

AGENDA
AGRICULTURAL ADVISORY COMMITTEE
WEDNESDAY, FEBRUARY 1, 2023
5:30 PM

Board Chambers
County Administration Center
810 Court Street, Jackson, California

DUE TO THE GOVERNOR'S EXECUTIVE ORDER N-25-20, THE AMADOR COUNTY AGRICULTURAL ADVISORY COMMITTEE MEETING WILL BE CONDUCTING ITS MEETING VIA TELECONFERENCE. WHILE THIS MEETING WILL STILL BE CONDUCTED IN-PERSON AT 810 COURT STREET, **WE STRONGLY ENCOURAGE THE PUBLIC TO PARTICIPATE FROM HOME** BY CALLING IN USING ANY OF THE FOLLOWING NUMBERS:

+1 669 900 6833 US; +1 346 248 7799 US; +1 301 715 8592 US;

+1 312 626 6799 US; +1 929 205 6099 US; +1 253 215 8782 US

Meeting ID: 537 512 8983

YOU MAY ALSO VIEW AND PARTICIPATE IN THE MEETING USING THIS LINK:

<https://us02web.zoom.us/j/5375128983>

The Chairperson will invite the public to comment via phone/online.

FIRST TIME ZOOM USERS and ZOOM SUPPORT: <https://support.zoom.us/hc/en-us/articles/206175806>

Public comment will also be accepted by email at planning@amadorgov.org. All emails must be received prior to the start of the meeting and will be included in the record. Emails received after those already included in the meeting materials will be distributed at the Committee meeting and shall be subject to the same rules as would otherwise govern speaker comments.

Meeting materials are available for public review at the Planning Department, 810 Court St., Jackson, CA, 95642 and posted on the County's website at www.amadorgov.org under the Calendar section.

In compliance with the Americans with Disabilities Act, if you are a person with a disability and you need a disability-related modification or accommodation to participate in this meeting, please contact the Planning Department at (209) 223 6380. Requests must be made as early as possible and at least one full business day before the start of the meeting.

- A. **Call to Order**
- B. **Correspondence**
- C. **Public matters and persons wishing to address the Committee regarding non-agenda items**
- D. **Approval of minutes: March 2, 2022**

D. AGENDA ITEMS:

- ITEM 1.** Request for a zone change from the "R1A," Single Family Residential & Agricultural zoning district to the "AG," Exclusive Agriculture zoning district in conjunction with a request for inclusion of a combined 281.75 acres into a California Land Conservation Act (CLCA) Contract (APN:008-330-039, 011-040-036, and 011-040-037).

Owner/Applicant: Kurt R. Oneto

Supervisorial District: 5

Location: 8869 Tonzi Road, Lone, CA 95640

MINUTES
AMADOR COUNTY AGRICULTURAL ADVISORY COMMITTEE
MEETING OF WEDNESDAY, MARCH 2, 2022

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

The following members were present:

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

The following members were absent:

Gary Gladen, District 3
Dan Dentone, District 5

Staff in attendance:

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

Others present:

Jeffery Himmelmann, Assessor's Office
Danelle Bohall
Jason Cazadd
Breanna Cazadd

- A. Correspondence:** None
- B. Public matters and persons wishing to address the Committee regarding non-agenda items:** None
- C. Approval of minutes:** Minutes of the June 9, 2021 meeting were approved following a motion by Dave Bassett, seconded by Patti Bautista.

Ayes: Bassett, Allen, Bautista, Port, Mayberry

Noes: None

Abstain: Bennett

Absent: Gladen, Dentone

- D. Agenda Items:**

Item 1: Discussion and possible action regarding a recommendation to the Board of Supervisors concerning a request to establish an agricultural preserve in accordance with the California Land Conservation Act for two legal parcels totaling ±120 acres. The parcels are currently zoned A, Agricultural. APN: 001-230-014 & 001-230-019.

Applicant: Kevin Bohall, as trustee of the 2003 Kevin W. Bohall Trust
Supervisorial District: 5
Location: 2727 and 2749 Irish Ridge Road Ione, CA 95640

Chair Allen introduced the item. He questioned whether this would be one 120 acre parcel or an 80 acre and 40 acre parcel.

Danelle Bohall shared that they are planning on keeping them as two parcels.

Chair Allen said they would be considered separately.

Danelle Bohall, applicant, shared that she was not aware that the parcels had to qualify separately.

Chair Allen shared various qualifications needed for parcels under 100 acres and stated that he will not proceed unless the parcels are merged.

Ms. Bohall asked what the process is to merge.

Mr. Beatty responded to petition the County Surveyor in order to merge the two parcels into one legal parcel.

Chair Allen said that this can be brought back to the next meeting or that the two can be looked at to be merged.

Ms. Bohall said she understood that if parcels are contiguous that it is not a concern.

Chair Allen stated that if the parcels are small that he believes findings for the state statute are needed as well.

Mr. Beatty shared that the Committee can recommend to the Board of Supervisors to merge the parcels and the applicant can take not merging them up with the Board.

Chair Allen and Dave Bassett agreed that the parcels meet the income and improvement requirements as 120 acres.

Upon a motion by David Bassett, seconded by Mark Bennet, and unanimously carried, the Committee recommended approval of the 120 acre preserve to the Board of Supervisors, subject to the condition that the two parcels in the preserve be merged into a single legal parcel prior to recording the contract.

Item 2: Discussion and possible action regarding a recommendation to the Board of Supervisors concerning a request to establish an agricultural preserve in accordance with the California Land Conservation Act for one parcel totaling 40 acres. The parcel is currently zoned X, Special Use District (APN: 011-140-036)

Applicant: Kristine Cazadd, as trustee of the BD Trust

Supervisory District: 1

Location: 9949 Highway 88, Jackson, CA 95642

Chair Allen introduced the item. He said that he reviewed the project and stated that it looks like it meets the requirements.

Dave Bassett commented that he agrees.

Eric Mayberry shared that he has been on the property and that he also agrees.

Upon a motion by David Bassett, seconded by Mark Bennett, and unanimously carried, the Committee recommended approval of the 40 acre preserve to the Board of Supervisors.

Item 3: Continued discussion and possible recommendation to the Planning Commission regarding a proposed amendment to County Code Chapter 19.24.036 AG District—Use regulations, by adding Section 19.24.036(I)(13), regarding agritourism operations, to Amador County Zoning Code pertaining to all parcels in the “AG,” Exclusive Agriculture District within the unincorporated County. The amendment proposes specific agritourism uses allowed in the “AG” zoning district with a Use Permit, and other potential agritourism uses as approved by the Planning Commission.

