

WAC12-0002/Dan Varozza Preserve and WAC12-0003/Modification to Agricultural Preserve No. 36 – As recommended by the Planning Commission on November 8, 2012

Findings for Approval – WAC12-0002

1.0 CEQA FINDINGS

- 1.1 The proposed requests for Williamson Act Contracts has been found to be Categorically Exempt from CEQA pursuant to Section 15317 stating that, “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.”
- 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 8.1.1.8.

General Plan Policy 8.1.1.8 requires Agricultural Lands (AL) to be of sufficient size to sustain agricultural use, to be under a Williamson Act or Farmland Security Zone Contract, and/or contain the characteristics of choice agricultural land. These lands should be under cultivation for commercial crop production or identified as grazing land and should be within the county’s Rural Region or be identified by the County Department of Agriculture as land suited for agricultural production. The project’s 226-acres has been identified as grazing land, is within the rural region and would be established under a Williamson Act Contract; therefore the property is consistent with the AL land use designation.

2.2 The project is consistent with General Plan Policy 8.1.3.2.

General Plan Policy 8.1.3.2 requires that agriculturally incompatible uses adjacent to agriculturally zoned land provide greater setbacks to protect agricultural resources. The creation of a new agricultural preserve would not impose new agricultural setbacks to adjacent parcels, as the project parcel is located within an existing agricultural zone district, and is subject to existing setback provisions.

2.3 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 September 12, 2012 and determined that the

Williamson Act Contract application did meet the minimum criteria for a low intensive agricultural operation.

2.4 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.

3.0 ADMINISTRATIVE FINDINGS

3.1 Williamson Act Contract

The property satisfies the County's three criteria for the establishment of an Agricultural Preserve, as defined in Resolution Number 188-2002, as follows:

3.1.1 Minimum Acreage:

- a. The property is to be used for low intensive farming (grazing) and will consist of 226 fenced acres which complies with the preserve requirement of having a minimum of fifty contiguous acres that are adequately fenced to contain livestock.

3.1.2 Capital Outlay:

- a. The capital outlay reported is \$131,750, for fencing, water supply ponds for cattle and roads. The capital outlay exceeds the \$10,000 minimum requirement for low intensive farming operations, excluding the applicant's residence and original cost of the land.

3.1.3 Income:

- a. 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 \$2,226.

4.0 ZONING FINDINGS

4.1 The proposed use is consistent with Title 17.

The proposed raising and grazing of livestock is a use permitted by right in accordance with Section 17.36.070 of the County Code.

Findings for Approval – WAC12-0003

1.0 CEQA FINDINGS

- 1.1 The proposed requests for Williamson Act Contracts has been found to be Categorically Exempt from CEQA pursuant to Section 15317 stating that, “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.”
- 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 8.1.1.8.

General Plan Policy 8.1.1.8 requires Agricultural Lands (AL) to be of sufficient size to sustain agricultural use, to be under a Williamson Act or Farmland Security Zone Contract, and/or contain the characteristics of choice agricultural land. These lands should be under cultivation for commercial crop production or identified as grazing land and should be within the county’s Rural Region or be identified by the County Department of Agriculture as land suited for agricultural production. The project’s 1,852-acres has been identified as grazing land, is within the rural region and would be established under a Williamson Act Contract; therefore the property is consistent with the AL land use designation.

2.2 The project is consistent with General Plan Policy 8.1.3.2.

General Plan Policy 8.1.3.2 requires that agriculturally incompatible uses adjacent to agriculturally zoned land provide greater setbacks to protect agricultural resources. The creation of a new agricultural preserve would not impose new agricultural setbacks to adjacent parcels, as the project parcel is located within an existing agricultural zone district, and is subject to existing setback provisions.

2.3 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 September 12, 2012 and determined that the Williamson Act Contract application did meet the minimum criteria for a low intensive agricultural operation.

2.4 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.

3.0 ADMINISTRATIVE FINDINGS

3.1 Williamson Act Contract

The property satisfies the County's three criteria for the establishment of an Agricultural Preserve, as defined in Resolution Number 188-2002, as follows:

3.1.1. Minimum Acreage:

- a. The property is to be used for low intensive farming (grazing) and will consist of 1,853 fenced acres which complies with the preserve requirement of having a minimum of fifty contiguous acres that are adequately fenced to contain livestock.

3.1.2. Capital Outlay:

- a. The capital outlay exceeds the \$10,000 minimum requirement for low intensive farming operations, excluding the applicant's residence and original cost of the land.

3.1.3. Income:

- a. For low intensive farming operations, the property is required to have a minimum annual gross income of \$2,000. The contiguous properties reportedly have an annual income of more than \$2,000.

4.0 ZONING FINDINGS

4.1 The proposed use is consistent with Title 17.

The proposed raising and grazing of livestock is a use permitted by right in accordance with Section 17.36.070 of the County Code.