

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

January 17, 2023
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 📠

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance, please contact the City Clerk's office at (909) 864-6861, ext. 226, at least 72 hours prior to the meeting for any requests for reasonable accommodation to include interpreters.

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: For those wishing to make public comments by email, please submit your comments by email to be read aloud at the meeting. Email comments must be submitted by 5:00 p.m. on January 17, 2023 to publiccomment@cityofhighland.org. If you are submitting a public comment pertaining to an item on the January 17, 2023 agenda, please identify the agenda item number in the subject line.

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

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

**PLANNING COMMISSION
REGULAR MEETING AGENDA
January 17, 2023 - 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 January 17, 2023, 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 January 3, 2023 Regular Meeting.

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

PUBLIC HEARING

2. A Public Hearing to Consider the Appeal of Administrative Citation No. 15897 issued due to Business License Regulations related to operating a Home-Based Business without having obtained a business license in accordance with Chapter 2.56 of Title 2, of the Highland Municipal Code, at the property generally located at 27178 Messina St, Highland, CA 92346. Tax Assessor's Parcel Number 1191-501-12. Cited: Joel A Deleon. {Continued from January 3, 2023}

RECOMMENDATION: Staff recommends the Public Nuisance Hearing Board (PNHB) conduct the required Public Hearing and uphold Administrative Citation No. 15897 and adopt Resolution No. 2023 - ____.

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 12th of January 2023 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: January 12, 2023



Camille Goritz Administrative Assistant III



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: January 17, 2023

FROM: Lawrence Mainez, Community Development Director

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

SUBJECT: Minutes from the January 3, 2023 Planning Commission Regular Meeting.

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

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

Approved _____	Motion _____	Second _____	Agenda Item No. <u>1</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
<i>Camille Goritz</i> Recording Secretary		<i>Lawrence Mainez</i> Community Development Director	

PLANNING COMMISSION REGULAR MEETING MINUTES
January 3, 2023 – 6:00 P.M.

CALL TO ORDER

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

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

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Camille Goritz, Administrative Assistant III

The Pledge of Allegiance was led by Chair Hamerly.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None.

PUBLIC HEARINGS

1. A Public Hearing to Consider the Appeal of Administrative Citation No. 15897 issued due to Business License Regulations related to operating a Home-Based Business without having obtained a business license in accordance with Chapter 2.56 of Title 2, of the Highland Municipal Code, at the property generally located at 27178 Messina St, Highland, CA 92346. Tax Assessor's Parcel Number 1191-501-12. Cited: Joel A Deleon.

Community Development Director Mainez stated that this item will be continued to January 17, 2023. The Appellant has been notified of the change of date.

2. Determination that the vacation of Berry Street between Cunningham Street and Hillview Street is conforming with the City's General Plan, or part thereof, in accordance with Government Code Section 65402.

Community Development Director Mainez presented the staff report.

Commissioner Miller asked if the property owners to the north will take the responsibility for Berry Street?

Community Development Director Mainez stated Berry Street is no longer there and the properties have been improved. Once we finish this process, we will deed the land over to those three property owners and they will maintain it long term.

A MOTION was made by Vice Chair Thomas, seconded by Commissioner Amaya, to adopt Resolution No. 2023-001, determining the vacation of Berry Street is consistent with the City's General Plan, or part thereof, in accordance with Government Code Section 65402. Motion carried, 5-0.

RESOLUTION NO. 2023-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, CONFIRMING THE VACATION OF BERRY STREET BETWEEN CUNNINGHAM STREET AND HILLVIEW STREET IS CONFORMING WITH THE CITY OF HIGHLAND GENERAL PLAN, OR PART THEREOF, IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65402.

ANNOUNCEMENTS

Community Development Director Mainez thanked the Planning Commissioners for serving the City of Highland.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 7:10 p.m.

