

The following are comments and staff reviews on the Draft Park, Recreation and Open Space Master Plan. Staff review is intended to guide the Consultant in making edits to the text and to provide information to the Council in making decisions on the issues raised. The comments (93 total) have been categorized into those requiring:

- Comments for Council direction (pages 2 – 6) 12 comments
- Edits to be included as written or as modified (pages 7 – 27) 56 comments
- Comments noted no changes needed in the report (page 28) 25 comments

Council can approve the edits as a single motion and acknowledge the comments for which no changes are needed in the report. If the items in the second and third lists are found to need further attention, please identify the items and they will be added to the list for Council direction.

Note that the numbering sequence of comments may not be sequential. The comments were numbered sequentially as received however in separating the comments into the sections noted above, the sequence was disrupted. Following is a list of the number of comments that were received:

- Park, Recreation and Open Space Committee – 19
- Planning Commissioner Wilson – 39
- Planning Commissioner Thew – 9
- Pat Miller – 12
- Council Member Liss – 1
- Planning Commissioner Arisman – 11
- Planning Commissioner Fettke – 2

COMMENTS FOR COUNCIL DIRECTION

- 1 CD PROSC COMMENT 7/27/10: Page 43 - G-5: "...five or more parcels....." Comment indicated that a 5 lot subdivision is not enough parcels and that a park would be too small. Needs to be larger subdivisions. No minimum parcel number given with this comment.**

STAFF: Requires clarification. Consider size and number of parcels involved, maintenance costs, intent etc.

COUNCIL ACTION: Include in plan do not include in plan revise

- 2 CD PROSC COMMENT 7/27/10: Page 45 - Recommended to add an OS-9: "Would like the Town to purchase potential sites for future parks."
8/24/10 PROSC REVISION: Strike previous comment and replace with: "Open Space should be identified and purchased in known and likely areas of development before it is otherwise committed and unavailable. This measure will insure the creation of parks in areas of multiple small subdivisions where land dedication by each developer would be too small to be meaningful."**

STAFF: Put comment in text with the caveat that the Town not go into debt. It is useful to identify general areas where future parks may be desired, such as the Central Town area, but there are legal ramifications if specific parcels are identified. Property values could be adversely affected and private property owners could have a claim against the Town. The Consultant can suggest what general areas should be considered for parks and the types of parks that might be considered in the particular areas.

COUNCIL ACTION: Include in plan do not include in plan revise

- 3 CD PROSC COMMENT 7/27/10: Page 40 - #2. at the bottom of the page should be re-worded: "Institute a tax....."**

STAFF: Leave text as written. To "institute" a tax increase indicates that the Town will do this tax increase. Council has not made that determination. The intent of the text was to "examine" with the expectation that in due time, after obtaining the facts and ascertaining the community will, Council could decide on a course of action. The community can submit an initiative at any time to raise taxes it wishes to levy on itself.

COUNCIL ACTION: Include in plan do not include in plan revise

- 4 CD PROSC COMMENT 7/27/10: Would like to use the lower percentage (45% is too much).**

STAFF: This seems to refer to Master Plan page 34 (2nd paragraph) that referenced a document from Rocklin that concluded that school facilities were available to the public 30 to 45% of the time. The Loomis Council approved 2005 Development Fee Study allocated 60% of the acreage for public use to help establish the Quimby Act fee (page 40 Development Fee Study) but did not make a finding as to how often the land was used. To say 60% of the land can be used 60% of the time is a stretch, however it seems 30% could be too low.

COUNCIL ACTION: Include in plan do not include in plan revise

5 CD PROSC COMMENT 8/24/10 ADDITION: Section 6 does not talk about Antelope Creek and the Unnamed Creek (Sierra College Blvd to the Village at Loomis)

STAFF: Section VI is the policy and program recommendation. Clarify what is desired. Antelope Creek is mentioned on page 10 in the Northwestern Loomis Planning Area. Maybe include the unnamed creek on the same page in the Central Loomis Planning Area? The two creeks are also noted on Page 30 of the Master Plan.

COUNCIL ACTION: Include in plan do not include in plan revise

6 CD PROSC COMMENT 8/24/10 ADDITION: For Implementation section, put emphasis on "action". Add a couple of section items such as:

1. Identify areas where Loomis wants parks and/or open space areas.
2. Identify potential parcels that are on the market for parks and /or open space areas.
3. Identify and apply for suitable grants as soon as possible.
4. "Implementation section does not fully communicate recommended policies and programs (section 6). Suggest a bullet point list of: "Do these park projects", as pulled out of Section 6 and make sure Section 6 includes trails information."

STAFF: #1 can be done on an area basis (see Master Plan page 10) by making a determination of the type and sizes of parks desired in each area.
#2 Should not be done due to risk of law suits concerning property taking. As wonderful as parks and open space are, people do not perceive that identifying their land for such purposes will result in a saleable property. Quite the contrary, the perception is that the property value plummets at which point lawsuits rise.
#3 Obtaining grants is a laudable goal.
#4 Will need clarification especially on the trails information that is already covered in the Council approved January 2010 Bike and Trails Master Plan. How much more policy on trails beyond that plan is needed to be included in the Park Master Plan?

COUNCIL ACTION: Include in plan do not include in plan revise

7 CD PROSC COMMENT 8/24/10 ADDITION: This Master Plan needs to include verbiage on linking trails to park and open space areas.

STAFF: Consultant can suggest wording and put into the plan at an appropriate place.

COUNCIL ACTION: Include in plan do not include in plan revise

8 CD PC WILSON COMMENT 8/16/10: R-3. Suggest adding at the end "beyond the summer program" –if that is what's meant--since we already have the summer program use. Or another meaning?

STAFF: This policy is on page 44 of the Master Plan. This is a policy decision that should include a qualifier "subject to the availability of money."

COUNCIL ACTION: Include in plan do not include in plan revise

9 CD PC WILSON COMMENT 8/16/10: OS-7. I cannot support a jump to 75% Open Space for clustering without substantial study of the issue and public hearings. This is a huge change from our current Zoning Ordinance’s 40, 50 and 60% requirement, depending on lot size zoning. This figure looks picked from the air. Are there studies and examples to back it up? Besides the homes, roads and infrastructure also take a portion of the land. Will people really want to live *that* crammed together in our larger parcel areas of Loomis? Will they be willing to pay for the ongoing expense of maintaining such large open spaces for their subdivision? Will the public accept such dense clustering in our larger parcel areas? There are far too many unanswered questions for me to support this change without significant further study. (It would be acceptable to call for the Town to consider increasing the Open Space requirement for clustered development.)

STAFF: This policy is on page 45 of the Master Plan. Not sure where the figure came from, probably “from the air.” Open Space 2 suggested 50% and Council tabled that idea. The policy, unless Council decides to change it, is as currently written in the Town Zoning Code page 220 section 13.24.080 E Table 2-6

Zone District	Minimum Parcel	Minimum Building Site	Minimum Open Space
RA	40 acres	2.3 acres	40%
RE	40 acres	1.0 acres	60%
RR	10 acres	10,000 sq ft	50%

COUNCIL ACTION: Include in plan do not include in plan revise

10 CD PC THEW COMMENT 8/17/10: Under 'Existing Open Space Resources' on page 29 is the phrase “Outlined below are some of the existing open space resources that are presently enjoyed by our community.” While the requirements of Quimby don't apply to open space, we have set the goal of 5 acres/1000 people. Counting the easements on Montserrat to claim we've met our goal is just as inappropriate as counting St. Francis Woods, which seems to have disappeared from the list. All the land in both neighborhoods is privately owned. There will be no community enjoyment other than the horse trail along the main road. There won't even be enjoyment by the neighbors, as there is no neighborhood access either. It's reasonable to count the horse trail, but not the private lots. It's like counting everyone's back yard as open space. If asked, I doubt Loomis residents would consider Montserrat their community open space, so is it appropriate for us to do so? Again, the questionable conclusion that we've exceeded our goal could be used as an excuse to ignore protecting more open space.

STAFF: This is a policy question. Can open space be public, private, non-profit? Is it open space if people can access it, but not if they can't? Placer County originally said, at incorporation, that the Town area had previously required 5 acres/1,000 and would continue to do so.

The Consultant was not charged with answering questions concerning Montserrat.

The Council may wish to affirm the Town’s General Plan in another attempt to resolve the question of what the Town goals are for park and open space areas.

The idea that having exceeded the goal can be used as an excuse to ignore protecting more open space may be fodder for lively debate but the settled law in Loomis, at least in the General Plan as currently written and approved by the Council, is that 5 acres of park land plus 5 acres of passive park/open space are required.

