



Agricultural Commission Staff Report

Date: September 4, 2018
To: El Dorado County Agricultural Commission
From: LeeAnne Mila; Deputy Agricultural Commissioner
Subject: **Farnham Rezone
Project File No. Z18-0006**

Planning Request and Project Description:

Planning Services is processing the attached application for a new rezone and requests the project be placed on the Agricultural Commission's Agenda. The applicants are requesting the following:

Z18-0006 is based on the following project description: Rezone for two parcels ranging in size from 80 acres to 174 acres, APNs 040-050-01 and 095-070-09. The parcels have a zoning designation of Rural Lands 160-Acres (RL-160) and a General Plan Designation of Natural Resource (NR). The proposed rezone would change the zoning designation of all parcels to Timber Production Zone (TPZ). The parcels are located in the South County/ Mt. Aukum area. Supervisor District II

Parcel Description:

- Parcel Number and Acreage: 095-070-09 = 80 acres, 040-050-01= 174 acres
- Agricultural District: No
- Land Use Designation: NR – Natural Resources
- Zoning: RL-160, Rural Land 160 Acres

Discussion:

A site visit was conducted on August 21, to assess compliance with all relevant policies in regard to the proposed zoning change. Findings are below.

Relevant Policies:

General Plan Policies:

General Plan Policy 2.2.1.2 – This project is consistent with this General Plan Policy regarding land use designations. Rezoning of these parcels to Timber Production Zone is consistent with the land use designation of Natural Resources.

Natural Resource (NR): The purpose of the Natural Resource (NR) designation is to identify areas that contain economically viable natural resources and to protect the economic viability of those resources and those engaged in harvesting/processing of those resources including water resources development from interests that are in opposition to the managed conservation and economic, beneficial use of those resources. The important natural resources of the County include forested areas, mineral resources, important watershed, lakes and ponds, river corridors, grazing lands, and areas where the encroachment of development would compromise these natural resource values. Land under both public and private ownership that contain these resources, including wilderness areas and other lands managed for resource values and multiple use, are included in this category. This designation shall be applied to those lands which are 40 acres or larger in size and contain one or more important natural resource. Compatible uses on private land may include agriculture, rangeland, forestry, wildlife management, recreation, water resources development, and support single-family dwellings. The maximum allowable density for this designation is one dwelling unit per 160 acres or larger outside the National Forest Service lands and within “timber production” areas and one dwelling unit per 40 acres within river canyons outside of the “timber production” areas. This designation is considered appropriate only in the Rural Regions. Isolated parcels outside the National Forest Service lands and below 3,000 feet elevation may be exempt from the one dwelling unit per 160 acre parcel size. If it is determined that such lands are unsuitable for “timber production,” one dwelling unit per 40 acres maximum density can be considered. Any modifications of this land use designation shall require one of the following findings: (1) No important natural resource exists on the property; or (2) If a project is proposed, it will significantly enhance the long-term production and preservation of the on-site resources through the application of development strategies such as fuels management plans, timber management plans, self imposed setbacks buffers, and open space. *Land Use Element El Dorado County General Plan Page 18 (Amended December 2015)*

General Plan Policy 8.3.1.3 – This project is consistent with this General Plan Policy

The County Agricultural Commission shall assess lands to determine their suitability for timber production. Lands considered suitable for timber production shall be based on the following criteria:

A. Lands designated Natural Resource (NR) on the General Plan land use map or lands zoned Timber Production Zone (TPZ);

These parcels are designated Natural Resource (NR) on the General Plan land use map

B. Soils identified as El Dorado County “choice” timber production soils which shall consist of soils found on Timber Site Classifications I, II, or III as defined in the California Forest Handbook and the Soil Survey of El Dorado Area issued April 1974 by the USDA Soil Conservation Service and the U.S. Forest Service;

The majority of these lands have been designated as Class I timber lands. A small portion is classified as Class II and III.

C. Lands used for commercial forestry/timber production;

These lands are being used for commercial timber production

D. Lands that possess topographical and other features that make them suitable for timber production;

The lands possess topographical and other features well suited for timber production. The land has been in the family since the early 1860’s. The project sites have a historic cutting cycle of about 20 to 30 years, with the last salvage harvest occurring in the 2017. A choose-and-cut Christmas tree operation was started in the 1960’s and is still in operation at this time.

E. Low development densities in vicinity.

The parcels are surrounded on all sides by similarly sized parcels zoned TPZ.

Zoning Policies:

130.21 – This project is consistent with this chapter of the zoning ordinance.

The subject parcels are currently zoned Forest Resource 160-Acres (FR-160) and would be rezoned to Timber Production Zone (TPZ) with approval of the project. The project has been analyzed in accordance with Zoning Ordinance Section 130.21.030 (Development Standards) for minimum lot size, widths and building setbacks.