Submitted by:

Approved by:

Camille Goritz, Administrative Assistant III
Community Development Department

Randall Hamerly, Chair
Planning Commission



STAFF REPORT

TO THE APPEALS BOARD

DATE: January 17, 2023

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Joel Ramos, Code Compliance Officer *J.R.*

SUBJECT: A Public Hearing to Consider the Appeal of Administrative Citation No. 15897 issued due to Business License Regulations related to operating a Home-Based Business without having obtained a business license in accordance with Chapter 2.56 of Title 2, of the Highland Municipal Code, at the property generally located at 27178 Messina St, Highland, CA 92346. Tax Assessor's Parcel Number 1191-501-12. Cited: Joel A Deleon. {Continued from January 3, 2023}

PROPERTY OWNER: Rosalina A Adams and Joel A Deleon.

RECOMMENDATION: Staff recommends the Public Nuisance Hearing Board (PNHB) conduct the required Public Hearing and uphold Administrative Citation No. 15897 and adopt Resolution No. 2023 - ____.

FISCAL IMPACT: There is no fiscal impact related to this Project, other than City Staffs time to research the individual projects / properties and to prepare the report.

PUBLIC NOTICE: Pursuant to Chapter 2.56, Public Hearing Notices were mailed via First Class Mail, and Certified Mail, Return Receipt Requested, to Rosalina A Adams and Joel A Deleon on December 16, 2022 (attached hereto as Attachment "E" and incorporated herein by reference). In addition, on December 16, 2022, staff posted the Public Hearing Notice in the designated posting location, and a copy of said Notice was placed on the City's Website (see Affidavit of Posting / Mailing and attached hereto as Attachment "F" and incorporated herein by reference).

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

BACKGROUND:

- March 03, 2022** This case was initiated due to a complaint received regarding the unpermitted business on the property generally located at 27178 Messina St, Highland CA 92346, Parcel number: 1191-501-12.
- May 16, 2022** Code Compliance Officer Joel Ramos arrived at the property to conduct an inspection. Officer Ramos contacted property owner Joel A Deleon and discussed the complaint. Mr. Deleon stated that he owned a landscaping business and agreed to obtain a city business license if required.
- June 2, 2022** A **Notice of Violation** was mailed to the property owner's address of record by certified & regular mail. The notice requested the property/business owner to obtain a Home Occupation Business License.
- Jun. 13, 2022** The property owner visited City Hall and spoke with Code Enforcement staff regarding the case. Mr. Deleon owner stated that he only assisted two relatives with gardening tasks and received minimal payment for the assistance. He discussed the best methods for concealing the landscaping equipment, and the necessity of obtaining a Home Occupation business license.
- Sept 06, 2022** A **Final- Notice of Violation** was mailed to the property owner's address of record by certified & regular mail. The notice requested the property/business owner to obtain a Home Occupation Business License.
- Sept 19, 2022** The property/business owner failed to obtain a Home Occupation Business License for his landscaping business. Code Compliance Officer Joel Ramos issued **Administrative Citation #15897 (\$100)** for the violation of the Highland Municipal & Development Codes. A copy of the Citation was mailed to the property owner's address of record by certified and regular mail.
- CONCLUSION:** As evidenced by all inspections conducted and the exhibits incorporated herein by reference, Staff recommends the Appeals Board uphold Administrative Citation No. 15897 and approve Resolution No.

**Appeals Board Meeting of
January 17, 2023**

2023_____. Specifically, the Administrative Citation was issued for the following violations of the Highland Municipal & Development Code:

- I. Highland Municipal Code Section 5.12.020 (A)(3) (Home occupation businesses shall be permitted within any private residence subject to compliance of the following conditions; subsection (e), a maximum of 250 square feet or 25 percent of the residence, whichever is greater, shall be utilized for storage of materials, supplies or equipment related to the home occupation, and subsection (f), there shall be no outdoor storage or visible storage of materials, supplies or equipment from outside of the home.