Chair Allen began by saying that this discussion started right before COVID.

Mr. Beatty shared that staff got most of what the Agricultural Advisory Committee reviewed to the Board of Supervisors who then adopted a Resolution of Intent to change the ordinance. He stated that there is a draft that can probably go back to the Board soon, but that he wants the Agricultural Advisory Committee to look at it first. He said three points being considered for agritourism:

- 1) Adding agritourism uses on Williamson Act parcels as a conditional use;
- 2) Changing the county code so that breweries and beer tasting rooms would have the same by right uses as wineries and wine tasting rooms; and
- 3) Adding some flexibility in the use of secondary dwellings on Williamson Act parcels

He continued that the Board of Supervisors considered a Resolution of Intent (ROI) to amend the county code to require use permits for all new tasting rooms, but eventually decided not to pursue that amendment.

Chair Allen asked if draft of the proposed amendments could be circulated to the Ag Committee before the Board reviews it.

Eric Mayberry asked if agritourism is defined in county code 19.24.36.

Mr. Beatty responded that he does not recall.

Eric Mayberry shared that in some other areas like El Dorado County, agritourism is defined and he believes that language in our code already covers it. He added that county code section 19.24.36(I)(9) allows review of uses similar to agritourism by the Ag Committee and the Planning Commission.

Mr. Beatty responded that he thinks that Mr. Mayberry is right and that the intent of the ordinance is to refine those uses with specific language to make the code clearer.

Eric Mayberry responded that a definition of agritourism will help, especially with varying ideas of what the definition of agritourism is amongst individuals.

Chair Allen said another reason to see the draft is that some things could be by right, some by use permit, and some over the counter, depending on the intensity of the use.

Mr. Mayberry stated that he believes the State statute requires second dwellings to be used for the furtherance of the agricultural use. He added that this county has said that if it is for the family or employees of the ranch or for the vineyard that it is furtherance of the agricultural use. He commented that because it is already in the State code that he does not believe that we need to do anything differently and that we are interpreting it now by saying employees or family.

Mr. Beatty responded that our code specifically says dwellings must be used by immediate family or employees.

Mr. Mayberry stated that he thinks it is an interpretation by the County of State law.

Chair Allen added that with the drought it is harder for people to make income and by having additional income for ranch lands it would constitute furtherance of agricultural pursuit.

Eric Mayberry replied that he does not disagree with the Chair, and that he just wants to be aware of the overall rules.

Mr. Beatty said that the county code states that dwellings must be used for furtherance of the agricultural operation and then goes a step further by requiring that the dwellings be occupied by employees or immediate family members and defines who immediate family members are.

Chair Allen said that if we have all three items in the draft, we can look at that and discuss it.

There being no further business, Chair Allen adjourned the meeting at 5:49 p.m.

John Allen, Jr., Chair

Chuck Beatty, Planning Director



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

PHONE: (209) 223-6380
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COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

STAFF REPORT TO: AMADOR COUNTY AGRICULTURAL ADVISORY COMMITTEE

FOR MEETING OF: February 1, 2023

ITEM #1: New Williamson Act Contract: Oneto (2023) Discussion and possible action regarding a recommendation to the Board of Supervisors concerning a request to establish an agricultural preserve in accordance with the California Land Conservation Act for three (3) parcels totaling 281.75 acres (106.27, 24.02, and +/- 151.39 acres). The parcels are currently zoned R1A, Single-family Residential and Agriculture District. (APNs: 011-040-036, -037, and -039 (lot line adjustment-a portion of, see legal description in application).

Applicant: Kurt R. Oneto

Supervisorial District: 5

Location: 8869 Tonzi Rd., Ione, CA 95640

Review: This application is a request to establish a 281.75-acre agricultural preserve including three separate contiguous parcels, per the requirements of the California Land Conservation Act. The preserve is proposed for livestock grazing land for cattle, and related compatible uses. The subject parcels are zoned "R1A," Single-family Residential and Agriculture District and have a General Plan designation of AG- Agriculture-General.

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 proposed contracted parcel:

- 1) Meets the annual agricultural income potential of \$7,383.00; and
- 2) Meets the agricultural improvement criteria of \$36,916.00, as required by County Code Section 19.24.036(D)(4) for less 160-acres or more.

The Committee should also review the proposal to determine if they are compatible with the California Land Conservation Act and Government Code 51238.1, attached. The Committee's recommendations will be forward to the Planning Commission and Board of Supervisors for further consideration.

GOVERNMENT CODE – GOV TITLE 5. LOCAL AGENCIES [50001 - 57607]
DIVISION 1. CITIES AND COUNTIES [50001 - 52203]
PART 1. POWERS AND DUTIES COMMON TO CITIES AND COUNTIES [50001 - 51298.5]
CHAPTER 7. Agricultural Land [51200-51297.4]
ARTICLE 2.5. Agricultural Preserves [51230 - 51239]
51238.1.

(a) Uses approved on contracted lands shall be consistent with all of the following principles of compatibility:

- (1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
- (2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
- (3) (3) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

In evaluating compatibility a board or council shall consider the impacts on noncontracted lands in the agricultural preserve or preserves.

(b) A board or council may include in its compatible use rules or ordinance conditional uses which, without conditions or mitigations, would not be in compliance with this section. These conditional uses shall conform to the principles of compatibility set forth in subdivision (a) or, for nonprime lands only, satisfy the requirements of subdivision (c).

(c) In applying the criteria pursuant to subdivision (a), the board or council may approve a use on nonprime land which, because of onsite or offsite impacts, would not be in compliance with paragraphs (1) and (2) of subdivision (a), provided the use is approved pursuant to a conditional use permit that shall set forth findings, based on substantial evidence in the record, demonstrating the following:

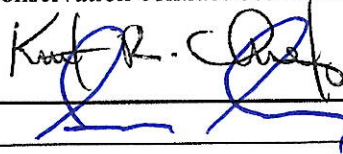
- (1) Conditions have been required for, or incorporated into, the use that mitigate or avoid those onsite and offsite impacts so as to make the use consistent with the principles set forth in paragraphs (1) and (2) of subdivision (a) to the greatest extent possible while maintaining the purpose of the use.
- (2) The productive capability of the subject land has been considered as well as the extent to which the use may displace or impair agricultural operations.
- (3) The use is consistent with the purposes of this chapter to preserve agricultural and open-space land or supports the continuation of agricultural uses, as defined in Section 51205, or the use or conservation of natural resources, on the subject parcel or on other parcels in the agricultural preserve. The use of mineral resources shall comply with Section 51238.2.
- (4) The use does not include a residential subdivision.

