



AGRICULTURAL COMMISSION

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Greg Boeger, Chair – Agricultural Processing Industry
Lloyd Walker, Vice -Chair – Other Agricultural Interest
Chuck Bacchi – Livestock Industry
Bill Draper – Forestry Related Industries
Ron Mansfield – Fruit and Nut Farming Industry
John Smith – Fruit and Nut Farming Industry
Gary Ward – Livestock Industry

AGENDA

September 9, 2009; 6:30pm

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 with 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 August 12, 2009

IV. PUBLIC FORUM

V. Ranch Marketing – update and discussion

VI. Michael & Danielle Tanner – requesting administrative relief from Natural Resource and Exclusive Agriculture setbacks for the conversion of a permitted barn to a 2nd dwelling to be located 117 feet from the northwest property line corner and 86 feet from the north property line. The subject parcel is adjacent to natural Resource and Exclusive Agriculture designated 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 50 and/or 75 percent setback reduction and therefore requires the Agricultural commission review for administrative relief. (District 2)

Staff Recommendation: Recommends DENIAL of Michael and Danielle Tanner's request for administrative relief from the 200 foot agricultural setbacks, for the conversion of an existing barn (compatible use) to a residential dwelling (non-compatible use), as it would be the second residential dwelling on the AE zoned parcel. The recommendation for denial is based on:

- 1) *Section 17.36.060 of Title 17 of the El Dorado County Code states "The regulations set forth in Sections 17.36.070 through 17.36.100 shall apply to those lands subject to the Land Conservation Act of 1965. Such lands known as AE districts shall be subject to the provisions of Chapters 17.14, 17.16 and 17.18." Chapter 17.15 – Second Residential Units on Single-Family Lots was specifically omitted from the applicability section of the AE District.*
- 2) *The current zoning of Exclusive Agriculture (AE) only allows one single-family detached dwelling within each AE preserve (Section 17.36.070 of the El Dorado County Zoning Ordinance). Building Permit 176282 was issued in 2007 for a single family dwelling which is currently being built on the parcel.*
- 3) *Section 17.36.080(H) requires a Special Use Permit for the construction of single-family and multifamily dwellings, including dormitories, for agricultural labor housing only and not second single-family dwellings such as a "Granny Flat".*
- 4) *Section 17.36.100 states "The regulations contained in Sections 17.36.060 through 17.36.090 shall also apply to lands zoned AE but which are not encumbered by Agricultural Preserve Contracts..."*

Additionally, staff recommends DENIAL of the request for a reduction in the 200 foot agricultural setback because the findings cannot be made pursuant to Resolution 079-2007 Exhibit A - The Criteria and Procedures For Administrative Relief From Agricultural Setbacks adopted by the Board of Supervisors April 17, 2007. Section B(3) of Exhibit A requires the Commission to find three of four of the following:

- a) *No suitable building site exists on the subject parcel except within the required setback.*
- b) *The proposed non-compatible use/structure is located on the property to reasonably minimize the potential impact on the adjacent agricultural land 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*
- 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/structure would reasonably minimize potential impacts on agricultural use.*
- d) *There is currently no agricultural activity on the agriculturally zoned parcel adjacent to the subject parcel.*

Area: Sandridge Road/Placerville
Planner: Priscilla Maxwell

- VII.** Z 09-0007 – Cornell Rezone (Charles and Kyleen Cornell): A request to rezone from Estate Residential Five-Acre Zone District (RE-5) to Select Agricultural District (SA-10). The property, identified by Assessor’s Parcel Number 060-190-41, consists of 13.53 acres, and is located on the west side of Greenwood Road approximately 7/10 mile north of the intersection with Marshall Road, in the Garden Valley area. (District 4)

Staff Recommendation: Recommends APPROVAL of Charles and Kyleen Cornell’s request to rezone their property (APN 060-190-41) from Estate Residential Five-Acre (RE-5) to Select Agricultural Ten-Acre (SA-10), as the criteria for establishing an SA-10 zone has been met and the following findings for General Plan Policy 8.1.4.1 can be made, “...the proposed use:

- A) Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities; and
- 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: 060-190-41
Area: Greenwood Road/Garden Valley
Planner: Jonathan Fong

- VIII.** P 09-0011 – Jones Parcel Map (Wayne Jones/Lois Jones/Carlton Engineering, Inc.): A request to create two parcels 10.005 and 10.006 acres. Access to each lot is via a 20-foot driveway off Fernwood Drive which connects to South Shingle Road in the south. Each lot would be served by domestic well and septic systems. The property, identified by Assessor’s parcel Number 087-270-38, consists of 20.01 acres, and is located on the northeast side of Fernwood Drive approximately 700 feet north of the intersection with Bullard Drive in the Shingle Springs area. (District 2)

Staff Recommendation: Recommends APPROVAL of the request to create two parcels (10.005 and 10.006 acres) from APN 087-270-38, as the request is consistent with the parcel’s current zoning and land use designation. Staff also recommends that a 200 foot setback be recorded on the tentative and final parcel maps adjacent to the AE zoned parcel to the south (APN 087-270-39).

