipa, CA 92399

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and this Declaration was executed at Highland, CA, on March 31, 2022.

Dated: 3/31/2022

Camille Goritz, Administrative Assistant III
City of Highland

ATTACHMENT "G"

Notice of Public Hearing (Public Posting Copy) dated March 31, 2022

CITY OF HIGHLAND
NOTICE OF PUBLIC HEARING

27215 Baseline, Highland, CA 92346
Telephone (909) 864-6861 FAX: (909) 862-3180

NOTICE OF PUBLIC HEARING BEFORE THE CITY OF HIGHLAND APPEALS BOARD (BOARD)

Date: March 31, 2022

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE HIGHLAND APPEALS BOARD TO CONSIDER DECLARING THE FOLLOWING DESCRIBED PROPERTIES A PUBLIC NUISANCE DUE TO LAND USE VIOLATIONS RELATED TO UNPERMITTED STORAGE OF TRACTOR TRAILERS.

File Number:	APPEALS BOARD PUBLIC NUISANCE HEARING CASE # 7982
SUBJECT:	A Public Hearing to declare the existence of a Public Nuisance in accordance with Chapter 8.32.060 of the Highland Municipal Code on the following Assessor's Parcel Numbers: 0279-141-67 & 0279-151-40
PROPERTY OWNER(S):	Lukas T. Feles, Penny L. Feles
VIOLATION ADDRESS/APN:	0279-141-67 & 0279-151-40, generally located at the 25046 3rd St., San Bernardino, CA 92410 (within the corporate boundaries of the City of Highland)
HEARING LOCATION:	Highland City Hall Council Chambers 27215 Base Line Highland, CA 92346

DATE AND TIME OF HEARING: Tuesday April 19, 2022, at 6:00 PM (Or soon thereafter)

EXHIBIT "2"

Pending Notice of Non-Compliance/Public Nuisance Hearing dated December 16, 2021

City of
HIGHLAND
Inc. 1987

December 16, 2021

Lukas Feles

33387 James Stewart Cir.

Yucaipa, CA 92399

RE: Pending Notice of Non-Compliance/Public Nuisance Hearing {Parcel #'s 0279-151-23-0000, 0279-15-40-0000, & 0279-141-67-0000 (Highland, CA)}

Dear Mr. Feles

The City of Highland has exhausted all efforts to bring the properties into compliance with the City of Highland Municipal & Development Code's, specifically, unapproved/unpermitted land use, parking and storage of tractor-trailers. A Public Nuisance Hearing will be scheduled to declare the subject properties a public nuisance. You should expect to receive an official Public Nuisance Hearing Notice soon.

If you wish to avoid having the properties declared a public nuisance, please remove all unpermitted parking & storage of tractor-trailers from the properties and obtain land use approvals and any other applicable permits prior to the establishment of any future uses on the properties.

Sincerely,

Gary Chambers

Code Compliance Officer, City of Highland, California

Phone: (909) 864-6861 ext. 220

CC: Lawrence Mainez, Community Development Director

Mayor Larry McCallon | Mayor Pro Tem Penny Lilburn | 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 • www.cityofhighland.org

EXHIBIT "3"

Notice of Non-Compliance/Public Nuisance Hearing dated February 14, 2021

City of
HIGHLAND
Inc. 1987

February 14, 2022

Lukas & Penny Feles

33387 James Stewart Cir.
Yucaipa, CA 92399

RE: Notice of Non-compliance/Public Nuisance Hearing; {25046/25050 3rd St., San Bernardino, CA (0279-151-40-0000) & 0279-141-67-0000}

Dear Mr. & Mrs. Feles

The City of Highland has made every effort to work with you in an attempt to bring the properties into compliance with the City of Highland Municipal & Development Code's, specifically, unapproved/unpermitted land use, parking or storage of tractor-trailers and commercial trucks. A Public Nuisance Hearing has been scheduled to declare the subject properties a public nuisance on April 5, 2022, at 6:00 pm or soon thereafter. If you wish to avoid having the properties declared a public nuisance, please remove all unpermitted parking or storage of tractor-trailers and commercial trucks from the properties and contact the Planning Division as soon as possible.

