



AGRICULTURAL COMMISSION

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

RECEIVED
PLANNING DEPARTMENT

MEMORANDUM

DATE: February 20, 2007

TO: Tom Dougherty
Development Services-Planning

FROM: Greg Boeger
Chair

SUBJECT: P 06-43 & Z 06-40/SUSAN MARCYAN

During the Agricultural Commission’s regularly scheduled meeting held on February 14, 2007, the following discussion and motion occurred regarding Susan Marcyan’s request to split a 46.23 acre parcel into four (4) parcels ranging in size from 10 – 16.43 acres and rezone said parcel from Residential Agricultural 20-Acre – Planned Development (RA-20-PD) to Estate Residential 10-Acre (RE-10).

Steve Burton informed the Agricultural Commission that a site visit was conducted on December 28, 2006, and that there is mixed zoning in the area, with a large 80-acre RA-20 zoned parcel located Southwest of the subject parcel which would be the most impacted by the proposed project. Mr. Burton stated that the adjacent parcel was currently not conducting any agricultural operations. Staff recommendation is to deny the request as the findings cannot be made for General Plan Policy 8.1.4.1.a.

Kent Baker, the applicant’s representative, gave a brief overview of the parcel and felt that the proposed project would not cause any impacts.

The Commission brought forth concern regarding other large parcels in the area (40 – 50 acres in size) and the impacts that could possibly occur to them if the parcel split occurred. In addition, Commission Member Heflin stated that it was important to recognize the soils identified as Farmland of Local Importance which is located on an adjacent parcel that would be next to the proposed Lot #4 on the subject parcel.

Commission Member Bacchi informed the Chair that he would be abstaining as he used to graze cattle in that area.

It was moved by Mr. Ward and seconded by Mr. Pratt to recommend DENIAL of Susan Marcyan’s request for a parcel split and rezone on APN# 073-020-43 (P 06-43 & Z 06-40) as the findings cannot be made for General Plan Policy 8.1.4.1.a, which states the proposed use “will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities.” Motion passed.

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AYES: Heflin, Walker, Winner, Pratt, Ward, Boeger
NOES: None
ABSTAIN: Bacchi

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

GB:cmt

cc: Susan Marcyan

- Policy 8.1.4.1** “The County Agricultural Commission shall review all discretionary development applications and the location of proposed public facilities involving land zoned for or designated agriculture, or lands adjacent to such lands, and shall make recommendations to the reviewing authority. Before granting approval, a determination shall be made by the approving authority that the proposed use”:
- A. “Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities; and
 - B. Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and
 - C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.”

production. A monitoring program should be established to be overseen by the Agricultural Department.

Policy 8.1.3.5 On 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 (except for parcels assigned urban or other non-agricultural uses by the land use map for the 1996 General Plan) 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.

OBJECTIVE 8.1.4: DEVELOPMENT ENTITLEMENTS

Consideration of the agricultural use of land prior to approvals for any development entitlements.

Policy 8.1.4.1 The County Agricultural Commission shall review all discretionary development applications and the location of proposed public facilities involving land zoned for or designated agriculture, or lands adjacent to such lands, and shall make recommendations to the reviewing authority. Before granting approval, a determination shall be made by the approving authority that the proposed use:

- A. Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities; and
- B. Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and
- C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.

Policy 8.1.4.2 The Agricultural Commission shall review all school site development applications involving agricultural lands and lands within Agricultural Districts, or lands adjacent to agricultural lands and lands adjacent to Agricultural Districts, and shall make recommendations to the approving authority. To determine consistency with the General Plan, the approving authority shall find that the school site development is "in the public interest." For purposes of this policy, the approving authority, in determining if the school development is "in the public interest," shall consider the following factors:

- A. The objectives of the Agricultural Element, to ensure that agricultural lands are conserved and protected, and the Public Services and Utilities Element, to ensure that the need for adequate school facilities is met.

