



**Agricultural Commission
Staff Report**

Date: August 02, 2021
To: El Dorado County Agricultural Commission
From: LeeAnne Mila; Deputy Agricultural Commissioner
Subject: **CCUP21-0002/ Harde Commercial Cannabis Cultivation
Commercial Cannabis Use Permit
Assessor's Parcel Number: 093-032-071**

Planning Request and Project Description:

Planning Services is processing the attached application for a Commercial Cannabis Use Permit and requests the project be placed on the Agricultural Commission's Agenda. Section 130.41.200.5.N of the Zoning Ordinance states "Recommendation of the Agricultural Commission. An application for a Commercial Cannabis Use Permit for outdoor or mixed-light cultivation must be reviewed by the Agricultural Commission and the recommendation of the Agricultural Commission, including any suggested conditions or restrictions, shall be forwarded to and considered by the Planning Commission."

The applicants are requesting the following:

Commercial Cannabis Use Permit for the cultivation of commercial cannabis located at 6540 Perry Creek Rd., Somerset, Ca -APN: 093-032-071. The project is located on a 57-acre parcel in the PA-20 zone district. This application is for 68,560 square feet of outdoor cannabis cultivation, ancillary activities to cultivation (processing, harvest storage, product packaging), and transportation-only distribution. The operation will have 3 full time and 5 seasonal employees.

Parcel Description:

- Parcel Number and Acreage: 093-032-071, 57 Acres
- Agricultural District: Yes
- Land Use Designation: Agricultural Lands, AL

- Zoning: PA-20 (Planned Agriculture, 20 Acres).
- Choice Soils:
 - HgC – Holland coarse sandy loam, 9 to 15 percent slopes

Discussion:

A site visit was conducted on July 22, 2021 to assess the placement of the proposed cultivation area.

Staff Findings:

Staff finds that there will be no impact on agriculture based on the following analysis of relevant General Plan policies and County design thresholds for Commercial Cannabis.

Relevant General Plan Policies:

2.2.2.2

The purpose of the Agricultural District (-A) overlay designation is to identify the general areas which contain the majority of the County's federally designated prime, State designated unique or important, or County designated locally important soils (collectively referred to as "choice" agricultural soils) and which the Board of Supervisors has determined should be preserved primarily for agricultural uses. This designation does not imply any restrictions on agricultural uses in areas not designated specifically as an Agricultural District but only serves to identify agriculture as the principal activity and to discourage incompatible uses such as higher density residential use.

- A. Agricultural Districts shall be used to conserve and protect important agricultural crop lands and associated activities, maintain viable agricultural-based communities, and encourage expansion of agricultural activities and production.

In regards to Policy 2.2.2.2: No crops will be removed, so the principal activity on this parcel will remain agriculture.

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.

In regards to Policy 8.1.3.5: The existing vineyard is well established and has been interplanted in a previous season with no detrimental effect. The applicants plan is not to remove any of the vineyard or to change the agricultural arts on the proposed cannabis area, or the surrounding agricultural area. It does not appear based on the applicants feedback that this will diminish or impair the parcels agricultural use.

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 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.

In regards to Policy 8.1.4.1: no zoning or parcel size changes are proposed. The PA zoned parcel to the east has a walnut orchard approximately 640 feet from the proposed cultivation site. There should not be any affect on the orchard.

Setbacks:

Commercial cannabis shall be setback a minimum of 800 feet from the property line of the site or public right-of-way.

If waiver is requested from the setback; review the applicant's mitigating measures to reduce conflicts and provide a recommendation which may include suggested conditions or restrictions.

The applicant is requesting a waiver from the setbacks on 3 sides of his project area.

The eastern property line is unable to meet the County's design threshold of 7 DT. Odor mitigation measures have been recommended by the consulting company that completed the odor study. According to the consultants, concentration of odors at nearby homes are not expected to exceed the 7 DT threshold. Mitigation measures considered are an outdoor misting system with a water and odor control platform.

The distances and odor readings are outlined in the odor study as follows:

Location	Distance to Property Line		Maximum Conc.	Conc. At Property Line	Lowest Dilution Ratio	Fenceline DT
	(ft)	(m)				
Eastern Property Line	20	6.1	1,764	1,640	1.08	18.59
North Property Line	550	167.7	17,617	3,619	4.87	4.11
Western Property Line	1250	381.1	17,617	3,926	4.49	4.46
Southern Property Line	250	76.2	17,617	2,407	7.32	2.73
Baseline DT	20					



AGRICULTURAL COMMISSION

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Placerville, CA 95667
(530) 621-5520
(530) 626-4756
eldcag@edcgov.us

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

MEETING NOTIFICATION

The El Dorado County Agricultural Commission has been requested to review a project application for a parcel that is located in the proximity of your property. It is the customary business practice for this Commission to notify all parcels located within 1,000 feet of the subject parcel's boundary lines. Please note that the requested project may or may not affect your property.

The project listed below will be heard by the El Dorado County Agricultural Commission on **August 11, 2021**. This meeting is a public hearing that will begin at **6:30 pm** in the **Building A Board of Supervisors Hearing Room** 330 Fair Lane, Placerville, California. This is a ZOOM Meeting and the directions are as follows.

You are invited to a Zoom webinar.

When: Aug 11, 2021 06:00 PM Pacific Time (US and Canada)

Topic: Agricultural Commission Meeting 8-11-2021

Please click the link below to join the webinar:

<https://zoom.us/j/95574772611>

Or One tap mobile :

US: +12133388477,,95574772611# or +16692192599,,95574772611#

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1195 or +1 253 215 8782 or +1 346 248 7799 or +1 602 753 0140 or +1 720 928

9299 or +1 267 831 0333 or +1 301 715 8592 or +1 312 626 6799 or +1 470 250

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Webinar ID: 955 7477 2611

International numbers available: <https://zoom.us/j/95574772611>

The El Dorado County Zoning Ordinance states "Recommendation of the Agricultural Commission. An application for a Commercial Cannabis Use Permit for outdoor or mixed-light cultivation must be reviewed by the Agricultural Commission, including any suggested conditions or restrictions, shall be forwarded to and considered by the Planning Commission." (Please see attached sheet of additional reviews of this project after the Ag Commission hears this item at its next regularly scheduled meeting)

