

**MINUTES  
PLANNING COMMISSION REGULAR MEETING  
DECEMBER 18, 2012**

**1.0 CALL TO ORDER**

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

Present:	Chairman	Randall Hamerly
	Vice Chairman	Trang Huynh
	Commissioners	John Gamboa
		Richard Haller
		Milton Sparks
		Michael Stoffel
		Michael Willhite

Absent: None

Staff Present: John Jaquess, Community Development Director  
Lawrence Mainez, City Planner  
Sean Kelleher, Assistant Planner  
Linda McKeough, Administrative Assistant III

The Pledge of Allegiance was led by Chairman Hamerly.

**2.0 COMMUNITY INPUT**

There was none.

**3.0 CONSENT CALENDAR**

**3.1 Minutes of November 6, 2012, Regular Meeting.**

**A Motion** was made by Commissioner Haller and seconded by Commissioner Gamboa to approve the Minutes of November 6, 2012, Regular Meeting, as submitted.

Motion unanimously passed on a 7 – 0 vote.

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### 3.2 Minutes of December 4, 2012, Regular Meeting.

**A Motion** was made by Commissioner Haller and seconded by Commissioner Gamboa to approve the Minutes of December 4, 2012, Regular Meeting, as submitted.

Motion carried on a 5 – 0 vote with the abstention of Vice Chairman Huynh and Chairman Hamerly.

### 4.0 **OLD BUSINESS**

There was none.

### 5.0 **NEW BUSINESS**

Note: Prior to the Meeting, Staff distributed a Memorandum proposing additional Conditions of Approval for ASR 012-017 for Item 5.1 for the Commission's consideration.

In addition, Staff distributed a copy of the proposed Planning Commission Resolution for Item 5.2 which was inadvertently omitted when copying the Staff Report for distribution for the Commission's consideration.

#### 5.1 An Accessory Sign Review Application (ASR-012-017) requesting the Planning Commission consider the proposed Monument Sign Finding that the modifications meet the intent of Planning Condition No. 7 (pursuant from the September 4, 2012, Planning Commission Regular Meeting). The Project is located at 27212 Base Line, Highland CA 92346. Assessor Parcel No.: 1191-50-184. Representative: Charles Sabbah, Property Owner.

Chairman Hamerly identified the Item and asked for Staff's presentation.

Assistant Planner Kelleher gave the presentation from the Staff Report and PowerPoint presentation and explained the historical background and the proposed Project Monument Sign design and explained the added Conditions of Approval (COAs) to the Commission and indicated that the Applicant had no concerns with the added COAs and then concluded his presentation.

Chairman Hamerly asked if the Commission had any questions of Staff.

A question was asked by Commissioner Gamboa regarding what is the color of clay that is to be used and if there were color samples and Assistant Planner Kelleher responded that the color is to match the existing Building and is called out on the Building Elevation.

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A question was asked by Commissioner Willhite if the proposed Monument Sign will be located straight or at an angle and Assistant Planner Kelleher responded that the proposed Sign is to be located on the corner of Base Line / Reedy and should be perpendicular.

Another question was asked by Commissioner Willhite if only the name of the Plaza is to be placed on the Sign and Assistant Planner Kelleher responded that is only what the Applicant proposed and Commissioner Sparks added the Suite's addresses will also be on the Sign.

A question was asked by Chairman Hamerly about the parking reconfiguration and the extent of the landscaping to be provided and Assistant Planner Kelleher responded that they are already in place and was previously approved by the Commission.

A comment was made by Chairman Hamerly about increasing the width of the brick base of the proposed Monument Sign and that it is at least as wide as the bottom accent band because otherwise, it makes the Sign look like it is a little bit top heavy and recommended that a one inch (1") reveal around the bottom where it sticks out a little bit further so it anchors the Sign.

Chairman Hamerly asked if the Commission had any further questions of Staff. Hearing none, he then opened the Public Hearing and asked if anyone in the audience would like to speak on the Item. Hearing none, he then closed the Public Hearing and opened the floor for discussion amongst the Commissioners.

A question was asked by Assistant Planner Kelleher for clarification regarding the one inch (1") reveal for separation and Chairman Hamerly responded that he has a sketch that he will provide to Staff.

There being no further questions of Staff, or discussion amongst the Commissioners, Chairman Hamerly then called for the question.

**A Motion** was made by Commissioner Haller and seconded by Commissioner Gamboa that the Planning Commission Approve the proposed Monument Sign Finding that the modifications meet the intent of Planning Condition No. 7 of Accessory Sign Review Application (ASR-012-017) for the Highland Plaza Monument Sign, as amended with the following:

Planning COA

7. Landscaping around the Monument Sign shall be installed and maintained in a manner to not obstruct visibility of the Sign. Landscape Irrigation shall be adjusted as to not spray on the Sign.

