

CITY OF HIGHLAND REGULAR MEETING OF THE PLANNING COMMISSION AGENDA

MEMBERS

Randall Hamerly, Chair
Chandra Thomas, Vice Chair
Nicole McCance, Commissioner
Brent Merideth, Commissioner
Jarrod Miller, Commissioner

REGULAR MEETING

September 16, 2025
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
Angela Tafolla, Senior Planner
Travis Trejo, Assistant Planner
Tiffany Martinez, Assistant Planner
Camille Duarte, Administrative Assistant III
Octavio Duran, Public Works Director/City Engineer
Brian Wolfe, Assistant Public Works Director
Matt Wirz, Building Official
Scott Rice, City Landscape Architect

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 September 16, 2025 to publiccomment@cityofhighland.org. If you are submitting a public comment pertaining to an item on the September 16, 2025 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
September 16, 2025 - 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 September 16, 2025, 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 September 2, 2025 Regular Meeting.

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

PUBLIC HEARING

2. 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 Property located at 7765 Del Rosa Ave, San Bernardino, CA 92410 (within the corporate boundaries of the City of Highland) Tax Assessor's Parcel Number 0278-243-03.

RECOMMENDATION: Staff recommends the Appeals Board conduct the required Public Hearing and adopt Appeals Board Resolution No 2025 - _____, declaring the existence of a public nuisance on the Property generally located at 7765 Del Rosa Ave., San Bernardino, CA 92410 and order the abatement thereof.

ANNOUNCEMENTS

ADJOURN

I, Camille Duarte, Administrative Assistant III of the City of Highland, California, certify that I caused to be posted this agenda on or before the 11th of September 2025 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: September 11, 2025



Camille Duarte, Administrative Assistant III



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: September 16, 2025

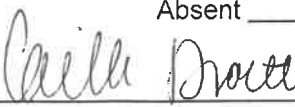
FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Camille Duarte, Administrative Assistant III

SUBJECT: Minutes from the September 2, 2025 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	

PLANNING COMMISSION REGULAR MEETING MINUTES
August 19, 2025 – 6:00 P.M.

CALL TO ORDER

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

Present:	Chair	Randall Hamerly
	Commissioner	Nicole McCance
	Commissioner	Jarrold Miller
	Commissioner	Brent Merideth

Absent:	Commissioner	Chandra Thomas
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Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Angela Tafolla, Senior Planner
Brian Wolfe, Assistant Public Works Director
Matt Wirz, Building Official
Camille Duarte, Administrative Assistant III
Scott Rice, City Landscape Architect

Chair Hamerly led the Pledge of Allegiance.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None.

CONSENT CALENDAR

1. Minutes from August 19, 2025 Regular Meeting.

A MOTION was made by Commissioner Merideth and seconded by Commissioner McCance to approve the minutes as amended. Motion carried 4-0, with Vice Chair Thomas being absent.

PUBLIC HEARINGS

2. Request for a three-year Extension of Time (EXT 25-003) for Conditional Use Permit (CUP 22-002) to permit the development of a 54,330 square foot warehouse and associated improvements, Design Review Application (DRA 21-024) for the Site Plan, Building Elevations, Grading Plan and Conceptual Landscape Plan, Tentative Parcel Map (TPM 22-002) to combine eight (8) parcels into one (1). (Location: Central Ave & 3rd St., Applicant: Patriot Partners LLC)

Senior Planner Tafolla presented the staff report.

Commissioner Miller asked if there were open code enforcement cases on the property.

Senior Planner Tafolla stated there is not.

Chair Hamerly opened the public hearing.

Applicant Kevin Rice stated I want to say thank you for your time and appreciate you reevaluating this. if you have any questions for me, by all means.

Chair Hamerly closed the public hearing.

A MOTION was made by Commissioner McCance and seconded by Commissioner Merideth to adopt Resolution No. 2025-020 approving Extension of Time application (EXT 25-003) for a three (3) year extension of Conditional Use Permit (CUP 22-002), Design Review Application (DRA 21-024), and Tentative Parcel Map (TPM 22-002) subject to the Conditions of Approval and Findings of Fact. Motion carried, 4-0, with Vice Chair Thomas being absent.

RESOLUTION NO. 2025 - 020

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND APPROVING A THREE (3) YEAR EXTENSION OF TIME (EXT 25-003) FOR CONDITIONAL USE PERMIT APPLICATION (CUP 22-002), DESIGN REVIEW APPLICATION (DRA 21-024) AND A ONE (1) YEAR EXTENSION OF TIME FOR TENTATIVE PARCEL MAP APPLICATION (TPM 22-002) RELATED TO THE DEVELOPMENT OF A 54,330 SQUARE FOOT WAREHOUSE LOCATED AT THE NORTHWEST CORNER OF CENTRAL AVENUE AND 3RD STREET.

3. Request for a three-year Extension of Time (EXT 25-004) for Conditional Use Permit (CUP 22-003) to permit the development of a 90,532 square foot warehouse and associated improvements, Design Review Application (DRA 22-008) for the Site Plan, Building Elevations, Grading Plan and Conceptual Landscape Plan and Tentative Parcel Map (TPM 22-009) to combine four (4) parcels into one (1). (Location: Grape St. approx.. 200 feet south of Cypress, Applicant: Patriot Development Partners)

Senior Planner Tafolla presented the staff report.

Commissioner Merideth asked about the improvements that will be made to Grape Street?

Assistant Public Works Director Wolfe stated I will give you an update if there are improvement requirements on Grape Street.

Commissioner Merideth asked if there was a median going to be installed or anything that would prevent the noise from impacting the housing across the street?