RE: CCUP21-0002/ Harde Commercial Cannabis Cultivation Commercial Cannabis Use Permit Assessor's Parcel Number: 093-032-071

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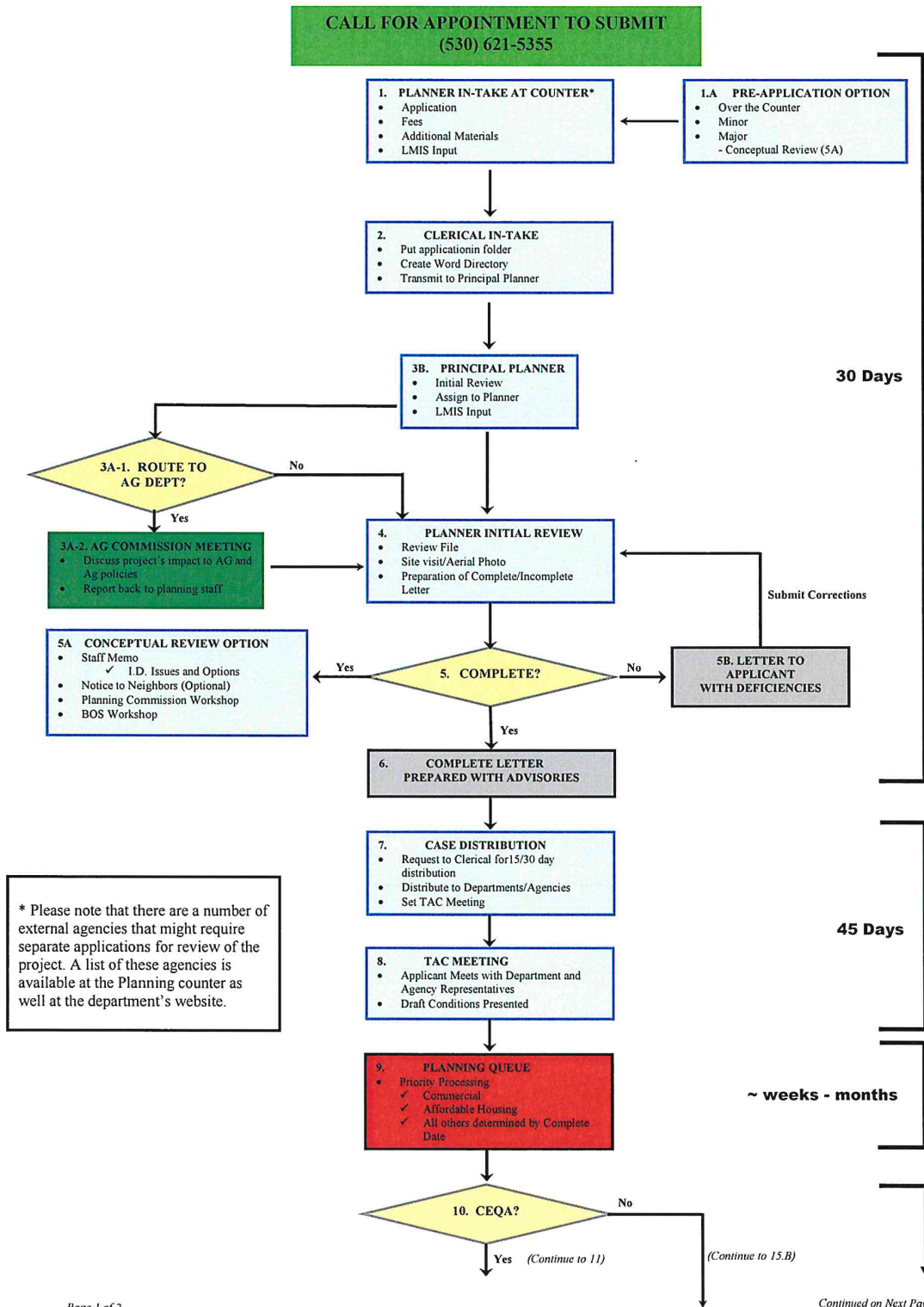
The Agricultural Commission is an *advisory* body to and for the Board of Supervisors and Planning Commission on all matters pertaining to agriculture. The Agricultural Commission reviews and makes recommendations only on the **agricultural element** of the project. ***Please note that the exception to this is a "Request for Administrative Relief from an Agricultural Setback" which is processed solely through the El Dorado County Department of Agriculture with the Agricultural Commission's decision being able to be appealed to the El Dorado County Board of Supervisors.*