Thank you for your prompt attention and cooperation in resolving this matter,

Sincerely,

Gary Chambers

Code Compliance Officer, City of Highland, California

Phone: (909) 864-6861 ext. 220

CC: Lawrence Mainez, Community Development Director

CC: Angela Tafolla, Assistant Planner

EXHIBIT "4"

Aerial/Site location Map

25046 3rd St.

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EXHIBIT "5"

Case photographs dated August 9, 2021

2021/08/09 10:57

2021/08/09 10:57

2021/08/09 10:57

EXHIBIT "6"

Case photographs dated August 10, 2021

2021/08/10 09:55

2021/08/10 09:55

EXHIBIT "7"

Case photographs dated October 12, 2021

2021/10/12 10:31

2021/10/12 10:31

2021/10/12 10:31

2021/10/12 10:31

DirectPost
2021/10/12 10:34

2021/10/12 10:33

ADMINISTRATIVE CITATION
2021/10/12 15:31

2021/10/12 10:34

2021/10/12 10:31

EXHIBIT "8"

Case photographs dated November 15, 2021

2021/11/15 10:23

2021/11/15 10:21

WE BUY HOUSES
ANY CONDITION
866-593-7012
1st CHANCE HomeBuyerCA.com
2021/11/15 10:23

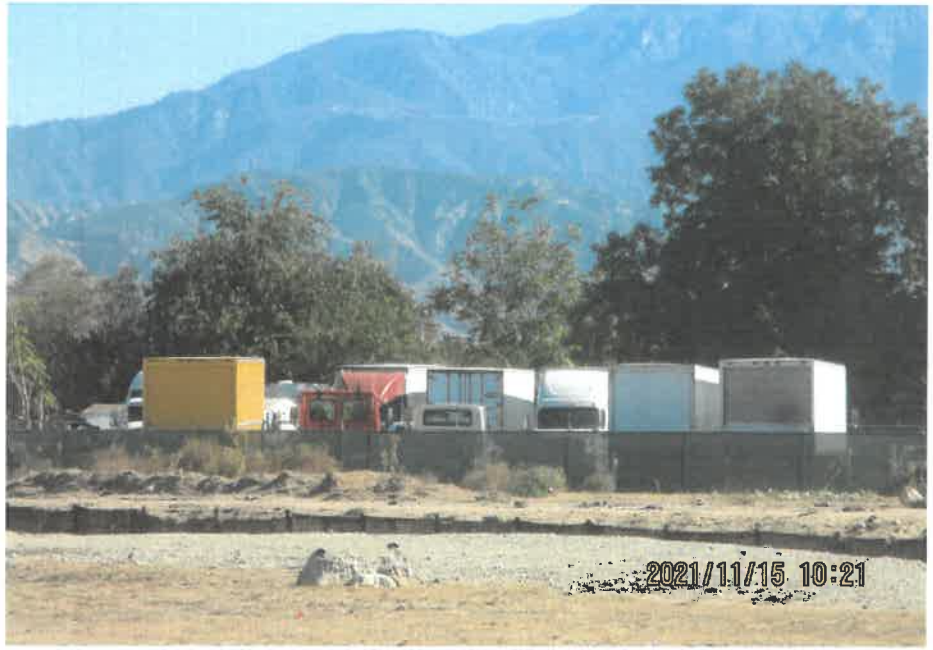
2021/11/15 10:21

2021/11/15 10:28

2021/11/15 10:23

2021/11/15 10:28

2021/11/15 10:24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2021/11/15 10:21

