

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION  
FOR MEETING OF: April 13, 2021**

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**ITEM 2 - Request for a Zone Change (ZC-21;1-1) from the R1A, Single-family Residential and Agriculture zoning district to the AG, Exclusive Agriculture zoning district for four parcels totaling ±160-acres in conjunction with the establishment of a new Agricultural Preserve. This requires enrollment of all ±160 acres into a new California Land Conservation Act (Williamson Act) contract. (APNs: 008-330-035, -036, -037, -038).**

**Applicant:** Obadiah and Shelbey Miller

**Supervisor District:** 2

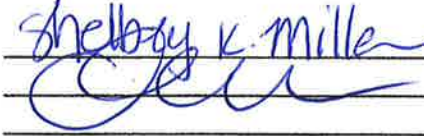
**Location:** 13890 Vaira Ranch Rd. Drytown, CA 95669

- A. General Plan Designation:** AG, General Agriculture
- B. Current Zoning:** R1A, Single-family Residential and Agriculture
- C. Project Description:** The applicant has applied for inclusion of approximately 160 acres into a new California Land Conservation Act (Williamson Act) contract. The intended use of the property is 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.
- D. Agricultural Advisory Committee Recommendation:** The Agricultural Advisory Committee reviewed the request for inclusion into a Williamson Act contract on January 27, 2021 and recommended approval of the request to the Board of Supervisors with the condition that all affected parcels be merged into a single legal parcel.
- E. Planning Commission Action:** Should the Planning Commission recommend approval of the zone change from R1A, Agricultural District to AG, Exclusive Agriculture District to the Board of Supervisors, the findings below are recommended for inclusion with the motion to approve.
- G. Recommended 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 Exclusive Agriculture zoning 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 from CEQA 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.

## 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.

Shelby K. Miller  
  
 \_\_\_\_\_  
 \_\_\_\_\_

**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
35-38	160	grazing	150	General Farming Single Family Dwelling	10
Total Acres in request.	160				

Are there uses on the property which are not listed on either the agricultural or compatible use lists? \_\_\_\_\_  
 If so, explain below.

Item E

**AGRICULTURAL PRODUCTION FROM THE LAND**

Use	Crop	Production	Comments
Dry Pasture		Cattle -80 Animal Units	
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	
\$	Per Year	\$	Per Year	\$	Per Year	\$	Per Year

Item G

**LEASES**

			Acres
1. Portion of subject property which is owner operated.			
2. Portion(s) leased or rented to others. Provide Name & Address of lessee(s).	Use	Cash Rent Per Acre	
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)	
Corral(s)	
Fences	
Wells	\$17,800
Water Systems	\$18,000
Other (specify)	
TOTAL	\$35,800

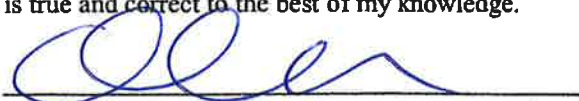
2.

**ESTIMATED INCOME**

Use	Estimated Annual Income
TOTAL	

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

NAME: Obie Miller  
ADDRESS: 13890 Vaira Ranch Rd.  
CITY: Drytown, CA 95699  
PHONE: 916.717.8701

  
Signature of person who prepared application.  
1-13-2021  
Date

Additional persons to be notified concerning action on this request:

NAME: Shelbey Miller  
ADDRESS: 13890 Vaira Ranch Rd.  
CITY: Drytown, CA 95699  
PHONE: \_\_\_\_\_

shelbey.miller@gmail.com  
NAME: obie.miller@gmail.com  
ADDRESS: PO Box 8  
CITY: Plymouth, CA 95669  
PHONE: \_\_\_\_\_

**Preliminary Report Top Sheet**

PLEASE HELP US STAY ON TOP OF YOUR TRANSACTION

***If any of these questions are answered "Yes", or if you have questions about the below, please contact your Escrow Officer***

- Have any of the parties recently filed bankruptcy?
- Do any of the parties plan to use a Power of Attorney?
- Are any of the parties going through a divorce? If so, is there an attorney involved?
- Is anyone currently vested in title deceased?
- Do any of the parties NOT have a valid photo ID?
- Is there construction work in progress or incomplete construction?
- Is there a mobile or manufactured home on the property?
- Are the sellers a non-resident alien or a foreign out of country seller?
- Is the property an investment property or not considered seller's principal residence?
- Will a new entity be formed, i.e. Partnership, LLC, Corporation?
- If parties are currently vested or acquiring title in their trust, have bank accounts been established in the name of the Trust?
- Will any of the parties be participating in a 1031 Exchange?
- Are any of the parties unable to sign in our office?

