



# 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

November 9, 2011

6:30 P.M.

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

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

**Members Absent:** Draper

**Ex-Officio Members Present:** Charlene Carveth, Ag Commissioner/Sealer

**Staff Members Present:** Chris Flores, Senior Agricultural Biologist  
Myrna Tow, Clerk to the Agricultural Commission

Peter Maurer, Development Services/Planning  
Pierre Rivas, Development Services/Planning

**Others Present:** Tami Teshima, Bonnie Reitz, Rich Stewart, Steve Westerman, John Garcia, Mark Kleinhans, Erica Sanchez, Cheryl Goldsworthy, Don Goldsworthy, Jenkuan & Lih-Chiou Young, David Drahmann, Katherine Drahmann, W.G. Justyn, Marcia Lenci, Woody Champion, David Goldenberg, Kathye Russell, Brian Allen, Dave Alameda, Ken Jardine, Bill Bacchi, Bob Day, Amy Day, Deeanne Riley, Sharon Scheidegger, Naba Kadel, Lee & Marcia Robinson, Mark Lynch, Keith Elliston, Jane & Harold Samboy, Bill & Glenda Willman, Sally Scott, Tora fon Saepharn, Dave & Susan Comstock, Angie & Chris Bryan, Barbara Jensen, Dave & Lynette DeWilde, Colleen O'Brien, Bette McDaniel

### 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. Walker, to approve the Agenda as submitted.*

Chair, Greg Boeger, called for a voice vote for approval of the Agenda.

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

**ABSENT:** Draper

### **III. APPROVAL OF MINUTES**

- Minutes of September 14, 2011

*It was moved by Mr. Smith, and seconded by Mr. Mansfield, to approve the Minutes of September 14, 2011, as submitted.*

Chair, Greg Boeger, called for a voice vote for approval of the Minutes.

*Motion passed*

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

**NOES:** None

**ABSENT:** Draper

### **IV. PUBLIC FORUM**

#### **V. Agricultural Commission Agricultural Processing Industry and Forestry Related Industry members “Term of Office Expiration.” Agricultural Commission representation is required on the Review Panel - December 5, 2011.**

Commission Members John Smith and Chuck Bacchi volunteered to be available for the panel interviews, if needed, on December 5, 2011.

#### **VI. S 11-0012 Robert Day Olive Press (Robert Day & Amy Bridge Day/Douglas R. Rocca):**

A request for a special use permit pursuant to Section 17.70.100.A to allow the processing of olives into extra virgin olive oil within an accessory building in the RE-10 Zone District. The 2,240 square-foot building is proposed to contain a mill room, bathroom, power and storage and bottling, and an office. The building would also include an attached 2,659 square-foot slab porch area. The milling is proposed to involve the applicant’s olives as well as potentially other grower’s olives. The property, identified by Assessor’s Parcel Number 006-530-19, consists of 44.42 acres, and is located on the south side of Twin Ridges Road approximately 550 feet north of the intersection with Bayne Road, in the Coloma area. (District 4)

Chris Flores gave a description of the project. The subject parcel is 44.42 acres in size, has a Rural Residential Land Use Designation, is zoned Residential Estate Ten Acre (RE-10), and is not in an Ag District. Surrounding zoning consists of Exclusive Agricultural (AE), Residential Agricultural (RA-20), and Residential Estate (RE-10). Soil types include AxD: Auburn Very Rocky Silt Loam, 2 to 30% Slopes and AxE: Auburn Very Rocky Silt Loam, 30 to 50% Slopes. The parcel is situated at approximately 1,700 feet elevation. The applicants have planted over 3000 olive trees and plan on milling the olives on-site.

#### Zoning Ordinance Requirements:

The El Dorado County Zoning Ordinance Section 17.70.100.(A) requires a special use permit for the packing and processing of agricultural or wood products and the necessary

buildings and structures required therefore where the nature of the product is changed.

Relevant General Plan Policies:

General Plan Policy 8.1.3.5 states, “On any parcel 10 acres or larger identified as having an existing or potential agricultural use, the Agricultural Commission must consider and provide a recommendation on the agricultural use or potential of that parcel and whether the request will diminish or impair the existing or potential use prior to any discretionary permit being approved.

General Plan Policy 8.1.4.1 states, “The County Agricultural Commission shall 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 shall make recommendations to the reviewing authority. Before granting approval, a determination shall be made by the approving authority 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.

Pierre Rivas was available, from Planning Services, for any questions. He mentioned that the project would be heard by the Planning Commission the following day, November 10, 2011, and that Planning Staff was recommending approval of the project, as well.

Commission Member Smith asked if there was a request to allow public tasting on the site. Chris Flores stated that a public tasting facility was not being requested by the applicants at this time.

Bob Day was present and available for questions.

