

CITY OF HIGHLAND REGULAR MEETING OF THE PLANNING COMMISSION AGENDA

MEMBERS

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

REGULAR MEETING

May 3, 2022
6:00 p.m.
City Hall
Donahue Council Chambers
27215 Base Line
Highland, California

STAFF

Lawrence A. Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
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

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

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

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

Submission of Public Comments: To limit the number of persons in the Council Chambers, the public is encouraged to make public comments by email rather than in person. For those wishing to make public comments by email to be read aloud at the meeting by the Community Development Administrative Assistant. Email comments must be submitted by 5:00 p.m. on May 3, 2022 to publiccomment@cityofhighland.org.

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

**PLANNING COMMISSION
REGULAR MEETING AGENDA
May 3, 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 May 3, 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 April 19, 2022 Regular Meeting.

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

PUBLIC HEARING

2. Development of a 34-unit single family home tract constituting Phase 2 of a mixed-use project; Tentative Tract Map No. 20387 / TTM 22-001, Conditional Use Permit No. CUP 22-001, and Design Review Application No. DRA 22-001 (APN No: 1200-421-34) (Continued from April 19, 2022).

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution No. 2022 - ____ Approving the 'Highland Heights' 34-unit single family development including Tentative Tract Map No. 20387 to subdivide a single parcel into 34 numbered lots one open lot; Conditional Use Permit No. 22-001 and Design Review Application No. 22-001 for the Development's Architectural Site Plan, Building Elevations, Conceptual Landscape Plan and Preliminary Grading Plan;
2. Direct Staff to file a Notice of Exemption with the San Bernardino County Clerk of the Board of Supervisors.
3. 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. (Continued from April 19, 2022)

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

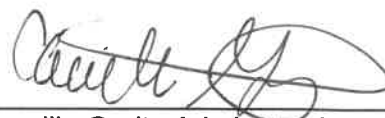
I, Camille Goritz, Administrative Assistant III of the City of Highland, California, certify that I caused to be posted this agenda on or before the 28th of April by 5:30 p.m. on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library
7863 Central Avenue

Fire Station No. 1
26974 Base Line

City Hall
27215 Base Line

Date: April 28, 2022



Camille Goritz Administrative Assistant III



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: May 3, 2022

FROM: Lawrence Mainez, Community Development Director

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

SUBJECT: Minutes from the April 19, 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. <u>1</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
 Recording Secretary		 Community Development Director	

**MINUTES
PLANNING COMMISSION REGULAR MEETING
April 19, 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
	Ash Syed, Associate Planner
	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.
2. Minutes from the April 5, 2022 Regular Meeting.

A MOTION was made by Commissioner Miller, seconded by Commissioner Amaya, to approve the minutes as amended. Motion carried, 4-0-1, with Commissioner Sutorus being absent.

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)

A MOTION was made by Chair Hamerly, seconded by Commissioner Amaya, to continue the Public Hearing to May 3, 2022. Motion carried, 4-0-1, with Commissioner Sutorus being absent.

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)

Associate Planner Syed presented the staff report.

Chair Hamerly opened the public hearing.

Commissioner Amaya asked when is the Incidental Take Permit (ITP) going to be approved?

Associate Planner Syed stated the Applicant will be able to provide you an answer to that question, however the Applicant is still in the process of trying to attain the ITP.

Commissioner Miller asked the ITP that is being acquired I suspect it is going to be requiring purchase of some mitigation land? Do we know what that offset is, and do we know that mitigation land is local within this region?

Associate Planner Syed stated the Applicant will be able to answer those questions.

Camille Bahri, Applicant stated thank you staff for your involvement in this project. Regarding the ITP, we did the survey for the Kangaroo Rats in September 2017, five years ago. We engaged the United States Fish and Wildlife Service (USFWS) immediately, and we've been in negotiations. USFWS requirements is 11.5 acres, and the Santa Ana Wash area is 4,000 acres largely owned by the San Bernardino Valley Water Conservation District (SBVWCD). The approach is to enhance other areas that surround recharge basins further east in the Santa Ana Wash. We have done biological surveys to identify or qualify the potential of the habitat after enhancement, so that's been accepted. We are working diligently with the state, which now adopted that species as an endangered species. Chair Hamerly stated the ITP was for 11.5 acres out in the Santa Ana Wash. Which of the basins would they be enhancing?

Camille Bahri stated it is to the east within SBVWCD land.

Chair Hamerly asked the land that was originally allocated for habitat as part of the Mining Reclamation Plan has already been allocated to various projects?

Camille Bahri stated I'm sure that's the case. SBVWCD have impacts from their projects and they have created habitat on their own.

Community Development Director stated the mitigation land set aside for mining and city projects in the Upper Santa Ana River Habitat Conservation Plan is separate from the mitigation that the Applicant will be applying for.

Camille Bahri stated my understanding there is roughly 190 acres in this area (pointing to the projector).

Chair Hamerly closed the public hearing.

A MOTION was made by Vice Chair Thomas, seconded by Commissioner Miller to:

1. Adopt Resolution No. 2022 – 009, 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. 2022 – 010, 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. Motion carried, 4-0-1, with Commissioner Sutorus being absent.

RESOLUTION NO. 2022 - 009

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.

RESOLUTION NO. 2022 - 010

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.

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.

A MOTION was made by Chair Hamerly, seconded by Vice Chair Thomas, to continue the Public Hearing to May 3, 2022. Motion carried 4-0-1, with Commissioner Sutorus absent.

ANNOUNCEMENTS

The next Planning Commission meeting is scheduled May 3, 2022.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 6:26 p.m.

Submitted by:

Approved by:

Camille Goritz, Administrative Assistant III
Community Development Department

Randall Hamerly, Chair
Planning Commission



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: May 3, 2022

FROM: Lawrence A. Mainez, Community Development Director

PREPARED BY: Kim Stater, Assistant Community Development Director 

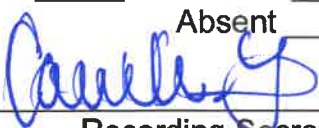
SUBJECT: Development of a 34-unit single family home tract constituting Phase 2 of a mixed-use project; Tentative Tract Map No. 20387 / TTM 22-001, Conditional Use Permit No. CUP 22-001, and Design Review Application No. DRA 22-001 (Continued from April 19, 2022).

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.

OWNER & REP.: Mark Zimmerman, KZ Companies, LLC

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution No. 2022 - ____ Approving the 'Highland Heights' 34-unit single family development including Tentative Tract Map No. 20387 to subdivide a single parcel into 34 residential lots one open space lot; Conditional Use Permit No. 22-001 and Design Review Application No. 22-001 for the Development's Architectural Site Plan, Building Elevations, Conceptual Landscape Plan and Preliminary Grading Plan;
2. Direct Staff to file a Notice of Exemption with the San Bernardino County Clerk of the Board of Supervisors.

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

FISCAL IMPACT: The Applicant submitted the required deposit for processing the project entitlements. Staff time for working on the Applications will be charged to this deposit.

PUBLIC NOTICE: As required by City Council Resolution, Notice of the Public Hearing was posted at the City's three designated posting locations within the City. On April 8, 2022, a Legal Ad regarding the item was published in the Highland Community News. In addition, the Notice was posted on the City's Website, and mailed to interested agencies and property owners within 300 feet of the site.

The project was originally advertised for Public Hearing on April 19, 2022. At the request of the Applicant, the Planning Commission continued the item to May 3, 2022.

DESCRIPTION OF SITE: The project site is one (1) parcel of land approximately 2.9 acres in area. It is vacant and unimproved, sloping from the northeast to the southwest, dropping approximately 17 feet (Attachment 1 – Aerial Location Map). The site was previously part of a 6-acre site which was subdivided by the Applicant into two lots in 2017; 3.1 acres on the south and 2.9 acres on the north.

Surrounding Land Uses & Designations:

The City of Highland General Plan and Municipal Code designate the site as Mixed Use (MU). The project under review is the second part of a 2-phase development including the Smart & Final grocery store (Phase 1) to the south and residential development to the north (Phase 2). The Municipal Code requires multiple use projects in the MU Zone to receive approval of a Conditional Use Permit.

	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>North</i>	Single Family Residential	Low Density Residential	R-1 Single Family Residential
<i>South</i>	Smart & Final Grocery Store	Mixed Use	Mixed Use
<i>West</i>	Single Family Residential & Vacant Land (future Tractor Supply Store, multi-tenant commercial and residential mixed use project)	Low Density Residential & Mixed Use	R-1 Single Family Residential & Mixed Use
<i>East</i>	Single Family Residential	Low Density Residential	R-1 Single Family Residential

General Plan 'Mixed Use' Description

The General Plan states that uses within the MU district should be, "integrated to create a dynamic urban environment that serves as the center of activity for the surrounding area." A project may mix retail and residential use and be more compact to encourage

the use of public transportation, bicycling and pedestrian travel. "Freestanding structures may consist of a single use adjacent to structures with different uses on the same or adjacent parcel." Such is the case for this project.

The Smart & Final phase of the project responded to the General Plan's desire that development be integrated into an overall project design and connected to other adjoining uses by plazas, promenades and landscaped corridors, and should include common architectural themes and signage. Smart & Final constructed these elements in 2017.

Mixed use project vary in their scale, density, size and mixture of uses based upon the character of the surrounding area. Residential aspects are limited to a maximum intensity of 18 dwelling units per 1.0 acre.

PREVIOUS ACTION: On December 6, 2016, the Planning Commission approved Design Review Application DRA 16-007, Accessory Sign Review ASR 16-008, Tentative Parcel Map TPM 16-001, and Conditional Use Permit CUP 16-003 to construct a 27,524 sq. ft. Smart & Final Extra grocery store on 3.1 acres of the 6 acre site including the subdivision into two lots, signage, and Type 21 Alcohol Beverage License. These approvals comprise Phase 1 of the mixed use project.

PROJECT REVIEW: The Applicant, KZ Companies, LLC, is proposing to complete Phase 2 of the project with the construction of 34 two-story single family homes on the northerly 2.9 acres. The development is roughly square in shape with an interior looping road and two small parks at the south end buffering the residences from the adjacent grocery store. The residences will front the interior street with their rear yards facing Buckeye Street, Church Avenue, and the existing homes to the north. This will not be a gated community, however, the streets and parks will be privately owned and available only to its residents.

TRACT MAP

The site is 322' wide from east to west and 391' deep from north to south. The proposed tract is a small-lot subdivision with common open space, landscape maintenance districts (LMDs) and internal roads. The individual lot sizes proposed under the CUP are a minimum of 33' wide and 65' deep, a minimum of 2,145 square feet in area. The lot size accommodates the proposed product type and yields a minimum 5' side yard setbacks, 10'+ in the rear and 5'-6' in the front (Attachment 2 – Project Plan Set, pages C-2-1 & C-2-2).

Several easements are found along the boundary of the tract. There is an approximate 8' wide easement along Church Avenue to the benefit of Southern California Edison. To the north of the tract, outside its boundary are additional overhead utility lines with underlying easements. The proposed development will inadvertently create an alleyway for access to these lines. There may be circumstances that require Edison to access their existing poles through the rear yard of the existing lots to the north.

The Tract Map defines adjacent public street sections and ultimate City right-of-way. The Street Section for Church Avenue shows that the project will improve to the full 33' half width which includes a 22' roadway, 6.5' curb and sidewalk, and 4.5' landscape parkway. Buckeye Street will be improved to its full 30' half width with 18' roadway, 6.5' curb and sidewalk and 5.5' landscape area. The interior street will be private with 28' section including the road and 'mountable' (rounded) curb and 18" wide monolithic gutter.

Existing overhead utility lines will be removed and underground on Church Avenue along the project frontage. Streetlights will be installed as needed.

CONDITIONAL USE PERMIT & DESIGN REVIEW

Architectural Site Plan

The homes will be situated along the north, east and west perimeter with a cluster in the middle. Vehicular and pedestrian access will be taken at the north end of the site with driveways at both Church Avenue and Buckeye Street. Two recreation areas are located at the southerly corners (Attachment 2 – Project Plan Set, Page A0).

The 34 homes will be available in three (3) unit types; Plan 1, 2 and 3. There will be 11 Plan 1s, 11 Plan 2s, and 12 Plan 3s. There are two (2) elevations per Plan, Elevation A and B. The plans were carefully plotted as not to repeat plan types side by side. There are also several 'reverse' plans to promote variety and two (2) 'enhanced' elevations at Lots 26 and 34 on either side of the project entry.

In addition to the two-car garage at each unit, there are 24 uncovered guest spaces with 12 on the north and 12 on the south side; a total of 92 parking spaces for the project.

The project proposes a density of approximately 12 dwelling units per acre (34 du/2.9 ac = 11.7 du/ac) well within the maximum of 18 du/ac permitted in the Mixed Use Zone. Minimum setbacks proposed by the project are front yard setbacks at 6' to the garage and 5' to the living space, side yards at 5' and rear yards at 10'6".

Conceptual Landscape Plan

The Landscape Plan has a variety of front and backyard trees, onsite and LMD specific varieties. In the front yards, proposed species include Blue Wattle, Lemon Scented Bottlebrush and Ginkgo Trees. Rear yards include six different species of Guava, Orange, Lemon, Lime, Pineapple Guava, Sweet Bay Laurel, Saucer Magnolia and Desert Willow.

On site trees found throughout the parks and parking area include Marina Strawberry Tree, Red Crepe Myrtle and Golden Rain Tree. Within the LMD are Mediterranean Fan Palm, Red Crepe Myrtle and Golden Rain Tree with Red Flower Carpet Rose groundcover. All species are low and moderate water use and have canopies spreading

from 12' to 25' in diameter. The various ground covers and shrubs are shown on Sheet L-2 of the Landscape Plan.

Landscaping around the guest parking includes Golden Rain Trees, Coast Rosemary groundcover and rocks forced from the site.

The City's Landscape Architect reviewed the plan and provided the following comments:

- 1) Replace the Crape Myrtles along Buckeye Street and Church Avenue with Koelreuteria trees, with the exception of accent tree planting at corners to help visually cue the tract entrances (Sheets L-1 and L-5)
- 2) Correct the legend with respect to the Bottlebrush tree. It is shown as a tree along the Buckeye right-of-way, but is categorized in the legend as a front yard tree. (Sheets L-1 and L-5)
- 3) Install a defined edge between the Gazanias and Tall Fescue grass in the infiltration basin bottom and provide ongoing maintenance separately as appropriate.
- 4) Along the western edge of the basin, there is a Koelreuteria tree shown at approximately 1 foot from the boundary wall. This tree should be recentered to be equidistant between the boundary wall and the seat wall. (Sheet L-4)

Open Space

The Open Space Plan is shown on page L-4 of the Landscape Plan. The southwest park area is approximately 6000 square feet. It is planted with a mix of Marina Strawberry and Goldenrain Trees, shrubs and groundcover. It has an expanse of green open space for free play and is 'dog friendly'. Amenities include a perimeter walkway, landscaping, seating, dog waste bags and trash cans. There are four (4) wood benches, 6' long placed atop the boundary wall along the path. The path will be constructed of permeable pavers and be ADA Accessible. Bollards with LED lighting will be installed at the interface with the drive aisle. This area also serves as a water quality infiltration basin.

The southeasterly open space area is slightly smaller and measures about 3,000 square feet. It also has open green space planted with tall fescue and gazania. Exercise stations are installed around the perimeter of the walkway making a nice looping path.

Fencing

The Fencing Plan is located on Sheet L-3 of the Landscape Plans. On the southerly boundary there is an existing block wall that was constructed with the Smart & Final which spans Buckeye Street to Church Avenue. Along Buckeye, the Applicant proposes a 1-3' tall retaining wall topped with a 5-6' semi-private vinyl fence. The Fence Plan indicates "wood or vinyl" but the applicant has selected vinyl as their preference. Only

the vinyl section will be visible from the public side of the fence. The vertical slats will be spaced to give a 'view' effect. The purpose of the view fence is to make the project more welcoming to the existing neighborhood whose front yards face the public right-of-way (see Sheet L-3 Landscape Plans of the Project Plan Set).

On the Church Avenue side of the project is a similar fence, but the retaining wall and the vinyl fence sections will both be visible from the public side. This will result in a 6-9' tall wall near the public sidewalk. Staff recommends adoption of a Condition of Approval that requires pilasters be installed at 8-10' on center to break up the fencing panels and that these pilasters and any visible retaining wall be clad in stone to match the Smart & Final wainscoting.

On the northerly boundary, is a 1-4' retaining wall with a solid 5-6' vinyl fence. Between lots in the side and rear yards of the homes, a 6' vinyl privacy fence is planned.

Building Elevations

As mentioned above, all units are two-story to best utilize the narrow lot configuration. In all three Plans, the first floors consist of a two-car garage, kitchen, dining, living and bathroom. The second floor contains the living space with three bedrooms and two bathrooms. Plan 3 has an additional 4th bedroom upstairs. The Plan 1 is 1,436 square feet, Plan 2 is 1,500 square feet, and Plan 3 is 1,683 square feet.

Exterior features that are found on all three (3) Plans include stucco body, wood trim, asphalt shingles, and aluminum roll up garage doors. Specific details of each are described below (Attachment 3 – Colored Renderings).

Plan 1

The Front Elevation of the Plan 1A has two gable end roof lines on the second floor with wood corbels defining the bottom of the right side front pop out. There is distinctive wood trim around all three (3) windows, vertical wood siding in the main gable finished with a 4x8 wood 'outlooker.' The main entrance is shown on the left elevation. It is set back approximately 10' from the front of the house and covered with a small porch supported by a single column. The right and left elevations have various offsets providing dimension and shadows and a varied roofline with gable and hip styles. The outlookers are visible from both sides. The windows are adorned with mullions and perimeter trim. Plan 1B adds stone veneer trim on either side of the garage that wraps left and right, adds stone to the porch column and modifies the window grid design and replaces the vertical wood siding in the gable with board and batten siding. Plan 1B 'Enhanced' is a combination of treatments from 1A and 1B and adds gable end treatments on the right and left elevations including board and batten siding, wood corbels, and outlookers.

Plan 2

Plan 2A is wider than Plan 1. It brings the entry around to the front of the house. There is a good variety of gable and hip rooflines, multilight windows, 6x12 corbels,

and vertical siding under the main gable. Side and rear elevations have the same patterned windows and trim and vertical siding under the gable. Plan 2B is clad with the brick veneer similar to 2B which wraps the right and left sides and has the same window mullion design and board and batten trim.

Plan 3

Plan 3A brings the entry back to the side yard on the left just beyond the midpoint of the house. The 3A and 3B designs are similar to the 1A/2A and 1B/2B designs with the corbels and vertical siding on the Plan As and the stone veneer and board and batten siding on the Plan Bs. The garage door on the 1A/2A/3A models is a solid door. The Plan 1B/2B/3B have decorative windows across the top panel.

Exterior Color & Materials

The Applicant will provide a color and materials board at the May 3, 2022 Public Hearing. Generally, the palette includes warm natural tones with contrasting white trim, brown asphalt shingle roof tiles, with white and grey tone stone veneer. These materials are noted in the Conditions of Approval.

Preliminary Grading Plan

The site topography and grading are heavily influenced by existing development and road improvements on all four sides of the project. The 17' fall on the property results in numerous retaining walls throughout the site along Buckeye Street, Church Avenue, mid-project between the center cluster of homes and around the Water Quality infiltration basin at the southwesterly corner. In most places it retains just a few feet and care was given to incorporate them in a way to lessen impacts to usable space and common areas.

The Conceptual Water Quality Management Plan for the project has been reviewed and approved by the City of Highland's Water Quality Consultant.

ENVIRONMENTAL REVIEW: A Mitigated Negative Declaration was approved by the Planning Commission on December 6, 2016, for the mixed use project including the grocery store and future residential. Phase II of the project, approving the residential subdivision and architectural design are considered a subsequent infill project per California Environmental Quality Act Section 15332, as the project is compliant with the Highland General Plan and Municipal Code, is less than 5 acres in size and surrounded by urban uses, is not valuable habitat, will not result in significant effects related to traffic, noise, air or water quality, and is adequately served by utilities and public services.

PUBLIC COMMENT: Two public comment letters were received from nearby property owners who reside on Villa Avenue just east of the project (Attachment 4 – Public Comment Letters).

