



# 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 - Agricultural Commissioner/Sealer of Weights  
and Measures*

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Wednesday, April 12, 2023

6:30 PM

<https://edcgov-us.zoom.us/j/85683463126>

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**Board of Supervisors Meeting Room**  
**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 856 8346 3126.

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/85683463126>.

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 Clerk of the Agricultural Commission at [myrna.tow@edcgov.us](mailto:myrna.tow@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.

**6:30pm MEETING CALLED TO ORDER AND ROLL CALL**

**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**

**CONSENT CALENDAR**

1. [23-0665](#) Recommending Approval of the Minutes from the regular meeting of the Agricultural Commission on February 8, 2023.

**A motion was made by Commissioner Walker, seconded by Commissioner Bolster to Adopt the Agenda for the 04/12/2023 meeting and Approve the Minutes of the 02/08/2023 meeting.**

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

**PUBLIC FORUM**

**ACTION ITEMS**

2. [23-0666](#) ADM22-0095 Butcher Agricultural Setback Relief Administrative Relief from Agricultural Setback to build Accessory Dwelling Unit Assessor's Parcel Number: 043-340-028-000.

**SUBJECT: ADM22-0095 Butcher Agricultural Setback Relief  
Administrative Relief from Agricultural Setback to build Accessory  
Dwelling Unit Assessor's Parcel Number: 043-340-028-000**

During the Agricultural Commission's regularly scheduled in person and ZOOM meeting held on April 12, 2023, the Commission heard a request from Planning for administrative relief from the required 200-foot agricultural setback for the above-referenced project to be reduced to 58 feet from the southern adjacent parcel (043-340-024-000) and 112.5 feet from the eastern adjacent parcel (043-340-005-000) for an accessory dwelling unit through building permit number 358394.

The applicant's parcel, APN 043-340-028-000, is located on the south side of Mace Road west of the intersection with Crystal Springs Road in the Camino area of El Dorado County, Supervisor District 3. The subject parcel is 10 acres and zoned Planned Agriculture-20 acre (PA-20) with a General Plan Land Use Designation of Agricultural Lands (AL) located within an Agricultural District. Adjacent properties on all sides are similarly zoned PA-20, located within an Agricultural District.

**Parcel Description:**

- Parcel Number and Acreage: 043-340-028-000, 10 acres
- Agricultural District: Yes
- Land Use Designation: AL, Agricultural Lands
- Zoning: PA-20, Planned Agriculture-20 acre
- Soil Type: Choice soils

**Discussion:**

A site visit was conducted on February 22, 2023, to assess the placement of the proposed accessory dwelling unit (ADU).

**Staff Findings:**

Staff recommends APPROVAL of the request for placement of an accessory dwelling unit (ADU) no less than 58 feet from the southern adjacent parcel (043-340-024-000) and 112.5 feet from the eastern adjacent parcel (043-340-005-000), 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 accessory dwelling unit (ADU) will be located at the previous site of an existing residence, keeping all non-compatible uses together. All utilities currently exist for a residence at the proposed location. The parcel is fully developed; the proposed building site will eliminate any reduction in

agricultural uses on the parcel.

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 parcel congregates all the buildings together in the same historical area, minimizing the potential negative impact to the adjacent agricultural properties as much as possible.

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 proposed building location is adjacent to the existing main dwelling. Placing the accessory dwelling unit (ADU) in the same area as the previous residence keeps all non-compatible uses together. This keeps 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 however a neighbor was present and gave public comment that he had no objections to the project. For a complete video of this item # 23-0666 discussion please go to the El Dorado County Website at: County

of El Dorado - Calendar (legistar.com)

It was moved by Commissioner Draper and seconded by Commissioner Mansfield to recommend **APPROVAL** of staff's recommendations of the above request for administrative relief from the required 200-foot agricultural setback to be reduced to 58 feet from the southern adjacent parcel (043-340-024-000) and 112.5 feet from the eastern adjacent parcel (043-340-005-000) for an accessory dwelling unit through building permit number 358394. 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

3. [23-0667](#) ADM23-0008 Henson's Ag Setback Relief Administrative Relief from Agricultural Setback to Construct a New Pool Assessor's Parcel Number: 087-181-019.

**SUBJECT: ADM22-0095 Butcher Agricultural Setback Relief  
Administrative Relief from Agricultural Setback to build Accessory  
Dwelling Unit Assessor's Parcel Number: 043-340-028-000**

During the Agricultural Commission's regularly scheduled in person and ZOOM meeting held on April 12, 2023, the Commission heard a request from Planning for administrative relief from the required 200-foot agricultural setback for the above-referenced project to be reduced to 58 feet from the southern adjacent parcel (043-340-024-000) and 112.5 feet from the eastern adjacent parcel (043-340-005-000) for an accessory dwelling unit through building permit number 358394.

The applicant's parcel, APN 043-340-028-000, is located on the south side of Mace Road west of the intersection with Crystal Springs Road in the Camino area of El Dorado County, Supervisor District 3. The subject parcel is 10 acres and zoned Planned Agriculture-20 acre (PA-20) with a General Plan Land Use Designation of Agricultural Lands (AL) located within an Agricultural District. Adjacent properties on all sides are similarly zoned PA-20, located within an Agricultural District.

**Parcel Description:**

- Parcel Number and Acreage: 043-340-028-000, 10 acres
- Agricultural District: Yes
- Land Use Designation: AL, Agricultural Lands
- Zoning: PA-20, Planned Agriculture-20 acre
- Soil Type: Choice soils

**Discussion:**

A site visit was conducted on February 22, 2023, to assess the placement of the proposed accessory dwelling unit (ADU).

**Staff Findings:**

Staff recommends APPROVAL of the request for placement of an accessory dwelling unit (ADU) no less than 58 feet from the southern adjacent parcel (043-340-024-000) and 112.5 feet from the eastern adjacent parcel (043-340-005-000), 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 accessory dwelling unit (ADU) will be located at the previous site of an existing residence, keeping all non-compatible uses together. All utilities currently exist for a residence at the proposed location. The parcel is fully developed; the proposed building site will eliminate any reduction in

agricultural uses on the parcel.

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 parcel congregates all the buildings together in the same historical area, minimizing the potential negative impact to the adjacent agricultural properties as much as possible.

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 proposed building location is adjacent to the existing main dwelling. Placing the accessory dwelling unit (ADU) in the same area as the previous residence keeps all non-compatible uses together. This keeps 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 however a neighbor was present and gave public comment that he had no objections to the project. For a complete video of this item # 23-0666 discussion please go to the El Dorado County Website at: County



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It was moved by Commissioner Draper and seconded by Commissioner Mansfield to recommend **APPROVAL** of staff's recommendations of the above request for administrative relief from the required 200-foot agricultural setback to be reduced to 58 feet from the southern adjacent parcel (043-340-024-000) and 112.5 feet from the eastern adjacent parcel (043-340-005-000) for an accessory dwelling unit through building permit number 358394. 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

4. [23-0669](#) ADM23-0010 Thurston Agricultural Setback Relief Administrative Relief from Agricultural Setback to Construct a New Single-Family Dwelling Assessor's Parcel Number: 085-500-012-000.

**SUBJECT: ADM23-0010 Thurston Agricultural Setback Relief  
Administrative Relief from Agricultural Setback to Construct a New  
Single-Family Dwelling. Assessor's Parcel Number: 085-500-012-000**

During the Agricultural Commission's regularly scheduled in person and ZOOM meeting held on April 12, 2023, the Commission heard a request from Planning for administrative relief from the required 200-foot agricultural setbacks for the above-referenced project be reduced to 50 feet from the northern adjacent parcel (085-500-017-000) and 112.5 feet from the southern adjacent parcel (085-030-057-000) for a new single family dwelling unit through building permit number 361792.

The applicant's parcel, APN 085-500-012-000, is located on the north side of Starview Drive east of the intersection with Hidden Valley Lane in the Camino area of El Dorado County, Supervisor District 3. The subject parcel is 3.6 acres and zoned Planned Agriculture-20 acre (PA-20) with a General Plan Land Use Designation of Agricultural Lands (AL) located within an Agricultural District. Adjacent properties on all sides are similarly zoned PA-20, located within an Agricultural District.

**Parcel Description:**

- Parcel Number and Acreage: 085-500-012-000, 3.6 acres
- Agricultural District: Yes
- Land Use Designation: AL, Agricultural Lands
- Zoning: PA-20, Planned Agriculture 20 Acres
- Choice Soils: Yes
- o MRC: Musick sandy loam, 9 To 15 % slopes

**Discussion:**

A site visit was conducted on March 17, 2023, to assess agricultural setback relief for the construction of a new single family dwelling unit.

**Staff Findings:**

Staff recommends APPROVAL of the request for administrative relief from the required 200-foot agricultural setbacks for the above-referenced project be reduced to 50 feet from the northern adjacent parcel (085-500-017-000) and 112.5 feet from the southern adjacent parcel (085-030-057-000) for a new single family dwelling unit through building permit number 361792.

- 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;

This parcel is long and narrow measuring roughly 257' wide from north to south. Any construction on this parcel would require agricultural setback relief from the northern and southern parcels. An existing structure located on the property

complicated available building sites. Planning around the existing water meter and PG&E easement severely limited the buildable areas of this site. Accommodations for the new septic system combined with the homes driveway footprint ultimately lead to the proposed building site being pushed back and moved closer to the northern and eastern property lines.

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 proposed building site moves this single family dwelling unit in line with an existing home located directly across Starview Drive. The existing home creates a buffer from the production apple orchard located on Hidden Valley Lane.

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

Placement of this proposed single family dwelling unit closer to the eastern parcel line preserves land on the western side for future agricultural development. Placing this dwelling in line with development existing on the southern adjacent parcel will reasonably minimize potential conflicts with agriculture.

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 present and available for questions. There were no public comments for this request. For a complete video of this item # 23-0669 discussion please go to the El Dorado County Website at: County of El Dorado - Calendar (legistar.com)

It was moved by Commissioner Bolster and seconded by Commissioner Walker to recommend APPROVAL of staff’s recommendations of the above request for administrative relief from the required 200-foot agricultural setbacks for the above-referenced project be reduced to 50 feet from the northern adjacent parcel (085-500-017-000) and 112.5 feet from the southern adjacent parcel (085-030-057-000) for a new single family dwelling unit through building permit number 36179, 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, Tong, Neilsen

NOES: None

ABSTAIN: Mansfield

ABSENT: None

Yes: 6 - Boeger, Neilsen , Walker, Bolster, Draper and Tong

Abstained: 1 - Mansfield

- 5. [23-0670](#) Review and Update of Ranch Marketing Changes (Discussion Only No Action Requested).

Discussion Only, no action taken

- 6. [23-0671](#) Discussion to change the meeting time to 4:00pm on Second Wednesday of each month.

Discussion to change the meeting time to 4:00pm on Second Wednesday of each month. This item was approved for a three month trial. Commission will revisit this item in July 2023

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

**STAFF UPDATE ON LEGISLATION AND REGULATORY ISSUES**

**CORRESPONDENCE and PLANNING REQUESTS**

**OTHER BUSINESS**

**ADJOURNED AT 8:20PM**