Properties zoned TPZ have a minimum lot size of 160 acres, with a minimum lot frontage of 200 feet. As such these parcels are being

analyzed cumulatively. The project would conform with the development standards of the TPZ zoning designation.

Timber Production (TPZ). The TPZ, Timber Production Zone, is applied to identify and regulate lands subject to the Forest Taxation Reform Act of 1976 (California Government Code Section 51110, et seq.). Criteria for establishing a TPZ is located in Section **130.40.350** (Timber Production Zone: Criteria, Regulations, and Zone Change Requirements).

130.40.350 – D.1, D.2, D.3 and E. This project is consistent with this chapter of the zoning ordinance

Timber Production Zone: Criteria, Regulations, and Zone Change Requirements

D. TPZ Rezone Application Requirements. In addition to the requirements set forth in Chapter 130.63 (Amendments and Zone Changes), the following is required as part of any zone change to TPZ:

1. Timber Production Assessment. Based on General Plan Policy 8.3.1.3, the **Ag Commission** shall assess property to determine its suitability for timber production. Their decision as to suitability shall be based, in part, on the following findings:

a. Property is identified as meeting Timber Site Classifications I, II, or III, as defined in the *California Forest Handbook* and the *Soil Survey of El Dorado Area* issued April 1974 by the USDA Soil Conservation Service and the U.S. Forest Service;

The timberlands included in the rezone application have been identified as timber site Class I, II, and III in previous timber harvest plans. The properties are capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre as defined in California Government Code 51104(f)

b. Property is being used for commercial forestry/timber production;

The past and current management objective is the sustained yield of commercial forest products and other compatible uses (grazing – recreation). The landowner in the past has been assisted by Wetsel-Oviate Lumber Company and now uses a forestry consultant to advise and write timber harvest plans.

c. Property possesses topographical and other features that makes it suitable for timber production;

The topography, soil composition, and climate associated with these timberlands makes them well suited for commercial forest management.

d. No conflict exists with adjacent high density development.

No known compatible use conflicts currently exist. This is a forested area east of Mt. Aukum. All parcels surrounding the applicants lands are zoned TPZ.

2. Forest Management Plan. A forest management plan for the property shall be submitted that has been prepared or approved by a Registered Professional Forester, as defined in Article 8 (Glossary: See "Qualified Professional: Registered Professional Forester"). Prior to approval of the zone change application, the forest management plan shall be reviewed and approved by the Ag Commission. The forest management plan shall include, at a minimum, a discussion and recommendation on each of the following:

a. Commercial harvesting, a history of past operations, and recommendations for the future;

These timberlands have been under the ownership of the Farnham Family for more than 100 years. The first Farnham came to California in the 1850's and a short time later entered into the sawmill business in Fiddletown, California. Lumber from the Applicants lands supplied their lumber yard in Plymouth, California. During this period housing was constructed and families lived on the eastern parcel until the late 1940's. No permanent housing is located on the parcels at this time. A choose and cut Christmas tree operation was started in the 1960's and is still in operation at this time.

Since the late 1970's three timber harvest plans and one salvage harvest plan (2017) were written by the Farnham's family forester. Inventory of standing timber, growth rate, and stocking level was conducted in the spring of 2018 in conjunction with preparing another timber harvest plan.

Future harvest cycles should continue at 20 to 30 year periods to encourage optimum growth rates in residual timber stands. Harvesting will scarify the ground to facilitate adequate regeneration.

b. Provisions for legal and physical access to the property so commercial operations can be carried out;

There are no legal or physical access issues associated with these properties. They are accessed at the end of Farnham Ridge Road (El Dorado County Road). Farnham Ridge Road has a long history of commercial timber hauling.

c. A reasonable attempt to locate the boundaries of the property and attempts to protect the property against trespass;

The property corners have been set by licensed land surveyors and most of the property lines have been fenced. Prior to timber harvest operations, cutting boundaries are established and adjacent landowners are contacted to review boundary lines. The owner has posted "No Trespassing" signs and inspects their property many times during the year for trespassing. There are locked gates at access points to the property.

d. Disease or insect control work;

The owner and/or his forester periodically checks the properties for insect activities and/or disease problems. If significant problems are detected, salvage operations are implemented (insect salvage 2017). Generally, insect and disease problems can be reduced by conducting periodic harvest which provides stocking control and improves forest health.

e. Thinning slash disposal, pruning, and other appropriate silvicultural work;

Silvicultural treatments are evaluated during harvest plan preparation. Proper spacing of trees is achieved by designating harvest trees. Priority for harvest are damaged, diseased, and other poorly growing trees. Removing these trees reduces the fuel loading and fire danger. Concentrations of slash are burned.

f. A fire protection plan including a fuels management program;

No fire protection plan has been developed for these properties or is known to be required by the California Forest Practice Rules or other government regulations. The properties are accessed by private gated roads that are in good condition. The owner has developed

ponds (water holes) for dust abatement on roads and potential use during wildland fire fighting. Only authorized fire wood cutting, camping, Christmas tree cutting, and other recreational activities are permitted which reduces the level of risk normally associated with human caused wildland fires.