The first letter is from Kimberly Little. Ms. Little asks *if the development will have an HOA? Yes it will. Who will handle the sales of the home? KZ Companies will manage the sales. Will a left-hand turn signal on Church Avenue be installed to assist with traffic, including school generated traffic?* It will not be the financial responsibility of this project to improve signals at the Church Avenue/Base Line intersection. However, the installation of a dedicated left-hand turn lane/light will be a future City project. A timeline has not been established for this work. *Who will be responsible for maintaining the dog park?* The project's HOA will be responsible for the ongoing maintenance of both open space areas including the 'dog friendly' space.

The second public comment letter is from Jesus Nolasco. Mr. Nolasco is generally concerned about traffic congestion, parking problems, increase in crime, and decrease in area property values. Specifically, he is concerned that the density is too high and that the traffic count coming from the project would be 136 vehicle trips per day that would enter and exit in front of his house. He asks, *"What provisions will the developer and the city provide to reduce the overwhelming noise and traffic among other things that this project will create?"*

The project has 98 parking spaces to accommodate its residents and visitors, approximately 2.9 parking spaces per unit. The parking is provided exceeds the number of spaces required by the Municipal Code for Single Family Residential – 2 spaces within an enclosed garage. The traffic generated has been accounted for in the General Plan's Circulation Element and the required configurations of both Church Avenue as a "Collector Street" and Bucketed as a "Local Street". An increase in crime is not anticipated with the development of new residential units. The Highland Sheriff's Office cited no concerns with the proposal although staff will ensure that the private roads, parks and homes are well lit as provided for in the Municipal Code Standards. Parking of most vehicles will be within enclosed garages which should reduce theft as well. The new homes will be selling for market rate for new construction which will positively affect the area property values. The proposed density is higher than the surrounding R-1 Single Family neighborhood, however, it is a good transition between R-1 and the retail commercial use to the south. It is also comparable to the residential development to the west proposed by Woodcrest Development at approximately 13 dwelling units per acre. The homes will have quality architectural treatments, varied landscaping, open space and private roads which should all be a benefit to the surrounding neighborhood and increase the value of the currently unimproved lot.

ANALYSIS: The project must meet the standards and intent of the Mixed Use Zoning District and General Plan designation. The project is within the City's General Plan 'Town Center' Community Policy Area. Projects here should exemplify the Town Center Policies; adhere to the Community Design Element, maintain a mix of attractive uses, provide access to multiple modes of travel, protect surrounding neighborhoods from incompatible uses and provide buffers when appropriate, connect projects visually with the Historic District, and require new development to provide for public plazas and gathering places.

The Town Center is the primary entry into the City and has a position of prominence. It is meant to be a place where, "Highland residents, employees and visitors can live, shop, work, recreate and socialize in a vibrant, safe and pedestrian-friendly environment." The project achieves this policy directive and recommends the Planning Commission approve the project.

- Attachments:
1. Aerial Location Map
 2. Project Plan Set
 - Architectural Site Plan, Building Elevations, Conceptual Landscape Plan, Tentative Tract Map & Grading Plan
 - *8.5x11" plan set attached, 30x42" set under separate cover*
 3. Colored Renderings of Building Elevations & Aerial Perspective
 - *11x17" attached*
 4. Public Comment Letters
 5. Resolution No. 2022-__ Approving Tentative Tract Map No. 20387, Conditional Use Permit CUP 22-001 & Design Review DRA 22-001

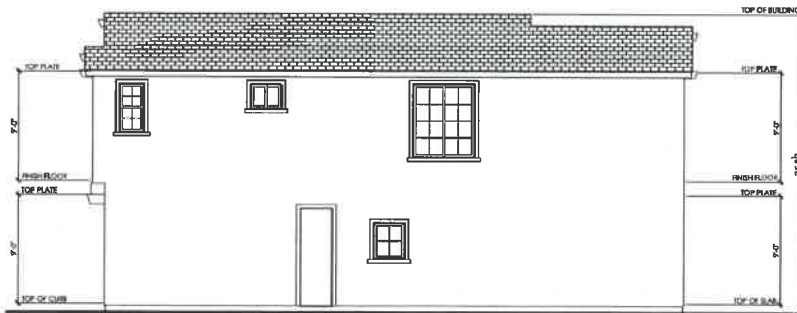
Exhibit 1 - Aerial Location Map



ATTACHMENT 2
Project Plan Set



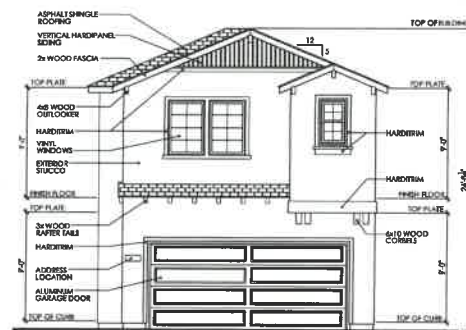
REAR ELEVATION
SCALE: 1/4"=1'-0"



RIGHT ELEVATION
SCALE: 1/4"=1'-0"



LEFT ELEVATION
SCALE: 1/4"=1'-0"



FRONT ELEVATION
SCALE: 1/4"=1'-0"

PLAN 1A

PLAN 1A - EXTERIOR ELEVATIONS

SHEET NUMBER	DATE	PLAN CHECK NUMBER	REVISIONS
A1.2	04 JAN 2022		
PROJECT NUMBER	2019	PURPOSE	ENTIREMENT PACKAGE



SINGLE-FAMILY HOME DEVELOPMENT

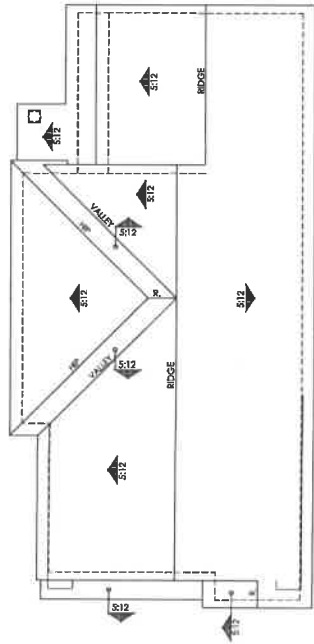
HIGHLAND HEIGHTS

HIGHLAND, CALIFORNIA 92346

562.344.5438

5500 East 2nd Street, Suite 2
Long Beach, California 90803

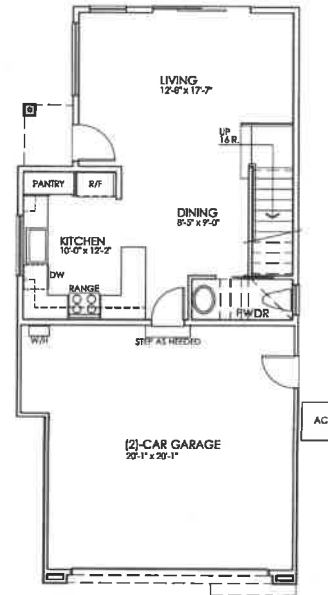
Sennikoff
ARCHITECTS



ROOF FLOOR PLAN
SCALE: 1/4"=1'-0"



SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"



FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

SQUARE FOOTAGES			
PLAN ONE:			
FIRST FLOOR LIVABLE	=	545.46 SF	
SECOND FLOOR LIVABLE	=	891.41 SF	
TOTAL LIVABLE	=	1436.87 SF	
(2)-CAR GARAGE	=	441.89 SF	

PLAN 1B

PLAN 1B - FLOOR PLANS / ROOF PLAN

SHEET NUMBER: A1.3

SET ISSUE DATE: 04 JAN 2022

PROJECT NUMBER: 2019

SET REVISIONS:

PLAN CHECK NUMBER:

PURPOSE: ENTITLEMENT PACKAGE



SINGLE-FAMILY HOME DEVELOPMENT
HIGHLAND HEIGHTS
HIGHLAND, CALIFORNIA 92346

562.344.5438
5500 East 2nd Street, Suite 2
Long Beach, California 90803

Sennikoff
ARCHITECTS

EXPIRES 12/31/2023



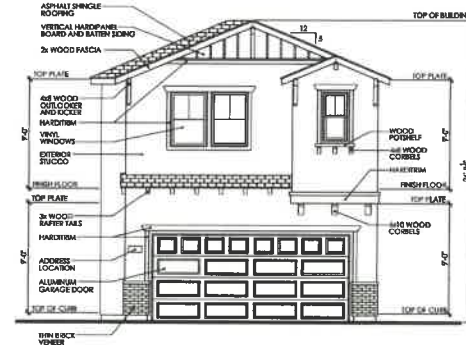
REAR ELEVATION
SCALE: 1/4"=1'-0"



RIGHT ELEVATION
SCALE: 1/4"=1'-0"



LEFT ELEVATION
SCALE: 1/4"=1'-0"



FRONT ELEVATION
SCALE: 1/4"=1'-0"

PLAN 1B - EXTERIOR ELEVATIONS

SHEET NUMBER: A1.4
SET DATE: 04 JAN 2022
PROJECT NUMBER: 2019

REVISIONS:
REVISION NUMBER: 1
REVISION DESCRIPTION: 1



SINGLE-FAMILY HOME DEVELOPMENT

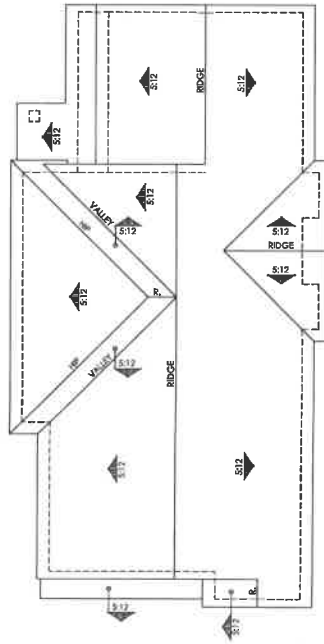
HIGHLAND HEIGHTS

HIGHLAND, CALIFORNIA 92346

562.344.5438

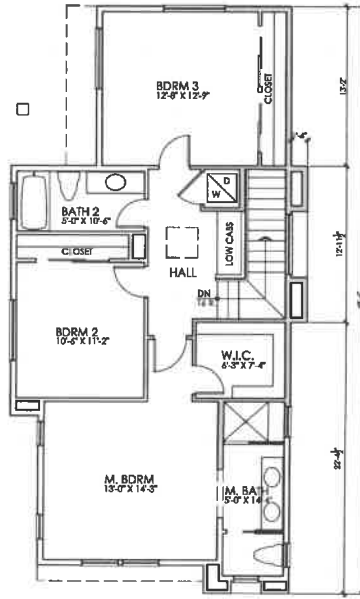
5500 East 2nd Street, Suite 2
Long Beach, California 90803

Sennikoff
ARCHITECTS



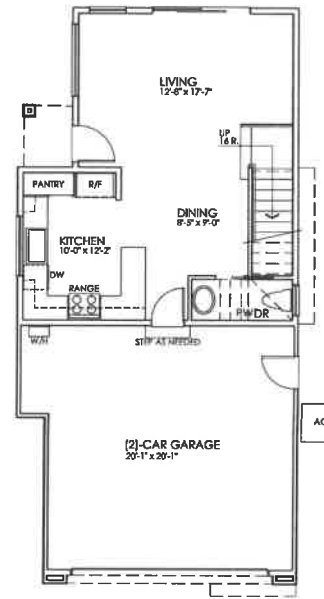
ROOF FLOOR PLAN

SCALE: 1/4"=1'-0"



SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"



FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

SQUARE FOOTAGES

PLAN ONE		
FIRST FLOOR LIVABLE	=	545.46 SF
SECOND FLOOR LIVABLE	=	891.41 SF
TOTAL LIVABLE	=	1436.87 SF
[2]-CAR GARAGE	=	441.89 SF

PLAN 1B - ENHANCED RIGHT SIDE ELEVATION

SHEET NUMBER 04 JAN 2022

PROJECT NUMBER 2019

PURPOSE EXHIBITMENT PACKAGE

DATE 04 JAN 2022



SINGLE-FAMILY HOME DEVELOPMENT

HIGHLAND HEIGHTS

HIGHLAND, CALIFORNIA 92346

562.344.5438

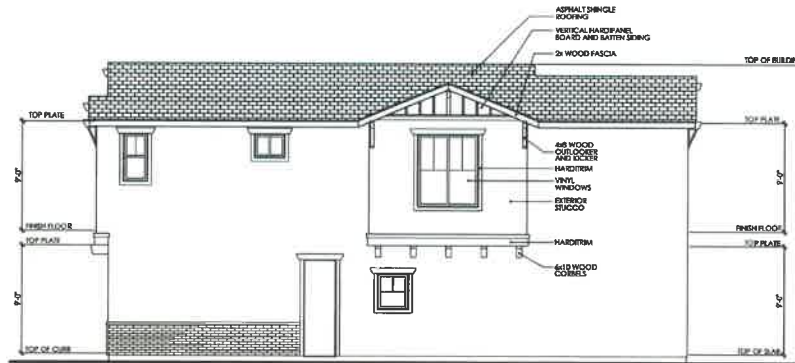
5500 East 2nd Street, Suite 2
Long Beach, California 90803

Sennikoff
ARCHITECTS

PLAN 1B ENHANCED
LOTS 26 & 34



REAR ELEVATION
SCALE: 1/4"=1'-0"



RIGHT ELEVATION
SCALE: 1/4"=1'-0"



FRONT ELEVATION
SCALE: 1/4"=1'-0"

PLAN 1B ENHANCED LOTS 26 & 34

PLAN 1B - ENHANCED LEFT SIDE ELEVATION			
SHEET NUMBER	SET SHEET DATE	PLAN CHECK NUMBER	SET REVISIONS
A1.6	04 JAN 2022		
PROJECT NUMBER	PURPOSE	ENTIREMENT PACKAGE	
2019			



SINGLE-FAMILY HOME DEVELOPMENT

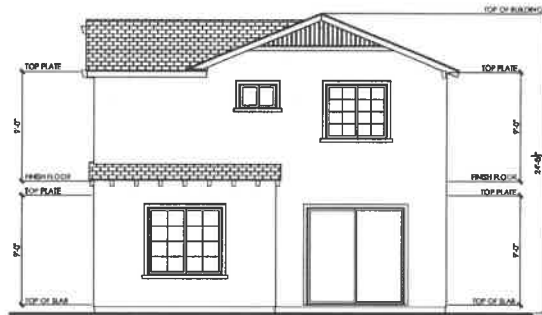
HIGHLAND HEIGHTS

HIGHLAND, CALIFORNIA 92346

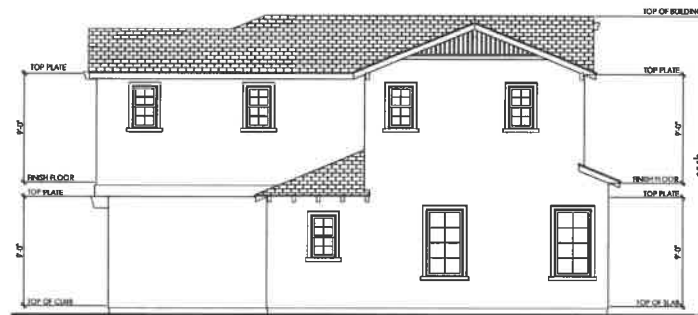
562.344.5438

5500 East 2nd Street, Suite 2
Long Beach, California 90803

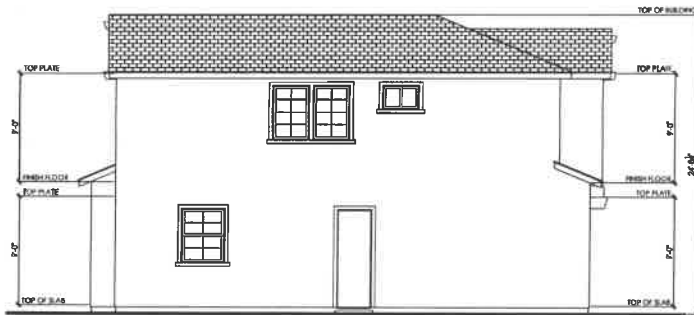
Sennikoff
ARCHITECTS



REAR ELEVATION
SCALE: 1/4"=1'-0"



RIGHT ELEVATION
SCALE: 1/4"=1'-0"



LEFT ELEVATION
SCALE: 1/4"=1'-0"



FRONT ELEVATION
SCALE: 1/4"=1'-0"

PLAN 2A

PLAN 2A - EXTERIOR ELEVATIONS

SHEET NUMBER	SET DATE	PLAN CHECK NUMBER	SET REVISIONS
A2.2	04 JAN 2022		
	PROJECT NUMBER		
	2019		



SINGLE-FAMILY HOME DEVELOPMENT

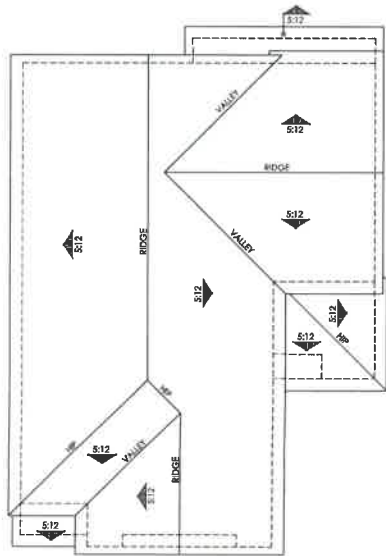
HIGHLAND HEIGHTS

HIGHLAND, CALIFORNIA 92346

562.344.5438

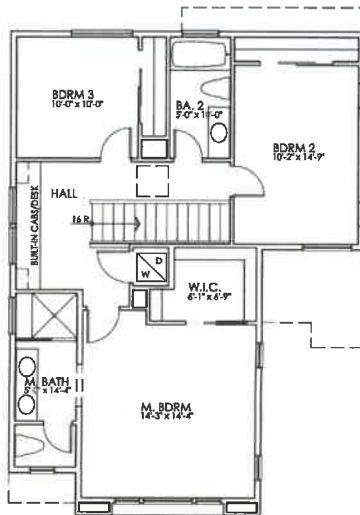
5500 East 2nd Street, Suite 2
Long Beach, California 90803

Sennikoff
ARCHITECTS



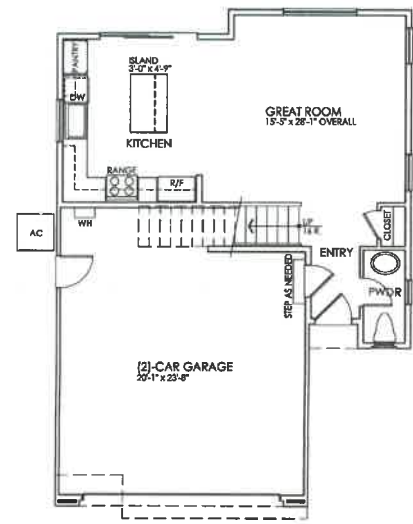
ROOF FLOOR PLAN

SCALE: 1/4"=1'-0"



SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"



FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

SQUARE FOOTAGES			
PLAN TWO:			
FIRST FLOOR LIVABLE	"	"	558.93 SF
SECOND FLOOR LIVABLE	"	"	942.08 SF
TOTAL LIVABLE	"	"	1500.41 SF
(2)-CAR GARAGE	"	"	472.47 SF

PLAN 2B

PLAN 2B - FLOOR PLANS / ROOF PLAN

SHEET NUMBER	PROJECT NUMBER	DATE	DATE
A2.3	2019	04 JAN 2022	

PURPOSE: ENTITLEMENT PACKAGE



SINGLE-FAMILY HOME DEVELOPMENT
HIGHLAND HEIGHTS
HIGHLAND, CALIFORNIA 92346

562.344.5438
5500 East 2nd Street, Suite 2
Long Beach, California 90803

Sennikoff
ARCHITECTS



REAR ELEVATION
SCALE: 1/4"=1'-0"



RIGHT ELEVATION
SCALE: 1/4"=1'-0"



LEFT ELEVATION
SCALE: 1/4"=1'-0"



FRONT ELEVATION
SCALE: 1/4"=1'-0"

PLAN 2B

PLAN 2B - EXTERIOR ELEVATIONS

SHEET NUMBER	SET ISSUE DATE	PLAN CHECK NUMBER	SET REVISIONS
A2.4	04 JAN 2022		
PROJECT NUMBER	PURPOSE	ENTITLEMENT PACKAGE	
2019			