Exhibit “1” Appeals Board Resolution 2023-_____, inclusive of the following attachments:

- A. Notice of Violation Letter dated May 03, 2022
- B. Notice of Violation Letter dated September 06, 2022
- C. Administrative Citation, #15897, issued September 19, 2022
- D. Notice of Appeal, Request for Hearing, dated September 27, 2022
- E. Notice of Public Hearing dated January 03, 2023
- F. Notice of Public hearing (Affidavit of Mailing) dated December 20, 2022

Exhibit ”2” Case photographs dated May 16, 2022

Exhibit “3” Case photographs dated August 4, 2022

Exhibit “4” Case photographs dated September 02, 2022

Exhibit “5” Case photographs, Posted Public Hearing Notice, dated December 16, 2022

RESOLUTION NO. 2023-_____

A RESOLUTION OF THE PUBLIC NUISANCE HEARING BOARD OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING THAT THE VIOLATION EXISTED ON THE PROPERTY IDENTIFIED AS APN: 1191-501-12, GENERALLY LOCATED AT 27178 MESSINA St., HIGHLAND, CA 92346, ON SEPTEMBER 16, 2022, AND THEREBY UPHOLDING ADMINISTRATIVE CITATION NO 15897

WHEREAS, on, September 16, 2022, Highland Staff issued Administrative Citation No. 15897 which is attached hereto and incorporated herein by this reference, for violations of the Highland Municipal Code on the property located at 27178 Messina St., Highland, California, and,

WHEREAS, Highland Staff served the Citation on September, 19, 2022 to Joel Deleon, who is the Property Owner, ("Appellant") by way of mail, which is attached hereto and incorporated herein by this reference, and,

WHEREAS, the Appellant timely submitted a Request for Hearing Form in order to Appeal the Citation to the Public Nuisance Hearing Board, and,

WHEREAS, the Appellant timely submitted the Public Nuisance Hearing Board Administrative Hearing Fee for the citation.

NOW THEREFORE, it is hereby found, determined, and resolved by the Public Nuisance Hearing Board of the City of Highland as follows

1. All of the facts set forth in the Recitals of this Resolution are true and correct and are hereby incorporated into this Resolution by this reference.
2. Staff timely notified Appellant that the Public Nuisance Hearing Board would be holding a Public Hearing on January 03, 2023, via certified mail; that Notice is attached hereto and incorporated herein by this reference, The Public Nuisance Hearing Board held a Public Hearing on that Hearing Date, at which time, with all written and oral evidence and testimony from the Appellant, the Public and Staff were considered.
3. Based upon the evidence and testimony presented to the Public Nuisance Hearing Board during the above -referenced Hearing, the Public Nuisance Hearing Board finds that violations of the Highland Municipal Code Section 5.12.020 (A)(3)(e)(f) existed on the Property on the Citation Date, as follows:
 - A. The Code Compliance Officer arrived at the property on May 16, 2022, to conduct an Inspection. The property owner, Joel Deleon, stated that he owned a landscaping business and performed landscaping in the City of Highland. As of September 16, 2022, the property owner had not obtained a Home Occupation Business License for his landscaping business.

The aforementioned constitutes a Violation of the Highland Municipal Code, and thus the Public Nuisance Hearing Board hereby upholds Administrative Citation No. 15897 and orders Appellant to abate the Violation.

Pursuant to Highland Municipal Code Section 2 56 130, Appellant may appeal this decision to the City Council within ten (10) days of the Public Nuisance Hearing Board' s decision, by submitting an Administrative Citation Notice of Appeal Request for Hearing.

PASSED, APPROVED AND ADOPTED this 17th day of January 2023

ATTEST:

Randall Hamerly
Chair, Appeals Board

Lawrence Mainez
Community Development Director

Attachment(s):

Administrative Citation No. 15897

Notice of Violation Letter dated June 02, 2022

Notice of Violation Letter dated September 06, 2022

ATTACHMENT "A"

Notice of Violation Letter dated June 02, 2022



NOTICE OF VIOLATION

City of Highland
CALIFORNIA
Community Development Dept.
Code Compliance Division
27215 E. Base Line
Highland, CA 92346
(909) 864-6861

Property Owner: JOEL A ADAMS and ROSALINA R DELEON
Issued To: JOEL A ADAMS and ROSALINA R DELEON
Address 27178 MESSINA ST
D.L. # CA C4333205
D.O.B. 01/08/1956

THIS IS TO INFORM YOU that you are in VIOLATION of one or more Sections of the Municipal Code as indicated:

- ☐ 8.20.040 CFC 605.5 Extension Cords
- ☐ 15.04.020 CBC 105.1 Permits
- ☐ 15.04.020 CBC 115 Stop Work
- ☐ 15.14.010 CRC 114 Stop Work
- ☐ 15.14.010 CRC R105.1 Permits
- ☒ Other

Required Action 5.12.020 E & F

Please stop by City Hall and complete the required Home Occupation Business License. Planning Division is ready to assist if you have additional questions.

