



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
Tom Hefflin, Fruit and Nut Farming Industry
Dave Pratt, Fruit and Nut Farming Industry
Gary Ward, Livestock Industry

AGENDA

November 12, 2008; 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.

NOTICE: All Agricultural Commission Administrative Relief decisions pertaining to AGRICULTURAL SETBACKS may file an application with the Board of Supervisors within 10 days of the decision. Such applications shall be made to the Development Services Department.

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- Minutes of November 5, 2008, Special Meeting if available

IV. PUBLIC FORUM

V. Ranch Marketing/Winery Ordinance

- VI. V 08-0013 – Holly’s Hill Winery Variance (Thomas N. Cooper/Anova Architect, Charlie Downs):** A variance request to allow the expansion of an existing winery building by allowing a reduced front yard setback of five feet for the installation of required water storage tanks for compliance with fire regulations, and 35 feet for the expansion of the

building proper. These reductions are from the 50 feet required pursuant to 17.14.190.D.2.A. The property, identified by Assessor's Parcel Number 078-240-21, consists of 10.82 acres, and is located on the west side of Leisure Lane approximately 1.8 miles southwest of the intersection with Pleasant Valley Road, in the Pleasant Valley area. (District 2)

Staff Recommendation: Recommend APPROVAL of V 08-0013, 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.*

Further, it is staff's opinion, based on the site visit analysis, the minimal impacts of the addition and the information in the application, the findings required for a variance pursuant to El Dorado County Code 17.22.630 can be made:

- A. *There are exceptional or extraordinary circumstances or conditions applying to the land, building, or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings or uses in the vicinity and the same zone, and have not resulted from any act of the owner or applicant;*
- B. *The strict application of the provisions of the ordinance requested to be varied would deprive the applicant of the reasonable use of the land or building, allowed for other land in the vicinity and the same zone;*
- C. *The variance is the minimum necessary for the reasonable use of the land or building; and*
- D. *The variance is in conformity with the intent of this article and not detrimental to the public health, safety and welfare, or injurious to the neighborhood.*

APN: 078-240-21
Area: Leisure Lane/Pleasant Valley
Planner: Thomas Lloyd

- VII.** Z 08-0013 & P 08-0016 Lands End Ranch-Ranalli Parcel Map (Michael & Colleen Ranalli/Carlton Engineering, Inc.): A request to rezone from Residential Agricultural-40 Districts (RA-40) to Residential Agricultural-20 Districts (RA-20) and Estate Residential (RE-10) Districts, and a parcel map to create four lots ranging in size from 12 acres to 48.6 acres. The property, identified by Assessor's Parcel Number 105-100-08, consists of 96.6 acres, and is located on the north side of Peterson Lane approximately 3 +/- miles west of the intersection with Lotus Road, in the Lotus area.

Staff Recommendation: Recommend DENIAL of Z 08-0013 & P 08-0016, as the findings can NOT 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.*

Additionally, staff recommends that the parcel not be rezoned and that it continues to be zoned RA-40. If a parcel split is approved (whether 2 or 4 parcels), staff strongly recommends that pursuant to General Plan Policy 8.1.3.2, all 200 foot agricultural setbacks be recorded on the final parcel map.

APN: 105-100-08
Area: Peterson Lane/Lotus
Planner: Thomas Lloyd

- VIII.** WAC 06-0015 – Roy & Marilyn Rutz, current owner of certain real property in El Dorado County, identified by assessor’s parcel number 088-020-82, consisting of 11.65 acres, and as party to the encumbering Williamson Act Contract #313, which also includes parcels 088-020-72, 088-020-79 and 088-020-81 totaling 307.5 acres, are serving written notice of non-renewal of parcel number 088-020-82, pursuant to terms and conditions specified in section 5 of said contract.

Note: Assessor’s Parcel Number: 088-020-82 – acreage listed as 10.650

Staff Recommendation: Recommend the partial NON-RENEWAL of APN 088-020-82 from WAC #313 as the roll-out of this parcel does not have a negative impact on the three remaining parcels in the Williamson Act Contract. Staff notes that the approval of the non-renewal will not allow a residence to be built on the property until the rollout is complete.

- IX.** Stanford C. & Beverly M. Rosenblatt – requesting administrative relief from agricultural setbacks for a proposed single family residence, to be located within a building envelope no less than 30 feet from the north property line, adjacent to land designated as Natural Resources (NR) in the 2004 General Plan. (District 2)

*Staff Recommendation: Recommend **CONDITIONAL APPROVAL** of Stan and Beverly Rosenblatt’s request for administrative relief from a 200 foot agricultural setback, if the house is located at the maximum setback achievable from the northern property line and at the minimum achievable setback from the southern property line within the identified building envelop then 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;*
- c) *Based on the site characteristics of the subject parcel and the adjacent agricultural zoned land including topography, the Commission determines that the location of the proposed non-compatible structure would reasonably*

*minimize potential negative impacts on agricultural or timber production use;
and;*

- d) 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 Setback. 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: 101-411-26
Area: King of the Mountain Road/Pollock Pines
Planner: Tom Purciel

- X.** Discussion of General Plan Policy 8.1.3.1 – Special Meeting November 5, 2008

XI. LEGISLATIVE ISSUES

- None

XII. CORRESPONDENCE

- None received

XIII. OTHER BUSINESS

- Site Plan Review SPR 02-0008R2; (Fenton Herriott Vineyards)
- Site Plan Review SPR 08-0019; Robert Clarke
- Review request for a partial roll-out request for Agriculture Preserve #7 submitted by Jeanne Hunter-Call
- Agricultural Commissioner's recommendation for Approval of Williamson Act Contract #229 – Gael Barsotti
- Williamson Act Notice of Non-Renewal; 10 year roll-out – Karen Feathers
- Tentative Parcel Map Application P08-0030/Harris Parcel Map

XIV. ADJOURNMENT