



# 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

**June 11, 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 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 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 May 14, 2008

### IV. PUBLIC FORUM

### V. Ranch Marketing/Winery Ordinance Update

### VI. Agricultural Grading Permits – discussion of cost off-set implementation

**VII.** TMA 08-0009 Baiocchi, Greg & Sharon – the owner of the subject parcel is applying with Development Services to convert an existing permitted hardship mobile home into a temporary agricultural employee housing unit on the parcel. Planning Services is requesting written approval from the Agricultural Commission that the site and activity on the above mentioned property satisfies three of the four criteria established by the county to qualify as an agricultural preserve in order to approve and process the

associated Temporary Mobile Home Application (TMA 08-0009) A Williamson Act Contract (WAC 06-0014) was approved on the above referenced parcel on February 8, 2007. (District 2)

*Staff Recommendation: Recommend APPROVAL of TMA 08-0009, Greg and Sharon Baiocchi's request for temporary housing for agricultural employee(s) as the property is currently in a Williamson Act Contract and continues to meet the criteria to qualify as such; the criteria for the agricultural operation is satisfied and consists of a 12 acre vineyard; the housing is clearly needed for and incidental to the agricultural production and related uses on the site, and; the placement of the agricultural housing meets the Principles of Compatibility (Section 51238.1 of the California Government Code); (1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel(s) or on other contracted lands, (2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel(s), and (3) The use will not result in the significant removal of adjacent contracted land from agricultural use.*

APN: 046-061-37  
Area: Hidden Ranch Road/Somerset  
Planner: Tom Purciel

- VIII.** S 08-0008 – Grace Foundation SUP (MJ318 A CA LP; Deer Creek 608 LP/Beth DeCaprio, Grace Foundation): A special use permit to allow horse riding lessons and horse therapy for up to 12 special needs children, as well as rescuing and rehabilitating abused and neglected animals. The property, identified by Assessor's Parcel Number 118-110-03, consists of 376.82 acres, and is located on the north side of Ryan Ranch Road northeast of the intersection with Latrobe Road, in the El Dorado Hills area. (District 2)

*Staff Recommendation: Recommend APPROVAL of S08-0008, to allow instruction of 4 or more children on the Grace Foundation site, as the use will not substantially detract from agricultural production in the surrounding area, and the use is compatible with and will not have a significant adverse impact on adjacent or nearby neighborhoods. The proposed use will help preserve the land and act as a buffer between encroaching urbanization and the agriculturally zoned land to the south.*

APN: 118-110-03  
Area: Ryan Ranch Road/El Dorado Hills  
Planner: Mike Baron

- IX.** WAC 08-0001 – Paul & Alice Clary: Establishment of a new Williamson Act Contract consisting of one parcel of a multi-parcel contract which is currently in a 10-year rollout (Agricultural Preserve No. 11). The property, identified by Assessor's Parcel Number 093-032-72, consists of 39.82 acres (proposed to be 50.4 acres), and is located on the north side of Perry Creek Road approximately ½ mile east of the intersection with Fairplay Road, in the Fairplay area. (District 2)

*Staff Recommendation:* Prior to the recommendation to approve a separate contract for WAC 08-0001, a detailed marketing plan/work plan should be created and submitted by the applicant for evaluation. In general, the parcel identified as APN 093-032-86 is being fenced to contain livestock. The parcel exceeds the minimum requirement of 50 contiguous acres; water is available from a well, three holding tanks and a natural spring; the capital outlay is in excess of \$10,000 but the income level must be clarified through a marketing/work plan since currently there are no cattle located on the property.