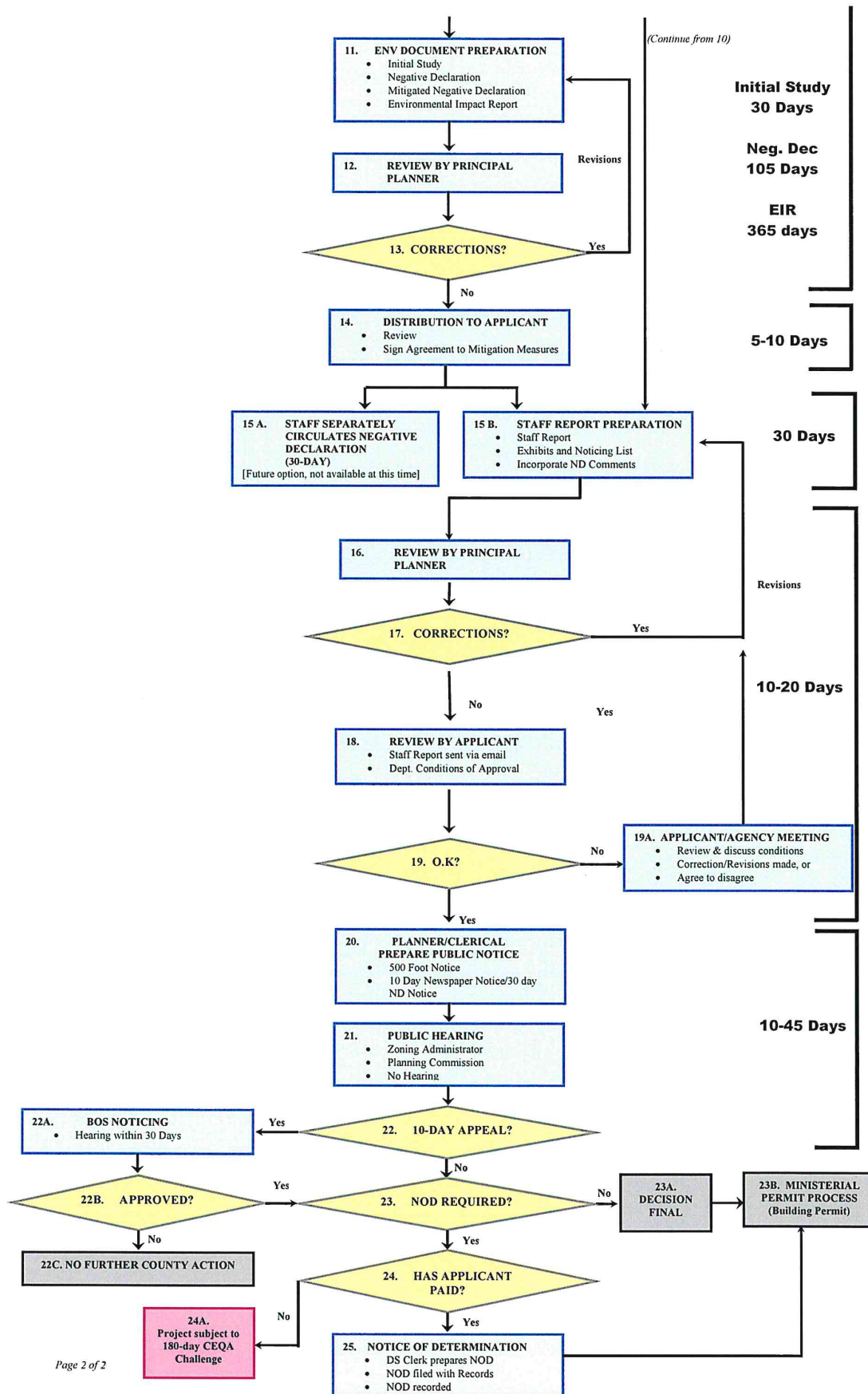
All interested parties for the above-mentioned project are encouraged to attend this meeting. Public testimony will be received on each agenda item as it is called. Individual comments are limited to 3 minutes; and individuals representing a group are allocated 5 minutes.

If you wish to view the meeting agenda in its entirety, please go to following website: <https://eldorado.legistar.com/Calendar.aspx>. The agenda is also posted in the lobby of the Bethell-Delfino Agriculture Building located at 311 Fair Lane, Placerville, California. A copy of the project's submitted documents may also be reviewed at this location.

If you have any questions regarding this meeting, please contact the Clerk to the Agricultural Commission at (530) 621-5520. All questions relating to specific details of the project should be addressed to the Planner identified above at Planning Services, (530) 621-5355.

Planning Services Discretionary Review Process *(February 2009)*







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FAM TRUST

8921 VAN MOORE LN

ORANGEVALE CA 95662-4608

NALEWAJA WYATT M

PO BOX 618

SOMERSET CA 95684

ELLIOTT DENIS R

6725 DESPERADO RD

SOMERSET CA 95684-9223

RANCATORE TED S TR & PATRICIA A TR

1624 OAKWOOD DR

SAN MATEO CA 94403-3919

SOMMER ARTHUR BASTON TR & FAM
LIV REV TR 6/23/08

PO BOX 498

SOMERSET CA 95684

HEINSEN LESLIE WAYNE & SHARON
MARIE TR

4416 VIA PALAGIO

FAIR OAKS CA 95628

HALLAIAN JASON & DAVIS AMY

6500 PERRY CREEK RD

SOMERSET CA 95684-9525

GILL SURINDER S

6711 MOUNT AUKUM RD

SOMERSET CA 95684-9609

TOOGOOD PAUL G TR & PG REV TR
08/22/97

1772 NAND COURT

YUBA CITY CA 95993

VANSYCKEL LESLIE

5101 DESPERADO CT

SOMERSET CA 95684-9336

JOHN D AGOSTINI EDC PUB ADMIN
ADMIN & OLMSTEAD LI

200 INDUSTRIAL DR

PLACERVILLE CA 95667

LEONARD KATHERINE

2210 MCLAREN DR

ROSEVILLE CA 95661

KOHUTEK DENA

PO BOX 434

SOMERSET CA 95684

VANG MOH

6691 MOUNT AUKUM RD

SOMERSET CA 95684

DEGUARA PETER TR & ROSEMARY TR

807 HUMEWICK WAY

SUNNYVALE CA 94087-3535

SMITH GEOFFREY L

3 REBECCA CT

WALNUT CREEK CA 94597-3934

ALLEN BETTY TR & B LIV TR 08/01/17

6491 PERRY CREEK RD

SOMERSET CA 95684-9524

MAZZUCHI CECILE F TR & C REV TRUST

6464 PERRY CREEK RD

SOMERSET CA 95684-9524

HALL NANCY CAROLINE TR & N C 2008
LIV REV TRUST

5678 VACATION BLVD

SOMERSET CA 95684-9215

THIBIDEAU ROSEMARY

5100 DESPERADO CT

SOMERSET CA 95684-9336

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ADMIN & OLMSTEAD LI

300 FAIR LN

PLACERVILLE CA 95667

LEONARD KATHERINE

2210 MCLAREN DR

ROSEVILLE CA 95661

MORGAN DONALD M CO TR & BRENDA
J CO TR

PO BOX 223

SOMERSET CA 95684

BOWMAN LINDSAY TR & LOWE LIV REV
TRUST 09/30/15

LOWE 6751 DESPERADO RD

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MORREALE MICHAEL J TR & CAMMY K
TR

PO BOX 653

SOMERSET CA 95684-0653

VANG MOH

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KARLL SCOTT D & PATRICIA ANN

456 HUNTER DR

CAROL STREAM IL 60188

VIJEH KHOSROW CO TR & TERRI CO TR

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BEST DEBORAH ANN & ELISE MARIE

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SOMERSET CA 95684

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10068 DONNER PASS RD
TRUCKEE CA 96161-0314

