

**MINUTES
PLANNING COMMISSION REGULAR MEETING
JANUARY 15, 2013**

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
 Ernie Wong, City Engineer / Public Works Director (arrived at 6:40pm)
 Lawrence Mainez, City Planner
 Kim Stater, Economic Development Specialist
 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 December 18, 2012, Regular Meeting.

A Motion was made by Commissioner Haller and seconded by Commissioner Gamboa to approve the Minutes of December 18, 2012, Regular Meeting, as submitted.

Motion unanimously passed on a 7 – 0 vote.

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4.0 OLD BUSINESS

There was none.

5.0 NEW BUSINESS

- 5.1 A Minor Sign Review Application (ASR 012-025) submitted by Sams Bargains for Permanent Building Mounted Signs on an existing Commercial Building. The Site is located at the northeast corner of the intersection of Base Line and Elmwood Road. The Address is 25356 Base Line. APN: 0273-241-21-0000. Representative: Mike Farnooh

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 Condition of Approval (COA) No. 3 to the Commission where the proposed Secondary Building Mounted Sign facing the easterly side of the Building's parking lot shall be no more than twenty-five (25) square feet, as permitted in the Highland Municipal Code and then concluded his presentation.

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

A question was asked by Commissioner Gamboa if the canned box sign located on the roof is gone and indicated that he did not go by the property today, but wants to be assured that it has been removed. City Planner Mainez responded that the roof sign is removed.

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 Commissioner Willhite if the Applicant was advised about the reduction of the Sign size to be twenty-five (25) square feet. Assistant Planner Kelleher responded affirmatively and that in COA No. 3, reduces the Sign size area to twenty-five (25) square feet. City Planning Mainez added that Staff is looking at the square footage only. Commissioner Willhite stated if there will be the same style of letters, only smaller in size and City Planner Mainez responded affirmatively.

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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 Vice Chairman Huynh that the Planning Commission Approve the Proposed Sign Program (ASR 012-025) for an existing Commercial Building, which includes a Proposal for two (2) Building Mounted Signs, subject to Staff's comments, and Conditions of Approval; and adopt the Findings of Fact.

Motion unanimously passed on a 7 – 0 vote.

- 5.2 Amendment Accessory Sign Review Application (ASR-012-012), public art and historic walk. The Site is generally located on the north side of Base Line approximately 380 feet east of Palm Avenue. Assessor's Parcel Numbers: (1200-381-03 and 04) Representative: David Morse, Boos Development

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 Sign design would be the photographs from William Calvert's Book on the Pictorial History of Highland, and the Highland Historical Society and allows the Applicant to utilize the photographs and explained the lamination of the photographs to the Commission. Assistant Planner Kelleher further explained the Gazebo on the historical walk when Baker's Gazebo was approved, there was no connection made to the easterly property and is unachievable. Unfortunately, the two (2) Property Owners (Baker's and Family Dollar) are unable to get together and install a Gazebo similar to the CVS / Baker's Gazebo and explained the proposed Gazebo design to the Commission. He indicated that the Applicant is not in the audience and then concluded his presentation.

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

A question was asked by Vice Chairman Huynh will the wall panel pictures have a description of the pictures and if Staff had discussed that with the Applicant and Assistant Planner Kelleher responded that was not discussed with the Applicant and is not part of the proposal, just the images are.

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

A question was asked by Commissioner Willhite regarding if Staff received any comments as Attachment 4 of the Staff Report and Assistant Planner Kelleher responded that is a typographical error and that Staff did not receive any

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comments and the current Staff Report was copied from the original Staff Report and apologized to the Commission.

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 comment was made by Vice Chairman Huynh that he would like to see a few words of description for the photographs for merit of discussion. City Planner Mainez responded that Staff agreed that is a good idea, but the Public Hearing is closed, but Nancy Alexander, who is a Member of the Highland Area Historic Society and a Member of the City's Historic and Cultural Preservation Board is in the audience representing the author (William Calvert) that the Applicant will using the photographs from and ask the Commission to pose that question to her to assist with the text, if the Commission desires.

Chairman Hamerly reopened the Public Hearing.