COUNCIL ACTION: Include in plan do not include in plan revise

- 11 CD PC THEW COMMENT 8/17/10:** Under Funding and Financing on page 48, I suggest adding a mechanism for funding the skate park through community participation. The skate park will serve a small percentage of the citizens, and it would be appropriate for the kids to raise some of the money. Why not have a match program? The town would match whatever the kids raise. They would be likely to have more of a sense of ownership when they've had to work for it, and thus would probably help keep the park clean and safe. Safety is an established concern about the skate park.

STAFF: This is a policy consideration for the Council. Be aware that some advocate that whoever wants open space donate their property and/or raise funds to acquire and maintain open space property.

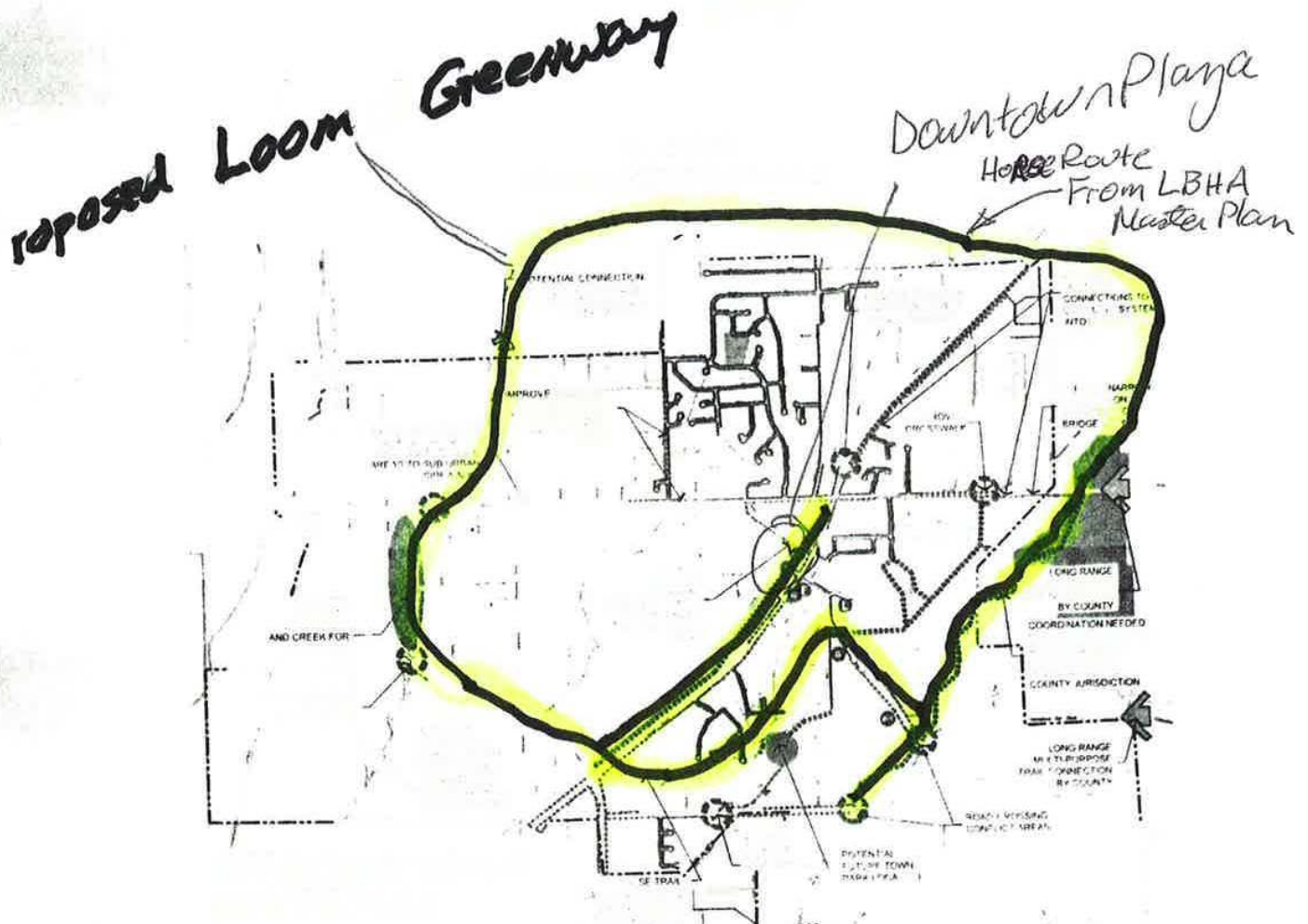
COUNCIL ACTION: Include in plan do not include in plan revise

- 12 CD COUNCIL MEMBER LISS COMMENT 8/28/10:** The following email and concept drawing was received from Council Member Gary Liss.

From: Gary Liss [mailto:gary@garyliss.com]
Sent: Saturday, August 28, 2010 4:40 AM
Subject: Loomis Greenway in PROS Master Plan

Please include the concept of a "Loomis Greenway" in the PROS Master Plan. The Greenway would link key elements in the Trails and Bikeway Master Plans to create a complete network that circles the entire Town, with 2 legs through the Downtown. I've highlighted that on a map that I will provide to you.

This Greenway would enable bicyclists and pedestrians to walk or ride primarily on separated pathways around and through the entire Town. Some segments would also be designated as horse trails, compatibly designed for pedestrian and bicycle use as well, connecting key horse-oriented parks (e.g. Traylor Ranch to Loomis Community Park Horse Arena).



STAFF: This is a policy decision. Trail shown outside of Town limits is not subject to Town regulations and would need Placer County approvals. Possibly requires changes to the recently adopted Trail Master Plan may require an environmental determination especially if crossing jurisdictional lines.

COUNCIL ACTION: Include in plan do not include in plan revise

END
COMMENTS FOR COUNCIL DIRECTION

EDITS TO BE INCLUDED AS WRITTEN OR AS MODIFIED

1 EDIT PROSC COMMENT 7/27/10: Page 20 - Table 3.1 should include Loomis Basin Charter School.

STAFF: Table 3.1 is directly out of the 2001 General Plan and would require a GP amendment to change.

COUNCIL ACTION: Include in plan do not include in plan revise

2 EDIT PROSC COMMENT 7/27/10: Page 23 - Add THEATER and FOOTBALL FIELD under Del Oro High School.

STAFF: Add to text.

COUNCIL ACTION: Include in plan do not include in plan revise

3 EDIT PROSC COMMENT 7/27/10: Page 23 - Omit AND PICNIC PAVILION under Franklin Elementary School.

STAFF: There is no picnic pavilion, Consultant can eliminate from text.

COUNCIL ACTION: Include in plan do not include in plan revise

4 EDIT PROSC COMMENT 7/27/10: Page 23 - Add DISC GOLF COURSE under H. Clarke Powers School.

STAFF: Add to text.

COUNCIL ACTION: Include in plan do not include in plan revise

5 EDIT PROSC COMMENT 7/27/10: Page 24 - Include SUMMER SWIM PROGRAM (June, July, August) and SUMMER CONCERTS (June, July, August).

STAFF: Add to text.

COUNCIL ACTION: Include in plan do not include in plan revise

6 EDIT PROSC COMMENT 7/27/10: Page 24 - Of the 11,000 soccer players 8,000+ are from Roseville and Rocklin.

STAFF: Planning will research Loomis specific numbers.

COUNCIL ACTION: Include in plan do not include in plan revise

7 EDIT PROSC COMMENT 7/27/10: Page 24 - Include the SENIOR LIFE CENTER (Methodist Church).

STAFF: 1st United Methodist Church (6414 Brace Road) What recreation programs do they provide?

COUNCIL ACTION: Include in plan do not include in plan revise

8 EDIT PROSC COMMENT 7/27/10: Page 39 - \$15,000 for maintenance cost of Downtown Park seems like too much.

STAFF: Staff used a rule of thumb figure of \$5,000 per acre/year (x 3) to maintain a lightly used park. There is concern that the cost will be higher if the park becomes a center of activity as planned in the Council goals for the downtown area and if the bathroom or other amenities will be needed on weekends and holidays. A high use park is estimated at \$10,000 + per acre/year.

COUNCIL ACTION: Include in plan do not include in plan revise

- 9 EDIT PROSC COMMENT 7/27/10: Page 44 - P-6: Should be re-worded to state: “Work with Placer County on other improvement opportunities at Loomis Basin Regional Park.”**

STAFF: Revise since there is no South Placer Recreation District. What “other improvement opportunities” are intended?

