



# 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

January 13, 2020

6:30 P.M.

Meeting held via ZOOM Meeting ID 980 24121328

**Members Present:** Walker, Draper, Bolster, Bacchi, Boeger, Mansfield  
**Ex-Officio Members Present:** Charlene Carveth, Agricultural Commissioner  
**Media Members Present:** None  
**Staff Members Present:** Myrna Tow, Clerk to the Agricultural Commission  
LeeAnne Mila, Deputy Agricultural Commissioner  
CJ Seado, Ag Biologist Standards Inspector III

### 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 January 13, 2021.*

*Motion passed:*

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

**NOES:** None

**ABSENT:** Neilsen

**ABSTAIN:** None

### ACTION ITEMS

- II. Item #21-0071 Adoption of the 2021 Ag Commission Meeting Calendar with no changes.

*Chair, Greg Boeger, called for a voice vote to approve the calendar presented for the 2021 year.*

*Motion passed:*

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

**NOES:** None

**ABSENT:** Neilsen

**ABSTAIN:** None

- III. Item #21-0072 Election of Chair and Vice-Chair for 2021,

**Commissioner Mansfield moved and was seconded by Commissioner Draper to elect Greg Boeger as Chair and Dave Bolster as Vice-chair for the 2021 year.**

***Motion passed:***

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

**NOES: None**

**ABSENT: Neilsen**

**ABSTAIN: None**

**IV. Item # 21-0070 APPROVAL OF MINUTES of December 9, 2020**

***Chair Boeger called for a voice vote for approval to approve the Minutes of December 9, 2020.***

***Motion passed:***

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

**NOES: None**

**ABSENT: Neilsen**

**ABSTAIN: None**

**V. PUBLIC FORUM – None**

**VI. Item #21-0073 ADM20-0028 Surfside Hawaii Agricultural  
Setback Relief/Accessory Dwelling Unit  
Assessor's Parcel Number: 087-021-082**

During the Agricultural Commission's regularly scheduled ZOOM meeting held on January 13, 2021, 6:30pm the Commission heard a request from the Planning Department for an administrative relief from the required 200-foot agricultural setback for the above-referenced project be reduced to 62 feet from the southeastern property line and 179 feet from the southwestern property line to build an Accessory Dwelling Unit for the homeowner's mother.

The applicant's parcel, APN 087-021-082, is 24.4 acres and zoned Planned Agriculture-20 acre (PA-20). The parcel located to the north and east is 087-021-010 is zoned (PA-20); the parcel located to the south and west is 087-021-083 and zoned Planned Agriculture 20 acre (PA-20). All parcels are in Supervisor District 2, George Turnboo.. None of the parcels above are within agricultural districts.

**Parcel Description:**

- Parcel Number and Acreage: 087-021-082, 24.4 acres
- Agricultural District: No
- Land Use Designation: Agricultural Lands, AL

- Zoning: PA-20 (Planned Agriculture, 20 Acres).
- The parcel is in Ag Preserve #242 and is in rollout
- Soil Type: No Choice Soils

- **Discussion:**

A site visit was conducted on December 21, 2020 to assess the placement of the proposed accessory dwelling unit.

**Staff Findings:**

*Staff recommends APPROVAL of the request for the project to be reduced to 62 feet from the southeastern property line and 179 feet from the southwestern property line to build an Accessory Dwelling Unit, 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;*

**The placement options are limited due to topography and other developments on the property. The parcel drops towards Slug Gulch to the north and east sides of the property.**

- 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 placement of the proposed accessory dwelling unit minimizes the potential negative impact to the vineyard on the adjacent parcel to the west.**

**The residential structure on the vineyard property is between the vineyard and the proposed dwelling site.**

- 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 proposed structure is placed near the existing main house. The adjacent agriculturally zoned parcel to the east has rocky non-choice soils and drops off steeply to Slug Gulch.**

- 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 brought the item back to the Commission for discussion. The applicant was available for questions and felt staff had covered all of his request.*

***It was moved by Commissioner Bolster and seconded by Commissioner Bacchi to recommend APPROVAL of staff's recommendations for Administrative relief from the agricultural setback for placement of a Accessory Dwelling Unit, as described above, 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, Boeger, Bolster, Draper, Mansfield, Bacchi***