Ms. Nancy Alexander, who is the City Historian, President of the Highland Area Historical Society and a Member of the City's Historic and Cultural Preservation Board, addressed the Commission. She stated that maybe some minimal text would be appropriate and explained how someone would come into Highland and maybe unfamiliar with Mr. Calvert's Book or Highland's history and perhaps would then enlighten that person and agreed with that. She had suggested another option for a photograph and is excited and appreciates how City Staff wants to incorporate the City's history into the City's future.

A question was asked by Chairman Hamerly if this would be the most effective way to include the written description; would it be with a separate plaque under the photograph or written within the area of the photograph. Ms. Alexander responded that the writing could be superimposed on the print of the photograph and would recommend that. Chairman Hamerly added that it would be too valuable with a separate plaque and that it would end up missing. Ms. Alexander reiterated her recommendation to superimpose onto the photograph.

Chairman Hamerly asked Staff about amending the COA to include that or would it be a Design Directive and Assistant Planner Kelleher responded that he is working on the COA.

A comment from Commissioner Stoffel gave a short description that it could say something like, "John's Farm" or "1925" and Chairman Hamerly added with the appropriate credit for the photograph and source.

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A comment was made by Commissioner Gamboa that he assumed that it could also be superimposed on, as part of the photograph.

City Planner Mainez responded affirmatively and suggested it could be the Commission's Directive that Staff to work with the Highland Area Historical Society to create the text.

A comment was made by Commissioner Stoffel that it should not be like a paragraph long and looking at where it is located, asked how high is it. Assistant Planner Kelleher responded the panels are approximately four feet (4') high above grade and the two (2) along the westerly side of the Building are adjacent to a landscaped area and there is no actual path of travel to those photographs and would be viewed from the Baker's portion of the driveway.

A comment was made by Chairman Hamerly it would be dependent on how large the text would be.

A concern was raised by Commissioner Willhite that people would trample the landscaping in order to read the text and Commissioner Gamboa added maybe have the wording on the one (s) on the eastern side.

A comment was made by Commissioner Stoffel that he doesn't have a problem if there was some small credit, etc. on the print, but saw no reason to have wording on something that no one is going to be able to walk up and read.

A comment was made by Vice Chairman Huynh to have the location and/or name of the Building that people would be able to identify would be great thing to have.

A comment was made by Commissioner Gamboa that Family Dollar maybe have the photographs on the inside of their Building also with a caption underneath the photograph and could describe what each photograph is. City Planner Mainez responded that is a good idea and Assistant Planner Kelleher had mentioned placing the panels in the Gazebo for the informational text description and then explained the Messina Townsite Area looking down Base Line to the Commission.

A question was asked by Commissioner Stoffel who would pay for the maintenance and City Planner Mainez responded Family Dollar would. Assistant Planner Kelleher added and suggested to continue this Item since the Applicant is not here and City Planner Mainez said that even though the Applicant is not here, the Applicant has the confidence and is willing to work with the Commission and the Applicant wants to provide the area and accepted the fact having the panels laminated in plastic three – four (3 – 4) spaces and that it is not like Family Dollar is doing a mural and is not an issue with the Commission's ideas

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that have been brought forward so far and Staff does like having the Highland Area Historic Society with the content, photographs / sketches and can bring those back to the Commission. Chairman Hamerly said that would be submitted for informational purposes and would not be a final review prior to installation and does not want to hold up the Project and City Planner Mainez stated no and that it can be worked into a schedule and should not be a problem, or could be a Commission Directive, as well, if the Commission desires.

A question was asked by Chairman Hamerly if Staff is considering the Gazebo as part of the Sign Program and Assistant Planner Kelleher responded that the Gazebo was for informational purposes and the Applicant cannot make the connection with the walkway with Base Line, grading issues and ADA requirements and Staff had a conversation with Family Dollar as a way that the Gazebo would still make that connection and link between the two (2) properties.

