County of Placer

GRANITE BAY MUNICIPAL ADVISORY COUNCIL

8789 Auburn Folsom Blvd., Suite C-214, Granite Bay, CA 95746 County Contact: Brian Jagger, District Director (916) 787-8950

Meeting Date and Time: April 7, 2010 @ 7:00 p.m. Meeting Location: Eureka Union School District Office 5455 Eureka Road, Granite Bay, California

- 1. Call to Order 7:00p.m.
- 2. Pledge of Allegiance

3. Introduction of MAC Members

- A. Chairman Eric Sanchez, Vice-Chairman Eric J. Teed-Bose, Virg Anderson, Tom Habashi, and John Thacker (Secretary).
- B. Also present was Fourth District Supervisor Kirk Uhler.

4. Approval of Agenda

A motion was made (and seconded) to approve the April 2010 MAC Agenda. Approved 4-0.

5. Approval of Minutes from March 3, 2010

A motion was made (and seconded) to approve the March 2010 MAC Minutes. Approved (4-0).

6. Public Safety Report

Bob Richardson of the South Placer Fire Department spoke regarding fire safety. Mr. Richardson noted that vegetation is currently a safety issue, as it always is at this time of year. There have not been any unusual occurrences. Call volume has been stable. Fuel abatement is underway, notably on Auburn-Folsom Road.

Deputy Ames appeared to speak on behalf of the Placer County Sheriff's Department. He works out of the Loomis sub-station, and is filling in for Deputy Clark, who is not able to attend due to press of business. Deputy Ames noted that there have not been any recent reports of violent crime. However, "basic" vehicle burglaries are abounding. Two busy locations in this regard are Bayside Church (after dark), and Gold's Gym. It is important to note that the common thread in most of these events is that valuable items, such as laptops, phones, and purses, are left in plain view within the victim vehicle. Also, amazingly, people often don't lock their cars! The moral of the story: lock your car, keep valuable items out of sight, and with just these two simple steps your odds of avoiding crime are much improved. Don't ask to be a victim!

7. Public Comment

A long-time resident expressed dissatisfaction with answers provided him to two questions he asked at last month's meeting. He believes they amounted to mere "political obfuscation". Specifically, he objected to Mr. Jagger's indication that Supervisor Uhler prefers to abstain at this stage from day-to-day activities regarding the Community Plan Update process. He thinks Supervisor Uhler, in view of all of the responses of local residents to questionnaires, etc., should be doing more to promote the obvious wishes of constituents, especially since developers are having meetings with the Planning Department. Finally, he also objected to the definition of spot zoning offered by Mr. Jagger last month. Mr. Jagger seemed to focus on whether the subject zoning is done piecemeal from a timing standpoint, while the real focus, the resident believes, should be the character of the subject parcel *vis-à-vis* adjoining parcels.

8. Supervisor Uhler's Report

Supervisor Uhler noted that Mr. Jagger is not present tonight because of a nasty spill he took recently while at a charity function at the Galleria. We wish him well. Regarding County business, the budget continues to dominate Board discussion. More immediately, this means engaging in some in-depth conversations with the public employee unions, including the Deputy Sheriff's Association. Unfortunately, layoffs will not be avoidable; however, every effort will be made to avoid such, and most importantly to maintain service levels.

Supervisor Uhler next decried the "intentional propagation of misinformation" regarding the Update. He has therefore asked the Planning Department to put together answers to frequently asked questions that will address this problem. The answers should be on the Planning website during the week of April 12, and will be linked through the MAC website as well.

Supervisor Uhler next addressed the county's "M" power program. This program enables homeowners to finance energy saving improvements through the county, and make payments through their property tax bills. Eligible improvements run the gamut from fixing windows, to installing solar power generation systems. A key feature of this program is that its financing mechanism does not require homeowners to pay off the loan when they sell to a new owner – the financing runs with the property, in essence. In response to a question from Chairman Sanchez, Supervisor Uhler indicated that the rate of interest on "M" Power financing will likely be in the range of 6.5%.

Interested homeowners may contact Janine Windeshausen for more information.

