

CITY OF HIGHLAND REGULAR MEETING OF THE PLANNING COMMISSION AGENDA

REGULAR MEETING

January 16, 2024
6:00 p.m.
City Hall
Donahue Council Chambers
27215 Base Line
Highland, California

MEMBERS

Randall Hamerly, Chair
Chandra Thomas, Vice Chair
Craig Graves, Commissioner
Jarrod Miller, Commissioner
David Saran, Commissioner

STAFF

Lawrence A. Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Angela Tafolla, Associate Planner
Travis Trejo, Assistant Planner
Tiffany Martinez, Assistant Planner
Camille Duarte, Administrative Assistant III
Matt Bennett, 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 聿

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 16, 2024 to publiccomment@cityofhighland.org. If you are submitting a public comment pertaining to an item on the January 16, 2024 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 16, 2024 - 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 16, 2024, 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 2, 2024 Regular Meeting.

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

PUBLIC HEARING

- 2. Conditional Use Permit CUP-23-009 for the development of a 243,323 square foot speculative industrial warehouse building, Variance VAR-23-002 to allow the building to exceed the maximum building height permitted in the Business Park Zone by 17.6', Design Review DRA-23-010 for the project's Site Plan, Building Elevations, Conceptual Grading Plan, Conceptual Landscape Plan, Mitigated Negative Declaration, and Vesting Tentative Parcel Map TPM 23-003 for the consolidation of twenty-four (24) parcels into one (1) parcel. Continued from the 12-19-23 Planning Commission Meeting. (11.33-acre site located between 3rd Street and 5th Street approximately midway between Central Avenue and Palm Avenue; Assessor's Parcel Number 1192-631-09, -10, -11, -12, -13, -14, -22, -23, -24, -25, -26, -27, and -28; and 1192-641-08, -09, -10, -11, 15, -16, -17, -18, -19, -20, and -21). Applicant: CHIPT Highland 210 L.P.

RECOMMENDATION: Staff recommends the Planning Commission table the Project to allow the Applicant necessary time to further coordinate with Engineering Staff on Conditions of Approval.

- 3. Code of Ethics – Annual Review

RECOMMENDATION: That the Planning Commission receive and file the current Code of Ethics.

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 January 2024 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 11, 2024

Camille Duarte, Administrative Assistant III



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: January 16, 2024

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Camille Duarte, Administrative Assistant III *(CD)*

SUBJECT: Minutes from the January 2, 2024 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 _____		
<i>Camille Duarte</i>		<i>Lawrence Mainez</i>	
Recording Secretary		Community Development Director	

PLANNING COMMISSION REGULAR MEETING MINUTES
January 2, 2024 – 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	Jarrold Miller
	Commissioner	David Saran
	Commissioner	Vacant

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Matt Bennett, Assistant Public Works Director
Matt Wirz, Building Official
Camille Duarte, Administrative Assistant III

Chair Hamerly led the Pledge of Allegiance.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None.

CONSENT CALENDAR

1. Minutes from the December 5, 2023 Regular Meeting.

A MOTION was made by Vice Chair Thomas and seconded by Commissioner Saran to approve the minutes as submitted. Motion carried, 4-0.

PUBLIC HEARING

2. Revision to Engineering Conditions of Approval for Design Review Application DRA 20-006, approved by the City Council on September 23, 2020. Design Review Application DRA 20-006 proposed the construction of a 200-unit residential complex at the northwest corner of Greenspot Road and Webster Street, known as San Carlo, I, Highland Townhome Apartments. The current application proposes to revise Engineering Conditions No. 11 and No. 40 related to the timing and method of certain on-site and off-site improvements.

Assistant Community Development Director Stater presented the staff report.

Commissioner Miller asked if we were to defer, what would the timing be of that difference?

Assistant Community Development Director Stater stated the undergrounding of the utilities would allow occupancy of any of the buildings, which is Condition #4. That would allow occupancy right away. For Condition #11, the applicant could get occupancy of all but the very last building. They can receive occupancy now upon completion of all the other conditions for all departments, however they would all have to be satisfied with the exception of this particular one. There is additional nuances to the condition, but they could receive occupancy up front, and the signal would have to be installed before any occupancies in the very last building.

Commissioner Miller asked what are the impacts of those barricades provided on existing traffic flow through Greenspot Road?

Assistant Community Development Director Stater stated that would limit any left in or left out movements, it would barricade the entire section (Pointing to PowerPoint.).

Chair Hamerly asked how would the barricades be placed?

Assistant Public Works Director Bennett stated the barricades proposed were glued down delineators. We are waiting for additional design details; however, it has not been determined.

Commissioner Saran asked do we know how long those barricades would be in place?

Assistant Public Works Director Bennett stated I think that the Applicant would agree with the six-month window for the traffic signal. I would say less than a year.