For the purposes of this section, a board or council may define nonprime land as land not defined as “prime agricultural land” pursuant to subdivision (c) of Section 51201 or as land not classified as “agricultural land” pursuant to subdivision (a) of Section 21060.1 of the Public Resources Code. Nothing in this section shall be construed to overrule, rescind, or modify the requirements contained in Sections 51230 and 51238 related to noncontracted lands within agricultural preserves.

(Added by Stats. 1994, Ch. 1251, Sec. 5. Effective January 1, 1995.) Amador County Planning Department

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.

~~SVP, Division Manager/Business Dev. Manager
Zions Ag Finance~~

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
011-040-036-000	106.27	Livestock - cattle	106.27	Wildlife	106.27
011-040-037-000	24.02	Livestock - cattle	24.02	Wildlife	24.02
008-330-039 (lot line adjustment - a portion of). A parcel of land situated in County of Amador, State of CA, and lying w/in Section 34, Township 7 North, Range 10 East, Mount Diablo Meridian, and being "ADJUSTED AMADOR CREEK PARCEL," as shown and so designated upon that certain official map entitled "RECORD OF SURVEY BOUNDARY LINE ADJUSTMENT for J. ETHEL CECCHETTINI, Surviving Trustee of the Cecchettini Trust dated April 24, 2001", and filed for record in the office of the Recorder of Amador on June 30, 2021 in Book 66 of Maps and Plats at Pages 86, Amador County Records. (This parcel is immediately north of, and contiguous to, the first 2 parcels.)	151.39+/-	Livestock - cattle	151.39	Wildlife	151.39
Total Acres in request.	281.75				

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	<i>Cattle</i>	<i>Approx. 37 head year-round</i>	<i>Animal Units</i> <i>Beef cattle</i>
Irrigated Pasture	<i>n/a</i>		<i>Animal Units</i>
Field Crops	<i>n/a</i>		<i>Tons Per Acre</i>
			<i>Tons Per Acre</i>
Row Crops	<i>n/a</i>		<i>Tons Per Acre</i>
			<i>Tons Per Acre</i>
Orchard	<i>n/a</i>		<i>Tons Per Acre</i>
Other	<i>n/a</i>		

ITEM F: OTHER INCOME FROM THE LAND

Hunting	Fishing	Mineral	Other
\$ <i>n/a</i> Per Year	\$ <i>n/a</i> Per Year	\$ <i>n/a</i> Per Year	\$ <i>n/a</i> Per Year

ITEM G: LEASES

			Acres
1. Portion of subject property which is owner operated. <i>n/a</i>			
2. Portion(s) leased or rented to others. Provide Name & Address of lessee(s). <i>n/a</i>	Use	Cash Rent Per Acre	
3. Portion(s) share cropped to others. Provide Name & Address of lessee(s) <i>n/a</i>	Crop	% to Owner	
If operating expenses are shared by owner, explain: <i>n/a</i>			

ITEM H: IMPROVEMENT AND INCOME STATEMENT

1. PERMANENT AGRICULTURAL IMPROVEMENTS

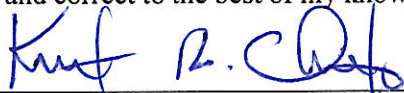
Type of Improvement	Estimated Value
Barn(s) <i>livestock/hay/equipment barn (under construction)</i>	<i>\$75,000 (when complete)</i>
Corral(s)	
Fences – <i>approx. 12,000ft new/restored fence</i>	<i>\$60,000</i>
Wells - <i>2 wells (1.5gpm and 60gpm)</i>	<i>\$25,000</i>
Water Systems	
Other (specify)	
TOTAL	<i>\$160,000</i>

2. ESTIMATED INCOME

Use	Estimated Annual Income
<i>Average sale of 37 steers/heifers annually</i>	<i>\$35,000 (at current market prices)</i>
TOTAL	<i>\$35,000</i>

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

NAME: Kurt R. Oneto
 ADDRESS: 1340 Cromwell Court
 CITY: El Dorado Hills
 PHONE: 916-717-3285
 Email: kurt.oneto@gmail.com


 Signature of person who prepared application.
5-13-22
 Date

Additional persons to be notified concerning action on this request:

NAME: _____
 ADDRESS: _____
 CITY: _____

PHONE: _____



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

COUNTY ADMINISTRATION CENTER

• 810 COURT STREET

• JACKSON, CA 95642-2132

PHONE: (209) 223-6380

FAX: (209) 257-6254

WEBSITE: www.amadorgov.org

E-MAIL: planning@amadorgov.org

APPLICATION FOR ZONE CHANGE

Application for a zoning change shall include the following:

1. A. Name of Property Owner Kurt R. Oneto
Mailing Address 1340 Cromwell Court
El Dorado Hills, CA 95762
Phone Number 916-717-3285
- B. Name of Applicant Kurt R. Oneto
Mailing Address 1340 Cromwell Court
El Dorado Hills, CA 95762
Phone Number 916-717-3285
- C. Name of Representative Kurt R. Oneto
Mailing Address 1340 Cromwell Court
El Dorado Hills, CA 95762
Phone Number 916-717-3285
2. Assessor Parcel Number(s)
3. Letter of application explaining purpose of request, description of proposed uses, and other pertinent information. **Note: It is to your benefit to be as specific as possible with your application information.**
4. Letter of authorization if landowner is being represented by another party.
5. Submit a plot plan of parcel showing location of project in relation to property lines and any existing structures/improvements (roads, parking areas, etc.) on the property as well as all proposed structures/improvements (may wish to make separate maps). NOTE: An Assessor Plat Map can be obtained from the Surveying and Engineering Department (810 Court Street, Jackson, CA) for the purpose of aiding in drawing of the plot plan.
6. Copy of deed(s) to property.
7. Completed Environmental Information Form and Indemnification Agreement.
8. Planning Department Filing Fee: \$ 3,605.00
Environmental Health Review Fee: \$ 240.00
Public Works Agency Review Fee: \$ _____
Amador Fire Protection District Fee: \$ _____
Discretionary permits may be subject to a CA Fish & Wildlife Fee: \$ _____
9. Application Form to be signed at the time of project presentation in the Planning Department.

ENVIRONMENTAL INFORMATION FORM

To be completed by applicant; use additional sheets as necessary.
Attach plans, diagrams, etc. as appropriate.