SINGLE-FAMILY HOME DEVELOPMENT

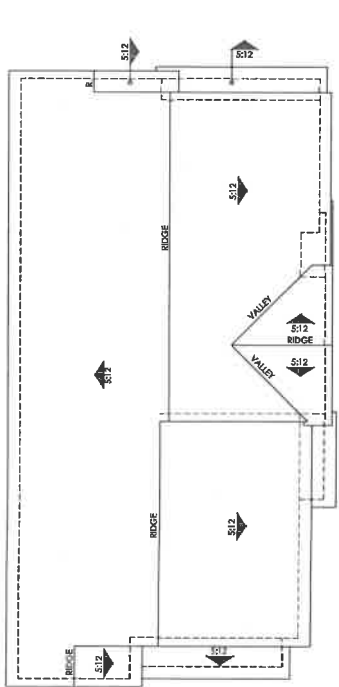
HIGHLAND HEIGHTS

HIGHLAND, CALIFORNIA 92346

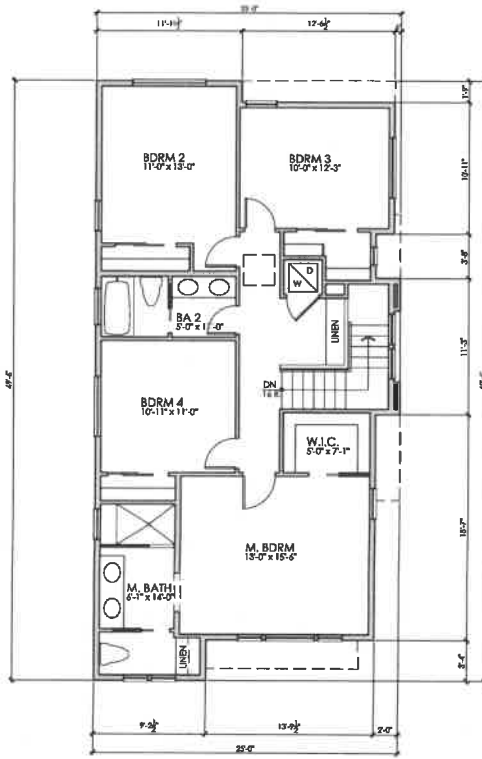
562.344.5438

5500 East 2nd Street, Suite 2
Long Beach, California 90803

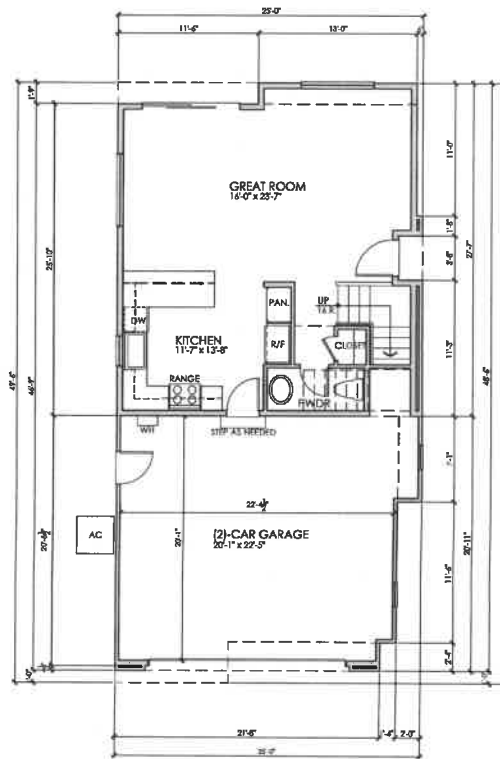
Sennikoff
ARCHITECTS



ROOF FLOOR PLAN
SCALE: 1/4"=1'-0"



SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"



FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

SQUARE FOOTAGES			
PLAN THREE:			
FIRST FLOOR LIVABLE			435.42 SF
SECOND FLOOR LIVABLE			1047.84 SF
TOTAL LIVABLE			1683.26 SF
(2)-CAR GARAGE			477.29 SF

PLAN 3A

PLAN 3A - FLOOR PLANS / ROOF PLAN

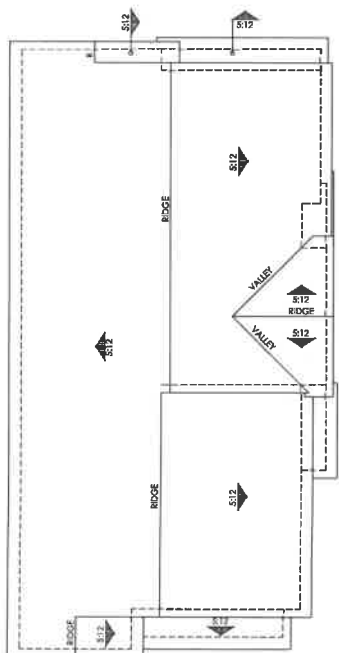
SHEET NUMBER	SET	DATE	PLAN CHECK NUMBER	PURPOSE
A3.1	04 JAN 2022	2019		ENTITLEMENT PACKAGE



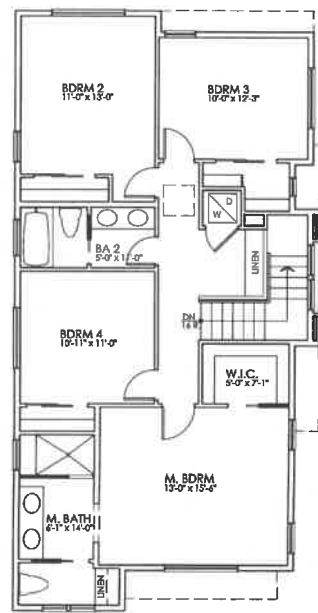
SINGLE-FAMILY HOME DEVELOPMENT
HIGHLAND HEIGHTS
HIGHLAND, CALIFORNIA 92346

562.344.5438
5500 East 2nd Street, Suite 2
Long Beach, California 90803

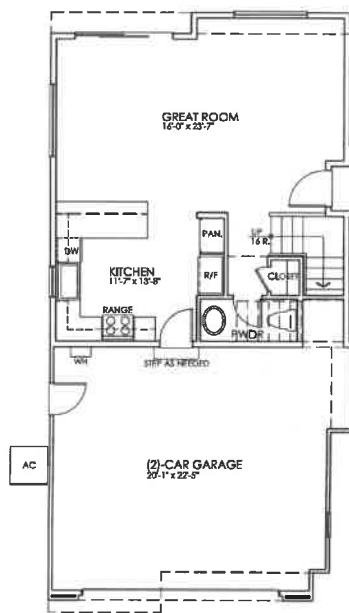
Sennikoff
ARCHITECTS



ROOF FLOOR PLAN
SCALE: 1/4"=1'-0"



SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"



FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

SQUARE FOOTAGES

PLAN THREE:	
FIRST FLOOR LIVABLE	636.42 SF
SECOND FLOOR LIVABLE	1047.84 SF
TOTAL LIVABLE	1683.26 SF
(2)-CAR GARAGE	497.29 SF

PLAN 3B

PLAN 3B - FLOOR PLANS / ROOF PLAN

SHEET NUMBER	04 JAN 2022	PLAN CHECK NUMBER	04 JAN 2022
PROJECT NUMBER	2019	PURPOSE	ENTIREMENT PACKAGE



SINGLE-FAMILY HOME DEVELOPMENT
HIGHLAND HEIGHTS
HIGHLAND, CALIFORNIA 92346

562.344.5438

5500 East 2nd Street, Suite 1A
Long Beach, California 90803

Sennikoff
ARCHITECTS

Tentative Tract 20387 CONCEPTUAL TREE PLAN

Church Avenue & Buckeye Street
Highland, CA 92346
APN: 1200-421-34

SITE DATA:

TOTAL PROJECT AREA:	126,131 SQ. FT.
ON LOT	
PERMEABLE AREA (LANDSCAPE & WALKWAYS)	31,868 SQ. FT.
NON-PERMEABLE AREA (HOUSE FOOTPRINT + SIDEWALK/PATIO)	48,548 SQ. FT.
TOTAL ON LOT AREA	80,214 SQ. FT.
OPEN SPACE	
PERMEABLE PAVERS	2,128 SQ. FT.
PERMEABLE AREA (LANDSCAPE AND WALKWAYS)	12,119 SQ. FT.
NON-PERMEABLE AREA (CURB, GUTTER AND PAVEMENT)	32,140 SQ. FT.
TOTAL OPEN SPACE AREA	46,367 SQ. FT.

QIMBY CALCULATION:

MINIMUM OPEN SPACE IS BASED ON 8 ACRES OR 347,384 SQ. FT. AT 1,000 POPULATION

UNITS IN PROJECT	26
OFFICES/RETAIL/INDUSTRY AREA	33,000 SQ. FT.
1.1% TOTAL ESTIMATED POPULATION FOR PROJECT	11,000
MINIMUM AREA REQUIRED PER ACRE PROVIDED	16,322 SQ. FT.
	13,843 SQ. FT.



VICINITY MAP
not to scale



VILLA AVENUE

CONCEPTUAL PLAN

Scale: 1" = 30'



"I HAVE COMPLIED WITH THE CRITERIA OF THE CITY OF HIGHLAND WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN."

SIGN: *Richard Pope* LICENCE: 2664 DATE: 3/2/2022

Planting Legend

SYMBOL	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	WEEKLY WATER USAGE (H&W)	WATER USAGE (H&W)
ON-BITE TREES						
	10	15 Gal.	Adiantum species "Starline"	Maple Strawberry Tree	Low	25 H, @ 12
	13	24" Box	Laguncularia hyssida "Tender"	Red Orange Myrtle	Med	15 H, @ 12
	11	24" Box	Neptunia paniculata	Golden Rain Tree	Low	30 H, @ 25
FRONT LANE TREES						
	9	15 Gal.	Adiantum species	Alum Nettle	Low	18 H, @ 12
	10	15 Gal.	Calliandra citrius	Lemon Scented Bush	Low	20 H, @ 15
	11	15 Gal.	Garrya viridis "Pinnatifida Variety"	Golden Tree (mild only)	Med	20 H, @ 15
BACKYARD TREES - ALTERNATE PER LOT						
	34	15 Gal.	Podium cataglyphus	Strawberry Gum	Med	18 H, @ 8
	34	15 Gal.	Citrus limon	Sweet Orange, Lemon & Lime	Med	8 H, @ 8
	34	15 Gal.	Pinus monophylla	Pinon Pine	Low	25 H, @ 8
	34	15 Gal.	Myrica x maderensis	Boxer Magnolia	Med	15 H, @ 10
	34	15 Gal.	Chilodactylus	Don't Willow	Low	20 H, @ 10
LAND TREES						
	15	24" Box	Chamaecyparis formosensis	Mediterranean Pine	LOW	10 H, @ 8
	17	24" Box	Laguncularia hyssida "Tender"	Red Orange Myrtle	Med	15 H, @ 12
	13	24" Box	Neptunia paniculata	Golden Rain Tree	Low	30 H, @ 25

SHEET L-1
OF 5

Applicant:

KZ COMPANIES, LLC
Contact: Mark Zimmerman
18818 Teller Avenue, #100
Irvine, CA 92612
Phone: (949) 477-5853
Cell: (714) 612-0002
email: mz@kzcompanies.com



JOB: 20-37 LKD OKE
January 5, 2021



1585 South 'D' Street, Suite 202
San Bernardino, CA 92408
phone: (909) 888-5568
e-mail: richardpopeassociates.la@gmail.com
Richard Pope, Landscape Architect CA# 2664

Tentative Tract 20387

TYPICAL YARD PLAN

Church Avenue & Buckeye Street

Highland, CA 92346

APN: 1200-421-34

PLAN 1:
APPLIES TO LOTS 3, 8, 11, 13, 16, 18, 22, 24, 26, 31, & 34

PLAN 2:
APPLIES TO LOTS 1, 4, 6, 10, 15, 19, 21, 25, 28, 30, & 32

PLAN 3:
APPLIES TO LOTS 2, 5, 7, 9, 12, 14, 17, 20, 23, 27, 29 & 33



PLANTING PLAN
Scale: 1" = 8'
NORTH



All Work to Meet or Exceed State & Local Codes and Industry Standards.
Written Specifications to Precede Scaled Dimensions.

UNDERGROUND UTILITIES:

The Contractor shall be responsible for locating or verifying locations of all existing utilities, and for protection of same. Damages resulting from Contractor's work or that of Contractor's sub-contractors shall be restored to original condition at their own expense. City shall have the final say if repairs are to be made by Contractor or others.

PLANTING LEGEND

SYMBOL	PLAN 1 QTY	PLAN 2 QTY	PLAN 3 QTY	QTY	BOTANICAL NAME	COMMON NAME	WUCOLS WATER USAGE	WUCOLS DRAINAGE (H+D)
FRONT YARD TREE - SEE SHEET L-1								
	12	1	-	15 Gal.	Acacia saligna	Blue Wattle	Low	18' H, Ø 18"
	1	1	1	15 Gal.	Callistemon citrinus	Lemon Scented Bottlebrush Tree	Low	25' H, Ø 18"
	1	1	1	15 Gal.	Ginkgo biloba 'Princeton Sentry'	Ginkgo Tree (male only)	Mod	30' H, Ø 15"
	1	1	1	15 Gal.	Psidium cattleianum	Strawberry Guava	Mod	18' H, Ø 8"
	1	1	1	15 Gal.	Citrus Dwarf	Dwarf Orange, Lemon & Lime	Mod	8' H, Ø 6"
	1	1	1	15 Gal.	Laurus nobilis	Sweet Bay Laurel	Low	25' H, Ø 8"
	1	1	1	15 Gal.	Felicia sellowiana	Pineapple Guava Tree	Mod	20' H, Ø 17"
	1	1	1	15 Gal.	Magnolia x soulangeana	Saucer Magnolia	Mod	25' H, Ø 18"
	1	1	1	15 Gal.	Chilopsis linearis	Desert Willow	Low	20' H, Ø 18"
	6	8	6	5 Gal.	Aloe vera	Medicinal Aloe	Low	2' H, Ø 2"
	6	8	6	5 Gal.	Hesperaloe parviflora	Red Yucca	Low	4' H, Ø 4"
	6	8	6	5 Gal.	Aloe striata	Coral Aloe	Low	2' H, Ø 2"
	6	10	9	5 Gal.	Anigozanthos flavidus 'Bushranger'	Dwarf Red Kangaroo Paw	Low	4' H, Ø 2"
	6	10	9	5 Gal.	Juncus patens	California Gray Rush	Low	2' H, Ø 2"
	6	10	9	5 Gal.	Nassella tenuissima	Mexican Feather Grass	V. Low	2' H, Ø 3"
	15	27	25	5 Gal.	Sedum spectabile 'Autumn Joy'	Autumn Joy Sedum	Low	2' H, Ø 2"
	15	27	25	5 Gal.	Limnium perzi	Sage Lavender	Mod	3' H, Ø 2"
	15	27	25	5 Gal.	Asparagus densiflorus 'Meyer'	Meyer's Asparagus	Mod	2' H, Ø 2"
	2	2	2	5 Gal.	Lavandula latifolia	Spice Lavender	Low	3' H, Ø 4"
	2	2	2	5 Gal.	Streptocarpus reginae	Bird of Paradise	Mod	5' H, Ø 4"
	2	2	2	5 Gal.	Rosmarinus officinalis 'Tuscan Blue'	Upright Rosemary	Low	5' H, Ø 4"
	2	2	2	5 Gal.	Tecoma stans - Tecoma stans - Prune to 6' Height	Orange Belts - Yellow Trumpet Flower	Low	5' H, Ø 4"
	5	10	6	5 Gal.	Callistemon viminalis 'Slim'	Slim Bottlebrush	Low	8' H, Ø 4"
	5	10	6	5 Gal.	Euonymus japonicus 'Chollipo'	Chollipo Euonymus	Mod	12' H, Ø 4"
	5	5	5	5 Gal.	Euphorbia characias	Mediterranean Spurge	Low	2' H, Ø 2"
	5	5	5	5 Gal.	Ruellia peninsularis	Desert Ruellia	Low	3' H, Ø 4"
	5	5	5	5 Gal.	Lantana camara 'Radiation'	Radiation Bush Lantana	Low	4' H, Ø 4"
	2	4	2	5 Gal.	Salvia leucantha	Mexican Bush Sage	Low	5' H, Ø 6"
	2	4	2	5 Gal.	Leonotis leonurus	Lion's Tail	Low	6' H, Ø 6"
	2	4	2	5 Gal.	Lavatera assurgentiflora	Tree Mallow	Low	6' H, Ø 6"
	30	53	45	1 Gal. 24" o.c.	Lampranthus aurantiacus	Orange Trailing Ice Plant	Low	8" H, Ø 12-18"
	30	53	45	1 Gal. 24" o.c.	Lampranthus aurantiacus 'Glaucus'	Yellow Trailing Ice Plant	Low	8" H, Ø 12-18"
	30	53	45	1 Gal. 24" o.c.	Lampranthus spectabilis	Trailing Ice Plant	Low	8" H, Ø 12-18"
	90	85	47	Flats 12" o.c.	Orosanthemum floribundum	Roses Ice Plant	Low	6" H, Ø 12"
	90	85	47	Flats 12" o.c.	Carpobrotus chilensis	Ice Plant	Low	6" H, Ø 6"
	90	85	47	Flats 12" o.c.	Gazania rigens leucolena 'Uniflora'	Trailing Gazania	Mod	1' H, Ø 3"
	178	254	114	Flats 12" o.c.	Lippia repens (Phyla nodiflora)	Lippia Grass	Low	2' H, Spreading
	178	254	114	Flats 12" o.c.	Tauserium cossonii majoricum	Low Germander	Low	1' H, Ø 3"
	178	254	114	Flats 12" o.c.	Ruschia lineolata 'Nana'	Dwarf Carpet of Stars	Low	2' H, Ø 2"
	293	396	341	Sq. Ft. Sq. Ft. Sq. Ft.	3" Layer Decomposed Granite			

NOTES:

NO SUBSTITUTIONS, SPECIES OR VARIETY. CONTRACTOR ASSUMES ALL RESPONSIBILITY FOR ALL ISSUES RESULTING FROM SUBSTITUTIONS. DESIGN WAS CREATED USING EXACT VARIETY INDICATED.

IF SUBSTITUTIONS ARE NECESSARY, CONTRACTOR MUST CONTACT LANDSCAPE ARCHITECT FOR SUBSTITUTION APPROVAL.

A 3" DEEP LAYER OF SHREDDED BARK MULCH SHALL BE PLACED IN ALL PLANTING BEDS, EXCEPT LAWN AREAS.

PLANT COUNTS ARE FOR BIDDING PURPOSES ONLY. CONTRACTOR SHALL BE RESPONSIBLE FOR EXACT COUNT PER PLAN.

ALL ABOVE GROUND UTILITIES AND IRRIGATION EQUIPMENT SHALL BE SCREENED.