LOPACINSKI BRADLEY F & FRANCINE
MB TR
29 COTTAGE LANE
SAN CARLOS CA 94070

MASTERS MANUEL & DAVIS M
6647 SUMMERHILL RD
SOMERSET CA 95684

SCHOEFER CHRISTINE S
2600 ETNA ST APT 4
BERKELEY CA 94704-3423

MEHUS JACQUELINE A SURV TR
6961 FAIRPLAY RD
SOMERSET CA 95684-9534

BAMBEY JOHN J & MARGARET
14779 MIDLAND RD
SAN LEANDRO CA 94578-1332

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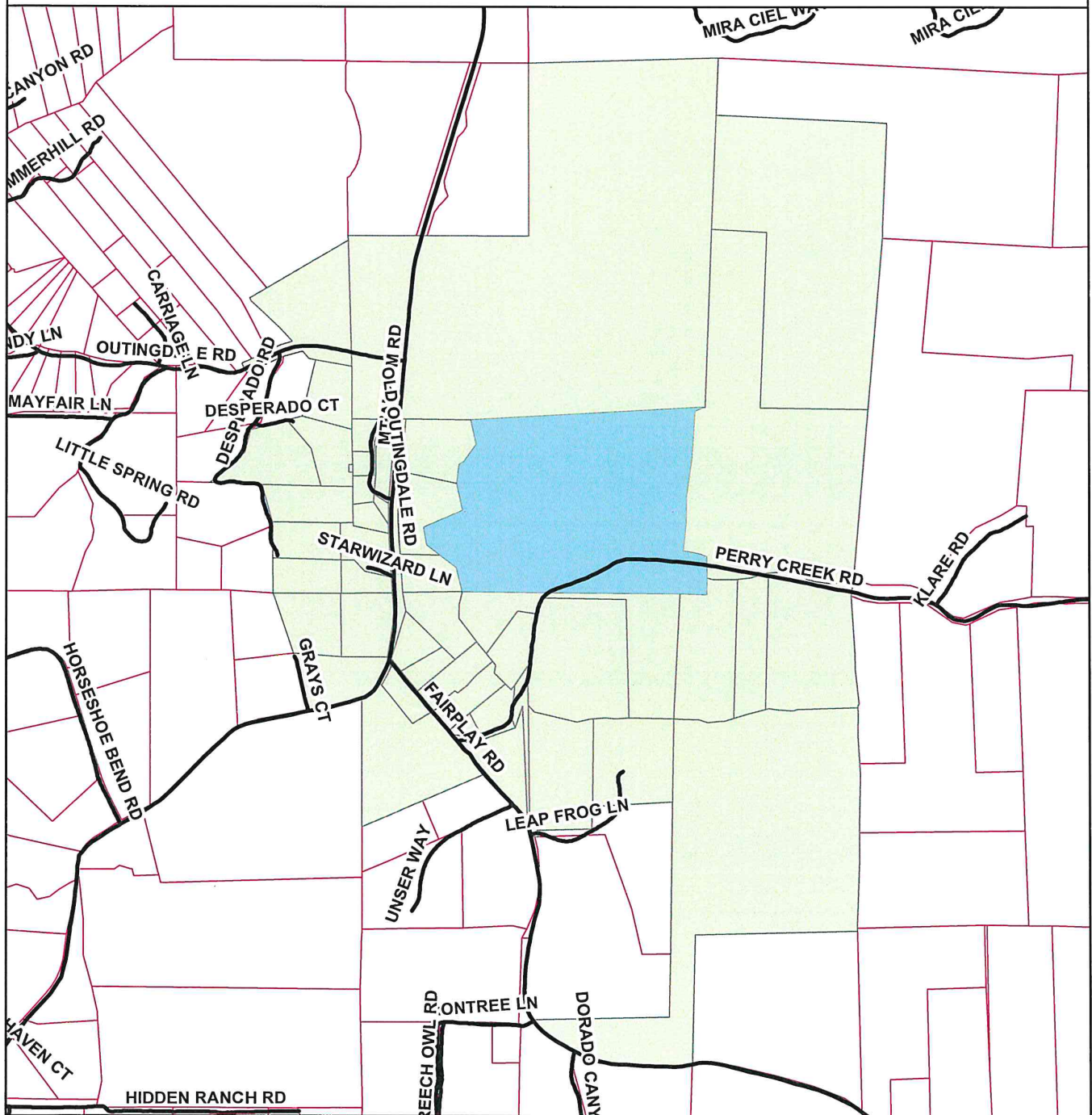
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6540 PERRY CREEK RD
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PO BOX 2384
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TALMADGE JOSEPH SR
PO BOX 422127
SAN FRANCISCO CA 94142

CLARY ALICE K TR & A SURV SUB TR
11/17/00
121 TRELIS DR
SAN RAFAEL CA 94903-3739
SIEBERT ANTON
114 STARWIZARD LN
SOMERSET CA 95684

SMITH GEOFFREY LEONARD
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WALNUT CREEK CA 94597-3934