GENERAL INFORMATION

Project Name: Oneto - Tonzi Road: Williamson Act Application

Date Filed: June 17, 2022 File No. _____

Applicant/

Developer Kurt R. Oneto Landowner Kurt R. Oneto

Address 1340 Cromwell Ct., El Dorado Hills, CA 95762 Address 1340 Cromwell Ct., El Dorado Hills, CA 95762

Phone No. 916-717-3285 Phone No. 916-717-3285

Assessor Parcel Number(s) 011-040-036-000; 011-040-037-000; & 008-330-039 (lot line adjustment - a portion thereof)

Existing Zoning District _____

Existing General Plan _____

List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, and federal agencies None

WRITTEN PROJECT DESCRIPTION (Include the following information where applicable, as well as any other pertinent information to describe the proposed project):

1. Site Size
2. Square Footage of Existing/Proposed Structures
3. Number of Floors of Construction
4. Amount of Off-street Parking Provided (provide accurate detailed parking plan)
5. Source of Water
6. Method of Sewage Disposal
7. Attach Plans
8. Proposed Scheduling of Project Construction
9. If project to be developed in phases, describe anticipated incremental development.
10. Associated Projects
11. Subdivision/Land Division Projects: Tentative map will be sufficient unless you feel additional information is needed or the County requests further details.
12. Residential Projects: Include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
13. Commercial Projects: Indicate the type of business, number of employees, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.
14. Industrial Projects: Indicate type, estimated employment per shift, and loading facilities.
15. Institutional Projects: Indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
16. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required.

ADDITIONAL INFORMATION Are the following items applicable to the project or its effects? Discuss below all items checked "yes" (attach additional sheets as necessary).

YES NO

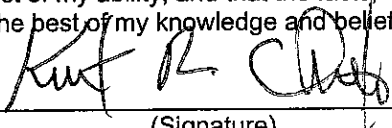
- | | | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 18. Change in scenic views or vistas from existing residential areas, public lands, or roads. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 19. Change in pattern, scale, or character of general area of project. |
| <input type="checkbox"/> | <input type="checkbox"/> | 20. Significant amounts of solid waste or litter. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 21. Change in dust, ash, smoke, fumes, or odors in the vicinity. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 22. Change in lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 23. Substantial change in existing noise or vibration levels in the vicinity. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 24. Site on filled land or has slopes of 10 percent or more. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 25. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 26. Substantial change in demand for municipal services (police, fire, water, sewage, etc.). |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 27. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.). |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 28. Does this project have a relationship to a larger project or series of projects? |

ENVIRONMENTAL SETTING

29. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site (cannot be returned).
30. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity (cannot be returned).
31. Describe any known mine shafts, tunnels, air shafts, open hazardous excavations, etc. Attach photographs of any of these known features (cannot be returned).

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date June 17, 2022


 (Signature)
 For Kurt R. Oneto

INDEMNIFICATION

Project: Oneto - Tonzi Road: Williamson Act Application

In consideration of the County's processing and consideration of the application for the discretionary land use approval identified above (the "Project") the Owner and Applicant, jointly and severally, agree to defend, indemnify, and hold harmless the County of Amador from any claim, action, or proceeding against the County to attack, set aside, void or annul the Project approval, or any action relating related to the Project approvals as follows:

1. Owner and Applicant shall defend, indemnify, and hold harmless the County and its agents, officers or employees from any claim, action, or proceeding against the County or its agents, officers or employees (the "County") to attack, set aside, void or annul the Project approval, or any prior or subsequent determination regarding the Project, including but not limited to determinations related to the California Environmental Quality Act, or Project condition imposed by the County. The Indemnification includes, but is not limited to, damages, fees, and or costs, including attorneys' fees, awarded against County. The County in its sole discretion may hire outside counsel to handle its defense or may handle the matter internally. Indemnification also includes paying for the County's defense if it elects to hire outside counsel. Indemnification also includes compensating the County for staff time associated with the litigation. The obligations under this Indemnification shall apply regardless of whether any permits or entitlements are issued.

2. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, action, or proceeding in good faith.

3. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action, or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.

IN WITNESS WHEREOF, by their signature below, Owner and Applicant hereby acknowledge that they have read, understand, and agree to perform the obligations under this Indemnification.

Applicant:


Signature

Owner (if different than Applicant):

Signature

1. Applicant name

- a. Kurt R. Oneto

2. Project title/description

- a. *Oneto – Tonzi Rd.: Williamson Act Application.* The project is strictly limited to an application to enter into an agriculture preserve contract with the County of Amador, pursuant to the California Land Conservation Act of 1965 (“Williamson Act”), for approx. 282 acres located along Tonzi Rd., approx. 1 mile west of Hwy 49.

3. Outline of property with dimensions

- a. The property consists of APN 011-040-036-000; APN 011-040-037-000; & APN 008-330-039 (lot line adjustment - a portion thereof).
- b. Attached as Exhibit 1 are copies of the Assessor’s Parcel Maps identifying the parcels subject to the Williamson Act application.

4. Size, dimensions, and distances from property lines of all structures on the property and proposed project area

- a. There are currently no structures on the property.
- b. An application to construct an agricultural structure was submitted in 2021. However, construction of the structure is not yet complete. Attached as Exhibit 2 are the documents pertaining to the agricultural structure (including a parcel map identifying its proposed location).

5. Location and distances from property lines and other structures of well, creeks, rivers, etc. and other outstanding property features

- a. There are no structures currently on the property.
- b. Horse Creek, a seasonal creek, runs through the southwest corner of APN 011-040-036-000 for approximately ¼ mile. This section of Horse Creek parallels Tonzi Rd approx. 110 feet north of the southern boundary of APN 011-040-036-000

6. Location, distance, and names of nearest road intersection

- a. The nearest road intersection is Highway 49 and Tonzi Road, approx. 1 mile to the east.

7. Distance and name of nearest road to property

- a. The southern boundary of the property abuts Tonzi Road.

8. Parcel size and assessor plat map number

- a. APN 011-040-036-000 – 106.27 ac. See Assessor’s Map, Bk. 11, Pg. 04.
- b. APN 011-040-037-000 – 24.02 ac. See Assessor’s Map, Bk. 11, Pg. 04.

- c. APN 008-330-039 (lot line adjustment - a portion thereof) – approx. 151 ac. See Assessor’s Map, Bk 08, Pg. 33.

9. Scale of map and direction of north

- a. The scale and direction of north on the Assessor’s maps, attached hereto as Exhibit 1, are designated on those maps.

10. Environmental Setting.

- a. The surrounding areas, on all sides, are undeveloped oak woodlands that are similarly used for livestock grazing.