During the development of a timber harvest plan fuels are evaluated and prescriptions are prepared. Licensed timber operators and other contractors participating in timber harvesting or other forest management activities are required to comply with all governmental regulations related to fire prevention and safety. The nearest fulltime fire department is 13.1 miles from the properties and is Pioneer Fire Station #38 on Road E-16. A volunteer department station is located at the intersection of E-16 and Omo Ranch Road (Pioneer Fire Station #30, located in Amador County at River Pines. All of the timberlands are located within Cal Fire state responsibility area.

g. Erosion control on existing roads and skid trails along with maintenance of existing roads

The owner's property has a well-maintained road system that is a mix of native soil and rock. The culverts have handled all major storms and roads are well drained. Roads on the properties receive relatively little vehicle traffic except during harvest operations. Skid trails and logging road erosion control is mostly accomplished at the time of harvesting which are in compliance with the standards established by the California Forest Practice Rules. The owner performs additional road maintenance each year in conjunction with the choose-and-cut Christmas tree sales operation.

h. Planting of a significant portion of the understocked areas of the land.

There are currently several small openings in the northeast portion of the properties that are understocked after a salvage operation in 2017. These openings shall be monitored to see if natural seeding will restock these areas. Areas not restocked by natural regeneration within 3 years will be planted. Planting shall meet the stocking standards of the California Forest Practice Rules.

3. The property shall currently meet the timber stocking standards as set forth in the California Public Resources Code Section 4561 and the forest practice rules adopted by the State Board of Forestry for the district in which the property is located. As an alternative, the owner shall sign an agreement with the Board to meet the timber

stocking standards and forest practice rules by the fifth anniversary of the signing of said agreement. After the zone change to TPZ is approved, failure to meet the state's timber stocking standards and forest practice rules within the five year time period will provide the Board grounds for rescinding the zone change of the property.

These timberlands currently meet the stocking standards established by the California Forest Practice Rules and California Public Resources Code 4561.

E. Continued Eligibility. The property owner shall continuously comply with at least six of the criteria in the forest management plan required under Subsection D.2 (Forest Management Plan) above, in order to continue to be eligible for the TPZ classification. ***Specific Use Regulations Title 130 - Article 4 El Dorado County Zoning Ordinance (Adopted 12/15/2015) Page 239***

Staff Recommendation:

The proposed rezone would change current zoning of the properties from Forest Resource 160-Acres (FR-160) to Timber Production Zone (TPZ), which is consistent with the Natural Resource General Plan Land Use Designation. No physical change or impacts would be associated with the rezone. Staff has determined that the proposed project is consistent with the TPZ zone, as well as other applicable El Dorado County Zoning Ordinance requirements and General Plan policies and recommends support of the rezone.



AGRICULTURAL COMMISSION

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Placerville, CA 95667
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(530) 626-4756
eldcag@edcgov.us

Greg Boeger, Chair – Agricultural Processing Industry
Dave Bolster, Vice-chair – Fruit and Nut Farming Industry
Lloyd Walker- Other Agricultural Interest
Chuck Bacchi – Livestock Industry
Bill Draper – Forestry/Related Industries
Ron Mansfield – Fruit and Nut Farming Industry

MEETING NOTIFICATION

The El Dorado County Agricultural Commission has been requested to review a project application for a parcel that is located in the proximity of your property. It is the customary business practice for this Commission to notify all parcels located within 500 feet of the subject parcel's boundary lines. *Please note that the requested project may or may not affect your property.*

The project listed below will be heard by the El Dorado County Agricultural Commission on **September 12, 2018**. This meeting is a public hearing that will begin at **6:30 pm** in the **Building A Board of Supervisors Hearing Room** 330 Fair Lane, Placerville, California.

**RE: Farnham Rezone
Project File No. Z18-0006
Planner: Aaron Mount Senior Planner**

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The Agricultural Commission is an *advisory* body to and for the Board of Supervisors and Planning Commission on all matters pertaining to agriculture. The Agricultural Commission reviews and makes recommendations only on the **agricultural element** of the project. ***Please note that the exception to this is a "Request for Administrative Relief from an Agricultural Setback" which is processed solely through the El Dorado County Department of Agriculture with the Agricultural Commission's decision being able to be appealed to the El Dorado County Board of Supervisors.*

All interested parties for the above-mentioned project are encouraged to attend this meeting. Public testimony will be received on each agenda item as it is called. Individual comments are limited to 3 minutes; and individuals representing a group are allocated 5 minutes.

