

## **FROM THE PLANNING COMMISSION MINUTES OF OCTOBER 9, 2008**

### **9. GENERAL PLAN AMENDMENTS**

a. **A08-0002** initiated by EL DORADO COUNTY to consider amending Policy 8.1.3.1 of the 2004 General Plan, which is one of several policies designed to protect agricultural uses by preventing incompatible development from being established adjacent to agriculturally zoned property. Policy 8.1.3.1 establishes a 10-acre minimum parcel size for residential lots being created adjacent to agricultural land. The proposed general plan amendment would provide flexibility for the decision makers on a subdivision to determine if buffers limiting the parcel size to something larger than otherwise permitted by the land use designation are warranted. (Negative Declaration prepared)\* *[continued from September 25, 2008 meeting]*

Monique Wilber presented this item to the Commission with a recommendation to the Board of Supervisors for approval. A revised Exhibit A was distributed to the Commission for their review, which included additional criteria that was added after receiving Agricultural Commission and public input. Ms. Wilber stated that no comments were received from the State Clearinghouse.

Bill Stephans, Agricultural Commissioner, informed the Commission that based on discussions with Planning staff this morning, he was recommending that the last sentence of #5 of the revised Exhibit A be deleted. Mr. Stephans explained that the Agricultural Commission is a proponent of this recommended amendment and from March – May 2008 has been reviewing the criteria. It is important to have established criteria when analyzing projects.

Valerie Zentner, El Dorado County Farm Bureau, supports the proposed change and criteria. She indicated that this will be a good basis for the Agricultural Commission to make good decisions.

Art Marinaccio made the following comments: (1) the CEQA review was inadequate; (2) this is far removed from where it should be and needs to be re-reviewed; (3) the Agricultural Commission is an advisory Commission only; (4) Planning staff met with the Agricultural Commission to discuss what they wanted; and (5) this is not what the Board of Supervisors requested, but instead is what the Agricultural Commission wants.

It was determined that there had not been a motion by the Board of Supervisors directing staff to implement this change. Instead it was a decision that occurred at the joint meeting of the Planning Commission and Agricultural Commission which was held earlier this year.

Sue Taylor stated that she is overwhelmed by the whole process (i.e., planning and zoning problem). She felt that the majority of the county residents are not even aware that there are General Plan land use maps available for review and that she is worried about the agricultural community.

Cindy Schaefer said that there is a lack of understanding of the General Plan and the zoning. The zoning has not been comprehensively updated in 30 years, which makes it difficult for the General Plan land use designation. Ms. Schaefer feels that some of the reviews need to be eliminated.

Chris Alarcon said that during these budgetary times, we can't afford to have staff burdened with unnecessary reviews and that the General Plan should be taken in totality. He stated that if the zoning is archaic, then the land use designation should be reviewed. Mr. Alarcon stated that the process needs to be streamlined and the current proposal would be burdensome and contains language that would open the County to litigation.

Various handouts were provided to the Commission for illustrative purposes and to propose an alternate solution to streamline the process for General Plan Policy 8.1.3.1.

Jim Brunello stated that the land use designation trumps the archaic agricultural zoning.

Kathye Russell felt that this needs to be reduced to something that is workable and that their proposal meets that. She stated that she would be interested in discussing their proposal further with the agricultural community and staff. Ms. Russell stated that from a processing perspective, it is necessary to have predictability and have a simplified and streamlined road map. General Plan Policy 8.1.3.1 is huge and affects a large amount of land.

Dave Pratt, Agricultural Commissioner, said that the Agricultural Department's analysis and the Agricultural Commission's comments should have been included in the staff report. He indicated that the majority of the conflicts are based on bad zoning and that we need to fix the zoning, which would include rezoning parcels that have rolled out of the Williamson Act Contract. Mr. Pratt stated that staff's proposal assists the Agricultural Commission in fixing the problem.

Mr. Stephans stated that even though there is no current agricultural operation on a parcel, if there is potential and it is zoned agricultural, it needs to be reviewed. He also stated that the Agricultural Commission has never held up a Planning project and that they make every effort to agendaize a project for the next meeting.

Commissioner Machado said that the Planning Commission had wanted to fix the problem of parcels adjacent to ag-zoned land being required to go through the Agricultural Commission when they wanted to build, etc. The resolution is not to continue having applicants be required to go through the Agricultural Commission.

Chair Tolhurst felt that the issues were streamlining, zoning, and General Plan conflicts.

Mr. Stephans recommended that the Commission postpone their decision today to allow him time to return to the Agricultural Commission to determine if there are some cases that could be reviewed at the Agricultural Department level instead of the Agricultural Commission.

Commissioner Knight requested Mr. Stephans to include him in any meetings that are set up with interested parties on this subject.

There was no further input.

**MOTION: COMMISSIONER MACCREADY, SECONDED BY COMMISSIONER TOLHURST, AND UNANIMOUSLY CARRIED (4-0), IT WAS MOVED TO CONTINUE**

**ITEM TO THE DECEMBER 11, 2008, HEARING TO ALLOW THE AGRICULTURAL  
COMMISSION TIME TO DISCUSS STREAMLINING THE PROCESS.**

S:\DISCRETIONARY\A\2008\A08-0002 Policy 8131 Ag buffer\old\A08-0002 Minutes 100908.doc