



**TOWN OF LOOMIS**  
**ACTION MINUTES**  
**REGULAR MEETING OF**  
**LOOMIS TOWN COUNCIL**  
**LOOMIS TOWN HALL,**  
**6140 HORSESHOE BAR ROAD, SUITE K**  
**LOOMIS, CA 95650**

<b>TUESDAY</b>	<b>JANUARY 9, 2007</b>	<b>7:00 P.M.</b>
<b>CLOSED SESSION</b> – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.		
a . <b>CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION</b> Pursuant to Subdivision (a) of Section 54956.9: Bickford Ranch Heritage Coalition v. County of Placer Placer County Case No. SCV 12793		
b. <b>CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION</b> Initiation of litigation pursuant to subdivision Section 54956.9: Three potential cases		
<b>TUESDAY</b>	<b>JANUARY 9, 2007</b>	<b>7:30 P.M.</b>

**CALL TO ORDER** Call to order by Mayor Millward at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present:

Mayor Millward  
Councilmember Kelley  
Councilmember Morillas  
Councilmember Scherer  
Councilmember Ucovich

Absent: None

**STATEMENT OF ACTION TAKEN DURING CLOSED SESSION**

- a. No action.
- b. No action

**MATTERS OF INTEREST TO COUNCILMEMBERS**

Councilmember Ucovich asked Council and staff to drive down Barton Road past Wells Avenue to look at the berm that was built.

Mayor Millward stated the following:

- he doesn't want to lose commercial property to residential use
- he would like a discussion on commercial property being developed for duplexes at the quarterly workshop

**All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.**

**Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.**

**PUBLIC COMMENT:** This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please **note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker** is five minutes.

No public comment.

**ADOPTION OF AGENDA**

A motion was made to adopt the Agenda. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

**OPPORTUNITY TO COMMENT ON CONSENT CALENDAR:** All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda pulling item 9 forward for discussion. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

**CONSENT AGENDA**

**RECOMMENDED ACTION**

- |    |  |  |
|----|--|--|
| 1. | Council Minutes – 12/12/07                         | <i>APPROVE</i>                               |
| 2. | Monthly Check Register – December                  | <i>RECEIVE AND FILE</i>                      |
| 3. | Statement of Activity                              | <i>RECEIVE AND FILE</i>                      |
| 4. | Treasurer’s Report                                 | <i>RECEIVE AND FILE</i>                      |
| 5. | Planning Status Report                             | <i>RECEIVE AND FILE</i>                      |
| 6. | Future Meetings & Select Projects Update           | <i>APPROVE</i>                               |
| 7. | Mid Year Budget Review For the Fiscal Year 2006/07 | <i>ADOPT RESOLUTION<br/>Resolution 07-01</i> |
| 8. | Open Space Report                                  | <i>RECEIVE AND FILE</i>                      |

**CONSENT ITEMS FORWARDED**

- |    |  |                                       |
|----|--|---------------------------------------|
| 9. | Second Reading of an Ordinance of the Town Council of The Town of Loomis Dealing With Second Units and Carriage Houses | <i>ADOPT ORDINANCE<br/>TC 9.12.06</i> |
|----|--|---------------------------------------|

Councilmember Kelley stated the following;

- if he was called back to North Carolina to take care of his grandchildren this ordinance wouldn’t allow his son to live in his house
- it also doesn’t allow him to rent it out if he has to stay an extended time in North Carolina
- if he is put into a rest home it doesn’t allow him to rent it out to help support him until he passes on and then it becomes his son’s property
- the ordinance should include family members or owner living in one of the houses on the property
- he is against a deed restriction, it is not necessary and should be eliminated
- there should be incentives to develop second residents, not penalties

Jean Wilson, 4301 Barton Road, stated she would like to see the deed restriction removed and second units enforced as an ordinance.

Following further discussion on the matter, a motion was made to hold first reading of Ordinance 234, Amending Provisions of the Zoning Ordinance Dealing with Second Units and Carriage Houses with the following amendments to Section 2. B:

- taking out “of the accessory second units” and “and record a deed restriction on the property prohibiting the rental or lease of both units at the same time”
- In the second sentence after the word “owner” adding “or family member”

On motion by Councilmember Scherer, seconded by Councilmember Kelley and passed by the following roll call vote:

Ayes: Kelley, Millward, Morillas, Scherer, Ucovich

Noes: None

## PUBLIC HEARING

10. **Fence and Wall Regulations**(Continued from 12/12/06) TC 10.10.06  
Consider proposed draft Zoning Ordinance revisions regarding fence and wall regulations  
**Recommended action:** Continue to February 13, 2007  
**Public comment:**

No public comment.

A motion was made to continue this item to February 13, 2007. On motion by Councilmember Millward, seconded by Councilmember Kelley and passed by voice vote.

11. **Second Story Regulations** (Continued from 11/14/06) TC 8.8.06  
Discuss adding provisions to the Zoning Ordinance providing for new rules and regulations to use in evaluating construction of two story homes and adding second stories to existing homes  
**Recommended action:** Open public hearing, review proposal, revise as appropriate, hold first reading by title only, waiving reading of proposed ordinance  
**Public comment:**

Maxine Sunada, 3541 S. Colvin, pointed out the following:

- this ordinance should only be dealing with existing houses and not new development
- a person should be able to build a two story but unless you have a large setback then it won't be allowed
- suggested only using this ordinance for one lot at a time in an existing established neighborhood

Shellee Richardson, 6334 David Avenue, stated the following:

- her house backs up to a field where a new subdivision may come in
- she understands a second story cannot be built next to an existing house
- when a new home is built and after a few years the owner of the property may want to build a second story that could look into her back yard

Jean Wilson, 4301 Barton Road, asked Council to consider adding a provision on new subdivisions that would allow a second story at the edge of a subdivision, if it is adjacent to an existing second story building.

