



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
Ron Mansfield – Fruit and Nut Farming Industry
John Smith – Fruit and Nut Farming Industry
Gary Ward – Livestock Industry

MINUTES

November 18, 2009

6:30 P.M.

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

Members Present: Bacchi, Boeger, Draper, Mansfield, Smith, Walker, Ward

Members Absent: None

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

Staff Members Present: Nancy Applegarth, Clerk to the Agricultural Commission
Chris Flores, Agricultural Biologist
Charlene Carveth, Deputy Ag Commissioner/Sealer

Roger Trout, Director, Development Services/Planning

Others Present: Ron Dundas, Roberta Long, Art Marinaccio, David Petrie,
Greg Schwab, Richard Wade

I. CALL TO ORDER

Chair Boeger called the meeting to order at 6:31 P.M.

II. APPROVAL OF AGENDA

Chair Boeger called for a voice vote for Approval of the Agenda.

Motion passed

AYES: Bacchi, Draper, Mansfield, Smith, Walker, Ward, Boeger

NOES: None

III. APPROVAL OF MINUTES

- Minutes of October 14, 2009

It was moved by Mr. Bacchi and seconded by Mr. Draper to Approve the Minutes as submitted.

Motion passed

AYES: Bacchi, Draper, Mansfield, Smith, Boeger

NOES: None

ABSTAIN: Walker, Ward

IV. PUBLIC FORUM

- No comments were received

- V. **A 09-0002 – John & Mark Paye /Dundas & Dundas):** A request to amend the General Plan land use designation from Open Space (OS) to Low Density Residential (LDR). The property, identified by Assessor's Parcel Number 061-071-26, consists of 105 acres, and is located on both sides of Wentworth Springs Road at the intersection with Fox Run Road, in the Georgetown area. (District 4)

The following information was given during the Ag Department Staff's report: The parcel is 105 acres and is located at an elevation of 2,800 to 2,960 feet. The property is not located within an Agricultural District, but is located within the Georgetown Rural Center. The property was once owned by the Bureau of Land Management and was given a land use designation of Open Space (OS). This land use category can be used to designate public lands under government title where no development other than that specifically needed for government-related open space uses is desired. The property was sold into private ownership in the late 90's and is surrounded by Low Density Residential land use. The parcel has Residential Estate Ten-Acre (RE-10) zoning and is being heard by the Agricultural Commission due to the ag zoned parcel to the north.

The ag zoned parcel abuts the subject parcel along the northeast property line. The ag zoned parcel is 114 acres and is zoned Residential Agriculture Twenty-Acre (RA-20). Approximately half of the parcel has been logged and replanted with firs and pines. Although irrigation was installed and the trees planted in sections, it appears that the trees are not being maintained as a tree farm. The ag zoned parcel also has a land use designation of LDR.

The soil types of the subject parcel were described. The soil types are: McE – Mariposa-Josephine very rocky loams, 15 to 50% slopes (woodland suitability group 5); MbE – Mariposa very rocky silt loam, 3 to 50% slopes (woodland suitability group 5); MbF – Mariposa very rocky silt loam, 50 to 70% slopes (woodland suitability group 6); JtD – Josephine silt loam, 15 to 30% slopes (woodland suitability group 2). Overall the soils are moderately adaptable to management of commercial conifers. Pursuant to the California Forestry Handbook (1978), 2500 feet and above, McE, MbE and MbF are considered Site Class III soils with a Site Index of 75 to 92; JtD is considered a Site Class II soil with a Site Index of 93 to 113. Site Class III soils are considered medium quality which should produce 300 to 700 board feet per acre per year and Site Class II soils are considered high quality which should produce 700 board feet per acre per year.

Planning Services has requested a review and recommendation by the Agricultural Commission, for a General Plan Amendment application to change the parcel's land use designation from OS to LDR. The El Dorado County 2004 General Plan defines LDR as an area for single-family residential development in a rural setting. In Rural Regions, this designation shall provide a transition from Community Regions and Rural Centers into the agricultural, timber, and more rural areas of the County and shall be applied to those areas

where infrastructure such as arterial roadways, public water, and public sewer are generally

not available. The General Plan states that this land use designation is appropriate within Rural Centers where higher density serving infrastructure is not yet available. LDR allows for a maximum density of one dwelling unit per 5.0 acres with a parcel size range of 5.0 to 10.0 acres.