IMPLEMENTATION PROGRAM

MEASURE AF-A

Review the Zoning Ordinance (Title 17 of the El Dorado County Code) to identify revisions that accomplish the following:

- A. Provisions that establish minimum densities of and setbacks on lands adjacent to agriculturally-zoned lands and timberlands to protect current and future agricultural and timber production on those lands as set forth below:
 - ① 10-acre minimum parcel sizes adjacent to agriculturally-zoned lands [Policy 8.1.3.1];
 - 2. 200 foot setback adjacent to agriculturally zoned lands [Policies 8.1.1.5 and 8.1.3.2];
 - 3. 160-acre minimum parcel size for TPZ-zoned lands [Policy 8.3.2.1];
 - 4. 160-acre minimum parcel size for Natural Resource-designated lands above 3000-foot elevation [Policy 8.3.2.2];
 - 5. 40-acre minimum parcel size for Natural Resource-designated lands below 3000-foot elevation [Policy 8.3.2.3];
 - 6. 40-acre minimum parcel size on lands adjacent to timberlands [Policy 8.4.1.1]; and
 - 7. 200-foot setback adjacent to timberlands [Policy 8.4.1.2].
- B. Update and revise the Right to Farm Ordinance to include a requirement for a mandatory local option real estate transfer disclosure statement on all new parcels created adjacent to agricultural lands requiring the new owner to sign a statement acknowledging that his/her parcel is adjacent to a parcel engaging in agricultural activities and to protect forest management activities [Policies 8.1.1.5, 8.1.3.3, and 8.2.2.4];
- C. Provisions requiring alternative and/or supplemental findings for approval for special use permits to establish additional dwellings for permanent and seasonal agricultural employees [Policy 8.2.3.1];
- D. Provisions to encourage clustering of permitted residential development to minimize loss of choice agricultural soils [Policy 8.1.5.1];
- E. Provisions setting forth appropriate by right, and conditional use permit development to support the agricultural industry [Policies 8.2.2.1, 8.2.4.2, and 8.2.4.3]; and
- F. Standards for the construction of agricultural fencing on residential parcels adjacent to grazing lands [Policy 8.2.2.6].

Responsibility:	Planning Department and Department of Agriculture
Time Frame:	Revise Zoning Ordinance within-one year of General Plan adoption.

of infrastructure and public services, and preserves the agricultural and forest/timber area to ensure its long-term viability for agriculture and timber operations.

Policy 2.1.3.1 All lands not contained within the boundaries of a Community Region or a Rural Center are classified as Rural Regions.

GOAL 2.2: LAND USE DESIGNATIONS

A set of land use designations which provide for the maintenance of the rural and open character of the County and maintenance of a high standard of environmental quality.

OBJECTIVE 2.2.1: LAND USE DESIGNATIONS

An appropriate range of land use designations that will distribute growth and development in a manner that maintains the rural character of the County, utilizes infrastructure in an efficient, cost-effective manner, and further the implementation of the Community Region, Rural Center, and Rural Region concept areas.

Policy 2.2.1.1 The matrix contained in Table 2-1 provides for the relationship and consistency between the General Plan planning concept areas and the land use designations.

**TABLE 2-1
PLANNING CONCEPT AREAS AND LAND USE DESIGNATION CONSISTENCY MATRIX**

Land Use Designations	Concept Areas		
	Community Regions	Rural Centers	Rural Regions
Multifamily Residential*	•	•	
High-Density Residential*	•	•	
Medium-Density Residential*	•	•	
Low-Density Residential	•	•	•
Rural Residential			•
Agricultural Lands			•
Natural Resource			•
Commercial*	•	•	
Research & Development	•	•	
Industrial	•	•	•
Open Space	•	•	•
Public Facilities	•	•	•
Tourist Recreational	•	•	•

* May be applied in Rural Regions to reflect existing development when combined with the Platted Lands (-PL) overlay land use designation.

the Community Regions and Rural Centers where infrastructure exists or can be extended, the uses permitted would be more intense and commercial in nature. In the Rural Regions, uses will be encouraged and defined that are compatible with the rural residential nature of those regions. Types of uses would include campgrounds, golf courses, ski areas, snow parks, riding stables, trail heads, museums, and other similar recreational and sight seeing activities. Lodging uses would include RV parks and other appropriate transit lodging. Tourist recreational activities, facilities, and industries shall be allowed throughout the County; however, specific activities and facilities shall be identified through zoning and permitted by right or special use permit, as appropriate.

Policy 2.2.1.3 The General Plan shall provide for the following range of population densities in the respective land use designation based upon the permitted range of dwelling units per acre and number of persons per acre as shown in Table 2-2.

