



EL DORADO COUNTY PLANNING SERVICES

John Knight..... District I
John MacCready..... District II
Dave Machado..... District III
Chris Chaloupka District IV
Alan Tolhurst..... District V
Jo Ann Brillisour..... Clerk of the Commission

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MINUTES

Regular Meeting of the Planning Commission October 26, 2006 – 8:30 A.M. BUILDING C HEARING ROOM 2850 Fairlane Court, Placerville, CA

1. CALL TO ORDER

Called to order at 8:45 a.m. Present: Commissioners Mac Cready, Machado, Chaloupka, Tolhurst, and Knight; Paula F. Frantz, County Counsel; and Jo Ann Brillisour, Clerk to the Planning Commission.

2. ADOPTION OF AGENDA

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER CHALOUPKA AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE AGENDA, AS PRESENTED.

3. PLEDGE OF ALLEGIANCE

A Pledge of Allegiance was given by the Commission and those persons in the audience.

4. CONSENT CALENDAR (All items on the Consent Calendar were approved by one motion unless a Commission member requested separate action on a specific item.)

a. Minutes: October 12, 2006

MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED BY THOSE COMMISSIONERS PRESENT (Commissioners Machado and Tolhurst were absent), IT WAS MOVED TO APPROVE THE CONSENT CALENDAR.

5. DEPARTMENTAL REPORTS AND COMMUNICATIONS

These items were considered during the day as time permitted.

Shawna Purvines gave the Commissioners a status report on the General Plan Land Use and Transportation and Circulation Elements. Craig McKibbin gave the Commission an update on the Design Manual.

Greg Fuz informed the commission that the Department has hired Larry Appel as the Deputy Director of Planning. He will begin his duties the middle of November.

6. COMMISSIONERS' REPORTS

PUBLIC FORUM/PUBLIC COMMENT - None

7. WILLIAMSON ACT CONTRACTS/REZONES (Public Hearing)

- a. **WAC06-0006/Z06-0019** submitted by JOEL and JUDITH SKLAR to establish a new agricultural preserve and rezone the same properties from Estate Residential Five-acre (RE-5) to Agricultural Preserve (AP). The properties, identified by Assessor's Parcel Numbers 094-060-16, -31, and -35, consisting of 26.8 acres, are located on the north side of Perry Creek Road, approximately three miles east of the intersection with Mt. Aukum Road (E16), in the **Fairplay area**. (Categorically exempt pursuant to Section 15317 of the CEQA Guidelines)

Staff: Aaron Mount recommended approval. Joel Sklar was present. There will be no winery. He will just be growing grapes. Commissioner Chaloupka questioned allowing properties under 40 acres into a Williamson Act Contract. There was no further input.

MOTION: COMMISSIONER MAC CREADY, SECOND BY COMMISSIONER TOLHURST AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS MAC CREADY, TOLHURST, AND KNIGHT; NOES – COMMISSIONER CHALUPKA; ABSENT – COMMISSIONER MACHADO, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS FIND THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO SECTION 15317 OF THE CEQA GUIDELINES AND APPROVE WAC06-0006 ESTABLISHING AN AGRICULTURAL PRESERVE ON ASSESSOR'S PARCEL NUMBERS 094-060-16, -31, AND -35, AND APPROVE Z06-0019 REZONING THE SAME PROPERTIES FROM ESTATE RESIDENTIAL FIVE-ACRE (RE-5) TO AGRICULTURAL PRESERVE (AP) BASED ON THE FINDINGS PROPOSED BY STAFF.

Findings

1.0 CEQA Findings

- 1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15317 of the CEQA Guidelines which states, "Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.

2.0 General Plan Findings

- 2.1 The proposed Williamson Act Contract is consistent with the policies in the El Dorado County General Plan, as discussed in the General Plan section of this staff report.

3.0 Zoning Findings

- 3.1 The subject parcels meet the design standards pursuant to 17.36.090.D of the County Code.