One resident inquired whether financing would be available for those homeowners who made improvements following the effective date of the legislation, but before the date the county initiated its program. Supervisor Uhler believes that the legislation does not allow for this.

Another resident inquired whether "M" Power financing would appear on a

homeowner's credit report. He pointed out that if not, this fact would be an excellent selling point for the program. Supervisor Uhler did not know the answer, however he speculated that it might not, since the financing is not personal to the homeowner, but runs with the property. He will seek an answer to this significant question.

Another resident asked what the Board intends to emphasize in attempting to close the budget gap. Supervisor Uhler noted that personnel expenses are by far the greatest budget component, so that is where, for better or worse, the Board will quite naturally and logically look first. More specifically, it is well known that public employees often have relatively generous benefit packages, and so it is likely there will be some scaling back in that area. Also, spending initiatives once seriously contemplated simply won't be undertaken.

Another resident inquired concerning the level of the county's unfunded obligations. According to Supervisor Uhler, the total figure is \$270M, which is equivalent to about one year's operating budget. To mitigate this, the county has begun requiring accelerated contributions from all departments, such as an additional 5% contribution to PERS per employee. Thus, the \$270M figure actually represents a reduction from above \$340M four years ago.

9. MAC Committee Reports

No Committee Reports

10. Informational Non-Action Items

A. Update on Granite Bay Community Plan Review E.J. Ivaldi of the Planning Department presented regarding the Granite Bay Community Plan Review. Tonight he presented a summary of the goals and policies responses. Please note that the Planning Department will not present any recommendations either tonight or in the near future. Next month, he will present regarding the land use change responses. Note that this information will be on the Planning Department website by the week of April 12. Further, Planning will disclose not only a summary of results, but will attach every comment.

According to Mr. Ivaldi, an "overwhelming" percentage of respondents support existing goals. For example, among the "lowest" level of support for existing goals was a 65% favorable showing regarding recreational facilities. Similarly regarding existing policies, responses were overwhelmingly favorable.

Regarding Section II of the survey, which solicited suggestions from community members regarding goals and policies, the most common was that spot zoning be disfavored. The second most common suggestion was that residential lot sizes should vary. Third was preservation of the community's rural/residential character. The seventh most common was that the 300-foot setback along Douglas Boulevard be maintained.

Among the topics generating the greatest number of comments were: #1 housing needs to be re-evaluated; #3 large churches should be limited in size; #7 limit new commercial development on Douglas Blvd. It should be noted that this doesn't necessarily reflect or measure approval/disapproval, just the total number of comments.

Among the most common type of comments, i.e., catch phrases used many times over, were: keep the current plan; don't expand commercial zoning; keep the 300-foot setback.

With respect to the comments regarding suggested criteria for evaluating land use requests, availability of sewer and water, and use compatibility, were the most common. Benefit to the community, as a land use criteria, was least popularly supported, but still received a healthy "agree" margin.

With respect to the next steps in the process, the first will be to check in with Board of Supervisors on April 27. Supervisor Uhler, in response to an inquiry by Mr. Teed-Bose, indicated that Planning will likely present to the Board shortly after 9am. At this Board meeting, the Planning Department will advise what they have done to date in regard to the Plan, what the results are, and ask for direction as to how to proceed (among different possible scenarios).

Mr. Habashi asked if there is a time frame within which we might learn how the Planning Department is going to proceed. Mr. Ivaldi believes this will likely be known after the start of next fiscal year, which would be July.

Mr. Anderson inquired concerning the impact of state and federal requirements on the Update process. Mr. Ivaldi responded that it is too early to begin evaluating this issue, however it is something Planning will have to tackle in time. He will keep the MAC apprised on this score.

Mr. Teed-Bose asked about the responses regarding goals. He is concerned whether the responses indicate approval of policies (meaning what might happen under the current plan), as opposed to the actual existing character of the community, irrespective of policies. In other words, did the respondents understand what they were indicating approval of? Mr. Ivaldi indicated understanding of this distinction, and could only speculate that the responses reflect some of both, but would not guess the extent. He indicated that Planning is aware that the responses to some of the questions are unavoidably subject to varying interpretations.

