



AGRICULTURAL COMMISSION

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

MINUTES

August 9, 2017

6:30 P.M.

Board of Supervisors Meeting Room
330 Fair Lane – Building A, Placerville

Members Present: Mansfield, Neilsen, Draper, Walker, Bacchi, Bolster

Ex-Officio Members Present: Charlene Carveth

Media Members Present: None

Staff Members Present: Myrna Tow, Clerk to the Agricultural Commission
LeeAnne Mila, Agriculture Department
Evan Mattes, Planning Department
Aaron Mount, Planning Department

I. CALL TO ORDER

- Chair, David Bolster, called the meeting to order at 6:30 p.m. and asked for a voice vote for approval of the Agenda of August 9, 2017

ACTION ITEMS

II. Item # 17-0852 APPROVAL OF MINUTES of July 12, 2017

Chair Bolster called for a voice vote for approval to approve the Minutes of July 12, 2017 as submitted.

Motion passed

AYES: Walker, Draper, Mansfield, Bolster, Bacchi

NOES: None

ABSENT: Boeger

III. PUBLIC FORUM- None

IV. ITEM #17-0853 Subject: Granade Subdivision TM15-1527/Z15-0003 APN 087- 310-64

During the Agricultural Commission's regularly scheduled meeting held on August 9, 2017 a request to review a new rezone and tentative map application for a 9-lot rural tentative subdivision map in the Latrobe area. The subdivision would include a change in

zoning from Rural Lands Twenty-Acre (RL-20) to Estate Residential 10-Acre (RE-10) for six of the proposed lots. The three lots fronting Brandon Road would remain RL-20. Both zoning designations are consistent with the Rural Residential (RR) General Plan Land Use Designation. The proposed project includes the installation of wells and septic systems. Lots range in size from 10.02 to 25.17 acres. The property, identified by Assessor's Parcel Number 087-310-64, consists of 134.05 acres, and is located on the east side of South Shingle Road at the intersection with Brandon Road, in the Shingle Springs area. (District 2)

Relevant Policies:

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

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

General Plan Policy 8.1.3.1 - Agriculturally zoned lands including Williamson Act Contract properties shall be buffered from increases in density on adjacent lands by requiring a minimum of 10 acres for any parcel created adjacent to such lands. Parcels used to buffer agriculturally zoned lands should have a similar width to length ratio of other parcels when feasible.

Rural Residential (RR): This land use designation establishes areas for residential and agricultural development. These lands will typically have limited infrastructure and public services and will remain for the most part in their natural state. This category is appropriate for lands that are characterized by steeper topography, high fire hazards, and limited or substandard access as well as "choice" agricultural soils. The RR designation shall be used as a transition between LDR and the Natural Resource (NR) designation. Clustering of residential units under allowable densities is encouraged as a means of preserving large areas in their natural state or for agricultural production. Typical uses include single family residences, agricultural support structures, a full range of agricultural production uses, recreation, and mineral development activities. The allowable density for this designation is one dwelling unit per 10 to 160 acres. This designation is considered appropriate only in the Rural Regions.

Parcel Description:

- Parcel Number and Acreage: 087-310-64, 134.05 acres
- Agricultural District: No
- Land Use Designation: RR – Rural Residential
- Zoning: RL-20 – Rural Land 20 Acres

- Soil Type:
 - No choice soil

Discussion:

A site visit was conducted to review the tentative subdivision map in relation to the LA-20 (Limited Agriculture – 20 Acre) zoned land to the south.

Buffering the LA-20 zoned land to the south is Brandon Rd. The applicant has also increased the proposed size of the parcels boarding Brandon Rd. to a minimum of 20 acres. Parcels to the north of the subject parcel already are consistent in size and zoning with the applicants requested subdivision map and rezone. The minimum requested parcel size of approximately 10 acres is consistent with General Plan Policy 8.1.3.1.

Chair Bolster addressed the public for comment; the applicant Doug Granade was available and stated that he had modified the subdivision map per the Ag Commissions review on January 10, 2017. Mr. Dan Naygrow, a neighbor of the project spoke in opposition of the project due to water, traffic, and noise concerns.

It was moved by Commissioner Bacchi and seconded by Commissioner Draper to recommend APPROVAL of the subdivision and tentative map application for an 9-lot rural tentative subdivision map in the Latrobe area, on the parcel identified by Assessor's Parcel Number 087-310-64 does not conflict with General Plan Policy 8.1.4.1 and General Plan 8.1.3.1.

Motion passed

AYES: Draper, Walker, Bacchi, Mansfield, Bolster

NOES: None

ABSENT: Neilsen, Boeger

**V. ITEM #S17-0008: Island Girl Wines (Jeremy and Diana Vander Velde
APN #093-180-53**

During the Agricultural Commission's regularly scheduled meeting held on Aug. 9 2017 a request to approve a Conditional Use Permit that would allow a winery with no on-site sales or tasting room to be constructed and operate in the Somerset area.

Current farming/vineyard operations, which are allowed on the site by-right, would continue. The 22.6 acre site is planted with 6-acres of vineyard, and has been in operation since 2008 at an average of 18 tons a year of grape production. The property includes a residence that was built in 2012, and an existing 40x40 foot temperature controlled steel beam building with a 40x20 foot concrete pad in the front of the structure.

The project would allow the use of an existing 40x40 foot metal structure as a winery. Proposed operations are to be conducted in developed portions of the site, and no additional structures, development, or operations are proposed for the

undisturbed/undeveloped portions of the site, and no agricultural land would be disturbed or removed. No public on-site sales, and no public wine tasting, special events, or general public access is proposed.

The project site is surrounded by rural uses to the east, west and north (Rural Land, RL-10). South of the site includes Community Commercial (CC) Zoned uses, however the site is currently undeveloped.

The following General Plan Policy directs Commission guidance:

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

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

Parcel Description:

- Parcel Number and Acreage: 093-180-53, 22.6 Acres
- Agricultural District: No
- Land Use Designation: Commercial to the south and Rural Residential on all other sides of the property.
- Zoning: LA-20 (Planned Agriculture, 20 acres); surrounding zoning designations are CC (Commercial Community) to the south and RL-10 (Rural Land, 10 acres) on all other sides of the property.
- Soil Type: Choice soils on this parcel.
 - HgD: Holland Coarse Sandy Loam, 15 to 30 percent slopes, eroded

Discussion:

A site visit was conducted on July 31, 2017. The applicant is going to utilize an existing building for winery operations and no additional structures or development is proposed at this time. The vineyard is well cared for and commercially viable.

Staff Recommendation:

Staff recommends support of the request by the applicant for a conditional use permit, for a winery with no on-site sales or tasting room.

Chair Bolster addressed the public for comment; the applicant's agent William Crenshaw was available for questions or comments.

It was moved by Commissioner Walker and seconded by Commissioner Mansfield to recommend APPROVAL of Staff's recommendation of applicants request for a conditional use permit, for a winery with no on-site sales or tasting room.

Motion passed

AYES: Draper, Walker, Bacchi, Mansfield, Bolster

NOES: None

ABSENT: Neilsen, Boeger

**VI. ADM 17-0050 Miller Administrative Relief from Agricultural Setback
Assessor's Parcel #: 048-050-17**

During the Agricultural Commission's regularly scheduled meeting held on August 9, 2017 a request to approve an administrative relief from the agricultural setbacks for the above referenced project. This request is for the construction of a pool. According to the applicant, the proposed building site is approximately 34 feet from the property line of the adjacent PA-20 zoned parcel to the east (APN 048-050-14) and 95 feet from the property line of the adjacent PA-20 parcel to the west (APN 048-050-15). The applicant's parcel, identified by APN 048-050-17, consists of 12.09 acres and is located on Carson (Supervisor District 3).

Parcel Description:

- Parcel Number and Acreage: 048-050-17, 12.09 Acres
- Agricultural District: Yes
- Land Use Designation: Open Space to the south and Agricultural Lands on all other sides of the property.
- Zoning: PA-20 (Planned Agriculture, 20 acres); surrounding zoning designations are OS (Open Space) to the south and PA-20 on all other sides of the property.
- Soil Type: Choice soils on this parcel.
 - AfD: Aiken Loam, 15 to 30 percent slopes
 - AfB2: Aiken Loam, 3 to 9 percent slopes, eroded

Discussion:

A site visit was conducted on July 27, 2017 to review the placement of the swimming pool.

Staff Recommendation:

Staff recommends APPROVAL of the Miller's request for administrative relief of an agricultural setback, allowing for placement of a swimming pool, no less than 34 feet from the property line of the adjacent PA-20 zoned parcel to the east (APN 048-050-14) and no less than 95 feet from the property line of the adjacent PA-20 parcel to the west (APN 048-050-15), as staff believes that three of the four findings that the Agricultural Commission is required to make by Resolution No. 079-2007 and adopted by the Board of Supervisors on April 17, 2007, can be made:

a) No suitable building site exists on the subject parcel except within the required setback due, but not limited to, compliance with other requirements of the General Plan or other County development regulations;

a. The applicants house is built in the narrowest part of the parcel with a width of approximately 168 feet. The residence site is surrounded by the applicants apple orchard. Apple trees have been removed to place the pool close to the house in the flat area of the parcel. Placement of the pool outside of the developed area is prohibitive due to the slope of the parcel.

b) The proposed non-compatible structure will be located on the property to reasonably minimize the potential negative impact on adjacent agriculturally zoned land;

a. The applicant has located the building site to reasonably minimize any negative impacts to agriculturally zoned lands adjacent to the parcel. The pool will be surrounded on two sides by the applicants apple orchard and on the south side by their residence.

c) Based on the site characteristics of the subject parcel and the adjacent agriculturally zoned land including, but not limited to, topography and location of agricultural improvements, etc., the Commission determines that the location of the proposed non-compatible structure would reasonably minimize potential negative impacts on agricultural or timber production use; and

a. The pool placement has been located behind the residence surrounded by the applicants apple orchard, which buffer surrounding agricultural operations from conflicts

d) There is currently no agricultural activity on the agriculturally zoned parcel adjacent to the subject parcel and the Commission determines that the conversion to a low or high intensive farming operation is not likely to take place due to the soil and/or topographic characteristics of the adjacent agriculturally zoned parcel or because the General Plan Land Use Designation of the surrounding or adjacent parcels is not agricultural (e.g. Light/Medium/High Density Residential).

Staff also recommends that the applicant comply with Resolution No. 079-2007 Exhibit A of the Board of Supervisors pertaining to the adoption of the Criteria and Procedures for Administrative Relief from Agricultural Setbacks. Section B.5 requires the following action by the applicant: In all cases, if a reduction in the agricultural setback is granted for a non-compatible use/structure, prior to the issuance of a building permit, a Notice of Restriction must be recorded identifying that the non-compatible use/structure is constructed within an agricultural setback and that the owner of the parcel granted the reduction in the agricultural setback acknowledges and accepts responsibility for the risks associated with building a non-compatible use/structure within the setback.

If the Agricultural Commission cannot make the required findings in Resolution No. 079-2007, an application may be made to the Board of Supervisors for administrative relief. Such relief may be granted by the Board of Supervisors upon a determination by the Board taking all relevant facts into consideration that the public interest is served by the granting of the relief. Such applications shall be made to the Development Services Department and a recommendation made to the Board of Supervisors.

Chair Bolster addressed the public for comment; the applicant Kim Miller was available for questions or comments. One neighbor was concerned and opposed the project due to the active Ag operations being so close to the proposed pool site. The Ag Commission discussed the non-compatible use and due to the pool structure being so close to active agricultural operations they had concerns over the short distance to neighboring Agricultural zoned properties. Kim mentioned she was going to have an air tight pool cover installed.

- a) It was moved by Commissioner Bacchi and seconded by Commissioner Draper to deny applicants request for administrative relief from the agricultural setbacks for the above referenced project due to negative impact on adjacent agriculturally zoned lands.***

Motion passed:

AYES: Draper, Walker, Bacchi, Bolster

NOES: None

ABSENT: Neilsen, Boeger

ABSTAIN: Mansfield

VII. ITEM #17-0855 ADM 17-0050 Miller Administrative Relief from Agricultural Setback Assessor's Parcel #: 048-050-17

During the Agricultural Commission's regularly scheduled meeting held on August 9, 2017 a request to approve an administrative relief from the agricultural setbacks for the above referenced project. This request is for the construction of a pool. According to the

applicant, the proposed building site is approximately 34 feet from the property line of the adjacent PA-20 zoned parcel to the east (APN 048-050-14) and 95 feet from the property line of the adjacent PA-20 parcel to the west (APN 048-050-15). The applicant's parcel, identified by APN 048-050-17, consists of 12.09 acres and is located on Carson (Supervisor District 3).

Parcel Description:

- Parcel Number and Acreage: 048-050-17, 12.09 Acres
- Agricultural District: Yes
- Land Use Designation: Open Space to the south and Agricultural Lands on all other sides of the property.
- Zoning: PA-20 (Planned Agriculture, 20 acres); surrounding zoning designations are OS (Open Space) to the south and PA-20 on all other sides of the property.
- Soil Type: Choice soils on this parcel.
 - AfD: Aiken Loam, 15 to 30 percent slopes
 - AfB2: Aiken Loam, 3 to 9 percent slopes, eroded

Discussion:

A site visit was conducted on July 27, 2017 to review the placement of the swimming pool.

Staff Recommendation:

Staff recommends APPROVAL of the Miller's request for administrative relief of an agricultural setback, allowing for placement of a swimming pool, no less than 34 feet from the property line of the adjacent PA-20 zoned parcel to the east (APN 048-050-14) and no less than 95 feet from the property line of the adjacent PA-20 parcel to the west (APN 048-050-15), as staff believes that three of the four findings that the Agricultural Commission is required to make by Resolution No. 079-2007 and adopted by the Board of Supervisors on April 17, 2007, can be made:

- e) No suitable building site exists on the subject parcel except within the required setback due, but not limited to, compliance with other requirements of the General Plan or other County development regulations;*

The applicants house is built in the narrowest part of the parcel with a width of approximately 168 feet. The residence site is surrounded by the applicants apple orchard. Apple trees have been removed to place the pool close to the house in the flat area of the parcel. Placement of the pool outside of the developed area is prohibitive due to the slope of the parcel.

- f) The proposed non-compatible structure will be located on the property to reasonably minimize the potential negative impact on adjacent agriculturally zoned land;*

a. The applicant has located the building site to reasonably minimize any negative impacts to agriculturally zoned lands adjacent to the parcel. The pool will be surrounded on two sides by the applicants apple orchard and on the south side by their residence.

g) Based on the site characteristics of the subject parcel and the adjacent agriculturally zoned land including, but not limited to, topography and location of agricultural improvements, etc., the Commission determines that the location of the proposed non-compatible structure would reasonably minimize potential negative impacts on agricultural or timber production use; and

a. The pool placement has been located behind the residence surrounded by the applicants apple orchard, which buffer surrounding agricultural operations from conflicts

h) There is currently no agricultural activity on the agriculturally zoned parcel adjacent to the subject parcel and the Commission determines that the conversion to a low or high intensive farming operation is not likely to take place due to the soil and/or topographic characteristics of the adjacent agriculturally zoned parcel or because the General Plan Land Use Designation of the surrounding or adjacent parcels is not agricultural (e.g. Light/Medium/High Density Residential).

Staff also recommends that the applicant comply with Resolution No. 079-2007 Exhibit A of the Board of Supervisors pertaining to the adoption of the Criteria and Procedures for Administrative Relief from Agricultural Setbacks. Section B.5 requires the following action by the applicant: In all cases, if a reduction in the agricultural setback is granted for a non-compatible use/structure, prior to the issuance of a building permit, a Notice of Restriction must be recorded identifying that the non-compatible use/structure is constructed within an agricultural setback and that the owner of the parcel granted the reduction in the agricultural setback acknowledges and accepts responsibility for the risks associated with building a non-compatible use/structure within the setback.

If the Agricultural Commission cannot make the required findings in Resolution No. 079-2007, an application may be made to the Board of Supervisors for administrative relief. Such relief may be granted by the Board of Supervisors upon a determination by the Board taking all relevant facts into consideration that the public interest is served by the granting of the relief. Such applications shall be made to the Development Services Department and a recommendation made to the Board of Supervisors.

Chair Bolster addressed the public for comment; the applicant Kim Miller was available for questions or comments. One neighbor was concerned and opposed the project due to the active Ag operations being so close to the proposed pool site. The Ag Commission

discussed the non-compatible use and due to the pool structure being so close to active agricultural operations they had concerns over the short distance to neighboring Agricultural zoned properties. Kim mentioned she was going to have an air tight pool cover installed.

b) It was moved by Commissioner Bacchi and seconded by Commissioner Draper to deny applicants request for administrative relief from the agricultural setbacks for the above referenced project due to negative impact on adjacent agriculturally zoned lands.

Motion passed:

AYES: Draper, Walker, Bacchi, Bolster

NOES: None

ABSENT: Neilsen, Boeger

ABSTAIN: Mansfield

VIII. ITEM # 17-0856 ADM 17-0046-Roe Second Residence within a Williamson Act Contract Assessor's Parcel #: 088-021-43

During the Agricultural Commission's regularly scheduled meeting held on August 9, 2017 a request to review an Administrative Permit to allow conversion of an existing temporary agricultural employee housing to a permanent residence. The following Zoning Ordinance section applies to this request: 130.40.060.C.3 **Residential Development**. In addition to a primary dwelling, one secondary dwelling may be allowed within a Preserve by Administrative Permit approval in compliance with Section 130.52.010 (Administrative Permit, Relief, or Waiver), providing all of the following findings regarding the secondary dwelling can be made:

- a. It complies with all other zone setbacks and development standards, including agricultural buffer setbacks, if applicable;
- b. It is consistent with the terms of the applicable Agricultural Preserve Contract; and is incidental to the agricultural use of the land;
- c. It is consistent with the principles of compatibility in compliance with California Government Code Section 51238.1(a), as determined by the Ag Commission. (District IV)

Parcel Description:

- Property Address: 5700 Hackomiller Rd., Garden Valley
- Parcel Acreage: 61.54 acres
- Ag District: Yes – Garden Valley Ag District
- Land Use Designation: Agricultural Lands (AL)
- Zoning: Exclusive Agricultural (AE) – In Ag Preserve # 312
- Average Elevation of Parcel: 2000 feet

Discussion:

The property is currently in a Williamson Act Contract (#312), and continues to meet the

criteria to qualify as such;

- (1) Capital outlay exceeded the \$10,000;
- (2) Minimum acreage exceeded the 50 acre requirement at 61.54 acres;
- (3) Gross income exceeded the \$2,000.

The agricultural operation consists of a cattle operation that necessitates the need for agricultural labor, and the placement of the agricultural housing meets the Principles of Compatibility (Section 51238.1 of the California Government Code);

- (1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel(s) or on other contracted lands,
- (2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcels(s), and
- (3) The use will not result in the significant removal of adjacent contracted land from agricultural use.

Staff Recommendation: *Staff recommends APPROVAL of ADM17-0046 based on the above findings.*

Chair Bolster addressed the public for comment; the applicant was not present and there were no comments from the audience.

It was moved by Commissioner Bacchi and seconded by Commissioner Walker to recommend APPROVAL of Staff's recommendation of applicants request based on the above findings to approve ADM17-0046/Roe Second Residence within a Williamson Act Contract, Assessor's Parcel Number: 088-021-43

Motion passed

AYES: Draper, Walker, Bacchi, Mansfield, Bolster

NOES: None

ABSENT: Neilsen, Boeger

IX. ITEM # 17-0857 ADM 17-0056/Edison Administrative Relief from Agricultural Setback APN #048-060-49

During the Agricultural Commission's regularly scheduled meeting held on August 9, 2017 a request to approve an administrative relief from the agricultural setbacks for the above referenced project. (note: barn was removed from the request) This request is for the construction of a pool and conversion of a barn to a residence. According to the applicant, the proposed building site for the pool is approximately 98 feet from the property line of the adjacent PA-20 zoned parcel to the south (APN 048-060-60) and 122 feet from the property line of the adjacent PA-20 parcel to the east (APN 048-080-35). The existing barn to be converted to a residence is approximately 133 feet from the property line of the adjacent PA-20 zoned parcel to the south (APN 048-060-60) and 125 feet from the property line of the adjacent PA-20 parcel to the east (APN 048-080-35). The applicant's parcel, identified by APN 048-060-49, consists of 2.88 acres and is located on Fruitridge Rd. (Supervisor District 3).

Parcel Description:

- Parcel Number and Acreage: 048-060-49, 2.88 Acres
- Agricultural District: Yes
- Land Use Designation: Open Space to the north and Agricultural Lands on all other sides of the property.
- Zoning: PA-20 (Planned Agriculture, 20 acres); surrounding zoning designations are OS to the north and PA-20 on all other sides of the property.
- Soil Type: Choice soils on this parcel.
 - AfB2: Aiken Loam, 3 to 9 percent slopes, eroded
 - AfC2: Aiken Loam, 9 to 15 percent slopes, eroded

Discussion:

A site visit was conducted on July 27, 2017 to review the placement of the swimming pool and conversion of a barn to a residence. The applicant is proposing to place the swimming pool approximately 98 feet from the property line of the adjacent PA-20 zoned parcel to the south (APN 048-060-60) and 122 feet from the property line of the adjacent PA-20 parcel to the east (APN 048-080-35). The existing barn to be converted to a residence is approximately 133 feet from the property line of the adjacent PA-20 zoned parcel to the south (APN 048-060-60) and 125 feet from the property line of the adjacent PA-20 parcel to the east (APN 048-080-35).

The applicants parcel is approximately 215 feet wide, severely limiting the ability to comply with the 200 foot setback requirement.

Staff Findings:

Staff findings for three of the four items that the Agricultural Commission is required to make by Resolution No. 079-2007, which was adopted by the Board of Supervisors on April 17, 2007:

- i) *No suitable building site exists on the subject parcel except within the required setback due, but not limited to, compliance with other requirements of the General Plan or other County development regulations;*

The applicants parcel width of approximately 215 feet, limits the available pool sites.

- j) *The proposed non-compatible structure will be located on the property to reasonably minimize the potential negative impact on adjacent agriculturally zoned land;*

a. The applicant has located the building site to reasonably minimize any negative impacts to agriculturally zoned lands adjacent to the parcel. Fruitridge provides a buffer between the applicants parcel and the PA-20 zoned parcel to the East.

- k) *Based on the site characteristics of the subject parcel and the adjacent*

agriculturally zoned land including, but not limited to, topography and location of agricultural improvements, etc., the Commission determines that the location of the proposed non-compatible structure would reasonably minimize potential negative impacts on agricultural or timber production use; and

a. The pool placement is approximately 98 feet from the agriculturally zoned parcel to the south (APN: 048-060-60). It has been located as far away from this parcel as possible due to structural and agricultural improvements on the property. The agriculturally zoned parcel to the east (APN: 048-080-35) is buffered by Fruitridge road.

- l) There is currently no agricultural activity on the agriculturally zoned parcel adjacent to the subject parcel and the Commission determines that the conversion to a low or high intensive farming operation is not likely to take place due to the soil and/or topographic characteristics of the adjacent agriculturally zoned parcel or because the General Plan Land Use Designation of the surrounding or adjacent parcels is not agricultural (e.g. Light/Medium/High Density Residential).*

If the Agricultural Commission approves this project, staff recommends that the applicant comply with Resolution No. 079-2007 Exhibit A of the Board of Supervisors pertaining to the adoption of the Criteria and Procedures for Administrative Relief from Agricultural Setbacks. Section B.5 requires the following action by the applicant: In all cases, if a reduction in the agricultural setback is granted for a non-compatible use/structure, prior to the issuance of a building permit, a Notice of Restriction must be recorded identifying that the non-compatible use/structure is constructed within an agricultural setback and that the owner of the parcel granted the reduction in the agricultural setback acknowledges and accepts responsibility for the risks associated with building a non-compatible use/structure within the setback.

If the Agricultural Commission cannot make the required findings in Resolution No. 079-2007, an application may be made to the Board of Supervisors for administrative relief. Such relief may be granted by the Board of Supervisors upon a determination by the Board taking all relevant facts into consideration that the public interest is served by the granting of the relief. Such applications shall be made to the Development Services Department and a recommendation made to the Board of Supervisors.

Chair Bolster addressed the public for comment; the applicant Robin Edison addressed the Commission and was available for questions or comments. Aaron Mount from Planning was available for comment and assisted with clarifying the item before the Commission was only for the pool as the barn is not going to be a residence. One neighbor was concerned and opposed the project due to the active Ag operations being so close to the proposed pool site. The Ag Commission discussed the non-compatible use and due to the pool structure being so close to active agricultural operations they had concerns over the short distance to neighboring Agricultural zoned properties. Robin expressed not wanting to remove trees on the other side of the barn but would do so if

the commission could approve a longer distance from the active Ag operations.

It was moved by Commissioner Walker and seconded by Commissioner Bacchi to deny applicants request for administrative relief from the agricultural setbacks for the above referenced project due to negative impact on adjacent agriculturally zoned lands.

Motion failed

AYES: Draper, Walker, Bacchi

NOES: Bolster

ABSENT: Neilsen, Boeger

ABSTAIN: Mansfield

It was moved by Commissioner Draper and seconded by Commissioner Walker to approve the applicant's request with the following modifications: Moving the placement of the pool to create a buffer of no less than 120 feet from the property line of the adjacent PA-20 zoned parcel to the south (APN 048-060-60) and 122 feet from the property line of the adjacent PA-20 parcel to the east (APN 048-080-35).

Motion passed

AYES: Draper, Walker, Bacchi, Bolster

NOES: None

ABSENT: Neilsen, Boeger

ABSTAIN: Mansfield

- X. ITEM # 17-0858 Storm Water – Dirt “off tracking” from Farms**
Informative information from Commissioner Charlene Carveth addressing driveway encroachments relating to Storm Water requirements in El Dorado County.

UPDATE on LEGISLATION and REGULATORY REQUEST – Charlene Carveth

XI. ADJOURNMENT 8:36 pm

APPROVED: _____ DATE: 10/11/17
Greg Boeger, Chair