

**MINUTES
PLANNING COMMISSION REGULAR MEETING
FEBRUARY 4, 2014**

1.0 CALL TO ORDER

The Regular Meeting of the Planning Commission of the City of Highland was called to order at 6:05p.m. by Vice Chairman Gamboa, in the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present: Vice Chairman John Gamboa
Commissioners Richard Haller
Mark Rush
Milton Sparks

Absent: Commissioner Michael Stoffel
Commissioner Trang Huynh
Chairman Randall Hamerly

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, City Planner
Sergio Madera, Associate Planner
Linda McKeough, Administrative Assistant III

The Pledge of Allegiance was led by Vice Chairman Gamboa.

2.0 COMMUNITY INPUT

There was none.

3.0 CONSENT CALENDAR

3.1 Minutes of January 21, 2014, Regular Meeting.

A Motion was made by Commissioner Haller and seconded by Commissioner Rush to approve the Minutes of January 21, 2014, Regular Meeting, as submitted.

Motion carried on a 4 – 0 vote with Commissioners Huynh and Stoffel and Chairman Hamerly absent.

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4.0 OLD BUSINESS

There was none.

5.0 NEW BUSINESS

5.1 MCA 014-001 – An Ordinance of the City of Highland establishing development regulations for Fixed Price Point Stores described in Ordinance No. _____.

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

Associate Planner Madera gave the presentation from the Staff Report and PowerPoint presentation and explained to the Commission the historical background and what Chapters and Sections in the Highland Municipal Code are proposed to be updated / revised within the proposed Code Amendment to the Commission. He noted there is a typographical error on Page 13 of the Staff Report be amended in the proposed City Council Ordinance under Section 4.C.4 that it should state that Variances for minimum floor area (not site area) and minimum distance separation between Fixed Price Point Retail Stores shall not be granted and then concluded his presentation and Staff recommending approval of the proposed Code Amendment.

Vice Chairman Gamboa asked if the Commission had any comments or questions of Staff.

A comment was made by Commissioner Haller that Staff did a good job on the Staff Report, was informative and that it was interesting reading. He then asked what was the rationale for the 1,000 square foot radius number for the separation. Associate Planner Madera responded that 1,000 feet was an arbitrary number and that it would give enough separation of a two to three (2 – 3) block radius.

Another comment was made Commissioner Haller that he understands this is a City Council Work Program item, but asked since Fixed Price Point Stores are only three percent (3%) of current City businesses, is this Code Amendment needed. City Planner Stater responded since it is a City Council Work Program Item, Staff prepared the analysis and it will be forwarded to City Council with the Commission's recommendations for the Council to decide if the Code Amendment is needed or not. Commissioner Haller thanked City Planner Stater.

A question was asked by Vice Chairman Gamboa regarding if the proposed Regulations would affect the existing businesses and Associate Planner Madera responded only if the Tenant / Business wanted to move to a new location.

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Another question was asked by Vice Chairman Gamboa if the Family Dollar Project would be considered as a Fixed Price Point Store. Associate Planner Madera responded in his opinion, he said no, in that it is a National Retailer and does not sell overstock products or items that are soon to expire.

A question was asked by Commissioner Rush by which Staff's or the Ordinance's definition and Associate Planner Madera responded by the definition listed in the proposed Ordinance.

A comment was made by Commissioner Rush why he had asked that question is because of a sample used was the Big Lots Store and that it is a National Brand. Associate Planner Madera responded that Big Lots Store does sell overstock products or items that will soon expire and comes under the last definition in the proposed Ordinance.

Vice Chairman Gamboa asked if the Commission had any further comments or 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 closed the Public Hearing. There being no further questions of Staff, or discussion amongst the Commissioners, Vice Chairman Gamboa then called for the question.

A Motion was made by Commissioner Haller and seconded by Commissioner Sparks that the Planning Commission Approve Resolution No. 14-002 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 add Section 16.44.270, to the Highland Municipal Code establishing development regulations for "Fixed Price Point Stores", as amended by Staff with the following:

Section 4. Section 16.44.270 Extreme Value Retail, Fixed Price Retail and Odd-lot / Close-out Retail Stores.

C. Performance and Development Standards.

4. "Variances for minimum floor area and minimum distance separation between fixed price point retail stores shall not be granted."

Motion carried on a 4 – 0 vote with Commissioners Huynh and Stoffel and Chairman Hamerly absent.

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6.0 ANNOUNCEMENTS

City Planner Stater explained Items tentatively scheduled for the Regular Meetings of February 18, 2014, and March 4, 2014.

7.0 ADJOURN

There being no further business, Vice Chairman Gamboa declared the Meeting adjourned at 6:21p.m.

Submitted by:

Approved by:

Linda McKeough, Community Development
Administrative Assistant III

John Gamboa, Vice Chairman
Planning Commission