COUNCIL ACTION: Include in plan do not include in plan revise

- 10 EDIT PROSC COMMENT 7/27/10: Page 24 - Del Oro Junior Golden Eagles Football:**

STAFF: Clarify what is desired. Include a statement/description about it?

COUNCIL ACTION: Include in plan do not include in plan revise

- 11 EDIT PROSC COMMENT 7/27/10 with 8/24/10 PROSC ADDITION: Page 40 – Elaborate on the public process that indicated public support for funding, such as the quarter cent increase in sales tax and the creation of a special district. This should be very prominent in this Master Plan in order to emphasize using this method as we proceed.**

STAFF: Include comments in text and put results of question and answer session in the appendix.

COUNCIL ACTION: Include in plan do not include in plan revise

- 12 EDIT PC WILSON COMMENT 8/16/10: p.8. Boundaries, This description is not really very accurate and contains some errors, such as that Del Mar intersects Brace (rather than Domingues). The Dias to Barton part is confusing; and Barton is the boundary for only a short distance (along Croftwood), not all the way to Indian Springs, leaving out the entire area north and south of Rocklin Road. Either the description should be redone, be much more general, or omit it and refer primarily to the map. Our irregular boundaries make detailed description difficult. Perhaps only a very general description? Such as “The Town of Loomis consists of ____square miles, with a more populated central area north of I-80 and more rural areas to the east and south. Rocklin is to the south and east, with unincorporated County areas to the west toward Lincoln, the north toward Penryn, east toward Folsom Lake, and south toward Granite Bay. See Figure II-2.”**

STAFF: The Master Plan paragraph is in error. A sentence referring to Figure II-2 map is sufficient versus describing a metes and bounds description of the Town.

COUNCIL ACTION: Include in plan do not include in plan revise

- 13 EDIT PC WILSON COMMENT 8/16/10: Map Question: Why are Wilson and Kelley properties noted on all maps? Shouldn’t all or none of the Council and Commission residences be noted? Is there any reason to put any of them on?**

STAFF: Unknown quirk of the map, the names can be removed from all maps if desired.

COUNCIL ACTION: Include in plan do not include in plan revise

- 14** **EDIT PC WILSON COMMENT 8/16/10: p. 10-11. Why is the denser subdivision area on Humphrey put in the primarily more rural Area 1? There is little connectivity to those more rural areas.**

STAFF: Consultant can include denser subdivision locations within the Central Loomis area and adjust the map.

COUNCIL ACTION: Include in plan do not include in plan revise

- 15** **EDIT PC WILSON COMMENT 8/16/10: Why has the Dias Lane area been put into Area 2, Central Loomis, rather than Area 3, South Loomis? Did anyone visit the area or talk to the residents? They generally associate themselves with the south side rural lifestyle, rather than with the central area of town. There may be some better connectivity with the central area if the Walnut Extension goes through as planned (which is possibly under discussion), but even so, they may not feel a part of Central Loomis. Is it because of the park potential for them with Heritage Park? If the Extension does not go through as a full street, should they still be included in the central rather than south area?**

STAFF: Dias Ln should go into Area 3 South Loomis.

COUNCIL ACTION: Include in plan do not include in plan revise

- 16** **EDIT PC WILSON COMMENT 8/16/10: p. 16. Table 2.3. Above the table it says that the chart below shows history and projections for 3 different growth rates. However, the chart doesn't show any of those; rather it shows the SACOG Allocation numbers from the paragraph below the chart. Would we like the consultants to give us the chart indicated (3 growth rates) as well as the SACOG allocation projection, or just put in the correct chart description and not give us the 3 growth rates chart as well?**

STAFF: Not sure what this is referring to. The lead in paragraph to the graph indicates in the opening sentence: "Table 2.3 below indicates the growth graphically at a rate of 1.1% over the 1990 to 2035 period." It has nothing to do with the paragraph below the chart that refers to the number of households as projected by SACOG. Need clarification on this comment.

COUNCIL ACTION: Include in plan do not include in plan revise

- 17** **EDIT PC WILSON COMMENT 8/16/10: p.17. General Question: When will the 2010 Census data likely be available? This page talks about the aging factor but gives us no projections beyond actuals of a decade ago. If our citizens largely choose to "age in place" then what are the projections for now (2010) and 2030? Shouldn't we have aging population projections to see where we are headed as far as type of facilities and recreation needed? If our "now parents of kids" population ages in place, our child population and need for as many active sports areas could well drop (cf. Granite Bay schools closing as the kids age out of them but parents stay put). *Are there a couple of different scenarios that could be projected for us?* It could make a big difference in what facilities and programs we might want in the next 20 years.**

STAFF: The results of the 2010 Census are expected in 2011. Comment noted that responding to the anticipated demographics may revise how parks are planned. That point can be mentioned in the text. As to it making a "big difference" it could if the Town decided to become a senior mecca (Del Webb or Sun City for example) but that has not been suggested.

COUNCIL ACTION: Include in plan do not include in plan revise

- 18** **EDIT PC WILSON COMMENT 8/16/10: p.22. C. School Park Resources. Add after Loomis Union School District “and Placer Union High School District.” These are separate districts, not a unified elementary and high school district. Change the following phrase to “The School Districts include....” After “County line” add new sentence : “The High School District includes schools in Auburn, Colfax, and Forest Hill.”**

STAFF: Consultant can make distinctions noted concerning the school districts.

COUNCIL ACTION: Include in plan do not include in plan revise

- 19** **EDIT PC WILSON COMMENT 8/16/10: p. 23. Loomis Elementary, line 7. Does this school have both tot lot and playgrounds, or only playgrounds? (I don’t know.) Franklin. As noted above, park site has been opened so last 3 lines should so indicate. Perhaps “A new 4.5 acre County community park on the site was opened in spring 2008 with synthetic turf soccer field, picnic and BBQ area, and landscaping. Additional facilities will be added.” Sierra College. Consider for “trails” the phrase “Secret Ravine Nature Trail.” Also add to end of paragraph other Sierra recreational offerings: “Extensive physical education classes are available as well as non-credit recreational offerings in the Kaleidoscope and Osher Lifelong Learning programs.”**

STAFF: The “tot lot” at Loomis Elementary could be the kid play structure and its immediate surrounding area that was built with State Park grant money obtained by the Town. The play ground areas would be all the grass and other areas used for play. Consultant to make text changes noted for Franklin and Sierra College.

COUNCIL ACTION: Include in plan do not include in plan revise

- 20** **EDIT PC WILSON COMMENT 8/16/10: p. 24. Para 3. Suggest adding: “Churches also host community non-member activities such as senior programs and community gardens.”**

STAFF: Consultant can add suggested sentence.

COUNCIL ACTION: Include in plan do not include in plan revise

- 21** **EDIT PC WILSON COMMENT 8/16/10: p.26, line 4. Confusing since there is no Placer County Road per se. How about “Barton Road south to Town limit”? Again, should Dias Lane be in this area?**

STAFF: Consultant can clear up confusion. Regards Dias Ln [see Page 9 Edit 15].

COUNCIL ACTION: Include in plan do not include in plan revise

- 22** **EDIT PC WILSON COMMENT 8/16/10: Para 5. To golf courses, add Whitney Oaks.**

STAFF: Consultant can add golf course and correct the reference to “Sunset Whiney” in the same paragraph – should be “Sunset Whitney.”

COUNCIL ACTION: Include in plan do not include in plan revise

23 EDIT PC WILSON COMMENT 8/16/10: Map III-3 . Legend unreadable. Print bolder like Bike Map (III-2) Also I notice the reference to Traylor Ranch (north end of map), but no mention of it anywhere in text as a nearby facility. Should it be somewhere?

STAFF: The maps within the document should be done on ledger sized paper and folded so as to have legible maps throughout. Consultant to include the Traylor Ranch where appropriate in the text.

COUNCIL ACTION: Include in plan do not include in plan revise

24 EDIT PC WILSON COMMENT 8/16/10: p. 29 Conservation areas. Seems to have conflated the Oak Woodlands and Agricultural Conservation Areas into one figure and on diagram. Either these should be separated with correct acreages or noted as "Oak Woodland Conservation Easement and Agricultural Preservation areas" (or other such wording) if left in the aggregate. I think it is important that the agricultural element be included. It could encourage others. Legend to this map is totally unreadable.

