



**Agricultural Commission
Staff Report**

Date: May 5, 2021

To: El Dorado County Agricultural Commission

From: LeeAnne Mila, Deputy Agricultural Commissioner

Subject: **CCUP20-0005/ Arabian Commercial Cannabis Cultivation
Commercial Cannabis Use Permit
Assessor's Parcel Number: 041-900-008**

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:

CCUP20-0005 – ARABIAN COMMERCIAL CANNABIS CULTIVATION (Robert Arabian): A Commercial Cannabis Use Permit request for the cultivation of commercial cannabis located at 5445 Hawkeye Court, Somerset, Ca. The project is located on a 20-acre parcel in an RL-20 zone district. This application is for up to 9,639 square feet of outdoor cultivation with no light assistance. The cannabis will be grown from seed started on premises, grown to maturity, harvested & transported to a licensed manufacturing facility for further processing. Shade cloth structures will be installed over the canopy areas using hoops. The hoops will remain in place year round and the covering will be used temporarily as needed based on the growing conditions. For instance when conditions are very hot, shade cloth can be added to reduce stress on plants and reduce the amount of water needed in the soil. The applicant will be the sole full time employee. The property, identified by Assessor's Parcel Number 041-910-008, is located on the south side of Hawkeye Road, approximately 0.5 mile south of the intersection with Happy Valley Road, in the Somerset area.

Parcel Description:

- Parcel Number and Acreage: 041-900-008, 20 acres
- Agricultural District: None
- Land Use Designation: Rural Residential, RR
- Zoning: RL-20 (Rural Lands, 20 acres)
- No Choice Soils

Discussion:

A site visit was conducted on July 22, 2021 to review the location for the proposed cultivation area.

Staff Recommendation:

Staff recommends support of the applicants proposal for a cannabis cultivation operation on a 20 acre property located at 5445 Hawkeye Court, Somerset Ca. -APN: 041-900-008 based on the following analysis of compliance with General Plan policies:

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.

Policy 2.2.2.2 is not applicable as the parcel are not in an Agricultural District.

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.

Policy 8.1.3.5 is not applicable as this parcel does not have agricultural zoning.

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
There is a Limited Agriculture parcel to the north, which has a vineyard and is approximately 1400 feet away from the cultivation site. The cultivation site should not have any affect on the vineyard.
- 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

The project parcel is zoned RL and is surrounded by RL zoned parcels.

- C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.

The project will not reduce the size of the parcel.

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 unable to meet the 800 ft. setback from the property line due to the constraints from the size of the parcel. The applicant has designed his

project to meet the design threshold the County requires. The applicant has submitted an odor study that supports the projects ability to meet design thresholds.

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 #1	123	37.5	16,718	3,741	4.47	4.48
Eastern Property Line #2	125	38.1	50,261	14,231	3.53	5.66
Eastern Property Line #3	125	38.1	31,464	9,415	3.34	5.98
Western Property Line	330	100.6	25,706	5,329	4.82	4.15
Northern Property Line	298	90.9	18,882	4,352	4.34	4.61
Southern Property Line	1438	438.4	31,464	<4,801 ^a	>6.55	>3.05
Baseline DT	20					

Notes

a. The Southern property line lies outside the modeling grid. The concentration at the Southern property line below this value.



AGRICULTURAL COMMISSION

311 Fair Lane
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 Agricultura Interestl
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#

Or Telephone: Dial(for higher quality, dial a number based on your current location):

US: +1 213 338 8477 or +1 669 219 2599 or +1 669 900 9128 or +1 971 247

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

9358 or +1 470 381 2552 or +1 646 518 9805 or +1 646 558 8656 or +1 651 372

8299 or +1 786 635 1003

Webinar ID: 955 7477 2611

International numbers available: <https://zoom.us/u/adFdedwg3x>

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 CCUP20-0005/ Arabian Commercial Cannabis Cultivation Commercial Cannabis Use Permit Assessor's Parcel Number: 041-900-008

