



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
Dave Pratt - Fruit and Nut Farming Industry
Vacant – Fruit and Nut Farming Industry
Gary Ward - Livestock Industry

AGENDA

March 11, 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.

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- February 4, 2009 (Special Meeting Re: AB 885)
- February 11, 2009

IV. PUBLIC FORUM

V. Legacy Ranch Presentation – Camille Courtney, President, Rancho Cortina Properties

VI. Clayton G. & Ed Stetson – requesting administrative relief from agricultural setbacks for a future single-family dwelling to be located 30 feet from the west, south, and east property lines on the south portion of the property and a future second dwelling to be located 30 feet from the west property line on the north portion of the property. The subject parcel is adjacent to Residential Agricultural (RA-20 & RA-40), Planned Agricultural (PA-20), and Timberland Preserve (TPZ) zoned land, within the General Plan land use designation of Natural Resources (NR) and therefore subject to special agricultural setbacks in accordance with the Interim Interpretive Guidelines adopted June 22, 2006. The proposed primary and secondary

dwellings do 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.

This item was continued to the March 11, 2009 meeting due to inclement weather conditions after Chair Boeger opened this item for public comment at the February 11, 2009. No public comments were received.

Staff Recommendation: Recommend DENIAL of the request for administrative relief from the 200 foot agricultural setbacks, regarding two single-family residences, as none of the following findings can be made:

- a) *No suitable building site exists on the subject parcel except within the required setback due, but not limited to, compliance with other requirements of the General Plan or other County development regulations;*
- b) *The proposed non-compatible structures is located on the property to reasonably minimize the potential negative impact on the adjacent agricultural land; and*
- c) *Based on the site characteristics of the subject parcel and the adjacent agricultural zoned land including, but not limited to, topography and location of agricultural improvements, etc, the Commission determines that the location of the proposed non-compatible structure would reasonably minimize potential negative impacts on agricultural use; and*
- d) *There is currently no agricultural activity on the agriculturally zoned parcels adjacent to the subject parcel and the Commission determines that the conversion to a low or high intensive farming operation is not likely to take place due to the soil and/or topographic characteristics of the adjacent agriculturally zoned parcels or because the General Plan Land Use Designation of the surrounding or adjacent parcels is not agricultural.*

*Additionally, the 30 foot requested setback, adjacent to the TPZ zoned land (southern portion of the property), cannot not be granted by the Agricultural Commission. General Plan Policy 8.4.1.2 states: "A permanent setback of at least 200 feet shall be provided on parcels located adjacent to lands identified as timber production lands designated Natural Resource and/or lands zoned Timberland Production Zone (TPZ). These setback areas shall be included in the zoning ordinance and shall be delineated on newly recorded parcel or subdivision maps. **The Agricultural Commission may recommend a lesser setback to a minimum of 100 feet.**" (Emphasis added)*

(NOTE: BOS Resolution No. 079-2007 EXHIBIT A, Section A states: "If the requested reduction cannot meet the administrative criteria...an application may be made to the Board of Supervisors for administrative relief, such relief may be granted by the Board of Supervisors upon determination by the Board taking all relevant facts into consideration that the public interest is served by the granting of the relief. Such application shall be made to the Development Services Department and a recommendation made to the Board of Supervisors.")

APN: 041-950-10

Area: Sunday Ridge/Somerset

Planner: Kristin Davis

- VII.** S 04-0014 R – T-Mobile Co-Location (Carl E. Greenhalgh/Jason Osborne – Nextlink T-Mobile/TRK Engineering): a request for a special use permit revision to allow collocation of one (1) two-foot diameter microwave antenna at the 112-foot level of an existing 115-foot Pacific Gas and Electric utility transmission tower. The tower already supports cellular service. No modifications are proposed to the existing equipment cabinets or fenced lease area, as the additional equipment supporting the microwave antenna will be located within an existing cabinet. The property, identified by Assessor's Parcel Number 126-231-08, consists of 5.18 acres, and is located on the north side of Ethel Drive approximately ¼ mile west of the intersection with Clarksville Road, in the Green Springs Ranch area of Rescue.

Staff Recommendation: Recommend APPROVAL of S 04-0014R, as the findings can be made for General Plan Policy 8.1.4.1, which states 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: 126-231-08
Area: Ethel Drive/Rescue
Planner: Thomas Lloyd

- VIII.** S 08-0030 – Birt's American Bulldogs (Charles & Arlene Birt): a request for a special use permit revision to allow operation of a non-commercial kennel to raise and train American Bulldogs. This operation has no employees and is intended solely as a hobby for the owners. The dogs are occasionally bred and the pups presold from a waiting list. Currently, there are ten adult dogs on the premises. With this permit, the maximum number of dogs allowed would be 20. The property, identified by Assessor's Parcel Number 046-041-81, consists of 40.00 acres, and is located on the west side of Sand Ridge Road approximately 1.9 miles south of the intersection with Bucks Bar Road, in the Placerville area.

Staff Recommendation: Recommend APPROVAL of S 08-0030, as the findings can be made for General Plan Policy 8.1.4.1, which states 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: 046-041-81
Area: Sand Ridge Road/Placerville
Planner: Thomas Lloyd

IX. General Plan Policy 8.1.3.1 and 8.1.3.2 – On February 3, 2009, during the regularly scheduled BOS meeting, a motion was made by Supervisor Sweeney and seconded by Supervisor Nutting to “Direct staff to return to the Board on February 24, 2009 with the Ag Commission’s criteria including modifications to apply that criteria to be utilized for RR, NR, OS & AL Land Use Designations.” During the February 24, 2009 BOS meeting, the item was continued until March 24, 2009. Ag Department staff is requesting review and recommendation of staff’s draft criteria to address the BOS motion.

X. Draft Ranch Marketing Ordinance – Review and Discussion

XI. LEGISLATIVE ISSUES

- Williamson Act Contract Subventions

XII. CORRESPONDENCE

- Local Agency Formation Commission -- comment request regarding Clarksville Annexation to the El Dorado Irrigation District
- AB 885 Proposed Regulations – letter sent to Todd Thompson, P.E. State Water Resources Control Board regarding Onsite Wastewater Treatment Systems Regulations

XIII. OTHER BUSINESS

- Boundary Line Adjustment Application BLA 09-0006 – Angela Amato
- Ag Review Panel met March 2, 2009 regarding Agricultural Commission member vacancy position in the Fruit and Nut Farming Industry – recommendation to the Board of Supervisors

XIV. ADJOURNMENT