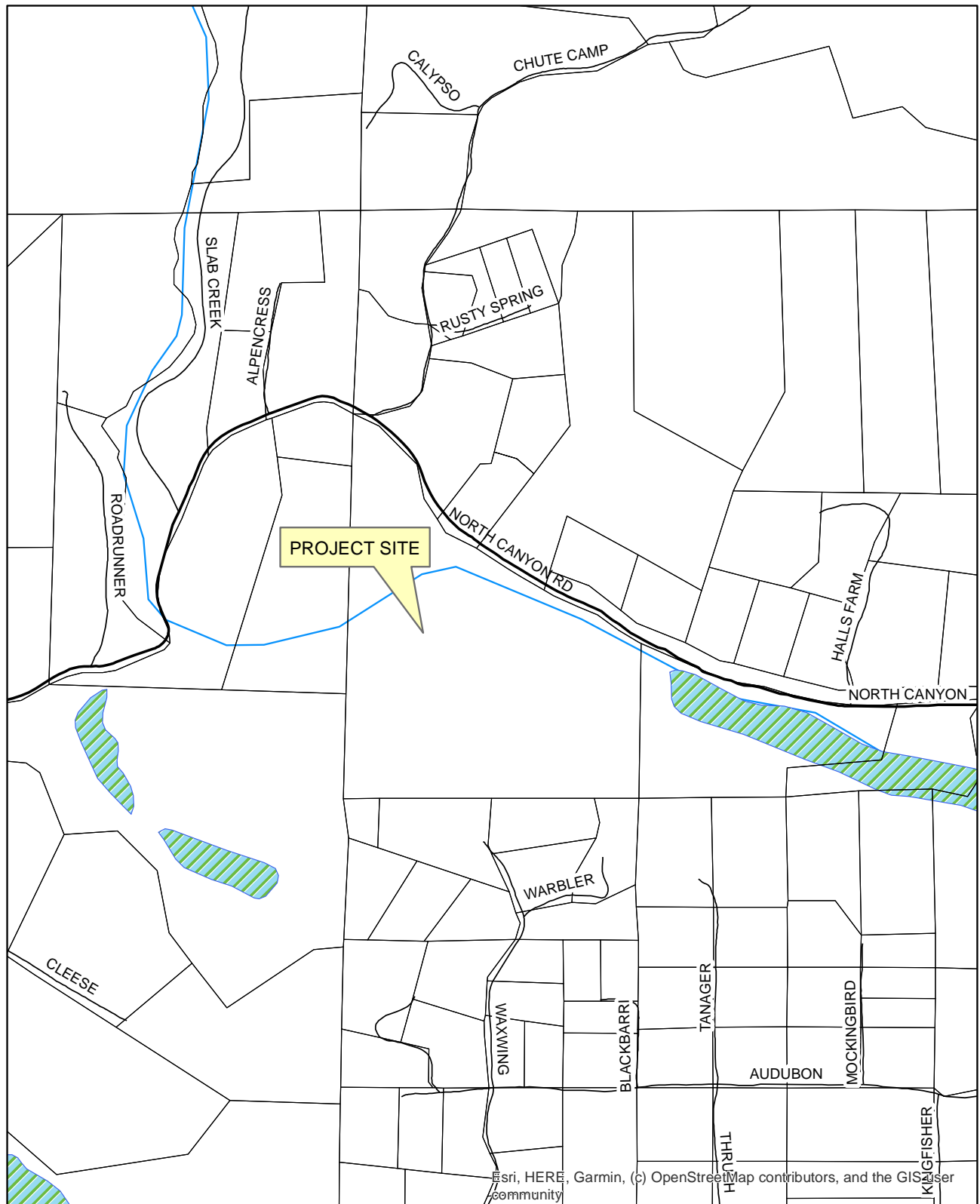


Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT A - LOCATION MAP



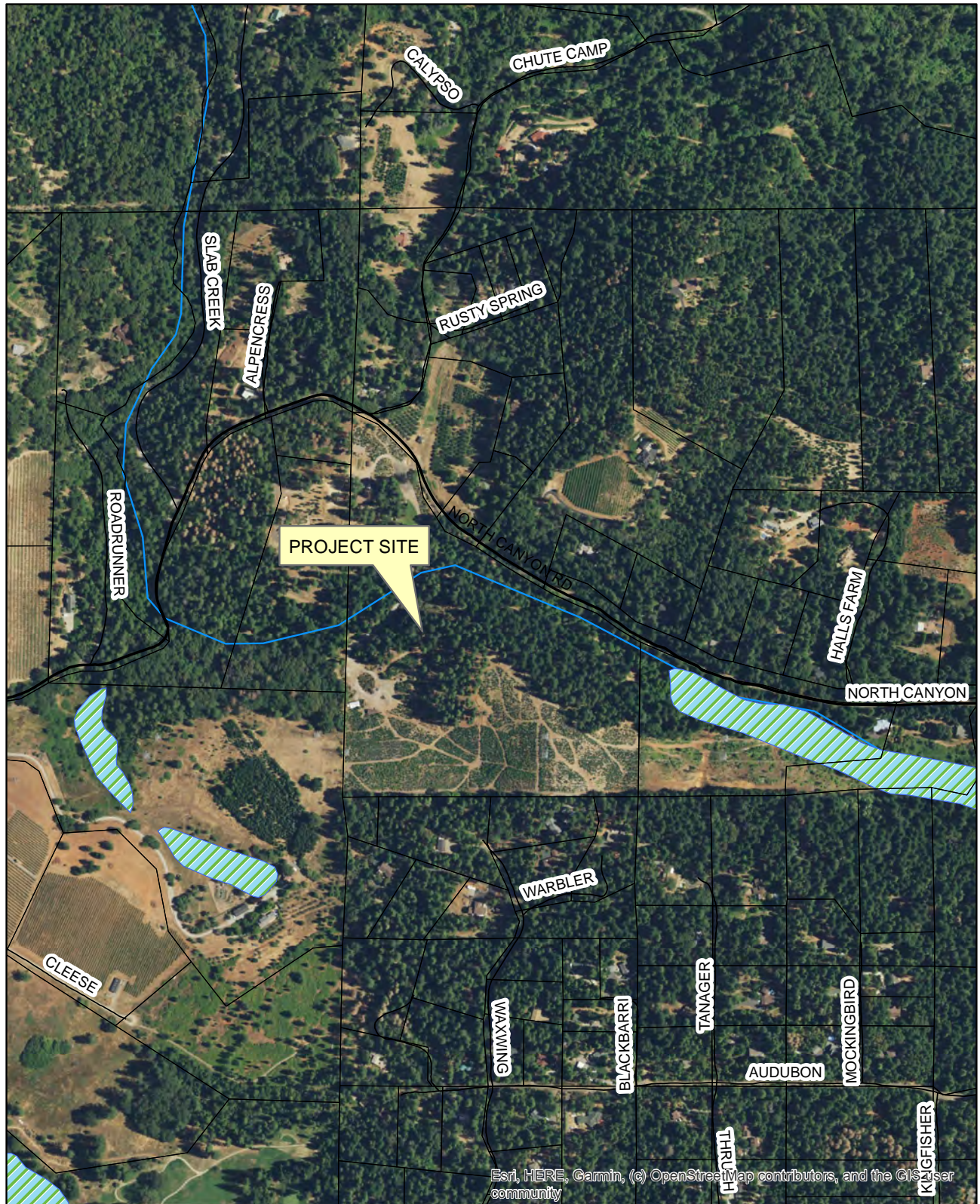
0 185 370 740 1,110 1,480
Feet

Scale

N



Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT B - AERIAL MAP



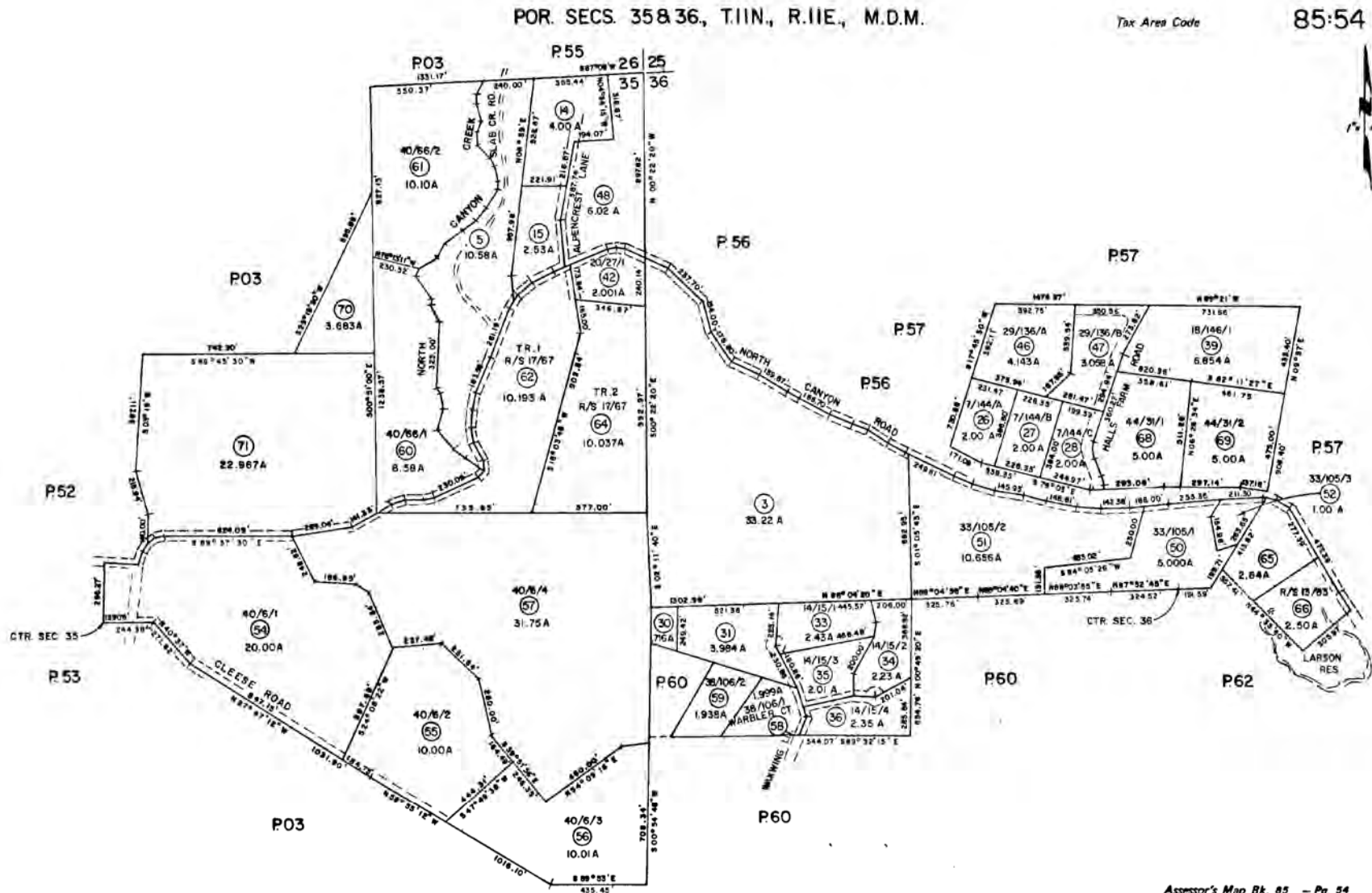
0 185 370 740 1,110 1,480
Feet

Scale

N



**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT C - ASSESSOR'S PARCEL PAGE**



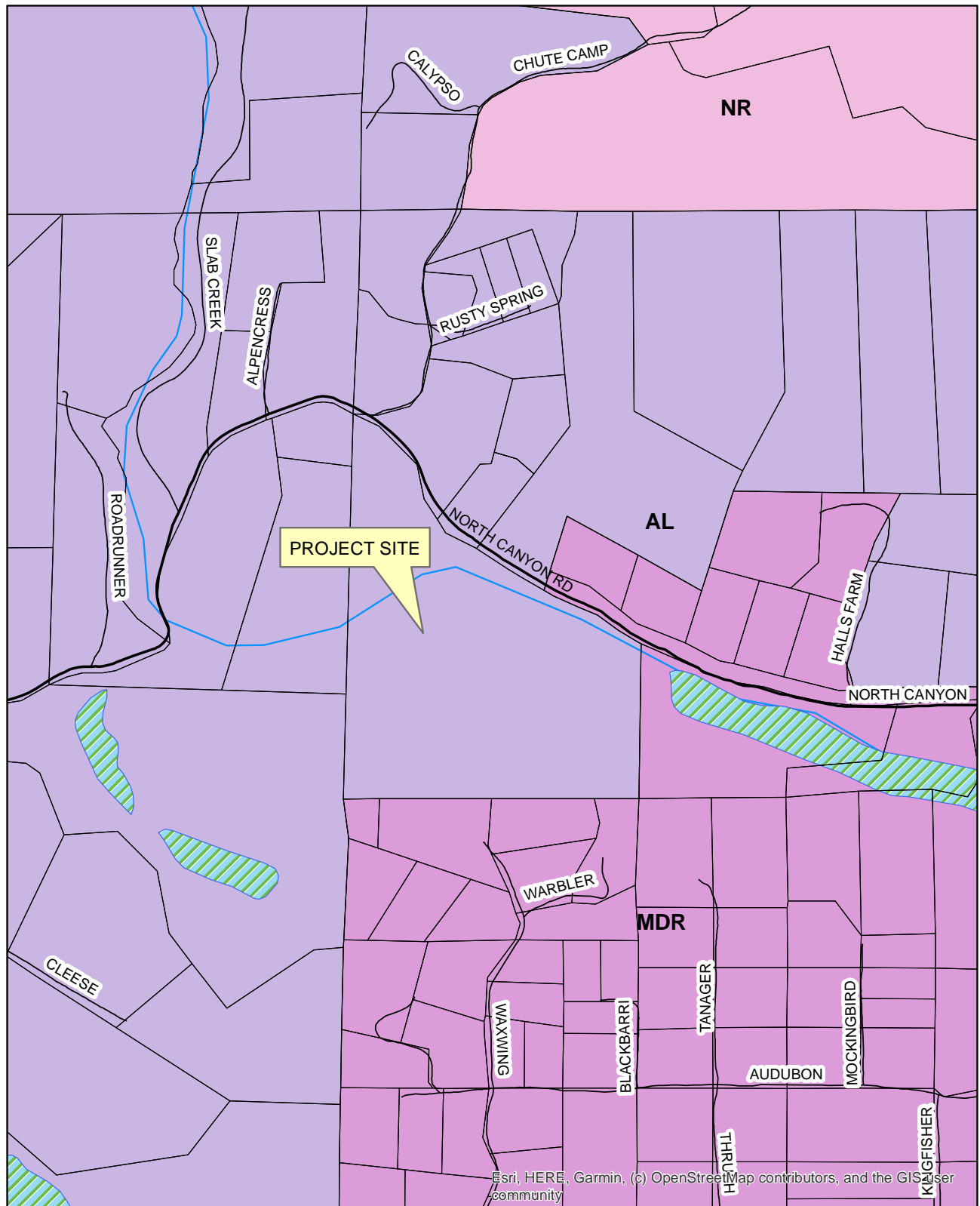
THIS MAP IS NOT A SURVEY. It is prepared by the El Dorado Co. Assessor's office for assessment purposes only.

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 85 - Pg. 54
County of El Dorado, California

SEP 1 8 2005

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT D - GENERAL PLAN LAND USE MAP



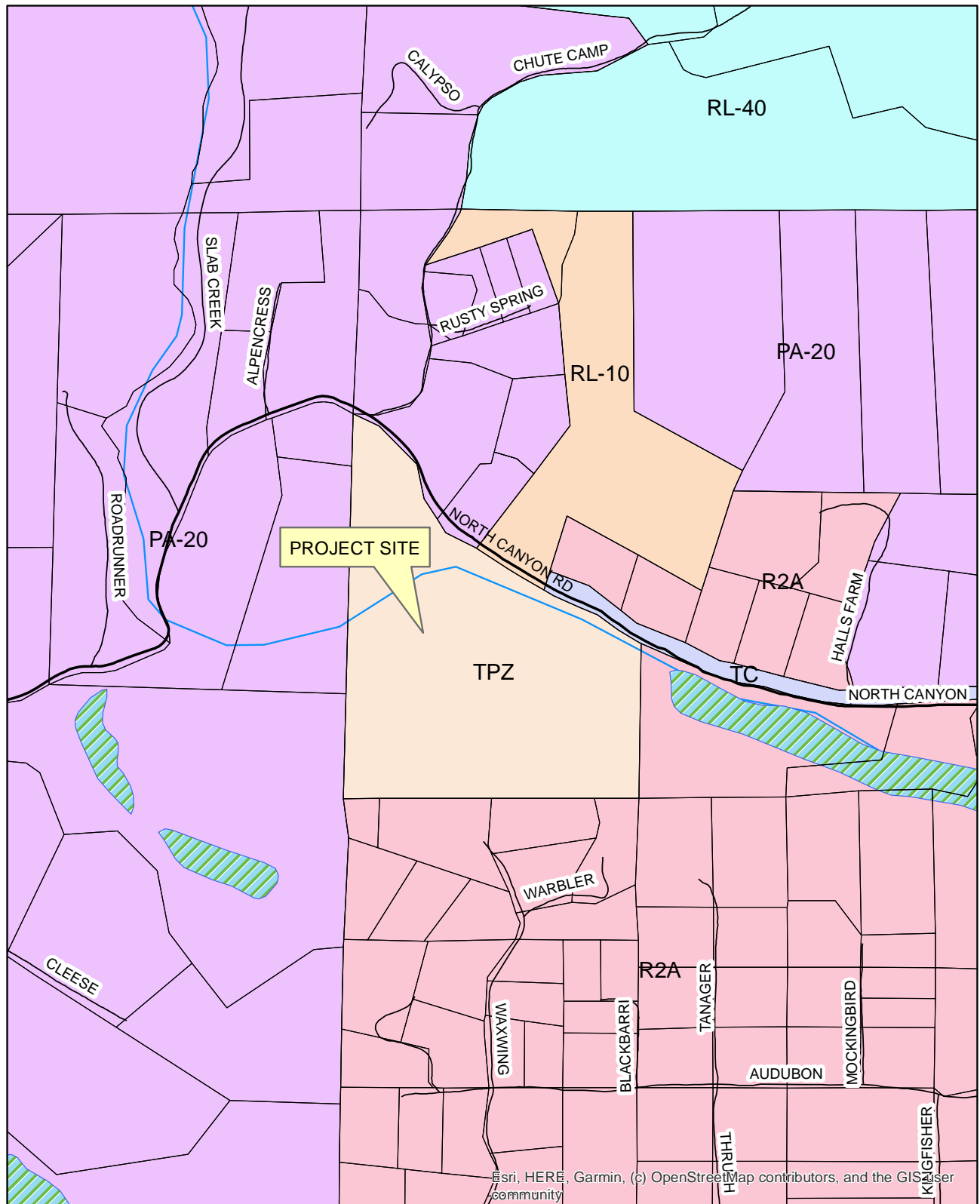
0 185 370 740 1,110 1,480
Feet

Scale

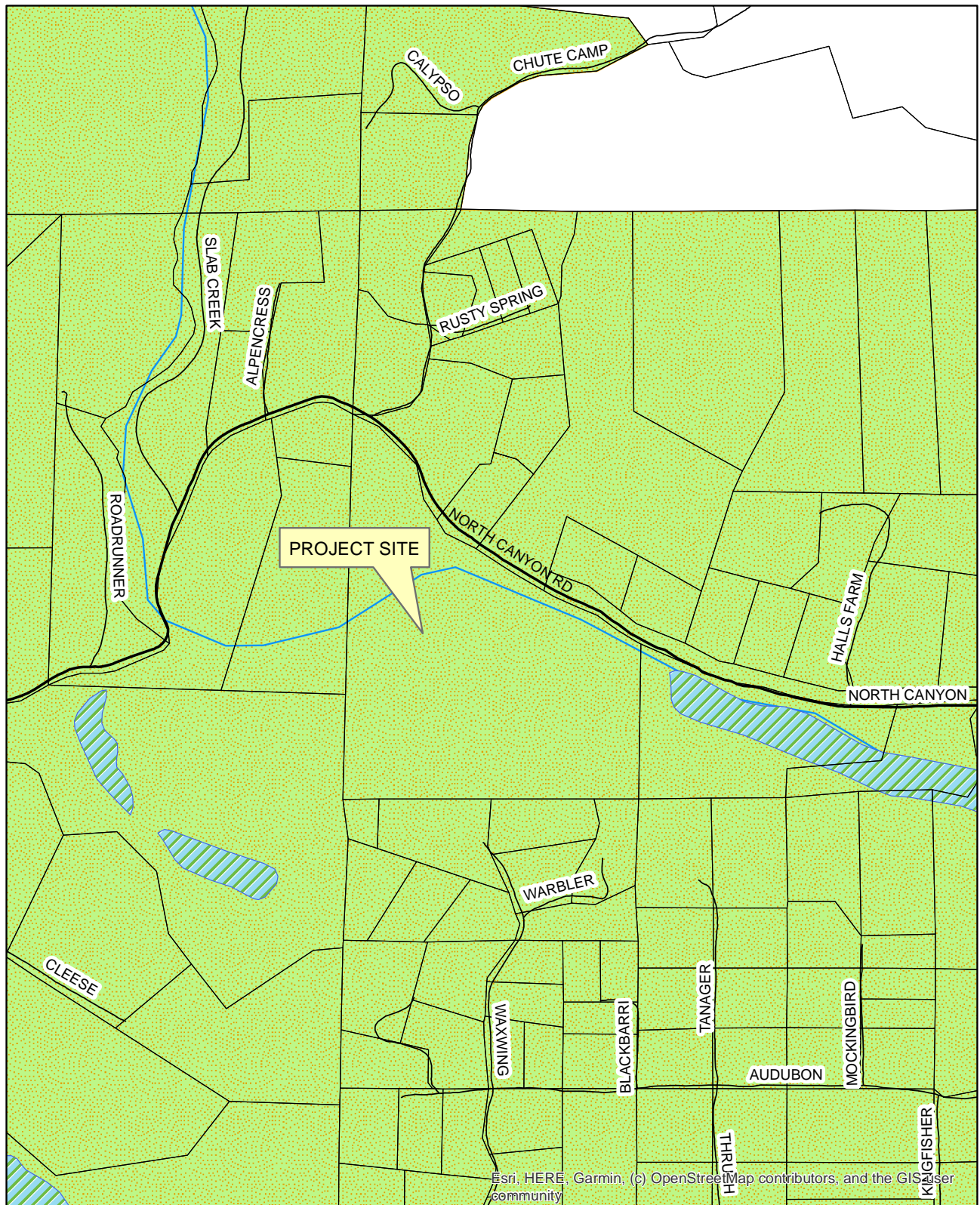
N



Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT E - ZONING MAP (CURRENT)



Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT F - AGRICULTURAL DISTRICT BOUNDARY MAP

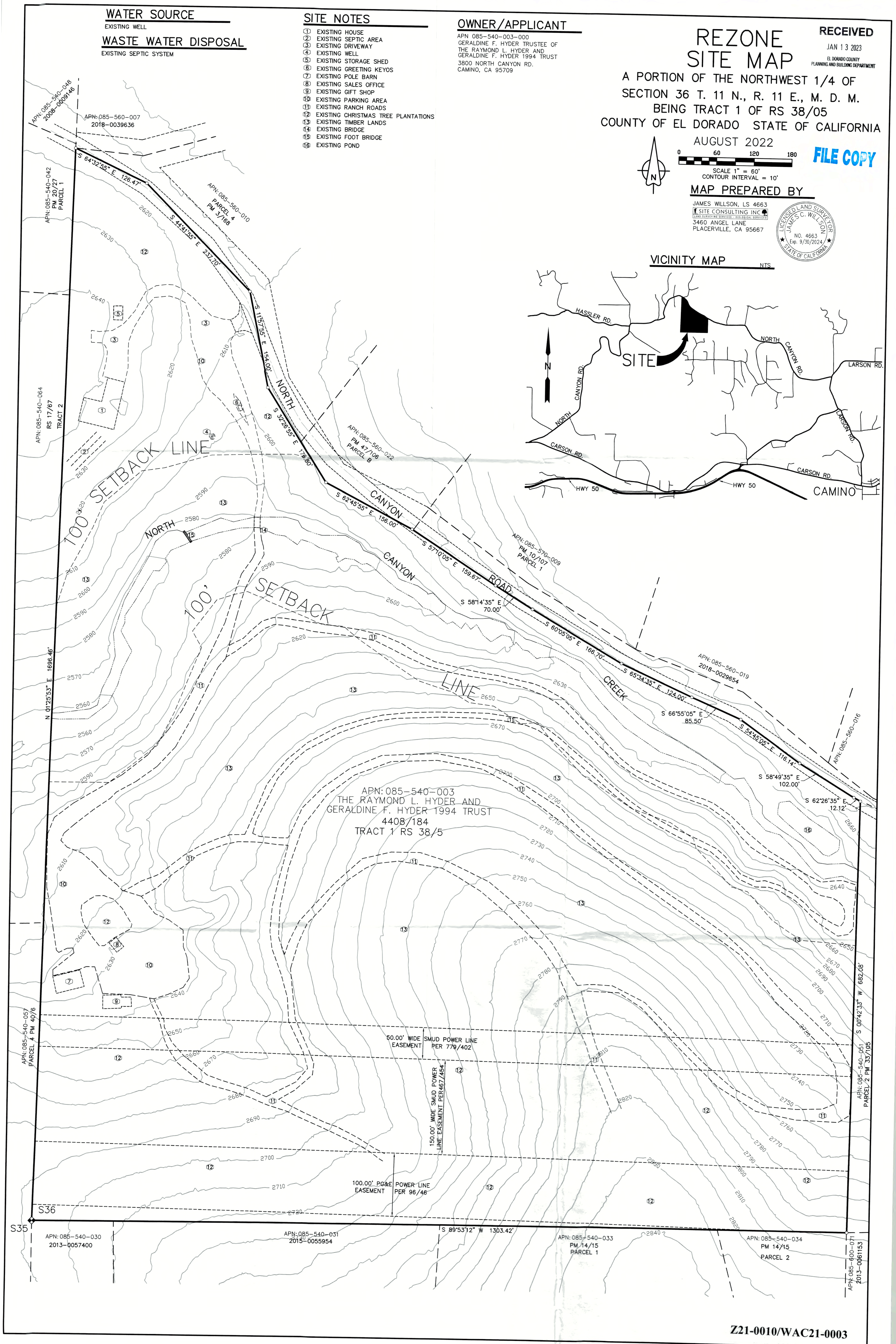


0 185 370 740 1,110 1,480
Feet

Scale

N





**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**



FILE # _____

**EL DORADO COUNTY PLANNING SERVICES
ZONE CHANGE & GENERAL PLAN AMENDMENT APPLICATION**

ASSESSOR'S PARCEL NO.(S) 085 540 003 000

PROJECT NAME/REQUEST: (Describe proposed use) _____

Zone Change from TPZ to WAct, Planned AG

IF SUBDIVISION/PARCEL MAP: Create _____ lots, ranging in size from _____ to _____ acre(s) / SF

IF ZONE CHANGE: From TPZ to PA IF GENERAL PLAN AMENDMENT: From _____ to _____

IF TIME EXTENSION, REVISION, CORRECTION: Original approval date _____ Expiration date _____

APPLICANT/AGENT The Raymond & Hyder & Geraldine F. Hyder 1994 Trust

Mailing Address 3800 N. Canyon Rd.

Phone 916-205-1794 FAX _____

PROPERTY OWNER OR 530-391-9056

Mailing Address _____

Phone _____ FAX _____

RECEIVED

JAN 13 2023

EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

LIST ADDITIONAL PROPERTY OWNERS ON SEPARATE SHEET IF APPLICABLE

ENGINEER/ARCHITECT _____

Mailing Address _____

Phone _____ FAX _____

LOCATION: The property is located on the <pick from list> (S) side of North Canyon Rd.

1.5 miles N.E.W.S. street or road

X feet/miles <pick from list> of the intersection with Larsen Dr.

N/E/W/S major street or road

in the Camino area. PROPERTY SIZE 33.22

acreage / square footage

X Geraldine Hyder Date 1-14-2023

Signature of property owner or authorized agent

FOR OFFICE USE ONLY

Date _____ Fee \$ _____ Receipt # _____ Rec'd by _____ Census _____

Zoning _____ GPD _____ Supervisor Dist _____ Sec/Twn/Rng _____

ACTION BY: ☐ PLANNING COMMISSION

ACTION BY BOARD OF SUPERVISORS

Hearing Date _____

Hearing Date _____

☐ Approved ☐ Denied (Findings and/or conditions attached)

☐ Approved ☐ Denied (Findings and/or conditions attached)

Executive Secretary _____

Executive Secretary _____

(Revised 07/07)

Z21-0010/WAC21-0003

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**



EL DORADO COUNTY PLANNING SERVICES
2850 Fairlane Court, Placerville CA 95667

FILE # _____

(530) 621-5355 / fax: (530) 642-0508 / <http://www.co.el-dorado.ca.us/planning>

RECEIVED

**WILLIAMSON ACT / FARMLAND SECURITY ZONE
CONTRACT APPLICATION**

JAN 13 2023

ASSESSOR'S PARCEL NUMBER(S) 085-540-003-000 EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

APPLICANT/AGENT Geraldine Hyder

Mailing Address 3800 North Canyon Rd, Camino, CA ☒ 95709
(P.O. Box or street) (city) (state) (zip code)

Phone (530) 622-4087 FAX ()

PROPERTY OWNER The Raymond L. Hyder and Geraldine F. Hyder 1994 Trust

Mailing Address 3800 North Canyon Rd, Camino, CA ☒ 95709
(P.O. Box or street) (city) (state) (zip code)

Phone (530) 622-4087 02530 FAX ()

PROPERTY OWNER N/A 391-9056

Mailing Address _____ ☒
(P.O. Box or street) (city) (state) (zip code)

Phone () N/A FAX ()

PROPERTY OWNER _____

Mailing Address _____ ☒
(P.O. Box or street) (city) (state) (zip code)

Phone () _____ FAX ()

LIST ADDITIONAL PROPERTY OWNERS ON SECOND SHEET

LOCATION: The property is located on the S ☒ side of North Canyon Road
_____ street or road

_____ feet or 1.5 miles N/E/W/S ☒ of the intersection with Larsen Drive
_____ major street or road

in the Camino ☒ area. PROPERTY SIZE 33.22 Acres
_____ acreage / square footage

x Geraldine Hyder Date Oct 13, 2021
signature of property owner or authorized agent

FOR OFFICE USE ONLY

Date _____ Fee \$ _____ Receipt # _____ Rec'd by _____ Census _____

Zoning _____ GPD _____ Supervisor District _____ Sec/Twn/Rng _____

ACTION BY: ☐ PLANNING COMMISSION
☐ ZONING ADMINISTRATOR
☐ PLANNING DIRECTOR

ACTION BY BOARD OF SUPERVISORS

Hearing Date _____

Hearing Date _____

☐ Approved ☐ Denied (findings and/or conditions attached)

☐ Approved ☐ Denied (findings and/or conditions attached)

APPEAL: ☐ Approved ☐ Denied

Executive Secretary _____

(Revised 10-06)

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

FILE # _____

ADDITIONAL PROPERTY OWNER(S)

PROPERTY OWNER _____

Mailing Address _____
(P.O. Box or street) (city) (state) (zip code)

Phone () _____ FAX () _____

PROPERTY OWNER _____

Mailing Address _____
(P.O. Box or street) (city) (state) (zip code)

Phone () _____ FAX () _____

PROPERTY OWNER _____

Mailing Address _____
(P.O. Box or street) (city) (state) (zip code)

Phone () _____ FAX () _____

PROPERTY OWNER _____

Mailing Address _____
(P.O. Box or street) (city) (state) (zip code)

Phone () _____ FAX () _____

PROPERTY OWNER _____

Mailing Address _____
(P.O. Box or street) (city) (state) (zip code)

Phone () _____ FAX () _____

PROPERTY OWNER _____

Mailing Address _____
(P.O. Box or street) (city) (state) (zip code)

Phone () _____ FAX () _____

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

Oct 13, 2021

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 33.22 acres;

Identified as County Assessor's Parcel Number(s) 085-540-003

(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 Camino
_____, 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,

Geraldine Hyder

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**



EL DORADO COUNTY PLANNING SERVICES
2850 Fairlane Court, Placerville CA 95667

**AGRICULTURAL PRESERVES
WILLIAMSON ACT CONTRACT / FARMLAND SECURITY ZONE**
(Revised 05/06)

REQUIRED INFORMATION - AGRICULTURAL PRESERVES

Complete the required information indicated on the Land Conservation or Farmland Security Zone application form. The following information must be provided with all applications. **If all the information is not provided, the application will be deemed incomplete and will not be accepted.** For your convenience, please use the check (X) column on the left to be sure you have all the required submittal information. **All plans and maps MUST be folded to 8½" x 11".**

FORMS AND MAPS REQUIRED

MARK (X)

Applicant County

- | | | |
|-------------------------------------|----|--|
| <input checked="" type="checkbox"/> | 1) | Application Form and Agreement for payment of Processing fees - completed and signed. |
| <input checked="" type="checkbox"/> | 2) | Letter of request for "Establishing an Agricultural Preserve," signed by all property owners before a Notary Public; |
| <input checked="" type="checkbox"/> | 3) | Land Conservation contract Application (Part I to be completed by applicant, Parts II, III, IV and V to be completed by County agencies); <i>include Legal</i> |
| <input type="checkbox"/> | 4) | Three (3) copies of contract form, signed and notarized, including the following:
a) Legal Description (Exhibit A) <i>4</i>
b) Map showing property boundaries (Exhibit B) |
| <input checked="" type="checkbox"/> | 5) | Letter of authorization from property owner authorizing agent to act as <i>Scan</i> applicant, where applicable. |
| <input checked="" type="checkbox"/> | 6) | Proof of ownership (Grant Deed) if the property has changed title since the last tax roll. |
| <input checked="" type="checkbox"/> | 7) | Copy of official Assessors Map(s), showing property outlined in red. |
| <input type="checkbox"/> | 8) | Current application fee (may be obtained by contacting Planning Services at (530) 621-5355 or by accessing Planning Services online fee schedule at http://www.co.el-dorado.ca.us/planning .) |

NOTES:

- 1) If this agricultural preserve application is submitted in conjunction with a zone change application to AE (Exclusive Agriculture), a separate application form for the zone change must be submitted, although the fee for such application is waived.
- 2) Application will be accepted BY APPOINTMENT ONLY. Make your appointment in advance by calling (530) 621-5355. **NO FEES ARE REFUNDABLE**

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

Oct 17, 2021

PART I
(To be completed by applicant)

LAND CONSERVATION CONTRACT APPLICATION

NAME The Raymond L. Hyder and
Geraldine F. Hyder 1994 Trust PHONE (530) 622-4087
PHONE ()
PHONE ()

MAILING ADDRESS 3800 North Canyon Road, Camino, CA
95709

ASSESSOR'S PARCEL NUMBER(S): (Attach legal description if portion of parcel)

085-540-003-000

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 33.22

WATER SOURCE well PRESENT ZONING SA-10

YEAR PROPERTY PURCHASED 1960

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>Christmas Trees</u>	<u>\$ 306,000.-</u>
<u>Fence Line</u>	<u>39,504</u>
<u>Fly Fishing Stream</u>	<u>50,000.-</u>
<u>Ag Operation Bldgs.</u>	<u>120,000 ish</u>

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

N/A

<u>Product</u>	<u>Income</u>
Christmas Trees	\$ 221,738.-
Total \$	221,738.-

N/A

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION

PART I

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

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 <u>17</u>	acres	Comments _____
Grapes _____	acres	Comments _____
_____	acres	Comments _____

TOTAL ACRES 17 (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.

Continue replanting program.

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

Geraldine F Hyder 9/24/21
Date Signature of Applicant

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

PART II

(To be completed by Assessor)

Comments: _____

Assessor's recommendation(s): _____

Date

El Dorado County Assessor

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION

PART III

(To be completed by Agricultural Commission)

Comments: _____

Commission's recommendation(s): _____

Date

Chairman, Agricultural Commission

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

PART IV

(To be completed by Planning Commission)

Date of public hearing: _____

Action: _____

Comments: _____

Executive Secretary, Planning Commission

PART V

(To be completed by Board of Supervisors)

Date of public hearing: _____

Action: _____

Comments: _____

James S. Mitrisin, Clerk to the Board

By: _____
Deputy Clerk to the Board

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

INSTRUCTIONS

**WILLIAMSON ACT CONTRACT
FARMLAND SECURITY ZONE CONTRACT**

Owner(s) are responsible for signing the last page only of either contract. DO NOT fill in any other portion of the contract including the first page (date/name). The County is responsible for completing the remainder of the contract.

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

WILLIAMSON ACT CONTRACT

THIS CONTRACT entered into this 13 day of October 2021, by and between the COUNTY of EL DORADO, a political subdivision of the State of California, referred to herein as "County", and Geraldine Hyder, referred to herein as "Owner".

1. DEFINITIONS

- a. "Agricultural use" means use of land for the purpose of producing an agricultural commodity (including timber) for commercial purposes;
- b. "Board" means the County Board of Supervisors;
- c. "Compatible use" means any use determined by County to be compatible with agricultural use of the property;
- d. "Contract" means this document;
- e. "Williamson Act" means the California Land Conservation Act of 1965 as amended through the legislative session indicated before the reference;
- f. "Owner" means the person or persons entering into this Contract with County;
- g. "County" means El Dorado County.

2. FACTS

This Contract is made with reference to the following facts:

- a. Owner is the owner of the real property in El Dorado County, California, described in Exhibit "A" and incorporated by reference;
- b. The property is within an agricultural preserve designated and established by Resolution of County. The property has been devoted to agricultural and compatible uses. The boundaries of the preserve are shown on the map attached as Exhibit "B" and incorporated by this reference and are co-extensive with the boundaries of the property.

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

3. LAND USE

The use of the property is limited during the term of this Contract to agricultural and compatible uses. Structures may be erected on the property (and existing structures enlarged) if they are directly related to and compatible with permitted uses.

4. TERM

The initial term of this Contract is ten (10) years. Unless notice of non-renewal is given as provided in Section 5, on each anniversary date of this Contract, a year shall be automatically added to the initial term. If Owner or County in any year serves written notice of non-renewal, this Contract shall remain in effect for the balance of the unexpired term.

5. NON-RENEWAL

- a. Unless written notice of non-renewal is served by County upon Owner at least sixty (60) days before a renewal date or by Owner upon County at least ninety (90) days before a renewal date, this Contract shall be considered renewed under Section 4.
- b. The effect of a sale or transfer of any portion of the property, the subject of this Contract, except as provided in paragraph 6, b., or failure of a portion of the subject property to meet the agricultural contract criteria, or failure to engage in an agricultural pursuit, may be treated as a breach of this Contract and County may bring any action in court necessary to enforce this Contract, including, but not limited to, any action to enforce this Contract by specific performance or injunction.
- c. Upon receipt by Owner of written notice of non-renewal, Owner may protest the notice of non-renewal in writing. County may withdraw the notice before the next renewal date.
- d. Upon request by Owner, the County may authorize Owner to serve written notice of non-renewal on a portion of the property.

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

6. TRANSFER OF PROPERTY

- a. This Contract, and the covenants herein, shall run with the land and shall be binding upon and inure to the benefit of all successors in interest of Owner.
- b. In the event that Owner conveys a portion of the property under this Contract,

Owner, in addition to the conveyee, shall remain subject to the terms of this Contract as to the conveyed portion unless and until the conveyee enters into a separate contract with the County. Owner understands that County will not enter into a

separate contract with the conveyee unless the conveyed portion of property meets the County's criteria for an agricultural preserve, and that County shall enter into a contract with the conveyee if the conveyed portion meets said criteria and exclude said conveyed portion from Owner's contract.

7. CANCELLATION

- a. The purpose of this section is to provide relief from the provisions of this Contract only when the continued dedication of all or any portion of the property to agricultural use is neither necessary nor desirable for purposes of the 1969 Williamson Act.
- b. Owner may petition the Board for cancellation of this Contract as to all or any part of the property. The Board may approve the cancellation only if it finds that:
 - (i) cancellation is not consistent with the purposes of the 1969 Williamson Act;
and,
 - (ii) cancellation is in the public interest.
- c. The existence of an opportunity for another use of the property involved will not be sufficient reason for cancellation of this Contract. A potential alternative use of the property involved may be considered only if there is not proximate, non-contracted land suitable for the use to which it is proposed the property involved be put. The uneconomic character of the existing use may be considered only if there is no other

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

reasonable or comparable agricultural use to which the property may be put. Prior to any action by the Board, the Board shall consider the recommendations of the Agricultural Commission and the Planning Commission.

- d. Prior to any action by the Board giving tentative approval to cancellation, the assessor shall determine the full cash value of the property involved as though it were free of the contractual restrictions. He shall multiply such value by the most recent County tax ratio announced pursuant to Section 401 of the Revenue and Taxation Code and shall certify the product to the Board as the cancellation valuation of the property involved for the purpose of determining the cancellation fee.
- e. Prior to giving tentative approval to the cancellation, the Board shall determine and certify to the Auditor the amount of the cancellation fee which Owner must pay the Treasurer as deferred taxes upon cancellation. That fee shall be an amount equal to fifty percent (50%) of the cancellation valuation of the property involved.
- f. If it finds that it is in the public interest to do so, the Board may waive any such payment (or any portion) or may make such payment (or any portion) contingent upon the future use made of the property involved and its economic return to Owner for a period of time not to exceed the unexpired term had it not been canceled, but only if:
 - (i) cancellation is caused by an involuntary transfer or change in the use which may be made of the property involved and such property is not immediately used for a purpose which produces a greater economic return to Owner;
and,
 - (ii) the Board has determined it is in the best interest of the program to conserve agricultural land use that such payment (or any portion) be either deferred or not required.

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

- g. This Contract may not be canceled until after County has given notice of and has held a public hearing on the matter as required by law.
- h. Upon tentative approval of the cancellation petition the Clerk of the Board of Council shall record in the office of the County Recorder of the County in which the land as to which the contract is canceled is located a certificate which shall set forth the name of the owner of such land at the time the contract was canceled with the amount of the cancellation fee certified by the Board or Council as being due pursuant to this article, the contingency of any waiver or deferment of payments, and legal description of the property. From the date of recording of such certificate the contract shall be finally canceled and, to the extent the cancellation fee has not yet been paid, a lien shall be created and attached against the real property described therein and any other real property owned by the person named therein as the owner and located within the County. Such lien shall have the force, effect and priority of a judgment lien. Nothing in this section or Section 51283 shall preclude the Board or Council from requiring payment in full of the cancellation fee prior to the cancellation becoming effective.

In no case shall the cancellation of a contract be final until the notice of cancellation is actually recorded as provided in this section. Notwithstanding any other provisions of the Revenue and Taxation Code, any payments required by Section 51283 shall not create nor impose a lien or charge on the land as to which a contract is canceled except as herein provided.

Upon the payment of the cancellation fee or any portion thereof, the Clerk of the Board or Council shall record with the County Recorder a written certificate of the release in whole or in part of the lien.

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

8. EMINENT DOMAIN

a. In this section:

- (i) "public agency" means any public entity included within the definition of "public agency" in the 1969 Williamson Act and in any subsequent amendments to that Act; and
- (ii) "individual" means any person authorized under Section 1001 of the Civil Code or under any other existing or future California law to acquire property by eminent domain.

b. When any action in eminent domain for the condemnation of the fee title of an entire parcel of the property is filed or when such parcel is acquired in lieu of eminent domain for a public use or improvement by a public agency or individual or whenever there is any such action or acquisition by the federal government or any person, instrumentality or agency action under authority or power of the federal government, this Contract shall be deemed null and void as to the property actually being condemned or acquired as of the date the action is filed or the acquisition occurs, and for the purpose of establishing the value of the property, this Contract shall be deemed never to have existed. Upon the termination of such a proceeding or occurrence of such an acquisition, this Contract shall be null and void for all property actually taken or acquired.

c. When such an action to condemn less than an entire parcel of the property is filed, or when such an acquisition to acquire less than an entire parcel of the property occurs, this Contract shall be deemed null and void as to the property actually condemned or acquired and shall be disregarded in the valuation process only as to the property actually being taken or acquired unless the remaining property will be adversely affected by the condemnation in which case the amount of just compensation shall be computed without regard to this Contract.

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

- d. The property actually taken or acquired shall be removed by this Contract. Under no circumstances shall property be removed that is not actually taken or acquired except as otherwise provided in the contract.

9. AMENDMENT

This Contract may be amended to the extent permitted by law applicable at the time of amendment.

10. SEVERABILITY

The invalidity of any provision of this Contract or its application to any particular factual situation will not affect the validity of any other provision or its application to any factual situation.

EL DORADO COUNTY

By: _____
Chairman, Board of Supervisors

ATTEST:

James S. Mitrison
Clerk to the Board of Supervisors

By: _____
Deputy

Geraldine Hyder

Owners

(mab:WAC.CON/WilliamAct)
(Revised 10/06)

SEE ATTACHED FOR NOTARY PUBLIC

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of El Dorado }

On 10/13/2021 before me, Meredith Escobar, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Geraldine Hyder
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Williamson Act Contract

Document Date: 10/13/2021 Number of Pages: 7

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

☐ Corporate Officer – Title(s): _____ ☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General ☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact ☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator ☐ Trustee ☐ Guardian or Conservator

☐ Other: _____ ☐ Other: _____

Signer is Representing: _____ Signer is Representing: _____

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**



EL DORADO COUNTY PLANNING SERVICES

**REQUIRED SUBMITTAL INFORMATION
for
Zone Change & General Plan Amendment**

The following information must be provided with all applications. **If all the information is not provided, the application will be deemed incomplete and will not be accepted.** For your convenience, please use the check (✓) column on the left to be sure you have all the required information. **All plans and maps MUST be folded to 8½" x 11"**.

RECEIVED

JAN 13 2023

EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

FORMS AND MAPS REQUIRED

Check (✓)

Applicant County

- | | | | |
|----|-------------------------------------|--------------------------|--|
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1) Application Form and Agreement for Payment of Processing Fees, completed and signed. |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2) Letter of authorization from all property owners authorizing agent to act as applicant, when applicable. |
| NA | <input type="checkbox"/> | <input type="checkbox"/> | 3) Proof of ownership (Grant Deed), if the property has changed title since the last tax roll. |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4) A copy of official Assessor's map, showing the property outlined in red. |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5) An 8 ½ x 11" vicinity map showing the location of the project in relation to the distance to major roads, intersections, and town sites. |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6) Environmental Questionnaire form, completed and signed. |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7) Provide name, mailing address and phone number of all property owners and their agents. |
| NA | <input type="checkbox"/> | <input type="checkbox"/> | 8) If public sewer or water service is proposed, obtain and provide a Facilities Improvement Letter if the project is located within the EID service area, or a similar letter if located in another sewer/water district. |
| NA | <input type="checkbox"/> | <input type="checkbox"/> | 9) If off-site sewer or water facilities are proposed to serve the project, provide four (4) copies of a map showing location and size of proposed facilities. If groundwater to be used for domestic water, submit a report noting well production data for adjacent parcels, or submit a hydrological report prepared by a geologist noting the potential for water based on the nature of project site geology. |
| NA | <input type="checkbox"/> | <input type="checkbox"/> | 10) If a septic system is proposed, provide a preliminary soils analysis with sufficient data to determine if the site is capable of supporting the proposed density or intensity of use. |

Z21-0010/WAC21-0003

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

Zone Change & GPA
Required Submittal Information
Page 2

FORMS AND MAPS REQUIRED

Check (✓)

Applicant County

- | | | | |
|----|-------------------------------------|--------------------------|---|
| NA | <input type="checkbox"/> | <input type="checkbox"/> | 11) If located within one of the five Ecological Preserve - EP overlay zones (Mitigation Area 0), rare plants may exist on-site. The State Department of Fish & Game will require an on-site biological plant survey to determine the extent and location of rare plants on the project site. Such a survey can only occur from March 15 through August 15 when plants are readily visible. Therefore, if the State Department of Fish & Game requires the plant survey, a substantial delay in the processing of your application could result. To avoid potential delays, you may choose to provide this survey with application submittal. (A list of possible Botanical Consultants is available at Planning Services.) |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 12) A record search for archaeological resources shall be conducted through the North Central Information Center located at CSU-Sacramento, 6000 J Street, Adams Building, Suite #103, Sacramento, CA 95819-6100, phone number (916) 278-6217. If the record search identifies a need for a field survey, a survey shall be required. (A list of Archaeological Consultants and survey requirements is available at Planning Services.) Archaeological surveys shall meet the "Guidelines for Cultural Resource Studies" approved by the Board of Supervisors, available at Planning Services. |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 13) A site-specific wetland investigation shall be required on projects with identified wetlands on the Important Biological Resources Map (located in Planning Services), when proposed improvements will directly impact the wetland (reduce the size of the wetland area) or lie near the wetlands. (Available from Planning Services are the U.S. Corps of Engineers requirements for a wetlands delineation study. Additionally, a list of qualified consultants is also available.) |
| NA | <input type="checkbox"/> | <input type="checkbox"/> | 14) An acoustical analysis shall be provided whenever a noise-sensitive land use (residences, hospitals, churches, libraries) are proposed adjacent to a major transportation source, or adjacent or near existing stationary noise sources. Such study shall define the existing and projected (2015) noise levels and define how the project will comply with standards set forth in the General Plan. |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 15) Where special status plants and animals are identified on the Important Biological Resources Map located in Planning Services, an on-site biological study shall be required to determine if the site contains special status plant or animal species or natural communities and habitats. |
| | <input type="checkbox"/> | <input type="checkbox"/> | 16) An air quality impact analysis shall be provided utilizing the El Dorado County Air Pollution Control District's "Guide to Air Quality Assessment." |
| | <input type="checkbox"/> | <input type="checkbox"/> | 17) A traffic study shall be provided utilizing El Dorado County Department of Transportation's "Generic Traffic Study Scope of Work." |

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

From:

Geraldine F. Hyder
3800 North Canyon Rd.
Camino, CA 95709

To:

County of El Dorado
Placerville, CA 95667

RECEIVED

JAN 13 2023

EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

Date: 9/24/21

Subject: Authorization To Serve On My Behalf for any El Dorado County Applications, Forms or Permits

Dear El Dorado County Staff,

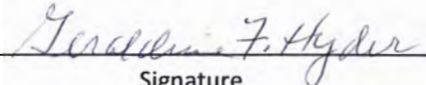
I, Geraldine Hyder, hereby authorize my daughters, Kathy (Sam) Rumbaugh and/or Karen Hyder, to conduct all activities regarding my property (APN: 085-540-003) and represent my interests with El Dorado County. This to include, but not be limited to, the submission and signing of all Applications, Forms or Permits. I grant either/both permission to submit and receive all documents, related to this parcel of land, from your office on my behalf.

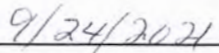
This letter of authorization will be in effect from July 24, 2021 to July 24, 2031. You are requested to allow them complete access to any land/permit/assessment records.

If you have any questions, feel free to contact me 530-622-4087.

Sincerely,

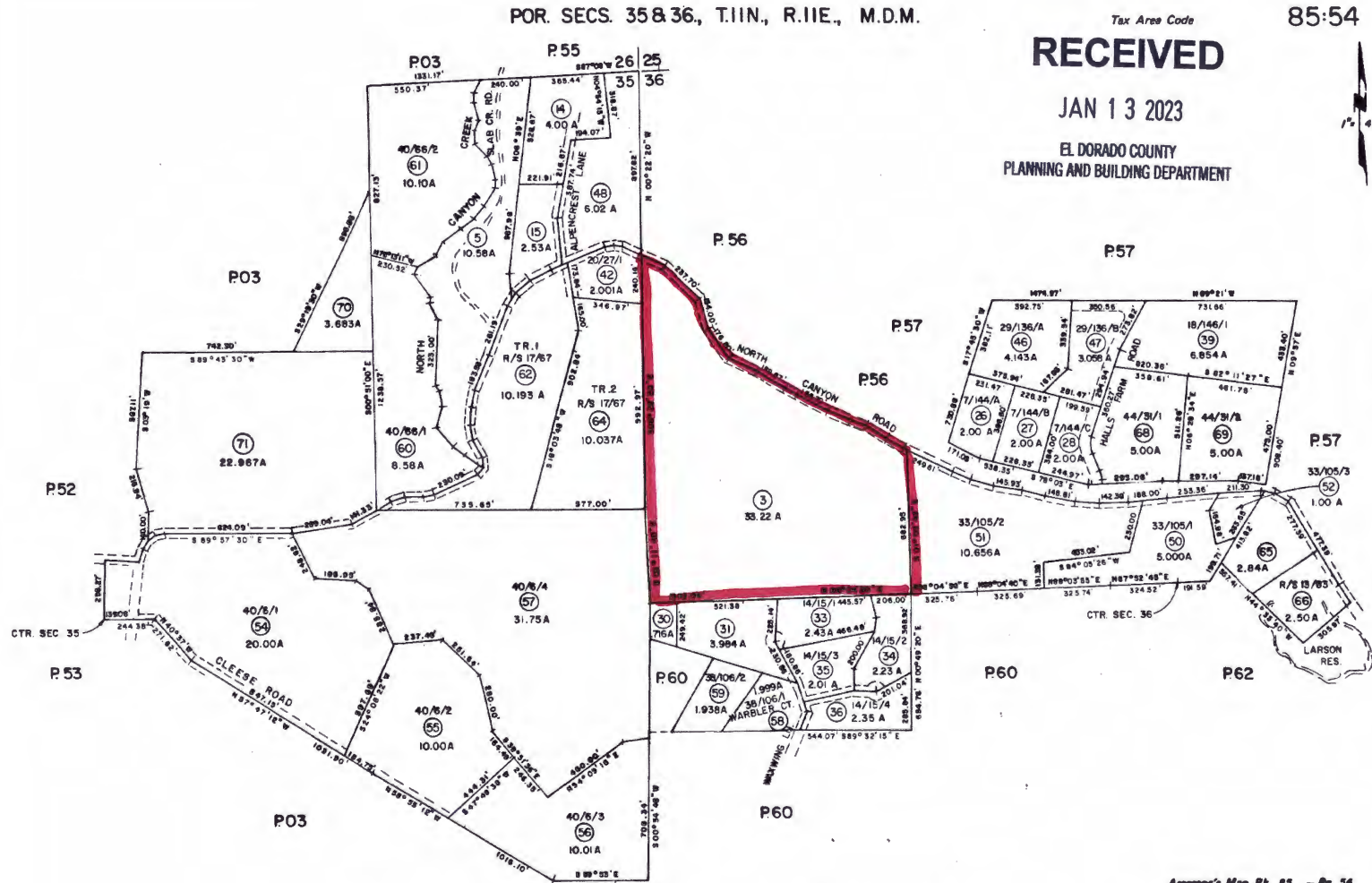
Geraldine F. Hyder


Signature


Date

Z21-0010/WAC21-0003

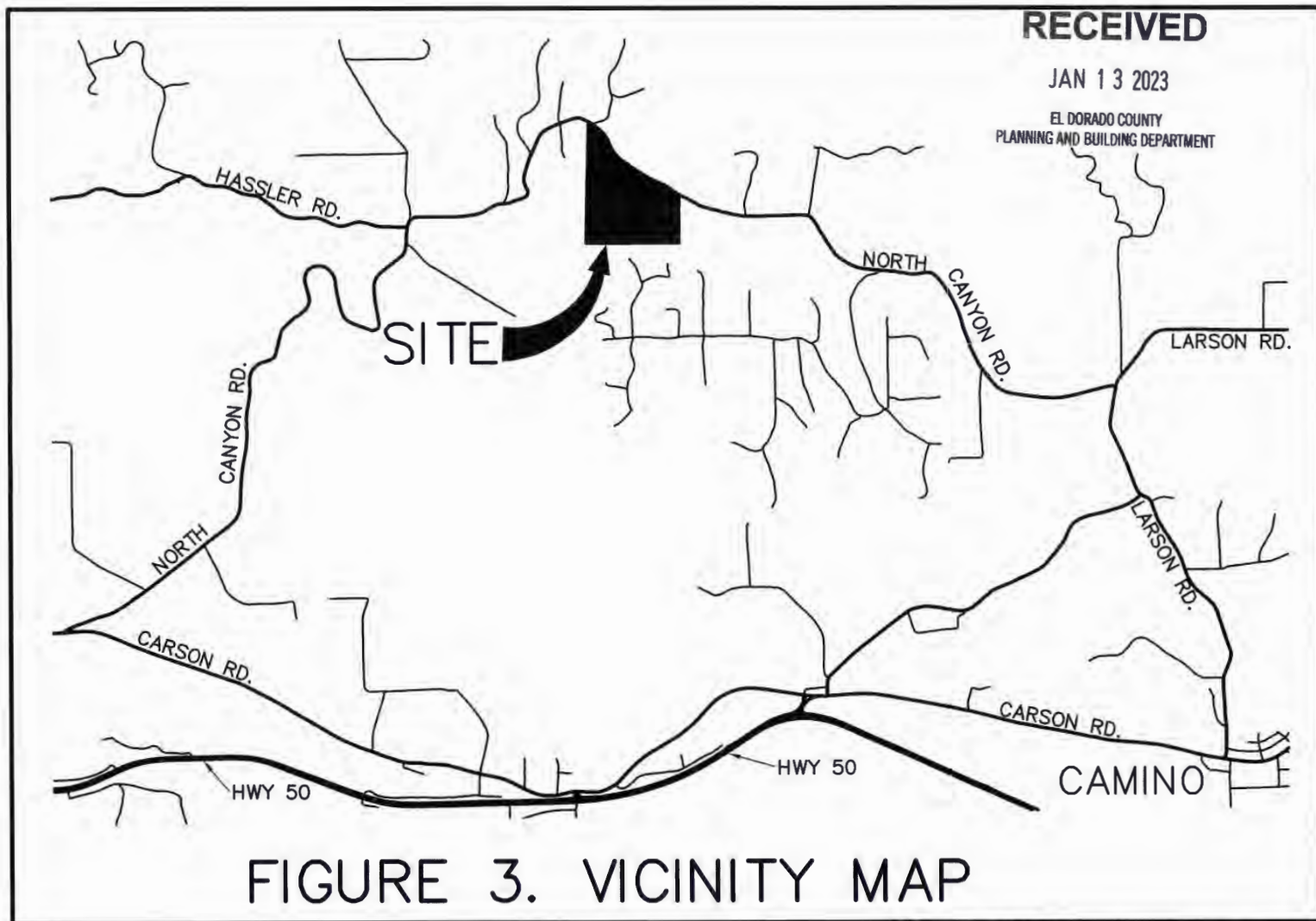
**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**



Assessor's Map Bk. 85 - Pg. 54
County of El Dorado, California
SEP 1 2 2005

Z21-0010/WAC21-0003

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**



Z21-0010/WAC21-0003

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION

INDIAN ROCK TREE FARM LLC
APN: 085-540-003-000

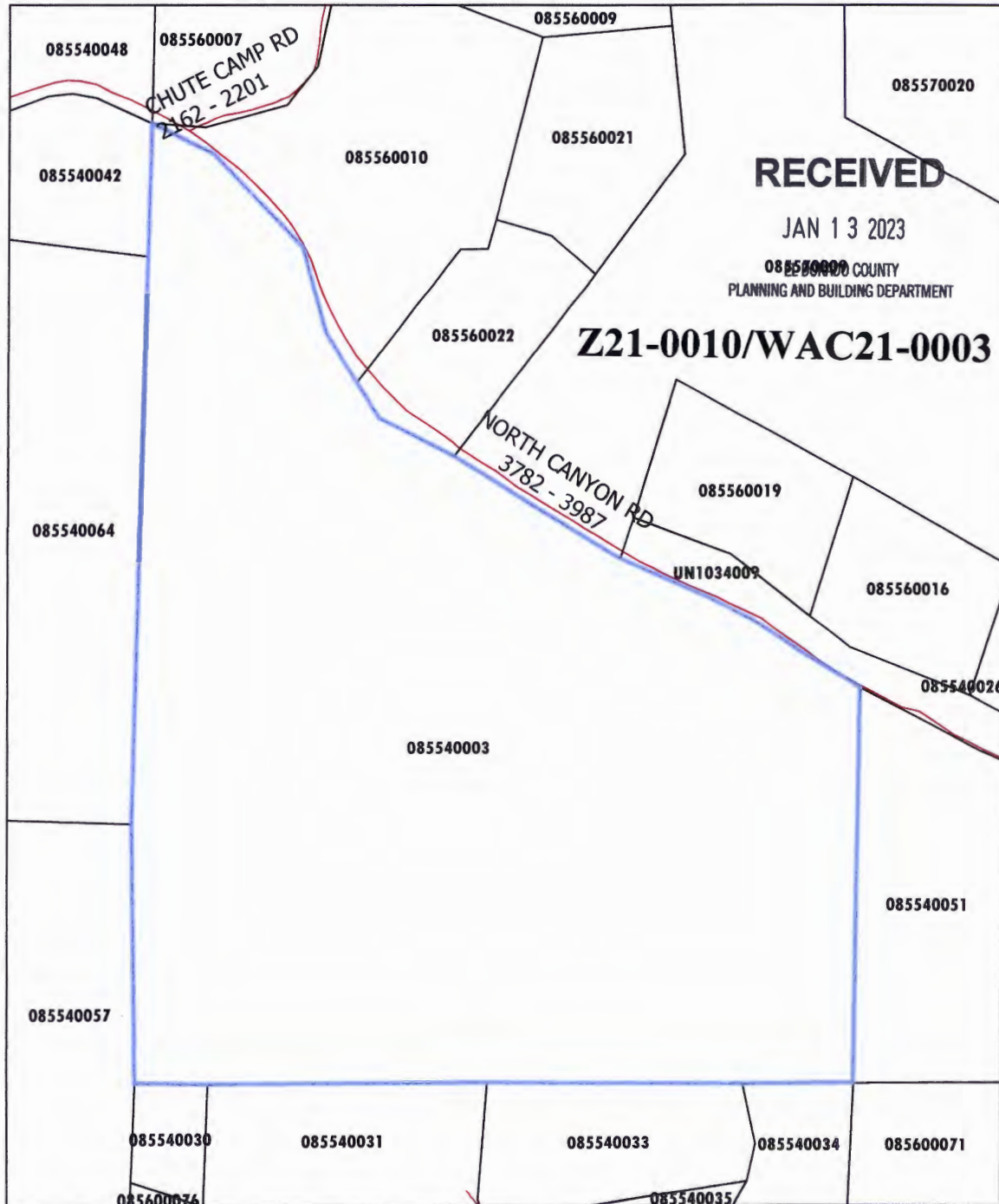


EXHIBIT 4-B



0 0.03 0.05 0.1 Miles

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**

Zone Change & GPA
Required Submittal Information
Page 3

SITE PLAN REQUIREMENTS

Twenty-five (25) copies of the site plan detailing what exists on the site at time of application shall be submitted on 24" x 36" sheets or smaller, drawn to scale, and of sufficient size to clearly show all details and required data. **All plans MUST be folded to 8½" x 11", plus one 8½" x 11" reduction. NO ROLLED DRAWINGS WILL BE ACCEPTED.** For your convenience, please check the Applicant column on the left to be sure you have all the required submittal information.

Check (✓)

Applicant County

- | | | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1) Project name (if applicable). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2) Name, address of applicant and designer (if applicable) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3) Date, North arrow, and scale. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4) Entire parcel of land showing perimeter with dimensions. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5) All roads, alleys, streets, and their names. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6) Location of easements, their purpose and width. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7) All existing and proposed uses (i.e. buildings, mobile homes, dwellings, utility transmission lines, etc.). |

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EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

The following is optional and only necessary when it may help support a proposed zone change.

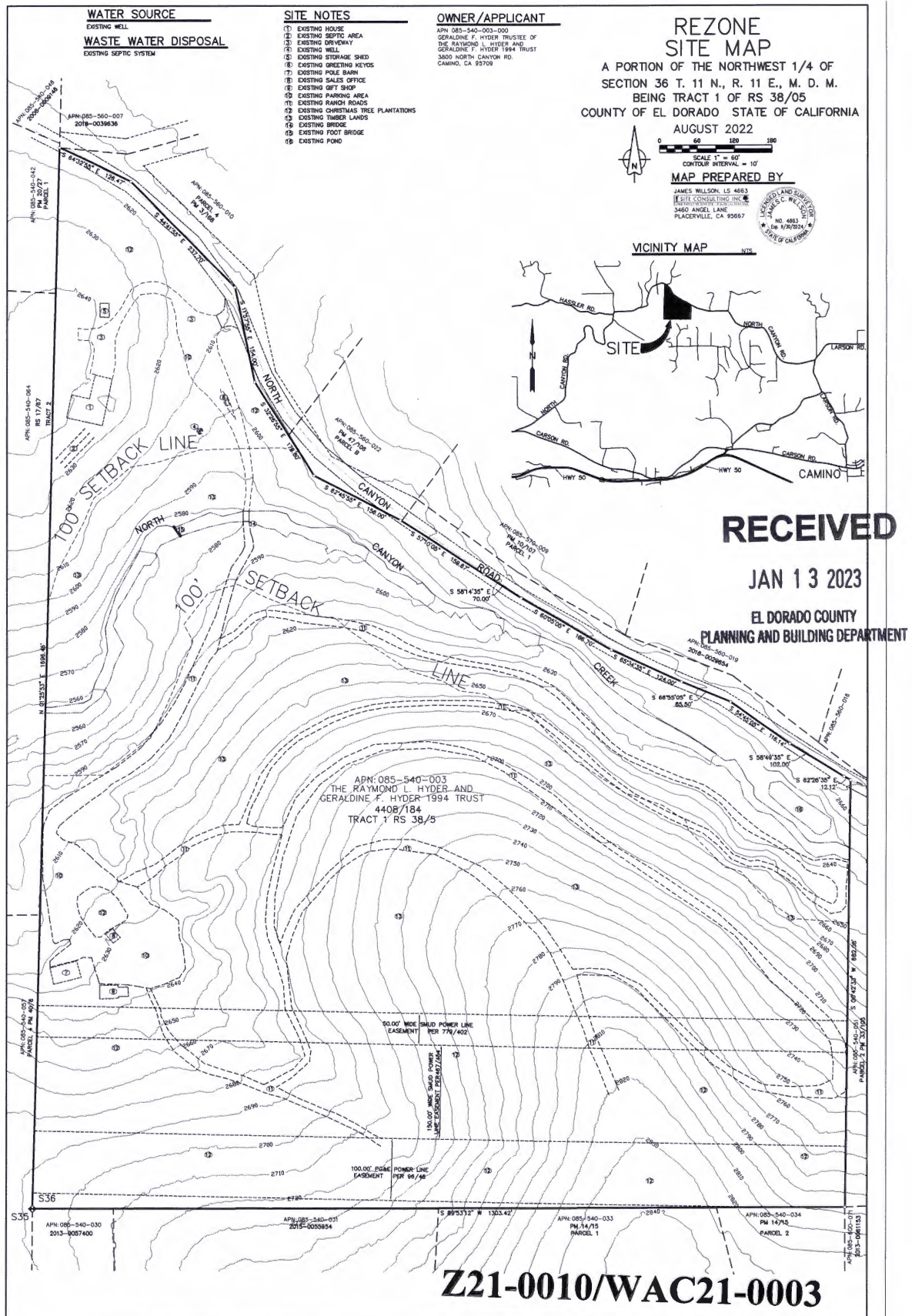
- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8) Driveways, parking and loading stalls with dimensions (refer to Zoning Ordinance Chapter 17.18). |
| NA <input type="checkbox"/> | <input type="checkbox"/> | 9) Proposed/existing fences or walls. |
| NA <input type="checkbox"/> | <input type="checkbox"/> | 10) Existing/proposed fire hydrants. |

Planning Services reserves the right to require additional project information as provided by Section 15060 of the California Environment Quality Act, or as required by the General Plan development policies, when such is necessary to complete the environmental assessment.

NOTE: APPLICATION WILL BE ACCEPTED BY APPOINTMENT ONLY. MAKE YOUR APPOINTMENT IN ADVANCE BY CALLING (530) 621-5355.

Z21-0010/WAC21-0003

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**



**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION**



FILE # _____
DATE FILED _____

RECEIVED

**EL DORADO COUNTY PLANNING SERVICES
ENVIRONMENTAL QUESTIONNAIRE**

JAN 13 2023

EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

Project Title Indian Rock Tree Farm Lead Agency Planning
Name of Owner Geri Hyder, & Sam Rumbaugh Telephone 916-208-1794 (sam)
Address 3800 N Canyon Rd., Camino, CA 95709
Name of Applicant Geri Hyder, Karen Hyder Telephone 916-30-391-9056 (Karen)
Address 3800 N Canyon Rd., Camino, CA 95709
Project Location Same
Assessor's Parcel Number(s) 085-540-003-000 Acreage 33.28 Zoning TPZ

Please answer all of the following questions as completely as possible. Subdivisions and other major projects will require a Technical Supplement to be filed together with this form.

1. Type of project and description:

Correction, per advice of AG Dept. To move us from incorrect TPZ to Williamson Act. Need to add AG housing exploring potential allowed uses per (P.A) zone, if needed

2. What is the number of units/parcels proposed? No change

GEOLOGY AND SOILS

3. Identify the percentage of land in the following slope categories:

☐ 0 to 10% ☐ 11 to 15% ☐ 16 to 20% ☐ 21 to 29% ☐ over 30%

4. Have you observed any building or soil settlement, landslides, rock falls or avalanches on this property or in the nearby surrounding area? NO

5. Could the project affect any existing agriculture uses or result in the loss of agricultural land?

NO

DRAINAGE AND HYDROLOGY

6. Is the project located within the flood plain of any stream or river?

If so, which one? NO - DO NOT THINK SO

7. What is the distance to the nearest body of water, river, stream or year-round drainage channel?

on site stream Name of the water body? NORTH Canyon Creek

8. Will the project result in the direct or indirect discharge of silt or any other particles in noticeable amount into any lakes, rivers or streams? NO

9. Will the project result in the physical alteration of a natural body of water or drainage way?

If so, in what way? NO

Z21-0010/WAC21-0003

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION

Zone Change & GPA
Environmental Questionnaire
Page 2

10. Does the project area contain any wet meadows, marshes or other perennially wet areas?

NO

VEGETATION AND WILDLIFE

11. What is the predominant vegetative cover on the site (trees, brush, grass, etc.)? Estimate percentage of each: Trees & grass

12. How many trees of 6-inch diameter will be removed when this project is implemented?

0

FIRE PROTECTION

13. In what structural fire protection district (if any) is the project located? El Dorado County FPD

14. What is the nearest emergency source of water for fire protection purposes (hydrant, pond, etc.)? On Site Pond & Stream

15. What is the distance to the nearest fire station? 4 miles

16. Will the project create any dead-end roads greater than 500 feet in length? NO

17. Will the project involve the burning of any material including brush, trees and construction materials? NO

NOISE QUALITY

18. Is the project near an industrial area, freeway, major highway or airport? NO
If so, how far? _____

19. What types of noise would be created by the establishment of this land use, both during and after construction? 0 to Rezone - Minimal if we hold any events in the future.

AIR QUALITY

20. Would any noticeable amounts of air pollution, such as smoke, dust or odors, be produced by this project? NO

WATER QUALITY

21. Is the proposed water source ☐ public or ☒ private, ☐ treated or ☐ untreated?
Name the system: Trees, Well - We do not have water to irrigate

22. What is the water use (residential, agricultural, industrial or commercial)? Residential

AESTHETICS

23. Will the project obstruct scenic views from existing residential areas, public lands, public bodies of water or roads? NO

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION

Zone Change & GPA
Environmental Questionnaire
Page 3

ARCHAEOLOGY/HISTORY

24. Do you know of any archaeological or historical areas within the boundaries or adjacent to the project? (e.g., Indian burial grounds, gold mines, etc.) NO Burial grounds.

2 Grinding Holes in Rocks near stream.

SEWAGE

25. What is the proposed method of sewage disposal? ☒ existing ☐ septic system ☐ sanitation district
Name of district (possible new septic) for home
for new AG House
26. Would the project require a change in sewage disposal methods from those currently used in the vicinity? NO

TRANSPORTATION

27. Will the project create any traffic problems or change any existing roads, highways or existing traffic patterns? NO
28. Will the project reduce or restrict access to public lands, parks or any public facilities? NO

GROWTH-INDUCING IMPACTS

29. Will the project result in the introduction of activities not currently found within the community? NO
30. Would the project serve to encourage development of presently undeveloped areas, or increases in development intensity of already developed areas (include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?

Not to our knowledge - Need clarification

31. Will the project require the extension of existing public utility lines? NO
If so, identify and give distances: _____

GENERAL

32. Does the project involve lands currently protected under the Williamson Act or an Open Space Agreement? NO
33. Will the project involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances or radioactive material? NO
34. Will the proposed project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, trees, minerals or top soil)? NO
35. Could the project create new, or aggravate existing health problems (including, but not limited to, flies, mosquitos, rodents and other disease vectors)? NO
36. Will the project displace any community residents? NO

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT H - WILLIAMSON ACT CONTRACT INFORMATION

Zone Change & GPA
Environmental Questionnaire
Page 4

DISCUSS ANY YES ANSWERS TO THE PREVIOUS QUESTIONS

(attach additional sheets if necessary)

MITIGATION MEASURES (attach additional sheets if necessary)

Proposed mitigation measures for any of the above questions where there will be an adverse impact:

No Adverse impact

Form completed by: Sam Rumbach Date: 6/29/22
(Revised 07/07)

WATER SOURCE

EXISTING WELL

WASTE WATER DISPOSAL

EXISTING SEPTIC SYSTEM

SITE NOTES

- 1 EXISTING HOUSE
- 2 EXISTING SEPTIC AREA
- 3 EXISTING DRIVEWAY
- 4 EXISTING WELL
- 5 EXISTING STORAGE SHED
- 6 EXISTING GREETING KEYOS
- 7 EXISTING POLE BARN
- 8 EXISTING SALES OFFICE
- 9 EXISTING GIFT SHOP
- 10 EXISTING PARKING AREA
- 11 EXISTING RANCH ROADS
- 12 EXISTING CHRISTMAS TREE PLANTATIONS
- 13 EXISTING TIMBER LANDS
- 14 EXISTING BRIDGE
- 15 EXISTING FOOT BRIDGE
- 16 EXISTING POND

OWNER/APPLICANT

APN 085-540-003-000
GERALDINE F. HYDER TRUSTEE OF
THE RAYMOND L. HYDER AND
GERALDINE F. HYDER 1994 TRUST
3800 NORTH CANYON RD.
CAMINO, CA 95709

REZONE
SITE MAP

A PORTION OF THE NORTHWEST 1/4 OF
SECTION 36 T. 11 N., R. 11 E., M. D. M.
BEING TRACT 1 OF RS 38/05
COUNTY OF EL DORADO STATE OF CALIFORNIA

AUGUST 2022



0 60 120 180
SCALE 1" = 60'
CONTOUR INTERVAL = 10'

FILE COPY

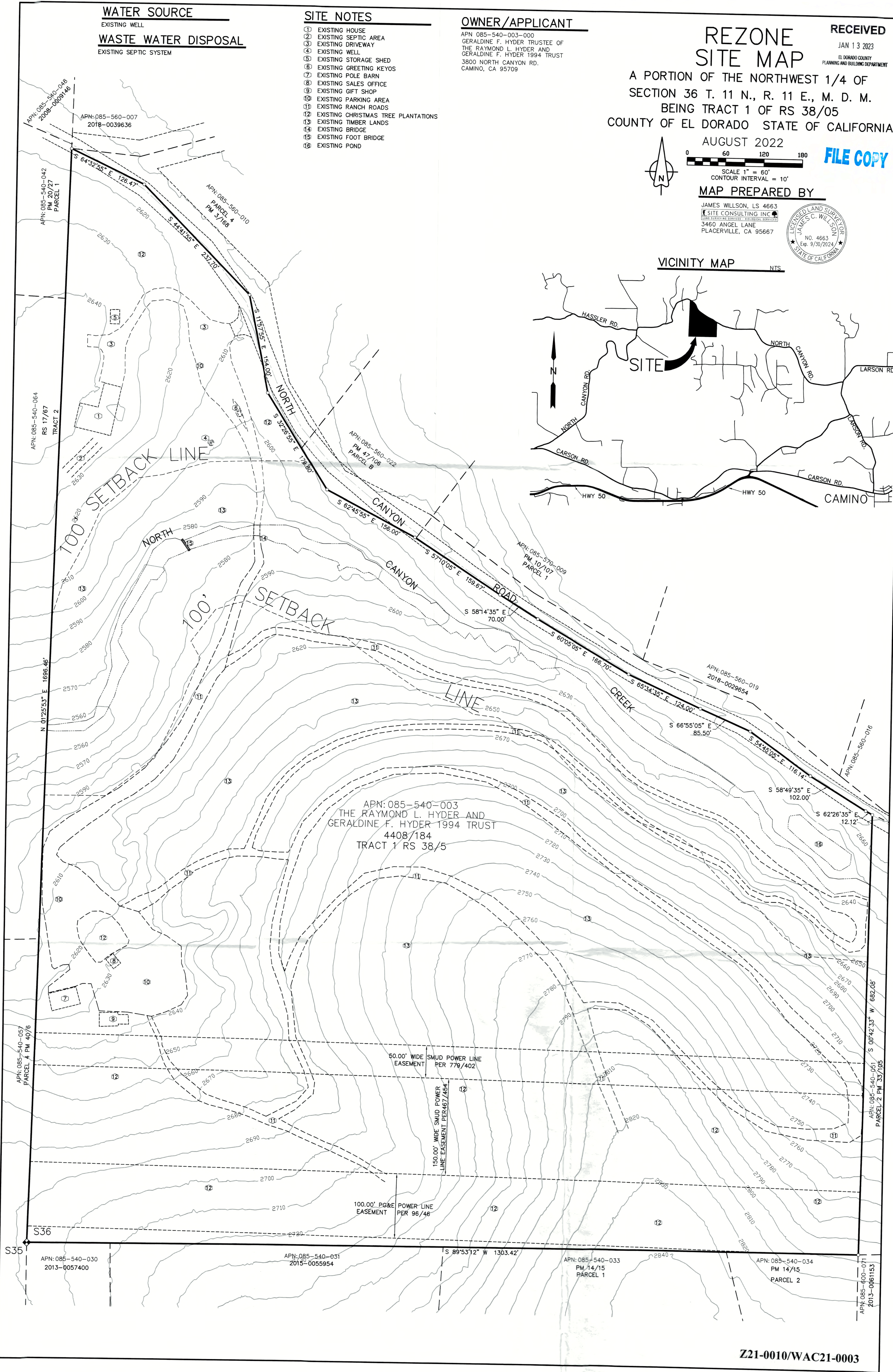
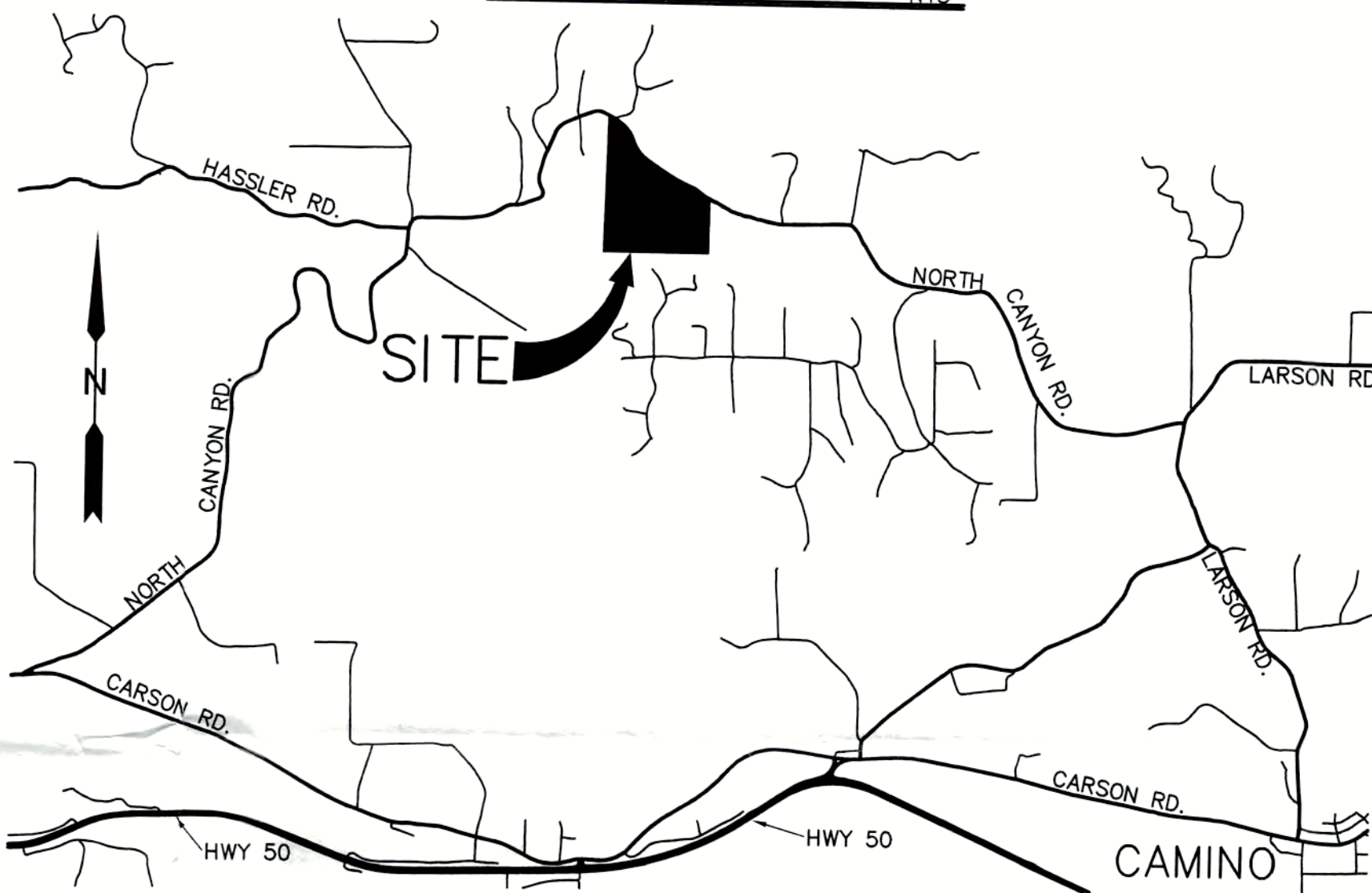
MAP PREPARED BY

JAMES WILLSON, LS 4663
SITE CONSULTING INC.
1000 S. GARDEN ST. SUITE 100
3460 ANGEL LANE
PLACERVILLE, CA 95667



VICINITY MAP

NTS



Z21-0010/WAC21-0003

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT I - AGRICULTURAL COMMISSION MEMORANDUM**

COUNTY OF EL DORADO



AGRICULTURAL COMMISSION

311 Fair Lane
Placerville CA 95667

(530) 621-5520 (530) 626-4756 FAX
eldcag@edcgov.us

*Greg Boeger, Chair – Agricultural Processing Industry
Dave Bolster, Vice-chair – Fruit and Nut Farming Industry
Shamarie Tong – Livestock Industry
Bill Draper – Forestry/Related Industries
Tim Neilsen – Livestock Industry
Lloyd Walker – Other Agricultural Interests
Charles Mansfield – Fruit and Nut Farming Industry*

MEMORANDUM

DATE: October 11, 2023
TO: Development Services/Planning
FROM: Greg Boeger, Chair
SUBJECT: **Agricultural Review Request Proposed Rezone/Williamson Act Contract Z21-0010/WAC21-0003 (Hyder Tree Farm) Assessor's Parcel Number (APN): 085-540-003**

During the Agricultural Commission's regularly scheduled in person and ZOOM meeting held on October 11, 2023, the Commission heard a request from Planning for a proposed Zone Change from Timber Production Zone (TPZ), to Planned Agricultural (PA). The General Plan Land Use Designation would remain as Agricultural Lands (AL) and within an Agricultural District. The project also requests to establish a Williamson Act Contract for the 33.22-acre parcel for Indian Rock Tree Farm which has Christmas trees on approximately 17-acres. The property is identified by Assessor's Parcel Number 085-540-003, is located on the south side of North Canyon Road, 1.5 miles northwest of the intersection with Larsen Drive, in the Camino area, Supervisorial District 3

Parcel Description:

- Parcel Number and Acreage: 085-540-003, 33.22 Acres
- Agricultural District: Yes
- Land Use Designation: AL (Agricultural Lands)
- Zoning: TPZ (Timber Preservation Zone).
- Soil Type:
 - Choice Soils:
 - MRC/MRD: Musick sandy loam, 9 To 30 % slopes
- Capitol Outlay:
 - Christmas Trees: \$306,000
 - Fence Line: \$39,564
 - Agricultural Buildings: \$120,000
- Income:
 - Christmas Tree Farm: \$221,738

Discussion:

A site visit was conducted on September 29, 2023 to assess conformance with planned

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT I - AGRICULTURAL COMMISSION MEMORANDUM

Meeting Date: October 11, 2023

Re: Indian Rock Tree Farm Hyder WAC Zoning ChangeSetback

Williamson act request.

Staff Findings:

High Intensive Farming Operation

1. Minimum Acreage = 20 contiguous acres.
2. Capital Outlay = \$45,000
3. Minimum Gross Income = \$13,500/year

Relevant General Plan Policies:

Policy 8.2.4.1B, In the Agriculture and Forestry Element, supports the continued use of Williamson Act Contracts to provide tax benefits to farms and ranches to help ensure the long-term conservation of agricultural lands.

Relevant Government Code Sections:

In regards to minimum criteria for agricultural preserves, Government Code Section 51222 states, "The Legislature further declares that it is in the public interest for local officials and landowners to retain agricultural lands which are subject to contracts entered into pursuant to this act in parcels large enough to sustain agricultural uses permitted under the contracts. For purposes of this section, agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is (1) at least 10 acres in size in the case of prime agricultural land, or (2) at least 40 acres in size in the case of land which is not prime agricultural land."

Staff Recommendations:

Staff recommends approval of **Z21-0010/WAC21-0003** based on the above findings.

Chair Boeger brought the item back to the Commission for discussion. The applicants were present and discussed the family's request for the project. One letter of support was received and is attached to the Legistar file. For a complete video of this item # 23-1886 discussion please go to the El Dorado County Website at: [County of El Dorado - Calendar \(legistar.com\)](https://legistar.com/Calendar/County%20of%20El%20Dorado)

It was moved by Commissioner Bolster and seconded by Commissioner Mansfield to recommend APPROVAL of staff's finding and recommendations of the above request for a Williamson Act Contract as the requirements for High Intensive Farming can be met.

Motion passed:

AYES: Boeger, Bolster, Tong, Neilsen, Mansfield, Walker
NOES: None
Absent: Draper

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT J - ASSESSOR'S RECOMMENDATION**



**EL DORADO COUNTY
PLANNING & BUILDING DEPARTMENT**

2850 Fairlane Court, Placerville, CA 95667
Phone (530) 621-5355, Fax (530) 642-0508

Date: October 17, 2023

To: County Assessor's Office

From: Bianca Dinkler, Senior Planner

Subject: Request for Review and Recommendation
Indian Rock Tree Farm, 3800 North Canyon Road, Camino (APN 085-540-003)
Rezone and Williamson Act Contract (Z21-0010, WAC21-0003)

Planning Services is processing an application for a proposed Rezone and Williamson Act Contract (Z21-0010, WAC21-0003) for Indian Rock Tree Farm, with the following project description:

A request for a Rezone and Williamson Act Contract for a 33.22-acre parcel, Indian Rock Tree Farm, for an established Christmas tree farm on approximately 17.0-acres. The project includes a Williamson Act Contract, and Rezone from Timber Production Zone (TPZ), to Planned Agricultural (PA). The Rezone to PA would allow uses by right in the PA zone, including Ranch Marketing and Special Events. The General Plan land use designation is Agricultural Lands (AL) and is within an Agricultural District. The property is identified by Assessor's Parcel Number (APN) 085-540-003, consists of 33.22-acres, and is located on the south side of North Canyon Road, 1.5 miles northwest of the intersection with Larsen Drive, in the Camino area, Supervisorial District 3.

As part of the review process, Planning Services is requesting review and recommendation from the County Assessor's Office.

The Agricultural Commission reviewed the project on October 11, 2023, and provided a recommendation of approval, which will be included with Planning Services recommendation to the Planning Commission (hearing date tba).

If you can please provide a response to Planning Services by: November 30, 2023. If you have any questions, please contact the Project Planner, Bianca Dinkler, at (530) 621-5875 Bianca.Dinkler@edcgov.us

Attachments:

Assessor's Recommendation Form (from Application)
Application for Indian Rock Tree Farm (Z21-0010, WAC21-0003)

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT J - ASSESSOR'S RECOMMENDATION

PART II
(To be completed by Assessor)

Comments: The Assessor / Assessor's Office
has no comments.

Assessor's recommendation(s): The Assessor / Assessor's Office
has no recommendation.

8/16/24
Date

Jon D. V.
El Dorado County Assessor

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT K - BOARD OF SUPERVISORS RESOLUTION 188-2002**



RESOLUTION No. 188-2002
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION AMENDING RESOLUTION NO. 245-99

WHEREAS, Chapter 7, Division 1 of Title 5 of the Government Code, commencing with Section 51200 (the "California Land Conservation Act of 1965" commonly referred to as the "Williamson Act") and Chapter 7, Part 7 of Division 1 of Title 5 of the Government Code commencing with Section 51296 (Farmland Security Zone), allows for the establishment of agricultural preserves by resolution of the Board of Supervisors after public hearing; and

WHEREAS, the County of El Dorado desires to revise its criteria and procedures for the creation of agricultural preserves pursuant to agreement with the owner of the property as provided in Section 51240, et seq., of the Government Code to meet the current needs of agriculture in the County; and

WHEREAS, the County finds that agricultural preserves of less than 100 acres are necessary due to the unique characteristics of agriculture in the County; and

WHEREAS the County finds that parcels consisting of between 10 and 20 acres and which are proven to be economically viable in agricultural endeavors should be afforded protection as afforded under Williamson Act contract;

NOW THEREFORE BE IT RESOLVED, by the El Dorado County Board of Supervisors of El Dorado County, that Resolution No. 245-99 is hereby amended, and the following shall be the criteria for the establishment of agricultural preserves within the County of El Dorado:

An applicant shall satisfy all of the following criteria for the establishment of an agricultural preserve:

1. Minimum Acreage:
 - A. For high intensive farming operations:
 - i. An agricultural preserve shall consist of a minimum of twenty (20) contiguous acres; however, an agricultural preserve may consist of between ten (10) and (20) contiguous acres if the Agricultural Commission determines the property meets all of the following criteria:

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT K - BOARD OF SUPERVISORS RESOLUTION 188-2002

Page 2
Resolution No. 188-2002

- (1) The property has a potential to contribute to the agricultural welfare of the County;
- (2) The property scores eighty (80) or higher on the County Procedure for Evaluating the Suitability of Land for Agriculture as attached in Appendix 1;
- (3) The property is, at the time of application, engaged in agricultural use;
- (4) The use of the surrounding properties is primarily agricultural in nature, or zoned agriculture or in an agriculture district;
- (5) The parcel size of the properties immediately adjacent to the property proposed to be included is at least ten (10) acres and said properties are included within the General Plan designation requiring at least a ten (10) acre minimum parcel size; and
- (6) The parcel was created prior to March 23, 1993.

B. For low intensive farming operations:

- i. An agricultural preserve shall consist of a minimum of fifty (50) contiguous acres that are adequately fenced to contain livestock.

2. Capital Outlay:

A. Methods for determining a value of capital outlay shall be determined by the Agricultural Commission.

B. For high intensive farming operations:

- i. There shall be a minimum capital outlay of \$45,000 excluding applicant's residence and original cost of the land.

C. For low intensive farming operations, such as grazing:

- i. There shall be a minimum capital outlay of \$10,000 excluding applicant's residence and original cost of the land.

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT K - BOARD OF SUPERVISORS RESOLUTION 188-2002

Page 3
Resolution No. 188-2002

3. Income:
 - A. Methods for determining a value income shall be determined by the Agricultural Commission.
 - B. For high intensive farming operations:
 - i. The property shall produce a minimum annual gross income of \$13,500 for high intensive farming operations, including but not limited to orchards, vineyards, and row crops.
 - ii. For permanent non-producing agriculture crops, such as orchards and vineyards, the plants shall be planted and properly cared and maintained (as determined by the Agricultural Commission) to produce an commercial crop within three (3) years and be capable of producing a minimum annual gross of income of \$13,500 within five (5) years of planting.
 - C. For low intensive farming operations, such as grazing:
 - i. The property shall produce a minimum annual gross income of \$2,000.

BE IT FURTHER RESOLVED, that the application forms for the establishment of an agricultural preserve shall be available from and shall be returned to the Planning Department, together with the applicable fee; and

BE IT FURTHER RESOLVED, that the applicant shall be notified in writing of the date and time of the public hearing held by the Planning Commission to consider the establishment of the agricultural preserve, and the applicant shall appear at said hearing; and

BE IT FURTHER RESOLVED, that in the event the Planning Commission recommends that an agricultural preserve should be established, the applicant shall be required to execute an agreement in the form approved by County Counsel which limits the use of the property to agricultural uses only, and upon execution by the County of the agreement, the County shall initiate a rezoning for the property to Exclusive Agricultural (AE); and

BE IT FURTHER RESOLVED, that in all matters relating to the establishment of agricultural preserves hereunder, the El Dorado County Agricultural Commission shall act as the primary advisory agency, and their determinations as to the criteria set forth above shall be entitled to due deference by the Planning Commission and Board of Supervisors; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption and thereafter this Resolution shall amend Resolution No. 245-99.

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT K - BOARD OF SUPERVISORS RESOLUTION 188-2002**

Page 4

Resolution No. 188-2002

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting
of said Board, held on the 16th day of July 2002, ~~18~~¹⁹ by the following vote of said Board:

Ayes: DUPRAY, BAUMANN, BORELLI, HUMPHREYS, SOLARO

ATTEST

DIXIE L. FOOTE

Clerk of the Board of Supervisors

By Margaret L. Moody
Deputy Clerk

Noes: NONE
Absent: NONE

[Signature]
Chairman, Board of Supervisors

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE _____

ATTEST: DIXIE L. FOOTE, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By _____
Deputy Clerk

Indian Rock Tree Farm Rezone

**Wildland Urban Interface Fire Protection Plan
Fire Safe Plan
WAC 21-003/Z 21-0010 PA**

Prepared for:

**The Raymond L. Hyder and
Geraldine F. Hyder 1994 Trust**

Prepared by:

**CDS Fire Prevention Planning
William F. Draper
Registered Professional Forester
#898
4645 Meadowlark Way
Placerville, CA 95667**

October 21, 2022

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT L - WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN**

Indian Rock Tree Farm

The Fire Safe Plan for the Indian Rock tree Farm does not guarantee that wildfire will not threaten, damage or destroy natural resources, homes or endanger residents. However, the full implementation of the mitigation measures will greatly reduce the exposure of structures to potential loss from wildfire and provide defensible space for firefighters and residents as well as protect the native vegetation. Specific items are listed for homeowner's attention to aid in wildfire safety. The plan recommends and acknowledges best management practices. It is of great importance to recognize that no plan can completely protect property from wildland fire with multiple variables inherent in the wildland-urban interface.

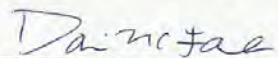
Approved by:



Braden Stirling, Fire Marshal
El Dorado County Fire Protection District

11/9/2022

Date




Darin McFarlin, FCS
Fire Prevention
California Department of Forestry and Fire Protection

11/13/22

Date

Prepared by:



William F. Draper
RPF # 898

11/9/22

Date



Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT L - WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN

PURPOSE:

Indian Rock Tree Farm is an actively managed forest and Christmas tree farm located on 33.2 acres in Camino, California in the heart of "Apple Hill". The owners are wanting to diversify their business to fully utilize the unique features of the property. They are seeking a rezoning from Timber Production Zone (TPZ) to Planned Agriculture (PA).

SCOPE:

The Fire Safe Plan for this property takes into consideration the existing best management practices being used and expands on those practices with the most current fire safe requirements that will be incorporated in the future management and development of the tree farm.

The Fire Safe Plan for the Indian Rock Tree Farm does not guarantee that wildfire will not threaten, damage or destroy natural resources, homes or endanger residents. However, the full implementation of the fire safe requirements will greatly reduce the exposure of structures to potential loss from wildfire and provide defensible space for firefighters and residents as well as protect the native vegetation. It is important to recognize that no plan can completely protect property from wildland fire with multiple variables inherent in the wildland-urban interface.

PROJECT:

Indian Rock Tree Farm located at 3200 North Canyon Road in Camino has requested to be rezoned to better meet the needs of the farm for the future. This 33.2 acre parcel, APN: 085-540-003, has a long history of being a managed forest and "choose and cut" Christmas tree farm. The majority of the property is on a northwest facing ridge with slopes up to 30%. There is an existing residence, sales area, farm support buildings, parking, gathering site, and roads/trails. There is a high voltage transmission lines across the back of the property where some of the Christmas trees are grown. The landowners have developed North Canyon Creek to be a productive fish stream with pools and a drafting site. The drafting site is on the south side of the creek in the northeast corner of the property. The entire property has been manicured. The timber stand is a mixture of conifers with Incense cedar, Ponderosa pine, Douglas-fir, White fir, Black oak, and Madrone overstory. Big Leaf maple is the dominate tree species along the creek. The understory has been mostly eliminated and the trees limbed. In some areas of the understory there are Christmas trees planted. The tree canopy is generally well over 30' from the ground to tree limbs. There are patches of understory with managed Christmas trees. The majority of Christmas tree plantings are densely planted in open areas under the high-tension powerline towers.

The stewards of this property use wood chips around and under their trees to control weeds and erosion. There are a series of roads and footpaths winding through the trees to provide access and break-up the vegetative fuels the forest contains. The clean understory is the product of years of control burns and intensive management.

The house site is at the north west corner of the property on a knoll. The house is in good repair and there are not plans to construct any additional housing or additions to the existing residence. The Firescaping standards in Appendix A should serve as a guide for maintaining a fire safe environment around the home. Zone O is a new requirement that will need to be incorporated around the residence in the coming year. This is referred to as the ember resistant zone and extends out from the foundation of the house for 5'.

FIRE SAFE REQUIREMENTS:

The existing residence is subject to El Dorado County Code of Ordinances Chapter 8.09 (Vegetation Management and Defensible Space) and California Public Resources Code section 4291 (PRC 4291) the state defensible space requirement for maintaining 100' clearances around all structures (See Appendix

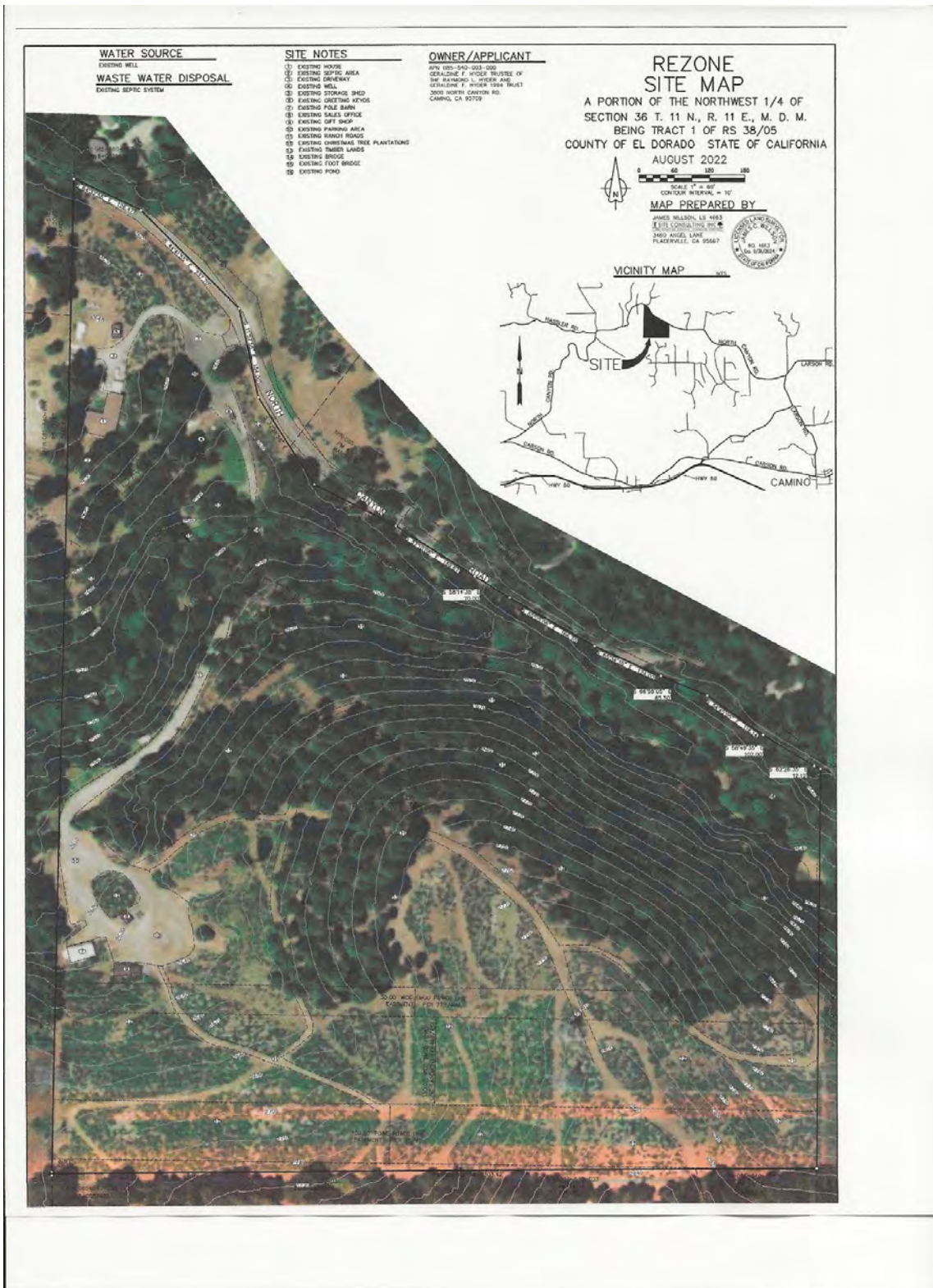
Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT L - WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN

A CAL FIRE Guideline). The County's "Good Neighbor" provision in the County Code will be utilized as necessary to meet the 100' clearance requirement. The property is located in a "Very High" Fire Severity Zone as prepared by CAL FIRE as part of its Fire Resource and Assessment Program (FRAP) in 2007. The El Dorado County Fire Protection District (EDCFPD) provides all fire and emergency medical services to this project. The California Department of Forestry and Fire Protection (CALFIRE) has wildland fire responsibility in this state responsibility area (SRA).

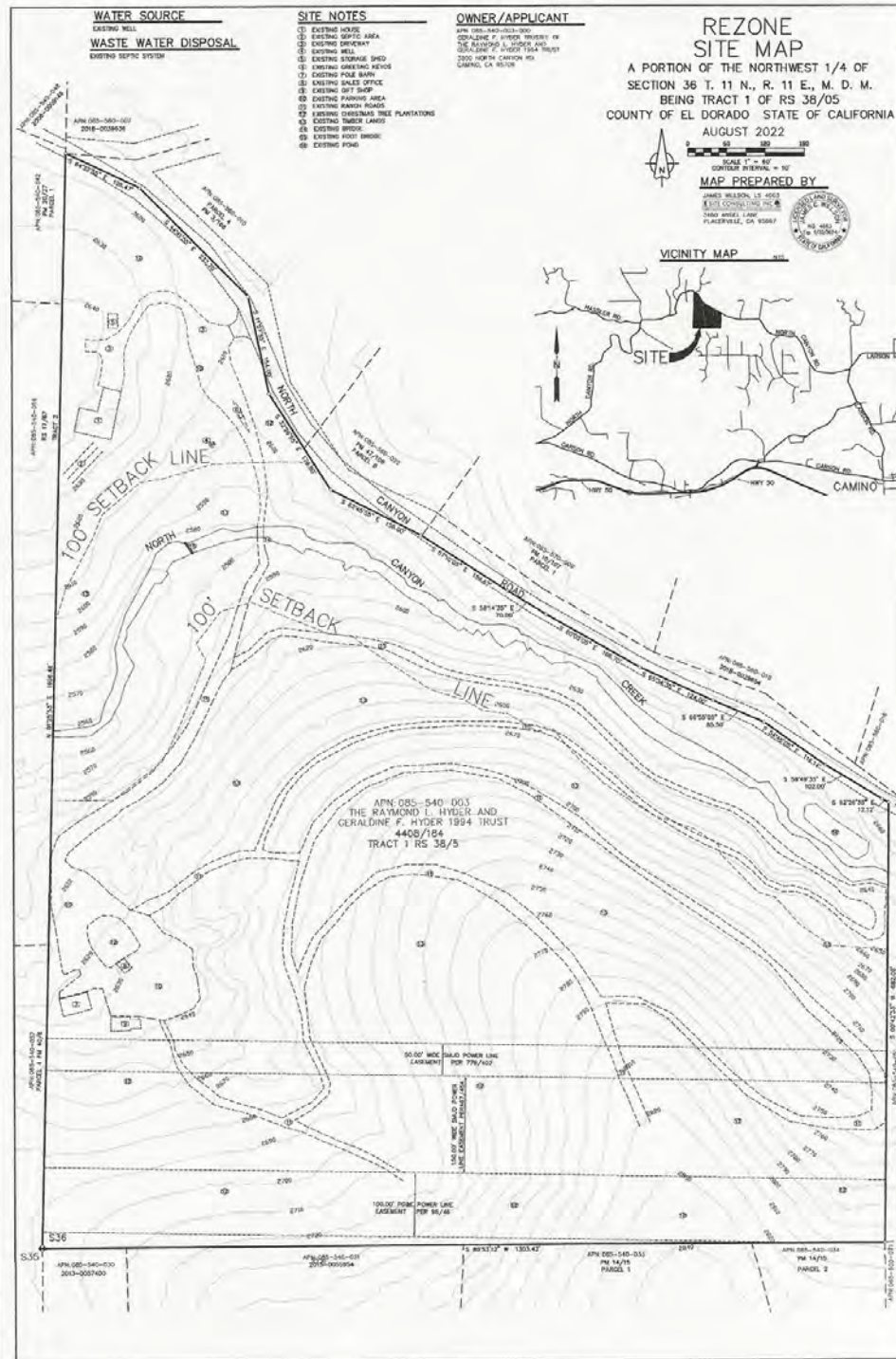
Any new building shall comply with California Code of Regulations Title 24, Parts 1-12 (California Building Standards Code) or those in effect at the time of construction. The property owner is responsible for any future fire safe or building code changes adopted by the state or local authority. A periodic review (about every 5 years) should be done between the landowner and EDCFPD to determine that the fire safe conditions are being followed or need to be revised.

The annual maintenance of the hazardous vegetation and removal prior to the start of the fire season and maintained throughout the fire season are critical for establishing and keeping a fire safe environment. All burning shall be carried out in full compliance with state and local regulations. Appropriate burning permits and adherence to burn day restrictions shall be followed. Hazard reduction work shall be completed by May 15 annually.

**Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT L - WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN**



Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT L - WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN



Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT L - WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN

APPENDIX A
INDIAN ROCK TREE FARM
FIRESCAPING STANDARDS

Firescaping is an approach to landscaping to help protect homes from wildland fires. The goal is to create a landscape that will slow the advance of a wildfire and create a Defensible Space that provides the key point for firefighting agencies to defend the home. This approach has a landscape zone surrounding the home containing a balance of native and exotic plants that are fire and drought resistant, help control erosion, and are visually pleasing. Firescaping is designed not only to protect the home but to reduce damage to oaks and other plants.

Zone 0

This is the 5' ember resistant zone. No flammable vegetation or ground cover is allowed within 5' of the residence foundation.

Zone I

The zone extends to not less than 30 feet from the house **or to the property line whichever is less** in all directions and has a traditional look of irrigated shrubs, flowers gardens, trees and lawns. All dead trees, brush, concentrations of dead ground fuels (tree limbs, logs etc. exceeding 1 inch in diameter) shall be removed. All native oak trees, conifers and brush species are pruned up to 10 feet above the ground as measured on the uphill side but no more than 1/3 of the live crown. The plants in this zone are generally less than 18 inches in height, must be slow to ignite from windblown sparks and flames. Such plants should produce only small amounts of litter and retain high levels of moisture in their foliage year around. Native and exotic trees are permitted inside the Zone, but foliage may not be within 10 feet of the roof or chimney. Grass and other herbaceous growth within this zone must be irrigated or if left to cure must be mowed to a 2 inch stubble, chemically treated or removed. Such treatment must be accomplished by June 1, annually. This zone has built in firebreaks created by driveways, sidewalks etc.

Zone II

This Zone adds 70 feet to Zone I and extends a minimum of 100 feet from the house in all directions, **or to the property line whichever is less**, and is a transition area to the outlying vegetation. The zone is a band of low growing succulent ground covers designed to reduce the intensity, flame length and rate of spread of an approaching wildfire. Irrigation may be necessary to maintain a quality appearance and retain the retardant ability of the plants. All dead trees, brush, concentration of dead ground fuels (tree limbs, logs etc.) exceeding 2 inches in diameter shall be removed. Annual grasses shall be mowed after they have cured to a 2 inch stubble by June 1, annually. Native trees and brush species may be preserved and pruned of limbs up to 8 feet above the ground as measured on the uphill side.

For All Zones With Oaks

Mature, multi stemmed Oaks can present a serious wildfire problem if untreated. Treat the Oaks as to the following specifications: (a) remove all dead limbs and stems and (b) cut off green stems at 10 feet above the ground as measured on the uphill side that arch over and are growing down towards the ground.

Z21-0010/WAC21-0003 INDIAN ROCK TREE FARM (HYDER)
EXHIBIT L - WILDLAND URBAN INTERFACE FIRE PROTECTION PLAN

APPENDIX A