Another question was asked by Chairman Hamerly said if adding the graphics or any historical references to the Gazebo, would it be part of the Motion and would return to the Commission when the final design is proposed or lump in with the recommendation. City Planner Mainez responded there is confidence with Staff and will work with the Commission and would like to add as a Commission Directive and will forward onto Family Dollar. Ms. Alexander added that it was her idea for the Baker's / CVS Historical Site Sign and has a picture of Messina Townsite as it goes from Palm Avenue down to Church Avenue and the information is on that Sign and may not need to be included on the Family Dollar's Sign(s) on the side of their Building. Chairman Hamerly said then the information that is already there does not need to be included in the Gazebo and City Planner Mainez said that is what he is hearing.

A comment was made by Vice Chairman Huynh the photographs do not have any further descriptions and Chairman Hamerly said the information is on the Historical Marker and then asked if the Marker references the pictures specifically that are included. Ms. Alexander responded that the Marker does reference and provide a brief history of the Messina Townsite and there is a picture on there that shows the businesses from Palm Avenue down to the Church on Church Avenue so there is a description there of that area and is not opposed to having something listed on the photographs.

Chairman Hamerly thanked Ms. Alexander and then asked the Commission if the Historical Marker is sufficient for the historical information for the Site or does the Commission want to see graphics on the particular pictures upon the Building. Commissioner Willhite responded that he would like to see the way that it is and have Staff work with Family Dollar either and in the Gazebo, or inside the Store, except with smaller Renderings with the information on it so people could see on a smaller rendering what it is and actually see the bigger display outside the Building and Commissioner Gamboa agreed with Commission Willhite's

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response.

Chairman Hamerly then recapped having simple graphics on the pictures that are located on the Building, and then more detailed descriptions that are on smaller photographs that are located inside the Building and then asked Commissioner Willhite that he was fine without graphics on the Building and reiterated his concern about the people trampling the landscape and Chairman Hamerly interjected or not even see them because of the distance and Commissioner Willhite said exactly and would be better for everyone.

Chairman Hamerly then asked if Staff picked up on that in that no graphics on the actual Signs located on the Building, but the pictures would be duplicated in smaller format with more detailed information inside the Store and Assistant Planner Kelleher responded so noted and City Planner Mainez said okay and added that is what Stater Bros. did.

Assistant Planner Kelleher stated that Planning COA No. 1 would be amended and stated the proposed language.

A question was asked by Chairman Hamerly if Staff want to add anything regarding additional exhibits for inside the Store or is that just a Directive and Assistant Planner Kelleher responded that Staff noted that as a Directive.

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

A Motion was made by Commissioner Haller and seconded by Vice Chairman Huynh that the Planning Commission:

1. Approve the Amendment to the Sign Program (ASR-012-012) to include the pictures proposed to be utilized for the of the public art displays (Graphic Panels) on the Building; as amended with the following:

COA No. 1 *(NS) The Applicant shall work with the Highland Area Historic Society to determine the three (3) Pictures to be mounted to the Family Dollar Building. The Images shall be a minimum of four feet six inches tall. Width measurements shall be based on the orientation of the Picture being either portrait or landscape. The Applicant shall be responsible for gaining permissions from the Owner for use of the Photographs.

And;

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2. Adopt the Findings of Fact.

Motion unanimously passed on a 7 – 0 vote.

5.3 "Base Line / Greenspot Road Traffic Safety and Bikeway Improvements" Environmental Review (ENV-012-015). The location is 0.8 miles of Base Line between Webster Street and Church Street and along 1.3 miles of Greenspot Road between Church Street and Alta Vista Drive. Representative: Ernie Wong, City Engineer / Public Works Director

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 to the Commission.

A question was asked by Chairman Hamerly if the location is within the Roadway Apron and Assistant Planner Kelleher responded affirmatively, but deemed a natural community.

Assistant Planner Kelleher continued regarding the proposed Project's design to the Commission and then concluded his presentation.

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

A question was asked by Commissioner Haller if there was a Right-of-Way requirement at the Browning Road location and Assistant Planner Kelleher said no, in that it is an existing Right-of-Way.

A question was asked by Commissioner Sparks regarding if equestrians would have to dismount to push the button in order to cross Base Line at Streater and City Planner Mainez said that Staff would look into that. Assistant Planner Kelleher added that the City of Yucaipa has equestrian crossings and will have to talk with City Engineer Wong including that in addition to the pedestrian locations.

