



# AGRICULTURAL COMMISSION

311 Fair Lane  
Placerville, CA 95667  
(530) 621-5520  
(530) 626-4756 FAX  
[eldcag@edcgov.us](mailto:eldcag@edcgov.us)

*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*  
*Tim Neilsen, Livestock Industry*  
*John Smith – Fruit and Nut Farming Industry*

## MINUTES

March 13, 2013

6:30 P.M.

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

**Members Present:** Bacchi, Boeger, Smith, Walker, Mansfield, Neilsen

**Members Absent:** Draper

**Ex-Officio Members Present:** Charlene Carveth, Agricultural Commissioner

**Media Members Present:** None

**Staff Members Present:** LeeAnne Mila, Deputy Agricultural Commissioner  
Peter Mauer, Development Services  
Chris Flores, Sr. Agricultural Biologist  
Myrna Tow, Clerk to the Agricultural Commission

**Others Present:** Jerry & Rose Laird, Bob Witters, Bob Clarke, Craig & Kathy Mize, Sydney & Doug Mize, Lynette Applebaum, Michelle Wenell, Shawna Purvines, and CJ Freeland

### I. CALL TO ORDER

- Chair, Greg Boeger, called the meeting to order at 6:30 p.m.

### II. APPROVAL OF AGENDA

*It was moved by Mr. Neilsen, and seconded by Mr. Bacchi, to approve the Agenda of March 13, 13 as submitted.*

- Chair, Greg Boeger, called for a voice vote for approval of the Agenda of March 13, 2013

**AYES:** Bacchi, Smith, Walker, Boeger, Neilsen, Mansfield  
**NOES:** None  
**ABSENT:** Draper

### III. APPROVAL OF MINUTES

*It was moved by Mr. Smith, and seconded by Mr. Bacchi, to approve the Minutes of January 16, 2013 as submitted.*

- Chair, Greg Boeger, called for a voice vote for approval of the Minutes of January 16, 2013.

**AYES:** Smith, Walker, Boeger, Bacchi, Mansfield  
**NOES:** None  
**ABSTAIN:** Neilsen  
**ABSENT:** Draper

**IV. AG EMPLOYEE HOUSING DISCUSSION –  
Shawna Purvines and CJ Freeland**

**V. PUBLIC FORUM** No comments were received

**VI. S 13-0004- (John E. Blevens TR/Complete Wireless/MST Architects);** Request for Agricultural Commission Review of a Special Use Permit for a cell tower facility consisting of one 100 foot monopine having three antenna sectors with three antennas per sector for a total of nine antennas, one 50X50 square foot equipment compound with a standby diesel generator and a 210 gallon fuel tank enclosed by slatted chainlink fencing. Two future microwave dishes are to be added to the monopine. The property, identified by Assessor's Parcel Number 078-060-16, consists of 19.79 acres and is located on the south side of Rainbow Ridge Road approximately .25 miles east of the intersection with Pleasant Valley area. (District 2)

Chris Flores presented her staff report. The subject parcel is located at 5440 Rainbow Ridge Road in Placerville. The parcel is zoned Timber Production Zone and is surrounded by Timber Production Zone on the east, Residential Agricultural Twenty Acre zoning on the east, and Residential Estate Five Acre on the north, west and south sides. The subject parcel's land use designation is Rural Residential with surrounding land uses of Rural Residential and Low Density Residential. The parcel is located east of the Pleasant Valley Agricultural District at an elevation of approximately 2760 feet.

General Plan Policy 8.1.4.1 requires the Agricultural Commission to review all discretionary development applications and the location of proposed public facilities involving land zoned for or designated agriculture, or lands adjacent to such lands, and make recommendations to the reviewing authority. A determination by the reviewing authority must be made that the proposed use: 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. There are no

adjacent agricultural or timber activities that will be affected, there are no adjacent non-agricultural lands that will be negatively affected, and the parcel sizes will not be affected.

General Plan Policy 8.4.2.1 requires the Agricultural Commission to evaluate all discretionary development applications involving identified timber production lands which are designated Natural Resource or lands zoned Timberland Production Zone (TPZ) or lands adjacent to the same and shall make recommendations to the approving authority.