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8. The Monument Sign must be located outside the clear sight triangle and must comply with the City's Sight Distance requirements.

Note: In addition with the directive of expanding the base to one inch (1") beyond the bottom reveal of the Sign in order to stick out a little bit further so it anchors the Sign.

and;

Adopt Findings of Fact.

Motion unanimously passed on a 7 – 0 vote.

5.2 MCA-011-006 – Land Use and Development Code Amendment related to:

1. Density Bonus, and;
2. Reasonable Accommodations Ordinances.

The location is City-Wide

Chairman Hamerly identified the Item and asked for Staff's presentation.

Assistant Planner Kelleher gave the presentation from the Staff Report and PowerPoint presentation and explained the proposed Resolution that was distributed earlier to the Commission, the historical background and that the proposed Density Bonus Ordinance is consistent with State Law and how the State Ordinance would supersede the City of Highland and if there was not an action taken the State Ordinance would take effect. The proposed Ordinance is a goal for the 6.B. Policy of the Fourth Cycle of the Housing Element on 18A. He further explained the proposed Reasonable Accommodations Ordinance is also State mandated and related to the handicap and is also a part of the Fourth Cycle of the Housing Element and then provided an example to the Commission. He then concluded his presentation.

Chairman Hamerly asked if the Commission had any questions of Staff.

A question was asked by Chairman Hamerly if the proposed language is State-wide and is being adopted as a blanket Ordinance and Assistant Planner Kelleher responded that is correct. City Planner Mainez added for clarification that there is only one (1) Ordinance for the Commission to adopt tonight. Chairman Hamerly said because they are combined and City Planner Mainez said right.

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A comment was made by Chairman Hamerly regarding the Administrative Draft portion of the Ordinance on Page 15 of the Staff Report Item E.1 regarding, "A reduction in Site Development Standards or a modification of Zoning Code requirements or architectural design requirements..." and indicated that he understands Zoning and Building and Safety if talking about specific numbers, but what kind of relief regarding the architectural design requirements; is that more of a design review as opposed to actual Standards which are more descriptive. Assistant Planner Kelleher responded the potential Application different enhancements in order to allow the Developer to lower the cost of their development is and a Design Review Item in that the Developer enter into conversations and an agreement with the City is put in place prior to a Design Review Application.

Another comment was made by Chairman Hamerly regarding on Page 17, Item H regarding, "Upon the request of the Developer, the City shall not require a vehicular parking ratio, inclusive of handicapped and guest parking of a development meeting the criteria of Subsection B.2.a ..." and whether or not if he is misreading it and asked for clarification if the City can waive / adjust the handicap parking spaces ratio as a ratio of the total number of on-site parking spaces and indicated that he thought it was a Federal Standard. Assistant Planner Kelleher responded and explained the establishment of the H.i.;ii; and iii Ratio Standards and that the Handicap spaces ratio goes back to the Building and Safety Code for review. Chairman Hamerly then asked that was a ratio of the total number of spaces on-site and Assistant Planner Kelleher responded affirmatively.

Another question was asked by Chairman Hamerly if that is inclusive of the handicap requirement ratio per units on the total number of onsite parking spaces instead of saying that the number of guest spaces can be waived or alter the ratio number of parking spaces per unit based on size and type and that the handicap space requirements are based on the total number of spaces on-site. Community Development Director Jaquess responded that the language is currently in the Code as existing language, as currently adopted, and is not new language.

A question was asked by Chairman Hamerly regarding increasing the Density on-site would also increase the allocation, based on the Standard Ratio of the required number of handicap spaces. Assistant Planner Kelleher responded if the Parking Code (H.i.;ii; and iii) exceeds those ratios and the handicap ratio of those three and then provided an example and explained the calculations and Chairman Hamerly stated that he understands the logic behind that and just thought it was odd that the handicap would even be mentioned in that Assistant Planner Kelleher agreed.

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Chairman Hamerly asked if the Commission had any further questions of Staff. Hearing none, he then opened the Public Hearing and asked if anyone in the audience would like to speak on the Item.

Mr. Glenn Elsmann, who is the Developer for Mission Development Company, 1030 Nevada Street, Suite 201, Redlands, California, addressed the Commission. He stated that he received a copy of the Notice, but has not seen a detailed copy of the Staff Report and apologized for missing the introduction, but wanted to see about the overall Ordinance regarding the Density Bonus and Reasonable Accommodations.