STAFF: The legend on the map is unreadable and should be eliminated. Include a chart that reads:

	<u>ACRES</u>
Building Envelopes	104
Roadways	20
Delineated wetlands	16
Wetland Conservation Easement	96
Agricultural Conservation Easement	32
Oak woodland conservation easement	53
Landscape easement	1
TOTAL	322.5

COUNCIL ACTION: Include in plan do not include in plan revise

25 EDIT PC WILSON COMMENT 8/16/10: p.34. Chart and paragraph 2 should be adjusted for Franklin Park, adding 2 acres of existing facility (4.5 acres x 45% for school park). This will bring overage to 45 acres more than 2030 need. Blue Anchor. Document is inconsistent in park reference—here Blue Anchor, usually Downtown Park. Suggest Downtown Park, as there is not yet an official name. Make the change also on p.35 bullet point 1: from "Blue Downtown Park" to "Downtown Park; change as needed elsewhere as well.

STAFF: Consultant can make chart adjustments. Refer to "downtown park" because that area has not been officially named.

COUNCIL ACTION: Include in plan do not include in plan revise

26 EDIT PC WILSON COMMENT 8/16/10: p. 36 line 1. For clarity and to point to dual purposes, suggest a) and b), as in "a) to meet that policy and b) to protect those open space..." etc.

STAFF: The phrase is a statement leading to the techniques sentence immediately following where it then is indicated what to do to meet the open space preservation need. It is unclear how it helps to separate the ideas of meeting policies and protecting open spaces when the two are really one ie: meeting policy is protecting open space; protecting open space is meeting policy. Maybe this a semantics issue? Clarify.

COUNCIL ACTION: Include in plan do not include in plan revise

27 **EDIT PC WILSON COMMENT 8/16/10: p.35. Quimby Act.** There is no discussion here of Quimby Act limitations, which could be very misleading to readers of these recommendations. The Planning Commission has been aware that land dedication cannot be required for less than a 50 acre subdivision (or 50 units for apartments/condos). The general public is not aware of this, as is evident in public hearings and some past PROS recommendations. Developers can volunteer, we can ask, but we cannot require land from smaller subdivisions. This needs to be made clear or there are unrealistic expectations of developers and the Commission. This is State Law.

Perhaps there could be a few lines under the bullet points stating parenthetically something like: (State Law under the Quimby Act does not allow jurisdictions to require land from subdivisions of under 50 parcels. An in lieu fee is paid unless the developer volunteers to do otherwise.)

Actually, Loomis will have few if any subdivisions outside of Loomis Village that will meet the 50 parcel standard. The public should not be misled.

As far as the bullet points, Quimby Act considerations would be pertinent to some of them. Some may not suit all situations or always be appropriate to the project. Does this make using 2,3, or 4 mandatory,, or a suggestion of techniques we would use where possible and appropriate?

Also, point 4 is unclear. I don't know what is meant by "limited development techniques."

I assume we mean in this section specifically Open Space with Public Access? (See my discussion of glossary terms at the end..)

STAFF: Consultant can clarify Quimby Act or possibly have something in the definitions section. The idea of "limited development techniques" means negotiations with a developer whereby, for instance, the developer puts some open space into an easement in order to attain something else. Most recently the Town negotiated with Homewood to obtain an area of open space that would be dedicated to the Town. Open space may or may not need to be public access [see Page 23 Opinion # 10].

COUNCIL ACTION: Include in plan do not include in plan revise

28 **EDIT PC WILSON COMMENT 8/16/10: p.40. par 2 of Options.** Where do these financial figures come from? Some people will want to know and be able to look them up. Is there a study document available (online?) for those who ask?

Also, a general question: how does the fact that we seem to have more than adequate active parkland for our stated goal affect our ability to collect impact fees? I would suppose we can still collect for improvements—if we have a plan—but *can we legally still collect for parkland purchases if we have just demonstrated that we have more than met our 5 acres/1000 justification for collecting the fee?* The question will undoubtedly be asked!

For second set of bullet points, I suggest adding to point 1: *(subject to Quimby Act limitations).*

FYI to PROSC. When I was on OSC-I I bought and gave to the Town a book on the how-to of doing a ballot measure, if you sometime decide to go that way. I think Kathy has it. I think it was put out by a Land Trust. Might be of some use.

STAFF: The figures probably came from the 2005 Development Fee Study. Consultant can show references

however the figures are unnecessary to make the point that development fees alone will not suffice. The section should be reworked. Concerning Quimby and ability of the Town to levy fees [see Page 4 CD # 10]. The phrase in point 1 being "subject of Quimby Act limitations" is unnecessary because point 1 doesn't just refer to the Quimby Act. For instance, a new development project could enter into a development agreement whereby more fees or land than the Quimby Act allows could be leveraged. If using the Quimby Act the Town is limited. Using leverage implies something different than Quimby. Quimby doesn't provide leverage, it is simply a formula. The ballot measure booklet would not be recommended for inclusion into the Master Plan because ballot methods are subject to myriad and frequently changing laws.

COUNCIL ACTION: Include in plan do not include in plan revise

POLICY comments

- 29** **EDIT PC WILSON COMMENT 8/16/10: G-4. Is this actually the Town policy? (*all?*) Is it written this way? Under Quimby we can only require land when there are 50 or more parcels/units. Otherwise they pay in lieu fees, typically at building permit time. Land doesn't always make sense for very small subdivisions anyway. Give this another look and reword if needed.**

STAFF: This policy is on page 42 of the Master Plan. Town policy to have 5 acres of park land and 5 acres of open space as indicated in the General Plan which in turn is the basis for the development fees that are charged for park, open space and passive park land.

COUNCIL ACTION: Include in plan do not include in plan revise

- 30** **EDIT PC WILSON COMMENT 8/16/10: P-4. Freeway Commercial property. I really would rather not tie the hands of whoever designs this property by absolutely requiring it to orient towards the creek. I would prefer "seriously consider" rather than "require" to give flexibility according to what is proposed. It may not be appropriate to have the whole thing oriented to the creek, and it may not even be a good thing for the creek to have that much public exposure. It could be a good thing for the creek greenway to maintain some serenity and naturalness by *not* being the commercial center's focus.**

STAFF: This policy is on page 43 of the Master Plan. Town Zoning Code requires a Master Development Plan for the Tourist Commercial properties at Horseshoe Bar and I-80. The purpose for this kind of pre-planning, that includes how the creek will be treated, is to make an initial determination that the development will not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity. [Town Zoning Code pg 410 # 7] Might save the Town and a developer money and time to know this at the beginning.

COUNCIL ACTION: Include in plan do not include in plan revise

- 31** **EDIT PC WILSON COMMENT 8/16/10: P-4 Can we require this if there are not 50 lots? Can we require this if we have already shown that we have more than enough parkland already? Even if so, small subdivisions would sometimes not have enough population to justify putting in a park. Example: 5 lots at 2.4 residents and 5 acres/1000 would only justify .06 acres, about 2600 sq ft (50x 52), 10 lots 5200 sq ft., maybe 70' x 75'. Keep in mind that much of both of these areas is in large acreage, so the parcels would be spread out and not necessarily have much in the way of internal streets, so the tot lots would not necessarily have the neighborhood character of a more dense subdivision, and there might not be very walkable roads to get there. Making this a requirement of *all* 5 or more subdivisions may be impractical. Perhaps it should be "*Where feasible all new residential...*"**

STAFF: This policy is on page 43 of the Master Plan. The development at Horseshoe Bar and I-80 is commercial and thus is not subject to the Quimby Act. Also, there can be special requirements for a resource such as Secret Ravine, not only Town requirements but Army Corps and Fish and Game requirements as well and even public safety (Fire, Sheriff).

COUNCIL ACTION: Include in plan do not include in plan revise

32 EDIT PC WILSON COMMENT 8/16/10: P-6 could be eliminated since Council recently voted funding.

STAFF: This policy is on page 44 of the Master Plan. P-6 refers to the bathrooms at King Rd park. It need not be included. It is already approved as noted in the comment.

COUNCIL ACTION: Include in plan do not include in plan revise

33 EDIT PC WILSON COMMENT 8/16/10: R-4. The Town operates on a very limited Staff already. I think it is too much to ask them to do fundraising as well. How about "to meet unmet needs, in seeking grants, and encouraging fundraising activities through PROSC, community and service organizations, school programs, volunteers, and the like."

STAFF: This policy is on page 44 of the Master Plan. The phrase can be inserted in the text.

COUNCIL ACTION: Include in plan do not include in plan revise

34 EDIT PC WILSON COMMENT 8/16/10: OS-1 c .Note that Placer Land Trust has not been particularly interested in managing smaller parcel areas (impractical cost ratio).