Failure to take "Required Action" within 15 days will result in referral of this matter for legal action under the provisions of the Municipal Code.

Each day that the violation continues constitutes a new and separate offense.

FOR FURTHER INFORMATION TELEPHONE
Phone Ex. 222

Joel Ramos
CODE COMPLIANCE OFFICER

I acknowledge receipt of this NOTICE OF
VIOLATION of the Municipal Code

06/02/2022
Date

ATTACHMENT "B"

Notice of Violation Letter dated September 06, 2022



City of Highland
Community Development Department
Notice of Violation
Public Nuisance Violations

To: Rosalina R Adams, Leon Joel A De

Date: 09/06/2022

Property Located at: 27178 Messina St., Highland, CA 92346

CODE ENFORCEMENT CASE #8879

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 : 5.12.020 Intent and regulations.☐ 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** 5.12.020 Intent and regulations. E & F (A). Home Occupations. (e). A maximum of 250 square feet or 25 percent of the residence, whichever is greater, shall be utilized for storage of materials, supplies or equipment related to the home occupation. (f). There shall be no outdoor storage or visible storage of materials, supplies or equipment from outside of the home. (g). Not more than two rooms within the dwelling shall be utilized for the home occupation business, inclusive of an attached or detached enclosed garage. No outdoor space shall be used for home occupation purposes. Please contact Planning Division at 909-864-6861 for additional details. It's a pleasure working with you in helping in the community effort to improve the quality of in the City of Highland!

You have 7 days to complete the abatement of this violation. A reinspection of this property is scheduled for 09/13/2022

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. 222 Fax (909) 862-3180

Accepted By: ***VIA U.S. CERTIFIED MAIL***

Thank You,

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

Joel Ramos

Code Compliance Officer

ATTACHMENT “C”

Administrative Citation No. 15897 issued September 19, 2022



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

CITATION NO. **15897**

ADMINISTRATIVE CITATION

Date: 09/19/2022 Time: 08:00 HRS (Violation Observed)

☐ WARNING

☒ 1st Citation - \$ 100.00 ☐ 2nd Citation - \$ _____
☐ 3rd Subsequent - \$ _____

The payment listed above is due by 10/14/2022. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 10/14/2022. 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

DECON, JEFFREY A

DL #: CA C7333205 DOB: 01/08/56

MAILING ADDRESS: 2775 NESSINA ST. HIGHLAND, CA 92346

VIOLATION ADDRESS: 2775 NESSINA ST. HIGHLAND, CA 92346

VIOLATION DESCRIPTION: HOME OCCUPATIONS

VIOLATION CODE: 5.10.020(A)

VIOLATION DESCRIPTION: HOME OCCUPATIONS

VIOLATION CODE: 3.0.0.0

VIOLATION DESCRIPTION: HOME OCCUPATIONS

VIOLATION CODE: 3.0.0.0

VIOLATION DESCRIPTION: HOME OCCUPATIONS

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VIOLATION DESCRIPTION: HOME OCCUPATIONS

VIOLATION CODE: 3.0.0.0

VIOLATION DESCRIPTION: HOME OCCUPATIONS

Signature of Issuing Officer

Issued Date

Printed Name of Issuing Officer

Witness Signature (Signature)

READ REVERSE SIDE
FOR IMPORTANT INFORMATION

WHITE COPY: FINANCE

ATTACHMENT “D”

Notice of Appeal, Request for Hearing, dated September 27, 2022



City of Highland
Administrative Citation Notice of Appeal
Request for Hearing

In regards to property located at: 27178 Messina St., Highland, California, an Appeal is hereby made relative to Administrative Citation No. 15897 (the "Citation"). It is my desire to Appeal this Citation.

