



AGRICULTURAL COMMISSION

311 Fair Lane
Placerville, CA 95667
(530) 621-5520
(530) 626-4756 FAX
eldcag@co.el-dorado.ca.us

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
David Pratt – Fruit and Nut Farming Industry
Gary Ward, Livestock Industry

MEMORANDUM

DATE: May 28, 2008
TO: Pierre Rivas, Development Services/Planning
FROM: Lloyd Walker, Chair Pro Tem LW
SUBJECT: GENERAL PLAN POLICY 8.1.3.1

RECEIVED
PLANNING DEPARTMENT
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During the Agricultural Commission’s regularly scheduled meeting held on May 14, 2008, the following discussion and motion occurred regarding General Plan Policy 8.1.3.1 which was continued from the April 9, 2008 Agricultural Commission meeting. Lloyd Walker, Chair Pro Tem, began the meeting and was acting Chair while this item was heard.

**Note: Mr. Boeger arrived at this point and it was agreed that he would chair the meeting after discussion of this item.*

“Agriculturally zoned lands including Williamson Act Contract properties shall be buffered from increases in density on adjacent lands by requiring a minimum of 10 acres for any parcel created adjacent to such lands. Those parcels used to buffer agriculturally zoned lands shall have the same width to length ratio of other parcels.”

Ag staff had presented Draft Relief Findings Criteria for General Plan Policy 8.1.3.1 with two options and questions for the Agricultural Commission’s consideration at the April meeting.

Proposed Draft Option A – Findings criteria to be contained in a Resolution adopted by the Board of Supervisors by adding an authorizing statement within the General Plan policy:

Proposed Draft Option B – Findings criteria to be contained in General Plan Policy 8.1.3.1.

Bill Stephans asked for any suggestions or changes the Ag Commission members might have after their consideration of the proposed options and their choice of either Option A or B.

Pierre Rivas stated that after review of both options by the Planning staff, they believe Option A would be more advantageous as it provides additional flexibility to amend the findings if any changes are necessary to accommodate new circumstances as they arise. He suggested that additional language (underlined here) should be included in the proposed authorizing statement in General Plan Policy 8.1.3.1 “...A parcel size of less than 10 acres

may be considered, if the approving authority finds the parcel meets certain criteria and/or findings that are recommended by the County Agricultural Commission and adopted by the Board of Supervisors.” Mr. Rivas also suggested similar language be included in the criteria preamble where it is stated, “the County Agricultural Commission may consider recommending to the approving authority the creation of a parcel(s) less than 10 acres adjacent to agriculturally zoned lands when the Commission finds...”

Art Marinaccio agreed with planning staff’s suggested additions stating that the Agricultural Commission should be an advisory body only. He recommended that where it is stated under Option A, section 1) “The parcel adjacent to the agriculturally zoned land is within an existing General Plan Community Region or Rural Center and will not intensify conflict with an adjacent agricultural operation” to omit “*and will not intensify conflict with an adjacent agricultural operation*”. He believes the deletion of this finding would help reduce processing time and expense that projects are requiring due to unclear General Plan policies and limited staff time. He also stated that CEQA requires an analysis of each project’s effects on agriculture so the statement in the criteria is not necessary

Bill Stephans explained that the language Mr. Marinaccio suggested omitting was included because an analysis showed that some parcels in Community Regions and Rural Centers are adjacent to existing agricultural operations and/or agricultural districts. A previous Powerpoint presentation to the Commission showed that only approximately 8-9% of parcels in Community Regions or Rural Centers could be affected by this policy since many parcels were already smaller than 10 acres. It was staff’s opinion that although parcels are in Community Regions or Rural Centers, an analysis would have to be completed as to the effects of the creation of a smaller parcel directly adjacent to agricultural operations. A good example of an agricultural operation adjacent to a Community Region (Placerville) is Greg Boeger’s vineyard. These agricultural operations need to be considered prior to allowing a smaller parcel. That is why staff proposed the finding that a project will not intensify conflicts with an adjacent agricultural operation.

A Commission member asked for staff’s opinion as to the definition of “*intensify conflicts*.” He cited a specific project that was approved, and for the sake of one more parcel, the applicant split up the ten-acre buffer against an existing long-term agricultural operation.

Bill Stephans explained that the project the Commission member referred to may not intensify future conflicts as the one house was already built on the parcel directly adjacent to the agricultural operation and the split was going to place the newly created parcel away from the agricultural operation which would not increase the “intensity” of the land use directly adjacent to the agricultural operation. This was a finding the Board of Supervisors made in order to allow the project and the requested parcel split to proceed.

There was discussion regarding the necessity to treat Community Regions and Rural Centers differently since they were created in the General Plan to satisfy different needs and some Rural Centers are surrounded by Ag Districts.

Bill Stephans stated that based on staff analysis there are Ag Districts adjoining Community Regions (i.e. the Placerville Community Region is adjacent to the Camino Ag District).

A Commission member was concerned that by adding the criteria to policy 8.1.3.1 the Ag Commissions' ability to make recommendations might be hindered or limited. Bill Stephans stated that it the intent of the proposed criteria to only provide a mechanism that allows the Ag Commission, in very narrow circumstances, to consider the creation of a parcel less than ten acres. There is currently no ability to consider the creation of a parcel less than 10 acres if the parcel is adjacent to Ag land. The proposed criteria will give the Commission the ability to analyze each proposal to see if a smaller parcel does make sense in certain situations. The intent of the proposed criteria is to provide a way to allow smaller parcels when warranted. Pierre Rivas suggested that additional language be included which would give the Commission the authority to recommend "conditional" approval of a smaller parcel.

Bill Stephans stated that in his opinion, the additional language is not necessary because the ordinance creating the Commission already empowers the Commission to recommend conditions to a project that will protect agricultural lands.

Motion #1:

It was moved by Mr. Boeger and seconded by Mr. Ward to recommend to the Board of Supervisors to initiate a General Plan Amendment as outlined in the Proposed Draft Option A (Attachment A) - by adding an authority statement within the General Plan Policy 8.1.3.1 to allow the creation of a parcel less than ten (10) acres adjacent to agriculturally zoned parcels and to adopt findings criteria through a Board Resolution. Motion passed.

AYES: Bacchi, Draper, Pratt, Heflin, Walker, Ward, Boeger

NOES: None

ABSENT: None

Motion #2:

It was moved by Mr. Heflin and seconded by Mr. Bacchi, to 1) Include Planning staff's suggested language regarding "the approving authority" to Proposed Draft Option A authorizing statement in General Plan Policy 8.1.3.1 and the proposed criteria guidelines preamble; 2) Retain "and will not intensify conflict with an adjacent agricultural operation" in Section A) of the criteria; 3) Recommend to the Board of Supervisors to adopt the findings relief criteria for the required 10 acre buffer by resolution with the additional language (Attachment A). Motion passed.

AYES: Bacchi, Draper, Pratt, Heflin, Walker, Ward, Boeger

NOES: None

ABSENT: None

If you have any questions regarding the Agricultural Commission's actions, please contact the Agriculture Department at (530) 621-5520.

LW:na