TUESDAY	JULY 23, 2013	7:30 PM

CALL TO ORDER   *7:30pm*

PLEDGE OF ALLEGIANCE

ROLL CALL   <u>All Present</u>
Chairman Hogan
Commissioner Black
Commissioner Miller
Commissioner Thew
Commissioner Wilson

COMMISSION COMMENTS: *Commissioner Miller brought plums for everyone.*

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA: <u>*Jim Durfee (5901 Craig Ct.)*</u> *– Was here a few months ago regarding the Minor Land Division at Margaret Drive and Craig Court. Asked the Planning Commission to direct staff to ask the Town Council about the Town Ordinance and recommends changing the Ordinance regards lot splits to prohibit lot splits like the one that was approved near his home. Has concerns about the unused narrow portion adjacent to Margaret Drive.*

A motion was made by Commissioner Thew directing staff to review the Town Ordinance regarding lot splits and when flag lots can be allowed as well as any potential code violation that may exist on the properties that were recently split. The motion was seconded by Commissioner Hogan and passed by a unanimous voice vote (5-0).

ADOPTION OF AGENDA
A motion to adopt the agenda was made by Commissioner Thew and was seconded by Commissioner Wilson and passed by a unanimous voice vote (5-0).

CONSENT AGENDA	RECOMMENDATION
1. **MAY 28, 2013 MINUTES**	*APPROVED*
2. **PROJECT STATUS REPORT**	*RECEIVED AND FILED*

PUBLIC COMMENT ON CONSENT AGENDA:
A motion to adopt the consent agenda was made by Commissioner Wilson and was seconded by Commissioner Thew and passed by a unanimous voice vote (5-0).

BUSINESS

3. **DRAFT TREE CONSERVATION ORDINANCE**

After thorough analysis of surrounding jurisdiction's Tree Ordinances as well as the Planning Commission Subcommittee's draft Tree Ordinance and the Town's current Tree Ordinance, staff has developed a draft Tree Conservation Ordinance for the Planning Commission's review and recommendation to the Town Council.

RECOMMENDATION: Take public comment, review the proposed draft Tree Ordinance, discuss and direct staff.

PUBLIC COMMENT:

Shawna Martinez (Penryn, CA) – *Thanked to Commission for taking this on. Had comments on the Purpose and Intent statement, asked about any landmark trees in Town, asked why there wasn't just a "protected tree" definition instead of having "native, significant, and heritage tree" definitions. She was glad that the subcommittee's mitigation table was included and recommended by staff. Would like the subcommittee's Small Tree Preservation Credits wording included.*

Guy Fuson (4925 Dewey Ct., Rocklin, CA) – *Had concerns with a draft section where he believes that an applicant would just come to Town Hall and talk to the Town Manager about a tree removal as opposed to taking a record to have on file. Asked how property owners would know if a tree survey is done and if they have any landmark trees on their property.*

Ken Menzer (Consulting Town Arborist) – *Stated that the Town Manager is named 34 times in the draft ordinance. Discussed how he thinks multi-trunk tree DBH and critical root zones are measured/determined. Recommended including ANSI standards language. Likes the proposed rating system but that they should start with 0 and not 1. 3 year mitigation should be changed to 5 years. Likes the mitigation table ratios. Recommended changing the language for protective fencing to say "no less than 4-feet" instead of "no less than 6-feet". Believes fines should be more than the figures being proposed. Also recommended including small tree mitigation credits.*

Gary Liss (4395 Gold Trail Way, Loomis, CA) – *Mr. Liss handed out the cover page of the 2006 Open Space Committee Report and stated that Loomis is about preserving our tree canopy and wildlife. Any new ordinance needs to comply with the General Plan of the Town. Recommended using the subcommittee's Introduction language to replace the staff proposed Purpose and Intent statement. Asked why the Town is changing the Tree Ordinance and what the Town is trying to fix. Asked if there was much enforcement taking place for persons that illegally remove or prune protected trees. Would like to see the penalties increased for persons who violate the Tree ordinance. Believes the subcommittee developed mitigation is not enough and recommends requiring more mitigation. He also agreed with Shawna Martinez's comments.*

The Planning Commission reviewed the draft ordinance and discussed with staff. The Commission gave staff direction on changes they would like to the proposed draft ordinance (adding language as well as omitting language). Many of the recommendations centered on including language from the subcommittee's draft ordinance. A Public Workshop was proposed for mid-August in order for the Commission to discuss everyone's specific comments and to clarify certain areas of the draft ordinance.

Staff asked that the Commission make specific comments and language recommendations on the draft ordinance and to submit those to staff by August 1, 2013.

A motion was made by Commissioner Hogan to have each Commissioner submit written comments to staff by August 1, 2013, for staff to make the revisions as discussed at tonight's meeting, and to continue this item to a Public Workshop to take place on Wednesday, August 14, 2013 at 6:30pm at the Train Depot and for staff to bring back the draft tree ordinance to the Commission at their regularly scheduled August meeting (August 27, 2013). Motion was seconded by Commissioner Thew and passed by a unanimous voice vote (5-0).

ADJOURN: *9:55pm*

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Mike Hogan, Chairman

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Matt Lopez, Assistant Planner