



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

## MINUTES

May 14, 2014

6:30 P.M.

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

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

**Members Absent:** None

**Ex-Officio Members Present:** LeeAnne Mila Deputy Agricultural Commissioner for  
Charlene Carveth, Agricultural Commissioner

**Media Members Present:** None

**Staff Members Present:** Roger Trout, Community Development/Planning  
Myrna Tow, Clerk to the Agricultural Commission

**Others Present:** Edward Carlson

### 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. Bacchi, and seconded by Mr. Walker, to approve the Agenda of May 14, 2014 as submitted.*

- Chair, Greg Boeger, called for a voice vote for approval of the Agenda of May 14, 2014

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

**NOES:** None

**ABSENT:** None

### III. APPROVAL OF MINUTES

*It was moved by Mr. Smith, and seconded by Mr. Neilsen, to approve the Minutes of April 9, 2014 as submitted.*

- Chair, Greg Boeger, called for a voice vote for approval of the Minutes of April 9, 2014

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

**NOES:** None

**ABSTAIN:** Draper

### IV. PUBLIC FORUM - No comments were received

- I. **V14-0001; Request for Administrative Relief from an Agricultural Setback (APN 104-220-07) Edward Carlson:** A request to reduce an agricultural setback from 200 feet to 75 feet for the installation of a pool, to be located directly west of an existing single family residence. The adjacent property to the south is zoned Residential Agricultural Twenty Acre (RA-20). The 10-acre subject parcel is identified by Assessor's Parcel Number 104-220-07 and is located on the south side of Gallagher Road in the Pilot Hill area. (District 4)

Staff Recommendation: Staff recommends APPROVAL of V 14-0001, Edward Carlson's request for Administrative Relief of an Agricultural Setback for the installation of a swimming pool, to be placed on APN 104-220-07, approximately 75 feet from the southern property line, as there is a topographic feature that creates a buffer between the proposed pool site and the agriculturally zoned parcel to the south, and therefore findings can be made for Administrative Relief of the agricultural setback.

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.

*Policy 8.1.3.2 – Agriculturally incompatible uses adjacent to agricultural zoned land outside of designated Agricultural Districts shall provide a minimum setback of 200 feet on parcels 10 acres or larger.*

Findings required for agricultural setback relief:

*The Agricultural Commission may approve a reduction of up to one hundred percent (100%) of the special agricultural setback (not less than 30 feet from the agriculturally zoned parcel) when it can be demonstrated that a natural or man-made barrier or buffer already exists such as, but not limited to, topography, roads, wetlands, streams, utility easements, swales, etc., that would reduce the need for such a setback, or the Commission finds that three of four of the following exists:*

- 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 County development regulations;*
- b) The proposed non-compatible use/structure is located on the property to reasonably minimize the potential negative impact on the adjacent agricultural or TPZ zoned land;*
- c) Based on the site characteristics of the subject parcel and the adjacent agricultural or TPZ 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 use/structure would reasonably minimize potential negative impacts on agricultural or timber production use.*
- d) There is currently no agricultural activity on the agriculturally zoned parcel(s) 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(s) or because the General Plan Land Use Designation of the surrounding or adjacent parcels is not agricultural.*

The applicant was present and gave the Agricultural Commission a brief history of the property and the reasoning for the request.

Roger Trout, from Development Services, was present and agreed with staff's recommendations.

***It was moved by Mr. Smith and seconded by Mr. Walker to recommend APPROVAL of Request for Administrative Relief from an Agricultural Setback (APN 104-220-07) for Edward Carlson reducing the agricultural setback from 200 feet to 75 feet for the installation of a pool, to be located directly west of the existing single family residence, in addition to Section B.5 recording requirements being followed by the applicant. 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.*

*Motion passed*

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

**NOES: None**

**ABSENT: None**

**II. LEGISLATION AND REGULATORY ISSUES – LeeAnne Mila**

**III. CORRESPONDENCE and PLANNING REQUESTS – None**

**IV. OTHER BUSINESS – LeeAnne Mila**

- **Proposed Changes to the Farm Worker Protection Standard**

**V. ADJOURNMENT 7:10pm**

**APPROVED: Greg Boeger, Chair**

**DATE: June 9, 2014**