



AGRICULTURAL COMMISSION

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Greg Boeger, Chair – Agricultural Processing Industry
David Bolster Vice-chair – Fruit and Nut Farming Industry
Chuck Bacchi – Livestock Industry
Bill Draper – Forestry Related Industries
Ron Mansfield – Fruit and Nut Farming Industry
Tim Neilsen, Livestock Industry
Lloyd Walker – Other Agricultural Industries

MINUTES

April 12,, 2017

6:30 P.M.

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

Members Present: Bolster, Boeger, Bacchi, Mansfield, Neilsen, Draper, Walker

Ex-Officio Members Present: Charlene Carveth

Media Members Present: None

Staff Members Present: Myrna Tow, Clerk to the Agricultural Commission
LeeAnne Mila, Agriculture Department

I. CALL TO ORDER

- Chair, Greg Boeger, called the meeting to order at 6:30 p.m.

ACTION ITEMS

Item # 17-0401 APPROVAL OF MINUTES of March 8, 2017

Chair Boeger called for a voice vote for approval to approve the Minutes of March 8, 2017 as submitted.

Motion passed

AYES: Bolster, Bacchi, Mansfield, Neilsen , Boeger

NOES: None

ABSTAIN: Walker, Draper

II. PUBLIC FORUM- None

III. ITEM #17-0410 SUBJECT: ADM16-0033/Flaherty
Administrative Relief from Agricultural Setback
Assessor's Parcel Number: 085-470-37

Planning Request and Project Description:

During the Agricultural Commission's regularly scheduled meeting held on April 12, 2017 a request to review a request for administrative relief from the agricultural setback for the

above referenced project. This request is for the conversion of a barn to a second single family residence. According to the applicant, the proposed building site is located: Approximately 75 feet from the property line of the adjacent PA-20 zoned parcel to the South (APN: 085-470-02). Approximately 75 feet from the property line of the adjacent PA-20 zoned parcel to the East (APN: 085-470-03).

The applicant's parcel, identified by APN 085-470-37, consists of 10.05 acres and is located on Greenbrook Dr. (Supervisor District 3).

Parcel Description:

- Parcel Number and Acreage: 085-470-37, 10.05 Acres
- Agricultural District: Yes
- Land Use Designation: AL – Agricultural Lands
- Zoning: PA-20, Planned Agriculture – 20 Acres
- Soil Type:
 - Choice Soils
 - HgD – Holland Coarse Sandy Loam 15 to 30 Percent Slopes

Discussion:

A site visit was conducted on March 14, 2017 to determine the location of the barn to be converted to a second single family residence. The dwelling is located approximately 75 feet from the property line of the adjacent PA-20 zoned parcel to the South (APN: 085-470-02) and approximately 75 feet from the property line of the adjacent PA-20 zoned parcel to the East (APN: 085-470-03).

Staff Recommendation:

Staff recommends APPROVAL of applicants request for administrative relief of an agricultural setback, allowing for conversion of a barn to a single family residence approximately 75 feet from the property 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 topography of the property severely limits the available building sites.

- 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 shape and topography of the parcel severely limits the available building sites. The current location of the barn is on one of the very few somewhat flat spots on the property.

- 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*
The topography of the property provides a natural buffer between the agriculturally zoned property and the applicant's property.
- 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 addressed the public for comment; Mr. Flaherty addressed the board and was available for question from the Board Members.

It was moved by Mr. Neilsen and seconded by Mr. Walker to recommend APPROVAL of Staff's recommendation of applicants request for administrative relief of an agricultural setback, allowing for conversion of a barn to a single family residence approximately 75 feet from the property line of the adjacent PA-20 zoned parcel to the South (APN: 085-470-02) and approximately 75 feet from the property line of the adjacent PA-20 zoned parcel to the East (APN: 085-470-03), 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.

Motion passed

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

NOES: None

ABSENT: None

- IV. ITEM #17-0154 Opt-In Phase II Continued to 04/12/17-** Staff to start working on option for PA or LA, depending on road type and possibility of not being connected to a major road with agreements. Existing Ag operations not being used presently but could be in the future. Check Historical use of properties.

CORRESPONDENSE AND PLANNING REQUEST- Letter to BOS opposing the AB No. 8 Bloom Depredation Permits, (Pulled by Bloom, discuss at next meeting).

UPDATE on LEGISLATION and REGULATORY REQUEST – Charlene Carveth

VIII: ADJOURNMENT 7:15 pm

APPROVED: _____ DATE: 05/10/17
Greg Boeger, Chair