



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

TUESDAY

May 19, 2009

7:30 P.M.

CALL TO ORDER Meeting called to order at 7:32 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present

*Acting Chairman Arisman
Commissioner Fettke
Commissioner Obranovich
Commissioner Wilson*

Absent

Chairman Thew

COMMISSION AND STAFF COMMENTS

There were no commission or staff comments.

PUBLIC COMMENT

There was no public comment.

ADOPTION OF AGENDA

A change was made to the agenda moving item #5 (Ground mounted solar arrays) to #4 replacing the Housing Element which was moved to item #5.

A motion to adopt the agenda was made by Commissioner Wilson and seconded by Commissioner Obranovich and approved by a voice vote:

Ayes: Wilson, Obranovich, Fettke, Arisman

Noes:

Absent: Thew

CONSENT AGENDA

- 1. MINUTES OF APRIL 21, 2009**
- 2. PROJECT STATUS REPORT**

RECOMMENDATION

APPROVED

RECEIVED AND FILED

Public Comment on Consent Agenda: None

A motion to adopt the Consent Agenda was made by Commissioner Obranovich and seconded by Commissioner Fettke and approved by a voice vote:

Ayes: Obranovich, Fettke, Wilson, Arisman

Noes: None

Absent: Thew

PUBLIC HEARINGS

3. **#08-02 Irving Dumm Conditional Use Permit, Design Review, Sign Review, and Variance , 3415 & 3485 Swetzer Road, APNs: 043-030-064, -065, and 043-020-022,**

Irving Dumm, the applicant, as a result of a code enforcement action, requests a Conditional Use Permit (CUP), Design Review (DR), Sign Review (SR), and Variance (VAR) approval on three parcels/leaseholds totaling 8.96-acres, located at 3415 and 3485 Swetzer Road, APN's: 043-030-064, -065, and 043-020-022 to continue certain uses, businesses and structures for which Town approvals were never obtained. A Conditional Use Permit is required for Manufacturing/processing-Intensive (§13.28.030) uses within the Light Industrial (IL) zoning district. Design Review is required in order to review and find that all structures that have been illegally erected can be found to comply with the Town's Ordinance and Building Codes. A Variance is being applied for to allow an existing modular office building to be located within the front setback area. All parcels are owned by Union Pacific Railroad with Mr. Dumm leasing 8.96-acres.

Recommended Action: Hear staff report, take public comment, and approve **Resolution #09-05** approving a Conditional Use Permit, Design Review and Sign Review and denying a request for a Variance, with the recommended findings and conditions of approval.

Public Comment:

Jeff Dumm- 4415 Racetrack Road, Rocklin, CA 95677

Mr. Dumm went through each inspection item and informed the Commission as to the current status of each item (submitted documentation showing adjustments of 40 inspection items). He stated that many of the items have been removed from the property (multiple cargo containers, two recreational vehicles). Said that he wants to comply with whatever the Town is requiring (building permits for structures and tenant improvements not originally permitted) but will need direction on approaching permitting, as the structures are already in place and the tenant improvements are completed. He also had a question as to why the storage rack requires a building permit (staff to check with Building Department). Mr. Dumm stated that the variance is being requested for the modular office building due to topographical limitations of the site, as well as delivery truck and emergency vehicle circulation. He went on to discuss the buildings that currently utilize a septic system and stated that in the 50 years that they have been on this site there have only been a few (4) issues with the septic systems and that they were due to sinks being left on. They have had zero trouble with the septic systems the last 8+ years. He also was concerned with the tie-in fees of South Placer Municipal Utility District, as well as the time-frame as set by Placer County Environmental Health. Talked about the 30-day lease clause that Union Pacific holds as part of their lease and why they have been unwilling to submit a copy of the lease to the Town (privacy issue, as the document would then become public record).

The Planning Commission discussed the sidewalk and landscaping conditions and asked staff to clarify in the conditions that the sidewalk on the east side of Swetzer Road will not be required to be installed once sewer tie-in occurs (keep yet-to-be-installed landscaping in place and leave curb painted red) unless otherwise required by the Town Engineer.

A motion to approve the Conditional Use Permit, Design Review, and Sign Review, with the modifications to the conditions of approval as discussed was made by Commissioner Fettke and seconded by Commissioner Obranovich and passed by the following voice vote:

Ayes: Obranovich, Fettke, Wilson, Arisman

Noes: None

Absent: Thew

A motion to continue the Variance request to the June 16, 2009 Commission meeting was made by Commissioner Wilson and seconded by Commissioner Obranovich and passed by the following voice vote:

Ayes: Obranovich, Fettke, Wilson, Arisman

Noes: None

Absent: Thew

4. #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_ recommending the Zoning Ordinance Revision to the Town Council for review.

Public Comment:

Following staff report and explanation by staff, the Planning Commissioners were able to ask questions. Mr. Larsen, the town's attorney, recommended that the Commission clarify remaining areas of confusion so that staff could return with a more formative ordinance. Staff also said that the inclusion of a chart applying the stated intent and diagramming setback examples and distance may be helpful for the Commission during their deliberation. The Commission decided to continue the item to the July meeting.

A motion was made by Commissioner Wilson and seconded by Commissioner Obranovich to the July Commission meeting and approved by a voice vote:

Ayes: Wilson, Obranovich, Fettke, Arisman

Noes: None

Absent: Thew

A 5-minute recess was called at 9:40 pm.

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 vacant land survey, housing types to be included as affordable housing, and proposed new and zoning programs in connection with the Draft Housing Element, receive public input, and address questions. Current housing programs, housing resources, and housing constraints will be reviewed. The continued hearing from discussions of the November 6, 2007, Town Council meeting on the Housing Element, January 15, 2007, and February 19, 2008 Planning Commission hearings leading to the re-noticed April 21, 2009 hearing on the draft 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 cutting the vacant lands to be considered for General Plan and Zoning Ordinance and map revisions, housing types to be included as affordable, the new proposed housing element policy and program revisions and additions, and give staff direction leading to a recommendation of adopting the Housing Element Update to the Council as early as June, 2009. Time permitting, 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:

The Planning Director gave an overview staff report and update on the progress of the Housing Element. The goal for the June meeting was to identify possible sites within town that could be zoned to satisfy the Town's Housing Element requirement. Discussion centered around town requirements by the state to satisfy affordable housing numbers, overlaying zoning for seniors, low-income, etc., and the Commissioners were asked to look for and identify appropriate sites.

ADJOURN: Meeting adjourned at 10:54 PM.

Jo Carol Arisman, Acting Chairman

Matt Lopez, Planning Technician