



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
Shamarie Tong - Livestock Industry
Bill Draper - Forestry Related Industries
Tim Nielsen - Livestock Industry
Lloyd Walker - Other Agricultural Interest
Charles Mansfield - Fruit and Nut Farming Industry
LeeAnne Mila - Interim Agricultural Commissioner/Sealer of
Weights and Measures

Wednesday, January 11, 2023

6:30 PM

<https://edcgov-us.zoom.us/j/88472477926>

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 884 7247 7926.

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/88472477926>.

If you are joining the meeting via zoom and wish to make a comment on an item, press the "raise 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.

If you choose not to observe the Commission meeting but wish to make a comment on a specific agenda item, please submit your comment in writing. You are encouraged to submit your comment in writing by 4:00 PM on the day before the meeting to ensure the Commission has adequate time to review. Please submit your comment to the Agricultural Department at eldcag@edcgov.us. Your comment will be placed into the record and forwarded to Commission members.

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, Neilsen , Walker, Bolster, Draper, Tong and Mansfield

ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

Adopt the Agenda and Approve the Consent Calendar was motioned for approval by Commissioner Neilsen and Seconded by Commissioner Bolster

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

CONSENT CALENDAR

1. **23-0110** Ag Commission Minutes from November 9, 2022

A motion was made by Commissioner Neilsen , seconded by Commissioner Bolster, to Approved this matter.

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

2. **23-0121** 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, 9/29/2022, 10/12/2022, 11/9/2022 Item 2)

A motion was made by Neilsen , seconded by Bolster, to Approved this matter.

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

PUBLIC FORUM

ACTION ITEMS

3. **23-0111** Election of Chair and Vice Chair

Commissioner Neilsen made a motion to keep the current Chair and Vice Chair, seconded by Commissioner Walker.

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

4. **23-0112** Dedication to Chuck Bacchi by Lori Parlin

Supervisor Lori Parlin gave a certificate and presentation to Chuck for his years of Service

5. 23-0113 ADM22-0090 Rodriguez Residence Ag. Setback Relief Administrative Relief from Agricultural Setback to Build a Replacement Single Family Dwelling due to Caldor Fire. Assessor's Parcel Number: 041-021-008

MEMORANDUM

DATE: January 13, 2023

TO: Development Services/Planning

FROM: Greg Boeger, Chair

SUBJECT: ADM22-0090 Rodriguez Residence Ag. Setback Relief Administrative Relief from Agricultural Setback to Build a Replacement Single Family Dwelling due to Caldor Fire. Assessor's Parcel Number: 041-021-008

During the Agricultural Commission's regularly scheduled in person and ZOOM meeting held on January 11, 2023, the Commission heard a request from Planning for administrative relief from the required 200-foot agricultural setback for the above-referenced project. Applicant had an existing permitted single family dwelling 55' from the East parcel line and 400' from the North parcel line that was lost in the Caldor Fire.

The applicant is requesting administrative relief from the required 200-foot agricultural setback for the above-referenced project. Applicant had an existing permitted single family dwelling 55' from the East parcel line and 400' from the North parcel line that was lost in the Caldor Fire.

The applicant's parcel, APN 041-021-008, is 5 acres, zoned Rural Lands 160 acres (RL- 160) and located approximately 1,300 feet north-west of the intersection of Sciaroni Rd and Tyler Ranch Rd, in supervisorial district 3. The parcel is located within a General Plan designated Natural Resources and is not located within an Agricultural district.

The applicant's parcel is bordered by four parcels; of which one parcel is zoned Forest Resource and the other is Timber Protection Zone: APN 041-021-004 borders the applicant's parcel along the entire east boundary; zoned Timber Protection Zone (TPZ). APN 041-021-006 borders the applicant's parcel along the entire north boundary; zoned Forest Resource (FR).

Applicant is requesting that the setbacks for this parcel be reduced to 100 feet from the north boundary and 150' feet from the east boundary for the rebuild of their single family dwelling that was lost in the Caldor Fire.

Parcel Description:

- Parcel Number and Acreage: 041-021-008, 5 acres
- Agricultural District: No
- Land Use Designation: NR, Natural Resources
- Zoning: RL-160, Rural Land 160 acres
- Choice Soils: Choice soils
- o JrC: Josephine Gravelly Loam 9 To 15 % Slopes

- o CoC: Cohasset Cobbly Loam 3 To 15 % Slopes

Discussion:

A site visit was conducted on December 14, 2022, to assess agricultural setback relief for a replacement single family dwelling in a new location on the parcel resulting from a total loss from the Caldor Fire.

Staff Findings:

Staff recommends APPROVAL of the request for placement of a single family dwelling, no less than 100 feet from the northern boundary and 150' feet from the eastern parcel line, 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 parcel is a shape and size that when you apply the 200' agricultural setbacks from the north and eastern sides, it precludes building on the majority of the property. The current well pump house location conflicts with the potential building site that exists outside of the agricultural setback relief.

