



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
Dave Pratt – Fruit and Nut Farming Industry
Tom Heflin – Fruit and Nut Farming Industry
Gary Ward – Livestock Industry

MINUTES

January 9, 2008

6:30 P.M.

Board of Supervisors Meeting Room
330 Fair Lane – Building A, Placerville

Members Present: Boeger, Bacchi, Draper, Heflin, Pratt, Walker, Ward

Members Absent: None

Ex-Officio Members Present: William J. Stephans, Ag Commissioner/Sealer

Staff Members Present: Steve Burton, Assistant Agriculture Commissioner/Sealer
Nancy Applegarth, Clerk to the Ag Commission
Chris Flores, Ag Biologist/Standards Inspector

Others Present: Laurel Brent-Bumb, Anne Dixon, Anita Hibbard, Barry and Linda Lindner, Linnea Marenco, John Smith, Denise Sum, Dale Van Dam

I. CALL TO ORDER

The meeting was called to order at 6:31 p.m. by Greg Boeger, Chair.

II. INTRODUCTION AND WELCOME OF NEWLY APPOINTED AGRICULTURAL COMMISSION MEMBERS

Bill Draper was welcomed as a new member of the Agricultural Commission.

III. ELECTION OF CHAIR AND VICE-CHAIR

It was moved by Mr. Ward and seconded by Mr. Bacchi to elect Commission Member Boeger as Chair for 2008 and Commission Member Walker as Vice-chair for 2008. Motion passed.

IV. APPROVAL OF AGENDA

Bill Stephans asked to place an additional agenda item under “Other Business” to identify several dates and times for a special meeting with the Planning Commission and the Department of Conservation regarding a Williamson Act workshop.

It was moved by Mr. Ward and seconded by Mr. Pratt to approve the Agenda with the requested additional agenda under Other Business. Motion passed.

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

NOES: None

ABSENT: None

V. APPROVAL OF MINUTES

- Minutes of November 29, 2007 Special Meeting
- Minutes of December 12, 2007

It was moved by Mr. Walker and seconded by Mr. Bacchi to approve the Minutes of November 29, 2007 Special Meeting and the Minutes of December 12, 2007. Motion passed.

AYES: Bacchi, Heflin, Walker, Ward, Boeger

NOES: None

ABSTAIN: Draper, Pratt

ABSENT: None

VI. PUBLIC FORUM

John Mosbacher presented the Commission members with a Fact Sheet containing the history, financial investment and production phases of Pleasant Valley Harvest. He spoke of his intent to use sustainable agricultural practices in obtaining his goals for the project.

Valerie Zentner, El Dorado County Farm Bureau, stated that there will be several community meetings on Affordable Housing in the next few months and invited the Commission members to attend for discussion on meeting the County's housing goals and employee housing needs. She also mentioned the need to initiate a combined meeting with the Ag and Planning Commissions to discuss several agricultural issues pertaining to the implementation of the General Plan.

Bill Stephans stated that Peter Mauer has been invited to speak to the Ag Commission at their February 13th meeting concerning the affordable housing element of the General Plan.

Linnea Morenco, was displeased with the Ag Commission and asked for the Commission to clarify their definition of grazing and historical grazing. She stated that she will be writing a letter to contest their previous "decision" to deny the Penobscot Ranch Subdivision heard last month. She also asked them to consider their rolls as Commission members to have clear definitions of the General Plan to give individuals a formal and defined means of knowing what they can and cannot do with their land.

VII. Ranch Marketing/Winery Ordinance update

Bill Stephans stated that the Winery sub-committee is routinely meeting to discuss ways to create an alternative ordinance that may clarify uses that are allowed by right. Also,

clarifications of the current Ranch Marketing Ordinance are being discussed. The next meetings will be held on January 16th for the Ranch Marketing committee and February 13th for the Winery committee.

VIII. Presentation by Laurel Brent-Bumb, Executive Director, El Dorado County Chamber of Commerce – Agri-tourism study mission to Kelowna, British Columbia

Maryann Argyres, President of the Apple Hill Growers Association and Co-chairman of the EDC Chamber of Commerce Visitors Authority and Dale van Dam, Dean of Instruction, Folsom Lake College, El Dorado Center, used a Power Point presentation to detail the July 2007 Agri-tourism trip to Kelowna, British Columbia, Canada. In summary, both El Dorado and Kelowna have many agricultural similarities. Both rely on agri-tourism to help sustain their economies. Many sectors in Kelowna have come together to support agricultural operations and have partnered to create a strong, diversified experience. The next study mission is being planned for the summer.

