



AGRICULTURAL COMMISSION

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Greg Boeger, Chair – Agricultural Processing Industry
Lloyd Walker, Vice-chair – Other Agricultural Interests
Chuck Bacchi – Livestock Industry
Bill Draper, Forestry/Related Industries
Tom Heflin, Fruit and Nut/Farming Industry
Dave Pratt, Fruit and Nut/Farming Industry
Gary Ward – Livestock Industry

AGENDA

August 13, 2008; 6:30 pm

Board of Supervisors Meeting Room

330 Fair Lane - Building A, Placerville, California

Public testimony will be received on each agenda item as it is called. The applicant is allocated 10 minutes to speak; individual comments are limited to 3 minutes; and individuals representing a group are allocated 5 minutes.

Items not on the agenda may be addressed by the general public during Public Forum. Comments are limited to 3 minutes per person. The Commission reserves the right to waive said rules by a majority vote. Public Forum is for comments only. No action will be taken on these items unless they are scheduled on a future agenda.

To ensure timely delivery to the Agricultural Commission, written information from the public must be received by the Agriculture Department by the last Thursday prior to the meeting. The Agriculture Department cannot guarantee that any FAX or mail received the day of the meeting will be delivered to the Commission prior to action on the subject matter.

All Agricultural Commission meetings are tape recorded. Anyone wishing to purchase a recorded tape of an Agricultural Commission meeting may do so under the California Public Records Act process for \$5.00 per tape by contacting the Agriculture Department after action has been taken.

Written minutes of the Agricultural Commission can be accessed at <http://www.co.el-dorado.ca.us/ag/commissionagenda.html> or by contacting the Agriculture Department utilizing the California Public Records Act request process.

Pursuant to Government Code §54954.2, any person with a disability who requires a modification or accommodation in order to participate in this public meeting is to contact the Agriculture Department by 4:00pm the day of the meeting.

NOTICE: All Agricultural Commission Administrative Relief decisions pertaining to AGRICULTURAL SETBACKS may file an application to appeal to the Board of Supervisors within 10 days of the decision. Such applications shall be made to the Development Services Department.

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- Minutes of July 9, 2008

IV. PUBLIC FORUM

V. Ranch Marketing/Winery Ordinance Update

VI. Agricultural Housing – Discussion of draft criteria submitted to the Commission July 9, 2008

VII. S 08-0012 – Rancho Olivo Vineyards (Nello Olivo/Larry A. Patterson): A Special Use Permit request to allow wine making on-site. The project site consists of an eight (8) acre vineyard with a guest house, a residence, a barn and an existing building to be used for wine making. The property, identified by Assessor's Parcel Number 109-090-07, consists of 21.00 acres, and is located on the south side of Rancho Road approximately 1/8 miles south of the intersection with Lariat, in the Shingle Springs area. (District 2)

Staff Recommendation: Recommend APPROVAL of S 08-0012, as the findings can be made for General Plan Policy 8.1.4.1, which states the proposed use;

- A. Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities;
- B. Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and
- C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands

And General Plan Policy 8.2.2.2, which states;

- A. The use will not substantially detract from agricultural production in the surrounding area; and
- B. The use is compatible with and will not have a significant adverse impact on adjacent or nearby neighborhoods beyond that allowed by the Right to Farm Ordinance and other applicable law.

APN: 109-090-07
Area: Rancho Road/Shingle Springs
Planner: Patricia Kelly

- VIII.** S06-0017R – Bella Vista Bed & Breakfast (Robert & Kathleen Ash): A Special Use Permit Revision request to allow daytime events with acoustic music, including weddings of 75 people or less, at an existing bed and breakfast facility. No commercial kitchen is proposed. This revision would be a modification of the original condition of approval #6, which prohibits special events. The property, identified by Assessor’s Parcel Number 006-480-31, consists of 5.0 acres, and is located on the east side of Cold Springs Road, southwest of the intersection with Kane Hill Road in the Coloma area. (District 4)

Staff Recommendation: Recommend APPROVAL of S06-0017-R, to allow daytime events of 75 people or less, as the findings can be made for General Plan Policy 8.1.4.1, which states the proposed use;

- A. Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities;
- B. Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and
- C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands

APN: 006-480-31
Area: Cold Springs Road/Coloma
Planner: Thomas Lloyd

- IX.** William C. Kettlekamp – requesting administrative relief from agricultural setbacks for the

purpose of constructing a swimming pool adjacent to, and east of the existing single family residence. The pool is proposed to be located 146 feet from the northern property line. The subject parcel is surrounded by parcels zoned Exclusive Agriculture (AE) and therefore subject to special agricultural setbacks in accordance with the Interim Interpretive Guidelines adopted June 22, 2006. (The subject parcel is also zoned Exclusive Agriculture.) Since the proposed project does not meet the requirements for the Development Services Director to allow up to a 50 and/or a 75 percent setback reduction, a review by the Agricultural Commission is required in order for administrative relief to be granted. (District 4)

Staff Recommendation: Recommend APPROVAL of William Kettlekamp's request for administrative relief from a 200 foot agricultural setback, allowing a setback of 146 feet from the north property line for the construction of a swimming pool, as the following findings can be made:

- A. No suitable building site exists on the subject parcel except within the required setback due, but not limited to, compliance with other requirements of the General Plan or other County development regulations;*
- B. The proposed non-compatible use is located on the property to reasonably minimize any potential negative impacts on the adjacent agricultural zoned land; and*
- C. Based on the site characteristics of the subject parcel and the adjacent agricultural zoned land including, but not limited to, topography and location of agricultural improvements, etc, the Commission determines that the location of the proposed non-compatible use would reasonably minimize potential negative impacts on agricultural use.*

Staff also recommends that the applicant comply with Resolution No. 079-2007 Exhibit A of the Board of Supervisors pertaining to the adoption of the Criteria and Procedures for Administrative Relief from Agricultural Setback. Section B.5 requires the following action by the applicant: In all cases, if a reduction in the agricultural setback is granted for a non-compatible use/structure, prior to the issuance of a building permit, a Notice of Restriction must be recorded identifying that the non-compatible use/structure is constructed within an agricultural setback and that the owner of the parcel granted the reduction in the agricultural setback acknowledges and accepts responsibility for the risks associated with building a non-compatible use/structure within the setback.

APN: 074-260-16
Area: Penobscot Road/Greenwood
Planner: Mark Millard

- X.** Ronald & Camilla Bixler requesting administrative relief from agricultural setbacks for the replacement of a swimming pool to be located 170 feet from the west property line and 30 feet from the south property line. The subject parcel is adjacent to Select Agricultural (SA-10) and Exclusive Agricultural (AE) zoned land and therefore subject to special agricultural setbacks in accordance with the Interim Interpretive Guidelines adopted June 22, 2006. The existing swim pond is approximately 160 feet from the west property line and 25 feet from the south property line. The replacement swimming pool will be located further away from

the agricultural zoned land then the existing swim pond. The replacement swimming pool does not meet the requirements for the Development Services Director to allow up to a 50 and/or a 75 percent setback reduction and therefore requires the Agricultural Commission review for administrative relief. (District 3)

Staff Recommendation: Recommend CONDITIONAL APPROVAL of Ronald & Camilla Bixler's request for administrative relief from 200 foot agricultural setbacks, allowing a setback of 170 feet from the west property line and 30 feet from the south property line for the renovation/replacement of a swimming pond/pool only if applicant constructs a solid barrier "fence" of no less than six feet in height along the southern property line, adjacent to the non-compatible use. If the barrier is constructed, and based on the parcel size of 5.61 acres, the following findings can be made:

- A. No suitable building site exists on the subject parcel except within the required setback due, but not limited to, compliance with other requirements of the General Plan or other County development regulations;*
- B. The proposed non-compatible use is located on the property to reasonably minimize any potential negative impacts on the adjacent agricultural zoned land; and*
- C. Based on the site characteristics of the subject parcel and the adjacent agricultural zoned land including, but not limited to, topography and location of agricultural improvements, etc, the Commission determines that the location of the proposed non-compatible use would reasonably minimize potential negative impacts on agricultural use.*

It should be further noted that the non-compatible use involves the re-building of a current use that was lawfully placed and that the non-compatible use will not further encroach into the agricultural setback.