STAFF: This policy is on page 44 of the Master Plan. The Town has an agreement with Placer Land Trust and it is true as noted in the comment that the Trust is not interested in taking over or maintaining bits and pieces of land. The text makes the point that it could be the Trust or "like organizations" with whom the Town will collaborate. It could be clarified further by adding "as needed." That is the more likely way the Town will be involved in collaboration. When the circumstances are right and the parties are right then there will be collaboration.

COUNCIL ACTION: Include in plan do not include in plan revise

Appendix (pp.48-49)

35 EDIT PC WILSON COMMENT 8/16/10: Active Use Park includes golf courses in definition, but this was not included in figuring active use park lands available. Is this inconsistent?

STAFF: Council has already defined this [see pages 20 Opinion # 3].

COUNCIL ACTION: Include in plan do not include in plan revise

36 EDIT PC WILSON COMMENT 8/16/10: Agricultural Area. This document doesn't really address agriculture, so I am somewhat surprised to see it here. What is the purpose? If the term is kept for some reason, I propose that the language be taken from the Zoning Ordinance definition, which was worked out over a period of time with considerable public input and substantial honing. The "food and fiber" phrase is a rather standard term for commercial agriculture, but the Loomis situation is somewhat different and has a broader perspective on what it considers agricultural use of land. This came out as the Zoning

Ordinance was drafted, and the need seen to define further than the General Plan definition. For example, a treasured right in rural Loomis is animal raising, even if not for food or fiber. Equestrian activities are particularly cherished and are considered as “agricultural” land use here, even though it is neither for food or fiber.

I strongly suggest that either the Zoning Ordinance definition be used or that this definition say “An area of land dedicated to agriculture *as defined in the Town Zoning Ordinance*” and omit the food and fiber reference. Also, second sentence, suggest changing to “This includes but is not limited to : livestock grazing “ (etc.).

STAFF: Refer to the Zoning Ordinance definition since that has already been approved.

COUNCIL ACTION: Include in plan do not include in plan revise

- 37** EDIT PC WILSON COMMENT 8/16/10: Conservation Area. Since we do have an Agricultural Conservation area already (Montserrat) and presumably would want to encourage more ag preservation, this should be added to the list of types of such areas. I suggest inserting the word *agricultural* after *ecological*.

STAFF: Council has already defined this [see pages 20 Opinion # 3].

COUNCIL ACTION: Include in plan do not include in plan revise

- 38** EDIT PC WILSON COMMENT 8/16/10: Greenway. Final words include railroad corridors and utility corridors. Unless abandoned, these are generally off-limits to legal public access for safety and liability reasons. Should these be here? Qualified?

STAFF: Council has already defined this [see pages 20 Opinion # 3].

COUNCIL ACTION: Include in plan do not include in plan revise

- 39** EDIT PC WILSON COMMENT 8/16/10: Open Space. This definition is somewhat (though not exactly) like the General Plan definition. However, it is confusing when what the document itself really addresses is not this broader definition, but specifically the passive park recreational type open space. To avoid confusion—and the outcry of those who say “I live in South Loomis and there’s Open Space all around me!—I suggest adding the wording:

“For purposes of this document, the term Open Space refers to passive recreational open space unless otherwise noted. See also Passive Park, below.”

This issue came up repeatedly in original OSC discussions. It would be well to address it simply here by stating that the passive park type open space is what is intended in your discussions. Are there other suggestions to clarify this?

Discrepancy between Open Space and Open Space Land definitions. One refers to buildings and impervious surfaces, the other (per General Plan) to unimproved and devoted to an open space use. Should these be reconciled, combined or left as is?

STAFF: Council has already defined this [see pages 20 Opinion # 3].

COUNCIL ACTION: Include in plan do not include in plan revise

- 40** **EDIT PC WILSON COMMENT 8/16/10: Passive Park: Would the structures prohibition preclude something like an interpretive or educational center to help better explain or utilize the passive park? If we had a good-sized or especially valued resources open space park, we might at some time want such a center—not to dominate the park but to enhance it.**

STAFF: Council has already defined this [see pages 20 Opinion # 3].

COUNCIL ACTION: Include in plan do not include in plan revise

- 41** **EDIT PC THEW COMMENT 8/17/10: The Dry Creek Greenway is only mentioned on page 45, but could be added to pages 25 and 30.**

STAFF: Consultant can make mention on pages 25 and 30.

COUNCIL ACTION: Include in plan do not include in plan revise

- 42** **EDIT PC THEW COMMENT 8/17/10: The definitions of 'open space' and 'open space land' on page 48 are debatable. Some of us believe that active parks and ag production are not open space. Did we ever arrive at a definition as a community? Where did these definitions come from?**

STAFF: Council has already decided this [see pages 20 Opinion # 3].

COUNCIL ACTION: Include in plan do not include in plan revise

- 43** **EDIT PC THEW COMMENT 8/17/10: Do the stated park maintenance dollar amounts include water? Sunrise Loomis Park alone used \$18000 worth of water last year.**

STAFF: The park maintenance cost took a rule of thumb figure of \$5,000 per acre used for smaller parks. This is mainly personnel and equipment on a light use park and may or may not include water. Water cost is typically a small expense compared to personnel and equipment. As to water costs at Sunrise Loomis Park it is unknown where the figure of \$18,000 for the year came from. PCWA indicated that the Town spent \$7,897.12 for water at Sunrise Loomis Park in 2009. [PCWA ANALYSIS 7/22/10]

COUNCIL ACTION: Include in plan do not include in plan revise

- 44** **EDIT PC THEW COMMENT 8/17/10: Add definition of 'tot lot' to make clear that it's not only playgrounds.**

STAFF: Consultant can suggest a definition to include in the definition of terms section of the Master Plan.

COUNCIL ACTION: Include in plan do not include in plan revise

- 45** **EDIT PC THEW COMMENT 8/17/10: On the top of page 26, did you mean Placer County line instead of Road?**

STAFF: Consultant to check. It appears that the County line was intended.

COUNCIL ACTION: Include in plan do not include in plan revise

- 46 EDIT PAT MILLER COMMENT 8/17/10:** I would like to emphasize that according to two separate studies conducted in 2000 and 2001 of over 16,400 home sales, homes located within 1500 feet of natural areas noted an increase in value of \$10,648* [*Active Living Research – activelivingresearch.org] Not to put a price tag on it or anything, but wow! This should make us take heed that preserving our open spaces will be good for everyone, residents as well as town coffers. Include this fact to document the value of open space and the master plan itself.

STAFF: Consultant can cite the study information in the Master Plan to point out effects of open space on neighbor property values.

COUNCIL ACTION: Include in plan do not include in plan revise

- 47 EDIT PAT MILLER COMMENT 8/17/10:** For the implementation section, let's put the emphasis on "action". Add a couple action items such as....

1. Identify areas where Loomis wants parks and/or open space areas.
2. Identify potential parcels for parks and/or open space areas.
3. Identify and apply for suitable grants as soon as possible.

STAFF: This comment was included in Park, Recreation and Open Space Committee recommendations see Page 2 CD # 2 and Page 3 CD # 3.

COUNCIL ACTION: Include in plan do not include in plan revise

Specifics: Wildlife is important in Loomis and I therefore recommend the following additions:

- 48 EDIT PAT MILLER COMMENT 8/17/10:** Pg 29, F In sentence 2, add "wildlife" to the list of open space resources.

STAFF: Consultant can add to list.

COUNCIL ACTION: Include in plan do not include in plan revise

- 49 EDIT PAT MILLER COMMENT 8/17/10:PM 5:** Pg 31: In Chapter III, Section F: Add 5) Wildlife Populations Much of Loomis provides habitat for a variety of wildlife that adds a dimension of nature and spirit to everyday rural life. Preserving habitat for this natural wildlife adds to the character, value, quality and richness of the community.

Q: Will wildlife corridors be incorporated into this master plan? If not, where would one see those?

STAFF: Consultant can add wildlife populations as number 5. The Consultant was not charged with incorporating or detailing wildlife corridors. If needed, the Consultant can submit a cost to do that work.

COUNCIL ACTION: Include in plan do not include in plan revise

- 50 EDIT PAT MILLER COMMENT 8/17/10:PM 6: Pg 37, paragraph 3, line 2:....”and improving passive use parks that will allow for” wildlife habitat as well as “ the creation of natural open space parks with public access...”**

STAFF: Consultant can add those words.

COUNCIL ACTION: Include in plan do not include in plan revise

- 51 EDIT PAT MILLER COMMENT 8/17/10: Pg 40. Last paragraph: Elaborate on the public process that indicated public support for funding, such as the quarter cent increase in sales tax and the creation of a special district. This should be very prominent in this master plan in order to emphasize using this method as we proceed.**

STAFF: This comment was included in PROS Committee recommendations [see Page 8 Edit # 11].