Nancy Beck, 6304 David Avenue, stated the following:

- her house backs up to a field that will someday be developed and she doesn't want to lose her privacy
- we have strived for quality development and they do not want to have an urban sprawl

Following further discussion on the matter, a motion was made to hold first reading of Ordinance 230, adding provisions to the Zoning Ordinance concerning second stories with the following revisions:

- Section 13.42.265 B. i. a. – deleting “or within 4’ of the rear wall of the home”
- Adding a provision - two stories within a new subdivision does not apply to this ordinance

On motion by Councilmember Morillas, seconded by Councilmember Scherer and passed by the following roll call vote:

Ayes: Kelley, Millward, Morillas, Scherer

Noes: Ucovich

12. **Offices in the Central Commercial (CC) Zoning District Revisions**  
A citizen has requested that the Town revise the Zoning Ordinance to allow for an existing one-story residence in the CC district to be converted into office use  
**Recommended action:** Open public hearing, give any direction on proposed revisions and hold first reading by title only, waiving reading  
**Public comment:**

Jane Janca, Remax, pointed out that they have someone interested in the Norms property that would only need 3 to 4 parking spaces.

Following further discussion on the matter, a motion was made to hold first reading of Ordinance 235, modifying provisions of the Zoning Ordinance dealing with conversion of residential single-story dwellings to commercial uses (noting, after approval coming back with the amendment defining the use along Taylor Road only and not Horseshoe Bar Road). On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Kelley, Millward, Morillas, Scherer, Ucovich

Noes: None

Recess at 8:42 p.m. to 8:52 p.m.

13. **Grading Ordinance Revisions**

Consider revisions to the grading regulations that may be needed to insure that grading, in all of its manifestations within Loomis, will be regulated in a manner that minimizes disturbance to natural features, specimen trees, and other things identified on the land for protection during the permit process

**Recommended action:** Open public hearing, hold first reading by title only, waiving reading

**Public comment:**

Gary Liss, 4395 Gold Trail Way, commended the Council for the grading ordinance that proposes to maintain existing natural vegetation and topography to the maximum extent feasible.

Following further discussion on the matter, a motion was made to hold first reading of Ordinance 236, amending provisions of the grading, erosion and sediment control ordinance. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by the following roll call vote:

Ayes: Kelley, Millward, Morillas, Scherer, Ucovich

Noes: None

**BUSINESS**

14. **Town Survey**

Discuss conducting a survey or surveys in 2007

**Recommended action:** Discuss and give direction

**Public comment:**

No public comment.

Following further discussion on the matter, Council directed staff to find the Town's previous survey that was completed by a consultant, distribute to Council for review and to continue this item to the next workshop for discussion.

15. **Planning Commission Appointments**

Consider Planning Commission appointments

**Recommended action:** Approve Councilmember recommendations for Planning Commission appointments

**Public comment:**

Councilmember Scherer expressed he would like to write an article in the Loomis News asking for citizens to apply for the Planning Commission position before he makes a decision.

Pat Miller, 4395 Gold Trail Way, asked what happens until March to Councilmember Scherer's appointment.

Councilmember Morillas noted the Commissioners are all seated until March.

Following further discussion on the matter, a motion was made to approve Councilmember Kelley (Greg Obranovich) and Ucovich's (Jo-Carol Arisman) appointments. On motion by Councilmember Morillas, seconded by Councilmember Scherer and passed by the following roll call vote:

Ayes: Kelley, Millward, Morillas, Scherer

Noes: None

Abstain: Ucovich

16. **Financial Workshop**

Councilmember Scherer asks that Council consider convening a financial planning session with interested agencies

**Recommended action:** Discuss and direct staff

**Public comment:**

No public comment.

Council discussed the following:

- not sure if they need a workshop with all the financing agencies
- part of the educational process is to let everyone understand
- there are other options besides property tax
- involving other agencies can make it politically successful
- the most important thing now is keeping our fire department
- the schools may beat the fire department on the ballot
- we should know what is out there and the funding sources that are available

- prioritizing and making a concerted effort so one body isn't fighting another body
- if we are aware of all the possibilities then the pool is much larger
- it takes cooperation to work together for the good of the community

Following further discussion on the matter, a motion was made to have a financial planning session with the other agencies and to hire Tom Sinclair to discuss options for the Town, not to exceed \$3,000. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by the following roll call vote:

Ayes: Kelley, Millward Morillas, Scherer, Ucovich  
 Noes: None

**COMMITTEE REPORTS**

17. Placer County Economic Development Commission – Ucovich
18. Placer County Flood Control/Water Conservation District – Morillas
19. Placer County Transportation Planning Agency – Kelley/Millward
20. Placer County Mosquito Abatement – Ucovich
21. Placer County Air Pollution Control District – Millward/Ucovich
22. Sacramento Area Council of Governments – Scherer/Kelley
23. Placer Land Trust ex-officio representative - Scherer

**ADJOURNMENT**

A motion was made to adjourn at 9:41 p.m. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

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Mayor

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Clerk