**Thank you for choosing  
Amador County's oldest title company  
Western Land Title Company, Inc.  
Issuing Agent for WESTCOR Land Title Insurance Company**

Order No. 42059-TO

**Western Land Title Company, Inc.**

Issuing Agent for WESTCOR Land Title Insurance Company  
34A Summit Street  
Jackson, CA 95642  
Ph. 209-223-0482 Fax 209-223-0532  
California Department of Insurance License No. 222

Date: 01/11/2021

Our Order No.: 42059-TO

Reference: Miller

**Issued for the use of:**

Obadiah & Shelbey Miller  
PO Box 8  
Plymouth, CA 95669

**When Replying Please Contact:**

Escrow Officer : Evelyn Ryan  
Title Officer : Stacy Toma

Email: [evryan@westernlandtitle.com](mailto:evryan@westernlandtitle.com)  
Email: [titleonly@westernlandtitle.com](mailto:titleonly@westernlandtitle.com)

**PRELIMINARY REPORT**

In response to the above referenced application for a Policy of Title Insurance, **WESTERN LAND TITLE COMPANY, INC.**, hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein, hereinafter set forth insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and limitations on Covered Risks of said Policy or Policies are set forth in Exhibit A attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the Homeowner's Policy of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the Policy forms should be read. They are available from the Office which issued this Report.

**Please read the Exceptions shown or referred to below and the Exceptions and Exclusions set forth in Exhibit A of this Report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the Title Insurance Policy and should be carefully considered. It is important to note that this Preliminary Report is not a written representation as to the conditions of title and may not list all liens, defects and encumbrances affecting title to the land.**

This Report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a Policy of Title Insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a Policy of Title Insurance, a Binder or Commitment should be requested.

By: stoma  
Title Officer

Order No. 42059-TO

Proposed Buyer/Borrower: N/A

Proposed Insured: N/A

Proposed Loan Amount: N/A

Property Address: Vacant land – None assigned

Effective Date : December 30, 2020 @ 7:30 a.m.

The form of Policy of Title Insurance contemplated by this Report is:

**TITLE REPORT FOR WILLIAMSON ACT APPLICATION**

The estate or interest in the land described or referred or covered by this Report is:

A FEE

Title to said estate or interest at the date hereof is vested in:

**OBADIAH MILLER AND SHELBEY MILLER, HUSBAND AND WIFE AS JOINT TENANTS**

The land referred to in this Report is situated in the County of Amador, State of California and is described as follows:

**FOR DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO**

Order No. 42059-TO

**EXHIBIT "A"**

All that real property situated in the State of California, County of Amador, described as follows:

**PARCEL ONE:**

"Adjusted Compliance Parcel 3, as shown on "Record of Survey Boundary Line Adjustment for J. Ethel Cecchettini, surviving trustee of the Cecchettini Trust dated April 24, 2001", recorded June 12, 2020, in Book 66 of Maps and Plats, Page 47, Amador County Records.

**PREVIOUS APN'S:** Portions of 008-330-018-000 and 008-330-020

**PARCEL TWO:**

"Adjusted Compliance Parcel 15, as shown on "Record of Survey Boundary Line Adjustment for J. Ethel Cecchettini, surviving trustee of the Cecchettini Trust dated April 24, 2001", recorded June 12, 2020, in Book 66 of Maps and Plats, Page 47, Amador County Records.

**PREVIOUS APN'S:** Portions of 008-330-018-000 and 008-330-020

**CURRENT APN'S:** 008-330-035, 008-330-036, 008-330-037, 008-330-038

\*\*\*\*\*



Order No. 42059-TO

At the date hereof exceptions to coverage in addition to the Exceptions and Exclusions in said Policy form would be as follows:

1. Taxes and assessments, general and special, which are a lien, whether due, payable, delinquent or otherwise.

NOTE: An examination of these matters is being done. Upon completion, we will supplement our report accordingly.

2. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Section 75, et seq., of the Revenue and Taxation Code of the State of California.
3. Rights of the public, County and/or City, in and to that portion of said land lying within the lines of Vaira Ranch Road.
4. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following:

Instrument	:	Grant of Easement
Granted To	:	Pacific Bell
For	:	Buried communication facilities
Recorded	:	December 20, 1984 in Book 457, page 482 Amador County Records
Affects	:	See document for exact location
Return address	:	Department of Transportation, District 10 P.O. Box 2048, Stockton, CA 95201 Attn: R/W Dept.

5. A deed of trust to secure an indebtedness of the amount stated below and any other amounts payable under the terms thereof,

Amount	:	\$320,000.00
Trustor/Borrower	:	Obadiah Miller and Shelbey Miller, husband and wife, as joint tenants
Trustee	:	Western Land Title Company, INC., a California Corporation
Lender	:	J. Ethel Cecchettini, Trustee of The Cecchettini Trust
Dated	:	August 1, 2020
Recorded	:	August 11, 2020 as Instrument No. 2020-0006627 Amador County Official Records
Loan No.	:	N/A
"MIN"	:	N/A
Returned to	:	J. Ethel Cecchettini 3490 Eskaton Drive Placerville, CA 95667

### INFORMATIONAL NOTES

The information herein set forth is supplemental to the Preliminary Report.