COUNCIL ACTION: Include in plan do not include in plan revise

- 52 EDIT PAT MILLER COMMENT 8/17/10: Pg 43. P-2: Delete everything past the first sentence. It is inappropriate for inclusion in the town’s PROS master plan, as this decision has not been made yet. Also, add something to acknowledge wildlife as an important component to protect.**

STAFF: The first sentence is accurate and suffices for the policy direction. The rest should be deleted. There should not be anything concerning wildlife at this point.

COUNCIL ACTION: Include in plan do not include in plan revise

- 53 EDIT PAT MILLER COMMENT 8/17/10: Add similar wildlife statement to P-3 and P-4.**

STAFF: The wildlife statement better fits Section D open space preservation. Parks are for people and animals are probably incidental to that use except in zoo parks.

COUNCIL ACTION: Include in plan do not include in plan revise

- 54 EDIT PAT MILLER COMMENT 8/17/10:PM 11: Pg 45: Consider adding ”OS-9” to say something like ...”Parkland should be identified and purchased in known and likely areas of development before it is otherwise committed and unavailable. This measure will ensure the creation of parks in areas of multiple small subdivisions where land dedication by each developer would be too small to be meaningful.”**

STAFF: This comment was included in PROSC comments [see page 2 CD # 2].

COUNCIL ACTION: Include in plan do not include in plan revise

- 55 EDIT PAT MILLER COMMENT 8/17/10:PM 12: Pg 46, F-5: delete....”at Loomis Village if necessary”. Make grammatical changes for correctness.**

STAFF: Consultant can make deletion and grammatical changes.

COUNCIL ACTION: Include in plan do not include in plan revise

- 56** EDIT PC ARISMAN COMMENT 8/30/10: On page 45 F-2: Take steps to create a Master Landscape and Lighting district into which all new residential development project, of five units or more, would be required to annex the cover maintenance expenses associated with new park projects. What is attempting to be said here? After “the” something must have been left out.

STAFF: “The” is a wrong word. It should be “to.” “...to cover maintenance expenses associated with new park projects.”

COUNCIL ACTION: Include in plan do not include in plan revise

END

EDITS TO BE INCLUDED AS WRITTEN OR AS MODIFIED

OPINIONS – NO REPORT CHANGES NEEDED

PARK RECREATION AND OPEN SPACE COMMITTEE COMMENTS 7/27/2010 & 8/24/10

1 OPINION PROSC 7/27/10: Member Seth does not believe the Loomis Basin Park facilities should be included.

STAFF: This seems to refer to Master Plan Pg 34 (2nd paragraph).

COUNCIL ACTION: Include in plan do not include in plan revise

2 OPINION PC WILSON 8/16/10: p. 4 (par 3): Leisure time . Is there really increasing leisure time? According to the work studies I have seen, except for seniors, Americans actually have less leisure time in recent decades (factors such as commutes, taking work home, working two or more jobs, long hours of self-employed, etc.) Do you have studies to support more leisure time? If it is not true, it makes a weak argument.

STAFF: It seems to depend on what facts, at what point in time, one chooses to believe. For instance the following, showing more not less leisure, comes from: *Having More Leisure Time*—Federal Reserve Bank of Boston, "Measuring Trends in Leisure: The Allocation of Time over Five Decades" *Numbers of People Doing Activities*—Statistical abstract of the United States, 2004. It could undoubtedly be challenged by other studies. Council can be confident in making a finding either that the cup is half full (more leisure) or half empty (less leisure). It might even make both findings with the clarification that the amount of leisure may depend on the year and season of the year. Also, can leisure time be work or work be leisure? Guess it depends on one's perspective.

ACTIVITY	TIME SPENT BY GENDER, MARITAL STATUS			
	Men	Women	Married	Single
Phone calls, mail, e-mail	7 min.	14 min.	8 min.	14 min.
Caring for non-household members	13 min.	15 min.	13 min.	14 min.
Religious, civic duties	16 min.	21 min.	20 min.	17 min.
Caring for family	20 min.	43 min.	45 min.	17 min.
Educational activities	28 min.	26 min.	7 min.	51 min.
Buying goods, services	38 min.	58 min.	53 min.	42 min.
Eating, drinking	1 hr. 18 min.	1 hr. 11 min.	1 hr. 24 min.	1 hr. 8 min.
Household activities	1 hr. 20 min.	2 hr. 16 min.	2 hr. 8 min.	1 hr. 26 min.
Work-related	4 hr. 26 min.	3 hr.	4 hr. 1 min.	3 hr. 18 min.
Watching TV	3 hr. 28 min.	2 hr. 41 min.	2 hr. 24 min.	2 hr. 47 min.
Personal care, sleep	9 hr. 13 min.	9 hr. 37 min.	9 hr. 8 min.	9 hr. 46 min.

COUNCIL ACTION: Include in plan do not include in plan revise

3 OPINION PC WILSON 8/16/10:PCW 2: p. 5 Use of term *Open Space*. Without early and clear definition, there will continue to be confusion about what is meant by *Open Space*. While the General Plan and this document's glossary use a broader definition, in the context of this document, the term really means passive

park recreational type open space, *one of the types of Open Space* in the definition. I suggestion that early in this document, perhaps at the end of paragraph 2, a parenthetical explanation such as:

(While the General Plan and this document's glossary recognize a broader definition of Open Space, for purposes of this document, the phrase usually refers specifically to passive parkland recreational type Open Space.)

OSC –1 wrestled with this issue again and again. It would be wise to specify that passive parkland is usually meant for this document so there is not confusion with the broader term and the assumption of many residents that there is plenty of "open space" because there are many large open type parcels and areas of Loomis. It is probably not necessary to use a phrase such as "recreational open space" each time if it is clarified up front what is meant.

STAFF: The Council has addressed open space definitions for use in the Master Plan and following are the definitions for the various terms unless Council wishes to make changes.

9/9/08 Council approved open space definition the edits noted

- ~~Open Space is to be referred to as Green Space.~~
- **Green Open Space** – A public or private area that is predominantly unoccupied by buildings and other impervious surfaces; any structures or facilities are accessory to the primary land use. ~~Green~~ Open Spaces may be in natural or landscaped condition, and may include ~~Recreation~~ Active Parks, Passive Parks, Greenways, Conservation Areas, Significant Ecological Areas, Waterway Buffer Zones, Agricultural Areas, Important Scenic Resources, and open storm-water treatment or detention areas. (Definitions detailed below):
- **Recreation Active Park** – A developed public area used for active or organized recreation (e.g. soccer fields, playgrounds, equestrian arenas, golf courses).
- **Passive Park** – A public area of predominantly undisturbed or restored natural land containing no principle structures, with little disturbance to topography and vegetation, that provides passive recreational activities (e.g. walking/jogging, photography, wildlife viewing, picnicking, biking, other non-motorized uses).
- **Greenway** – A public trail corridor providing non-motorized access between points of interest such as Passive Parks, Recreation Parks, schools, and the Town Center. Greenways can include, ~~but are not limited to:~~ unpaved walking trails, paved bike trails, equestrian trails, short sidewalk segments between portions of Greenway, railroad corridors, and utility corridors.
- **Conservation Area** – A public or private area protected in order to maintain or improve sensitive or highly valued resources and functions including natural, scenic, ecological, cultural, hydrological, or geological resources. Secondary uses may be accommodated in conservation areas (e.g. passive recreational uses) provided they do not impact the primary uses for which the area is protected.

- o **Significant Ecological Area** – Public or private areas of land containing ecologically sensitive resources including, but not limited to: wetland areas, stream environment zones, habitat for sensitive wildlife and plant species, large areas of non-fragmented habitat, potential wildlife movement corridors, important spawning areas for anadromous fish, important water infiltration areas, oak woodlands and grasslands, steep slopes, flood plains, forest areas and tree stands, areas of substantial native vegetation, corridors that provide connectivity between other Significant Ecological Areas, and other areas of significant biological productivity or uniqueness.
- o **Waterway Buffer Zone** – The vegetated area, a minimum of 100 feet in width, bordering a waterway, which exists or is established to protect water systems and provides important functions such as shade and habitat, erosion prevention, and absorption of storm water pollutants. **NOTE: COUNCIL INDICATED THIS ITEM NEEDS TO BE REDEFINED.**

COUNCIL ACTION: Include in plan do not include in plan revise

4 **OPINION PC WILSON 8/16/10: p. 20 chart and elsewhere. Inconsistency about terminology *tot lots* and *playgrounds*. People generally associate tot lots with preschool type play equipment, and playgrounds with elementary age equipment. This seems to be the case sometimes later in this report but not consistently. It is likely that elementary schools have primarily playgrounds rather than tot lots, yet the schools here are reported to have all tot lots.**

STAFF: The chart is directly out of the 2001 General Plan and it would take a GP amendment to change.