Applicant:

KZ COMPANIES, LLC
Contact: Mark Zimmerman
18818 Teller Avenue, #100
Irvine, CA 92612
Phone: (949) 477-5853
Cell: (714) 612-0002
email: mz@kzcompanies.com



JOB: 20-37 LKD CKE
January 5, 2021

RICHARD POPE
Landscape Architect
1585 South 'D' Street, Suite 202
San Bernardino, CA 92408
phone: (909) 888-5568
e-mail: richardpopeassociates.la@gmail.com
Richard Pope, Landscape Architect CA# 2664

SHEET L-2
OF 5

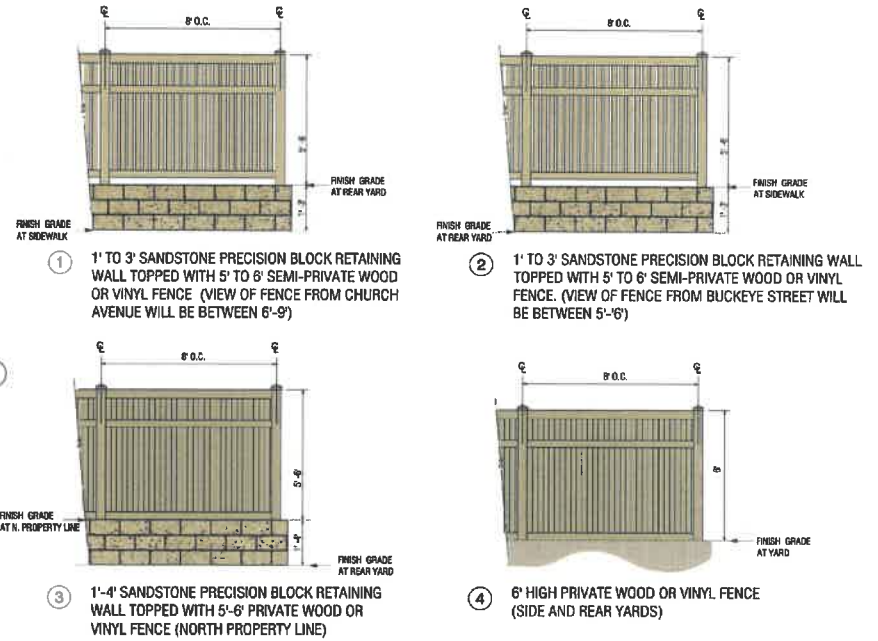
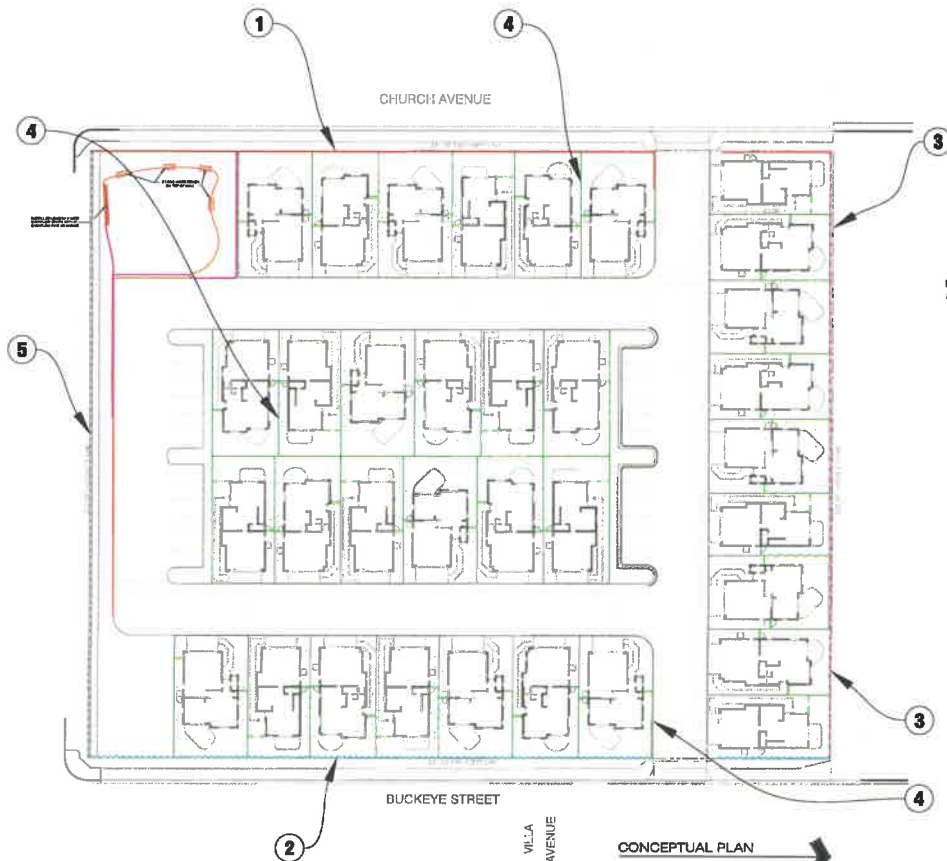
Tentative Tract 20387

WALL & FENCE PLAN

Church Avenue & Buckeye Street

Highland, CA 92346

APN: 1200-421-34



RETAINING WALL & FENCE LEGEND

- | | | |
|---|--|---|
| ① | | CHURCH AVENUE:
1' TO 3' SANDSTONE PRECISION BLOCK RETAINING WALL TOPPED WITH 5' TO 6' SEMI-PRIVATE WOOD OR VINYL FENCE.
(VIEW OF FENCE FROM CHURCH AVENUE WILL BE BETWEEN 6'-9') |
| ② | | BUCKEYE STREET:
1' TO 3' SANDSTONE PRECISION BLOCK RETAINING WALL TOPPED WITH 5' TO 6' SEMI-PRIVATE WOOD OR VINYL FENCE.
(VIEW OF FENCE FROM BUCKEYE STREET WILL BE BETWEEN 5'-6') |
| ③ | | NORTH PROPERTY LINE:
1'-4' SANDSTONE PRECISION BLOCK RETAINING WALL TOPPED WITH 5'-6' PRIVATE WOOD OR VINYL FENCE. |
| ④ | | SIDE AND REAR YARDS:
6' HIGH PRIVATE WOOD OR VINYL FENCE. |
| ⑤ | | SOUTH PROPERTY LINE:
EXISTING 6' HIGH BLOCK WALL - NOT A PART. |

Applicant:

KZ COMPANIES, LLC
Contact: Mark Zimmerman
18818 Teller Avenue, #100
Irvine, CA 92612
Phone: (949) 477-5853
Cell: (714) 612-0002
email: mzm@kzcompanies.com



JOB: 20-37 LKD CKE
January 5, 2021

SHEET L-3
OF 5



1585 South 'D' Street, Suite 202
San Bernardino, CA 92408
phone: (909) 888-5568
e-mail: richardpopeassociates.la@gmail.com
Richard Pope, Landscape Architect CA# 2664

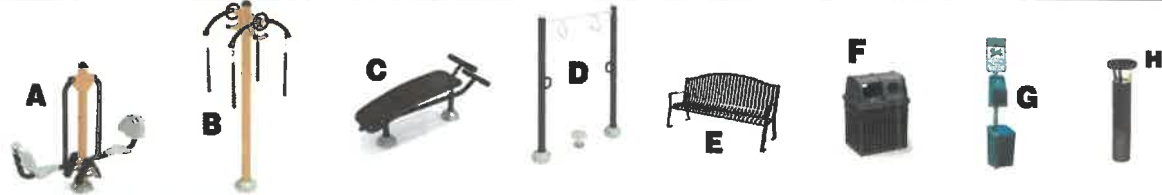
Tentative Tract 20387

OPEN SPACE PLAN

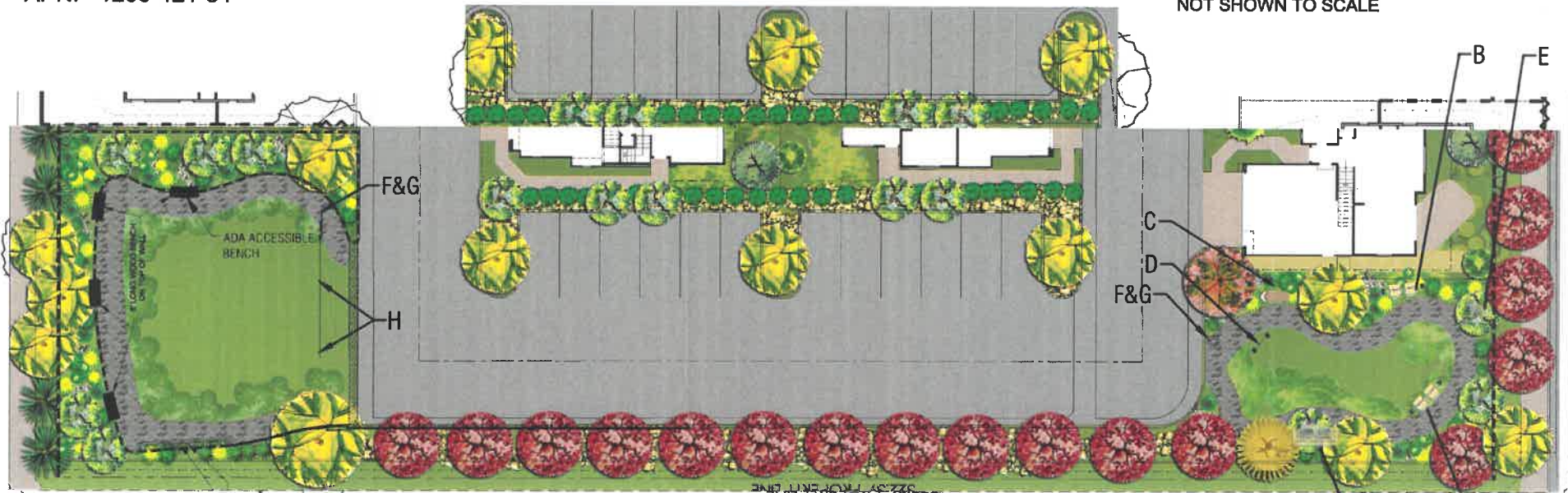
Church Avenue & Buckeye Street

Highland, CA 92346

APN: 1200-421-34



NOT SHOWN TO SCALE



CONCEPTUAL PLAN
Scale: 1" = 10'



Planting Legend

SYMBOL	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	WUCOLS WATER USAGE (IN/HR)	WUCOLS DRAINAGE RATE (IN/HR)
ON-SITE TREES						
	16	15 Gal.	Ardisia coccinea 'Marina'	Marina Strawberry Tree	Low	20" H, 8" D
	13	24" Dia.	Laportea lucida 'Tango'	Red Drops Myrtle	Med	10" H, 8" D
	11	24" Dia.	Ardisia coccinea 'Marina'	Golden Bell Tree	Low	20" H, 8" D

ANNUALS LEGEND

SYMBOL	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	WUCOLS WATER USAGE	WUCOLS DRAINAGE RATE (IN/HR)
DETAIL						
A	1	24" Dia.	Ardisia coccinea 'Marina'	Marina Strawberry Tree	Low	20" H, 8" D
B	1	24" Dia.	Ardisia coccinea 'Marina'	Marina Strawberry Tree	Low	20" H, 8" D
C	1	24" Dia.	Ardisia coccinea 'Marina'	Marina Strawberry Tree	Low	20" H, 8" D
D	1	24" Dia.	Ardisia coccinea 'Marina'	Marina Strawberry Tree	Low	20" H, 8" D
E	1	24" Dia.	Ardisia coccinea 'Marina'	Marina Strawberry Tree	Low	20" H, 8" D
F	1	24" Dia.	Ardisia coccinea 'Marina'	Marina Strawberry Tree	Low	20" H, 8" D
G	1	24" Dia.	Ardisia coccinea 'Marina'	Marina Strawberry Tree	Low	20" H, 8" D
H	1	24" Dia.	Ardisia coccinea 'Marina'	Marina Strawberry Tree	Low	20" H, 8" D

SYMBOL	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	WUCOLS WATER USAGE	WUCOLS DRAINAGE RATE (IN/HR)
OPEN SPACE PLANTING						
	64	1 Gal	Aloe arborescens	Coin Aloe	Low	2' H, 8" D
	73	1 Gal	Aloe vera	Mitchell Aloe	Low	2' H, 8" D
	3	5 Gal.	Argemone mexicana 'Scarletangel'	Dead Red Flanders Poppy	Low	4' H, 8" D
	27	1 Gal	Canna variegata	Garden Hedgerow	Low	4' H, 8" D
	12	5 Gal.	Euphorbia characias	Mediterranean Spurge	Low	2' H, 8" D
	25	5 Gal.	Malvestrum coccineum	Flora Mallow	Low	2' H, 8" D
	16	1 Gal	Monarda mollis	Monarda Feather Grass	L, Low	2' H, 8" D
	36	1 Gal	Trachium coccineum 'mexicanum'	Floral Clematis	Low	1' H, 8" D
	77	5 Gal	Wisteria floribunda	Chest Wisteria	Low	9' H, 8" D
			Rebblers - Scavenged waste site			
	2,500	50 Ft.	Festuca arvensis 'Stenocarpus'	Grassland Tall Fescue	Med	Medium to Low
	741	50 Ft.	Galium aparine 'Lanceolatum'	Stinging Galium	Med	1' H, 8" D
	2,491	50 Ft.	2" Layer of 2-4" Rock - Stuccoed from Site		Low	1' H, 8" D
	1,679	50 Ft.	Permeable Pavement			

Applicant:

KZ COMPANIES, LLC
Contact: Mark Zimmerman
18818 Teller Avenue, #100
Irvine, CA 92612
Phone: (949) 477-5853
Cell: (714) 612-0002
email: mz@kzcompanies.com



JOB: 20-37 UKD CKE
January 5, 2021

SHEET L-4
OF 5

RICHARD POPE
Landscape Architecture

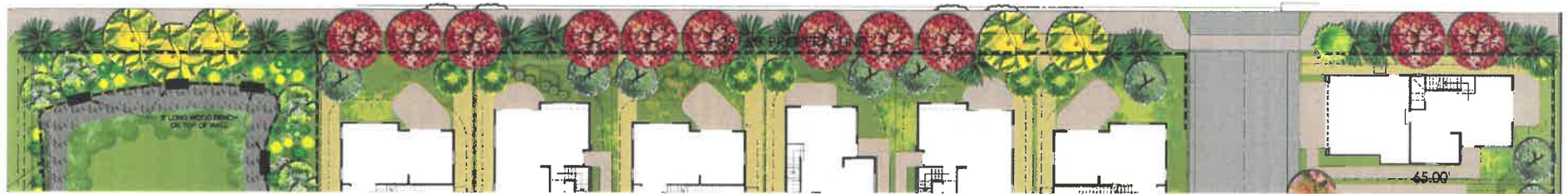
1585 South 'D' Street, Suite 202
San Bernardino, CA 92408
phone: (909) 888-5568
e-mail: richardpopeassociates.ia@gmail.com
Richard Pope, Landscape Architect CA# 2664

Tentative Tract 20387

LMD PLAN

Church Avenue & Buckeye Street
Highland, CA 92346
APN: 1200-421-34

CHURCH AVENUE



BUCKEYE STREET



BUCKEYE AVE. LMD PLAN
Scale: 1" = 20'
NORTH

LMD TREES	SYMBOL	QTY.	SIZE	BOTANICAL NAME	COMMON NAME	WUCOLS BY WATER USAGE	ATTENDED MATURE SIZE (HxW)
		15	24" Box	<i>Chamaecyparis humilis</i>	Mediterranean Fan Palm	LOW	10' H, 8' W
		17	24" Box	<i>Lagerstroemia hybrids 'Tantor'</i>	Red Crape Myrtle	Mod	15' H, 12' W
		13	24" Box	<i>Koelreuteria paniculata</i>	Golden Rain Tree	Low	35' H, 25' W
		3,518 Sq. Ft.	1 Gal. 24" o.c.	<i>Rosa x 'Honey' P.P. #11,308</i>	Red Flower Carpet Rose	Mod	2' H, 8' W

Applicant:
KZ COMPANIES, LLC
Contact: Mark Zimmerman
18818 Teller Avenue, #100
Irvine, CA 92612
Phone: (949)-477-5853
Cell: (714) 612-0002
email: mzm@kzcompanies.com

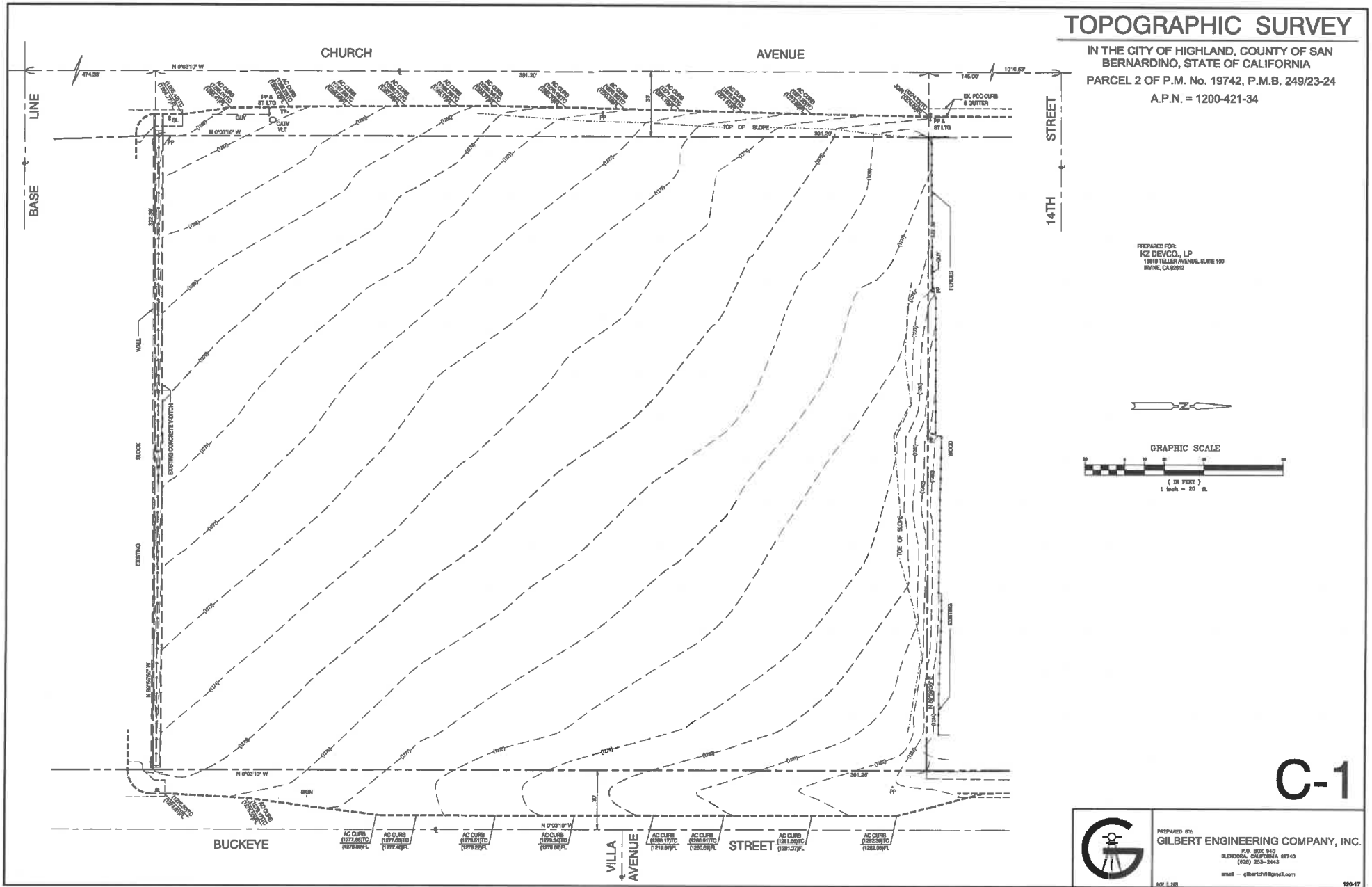


JOB: 20-37 LMD CKE
January 5, 2021

SHEET L-5
OF 5

RICHARD POPE
Landscape Architecture

1585 South D' Street, Suite 202
San Bernardino, CA 92408
phone: (909) 888-5568
e-mail: richardpopeassociates.la@gmail.com
Richard Pope, Landscape Architect CA# 2664



TENTATIVE TRACT NO. 20387

SHEET 1 OF 2 SHEETS

IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
BEING A SUBDIVISION OF PARCEL 2 OF PARCEL MAP NO. 19742 AS PER MAP
FILED IN BOOK 249, PAGES 23 AND 24 OF PARCEL MAPS, IN THE OFFICE OF THE
COUNTY RECORDER OF SAID COUNTY.