If you wish to view the meeting agenda in its entirety, please go to following website: <https://eldorado.legistar.com/Calendar.aspx>. The agenda is also posted in the lobby of the Bethell-Delfino Agriculture Building located at 311 Fair Lane, Placerville, California. A copy of the project's submitted documents may also be reviewed at this location.

If you have any questions regarding this meeting, please contact the Clerk to the Agricultural Commission at (530) 621-5520. All questions relating to specific details of the project should be addressed to the Planner identified above at Planning Services, (530) 621-5355.



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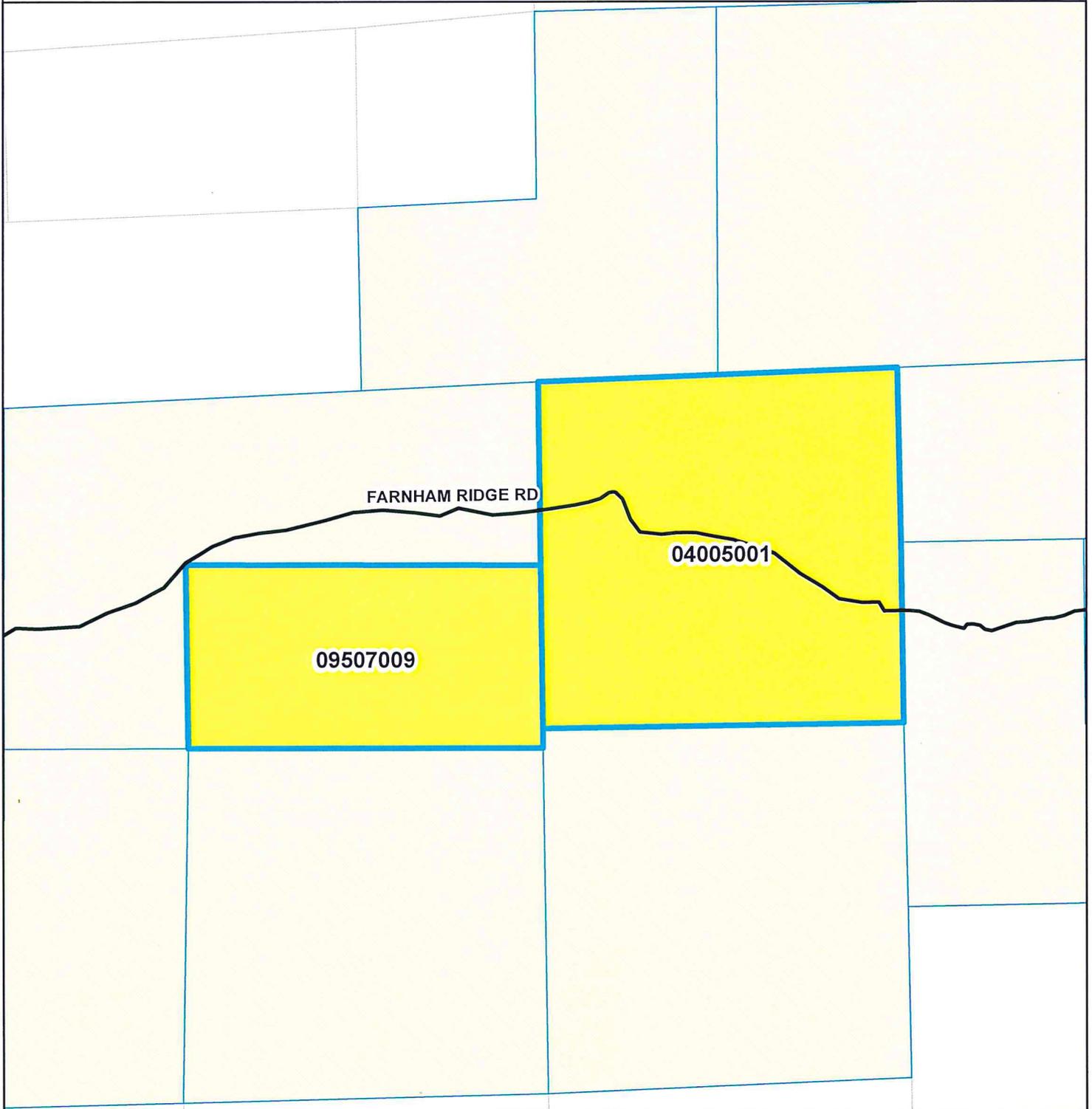
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FARNHAM Notification