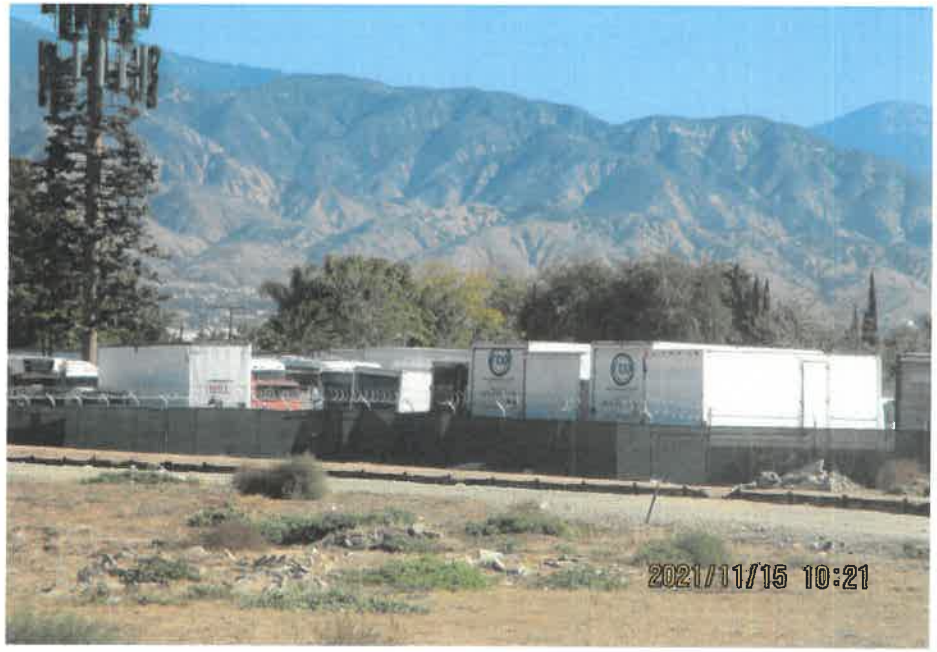
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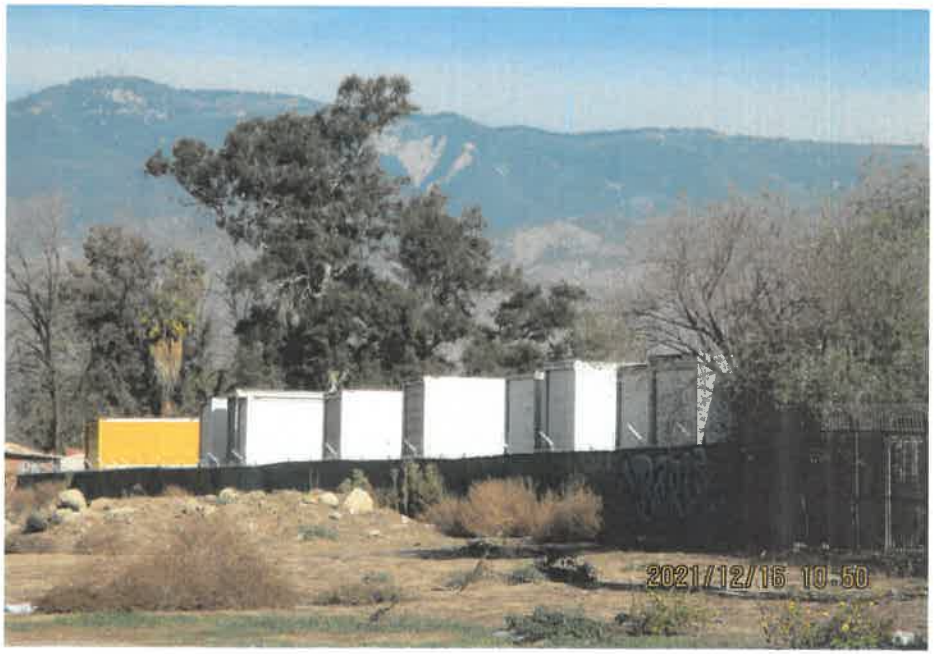
EXHIBIT "9"