Mr. Anderson wondered whether next month's MAC meeting will be the next presentation by Planning following the April 27 Board meeting, or whether there might be some extra-MAC meeting during that interim. Mr. Ivaldi responded in the negative. Planning is eager to complete the process of delivering information regarding the surveys to the MAC on the time table that has been set forth.

A long time resident inquired (a) whether the land use requests will be discussed with the Board before the public hears them at the next MAC meeting; and (b) whether the "developer meetings" engaged by the Planning Department are open to the public. Mr. Ivaldi responded first that the Board will probably get the same information on April 27 that will be presented at the May MAC meeting; however, recall that this information will be on line next week. Second, Mr. Ivaldi stated that "developer" meetings are between Planning staff and the property owner. Staff engages such meetings in order to define more specifically the owner's goals and intentions, so that requests can be fine-tuned given all the constraints that may apply.

Another long-time resident asked whether Planning would present the Board with options as to the manner in which it should proceed. She also asked whether there will be an opportunity for public comment at the Board meeting. Mr. Ivaldi responded yes, and yes.

Another long-time resident noted her appreciation for Planning's work in putting together the responses. She also asked how much of goals and policies will be incorporated into land use criteria, or whether the criteria would stand alone. Mr. Ivaldi stated that these factors cannot operate independently of one another.

Another long-time resident asked first about a question regarding goals, which was relatively poorly supported. She believes the question was poorly constructed. She also asked whether the Update will be an action item at the Board meeting, and how Planning's presentation in that venue might differ from tonight. In that light, will a copy of the presentation outline/memo from Planning be made publicly available? What is the Planning's general take on the feedback from the surveys? How will this affect their approach? Will budget considerations be part of the presentation of options to the Board?

Mr. Ivaldi responded by first noting that although the Update will be an information only item at the Board meeting, per Mr. Uhler, the Board remains free to voice opinions regarding Planning's approach. There will be a planning memo that will be part of the Board's agenda, which will be available on the Planning Department's website. The budget for the Update will certainly be part of the discussion with the Board.

Addressing the previous resident's query, Mr. Anderson remarked about the "word-smithing", or lack thereof, in some of the survey questions. Mr. Ivaldi agrees that such was not always as clear as might have been. He allowed that it was evident from the comments that people struggled to comprehend the focus of some of the questions, and Planning staff will attempt to take this into account in evaluating responses.

Lastly, another long-time resident inquired as to the identity of the "developers" who have had private meetings with Planning staff, and what exactly they have in

mind. Further, he asked how much weight Planning will actually give to the policy survey when they get around to evaluating zoning changes. In response, Mr. Ivaldi noted that Planning isn't the only influence on these matters. Planning will have to go before the MAC with these issues, as well as the Planning Commission. Thus, "developer" meetings amount to requests for face-to-face discussion initiated by Planning staff for technical and clarification purposes. They are not events at which substantive decision-making occurs. Any matters discussed therein will be the subject of many due process opportunities before they can come to fruition.

11. Action Items

A. Appeal of a Zoning Administrator's Decision – Variance (PVAA 20090261) - Quarry Ponds

The MAC is being asked to provide comments and/or a recommendation to the Planning Commission on an Appeal from Lisa Powers on behalf of Quarry Ponds, LLC, of the Zoning Administrator's decision to allow a Variance for two tenant names on three existing monument signs where eight names were requested.

The subject property, Assessor's Parcel Number 048-083-024 comprises approximately 5.2 acres, is currently zoned C2-UP-Dc (General Commercial, combining Use Permit required, combining Design Scenic Corridor) and is located at 5520-5550 Douglas Blvd in the Granite Bay area. The Planning Department contact for this project is Leah Rosasco and can be reached at (530) 745-3091.

Note also that the Zoning Administrator approved the increased height of new signage (to nine feet, six inches), but not the number of tenant names requested.