A.P.N. = 1200-421-34

OWNER:
CURTIS P. COWAN, TRUSTEE
ARABY TRUST
18018 TELLER AVE, SUITE 100
IRVINE, CA 92612

OWNER:
RALPH E TAYLOR, TRUSTEE
CERES TRUST
18018 TELLER AVE, SUITE 100
IRVINE, CA 92612

DEVELOPER & SUBDIVIDER:
MARK ZIMMERMAN, GENERAL PARTNER
KZ DevCo, L.P.
18018 TELLER AVE, SUITE 100
IRVINE, CA 92612
(949) 477-6863

UTILITY COMPANIES

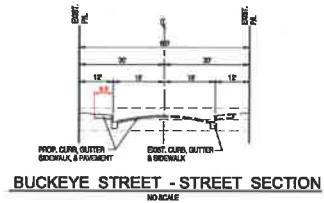
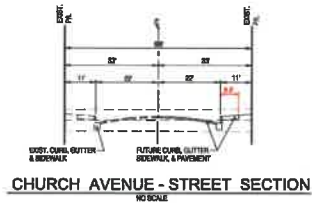
SOUTHERN CALIFORNIA Edison CO.
7805 SANTA ANA CANYON RD.
HIGHLAND, CA 92340
(909) 307-8504

SOUTHERN CALIFORNIA GAS CO.
1801 W. LUDOWIA AVE.
PESLAND, CA 92374
(909) 253-0209

AT & T
4264 N UNIVERSITY PKWY AVENUE
SAN BERNARDINO, CA 92407
(909) 473-7300

EAST VALLEY WATER DISTRICT
1100 DEL ROSA AVENUE
SAN BERNARDINO, CA 92410
(909) 398-4901

TIME WARNER CABLE
1800 AUTO CENTER DRIVE
ONTARIO, CA 91761
(977) 279-1403

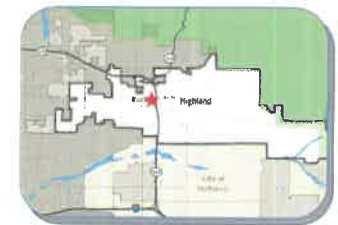


LEGEND

--- (100) ---	EXISTING ELEVATION AND CONTOUR LINE
100	PROPOSED ELEVATION
FS	FINISHED SURFACE
FG	FINISHED GRADE
TC	TOP OF CURB
FL	FLOW LINE
HP	HIGH POINT
GF	GARAGE FLOOR
FF	FINISHED FLOOR
INV	INVERT
TG	TOP OF GARTE
SMH	SEWER MANHOLE
TW	TOP OF WALL
ED	EXISTING GRADE
PP	POWER POLE
MIN	MINIMUM
CB	CATCH BASIN
CONC	CONCRETE PAVEMENT
ASPH	ASPHALT CONCRETE PAVEMENT
PA	PLANTER AREA
LA	LANDSCAPE AREA
--->	CONCENTRATED FLOW
--->---	BLOCK WALL
--->---	PERMEABLE PAVERS AND BMP RESERVOIR LAYER

ZONING AND SETBACKS

EXISTING AND PROPOSED ZONING = MU - MIXED USE
MINIMUM SIDE YARD AND FRONT YARD = 5', REAR YARD = 10'
PROPOSED SITE DENSITY = 11.7 UNITS PER ACRE



VICINITY MAP

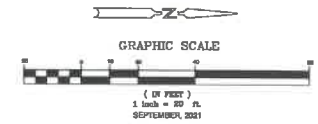
C-2-1



PREPARED BY:
GILBERT ENGINEERING COMPANY, INC.
P.O. BOX 840
OULENDORA, CALIFORNIA 91740
(909) 253-0143
email - gilbertsh@gilnet.com

MARCH 1, 2002

125-12



SITE AREA = 120,131 SF. = 2.8856 ACRES
NOTE: CROSS HATCHED AREA = PROPOSED OPEN SPACE - 10,115 SQ. FT.

NOTE: EXISTING SOUTHERN CALIFORNIA EDISON EASEMENT WILL BE REVISED.



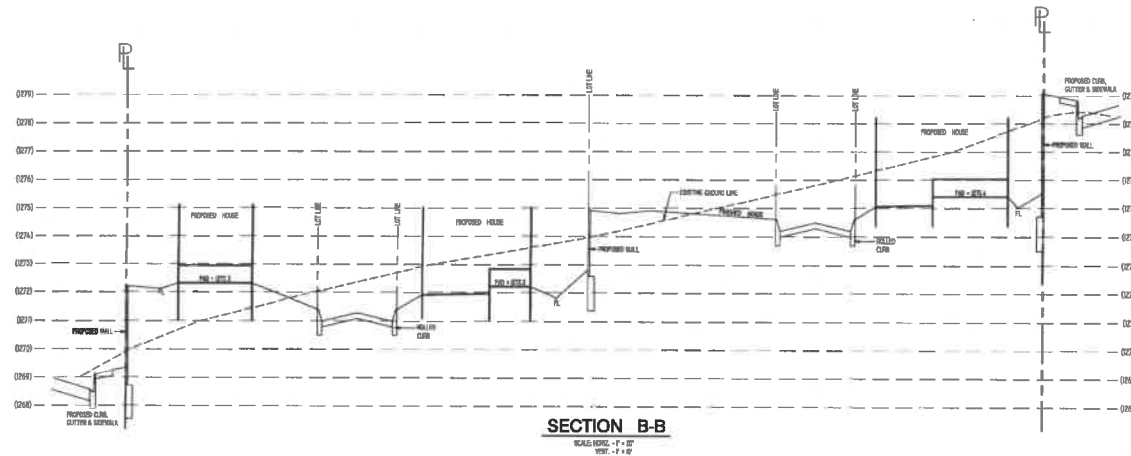
C-2-2



PREPARED BY:
GILBERT ENGINEERING COMPANY, INC.
P.O. BOX 940
GLENDORA, CALIFORNIA 91740
(929) 353-2143
email - gilbert@gecoinc.com

125-17

SHEET 1 OF 2 SHEETS



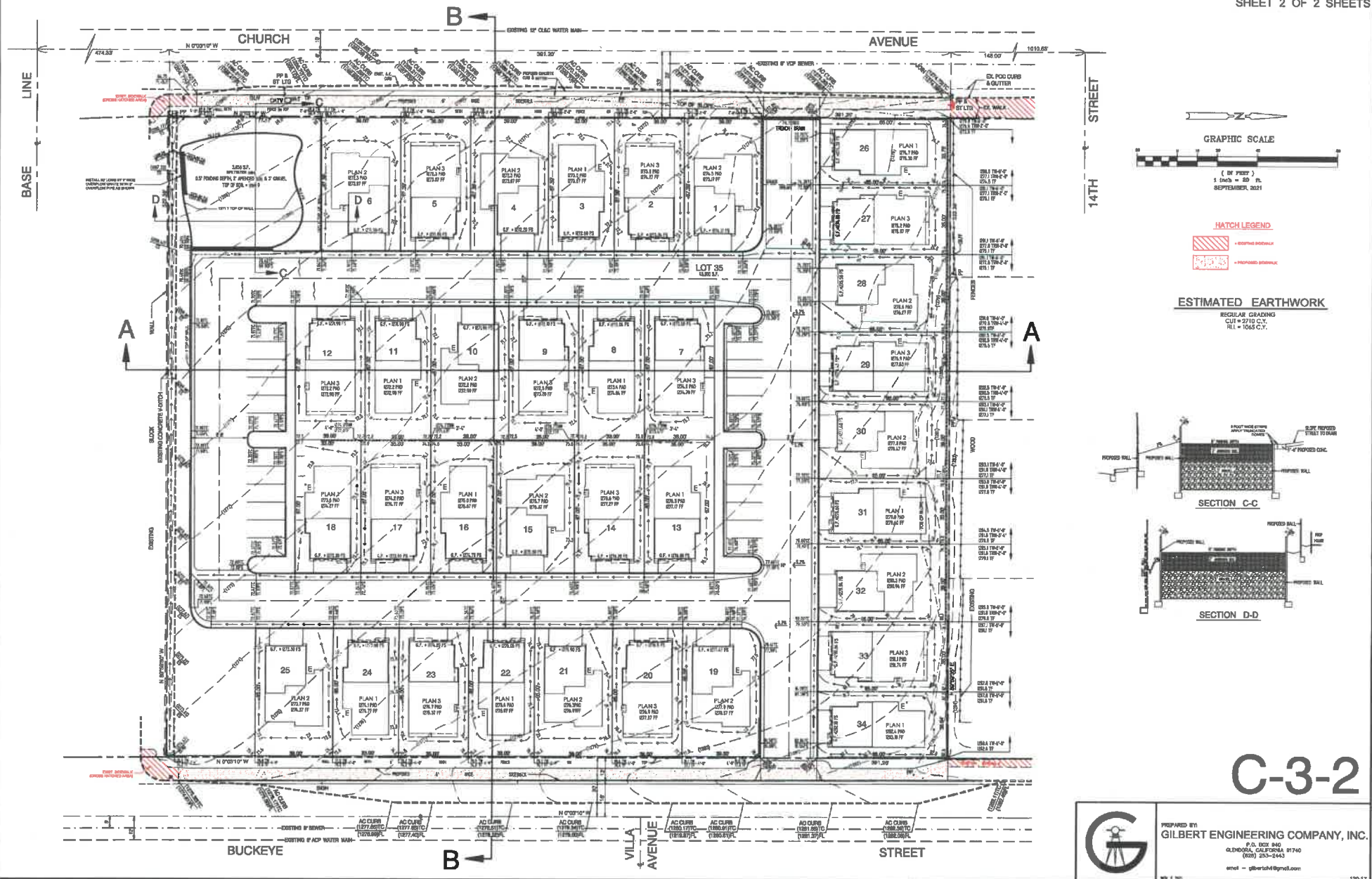
C-3-1



P.O. BOX 940
GLENDORA, CALIFORNIA 91740
(626) 253-2443
email - gilbertah@gmail.com

email - glibertah@gmail.com

29-17



SITE, GRADING AND DRAINAGE PLAN for TENTATIVE TRACT NO. 20387

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

LEGAL DESCRIPTION: PARCEL 2, PARCEL MAP NO. 19742

P.M.B. 249/23-24

A.P.N. = 1200-421-34

NO SITUS ADDRESS

NOTE: EXISTING SITE IS VACANT



GRAPHIC SCALE



1" = 100' FEET
1 inch = 80 ft.
NOVEMBER, 2021

ESTIMATED EARTHWORK

REGULAR GRADING

CUT = 2710 C.Y.

FILL = 1565 C.Y.

SOURCE CONTROL BMPs

84 - EFFICIENT IRRIGATION

85 - FINISHED GRADE OF LANDSCAPING

86 - EDUCATION OF PROP. OWNERS, TENANTS & OCCUPANTS ON STORMWATER BMPs

87 - ACTIVITY RESTRICTIONS

88 - LANDSCAPE MANAGEMENT BMPs

89 - BMP MAINTENANCE

90 - TITLE 22 COR COMPLIANCE

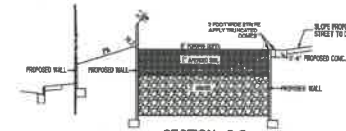
91 - LOCAL WATER QUALITY ORDINANCES

92 - UNIFORM FIRE CODE MAP ORIENTATION

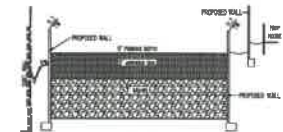
93 - VACUUM DRAINAGE OF PRIVATE STREETS AND PARKING LOTS

94 - COMPLY WITH ALL OTHER APPLICABLE PERMITS

MATCH LEGEND



SECTION C-C



SECTION D-D



VICINITY MAP



PREPARED BY:
GILBERT ENGINEERING COMPANY, INC.

P.O. BOX 940

OLDHOSA, CALIFORNIA 91740

(924) 253-2443

email - gilbert@geco.com

REV. 1.00

120-17

ATTACHMENT 3
Colored Renderings



Highland Heights - 1B

Timberline® HDZ™
Barkwood

TIMBER BARK

elegant, versatile, smart, distinctive

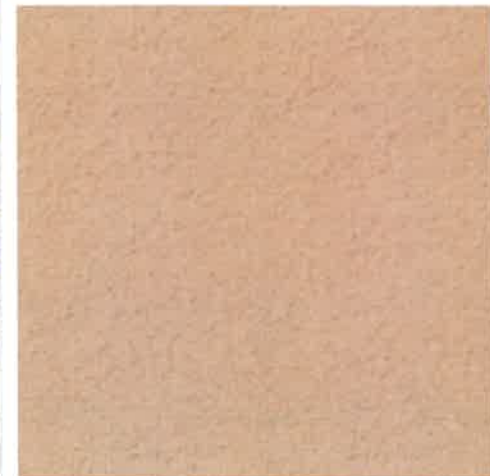
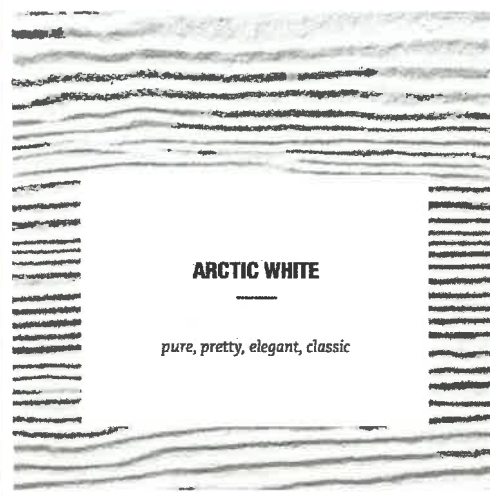
400 TAVERN TAUPE

ARCTIC WHITE

pure, pretty, elegant, classic

Plum Creek

Highland Heights - 2A



232 Sonoma



Highland Heights - 3B



ATTACHMENT 4
Public Comment Letters

COMMENTS REGARDING CONDITIONAL USE PERMIT NO. 22-002 for Highland Heights:

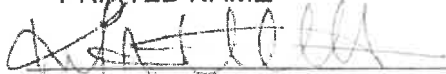
Your comments must be received by this office no later than **February 10, 2022**. Comments received after that date may not be considered in the decision. If you have no comment, no reply is necessary.

1. Is this new development going to be an HOA or Management company run?
2. Any information on who will handle the sales of the home?
3. Would there be consideration of installing a left turn signal on church to make a traffic smoother with the school traffic along with new construction/homes?
4. Who will be responsible for maintaining & upkeep of dog park?

Thank-you for the opportunity to express our concerns! KZ

Kimberly Little

PRINTED NAME


SIGNATURE

2/7/22

DATE

Kim Stater

From: Planning Department
Sent: Wednesday, February 9, 2022 10:40 AM
To: Kim Stater
Subject: FW: CUP 22-001, Project name Highland Heights. (My family concerns)

From: Jesús Nolasco <ndcc1@sbcglobal.net>
Sent: Wednesday, February 9, 2022 10:35 AM
To: Planning Department <planning@cityofhighland.org>
Subject: CUP 22-001, Project name Highland Heights. (My family concerns)

EXTERNAL EMAIL: Do not click on links or open attachments unless you know the content is safe.

Mr. **Kim Stater**, Assistant Community Development Director, City of Highland, Planning Department, 27215 Base Line, Highland, CA, 92346

My name is Jesus Nolasco 909.802.3430
27571 Villa Avenue, Highland, CA 92346

Below are some of my family concerns regarding CUP 22-001, Project name Highland Heights.

34 units on approximately 2.9 acres would be considered warehousing families in my opinion, considering the single-family homes around this development are approximately one fifth of an acre each.

34 units assuming 3 vehicles per unit = 102 vehicles plus visitors assuming 1 visitor per day 34 vehicles a total of 136 vehicles will be entering and exiting in front of my home at 27571 Villa Avenue, what provisions will the developer and the city will provide to reduce the overwhelming noise and traffic among other things this development will create.

Higher-density housing creates traffic congestion, parking problems and possibly more crime, the proposed 24 guest parking spaces are not sufficient, visitors will occupy the existing off-street parking already been use by existing residents in the neighborhood.

How will the city or developer make sure that only one family per unit will be occupying this proposed single-family units?

The property value of my home it might go down with this proposed development.

Please help us protect the overdevelopment of our neighborhood.

Thank you,

Jesus Nolasco.

PS I would like to speak at this meeting when becomes available.

ATTACHMENT 5

Resolution No. 2022-__

For Approval of Tentative Tract Map No. 20387, Conditional Use Permit CUP 22-001 and Design Review Application DRA 22-001

PC RESOLUTION NO. 2022 – ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING TENTATIVE TRACT MAP NO. 20387 / TTM 22-001, CONDITIONAL USE PERMIT CUP 22-001 AND DESIGN REVIEW APPLICATION DRA 22-001 RELATED TO THE SUBDIVISION AND DEVELOPMENT OF 'HIGHLAND HEIGHTS', A 34-UNIT SINGLE FAMILY TRACT INCLUDING THE TRACT MAP, ARCHITECTURAL SITE PLAN, BUILDING ELEVATIONS, CONCEPTUAL LANDSCAPE PLAN AND PRELIMINARY GRADING PLAN FOR A 2.9 ACRE LOT LOCATED 425' NORTH OF BASE LINE AND EAST OF CHURCH AVENUE. ASSESSOR'S PARCEL NUMBER 1200-421-34.

APPLICANT: KZ COMPANIES, LLC

A. RECITALS

1. On January 10, 2022, the Applicant filed an application for the 'Highland Heights' single family residential development including Tentative Tract Map No. 20387 / TTM 22-001, Conditional Use Permit CUP 22-001 and Design Review Application DRA 22-001 to permit the subdivision of 1 lot into 34, construction of 34 single family homes, private roads, open space, stormwater infiltration basin, and landscape areas. Project plans include a Tentative Tract Map, Architectural Site Plan, Building Elevations, Preliminary Grading Plan, and Conceptual Landscape Plan;
2. The site is located on an approximately 2.9 acres, 425 feet north of Base Line spanning from Church Avenue to Buckeye Street within the City's Mixed Use Zoning and General Plan Designations and 'Town Center' General Plan Community Policy Area;
3. The project is except from further environmental review per California Environmental Quality Act (CEQA) Section 15332, as the project is compliant with the Highland General Plan and Municipal Code, is less than 5 acres in size and surrounded by urban uses, is not valuable habitat, will not result in significant effects related to traffic, noise, air or water quality, and is adequately served by utilities and public services;
4. On May 3, 2022, the Planning Commission of the City of Highland conducted a Public Hearing at the City Hall Council Chambers in Highland, California, at 6:00 p.m.; and
5. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined and resolved by the 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. Pursuant the California Code of Regulations, the City of Highland Planning Commission hereby finds that a Notice of Exemption should be filed for the project in compliance with the California Environmental Quality Act (CEQA) and that the Planning Commission has reviewed and considered the information contained in the staff report, and the comments received during the public review process, prior to approving the project.

Section 3. Based upon substantial evidence presented to the Planning Commission during the May 3, 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 4. Tentative Tract Map Findings of Fact (TTM 20387 / TTM-22-001)

Pursuant to California Government Code Section 66474 the Planning Commission hereby finds and determines that:

- a. The proposed map is consistent with applicable General and specific plans as specified in Section 65451.

Response: The subdivision of land to accommodate 34 future single-family residential dwellings and one (1) lot containing open space and a storm water retention/infiltration basin is desirable for the development of the community and consistent with the types of uses and density envisioned by the General Plan Mixed Use (18 dwelling units per acre maximum) land use designation. In addition, the project site is not within a specific plan area.

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

Response: The subdivision of land to create 34 numbered lots ranging in size from 2,145 to 2,628 square feet for residential development and one (1) one-acre lot to accommodate open space and storm water facilities complies with the development standards of the Mixed Use Zone which permit residential developments of not more than 18 dwelling units per acre as well as the policies of the General Plan's Town Center Community Policy Area. The project is Phase 2 of a two-phase project including the development of a 27,000 square foot grocery store in 2017. The Town Center Policy Area encourages mixed use developments that create, "integrated to create a dynamic urban environment that serves as the center of activity for the surrounding area." A project may mix retail and residential use and be more compact to encourage the use of public transportation, bicycling and pedestrian travel. The proposal meets this criteria. In addition, the project site is not within a specific plan area.

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

Response: The project site is adjacent to existing single-family residential development to the north, east and west and commercial development to the south and future commercial development to the southwest. The lot is relatively flat and easily graded to accommodate small retaining walls to manage grade differences. It is served by public utilities and services. Some improvements will be made with development such as roadway expansions and installation of curb, gutter, sidewalk and drainage facilities as well as undergrounding of overhead utility line. The site contains sufficient acreage to accommodate subdivision into 34 numbered lots while ensuring the minimum building setbacks, parking, landscaping and other development standards as specified in the Highland Municipal Code are met.

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

Response: The project site consists of approximately 2.9 acres. The proposed project includes subdivision of the site into 34 lots for an overall density of 11.7 dwelling units per acre. As specified in the General Plan, Mixed Use residential development allows a maximum of 18 dwelling units per acre. Given that the proposed project density falls within the allowed density, the site is considered to be 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 and neighborhood commercial development on all four sides. Roadway circulation is in place and will be improved as will pedestrian sidewalks and utility undergrounding. The site is vacant and undeveloped. It is not identified by Figure 5-1 Biological Sensitivity Map of the General Plan as an area of natural communities or an area with the potential habitat for endangered, rare or threatened species. There is no indication that it will cause any damage to fish, wildlife or 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, Public Service, and the Fire Prevention Divisions. Conditions of approval have been incorporated to ensure the design 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 honor existing easements for access through, or use of, property within the proposed subdivision. There is currently one easements to the benefit of Southern California Edison on the western boundary of the site which may be modified as utilities are underground. The project has been designed to minimize impacts to this easements and an easement to the north extending beyond the boundaries of the project.

