



# 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

**March 12, 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 5 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.**

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### I. CALL TO ORDER

### II. APPROVAL OF AGENDA

### III. APPROVAL OF MINUTES

- Minutes of February 13, 2008
- Minutes of February 19, 2008 Special Meeting

### IV. PUBLIC FORUM

### V. Ranch Marketing/Winery Ordinance Update

### VI. Oak Woodlands Management Update

- The Planning Commission will be hearing the Oak Woodlands Management Plan (Final Draft) Strikeout Version on March 13, 2008

- VII. Agricultural Grading – Presentation by Patricia Gaylord, Department of Transportation**
- VIII. Affordable Housing/Agricultural Worker Housing – Presentation by Peter Maurer, Development Services/Planning**
- IX. Agricultural Buffers – Presentation by Peter Maurer, Development Services/Planning**
- X. Z 07-0033, PD 07-0020 & TM 07-1448 – McCann Subdivision (Michael, Robynn & Joshua McCann/Timothy Schad):** A request for a rezone from PA-20 (Planned Agricultural 20 Acre) to R1-PD (One-Family Residential – Planned Development) and development plan and tentative map to create 72 residential lots ranging in size from 6,002 to 16,809 square feet with a 7.5-acre open space lot. Design waivers are requested to permit variations from Volume II, Sections 2.B.4, 2.B.5 and 2.B.7 of the El Dorado County Design Improvement Standards Manual for lot widths, frontage and to allow flag-shaped lots. The property, identified by Assessor’s Parcel Number 331-420-12-1, consists of 24.30 acres, and is located approximately 1,600 feet east of the intersection of Truscott Lane and Union Mine Road, in the El Dorado area. (District 3)

*Staff Recommendation: Staff recommends DENIAL of Z07-0033, PD 07-0020 & TM 07-1448 – McCann Subdivision (Michael, Robynn & Joshua McCann/Timothy Schad) request for a rezone from PA-20 (Planned Agricultural 20 Acre to R1-PD) (One-Family Residential – Planned Development). Staff understands that the requested rezone from PA-20 to R1-PD appears to be consistent with the General Plan land use designation which is High Density Residential (HDR), however, other General Plan policies such as 8.1.3.1, 8.1.3.2 and 8.2.2.5 require that newly created parcels adjacent to Agricultural land must be ten acres or larger and be of such size as to allow for an adequate setback. Until such time as the Agricultural parcels that have a land use designation such as HDR, including the parcel containing the Union Mine High School (PA-20 zoning) are rezoned to something other than Agricultural, staff cannot make the recommendation to approve the project, and recommends that this parcel and all adjacent parcels zoned Agricultural with HDR land use designations and in a Community Region be rezoned for consistency with the General Plan Land Use Designations. Additionally, staff notes that this parcel contains approximately 10-12 acres of choice soils which will be lost to agricultural production once residential development takes place.*

APN: 331-420-12-1  
Area El Dorado  
Planner: Tom Dougherty, Planner

- XI. P 07-0022 Jeff & Judy Malm/Nicole Young** request for a General Plan Amendment from Rural Residential (RR) to Low Density Residential (LDR), and a parcel map to create four parcels ranging in size from 5.0 to 5.5 on a 20.5-acre parcel. The parcel is identified by Assessor’s Parcel Number 092-440-01 on the east side of Mica Street approximately 750 feet north of the intersection with Crystal Boulevard in the El Dorado area. It should be noted that the current single-family residential unit was recently approved in the current location with building permit 178310 which was finalized in June of 2007. (District 2)

*Staff Recommendation:* Staff recommends DENIAL of P 07-0022 Jeff & Judy Malm/Nicole Young request for a General Plan Amendment from Rural Residential (RR) to Low Density Residential (LDR), and a parcel map to create four parcels ranging in size from 5.0 to 5.5 acres on a 20.5 acre parcel because the parcel is bordered both on the north and south boundaries by sub-standard RA-20 zoned parcels. Several of the RA-20 parcels are approximately 5 acres in size which are inconsistent with the General Plan land use designation of Rural Residential (10-160 acres per residence) and also the minimum parcel sizes for RA-20 zoning. It is staff's opinion that the sub-standard RA-20 parcels should be required to be rezoned to a more appropriate non-agricultural zoning prior to approving any projects in this area. No agricultural activities were observed on the adjacent parcels at the time of the site visit. Piecemeal approval of projects in this area will only further exacerbate and continue the problems into the future. If the adjacent parcels are rezoned, the Commission can make the required findings contained in General Plan policy 8.1.4.1. If the adjacent parcels are not rezoned, General Plan policies 8.1.3.1, 8.1.3.2 and 8.2.2.5 apply.