APN: 087-270-38
Area: Fernwood Drive/Shingle Springs
Planner: Mel Pabalinas

IX. Ag District Review

Camino-Fruitridge

*Staff Recommendation: Staff recommends the following Assessor's Parcel Numbers (25) be **added** to the Camino-Fruitridge Ag District:*

043-011-25, 043-011-32, 043-011-33, 043-011-34, 043-011-35, 043-011-36, 043-011-37, 043-480-22, 043-480-23, 043-480-30, 043-480-33, 043-480-39, 043-480-40, 043-480-41, 043-480-46, 043-480-47, 084-200-12, 084-200-17, 084-200-57, 085-570-25, 100-060-37, 100-060-40, 100-060-41, 100-140-01, 100-140-22

Gold Hill

*Staff Recommendation: Staff recommends the following Assessor's Parcel Numbers (7) be **added** to the Gold Hill Ag District:*

089-010-43, 089-010-27, 089-010-45, 089-010-47, 089-010-44, 089-120-31, 317-030-09

*Staff Recommendation: Staff recommends the following Assessor's Parcel Numbers (27) be **omitted** from the Gold Hill Ag District:*

006-301-12, 006-480-30, 006-301-11, 006-480-33, 006-301-09, 006-311-04, 006-301-05, 006-480-32, 006-480-31, 006-301-07, 006-480-11, 006-480-12, 006-470-37, 006-470-38, 089-110-02, 089-110-03, 089-110-04, 089-110-37, 089-110-36, 089-110-35, 089-110-34, 089-110-32, 089-110-28, 089-260-05, 089-110-20, 089-110-54, 089-110-55

Oak Hill

*Staff Recommendation: Staff recommends the following Assessor's Parcel Numbers (9) be **added** to the Oak Hill Ag District:*

046-820-21, 046-032-51, 046-820-23, 046-820-22, 046-820-06, (and questionable parcels due to topography: 046-032-01, 046-032-02, 046-032-14, 046-032-13)

Pleasant Valley

*Staff Recommendation: Staff recommends the following Assessor's Parcel Numbers (27) be **added** to the Pleasant Valley Ag District:*

046-022-11, 046-270-17, 078-230-32, 078-240-16, 078-240-17, 078-240-23, 078-240-24, 078-240-30, 078-240-31, 078-240-37, 093-050-03, 093-050-06, 093-050-12, 093-050-21, 093-050-22, 093-050-30, 093-050-36, 093-050-43, 093-050-46, 093-050-48, 093-050-50, 093-050-51, 093-050-53, 093-050-54, 093-050-56, 093-050-62, 093-050-63

*Staff Recommendation: Staff recommends the following Assessor's Parcel Number (1) be **omitted** from the Pleasant Valley Ag District:*

046-250-20

X. LEGISLATIVE ISSUES

- AB 443 (Gagliani) – Apple Pests: Pest & disease prevention
- AB 905 (Assembly Ag Committee) – 200# exemption for produce
- SB 715 (Wolk) – Agricultural Lands: Williamson Act

XI. CORRESPONDENCE

- Local Agency Formation Commission (LAFCO) Summer Brook Annexation to the El Dorado Irrigation District – copy of letter addressed to Olga Sciorelli

OTHER BUSINESS

- Bill Draper – Sustainable Forest Action Coalition update
- Marc & Heide Pietrolungo – Agricultural Commissioner Concurrence of Ag Setback Relief – APN 038-400-30
- Suzanne Malm Tolari – request for Agricultural Commissioner Concurrence of Ag Setback Relief – APN 102-020-74-100
- Randy Rossi – Request for Agricultural Commissioner Concurrence of Ag Setback Relief -- APN 093-040-46-100
- Kathryn Barba – Boundary Line Adjustment 09-0029 – Agricultural Commissioner Approval – APN 094-130-11 and APN 094-050-32
- Anna E. Leigh – Boundary Line Adjustment 09-0027 – Agricultural Commissioner recommendation to Deny – APN 085-510-02
- Titus and Jennie Hartwick – Ag operation (one year follow-up as stated in the Ag Commission Minutes of July 9, 2008). A five-year plan was submitted for review.

XII. ADJOURNMENT