



COUNTY OF PLACER  
**GRANITE BAY MUNICIPAL ADVISORY COUNCIL**

175 Fulweiler Avenue ▪ Auburn, CA 95603 ▪ (530) 889-4010  
County Contact: Ashley Brown (916) 787-8954

**REGULAR MEETING Minutes**

Wednesday, March 2, 2016 7:00 PM  
Eureka School District Office, Board Room  
5455 Eureka Road, Granite Bay, CA

1. **Call to Order & Pledge of Allegiance** 7:01PM
2. **Welcome & Introduction of Members**  
Ken Prager, Suzanne Jones, Bill Bowen, Virg Anderson, Barbara Singletery, Eric Bose, John Thacker and Te Iwi Boyd, Secretary. (Barbara Singletery and Eric Bose were not present for the vote.)
3. **Approval of March 2, 2016 Agenda**  
Motion was made to approve the agenda. Motion seconded and passed, 5-0.
4. **Approval of February 3, 2016 Minutes**  
Motion was made to approve the minutes. Motion seconded and passed, 5-0.
5. **Public Safety Reports:**
  - A. Placer County Sheriff's Office – No report was given.
  - B. California Highway Patrol – No report was given.
  - C. South Placer Fire District – No report was given.
6. **Public Comment:** Let us hear from you! Do you wish to share something that's NOT already on this agenda? We welcome your input at this time and kindly ask that you keep your comments to 3 minutes or less (or as determined by the chairman).

John Masha who has had an ongoing issue with his neighbor who is operating a chop shop/auto shop on his property wanted to praise Supervisor Uhler and Ashley Brown for their assistance in resolving this issue.

Ron Fay expressed his concern from last meeting regarding more traffic and more noise associated with the projects that have been proposed at the MAC.

Kammi Deciares informed the MAC of the desperate need for restriping on Barton Road She wanted to thank Supervisor Uhler, the MAC and Placer County staff for getting this issue resolved so quickly.

Another community member commented that she had recently seen an ad for the Grayhawk III project where it referenced home prices in the \$700,000.00 range. She thought this was supposed to be affordable for seniors to live there.

The MAC is composed of appointed community members whose purpose is to advise the Board of Supervisors about activities and problems of the area represented. Residents are encouraged to attend and talk about issues important to them. More info at [www.placer.ca.gov/bos/mac](http://www.placer.ca.gov/bos/mac). Placer County is committed to ensuring that persons with disabilities are provided the resources to participate fully in public meeting. If you require disability-related modifications or accommodations, including auxiliary aid or services, to attend or participate in this meeting, please contact the Board of Supervisor's Office.



A community member expressed his concerns with volume of emergency vehicle calls going to Eskaton, sometimes three times a day. He would like to see these facilities be able to provide first aid as opposed to calling 911 so many times a day.

**7. Supervisor Report** (If Supervisor Kirk Uhler is not present, Ashley Brown will present)

**PCCP Moving Ahead**

The Placer County Conservation Plan is on track with strong support from federal regulatory agencies the U.S. Fish and Wildlife Service and U.S. Army Corps of Engineers.

Leading the plan to the finish line is Gregg McKenzie, Placer County Conservation Plan administrator, taking over the helm from Loren Clark.

When approved, the plan will result in a larger, more contiguous area of open space and natural habitat, as well as a more streamlined, cost-effective and predictable permitting process to promote sustainable future development in unincorporated areas of the county and the City of Lincoln.

PCCP would comply with federal and state regulations for wetlands and endangered species, setting aside 47,300 acres of land under permanent conservation in western Placer County.

The plan would also allow the environmental permit processes to be expedited and approved at the county level, greatly reducing the cost and amount of time to receive permits including permits typically issued by state and federal wildlife agencies.

**Open Container Ban Pulled from "Quality of Life" Ordinances**

The ban was presented as one of a bundle of "Quality of Life" ordinances aimed at giving law enforcement more tools to address crime in the county's unincorporated areas. Related ordinances prohibiting graffiti and public urination and defecation were approved and go into effect in March.

The vote means the open container ban will not go into effect, unless the board reconsiders the item or takes up a revised version of it.

**New Transparency Website and Financial Reporting Tool**

Last week Placer County launched a new transparency page on its website, offering searchable, sortable and customizable looks at how the county spends its taxpayer dollars, along with a one-stop shop for the most sought-after public information.

The new financial database is powered by OpenGov, a financial reporting service used by many government agencies throughout the country. The goal is to make budget information not just accessible but useful, so residents can better understand, and therefore influence, how county government runs.

Visitors can now quickly and easily browse county spending by departments or expense type and download it all either as raw data or in simple, beautiful graphics and charts.

Visit the new transparency website at [placer.ca.gov/transparency](http://placer.ca.gov/transparency).

Comments from the public:

Patricia McKinney: Why is the Federal Government in control of the 404 Permits. Is this a good thing? Why isn't the County in control? Supervisor Uhler explained that this has nothing to do with money. The County has no say. Federal government has jurisdiction over all navigable waters of the US.