11. Any other pertinent information pertaining to the project

- a. The property in question has been used as unimproved livestock grazing land for over a century. Consistent with that, I currently use the land for cattle grazing. There is no proposed change in use of the property whatsoever. The project consists only of an application to form an agriculture preserve pursuant to the Williamson Act.

EXHIBIT 1

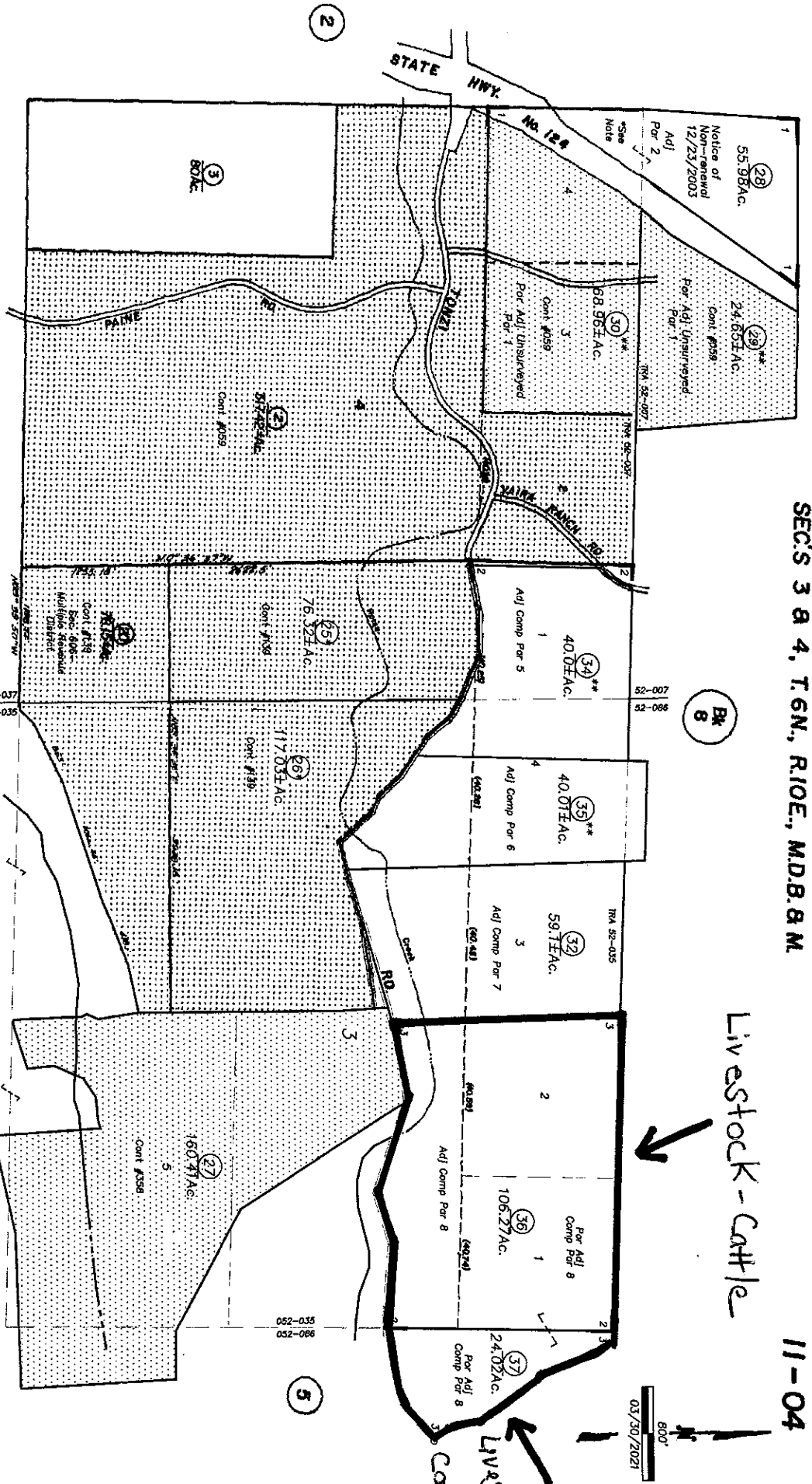
SEC'S 3 & 4, T. 6N., R. 10E., M.D.B. & M.

11-04

Livestock - Cattle



Livestock - Cattle



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.

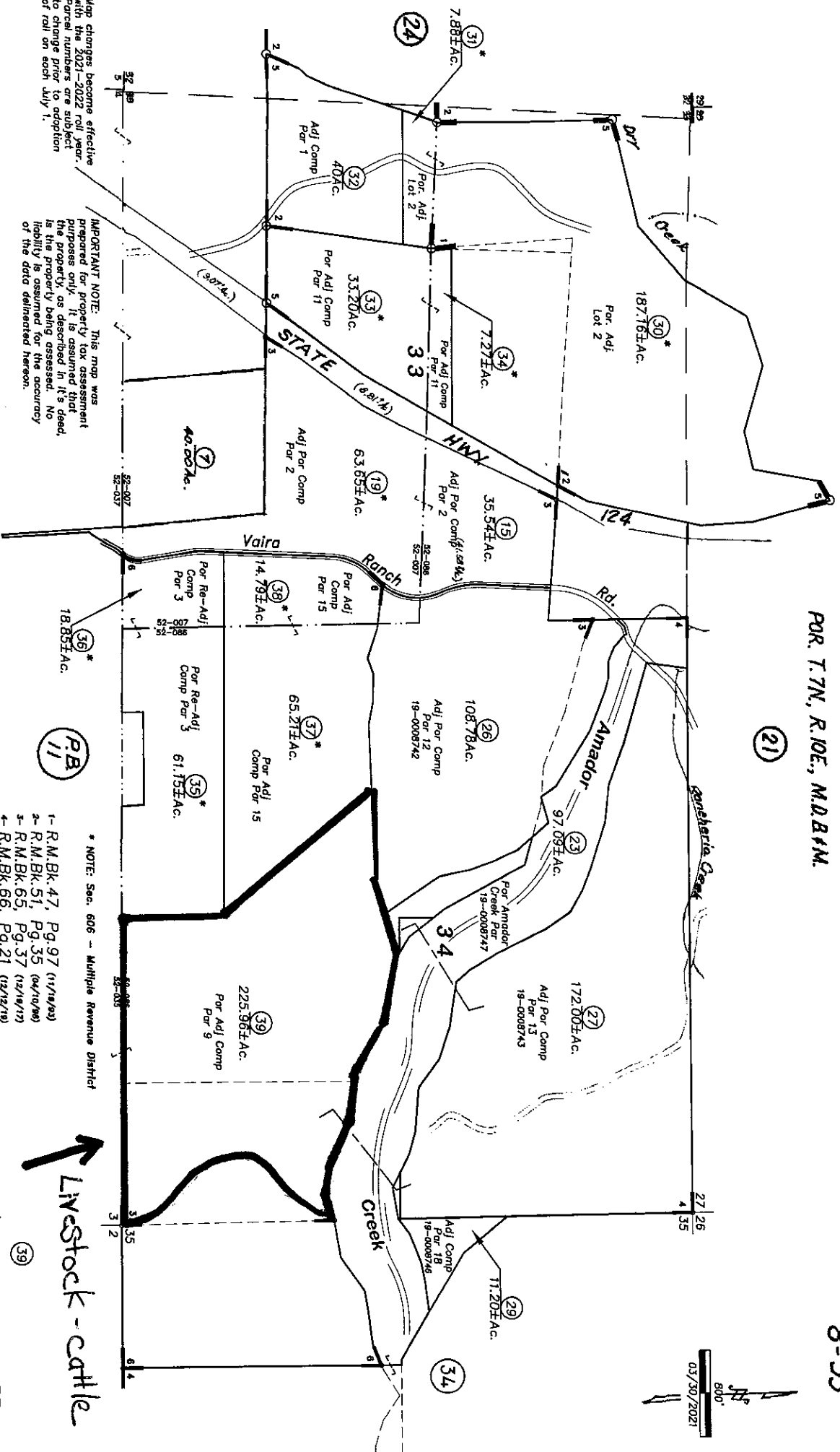
Map changes become effective with the 2021-2022 roll year. Parcel numbers are subject to change prior to adoption of roll on each July 1.

