

April 28, 2008

Planning Commission
County of El Dorado
2850 Fairlane Court
Placerville, CA 95667

Subject: Establishment of an Agricultural Preserve

Gentlemen:

I (we) hereby request the Planning Commission consider and recommend to the Board of Supervisors that my (our) property be established as an agricultural preserve pursuant to Section 51200(d) of the California Government Code, being part of the California Land Conservation Act of 1965. It is my (our) intent to provide the necessary subsequent restrictions on land use within this preserve by means of an agreement pursuant to Chapter 7, Division 1, of Title 5 of the California Government Code.

In summary of the attached application:

Property offered consists of 22.645 acres;

Identified as County Assessor's Parcel Number(s) 093-180-07

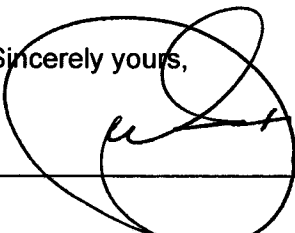
(indicate if this is a portion of the parcel, with more detailed information to be shown on the accompanying map)

Located generally in the vicinity of Somerset
_____, as shown on the attached map.

The nature of the property is such that it is (can be) devoted to agricultural and compatible uses.

I (we) understand generally the provisions of the California Land Conservation Act of 1965 and the obligations imposed upon application of said Act.

Sincerely yours,



State of North Carolina
County of Gaston
on this 3rd Day of February 2009



Sandra H Ertzberger
Sandra H Ertzberger
My Commission Expires 4-14-2013

08 APR 28 PM 4: 18

November 19, _____, 20 07

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PLANNING DEPARTMENT

PART I
(To be completed by applicant)

LAND CONSERVATION CONTRACT APPLICATION

NAME James L. Cox PHONE (704) 542-1676

PHONE (_____) _____

PHONE (_____) _____

MAILING ADDRESS 10406 Balmoral Circle Charlotte, NC 28210

ASSESSOR'S PARCEL NUMBER(S): (Attach legal description if portion of parcel)
093-180-07-1

TYPE OF AGRICULTURAL PRESERVE (Check one):

Williamson Act Contract (10-year roll-out) x
Farmland Security Zone (20-year roll-out)

NUMBER OF ACRES TO BE CONSIDERED UNDER THIS CONTRACT 22.645

WATER SOURCE Well PRESENT ZONING _____

YEAR PROPERTY PURCHASED 2006

WHAT IS YOUR AGRICULTURAL CAPITAL OUTLAY (excluding land value)?

List specific items or improvements with value for each.

<u>Improvement</u>	<u>Value</u>
<u>Well and power</u>	<u>\$ 43,261</u>
<u>Clearing, ripping and deer fence</u>	<u>34,641</u>
<u>TOTAL</u>	<u>77,902</u>
_____	_____

Z 08-0014/WAC 08-0004

PART I
(Continued, page 2)
(To be completed by applicant)

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If improvements total under \$45,000, explain what agricultural capital improvements will be made in the next three years.

WHAT IS YOUR CURRENT GROSS INCOME FOR AGRICULTURAL PRODUCTS?

<u>Product</u>	<u>Income</u>
_____	\$ _____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
	Total \$ _____

NOTE: Total gross income must exceed \$13,500 per year for high intensity farming (orchards, vineyards, row crops), or \$2,000 for low intensity farming (grazing). If the total does not exceed these amounts, when do you anticipate your agricultural operations will gross this amount?

Expected gross income at maturity of initial vine installation = \$30,000 annually

PART I
(Continued, page 3)
(To be completed by applicant)

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CURRENT LAND UTILIZATION

Pear trees _____	acres	Date planted _____
Apple trees _____	acres	Date planted _____
Walnut trees _____	acres	Date planted _____
_____ trees _____	acres	Date planted _____
Irrigated pasture _____	acres	Date planted _____
Crop land _____	acres	Comments _____
Dry grazing _____	acres	Comments _____
Brush _____	acres	Comments _____
Timber _____	acres	Comments _____
Christmas trees _____	acres	Comments _____
Grapes _____	acres	Comments _____
_____	acres	Comments _____

TOTAL ACRES _____ (This figure should equal acreage under Contract)

PLANNED FUTURE DEVELOPMENTS

Briefly describe what future plans you have for the development of this agricultural unit. Please list acreage, crops and time schedule for your planned projects.

Planting of 5.0 acres of vines

I hereby certify that the information contained within this application is true and correct to the best of my knowledge.

February 29, 2008
Date


Signature of Applicant

Z 08-0014/WAC 08-0004

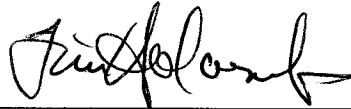
PART II
(To be completed by Assessor)

Comments: See attached Memorandum from Lon Varvel, Sr. Appraiser, dated 9/5/08.

Assessor's recommendations(s): Concur with appraiser's findings.

9/8/08

Date



El Dorado County Assessor

TIM HOLCOMB
EL DORADO COUNTY ASSESSOR

MEMORANDUM

September 5, 2008

TO: Tim Holcomb, County of El Dorado, Assessor
FROM: Lon Varvel, County of El Dorado, Appraiser
SUBJECT: William Act Application – Z 08-0014 & WAC 08-0004

Tim,

I have visited parcel 093-180-07-100 and observed that on this 22.645 acre site there is a large metal storage building and approximately 5 acres of newly planted vineyard. The Vineyard has deer fencing, stakes, and irrigation.

The application does not state present acreages committed to vineyard, nor future development of agriculture. The absence of such information leads me to believe that they plan to develop the entire parcel in stages for vineyard. There is reference on a plat submitted with the application that they are planning for a future home site. We can address this if and when it materializes.