***It was moved by Mr. Bacchi and seconded by Mr. Neilsen to recommend APPROVAL of Robert and Amy Day’s request for a special use permit to allow the processing of olives into extra virgin olive oil within an accessory building on APN 006-530-19, as the olive press will benefit agriculture in El Dorado County and the following findings for General Plan Policy 8.1.4.1 can be made, “...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.***

***Motion passed***

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

**NOES:** None

**ABSENT:** Draper

Note: A letter of support was received from Supervisor Ron Briggs (District IV), for the Robert Day Olive Press.

- VII. A11-0006, Z11-0008, TM11-1505, PD11-0006, Dixon Ranch Subdivision:** a request for a General Plan amendment changing the subject properties from Low Density Residential (LDR) and Open Space (OS) to High Density Residential (HDR), Medium Density Residential (MDR), and Open Space (OS); a request to modify the Community Region boundary moving a portion of the project site into the Rural Region; a request for a rezone from Exclusive Agricultural (AE) to R1-PD, RF-PD, R3A, R3A-PD, RE-5, and OS-PD; and a request for a tentative subdivision map – planned development request to create 714 residential lots ranging in size from 4,500 square feet to 6 acres and 84.1 acres or 30% total open space including native open space, parks and landscape lots on a 280.27-acre site.

The subject parcel is identified by Assessor's Parcel Numbers 126-020-01, -02, -03, -04, and 126-150-23 and is located south of Green Valley Road approximately 100 feet southeast of the intersection of Malcolm Dixon Road in the El Dorado Hills area.

Chris Flores presented her staff report. The project site was displayed via a power point presentation. The project site is not located within an Agricultural District, but rather, within the El Dorado Hills Community Region. Ms. Flores read a portion of General Plan Policy 2.1.1.2 which describes Community Regions: Policy 2.1.1.2 – Community Regions are those areas "...which are appropriate for the highest intensity of self-sustaining compact urban-type development or suburban type development within the County, based on the municipal spheres of influence, availability of infrastructure, public services, major transportation corridors and travel patterns, the location of major topographic patterns and features, and the ability to provide and maintain appropriate transitions at Community Region boundaries..."

The parcels have a current General Plan Land Use Designation of Low Density Residential (LDR). The existing zoning, Exclusive Agricultural (AE), is left over from the days when the entire area was in Agricultural Preserve # 2 for grazing purposes. The subject parcels were rolled-out of their Williamson Act Contract in 1997. The existing zoning is not consistent with the General Plan designation of LDR. Surrounding land use designations include High Density Residential (HDR), Low Density Residential (LDR), Adopted Plan (AP), and Rural Residential (RR). Surrounding zonings include One-Half Acre Residential, Estate Residential Five-Acre (RE-5) and Estate Residential Ten-Acre (RE-10). Existing soil types on the project site include AxD – Auburn Very Rocky Silt Loam, 2 to 30% Slopes and AwD – Auburn Silt Loam, 2 to 30% Slopes (a soil type recognized on February 10, 2010, by the Agricultural Commission, as a Soil of Local Importance for El Dorado County Vineyards). The Auburn series produces good forage for grazing and are considered suitable rangeland soils.

Ms. Flores reminded the Commission that the reason the Ag Commission is hearing the project is because of the existing agricultural zoning. Therefore, the Ag Commission

should only be concerned with the applicant's rezone request. General Plan Policy 8.1.4.1 requires that, "The County Agricultural Commission shall 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 shall make a recommendation to the reviewing authority. Before granting approval, a determination shall be made by the approving authority 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.

Pierre Rivas, Planning Services, added to Staff's report. He reiterated that due to the historic grazing of the project site and the existing Exclusive Agricultural (AE) zoning, the project was mandated by the General Plan to be heard by the Ag Commission. He mentioned that the project site is an island of agriculturally zoned land surrounded by residentially zoned land and residential uses. Mr. Rivas emphasized that the project site's land use designation of Low Density Residential (LDR) is consistent with its location within the El Dorado Hills Community Region and that the site has been located within the Community Region since at least 2004, when the General Plan was adopted by the County. Mr. Rivas read a section from the General Plan, describing Low Density Residential: Policy 2.2.1.2 – "This land use designation establishes areas for single-family residential development within 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. This land use designation is also appropriate within Community Regions and Rural Centers where higher density serving infrastructure is not yet available." Mr. Rivas then mentioned that it would be incumbent upon the applicant to develop the necessary infrastructure for the project and demonstrate that the infrastructure would support the project. He also added that the project in its entirety would be reviewed by Planning and the Planning Commission, and an Environmental Impact Report would be required. He reminded the Ag Commission that their review of the project was very narrow in scope, as it pertains only to the rezone from AE to residential zoning.

Mr. Boeger emphasized that it was not within the Ag Commission's purview to approve or deny the project; that the Ag Commission is only a "Recommending Body" to the approving authority, the Board of Supervisors, and the Ag Commission would only be making a recommendation on the rezone request.