Harde Notification



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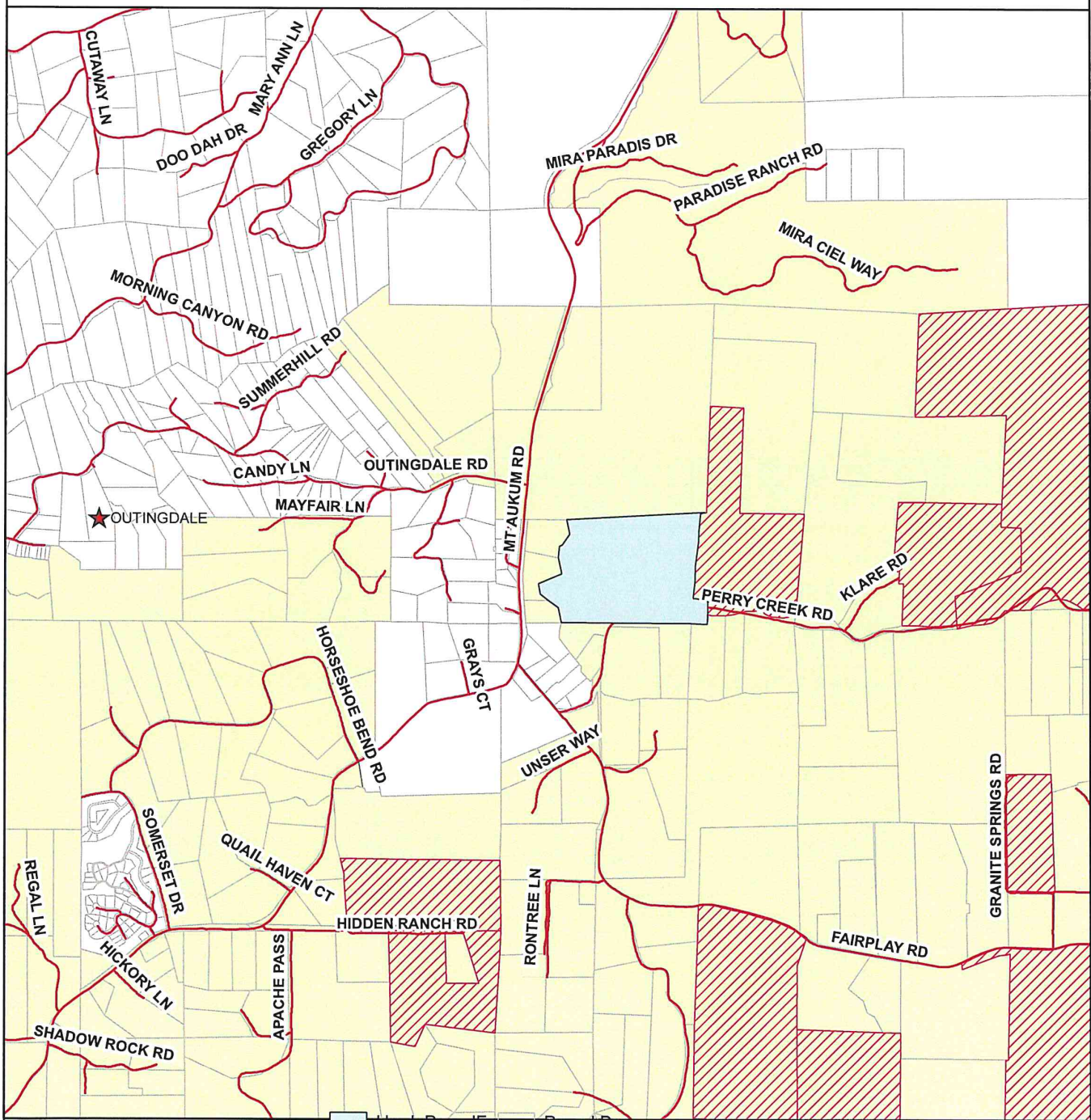
MAP PREPARED BY: LeAnne Mills DATE: November 27, 2018
PROJECT ID: projjackson_n
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El Dorado County Agricultural Commission

Harde Commercial Cannabis

Proximity to Agricultural District



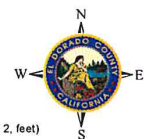
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MAP PREPARED BY: LeeAnne Milla DATE: November 27, 2018
PROJECT ID: proj123456

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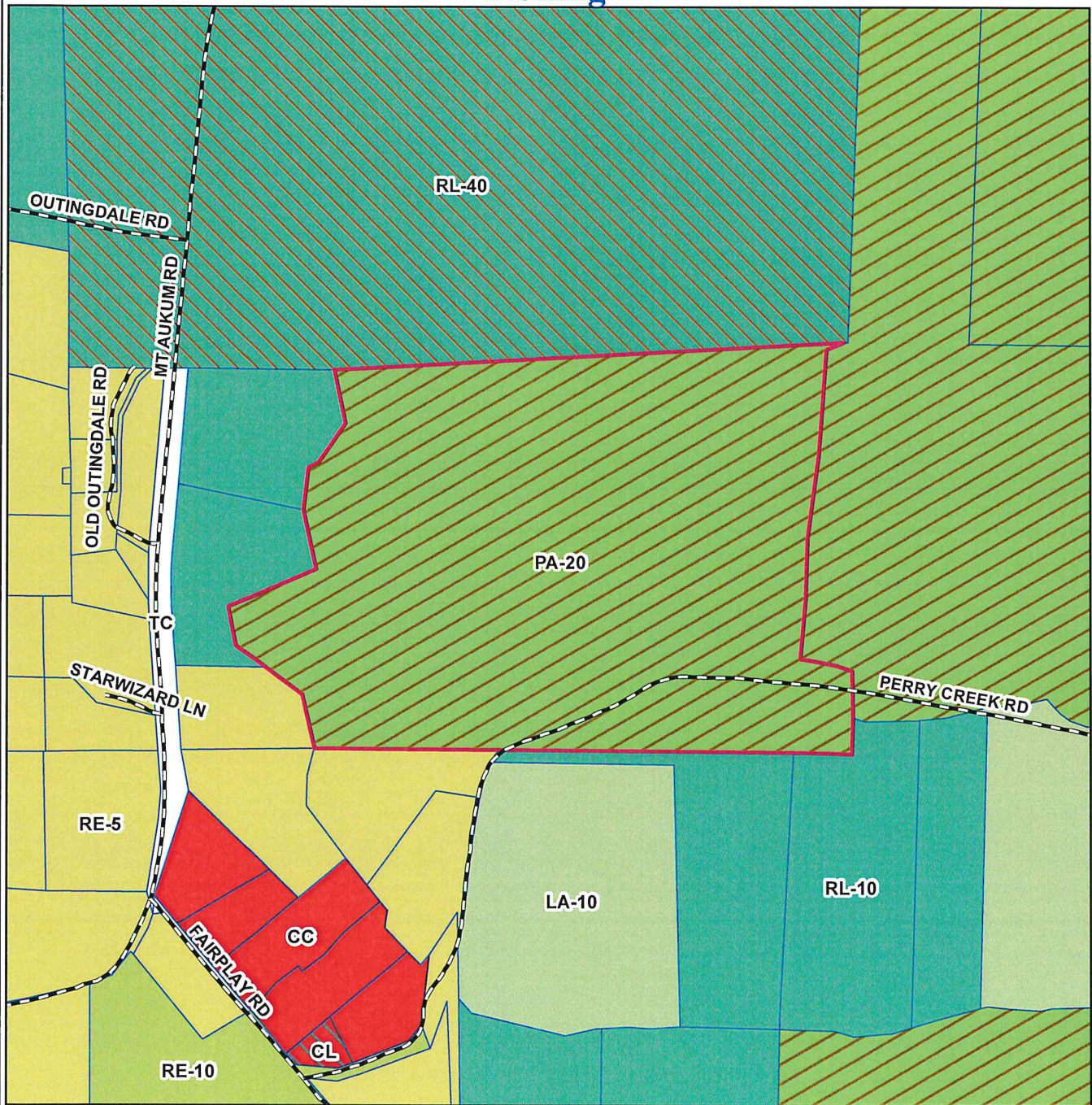
- HardeParcel
- Ag District
- GibsonParcel
- Ag Preserves
- Parcel Base
- Major Roads



Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)

El Dorado County Agricultural Commission

Harde Commercial Cannabis Zoning



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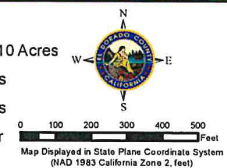
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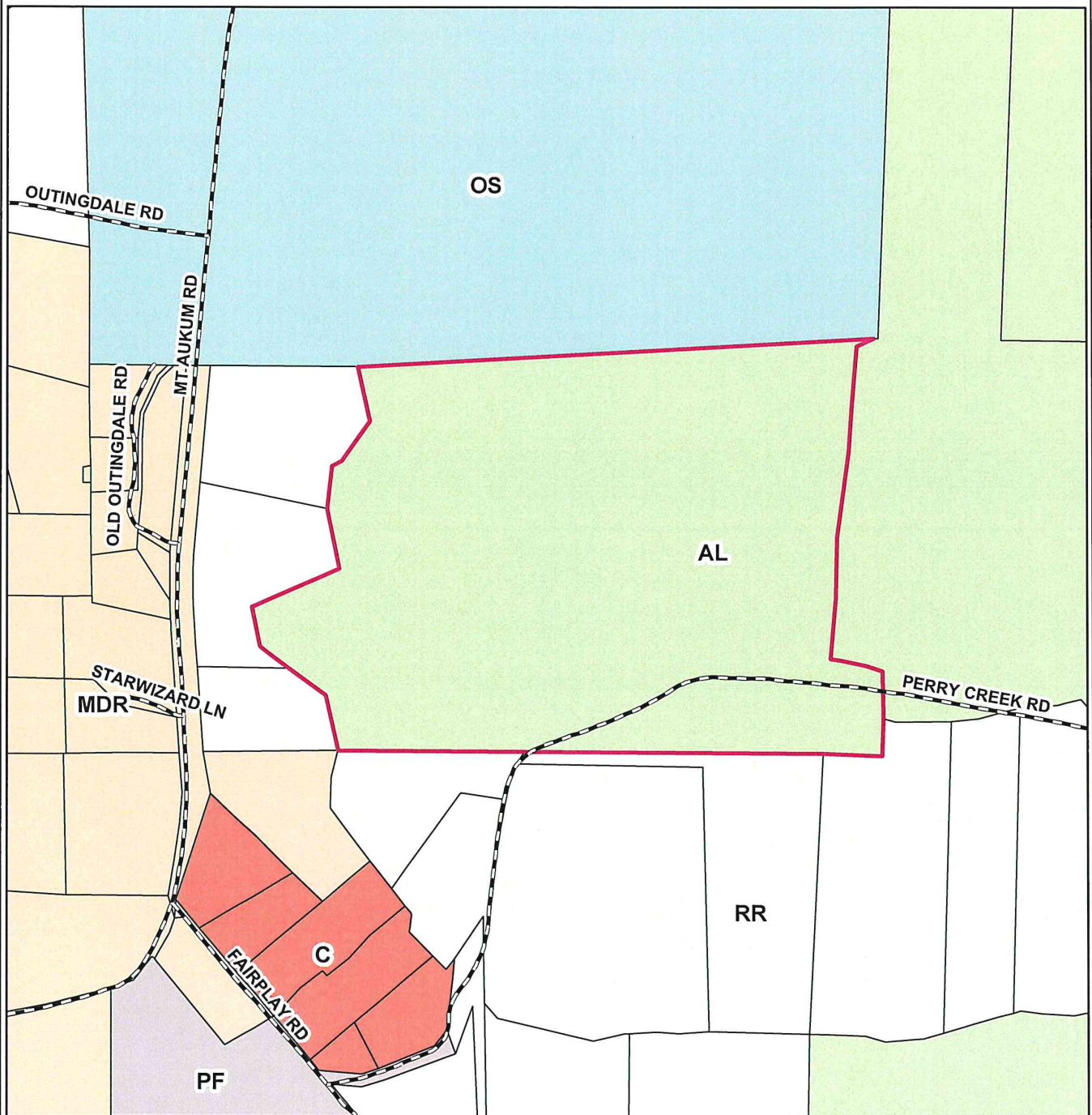
LA-10 = Limited Agriculture 10 Acres
PA-20 = Planned Agriculture 20 Acres
CC = Commercial Community
CL = Commercial Limited
RE-5 = Residential Estate 5 Acres

RE-10 = Residential Estate 10 Acres
RL-10 = Rural Land 10 Acres
RL-40 = Rural Land 40 Acres
TC = Transportation Corridor



El Dorado County Agricultural Commission

Harde Commercial Cannabis Land Use



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MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018

