



County of El Dorado

Agriculture Department
311 Fair Lane
Placerville, CA 95667
530-621-5520

Minutes - Draft Agricultural Commission

Greg Boeger, Chair - Agricultural Processing Industry
David Bolster, Vice-Chair - Fruit and Nut Farming Industry
Chuck Bacchi - Livestock Industry
Bill Draper - Forestry Related Industries
Tim Nielsen - Livestock Industry
Lloyd Walker - Other Agricultural Interest
Charles Mansfield - Fruit and Nut Farming Industry
*Charlene Carveth - Agricultural Commissioner / Sealer of
Weights and Measures*

Wednesday, September 14, 2022

6:30 PM

<https://edcgov-us.zoom.us/j/86548781888>

330 Fair Lane, Building A

Placerville, CA

OR

Live Streamed - [Click here to view](#)

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 Agricultural Commission meeting will be in-person and live-streamed via Zoom. Members of the public may address the Commission in-person and via Zoom to make a public comment. The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 865 4878 1888. Please note you will not be able to join the live-stream until the posted meeting start time.

To observe the live stream of the Commission meeting go to
<https://edcgov-us.zoom.us/j/86548781888>.

If you are joining the meeting via zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make a comment.

By participating in this meeting, you acknowledge that you are being recorded.

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.

CALL TO ORDER

Present: 7 - Boeger, Bacchi, Neilsen , Walker, Bolster, Draper and Member Mansfield

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

A motion was made by Bolster, seconded by Walker, to Adopt the Agenda and Approve the Consent Calendar this matter.

Yes: 7 - Boeger, Bacchi, Neilsen , Walker, Bolster, Draper and Member Mansfield

CONSENT CALENDAR

Approved with Call to Order

- 1. **22-1657** Approval of the Minutes of August 10, 2022.

A motion was made by Bolster, seconded by Walker, to Adopt the Agenda and Approve the Consent Calendar this matter.

- 2. **22-0140** Clerk of the Agricultural Commission recommending the Agricultural Commission, as a result of ongoing concerns related to COVID-19, approve findings pursuant to Government Code subsection 54953(e)(3) in order to allow for the continued use of virtual or hybrid Agricultural Commission meetings as authorized under Assembly Bill 361. (Cont. 2/9/2022, 3/9/2022, 6/8/2022, 7/13/2022, 8/10/2022, 9/14/2022 Item 2)

A motion was made by Bolster, seconded by Walker, to Adopt the Agenda and Approve the Consent Calendar this matter.

PUBLIC FORUM

ACTION ITEMS

3. 22-1656

ADM22-0064 Burnett Hardship Modular Home Ag. Setback Relief Administrative Relief from Agricultural Setback to place a modular home for hardship purposes. Assessor's Parcel Number: 046-041-041.

It was moved by Commissioner Neilsen and seconded by Commissioner Draper to recommend APPROVAL of staff's recommendations of the above request for placement of a hardship modular home, no less than 40 ft. from the west/north west property line from APN: 046-041-040, as staff believes that three of the four findings that the Agricultural Commission is required to make by Resolution No. 079-2007 and adopted by the Board of Supervisors on April 17, 2007, can be made and applicant is to comply with Resolution No. 079-2007 Exhibit A

Complete Text

ADM22-0064 Burnett Hardship Modular Home Ag. Setback Relief Administrative Relief from Agricultural Setback to place a modular home for hardship purposes. Assessor's Parcel Number: 046-041-041

During the Agricultural Commission's regularly scheduled in person and ZOOM meeting held on September 14, 2022, the Commission heard a request from Planning for administrative relief from the required 200-foot agricultural setback for a hardship modular to be placed adjacent to the existing residence for the above-referenced project.

Applicant currently has an existing 1056 square foot dwelling on the parcel and is applying to place a 1759 square foot modular home for hardship purposes (caretaker) adjacent to the existing residence.

The applicant's parcel, APN 046-041-041, is 10.21 acres, zoned Rural Land 80 acre (RL-80) and located approximately 450 feet west of Cosumnes Vista Road, in supervisorial district 2. The parcel is located within a General Plan designated Rural Residential, and not in an Agricultural district.

The applicant's parcel is bordered by five parcels; of which two parcels have agricultural zoning: APN 046-041-040 borders the applicant's parcel along the entire west / northwest boundary and is approximately 10 acres, and zoned Limited Agriculture 80-Acres (LA-80). APN 046-041-067 borders the applicant's parcel on the southwest corner and is approximately 50.31 acres; zoned Planned Agriculture 10 acre (PA-10)

Applicant is requesting that the setbacks for this parcel be reduced to 40' feet for the modular home placement (160' reduction) on the west / northwest, which allows the hardship modular home to be adjacent to the existing single-family dwelling and a new Firetruck turnaround.

Parcel Description:

- Parcel Number and Acreage: 046-041-041, 10.21 acres
- Agricultural District: No
- Land Use Designation: RR, Rural Residential
- Zoning: RL-80, Rural Lands 80acres
- Choice Soils: No Choice soils

Discussion:

A site visit was conducted on August 30, 2022, to assess the placement of the

proposed modular home.

Staff Findings:

Staff recommends APPROVAL of the request for placement of a hardship modular home, no less than 40 ft. from the west/north west property line from APN: 046-041-040, as staff believes that three of the four findings that the Agricultural Commission is required to make by Resolution No. 079-2007 and adopted by the Board of Supervisors on April 17, 2007, 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;

The single-family residence has been located near the existing residence to keep all non-compatible uses together. The hardship modular has also been located to be congregated in the same area as the adjacent parcels development. The main residences and outbuildings on APN: 046-041-040 are located in the same general area as the proposed hardship modular.

b) The proposed non-compatible structure will be located on the property to reasonably minimize the potential negative impact on adjacent agriculturally zoned land;

The topography of the parcel is very sloped, with minimal areas to place the modular.

c) Based on the site characteristics of the subject parcel and the adjacent agriculturally 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 structure would reasonably minimize potential negative impacts on agricultural or timber production use; and

Placing the hardship modular in the same area as the adjacent parcels dwellings keeps all non-compatible uses together. This will keep possible conflicts with any agricultural operation at a minimum.

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 or because the General Plan Land Use Designation of the surrounding or adjacent parcels is not agricultural (e.g. Light/Medium/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.

If the Agricultural Commission cannot make the required findings in Resolution No. 079-2007, an application may be made to the Board of Supervisors for administrative relief. Such relief may be granted by the Board of Supervisors upon a determination by the Board taking all relevant facts into consideration that the public interest is served by the granting of the relief. Such applications shall be made to the Development Services Department and a recommendation made to the Board of Supervisors.

Chair Boeger brought the item back to the Commission for discussion. The applicants were not present. Aaron Mount with the Planning department was available for questions.

It was moved by Commissioner Neilsen and seconded by Commissioner Draper to recommend APPROVAL of staff's recommendations of the above request for placement of a hardship modular home, no less than 40 ft. from the west/north west property line from APN: 046-041-040, as staff believes that three of the four findings that the Agricultural Commission is required to make by Resolution No. 079-2007 and adopted by the Board of Supervisors on April 17, 2007, can be made and applicant is to comply with Resolution No. 079-2007 Exhibit A

Yes: 7 - Boeger, Bacchi, Neilsen, Walker, Bolster, Draper and Member Mansfield

STAFF UPDATE ON LEGISLATION AND REGULATORY ISSUES

CORRESPONDENCE and PLANNING REQUESTS

OTHER BUSINESS

ADJOURNMENT

Meeting adjourned at 7:30pm