APN: 092-440-01  
Area: Mica Street/El Dorado  
Planner: Tom Dougherty, Planner

- XII.** Adrienne Robison - request for administrative relief from agricultural setbacks to allow the construction of a single family dwelling. The southwest corner of the subject parcel is Adjacent to Exclusive Agricultural (AE) zoned land and therefore subject to special agricultural setbacks in accordance with the Interim Interpretive Guidelines adopted June 22, 2006. The proposed single family dwelling 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:* Staff recommends APPROVAL of Adrienne Robison request for administrative relief from a 200 foot agricultural setback, allowing a setback of 120 feet from the AE zoned parcel and 30 feet from the western boundary of the parcel as the following findings can be made: a) no suitable building site exists on the subject parcel except within the required setback, b) the proposed non-compatible structure would be located on the property to reasonably minimize the potential negative impact on the adjacent agricultural zoned land, and c) the topography of the subject parcel and the location of the proposed non-compatible structure minimizes the negative impacts on the Agricultural land. 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 Setbacks. 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: 043-230-39  
Area: Cable Road/Camino  
Planner: Thomas Lloyd

- XIII.** Janine D'Agostini, or Virginia L. Murphy, agents for Ronald Smith, requesting administrative relief from agricultural setbacks for the proposed single-family residence to be located 75 feet from the south property line. The subject parcel is adjacent to Timberland Preserve (TPZ) 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 2)

*Staff Recommendation:* Staff recommends APPROVAL of a reduction to the agricultural setback from the TPZ zoned land to the south, to 100 feet per General Plan Policy 8.4.1.2 which states, "A permanent setback of at least 200 shall be provided on parcels located adjacent to lands identified as timber production lands...or lands zoned Timberland Production Zone (TPZ)...The Agricultural Commission may recommend a lesser setback to a minimum of 100 feet." With a reduction in the setback, a building site could be placed further away from an active agricultural operation (a vineyard) on the parcel to the west and according to General Plan Policy 8.4.2.1, the following findings can be made: a). The proposed use will not be detrimental to adjacent parcels for long-term forest resource production value or conflict with forest resource production in that general area; b). The proposed use will not intensify existing conflicts or add new conflicts between adjacent proposed uses and timber production and harvesting activities; c). The proposed use will not create an island effect wherein timber production lands located between the project site and other non-timber production lands are negatively affected; d). The proposed use will not hinder timber production and harvesting access to water and public roads or otherwise conflict with the continuation or development of timber production harvesting; and e). The proposed use will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to timber production lands. 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 Setbacks. 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: 095-090-47  
Area: Idlewild Road/Somerset  
Planner: Kristin Davis

**XIV. COMMUNITY REGION & RURAL CENTERS**

- Discussion continued from February 19, 2008 Combined meeting.

**XV. LEGISLATIVE ISSUES**

- Legislative update

**XVI. CORRESPONDENCE**

- El Dorado County Farm Bureau letters to Senator Dianne Feinstein and Congressman John Doolittle from Carlan V. Meyer, President, regarding the proposed closure of the Auburn Farm Services Agency

**XVII. OTHER BUSINESS**

- BLA 08-0004 Boundary Line Adjustment application – Charles Mitchell
- BLA 08-0008 Boundary Line Adjustment application – Chaim Gur-Arieh
- Request for Agricultural Commissioner Concurrence – Mark Cafaro
- PD 08-0004 & TM 08-1464 – Serrano Village A14 (Serrano Associates, LLC/R.E.Y. Engineers)

**XVIII. ADJOURNMENT**