Senior Planner Tafolla stated there will be 10 foot walls installed that will help with noise. There is no median stated in the Conditions of Approval.

Chair Hamerly opened the public hearing.

Applicant Kevin Rice stated on Grape Street improvements, our Civil Engineer has the end-state design for what we had to provide.

Chair Hamerly stated the recommended motion should be consistent with the resolution. It stated a three year Extension of Time; however, the resolution is worded one year Extension of Time.

Senior Planner Tafolla stated the Tentative Parcel Map (TPM) is still receiving a three year extension, there just happens to be a standard condition in our parcel maps that require it to be recorded within that one year of approval date.

Community Development Director Mainez stated there was acknowledgement that the Applicant is accepting the Condition of Approval No. 11 as written which is attached to the resolution. These are all extended out as a group, but that particular condition has to be met within one year.

Chair Hamerly stated the motion should be consistent with the body of the resolution.

Community Development Director Mainez stated in the recommendation we will add right after the Design Review Application One year Extension of Time for TPM."

Chair Hamerly closed the public hearing.

A MOTION was made by Commissioner McCance and seconded by Commissioner McCance to adopt Resolution No. 2025 – 021, approving Extension of Time application (EXT 25-004) for a three (3) year extension of Conditional Use Permit (CUP 22-003), Design Review Application (DRA 22-008) and one year Extension of Time Tentative Parcel Map (TPM 22-009) subject to the Conditions of Approval and Findings of Fact. Motion carried, 4-0, with Vice Chair Thomas being absent.

RESOLUTION NO. 2025 - 021

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND APPROVING A THREE (3) YEAR EXTENSION OF TIME (EXT 25-004) FOR CONDITIONAL USE PERMIT APPLICATION (CUP 22-003), DESIGN REVIEW APPLICATION (DRA 22-008) AND A ONE (1) YEAR EXTENSION OF TIME FOR TENTATIVE PARCEL MAP APPLICATION (TPM 22-009) RELATED TO THE DEVELOPMENT OF A 90,532 SQUARE FOOT WAREHOUSE LOCATED ON THE EAST SIDE OF GRAPE STREET, APPROXIMATELY 200 FEET SOUTH OF CYPRESS STREET.

4. Request for a three-year Extension of Time (EXT 25-005) for Conditional Use Permit (CUP 22-004) to permit the development of a 187,870 square foot warehouse and associated improvements, Design Review Application (DRA 22-006) for the Site Plan, Building Elevations, Grading Plan and Conceptual Landscape Plan, Tentative Parcel Map (TPM 22-005) to combine six (6) parcels into one (1). (Location: Victora Ave & Cypress St., Applicant: Patriot Development Partners)

Senior Planner Tafolla presented the staff report.

Commissioner Miller stated there was a significant portion of the pre-developed site covered with old development that has been demoed and removed. What is the status?

Chair Hamerly opened the public hearing.

Applicant's Representative Ryan Penn stated we already have the demo plans and removed the structure above the ground. Our construction document got approved and now we just need time to just wait a bit for construction.

Commissioner Merideth asked what the improvements are going to be on Cypress Street?

Assistant Public Works Director Wolfe stated I see there will be improvements for sidewalk and curb. I can find the city's standard plan for that and give you the information.

Commissioner Merideth asked if there would be parking on Cypress Street?

Assistant Public Works Director Wolfe stated I do not know that. I will contact you once I have the information.

Chair Hamerly closed the public hearing.

A MOTION was made by Commissioner Merideth and seconded by Commissioner McCance to adopt Resolution No. 2025-022, approving Extension of Time application (EXT 25-005) for a three (3) year extension of Conditional Use Permit (CUP 22-004), Design Review Application (DRA 22-006), and Tentative Parcel Map (TPM 22-005) subject to the Conditions of Approval and Findings of Fact. Motion carried, 4-0, with Vice Chair Thomas being absent.

RESOLUTION NO. 2025 - 022

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND APPROVING A THREE (3) YEAR EXTENSION OF TIME (EXT 25-005) FOR CONDITIONAL USE PERMIT APPLICATION (CUP 22-004), DESIGN REVIEW APPLICATION (DRA 22-006) AND A ONE (1) YEAR EXTENSION OF TIME FOR TENTATIVE PARCEL MAP APPLICATION (TPM 22-005) RELATED TO THE DEVELOPMENT OF A 187,870 SQUARE FOOT WAREHOUSE LOCATED AT THE SOUTHEAST CORNER OF VICTORIA AVENUE AND CYPRESS STREET.

ANNOUNCEMENTS

The next Planning Commission Regular Meeting is scheduled September 16, 2025.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 6:25 p.m.

Submitted by:

Approved by:

Camille Duarte, Administrative Assistant III

Randall Hamerly, Chair



STAFF REPORT

TO THE APPEALS BOARD

DATE: September 16, 2025

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Gary Chambers, Code Compliance Officer 

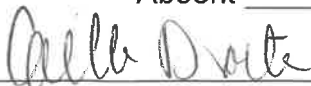
SUBJECT: A Public Hearing to declare the existence of a Public Nuisance in accordance with Title 8, Chapter 8.32, of the Highland Municipal Code, and authorize the abatement thereof, at the Property located at 7765 Del Rosa Ave, San Bernardino, CA 92410 (within the corporate boundaries of the City of Highland) Tax Assessor's Parcel Number 0278-243-03.

PROPERTY OWNER: 1700 Old Grove Road LLC (Michael Jaimes)

RECOMMENDATION: Staff recommends the Appeals Board conduct the required Public Hearing and adopt Appeals Board Resolution No 2025 - _____, declaring the existence of a public nuisance on the Property generally located at 7765 Del Rosa Ave., San Bernardino, CA 92410 and order the abatement thereof.

