
GRANITE BAY MAC REGULAR MEETING MINUTES

Wednesday, May 6, 2015 at 7:00 p.m.

Eureka School District Office, Large Gym, 5477 Eureka Road, Granite Bay, CA

1) Call to Order 7 PM

2) Pledge of Allegiance

Suzanne Jones asked Ken Prager to lead the pledge.

3) Introduction of MAC Members and Secretary

Suzanne Jones, Bill Bowen, Virg Anderson, Barbara Singleterry, Eric Bose, Ken Prager, John Thacker and Te Iwi Boyd, Secretary.

4) Approval of the Agenda

Motion was made to approve the agenda. Motion seconded and passed, 6-0.

5) Approval of the Minutes

a) April 1, 2015 (Ken Prager and John Thacker absent)

Only one change requested. Singleterry is spelled with an "e" not an "a".

6) Public Safety Reports

a) Placer County Sheriff

Deputy Lew reported that the Sheriff's Department has seen an uprising in burglaries, about 10 in the past month. Homes that are on the market for sale, tend to be the target in the most recent burglaries.

Lew reported the Sheriff's Department had been able to identify at least one suspect in three of the burglaries. This was due to community involvement, specifically a witness and video surveillance. The suspect is a female, last seen driving a 2005 maroon pick-up truck. The Sheriff's Department is hoping to have her in custody by the weekend.

Deputy Lew reminded attendees of the MAC meeting to lock their doors, be proactive, call in suspicious people. Also, if you are going to have a safe, the safe should be at least 4ft. tall. A safe smaller than 4ft tall, is what the Sheriff's department calls a "carry-off" safe, meaning, the burglar's are able to carry away the safe and its contents.

7) Public Comments: Any member of the public may address the Municipal Advisory Council on any matter that is NOT listed on the agenda. Comments will normally be limited to three (3) minutes per person at the discretion of the Chairperson.

Arlene Keely, a resident on Berg Street, approached the MAC asking for help with regard to an item that was on last month's agenda, The Grove at Granite Bay Subdivision and Conditional Use Permit Modification. Ms. Keely read the following statement:

"I do not think Staff accurately reflected MAC's vote in the Report they prepared for tomorrow's Planning Commission hearing, where the Grove seeks to remove the required

setback of solid fencing along Berg. Staff's comments regarding the MAC's unanimous vote of denial appears to be marginalized. It did not include comments that supported the decision. And what appears to be a rebuttal to MAC's stand, Staff's report stated the applicant made "substantial revisions to their original proposal...", " (presented to MAC). Staff report says, applicant has placed

"... a limit on the maximum height (5ft) and length" (between 57 to 76 ft of solid fencing or wall along Berg)

AND the

"applicant... agreed to encourage homeowners to consider.... Additional plantings to increase screening and yard privacy."

TO "ENCOURAGE HOMEOWNERS TO CONSIDER" is characterized as "substantial" ...[????]

None of the proposed changes to the Conditions of Approval require "additional plantings", which the MAC had suggested as a way to mitigate the situation. The proposed modifications only remove the restriction of solid fencing along Berg within the front set back. The proposed wording will now **ALLOW** solid fencing, walls, arbors (5' or less in height) of lengths that can range up to 76ft long depending on the lot. Please note, an arbor is a structure that people walk under, so I don't think anyone would construct an arbor 5ft or less in height.

Staff report does not indicate MAC's comments that support the MAC's unanimous decision of denial.

The above changes requested by the applicant do not appear to be a "substantial revision" from the request they presented to MAC.

I highlighted the modified working that will change each Condition to allow solid fencing within the setback. I also included the agenda from the MAC meeting when this applicant came before you. I ask the MAC to notify the Commission the reason why they unanimously denied the changes and also notify that the changes in the staff report are not "substantial revisions" from what was presented to the MAC on April 1st.

Perhaps I may have a copy of the minutes from the April 1st MAC meeting and I will provide to the Commissioners at tomorrow's hearing."

8) Supervisor Report (If Supervisor Kirk Uhler is not present, Linda Brown will present)

Supervisor Uhler reported on several items.