Case photographs dated December 16, 2021

2021/12/16 10:51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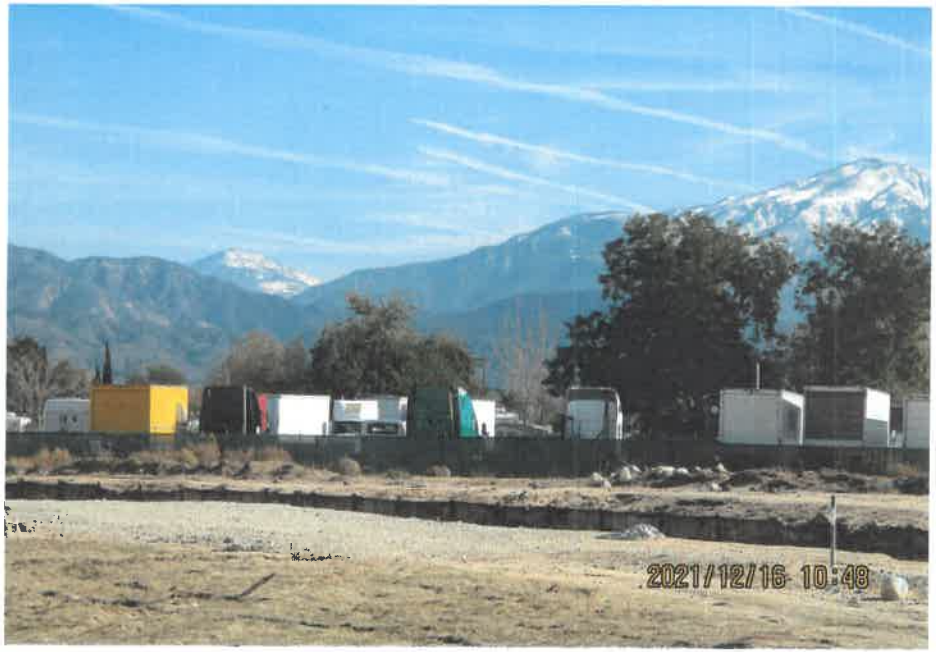
2021/12/16 10:51

2021/12/16 10:50

2021/12/16 10:48

2021/12/16 10:48

2021/12/16 10:49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2021/12/16 14:13

CITY OF
HIGHLAND
2021/12/16 14:13

EXHIBIT "10"

