



AGRICULTURAL COMMISSION

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Greg Boeger, Chair – Agricultural Processing Industry
Lloyd Walker, Vice -Chair – Other Agricultural Interest
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

AGENDA

December 9, 2009; 6:30pm

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 3 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 with the Board of Supervisors within 10 days of the decision. Such applications shall be made to the Development Services Department.

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- Minutes of November 18, 2009

IV. PUBLIC FORUM

- V. COC 09-0022 – Kuhl, Fox, Angulo COC (Michael J. Kuhl/Angulo Dynasty Trust/P. Swift Fox Family Rev Tr): Certificate of Compliance for three parcels as directed by court order in 1994. Subsequent to this order, Grant Deeds for the parcels described in the court order were recorded November 21, 1994. The current owner of the 83.55-acre Parcel 1 acquired title on December 27, 1995. The current owner of the 65.78-acre Parcel 2 acquired title on March 2, 2005. The current owner of the 64.84-acre Parcel 3 acquired title on June 13, 1995. The parent parcel is 81.35 acres. The project is located on the north side of Union Valley Reservoir approximately two miles west of the intersection of NF-131 and NF 12N78 roads in the Ice House area. (District 4)

Staff Recommendation: Staff recommends a **CONDITIONAL APPROVAL** of COC 09-0022, the Certificate of Compliance for Parcel 1 (83.55 acres), Parcel 2 (65.78 acres) and Parcel 3 (64.84 acres), if:

- 1) *In compliance with Government Code Section 51119.5, the owners prepare a joint timber management plan, approved by a Registered Professional Forester, for the parcels to be created. The timber management plan shall be recorded with the county recorder as a deed restriction on all newly created parcels and shall run with the land. The deed restriction shall remain in effect for a period of not less than 10 years from the date the COC is approved by the Board; and*
- 2) *No non-compatible structures/uses are constructed within the 200 foot setback:*

Then the findings can be made for General Plan Policy 8.4.2.1, which states:

- A. *The proposed use will not be detrimental to that parcel or 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 in compliance with General Plan Policy 8.4.1.2, 200 foot setbacks be delineated on the parcel maps.

APN: 011-030-45 & 011-030-46
Area: North side of Union Valley Reservoir/Ice House
Planner: Tom Dougherty

- VI.** COC 09-0023 – Kuhl COC (Michael J. Kuhl/Gary Williams/Carlton Engineering, Ted Woessner): Certificate of Compliance for two parcels as directed by court order in 1994. Subsequent to this order, the current owner of the 164.49-acre Parcel 2 acquired title on March 2, 2005. The current owner of the 165-acre Parcel 1 acquired title November 21, 1994. The project site totals 329.49 acres and is identified by assessor's Parcel Number 011-060-53 and is located on the east side of Ice House Road approximately 1,800 feet east of the intersection with Wreckhum Road in the Ice House area.

Staff Recommendation: Staff recommends **APPROVAL** of COC 09-0023, the

Certificate of Compliance for Parcel 1 (165 acres) and Parcel 2 (164.49 acres), as the parcel sizes are consistent with General Plan policies 8.3.2.1 and 8.3.2.2 and the findings can be made for General Plan Policy 8.4.2.1, which states:

- A. *The proposed use will not be detrimental to that parcel or 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 in compliance with General Plan Policy 8.4.1.2, 200 foot setbacks be delineated on the parcel maps.

APN: 011-060-53
Area: Ice House Road/Ice House
Planner: Tom Dougherty

- VII.** WAC 09-0001 – Rutz WAC/Partial R/O (Roy E. Rutz Tr): A new Williamson Act Contract required by BOS Policy C-12.4 due to partial roll out request. Existing AP #313 is requesting a new Williamson Act Contract for Assessor's Parcel Numbers 088-020-72, -79 and -81 totaling 296.86 acres and a roll out request for Assessor's Parcel Number 088-020-82 consisting of 10.65 acres. The property is located on the east side of Hackomiller Road approximately ¼ miles north of the intersection with Garden Valley Road, in the Garden Valley area. (District 4)

Staff Recommendation: Staff recommends APPROVAL of WAC 09-0001, a new Williamson Act Contract for APN's 088-020-72, -79, and -81, as the minimum criteria for a low intensive agricultural operation has been met or exceeded:

- 1) *Capital outlay exceeds the minimum requirement of \$10,000,*
- 2) *Acreage of parcel meets the minimum requirement of 50 acres at 296.86 acres, and*
- 3) *Gross income exceeds the minimum requirement of \$2,000/year at over \$5,000/year.*

APN: 088-020-72, -79 & -81
Area: Hackomiller Road/Garden Valley
Planner: Aaron Mount

- VIII.** Z 09-0008, PD 09-0007 & TM 09-1492 – Diamond Dorado (Richard & Felicia

Jongordon/Ronald Dennis/Patterson Development, Larry Patterson): A request for a zone change from Planned Agricultural-20 Acres (PA-20) to One-Family Residential-Planned Development (R1-PD), a development plan application to authorize the creation of 109 lots and a tentative subdivision map to create 109 lots ranging in size from 4,500 to 20,000 square feet. The property, identified by Assessor's Parcel Number 331-400-02, consists of 29.89 acres, and is located on the southeast side of Oakdell Drive approximately 1800 feet southeast of the intersection with Pleasant Valley Road in the El Dorado area. (District 3)

Staff Recommendation: Staff recommends APPROVAL of Z 09-0008, PD 09-0007 and TM 09-1492 as General Plan policies 8.1.3.1 and 8.1.3.2, as interpreted by the Board of Supervisors, do not apply to this project; the parcels were given a land use designation of High Density Residential and were included in the El Dorado/Diamond Springs Community Region in the 2004 General Plan, the proposed project is consistent with the parcel's land use designation, and all of the findings can be made for General Plan Policy 8.1.4.1, "...the proposed use:

- A) *Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities;*
- B) *Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and*
- C) *Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.*

APN: 331-200-02
Area: Oakdell Drive/El Dorado
Planner: Jason Hade

IX. VINEYARD SOILS REPORT – Presentation and possible action regarding staff analyses of soils at 25 different vineyards located throughout El Dorado County.

X. CORRESPONDENCE

- None received

XI. OTHER BUSINESS

- Bill Draper – Sustainable Forest Action Coalition update on Camino Mill closure
- Re-appointment of Gary Ward, Livestock Industry, submitted to the Board of Supervisors for approval.

XII. ADJOURNMENT