Commissioner Saran asked what kind of barricades are we looking to put there?

Assistant Public Works Director Bennett stated the design Engineer has not proposed that yet. The concern that we have is the maintenance that the development will have to maintain those, so they are not driven or passed through.

Chair Hamerly stated the glue down delineators are not traffic proof, people still drive through.

Commissioner Saran stated the K Rails would be most effective to stop ingress and egress.

Chair Hamerly asked what were the issues impacting the timing of signaling the only ingress egress for the project?

Assistant Public Works Director Bennett stated I think the Applicant would speak to that, but they did address that in their letter to staff requesting the revisions.

Chair Hamerly stated I am assuming a lot of residents driving home in the evening are coming west on Greenspot Road wanting to turn into this project which is the only point of access with a very inconvenient U-turn either at Webster Street or Boulder Avenue.

Assistant Public Works Director Bennett stated you are correct. The dominant move is that left turn in, there will be left turns towards Boulder Avenue to go south on Boulder Avenue. The traffic signal itself was warranted for those movements and was always a Condition of

Approval. Through the development there were various challenges to the configuration and that is what the Applicant had referred to in the letter.

Chair Hamerly asked was it the Calhoun side of it impacting the signalization design?

Assistant Public Works Director Bennett stated yes.

Vice Chair Thomas asked why is the decision to hold it for the last building occupancy?

Assistant Public Works Director Bennett stated I want to hear from the Applicant with their expectations when they are going to foresee the occupancy. The lead time described in the letter that I had was 22-24 weeks of for the traffic signal. If they have not obtained the equipment yet that is where that six-month timeframe comes from.

Chair Hamerly asked is it possible to restrict a U-turn at Webster Street?

Assistant Public Works Director Bennett stated we do not want to see the restriction of the left turn and the U-turn at Webster Street. There is a lot of heavy traffic in the afternoon for student pickup.

Chair Hamerly stated that that left turn lane wanting to go north on Webster Street, I have seen that blocked up for some time waiting for an opportunity to make a left turn and your opportunities to make a U-turn are even less making a left turn. If somebody is wanting to make a U-turn that could hold up the line even longer, waiting for that opportunity.

Assistant Public Works Director Bennett stated if we were to approve a traffic control plan that was presented with that signage and that U-turn would be signed and incorporated at Boulder Avenue at a signalized intersection.

Commissioner Saran I concur with Chair Hamerly, the only a left turn should be allowed at Greenspot Road and Webster Street. Will there be signage posted of no U-turn at Greenspot Road and Webster Street?

Assistant Public Works Director Bennett stated it is an option the Engineer designing the traffic control plans will come up to reinforce the U-turn is ahead.

Chair Hamerly opened the public hearing.

Applicant Patrick Tritz stated I am one of the owners of the San Carlo Apartments. The signal problem is we started that process a while ago and we were moving along with staff pretty well. It is a slow process with the signal and in our traffic Engineer. Along Costco came and our phase two which changed the road and our signal. Sierra Pacific will not order the equipment until there is an approved plan. We widened the road, changed the arms and as of today we still do not have an approved plan, but we are almost there. I agree with the modified Conditions #11 and #40.

Chair Hamerly closed the public hearing.

A MOTION was made by Commissioner Miller and seconded by Commissioner Saran to adopt Resolution No. 2024 - 001, recommending the City Council adopt a Resolution to approve revisions to Engineering Conditions of Approval No. 11 and No. 40 for Design Review Application DRA 20-006. Motion carried, 4-0.

RESOLUTION NO. 2024 – 001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, RECOMMENDING THE CITY COUNCIL ADOPT A RESOLUTION TO APPROVE REVISION OF ENGINEERING CONDITIONS OF APPROVAL NO. 11 AND NO. 40 FOR DESIGN REVIEW APPLICATION (DRA 20-006) RELATED TO THE DEVELOPMENT OF A 200-UNIT MULTI-FAMILY APARTMENT COMPLEX ON 10.84 ACRES AT THE NORTHWEST CORNER OF GREENSPOT ROAD AND WEBSTER STREET IN PLANNING AREA 3 OF THE GREENSPOT VILLAGE & MARKETPLACE SPECIFIC PLAN (APN NO. 1200-041-02).

ANNOUNCEMENTS

The Planning Commissions next regular meeting is scheduled January 16, 2024.