Government Code Section 51104 of the California Timberland Productivity Act of 1982 defines a compatible use as "...any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber, and shall include, but not be limited to, any of the following...the erection, construction, alteration, or maintenance of gas, electric, water, or communication transmission facilities."

*It was moved by Mr. Walker and seconded by Mr. Nielsen to recommend APPROVAL of S13-0004, a request for a special use permit for a telecom site consisting of a 100 foot monopine in a 2,500 square foot enclosure on APN 078-060-16, as all of the findings required for General Plan Policy 8.1.4.1 and Policy 8.4.2.1. can be made, the project will not negatively impact any existing or future agricultural or timber harvesting pursuits, and according to State law, a communication tower is a compatible use on TPZ zoned land.*

*Motion passed*

**AYES:** Smith, Walker, Mansfield, Bacchi, Boeger, Neilsen

**NOES:** None

**ABSENT:** Draper

- VII. S 13-0003- (Opportunity Acres);** Request for Agricultural Commission Review of a Special Use Permit pursuant to County Zoning Ordinance Section 127.15.030.D, for a proposal to allow horse boarding, adult daycare programs for individuals with autism, a non-public high school for students with autism, horse training clinics, horse riding cross country schooling, 12 corporate events per year with 50 attendees or less, petting zoo, fruit and vegetable growing for off-site sales and ranch use, and one 36 square-foot lighted, free standing sign. The applicants propose to install three 20-foot portable classrooms, and construct two 36-foot by 60-foot, ten-stall barns. The applicant is requesting to utilize the existing 1,440 square-foot mobile home as an agricultural caretaker's quarters, and administrative relief from General Plan Policy 8.1.3.2, to allow a reduction of the required 200-foot agricultural setback to 30 feet for the three classrooms. The 56-acre parcel is identified by Assessor's Parcel Number 087-021-34 and is located on the east side of South Shingle Road approximately 0.5 miles northeast of the intersection with Latrobe Road in the Latrobe area. (District 2)

Chris Flores presented the Staff Report. There was discussion by the Ag Commission regarding the proposed location for the classrooms, adjacent to the agriculturally zoned parcel to the south and the lack of a clearly defined setback amount; the definition of a “non-public” school and how the Department of Pesticide Regulation addresses “non-public” schools in regards to pesticide use in close proximity; the “caretaker quarters” and whether or not it should be considered “agricultural employee housing”. The Ag Commission concurred that the “caretaker quarters” are not agricultural in nature and should be addressed as part of the special use permit.

The applicant gave a brief description of the project and was available for questions. Several members of the public spoke of their concerns.

*After much deliberation, it was moved by Mr. Smith and seconded by Mr. Bacchi to recommend the postponement of this agenda item and return to the Agricultural Commission on April 10, 2013 with staff providing the following items. 1) Explore the definition of a “non-public” school and the impact of what’s been defined at this meeting on adjacent agricultural property 2) Obtain information that will allow an understanding of the property lines and what the setback request is from the property line.*

*Motion passed*

**AYES:** Smith, Walker, Mansfield, Bacchi, Boeger, Neilsen

**NOES:** None

**ABSENT:** Draper

*Note: Mr. Walker asked applicant to explore the option of using other sites on the property, for the classroom locations.*

**VIII. LEGISLATION AND REGULATORY ISSUES – Charlene Carveth**

**IX. CORRESPONDENCE and PLANNING REQUESTS – Charlene Carveth**

**X. OTHER BUSINESS – Charlene Carveth**

- Secretarial Disaster Declarations for 2013
- Ag Roundtable 2013
- Ponderosa FFA Benefit Auction
- California Meat Summit
- Food Safety Modernization Act Listening Sessions
- Ag Day at the Capitol

**XI. ADJOURNMENT**

- Chair, Greg Boeger, adjourned the meeting at 8:27 pm.

**APPROVED: Greg Boeger, Chair**

**DATE: April 10, 2013**