COUNCIL ACTION: Include in plan do not include in plan revise

5 **OPINION PC WILSON 8/16/10:PCW 10: p. 20 Franklin School and Park. The new County park adjacent to Franklin School (on school district property) opened in spring 2008. The 4.5 acres should be added to available school-type facilities. It is listed only as “being developed” in the Franklin description on page 23 (last sentence). It now includes synthetic turf soccer field, picnic and BBQ areas, landscaping, porta potty. (More facilities including restrooms to be added.) Available during non-school hours. *This 4.5 acres should be put in the chart and added to total school acreage, so some slight figures corrections are necessary as well.* (This area is accessible to South Loomis residents via Wells, Rutherford, and Brace-Laird. Many or most South area children attend Franklin school.)**

STAFF: The chart is directly out of the 2001 General Plan and it would take a GP amendment to change.

COUNCIL ACTION: Include in plan do not include in plan revise

6 **OPINION PC WILSON 8/16/10:PCW 23: G-5. Quimby Act limits land dedication to 50 lots or more. Is this really likely? Where? Is this a realistic requirement? If not, are we misleading the reader? If it is left in, it should have an added notation that it is subject to Quimby Act limitations.**

STAFF: This policy is on page 43 of the Master Plan. Tot lots with every subdivision will be costly, hard to maintain, become policing problem areas, do not provide sufficient area for community events, and are typically very limited in use. There would be limitations pursuant to Quimby. However, since Quimby isn't the only way a town can get park land it is possible to require land in trade for something else using project conditions and/or development agreement. Quimby in this case should be clarified as applying to subdivisions of 50 or more units.

COUNCIL ACTION: Include in plan do not include in plan revise

- 7** **OPINION PC WILSON 8/16/10: F-2. What if there are really no facilities or new facilities near them? (Residences in the low density rural areas, for example, can be rather spread out.) Should they pay to maintain out of area facilities they are unlikely to use? They already pay parks and open space fees when they build.**

STAFF: This policy is on page 45 of the Master Plan. This would be an issue decided by a vote. The fees paid at building will acquire the land and possibly build the park. Thereafter it is necessary to maintain the park, clean the swim pool, conduct the recreation program. If the community wants to maintain land and facilities and conduct programs they will need to come up with money. No development fees pay for operating expenses. Loomis has been very leery of getting into projects that will require adding personnel and incurring operating costs. And the Town has been loath to incur debt – wisely so.

COUNCIL ACTION: Include in plan do not include in plan revise

- 8** **OPINION PC WILSON 8/16/10: F-4. Sales tax. If and when we finally get commercial development in the tourist commercial area south of the freeway, the Town will get significant sales tax income. It might be wise to put a clause into any sales tax or parcel tax that it would be rescinded when the Town reaches a certain point in additional revenue from that project.**

STAFF: This policy is on page 46 of the Master Plan. Significant sales tax income may be the hope but what the reality will be is anyone's guess. The Town or a citizen generated initiative can write tax language if people wish not to wait for commercial development and instead provide money themselves. It does require a vote of the people.

COUNCIL ACTION: Include in plan do not include in plan revise

- 9** **OPINION PC WILSON 8/16/10: F-5. Is this allowable for Loomis Village? Quimby requires a nexus, and lack of nexus—connection between the fee and the benefit--has been challenged in court on various projects. Is there sufficient nexus to charge everybody all over town for Village open space?**

STAFF: This policy is on page 46 of the Master Plan. Charging everyone can be done but would require a vote.

COUNCIL ACTION: Include in plan do not include in plan revise

- 10** **OPINION PC THEW 8/17/10: The Quimby Act 66477.(2)(A) states that:**
“The amount of neighborhood and community park acreage shall be the actual acreage of existing neighborhood and community parks of the city, county, or local public agency as shown on its records, plans, recreational element, maps, or reports as of the date of the most recent available federal census.”
I understand that recreation and park facilities outside of the town were counted as our available facilities in the GP to justify the 5 acre/1000 people goal, but is that truly following the spirit and intent of the law? The Act clearly states they must be “of” the town.
Counting school recreation areas in our park acreage is also questionable.
The Act specifies “existing neighborhood and community parks...”. School playgrounds and ball fields are generally reserved for students. Between two-thirds and three-quarters of Loomis residents are adults, and adults are given very little access to school facilities, assuming they have any interest in going. The Town has contributed financially to these rec programs but has gotten little accommodation from the schools in return. The 45% availability calculation might be true if only counting youth park and rec opportunities, but not when counting adults.
The report comes to the conclusion that we have exceeded even our 2030 park and rec requirements, but that's not necessarily true for the needs of the majority.
I don't want to have this report be used as an excuse to avoid creating new parks.

STAFF: The 2001 General Plan and 2005 Development Fee Study, both adopted by Council, have settled the issue of what the Town requires in parks (5 acres per thousand) and passive parks/open space (5 acres per thousand). If some other formula is desired it can only result in lowering the current requirements because the Town is already at the maximum. For the Town, at present, the Council adopted General Plan and Fee study should be viewed as settled law. There is nothing in either document that would avoid creating new parks though people, for whatever reason, may not wish to have more parks or to have the quantity of park lands required by the Town's current laws. For instance, the economy may make it such that the community can't afford to maintain the parks so it doesn't matter what the Town laws read. No new park should be added until money is identified to maintain it. Actually in that event it the Town will likely act to bring its laws (General Plan, Development Fee Ordinance etc) into conformance with the fiscal reality.

COUNCIL ACTION: Include in plan do not include in plan revise

11 OPINION PC THEW 8/17/10: The report doesn't address the fact that we have long been violating Quimby by not spending park fee dollars within 5 years of payment.

STAFF: Staff is not aware that there has ever been a determination that the Town was violating Quimby. Govt Code 66477(a)(6) (the Quimby Act) indicates that a town must develop a schedule specifying how, when, and where it will use the land or fees to develop park or recreational facilities. Today, after having acquired 10.54 acres railroad property for \$1,343,390 (from Town reserves) which is about \$800,000 more than the town has ever received in Quimby park funds, the Town is getting ready to build the first phase of what is estimated to be a \$2.6 million downtown park. That amount is about \$2 million more than the Quimby fees the Town now has on hand. Was the Town weak in defining how, when and where it would use fees (because the Town has never received land in lieu of fees so land is not an issue)? Maybe, though for over 10 years the Town was in discussions with the railroad about acquisition of land to create not only parks but transportation facilities.

Quimby requires that the Town have a plan for parks and some plans take longer to get to fruition. California courts have been generous to cities and counties in that regard realizing that many factors must come together for a park to be developed. The Development Fee Study that was adopted in 2005 had to justify the Quimby fees by specifically addressing the AB 1600 (State law) nexus of fees and Quimby Act requirements. One part of that analysis was to identify the use to which the fees would be put: "The types of land to be acquired will be those identified in the Town of Loomis Park and Recreation Master Plan – namely, land for community parks and neighborhood parks." [2005 Development Fee Study page 44 # 2]

The Master Plan that was referred to was the 1998 plan, the plan that is now being updated. Staff would assert that the Town had a plan in 1998, that was confirmed by Council adoption of the General Plan in 2001, and re-confirmed again by Council adoption of the Development Fee Study in 2005, put into action when the Council approved purchase of the railroad property (partly for park purposes) in 2008, solidified in a contract for funds from the State of California when the Town agreed (Council approved) to put \$200,000 into a pot containing a \$220,000 grant from the State to build the downtown park (a park that must continue into perpetuity unless the Town wishes to pay the State of California back) and will be re-re-confirmed in hopefully the near future when the Council adopts the new Park, Recreation and Open Space Master Plan.

A point can be made in one instance where the Town has been lax. The Town paid cash out of General Fund reserves for the railroad property and hasn't yet gotten paid back from the Quimby Act funds for the portions of that property that will be park land. The question of whether a such a pay-back should be made or whether the Quimby Act money the Town currently has should be saved and used for other park land purchase purposes has not yet been asked of the Council.

COUNCIL ACTION: Include in plan do not include in plan revise

- 12** **OPINION PAT MILLER 8/17/10:** This master plan work was intended to merge the open space policies adopted by council from the OSC-2 report with the parks and recreation plan written in 1998. As of last night's Planning Commission meeting, the planning commission was still deliberating on 3 of those recommendations. Much work and many hours of many people went onto that report and we would like to be sure that all of those recommendations are included. Matt, could we get a list of all the adopted OSC-2 recommendations? Has this been cross-checked?