- IX.** Barry & Linda Lindner – requesting administrative relief from agricultural setbacks for the proposed hardship mobile to be located 127 feet from the north property line. The subject parcel is adjacent to Select Agricultural (SA-10) zoned land and therefore subject to special agricultural setbacks in accordance with the interim Interpretive Guidelines adopted June 22, 2006. The proposed hardship mobile 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 has determined that although the application states “located 127 feet from the north property line” the direction should be west of the property line. A corrected application was requested December 26, 2007 and was pending at the time this agenda was set.*

Chris Flores reported on the site visit to the property. The modular has been set in place on a relatively flat area, close to the existing house and utilities (gas and electric). An existing driveway leads up to the modular. Per the applicants, the intended use of the modular is to house their elderly parents. The northwest corner of the modular is, according to the applicant, 127’ from the west property boundary. There are no agricultural activities occurring on the property, to the west, at this time. There is a lower swath of land between the modular and the western property line. Parcels to the east are in current agricultural production. By placing the modular closer to the western property line, the potential negative impact of the non-compatible use, to current agricultural production, is minimized.

Linda Lindner was present for questions and any clarifications of the request.

A neighbor to the subject parcel expressed water quality concerns and how the project may affect her property.

Barry Linder stated that the property was located in a natural watershed area and water quality has never been a problem even when livestock were on the property.

Bill Draper stated that the temporary modular was already in place and therefore the staff recommendation to record a notice of restriction prior to the issuance of the building permit may not be accurate. Bill Stephans stated that the staff recommendations included wording exactly from the Board adopted resolution which says “prior to the issuance of the building permit” which is not appropriate in this case. The motion of the Commission should reflect the actual circumstances of this request which is to record the notice of restriction.

Commission Member Pratt questioned the appropriateness of requiring a notice of restriction on a temporary hardship structure. Bill Stephans stated that there are not exceptions in the Board adopted resolution and that it is entirely appropriate to require a notice of restriction in temporary cases such as this because there have been instances when the “temporary structures” have become permanent. Also, when the hardship ceases and the structure is removed, he believed there are processes in place to request the notice be eliminated from the records.

It was moved by Mr. Heflin and seconded by Mr. Ward to recommend APPROVAL of Barry & Linda Lindner’s request for administrative relief from agricultural setbacks for the proposed hardship manufactured home to be located 127 feet from the west property line. Taking into consideration the temporary nature of the non-compatible use, the following findings can be made: a) No suitable building sites exist except within the required setback; b) The proposed non-compatible use is located on the property to reasonably minimize the potential negative impact to the adjacent agricultural zoned land, and c) Based on the site characteristics of the subject parcel and the adjacent agricultural zoned land, the Commission determines that the location of the proposed non-compatible use would reasonably minimize potential negative impacts on agricultural use. The applicant shall 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, a Notice of Restriction must be recorded identifying that the non-compatible use/structure is considered 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.

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

NOES: None

ABSENT: None

X. LEGISLATIVE ISSUES

- The new legislative session started on January 7, 2008. The Commission will be informed as bills are introduced that may have an impact to agricultural operations.

XI. CORRESPONDENCE

- No correspondence to report

XII. OTHER BUSINESS

- Oak Woodlands Management Plan

The Ag Commission comment letter was signed by Mr. Boeger and delivered to the Planning Department before the deadline.

- United States Department of Agriculture – 2007 Census. Many commission members have received the survey.

Additional discussion took place regarding:

- Department of Conservation presentation on Williamson Act Contracts with possible workshop dates of February 19th or 21st, 2008 at the Board of Supervisors meeting room. Bill Stephans will contact Larry Appel with these tentative dates for concurrence with the Planning Commission. When a mutual date is chosen, Bill Stephans will contact DOC staff.
- Information was given to the Commission members concerning new grading requirements with a draft of a brochure which will be printed for educational purposes.
- Copies of amended Ag Commission By-laws and ordinance were handed out to the Commission members. Since Bill Draper is now a commission member, there appears to be no need to replace him as an Ex-Officio member of the Commission since he is a Registered Professional Forester. The Commission agreed. The draft amendments to both documents will be agendized on the February 13th meeting for finalization.
- A letter from Ken Greenwood, Straight Shot Consulting, was passed to the Commission. The letter expressed the need to deny the Pleasant Valley Harvest project.

XIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:15 p.m.

APPROVED: Greg Boeger, Chair

Date: February 13, 2008