A comment was made by Commissioner Willhite that he has seen the equestrians in Yucaipa using their boots. Chairman Hamerly added with the new kind of buttons, the equestrians can kick.

A comment was made by Commissioner Sparks to have a button up higher with the equestrians crossing.

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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. Brent Merideth, who is a Highland resident, addressed the Commission. He thanked the City of Highland, City Council and Planning Commission with the existing Bike Lanes, as well as the ones that have been added recently and how he commutes to work every day and has a peace of mind and provides travel for bicyclists. There are linear parks and Highland is the most aggressive City is pursuing safety for the bicyclists. There is full disclosure and with the fifteen – sixteen improvements, he disagrees with the one Traffic Signal located and Greenspot Road / Weaver Street location and that it will make that intersection to be more dangerous. A green light will not slow down the vehicular traffic and when the light turns yellow, the vehicular traffic speeds up. With vehicles making a right turn onto Greenspot Road from Weaver Street won't stop more for a red light versus a stop sign that is already there and with a stop light, that would give people a false sense of security and with all of the costs that would go into signaling this intersection, it would make it no safer than it currently is. He then suggested a roundabout that it can be safer and more affordable. He further indicated that will slow down / calm the traffic and would reduce vehicular delays overall delays and would eliminate high speed collisions and would be an aesthetic improvement. Mr. Merideth said that he has used many and that it would be awkward at first for vehicular traffic to get used to it, but is the solution that reduces traffic fatalities as opposed to signalization in a rural intersection and believed that this intersection would be applicable to rural intersection definition. He then read to the Commission about the Federal Highway Administration reports in a recent Comprehensive Study showed that the Roundabouts with an overall reduction of thirty-five percent (35%) in total crashes and seventy-six percent (76%) in injured crashes. Severe and incapacitated injuries and fatalities are rare with one Study reporting eighty-nine percent (89%) reduction in these types of crashes and another Study reporting one-hundred percent (100%) reduction in fatalities and reiterated this is the Federal Highland Administration that is reporting this. The Inland Empire continuously sits near the top of the list with the most dangerous regional areas in the United States in terms of traffic fatalities and understands the background that goes with this intersection. He has visited other cities on that list of the most dangerous regional areas of the traffic and they have no shortage of traffic lights, but what they do have are high speed roads with lots of traffic lights and is a recipe for someone to go through a yellow light at high speed and when that happens, it seems like people would rather die than stop at them. If we are going to stop this trend, let's do it right and then thanked the Commission.

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Chairman Hamerly thanked Mr. Merideth and then asked about a Right-of-Way footprint to accommodate a Roundabout design for this location and City Planner Mainez responded Staff has not studied this in detail but knows that City Engineer Wong has talked about it internally. Chairman Hamerly said there has to be enough of a detour and round in shape to make it actually slows the traffic down and Community Development Director Jaquess responded that this is an environmental analysis for the Project that already has been approved by the City Council and forwarded to Staff to prepare the environmental document. If we were to consider some other project, he believed that it would need to return for the project to be reconsidered.

Another question was asked by Chairman Hamerly if this is for EIR Review only and Community Development Director Jaquess said right. Assistant Planner Kelleher added that the City's General Plan identifies that there is a natural community located on the south side of the road and Staff is recommending a Mitigation to conduct biological study prior to any construction activities.

A comment was made by Commissioner Haller how he has seen Roundabouts in many places and how he grew up in Washington DC and has been Europe and have usually seen them on lower speed limit roads and takes quite a bit of familiarity from the driving public to get used to them and how to use them. He said that Highland should consider a Roundabout, but not at this location with high speed / high volume location, but at a location with a lower traffic volume. This is an intriguing idea and reiterated the City ought to evaluate that.

A comment was made by Commissioner Gamboa there is supposed to be a Roundabout located at Palm Avenue / Pacific Street and both City Planner Mainez and Assistant Planner Kelleher responded affirmatively.

(Note: City Engineer Wong arrived at 6:40pm)

City Planner Mainez advised City Engineer Wong that there were questions regarding the feasibility of whether or not having a Roundabout located at Greenspot Road and Weaver Street.