PROJECT ID: projJackson_L

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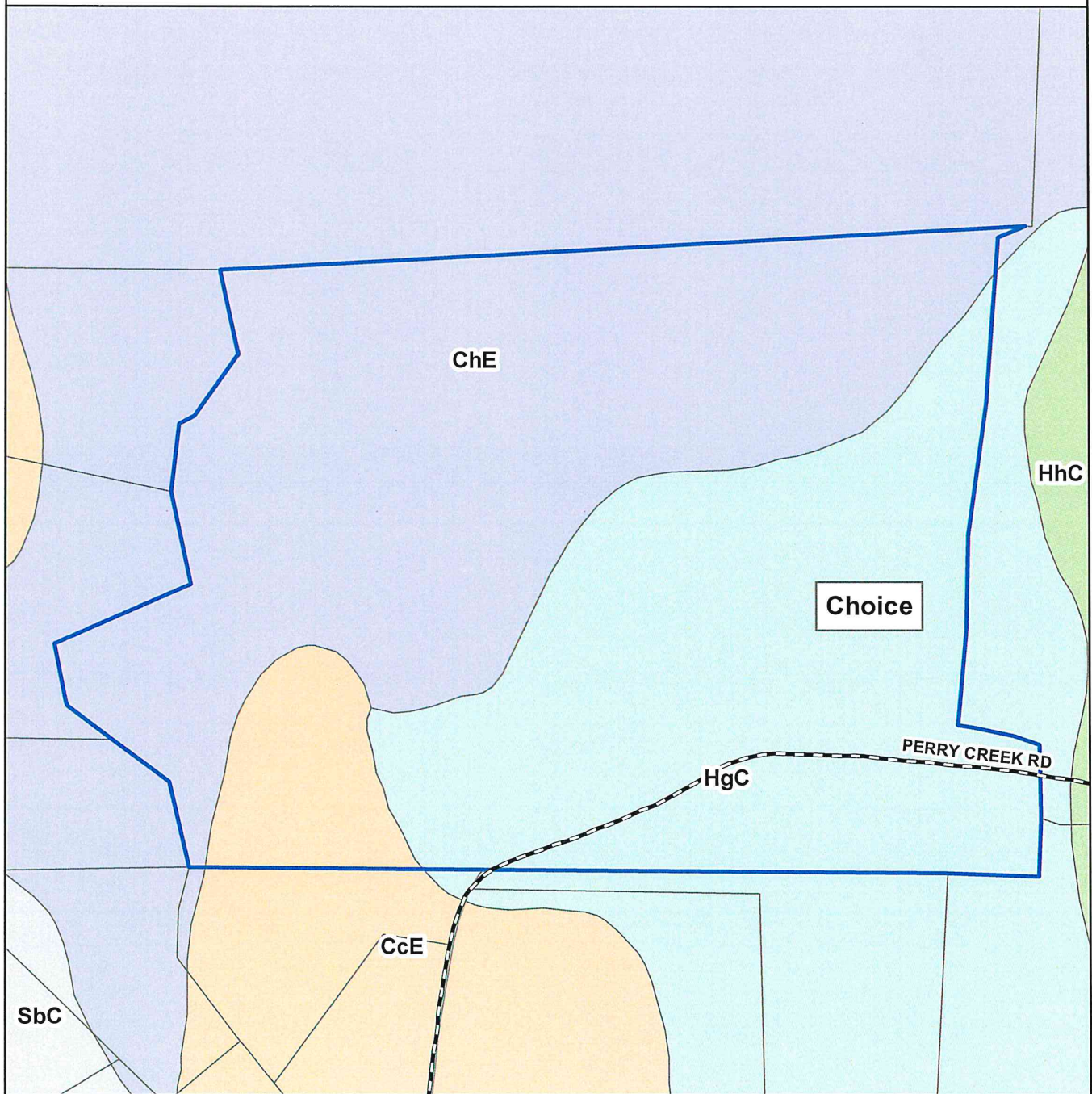
- Parcels
- Harde Parcel
- Roads
- Agricultural Lands
- Commercial
- Medium Density Residential
- Open Space
- Public Facilities
- Rural Residential

Map Displayed in State Plane Coordinate System
(NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

Harde Commercial Cannabis Soils



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MAP PREPARED BY: LeeAnne Mda DATE: November 27, 2018

PROJECT ID: projJackson_3

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PHONE (930) 621-6511 FAX (930) 626-8721

Soils

HardeParcelF

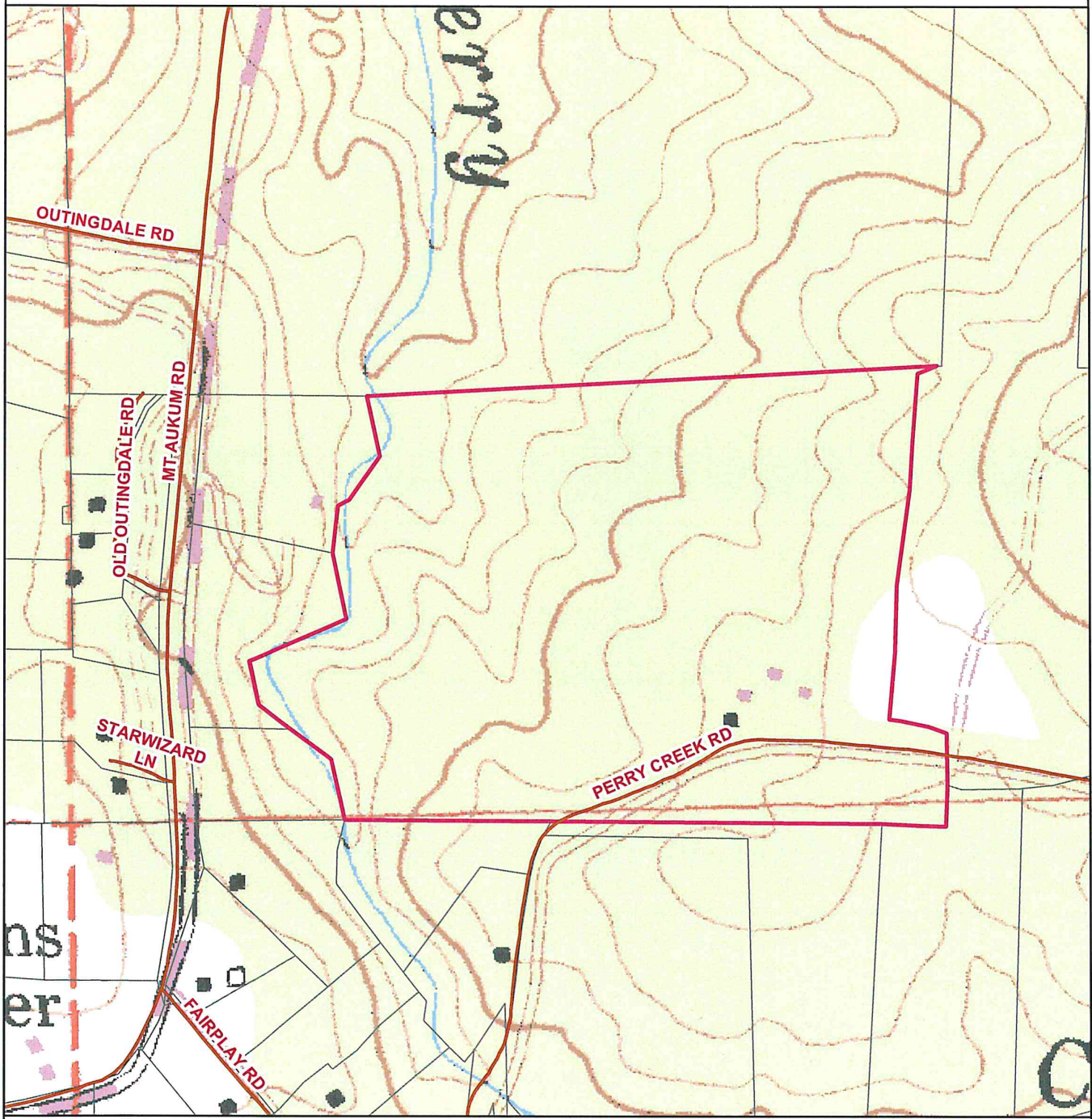
- Chaix very rocky coarse sandy loam, 9 to 50 percent slopes
- Chawanakee very rocky coarse sandy loam, 9 to 50 percent slopes