Chairman Hamerly asked if Staff could provide a two-minute recap and Community Development Director Jaquess responded that it could apply, but does not impact or mandate Mr. Elsmann's project and explained that it is a provision for opportunity for a Density Bonus in the Code based on State law. City Planner Mainez added that Mr. Elsmann's Project would have to be for lower income or senior projects and would be an incentive for Developers to build lower income or senior housing for income restricted seniors. The Density Bonus would apply Low, Moderate, or Senior, or For Rent, or For Sale type projects that are income restricted. Mr. Elsmann's project is at market rate, at this point and Mr. Elsmann responded affirmatively and then thanked the Commission.

Chairman Hamerly asked if anyone else in the audience would like to speak on the Item. Hearing none, he then closed the Public Hearing and opened the floor for discussion amongst the Commissioners.

A question was asked by Vice Chairman Huynh for clarification on Page 17, Subsection H regarding the parking ratio, would that apply to a project that is for low income single family homes, or could it be a multi-family type of project. City Planner Mainez responded affirmatively that it could apply to everything listed in that Subsection, and with affordable housing qualified residence projects with a minimum of five (5) lots. Both Community Development Director Jaquess and Assistant Planner Kelleher explained the definitions listed on Page 7 - 8 and Assistant Planner Kelleher provided examples to the Commission.

A question was asked by Chairman Hamerly if the Density Bonus would take the form of smaller lot sizes or a greater ratio of lot coverage on each site and Community Development Director Jaquess responded that there would be more units per acre with the Density Bonus.

A question was asked by Vice Chairman Huynh regarding the requirements for the Density Bonus incentive and a Developer builds single story homes, rather than two-story homes. Assistant Planner Kelleher responded there is a Section that the City would allow the Developer to build and Community Development Director Jaquess added that it is also income related. A comment was made by

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Vice Chairman Huynh regarding the requirement of single story homes located on a corner lot and being a design policy. City Planner Mainez responded that he is unaware of any provision in the Code that restricts development to single story and would have to amend the Code to that effect. City Planner Mainez said that Vice Chairman Huynh is right that it is a design policy that one story be located at the corner in order to reduce the impact there and added that there has been some flexibility over the years and the Commission has allowed, in some cases, a percentage of corner lots to be single story and maybe have that stepped effect and is on a case-by-case basis.

A comment was made by Chairman Hamerly on Page 22 of the Staff Report on 9.B.ii regarding a Gateway project location and typically, with a Gateway project, you are trying to set an architectural tone for a certain District or Corridor and a Building Setback Bonus which, “decreases the minimum allowable front street setback permitted under the applicable Zoning and General Plan requirements” and then asked how good of an idea that was in that considering that the Gateway are usually trying to set it back a little so that there would be more room for plants, landscaping, signage, something to set the tone for the District as opposed to reducing a setback and if there is some other language that says there would be more accommodating if the options bearing front yard setbacks, etc. instead of allowing to reduce the front yard setback at a key Gateway parcel entering into a particular District. Assistant Planner Kelleher responded about setting a Standard as to a reduction as in plazas and would be able to negotiate those setbacks and may be find other ways to mitigate that reduction. Chairman Hamerly said that the Commission has had some projects that have averaged various setbacks within a development or a particular project.

There being no further discussion amongst the Commissioners, Chairman Hamerly then called for the question.

**A Motion** was made by Commissioner Haller and seconded by Vice Chairman Huynh that the Planning Commission approve Resolution No. 12-021 recommending the City Council approve the following:

1. Adopt a Notice of Exemption and Instruct Staff to file a Notice of Exemption with the County Clerk of the Board,
2. Introduce an Ordinance to amend Title 16, Land Use and Development Code Section 16.40.090, regarding Density Bonuses and Reasonable Accommodations.

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Assistant Planner Kelleher explained with regards to the Density Bonus Ordinance, it says City / County throughout the document and will insert either the City or the City of Highland, if that is acceptable to the Commission and Commissioner Haller responded affirmatively, as modified

Motion unanimously passed on a 7 – 0 vote.

(Note: Assistant Planner Kelleher left the Chambers at 6:27pm)

## **6.0 ANNOUNCEMENTS**

Community Development Director Jaquess explained there is no Commission Meeting on January 1, 2013, and then explained the Items that are tentatively scheduled for the Commission's Regular Meeting for January 15, 2013, at 6:00pm and for a Study Session soon thereafter 6:00pm.

City Planner Mainez explained that there will be additional documents forwarded to the Commission regarding the Greenspot Village and Marketplace Specific Plan and Design Review Applications.

## **7.0 ADJOURN**

There being no further business, Chairman Hamerly declared the Meeting adjourned at 6:32p.m.

Submitted by:

Approved by:

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Linda McKeough, Community Development  
Administrative Assistant III

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Randall Hamerly, Chairman  
Planning Commission

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