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MAP PREPARED BY: Frank Brujin DATE: August 22, 2018
PROJECT ID: 00725180
EL DORADO COUNTY SURVEYOR G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731

-  Farnham Parcels
-  Parcels Within 500ft
-  Parcel Base
-  Roads



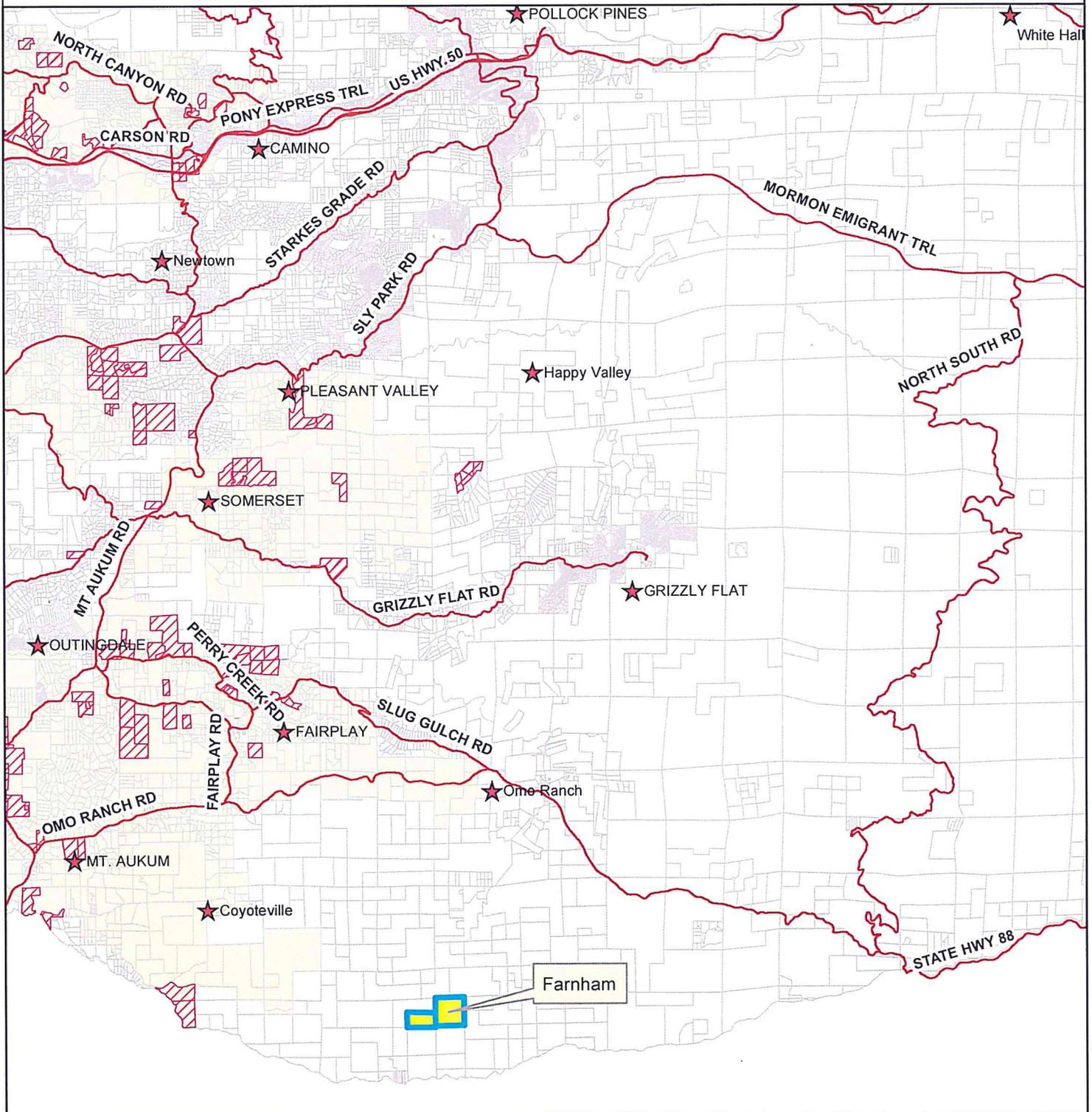
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El Dorado County Agricultural Commission

FARNHAM

Proximity to Agricultural District



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MAP PREPARED BY: Frank Bruijn DATE: August 22, 2018
PROJECT ID: 0075518p

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- Farnham Parcels
- Ag District
- Ag Preserves
- Parcel Base
- Major Roads



Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

FARNHAM

Land Use 7-10-2018



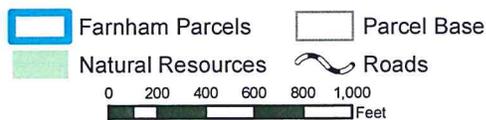
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MAP PREPARED BY: Frank Brujin DATE: August 22, 2018

PROJECT ID: 0073518L

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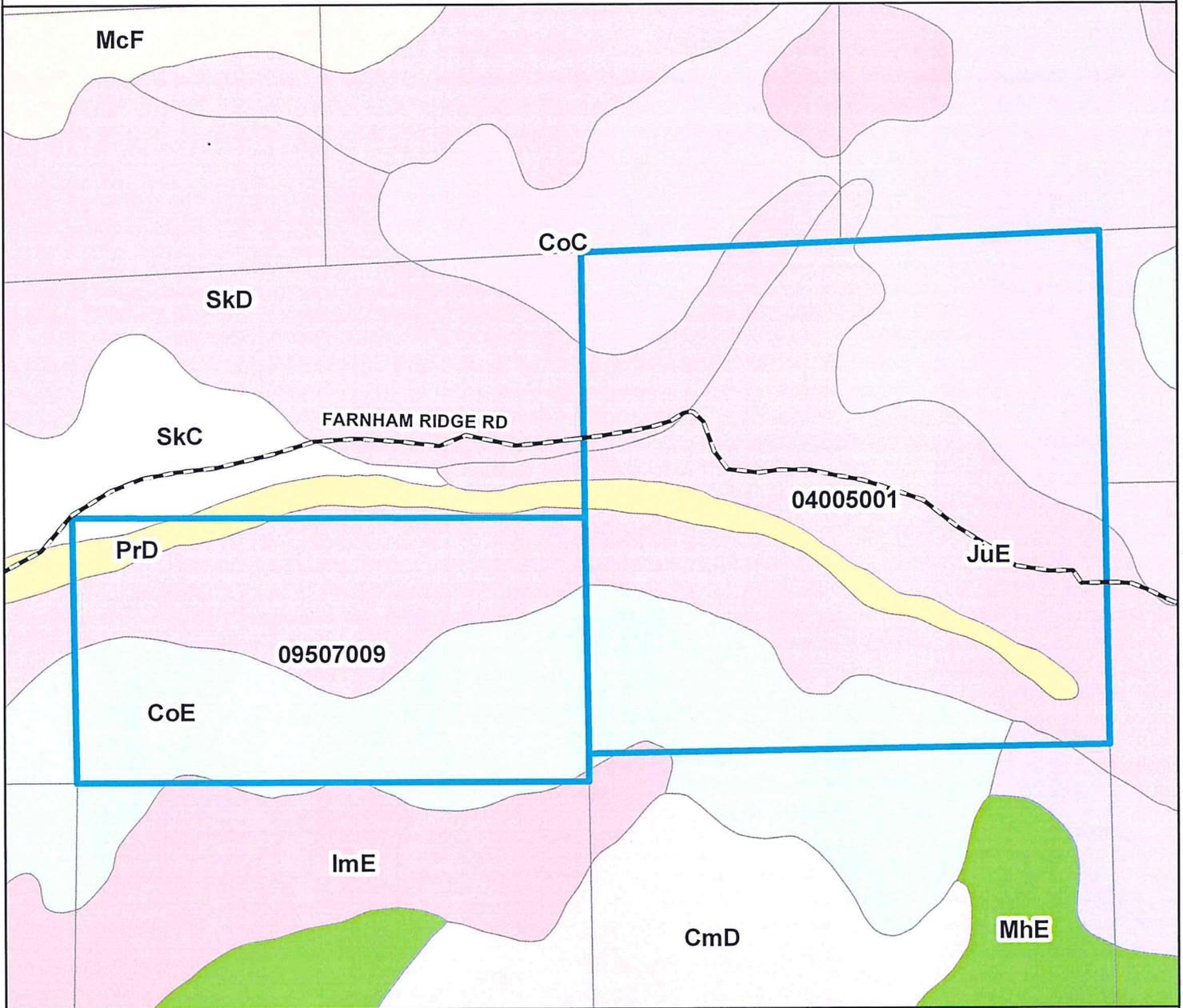
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El Dorado County Agricultural Commission

FARNHAM

Soils



- Farnham Parcels
- CmD -COHASSET LOAM, 15 TO 30 PERCENT SLOPES
- CoC -COHASSET COBBLY LOAM, 3 TO 15 PERCENT SLOPES
- CoE -COHASSET COBBLY LOAM, 15 TO 50 PERCENT SLOPES
- CrE -CROZIER COBBLY LOAM, 9 TO 50 PERCENT SLOPES
- ImE -IRON MOUNTAIN VERY ROCKY SANDY LOAM, 3 TO 50 PERCENT SLOPES
- JuE -JOSEPHINE VERY ROCKY SILT LOAM, 9 TO 50 PERCENT SLOPES
- McF -MARIPOSA-JOSEPHINE VERY ROCKY LOAMS, 50 TO 70 PERCENT SLOPES
- MhE -MCCARTHY COBBLY LOAM, 9 TO 50 PERCENT SLOPES
- PrD -PLACER DIGGINGS
- SkC -SITES LOAM, 9 TO 15 PERCENT SLOPES
- SkD -SITES LOAM, 15 TO 30 PERCENT SLOPES
- Parcel Base
- Roads