STAFF: The list of Council actions on the OSC-2 recommendations (February 2010) was submitted to the Consultant who has indicated that the recommendations were incorporated.

COUNCIL ACTION: Include in plan do not include in plan revise

- 13** **OPINION PAT MILLER 8/17/10: Pg 42, G-4:** May be unrealistic in such a small-development town. Small developments of say, 5 lots or so would create a plot of barely 100 square feet. Town should buy parkland in advance in identified areas of future development to ensure the land for a park is there when development occurs.

STAFF: Comment noted. Buying land in advance presupposes suitable land, willing owners, availability of money, and ability (more money) to maintain the land acquired.

COUNCIL ACTION: Include in plan do not include in plan revise

- 14** **OPINION PC ARISMAN 8/30/10:** On Page 5 of the plan, Para 1 which states "This earlier philosophy and the lack of tax funding has resulted in inadequate funding for park and open space needs."
- It has been proposed that a survey be made to see if the residents of Loomis will be in favor of a tax on their property or a ¼ cent increases in sales taxes. Where is the money coming from to conduct this survey? If the survey has not been conducted and there are no funds to maintain the park how will maintenance be conducted?

STAFF: There is no money presently identified to conduct a formal survey. Such surveys can cost in excess of \$20,000 dollars.

COUNCIL ACTION: Include in plan do not include in plan revise

- 15** **OPINION PC ARISMAN 8/30/10:** On Page 12 in the Map Features: this only lists the 100 year flood protection. The statewide concept was for a 200 year flood protection was the Town exempted from this concept?

STAFF: The point of the page 12 map is to show the Town planning areas for park, recreation and open space purposes. The flood plain doesn't really show up on the map, nor is it intended to. For general information, the Town currently evaluates projects using the 100 year FEMA designation. There is continuing talk by FEMA about going to the 200 but that has yet to be done.

COUNCIL ACTION: Include in plan do not include in plan revise

- 16 OPINION PC ARISMAN 8/30/10: On Page 19 Loomis Basin Regional park: In light of the expected cut backs in funds for the area's entire park system, who will be maintaining the fallen trees? Impacted trails who would be responsible for clearing the trails for walking?**

STAFF: Loomis Basin Regional Park is a County facility and maintained by the County. Parks within Loomis would have to be maintained by Loomis. No specific maintenance funds have been identified to maintain any new parks, trails or open space in Loomis.

COUNCIL ACTION: Include in plan do not include in plan revise

- 17 OPINION PC ARISMAN 8/30/10: On Page 19 Downtown Park (in planning stage) How will the maintenance for this be paid? In this project are the young people just going to be dropped off at the skate park or will the parents be there to see how they perform and if they (the skaters) are aware of any young or older people in the area? Who will be responsible for keeping the trash picked up and that no one decides to put graffiti every where?**

STAFF: The maintenance will be paid from the General Fund. The expectation is that there is sufficient time available for current personnel to include the downtown park in their daily chores associated with maintaining the Depot and surrounding area and that the contracted portions (vegetation maintenance) can be included in current contracts at a nominal increase. It is unknown how parents will deal with their kids. It unknown how the skaters will interact with people in the area. The Town is ultimately responsible for keeping the park fit for use. The open location of the park and the public activity associated with the neighboring businesses is expected to provide many eyes on the site to keep problems at minimum. The area is also convenient for the Sheriff to include in daily patrol. Staff has considered that weekends and holidays could become a problem and there are no inexpensive options identified yet to deal with that should problems occur.

COUNCIL ACTION: Include in plan do not include in plan revise

- 18 OPINION PC ARISMAN 8/30/10: On page 40 in the next to the last Para the next to the last line states: . . ."and work in resourceful, even unconventional ways" what exactly is meant by unconventional ways?**

STAFF: It may be another way of saying to "think outside the box." The issue is how to get parks. In the conventional arena there are typically two ways: require land from developers or purchase land with money provided by developers. Might there be other ways? Maybe negotiate a project with a developer or land owner. The Consultant listed conventional options on the same page. It will be up to the Town to come up with unconventional ways.

COUNCIL ACTION: Include in plan do not include in plan revise

- 19 OPINION PC ARISMAN 8/30/10: On Page 42 Conservation Easement transactions should be between the Town Council and the Town Attorney.**

STAFF: This refers to G-1 the 3rd bullet point that indicates that a task of a Park, Recreation and Open Space Committee or Commission would be to: "Review and advise the Town Council on Conservation Easement

transactions.” The Town Attorney would no doubt be involved in such a transaction but a Committee or Commission or the Planning Commission could provide review and recommendations on such transactions.

COUNCIL ACTION: Include in plan do not include in plan revise

20 OPINION PC ARISMAN 8/30/10: On page 44 P-5 What if this was a Senior Citizens complex? What would be suggested in place of a Tot Lot?

For Senior Citizens I would like to see something more centrally located. If the only place is on Brace Road then there needs to be a contact note for the transportation that is available to the seniors.

STAFF: An area the size of a tot lot could include isometric exercise stations, tables and benches for board games, and an area to exercise dogs. Point made concerning location is noted. Transportation will likely become an issue as time goes on and will require analysis in another study (transportation element of the General Plan) besides a park, recreation and open space master plan.

COUNCIL ACTION: Include in plan do not include in plan revise

21 OPINION PC ARISMAN 8/30/10: On Page 45 that suggests a professional study be commissioned for both b and c. How much would this cost? How would it be paid for? In these tough economic times it is very hard to justify additional monies for such studies.

STAFF: This refers to policy OS-3 on Page 45 of the Master Plan.

- a. “Commission a professional study of the Town’s streams and waterways and devise a management and protection plan consistent with the Dry Creek Greeway Plan.”

And

- b. “Commission a professional study to review Town policies and inventory sensitive lands including oak woodlands, rock outcrops, and ridgelines and recommend strategies for their conservation.”

There is no money available for either study. It is unknown what costs would be, probably between \$30,000 and \$50,000 each. There are grants available from time to time to cover some if not all costs for these kinds of studies. It is unlikely the Town will do these kinds of studies without help from a grant.

COUNCIL ACTION: Include in plan do not include in plan revise

22 OPINION PC ARISMAN 8/30/10: This Master Plan leans very heavily toward the youth and not much for anyone else, in my opinion. Most of the youth will not remain in the area after they grow up and go to college why such a great emphasis on them?

STAFF: Comment noted. The consultant developed the report to reflect the dominant themes that came out of the community meetings. If something should be provided for other groups then the something should be

identified and given to the consultant for inclusion in the final draft.

COUNCIL ACTION: Include in plan do not include in plan revise

23 OPINION PC ARISMAN 8/30/10: On the Quimby Act Park Dedication and In-Lieu Fee. In Loomis I have doubts that there is another development that would have or exceed the fifty parcels. This is good information but is it practical? Also have any in-lieu fees ever been collected for Loomis? If so how much and where are the fees now?

STAFF: This comment apparently refers to Page 45 F-1 that mentions updating the park, recreation and open space development fees on a yearly basis. There is the Loomis Village at over 400 homes sitting on the sidelines right now. The former Shadow Brook development at Sierra College and Bankhead was proposed for almost 300 homes. The comment is noted however and it is agreed that there will be few developments exceeding 50 parcels in Loomis. Regardless, it is good to have the laws on the books. The Town has always collected fees in lieu of land. It has not, to date, required land. The current fund balances as of July 31, 2010 for the park, recreation and open space fees are:

Park fee (Quimby)	\$ 540,991
Open Space/Passive Parks	\$ 78,422
Park Development	\$ 107,937

COUNCIL ACTION: Include in plan do not include in plan revise

24 OPINION PC FETTKE 9/2/10: The “next steps” stuff was not very useful, not specific enough.

STAFF: This refers to page 47 in the Master Plan. Comment noted though it is unknown what specific actions are desired that the Town can afford to do. Affordability becomes the main issue in deciding what steps to take.

COUNCIL ACTION: Include in plan do not include in plan revise

25 OPINION PC FETTKE 9/2/10: I didn’t see that the OSC 2 report recommendations were incorporated into his document, and they MUST be.

STAFF: OSC-2 comments, to the extent approved by Council, have been included. See page 25 Opinion # 12.

COUNCIL ACTION: Include in plan do not include in plan revise

END

OPINIONS – NO REPORT CHANGES NEEDED