4.0 Administrative Findings

- 4.1 The subject parcels satisfy the County's three criteria for the establishment of an Agricultural Preserve, as defined in Resolution Number 188-2002, as follows:
 1. The 20 acre minimum has been met, as the subject site consists of 26.8 acres.
 2. Capital outlay has been achieved over time with the on-site agricultural improvements of clearing, irrigation, trellises, vines, and planting totaling \$63,164.00.
 3. The land has been determined to be properly planted, cared for and maintained, and is capable of making a profit through viticulture, with projected income from existing 10 acres of grapes equaling \$28,915.
- b. **WAC06-0008/Z06-0036** submitted by FRANK GREGORY and SUSAN L. BOEGER to establish a new agricultural preserve and rezone the same property from Select Agricultural (SA-10) to Exclusive Agricultural (AE). The property, identified by Assessor's Parcel Number 085-540-55, consisting of 10 acres, is located on the north side of Cleese Road, approximately 1,300 feet east of the intersection with North Canyon Road, in the **Camino area**. (Categorically exempt pursuant to Section 15317 of the CEQA Guidelines)

Staff: Aaron Mount recommended approval. Greg Boeger will be planting more grapes on this property. There will be no winery. There was no further input.

MOTION: COMMISSIONER MAC CREADY, SECOND BY COMMISSIONER KNIGHT AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS MAC CREADY, TOLHURST, AND KNIGHT; NOES – COMMISSIONER CHALOUPKA; ABSENT – COMMISSIONER MACHADO, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS FIND THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO SECTION 15317 OF THE CEQA GUIDELINES AND APPROVE WAC06-0008 ESTABLISHING AN AGRICULTURAL PRESERVE ON ASSESSOR’S PARCEL NUMBER 085-540-55, AND APPROVE Z06-0036 REZONING THE SAME PROPERTY FROM SELECT AGRICULTURAL (SA-10) TO AGRICULTURAL PRESERVE (AP) BASED ON THE FINDINGS PROPOSED BY STAFF.

Findings

1.0 CEQA Findings

- 1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15317 of the CEQA Guidelines which states, “Class 17 consists of the establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.

2.0 General Plan Findings

- 2.1 The proposed Williamson Act Contract is consistent with the policies in the El Dorado County General Plan, as discussed in the General Plan section of this staff report.

3.0 Zoning Findings

- 3.1 The subject parcels meet the design standards pursuant to 17.36.090.D of the County Code.

4.0 Administrative Findings

- 4.1 The subject parcels satisfy the County’s three criteria for the establishment of an Agricultural Preserve, as defined in Resolution Number 188-2002, as follows:
 - 1. The 10 acre parcel meets all additional criteria as required by Resolution No. 188-2002 for minimum parcel size.
 - 2. Capital outlay has been achieved with the on-site agricultural improvements of clearing, irrigation, trellises, vines, and planting totaling \$89,000.

3. The land has been determined to be properly planted, cared for and maintained, and is capable of making a profit through viticulture, with projected income from the existing 5.45 acres of grapes equaling \$2,400 in 2007. It is expected that a profit of \$16,800 is expected to be achieved in 2009.

8. GENERAL PLAN UPDATE

- a. **Oak Woodland Management Plan:** Process review

Steve Hust introduced Rick Lind, EN2 Resources, who gave a power point presentation. No action was taken.

- b. **Draft Interim Guidelines Implementing General Plan:** Policies 7.4.4.4/7.4.4.5 (Oak Woodlands)

Staff: Steve Hust. Input was received from Valerie Zetner, representing the Farm Bureau; Art Marinaccio; William Wright, representing the public school districts; Bill Fisher, Pacific States Development; and Phil Mosbacher.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO CONTINUE THIS ITEM TO THE MEETING OF NOVEMBER 9, 2006.

9. ZONING ORDINANCE UPDATE

- a. **Revised Flowchart; Identification of Existing Code Problems; Goals; General Plan Implementation Measures; and Zone District Maps**

Staff: Roger Trout identified proposed workshops. He asked the Commissioners to let him know if there are other workshops that should be held. Cheri Rafferty, Tax Collector for the County, spoke regarding the vacation rental ordinance. She encouraged consistency with other County ordinances and asked that the Commission consider coordination with their office. Art Marinaccio spoke about the transient occupancy tax in the Economic Element, current zoning being a pyramid type zoning, and the land use designation and zoning on the Bray site in the Missouri Flat area. No further input.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER CHALOUPKA TO CONTINUE THIS ITEM TO THE AGENDA OF NOVEMBER 9, 2006.

- b. **Lighting Ordinance**

Staff: Lillian Mac Leod gave a power point presentation on lighting and briefly went over her report. No action taken.

10. DEPARTMENT OF TRANSPORTATION - None

11. **COUNTY COUNSEL'S REPORTS** - None

12. **DIRECTOR'S REPORTS** - None

13. **ADJOURNMENT**

The meeting was adjourned at 12:45 p.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:

John Knight, Chair