Section 5. Conditional Use Permit Findings of Fact (CUP-22-002):

Based on the Findings below, the Planning Commission hereby finds:

- a. The proposed use is permitted within the subject district pursuant to the provisions of this section, and complies with all of the applicable provisions of this title; and is consistent with the goals, policies, and objectives of the Highland General Plan, and the applicable development policies and standards of the city.

Response: The 34-unit residential community, such as the one proposed, is permitted within the Mixed Use Zone upon approval of a Conditional Use Permit. Applicable provisions in Title 16, *Land Use*, include but are not limited to, Chapter 16.22 *Mixed Use Zones*, 16.40 *General Development Standards*, 16.54 *Parking*, and 16.68 *Land Divisions* with respect to the Tentative Tract Map. The project meets the standards established in the chapters.

The General Plan goals and policies relevant to the project include its inclusion in the Town Center Community Policy Area, and general standards applicable to the Land Use Element, Circulation Element, and Community Design Element. The project meets all relevant goals and policies.

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

Response: The project would be developed in compliance with the Highland General Plan and Municipal Code standards related to single residential development in the Mixed Use District within the Town Center Community Policy Area. It meets development code standards such as land use, density, lighting, parking, circulation, etc. It has a contemporary design complementary to the Smart & Final commercial portion of the overall project. It has quality finishes, landscaping, hardscape and will construct surrounding infrastructure including, curb, gutter, sidewalk and water quality features.

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

Response: The project site consists of approximately 2.9 acres. It is relatively flat while sloping down towards the southwest with an overall difference of 17 feet. It is currently vacant and surrounded on three sides by single family residential with the corresponding Mixed Use commercial portion of the project to the south. All public utilities are within close proximity and there are no environmental constraints. The proposed project includes subdivision of the site into 34 lots for an overall density of 11.7 dwelling units per acre. As specified in the General Plan, Mixed Use residential development allows a maximum of 18 dwelling units per acre. Given that the proposed project density falls within the allowed density, the site is considered to be suitable for the density and intensity proposed.

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

Response: Existing water, public utilities and services for the project are available adjacent to the site within the public right-of-way. East Valley Water District provided a "Will Serve" letter to the applicant, confirming the provision of water and sanitary sewer services. All other utility providers were given notice of the project and none expressed concern. Public health and safety was addressed with the design and conditioning of the project.

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

Response: The proposed condominium development will be in compliance with Municipal, Fire & Building codes. Each public safety division of the City has reviewed the project and provided relevant Conditions of Approval that will be adopted by resolution. The necessary ingress and egress are provided and all public utilities and services will be in place. There is no indication that the project would be detrimental to the public health, safety or welfare, or materially injurious to properties and improvement in the vicinity.

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

Response: A Mitigated Negative Declaration was approved by the Planning Commission on December 6, 2016, for the mixed use project including the grocery store and future residential. Phase 2 of the project, approving the residential subdivision and architectural design are considered a subsequent infill project per California Environmental Quality Act Section 15332, as the project is compliant with the Highland General Plan and Municipal Code, is less than 5 acres in size and surrounded by urban uses, is not valuable habitat, will not result in significant effects related to traffic, noise, air or water quality, and is adequately served by utilities and public services.

Section 6. Findings of Fact for Design Review Application (DRA 22-001)

Based on the Findings below, the Planning Commission hereby finds:

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

Response: The General Plan Land Use Element states that scale, density, size and mixture of uses in the mixed-use areas vary based upon the character of the surrounding area. This neighborhood contains single family homes and to the north and commercial businesses to the south, existing and proposed. The proposal is Phase 2 of a mixed use project including the Smart & Final grocery store and small lot single family development which will be an appropriate transition between the store and traditional R-1 development to the north.

The project's proximity to Base Line and Palm Avenue, and its construction of curb, gutter and street widening will promote the use of transit service and other forms of transportation, including pedestrian and bicycle travel as recommended by the General Plan.

The design of the project meets the Town Center Policies such as ensuring a mix of uses attractive to broad segments of Highland's population, stimulating activity during day and evening hours, protecting surrounding single-family neighborhoods from incompatible uses, and providing transition areas/buffers between land uses within the Town Center and with surrounding neighborhoods.

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

Response: The objective of the project is to provide a high-quality residential community that compliments the surrounding commercial land uses while creating an attractive, cohesive combination of architectural styles and landscaping and provide amenities in scale with the residential density. Approval of a Conditional Use Permit anticipates mixed uses featuring commercial businesses along the Base Line frontage and residential uses toward the north. This Design Review Application includes proposed plans to depict appropriate height limits, setback requirements, and onsite parking spaces necessary to comply with the City's general development standards for residential developments as well as the standards approved for Conditional Use Permit.

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

Response: The proposed residential development contains high quality finishes traditionally found in new tract development. Within the 34 lots, there will be three unit types, each with two elevations. The colors and materials are soft natural tones with offsetting trim and wainscoting. The landscaping contains drought tolerant species that have a variety of color, canopy and seasonal change. Vehicular and pedestrian access

meets City standards. Two open spaces areas will give plenty of opportunity to outdoor recreation, exercise and passive enjoyment.

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

Response: The proposed condominium development will comply with Municipal, Fire & Building codes. Each public safety division of the City has reviewed the project and provided relevant Conditions of Approval that will be adopted by resolution. The necessary ingress and egress are provided, and all public utilities and services will be in place. There is no indication that the project would be detrimental to the public health, safety or welfare, or materially injurious to properties and improvement in the vicinity.

Section 7. Based on the Findings and Conclusions set forth above, the Planning Commission approves Tentative Tract Map No. 20387 / TTM-22-001, Conditional Use Permit CUP-22-001 and Design Review Application DRA-22-001 facilitating the construction of a 34-unit single family residential community and related improvements. All improvements will be completed subject to the Conditions of Approval attached hereto and the development plans incorporated herein as 'Exhibit 1'.

Section 8. The Planning Commission hereby directs Staff to file a Notice of Exemption with the San Bernardino County Clerk of the Board of Supervisors, pursuant to the Public Resources Code and State CEQA Guidelines.

C. ADOPTION OF RESOLUTION.

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

PASSED, APPROVED AND ADOPTED this 3rd day of May, 2022.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez
Community Development Director

EXHIBIT 1
Conditions of Approval

PLANNING COMMISSION CONDITIONS OF APPROVAL

Date: May 3, 2022
Applicant: KZ Companies, LLC
File/Index: **Tentative Tract Map No. 20387 / TTM-22-001**
Proposal: Subdivision of a single parcel into 34 single family lots related to the 'Highland Heights' development constituting Phase 2 of a mixed use project, Smart & Final Extra grocery store being Phase 1.
Location: A single parcel, 2.9 acres in area, located approximately 425' north of Base Line spanning from Church Avenue to Buckeye Street, north of Smart & Final, Highland CA. Assessor's Parcel Number 1200-421-34
Related Entitlements: Conditional Use Permit CUP 22-001 & Design Review Application DRA 22-001

PLANNING DIVISION – CONDITIONS OF APPROVAL

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

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

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

2. The subject property shall be developed in accordance with plans and materials approved by the Planning Commission on May 3, 2022, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein and as defined on the Tentative Tract Map 20142 incorporated herein by reference.
3. Revisions, modifications, and/or deletions to the approved plans shall be submitted to the Planning Division for review and approval. Revisions, modifications and/or deletions may require additional review by the Planning Commission.
4. In compliance with the Highland Municipal Code, the Applicant/Owner shall, at his/her sole cost and expense and through counsel of the City's choosing, protect, defend, indemnify, and hold harmless, the City, its officers, employees, agents, and consultants (collectively, "City indemnitees"), from all liability and monetary damages, and all claims, actions, or proceedings brought against the City indemnitees, arising from the issuance of the permit or approval, or the denial thereof, or arising from any action by any person seeking to have a permit or approval held void by a court of law. Owner/Applicant shall make a deposit of City's reasonably anticipated costs and attorneys' fees in advance, and shall promptly reimburse the City for any fees, costs, or damages City actually incurs in excess of the deposit.
5. The applicant 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.
6. 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.
7. Prior to the start of operations (i.e. construction), the developer shall obtain any necessary permits. The developer shall arrange for a final inspection by representatives of the Planning Division, Building Division, Engineering Division, and Fire Department prior to the start of operations (i.e., occupancy). Any discrepancy between the approved plans and the field conditions shall be remedied prior to the start of operations (i.e., occupancy) such that the field condition is consistent with the approved plans. If the field condition cannot be reconfigured to match the approved plans, the Community Development Director shall consider any requested deviation and may refer the matter to the Planning Commission for review and consideration.
8. The approval of this project is subject to, and contingent upon, the developer completing all subdivision improvements necessary to support future construction of single-family residences on Lots 1 through 34 and water quality basin prior to

the sale of any individual lot or lots. Necessary subdivision improvements shall include, but not be limited to, design and construction of street, parkway, sidewalk, disabled ramping, driveway approach improvements, 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, landscaping in areas designated to be within a landscape maintenance districts and open space.

9. No further subdivision of any lot shall be permitted.
10. The Applicant/Developer shall obtain approval of a Design Review Application from the Planning Commission prior to the issuance of permits or home construction. The review shall include, but is not limited to, grading plans, interior and perimeter walls and fences plan, architectural elevations, colors/materials, plotting, and landscaping.
11. 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.

Declaration of Conditions, Covenants and Restrictions

12. Prior to recordation of the final map, all organizational documents for the project, including Conditions, Covenants and Restrictions (CC&R's) shall be submitted and approved by the Planning Division. The approved CC&R's shall be recorded concurrently with the recordation of the final map and a copy of the recorded documents shall be submitted to the Planning Division within five (5) days after recordation. This document shall include, but not be limited to, the following:
 - a. 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 on Lots 1 through 34 and establishing minimum design guidelines to ensure compatible development; and
 - b. Provisions alerting the buyers of any applicable assessment districts.
13. Prior to recordation of the final map, the Applicant/Owner shall submit to the Planning Division for review and approval a homebuyer notification document that includes, but is not limited to, the notifications listed below. The notification shall be signed by each buyer at the time of sale.
 - a. A notice indicating the proximity of San Bernardino International Airport.
14. Prior to the issuance of building permits, the Owner/Developer shall pay all applicable Development Impact Fees.

15. The Project shall comply with the City's Inclusionary Housing Ordinance.
16. Prior to issuance of building permits, the Owner/Developer shall provide receipts indicating payment of any applicable school fees.

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: May 3, 2022
Applicant: KZ Companies, LLC
File/Index: **Conditional Use Permit CUP 22-001 & Design Review Application DRA 22-001**
Proposal: 'Highland Heights' 34-unit single family home development constituting Phase 2 of a mixed use project, Smart & Final Extra grocery store being Phase 1.
Location: A single parcel, 2.9 acres in area, located approximately 425' north of Base Line spanning from Church Avenue to Buckeye Street, north of Smart & Final, Highland CA. Assessor's Parcel Number 1200-421-34
Related Entitlement: Tentative Tract Map No. 20387/TTM-22-001

PLANNING CONDITIONS OF APPROVAL

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

The project is conditionally approved, subject to compliance with the requirements as specified below. The conditions listed below are continuing conditions; failure of the Applicant and/or operator to comply with any / all Conditions at any time shall result in initiating revocation of the subject permit.

1. These entitlements shall become null and void:
 - a. Unless all conditions have been complied with and the occupancy or use of the land or structures authorized by this conditional use permit, design review and tentative tract map application have occurred within thirty-six (36) months from the approval date, this conditional use permit shall expire and be null and void without further action by the City of Highland.
 - b. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant a one-year extension of time, up to 3 times, for a period of not to exceed an additional thirty-six (36) months from the initial approval date off the project. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the community development department no less than 30 calendar days nor more than 90 calendar days prior to the expiration date of the permit or approval. Such application shall be filed together with the City's processing fee, as established by the City Council.

2. The proposed entitlements permit the construction of a housing development inclusive of 34 single-family homes, private streets, water quality management facilities, open space recreation, landscaping, and on- and off-site infrastructure. Approved plans include the Architectural Site Plan, Building Elevations, Conceptual Landscape Plan, Fence Plan and Preliminary Grading Plan as approved by the Planning Commission on May 3, 2022. The plans are incorporated herein by reference.
3. The approved colors and materials include; Roof – Timberline Barkwood, Hickory and Shakewood, James Hardie Siding Timer Bark, Arctic White and Khaki Brown, Stucco colors of Omega 400 Tavern Taupe, 232 Sonoma and 221 Harvest Gold, siding/wainscoting Versetta Stone Plum Creek and Mission Point.
4. The operator and recorded owner of the property shall submit to the Planning Division written evidence of agreement with all conditions of this approval before the approval becomes effective. Plan check shall begin prior to receipt of this signed documentation.
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. 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.
7. The subject property shall be developed in accordance with plans and materials approved by the Planning Commission, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein. Revisions, modification, or deletions of associated plans must be submitted to the Planning Division for review and approval. Revisions may require additional review by the Planning Commission.
8. The applicant shall be responsible for making arrangements with the City's franchised waste collection and hauling services provider for any/all construction debris or solid waste generated as a result of this project.

9. Prior to issuance of Building Permits, the Applicant/Contractor/Occupant shall submit and obtain approval from the Public Services Division, a Construction Waste Diversion Plan, in accordance with Section 8.12.285 of the Highland Municipal Code.
10. Conceptual Landscape Plan submitted for review by the City's Landscape Architect shall include the following:
 - a. Landscape plans in substantial conformance with Chapter 16.40.390 of the Highland Municipal Code (HMC). A minimum of three (3) copies of the landscape plan shall be submitted to the Planning Division for plan check in conjunction with the construction plans, and landscaping shall be installed prior to final inspection. The landscape plans shall incorporate all requirements of HMC Chapter 16.40.390.
 - b. The type and location of all trees, shrubs and groundcover.
 - c. All garden and retaining walls noted on the project plans. All walls and fences shall be designed and constructed to incorporate design features such as tree planter wells, variable setback, split-block face, columns, or other such decorative features to provide visual and physical relief along the face of the wall and fence.
 - d. Landscape and irrigation specifications shall adhere to the adopted Engineering/Public Works Standards as may be amended from time to time.
 - e. Replace the Crape Myrtles along Buckeye Street and Church Avenue with Koelreuteria trees, with the exception of accent tree planting at corners to help visually cue the tract entrances (Sheets L-1 and L-5).
 - f. Correct the legend with respect to the Bottlebrush tree. It is shown as a tree along the Buckeye right-of-way, but is categorized in the legend as a front yard tree (Sheets L-1 and L-5).
 - g. Install a defined edge between the Gazanias and Tall Fescue grass in the infiltration basin bottom and provide ongoing maintenance separately as appropriate.
 - h. Along the western edge of the basin, there is a Koelreuteria tree shown at approximately 1 foot from the boundary wall. This tree should be recentered to be equidistant between the boundary wall and the seat wall (Sheet L-4).
10. Revise the Fence Plan to include pilasters at 8'-10' on center along the east and west property lines between the wood/vinyl view panels. The pilasters shall be clad with rock cobble similar to that found on the Smart & Final store wainscoting.

Where the retaining wall is exposed to the public right-of-way on the westerly frontage, clad it with rock cobble as well.

11. The Development Impact Fees shall be paid in accordance with City policy.
12. The Project shall comply with the City's Inclusionary Housing Ordinance.
13. Any lighting installed within the common areas shall be directed downward in order to minimize glare nuisances to surrounding properties. Fixtures shall be decorative and compatible with the overall project design theme.
14. Open space amenities including landscape, hardscape, trails, lighting, benches, and exercise equipment shall be installed prior to the tenth residential occupancy, not including model homes. Such amenities shall be maintained in perpetuity and available to all residents, as shown on the Open Space Plan approved May 3, 2022. Any proposed modification shall be submitted to the Community Development Director in advance of removal or installation.
15. The 24 uncovered parking spaces located within the development shall remain unassigned and available for any resident's use.
16. Should the Applicant desire to convert the project to a gated community, an application must be filed with the Planning, Building & Safety, and Fire Marshal Divisions to ensure the appropriate circulation and emergency egress are maintained.
17. Should the Applicant desire to convert the project to a for-rent development, all tenants must be vetted through the City's Crime Free Multi-Family Housing Program. Additionally, a security system/camera plan would be required to be submitted to the city and reviewed by the city's Police Department for adequacy.

**ENGINEERING CONDITIONS OF APPROVAL
TTM 20387/ CUP 22-001/ KZ HOMES**

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

May 3rd, 2022

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. Submit rough and/or precise grading plans to the City Engineer for review and approval. Comply with the City of Highland grading standards as shown on the Grading Plan Checklist.
- A 3. Design grading and on-site improvements to drain the entire site to the proposed paver/infiltration system, and to locate all proposed slopes outside of existing and future street right-of-way.
- E 4. 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 5. 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 6. 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 7. 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 8. Implement dust control measures during construction activities including, but not limited to, daily watering of construction area as frequently as necessary during active and inactive periods, utilizing soil emulsions, limiting construction vehicle speed to 15 miles per hour, stabilizing construction entrances to prevent trackout of sediments, and street sweeping.
- B 9. Submit original wet signed and stamped rough grading certifications from the soils engineer and the grading engineer, along with compaction reports, to the City Engineer.
- C 10. Submit original wet signed and stamped final grading certification from the grading engineer, to the City Engineer.

STREET IMPROVEMENTS

- C* 11. Remove the existing asphalt concrete dike on Buckeye Street and construct curb and gutter, 6-foot wide curb adjacent sidewalk, match-up asphalt concrete pavement, and class II aggregate base per City Local Street Standard 101. Construct drive approach and sidewalk swerve per City Standard 211.
- C* 12. Remove the existing asphalt concrete dike on Church Avenue and construct curb and gutter located 22 feet east of street centerline, 6-foot wide curb adjacent sidewalk, match-up asphalt concrete pavement, and class II aggregate base per City Collector Street Standard. Construct drive approach and sidewalk swerve per City Standard 211.
- C 13. Install street name signs, traffic control signs, and pavement markings with locations and types as approved by the City Engineer.
- B* 14. Submit construction plans for a street lighting system on Church Avenue and Buckeye Street, to be owned and maintained by the City, for approval by the City Engineer. Construct the street lighting system with Light Emitting Diode (LED) luminaires on decorative poles, with types and at locations specified by the City Engineer and the Community Development Director. Install street lights, electric meters, conduits, conductors, etc., per City requirements. Coordinate with Southern California Edison to energize the street lights, and pay the City for the initial 12 months of street lighting energy and maintenance charges.
- B* 15. Submit a design and a recommendation from a soil engineer for the pavement structural sections to be constructed on Church Avenue and Buckeye Street. Design the pavement structural section for a service life of 20 years as outlined in Section 600 of the Caltrans Highway Design Manual. The minimum pavement structural section is 3" A.C./4" A.B. A traffic index of 5 for Buckeye Street and 6 for Church Avenue shall be used for pavement design.

- A 16. Submit street improvement and striping 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 17. 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.

WATER QUALITY/DRAINAGE

- E 18. 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.
- C 19. 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."
- A 20. Prepare and submit a hydrology study to determine storm runoff quantities tributary to and generated by the site. Construct on-site catch basins to collect the 100-year flows generated on-site and convey the flows directly to the City storm drain system. Include hydraulic calculations to determine the size, locations and type of all drainage pipes, inlets, and catch basins.
- A 21. Submit drainage 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 design standards as shown on the street and storm drain improvement checklist.

MAP/DEDICATION/ANNEXATION

- B 22. Record a Final Map with the San Bernardino County Recorder pursuant to the provisions of the State Subdivision Map Act.
- A 23. At the time of Final Map submittal, include traverse calculation sheets which show error of closure, copies of recorded maps and deeds used as reference and/or showing original land division, tie notes and bench marks referenced, and a current title report. Inverse calculations will not be accepted for plan check.
- A* 24. Dedicate a landscape easement across the Buckeye Street and Church Avenue frontages as approved by the City Engineer.
- A* 25. Dedicate all public street rights-of-way and all necessary easements within the tract boundary by Final Map.
- A* 26. Apply to the City to annex the project into the City's Consolidated Landscape and Lighting District (LMD) for potential City maintenance of parkway and frontage landscaping along Buckeye Street and Church Avenue. Sign a ballot prepared by the City agreeing to the annexation and amount of assessment, which will include a one-time assessment to install a water meter, an electric meter and pedestal, a backflow device and enclosure, a controller and pedestal, and an ongoing assessment for maintenance of parkway and frontage landscaping. Parkway and frontage landscaping shall be maintained by the property owner. The City will maintain the parkway and frontage landscaping utilizing LMD revenue only if the City determines that adequate maintenance is not being provided by the property owner.
- B* 27. Establish a mechanism for ownership and maintenance of private drainage system and WQMP infiltration area per the requirements of the Community Development Director.