FISCAL IMPACT: The full cost to the city regarding the abatement of the Public Nuisance is currently unknown. Staff has accounted for their time in their attempt to abate the nuisance conditions on the Property. 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 August 25, 2025, (Attached hereto as Exhibit "1" attachment "G" and incorporated herein by reference). In addition, on August 25, 2025, 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 "H" attachment "?" and incorporated herein by reference).

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

BACKGROUND:

Jan. 10, 2025

This case was initiated due to a complaint received regarding the keeping of roosters and an unpermitted garage conversion to living quarters at the property generally located 7765 Del Rosa Ave., San Bernardino, CA 92410 (within the corporate boundaries of the City of Highland), APN: 0278-243-03.

Jan. 23, 2025

Code Compliance Officer Gary Chambers arrived at the property to conduct an inspection and observed that the front yard fence was not in compliance with the city's municipal code. An inoperable vehicle was also observed parked on the unimproved surface of the property. While conducting the inspection, the tenant, Mario, approached and was informed of the complaint. The tenant stated that he did have roosters on the property and that the garage was being occupied and used as living quarters. The tenant also stated that he extended the height of the front yard fence to keep his dogs from jumping over. The tenant provided his contact information and stated that he would call me to schedule an inspection of the property. A **Courtesy (Initial Contact) Letter** was mailed to the property owners' address of record by regular mail.

Feb. 24, 2025

Code Compliance Officer Gary Chambers arrived at the property to conduct a reinspection. Code Compliance Officer Gary Chambers contacted the tenant and was invited onto the property to conduct the inspection. While on the property five (5) chickens/hens were observed. The tenant stated that he removed the roosters. The tenant was informed that he needed a **Staff Review Permit** to keep the remaining hens and that they were being kept in violation of the city's setback requirements. The tenant stated that he would remove all chickens from the property. An inspection of the garage revealed that it had been converted into living quarters without city approval and permits. Drywall had been installed, and walls/partitions had been built. A kitchenette, shower, and toilet were also observed. The unit appeared to be vacant at time of inspection. A **Notice of Violation** was mailed to the property owner's address of record by certified and regular mail. A copy of the notice was also emailed to the property owner.

- Mar. 12, 2025** Code Compliance Officer Gary Chambers contacted the property owner, Michael Jaimes, by phone. The property owner stated that he would come to the city on Monday, March 17, 2025, to obtain the necessary rehab permit to address the unpermitted garage conversion. The property owner also stated that he did not want to submit plans and obtain the necessary permits to legalize the conversion. A decision was made by the property owner to restore the garage back to its original intended use as a garage. The property owner never came to obtain the permit.
- Mar. 27, 2025** Code Compliance Officer Gary Chambers arrived at the property to conduct a reinspection but was unable to contact the tenant to gain access to the property. A further review of the case revealed that no permit had been issued to address the illegal garage conversion. An **Administrative Warning Citation** was issued and mailed to the property owner's address of record by certified and regular mail. A copy of the warning citation was also emailed to the property owner.
- Apr. 10, 2025** The City received a **Citizen Engagement Complaint** regarding roosters being kept on the property in violation of city regulations.
- Apr. 16, 2025** The property owner, Michael Jaimes, came to City Hall to request the Building & Safety permit application packet to obtain the required rehab permit to address the unpermitted garage conversion. The property owner never returned to submit the application and obtain the required permit.
- May 20, 2025** A review of the case revealed that the property owner had not responded to several phone calls and voice messages left concerning the required permit to address the unpermitted/illegal garage conversion. **Administrative Citation No. 15299, \$500,** was issued and mailed to the property owner's address of record by certified and regular mail. A copy of the citation was also emailed to the property owner.
- Jun. 02, 2025** The City received a **Citizen Engagement Complaint** regarding roosters being kept on the property and in violation of the city's setback regulations.

September 16, 2025

Jun. 05, 2025

Code Compliance Officer Gary Chambers arrived at the property to conduct a reinspection. Code Compliance Officer Gary Chambers was unable to contact anyone at the property. A review of the case revealed that the owner had not responded to any of the voice messages or emails concerning the required rehab permit to address the unpermitted/illegal garage conversion or the additional complaints of the roosters being kept on the property. **Administrative Citation No. 17000, \$750, was issued and mailed to the property owner's address of record by certified and regular mail.** A copy of the citation was also emailed to the property owner.

Jun. 25, 2025

Code Compliance Officer Gary Chambers arrived at the property to conduct a reinspection. Code Compliance Officer Gary Chambers was unable to contact anyone at the property. A review of the case revealed that the property owner had not obtained the required rehab permit to address the unpermitted/illegal garage conversion. The property owner had also not responded to the additional complaints of roosters being kept. On the property. **A Notice of Non-Compliance/Pending Public Nuisance Hearing Letter was mailed to the property owner's address of record by certified and regular mail.** A copy of the letter was also emailed to the property owner.

Jul. 07, 2025

The City received a **Citizen Engagement Complaint** regarding ten (10) roosters being kept on the property in violation of city regulations.

Jul. 25, 2025

A review of the case revealed that the property owner had not obtained the required rehab permit to address the unpermitted/illegal garage conversion or responded to the additional complaints of roosters being kept on the property. Due to all efforts being exhausted to gain compliance, a decision was made to refer the case to the city's Planning Commission/Appeals Board for a declaration of public nuisance.

Aug. 19, 2025

The City received a **Citizen Engagement Complaint** regarding marijuana plants being kept in the rear yard of the property. The complaint was forwarded to the Highland Police Department.

Aug. 20, 2025

The City's Building Official attempted to contact the property owner by phone but received no answer. A voice message was left requesting that the property owner contact the city regarding the unpermitted/illegal garage conversion to living quarters and to see if a follow-up inspection could be scheduled to ensure the garage was not being occupied. The property owner never returned the phone call.

Aug. 25, 2025

A **Public Hearing Notice** was posted at the property informing the property owner that a Public Nuisance Hearing had been scheduled for September 16, 2025, at 6 pm or soon thereafter. A **Public Hearing Notice** was also mailed to the property owners address of record by certified mail, return receipt requested. A copy of the notice was mailed by regular mail and emailed to the property owner.

CONCLUSION: As evidenced by all inspections conducted and the exhibits incorporated herein by reference, the property, identified as APN: 0278-243-03 (located at 7765 Del Rosa Ave., San Bernardino, CA 92410) has been permitted to exist in violation of the Highland Municipal Code, and therefore, constitutes a Public Nuisance. Specifically, the property is in violation of the following provisions of the Municipal 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 15.14.010 (Adoption of the California Residential Code).
- III. California Residential Code (CRC § R105.1) (Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit).

The property owner(s) is requested to obtain all required permits from the Building & Safety Division to legalize the unpermitted/illegal garage conversion to living quarters or obtain a rehab permit to return it back to its intended use a garage. The property owner is also requested to abate all property maintenance violations, including, but not limited to, any animal keeping violations, fence/wall violations, prohibited marijuana uses, or any other violations that may exist on the property within **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 2025_____, inclusive of the following attachments:

- A.** Courtesy Letter dated January 23, 2025
- B.** Notice of Violation Letter dated February 24, 2025
- C.** Administrative Warning Citation issued March 27, 2025
- D.** Administrative Citation No.15299 issued May 20, 2025
- E.** Administrative Citation No. 17000 issued June 5, 2025
- F.** Pending Notice of Non-Compliance / Public Nuisance Hearing Letter dated June 25, 2025
- G.** Notice of Public Hearing & Public Posting Copy dated August 25, 2025
- H.** Notice of Public hearing (Affidavit of Mailing) dated August 25, 2025

Exhibit "2" Aerial/Site Location Map

Exhibit "3" Case photographs dated January 23, 2025

Exhibit "4" Case photographs dated February 24, 2025

Exhibit "5" Case photographs dated March 27, 2025

Exhibit "6" Case photographs dated June 5, 2025

Exhibit "7" Case photographs dated June 25, 2025

Exhibit "8" Case photographs dated August 25, 2025

EXHIBIT “1”

Appeals Board Declaration of Public Nuisance Resolution
No. 2025____, Inclusive of the following Attachments

RESOLUTION NO. 2025 -

A RESOLUTION OF THE PLANNING COMMISSION/APPEALS BOARD OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING THAT A PUBLIC NUISANCE EXISTS ON THE PROPERTY IDENTIFIED AS APN: 0278-243-03, GENERALLY LOCATED At 7765 DEL ROSA AVE., SAN BERNARDINO, CA 9410 (WITHIN THE CORPORATE BOUDRIES OF THE CITY OF HIGHLAND), AND ORDERING THE OWNER(S) OF THE PROPERTY TO ABATE THE NUISANCE CONTAINED THEREON.

(CODE CASE #12039)

A. RECITALS

1. On January 10, 2025, this case was initiated due to a complaint received regarding the keeping of roosters and an unpermitted garage conversion to living quarters at the property generally located 7765 Del Rosa Ave., San Bernardino, CA 92410 (within the corporate boundaries of the City of Highland), APN: 0278-243-03. On February 24, 2025, an inspection of the property confirmed that the garage had been converted into living quarters without city approval and permits. The keeping of chickens on the property without city approval and permits was also confirmed.
2. The City of Highland has since inspected the Property numerous times and discovered that the Property has been maintained and permitted to exist in violation of multiple sections of the Highland Municipal & Development Code and therefore constitutes a public nuisance.
3. Notice of Violation was mailed/posted on;

02/24/2025 (Attachment B)
4. Administrative Citations, were issued/mailed on;

03/27/2025 (Attachment C)
05/20/2025 (Attachment D)
06/05/2025 (Attachment E)

- B.** 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 August 25, 2025. A copy of the notice was also posted at the Property (Attachment G).

C. 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 owner of the Property that the Planning Commission/Appeals Board would be holding a Public Hearing on September 16, 2025; that Notice is attached hereto as Attachment H. The Planning Commission/Appeals Board held a Public Hearing on that Hearing Date, at which time, all written and oral evidence and testimony from the owner(s) of the Property, 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 Planning Commission/Appeals Board 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 Section 8.32.020 (C), 15.14.010, & CRC § R105.1, has been allowed to exist on the Property located at 7765 Del Rosa Ave., San Bernardino, California 92410, since at least February 24, 2025.
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 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).
 - b. Highland Municipal Code Section 15.14.010 (Adoption of the California Residential Code).

- c. California Residential Code (CRC § R105.1) (Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit).
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 Property as follows:
- a. Obtain the necessary approvals and permits to legalize the unpermitted/illegal garage conversion to living quarters or obtain a rehab permit to return it back to its intended use as a garage.
 - b. Address and abate any remaining property maintenance violations, including, but not limited to, any animal keeping violations, fence/wall violations, prohibited marijuana uses, or any other violations that may exist on the property.
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 Property and shall result in a lien until paid.
10. 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 Property 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, fail to take the required action **within sixty (60) days** as specified above, the City shall commence with the lawful procedures to have the Property 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 Property until paid.

11. Any owner, occupant, or other party who has a legal or equitable interest in the Property 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.
12. A property owner also has the 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 16th day of September 2025.

Randall Hamerly,
Planning Commission/Appeals Board Chairman

ATTEST:

Lawrence A. Mainez,
Community Development Director

ATTACHMENT "A"

Courtesy (Initial Contact) Letter dated January 23, 2025



City of Highland
Community Development Department
Code Enforcement Division
27215 Base Line St.
Highland, CA 92346
Telephone: (909) 864-6861
Fax: (909) 862-3180

January 23, 2025

Resident
7765 DEL ROSA AVE
SAN BERNARDINO CA 00000

Subject: Case Number: 12039, Address: 7765 DEL ROSA AVE

To Whom It May Concern:

The City of Highland has been, and is continually involved in an effort to improve the physical environment through many programs, one of which is through voluntary code compliance. Recently, this office received information that the condition of the subject property located at 7765 DEL ROSA AVE may constitute a violation of the Highland Municipal Code regarding the property containing:

Only (1) rooster may be kept on the property, provided a permit is obtained from the city's Planning Department. Remove the inoperable vehicle from the property. Per the tenant, the garage is being used for living quarters. Remove all persons from the garage. The front yard fence is in violations of the city's fence & wall regulations: In any required front yard, except as provided for in HMC 16.16.040(D)(4)(f) and 16.22.040(B)(5)(m), a wall or fence shall not exceed four feet in height. However, walls or fences may be permitted up to a maximum height of five feet; provided, that the portion of the fence or wall above three feet in height is wrought iron or other 90 percent light-permitting material.

If the alleged condition does exist, we respectfully ask that you take corrective action as quickly as possible to remove or eliminate the above referenced violation(s). Please contact this office when appropriate corrective measures have been taken so that we may close our case on this matter.

Please notify this office if you feel this complaint has been filed in error, or if the alleged conditions do not exist. Kindly refer to the case number listed above for proper handling. A site inspection will be conducted after 14 days to determine if further enforcement action may be necessary.

Thank you for your prompt attention to this matter. Your anticipated cooperation and help to protect, Highland property values and to preserve neighborhood integrity is appreciated. Should you have any questions, please feel free to contact our office at (909) 864-6861, Ext. 220.

Sincerely,

Gary Chambers
Code Enforcement Division Team

ATTACHMENT “B”

Notice of Violation Letter dated February 24, 2025

Notice of Violation

City of Highland - Community Development Dept.

27215 E. Base Line

Highland, CA 92346

(909) 864-6861

Case Number: 12039



02/24/2025

1700 OLD GROVE ROAD LLC
313 S ARMEL DR
COVINA, CA 91722

Subject Property: 7765 DEL ROSA AVE, SAN BERNARDINO, CA 92410
Property ID Number: 0278-243-03-0000

Dear Property Owner:

An inspection by our Division has determined the property listed above is in violation of following Ordinance(s):

Animals within residential districts
16.40.040

California Residential Code- Permits, fees, inspections
15.14.010 / R105.1

The following action must be taken to correct the above stated violation(s):

Submit plans to the Planning Division and obtain permits from the Building & Safety Division to legalize the unpermitted garage conversion/alteration or obtain a Code Rehab permit to restore it back to a garage. Remove the remaining chickens on the property or obtain a permit from the Planning Division.

The correspondence will serve as official notification that the above state violations must be corrected before 03/26/2025. Fines, liens or special assessments may be placed on the property for noncompliance and/or the costs of abatement, repair or demolition by the City.

For further information, you may contact me at (909) 864-6861 ext. 220.

Sincerely,

Gary Chambers
Code Enforcement Officer

ATTACHMENT “C”

Administrative Warning Citation issued

March 27, 2025



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

Code case
#12039

CITATION NO. 15290

ADMINISTRATIVE CITATION

Date: 3-27-2025 Time: 9:26 am (Violation Observed)

☒ WARNING

☐ 1st Citation - \$ 500.00 ☐ 2nd Citation - \$ 750.00

☐ 3rd Subsequent - \$ 1,000.00

The payment listed above is due by N/A. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 4-11-2025. 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

1700 Old Grove Road LLC

DL #:

N/A

DOB:

N/A

MAILING ADDRESS: 313 S AZMALE Dr.

Covina, CA 91722

VIOLATION ADDRESS: 7765 Del Rosa Ave

San Bernardino, Ca 92410

MUNI. / STATE CODE
SECTION VIOLATED

VIOLATION DESCRIPTION

NMC

15.14.010

Adoption of California Residential code.

ORC

2105.1

Permits required.

CORRECTIONS REQUIRED:

Obtain a permit from the Building and Safety Division to legalize the unpermitted garage conversion to guest quarters, or a demo permit to demolish.

Signature of Issuing Officer

3-27-2025
Issued Date

Printed Name of Issuing Officer

"Mailed"

Acknowledgement of Receipt (Signature)

READ REVERSE SIDE
FOR IMPORTANT INFORMATION

WHITE COPY: FINANCE

ATTACHMENT “D”

Administrative Citation No. 15299 issued
May 20, 2025



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

Code case 12039

CITATION NO. 15299

ADMINISTRATIVE CITATION

Date: 5-20-2025 Time: 8:18am (Violation Observed)

☐ WARNING

☒ 1st Citation - \$ 500.00 ☐ 2nd Citation - \$ _____

☐ 3rd Subsequent - \$ _____

The payment listed above is due by 6-14-2025. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 6-4-2025. 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

James, Michael
DL #: 414 DOB: N/A

MAILING ADDRESS: 313 S. Arroyo Dr.
Covina, CA 91722

VIOLATION ADDRESS: 7765 Del Rosa Ave
San Bernardino, CA 92410

MUNI. / STATE CODE SECTION VIOLATED	VIOLATION DESCRIPTION
<u>#MC</u>	
<u>5.14.010</u>	<u>Adoption California Residential Code</u>
<u>CRC</u>	
<u>7.105.1</u>	<u>Permits required.</u>

CORRECTIONS REQUIRED: Obtain a Code Rehab
Permit to remove the unpermitted
guest house and restore back to
garage. IF NO Compliance by
6-4-2025, a \$750 fine will be issued.

[Signature] 5-20-2025
Signature of Issuing Officer Issued Date

Cay Chambers
Printed Name of Issuing Officer

"Mas Led"
Acknowledgement of Receipt (Signature)

**READ REVERSE SIDE
FOR IMPORTANT INFORMATION**

WHITE COPY: FINANCE

ATTACHMENT “E”

Administrative Citation No. 17000 issued
June 5, 2025



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

CITATION NO. 17000

ADMINISTRATIVE CITATION

Date: 6-5-2025 Time: 10:14 am (Violation Observed)

☐ WARNING

☐ 1st Citation - \$ ☒ 2nd Citation - \$ 750.00

☐ 3rd Subsequent - \$

The payment listed above is due by 6-30-2025. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 6-20-2025. 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 #: James, Michael DOB: N/A

MAILING ADDRESS: 313 S. Arnel Dr.
Covina, CA 91722

VIOLATION ADDRESS: 7765 DEL ROSA AVE
San Bernardino, CA 92410

MUNI. / STATE CODE SECTION VIOLATED	VIOLATION DESCRIPTION
<u>HMC</u> <u>15.14.010</u>	<u>Adoption California Residential Code</u>
<u>CRC</u> <u>R105.1</u>	<u>Permits required</u>

CORRECTIONS REQUIRED: Obtain a Code Rehab

Permit to remove the unpermitted
guest house and restore it back
to a garage. Remove all unpermitted
chickens from property.

[Signature]
Signature of Issuing Officer

6-5-2025
Issued Date

Gary Chambers
Printed Name of Issuing Officer

"Mailed"
Acknowledgement of Receipt (Signature)

**READ REVERSE SIDE
FOR IMPORTANT INFORMATION**

ATTACHMENT “F”

Pending Notice of Non-Compliance/Public Nuisance Hearing,
dated June 25, 2025



June 25, 2025

Michael Jaimes
313 S. Armel Dr.
Covina, CA 91722

RE: Pending Notice of Non-Compliance/Public Nuisance Hearing {Parcel #0278-243-03, 7765 Del Rosa Ave, San Bernardino, CA 92410}

Dear Mr. Jaimes

The City of Highland has exhausted all efforts to bring the property into compliance with the City of Highland Municipal & Development Code's, specifically, Building & Construction Violations related to the unpermitted conversion of the garage into guest quarters. A Public Nuisance Hearing will be scheduled to declare the subject property a public nuisance. You should expect to receive an official Public Nuisance Hearing Notice soon.

If you wish to avoid having the property declared a public nuisance, please obtain the necessary rehab permit from the Building & Safety Division to abate the above listed violation no later than 7/25/2025. Should you have any questions, please feel free to contact me at the number below.

Sincerely,

Gary Chambers

Code Compliance Officer, City of Highland, California

Phone: (909) 864-6861 ext. 220

CC: Lawrence Mainez, Community Development Director

Mayor
Penny Lilburn

Mayor Pro Tem
Larry McCallon

City Council
Gregory Hogan

City Council
John P. Timmer

City Council
Jimmy Saldana

City Manager
Carlos Zamano

27215 Base Line • Highland, CA 92346

Tel: 909.864.6861 • Fax: 909.862.3180 • www.cityofhighland.org



ATTACHMENT “G”

Notice of Public Hearing & Public Posting Copy dated
August 25, 2025



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: August 25, 2025

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE HIGHLAND APPEALS BOARD TO CONSIDER DECLARING THE FOLLOWING DESCRIBED PROPERTY A PUBLIC NUISANCE DUE TO VIOLATIONS OF THE CALIFORNIA RESIDENTIAL CODE CONCERNING THE UNPERMITTED/ILLEGAL GARAGE CONVERSION AS WELL AS PROPERTY MAINTENANCE VIOLATIONS CONCERNING THE KEEPING OF CHICKENS WITHOUT A PERMIT.

File Number: APPEALS BOARD PUBLIC NUISANCE HEARING
CASE #12039

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 Number: 0278-243-03

PROPERTY OWNER(S): 1700 Old Grove Road LLC; Michael Jaimes

VIOLATION ADDRESS/APN: 0278-243-03, generally located at 7765 Del Rosa Ave., San Bernardino, CA 92410

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

DATE AND TIME OF HEARING: Tuesday September 16, 2025, at 6:00 PM
(Or soon thereafter)



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 property identified as APN 0278-243-03 generally located at 7765 Del Rosa Ave. (referred to hereafter as ("The Property")) 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, September 16, 2025, 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:

California Residential Code violations concerning an unpermitted and illegal garage conversion to living quarters. Property Maintenance violations concerning the keeping of chickens without a permit and in violation of setback regulations.

You may voluntarily abate the nuisance yourself by doing the following things:

Obtain a building permit to either legalize the unpermitted/illegal garage conversion to living quarters or return it back to its intended use as a garage.
Address and abate all property maintenance violations.

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

ATTACHMENT “H”

Notice of Public Hearing, Affidavit of Mailing, dated
August 25, 2025

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 August 25, 2025, I caused to be served a copy of the attached Public Hearing Notice, Case #12039, Certified Mail, Return Receipt Requested, to the following parties: 1700 Old Grove Road LLC, Michael Jaimes. 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.

1700 Old Grove Road LLC, Michael Jaimes
313 S Armel Dr
Covina, CA 91722

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 August 25, 2025.

Dated: 8/25/25

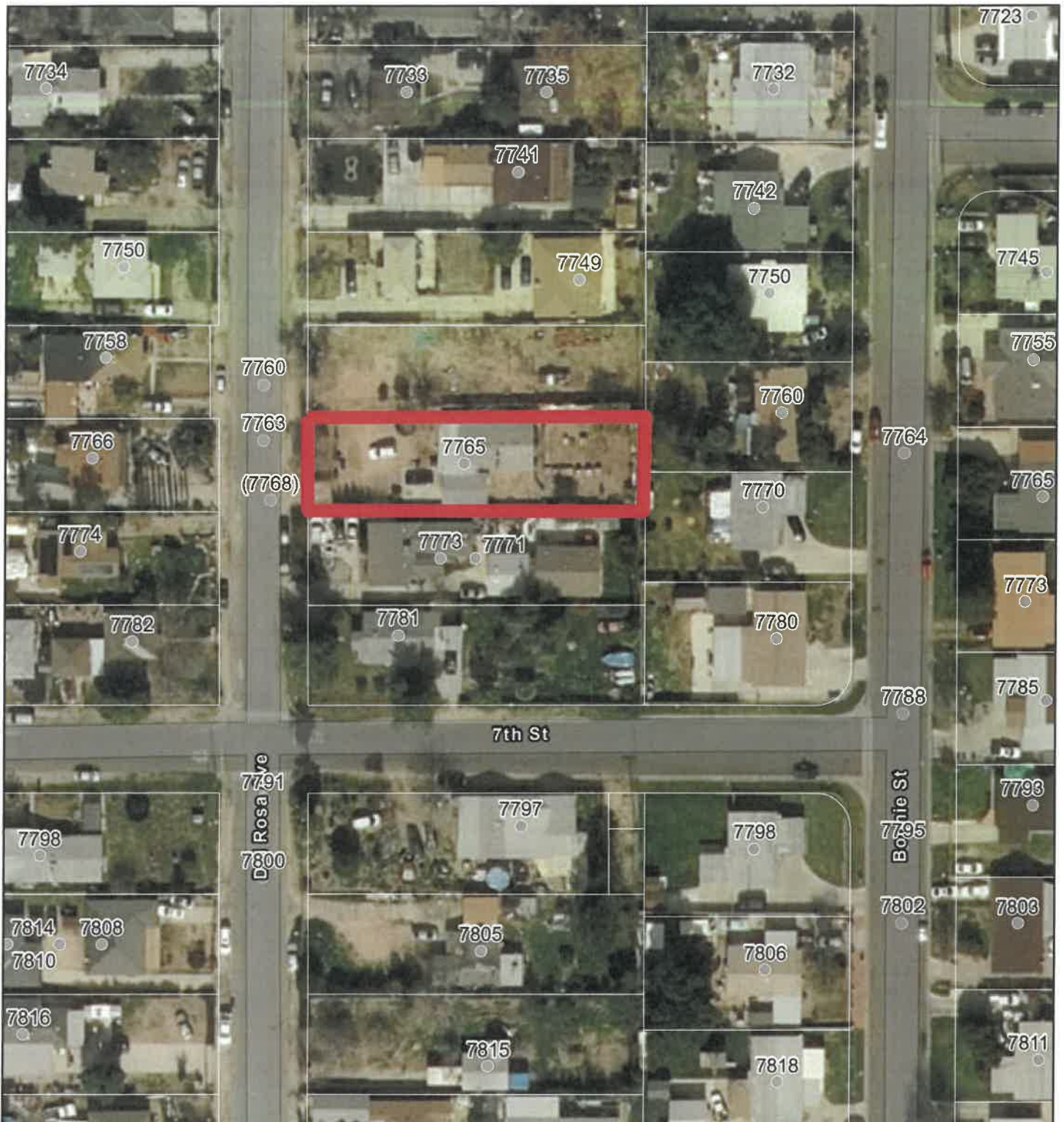
Camille Duarte

Camille Duarte, Administrative Assistant III
City of Highland

EXHIBIT “2”

Aerial/Site Location Map

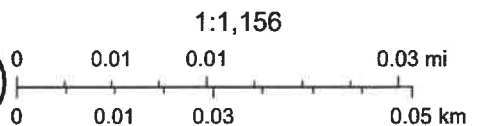
ArcGIS Web Map



8/26/2025, 7:39:17 AM

- Address Points
- Parcels
- World Imagery
- Low Resolution 15m Imagery

- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 30cm Resolution Metadata



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, County of San Bernardino, Maxar, Microsoft

EXHIBIT “3”

Case photographs dated January 23, 2025





EXHIBIT “4”

