



## 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*  
*Chuck Bacchi - Livestock Industry*  
*Bill Draper - Forestry Related Industries*  
*Tim Nielsen - Livestock Industry*  
*Lloyd Walker - Other Agricultural Interest*  
*Charles Mansfield - Fruit and Nut Farming Industry*  
*Charlene Carveth - Agricultural Commissioner / Sealer of Weights and Measures*

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Wednesday, August 10, 2022

6:30 PM

Board of Supervisors Meeting Room  
330 Fair Lane, Placerville, CA

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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 899 4884 1323. 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/89948841323>.

If you are joining the meeting via zoom and wish to make a comment on an item, press the "raise a 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.

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.

#### 6:30 P.M. CALLED TO ORDER AND ROLL CALL

#### ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR

A motion was made by Commissioner Bolster, seconded by Commissioner Neilsen to Adopt the Agenda of August 10, 2022, approve the Minutes of July 13, 2022 and approve the Consent Calendar for August 10, 2022.

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

#### 1 CONSENT CALENDAR APPROVED

A motion was made by Commissioner Bolster, seconded by Commissioner Neilsen to Adopt the Agenda of August 10, 2022, approve the Minutes of July 13, 2022 and approve the Consent Calendar for August 10, 2022.

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

#### 2 22-1455 Draft Minutes from July 13, 2022

A motion was made by Commissioner Bolster, seconded by Commissioner Neilsen to Adopt the Agenda of August 10, 2022, approve the Minutes of July 13, 2022 and approve the Consent Calendar for August 10, 2022.

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

#### 2. 22-0140 Clerk of the Agricultural Commission recommending the Agricultural Commission, as a result of ongoing concerns related to COVID-19, approve findings pursuant to Government Code subsection 54953(e)(3) in order to allow for the continued use of virtual or hybrid Agricultural Commission meetings as authorized under Assembly Bill 361. (Cont. 2/9/2022, 3/9/2022, 6/8/2022, 7/13/2022 Item 2)

A motion was made by Commissioner Bolster, seconded by Commissioner Neilsen to Adopt the Agenda of August 10, 2022, approve the Minutes of July 13, 2022 and approve the Consent Calendar for August 10, 2022.

#### PUBLIC FORUM - Sue Taylor of Camino questions regarding Ranch Marketing review.

Sue Taylor of Camino asked the Commission about the Ranch Marketing review that was taking place. She was on the original committee and had questions regarding the changes that were being reviewed..

#### ACTION ITEMS

**3. 22-1456 ADM22-0022 Beals New Single-Family Residence (SFR) Ag. Setback Relief Administrative Relief from Agricultural Setback to Construct a New SFR Assessor's Parcel Number: 321-140-002-000**

**SUBJECT: ADM22-0022 Beals New Single-Family Residence (SFR) Ag. Setback Relief Administrative Relief from Agricultural Setback to Construct a New SFR Assessor's Parcel Number: 321-140-002-000**

During the Agricultural Commission's regularly scheduled in person and ZOOM meeting held on August 10, 2022, the Commission heard a request from Planning for administrative relief from the required 200-foot agricultural setback from the northern property line for the above-referenced project.

Applicant currently is applying to construct a new Single-Family Residence (SFR) on the parcel. The applicant's parcel, APN 321-140-002-000-000, is approximately 19.82 acres, zoned Limited Agricultural 20-Acres (LA-20) and located west of State Highway 49 approximately 1,750 feet west of the intersection with Diana Street in the Agricultural District, supervisorial district 3. The parcel is located within a General Plan designated Agricultural District. The applicant's parcel is bordered by nine parcels; of which three parcels have agricultural zoning: APN 321-160-004-000 (35.5 acres) borders the applicant's parcel along the entire east boundary; APN 321-130-003-000 (53.03 acres) borders the applicant's parcel along the entire north boundary; APN 321-130-002-000 (26.77 acres) borders the applicant's parcel along the northern portion of the west boundary and are all zoned Planned Agriculture 20-Acres (PA-20).

Applicant is requesting that the setbacks for this parcel be reduced to 70 feet for the construction of a new single-family residence (130' reduction) on the north.

**Parcel Description:**

- Parcel Number and Acreage: 321-140-002-000, 19.82 Acres
- Agricultural District: Yes
- Land Use Designation: Agricultural Lands, AL
- Zoning: Limited Agricultural 20 Acres, LA-20
- Choice Soils: MaD- Mariposa Gravelly Silt Loam, 3-30 percent slopes and DfC-Diamond Springs Very Fine Sandy Loam, 9-15 percent slopes
- Parcels APN: 321-160-004-000 to the east and APN: 321-130-003-000 to the north are in Agricultural Preserves

**Discussion:**

A site visit was conducted on August 2, 2022, to assess the placement of the proposed single-family residence.

**Staff Findings:**

Staff recommends APPROVAL of the request for construction of a single-family residence, no less than 70 ft. from the northern property line from APN: 321-130-003-000, 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 single-family residence has been located near the existing residence to keep all non-compatible uses together. The parcel contains all choice soils, but the proposed building site contains several rock outcroppings that reduce the agricultural uses in that area.

- 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 topography of the parcel is very sloped to the north and heavily wooded with rock outcroppings which allows a buffer between the project area and the agricultural parcel to the north.

- 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 area for the single-family residence is an area with rock outcroppings that would not be suitable for agricultural use. Placing the residence in the proposed area preserves other parts of the property to be used for crops and grazing.

- 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 applicants Mike and Denise Beals were present, and Mike addressed the Commission and remained available for questions. Planning Department was in attendance in person and by Zoom.

It was moved by Commissioner Neilsen and seconded by Commissioner Bolster to recommend APPROVAL of staff's recommendations of the above request for construction of a single-family residence, no less than 70 ft. from the northern property line from APN: 321-130-003-000, 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 and applicant is to comply with Resolution No. 079-2007 Exhibit A

Motion passed:

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

NOES: None

ABSTAIN: None

ABSENT: None

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

4. 22-1457 The Agricultural Commissioner has sent a letter of recommendation to the Board of Supervisors with a recommendation to appoint Charles Mansfield to the Agricultural Commission, Fruit and Nut Farming position, a Non-District-specific appointment, for the remainder of the term expiring January 3, 2023.

Received and Filed

#### STAFF UPDATE ON LEGISLATION AND REGULATORY ISSUES

#### CORRESPONDENCE and PLANNING REQUESTS

#### OTHER BUSINESS

#### ADJOURNED AT 7:07 PM

Meeting was adjourned at 7:07pm