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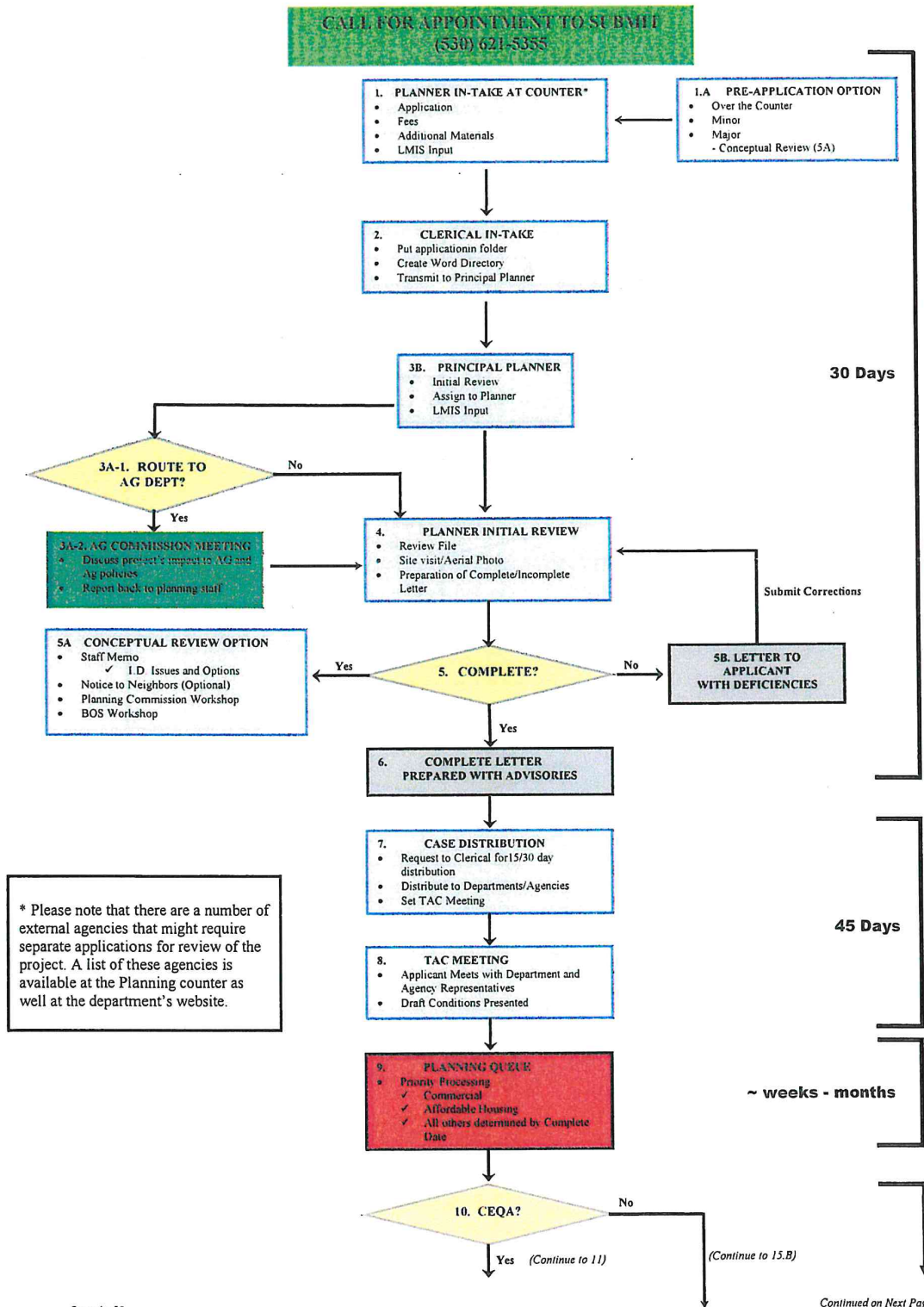
CCUP20-0005 – ARABIAN COMMERCIAL CANNABIS CULTIVATION (Robert Arabian): A Commercial Cannabis Use Permit request for the cultivation of commercial cannabis located at 5445 Hawkeye Court, Somerset, Ca. The project is located on a 20-acre parcel in an RL-20 zone district. This application is for up to 9,639 square feet of outdoor cultivation with no light assistance. The cannabis will be grown from seed started on premises, grown to maturity, harvested & transported to a licensed manufacturing facility for further processing. Shade cloth structures will be installed over the canopy areas using hoops. The hoops will remain in place year round and the covering will be used temporarily as needed based on the growing conditions. For instance when conditions are very hot, shade cloth can be added to reduce stress on plants and reduce the amount of water needed in the soil. The applicant will be the sole full time employee. The property, identified by Assessor's Parcel Number 041-910-008, is located on the south side of Hawkeye Road, approximately 0.5 mile south of the intersection with Happy Valley Road, in the Somerset area.

