



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

March 10, 2021

6:30 P.M.

Meeting held via ZOOM Meeting ID 944 9667 4492

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
Tom Williams, Ag Biologist Standards Inspector III
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 March 10, 2021.*

Motion passed:

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

NOES: None

ABSENT: Neilsen

ABSTAIN: None

ACTION ITEMS

II. Item # 21-0070 APPROVAL OF MINUTES of January 13, 2021

Chair Boeger called for a voice vote for approval to approve the Minutes of January 13, 2021.

Motion passed:

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

NOES: None

ABSENT: Neilsen

ABSTAIN: None

III. PUBLIC FORUM – None

IV. Item #21-0398 CUP 20-0012 (S97-0011-R) CUP20-0012 (S97-0011-R) House of Prayer Family Fellowship Relief from Agricultural Setback from 200' to 30' (South Property Line) Discretionary Project/Church Addition Adjacent to Agricultural Zoning Assessor's Parcel Number: 060-550-011

During the Agricultural Commission's regularly scheduled ZOOM meeting held on March 10, 2021, 6:30pm the Commission heard a request from the Planning Department for administrative relief from the required 200-foot agricultural setback for the above-referenced project to be reduced to 30 feet from the southern property line. This is a request for a Conditional Use Permit Revision for an expansion of the House of Prayer Family Fellowship for an addition of an approximately 3,000-sq.ft. multipurpose room, meeting room, and pantry. The proposed expansion would be thirty feet (30') from the south property line, adjacent to Limited Agricultural, Ten-Acre (LA-10) (APN's: 060-550-010 and 060-550-012).

The applicant's parcel, identified by APN 060-550-011, consists of 10.06-acres and is located on the west side of Highway 193, approximately 0.5-miles south of the intersection with Black Oak Mine Road in the Garden Valley area. Supervisorial District 4. The parcels listed above are all within the Garden Valley / Georgetown Agricultural District.

Parcel Description:

- Parcel Number and Acreage: 060-550-011, 10.06 acres
- Agricultural District: Garden Valley / Georgetown Agricultural District
- Land Use Designation: Rural Residential, RR
- Zoning: RL-10 (Rural Land, 10 Acres)
- Soil Type: Choice Soils – Sites Loam (SkC)

Discussion:

A site visit was conducted on February 16, 2021 to assess the placement of the proposed development.

Staff Findings:

Staff recommends APPROVAL of the request for the project setback reduced to 30 feet from the southern property line and request for a Conditional Use Permit Revision for an expansion of the House of Prayer Family Fellowship, 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 200 foot setback limits the available building sites. The addition and new structure placement options are limited due to topography, natural drainages and other developments on 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 addition and new structure minimize the potential negative impact to the adjacent agricultural properties as much as possible.

The adjacent agricultural properties to the south have a drainage area near the property line with the church that drains under Hwy 193. This drainage area provides an additional buffer to the church addition.

- 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 topography of the area slopes downhill from the properties west of the agricultural parcels. The drainage on the agricultural parcels is fed from these uphill parcels and provides a buffer to the addition on the church building.

- 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 Jim Woolums addressed questions by the Commission. Brianca Dinkler from Planning Services was available for questions.

It was moved by Commissioner Walker and seconded by Commissioner Draper to recommend APPROVAL of staff's recommendations for the project setback reduced to 30 feet from the southern property line and request for a Conditional Use Permit Revision for an expansion of the House of Prayer Family 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

- V. Item 21—0399 Hemp Updates from Hemp Ad Hoc Committee meetings from Commissioner Charlene Carveth.**

STAFF UPDATES on LEGISLATION and REGULATORY REQUEST

– Charlene Carveth updated Commissioners on local and state issues.

CORRESPONDENCE AND OTHER BUSINESS –

ADJOURNMENT 7:52 pm

APPROVED: _____ DATE: 4/14/2021
Greg Boeger, Chair