Ms. Powers provided a summary of the process, beginning with her presentation at a 2009 MAC meeting. She emphasized the relatively high speeds at which motorists pass by Quarry Ponds, thus creating a need for bigger and better signage. Signage is a big issue in regard to attracting new tenants. Moreover, it is highly unusual for shopping centers *not* to feature their tenant's names. Though "substantially" pleased with the Zoning Administrator's ruling, she felt she had to file an appeal because she could not fairly determine which of her tenants would win one of the two spots allowed.

Next, John Gray of J.D. Gray's Designer Jewelry spoke briefly concerning his interest in this matter, as a Quarry Ponds merchant. He noted that the way the stores are set back off of Douglas Blvd., it is difficult for people to see what shops are in the center.

One long-time resident opined that motorists can't read the business names anyway, thus he believes the ruling of the Zoning Administrator was appropriate.

Another long-time resident stated that she heard from sources within Planning that the Zoning Administrator was also concerned about the ability and/or

inclination of motorists driving by at 55mph trying to read the proposed signage. She also agrees with the Zoning Administrator's ruling based on her concern that Douglas Blvd. could end up looking like Hwy 49 in Auburn.

Another long-time resident voiced her overall appreciation of Quarry Ponds. However, she doesn't like the precedential issue raised by an approval of the type of signage proposed.

A final resident speaker expressed concern about lighting at Quarry Ponds. She noted that the shopping centers at the Douglas and Auburn-Folsom intersections aren't directly facing houses, as is Quarry Ponds. Hence she is concerned that the proposed signage would add to already excessive lighting. Overall, however, she believes Quarry Ponds is very well done.

Mr. Anderson questioned the utility of the smaller tenant signage in any case.

Mr. Habashi asked for clarification as to whether Ms. Powers could just put six different names on the three signs, inasmuch as each sign was allowed two names. Ms. Powers responded that such is not allowed by the ruling, and this element of the ruling may in fact be the object of her greatest objection. Mr. Habashi expressed sympathy with Ms. Powers on this point.

Mr. Teed-Bose offered up a series of questions. In response to one, Mr. Ivaldi noted that in terms of the maximum allowable number of signs, the third sign on the property actually required a variance, thus, increasing the quantity of signs would be problematic. Mr. Teed-Bose also echoed a resident's concern about establishing bad precedent. He is concerned that granting of the appeal would in effect merely amount to applying a band-aid to Ms. Power's legitimate problem, that would nevertheless create bigger problems down the road from a precedential standpoint. He is concerned there might be a better solution, at least somewhat pleasing to all, that is as yet undiscovered. In response, Ms. Powers indicated a willingness to find a middle of the road, common sense solution, and in fact stated that she would have lived with a ruling that allowed her to feature six different names on three signs.

Mr. Anderson noted that when he voted on the matter last year, he assumed that Ms. Powers would be permitted to put different names on the different signs.

Chairman Sanchez remarked first that Quarry Ponds is an asset, and stated that he is very saddened about the fall of Pizza Antica. He believes it is his duty to support *existing* businesses. Moreover, he is not enamored of signage regulations generally, especially those regarding temporary signage.

Mr. Habashi asked Ms. Powers what it is she is seeking by her appeal. Ms. Powers noted that she is asking the Planning Commission to review the matter *ab initio*. That is the legal posture the appeal is in, based on the zoning appeal statute.

Thus she must ask for everything her initial application sought; however, she is willing to consider reasonable attempts at compromise.

Mr. Teed-Bose stated his opposition to the appeal based on his belief that there should be a better way to approach this matter. He suggests that he would chair a sub-committee, should one be formed, to address signage issues. He is sympathetic to Ms. Power's situation with Quarry Ponds, and would like to help. However, he will vote no on this item.

Mr. Habashi made a motion to support the applicant's position, with a suggestion that she undertake all reasonable efforts to find and be agreeable to any reasonable compromise solution as may be proposed by the commissioners. The motion was duly seconded, and passed by roll call vote of 4-1.

- **12. Correspondence** Found on Table at the rear of the room.
- 13. Next Meeting: GB MAC May 5, 2010 @ 7:00 p.m.
- 14. Adjournment: 8:52 p.m.