Another community member inquired about additional water storage for the Granite Bay community. Supervisor Uhler explained that there are more than enough water rights for Granite Bay and that the issue is not availability of water, but the fact that the San Juan Water District has to pump the water up because of the low lake levels. Placer County is in the process of working on a plan with PCWA to form an alternate delivery system. Supervisor Uhler also reminded attendees that every project that is brought before any jurisdiction has to have will serve letters from all utilities including water. Without the will serve letter a project will not be approved.

## 8. Information Item:

### A. Proposed Residential Development

The project is a residential subdivision located on Eureka Road, APN 050-160-026-000, and is part of the Ridgeview Mobile Home Park. It will consist of 30-60 units based on the existing Placer County zoning ordinance of RM-DL10-Dc-TM and the Granite Bay Community Plan of High Density Residential, 4-10 dwelling units per acre.

Presenter: Ron Higgins, President of L&H Construction, Inc.

A brief history and background of L&H Construction, Inc. was given to attendees of the meeting. The majority of L&H's previous and current projects are in the Carmichael, Fair Oaks and Orangevale areas. They have built custom homes in Granite Bay, but have not built a subdivision.

Samples of current projects were shown to attendees. It was explained that multiple floor plans are available with each project. L&H's focus is always on infill projects.

The specific site for this project was shown on a map. Based on the DL10 designation, 60+/- homes could be built on this property. However, it was explained that more than likely they will be looking to reduce the number of homes built on this property. Options for build out were shown with pros and cons to each option. L&H is looking to get information from community members to help them develop the best possible project for the site. L&H always starts the development of a site with the Supervisor and the community.

Arial photos of the proposed site were provided to the MAC for visual reference.

Member Bose asked if L&H currently owns the property. It was explained that L&H is in contract on the property but will not have title for approximately 1 year to 18 months.

It was asked if the proposed project would interrupt traffic. L&H doesn't not anticipate any traffic interruption.

It was asked if there are any utilities in place. Sewer is not in place at this time.

It was asked if adjacent property owners had been notified of the proposed project. L&H explained that they have not yet reached out to the adjacent property owners as the MAC was the first step they were taking in gathering information from the community.

A community resident expressed her concern that her property backs up to the proposed project and that in the morning, traffic on Auburn-Folsom Road is already so busy it is almost unbearable. She enjoys sitting in her backyard and has planted large trees, but their backyard will now look over the proposed project.

L&H asked attendees if it would help if these were single story homes? Attendees responded with "Nothing would help."

A resident asked if design for the frontage of the property would be discussed so that it was visually pleasing and would fit in with the community. Residents indicated they would rather not have curb and gutter if the county would approve that.

Many concerns regarding additional impacts to traffic were expressed. L&H said they will be doing a traffic study.

There was additional discussion/clarification of zoning designation between the community members and L&H.

A resident showed photos of the traffic on Auburn Folsom & Country Court at 4pm as well as photos of the traffic in the surrounding areas.

Further explanation of DL10 was provided to attendees of the meeting as well as discussion of downzoning the larger parcel proposed for this project.

Member Bowen commented on the continued concern in the community regarding utilities, water and traffic. Member Bowen would recommend that L&H implement a strong outreach to the neighbors and focus on how this project will impact their lives,

education, utilities. Member Bowen also expressed how refreshing it was to hear that L&H is open to the idea of reducing the number of houses on the site.

Member Anderson agreed with residents, that he would be concerned with what residents who backed up to the proposed project would be seeing. Member Anderson expressed continued concern over traffic issues, however, he doesn't think that the MAC has ever denied a project that lowered the density.

Member Bose reminded attendees that the MAC is an advisory committee. Member Bose said that he echoed the comments of his colleagues and that he would keep an open mind to the blended density proposal, subject to several conditions. Member Bose expressed his appreciation for the questions that L&H presented, but thinks it is too early in the process. Member Bose encouraged L&H to continue to work with the neighbors to address and/or mitigate issues and concerns.

Member Thacker also echoed his fellow MAC Members comments. Member Thacker expressed his openness to the rezone of the one portion of the project, subject to further information.

9. ~~Action Item:~~ **Information Item:**

**A. Proposed Medical Marijuana Ordinance**

In light of the October 9th, 2015 passage of the California Medical Marijuana Regulation and Safety Act (MMRSA) - regarding commercial medical marijuana cultivation, Placer County is in the process of drafting an ordinance that seeks to balance the legal rights of patients and caregivers with those of adjoining neighbors and other community members with regards to the cultivation, production, and distribution of this product in the unincorporated areas of the County. County staff will provide an overview of the recently passed state legislation (MMRSA) and an overview of the proposed Medical Marijuana Ordinance. The proposed ordinance will be presented to the Board of Supervisors for action at a future date. Presenter: Josh Huntsinger, Placer County Agricultural Commissioner, Bekki Riggan, Deputy CEO and George Rosasco,

A brief history of marijuana and prohibition was provided to attendees. It was explained that 28 states have amended their laws and that State law still conflicts with Federal law. Simple possession remains a misdemeanor. Fines/jail time were explained.