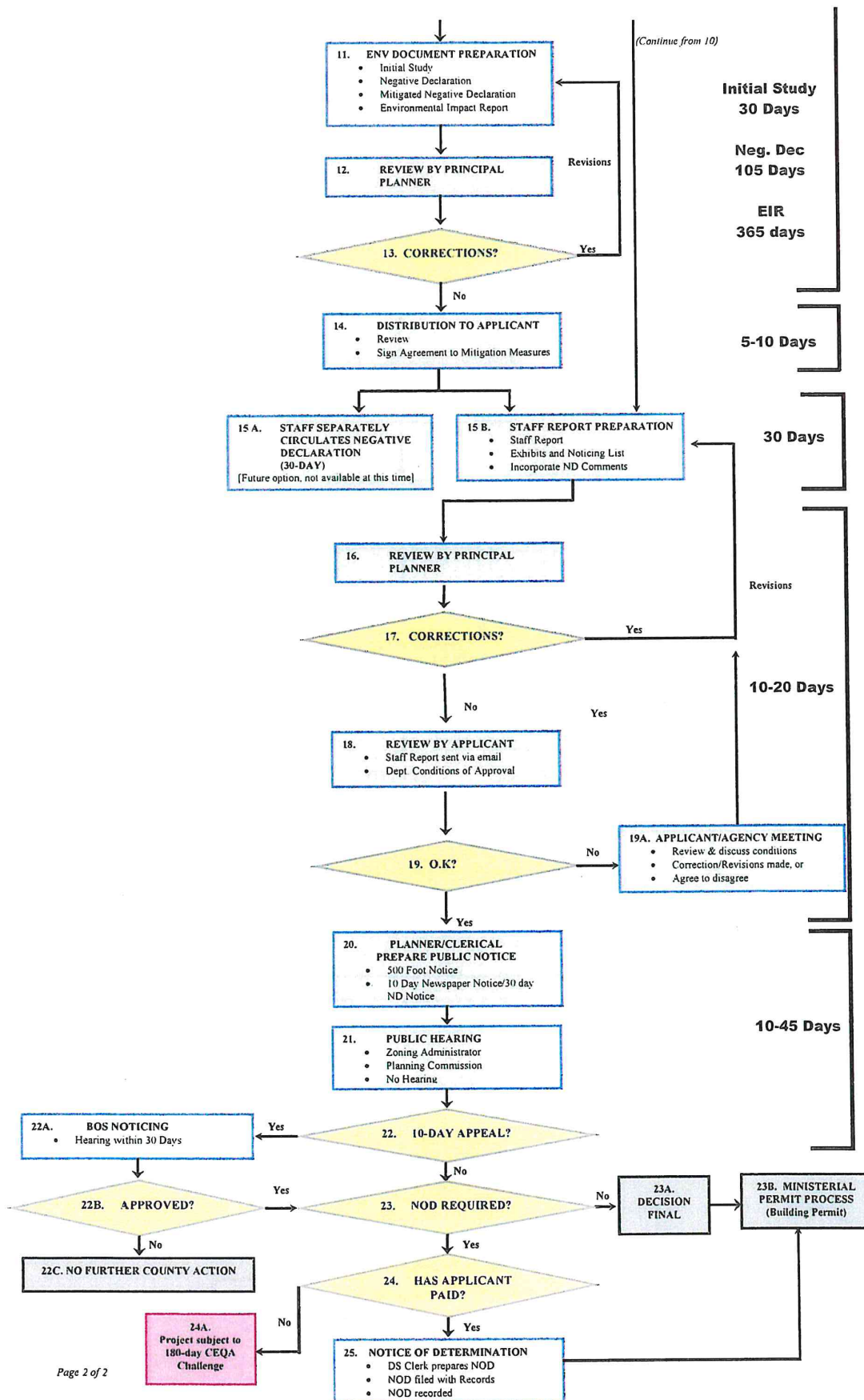
The Agricultural Commission is an advisory body to and for the Board of Supervisors and Planning Commission on all matters pertaining to agriculture. The Agricultural Commission reviews and makes recommendations only on the agricultural element of the project. ***Please note that the exception to this 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 Aaron Mount at Planning Services, (530) 621-5355.

Planning Services Discretionary Review Process (February 2009)







