

**MINUTES  
PLANNING COMMISSION REGULAR MEETING  
NOVEMBER 5, 2013**

**1.0 CALL TO ORDER**

The Regular Meeting of the Planning Commission of the City of Highland was called to order at 6:06p.m. by Chairman Hamerly, in the Donahue Council Chambers, 27215 Base Line, Highland, California.

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

Absent:       Commissioner       Mark Rush  
                  Commissioner       Michael Stoffel

Staff Present: Kim Stater, City Planner  
                  Sergio, Madera, Associate 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 September 17, 2013, Regular Meeting.

3.2 Minutes of October 1, 2013, Regular Meeting.

**A Motion** was made by Vice Chairman Gamboa and seconded by Commissioner Huynh to approve the Minutes of September 17, 2013, and October 1, 2013, Regular Meetings, as submitted.

Motion carried on a 5 – 0 vote with Commissioners Rush and Stoffel absent.

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#### **4.0 OLD BUSINESS**

There was none.

#### **5.0 NEW BUSINESS**

- 5.1 Municipal Code Amendment (MCA) 2013-005: An Ordinance of the City of Highland temporarily suspending the application of the City's Inclusionary Housing requirements described in Ordinance No. 306. The location is City-Wide.

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

City Planner Stater gave the presentation from the Staff Report and explained the historical background and the City Council's action on the MCA to the Commission. She added that there needs an addition to the proposed City Council Ordinance Section 3 in Exhibit "A" on Page 10 of the Staff Report regarding suspending the fees for one (1) year with Building Permits that have been pulled and applies to Existing Approved Tentative Tract Maps and Final Tract Maps. City Planner Stater requested the Commission to direct Staff to recommend to the City Council the proposed Ordinance would reflect with the proposed addition and then concluded her presentation.

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

A question was asked by Chairman Hamerly if the proposed additional language would be for existing approved Tentative Tract Maps and Final Maps and City Planner Stater said that is correct.

Another question was asked by Chairman Hamerly how many Tract Maps would be included in the last two (2) categories and City Planner Stater responded approximately seven (7) Tract Maps. The proposed Amendment considered at the Finance Subcommittee Meeting and was not carried over into the proposed Ordinance. She added that there are two letters from Developers that were included in the Staff Report and the Developers are here in the audience to speak on the Item.

A question was asked by Commissioner Sparks if the one (1) year temporary suspension time was adequate enough. City Planner Stater responded that the Housing Authority Special Counsel recommended the one (1) year time frame.

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A question was asked by Chairman Hamerly when would the proposed Resolution take effect and City Planner Stater responded that it would take effect thirty (30) days after the City Council's Second Reading of the Ordinance.

Another question was asked by Chairman Hamerly that in that one (1) year, the Developer could obtain approval to be vested in the Inclusionary Housing and City Planner Stater said that is correct.

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

A question was asked by Commissioner Huynh what will happen to the \$562,000 fees that currently have been collected for the Inclusionary Housing Fund. City Planner Stater responded since there is no RDA now, the properties or assets have been transferred to the Highland Housing Authority that has already been accomplished and the City Council sits as that Board and how the City / Staff is waiting for the outcome of a City Council Work Program Item which is to be forthcoming within the next six (6) months which will be reviewing this and other City's assets of Jeffrey Court.

A question was asked by Chairman Hamerly that the City Council sets as the Housing Authority and City Planner Stater said that is correct.

Another question was asked by Chairman Hamerly if there was any other Agency oversees the RDA obligations and City Planner responded no and added that the non-residential portfolio would include the properties owned by the City i.e. proposed Fire Station adjacent to City Hall and the thirteen (13) lots adjacent to the Community Park.

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

Mr. Camille Bahri, 10575 Oakdale Drive, Rancho Cucamonga, California, representing Sunland Communities, addressed the Commission. He stated that he supports the proposed temporary suspension and wished that it could be longer than the one (1) year and that the one (1) year suspension is not enough. He suggested giving the Inclusionary Housing Funds to the struggling Developers and that the Finance Subcommittee wanted assurance that Staff would make a Finding in order not to violate any State laws regarding the Inclusionary Housing Funds. Mr. Bahri then congratulated Community Development Director Mainez and City Planner Stater in that the Builders can save \$4,000 fees per unit. He said that his thirteen (13) lot Tract is the smallest Tract that he has ever had and how the Inclusionary Housing Fee and the Affordable Housing Issue had previously "killed the deal" and that the housing

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market has not yet recovered enough. He indicated with his thirteen (13) lot Tract, that he would be able to execute within the one (1) year time frame and if a larger development might take longer than one (1) year, that is where the addition to Section 3 of the proposed Ordinance would apply. Mr. Bahri suggested to the Commission to have Staff suggest to the City Council a longer extension than one (1) year. He then thanked the Commission.

Chairman Hamerly thanked Mr. Bahri.

Mr. Matt Livingston, representing his Glenrose Ranch Project located on the northeast corner of Boulder Avenue / Greenspot Road, addressed the Commission. He thanked City Staff for including the Developers in this issue and as a Developer, the proposed Ordinance gives clarity to the Developers and indicated it is a fair compromise with the City Attorney's recommendations. He agreed with City Planner Stater's proposed addition to Section 3 and reiterated it being a fair compromise. He then thanked the Commission.

Chairman Hamerly thanked Mr. Livingston.

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. 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 Gamboa that the Commission approve Resolution No. 13-010 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 suspend the application of Highland Municipal Code Sections 16.50.030, 16.50.040, 16.50.050 and 16.50.080 for a period of one year (Inclusionary Housing Provisions).
3. Further direction that Section 3 of the proposed Ordinance be modified to include suspending the fees for one (1) year that would also apply to the Existing Approved Tentative and Final Tract Maps.

Motion carried on a 5 – 0 vote with Commissioners Rush and Stoffel absent.

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**6.0 ANNOUNCEMENTS**

City Planner Stater introduced Associate Planner Sergio Madera to the Commission and gave a brief history on him. The Commission welcomed him.

City Planner Stater explained the Items tentatively scheduled for the Regular Meeting for November 19, 2013, and if those Items do not go on November 19, 2013, the Items could possibly be tentatively scheduled for December 3, 2013.

**7.0 ADJOURN**

There being no further business, Chairman Hamerly declared the Meeting adjourned at 6:25p.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