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MAP PREPARED BY: Frank Bruijn DATE: August 22, 2018

PROJECT ID: 00755184

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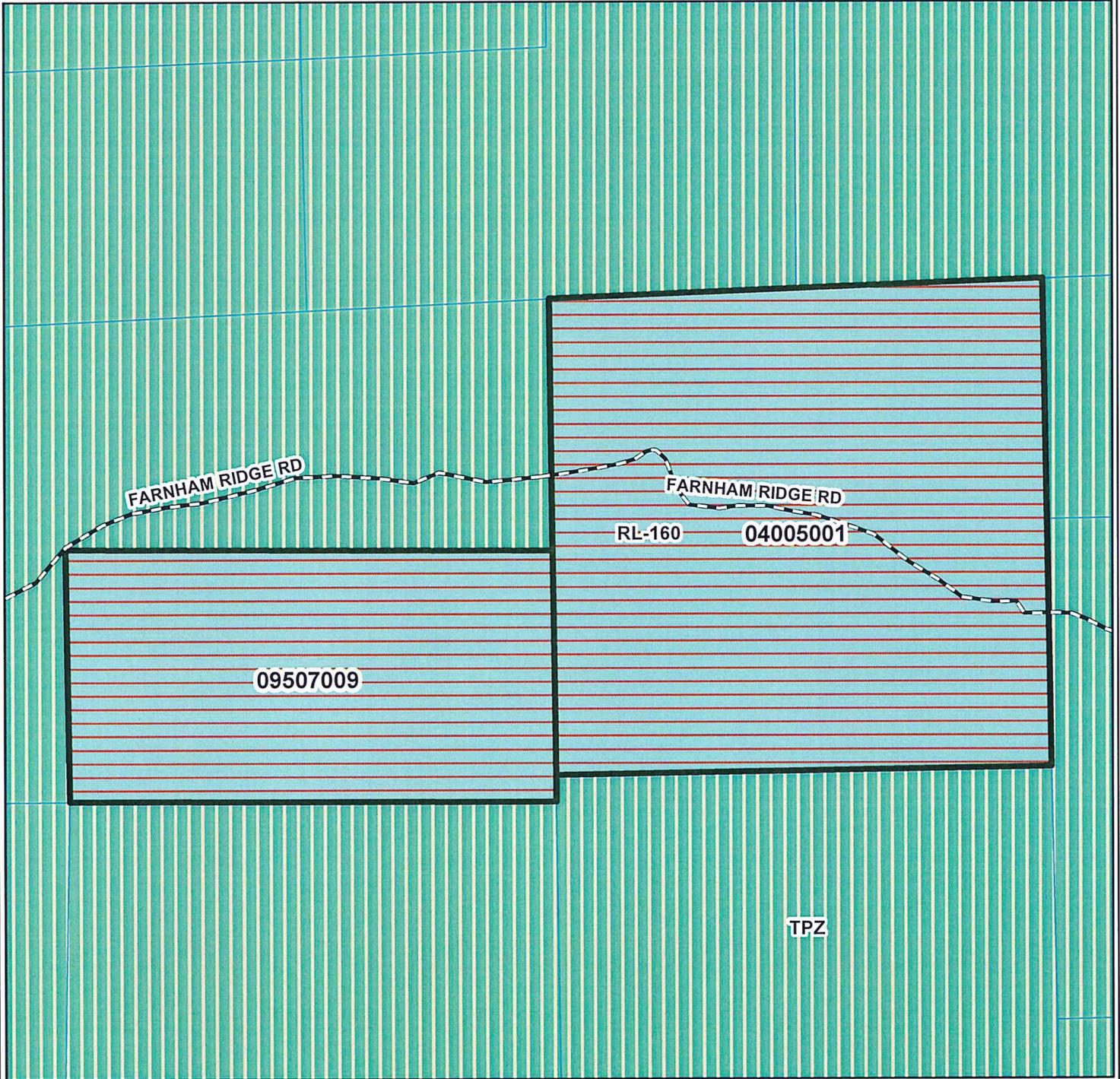


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(NAD 1983 California Zone 2, feet)