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Arabic

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WILEY CHRISTOPHER J TR
2707 COLEMAN WAY
SACRAMENTO CA 95818-4430

MARCHIVE LAURENT M
5501 HAWKEYE RD
SOMERSET CA 95684-9414

FISCHER LINDA E
7761 STEPHANIE LN
SOMERSET CA 95684-9410

BORISAVLJEVIC ZORAN & KATHARINE
7707 STEPHANIE LN
SOMERSET CA 95684-9410

SCHOEFFLER WAYNE TR & DOROTHY TR
5351 HAWKEYE RD
SOMERSET CA 95684-9432

MARTIN MICHAEL R
PO BOX 568
DIAMOND SPRINGS CA 95619-0568

VAN FLEET JEREMY & HERTZOG ERICA
5400 HAWKEYE RD
SOMERSET CA 95684-9442

RAMIREZ CHARLES E & DOROTHY J
PO BOX 192
SOMERSET CA 95684

ARABIAN ROBERT G
PO BOX 191573
SAN FRANCISCO CA 94119

BUREAU OF LAND MANAGEMENT
2800 COTTAGE WAY
SACRAMENTO CA 95825-1829

WILDE ERIC CHRISTOPHER
4646 1/2 W POINT LOMA BLVD
SAN DIEGO CA 92107-1491

DEBELE WENDELE
1561 49TH ST
SACRAMENTO CA 95819-4402

KUNDER DAVID B & JILL TR
7777 STEPHANIE LN
SOMERSET CA 95684-9410

SCHMERHOLZ GEORG
333 GUARDIAN CT
SOMERSET CA 95684-9427

SKELTON BARRY
19574 COTTONWOOD ST
GROVELAND CA 95321-9339

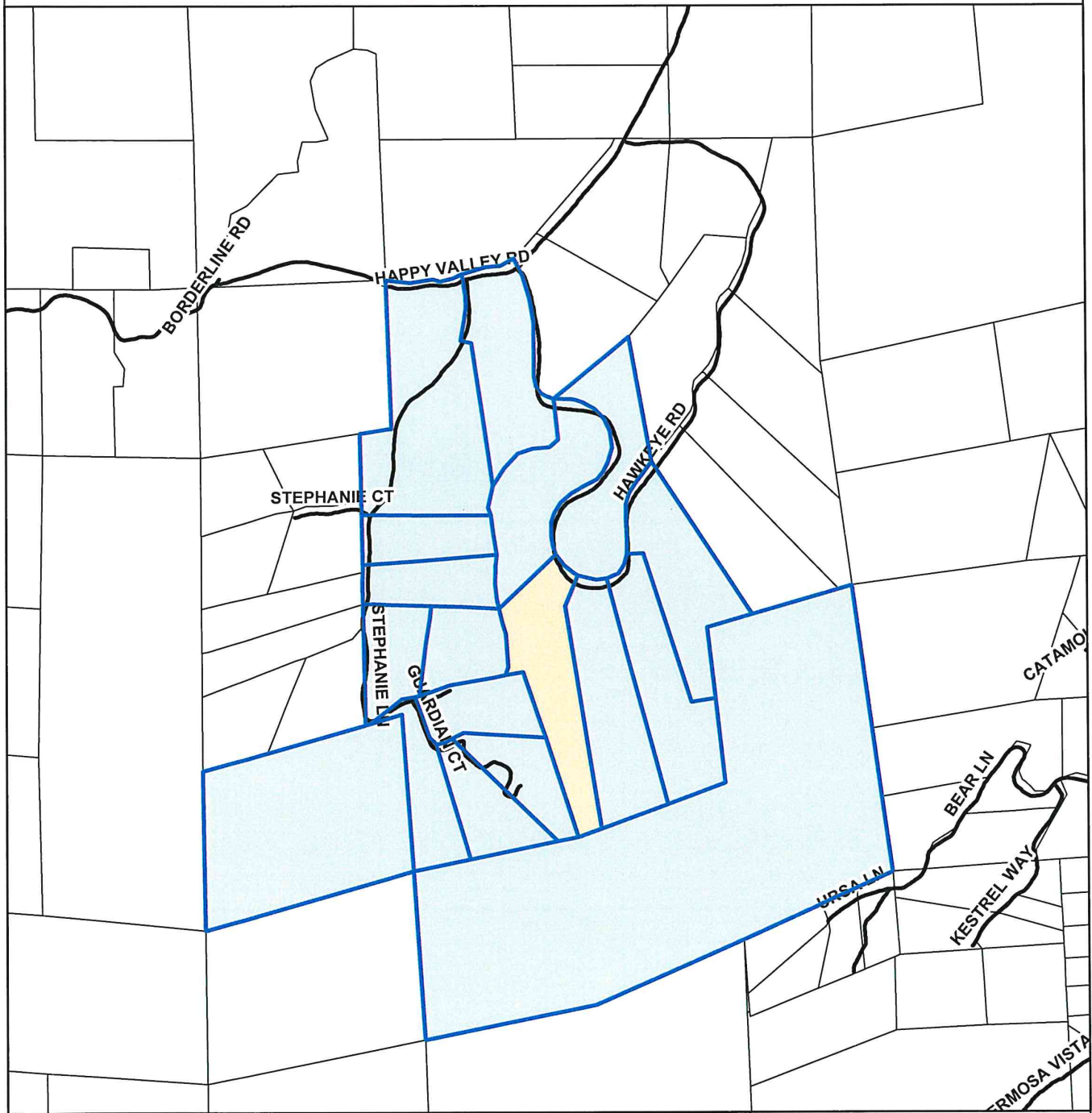
FISCHER GREG S TR & CINDY F TR
986 HIGHLANDS CIR
LOS ALTOS CA 94024-7011

KAISEL DAVID ALLEN TR & DAVID TR OF
09/30/2004
PO BOX 12
RUMSEY CA 95679

CORNELL SHANI LEE
360 GUARDIAN CT
SOMERSET CA 95684-9427

Arabian

1,000 Ft. Notification



DISCLAIMER

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MAP PREPARED BY: Leanne Mills DATE: November 27, 2018
PROJECT ID: projjackson_n
EL DORADO COUNTY SURVEYOR GLS DIVISION
PHONE (951) 621-6511 FAX (951) 626-8731