Staff also recommends that the applicant comply with Resolution No. 079-2007 Exhibit A of the Board of Supervisors pertaining to the adoption of the Criteria and Procedures for Administrative Relief from Agricultural Setback. Section B.5 requires the following action by the applicant: In all cases, if a reduction in the agricultural setback is granted for a non-compatible use/structure, prior to the issuance of a building permit, a Notice of Restriction must be recorded identifying that the non-compatible use/structure is constructed within an agricultural setback and that the owner of the parcel granted the reduction in the agricultural setback acknowledges and accepts responsibility for the risks associated with building a non-compatible use/structure within the setback.

APN: 085-500-05
Area: Rio Vista Way/Camino
Planner: Kristin Davis

- XI.** Michael Alexander requesting administrative relief from agricultural setbacks for the single-family residence to be located 176 feet from the east property line. The subject parcel is

adjacent to Residential Agricultural (RA-20) zoned land and therefore subject to special agricultural setbacks in accordance with the Interim Interpretive Guidelines adopted June 22, 2006. The proposed single-family residence does not meet the requirements for the Development Services Director to allow up to a 50 and/or a 75 percent setback reduction and therefore requires the Agricultural Commission review for administrative relief. (District 4)

Staff Recommendation: Recommend APPROVAL of Michael Alexander's request for administrative relief from a 200 foot agricultural setback, allowing a setback of 170 feet from the eastern property line for a single family residence, as the following findings can be made:

- A. The proposed non-compatible structure is located on the property to reasonably minimize any potential negative impact on the adjacent agricultural zoned land;*
- B. Based on the site characteristics of the subject parcel and the adjacent agricultural zoned land including topography, the Commission determines that the location of the proposed non-compatible structure would reasonably minimize potential negative impacts on agricultural use; and*
- C. There is currently no agricultural activity on the agriculturally zoned parcel adjacent to the subject parcel and the Commission determines that the conversion to a low or high intensive farming operation is not likely to take place due to the soil and/or topographic characteristics of the adjacent agriculturally zoned parcel AND the General Plan Land Use Designation of the adjacent parcel is not agricultural but rather residential (Low Density Residential).*

Staff also recommends that the applicant comply with Resolution No. 079-2007 Exhibit A of the Board of Supervisors pertaining to the adoption of the Criteria and Procedures for Administrative Relief from Agricultural Setback. Section B.5 requires the following action by the applicant: In all cases, if a reduction in the agricultural setback is granted for a non-compatible use/structure, prior to the issuance of a building permit, a Notice of Restriction must be recorded identifying that the non-compatible use/structure is constructed within an agricultural setback and that the owner of the parcel granted the reduction in the agricultural setback acknowledges and accepts responsibility for the risks associated with building a non-compatible use/structure within the setback.

APN: 317-160-37
Area: Browns Road/Placerville
Planner: Kristin Davis

- XII.** Z08-0027/WAC 08-0005 Bill Snodgrass (Frank Matagrano, Jr.) requesting the establishment of an agricultural preserve of property currently zoned Residential Agricultural-40 (RA-40). The application also includes a request to change the zoning of the site from RA-40 to

Agricultural Preserve (AP). (District 4)

Staff Recommendation: Recommend APPROVAL of WAC 08-0005 as the minimum criteria for a high intensive agricultural operation has been met:

- 1) Capital outlay exceeds the minimum requirement of \$45,000 at \$190,000.
- 2) Acreage of parcel exceeds the minimum requirement of 20 acres at 80.97 acres (acreage of crops is 16 acres).
- 3) Gross income exceeds the minimum requirement of \$13,500/year at \$48,487.

APN: 105-100-11
Area: Petersen Lane/Lotus
Planner: Jason R. Hade

XIII. LEGISLATIVE UPDATE

- Legislative update

XIV. CORRESPONDENCE

XV. OTHER BUSINESS

- Administrative Relief from Agricultural Setbacks – Ag Commissioner concurrence; Gaskins, Bobby
- Administrative Relief from Agricultural Setbacks – Ag Commissioner concurrence; Van Der Vijver, Robert & Melissa
- Administrative Relief from Agricultural Setbacks – Ag Commissioner concurrence; Heyart, Nicholas
- Notice of Non-Renewal of Agricultural Preserve No. 7 – Albert Harris Ranch
- Notice of Non-Renewal of Agricultural Preserve No. 291 – Sherrie Ellis
- BLA 08-0038 Boundary Line Adjustment – Wilton, Dustin

XVI. ADJOURNMENT