



**TOWN OF LOOMIS
PLANNING COMMISSION MINUTES
LOOMIS DEPOT
5775 HORSESHOE BAR ROAD
LOOMIS, CALIFORNIA**

TUESDAY

April 21, 2009

7:30 P.M.

CALL TO ORDER Meeting called to order at 7:35 pm

PLEDGE OF ALLEGIANCE

ROLL CALL Present

*Chairman Thew
Commissioner Arisman
Commissioner Fettke
Commissioner Obranovich
Commissioner Wilson*

COMMISSION AND STAFF COMMENTS

Commissioner Obranovich- He stated his opinion regarding possible Brown Act violations and was interested in the upcoming discussions. Spoke about passive communication and was glad that there were planned sessions to raise awareness and have training. He also spoke to the matter of the Homewood Lumber Development Agreement and the possible conflicts that could have arisen from those meetings.

Kim Fettke- Submitted a letter to staff and was interested in learning more about the guidelines of the Act.

Gary Liss- 4395 Gold Trail Way (Town Council)

Mr. Liss stated that there should be specific issues relating to the Brown Act training and applicable guidelines. These should include how business is conducted, how the media and email chains share information and overall respect for the Brown Act and its intentions.

PUBLIC COMMENT

There was no public comment on items not on the agenda.

ADOPTION OF AGENDA

Following brief discussion, the agenda was adopted by a voice call vote on a motion made by Commissioner Wilson and seconded by Commissioner Obranovich:

***Ayes: Wilson, Obranovich, Arisman, Fettke, Thew
Noes: None***

CONSENT AGENDA

- 1. MINUTES OF MARCH 17, 2009**
- 2. PROJECT STATUS REPORT**

RECOMMENDATION

**APPROVED
RECEIVED AND FILED**

Public Comment on Consent Agenda: None

Following brief discussion, the agenda was adopted by a voice call vote on a motion made by Commissioner Arisman and seconded by Commissioner Wilson:

Ayes: Arisman, Wilson, Obranovich, Fettke, Thew

Noes: None

PUBLIC HEARINGS

3. 5345 Poppy Ridge Court, APN: 045-150-042, Ground Mounted Solar System, Interpretation of the Definition of an “Accessory Structure”, Continued from March 17, 2009

The Town has received a building permit application for a ground mounted solar system. The height of the array is 5.5-feet at its highest peak. It is proposed to be 5-feet from the side and rear property lines. Side and rear setbacks for the property are 25-feet (Residential Estate zoning district). The zoning ordinance allows accessory structures to be 5-feet from side and rear property lines if under 10-feet in height. Current definition of “Accessory Structure” does not include ground mounted solar system.

Recommended Action: No action. Applicant has requested that this item be removed from the agenda.

Public Comment:

Staff report was given to the Commission stating that the item had been withdrawn by the applicant. A voice vote was taken by the Chairman to accept the withdrawal.

Ayes: Wilson, Obranovich, Arisman, Fettke, Thew

Noes: None

4. #08-12 Del Oro Vistas, Brace Road at Stone Road, APNs: 044-123-013, 044-150-001, & -018, Negative Declaration, Tentative Subdivision Map, & Lot Line Adjustment for Swift Engineering, Continued from March 17, 2009

The Town of Loomis has received an application to subdivide 4.15-acres of land into sixteen (16) lots; twelve (12) buildable lots varying in sizes from 7,000 sq.ft. to 12,940 sq.ft., three (3) open space parcels ranging in sizes of 7,300 to 39,400 sq.ft., and one (1) lot for a park that totals 3,350 sq.ft. The parcels are zoned Single-Family Residential 7,000 sq.ft. minimum (RS-7). The project is proposed for approval through adoption of a Mitigated Negative Declaration.

Recommended Action: Hear staff report, take public comment, and approve Resolution #09-04 (project #08-12) for the subdivision and Lot Line Adjustment of parcels 044-123-013, 044-150-001, 018 into sixteen lots.

Public Comment:

Following staff report, the applicant responded to the issues from the staff report and said the Council had decided that they were to follow the Downtown Master Plan and that they were proceeding accordingly as directed by the Town Engineer. That the project was not the maximum development allowed by the Zoning and that they were trying to save as many trees as they could and dedicating open space and a future park. The noise study indicated that the Idn was almost to the mitigation threshold and would be met by installing a fence along Parcel 1’s street side frontage on Brace Road.

Commissioner Fettke asked that the driveways be meandered or designed with the intent to save as many trees as possible. She also wanted the impervious surface areas minimized and LID (Low Impact Development) standards applied as applicable. She also directed staff to include a condition in the approvals stating that there shall be a mitigation payment and trees would be monitored for 5 years after receipt of payment and completion of work. She also directed staff to

include a condition that the applicant considers a reuse contractor at the time of demolition of the existing two dwellings. The Commissioner also asked that funds be dedicated to the park area in order for a playground or other equipment to be installed. The applicant said that the site is more conducive to a trail system and park bench but would address in future in a possible park improvement plan to be reviewed by staff.

Commissioner Obranovich asked for clarification of the condition requiring radon ventilation and solar stubbing. Staff said that the condition is meant to minimize cost to construction and allowing future installation of solar. He also asked for clarification from the town engineer regarding the status of the road and future maintenance. The town engineer said that a Maintenance Agreement or document of approval acceptable to the town attorney would be recorded.

Commissioner Wilson discussed the street tree planning with staff and it was agreed that this would be handled by the Director in order to best locate the trees onsite.