Illegal Marijuana Impacts were discussed with attendees. Some of those impacts include: drug trafficking organizations; home invasions; burglary/theft; aggressive dogs; increased traffic; butane honey oil labs and nuisance complaints (primarily re: smell).

Some of the Environmental Impacts relating to marijuana are Illegal water diversion; clear cutting; illegal grading; pesticide runoff; and dead and/or sick animals.

Placer County PCSO Photos were shown to attendees of grows for reference to size and neighboring properties, illegal water diversion. pesticide use/runoff issues; effects on wildlife.

Prior Board of Supervisor presentations were discussed. There was a presentation to the Board on May 5, 2015 regarding constituent complaints and impacts due to lack of regulation; many constituents were also concerned about losing rights to cultivate. At that time a "Wait and See" approach pending state legislation was decided on.

The Medical Marijuana Regulation and Safety Act (MMRSA) provides an extensive licensing structure, commercial production and personal/caregiver exemptions, caps on commercial cultivation, ends the previous collective cultivation model as well as requiring background checks, dispensaries and deliveries being allowed, tightening regulation on physician recommendations and local jurisdictions retaining regulatory authority (fees and taxes) was passed in October 2015.

Staff presented new legislation to the Board of Supervisors on December 8, 2015. The Board directed the development of comprehensive regulation.

January 5, 2016 was the first reading of the ordinance asserting County authority. The Board identified Ag Commissioner, Josh Huntsinger, as lead and approved of a plan for community outreach. 17 outreach meetings; town hall meetings have been scheduled. The Granite Bay MAC is the 8<sup>th</sup> meeting.

Goals of the proposed ordinance were discussed. Those goals include: promoting public health and safety; reducing the size of the illicit market for cultivation and retail sale; prevention of non-medical access and use by youth; reduction of environmental harm to water, habitat and wildlife; to provide clear criteria for responsible businesses and patients who wish to operate within the law; to develop a fair system of regulation and taxation that supports public purposes; and to provide flexibility and authority for modification or adoption of additional measures into the regulatory process to ensure effective implementation. This will be an ongoing process. As improvements are identified, staff will be coming back to the communities and the Board. It will be a work in progress

Other items discussed were: accountability, annual permitting, annual inspections, and swift and certain enforcement. No rules currently exist in the County Ordinance.

Member Bowen asked what law enforcements take is regarding this issue. It was explained that law enforcement would like to see clarity in place.

It was further explained to the MAC that the County is in the process of obtaining a consultant to help with issues of staffing, enforcement, revenue, etc. The Board could look at applying additional taxes to cover the cost of enforcement, etc.

Member Anderson expressed the need for the ordinance as it will provide some much needed structure.

Member Prager asked for some clarification regarding the permit process. Explanation what the current ag permitting process is and how it could be implemented was provided. There are many systems in place that this ordinance can build off of.

Member Prager asked if the County expects to need to hire more employees. It was confirmed that they do see a need to hire additional employees, however, they are considering fees that would cover those additional expenses.

Member Prager asked about the timeline for this ordinance. It was explained that they are targeting going back to the Board in May/June.

Member Bose expressed his feelings on what a "mess" this is for the County to sort through. It has pitted citizens that want a level of protection against citizens that would like to profit from this. Member Bose expressed his appreciation for anything that staff can do for law enforcement so that they have the necessary tools to navigate through this issue,

Member Thacker asked about the penalties for non-compliance. It was explained the County has authority to determine enforcement. Penalties will range from abatement, Administrative Civil Penalties, fees, etc. These matters will not go to court. A grower who is non-compliant, would be served a notice. The Respondent has ability to pay or request a hearing before a hearing officer. The County wants administrative review to be swift while respecting due process.

Member Anderson asked about the homeowner who grows. Will they be required to register through the Ag Department? It was explained that personal use cultivation will have very clear rules in place, such as the grow must occur closer to your house than your neighbors, etc. and might or might not require a permit at that small scale.

A resident asked if there are limits to licensing/permits regarding over production and diversion and if the County is working with the medical field to identify what the need is?

It was explained that there are 9 different cultivation types based on tiers, limiting the number of the large grow permits state wide. The restrictive setbacks will be primary limitation. A Public health officer is highly engaged in this process.

A resident informed attendees that Farmers Insurance is now insuring marijuana grows and thinks it is better having it out in the open and the ability to enforce.

A representative from a dispensary explained their clients' needs and the importance to them for grows to be allowed.

Another resident expressed how grateful they are for the work that the county is doing. It is clear there is a need for an ordinance, and the concern that we are at the forefront of this process, as well as the concern regarding the increase of production and what that brings with it.

10. **Adjournment** to next regular meeting on April 6, 2016  
Meeting adjourned at 9:15PM.