Chairman Hamerly recapped the alternative Roundabout design located at Greenspot Road / Weaver Street and whether or not if it would be appropriate / inappropriate and what would that do to impact the design of the current proposal for this Project. City Engineer Wong responded how the Greenspot Road / Weaver Street location is warranted for a Traffic Signal and can be installed and that the City has met all of the technical requirements. The Roundabout is a more recent concept and has discussed with City Staff and has been proposed to be implemented within the Harmony Specific Plan Project and has many street

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intersections within its own development and would be a logical place to implement a new traffic control measure as a Roundabout is unique and has different characteristics in existing neighborhoods thoroughfares within the City. The Roundabout implemented on existing Greenspot Road has not been discussed in detail, and, at this point, City Engineer Wong has reservations if a Roundabout is implemented, at this location and at this time, there are no Roundabouts east of this location. City Engineer Wong provided an example and then further explained with people driving fast and the roadway characteristics facilitate and that there are no other existing Roundabouts ahead of that to make people start to realize using a non-traditional traffic control measure at an intersection like this, then there is some concern that it does not give people enough advance warning to alert the driver enough that this may not end up to be the safest traffic control measures. In the current situation, if you want to stop traffic on Greenspot Road with drivers driving so fast, that maybe a traffic signal is more appropriate for traffic control measures. This location could be good location for a Roundabout if there are other similar traffic control measures and when other development would implement the Roundabouts, the drivers would be more alert with the Roundabouts. City Engineer Wong reiterated how Engineering Staff would have concerns / reservations with the Roundabout, rather than the Traffic Signal located at Greenspot Road / Weaver Street.

A question was asked by Chairman Hamerly what would be an appropriate separation between alternative traffic control measures before a Roundabout would be introduced i.e. $\frac{1}{4}$ mile, $\frac{1}{2}$ mile or change the paving ahead of the Roundabout; what would be the appropriate transitions to introduce a Roundabout into a higher traffic velocity. City Engineer Wong responded that he has not seen that and whether or not with transition that has been a Standard developed for this, and can look into that and reiterated being uncomfortable with a Roundabout and that a traffic signal might be safer.

A comment was made by Chairman Hamerly in conjunction with the improvements, will there be installation for different types of signage with bikes, trails, equestrians, etc. at the existing Trailhead, at this time, or is this Traffic Signalization / crosswalk at this point. City Engineer Wong responded that at this point, the City's Five Year Capital Improvement Plan (CIP), has construction of a traffic signal(s), but not other Trail-associated improvements and indicated that he is preparing an update to the CIP and Trails improvement can be made part of that.

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Another comment was made by Chairman Hamerly with a Trail Pedestrian Crossing, there Bikeway, include Trailway Findings crossing Weaver Street from Greenspot Road. City Engineer Wong responded the Engineering Department has a project to install Way-Finding Signs for cyclists and have received Grant funding. At this time, there is no funding for a Trailway Finding Sign and is not part of that Project, but if that is the desire of the Planning Commission, Community Trails Committee and City Council, he can look into that. City Engineer Wong reiterated that is not a part of this Project, or funding for it and there is a Bikeway Grant.

Chairman Hamerly asked if there were any other questions for City Engineer Wong. Hearing none, he then thanked him and asked if there was anyone else in the audience who would like to speak on this Item.

Mr. Merideth readdressed the Commission. He stated this is the first in a long distance traffic control device and the Roundabout is the best and said how the number of accidents were reduced in a rural area and is the most successful. As long as some sort of device i.e. a flashing device that lets the drivers know that there is a Roundabout coming then there would not be the catastrophic accidents. If we are going to spend this money to try and make the intersection safer, that we should be something that actually works as opposed to just having a Traffic Signal that doesn't necessarily reduce fatalities in the area from what the Studies said.

Chairman Hamerly asked if anyone else would like to speak on the item. Hearing none, he then closed the Public Hearing and opened the floor for discussion amongst the Commissioners. He recapped this is a review of a Mitigated Negative Declaration as opposed to Design Review and enter into the record of Mr. Merideth's input for future consideration of Roundabout with Greenspot Road and high traffic areas with designs for traffic control.

A question was asked by Vice Chairman Huynh regarding on Item K on Page 2 of the Staff Report and Assistant Planner Kelleher responded that would be a Sign listing how there is three miles to the Library and City Engineer Wong added that is similar to a Caltrans Sign.