prclbase Arabian_Notification ArabianParcel Roads

0 200 400 600 800 1,000 2,000 4,000 6,000 Feet

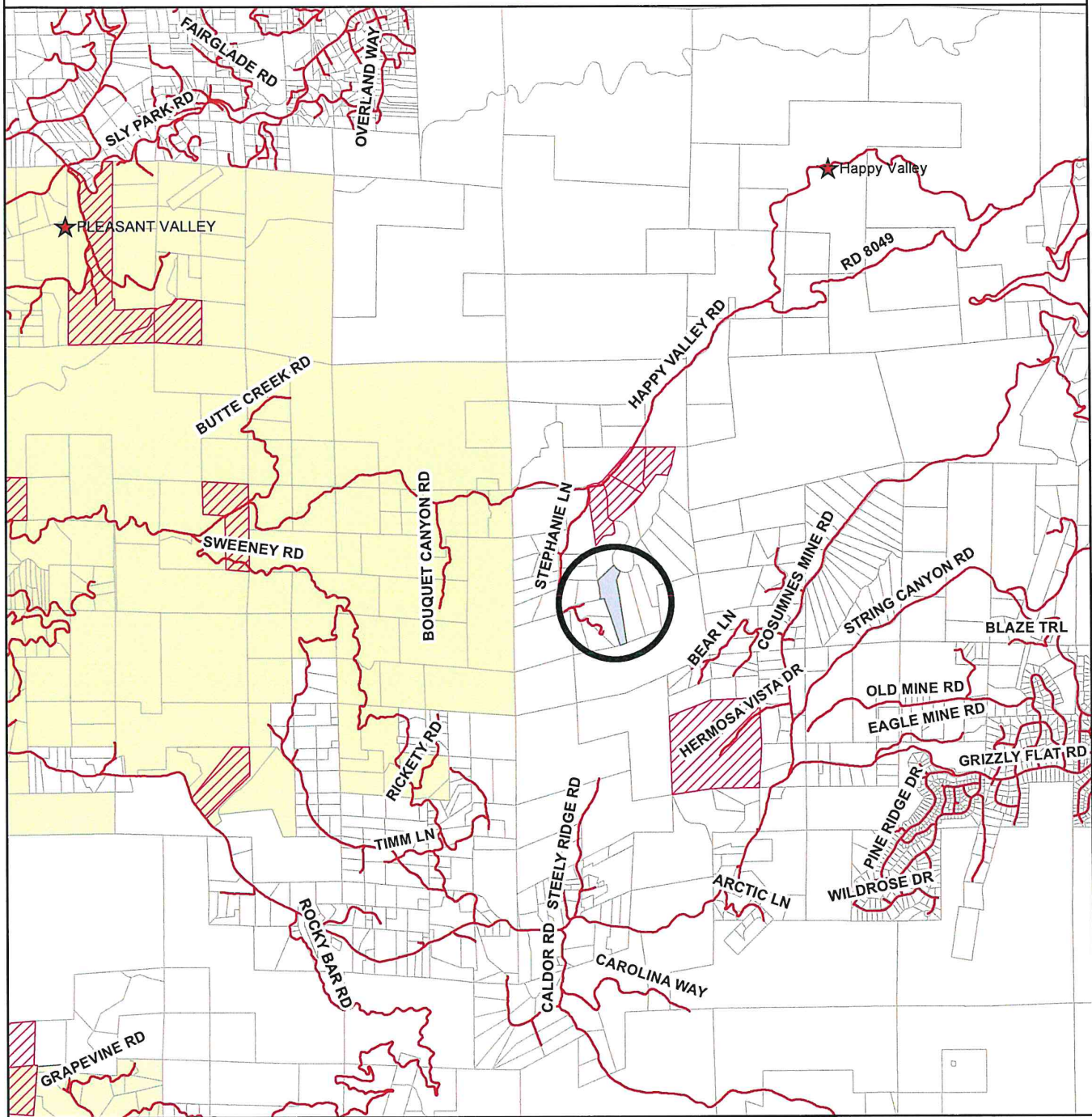
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

Arabian Commercial Cannabis

Proximity to Agricultural District



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MAP PREPARED BY: Luciana Méa DATE: November 27, 2018
PROJECT ID: proj14000_p

EL DORADO COUNTY SURVEYOR/CLERK'S DIVISION
PHONE (530) 621-6511 FAX (530) 626-4731

- Ag District
- Arabian Parcel
- Ag Preserves
- Parcel Base
- Major Roads

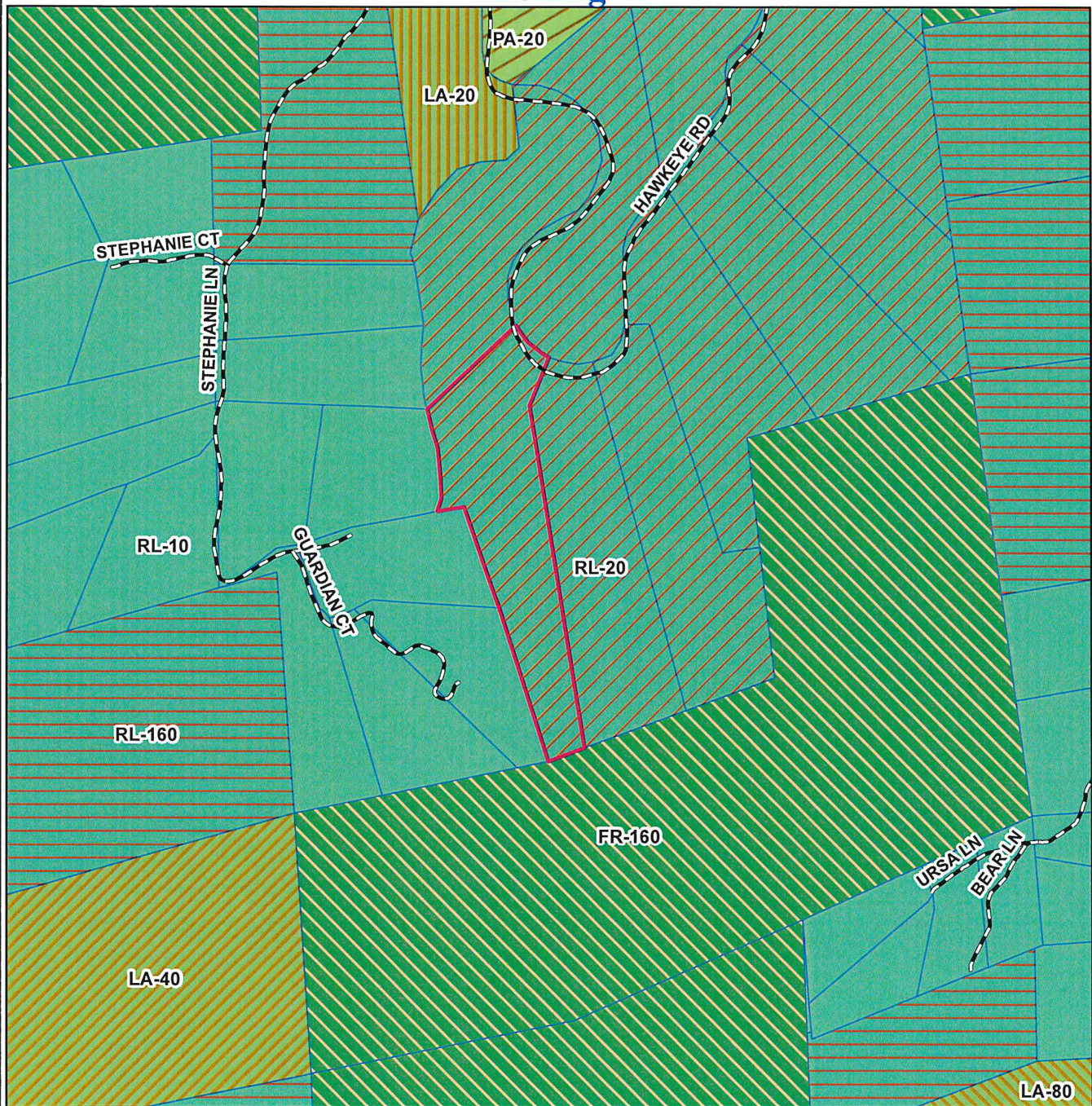
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Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

