



# AGRICULTURAL COMMISSION

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*Greg Boeger, Chair – Agricultural Processing Industry*  
*Dave Bolster, Vice-chair – Fruit and Nut Farming Industry*  
*Shamarie Tong – Livestock Industry*  
*Bill Draper – Forestry/Related Industries*  
*Tim Neilsen – Livestock Industry*  
*Lloyd Walker – Other Agricultural Interests*  
*Charles Mansfield – Fruit and Nut Farming Industry*

## MEMORANDUM

**DATE:** October 21, 2024

**TO:** Development Services/Planning

**FROM:** Greg Boeger, Chair

**SUBJECT: Proposed amendments to Title 130 (Zoning Ordinance) of the County Code (OR23-0001) that would amend the Ranch Marketing Ordinance (Zoning Ordinance Section 1 130.40.050 of the El Dorado County Ordinance Code**

During the Agricultural Commission's Special Meeting scheduled in person and ZOOM meeting held on October 21, 2024, a review and power point discussion was held to discuss the proposed amendments to the Ranch Marketing Ordinance, Winery Ordinance, and conforming changes to the Zoning Ordinance (OR23-0001) relating to Sec. 130.40.050 Agricultural Marketing Disclosures

A. For purposes of this Section:

1. "Agricultural property" means land zoned as Planned Agriculture (PA), Limited Agriculture (LA), Agricultural Grazing (AG), Forest Resource (FR), or Timber Production (TPZ) or land with a commercial winery within the meaning of Section 130.40.400 (Wineries).
2. "Eligible transaction" means a sale, exchange, installment land sale contract (as defined in Civil Code Section 2985), lease with an option to purchase, any other option to purchase, or ground lease coupled with improvements.

B. Under the authority of Civil Code Section 1102.6a, before any transfer of Agricultural property in an eligible transaction the transferor shall provide the following disclosure: "Agricultural production is the primary use or function, or if this real property is a commercial winery the primary purpose of the winery shall be to process fruit grown on the winery lot or on other local agricultural lands, of the real property subject to this transaction. The real property may be eligible for limited related activities such as bake shops, food stands, dining facilities, marketing events, special events as set out in the Winery Ordinance (El Dorado County Ordinance Code Section 130.40.400) and the Ranch Marketing Ordinance (El Dorado County Ordinance Code Chapter 130.44). If

you have questions on what type of activities this property may be eligible for, and what process or permits are required, you are encouraged to contact the County Agricultural Department of the County Department of Planning and Building.” This disclosure shall be provided on a form substantially similar to that provided in Civil Code Section 1102.6a. The transferor shall ensure that the transferee signs the disclosure before completing the transfer. This disclosure may be consolidated on one form with any disclosure required by the Right to Farm Ordinance (Section 130.40.290).

The Agriculture Department will be presenting the amendment to the Planning Commission for review. The department will be returning to the Board of Supervisors to amend the Ranch Marketing Ordinance (Zoning Ordinance Section 1 130.40.050 of the El Dorado County Ordinance Code entitled “Reserved” is hereby amended in its entirety to read as follows: Sec. 130.40.050 Agricultural Marketing Disclosures. and the Winery Ordinance (Zoning Ordinance section 130.40.400) with the attached changes to the draft ordinance.

**Chair Boeger brought the item back to the Commission for discussion. Several public comments were received addressing amplified music and complaints of neighboring property owners near properties that do not comply to current rules. The Commission discussed additional items that they would like the Planning Commission to review. For a complete video of this item # 24-1780 discussion please go to the El Dorado County Website at:**

**It was moved by Commissioner Draper and seconded by Commissioner Mansfield to recommend the ordinance amendments as submitted be forwarded to the Planning Commission with a few additions. The additions would be adding into the Winery Ordinance the ability of crop acreage on contiguous parcels, under the same ownership, be allowed to support qualification for marketing and special events. Additionally, it was recommended that an annual review be brought to the Agricultural Commission.**

***Motion passed:***

**AYES: Tong, Mansfield, Walker, Draper, Boeger**

**NOES: None**

**Absent: Bolster, Neilsen**