Please select one:

☒ This is my first Appeal, so I am appealing to the Public Nuisance Hearing Board.

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

☐ The Public Nuisance Hearing Board has already heard my Appeal, so I am appealing to the City Council.

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

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

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

Select one:

☐ This is my first appeal, so I am submitting the advance deposit of the Citation fine and the \$25.00 Administrative Hearing Fee for the first appeal.

☒ This is my first appeal, but I am unable to pay the advance deposit of the Citation fine and the \$25.00 Administrative Hearing Fee. so I am filing an Administrative Citation Hardship Waiver Request.

☐ This is my second appeal, and I have already submitted the advance deposit of the Citation fine and the \$25.00 first Administrative Hearing Fee, so I am submitting the \$25.00 Administrative Hearing Fee for the second appeal.

☐ This is my second appeal, and I have already been granted an Administrative Citation Hardship Waiver, so I do not need to submit any further payments.

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

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

Basis or reason for this appeal? The gardening that I conduct at two homes (seen to be 1 due to a pending sale of a home)

does not qualify as a business. The code citations and regulations cited in various documents from the City of Highland
I am delivering or mailing all my documents to: are inapplicable to my situation.

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

Today's Date: September 27, 2022

Name of Appellant: Joel De Leon

Address: 27173 Messina St.
Highland, CA 92346

Signature of Appellant: Joel De Leon

Administrative Citation Notice of Appeal. Request for Hearing.

12/12



CITY OF HIGHLAND
FINANCE DEPARTMENT
ADMINISTRATIVE CITATION
HARDSHIP WAIVER REQUEST.



NAME: Joel DeLeon

CITATION NO: 15897 DATE: 9/27/2022 PENALTY AMOUNT: \$ 100.00

PLEASE COMPLETE THE FOLLOWING

EMPLOYMENT
Employed: _____ Unemployed: _____ Disabled: _____ Welfare: _____ Other: Self
Employer Name: N/A
Employer Address: N/A
Employer Telephone: N/A
Number of persons supported: 4
Net Income (take home pay, welfare, unemployment, etc.): \$ 450.00 / xx Self Monthly

ASSETS
Checking account.....\$ 20.00 / xx
Savings account.....\$ 0
Cash on Hand.....\$ 2.00 / xx
Vehicles.....\$ 1
Home.....\$ 1
Property.....\$ 0
Other.....\$ Furniture
TOTAL ASSETS.....\$ Minimal

MONTHLY EXPENSES
Rent/Mortgage.....\$ 1000.00 / xx
Utilities.....\$ 700.00 / xx
Loans/Credit Cards.....\$ 400.00 / xx
Food/Clothing.....\$ 600.00 / xx
Transportation.....\$ 60.00 / xx
Medical/Dental.....\$ 75.00 / xx
Other.....\$ 100.00 / xx
TOTAL EXPENSES.....\$ 2,935.00 / xx

In accordance with Section 2.56.130 of the Highland Municipal Code, I am requesting a hardship waiver of the administration citation penalty prior to requesting an administrative hearing. I declare under penalty of perjury that the above statements are true and correct to the best of my knowledge and belief. In the event my citation is not dismissed, I understand I must pay the entire amount of the penalty. I am requesting an Administrative Hearing to contest the citations and if this hardship waiver request is denied, thank you.
Signature: Joel DeLeon Date: 9/27/2022

WAIVER REQUEST REVIEW

Approved: _____ Denied: _____ Reason for Denial: _____

Signature: _____ Date: _____

PLEASE RETURN TO FINANCE DEPARTMENT

ATTACHMENT “E”

Notice of Public Hearing dated December 16, 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: December 16, 2022

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE HIGHLAND APPEALS BOARD TO CONSIDER THE APPEAL OF ADMINISTRATIVE CITATION NO. 15897 ISSUED FOR THE FOLLOWING DESCRIBED PROPERTY DUE TO BUSINESS LICENSE REGULATIONS RELATED TO OPERATING A HOME BASED BUSINESS WITHOUT HAVING OBTAINED A BUSINESS LICENSE.