* Legal Parcels Split by Tax Area Code line
 ** NOTE: Sec. 606 - Multiple Revenue District

- R.M. Bk. 52, Pg. 100 (12/22/1999)
- 1-R.M. Bk. 56, Pg. 24 (12/19/2003)
- 2-R.M. Bk. 65, Pg. 37 (12/19/2009)
- 3-R.M. Bk. 66, Pg. 46 (08/12/2003)

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

Assessor's Map Bk. 11, Pg. 04
 County of Amador, Calif.

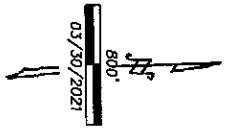


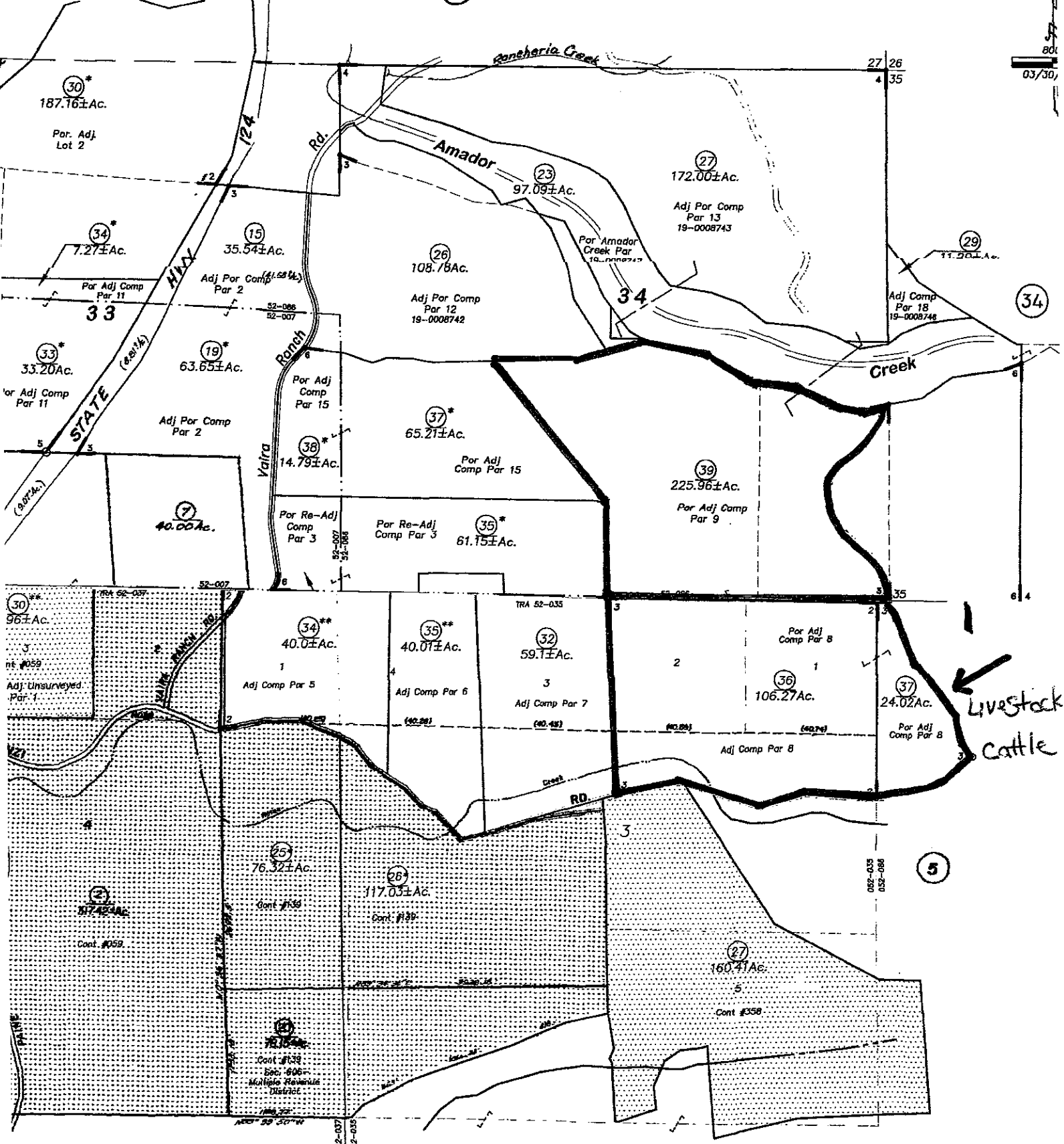
IMPORTANT NOTE: This map was prepared for property tax assessment purposes only. It is assumed that the property, as described in it's deed, is the property being assessed. No liability is assumed for the accuracy of the data delineated hereon.