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

This project will lessen the previous impacts to surrounding agriculture by relocating the structure away from timber production zone an additional 100' from where it was previously located.

- 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

Relocating the structure closer to the center of the parcel will further buffer the agricultural property to the East. 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 applicant was not available, and one member of the audience commented for approval of the project.

It was moved by Commissioner Bolster and seconded by Commissioner Mansfield to recommend APPROVAL of staff's recommendations of the above request for placement of a single family dwelling, no less than 100 feet from the northern boundary and 150' feet from the eastern parcel line, 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, can be made.

Motion passed:

AYES: Walker, Boeger, Draper, Bolster, Mansfield, Tong, Neilsen

NOES: None

ABSTAIN: None

ABSENT: None

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

6. 23-0114

**CCUP21-0007/ Rosewood Commercial Cannabis Cultivation
Commercial Cannabis Use Permit Assessor's Parcel
Number: 095-130-051 and 095-130-054**

**Continued from 1/11/2023 Opening up for Comments from BOS
Room and Zoom Participants (Original item on 1/11/23
Legistar video time: 18:54-20:18)**

**CCUP21-0007/ Rosewood Commercial Cannabis Cultivation Commercial
Cannabis Use Permit Assessor's Parcel Number: 095-130-051 and 095-130-054**

Item was continued to 1/27/2023

- . 23-0115 **CCUP21-0004/ Single Source Solutions Commercial Cannabis
Cultivation Commercial Cannabis Use Permit
Assessor's Parcel Number: 046-710-017
Continued from 1/11/2023 Opening up for Comments from BOS
Room and Zoom participants (Original item on 1/11/23
Legistar video time: 20:19-21:40)**

**CCUP21-0004/ Single Source Solutions Commercial Cannabis Cultivation
Commercial Cannabis Use Permit Assessor's Parcel Number: 046-710-017**

This item is continued to 1/27/2023

8. 23-0116 Industrial Hemp Cultivation Best Management Practices

County of El Dorado
Agriculture, Weights & Measures

Industrial Hemp Cultivation Best Management Practices

These best management practices regarding the cultivation of industrial hemp consistent to implement the standards in ordinance no. 5168, adopting a pilot program regarding cultivation of industrial hemp.

General Standards:

- All hemp nursery stock shall be inspected for pests and disease before planting.
- Lighting – refer to El Dorado Zoning Code, Sec. 130.34.020 – Outdoor lighting Standards.
- All Buildings – refer to El Dorado Zoning Code, Title 110 – Building and Construction
- A complete site plan will be submitted that includes:
 - o The entire parcel or parcels used for cultivation
 - o Setbacks, as applicable
 - o A legal description: GPS coordinates, and a map including cultivation site acreage and location
 - o Easements on the property
 - o All areas of ground disturbances associated with cultivation
 - o Identify any areas where hemp will be stored, handled, or displayed
 - o A detailed diagram of the parcel or parcels used for cultivation, including any buildings, structures, fences, gates, parking, lighting and signag

A motion was made by Commissioner Bolster and seconded by Commissioner Draper to accept the Hemp B& P's document to be forwarded to the Board of Supervisors as a resolution.

Pesticides:

- Comply with all applicable pesticide laws and regulations as enforced by the California Department of Pesticide Regulations.

- Prior to the use of any pesticides, obtain an Operator Identification number or Restricted

Materials Permit for the El Dorado County Dept. of Agriculture

Grading and Erosion:

- Identify all legal water sources for cultivation
- All agricultural grading activities that convert undisturbed vegetation to agricultural cropland, in the unincorporated area of El Dorado County, may be required to obtain an agricultural grading permit. Refer to Ag Grading Permits and BMP's (edcgov.us), for requirements
- Manage the site so that there is no discharge off the site of any cultivation materials, crop residues or soil.

Odor and Pollen Spread:

- Only female plants are allowed. Promptly destroy all male propagative material that is discovered. Crop sites should be walked, on a daily basis, to ensure compliance.
- The cultivation site should be located to minimize odors to surrounding sites. Any odor associated with cultivation or processing activities shall not be greater than a seven-dilution threshold when measured from the property line. Abatement may be required if not in compliance.

311 Fair Lane Phone (530) 621-5520 Email: eldcag@edcgov.us
Placerville, CA 95667 Fax: (530) 626-4756 Website:
<http://www.edcgov.us/Ag>

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

STAFF UPDATE ON LEGISLATION AND REGULATORY ISSUES

CORRESPONDENCE and PLANNING REQUESTS

OTHER BUSINESS

ADJOURNMENT

Meeting was adjournment at 9:45pm

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