Arabian Commercial Cannabis Zoning



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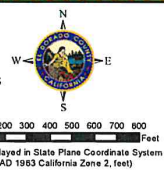
MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018
PROJECT ID: projJackson_z

EL DORADO COUNTY SURVEYOR/G.L.S. DIVISION
PHONE (916) 621-6511 FAX (916) 626-4731



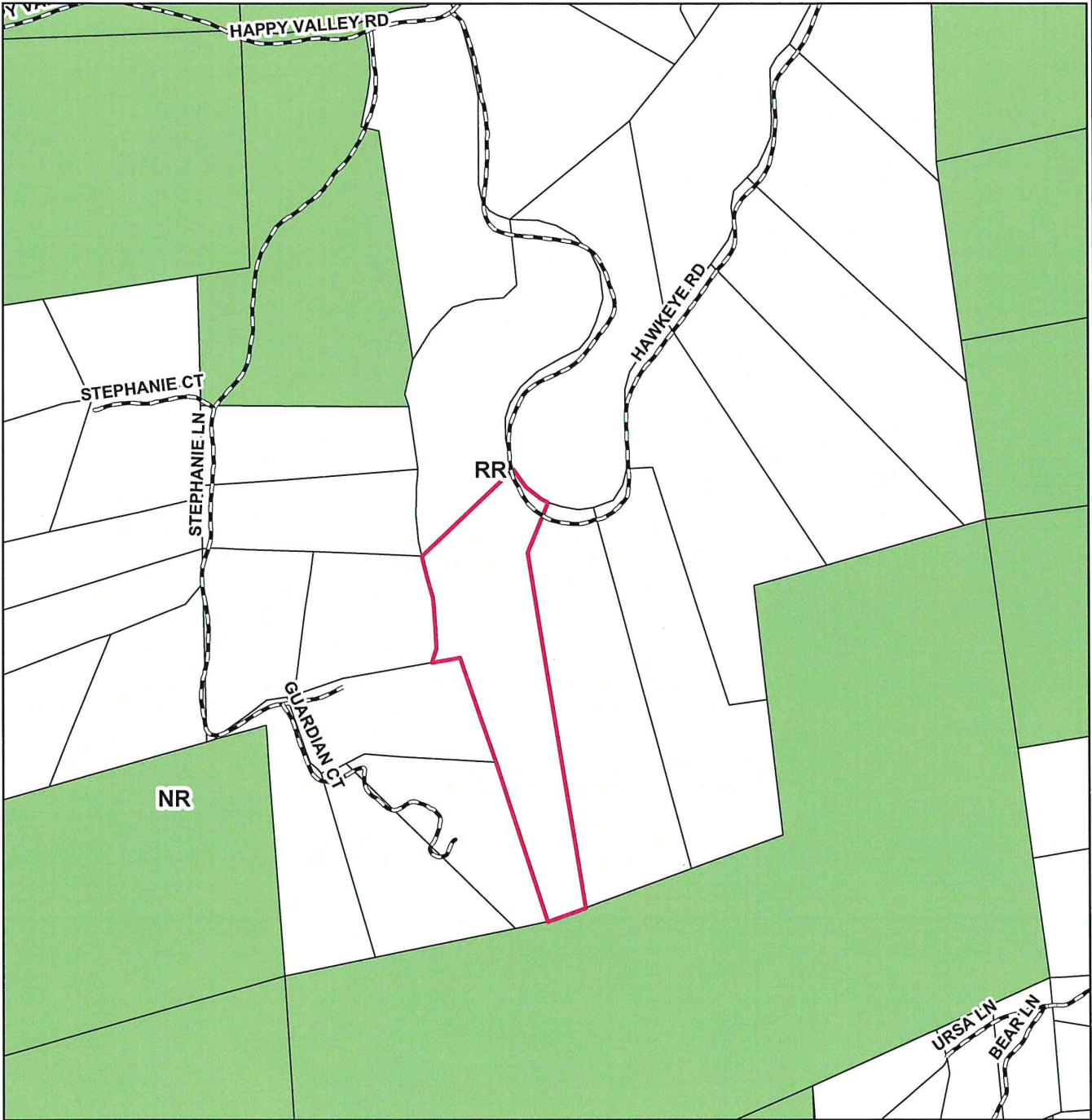
LA-20 = Limited Agriculture 20 Acres
LA-40 = Limited Agriculture 40 Acres
LA-80 = Limited Agriculture 80 Acres
PA-20 = Planned Agriculture 20 Acres