ADJOURN

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

Submitted by:

Approved by:

Camille Duarte, Administrative Assistant III
Community Development Department

Randall Hamerly, Chair
Planning Commission



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: January 16, 2024

FROM: Lawrence A. Mainez, Community Development Director

REVIEWED BY: Kim Stater, Assistant Community Development Director *KS*

PREPARED BY: Angela Tafolla, Associate Planner *AT*

SUBJECT: Conditional Use Permit CUP-23-009 for the development of a 243,323 square foot speculative industrial warehouse building, Variance VAR-23-002 to allow the building to exceed the maximum building height permitted in the Business Park Zone by 17.6', Design Review DRA-23-010 for the project's Site Plan, Building Elevations, Conceptual Grading Plan, Conceptual Landscape Plan, Mitigated Negative Declaration, and Vesting Tentative Parcel Map TPM 23-003 for the consolidation of twenty-four (24) parcels into one (1) parcel. **Continued from the 12-19-23 Planning Commission Meeting.**

LOCATION: A 11.33 acre site located between 3rd Street and 5th Street approximately midway between Central Avenue and Palm Avenue; Assessor's Parcel Number 1192-631-09, -10, -11, -12, -13, -14, -22, -23, -24, -25, -26, -27, and -28; and 1192-641-08, -09, -10, -11, 15, -16, -17, -18, -19, -20, and -21). (Attachment 1 – Vicinity Map)

OWNER/APPLICANT: CHIPT Highland 210 L.P.

RECOMMENDATION: Staff recommends the Planning Commission table the Project to allow the Applicant necessary time to further coordinate with Engineering Staff on Conditions of Approval.

PREVIOUS ACTION: On December 19, 2023, the Planning Commission opened a public hearing for the subject project. The Applicant requested the hearing be continued to a date-specific time to give the Applicant and staff an opportunity to discuss the Engineering Conditions of Approval. The Commission continued the item to January 16, 2024.

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

Subsequently there was discussion between the two parties. Unfortunately, the item was not completely resolved. The Applicant requests the Planning Commission table the item for further discussion at the staff level. If tabled, staff will continue to work with the Applicant to move the project forward and a future public hearing will be noticed to the public in accordance with City policy.



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: January 16, 2024

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Betty Hughes, MMC, City Clerk
Alondra Muñoz, Deputy City Clerk

SUBJECT: Code of Ethics – Annual Review

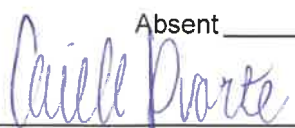

RECOMMENDATION: That the Planning Commission receive and file the current Code of Ethics.

FISCAL IMPACT: None

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

BACKGROUND: The Code of Ethics was adopted by the City Council in January 2004. The Code is being brought forward for its review to all the Boards, Commissions and/or Committees.

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Approved _____	Motion _____	Second _____	Agenda Item No. <u>3</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
 Recording Secretary		 Community Development Director	



CITY OF HIGHLAND CODE OF ETHICS

PREAMBLE

The citizens and businesses of Highland are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the City of Highland's commitment to excellence, the effective functioning of democratic government therefore requires that:

- ✓ public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- ✓ public officials be independent, impartial and fair in their judgement and actions;
- ✓ public office be used for public good, not for personal gain; and
- ✓ public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Highland City Council has adopted a Code of Ethics for members* of the City Council and of the City's boards, commissions and committees to assure public confidence in the integrity of local government and its effective and fair operation.

PRINCIPLES

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Highland and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Highland City Council, boards, commissions and committees.

2. Comply with the Law

Members shall comply with the laws of the nation, the State of California and the City of Highland in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, boards, commissions and committees, the staff or public.

4. Respect for the Process

Members shall perform their duties in accordance with the processes and rules or order established by the City Council, boards, commissions and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the Council or boards and commissions, which they may have received from sources outside of the public decision-making process.

8. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts, and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Favors

Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgement or action or give the appearance of being compromised.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources

Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Representation of Private Interests

In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City, nor shall members of boards and commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

13. Advocacy

Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Highland, nor shall they allow the inference that they do.

14. Policy Role of Members

Members shall respect and adhere to the council-manager structure of Highland City government. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City staff. Members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions.

15. Independence of Boards and Commissions

Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.

16. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

17. Implementation

As an expression of the standards of conduct for members expected by the City, the Highland Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in the regular orientations for candidates for City Council, applicants to boards and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understand the City of Highland Code of Ethics. In addition, the Code of Ethics shall be annually reviewed by the City Council, boards and commissions, and the City Council shall consider recommendations from boards and commissions and update it as necessary.

18. Compliance and Enforcement

The Highland Code of Ethics expresses standards of ethical conduct expected for members of the Highland City Council, boards and commissions. Members themselves have the primary responsibility to assure that the ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards and commissions and the Mayor have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention.

The City Council may impose sanctions on members whose conduct does not comply with the City's ethical standards, such as reprimand, formal censure, or loss of committee assignments. The City Council also may remove members of boards and commissions from office.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Council, board or commission decision.

Adopted by the Highland City Council
January 27, 2004

* For ease of reference in the Code of Ethics, the term "member" refers to any member of the Highland City Council or any of the City's boards, commissions and committees established by City ordinance or Council policy.