Chairman Thew asked staff if the soil conditions were right for pervious pavement and were told by the applicant's engineer that the area was sandy and of the right consistency for pervious pavement to work.

Pat Miller- 4395 Gold Trail Way

Ms. Miller asked about the 10% SACOG affordable compact and said that she appreciated the use of a reuse contractor. Wanted the trees onsite protected and asked that the road entrances be examined to save entryway trees.

Final deliberation: The Director would review the driveway entrances and the applicant shall make every attempt to save protected trees. A park improvement plan was added to condition #53. The applicant was directed to attempt to save the sycamore onsite and that no street lighting was planned within the subdivision. The final fencing plan was to be reviewed and approved by the Director on individual lots and open space parcels.

A motion was made to approve the Subdivision, Lot Line Adjustment, Tree Permit and Mitigated Negative Declaration by Commissioner Obranovich and seconded by Commissioner Arisman with modified conditions and the findings included for the sound fencing and tree permit and approved by the following roll call vote:

Ayes: Obranovich, Arisman, Wilson, Fettke, Thew

Noes: None

5. #08-20 & #08-22 Town of Loomis Housing Element Update, An Amendment to the Town of Loomis General Plan, Draft Inclusionary Ordinance, Zoning Amendment (Will Propose Negative Declaration of Environmental Impact)

The Commission will focus on the proposed Draft Housing Element, receive consultant report and public input, and address questions. Current housing programs, housing resources, and housing constraints will be reviewed. The hearing will continue considerations from the discussions of the November 6, 2007, Town Council meeting on the Housing Element, January 15, 2007 and February 19, 2008 Planning Commission hearings on revisions to the Zoning Ordinance to implement the current Housing Element. One of the goals of the Town's current and proposed Housing Element is to adopt an Inclusionary Housing Ordinance that requires at least 10 percent of the units in market-rate developments to be affordable to very low, low, and moderate-income households. This ordinance will identify acceptable methods to provide affordable housing such as: a) construction of housing on-site, b) construction of housing off-site, c) dedication of land for housing, and d) payment of an in-lieu fee.

Recommended Action: Receive public testimony on the draft General Plan Housing Element and Inclusionary Housing Ordinance. Consider proposed housing element policy and program revisions and additions, including the vacant lands to be considered for General Plan and

zoning ordinance and map revisions, revise as appropriate, leading to a recommendation of adopting the Housing Element Update to the Council. Consider key policies in the Inclusionary Housing Ordinance and give staff direction to bring the Ordinance back for recommendation at your next meeting.

Public Comment:

Presentation given by Lisa Wise on the plan and future adoption of the updated Housing Element required as 1 of 7 elements certified by state and adopted by the town. Focus of the presentation was to form a base and take questions in order to bring back in May or June to the Commission.

Commissioner Obranovich asked how the Housing Element reflected affordability, especially considering land and liability, tree mitigation and other factors. Does this environmental analysis go into the selection process?

Commissioner Fettke asked if the town missed its filing deadline would the state enforce the 20 unit/acres density.

Chairman Thew states that the 2nd unit provisions do not do the job and size of homes would be a better way of designating.

Commissioner Arisman asked what happens if someone were to lose their income or become disabled when in an affordable housing contract. Would they possibly lose the home?

Gary Liss- 4395 Gold Trail Way

The Housing Element should focus on the needs of town residents and should not require the General Plan to be opened. The element update should take into account current needs of residents, such as temporary housing. The Village project is a possible opportunity for the town. The vacant land survey should be addressed and corrected and the Housing Element update should be advertised better as it affects the community as a whole.

Steve Patterson- Owner of land on southeastern corner of Sierra College/Brace Road.

Stated that 2nd units are not main affordable housing components and that the town has the proper infrastructure but what are the fiscal impacts? If affordability is a constraint then what happens?

Lisa Pywtorak- 4255 Dias Lane

Financing for building, land is almost impossible at this time and 1200 sq. ft. is not option for families. She asked that the town look into temporary housing for families to start out on and then be able to build. Mrs. Pywtorak also suggested that alternate methods be reviewed such as water harvesting, gray water use, etc.

A motion to continue this item to the May 19, 2009 meeting for review of discussion was made by Commissioner Obranovich and seconded by Commissioner Arisman and approved by a voice vote:

Ayes: Obranovich, Arisman, Wilson, Fettke, Thew

Noes: None

6. #09-04 Proposed Draft Zoning Ordinance Revision for Entire Town on Processing Ground Mounted Solar Array Systems

Staff is projecting an increase in building permit applications for ground mounted solar array systems. The Town currently does not have a solar array ordinance and the expediting of solar energy permit applications would be better served with a solar array ordinance in which to reference.

Recommended Action: Open public hearing, take comments, review proposed draft ordinance revision, and approve Resolution #09-0_ (project #09-04) recommending the Zoning Ordinance Revision to the Town Council for review.

Public Comment:

The Commissioners reviewed the proposed ordinance and provided direction to staff. Staff will incorporate comments into updated draft and return to Commission at its May meeting. Specifically, the Ca. Gov. Codes were to be addressed along with any other public comments to be included.

A motion to continue to the May meeting was made by Commissioner Obranovich and seconded by Commissioner Fettke and approved by a voice vote:

Ayes: Obranovich, Fettke, Wilson, Arisman, Thew

Noes: None

NEW BUSINESS

7. Possible Item on Discussion of General Plan

This item was continued to the May meeting by Chairman Thew.

Public Comment:

No public comment on this item.

ADJOURN: Meeting was adjourned at 11:00 PM

Ryan Wunsch, Assistant Planner

Acting Chairman Jo-Carol Arisman