FR-160 = Forest Resource 160 Acres
RL-10 = Rural Land 10 Acres
RL-20 = Rural Land 20 Acres
RL-160 = Rural Land 160 Acres



El Dorado County Agricultural Commission

Arabian Commercial Cannabis Land Use



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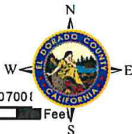
MAP PREPARED BY LeeAnne Mils DATE: November 27, 2018
PROJECT ID: proj1346n_1

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-4731

- Parcels
- ArabianParcel
- Roads
- Natural Resources
- Rural Residential

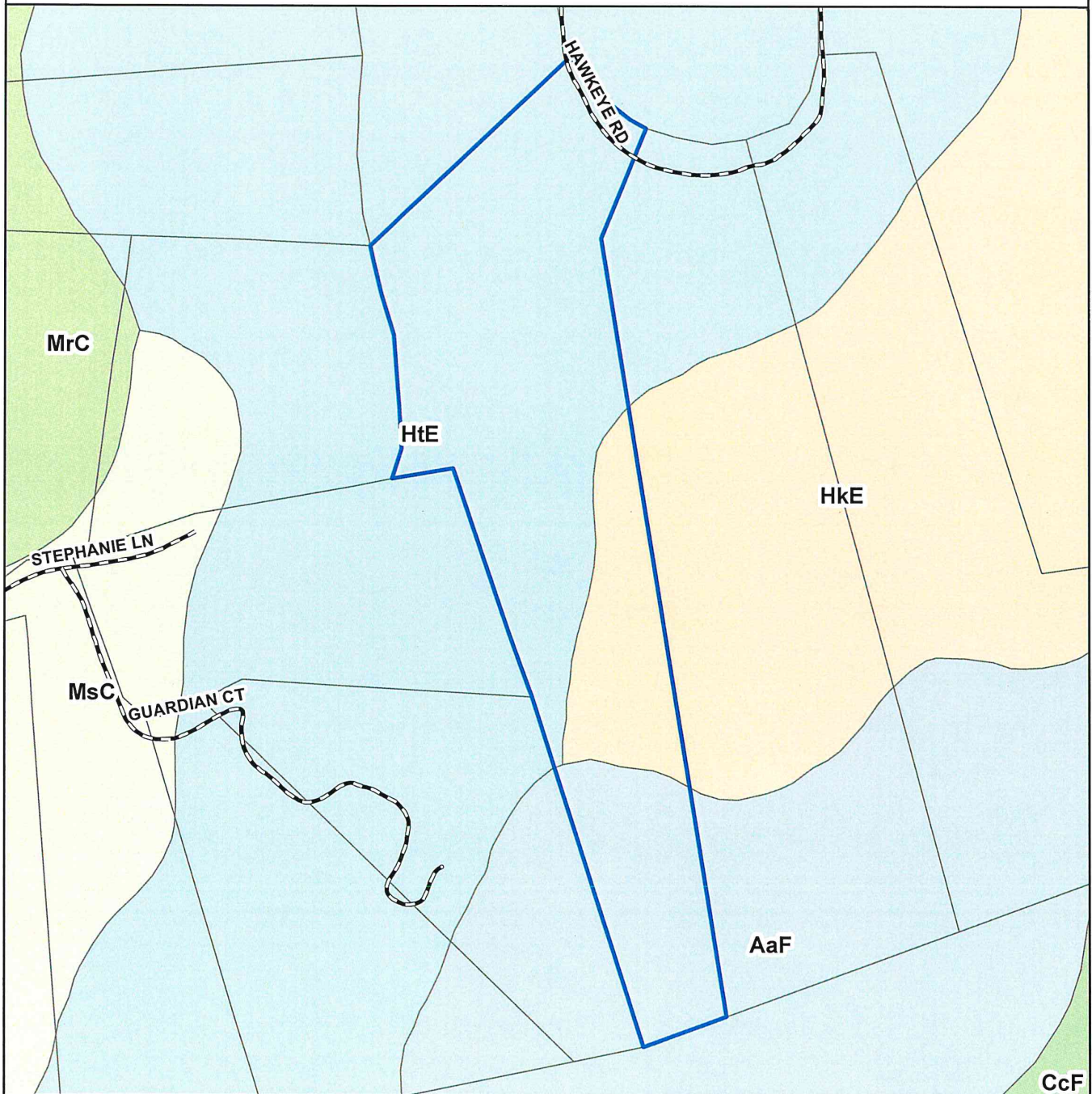
Map Displayed in State Plane Coordinate System
(NAD 1983 California Zone 2, feet)