FEES/PERMITS

- D 28. Pay appropriate engineering fees for assessment district annexation, plan check, hydrology study review, water quality management plan review, retaining wall calculation review, on-site and off-site inspection, utility excavation permits, GIS map plan update, microfilming and storage of maps and plans, and other required fees.
- E 29. Post a deposit for erosion control based on an estimate of the cost to perform the erosion control work prepared by the project engineer as approved by the City Engineer. The deposit shall not be released prior to completion of all on-site construction.
- A 30. Post a deposit to guarantee installation of monuments based on a cost estimate to perform the monumentation work prepared by the project surveyor or engineer as approved by the City Engineer. The deposit shall not be released prior to written verification from the surveyor or engineer who performed the work confirming that the monuments have been set and payment for the work has been received.

- B 31. Obtain a permit from engineering prior to any on-site construction or construction within the City's right-of-way.

UTILITIES/CONSTRUCTION

- C* 32. Underground the overhead utility lines and remove the utility poles on Church Avenue across the frontage at the time of development of Parcel 2.
- C 33. Provide each building within the project with underground wet and dry utility services including water, sanitary sewers, gas, electric, telephone, internet, and cable TV.
- C 34. Install electric burd transformers, and telephone, cable television, and internet enclosures underground whenever the underground installation is an available option offered by the utility companies. If the underground installation is not an available option and utility enclosures must be installed above ground, install the above-ground utility enclosures and any flush mount utility enclosures at locations where construction of retaining walls will not be necessary for compliance with the setback requirements of the utility companies.
- D 35. Install construction fencing and screening in accordance with Building and Safety Division Policy 335.
- E 36. Prior to application for a grading permit, obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities in effect at the time of issuance of grading permit.
- C 37. Reconstruct public improvements damaged or removed during construction and/or installation of underground utilities, as approved by the City Engineer. Construct pavement repair, which may include A.C. overlay, T-cut trench repair and/or slurry seal, across all or a portion of damaged pavement as determined by the City Engineer.
- B 38. Destroy any abandoned wells on the property or similar structures that might result in contamination of underground waters in a manner approved by the City Engineer.
- B 39. All underground structures, except those to be retained for use in the development, must be removed, broken in, or backfilled, as approved by the City Engineer.
- D 40. Submit "Record Revisions" to construction plans which reflect the improvements as constructed, and any changes made during construction of public improvements such as streets, storm drains, parks, trails, public landscaping, etc. Provide original mylars and AutoCAD files.
- D 41. Comply with the City's Public Works Policies, Procedures and Standards prevailing at the time of permit issuance.



Date: January 20, 2022

Project: Highland Heights
KZ Holdings

Reviewer: Gary Koontz
Email: gkoontz@burrtec.com
Phone: (909) 429-4200

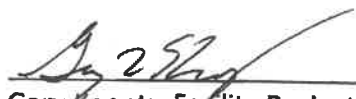
Project Description: Construct 34 small lot single family residential units.

Comments: The Site Plan dated 11/2/21 indicates that all units are located on a looped street system with a minimum width of 27 feet. *Based upon the information provided, Burrtec will provide standard residential collection services for trash, mixed recyclables, and residential organics.*

Any changes to the overall project design or access may adversely impact Burrtec's ability to service the project. Any design modifications that could impact Burrtec's service will be subject to review and approval by Burrtec.

Prior to issuance of grading permits, the developer or their contractor shall contact Burrtec to coordinate the preparation and implementation of a Construction Waste Management Plan.

Burrtec's review of this project is limited to determining whether it meets Burrtec's minimum standards for waste and recycling collection services. Any comments or approvals by Burrtec are limited to these minimum standards as they relate to our equipment and personnel and do not pertain to the project's compliance with applicable federal, state and local land use and environmental laws, building codes or other applicable government regulations. Any approvals by Burrtec do not warrant or represent that Burrtec accepts any liability relative to the performance of waste and recycling collection services within this project.



Gary Koontz, Facility Project Manager

Building and Safety Division Conditions of Approval

Date: February 10, 2022
Project: Design Review Application – Baseline Village Apartments – (40) multi-family apartment complex
APPLICANT: KZ Devco
Site Location: North side of Base Line, East of Sterling
Project Numbers: DRA: 21-009
APN: 1200-421-34-0000

1. Please provide the following number of construction plans and documents listed below for the first review of the proposed project. The initial plan review time will take two weeks on most projects. The applicant will receive an application number at the time plans are submitted for Building & Safety's plan review. This number is needed to obtain information regarding your project.
 - (3) Architectural Plans
 - (3) Structural Plans
 - (2) Structural Calculations
 - (3) Plot/Site Plans
 - (3) Electrical Plans
 - (3) Electrical Load Calculations
 - (3) Plumbing Plans/Isometrics
 - (3) Mechanical Plans
 - (3) HVAC Duct Layout Plans
 - (2) Roof and Floor Truss Plans
 - (2) Title 24 Energy Calculations
 - (2) Soils Report
 - (3) Precise Grading Plans (Listed for Reference within the plan set)
 - (3) Condition of Approval Packages (to be submitted within the plan set)
 - (3) Temporary Fence Plan
 - (1) Fire Flow report
2. All structures shall be designed in accordance with the current version of the California Building Codes (2019), including the California Green Building Standards Code. Design all structures to Risk Category II at exposure "C" (ASCE7-16), and Energy Climate Zone 10. If the project plans are submitted after January 1, 2023, the project and plans will need to be designed to the 2022 California Building Code of Regulations.

3. Prior to issuance of building permits, provide a receipt from the appropriate Unified School District stating that all school fees have been paid. (San Bernardino Unified School Districts)
4. All onsite utilities are to be underground. As approved by the Planning Division, utility cabinets and transformers are exempt.
5. Construction projects requiring fire permits must apply and submit fire plans prior to the issuance of the building permit, including fire sprinkler submittals.
6. Building and Safety does not release all meters until final approvals are obtained from all agencies and departments. Policy 295.
7. It has come to the City's attention that premature failures have occurred in copper piping when used within the City of Highland, particularly east of City Creek. Property Owners, Contractors and Developers are advised to analyze soil and water compositions when considering the type of pipe material to be utilized. City staff makes no recommendations on which Plumbing Code approved products or methods to be utilize, this is the responsibility of the property owner or contractor. Alternate unapproved code materials may be submitted for City approval at the time of plan submittal via an alternate material and methods application.
8. The Developer/Owner is responsible for the coordination of releasing any Deferral of Development Impact Fees or Bonds after such fees have been paid. The Developer/Owner should be aware, once the deferral notice is sent to the San Bernardino County Recorder's Office; the release process takes two to three weeks. This process will delay final Certificates of Occupancy.
9. The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall request clearances from each department and/or agency at least two weeks prior to requesting a final building inspection from Building and Safety. Each agency shall sign the back of the Building and Safety Job Card, or provide agency approved signed documentation, and provide a copy of the signatures to Building and Safety at the time the final inspection is requested.
10. Building and Safety inspection requests must be made by 4:00 pm. on the previous City working day to receive a next day inspection. Please contact (909) 864-2136, Ext 228.
11. A security fence with screening shall protect all construction sites. The fencing and screening shall be maintained at all times to protect pedestrians. All development projects shall submit a construction fencing plan with the construction design plans. Construction projects that have phased occupancy shall be completely separated by a construction fence that is screened and show the adjusted fence locations at each phase.

12. On site toilet facilities shall be provided for construction workers and such facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3 and on site per NPDS stormwater requirements.
13. All construction materials, which are not used, shall be recycled pursuant to the requirements set forth by Ordinance No. 269. Receipts from the recycle company responsible for picking up the materials shall be kept in the construction office. After the construction is complete and before final occupancy, the trash receipts shall be forwarded to the City Public Services division.
14. 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.
15. 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.
16. Prior to issuance of building permits, site-grading certifications, compaction reports, and survey report shall be submitted to Building and Safety or to Public Works, as applicable.
17. Identify all building utility locations and sizes, indicate if a new meter service is to be installed or connection is made to the existing service meter.
18. All construction projects shall comply with the NPDES Stormwater Best Management Program. Prior to building permit issuance submit copy of the Water Quality Management Program Report. (WQMP)
19. All deferred plan items are to be identified on the plans cover sheet.
20. The Building(s) sewer are to be connected to the public sewer system when provided. When the public system is not available, an onsite septic system is to be installed. Percolation test is required with report provided at time of septic system application.

21. 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.
22. All dead and removed trees and foliage is to be properly removed from the site.
23. Prior to final inspection, provide Building & Safety with a flash disk of the final approved amended plans and documents.



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

DATE : February 7, 2022

Page 1 of 6

APPLICANT : KZ Devco

ADDRESS :

SITE LOCATION: 425' n/o Baseline from Church to Buckeye

FILE / INDEX No.: CUP 22-001 DRA 22-001 TTM 21-001 TPM 20387

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

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

Fire Department Review of all projects is required.

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

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

GENERAL.

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

2. **HF31:** Approved fire hydrant pavement markers (blue dots) shall be installed at every hydrant.
3. **HF51:** The main electrical panel and all sub-panel(s) shall be labeled on inside cover for all circuits. **CEC**
4. **HF52:** Water heater (fuel fired), shall be properly vented to exterior of structure. Water heater shall be seismic strapped to wall and be located 18" above a garage floor. **CBC**
5. **HF53:** A solid core, self-closing and latching door (minimum 1-3/8 inch) shall be installed between an attached garage and living space. **CBC**
6. **HF47:** For each chimney, used in conjunction with any fireplace or heating appliance, in which solid or liquid fuel is used, an approved spark arrester shall be installed and visible from the ground. Spark arrester shall be of stainless steel, copper or brass, woven galvanized wire mesh, twelve (12) gauge, and minimum of 3/8" to 1/2" maximum openings. **CFC; CBC; CMC**
7. **HF60:** Additional plans for access, fire safety systems, fire lanes and signage, gates, storage, or other special conditions may be requested for review, conditioning and approval by the fire marshal.
8. **HF48:** A class "A" roof covering structure with "bird stops" shall be installed.

ACCESS:

9. **HF7:** Fire department **access** roads shall meet the fire dept. minimum unobstructed width of twenty (20) feet. (twenty-six (26) feet within FR-1&2 zones). **This standard shall not lessen other agency requirements.** Access roads shall be paved (asphalt/concrete) and in place **prior** to delivery of combustible building materials on site. Roads shall be designed and constructed to meet adopted city standards. **CFC**
10. **HF8:** All access roads, public, private streets and residential driveways shall maintain a minimum vertical clearance of thirteen (13) feet-six (6) inches. **CFC**
11. **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**
12. **HF10:** Driveways exceeding 150 feet shall have a fire department approved turn-around at the terminus. **CFC / APPENDIX D**

13. **HF11:** Fire department access roadway(s) and/or public/private street(s) exceeding one hundred fifty (150) feet in length shall provide an approved turn-around at the terminus (**cul-de-sac**). Minimum radius shall be **not less than forty (48) feet**. Or as approved by the fire marshal. Cul-de-sacs providing access to perimeter emergency access roads shall have a minimum radius of forty eight (48) feet. **CFC / APPENDIX D, SBCO TRANSPORTATION STD**
14. **HF12:** Fire department access roadway(s); public/private street(s) and driveways shall not exceed 12% grade. **CBC / APPENDIX D, HMC**
15. **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**
16. **HF14:** In **FR-1/FR-2** areas, streets ending in a cul-de-sac shall not exceed **350** feet, in all other areas, non-circulating streets shall not exceed **600** feet in length and shall provide an approved cul-de-sac. **HMC**
17. **HF15:** "Phased" projects may be required to provide a minimum of two (2) remote points of approved access during construction. A secondary access, for fire and other emergency equipment and for routes of escape, which will safely handle evacuations. **CFC - APPENDIX D**
18. **HF19:** **Manually** operated gates across fire department access roadways, public and/or private streets and driveways, shall be equipped with approved emergency key-operated "**KNOX**" padlock or box containing key to open the private lock. For **automatic** gates, a "**KNOX**" emergency access switch, shall be installed, at location determined by fire department, and shall over-ride all command functions and open gate automatically upon activation. All automatic gates shall have a manual over-ride for use during loss of electric power. "**KNOX BOX**" request form is available from the fire marshal or may be ordered directly from www.knoxbox.com (specify City of Highland, CA) **CFC – Appendix D**
Note: The city of Highland also requires an electronic "H" key system (Ord. #320) for multi-family, gated communities or secured storage facilities.
HMC
19. **HF24:** "**NO PARKING – FIRE LANE**" signs shall be posted at locations designated by fire marshal. Fire lane curbs shall be painted red, with white letters stating, "**NO PARKING – FIRE LANE**" on top, not face. **CFC - APPENDIX D**

20. **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**
21. **HF61:** Aerial fire apparatus access roads. **Where required:** buildings or facilities exceeding 30-feet in height above the lowest level of fire dept. Vehicle access shall be provided access roads capable of accommodating aerial apparatus. **Width:** aerial apparatus access roads shall provide a minimum unobstructed width of 26-feet in the immediate vicinity of any building exceeding 30-feet in height. **Proximity to buildings:** aerial apparatus access roads shall be located a minimum of 15-feet to a maximum of 30-feet from the building, and shall be positioned parallel to one entire side of the structure, as approved by the fire code official. **CFC APPENDIX D**

WATER:

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 C

Note: Hydrants shall meet EVWD standards.

23. **HF29:** Fire hydrant spacing shall be:
Single family residential: 500 FEET
CFC / APPENDIX B AND C.

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

24. **HF26:** Three sets of water delivery system plans, designed to meet the required fire flow for this project and/or development, shall be submitted to the fire department for review and approval. **CFC**
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**

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 / CFC**
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 AND C**

ADDRESSING – IDENTIFICATION:

28. **HF18:** Street name signs shall be installed prior to construction on any roadway or phase. Temporary signs may be used as approved by the fire marshal. **CFC Note:** Permanent signage shall meet City standards as required by Planning.
29. **HF17:** The public and/or private roadways serving this project shall be identified with city approved names. **CFC**
30. **HF20: Residential** address numbers shall be placed on all new and existing structures in such a manner as to be plainly visible and legible from the access roadway or street. Single family dwellings shall have numbers of 4" height, 1/4" stroke on contrasting background. Address numbers shall be low voltage, automatically electrically illuminated where structure setback exceeds one hundred (100) feet from the access roadway or street, additional non-illuminated numbers 4" in height, 1/4" stroke, on contrasting background shall be displayed at property access entrance. **CFC**

FIRE PROTECTION & ALARM SYSTEMS:

31. **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.
32. The water meter supplying a 13D system shall be of sufficient size (usually 1-inch) to provide the calculated flow requirements of the 13D fire sprinkler system. Minimum pipe size beyond the water meter shall be 1-inch. **CFC; CBC; HMC; NFPA**

33. **HF46: SMOKE DETECTORS**, hard wired in series with battery back-up, shall be installed in all sleeping areas and in all hallways and areas/rooms leading to sleeping areas. Smoke detectors shall be installed at the top of all stairways. At least one smoke detector shall be installed on the first floor level. **CARBON MONOXIDE DETECTORS** shall be installed per manufacturer's instructions minimum one per floor where fuel fired appliances and/or an attached garage is present. Units also to be hard wired in series with corresponding smoke detectors **CFC; CBC**

34. **HF60:** California Fire Code, **FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION**, shall apply to this project. it is the responsibility of the project manager to meet with the fire marshal to discuss requirements specific to this project.

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



STAFF REPORT

TO THE APPEALS BOARD

DATE: May 03, 2022

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Gary Chambers, Code Compliance Officer

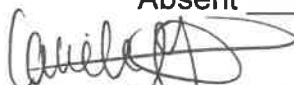
SUBJECT: A Public Hearing to declare the existence of a Public Nuisance in accordance with Title 8, Chapter 8.32, of the Highland Municipal Code, and authorize the abatement thereof, at the Properties generally located at 25046 3rd St., San Bernardino, CA 92410, Tax Assessor's Parcel Numbers 0279-141-67 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. {Continued from April 19, 2022}.

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. <u>3</u>
Denied _____	Ayes _____		File No. _____
	Noes _____		
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

- Aug. 10, 2021** (both identified as 25046 3rd St.). Further research revealed that both properties were owned by Lukas & Penny Feles. 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

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 May 03, 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 3rd day of May 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

- | | |
|--|---|
| <ul style="list-style-type: none">☐ 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:<ul style="list-style-type: none">☐ 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 | <ul style="list-style-type: none">☐ 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

- | | |
|---|---|
| <p>☐ Title 16, Chapter 52, Section, 16.52.060 B.4.b.i
Parking on unimproved/landscaped areas is prohibited</p> <p>☐ 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.</p> <p>☐ Title 8, Chapter 32, Section, 8.32.020 B.3
Trash containers shall generally be placed out of direct public view.</p> <p>☐ 8.32.020 Declaration of public nuisance
A public nuisance is created by every building or structure which:</p> <ul style="list-style-type: none">☐ 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 | <p>☐ 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</p> <p>☐ 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.</p> <p>☐ Title 15, Chapter 15.52.040, Section, 15.52.040
Residential rental without a business license.</p> <p>☒ Other : Land use</p> <p>☐ Violation of condition of site approval or conditional use permit</p> <p>☐ Has overgrown weeds, trash accumulation, has noxious smell</p> <p>☐ Is unsafe, has graffiti, is left unpainted</p> <p>☐ Attractive nuisance to children</p> |
|---|---|

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"

Thank You,

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

Gary Chambers

Code Compliance Officer

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

- | | |
|---|---|
| <ul style="list-style-type: none">☐ 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:<ul style="list-style-type: none">☐ 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 | <ul style="list-style-type: none">☐ 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



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

CASE # 7982

CITATION NO. 15564

ADMINISTRATIVE CITATION

Date: 10-17-2021 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

DL #:

Feltes, Lukas

DOB:

N/A

N/A

MAILING ADDRESS:

23297 James Stewart Cir, Victorville, CA 92299

VIOLATION ADDRESS Parcel # 0279-151-23-0000,
0279-151-40-0000, 0279-141-67-0000

MUNI. / STATE CODE
SECTION VIOLATED

VIOLATION DESCRIPTION

HMC

8-32-0200

Violation of Highland Development

Code.

CORRECTIONS REQUIRED: Remove all storage /
Parking of tractor-trailers, or vehicles
of any kind from the property to
Avoid a Public Nuisance Hearing.
Please comply by 11/11/2021.

Signature of Issuing Officer

10-17-2021
Issued Date

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

DL #:

DOB:

MAILING ADDRESS:

VIOLATION ADDRESS:

MUNI. / STATE CODE
SECTION VIOLATED

VIOLATION DESCRIPTION

HMC

8.32.020.C

Violation of Highland Development Code

CORRECTIONS REQUIRED:

Remove all unauthorized parking/storage of tractor-trailers from the properties. To avoid a public nuisance hearing, please comply by 12

Signature of Issuing Officer

Issued Date

Printed Name of Issuing Officer

Acknowledgement of Receipt (Signature)

**READ REVERSE SIDE
FOR IMPORTANT INFORMATION**

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

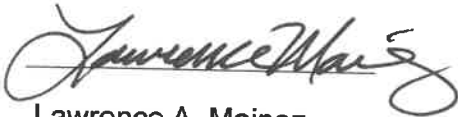
The conditions of the Property constituting a public nuisance are as follows:

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)

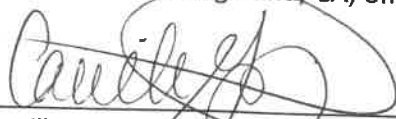
I am employed in the County of San Bernardino, State of California. I am over the age of 18 and not a party to the within action. My business address is City of Highland, 27215 Base Line, Highland, CA 92346.