Hidden Falls Regional Park – Park Restrictions

The Placer County Board of Supervisors on April 7th adopted an urgency ordinance establishing parking restrictions on portions of Mears Drive (a two-lane rural road) in North Auburn. The narrow road is difficult to maneuver and at times dangerous when normal traffic flow becomes impaired and access to the area by emergency vehicles can be affected. In adopting an urgency ordinance, parking restrictions are effective immediately.

Placer County Homeless Report

An action plan and recommendations that are part of a long-awaited study on homelessness in Placer County were presented to the Placer County Board of Supervisors on April 7th.

Dr. Robert G. Marbut, a nationally recognized homelessness expert hired by the supervisors, discussed his research and presented suggestions to the Board. The survey found that Placer County is doing exemplary work in providing critical services to homeless families. The data also shows that the overall number of homeless and homeless veterans is decreasing.

However, Marbut's research showed that services offered by a variety of providers throughout the county lack a cohesive plan that will move homeless people off the streets and into stable environments where they can receive needed services. Marbut noted that the number of chronically homeless, generally defined as someone homeless for more than a year, is increasing and is almost three times the national average.

MAC Member Suzanne Jones asked if this report would negatively impact the Gathering Inn. Supervisor Uhler said that although the report was critical of the model the Gathering Inn uses, it is meeting a need, and this report will not cause them to close their doors.

A resident of the community asked if Placer County was aware of Volunteers of America. Supervisor Uhler responded by saying that the Volunteers of America will be operating a temporary facility at the DeWitt Center in Auburn.

Code Enforcement Weekend Event Compliance Program

The on-call officer will be available to respond Thursday through Sunday, including evening hours and holidays. Code Enforcement staff will focus on reports from the public, investigating events and parties as they occur. Concerned citizens and neighbors can call the WE hotline and convey their concerns about an event while it is happening.

MAC Member Ken Prager asked if the General Fund pays for this program. Supervisor Uhler confirmed that this program is funded by the General Fund.

Sandy Harris, a community member asked what would occur if there was an event where maximum occupancy is 200 attendees but 300 attendees show up and Code Enforcement is called. Supervisor Uhler explained that the Code Enforcement Officer would notify the person in charge of the event. It would then be that person's responsibility to bring the event back into compliance. If this could not or did not occur then the Sheriff's Department would be notified. If there are ongoing complaints, that establishment could be at risk of having its Use Permit pulled.

Regional Sewer Project Completed

Placer County celebrated an important milestone on April 24th, in its efforts to develop a modern regional sewer system that complies with new, more stringent federal and state standards; reduces impacts on foothill streams; and capitalizes on economies of scale.

The SMD-3 treatment plant was 50 years old and proven to no longer be a cost effective measure. The SMD-3 treatment plant was decommissioned recently after construction was completed on a new pump station and 2-1/2 miles of new sewer pipeline that allow wastewater from the district's approximately 1,500 residents to be treated at the City of Roseville's Dry Creek Wastewater Treatment Plant.

The Horseshoe Bar project is one of several the county has undertaken to comply with federal and state wastewater quality regulations, reduce water-quality impacts on foothill streams and capitalize on economies of scale.

RFP to Manage Operations of Placer County Fairgrounds

The current location of the Placer County Fairgrounds was built in the 1930s, and has been a fixture in the western end of the county for decades. However, declining interest, aging infrastructure and encroaching development has inhibited the facility from enjoying continued success.

Since 1938, the Placer County Fair Association has been responsible for management and operation of the fairgrounds, including the speedway, and for the planning and administration of the annual fair.

At the direction of the Board of Supervisors, the county is now soliciting proposals (RFP's) from a new, third-party entity for overall fairgrounds management and operations. The contractor would be responsible for the annual fair and other interim events, which could possibly include speedway events.

There will still be a fair held the last weekend in June.