Bill Stephans emphasized that the LDR land use designation is consistent with the parcel's current zoning of Estate Residential Ten-Acre (RE-10). Mr. Stephans added that the ag zoned parcel to the north may have been planted as a Christmas Tree operation at one time, but does not look like it is being maintained for that purpose, at this time. Mr. Stephans clarified that the smaller parcel along the eastern border of the subject parcel, has an Open Space (OS) land use designation, as well, but is not part of this application.

Roger Trout, Development Services Director, gave an overview of the process required to change the land use designation of the parcel, and an overview of the Certificate of Compliance process.

Commission Member Ward asked Mr. Trout if the change of the land use designation of this parcel from OS to LDR would set a precedent for other OS parcels. Roger Trout stated that this project would not set a precedent because every project is looked at individually.

Ron Dundas, representing the applicants, was present for review of the project. He said his clients bought this property in a land exchange from the Bureau of Land Management in 1998.

A neighbor, to this property, told the Commission that the applicants have maintained the property in a fire safe manner. She offered her support of the application request.

Art Marinaccio agreed that it is appropriate for the County to look at what the land use designation should be now that the parcel is not under government ownership. He also stated that BLM would have made an assessment of the parcel, prior to selling it, whether it should be kept as a timberland resource.

Greg Schwab, Georgetown Fire Department, stated that the other OS parcel to the east is theirs. He stated that there is a fire station and training center on the property which may produce considerable noise when training takes place. He asked the Commission if the Georgetown Fire Department should also change their land use designation from Open Space (OS) to something more appropriate.

Chair Boeger referred the question to Roger Trout who replied that he would take the suggestion back to Planning staff.

Ron Dundas, the applicant's representative, stated that they had asked Planning Staff about submitting a joint application with the fire department, for the General Plan Amendment, and maybe due to questions of costs, the idea did not move forward.

Bill Draper stated that it may not be feasible for the Federal Government to manage this

property because of its isolated nature, but it is still very good timber ground. Mr. Draper wanted it noted for the record, that if this property is to be subdivided in the future, anything less than 10 acres would ruin the timber harvest potential.

It was moved by Mr. Draper and seconded by Mr. Bacchi to recommend APPROVAL of A 09-0002, Mark and John Paye's request for a General Plan Amendment to change the land use designation of parcel number 061-071-26 from Open Space (OS) to Low Density Residential (LDR) as the parcel is located within the Georgetown Rural Center, is surrounded on all sides by Low Density Residential land use designations and meets the General Plan LDR description. In addition, the Commission recommends that the property retain the Residential Estate Ten Acre (RE-10) zoning.

Motion passed.

AYES: Bacchi, Draper, Mansfield, Smith, Walker, Ward, Boeger
NOES: None

**VI. Agricultural Commission Livestock Industry member "Term of Office Expiration:"
Agricultural Commission Representation regarding Review Panel - December 4, 2009.**

Bill Stephans explained that one Livestock Industry member's term is expiring at the end of December/beginning of January. If more than one application for the position is received, a Review Panel will be required on December 4th.

Chair Boeger nominated Chuck Bacchi and Lloyd Walker to serve as representatives of the Ag Commission on the Review Panel on December 4, 2009 to fill the potential Ag Commission vacancy. Both members agreed to serve on the Review Panel, if needed.

VII. Ag District Review

Bill Stephans gave a brief overview of the General Plan Policies which require staff to analyze the Ag Districts. Only one individual requested to meet with staff on November 23, 2009, for the purpose of understanding the benefits/issues regarding Ag Districts. Staff will discuss the results of the meeting at the December Ag Commission meeting if the property owner wishes to contest the parcel inclusion into the Ag District.

Garden Valley-Georgetown East

Staff recommended the following Assessor's Parcel Numbers (65) be considered for addition to the Garden Valley-Georgetown Ag District:

060-021-46, 060-021-47, 060-021-48, 060-021-49, 060-041-02, 060-650-25, 060-650-26, 060-650-27, 060-650-28, 060-650-29, 060-660-01, 060-660-02, 060-660-05, 060-660-07, 060-660-08, 060-660-27, 062-090-01, 062-090-02, 062-090-16, 062-090-17, 062-090-20, 062-090-25, 062-090-27, 062-090-28, 062-090-30, 062-090-37, 062-090-38, 062-090-39, 062-090-40, 062-090-41, 062-090-42, 062-090-50, 062-090-55, 062-090-56, 062-090-57, 062-090-58, 062-090-59, 062-090-61, 062-090-63, 062-090-64, 062-090-65, 062-090-66, 062-111-02, 062-111-03, 062-111-04, 062-111-05, 062-111-06, 062-111-07, 062-111-24,

062-111-25, 062-111-26, 062-111-27, 062-111-28, 062-111-61, 062-111-79, 062-111-81, 062-330-04, 062-330-05, 062-420-18, 062-420-22, 062-420-23, 062-420-34, 062-450-01, 084-011-01, 084-011-02

Contested Parcels:

None

David Petrie, an owner of a parcel off of Bear Creek Road, asked for some clarification regarding the benefits and/or disadvantages of being in an Ag District. Mr. Petrie asked if he would lose water, mineral, or timber rights, by being included in an Ag District.

Mr. Stephans stated that water, timber, and mineral rights are not affected by an Ag District Overlay. The purpose of the Ag District Overlay is to help protect land for present and future agricultural pursuits. The current land use designation of the proposed parcel is Natural Resource which has a minimum 40 acre parcel size. The Ag District overlay may allow a 20 acre parcel (with an AL land use designation). Also, certain benefits are available for agricultural operations in Ag Districts under the winery ordinance that allows certain activities/uses by right rather than by conditional use permit.

Art Marinaccio stated that there probably are not any benefits going into an Ag District in such a remote area because special events may still have to be permitted. Also, he stated that it is questionable that smaller parcels would be allowed in an Ag District.

It was moved by Mr. Smith and seconded by Mr. Walker to recommend incorporation of all uncontested parcels into the Garden Valley-Georgetown Agricultural District, deferring a recommendation regarding all contested parcels until a later date.

Motion passed.

AYES: Draper, Mansfield, Smith, Walker, Ward, Bacchi, Boeger
NOES: None

VIII. LEGISLATIVE ISSUES

- No issues to report

IX. CORRESPONDENCE

- LAFCO – Ag Commissioner Comment Request regarding El Dorado High School District Annexation to the El Dorado Irrigation District; Project No. 2009-09
- Summer Brook annexation to EID – Erica Sanchez, Policy Analyst, El Dorado LAFCO, correspondence to Ag Commissioner regarding feasibility of the project site being used for economically viable agricultural production and land uses
- Ag Caretaker Housing – TMA 07-0027 correspondence to Ag Commissioner regarding renewal of TMA (Kenny and Jane Osborn)

X. OTHER BUSINESS

- Bill Draper – Sustainable Forest Action Coalition update regarding the Camino Mill

closure – Senator Feinstein and other legislative representatives will be touring the mill this week

- Steve Sanford (APN 046-041-42) Ag Commissioner Concurrence regarding an Ag Setback Relief
- PA09-0015 Paula Reece Trust – Ag Commissioner Concurrence regarding a Pre-application to rezone from RE-10 to CG and a General Plan Amendment from LDR to C on two parcels in the Latrobe area
- Gutenberg property – map provided to the Commission for their information when future consideration is given towards the Pleasant Valley Ag District
- Bill Stephans informed the Commission members that he has given notice to Gayle Erbe-Hamlin, CAO, that he will be retiring as the El Dorado County Agricultural Commissioner/Sealer of Weights and Measures, as of December 30, 2009.

Mr. Smith stated he would like these minutes to reflect, “A Resolution of Appreciation for Bill Stephans’ tenure and position as Ag Commissioner, for his guidance of the Ag Commission, and for his personal assistance with projects and passions, past and present, including the Winery Ordinance. Bill has been a tremendous asset to this County and will be sorely missed”.

Chair Boeger and the other members of the Ag Commission were in agreement with Mr. Smith’s statements.

Bill Stephans thanked the Commission members for their appreciation.

XI. ADJOURMENT

- The meeting adjourned at 7:32 P.M.

APPROVED: Lloyd Walker, Chair Pro Tem

Date: December 9, 2009