Case photographs dated February 11, 2022

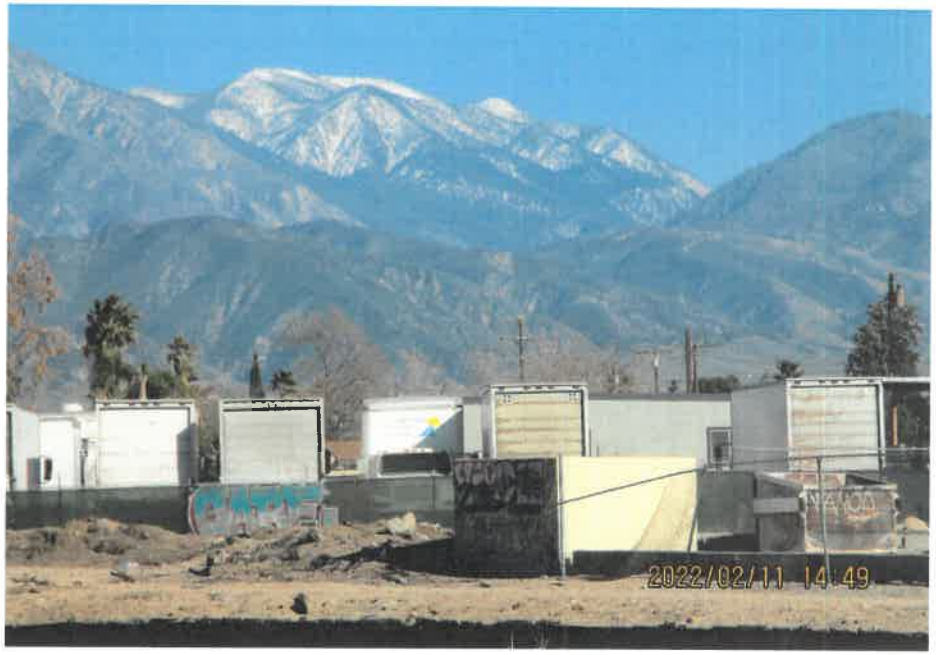
2022/02/11 14:52

2022/02/11 14:52

2022/02/11 14:52

PRIDE
AUTO
REPAIR
2022/02/11 14:52

2022/02/11 14:51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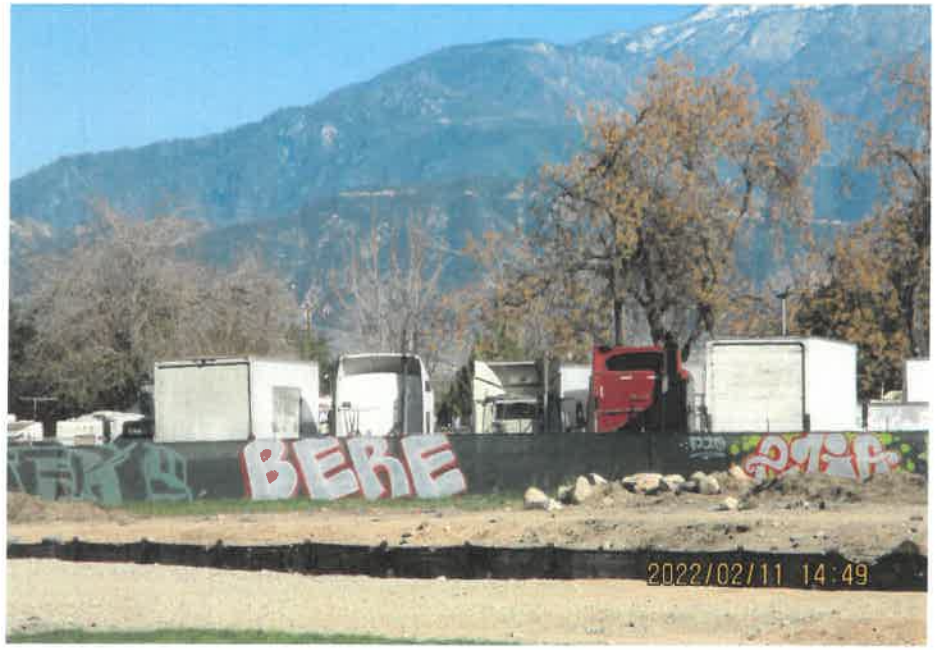

BERE
2022/02/11 14:49

2022/02/11 14:49

EXHIBIT "11"

Case photographs dated March 28, 2022

2022/03/28 15:11

2022/03/28 15:11

2022/03/28 15:11

2022/03/28 15:11

2022/03/28 15:10

2022/03/28 15:10

2022/03/28 15:13

2022/03/28 15:12

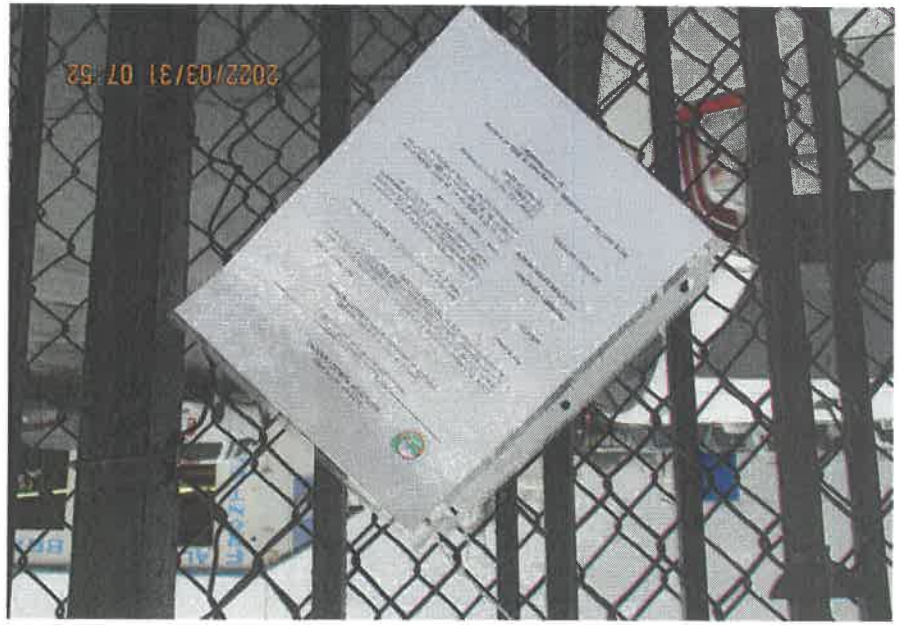
Pest
2022/03/28 15:13

2022/03/28 15:12

EXHIBIT "12"

Case photographs, Posted Public Hearing Notice

dated March 31, 2022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2022/03/31 07:52