A comment was made by Chairman Hamerly Signs that it would not be i.e. one-mile point, two-mile point, etc. and if it would be distances from Point "A" to destination and City Engineer Wong responded affirmatively that it would be from the Sign to the destination.

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A question was asked by Vice Chairman Huynh regarding the design of the Way-Finding Sign if it is typically like a Street Sign. City Engineer Wong responded that it is up to the City with the design of the Way-Finding Sign because there is no Standard for Way-Finding Signs, there are no State requirements format and Planning Staff already has had some input with the Way-Finding Sign design.

A question was asked by Chairman Hamerly regarding about Trail Sign exhibits located in open space and Trailheads that have already been designed or is this a new category of Bicycle Way-Finding Signs. City Engineer Wong responded that Engineering Staff has somewhat utilized the City Logo as a Theme and Destination, Mileage and an Arrow and can be decided later.

Another question was asked by Chairman Hamerly about if the Community Trails Committee review for Trail signage and implementation and City Planner Mainez responded that is appropriate and that it would also be reviewed by a City Council Subcommittee. City Engineer Wong added to also receive the approval from the City Council. Chairman Hamerly said as long as it gets a “thumbs up” before it goes to City Council for purchasing.

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:

1. Approve Resolution No. 13 - 002 adopting a Mitigated Negative Declaration for the "Base Line / Greenspot Road Traffic Safety and Bikeway Improvements" Project, Environmental Document (ENV 012-015), and;
2. Direct Staff to file an Environmental Notice of Determination with the San Bernardino County Clerk of the Board for ENV-012-015.

Motion unanimously passed on a 7 – 0 vote.

- 5.4 Municipal Code Amendment 012-003 (MCA 012-003), a City initiated Municipal Code Amendment to Chapter 16.24 Employment Districts and add Chapter 16.44.270 of Title 16, Land Use and Development Code of the City of Highland concerning “Supportive, Transitional, and Emergency Shelter Housing”. The location of the MCA 012-003 applies to all Business Park (BP) Zoning Districts within the incorporated boundaries of the City of Highland.

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

(Note: Assistant Planner Kelleher left the Chambers at 6:57pm)

City Planner Mainez gave the presentation from the Staff Report and explained the historical background and indicated that there are no projects proposed that he is aware of, at this time for Shelters, Transitional Housing, etc. This is an existing Housing Element Policy No. 19 (Fourth Cycle) and further explained the proposed Code Amendment and why Staff chose the Business Park (BP) Zoning and how that Zoning area is in transition to the Commission. City Planner Mainez explained the Temporary Transitional Housing / Emergency Shelter, the Supportive Descriptions and California State Law and provided some examples to the Commission. He further explained Section 6 of Page 11 of the Staff Report still needs to be reviewed by the City Attorney and has been revised with the following Table:

Uses	A / EQ	R-1	R-2	R-3	R-4	HDS	VR	R2C	EHV
12. Supportive and Transitional Housing	SR (Staff Review)	SR	C (Conditional Use Permit)	C	C	C	SR	C	SR

City Planner Mainez then concluded his presentation and would be happy to answer any questions the Commission may have.

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

Hearing none, Chairman Hamerly said with Applications in the past, there had been public discussion regarding CUPs in the Municipal Code with R-1 Zones and asked if there are similar Tables for both of these types of housing. City Planner Mainez responded no there is not and having the Consultant to explain it and is unclear, but how there is a definition in the State Law and is ambiguous because the State does not want the Cities to say no to these very specific housing, but wants the City to treat it as a single family residence or residential complex in the Municipal Code.

Another comment was made by Chairman Hamerly with Care Facilities, but abused children / women, and if there is any type of Health Care assistance that is part of this transitional housing use, but is permitted in the Municipal Code by Right of Zone, but only a certain number of beds if that type of Facility or based on intensity of use that would be appropriate for a given neighborhood. He then asked about the equivalent types of standards that are written into the statute. City Planner Mainez responded there are no thresholds and must be treated like any other permitted use within that Zoning and he then provided an example regarding the Residential District use to the Commission.

