

Findings

1.0 CEQA FINDINGS

- 1.1 The proposed request for a Williamson Act Contract is 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.” The boundary line adjustment is Categorically Exempt from CEQA pursuant to Section 15305 which exempts minor alterations in land use limitations in areas with an average slope of less than 20 percent which do not result in any changes in land use or density.
- 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 8.1.1.6.

Policy 8.1.1.6 states that parcels encumbered by a Williamson Act Contract be zoned Exclusive Agriculture (AE). The subject parcels are already zoned AE.

2.2 The project is consistent with General Plan Policy 8.1.1.8.

Policy 8.1.1.8 requires Agricultural Lands (AL) to be of sufficient size to sustain agricultural use, be under a Williamson Act or Farmland Security Zone Contract. Further, these lands are required to be within the county’s Rural Region or be identified by the County Department of Agriculture as land suited for agricultural production. The properties are used for grazing and are within the Rural Region, and are therefore consistent with the AL land use designation.

2.3 The project is consistent with General Plan Policy 8.1.3.5.

Policy 8.1.3.5 states that any parcel 10 acres or larger identified as having an existing or potential agricultural use, the Agricultural Commission must consider and provide a recommendation on the agricultural use or potential of that parcel and whether the request will diminish or impair the existing or potential use prior to any discretionary permit being approved. The boundary line adjustment and Williamson Act contract applications were forwarded to the Agricultural Commission for review and recommendation on August 12, 2015. The Commission voted unanimously to recommend approval of the boundary line adjustment and all Williamson Act contracts.

2.4 The project is consistent with General Plan Policy 8.1.4.1.

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 Commission reviewed the application on August 12, 2015 and determined that the Williamson Act contracts meet the minimum criteria for agricultural operations.

2.5 The project is consistent with General Plan Policy 8.2.4.1.

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 ZONING FINDINGS

3.1 The proposed use is consistent with Title 130.

The continued grazing on the property is permitted by right in accordance with Section 130.36.070 (AE) of the Zoning Ordinance.

4.0 ADMINISTRATIVE FINDINGS

4.1 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:

4.1.1 Minimum Acreage for Low-Intensity Farming Operations:

- a. Minimum Acreage – 50 contiguous acres that are fenced to contain livestock: Proposed WAC15-0002 would consist of 111 acres and is fenced for grazing. Proposed WAC15-0003 would consist of 50 acres and is fenced for grazing.

4.1.2 Capital Outlay for Low-Intensity Farming Operations:

- a. Minimum Capital Outlay: Each WAC application exceeds the minimum \$10,000 capital outlay.

4.1.3 Income for Low-Intensity Farming Operations:

- a. Minimum Annual Gross Income: Each WAC application exceeds the minimum annual gross income of \$2,000.

4.2 Lot Line Adjustment

4.2.1 The Lot Line Adjustment conforms to the General Plan and Zoning Ordinance.

The Boundary Line Adjustment conforms to the General Plan and Zoning Ordinance by meeting the minimum parcel sizes and development standards.

4.3 California Government Code Section 51257

4.3.1 The new contract would enforceably restrict the adjusted boundaries of the parcel for an initial term for as least as long as the unexpired term of the rescinded contract, but for not less than 10 years.

The revised contracts will enforceably restrict the entire acreage for ten years or more.

4.3.2 There is no net decrease in the amount of the acreage restricted.

The revised contract will enforceably restrict 100 percent of the contracted lands for ten years or more.

4.3.3 At least 90 percent of the land under the former contract remains under the new contract.

The entire 100 percent of the land under the original contracts will remain.

4.3.4 After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

Consistent with Section 51222, the parcels under contract will be larger than 40 acres after the Lot line Adjustment. Parcels are presumed to be large enough to sustain their agricultural use if they are greater than 10 acres, in the case of prime farmland, and 40 acres in the case of non-prime farmland.

4.3.5 The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract.

The parcels within the Agricultural Preserve, in its current configuration, are being used for agricultural production. The BLA would not affect the long-term productivity of the parcel under contract.

4.3.6 The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.

Both parcels will continue to remain restricted by separate Williamson Act Contracts and used for agricultural productivity. The AE zoning and AL land use designations for both

parcels will remain. As such, the Boundary Line Adjustment will have no impact on adjacent lands currently utilized for agricultural and residential purposes.

4.3.7 The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan.

There are currently parcels and three parcels will be created after the Boundary Line Adjustment. All parcels will be over 40 acres and consistent with their land use designation and the General Plan.