- * NOTE: Sec. 606 -- Multiple Revenue District
- 1- R.M. Bk. 47, Pg. 97 (11/19/93)
 - 2- R.M. Bk. 51, Pg. 35 (04/10/98)
 - 3- R.M. Bk. 65, Pg. 37 (12/19/12)
 - 4- R.M. Bk. 66, Pg. 21 (12/12/19)
 - 5- R.M. Bk. 66, Pg. 12 (11/04/19)
 - 6- R.M. Bk. 66, Pg. 46 (08/12/20)

Assessor's Map Bk. 08, Pg. 33
 County of Amador, Calif.

LIVESTOCK - cattle





LIVESTOCK CATTLE

Map changes become effective with the 2021-2022 roll year. Parcel numbers are subject to change prior to adoption of roll on each July 1.

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- R.M.Bk.52, Pg.100 (12/22/1999)
- 1-R.M.Bk.56, Pg.24 (12/18/2003)
- 2-R.M.Bk.65, Pg.37 (12/19/2012)
- 3-R.M.Bk.66, Pg.46 (08/12/2020)

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

Assessor's Map Bk. 11 , Pg. 04
County of Amador, Calif.

• Not an actual parcel map. Only an example of how the parcels are contiguous.

EXHIBIT 2

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Amador County Building Department
810 Court Street
Jackson, CA 95642

APN: 011-040-036-000
Site Address: 8869 Tonzi Rd
Agricultural Building Permit Exemption # AG211307

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

AGREEMENT TO LIMIT USES OF AGRICULTURAL STRUCTURE

This Agreement is entered into as of October 26, 2021 by and between the COUNTY OF AMADOR, a political subdivision of the State of California (the "County") and Kurt R. Oneto, ("Owner").

RECITALS

A. Owner owns certain real property (the "Property") situated in the unincorporated area of the County of Amador, State of California, described as follows:

PARCEL ONE:

A parcel of land situated in the County of Amador, State of California, and lying within Sections 2 and 3, Township 6 North, Range 10 East, Mount Diablo Meridian, and being "ADJUSTED COMPLIANCE PARCEL 8 130.29 Acres", as shown and so designated upon that certain official map entitled "RECORD OF SURVEY BOUNDARY LINE ADJUSTMENT for J. ETHEL CECCHETTINI, Surviving Trustee of the Cecchettini Trust dated April 24, 2001" and filed for record in the office of the Recorder of Amador in Book 66 of Maps and Plats at Pages 46 and 47.

See Instrument Number 2021-0001782-00 for more detailed legal land description.

Owner desires to construct an agricultural structure on the Property and has applied for an Agricultural Building Permit Exemption.

B. Owner understands and agrees that the exempted agricultural structure can only be used as provided in Amador County Code Chapter 15.04 and that any violation of the conditions under which the Agricultural Building Permit was granted may void the exemption.

C. As a condition of issuance of the Agricultural Building Permit Exemption, the County requires that the restrictions on the use of the structure and all further obligations of Owner set forth in this Agreement run with the land and be made a matter of public record so that any future purchasers of the property will be made aware of them.

D. Owner is aware and agrees that this agreement will be recorded in the Amador County Recorder's Office.

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The parties acknowledge the truth of the recitals set forth above, which are incorporated into this Agreement.

2. Restriction on Use of Agricultural Structure. Owner agrees that in no event shall the exempted agricultural structure be used for any purpose other than to house farm implements, hay, grain, poultry, livestock or horticultural products. The structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged. Employees may only enter the structure on an occasional basis to store or remove equipment or otherwise perform tasks of a limited duration that require infrequent access to the structure. The structure shall not be a place used by the public.

3. Additional Obligations of Owner.

3.1 Owner understands and agrees that despite an exemption from obtaining a permit, the exempted agricultural structure shall be constructed in compliance with Chapter 15.04 of the Amador County Code, and all other applicable laws of Amador County, the State of California and any federal laws that may apply.

3.2 Owner understands and agrees that any violation of this Agreement or other condition under which the Agricultural Building Permit Exemption was granted may, at the County's sole discretion, void the exemption.

3.3 Owner acknowledges that if the Agricultural Building Permit Exemption becomes void, Owner shall be required to remove the structure or fully permit the structure (building permit application, plan check, inspection process, etc.) and pay all fees then in effect.

3.4 Owner agrees to indemnify the County of Amador and its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers and employees arising from performance or non performance of its obligations under this Agreement.

4. County's Remedies Upon Default. Owner acknowledges that any violation of this Agreement shall constitute a public nuisance. Upon any violation of this Agreement, the County may pursue any remedies provided by statute or ordinance. In addition to all other remedies provided by law, Owner further agrees that the County or any governmental entity having jurisdiction may obtain immediate injunctive relief against any use of the agricultural structure that is inconsistent with this Agreement.

5. Covenant Running with the Land. Owner agrees that the restrictions and obligations of Owner set forth in this Agreement shall be perpetual and run with the land, binding future owners of the

Property, unless and until the exempted agricultural structure is either (i) removed from the property, or (ii) fully permitted by the County.

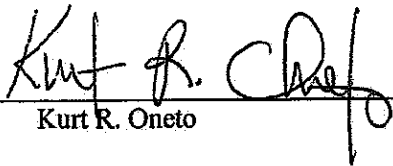
6. No Waiver of Remedies. Failure to exercise any remedy provided for in this Agreement shall not, under any circumstances, be construed as a waiver of the remedy.

7. Entire Agreement. This Agreement contains the entire agreement of the parties respecting its subject matter, and supersedes any and all prior discussions, representations, and oral or written agreements, if any, between the parties.

COUNTY:

OWNER: KURT R. ONETO

BY: _____
Frank U. Axe
Chair, Board of Supervisors

BY:  _____
Kurt R. Oneto

APPROVED AS TO FORM:
GREGORY GILLOTT,
AMADOR COUNTY COUNSEL

ATTEST:
JENNIFER BURNS, CLERK OF THE
BOARD OF SUPERVISORS

BY: _____

BY: _____

[PARTY SIGNATURES MUST BE ACKNOWLEDGED]

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

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 }
County of EL Dorado }

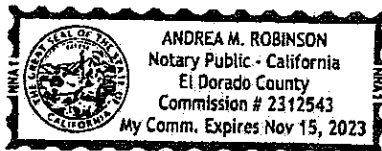
On October 14, 2021 before me, Andrea M. Robinson, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared KURT R. DRITO
Name(s) of Signer(s)

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.