File Number: APPEALS BOARD ADMINISTRATIVE CITATION
HEARING CASE # 8879

SUBJECT: A Public Hearing to consider the Appeal of Administrative Citation No. 15897 issued for operating a home based business without having obtained a business license in accordance with Chapter 2.56 of Title 2, of the Highland Municipal Code on the following Assessor's Parcel Number: 1191-501-12.

PROPERTY OWNER(S): Rosalina R. Adams & Joel A Deleon

VIOLATION ADDRESS/APN: 27178 Messina St., Highland, CA 92346, Parcel number 1191-501-12

HEARING LOCATION: Highland City Hall Council Chambers
27215 Base Line
Highland, CA 92346

DATE AND TIME OF HEARING: Tuesday January 03, 2023, at 6:00 PM
(Or soon thereafter)

ATTACHMENT "F"

Notice of Public Hearing (Affidavit of Mailing) dated
December 16, 2022

AFFIDAVIT OF MAILING

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)

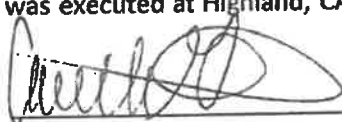
I am employed in the County of San Bernardino, State of California. I am over the age of 18 and not a party to the within action. My business address is City of Highland, 27215 Base Line, Highland, CA 92346.

On December 16, 2022, I caused to be served a copy of the attached Public Hearing Notice, Case #8879, Certified Mail, Return Receipt Requested, to the following parties: Rosalina R. Adams and Joel A Deleon. 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.

Rosalina R. Adams and Joel A. Deleon
27178 Messina St.
Highland, CA 92346

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 December 16, 2022.

Dated: 12/16/2022



Camille Goritz, Administrative Assistant III
City of Highland

EXHIBIT "2"

Case photographs dated May 16, 2022

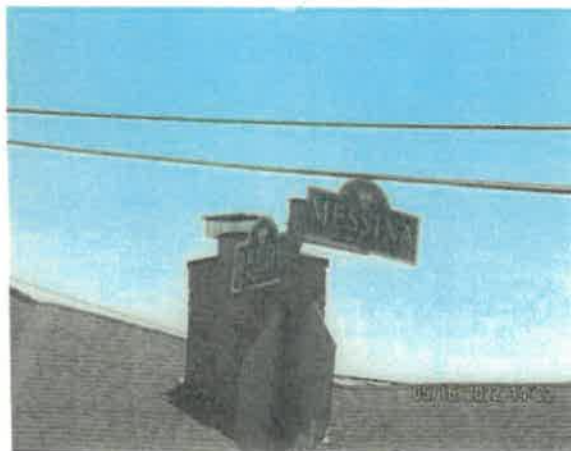


EXHIBIT “2”

Case photographs dated August 04, 2022



EXHIBIT “3”

Case photographs dated September 02, 2022

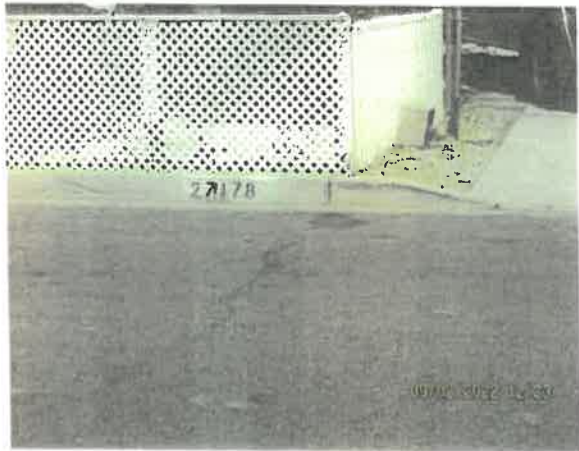


EXHIBIT “4”

Case photographs dated December 16, 2022