- A) According to the public records, there have been no Deed(s) conveying the property in this Report within twenty-four (24) months prior to the date of this Report, except as for:

NONE

- B) Property Address: Vacant land – None assigned

- C) This property appears to be in the Unincorporated area of Amador County.

- D) The map attached, if any, may or may not be a survey of the land depicted hereon. This company expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

- E) NOTE: RECORDING TIMES FOR AMADOR COUNTY ARE AS FOLLOWS:

9:00 A.M. AND 2:00 P.M.

**\*\*RECORDING TIMES MAY DIFFER WITH COVID CLOSURES TO THE COUNTY OFFICES \*\***

CUT OFF TIME TO RELEASE YOUR RECORDING IS 3:00 P.M. THE DAY PRIOR TO ANTICIPATED RECORDING.

SAME DAY RECORDINGS ARE ALLOWED ONLY UNDER CERTAIN CIRCUMSTANCES.

PLEASE ADVISE US IN ADVANCE OF YOUR PROPOSED RECORDINGS SO THAT WE MAY BEST ACCOMMODATE YOUR NEEDS.

NOTE: PLEASE BE ADVISED THAT OUR COUNTY RECORDER **WILL NOT ACCEPT FAXED COPIES OF DOCUMENTS FOR RECORDING.** ALL DOCUMENTS THAT ARE SENT TO US TO RECORD MUST BE ORIGINAL COPIES.

**This Report is subject to a minimum cancellation charge of \$500.00, as required by Section 12404 of Insurance Code and Rule 2 of Department of Insurance Bulletin No. NS-35E.**

**CALIFORNIA "GOOD FUNDS" LAW**

Effective **January 1, 1990**, California Insurance Code Section 12413.1, (Chapter 598, Statutes of 1989), prohibits a Title Insurance Company, controlled Escrow Company, or Underwritten Title Company from disbursing funds, from an Escrow or Sub-escrow account, (**EXCEPT** for funds deposited by **WIRE TRANSFER, ELECTRONIC PAYMENT** or **CASH**) until the day these funds are made available to the depositor pursuant to Part 229 of Title 12 of the Code of Federal Regulations (Reg. CC). Items such as **CASHIER'S CERTIFIED** or **TELLER'S CHECKS** may be available for disbursement on the business day following the business day of deposit; however, other forms of deposit may cause extended delays in closing the escrow or sub-escrow.

CL V. RAN

2019-0009564

ADJ COMPL PARCEL 2  
2008-0007170

CECCHETTINI TRUST  
2008-0004477

N 04°03'16"  
1512.54' TIE

2019-0008745\*  
ADJUSTED  
COMPLIANCE  
PARCEL 15

2008-0007171  
READJUSTED  
COMPLIANCE  
PARCEL 3

30" OAK AT FENCE-T  
TAGGED PLUS 3570 PER  
66-M-21

ADJ COMPL  
PARCEL 5  
65-M-37  
MCDONALD  
2018-0000356

ADJ COMPL  
PARCEL 6  
65-M-37  
MCDONALD  
2018-0000356

COMPL  
PARCEL 7  
65-M-37  
QUESNEL  
2019-0005694

2018-0000358  
ADJUSTED  
COMPLIANCE  
PARCEL  
130.29 Acr

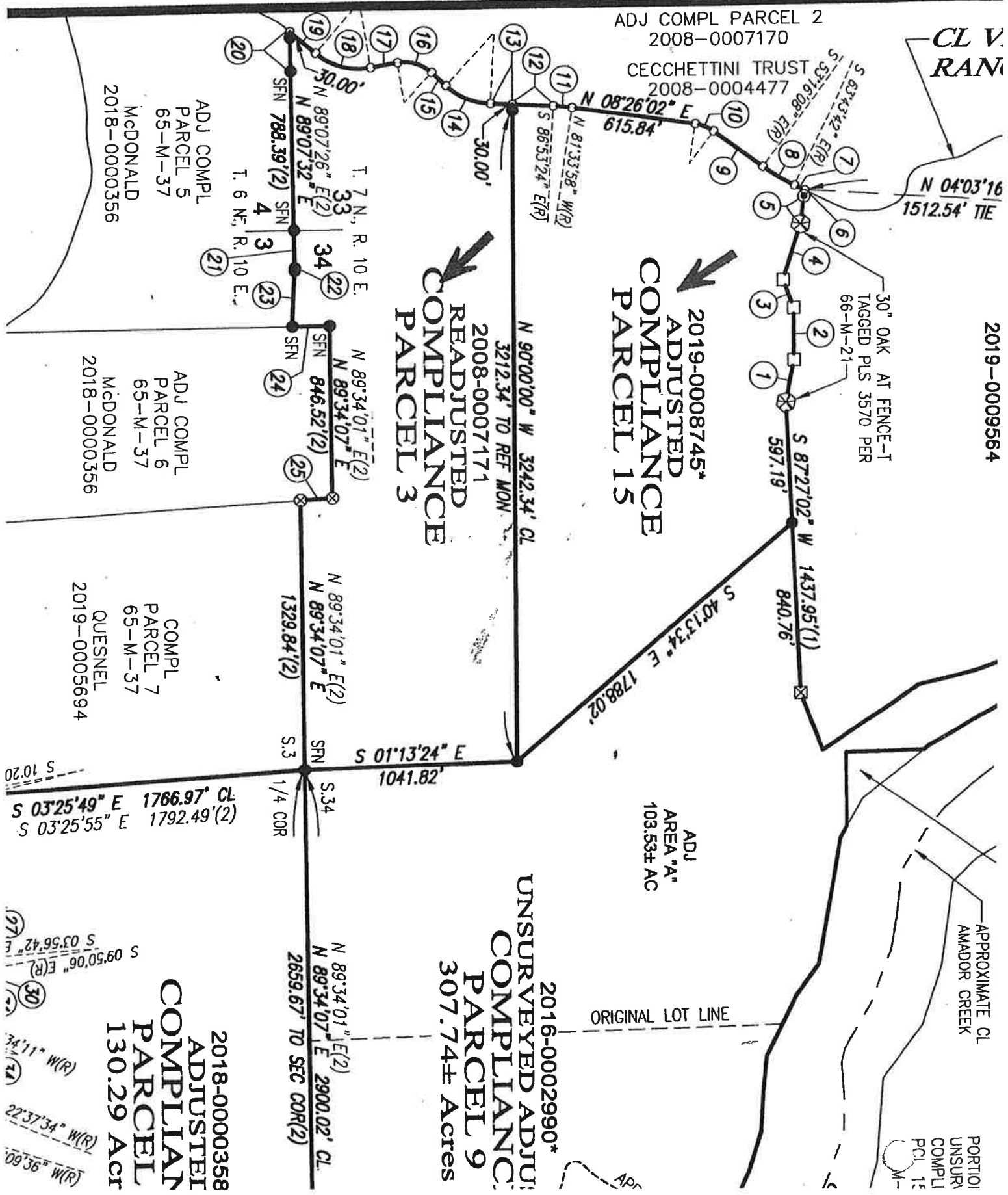
2016-0002990\*  
UNSURVEYED ADJUSTED  
COMPLIANCE  
PARCEL 9  
307.74± Acres

ADJ  
AREA "A"  
103.53± AC

ORIGINAL LOT LINE

APPROXIMATE CL  
AMADOR CREEK

PORTION  
UNSURVEYED  
COMPLIANCE  
PARCEL 15



RECORDING REQUESTED BY:

Western Land Title Company, Inc.

Escrow No.: 41812

APN: Ptn 008-330-018/020

When Recorded Mail Document and Tax Statements to:

Obadiah Miller & Shelby Miller  
1835 Belmar Ct  
Folsom, CA 95630



Amador County Recorder

Kimberly L. Grady

DOC- 2020-0006626-00

Acct 3-Western Land Title Co

Tuesday, AUG 11, 2020 12:02

Ttl Pd \$380.00

Nbr-0000340011

CT1/R1/1-3

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

## Grant Deed

**Exempt from fee per GC27388.1(a)(2); document is subject to the imposition of documentary transfer tax**

Monument Preservation Fee is \$10.00

The undersigned grantor(s) declare(s):

Documentary Transfer Tax is \$352.00

computed on full value of property conveyed, or

computed on full value less of liens and encumbrances remaining at time of sale.

Unincorporated area:  City of

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

J. Ethel Cecchettini, Trustee of The Cecchettini Trust dated April 24, 2001

hereby GRANT(S) to

Obadiah Miller and Shelby Miller, husband and wife as joint tenants

that property in Unincorporated area of Amador County, State of California, described as follows:

\*\*\* See "Exhibit A" attached hereto and made a part hereof. \*\*\*

Date: August 01, 2020

The Cecchetti Trust dated April 24, 2001

By: J. Ethel Cecchetti  
J. Ethel Cecchetti, Successor Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CA  
County of Amador

On 7-28-2020 before me, Evelyn Ryan a Notary Public, personally appeared J. Ethel Cecchetti, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

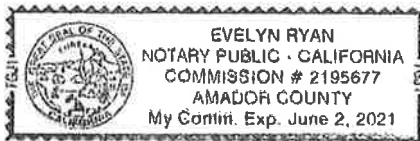
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:

Name: Evelyn Ryan  
(Typed or Printed)

(Seal)



**EXHIBIT "A"**

All that real property situated in the State of California, County of Amador, described as follows:

"Adjusted Compliance Parcel 3, as shown on "Record of Survey Boundary Line Adjustment for J. Ethel Cecchettini, surviving trustee of the Cecchettini Trust dated April 24, 2001", recorded June 12, 2020, in Book 66 of Maps and Plats, Page 47, Amador County Records.