Board Opts for Wait-and-See Approach on Medical Marijuana Issue

The Placer County Board of Supervisors decided on May 5th to take a wait-and-see approach on whether to regulate the cultivation of medical marijuana in unincorporated areas of the county. Board members expressed a willingness to consider establishing a regulatory framework in the future to deal with concerns expressed by some residents who live near properties where marijuana is grown. The wait-and-see approach favored by the board will allow Placer County to see what action, if any, the State Legislature takes on the issue in the coming months.

Board, Congressman's Staff Honor Service Academy Students

The Placer County Board of Supervisors joined Rep. Tom McClintock's staff, in recognizing six local students with appointments to U.S. Military Service Academies. The application process is very competitive because Service Academy appointments are highly coveted. Appointments go to the students with the best grades, test scores, community service, and leadership skills and a strong desire to serve in the United States.

Area students who received appointments to the U.S. Air Force Academy are: Eric Leverenz of Rocklin, Whitney High School; Gabrielle Miller of Granite Bay, Granite Bay High School; and Garrett Kauppila of Rocklin, Rocklin High School. Two students received appointments to the U.S. Military Academy at West Point: Luc Barbe of Loomis, Jesuit High School; and Alexander Cooney of Roseville, Sierra College. Daniel Konieczny of Roseville and Jesuit High School was selected to attend the U.S. Naval Academy.

9) Informational Items/Non-Action: None

10) Action Items:

- a) **Neff Rentals' Request for 10-foot high electric fence:** Presented by: Sherri Conway, Senior Planner, Placer County Planning Services Division (15 min.)

The MAC is being asked to review the Design Review Committee's decision to deny a request for a 10-foot high electric fence at Neff Rentals, located at 8455 Sierra College Boulevard, Granite Bay (APN: 048-030-073). The Design Review Committee's decision is being appealed to the Planning Commission. The property is zoned CPD-DC (Commercial Planned Development Zone District, with a combining Design Corridor). The purpose of the CPD zone district is to designate areas appropriate for mixed-use community shopping centers, office parks, and other similar development. The purpose of the Design Corridor (DC) combining district is to provide special regulations to protect and enhance the aesthetic character of lands and buildings within public view.

The item will be heard by the Planning Commission on Thursday, May 7, 2015.

Ms. Conway explained that this project was originally brought to the Design Review Committee in February 2015. As staff conducted their due diligence in determining if this project was consistent with Placer County policies, i.e., the Community Plan, Landscaping Plan and the General Plan. After careful review, staff did not feel that this project was consistent with those policies.

Ms. Conway provided MAC Members with the background of the property. This property is subject to a 1973 Land Development Agreement (which would now be a use permit). Neff Rental's has been grandfathered into the CPD-DC and would not be a use allowed under today's standards.

Ms. Conway provided handouts to the MAC Members that included a Site Plan, photos of signage as well as photos of the various types of fencing currently surrounding the property and examples of the proposed electric fence and gate.

Electric Guard Dog, the appellant, is proposing the installation of a 10-foot high electric fence 4-12 inches inside the existing fence. This fence is comprised of 20, 12.5 gauge steel wires which are run horizontally. There would be warning signs every 50 feet. Audible alarm sounds with potential breach would be allowed as would a pulse of electricity activated with system compromise.

Ms. Conway stated that staff feels all issues included in the appeal were addressed in the original denial.

Deputy Lew asked to make a statement. He started by stating that he has been patrolling this area for 20 years and during that time, he has had to respond to numerous burglar alarms going off, many of them being false alarms because Neff Rental's current beam system. Deputy Lew feels that the electric fence would provide needed protection for the property, that protection is a positive thing, and that this proposed fence could be seen as a cost savings to the County by reducing the number of calls the Sheriff's department is making to this property.

Member Anderson asked if the purpose of the fence is to keep dogs in or people out. Ms. Conway clarified, there are no dogs involved in this project and that the intent of the fence is to secure the property and keep people out.

Member Anderson additionally asked if the concern from the Design Review Committee was aesthetics or safety because it is an electric fence. Is the electric component of the fence a pulse or continuous?

Member Bowen asked why the fence has to be 10 ft. in height. Ms. Conway stated that this is the height specified by the applicant. Member Bowen then asked what permitting would be required if this fence is approved. Ms. Conway confirmed it would require a building permit, but it must first receive approval from the Design Review Committee/Planning Commission.