- Holland coarse sandy loam, 9 to 15 percent slopes
- Holland rocky coarse sandy loam, 5 to 15 percent slopes
- Shaver coarse sandy loam, 9 to 15 percent slopes

Map Displayed in State Plane Coordinate System
(NAD 1983 California Zone 2, feet)

El Dorado County Agricultural Commission

Harde Commercial Cannabis Topography



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Legend

curroads Parcels HardeParcelF Roads

0 100 200 300 400 500 600 Feet

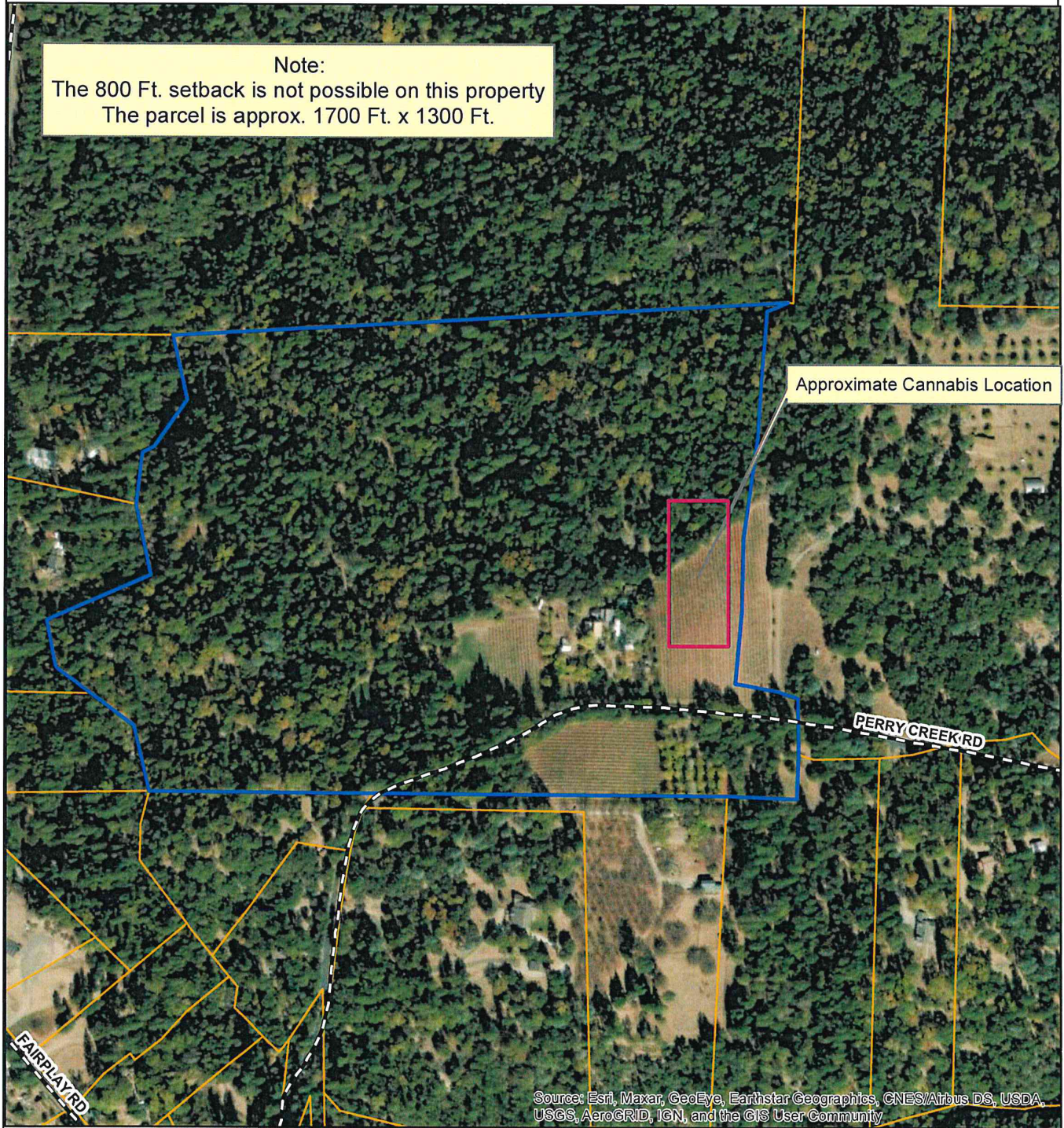
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

Harde Commercial Cannabis

Note:
The 800 Ft. setback is not possible on this property
The parcel is approx. 1700 Ft. x 1300 Ft.



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PROJECT ID: Jackson_3

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Legend

Parcel Base HardeParcelF Parcel

0 100 200 300 400 Feet
Roads

Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission