

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: APRIL 9, 2019

ITEM 1 - Request to rezone 409.55 acres from the “R1A,” Single-family Residential and Agricultural District, “X,” Special Use District, and “R3,” High Density Multi-family Residential District to the “AG,” Exclusive Agriculture District in conjunction with a request for inclusion of the same acreage into a California Land Conservation Act contract.

APPLICANTS: Linda L. Matulich Revocable Living Trust, Linda L. Matulich, trustee
SUPERVISORIAL DISTRICT 2

LOCATION: On the north side of CA Highway 88 between Sunset Drive and Eggiman Lane (APNs 011-140-037, 011-140-038, 011-140-039, 011-170-017, 011-270-013, 011-270-015, 011-270-016, 011-270-017, 011-270-018).

- A. GENERAL PLAN DESIGNATION:** A-G, Agricultural-General (383.30 acres), and SPA - Special Planning Area (26.25 acres).
- B. CURRENT ZONING:** “R1A,” Single-family Residential & Agricultural District (370.19 acres)
“X,” Special Use District (13.11 acres), and
“R3,” High Density Multi-family Residential District (26.25 acres)
- C. DESCRIPTION:** The applicant has applied for inclusion of approximately 409.55 acres into a California Land Conservation Act (Williamson Act) contract. The acreage is distributed among three zoning districts as described above. The intended use of the property is seasonal dry pasture grazing for cattle. Applications for Williamson Act contracts include a simultaneous request to rezone the contracted property to Exclusive Agriculture because the permitted uses in the “AG” zone become the land use limitations of the contract.

Approximately 26 acres of the subject property has a General Plan land use designation of SPA, Special Planning Area with “R3,” High Density Multi-family zoning. A zone change to Exclusive Agriculture on the “R3” parcels would require a General Plan Amendment, and would reduce the available high-density multi-family zoning in the unincorporated area from 60 acres to 34 acres. A request for a General Plan Amendment has not been submitted; therefore the Planning Commission can make recommendations concerning only the 383.30 acres which have a General Plan land use designation compatible with the requested “AG” zoning.
- D. AGRICULTURAL ADVISORY COMMITTEE RECOMMENDATION:** The Agricultural Advisory Committee reviewed the request for inclusion into a Williamson Act contract and recommended approval of the request, as submitted, to the Board of Supervisors with the condition that all affected parcels be merged to a single legal parcel.
- E. PLANNING COMMISSION ACTION:** Should the Planning Commission recommend approval of the zone change from “R1A.” Single-family Residential and Agricultural District and “X,” Special Use District to “AG,” Exclusive Agriculture District to the Board of Supervisors, the findings below are recommended for inclusion with the motion to approve.

F. FINDINGS:

1. The zone change is consistent with the Amador County General Plan Land Use designation for the property;
2. The agricultural preserve will meet the agricultural improvement requirements of the “AG” zone district for parcels 160 acres or larger as outlined in County Code § 19.24.036 D(2);
and
3. The zone change is categorically exempt according to Section 15317, Class 17 of the State CEQA Guidelines (Open Space Contracts or Easements) and a Notice of Exemption will be adopted and filed with the County Recorder-Clerk.

Matulich Aerial Map

 Affected Parcels



1" = 1183 ft

Aerial photography, if displayed,
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Notes



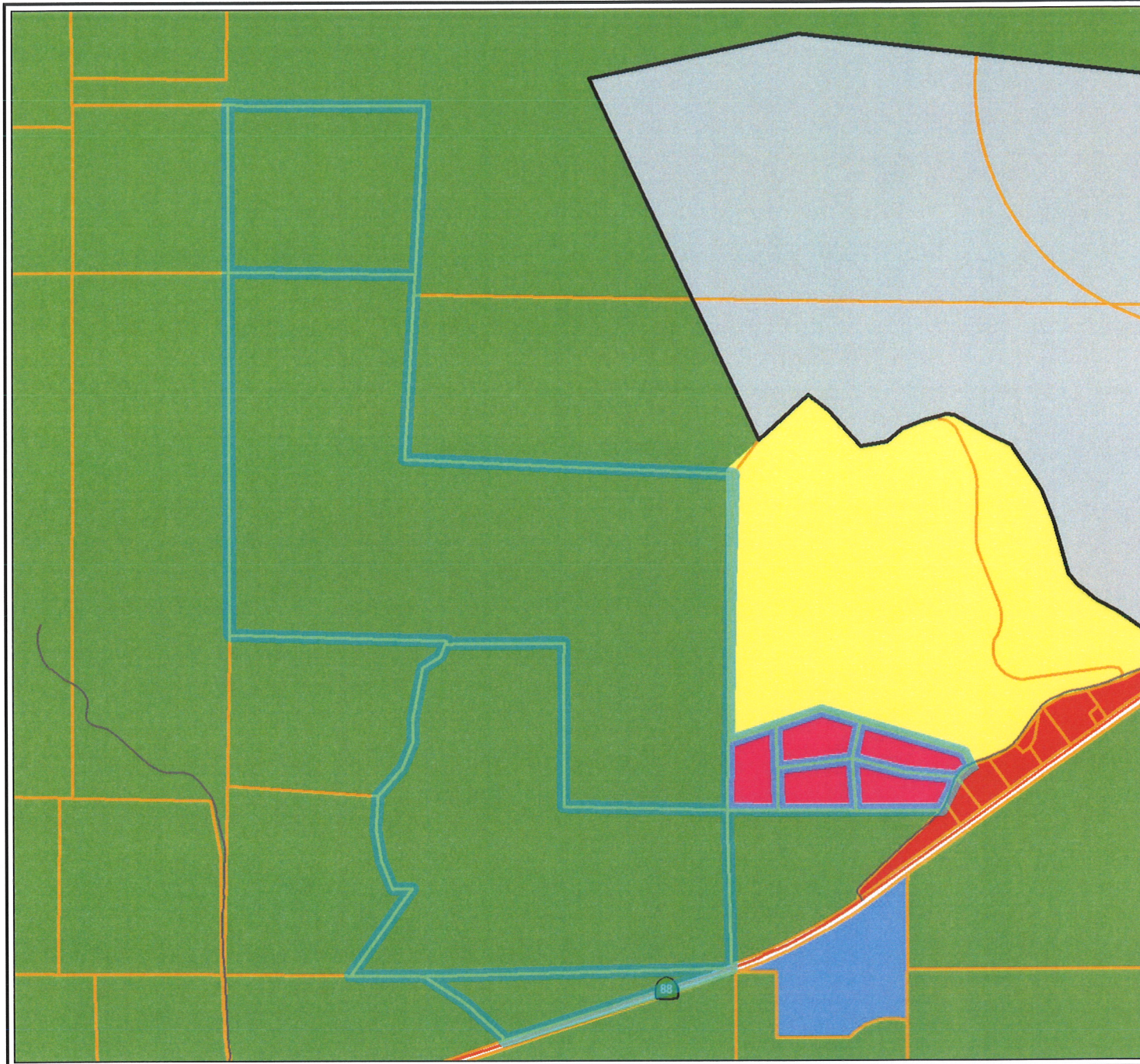
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Amador County GIS Viewer

Amador County Information Technology Dept.
810 Court St, Jackson CA 95642

April 3, 2019





General Plan

- Agricultural Transition (AT)
- Agricultural General (AG)
- Mineral Resource Zone (MRZ)
- Open Recreation (OR)
- General Forest (GF)
- Open Forest (OF)
- Open Wilderness (OW)
- Urban Planning Area (UA)
- Tribal Trust Lands (TTL)
- Rural Residential (RR)
- Residential Low Density (RL)
- Residential Medium Density (RM)
- Commercial (C)
- Industrial (I)
- Local Service Center (LC)
- Regional Service Center (RSC)
- Special Planning Area (SPA)
- Public Service (PS)
- Water (W)



1" = 1108 ft

Aerial photography, if displayed,
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Notes

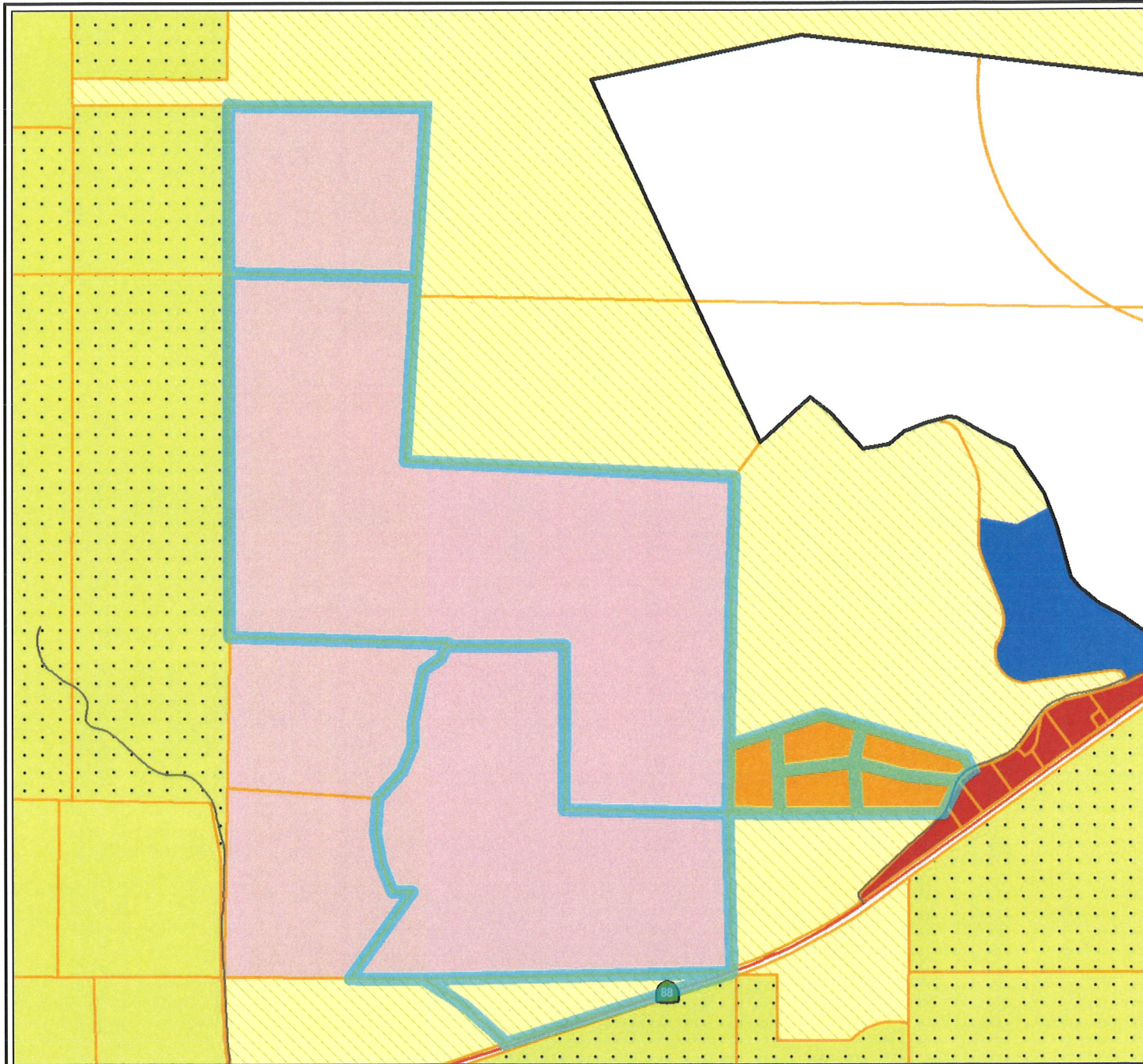


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January 24, 2019



Zoning

- A - Agricultural
- AG - Exclusive Agriculture
- C1 - Retail Commercial and Office
- C2 - Heavy Commercial
- H - Highway Commercial - Recreation
- LM - Light Manufacturing
- MM - Medium Manufacturing
- M - Manufacturing
- MR - Mineral Resources
- OS - Open Space
- PD - Planned Development
- RE - Residential Estates
- R1 - Single Family Residential
- R1A - Single Family Residential & Ag
- R2 - Low Density Mult. Family Residential
- R2A - Single Family Residential, 2 Acre Min.
- R3 - High Density Mult. Family Residential
- T1 - Trailer - Camp
- T2 - Mobile Home Park - Camp
- TPZ - Timberland Preserve
- USA - Bureau of Land Management
- X - Special Use
- Not Classified



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Notes



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January 24, 2019

REQUEST TO FORM AGRICULTURAL PRESERVE

I hereby request the Board of Supervisors of Amador County to establish my property, described below, in an agricultural preserve in accordance with the provisions of the California Land Conservation Act of 1965. In the event that the Board elects to establish such a preserve, I also request that the Board direct the Planning commission to initiate hearings to rezone said land to an "AG," Exclusive Agriculture zone. I also request that the Assessor consolidate the tax parcels on said land wherever possible. I understand the inclusion of said land in an agricultural preserve is conditioned on the execution of a land conservation contract between myself and Amador County.

Item A Signature(s) of all owner(s), owner(s) of interest, and lien holder(s) as shown on the attached title report.

Jimda S. Matulich

Item B Attach current title report.

Item C Attach legal description of all property included in this request.

Item D Attach Assessor's parcel map(s) of property. Outline exactly that property included in this request. Show on map(s) how property is used and summarize on the table below. List uses and acreages within request only. Attach additional sheets if necessary.

Assessor's Parcel No.	Acres	Agricultural Uses		Compatible Uses	
		Description	Acres	Description	Acres
011-270-018-000	5.60	land dry pasture	5.60	LAND	5.60
011-170-017-000	13.11	land dry pasture	13.11	LAND	13.11
011-270-013-000	5.10	LAND dry pasture	5.10	LAND	5.10
011-270-015-000	5.19	LAND dry pasture	5.19	LAND	5.19
011-140-039-000	51.07	LAND dry pasture	51.07	LAND	51.07
011-140-037-000	109.41	LAND dry pasture	109.41	LAND	109.41
Total Acres in request.	Page 1				

Are there uses on the property which are not listed on either the agricultural or compatible use lists? NO
If so, explain below.

Item E

AGRICULTURAL PRODUCTION FROM THE LAND

Use	Crop	Production	Comments
Dry Pasture	COWS	Animal Units	30-40 SEASONAL
Irrigated Pasture		Animal Units	
Field Crops		Tons Per Acre	
		Tons Per Acre	
Row Crops		Tons Per Acre	
		Tons Per Acre	
Orchard		Tons Per Acre	
Other			

Item F

OTHER INCOME FROM THE LAND

Hunting		Fishing		Mineral		Other	
\$	0 Per Year	\$	0 Per Year	\$	0 Per Year	\$	0 Per Year

Item G

LEASES

			Acres
1. Portion of subject property which is owner operated.			0
2. Portion(s) leased or rented to others. Provide Name & Address of lessee(s).	Use	Cash Rent Per Acre	
ROBERTSON RANCHES	PASTURE	\$ 1000 ~ / mo	409.55
PO Box 1057 PLYMOUTH CA 95669	RENT	for all	
3. Portion(s) share cropped to others. Provide Name & Address of lessee(s)	Crop	% to Owner	
If operating expenses are shared by owner, explain:			

Item H

IMPROVEMENT AND INCOME STATEMENT

1. **PERMANENT AGRICULTURAL IMPROVEMENTS**

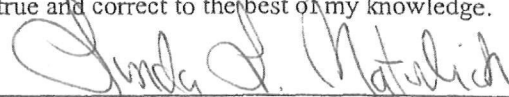
Type of Improvement	Estimated Value
Barn(s)	0
Corral(s)	0
Fences	0
Wells	0
Water Systems	0
Other (specify)	0
TOTAL	0

2. **ESTIMATED INCOME**

Use	Estimated Annual Income
grazing pasture	\$ 12,000.00 / year
TOTAL	\$ 12,000.00

I certify that the information presented in this application is true and correct to the best of my knowledge.

NAME: LINDA L. MATULICH
 ADDRESS: 143 Springcreek Dr
 CITY: LOSE CA 95640
 PHONE: 809-274-6653



Signature of person who prepared application.

1-17-19

Date

Additional persons to be notified concerning action on this request:

NAME: _____

NAME: _____

ADDRESS: _____

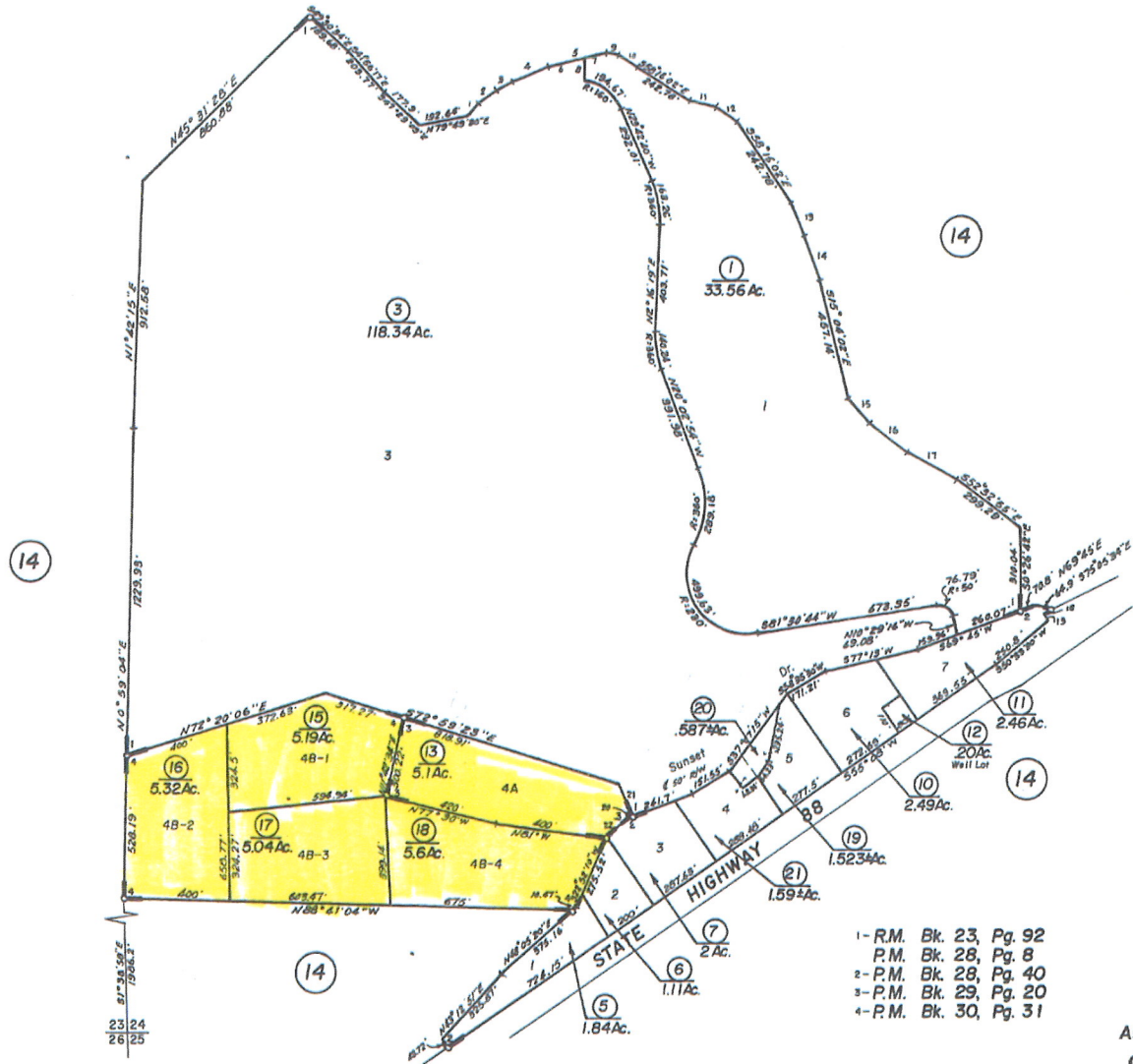
ADDRESS: _____

CITY: _____

CITY: _____

PHONE: _____

PHONE: _____



1. N40°21'05"E 51.97'
2. N55°39'54"E 82.21'
3. N59°52'55"E 65.52'
4. N68°28'40"E 160.29'
5. N76°32'37"E 209.97'
6. " 189.97'
7. " 70'
8. N10°01'09"E 87.7'
9. S83°05'42"E 49.51'
10. S60°19'29"E 85.27'
11. S74°57'37"E 89.48'
12. S56°51'26"E 93.57'
13. S23°22'40"E 131.06'
14. S21°47'26"E 164.87'
15. S40°47'26"E 118.17'
16. S58°13'37"E 194.53'
17. S61°19'02"E 215.41'
18. S62°08'45"E 49.53'
19. S34°42'02"W 28.14'
20. S68°24'40"W 22.8'
21. S24°14'39"E 139.41'
22. S46°54'10"W 104.8'