Member Bose asked what fences belonged to the property owner and which belonged to adjacent property owners. Member Bose additionally asked if this property has always been zoned commercial.

Ms. Conway told the MAC Members that nowhere in the County is there a 10 ft. fence allowed and that this is the first time staff has seen this product in Placer County.

Member Bose also asked if any other options had been proposed, and what is the proposed color of the product.

Member Prager asked if existing fencing was put in/replaced overtime permitted?

Member Anderson asked if it is the perimeter of the property or just the yard that will be fenced and inquired about the small fence that is currently in front of Neff Rentals that somewhat defines the entry.

Member Jones asked if this project was denied specifically based on aesthetics. Ms. Conway reiterated that this project was denied based on the fact it didn't meet the criteria set forth in the County Policies (General Plan, Landscaping Plan, and Community Plan).

It was then decided to bring up the applicant to answer some of these questions. Ms. Conway introduced Michael Pate with Electric Guard Dog Fence. Mr. Pate is the applicant/contractor not the property owner.

Mr. Pate provided the MAC with a brief history of the Electric Guard Dog. They specialize in securing properties like Neff Rentals. It's a very simple system, similar to electric fencing used for farming. This system is always monitored from the outside.

Mr. Pate told the MAC that this property has had numerous break-ins where large equipment is loaded up with smaller equipment and driven off.

Mr. Pate told the MAC that electric fencing is regulated by the Food and Agricultural Code. He also wanted the MAC to know that this product is tested at Met Labs to make sure the fencing meets all regulatory standards. Mr. Pate reiterated that there would be brightly colored warning signs in English and Spanish placed at regular intervals around the fence.

For installation, proper use, safety, etc., there must be a 6 foot fence in-front of the 10 foot electric fence. Mr. Pate also explained that the electric fence needs to be 10 feet high so that the 6ft. fence is not used as a means to get over the electric fence. Mr. Pate said the 10 ft. fence would not be very visible from the street. He also let the MAC know that where ever there is wrought iron fencing, a mesh will be placed so that people cannot put their hands through the wrought iron fencing and touch the electric fencing.

The fiber glass poles for the fence can be painted any color but are typically grey.

Member Thacker asked what other products Electric Guard Dog offered. This is their primary product.

Member Bowne asked why Neff Rentals is considering electric fencing. The applicant responded that it is because they have been robbed several times and it is their corporate policy to take a proactive approach to secure their yards in the best way possible.

Member Jones asked if the pictures provided by Ms. Conway were actually what would be installed. Mr. Pate said the fencing almost always looks the same.

Member Jones then asked if Neff Rentals would be replacing the current fencing. Mr. Pate said he didn't know, but that there must be a 6ft fence in-front of the electric fence.

Member Anderson asked if an 8ft. electric fence would work. Mr. Pate said it would but that they typically install 10 ft. fences.

Member Singleterry asked if the fence would just be armed after hours. Mr. Pate confirmed that the fence would only be armed after hours. He went on to say that the biggest problem they have with the fences not doing what they are supposed to, is that they don't get armed by the owner.

Community Member Sandy Harris wanted to know if it would be an audible alarm or a silent alarm. Mr. Pate said it would be both and that Electric Guard Dog is also a licensed alarm company in California as well as in several other states.

Member Thacker stated that he would have liked to have heard from a representative at Neff Rentals, seen an alternative solution and Mr. Pate gave a great presentation. However, Member Thacker didn't think the proposed fencing conformed to County policy.

Member Bowen made a motion to support the Design Review Committee's request to deny a 10 foot high electric fence at Neff Rentals. Motion seconded.

Roll Call:

Suzanne Jones - aye

Eric Bose - aye

Barbara Singleterry - nay

Virg Anderson - nay

Bill Bowen -aye

Ken Prager - aye

John Thacker - aye

11) Correspondence – Found on Table at the rear of the room.

12) Next Regular Meeting – June 3, 2015

13) ADJOURNMENT 8:45 PM