

## **FINDINGS**

### **Williamson Act Contracts WAC13-0009/WAC13-0010/WAC13-0011/Van Noord Board of Supervisors/April 19, 2016**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made pursuant to Section 66472.1 of the California Government Code:

#### **1.0 CEQA FINDINGS**

- 1.1 The establishment of three new Williamson Act contracts is Categorically Exempt from the requirements of CEQA pursuant to Section 15317 of the CEQA Guidelines which exempts the establishment of agricultural preserves and the making and renewing of open space contracts under the Williamson Act. The proposed non-renewal of the identified Williamson Act contracted parcel is exempt from CEQA pursuant to Section 15061(b)(3) in that the non-renewal of the contract will not have a potential for causing a significant effect on the environment. The non-renewal will not result in significant land use changes, as the contract stays in effect for nine years and the current zoning designation of the parcel restricts uses to those comparable to the restrictions of the Williamson Act.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA 95667.

#### **2.0 GENERAL PLAN FINDINGS**

##### **2.1 The project is consistent with General Plan Policy 2.2.2.2.**

General Plan Policy 2.2.2.2 states that the purpose of the Agricultural District (-A) overlay designation is to identify the general areas which contain the majority of the County's federally designated prime, State designated unique or important, or County designated locally important soils (collectively referred to as "choice" agricultural soils) and which the Board of Supervisors has determined should be preserved primarily for agricultural uses. The parcels are a mix of State designated unique farmland and grazing land. All parcels meet the minimum size of twenty acres for parcels located in an Agricultural District.

##### **2.2 The project is consistent with General Plan Policy 8.1.1.8.**

General Plan Policy 8.1.1.8 states that lands assigned the Agricultural Land (AL) designation shall be of sufficient size to sustain agricultural use and should possess certain characteristics. The project parcels are consistent as they are currently in a Williamson Act contract and they are located in a Rural Region.

**2.3 The project is consistent with General Plan Policy 8.1.3.1.**

General Plan Policy 8.1.3.1 states that agriculturally zoned lands including Williamson Act Contract properties shall be buffered from increases in density on adjacent lands by requiring a minimum of 10 acres for any parcel created adjacent to such lands. The project parcels are within an agricultural zone district requiring a 20-acre minimum.

**2.4 The project is consistent with General Plan Policy 8.1.4.1.**

General Plan Policy 8.1.4.1 requires the County Agricultural Commission to review all discretionary development applications involving land zoned for or designated agriculture. The El Dorado County Agriculture Commissioners reviewed the application on July 09, 2014 and November 12, 2014 and determined that the Williamson Act Contract applications met the minimum criteria for low intensive agricultural operations.

**2.5 The project is consistent with General Plan Policy 8.2.4.1.**

General Plan Policy 8.2.4.1 seeks to ensure long-term conservation, enhancement, and expansion of viable agricultural lands. The project is consistent with Policy 8.2.4.1 by the request for the continued use of the Williamson Act Contract program and the partial non-renewal which will remain in effect for ten years.

**3.0 ADMINISTRATIVE FINDINGS**

**3.1 Williamson Act Contract**

The properties, APNs 089-010-67, 089-010-70, and 089-010-71, satisfy the County's three criteria for the establishment of three Agricultural Preserves, as defined in Resolution Number 188-2002, as follows:

**3.1.1 Minimum Acreage:**

- a. APN 089-010-67, WAC13-0010: The property is to be used for low intensive farming (grazing) and will consist of 75 acres which complies with the preserve requirement of having a minimum of fifty contiguous acres.
- b. APN 089-010-70, WAC13-0011: The property is to be used for low intensive farming (grazing) and will consist of 50 acres which complies with the preserve requirement of having a minimum of fifty contiguous acres.
- c. APN 089-010-71, WAC13-0009: The property is to be used for low intensive farming (grazing) and will consist of 61 acres which complies with the preserve requirement of having a minimum of fifty contiguous acres.

### 3.1.2 Capital Outlay:

- a. APN 089-010-67, WAC13-0010: The capital outlay reported is \$45,000+ for fencing, brushing, road maintenance, and water development. The capital outlay meets the \$10,000 minimum requirement for low intensive farming operations, excluding the residential structures and original cost of the land.
- b. APN 089-010-70, WAC13-0011: The capital outlay reported is \$45,000+ for fencing, brushing, road maintenance, and water development. The capital outlay meets the \$10,000 minimum requirement for low intensive farming operations, excluding the residential structures and original cost of the land.
- c. APN 089-010-71, WAC13-0009: The capital outlay reported is \$45,000+ for fencing, brushing, and road maintenance. The capital outlay meets the \$10,000 minimum requirement for low intensive farming operations, excluding the residential structures and original cost of the land.

### 3.1.3 Income:

- a. APN 089-010-67, WAC13-0010: For low intensive farming operations, the property is required to have a minimum annual gross income of \$2,000. The property is reported to have an annual income of \$2,000+.
- b. APN 089-010-70, WAC13-0011: For low intensive farming operations, the property is required to have a minimum annual gross income of \$2,000. The property is reported to have an annual income of \$2,000+.
- c. APN 089-010-71, WAC13-0009: For low intensive farming operations, the property is required to have a minimum annual gross income of \$2,000. The property is reported to have an annual income of \$2,000+.

## 4.0 ZONING FINDINGS

### 4.1 The proposed use is consistent with Title 130.

The existing grazing on the three parcels entering into new Williamson Act contracts is an allowed use consistent with Section 130.21.020 of the Zoning Ordinance.

Assessor's Parcel Number 089-010-45 is 22 acres in size and is located in the AG-40 zone district which requires a 40 acre minimum parcel size. The parcel is a legal lot and is therefore non-conforming consistent with Section 130.61.060 of the Zoning Ordinance. As the parcel is below the minimum required acreage for the AG-40 zone district, the parcel could not be further subdivided. The permitted uses allowed by the AG-40 zone district include agricultural, residential, and recreational uses.