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El Dorado County Agricultural Commission

Arabian Commercial Cannabis Soils



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

PROJECT ID: projJackson_s

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731

Soils

ArabianParcel

Acidic rock land

Chaix very rocky coarse sandy loam, 50 to 70 percent slopes

Holland very rocky coarse sandy loam, 15 to 50 percent slopes

Hotaw very rocky coarse sandy loam, 15 to 50 percent slopes

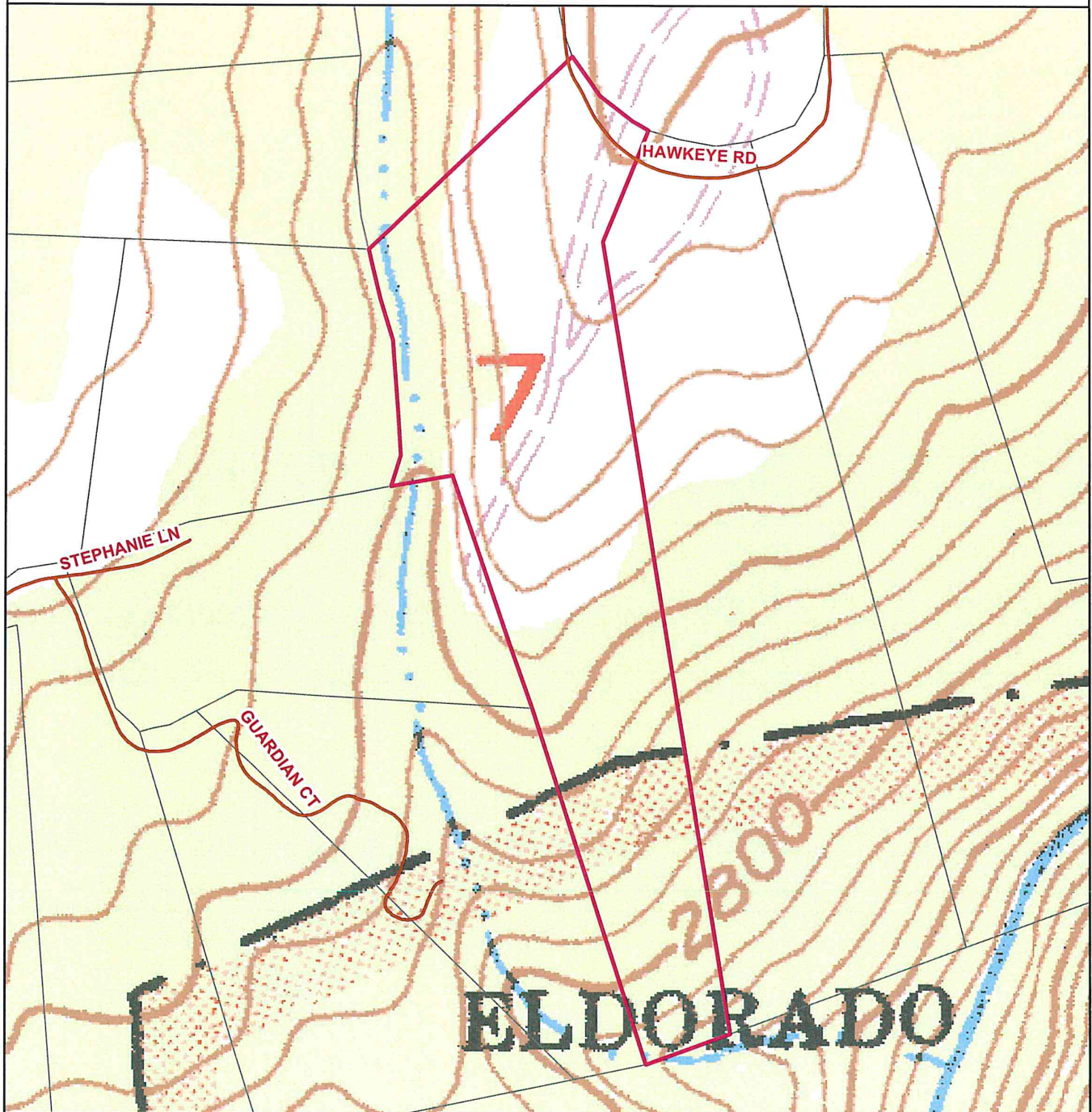
Musick rocky sandy loam, 5 to 15 percent slopes

Musick 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

Arabian Commercial Cannabis Topography



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

PROJECT ID: projJackson_1

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731

Legend

curroads Parcels ArabianParcel Roads

0 100 200 300 400 500 Feet

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



El Dorado County Agricultural Commission

Arabian Commercial Cannabis



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

PROJECT ID: Jackson_2

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (930) 621-6111 FAX (930) 626-8731

Legend

- Parcel Base
- Arabian 800 Ft
- HardeParcelIF
- ArabianParcel

0 100 200 300 Feet

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



El Dorado County Agricultural Commission