

FROM THE MINUTES OF JULY 12, 2007

7. WILLIAMSON ACT CONTRACT (Public Hearing)

WAC06-0014/Z06-0039 submitted by GREG and SHARON BAIOCCHI to establish a new agricultural preserve and rezone the same property from Estate Residential Ten-acre (RE-10) to Agricultural Preserve (AP). The property, identified by Assessor's Parcel Number 046-061-37, consisting of 35.2 acres, is located on the south side of Hidden Ranch Road, 0.5 mile east of the intersection with Mt. Aukum Road, in the **Somerset area** (Supervisorial District II). (Categorically exempt pursuant to Section 15317 of the CEQA Guidelines)

This item was continued from the meeting of February 8, 2007.

Staff: Peter Maurer presented this item in the absence of Michael Baron. Staff recommended approval to the Board of Supervisors. The Agricultural Department was present to speak to the possible agricultural setback relief. Bill Stephans said they have been directed by the Board to review all parcels adjacent to these types of agricultural parcels for possible reductions in setbacks. They will be recommending reductions in setbacks on some of the ten parcels adjacent to the subject property by the time the application is considered by the Board. Mr. Maurer stated any action on the reduction of setbacks can be appealed to the Board of Supervisors.

Greg Baiocchi believes the agricultural setback resolution will help the neighbors. He wants to make an amicable resolution with the neighbors.

Valerie Zetner, El Dorado County Farm Bureau, supported this project. It is in a good location. They are happy to see that the agricultural setback relief is working.

There was no further input.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER KNIGHT AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS MAC CREADY, MACHADO, MATHEWS, AND KNIGHT; ABSENT – COMMISSIONER TOLHURST, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS FIND THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO SECTION 15317 OF THE CEQA GUIDELINES; APPROVE WAC06-0014 ESTABLISHING A NEW AGRICULTURAL PRESERVE ON ASSESSOR'S PARCEL NUMBER 046-061-37; AND APPROVE Z06-0039 REZONING ASSESSOR'S PARCEL NUMBER 046-061-37 FROM ESTATE RESIDENTIAL TEN-ACRE (RE-10) TO AGRICULTURAL PRESERVE (AP), BASED ON THE FINDINGS PROPOSED BY STAFF.

Findings

1.0 CEQA Findings

1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15317 of the CEQA Guidelines which states, "Class 17 consists of the

establishment of agricultural preserves, the making and renewing of open space contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.

2.0 General Plan Findings

2.1 The proposed Williamson Act Contract is consistent with the policies in the El Dorado County General Plan, as discussed in the General Plan section of this staff report.

3.0 Williamson Act Contract Findings

3.1 The property satisfies the County's three criteria for the establishment of an Agricultural Preserve, as defined in Resolution No. 188-2002, as follows:

3.1.1 An agricultural preserve shall consist of a minimum of twenty (20) contiguous acres.

The 20-acre minimum has been met, as the property consists of 35.2 acres.

3.1.2 There shall be a minimum capital outlay of \$45,000 excluding applicant's residence and original cost of the land.

Capital outlay has been achieved over time with the on-site agricultural improvements of barns agricultural equipment, fencing and grape vines totaling \$183,000.

3.1.3 For permanent, non-producing agriculture crops, such as orchards and vineyards, the plants shall be planted and properly cared and maintained (as determined by the Agricultural Commission) to produce a commercial crop within three (3) years and be capable of producing a minimum annual gross income of \$13,500 within five (5) years of planting.

The land has been determined to be capable of producing a commercial crop through agricultural pursuits with projected income from the existing 12 acres of grapes and 15 acres of dry grazing exceeding \$13,500 by 2008.