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

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 “4”
Aerial/Site location Map



EXHIBIT "5"

Case photographs dated August 9, 2021

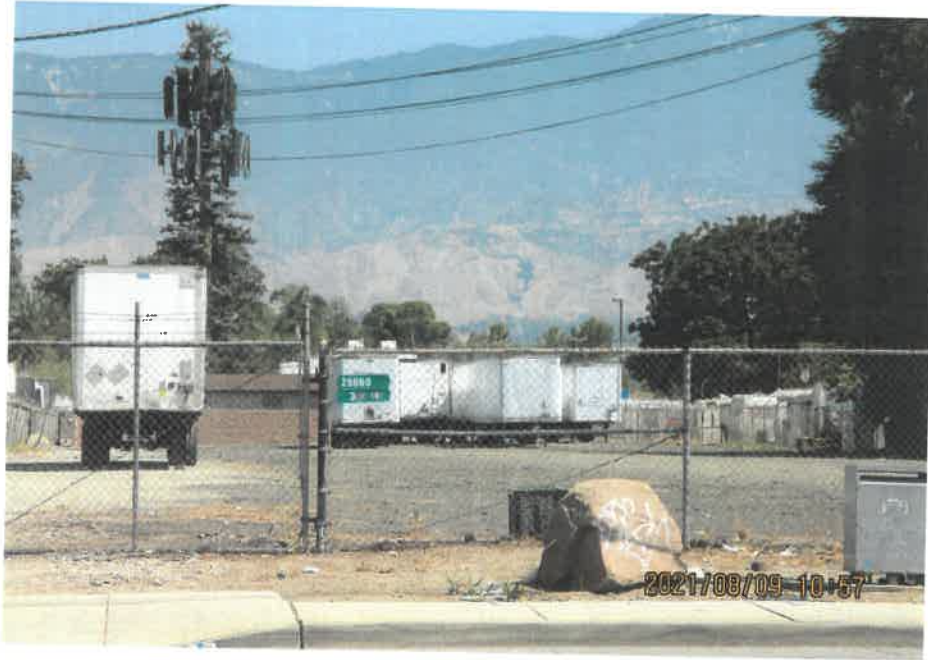


EXHIBIT "6"

Case photographs dated August 10, 2021



EXHIBIT "7"

Case photographs dated October 12, 2021

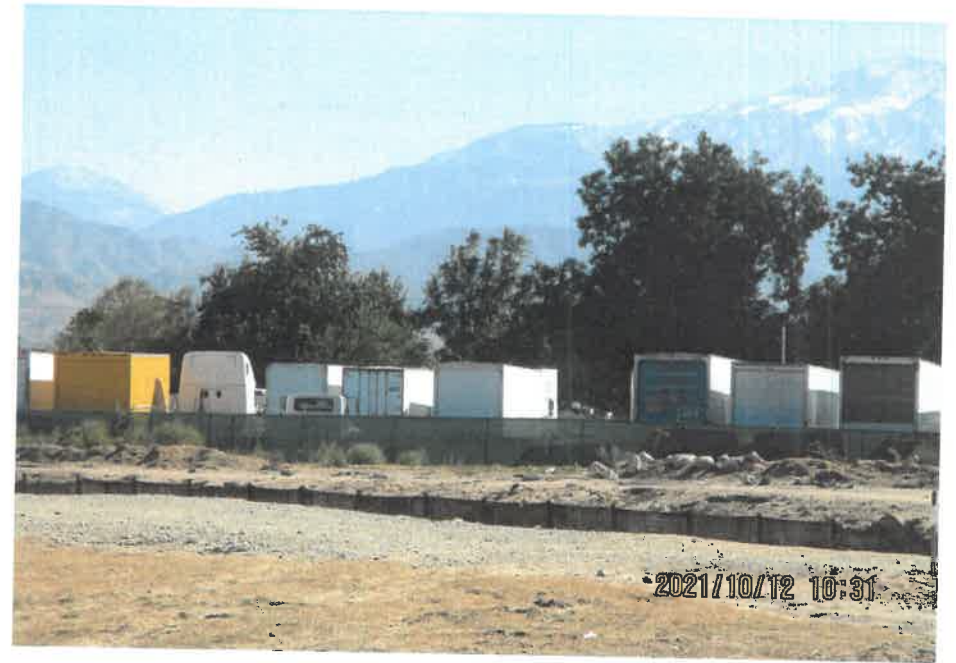


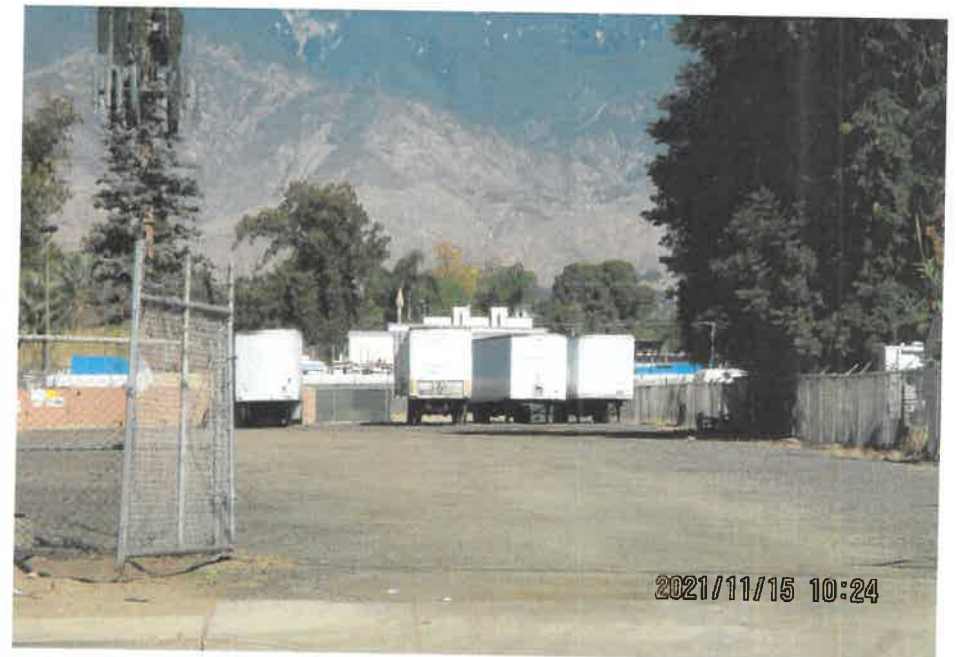




EXHIBIT "8"

Case photographs dated November 15, 2021





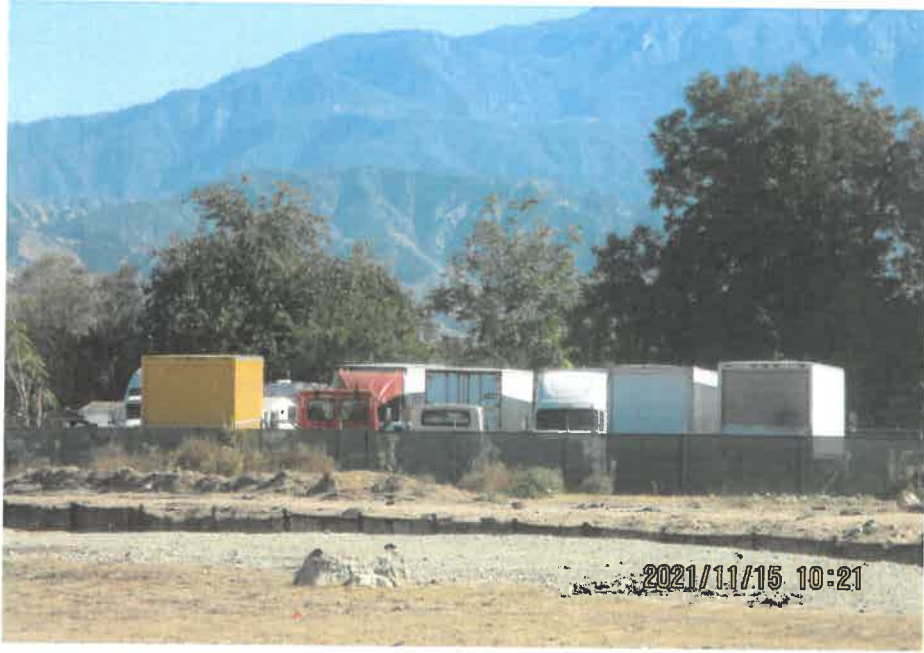
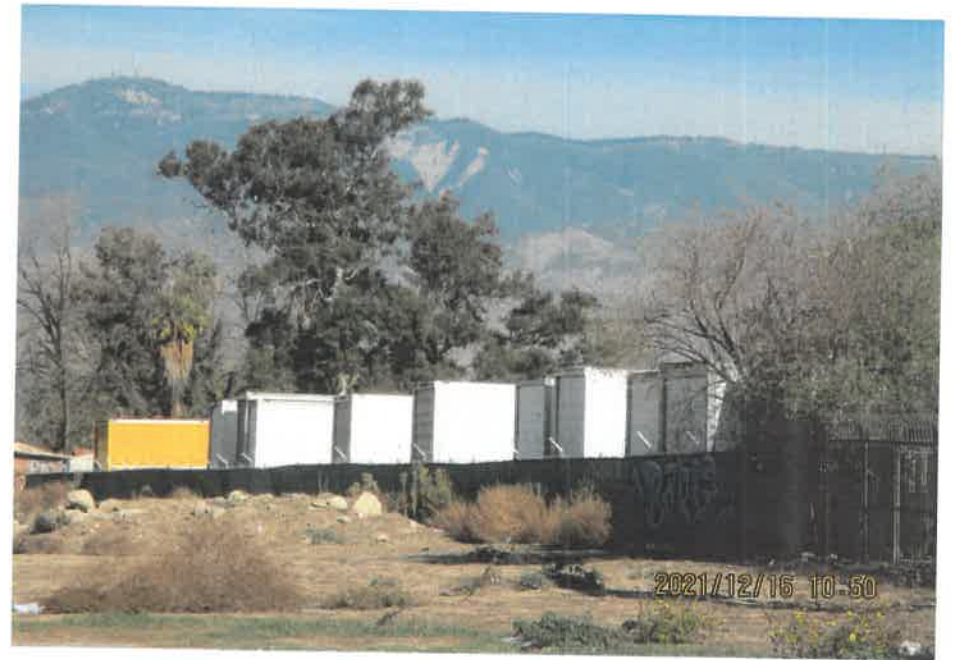


EXHIBIT "9"

Case photographs dated December 16, 2021



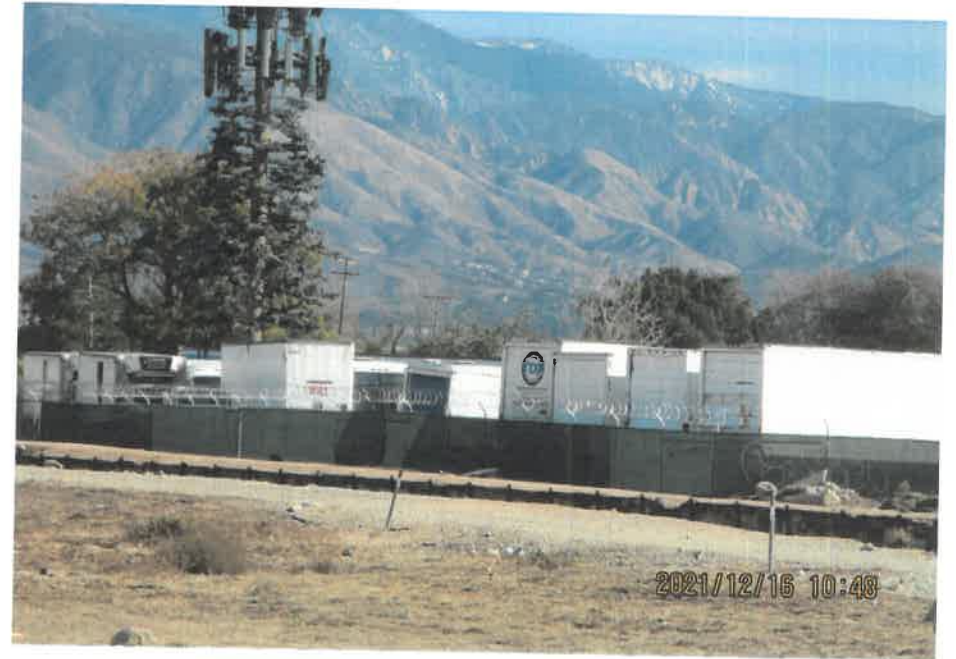
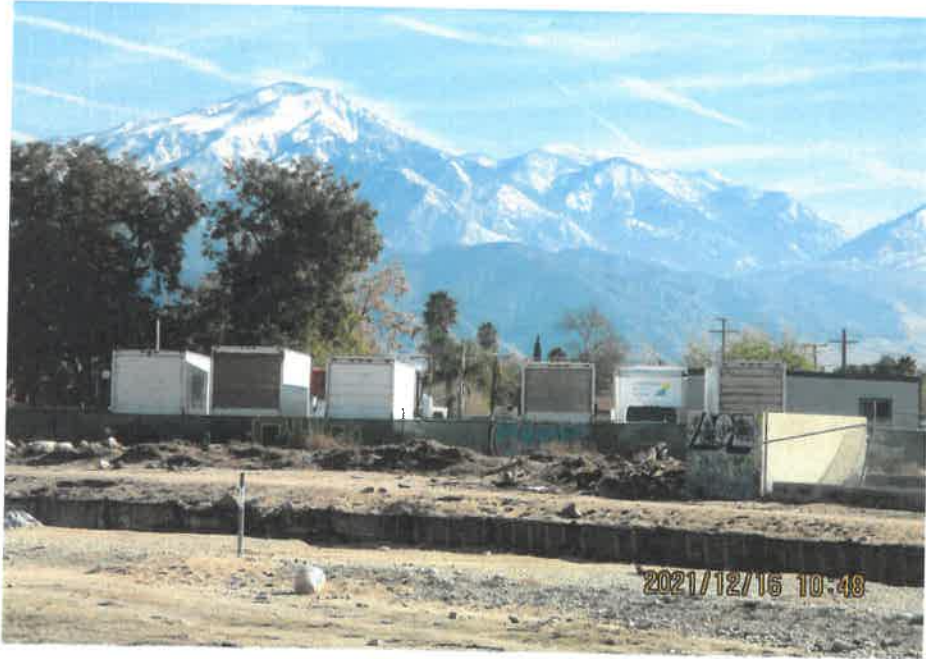
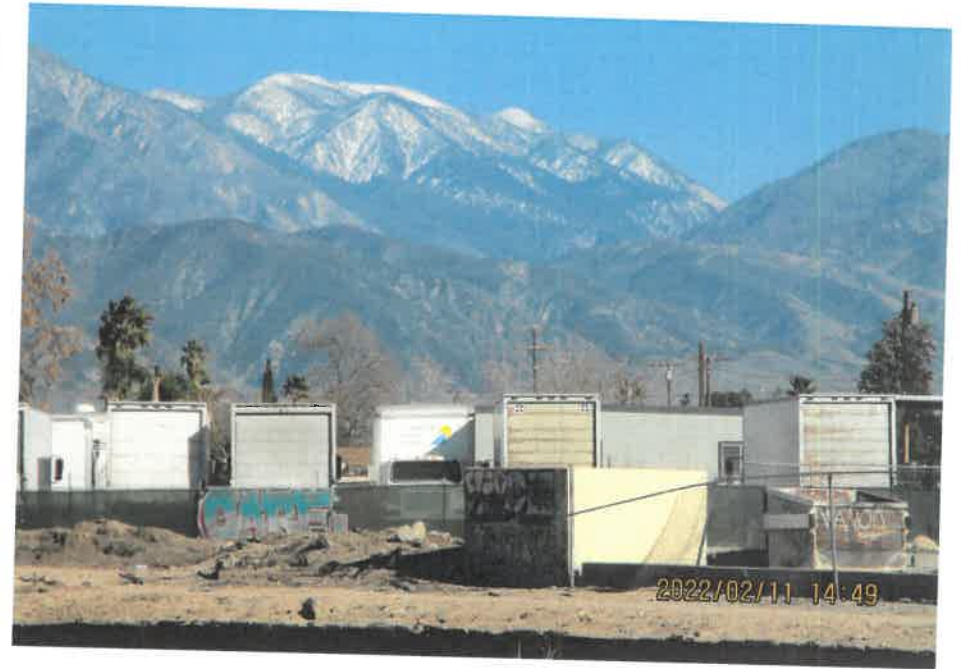
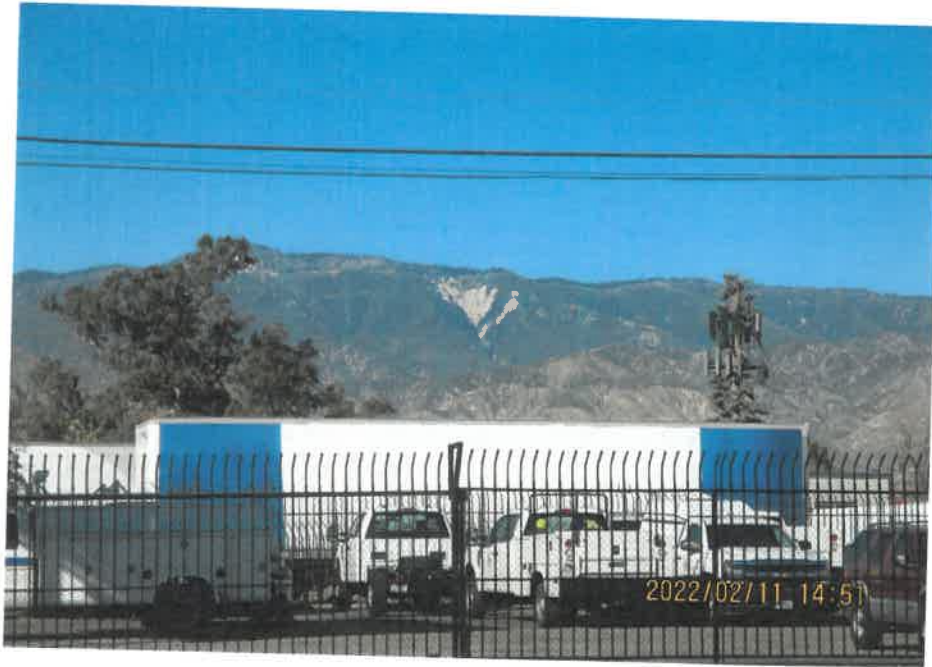




EXHIBIT “10”

Case photographs dated February 11, 2022





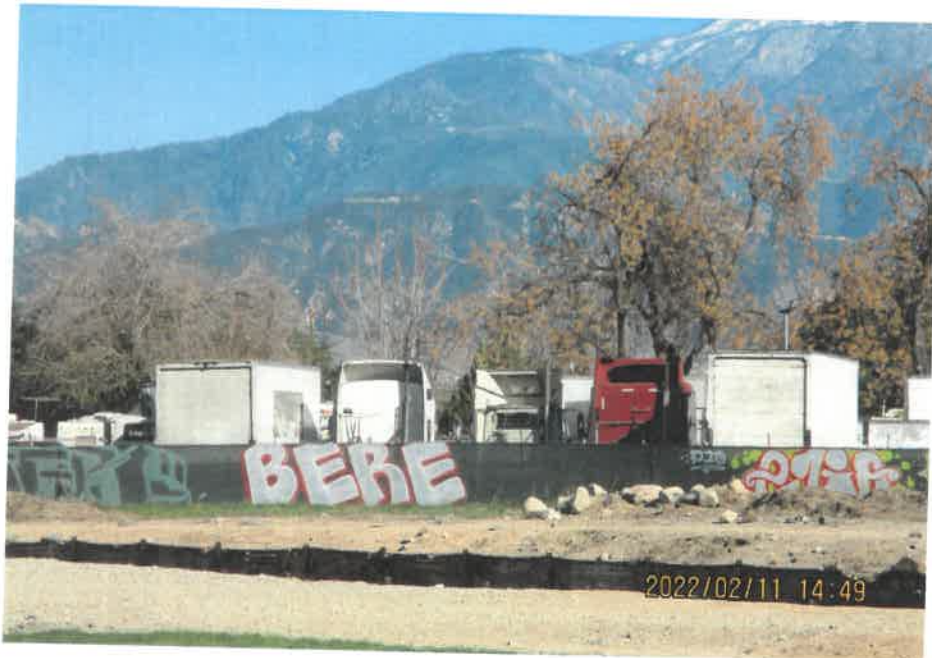


EXHIBIT “11”

Case photographs dated March 28, 2022







EXHIBIT "12"

Case photographs, Posted Public Hearing Notice
dated March 31, 2022