***NOES: None***

***ABSENT: Neilsen***

***ABSTAIN: None***

## **VII. Item # 21-0074 Steward Parcel Map (Project File No. P17-0008)**

During the Agricultural Commission's regularly scheduled ZOOM meeting held on January 13, 2021, 6:30pm the Commission heard a request from the Planning Department for two parcels of 30.0 acres (Parcel A) and 20.0 acres (Parcel B). The project site is located on the west side of State Highway 193, approximately 0.4 miles north of the intersection with Black Oak Mine Road in the Garden Valley area. This property is within the Agricultural District and is in Supervisor Lori Parlin's District IV.

General Plan Policy 8.1.3.5. and General Plan Policy 8.1.4.1. requires a recommendation from the Agricultural Commission.

**Parcel Description:**

- Parcel Number and Acreage: 060-430-075, 50 acres
- Agricultural District: Yes, Garden Valley Georgetown District
- Land Use Designation: Agricultural Lands, AL
- Zoning: RL-20 (Rural Lands, 20 Acres)
- Soil Type: Choice Soils
  - BpC: Boomer-Sites loam 9-15% Slopes
  - SkD: Sites loam 15-30% Slopes

**Discussion:**

A site visit was conducted on December 17, 2020 to review consistency with pertinent General Plan policies.

**Policy 2.2.2.2.B.** “The minimum residential parcel size for lands containing choice agricultural soils within an Agricultural (A) District shall be twenty (20) acres or the minimum lot size established by the underlying land use designation, whichever is greater.”

**The parcel map creates two lots, one a 30 acre lot and one a 20 acre lot, meets Policy 2.2.2.2.B.**

**Policy 8.1.3.1.** “Agriculturally zoned lands including Williamson Act 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.”

**The two proposed parcels would be greater than 10 acres thereby buffering the Williamson Act property to the west of the proposed parcels.**

Assessment of the proposed parcel map was conducted for consistency with General Plan policy 8.1.3.5 and policy 8.1.4.1.

**Policy 8.1.3.5.** “On any parcel 10 acres or larger identified as having an existing or potential agricultural use, the Agricultural Commission must consider and provide a recommendation on the agricultural use (except for parcels assigned urban or other non-agricultural uses by the

land use map for the 1996 General Plan) or potential of that parcel and whether the request will diminish or impair the existing or potential use prior to any discretionary permit being approved.”

**The proposed parcel split allows for choice soils on both parcels which will still support potential agricultural use.**

**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

The parcel has existing residential structures and no new structures are proposed. Existing utility easements continue to buffer the vineyard property to the west and no new conflicts would be created from the parcel split.

The site plan is consistent with General Plan Policies and all applicable zoning, so staff recommends support of the applicants parcel map.

***Chair Boeger brought the item back to the Commission for discussion. The applicant James Steward and his son were available for questions and felt staff had covered their entire request. Gina Hamilton, Senior Planner was present and mentioned the applicant would be returning to the Ag Commission to request agricultural setback relief for the existing structure within the 200-foot setbacks.***

***It was moved by Commissioner Draper and seconded by Commissioner Walker to recommend APPROVAL of staff’s recommendations for the Tentative Parcel Map to subdivide a 50 acre parcel into two, one 30 acres and one 20 acres, as staff believes that 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 size adjacent to agricultural lands and is consistent with General Plan policies 8.1.3.5 and 8.1.4.1., can be made:***

***Motion passed:***

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

**ABSENT: Neilsen**  
**ABSTAIN: None**

- VIII. Item 21—075 Grazing Updates Commissioner Charlene Carveth updated the Commission on Grazing and mentioned the Ag Department Web-site has an online tool for the Cattle Grazing in El Dorado County.**

**STAFF UPDATES on LEGISLATION and REGULATORY REQUEST**  
– Charlene Carveth will be forwarding the information to the Commissioner members.

**CORRESPONDENCE AND OTHER BUSINESS –**

**ADJOURNMENT 7:26 pm**

**APPROVED: \_\_\_\_\_ DATE: 3/10/2021**  
**Greg Boeger, Chair**