APN: Portions of 008-330-018-000 and 008-330-020

Recording requested by (name):

Obadiah & Shelby Miller

When recorded mail to  
and mail tax statements to:  
PO Box 8

Plymouth, CA 95669



Amador County Recorder  
Kimberly L. Grady

DOC- 2020-0010017-00

Check Number 7921

REQD BY OBADIAH & SHELBEY MILLER

Friday, NOV 06, 2020 10:27

Ttl Pd \$377.00

Nbr-0000344393

CT1/R1/1-2

Recorder's Use Only

### GRANT DEED

Assessor's Parcel No. (APN):  
008-330-037-000/038

Documentary Transfer Tax: \$ 352

If exempt, enter R&T code: \_\_\_\_\_

Explanation: \_\_\_\_\_

*S Miller*

Signature of Declarant or Agent determining tax

#### Declaration of Exemption From Gov't Code § 27388.1 Fee

- Transfer is exempt from fee per GC § 27388.1(a)(2):
  - recorded concurrently "in connection with" transfer subject to Documentary Transfer Tax
  - recorded concurrently "in connection with" a transfer of residential dwelling to an owner-occupier
- Transfer is exempt from fee per GC 27388.1(a)(1):
  - Fee cap of \$225.00 reached
  - Not related to real property

For a valuable consideration, receipt of which is hereby acknowledged,

GRANTOR(S) <sup>Miller</sup> Gifford & Midra Miller *aka Midra G. Miller*  
(owners who are signing deed)

Husband and wife as joint tenants.  
(current owner(s) form of title)

hereby grant(s) to GRANTEE(S) <sup>Miller</sup> Obadiah & Shelby Miller  
(new owners, including current owners if staying on title)

(new owners, continued)

as Husband and wife as joint tenants.  
(new owner(s) form of title)

the following real property in the <sup>SM unincorp.</sup> City of Drytown

County of Amador County, California (insert legal description):

Adjusted compliance Parcel 15, as shown on "Record of Survey Boundry Line Adjustment for J. Ethel Cecchettini, surviving trustee of the Cecchettini Trust dated April 24, 2001", recirded June 12, 2020, in Book 66 of Maps and Plats, Page 47, Amador County Records.

APN: Portions of 008-330-018-000 and 008-330-020-000

Date: 29 Oct 2020

(Signature of declarant)

*Gifford Miller*

(Print name)

Date: 29 Oct. 2020

(Signature of declarant)

(Print name)

*Midra G Miller aka Midra Miller*



## ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of ~~California~~ Colorado )  
County of Boulder )


On 29<sup>th</sup> Oct 2020 before me, Michael Brewster Notary Public  
(insert name and title of the officer)  
personally appeared Gifford and Midra Miller

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of ~~California~~ Colorado that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature: 

MICHAEL BREWSTER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20194004291  
MY COMMISSION EXPIRES 02/01/2023

**ITEM C – Legal Description of Property**

All that real property situated in the State of California, County of Amador, described as follows:

Adjusted Compliance Parcel 3, as shown on “Record of Survey Boundary Line Adjustment for J. Ethel Cecchetti, surviving trustee of the Cecchetti Trust dated April 24, 2001”, recorded June 12, 2020, in Book 66 of Maps and Plans, Page 47, Amador County Records.

APN: Portions of 008-330-018-000 and 008-330-020

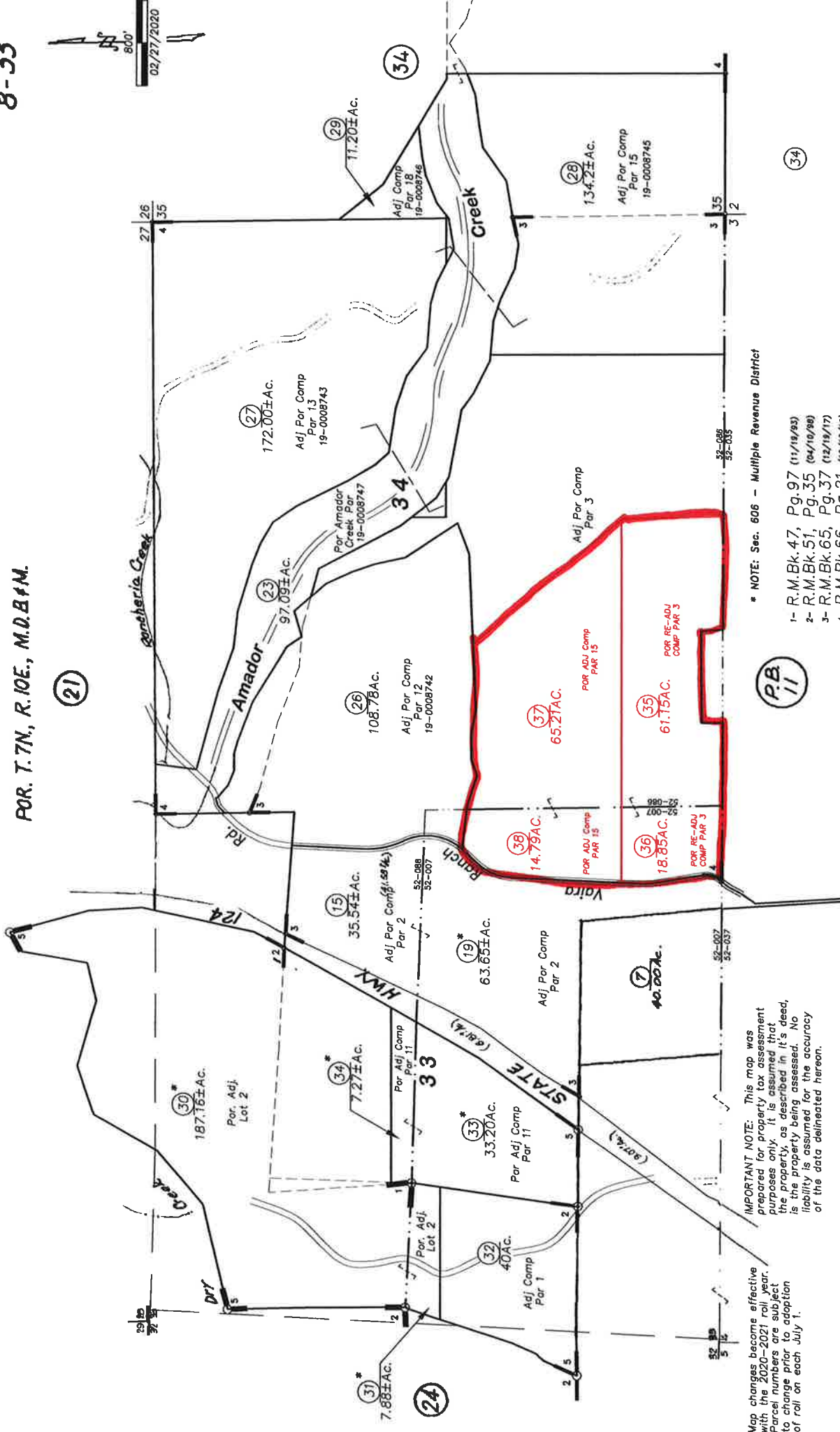
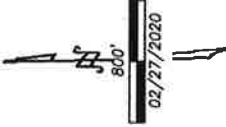
APN: 008-330-035-000

008-330-036-000

008-330-037-000

008-330-038-000

FOR. T. 7N., 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.

Map changes become effective with the 2020-2021 roll year. Parcel numbers are subject to change prior to adoption of roll on each July 1.

\* NOTE: Sec. 606 - Multiple Revenue District

- 1- R.M.Bk. 47, Pg. 97 (11/19/93)
- 2- R.M.Bk. 51, Pg. 35 (04/19/98)
- 3- R.M.Bk. 65, Pg. 37 (12/19/17)
- 4- R.M.Bk. 66, Pg. 21 (12/12/19)
- 5- R.M.Bk. 66, Pg. 12 (11/04/19)

1.65±Ac. (19)

2 Comp

Ranch

Vaira

14.79Ac. (38)

POB ADU Comp PAR 15

Well

18.85Ac. (36)

POB RE-ADU Comp PAR 3  
Water Storage Tank

65.21Ac. (37)

POB ADU Comp PAR 15

61.15Ac. (35)

POB RE-ADU Comp PAR 3

Pasture

Pasture

Adj Par Comp Par 3

House  
Shop

52-007  
52-037

52-007  
52-086

52-0  
52-0

P.B.  
11

NOTE: Sec. 606 - Multiple

R.M.Bk. 47, Pg. 97 (1/1)

**DRAFT MINUTES**  
**AMADOR COUNTY AGRICULTURAL ADVISORY COMMITTEE**  
**MEETING OF WEDNESDAY, JANUARY 27, 2021**

The meeting of the Amador County Agricultural Advisory Committee was called to order at 5:30 p.m. in the Board of Supervisor's Chambers at the County Administration Center, 810 Court Street, Jackson, California, by Chair Allen.

The following members were present:

David Bassett, District 1  
Dan Port, District 2 (Vice Chair)  
John Allen, Jr., District 4 (Chair)  
Dan Dentone, District 5  
Eric Mayberry, Agricultural Commissioner  
Patty Bautista, Assessor's Office  
Scott Oneto, Farm Advisor

The following members were absent:

Gary Gladen, District 3  
Earl Curtis, Planning Commissioner

Staff in attendance:

Chuck Beatty, Planning Department  
Mary Ann Manges, Recording Secretary  
Krista Ruesel, Planner  
Ruslan Bratan, Planner

- A. Correspondence:** None
- B. Public matters and persons wishing to address the Committee rearding non-agenda items:** None
- C. Approval of minutes:** Minutes of the June 10, 2020 meeting were unanimously approved following a motion by David Bassett, seconded by Dan Port.

**AGENDA ITEMS**

- Item 1. Review and recommendation to the Board of Supervisors regarding a request to establish an Agricultural Preserve consisting of ±160 acres. The application includes a zone change request (ZC-21;1-1) parcel from the R1A, Single-family Residential and Agricultural District to the "AG," Exclusive Agriculture District. (APN(s): 008-330-018 and 008-330-020).**

**Applicant:** Obadiah Miller and Shelbey Miller  
**Supervisory District:** 2  
**Location:** 13890 Vaira Ranch Rd. Drytown, CA 95669

Chair Allen introduced the item.

Ms. Ruesel shared the Staff Report which is hereby incorporated by reference into these minutes as though set forth in full.

Discussion ensued amongst the Committee that the parcels do not qualify on their own as 80 acre parcels, but that the two together meet the income criteria. Mrs. Miller explained that there are four parcels given two APN numbers for tax purposes. Patty Bautista conferred with the improvements. The Committee asked if the applicants are okay with merging the parcels.

Mr. Miller stated that the lot lines have recently been surveyed and that they do not have immediate plans to reassess and merge the parcels and that they have no intent in splitting them. He asked if it is possible to proceed without merging.

Chair Allen stressed that merging will be a condition of approval.

Mr. Beatty added that it is up to the Board of Supervisors whether to place that restriction on there and that the applicant would have to ask if okay not to merge at the Board meeting.

Mr. Miller asked if he needs to resurvey the property lines in order to merge.

Mr. Beatty responded that in all likelihood that he guesses that will not have to have it resurveyed since it is fairly new information.

Chair Allen commented that if the applicants leave it as is it will stay R1A and that they can still run cattle. He added that they can plant a bunch of grapes and come back.

Mrs. Miller commented that they would like to move forward.

Upon a motion by David Bassett, seconded by Dan Dentone, and unanimously carried, the Committee recommended approval to establish the 160+/-acre preserve with the merging of the two parcels to the Board of Supervisors.

**Item 2. Review and recommendation to the Board of Supervisors regarding a request to establish a ±601-acre California Land Conservation Act preserve in conjunction with the removal of the same acreage from CLCA contract No. 74. The proposed 601-acre preserve would include ±120 acres that were non-renewed in 2017. (APNs 008-050-023, 008-050-024, 008-060-036, and 008-090-030).**

**Applicants:** Paul J. Pedroncelli and Elaine M. Pedroncelli, Trustees of the Pedroncelli Family Trust; Paul Pedroncelli Jr.; and Tyler Pedroncelli.

**Supervisor District:** 5

**Location:** 17604 Greilich Road, Plymouth

Chair Allen introduced the item.

The Committee discussed that there is good ground out there, that there are sufficient improvements and income, and that they meet the requirements.

Patty Bautista shared that she agrees with that.

Upon a motion by David Bassett, seconded by Dan Port, and unanimously carried, the Committee recommended approval as presented to establish a +/-601 acre preserve in conjunction with the removal of the same acreage from CLCA contract No. 74 to the Board of Supervisors.

Ms. Bautista introduced her new supervisor, Jeffrey Himmelmann.

There being no further business, Chair Allen adjourned the meeting at 5:52 p.m.

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John Allen, Jr., Chair

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Chuck Beatty, Planning Director

- |   |                      |
|---|----------------------|
| 1. Notice of Intent (NOI).  | Initial<br><u>NA</u> |
| 2. GIS List. <u>1200</u> ft. Plus _____<br>(Distance) (Special Instructions: e.g. to end of access road)        | <u>KR</u>            |
| 3. Checked <u>all</u> APN pages of those parcels from the GIS list for "NOTES" or<br>a. "SPECIAL INSTRUCTIONS." | <u>KR</u>            |
| 4. Project Applicant and Representative(s), if applicable.  | <u>KR</u>            |
| 5. Checked Project file cover for agency distribution.  | <u>KR</u>            |
| 6. Checked inside file for special requests for notification.   | <u>KR</u>            |
| 7. Checked old notification list for additional notification.   | <u>KR</u>            |
| 8. Other – Specify:<br>_____<br>_____<br>_____  |                      |

**AFFIDAVIT OF SERVICE BY MAIL**

I am a citizen of the United States, over eighteen years of age, employed in Amador County, and not a party to the within action; my business address is 810 Court Street, City of Jackson, State of California. I hereby declare I served a copy of the attached public hearing notice regarding 20-21; 1-4 Miller w/ New AG Contract by placing copies in 11 envelopes addressed to: (see attached list).

Said envelopes were then sealed and postage fully paid thereon and were deposited in the United States Mail on March 22, 2021 at Jackson, California.

I declare under penalty of perjury the foregoing is true and correct.

Executed at Jackson, California on March 22, 2021

Signed Krista Ruesch

Witness [Signature]





## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the PLANNING COMMISSION of the County of Amador, State of California, has received an application for the project described in this notice.

**PROJECT DESCRIPTION:** Zone Change (ZC-21;1-4), requesting to rezone ±160 acres from the R1A, Single-family Residential and Agriculture District to the AG, Exclusive Agriculture Zoning District in conjunction with the request for establishment of an agricultural preserve for the same ±160 acres. APNs: 008-330-035, -036, -037, and -038.

**Applicant:** Obadiah and Shelbey Miller

**Supervisor District:** 2

**Location:** 13890 Vaira Ranch Rd. Drytown, CA 95669

**ENVIRONMENTAL REVIEW PROCESS:** In accordance with the California Environmental Quality Act (CEQA), the lead agency, the Amador County Planning Commission, intends to consider the adoption of a Notice of Exemption, as the project considered Exempt under Appendix B subsection (c)(9) of the Amador County CEQA Guidelines and Section 15317 State CEQA Guidelines. A review of the proposal was conducted by staff, through their own research, who found that the Zone Change would not have a significant effect on the environment and is Categorically Exempt from CEQA per Section 15317 (Open Space Contracts or Easements) of the State CEQA Guidelines, and a Notice of Exemption will be filed with the County Recorder.

**PUBLIC HEARING:** Notice is hereby given said Planning Commission will hold a public hearing on this application at the County Administration Center, Board of Supervisors Chambers, 810 Court Street, Jackson, California, on **April 13, 2021** at **7:00 p.m.** or as soon thereafter as can be heard. Anyone having comments on the project may attend and be heard.

THE AMADOR COUNTY PLANNING COMMISSION WILL BE CONDUCTING ITS MEETING VIA TELECONFERENCE. WHILE THIS MEETING WILL STILL BE CONDUCTED IN-PERSON AT THE ABOVE ADDRESS, WE STRONGLY ENCOURAGE THE PUBLIC TO PARTICIPATE FROM HOME BY CALLING IN USING ANY OF THE FOLLOWING NUMBERS:

+1 669 900 6833 US  
+1 312 626 6799 US

+1 346 248 7799 US  
+1 929 205 6099 US

+1 301 715 8592 US  
+1 253 215 8782 US

**Meeting ID: 537 512 8983**

The Chairperson will invite the public to comment via phone/online. Public comment will also be accepted by email at [planning@amadorgov.org](mailto:planning@amadorgov.org). All emails must be received prior to the start of the meeting and will be included in the record of the meeting. Emails received after those already included in the meeting materials will be printed and distributed to the Commissioners and available to the public, and shall be subject to the same rules as would otherwise govern speaker comments at the Commission meeting.

Letters of comment regarding this matter received by the County prior to the publication of the Staff Report will be sent to each Planning Commissioner as part of the agenda packet (generally the Tuesday prior to the meeting). The Staff Report will be published online for viewing at [www.amadorgov.org](http://www.amadorgov.org) in the "Agendas and Minutes" section. Letters received after the Staff Report has been published will be copied and circulated to each Commissioner just prior to the public hearing. However, be advised that due to time constraints, the Commissioners may not be able to give letters submitted after the Staff Report is published, as detailed a review as those received earlier. Therefore, it may be to your benefit to attend the hearing and summarize your concerns orally. Letters will not be read aloud at the public hearing. If you have any questions or desire more information, please contact this office.

In compliance with the Americans with Disabilities Act, if you need special accommodations to participate in this meeting, please contact the Amador County Planning Department, at (209) 223-6380, by email to [planning@amadorgov.org](mailto:planning@amadorgov.org). Requests must be made as early as possible, and at least two business days before the start of the meeting.

**NOTE:** If you do not comment at the public hearing or send in written comments and later decide to challenge the nature of this proposed action in court, you may be limited to raising only those issues you raised at the public hearing or have given in written correspondence delivered to the public entity conducting the hearing at, or prior to, the public hearing.

**AMADOR COUNTY PLANNING COMMISSION**  
**Date of this notice: March 22, 2021**

**SUBJECT PARCEL(S) SHOWN BELOW OUTLINED IN GREY**