Since the acreage is under the recommended 40 acre minimum for the Williamson Act, it is eligible for the special provisions for high intensity agriculture. We should therefore value the entire parcel as vineyard and add value for the vines and vineyard improvements as the site is developed.

Under the conditions outlined above, this application meets the minimum requirements for the Williamson Act. I recommend that it be accepted.

1



AGRICULTURAL COMMISSION

311 Fair Lane
Placerville, CA 95667
(530) 621-5520
(530) 626-4756 FAX
eldcag@co.el-dorado.ca.us

Greg Boeger, Chair – Agricultural Processing Industry
Lloyd Walker, Vice-chair – Other Agricultural Interests
Chuck Bacchi – Livestock Industry
Bill Draper, Forestry /Related Industries
Tom Heflin – Fruit and Nut Farming Industry
David Pratt – Fruit and Nut Farming Industry
Gary Ward, Livestock Industry

MEMORANDUM

DATE: October 17, 2008

TO: Aaron Mount, Planner

FROM: Greg Boeger, Chair

SUBJECT: **Z 08-0014 & WAC 08-0004 – COX AGRICULTURAL PRESERVE (JAMES L. & JANET COX/CHARLIE PETERS: A WILLIAMSON ACT CONTRACT REQUEST AND ZONE CHANGE (APN: 093-180-07)**

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PLANNING DEPARTMENT
OCT 22 AM 11:15

During the Agricultural Commission's regularly scheduled meeting held on October 8, 2008, the following discussion and motion occurred regarding Z 08-0014 & WAC 08-0004 – Cox Agricultural Preserve (James L. & Janet Cox/Charlie Peters): A Williamson Act Contract request and zone change from Estate Residential (RE-10) Districts to Agricultural Preserve Districts (AP), (Wineries and ranch marketing only allowed by special use permit). The property, identified by Assessor's Parcel Number 093-180-07, consists of 22.645 acres, and is located on the east side of Gopher Hole Road approximately 0.2 miles north of the intersection with Bucks Bar Road, in the Somerset area. (District 2)

Chris Flores reported on her site visit. The applicant's parcel is adjacent to and west of the Fairplay/Somerset AG District, has a Land Use Designation of Rural Residential, has choice soils (Holland Coarse Sandy Loan), and is currently zoned RE-10 (Estate Residential Ten Acre). The applicant has applied for a Williamson Act Contract and zone change to AP (Ag Preserve). In accordance with General Plan Policy 8.1.1.4, *The Procedure for Evaluating the Suitability of Land for Agriculture* has been used to evaluate the applicant's parcel for suitability of an agricultural preserve. A cumulative score of 60 points or more in all five categories signifies a parcel with good agricultural capability. The applicant's parcel scored 67 total points for the following criteria:

1. Category I (Soil Capability and Characteristics):
 - Points = 10 – Assigned to those Class IV, V, and VI soils below 30 inches in depth, but with a minimum depth of 24 inches.
2. Category II (Climate):
 - Points = 25 – Assigned to parcels between 1,500' – 3,000' elevation.
3. Category III (Agricultural Water):
 - Points = 15 – Assigned to parcels with existing water supplied by a public entity or an on-site water system.
4. Category IV (Parcel Size):
 - Points = 10 – Assigned to parcels that are 20 to 100 plus acres.
5. Category V (Surrounding Land Use):
 - Points = 7 – Assigned to parcels located in an area having good crop potential

but not yet intensively planted with urbanization of adjacent parcels, slight to moderate.

WAC 08-0004: (Contains 5 acres of wine grapes); and meets the following required criteria:

- Capital Outlay includes grapes, planting stakes, deer fencing, well, drip irrigation, a 5000 gallon water storage tank, power, and an Ag barn, which exceeds the required \$45,000 at over \$120,000.
- Minimum acreage meets the required 20 acres at 22.645 acres
- Projected annual gross income exceeds the required \$13,500 at \$30,000

The applicant's agent was present for questions and review of the project.

The Commission members were given a letter of opposition from a neighbor to the property that was received after the packets were mailed. The neighbor, Mr. Gloyd Zeller, is in opposition of an agricultural setback being imposed on his property due to the rezone. Bill Stephans told the Commission that his parcel has a Commercial Land Use Designation which will allow a residential component of a project only following or concurrent with the commercial component development. Commercial development is considered to be compatible with agricultural operations so the agricultural setbacks do not apply to those types of developments.

It was moved by Mr. Walker and seconded by Mr. Heflin to recommend APPROVAL of Z 08-0014 & WAC 08-0004 as the minimum criteria for a high intensive agricultural operation have been met:

- 1) Capital outlay exceeds the minimum requirement of \$45,000.*
- 2) Acreage of parcel exceeds the minimum requirement of 20 acres.*
- 3) Projected gross annual income exceeds the minimum requirement of \$13,500/year.*

Motion passed.

AYES: Bacchi, Draper, Pratt, Heflin, Walker, Boeger

NOES: None

ABSENT: Ward

If you have any questions regarding the Agricultural Commission's actions, please contact the Agriculture Department at (530) 621-5520.

Note: this memorandum satisfies the requirements of the Land Conservation Contract application (Part III) asking for comments, recommendation(s) and the signature of the Agricultural Commission chairman.

GB:na

cc: Charlie Peters
James & Janet Cox

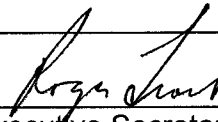
PART IV

(To be completed by Planning Commission)

Date of public hearing: January 8, 2009

Action: Recommended approval.

Comments: _____



Executive Secretary, Planning Commission

PART V

(To be completed by Board of Supervisors)

Date of public hearing: _____

Action: _____

Comments: _____

Suzanne Allen de Sanchez, Clerk to the Board

By: _____
Deputy Clerk to the Board