Land Use Designation	Units Per Acre	Persons Per Housing Unit¹	Persons Per Acre
Multifamily Residential	5 – 24	2.3	11.5 - 55.2
High-Density Residential	1 – 5	2.8	2.8 - 19.6
Medium-Density Residential	1 – 0.2	2.8	2.8
Low-Density Residential	0.20 - 0.1	2.8	0.56 - 0.28
Rural Residential	0.09 0.1 – 0.025	2.8	0.24 0.28 - 0.07
Agricultural Lands	0.05	2.8	0.14
Natural Resource	0.025 – 0.00625	2.8	0.07 - 0.0175
Commercial	10/4 ²	2.8	28/11.2
Research & Development	10/4 ²	2.8	28/11.2
Industrial	–	–	–
Open Space	–	–	–
Public Facilities	–	–	–
Tourist Recreational	–	–	–
Notes:			
¹ 1990 U.S. Census			
² Maximum of 10 units per acre in Community Regions; maximum of 4 units per acre in Rural Centers			

TABLE 2-4 GENERAL PLAN LAND USE DESIGNATION AND ZONING DISTRICT CONSISTENCY MATRIX												
Zoning Districts ¹	Land Use Designations ²											
	MFR	HDR	MDR	LDR	RR	AL	NR	C	R&D	I	OS	TR
RM & R2	•											
MP	•	•										
R1 & R20,000		•										
R1A			•									
R2A			•									
R3A		◊	•									
RE-5	◊	◊	◊	•								
RE-10	◊	◊	◊	•	◊							
RA-20			◊	•		•						
RA-40+			◊	◊	•	•	•					
NS ³	•	•	•									
CH ¹								•				•
C								•				
CPO, CP, CG								•				
R&D									•	•		
I										•		
IR ¹					•	•	•			•		
A & SA-10				•		•						
PA				•	•	•						
AE				•	•	•	•					
TPZ				◊	•	•	•					
FR ¹				◊	•	•	•					
MR					•	•	•	•		•		
RF	•	•	•	•	•		•	•		•		•
RT	•							•				
CN				•	•						•	
OS	•	•	•	•	•	•	•	•	•	•	•	•
TC	•	•	•	•	•		•	•	•	•	•	•
LEGEND	◊ ^{2/3} - Consistent					Inconsistent						
Notes:												
¹ Proposed new zone districts: CH - Highway Commercial; NS - Neighborhood Service; IR - Resource Industrial; and FR - Forest Resource												
² Zone district intensity/density of permitted uses within acceptable range of land use designation												
³ Zone district intensity/density of permitted uses below the acceptable range of land use designation												
• See table below for land use designations and zoning districts												

LAND USE DESIGNATIONS AND ZONING DISTRICTS			
Land Use Designations		Zone Districts, Continued	
MFR	Multifamily Residential	RA-20	Residential Agricultural Twenty-acre
HDR	High-Density Residential	RA-40	Residential Agricultural Forty-acre
MDR	Medium-Density Residential	NS	Neighborhood Commercial
LDR	Low-Density Residential	CH	Highway Commercial
RR	Rural Residential	C	Commercial
AL	Agricultural Lands	CPO	Professional Office Commercial
NR	Natural Resource	CP	Planned Commercial
C	Commercial	CG	General Commercial
R&D	Research & Development	R&D	Research and Development
I	Industrial	I	Industrial
OS	Open Space	IR	Resource Industrial
TR	Tourist Recreational	A	Agricultural
Zone Districts		SA-10	Select Agricultural
RM	Multifamily Residential	PA	Planned Agricultural
R2	Limited Multifamily Residential	AE	Exclusive Agricultural
MP	Mobile Home Park	TPZ	Timberland Preserve Zone
R1	One-family Residential	MR	Mineral Resources
R20,000	One-half Acre Residential	RF	Recreational Facilities
R1A	One-acre Residential	RT	Tourist Residential
R2A	Single-family Two-acre Residential	CN	Conservation
R3A	Single-family Three-acre Residential	OS	Open Space
RE-5	Estate Residential Five-acre	TC	Transportation Corridor
RE-10	Estate Residential Ten-acre		

(Zone Districts continued in next column)

OBJECTIVE 2.2.2: OVERLAY LAND USE DESIGNATIONS

Establishment of overlay designations to provide additional direction for the development of land where circumstances apply generally to the lands regardless of the underlying land use designations.

Policy 2.2.2.1 The following General Plan overlay designations are included:

- A. Agricultural Districts
- B. Platted Lands
- C. Ecological Preserve