APN: 118-110-03  
Area: Perry Creek Road/Fairplay  
Planner: Aaron Mount

- X. AO7-0008, Z07-0022, P07-0023 Michigan Bar Road (David Cort) request for a General Plan Amendment to remove approximately six (6) acres from High Density Residential (HDR) in Latrobe Rural Center and re-designate that portion as Rural Residential (RR), moving the Rural Center boundary to the HDR portion of the property; rezone to change a portion of the property zoned Residential Estate-10 acre minimum (RE-10) designated as HDR to One-Family Residential (R1), and change a portion zoned Residential Agricultural 40-acre minimum (RA-40) to RE-10; and a Tentative Parcel Map to create four (4) parcels ranging from 5 to 10 acres. (District 2)

*Staff Recommendation:* Recommend APPROVAL of A07-0008, Z07-0022, and P07-0023, as the proposed changes will create parcels consistent with the General Plan, and the proposed parcels will act as a buffer between higher density land uses of the Latrobe Rural Center and agricultural land uses of the surrounding area. It can be found that the proposed changes:

- A. Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities; and
- 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.

*Staff also recommends that the project comply with General Plan Policy 8.2.2.6; Residential uses that are established adjoining grazing land shall have agricultural fencing per County Standards and General Plan Policy 8.1.3.2 which requires that a 200 foot setback be imposed on parcel adjacent to agriculturally zoned lands.*

APN: 087-121-01  
Area: Michigan Bar Road/Latrobe  
Planner: Mel Pabalinas

- XI.** Bruce & Claudia Wade – requesting Administrative Relief from Agricultural Setbacks for the proposed replacement of a single-family residence to be located 30 feet from the southeast property line and 115 feet from the east property line. The subject parcel is adjacent to Residential Agricultural (RA-20) 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.

*Staff Recommendation: Recommend APPROVAL of Bruce and Claudia Wade's request for administrative relief from a 200 foot agricultural setback, allowing a setback of 30 feet from the RA-20 zoned parcel to the southeast, as the following findings can be made:*

- A. The proposed noncompatible structure is located on the property to reasonably minimize any potential negative impacts on the adjacent agriculturally zoned land;*
- B. Based on the site characteristics of the subject parcel and the adjacent agriculturally zoned land including topography, the Commission determines that the location of the proposed noncompatible structure would reasonably minimize potential negative impacts on agricultural use; and*
- C. There is currently no agricultural activity on the agriculturally zoned parcel 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 because the General Plan Land Use Designation of the adjacent parcel is not agricultural, it is High Density Residential.*

*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: 089-180-15  
Area: Chili Bar Lane/Placerville  
Planner: Kristin Davis

- XII.** Mark Cafaro – requesting administrative relief from a 200 foot agricultural setback in order

to construct a detached residential office/storage structure. If approved, this structure would be located 145 feet from the east property line, adjacent to land zoned Residential Agricultural, 40-acre minimum (RA-40).

*Staff Recommendation: Recommend APPROVAL of the request to reduce the agricultural setback from the eastern property line from 200 feet to 145 feet, as the following findings can be made:*

- A. The proposed noncompatible structure is located on the property to reasonably minimize any potential negative impacts on the adjacent agriculturally zoned land;*
- B. Based on the site characteristics of the subject parcel and the adjacent agriculturally zoned land including topography, the Commission determines that the location of the proposed noncompatible structure would reasonably minimize potential negative impacts on agricultural use; and*
- C. There is currently no agricultural activity on the agriculturally zoned parcel 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 parcel.*

*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: 104-380-24  
Area: Boulder Bump Road/Pilot Hill  
Planner: Tom Purciel

### **XIII. LEGISLATIVE ISSUES**

- Legislative update

### **XIV. CORRESPONDENCE**

### **XV. OTHER BUSINESS**

- Request for Agricultural Commissioner Concurrence of Ag Setback Relief – Andrew and Susette Gee (APN 093-032-53)
- Request for Agricultural Commissioner Concurrence of Ag Setback Relief – Todd Marsh (APN 043-170-21)

- El Dorado County Board of Supervisors approved and certified the Notice of Non-Renewal for a portion of Agricultural Preserve No. 172/Penelope Hocking (APN 087-021-57)
- Guy Shaver – update on Williamson Act Contract (WAC 07-0003)

**XVI. ADJOURNMENT**