El Dorado County Agricultural Commission

FARNHAM

Zoning 7-10-2017



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MAP PREPARED BY: Frank Bruijn DATE: August 22, 2018
PROJECT ID: 6073518z

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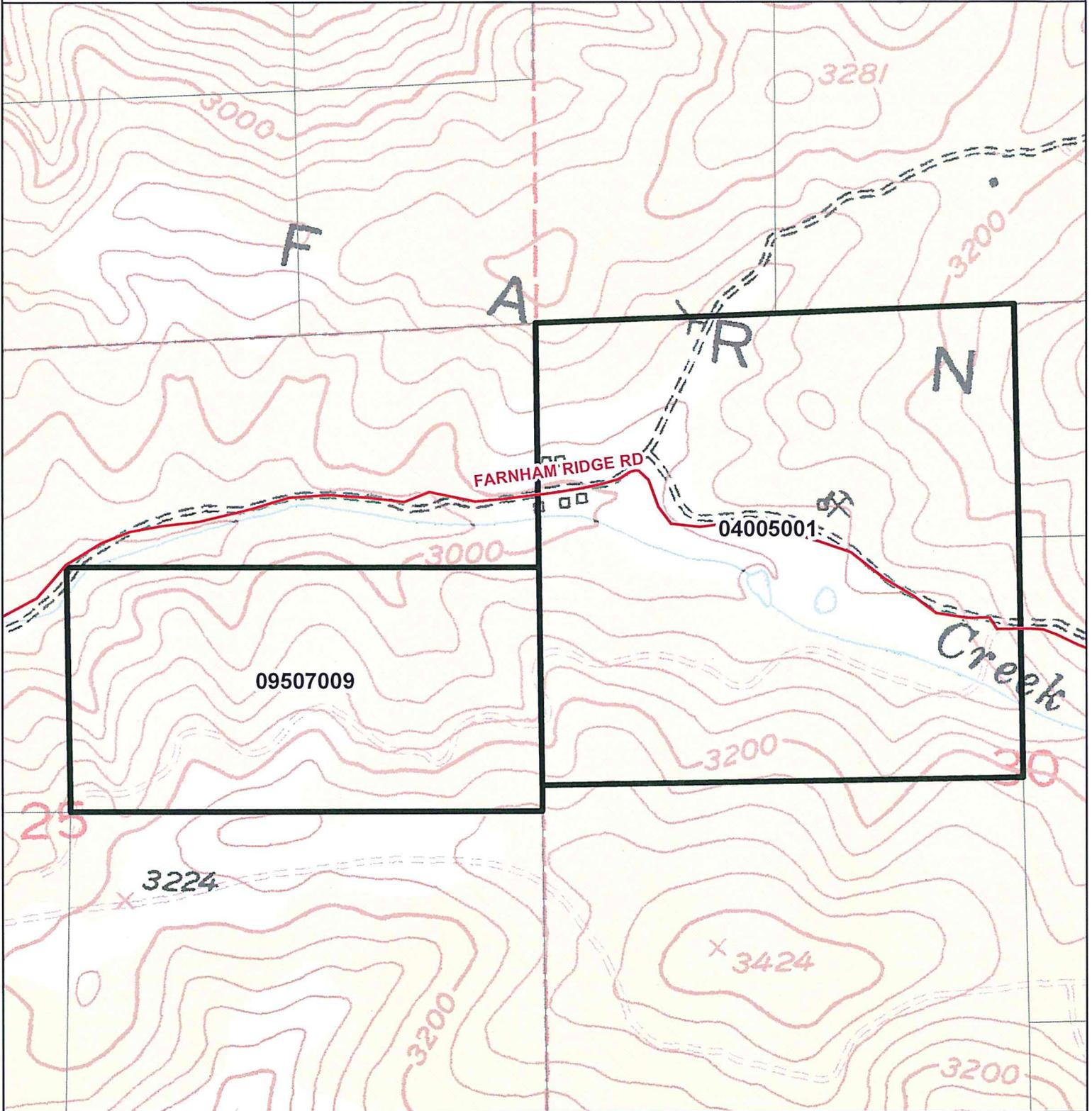
-  Farnham Parcels
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0 400 800 Feet
Map Displayed in State Plane Coordinate System
(NAD 1983 California Zone 2, feet)

El Dorado County Agricultural Commission

FARNHAM Topography



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MAP PREPARED BY: Frank Bruijn DATE: August 22, 2018

PROJECT ID: 00735181

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Legend

- Farnham Parcels
- Parcels
- ~ Roads



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El Dorado County Agricultural Commission

FARNHAM

Aerials: 2011



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MAP PREPARED BY: Frank Brujin DATE: August 22, 2018

PROJECT ID: 0075518a

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Legend

-  Farnham Parcels
-  Parcel Base
-  Roads



Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission