



# 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

May 9, 2018  
6:30 P.M.

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

**Members Present:** Walker, Bacchi, Draper, Neilsen, Boeger, Mansfield

**Ex-Officio Members Present:** Charlene Carveth

**Media Members Present:** None

**Staff Members Present:** Myrna Tow, Clerk to the Agricultural Commission  
LeeAnne Mila, Agriculture Department

### I. CALL TO ORDER

- Chair, Greg Boeger, called the meeting to order at 6:30 p.m. and asked for a voice vote for approval of the Agenda of May 9, 2018.

#### *Motion passed*

**AYES:** Walker, Neilsen, Bacchi, Draper, Mansfield, Boeger

**NOES:** None

**ABSENT:** Bolster

### ACTION ITEMS

#### II. Item # 18----- APPROVAL OF MINUTES of April 11, 2018

*Chair Boeger called for a voice vote for approval to approve the Minutes of April 11, 2018 as submitted.*

#### *Motion passed*

**AYES:** Walker, Boeger, Mansfield, Draper, Neilsen, Bacchi

**NOES:** None

**ABSENT:** Bolster,

#### III. PUBLIC FORUM – None

#### IV. Item # 18-0767 ADM18-0078/D'Agostini Administrative Relief from Agricultural Setback Assessor's Parcel Number: 046-061-74

During the Agricultural Commission's regularly scheduled meeting held on May 9, 2018 a

request from Planning Services to review an administrative relief from the agricultural setback for the above referenced project. This request is for a mobile home to be used as a hardship home. According to the applicant, the proposed building site is approximately seventy-six feet (76') from the property line of the adjacent Limited Agriculture 20-Acre zoned parcel (LA-20) to the north (APN: 046-061-90) and one hundred and eighty-eight feet (188') from the property line of the adjacent Agricultural Grazing 40-Acre (AG-40) zoned parcel to the south (APN: 046-061-76). The applicant's parcel (APN 046-061-74) is zoned AG-40 consisting of 10.382 acres within an Agricultural Preserve (Williamson Act Contract. (Supervisor District: 2).

**Parcel Description:**

- Parcel Number and Acreage: 046-061-74, 10.382 Acres
- Agricultural District: Yes
- Land Use Designation: Agricultural Lands, AL
- Zoning: AG-40 (Agricultural Grazing, 40 Acres), with LA-20 (Limited Agriculture, 20 Acres) on the north/western property border.
- Soil Type: Choice Soils
  - SbB – Shaver Coarse Sandy Loam, 5 to 9 percent slopes

**Discussion:**

A site visit was conducted on April 24, 2018 to assess the placement of the proposed structure.

**Staff Findings:**

*Staff recommends APPROVAL of the D'Agostini request for administrative relief of an agricultural setback, allowing for placement of a hardship mobile home, no less than 76 feet from the property line of the adjacent Limited Agriculture-20 acre zoned parcel (LA-20) to the north (APN: 046-061-90) and one hundred and eighty-eight feet (188') from the property line of the adjacent Agricultural Grazing 40-Acre (AG-40) zoned parcel to the south (APN: 046-061-76)., 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;*

There is not enough buildable area within the setback.

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

The proposed site for the hardship mobile home clusters the home near the existing home site effectively minimizing any further non-compatible uses on other

areas of the property.

- 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*

The home site has been situated to minimize impacts to the adjacent agriculturally zoned land, maximizing the setback to the southern property.

The southern agriculturally zoned parcel (APN: 046-061-76) is 132 acres. The northern LA-20 zoned parcel (APN: 046-061-90) is 240 acres but is bisected by Mt. Aukum Rd. The portion of this parcel that is adjacent to the applicants parcel is roughly 95 feet wide before it is crossed by Mt. Aukum Rd. The road effectively acts as a buffer protecting the larger portion of the parcel.

- 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 Boeger addressed the public for comment; the applicant was present and addressed the Commission.*

***It was moved by Commissioner Walker and seconded by Commissioner Bacchi to recommend APPROVAL of Staff's recommendation of the D'Agostini request for administrative relief of an agricultural setback, allowing for placement of a hardship mobile home, no less than 76 feet from the property line of the adjacent***

***Limited Agriculture-20 acre zoned parcel (LA-20) to the north (APN: 046-061-90) and one hundred and eighty-eight feet (188') from the property line of the adjacent Agricultural Grazing 40-Acre (AG-40) zoned parcel to the south (APN: 046-061-76)., 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.***

***Motion passed:***

**AYES:** Walker, Neilsen, Bacchi, Draper, Mansfield, Boeger

**NOES:** None

**ABSENT:** Bolster

**ABSTAIN:** None

**V. Item # 18-0768 S17-0014: Kelley Bed and Breakfast (Kelley Bonnie) - APN 048-050-11**

During the Agricultural Commission's regularly scheduled meeting held on May 9, 2018 a request from Planning Services to review a Conditional Use Permit a Bed and Breakfast, located on a 11 acre parcel south of Union Ridge Road, approximately 0.16 miles north of the intersection with Carson Road in the Apple Hill area.

The applicant is requesting the Approval of a Conditional Use Permit that would allow a Bed and Breakfast Inn with no ancillary activities such as special events to operate in the Apple Hill area. The current farming/orchard operation, which is allowed on the site by right, would continue. The 11-acre site has an existing apple orchard that will remain intact, even with the bed and breakfast inn operation. The property includes a residence that was built in 1980, and an existing secondary dwelling. No new structures are proposed with the approval of the Conditional Use Permit.

The project would allow the use of an existing primary dwelling as a three guestroom bed and breakfast inn. 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. No agricultural land would be disturbed or removed. No special events are proposed as part of the bed and breakfast inn. The maximum occupancy of six people is anticipated for the bed and breakfast inn, excluding owners.

Agricultural-zoned parcels to the east, west, and north (Planned Agricultural, PA-20) including Abel's Apples Acres surround the project site. South of the site includes Open Space (OS) Zoned parcels, owned by the US Forestry Department.

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: 048-050-113, 11 Acres
- Agricultural District: Yes
- Land Use Designation: AL – Agricultural Lands
- Zoning: PA-20, Planned Agriculture – 20 Acres

**Discussion:**

A site visit was conducted on April 26, 2018 to ensure compatibility with General Plan policy 8.4.1.

Special Events such as weddings, fund raisers, music venues will not be held at the site; therefore, excluded from this conditional use permit application.

The proposed project would allow for the establishment of a Bed and Breakfast Inn within lands designated for Agricultural Lands. The proposed Bed and Breakfast Inn within the existing residence is allowed under this General Plan designation with a Conditional Use Permit and complies with the development standards of the PA-20 zone.

The proposed Bed and Breakfast would be located in an area with both residential development and agricultural uses. No new structures are proposed and the residential character of the property would be maintained. New impacts would be the Bed and Breakfast Inn and the limited guests that would visit. The amount of visitors of the Bed and Breakfast Inn is minor in comparison to the amount of people who visit the adjoining Agricultural Lands during the Apple Hill Season. It is believed that the proposed use, as conditioned, would be compatible with the agricultural lands of the neighborhood and would be compatible with the surrounding land uses.

**Staff Recommendation:**

*Staff recommends support of the request by the applicant for a conditional use permit for a Bed and Breakfast Inn with a maximum occupancy of 6 visitors, with no on site events.*

*Chair Boeger addressed the public for comment; the applicant was present and addressed the Commission.*

***It was moved by Commissioner Bacchi and seconded by Commissioner Neilsen to recommend APPROVAL of Staff's recommendation of support of the request by the applicant for a conditional use permit for a Bed and Breakfast Inn with a maximum occupancy of 6 visitors, with no on site events.***

***Motion passed:***

**AYES:** Walker, Neilsen, Bacchi, Draper, Mansfield, Boeger  
**NOES:** None  
**ABSENT:** Bolster  
**ABSTAIN:** None

- VI. UPDATE on LEGISLATION and REGULATORY REQUEST – Charlene Carveth**
- VII. Correspondence and Other Business – Review of quarterly accomplishments of the Ag Commission to be submitted to the Board of Supervisor's for review.**
- VIII. ADJOURNMENT 7:22 pm**

**APPROVED: \_\_\_\_\_ DATE: 07/11/18**  
**Greg Boeger, Chair**