Place Notary Seal and/or Stamp Above

Signature [Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____

Partner – Limited General Partner – Limited General

Individual Attorney in Fact Individual Attorney in Fact

Trustee Guardian or Conservator Trustee Guardian or Conservator

Other: _____ Other: _____

Signer is Representing: _____ Signer is Representing: _____

AGRICULTURAL BUILDING EXEMPTION APPLICATION



AMADOR COUNTY BUILDING DEPARTMENT

County Land Use Agency
810 Court Street
Jackson, CA 95642
Telephone: (209) 223-6422
Facsimile: (209) 223-6637
Website: www.amadorgov.org
Office Hours: 8am-5pm Monday-Friday

I/We the undersigned hereby apply for an agricultural building exemption as allowed by the Amador County Code Section 15.04.040, for the building and parcel described in this application. I/We the undersigned hereby certify that the structure built with the exemption will meet the Amador County Code Section 15.04.040

Property Owner Name: KURT RYAN ONETO
 Owner Email: koneto@nmgovlaw.com
 Owner Mailing Address: 1340 Cromwell Court, El Dorado Hills, CA 95762
 Phone Number: 916-717-3285 Cell Number: 916-717-3285

PARCEL INFORMATION

Parcel Number: 011-040-033 Acres: 131
 Parcel Address: 8869 TONZI ROAD, IONE, CA 95640
 Parcel Agricultural Use: LIVESTOCK GRAZING

EXEMPT BUILDING INFORMATION

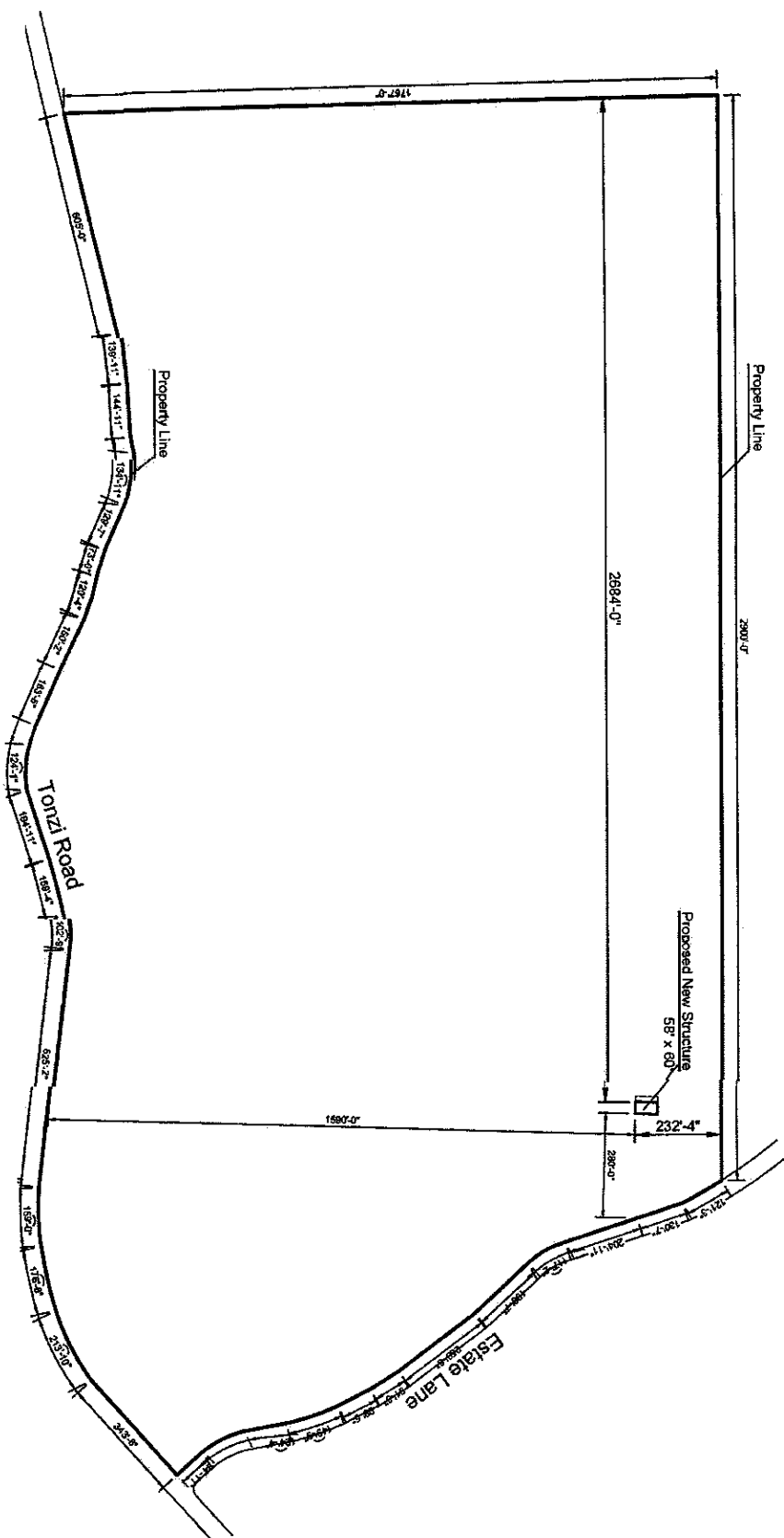
Floor Area: (max 10,000 sq ft): 3,500 Height: 20' top plate; 28' roof peak
 Electrical: Yes No Plumbing: Yes No
 Building Agricultural Use: Storage of hay and other livestock feed; saddle & tack storage; horse & livestock stables; backhoe, tractor, and ATV parking; tool storage; fencing supplies and other ranch-related personal property storage

Kurt R. Oneto
 OWNER SIGNATURE _____ DATE _____

****STAFF USE ONLY****

Planning Approval Signature: _____ Date: _____
 Zoning: _____ Parcel Size: _____ Flood Zone: _____
 Environmental Health Approval Signature: _____ Date: _____
 Well Permit Number: _____ Final Date: _____
 Public Works Agency Approval Signature: _____ Date: _____
 Encroachment Permit Number: _____ *or* Exempt Reason: _____
 Building Department Approval Signature: _____ Date: _____
 AG Exempt # _____ Elec-Permit # _____ Plumb-Permit # _____
 Agreement Returned Notarized: _____ ATF/Reso/Agree to BOS: _____
 BOS Meeting Date: _____ Docs to Recorder: _____ Recorded Retrnd: _____
 AG Exempt Issued: _____ Final Verification Received: _____

See reverse side for Amador County Code Section 15.04.040



8869 Tonzi Road
Ione, CA 95640
scale 1" = 300'

