

10-Day Viewing Period

June 26-July 5, 2018

Elections Code 9295. Public examination of arguments, ordinance and analysis.

(b) (1) During the 10-calendar-day public examination period provided by this section, any voter of the jurisdiction in which the election is being held, or the elections official, himself or herself, may seek a writ of mandate or an injunction requiring any or all of the materials to be amended or deleted. The writ of mandate or injunction request shall be filed no later than the end of the 10-calendar-day public examination period.

City Attorney's Impartial Analysis of Measure _____

City Attorney's Impartial Analysis of Measure __

Measure __ is a referendum in which Highland's voters are asked to consider whether two ordinances the City Council adopted in 2016 should take effect. The referendum is on the ballot because some voters gathered enough signatures on a petition to require a vote. The two ordinances the voters are asked to consider are Ordinance Numbers 409 and 410, which relate to the proposed Harmony development project ("Harmony") the City Council approved for approximately 1,657 acres of undeveloped land in the area of the City the Highland General Plan refers to as the "Seven Oaks Community Policy Area."

Ordinance No. 409 approved the Harmony Specific Plan. Ordinance No. 409 found that the Specific Plan is consistent with, and implements, the General Plan's land use goals for the area. The Harmony Specific Plan is a long-term planning document that permits phased development of a new mixed-use community consisting of a maximum of 3,632 new homes of various types, dedicated open space, parks, trails, neighborhood gathering places, neighborhood commercial services, and public facilities such as a, elementary school and a fire station. The Specific Plan establishes the regulations and guidelines that will control development in the area over an estimated 13-15 year construction timeframe. Harmony would be located on the eastern side of the City, east of Greenspot Road, north of the Mill Creek Wash and south and west of the National Forest. The Specific Plan divides the property into various planning areas where the following uses would be allowed:

<u>USE</u>	<u>ACRE RANGES (approximate)</u>
Residential:	604 - 619
Neighborhood Commercial:	5.7 - 21.6
Recreation and Open Space	876
Community Public Facilities	157

Ordinance No. 410 approved a development agreement for the Harmony project between the City of Highland and the proposed developer. The development agreement provides the developer the right to build the project in phases over a maximum initial term of 20 years under the City's current codes and development standards and provides that most future changes to those laws will not apply to Harmony (with some exceptions.) It also establishes certainty on technical details of the project development such as fees, timing, future approvals, and funding for required public services. In exchange, the developer agrees to build and pay for certain community amenities and services including, without limitation, a local fire station and fire truck, parks and recreational facilities, traffic improvements and payments of up to \$18.75 million for other public benefits in the area.

This analysis only summarizes the Specific Plan and Development Agreement. Complete copies of each document, as well as other official documents regarding this project, can be viewed on the City's website at <http://www.ci.highland.ca.us/Downloads/> under the "Harmony Specific Plan" heading.

As a result of the referendum petition, Ordinance Numbers 409 and 410 are currently suspended, and will not take effect unless the voters approve them. A YES vote on Measure __ approves the Specific Plan and the Development Agreement. A NO vote on Measure __ means those documents would not take effect.

Craig Steele
Highland City Attorney

The above statement is an impartial analysis of Measure __. If you desire a copy of the ordinance or measure, please call the City Clerk's office at (909) 864-6861, ext. 226 and a copy will be mailed to you free of charge.