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A comment was made by Commissioner Haller regarding a one single family home is designed for a certain occupancy and if a person exceeds that, then it becomes unsafe and City Planner Mainez responded then it becomes a Residential Care Facility that is something different.

A comment was made by Chairman Hamerly regarding the definitions and asked about Parole House Transition and City Planner Mainez said no, in that there are Standards for that type of use and Community Development Director Jaquess added how they are separately regulated.

A question was asked by Chairman Hamerly regarding if there is a list of acceptable non-profit non-governmental agencies that can run these types of houses and would be the users that would fall within these two (2) categories and City Planner Mainez responded the Statute does not break it down by the acceptable types of occupants and agencies and does not look at income levels. It is the Transitional population or a population that needs some support from a non-profit or a public agency. He further explained that Senior Housing, Parole Housing, Drug Rehabilitation has different Regulations and the City cannot even have a separation content requirement and is similar to a family and that someone is helping them out of a situation and is in transition in providing a service to them. Chairman Hamerly said that he does not have an issue with one family / one house like what Commissioner Haller said and asked about density limitation. City Planner Mainez said there is no density and if someone wants to find house for this type of use, they would check the Zoning and the Zoning Standards and provided examples to the Commission. In addition, there was an Agency recently that came to the City purchasing an existing apartment complex and restricts the occupants to those persons that are mentally disabled and would be Supportive Housing for the mentally disabled and the apartment complex density fits that Zoning and a special need. Chairman Hamerly said then it's not a density issue and City Planner Mainez responded not, that it is not a density issue or a building occupancy issue.

Another question was asked by Chairman Hamerly regarding Right-of-Zone and placing COAs on it with a CUP cannot make distinction of usage, but how could it fit that CUP on the property. City Planner Mainez said these are all good questions, and that it would be the same process as in Section 6 on Page 11 of the Staff Report and gave an example with an R-4 project to the Commission and treat it like with any other project, in that the Tenant needs a little assistance because of the project is a Shelter. Chairman Hamerly said that it doesn't sound like the Commission could add or modify to this since it is State Law and indicated that at some time, the Commission will see this. City Planner Mainez responded that the City's hands are tied and is trying to fit this into appropriate Zoning and hopes the Commission accepts it and to move forward because this will get the City certified in the next Housing Element.

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Another comment was made by Chairman Hamerly in that this Code Amendment pertains to the Housing Element and is house keeping and City Planner Mainez responded that it is a carry over with the Housing Element and is a clean up item regarding the Density Bonus / Reasonable Accommodations and Community Development Director Jaquess added that this is a specific issue with State Law.

A comment was made by Vice Chairman Huynh on Page 2 of the Staff Report regarding the number of 112 homeless people and how the City would be working with San Bernardino County in order to obtain an accurate number. City Planner Mainez responded that it would be more of a drive by; using under bridges as shelters, and identify in an existing component. Community Development Director Jaquess added that San Bernardino County is requiring a count to be gotten different this year than two (2) years ago and require the City to meet with the homeless, one on one, name, age, sex, where they are from and would be part of the proposed account.

A question was asked by Chairman Hamerly if a certain day would be chosen or if there would be different dates involved and was concerned that the homeless could go from one City to another City for the count. Community Development Director Jaquess responded that it would happen all in one certain day / year throughout the County and would be taken similar to a census and that the 112 number would be updated.

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. 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 Resolution No. 13-002 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, and;
2. Introduce an Ordinance to Amend Title 16, Land Use and Development Code Section 16.24, Employment Districts, and addition 16.44.270, related to “Emergency Shelter, Supportive, and Transitional Type Housing”.

Motion unanimously passed on a 7 – 0 vote.

01-15-13.PC

6.0 ANNOUNCEMENTS

Community Development Director Jaquess explained the Items that are tentatively scheduled for the Commission's Regular Meeting for February 5, 2013, at 6:00pm.

7.0 ADJOURN

There being no further business, Chairman Hamerly declared the Meeting adjourned at 7:27p.m. and then proceeded to the Study Session Agenda.

Submitted by:

Approved by:

Linda McKeough, Community Development
Administrative Assistant III

Randall Hamerly, Chairman
Planning Commission