1.0 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 Chairman Hamerly, in the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present: Chairman Randall Hamerly
Commissioner Richard Haller
Milton Sparks

Absent: Vice Chairman Commissioner John Gamboa
Commissioner Marc Shaw

Staff Present: Lawrence A. Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Tom Thornsley, Associate Planner
Brandy Littleton, Administrative Assistant III

The pledge of allegiance was led by Chairman Hamerly.

2.0 COMMUNITY INPUT

There were none.

3.0 CONSENT CALENDAR

3.1 Minutes of April 18, 2017, Regular Meeting

A MOTION was made by Commissioner Haller, seconded by Commissioner Sparks to approve the minutes, as submitted.

Motion carried, 3-0, with Vice Chairman Gamboa and Commissioner Shaw absent.

4.0 OLD BUSINESS

There were none.
5.0 NEW BUSINESS

5.1 Conditional Use Permit Application to Consider the Establishment of an Alcohol Beverage Control License (Type 41 On-Sale Beer and Wine) and Offer Live Entertainment for Jack's Café, a Bona Fide Public Eatery

Associate Planner Thornsley presented the Staff Report.

Directives
Strike Condition No. 9, as it duplicated Condition No. 7.

Dr. Jack Poster, Applicant, spoke in favor of the Item.

Dr. Poster submitted pictures of his business and a list of people requesting Jack's Café to serve alcoholic beverages, to the Planning Commission.

Nanette Peykani, Highland Area Chamber of Commerce, spoke in favor of the Item.

Andy Natker, Haagen Company: The Village at East Highlands, spoke in favor of the Item.

Chairman Hamerly closed the Public Hearing.

A MOTION was made by Commissioner Haller, seconded by Commissioner Sparks to adopt PC Resolution 2017-003 approving Conditional Use Permit 17-001, subject to the Conditions of Approval, and adopting the Findings of Fact.

Motion carried, 3-0, with Vice Chairman Gamboa and Commissioner Shaw absent.

Administrative Assistant Littleton introduced Planning Commission Resolution 2017-003:

PC RESOLUTION NO. 2017-003

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 17-001 TO PERMIT THE ESTABLISHMENT OF A TYPE 41 ON-SALE BEER AND WINE LICENSE PLACE AND LIVE ENTERTAINMENT FOR A BONA FIDE PUBLIC EATING KNOWN AS JACK'S CAFE, LOCATED AT 28924 GREENSPOT ROAD (APN: 1210-191-47)

5.2 Municipal Code Amendment (MCA-17-002) – Consideration of an Ordinance Prohibiting Commercial Marijuana Activity, and Adopting Reasonable Regulations Regarding Indoor Marijuana Cultivation on Private Residences, Consistent with State Law

Community Development Director Mainez presented the Staff Report.

Community Development Director Mainez stated on page 16 of the Staff Report, section 9.25.040 Indoor Marijuana Cultivation, should read 9.28.040, Indoor Marijuana Cultivation.
Fred Yauger, Resident, spoke in favor of the Item.

**A MOTION** was made by Commissioner Haller, seconded by Commissioner Sparks to:
1. Adopt a Notice of Exemption and instruct the City Clerk to file a Notice of Exemption with the County Clerk of the Board, and;
2. Adopt PC Resolution No. 2017-004 recommending that the City Council adopt an Ordinance (1) amending Chapter 5.04 of the Highland Municipal Code to Prohibit the issuance of a business license for commercial marijuana activity, (2) amending Chapter 9.28 of the Highland Municipal Code to prohibit commercial marijuana activity and to regulate indoor marijuana cultivation on private residences, and (3) amending Chapter 16.80 of the Zoning Code to prohibit commercial marijuana uses in all zones in the City and to allow limited indoor marijuana cultivation consistent with State law.

Motion carried, 3-0, with Vice Chairman Gamboa and Commissioner Shaw absent.

Administrative Assistant Littleton introduced Planning Commission Resolution 2017-004:

**PC RESOLUTION NO. 2017-004**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND, CALIFORNIA AMENDING CHAPTER 5.04 OF THE HIGHLAND MUNICIPAL CODE TO PROHIBIT THE ISSUANCE OF A BUSINESS LICENSE FOR COMMERCIAL MARIJUANA ACTIVITY, AMENDING CHAPTER 9.28 OF THE HIGHLAND MUNICIPAL CODE TO PROHIBIT COMMERCIAL MARIJUANA ACTIVITY AND TO REGULATE INDOOR MARIJUANA CULTIVATION ON PRIVATE RESIDENCES CONSISTENT WITH STATE LAW, AND AMENDING CHAPTER 16.80 OF THE ZONING CODE TO PROHIBIT COMMERCIAL MARIJUANA USES IN ALL ZONES IN THE CITY AND TO ALLOW LIMITED INDOOR MARIJUANA CULTIVATION CONSISTENT WITH STATE LAW, AND MAKING A FINDING OF EXEMPTION FROM CEQA UNDER SECTION 15061(b)(3) OF THE CEQA GUIDELINES (MUNICIPAL CODE AMENDMENT MCA 017-002)

5.3 **Determination that the City's Acquisition of a Trail Easement therein is Consistent with the City's General Plan, or part thereof, in Accordance with Government Section 65402.**

Associate Planner Thornsley presented the Staff Report.

Chairman Hamerly opened the Public Hearing.

Chairman Hamerly closed the Public Hearing.

**A MOTION** was made by Commissioner Sparks, seconded by Commissioner Haller to adopt PC Resolution 2017-005 determining the acquisition of this Community Trail Easement is consistent with the City’s General Plan, or part thereof, in accordance with Government Code Section 65402.
Motion carried, 3-0, with Vice Chairman Gamboa and Commissioner Shaw absent.

Administrative Assistant Littleton introduced Planning Commission Resolution 2017-005:

PC RESOLUTION NO. 2017-005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, DETERMINING THAT THE ACQUISITION OF THIS COMMUNITY TRAIL EASEMENT IS CONSISTENT WITH THE CITY'S GENERAL PLAN, OR PART THEREOF, IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65402.

6.0 ANNOUNCEMENTS

Assistant Community Development Director Stater informed the Planning Commission of future agenda items including cargo container usage and New Vision Charter School.

Assistant Community Development Director Stater updated the Planning Commission on the Redlands Classic.

7.0 ADJOURN

There being no further business, Chairman Hamerly declared the meeting adjourned at 7:05 p.m.

Submitted by:

Brandy Littleton, Administrative Assistant III
Community Development Department

Approved by:

Randall Hamerly, Chairman
Planning Commission

May 2, 2017