Mr. Bacchi asked Mr. Rivas if the project site was included in the Community Region in the 1996 General Plan. Mr. Rivas stated that he was not certain, but that it was definitely included in the 2004 plan. Mr. Bacchi clarified that if the project site was located within a Community

Region, the site could not be protected as historic grazing land. Mr. Rivas answered that Mr.

Bacchi was correct. Discussion followed regarding the General Plan and where it directs growth. Mr. Boeger made the comment that growth was to be directed into the Community Regions and Rural Centers of the County in order to preserve the more rural regions of the County. Accommodation for growth, within Community Regions, was discussed.

Joel Korotkin, Agent for the Dixon Ranch Partners, was present and available for questions. He stated that the project site had been set aside for future growth by the 2004 General Plan by placing it within the Community Region. The site had been identified for an area for residential growth.

Chair Boeger opened up the floor for public comment. He emphasized that the Ag Commission's purview was agriculture and the applicant's specific request to change the agricultural zoning. He reminded the public that they would have a chance to speak about their other issues at the Planning Commission and Board of Supervisor hearings.

Over 15 comments were received from the public. Major concerns included traffic issues; existing wetlands, streams, and ponds and how they would be incorporated into the project; water quality issues, well production issues, the oak woodlands; maintenance of the rural feel of the community; fire safety and wildlife habitat concerns; asbestos concerns, etc. Two neighboring residents stated that they have vineyards adjacent to the project site and asked for buffering considerations. A couple of the speakers asked that the Ag Commission make a recommendation that the applicants rezone to Estate Residential Five Acre or Ten Acre zoning, to match the surrounding neighborhoods to the east and north.

Mr. Boeger brought the discussion back to the Board. He asked Ms. Flores to read staff's recommendation for the Ag Commission. Ms. Flores read the following recommendation:

“Staff recommends APPROVAL of the Dixon Ranch subdivision request to rezone the subject parcels from agricultural zoning to residential zoning to provide consistency with the General Plan, as the project site is located within the El Dorado Hills Community Region and has a residential land use designation, and although the parcels were historically used for grazing purposes, housing development is directed to occur in the Community Regions of the County. Staff concludes that the findings for General Plan Policy 8.1.4.1 can be made “...the proposed project:

- 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.”

Ms. Flores reiterated that a recommendation to change the zoning from agricultural zoning to residential zoning, consistent with the land use designation, would not be making a change.

***A motion was made by Mr. Smith and seconded by Mr. Bacchi to recommend APPROVAL***

*of the Dixon Ranch request to rezone APN's 126-020-01, -02, -03, -04, and 126-150-23 from Exclusive Agricultural (AE) zoning to residential zoning consistent with the General Plan and the land use designation and that all necessary considerations for adjacent agriculture on adjoining lands be taken into account when zoning and environmental impacts are considered. The findings for General Plan Policy 8.1.4.1 can be made "...the proposed project:*

- 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."*

*Motion passed.*

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

**NOES:** None

**ABSENT:** Draper

Mr. Neilsen added that people who live on five and ten acre parcels who have small orchards or vineyards or raise their own animals, are important to everyone. He clarified that the Ag Commission's responsibility and purview is to agriculturally *zoned* land. When the discussion revolves around residentially designated or zoned lands, their hands are tied.

Mr. Bacchi added that the Commission recognizes that people living on 5-10 acre parcels are more aligned with rural lifestyles and agriculture than those living in a high density residential development and the Commission appreciates that fact. However, he reminded the public that the Ag Commission is a recommending body with constraints.

Note: Three letters and one petition were received stating opposition of the Dixon Ranch Subdivision project from the following neighbors: Victoria L. Sacksteder, Robert and Bonnie Reitz, John T. Hossack and twenty-four signatures were listed on the petition.

## **VIII. CORRESPONDENCE**

- See notation under Item VI
- See notation under Item VII

## **IX. OTHER BUSINESS**

- Commission Member John Smith officially recognized Charlene Carveth as the new Acting Ag Commissioner and welcomed her.
- Agricultural workshop –update regarding the October 24, 2011 Workshop requested by the Board of Supervisors. Copy of memo to BOS for follow up will be emailed to Ag Commissioners on November 10th to review.
- TGPA and Draft Zoning Ordinance – Peter Maurer, Planning Services, and Chris

Flores, Ag Department staff, gave an update regarding the progress of the Targeted General Plan Amendments and the Draft Zoning Ordinance. Resolutions of Intentions are being prepared for the November 14, 2011 Board of Supervisor's meeting.

- 2012 Specialty Crop Block Grants Workshops available through California Department of Food and Agriculture.

**X. ADJOURNMENT**

Chair, Greg Boeger, adjourned the meeting at 8:35 pm.

**APPROVED:** Greg Boeger, Chair

**DATE:** January 11, 2012