Case photographs dated February 24, 2025



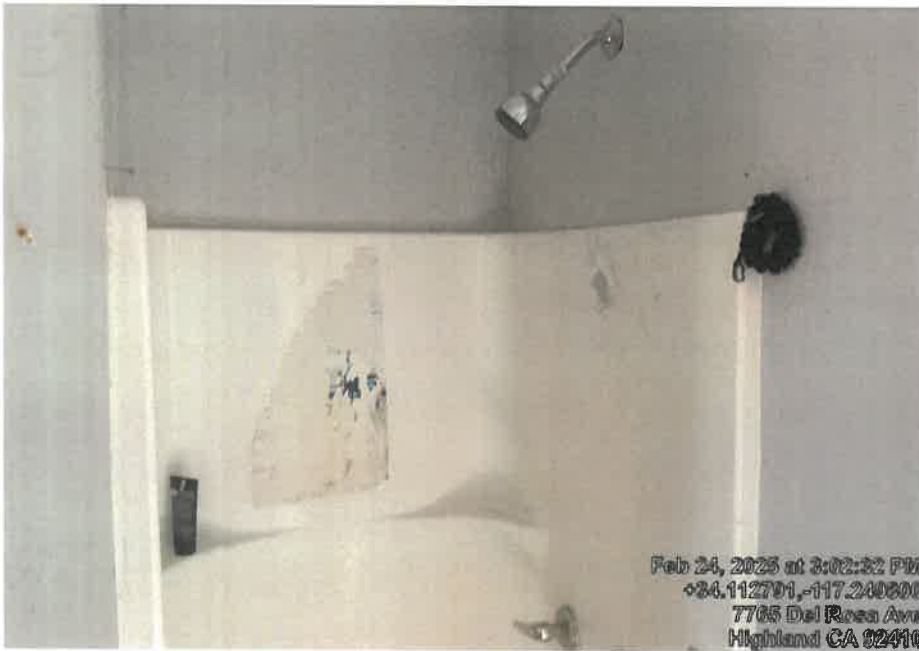
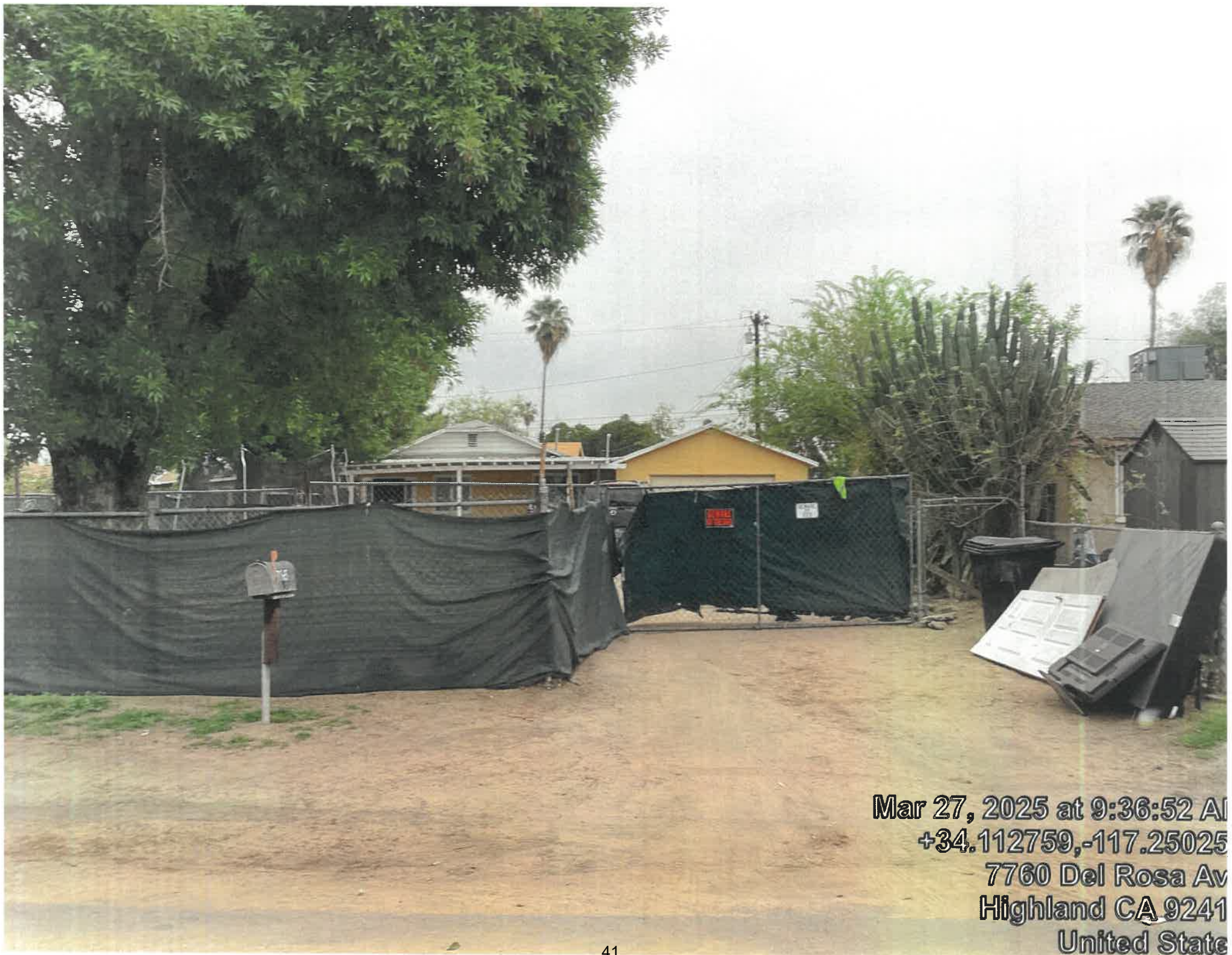






EXHIBIT “5”

Case photographs dated March 27, 2025



Mar 27, 2025 at 9:36:52 AM
+34.112759,-117.25025
7760 Del Rosa Av
Highland CA 92411
United States

EXHIBIT “6”

Case photographs dated June 5, 2025



EXHIBIT “7”

Case photographs dated June 25, 2025



EXHIBIT “8”

Case photographs dated August 25, 2025