- 1-R.M. Bk. 23, Pg. 92
- P.M. Bk. 28, Pg. 8
- 2-P.M. Bk. 28, Pg. 40
- 3-P.M. Bk. 29, Pg. 20
- 4-P.M. Bk. 30, Pg. 31

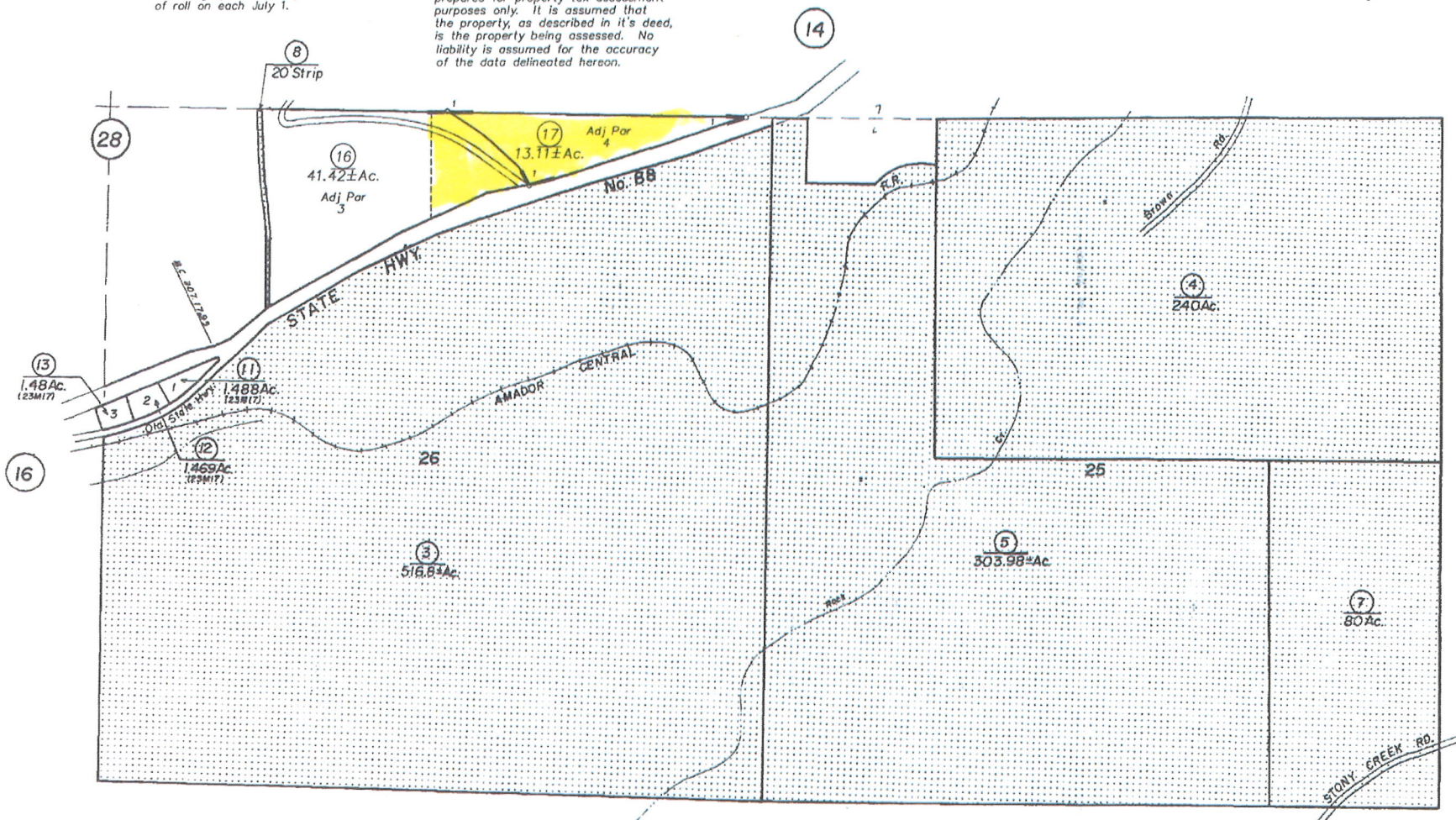
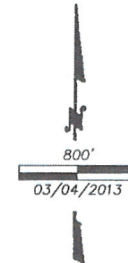
Assessor's Map Bk. 11 , Pg. 27
County of Amador, Calif.

FROM 1127

SEC. 25, POR. SEC. 26, T.6N., R.10E., M.D.B. & M.

Map changes become effective with the 2004-2005 roll year. Parcel numbers are subject to change prior to adoption of roll on each July 1.

IMPORTANT NOTE: This map was prepared for property tax assessment purposes only. It is assumed that the property, as described in it's deed, is the property being assessed. No liability is assumed for the accuracy of the data delineated hereon.



Bk 44

R.M. Bk. 4, Pg. 55
R.M. Bk. 23, Pg. 17
1- R.M. Bk. 55, Pg. 24 (12/24/2002)

20

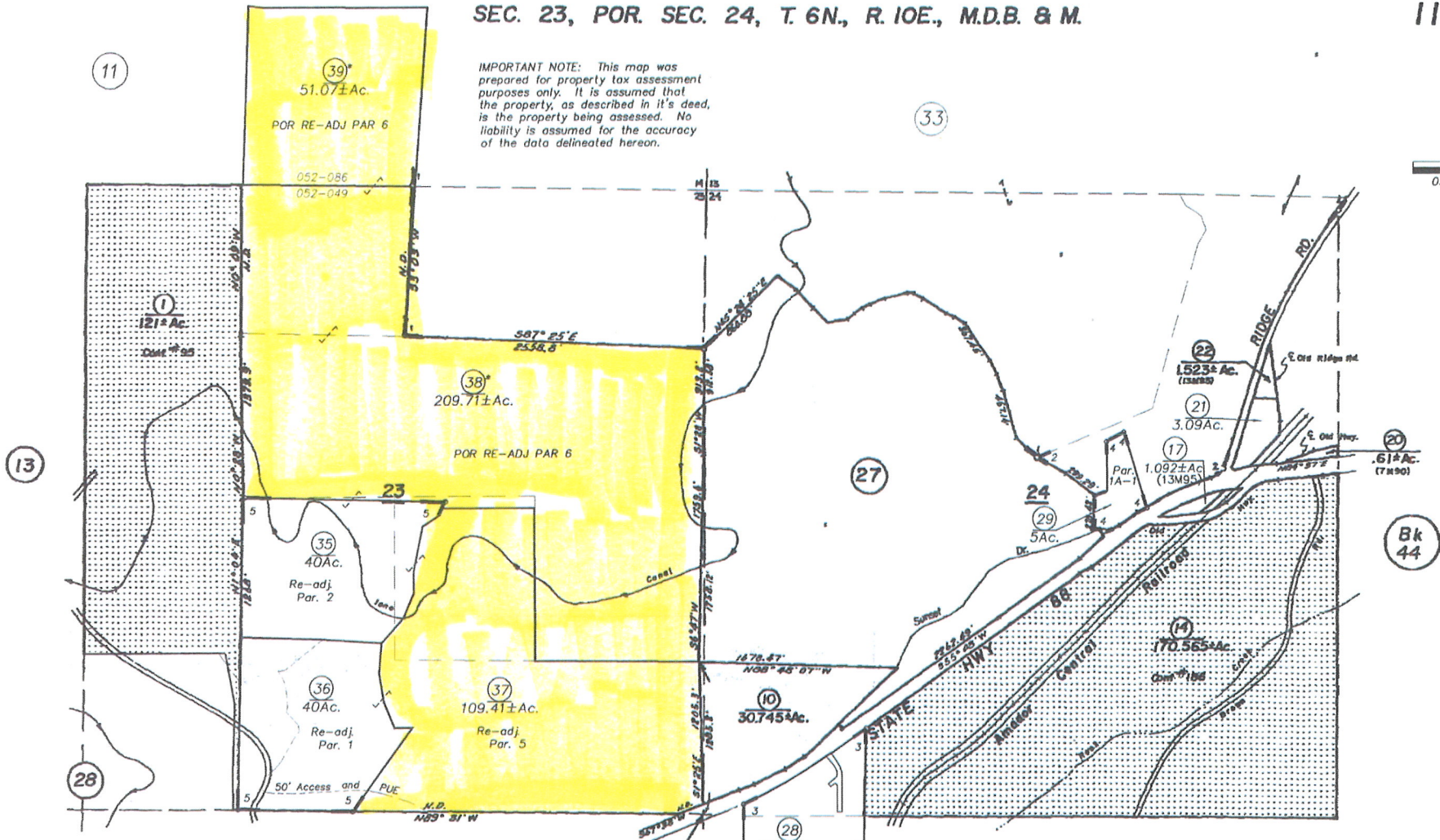
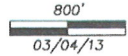
NOTE—Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 11, Pg. 17
County of Amador, Calif.

17

SEC. 23, POR. SEC. 24, T. 6N., R. 10E., M.D.B. & M.

IMPORTANT NOTE: This map was prepared for property tax assessment purposes only. It is assumed that the property, as described in it's deed, is the property being assessed. No liability is assumed for the accuracy of the data delineated hereon.



- R.M. Bk. 4, Pg. 55
- R.M. Bk. 7, Pg. 90
- R.M. Bk. 13, Pg. 95
- 1- R.M. Bk. 26, Pg. 53
- R.M. Bk. 29, Pg. 38
- 2- P.M. Bk. 37, Pg. 83
- 3- R.M. Bk. 43, Pg. 11 (10/20/88)
- R.M. Bk. 44, Pg. 84 (9/10/90)
- 4- R.M. Bk. 51, Pg. 33 (4/9/98)
- 5- R.M. Bk. 55, Pg. 24 (12/24/2002)
- R.M. Bk. 58, Pg. 37 (11/14/2005)

Map changes become effective with the 2007-2008 roll year. Parcel numbers are subject to change prior to adaption of roll on each July 1.

Assessor's Map Bk. 11, Pg. 14
County of Amador, Calif.

STAFF REPORT TO: AMADOR COUNTY AGRICULTURAL ADVISORY COMMITTEE
FOR MEETING OF: JANUARY 30, 2019

ITEM #1 DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO ESTABLISH AN AGRICULTURAL PRESERVE IN ACCORDANCE WITH THE CALIFORNIA LAND CONSERVATION ACT FOR 409.55 ACRES, SUBMITTED BY LINDA L. MATULICH, TRUSTEE OF THE LINDA L. MATULICH REVOCABLE LIVING TRUST.

Located on the north side of CA Highway 88 between Sunset Drive and Eggiman Lane (APNs 011-140-037, 011-140-038, 011-140-039, 011-170-017, 011-270-013, 011-270-015, 011-270-016, 011-270-017, 011-270-018).

This application is a request to establish a 409-acre agricultural preserve per the requirements of the California Land Conservation Act. The preserve is proposed for use as dry pasture cattle grazing. The agricultural income and improvements for the parcel, as provided by the applicant, are included in the attached information.

The Committee must review the application to determine if the parcel meets *either* the annual agricultural income potential of \$6,274, *or* the agricultural improvement criteria \$31,368, as required by County Code Section 19.24.036 D2, for preserves 160 acres or larger in size.

The Committee’s recommendations will be forward to the Board of Supervisors for their consideration.

The parcels included in the application are:

<u>APN</u>	<u>ACREAGE</u>	<u>ZONING</u>	<u>GENERAL PLAN</u>
011-140-037	109.41	X – Special Use District	AG – General Agriculture
011-140-038	209.17	X – Special Use District	AG – General Agriculture
011-140-039	51.07	X – Special Use District	AG – General Agriculture
001-170-017	13.11	RIA – Single-family & Agricultural	AG – General Agriculture
011-270-013	5.10R3	– High Density Residential	SPA – Special Planning Area
011-270-015	5.19R3	– High Density Residential	SPA – Special Planning Area
011-270-016	5.32R3	– High Density Residential	SPA – Special Planning Area
011-270-017	5.04R3	– High Density Residential	SPA – Special Planning Area
011-270-018	5.60R3	– High Density Residential	SPA – Special Planning Area

Per the 2016 General Plan update, Williamson Act zoning (Exclusive Agriculture) is not compatible with the Special Planning Area land use designation. Therefore, staff recommends that the five parcels with the Special Planning Area land use designation be excluded from the preserve.