

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: May 9, 2023**

ITEM 2 - Request for a Zone Change (ZC-22;6-1) 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 281.75 acres (three (3) parcels, 106.27, 24.02, and ±151-acres in size) into a California Land Conservation Act (CLCA) Contract (APN:008-330-039, 011-040-036, and 011-040-037).

Owner/Applicant: Kurt R. Oneto
Supervisory District: 5
Location: 8869 Tonzi Road Ione, CA 95640

- A. General Plan Designation:** AG, Agricultural-General
- B. Current Zoning:** R1A, Single-family Residential and Agriculture (CC §19.24.045)
- C. Proposed Zoning:** AG, Exclusive Agriculture (CC §19.24.036)
- D. Project Description:** The applicant has applied for inclusion of approximately 281.75 acres into a California Land Conservation Act (Williamson Act) contract. The intended use of the property is seasonal dry pasture grazing for cattle. Applications for Williamson Act contracts require rezone of the property to the County’s AG, Exclusive Agriculture District (per County Code Section 19.24.036) if the property is not already zoned AG.

The property is currently zoned R1A and therefore requires a rezone to AG to allow for a Williamson Act Contract. The AG district allows more by-right uses than the R1A district does. However, because the Draft Williamson Act Contract proposed for this project requires the applicant to first obtain a use permit per County Code section 19.56 before engaging in the more impactful by-right uses within the AG district, the applicant is not required to analyze the environmental impacts of those by-right uses that would require a use permit.

- E. Agricultural Advisory Committee Recommendation:** The Agricultural Advisory Committee reviewed the request on February 1, 2023 and determined several scenarios under which the property (or a portion) would qualify for inclusion under the California Land Conservation Act (CLCA), or Williamson act. The options are as follows:
 - a. The 106-acre parcel would independently qualify with the proposed uses and improvements. This could be entered into one single contract.
 - b. The entire property (all three parcels) would qualify together under the condition that all parcels be merged into a single legal parcel under one single contract.
 - c. **The 106-acre parcel independently qualify under one contract, and the 24.02-acre parcel and ±151-acre parcel would be merged and included under a separate contract.**
- F. Applicant Request(s):** Following review by the Agricultural Advisory Committee, the applicant has indicated they request **option c.** (above) requesting two Williamson Act Contracts, one to include the 106-acre parcel, and the ±151-acre and 24.02-acre parcel together under a second Contract. Both Contracts will still need to meet the income requirements consistent with Government Code Section 51238.1 and the eligibility requirements required by the County Assessor.

- G. Staff Review:** This project was reviewed by the Technical Advisory Committee (TAC) on July 7, 2022 and April 6, 2023. Following additional staff review between the Planning Department and County Council, this project is recommended as being exempt from CEQA under Categorical Exemption Class 17 (Open Space Contracts or Easements) subject to the modification of the Contract language to exclude some uses under the AG zoning district unless otherwise permitted through a Use Permit under County Code Section 19.56.
- H. AB 52 Tribal Consultation:** Tribal Consultation was requested by United Auburn Indian Community (UAIC) and consisted of email and phone correspondence. Conditions are included in the contract language and apply to any future discretionary use or development of the property.
- I. Planning Commission Action:** As the approval of the proposed preserve and accompanying CEQA exemption is deferred to the Board of Supervisors, the Planning Commission's actions are to open the Public Hearing, and make a recommendation to the Board of Supervisors to approve or deny the Zone Change.

Per Government Code 65855, the Planning Commission shall render its decision in the form of a written recommendation to the legislative body. Such recommendation shall include the reasons for the recommendation and the relationship of the proposed ordinance to the general plan. Potential reasons for a recommendation to approve the zone change ordinance include support of the preservation of agricultural lands within the County while encouraging the continued economic viability of sustained agricultural production.

The proposed ordinance supports the AG, General Agricultural designation and supports the following:

Goal E-1: Develop and maintain a favorable business environment in the county.

Policy E-1.1: Encourage an efficient and consistent regulatory environment, including a predictable development process.

Goal E-5: Promote cultural and economic development of rural communities throughout the county.

Policy E-5.1: Support existing and new programs and facilities which contribute to the cohesion and prosperity of our rural communities, including local schools and shops.

Goal E-8: Preserve the land base necessary to sustain agricultural production and maintain long term economic viability of agricultural land uses.

Policy E-8.1: Ensure future land uses are appropriately located and scaled to fit in with the county's rural and agricultural context.

Policy E-8.2: On lands under Williamson Act contracts, provide for and support value-added agricultural activities designed to provide an additional source of farming income while maintaining the land for viable agricultural production, in accordance with state law.

Policy E-8.3: Provide for and support value-added agricultural activities designed to provide an additional source of farming income while maintaining the land for viable agricultural production

Goal E-9: Maintain important farmlands for agricultural uses and agri-tourism.

Policy E-9.2: Encourage use of Williamson Act contracts to maintain farm and ranch lands in agricultural use.

Policy E-9.7: Encourage provision of farm family and farm worker housing in a manner that conserves important farmlands.

Policy OS-3.2: Encourage the conservation of corridors for wildlife movement, particularly in oak woodland areas and along rivers and streams.

Policy OS-3.3: Support voluntary conservation easements to protect wildlife habitat, including oak woodlands.

J. Recommendation to the Board: If the Planning Commission recommends approval of the Zone change, the following statement is recommended for the record:

“The Planning Commission recommends approval of the proposed zone change, the reason(s) being that the proposed project supports the preservation of agricultural lands within the county while encouraging the continued economic viability of sustained agricultural production, and the proposed zone change is consistent with the County’s General Plan Economic Development Element regarding Agricultural Conditions and Strategies (Goal E-1, Goal E-5, Goal E-8, Goal E-9, and Goal E-10), Conservation Element regarding Agricultural Lands, and Open Space Element (Goal OS-3 and Policy 3-3)” (attached).

K. Recommended Findings: If the Commission recommends approval of the Zone Change, the following findings are recommended for approval with the project:

1. The project, as proposed, is consistent with the Amador County General Plan Land Use designation for the property;
2. The agricultural preserve will meet the agricultural improvement requirements under County Code Section 19.24.036, Government Code Section 51238.1, and meets minimum eligibility requirements established by the County Assessor;
3. There are no project-specific significant, unmitigated effects which are peculiar to the project or its site;
4. The establishment, maintenance or operation of the property under Contract will not under the circumstances of the particular case be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County; and
5. On the basis of the administrative record presented, the Board of Supervisors finds that the project is categorically exempt from CEQA pursuant to Class 17 (Open Space Contracts or Easements). Class 17 consists of the establishment of agricultural reserves, the making and renewing of open space contracts under the Williamson Act, or acceptance of easements or fee interests in order to maintain the open character of the area.

TL

ENDORSED
FILED

APR 18 2023

KIMBERLY L. GRADY, County Clerk
AMADOR COUNTY

By M. CANALE Deputy

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

PROJECT: Zone Change ZC-22;6-1 Oneto from R1A to AG, and New CLCA Preserve

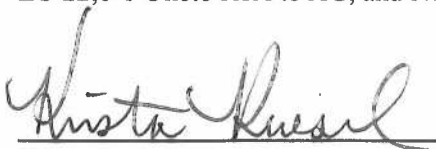
LEAD AGENCY: Amador County Planning Department

PROJECT LOCATION: 8869 Tonzi Rd. Ione, CA 95640

PROJECT DESCRIPTION: Zone Change (ZC-22;6-1) 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).

MITIGATED NEGATIVE DECLARATION: A copy of the Mitigated Negative Declaration, proposed rule, and supporting documents are available for review on the current projects page on the Planning departments web site at <https://www.amadorgov.org/departments/planning/current-projects> and at the Planning department at 810 Court Street, Jackson CA, 95642. The required environmental review and comment period for this project will commence from April 18, 2023 through May 9, 2023. Comments may also be sent by fax to (209)257-6254, by email to planning@amadorgov.org, or by mail or in person to the Planning Department office.

PUBLIC HEARING: The Amador County Planning Commission will conduct a public hearing on the matter on May 9, 2023 at 7:00 p.m. in the Board Chambers of the County Administration Center, 810 Court Street, Jackson, CA, 95642. Anyone having comments on the project may attend and be heard. Information on file with the Amador County Planning Department, 810 Court Street, Jackson, CA 95642; (209)223-6380; File No. ZC-22;6-1 Oneto R1A to AG, and New CLCA Contract.


Krista Ruesel, Planner

4/18/2023
Date:

File No. N/A

Posted On 04/18/2023

Posting Removed 3

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Recording Requested by and Return to:
Planning Department
Amador County
810 Court Street
Jackson, California 95642

Space Above This Line For Recorder's Use

CALIFORNIA LAND CONSERVATION ACT CONTRACT NO. 457/458

This CALIFORNIA LAND CONSERVATION ACT CONTRACT, made and entered into this ____ day of _____, 2023, by and between the County of Amador, a political subdivision of the State of California, hereinafter referred to as "County" and

Kurt R. Oneto

or successors thereof, hereinafter referred to as "Owner":

WHEREAS, Owner is the legal owner of certain real property, herein referred to as the subject property, situated in the County of Amador, State of California; and

WHEREAS, the subject property is described in Exhibit "A" which is made a part of this Contract; and

WHEREAS, the subject property is located in an agricultural preserve established by Resolution No. _____; and

WHEREAS, said agricultural preserve is within the Amador County Agricultural Area; a map of said area being on file in Book 1 of Agricultural Preserves Maps, Map No. _____ in the office of the County Recorder of Amador County; and

WHEREAS, Owner and County desire to limit the use of subject property to agricultural uses and compatible uses to preserve the limited supply of agricultural land and to discourage the premature and unnecessary conversion of agricultural land to urban uses; and

WHEREAS, Owner and County recognize that agricultural land has definite public value as open space and that the preservation in agricultural production of land will assure an asset adequate food supply and constitute an important physical, social, esthetic and economic to the people of County to maintain the agricultural economy of County and the State of California; and

WHEREAS, both Owner and County intend that this Contract is and shall continue to be through its initial term and any extension thereof an enforceable restriction within the meaning and for the purposes of Article XXVIII of the State Constitution and thereby qualify as an enforceable restriction under the provisions of California Revenue and Taxation Code Section 422; and

WHEREAS, the County enters into this Contract with Owner on the express condition that funds be annually appropriated by the State of California, and that the annual payments continue to be made to the County by the State Controller, under the provisions of the Open Space Subvention Act (California Government Code Section 16140 et seq.), and that if said funds are not appropriated or disbursed and received by the County, then the County at its option may deem the Contract to be null and void.

NOW, THEREFORE, the parties, in consideration of the mutual benefits and conditions set forth herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. AGREEMENT MADE PURSUANT TO CALIFORNIA LAND CONSERVATION ACT. The within contract is made and entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 of Part 1 of Division 1 of Title 5 of the California Government Code commencing with Section 51200), hereinafter referred to as "Act", and is subject to all the provisions thereof specifically applicable to Article 3, Contracts (commencing with Section 51240) and other provisions of said Act as are specifically made applicable to this Contract.

This Contract is made expressly conditional upon the State's continued compliance with the provisions of the Open Space Subvention Act. If in any year the State fails to make to the County or the County fails to receive from the State any of the subvention payments required under the provisions of the Open Space Subvention Act, then the County at its option may declare this Contract to be null and void. The State's failure to make such payments, or the County's failure to receive them, may be due to non-appropriation of funds by the Legislature, failure to disperse appropriated funds, amendment or repeal of the applicable provisions of the Open Space Subvention Act, or by any other cause whatsoever. If any of those events occur, the County may declare the Contract null and void by delivering notice to the Owner or his successors or assigns and to the County Assessor and by recording such notice in the Official Records of Amador County. In that event, this Contract shall thereupon be null and void and of no further force or effect with no continuing contractual rights of any kind; provided, however, that the Owner may apply for a new Land Conservation Contract as otherwise may be provided by law.

2. USE OF SUBJECT PROPERTY. During the term of this Contract or any extension thereof, the subject property shall not be used for any other purpose other than the "permitted agricultural uses" or "compatible uses" as set forth in attached Exhibit "B" and incorporated herein. However, the following uses listed under subsections 19.24.036 (G), (I), and (H) shall require a use permit pursuant to Chapter 19.56: (G)(4) and (5); (G)(6) --but only production of dairy products; (G)(13); (G)(19) --but only if the uses are commercial; (G)(20) and (22); (G)(23) --but only if the uses involve commercial transactions on the property; (G)(24)-(29); (G)(30) --however, structure, building, equipment or use incidental and necessary to the by-right uses do not require a use permit; (G)(32) --except that wineries and the wholesale of wine and grape products do not require a use permit; All uses set forth in subsections (I) and (H) shall require a use permit pursuant to Chapter 19.56. Owner shall be limited to the uses specified in the aforementioned Exhibit even though ordinances, codes or regulations of County authorize different uses.

3. ADDITIONAL USES. The Board of Supervisors of County may from time to time during the term of this Contract, or any extension thereof, by resolution revise the lists of "permitted agricultural uses" or "compatible uses" for the agricultural preserve in which the subject property is located; provided however, said Board shall not eliminate, without the written consent of Owner any permitted agricultural or compatible use during the term of this Contract or any extension thereof.

4. CONDITIONS OF ESTABLISHMENT OF CONTRACT. Any identified or unidentified Tribal Cultural Resources (TCR) shall be protected and undisturbed and the property owner shall establish a 100-foot no-disturbance buffer to preserve such resources. Prior to any grading, trenching, or building requiring a permit from the County for future discretionary projects, Tribal Consultation shall be reinitiated to identify and or develop mitigations to preserve any TCRs on-site

4. TERM. This Contract shall be effective on the date first above written, hereinafter called "anniversary date", and shall remain in effect for a period of ten (10) years therefrom. On the anniversary date when the unexpired term of this Contract shall reach nine years, and on each succeeding anniversary date, one year shall automatically be added to the unexpired term, unless notice of non-renewal is given as provided in Paragraph 10. If either party gives notice not to renew, it is understood and agreed this Contract shall remain in effect for the unexpired term.

5. CONSIDERATION. It is agreed that the consideration for the execution of this Contract is the substantial public benefit to be derived by County from the preservation of land in agricultural or compatible uses and the advantage which will accrue to Owner as a result of the effect on the method of determining the assessed value of the subject property and any reduction thereto due to the imposition of limitations on its use set forth in this Contract. County and Owner shall not receive any payment in consideration of the obligations imposed herein.

6. CANCELLATION. This Contract may be cancelled, as herein provided, as to all or a part of the subject property only upon the petition of Owner to County, and after a public hearing has been held and notice thereof given as required by Section 51284 of the Government Code. The Board of Supervisors of County may approve cancellation only if they find that cancellation is not inconsistent with the purpose of Article 5 of the Act and that cancellation is in the public interest. It is understood by the parties that there is no right to cancellation and that the existence of an opportunity for another use of the subject property shall not be a sufficient reason for cancellation of this Contract. A potential alternative use of the subject property may be considered only if there is not proximate noncontractual land suitable for the use to which it is proposed the subject land be put. The economic character of the existing agricultural or compatible use will be considered only if the subject property cannot reasonably be put to a permitted agricultural or compatible use specified in the resolution establishing the agricultural preserve in which the subject property is located. Parties hereto agree that the (1) computation of the cancellation valuation, (2) determination, and payment of the cancellation fee, (3) waiver of all or a portion of the cancellation fee, (4) distribution of the cancellation fee as deferred taxes, (5) recordation of the Certificate of Cancellation,

and (6) the creation, attachment and release of any lien created by the imposition of a cancellation fee shall be as provided in Article 5 of the Act particularly Sections 51283 and 51283.3 thereof as amended by Chapter 1372, 1969 Statutes. The Board of Supervisors of County shall not approve any cancellation of this Contract as to any of subject property per this provision unless four (4) or more members of said Board affirmatively vote for such cancellation.

7. CANCELLATION IF NO OPERATIVE LEGISLATION. This Contract may be cancelled by mutual agreement of County and Owner without payment of cancellation fee or public hearings whenever there is no operative legislation implementing Article XXVIII of the California Constitution at the time the cancellation is requested by Owner.

8. DIVISION OF SUBJECT PROPERTY. In the event the subject property is divided, Owner or successors thereof, as the case may be, agree as a condition of such division to execute a contract or contracts so that at all times the subject property is restricted by a contract or contracts identical to the contract covering the subject property at the time of such division. County, any other political entity, or any Court having jurisdiction and making an order of division of the subject property shall as a condition of the division require the execution of the contracts provided for in this paragraph. The owner of any parcel created by division of the subject property may exercise, independent of any other owner of a portion of the divided property, any of the rights of owner executing this Contract to give notice of non-renewal as provided in Paragraph 10, or to petition for cancellation as provided in Paragraph 6 herein. The effect of any such action by an owner of a parcel created by a division shall not be imputed to the owners of the remaining parcels and shall have no effect on the contracts which apply to the remaining parcels of the divided land.

9. INFORMATION TO COUNTY. Owner, not later than the last day of December of each year this Contract is in force, shall provide information to County relating to Owner's obligation herein in order for County to determine the value for assessment purposes and for continued eligibility under the provisions of the Act.

10. NOTICE OF NON-RENEWAL. If, after the expiration of the tenth year of the term of this Contract, and in each succeeding year of this Contract, Owner desires not to renew the Contract, Owner shall serve written notice of non-renewal of this Contract upon the Clerk of the Board of Supervisors of County at least ninety (90) days prior to the anniversary date. If, after the expiration of the tenth year of this Contract, and in each succeeding year of this Contract, County desires not to renew the Contract, County shall serve written notice of non-renewal to Owner at least sixty (60) days prior to the anniversary date. Notices of non-renewal by County shall be sent to the address shown on the most current Assessor' roll. Owner shall have the right to protest the non-renewal by County provided such protest is made in writing and filed with the Clerk of the Board of Supervisors of County not later than sixty (60) days after receipt of the notice of non-renewal from County or the last day of February of the calendar year in which the notice was mailed, whichever date is first to occur. County may prior to the annual renewal date, without notice to Owner, withdraw a notice of renewal. Upon request of Owner, County may authorize the Owner to serve a notice of non-renewal on a portion of the subject property, said notice to be in accordance with foregoing provisions of this Paragraph 10.

11. REMOVAL OF LAND FROM AGRICULTURAL PRESERVE. Removal of any of subject property from the agricultural preserve in which the subject property is located shall be equivalent to notice of non-renewal by County as to the land actually removed from the agricultural preserve. County shall, at least sixty (60) days prior to the annual renewal date, serve a notice of non-renewal as provided in Paragraph 10. County shall, as required by Section 51206 of the Government Code, record the notice of non-renewal in the office of the Recorder of County, however, Owner agrees that a failure of County to record said notice of non-renewal shall not invalidate or in any manner affect said notice.

12. ACTION IN EMINENT DOMAIN TO TAKE ALL OF SUBJECT PROPERTY. Upon the filing of an action in eminent domain by an agency or person specified in Government Code Section 51295 for the condemnation of the fee title of all the subject property or upon the acquisition in lieu of condemnation of the fee, this Contract shall be null and void on the date of filing of suit or upon the date of acquisition as to the land condemned or acquired, and the condemning or acquiring agency or person shall proceed as if the Contract never existed.

13. ACTION IN EMINENT DOMAIN TO TAKE A PORTION OF SUBJECT PROPERTY. Upon the filing of an action in eminent domain by an agency or person specified in Government Code Section 51295 for the condemnation of the fee title of a portion of the subject property, or upon the acquisition in lieu of condemnation of the fee, this Contract shall be null and void on the date of filing of suit or upon the date acquisition as to the portion of the subject property condemned or acquired and shall be disregarded in the valuation process only as to the land actually taken, unless the remaining portion of the land subject to this Contract will be adversely affected by the take or acquisition in which case the value of that damage

shall be computed without regard to this Contract. Under no circumstances shall any of the subject property be removed from the provisions of this Contract that is not actually taken or acquired, except as otherwise provided in the Contract.

14. ABANDONMENT OF ACTION IN EMINENT DOMAIN. In the event a Condemnation Suit is abandoned in whole or in part or if funds are not provided to acquire property in lieu of condemnation, Owner agrees to execute a new agreement for all property to have been taken or acquired identical to the Contract in effect at the time suit was filed or on the date the land was to have been acquired, provided however, a notice of non-renewal had not been given by either party prior to the filing of suit or date the property was to have been acquired and the property at time of abandonment of condemnation or purchase is within the boundaries of the agricultural preserve in which the subject property was first located.

15. ENFORCEMENT OF CONTRACT. Any conveyance, contract or authorization (whether written or oral) by Owner or his successors in interest which would permit use of the subject property contrary to the terms of this Contract or the rules of the agricultural preserve in which the subject property is located, or failure to use the property consistent with the provisions herein will be deemed a breach of this Contract. Such breach may be enforced by County by an action filed in the Superior Court of the County for the purpose of compelling compliance or restraining breach thereof. It is understood and agreed that the enforcement proceedings provided in this Contract are not exclusive and both Owner and County may pursue their legal and equitable remedies.

16. RECORDING OF DOCUMENTS. In the event of termination of this Contract for any reason County shall record the appropriate documents with the County Recorder and file a copy with the Director of Agriculture.

17. SUCCESSORS IN INTEREST. The within Contract shall run with the land described herein and upon division, to all parcels created therefrom, and shall be binding upon the heirs, successors and assigns of Owner. This Contract shall also be transferred from County to a succeeding city or county acquiring jurisdiction over all or any portion of the subject property. On the completion of annexation proceedings by a city, that city shall succeed to all rights, duties and powers of County under this Contract, unless the subject property or portion thereof was within one mile of said city at the time this Contract was initially executed, and said city protested the execution of this Contract pursuant to Section 51243.5 of the Government Code and said city states its intent not to succeed to the rights, duties and powers in the resolution of intention to annex. If the city does not exercise its option to succeed to the rights, duties and powers this Contract becomes null and void as to the subject property actually annexed on the date of annexation.

EXECUTED the day and year first above written.

"COUNTY"

"OWNER"

COUNTY OF AMADOR, a political
Subdivision of the State of California

By: _____
Jeff Brown
Chairman, Board of Supervisors

Attest:

By: _____
Jennifer Burns
Clerk of the Board of Supervisors

By: _____
Donald J. Swett, Trustee of the Donald J. Swett
and Christine M. Swett Family Trust – 2003

By: _____
Christine M. Swett, Trustee of the Donald J.
Swett and Christine M. Swett Family Trust –
2003

**“EXHIBIT A”
LEGAL DESCRIPTION**

Insert TBD

EXHIBIT “B”

“AG,” EXCLUSIVE AGRICULTURAL ZONING DISTRICT

19.24.036 AG district--Use regulations.

A. AG zoning shall be applied to those lands designated by the board as agricultural preserves and subject to contracts under the provisions of the California Land Conservation Act. Rezoning to AG district shall be initiated only at the request of the landowner.

B. AG zoning shall run concurrently with the California Land Conservation Act contract. Upon termination or expiration of the contract, subject property shall automatically be deemed to be zoned X special use district unless zoning to another district has been approved by the board.

C. Request for rezoning to AG district shall be accompanied by the required fee as set by board resolution.

D. No property shall be rezoned to AG district unless the following requirements are met:

1. a. No parcel less than forty acres shall be zoned AG except that contiguous parcels under common ownership totaling forty acres or more may be zoned AG if said parcels are merged into an assessor’s parcel. Said parcels shall be considered as one parcel for purposes of subdivision under the State Subdivision Map Act and Title 17 of this code.

b. A parcel comprised of less than forty acres may be zoned AG despite the forty-acre minimum for AG parcels set forth in paragraph a; provided, that a variance is first obtained pursuant to Chapter 19.52 of this code; provided, however, that in addition to the requirements of that chapter, the board must find that special circumstances have caused the size of the parcel to be less than forty acres, that the parcel substantially complies with the forty-acre minimum set forth herein, and that the owner thereof or his predecessor in interest did not, within three years preceding the application for rezoning, voluntarily reduce the size of the parcel below the forty-acre minimum. The foregoing notwithstanding, no parcel of less than forty acres shall under any circumstances be zoned AG unless it is contiguous to a parcel zoned AG, which parcel is subject to a California Land Conservation Act contract and which has a size of forty acres or more.

2. Parcels to be zoned AG containing one hundred sixty acres or more shall indicate a potential ability to produce an annual gross income from agriculture of not less than two thousand dollars, or shall have permanent agricultural improvements thereon with a value of not less than ten thousand dollars. The amounts set forth in this subdivision shall be adjusted for inflation each year beginning January 1, 1981, in accordance with any increase or decrease in the Consumer Price Index for Northern California published by the United States Department of Labor or any other appropriate index or combination of indices selected by the board, which amounts shall be rounded to the nearest hundred dollars.

3. Property less than one hundred sixty acres but not less than one hundred acres shall meet both of the criteria listed in subdivision D2.

4. Property less than one hundred acres but at least forty acres or qualifying pursuant to Paragraph D1b shall meet the criteria listed in subdivision D2 and additionally shall demonstrate unique characteristics of an agricultural industry.

5. Property less than one hundred sixty acres may be considered to satisfy requirements of subdivisions D1 through D4 if the property is a portion of and contiguous to the adjacent tract under the same ownership

which is within an agricultural preserve in an adjoining county and which, when considered as a whole, would meet the appropriate requirements.

6. A parcel may be found to meet the income requirements set forth in subdivisions D1 through D4 if the owner of the parcel demonstrates to the satisfaction of the board that the owner has planted at the time of this application for rezoning to AG, or that he shall plant during the calendar year following his application for rezoning to AG, crop-bearing trees or vines or other slowly maturing crops, or that he has made or will make agricultural improvements which shall ensure that there will be, within five years from the date of the rezoning to AG, annual agricultural income from the parcel in the minimum amount set forth in this section. Any California Land Conservation Act contract entered into on the basis of this subdivision shall contain a provision that, in the event such income is not produced within such period, the board may terminate the contract at its sole discretion, which termination shall require the immediate payment to the county of any property taxes saved by the property owner and/or his predecessor in interest resulting from the formation of the contract. The board may for good cause extend the five-year period if the board finds that such income level may be reached in such extended period.

E. No property zoned AG and under California Land Conservation Act contract shall be approved for division under the provisions of the State Subdivision Map Act and Title 17 of this code or have boundary line adjustments approved therefor unless a finding is made by the board of supervisors after recommendations from the agricultural advisory committee that each parcel to be created by the proposed division satisfies the requirements for AG zoning as set forth in subsection D hereof or the provisions of either subdivision 1 or 2 hereof.

1. A finding is made by the board of supervisors after recommendations from the agricultural advisory committee that the parcel to be created by the proposed division is for the purpose of providing security for financing on a parcel already encumbered by an existing security instrument of record and is for a second dwelling, or a farm improvement to be utilized in conjunction with the agricultural use of the property, including but not limited to, barns, wineries, dairies, food processing plants, or other uses of a similar nature. Such parcel shall be five acres in size.

a. A tentative and parcel map shall be required for divisions of land allowed by subsection E1 of this section. Land divisions approved for the purpose of financing shall be restricted to the land uses and immediate members of the owner's family as permitted under subdivision 9 of subsection G of this section. Parcel maps shall contain a notation which states the following: "This land division is for the purposes of financing only and any parcel hereby created shall be merged or reverted to acreage with the remainder upon satisfaction of the indebtedness."

b. Prior to the filing of the parcel map with the board of supervisors, the financial instrument shall be reviewed and approved by the county counsel. The financial instrument shall contain a reversionary clause which merges the parcel with the remainder parcel upon satisfaction of the indebtedness. The financial instrument shall be restricted to a loan from a federally or state-chartered bank, savings and loan association or credit union, or a state-regulated mortgage company.

2. The board of supervisors, after hearing recommendations from the agricultural advisory committee shall make all of the following findings before any subdivision or boundary line adjustment is approved pursuant to subsection E2 of this section.

a. Definitions:

- i. "Original parcel" means the real property before the proposed subdivision, which property may consist of one or more contiguous parcels under one ownership and under one Land Conservation Act Contract.
 - ii. "Remainder parcel" means the largest individual parcel remaining after the subdivision of the original parcel.
 - iii. "New parcel" or "new parcels" means the parcel or parcels other than the remainder parcel remaining after the subdivision of the original parcel.
 - iv. "Resulting parcels" means all the parcels after the subdivision, i.e., the remainder parcel and the new parcel or new parcels, which together had comprised the original parcel.
 - v. "Landowner" means the owner of the original parcel.
 - vi. "Subdivision" as used in subsection E2 of this section means subdivisions, land divisions, and boundary line adjustments.
 - vii. "Immediate family" means the spouse, natural, step or adopted children, parents, grandchildren or the siblings of the landowner.
- b. The subdivision shall meet the goal of the providing of residential parcels for immediate family members of the landowner while continuing the agricultural use of the resulting parcels.
 - c. The remainder parcel shall meet all county qualifications set forth in the contract and the AG district regulations.
 - d. All the resulting parcels shall remain subject to the same contract as the original parcel. Any notice of nonrenewal of the contract shall be filed by all of the owners of all of the resulting parcels.
 - e. The number of resulting parcels shall conform to the maximum density limitations set forth in the general plan for the area and subsection D hereof. No new parcel may be less than five acres in size and is permitted only if the remainder parcel meets said subsection D requirements. If one new parcel is created, the remainder parcel shall be no less than seventy-five acres. One additional new parcel may be created for every additional forty acres in the remainder parcel.
 - f. All of the resulting parcels shall be subject to one written agreement for joint agricultural management as one agricultural unit. The written agreement for joint agricultural management shall have been reviewed and approved by the board of supervisors and shall have been recorded in the office of the Amador County recorder as a covenant running with the land. Said written agreement shall be between the landowner and the immediate family members who take title to any resulting parcel after the subdivision. The written agreement shall require that the land which is subject to the contract, which shall include all of the resulting parcels shall be operated under the joint agricultural management of the parties subject to the terms and conditions and for the duration of the contract. The resulting parcels jointly managed under one agreement and one contract shall total at least forty acres in size multiplied by the number of resulting parcels (e.g., one new five-acre parcel requires a seventy-five acre remainder parcel).
 - g. The landowner or his/her immediate family shall have owned the original parcel for at least ten years prior to the application for the subdivision.

h. New parcels shall be located where they are not disruptive to the agricultural use of the remainder parcel.

i. The landowner may transfer title and the right to occupy the resulting parcels only to members of his/her immediate family.

j. A member of the immediately family who is the transferee of the landowner or successor transferee shall not voluntarily sell, lease, or rent any new parcel or improvement thereon while the land is subject to the contract except to a member of the immediate family of the transferee.

k. This section E2 hereof shall not authorize a subdivision of land subject to a contract when any of the following has occurred:

i. The Amador County Local Agency Formation Commission has approved the annexation of any part of the original parcel to a city and the city will not succeed to the contract as provided in Government Code 51243 and 51243.5.

ii. Written notice of nonrenewal of the contract has been served upon the county.

iii. The board of supervisors has granted tentative approval for cancellation of the contract as provided in Government Code 51282.

F. The agricultural advisory committee shall be composed of at least the following members and shall make recommendations on applications for AG zoning, proposed divisions of AG zoned property, and other agricultural matters to the decision-making bodies of the county:

1. County assessor;

2. County farm advisory;

3. County agricultural commissioner;

4. Five persons in various agricultural pursuits, one from each supervisorial district to be appointed by the board of supervisors; and

5. One member of the county planning commission. Any member designated pursuant to subsection F4 of this section (agricultural members) who fails to attend two consecutive committee meetings without cause as determined by the planning department shall be deemed to have voluntarily resigned said position and upon said resignation the board may thereupon designate another person to fill the vacancy created thereby.

G. The following agricultural and compatible uses are permitted in AG districts without a use permit being required:

1. General farming, including but not limited to the raising, growing, and harvesting of vegetable, field, forage, vine, bush, berry, tree, or other plant crop including plant nursery stock;

2. Grazing, maintaining, breeding, training, and raising of poultry and livestock of all kinds including horses, cattle, sheep, goats, hogs, and agricultural species such as fish and fur-bearing species provided there is no feeding of refuse, garbage, sewage, or offal;
3. Nurseries, greenhouses, mushroom rooms, floriculture;
4. Boarding of horses or other farm animals;
5. Growing and harvesting of timber, Christmas trees, or other plants;
6. Dairies and production of dairy products from milk produced on the premises;
7. Poultry farms;
8. Raising, feeding, maintaining, breeding, and slaughtering of livestock, chickens, turkeys, rabbits, pigeons, ducks, geese, fish, frogs, and small animals or fowl in household numbers for family use;
9. Single-family dwellings and appurtenant structures allowed in R districts and such other structures normally associated with agricultural activities, including but not limited to barns, stables, sheds, and silos; provided, however, that only one single-family residence shall be allowed for each forty acres on any parcel or contiguous parcels subject to one California Land Conservation Act contract. One said single-family dwelling on any parcel or contiguous parcels under one such contract may be an occupied mobile home as defined in Title 19 of this code provided, a use permit is obtained as required by Section 19.48.080. All structures or dwellings on a parcel or contiguous parcels subject to one such contract shall be directly used for the furtherance of the agricultural use of said property; and shall be limited to immediate members of the owner's family and his employees;
10. Home occupations, including any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which use does not change the character thereof;
11. Wells, water storage, and reservoirs, including on-site excavation or removal of materials for construction thereof;
12. Storage of petroleum products for use by the occupants of the premises;
13. Veterinary clinics and services, animal hospitals, kennels;
15. Harvesting, curing, processing, packaging, packing, selling, and shipping of agricultural products on a parcel devoted to agricultural use and the treating of products grown or raised on and off the premises where such activity is carried on in conjunction with or as part of an agricultural use; excepting therefrom the commercial slaughtering of livestock, small animals, fish, poultry, or fowl;
16. Holding of nonproducing land for future agricultural use;
17. Maintenance of land in its natural state for the purpose of preserving open space for recreation or the creation of plant or animal preserves;
18. Apiaries and honey extraction plants;

19. Nonintensive recreation when carried on as a clearly secondary activity in conjunction with a bona fide agricultural operation, including but not limited to fishing, hiking, hunting, rifle and pistol practice range, skeet field, archery range, or gun club when such activities do not involve the construction of any permanent structure;
20. Sale of food products produced on the premises;
21. Feed lots and feed yards, provided there is no feeding of refuse, garbage, sewage, or offal;
22. Airport or aircraft landing facilities for use of owner or tenant of the property or for agricultural service use;
23. The following uses when carried on as a clearly secondary occupation in conjunction with a bona fide agricultural operation, where no more than ten percent of the total land is used and where no more than three persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises:
 - a. Manufacturing, maintenance, repair, servicing, storage, sale or rental of agricultural machinery, implements and equipment of all kind,
 - b. Storage or sale of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals, and pesticides,
 - c. Transportation of agricultural products, supplies, or equipment, together with the maintenance, storage, repair and servicing of the necessary trucks and equipment therefor;
24. Public utility and public services, structures, uses and buildings provided such uses are clearly secondary and in conjunction with a bona fide agricultural operation;
25. Commercial radio, television, or microwave antennas and transmitters;
26. Gas, electric, water, and communication utility facilities and public service facilities of like nature operated by a public agency or mutual water company;
27. Public highways;
28. Fire protection works and facilities; flood-control works, including channel rectification and alteration; public works required for fish and wildlife enhancement and preservation; improvements for the primary benefit of the lands within the preserve; state improvements for which the site or route has been specified by the state legislature in such a manner as to make it impossible to avoid the use of subject AG zoned property;
29. Livestock auctions and sales yards;
30. Any structure, building, equipment, or use incidental and necessary to any of the foregoing uses;
31. Fruit and nut dehydrating plants;

32. Wineries as defined in Section 19.08.687 and the following incidental uses subject to providing off-street parking and meeting all necessary clearances from the health and building departments. Additionally, wineries located on private roads shall have entered into a road maintenance agreement with a majority of the owners of the road, or obtained a use permit pursuant to Chapter 19.56 of this code before commencing any of the following uses:

- a. Wine tasting,
- b. Winery tours,
- c. Wholesale and retail sales of wine and grape products,
- d. Compensated or noncompensated events with up to one hundred twenty-five persons in attendance with no limitation on the number of events per year,
- e. Picnic area(s) for winery-related activities,
- f. Art galleries with sales and framing,
- g. A food preparation facility for catering on-premises indoor or outdoor functions,
- h. Agricultural-related museums,
- i. Gift display not to exceed a total of five hundred square feet in interior footprint area for the retail sale of winery-related promotional items, gift items, and/or prepackaged foods,
- j. Social gatherings or weddings for up to and including four hundred fifty persons up to and including twelve events per year with no more than four such events per month,
- k. Indoor or outdoor amplified music until ten p.m.

H. Uses described in this subsection may be granted by the planning department, without public hearing, following public notice of the application.

- 1. Wine tasting may be conducted under a duplicate 02 license only if the winery with the master 02 license is located in Amador County and the following standards are met:
 - 2. a. A bona fide agricultural operation must be the primary use on the property;
 - b. The parcel shall be a minimum of forty acres in size;
 - c. The applicant shall provide the planning department with copies of their bond from the Alcohol and Tobacco Tax and Trade Bureau and their California Alcohol Beverage Control license. These licenses and bonds shall be maintained in full compliance at all times;
 - d. Tasting rooms located on private roadways shall have entered into a road maintenance agreement with a majority of the owners of the road; or in the event a road maintenance agreement already exists, the applicant shall provide the county with proof they have renegotiated the terms of the agreement to include the new tasting room. If the majority of the owners of the road do not enter into the new or renegotiated agreement,

the applicant must obtain a use permit pursuant to Chapter 19.56 of this code before commencing any of the uses allowed by this section;

- e. The tasting room building shall be located a minimum of fifty feet from all property lines;
- f. The primary use of the tasting room shall be the marketing and sale of wine produced in Amador County. Additional allowed uses are as follows:
 - i. Compensated or noncompensated events with up to one hundred twenty-five persons in attendance with no limitation on the number of events per year;
 - ii. Picnic area(s) for wine tasting-related activities;
 - iii. Art galleries with sales and framing;
 - iv. A food preparation facility for catering on-premises indoor or outdoor functions;
 - v. Agricultural-related museums;
 - vi. Gift display area not to exceed a total of five hundred square feet in interior footprint area for the retail sale of wine-related promotional items, gift items, and/or prepackaged foods;
 - vii. Social gatherings or weddings for up to and including four hundred fifty persons up to and including twelve events per year with no more than four such events per month;
 - viii. Indoor or outdoor amplified music until ten p.m.
- g. The applicant must obtain all applicable permits from the environmental health department, building department, and department of transportation and public works.
- h. Public notice of such application shall be given in the manner described in Chapter 19.56 of this code, Use Permits. Such notice shall indicate the intent of the planning department to grant the use permit without a hearing unless sufficient reasons are provided not to grant the use permit. A description of the appeals process (Chapter 19.64 of this code) shall be contained within the notice. The planning department shall decide upon the use permit application within ten days after the notice is mailed. If the planning department finds sufficient cause to approve the application and the application meets the standards outlined in this subsection, the planning department shall approve the use permit and the use permit shall become valid following the ten-day appeal period if no appeals are filed.
- I. The following uses are permitted in AG districts upon obtaining a use permit as provided for in Chapter 19.56 of this code:
 - 1. Turkey farms, provided there is a cover crop or other dust control;
 - 2. Any garbage, sewage, refuse, or offal feeding;
 - 3. Commercial small animal and fowl specialty farms, including but not limited to chinchillas, minks, foxes, rodents, aviaries, rabbits, frogs, pigeons, ducks, and geese;

4. Commercial slaughterhouses and stockyards for livestock, small animals, poultry, and fowl;
5. Rendering plants and fertilizer plants;
6. Commercial recreation, dude ranches, and boarding and guest facilities when carried on as a clearly secondary use in conjunction with a primary agricultural use;
7. Oil and gas wells, including the drilling and installation, and use of such equipment, structures, and facilities as are necessary or convenient for oil-drilling and oil-producing operations customarily required or incidental to usual oil field practice, including but not limited to the initial separation of oil, gas, and water and for the storage, handling, recycling, and transportation of such oil, gas, and water to and from the premises; provided such activities are carried on as a clearly secondary activity in conjunction with a bona fide agricultural operation;
8. Development of natural resources including mines, open pits for extraction of minerals, borrow pits, and quarries, with necessary buildings, apparatus, or appurtenances thereto; provided such activities are carried on as a clearly secondary activity in conjunction with a bona fide agricultural operation;
9. Any use determined by the planning commission after recommendations by the agricultural advisory committee to be compatible with the purposes of the California Land Conservation Act and which do not significantly adversely affect agricultural operations;
10. Any structure, building, use, or equipment incidental and necessary to any of the above uses, located on the same site, and included in the use permit;
11. Farm-labor camps and farm-labor quarters as defined in this title;
12. Social gatherings or weddings at winery facilities which exceed either of the limits set forth in subsection G(32)(j) of this section. (Ord. 1708 §3, 2011; Ord. 1320 §§3,4, 1993; Ord. 1262 §§1--6, 1991; Ord. 1208 §2, 1989; Ord. 1139 §§3, 4, 1987; Ord. 934 §3, 1983; Ord. 883 §3, 1982; Ord. 773 §12, 1981; Ord. 743 §1, 1981; Ord. 600 §2, 1977).



AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

PHONE: (209) 223-6380
FAX: (209) 257-6254
WEBSITE: www.amadorgov.org
E-MAIL: planning@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN the PLANNING COMMISSION of the County of Amador, State of California, has received an application for the following:

PROJECT NAME AND DESCRIPTION: Request for a Zone Change (ZC-22;6-1) 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

NOTE: SEE MAP ON REVERSE. *The Staff Report will be available online (typically the Tuesday prior to the meeting) for viewing at <http://www.amadorgov.org> in the "Agendas and Minutes" section.*

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 Mitigated Negative Declaration, as the project is consistent with the Amador County General Plan and zoning codes. The environmental assessment and application materials appear to be complete and indicate there are no extraordinary or unique environmental issues not normally mitigated for with the County's standard conditions which would be applied to this type of project. If, during the processing of this application, it is determined through the Initial Study checklist or at a public hearing that there are state or local issues which cannot be found to be insignificant or adequately mitigated through standard conditions, it may be found by the Planning Commission or Board of Supervisors a Mitigated Negative Declaration cannot be filed for this project and an Environmental Impact Report (EIR) shall be prepared instead. California Administrative Code Section 15064(g)(2) requires that a Mitigated Negative Declaration shall be prepared "if the lead agency finds there is no substantial evidence that the project may have a significant effect on the environment." The Technical Advisory Committee (TAC) has reviewed this project and has found no technical objection to the approval of this project with the adoption of a Mitigated Negative Declaration. The required environmental review and comment period for this project will commence on April 28, 2023 and ends on May 9, 2023.

PUBLIC HEARING: Notice is hereby given said Planning Commission will hold a public hearing on this project at the County Administration Center, Board of Supervisors Chambers, 810 Court Street, Jackson, California, on May 9, 2023 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 Planning Commission will be conducting this hearing in person and via teleconference. You may participate remotely by calling 669-900-6833 and using meeting ID 537 512 8983. You may also view and participate in the meeting using this link: <https://us02web.zoom.us/j/5375128983>.

Public comment will also be accepted at the above address or at planning@amadorgov.org. 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. Letters received after the Staff Report has been published will be copied and circulated to each Commissioner just prior to the public hearing. 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.

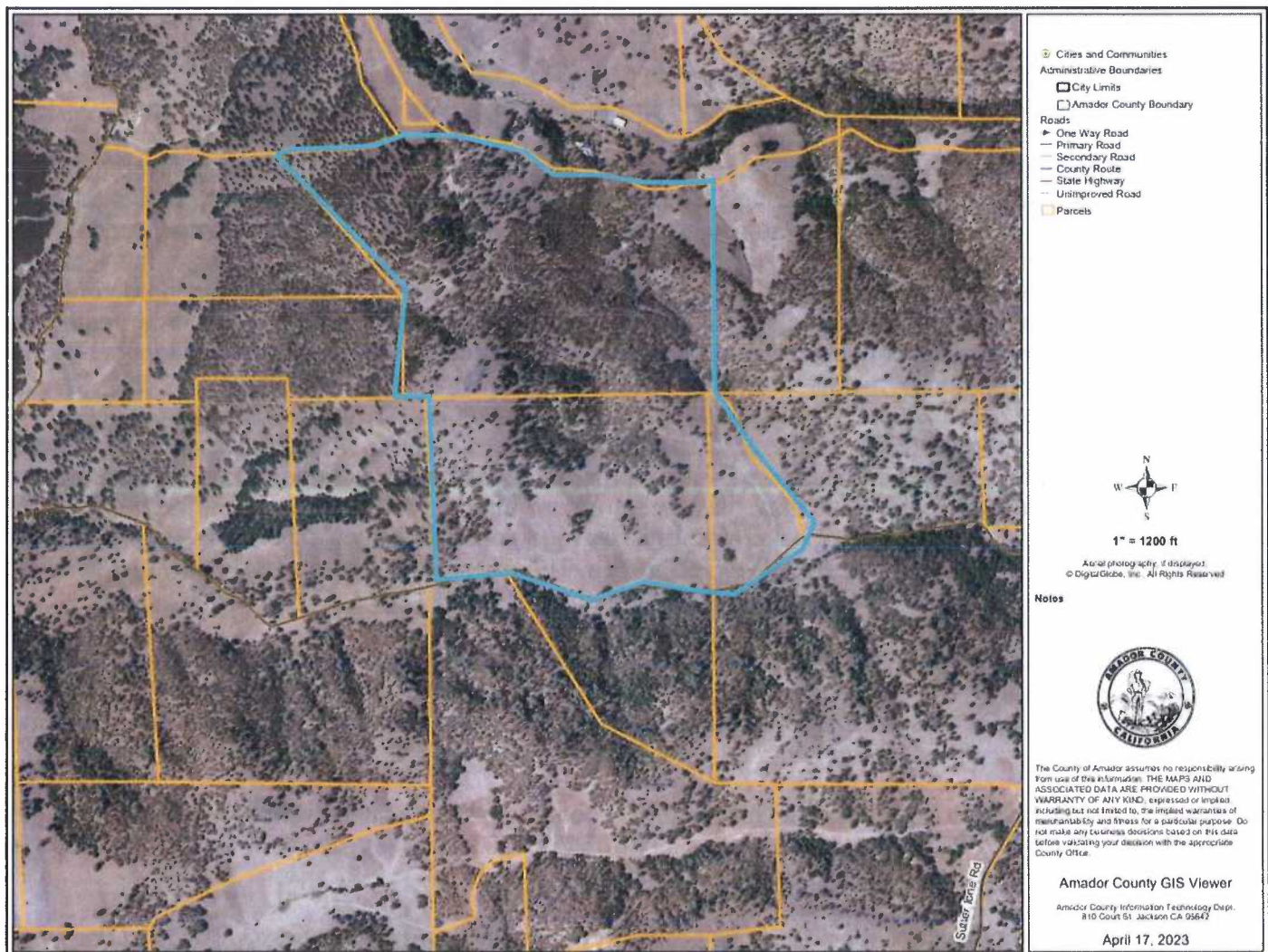
In compliance with the Americans with Disabilities Act, if you are a person with a disability and require special modification or accommodation to participate in this meeting, please contact the Amador County Planning Department, at (209) 223-6380, by email to planning@amadorgov.org. Requests must be 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.

If you have any questions or desire more information regarding this application or the hearing process, please contact this office.

AMADOR COUNTY PLANNING DEPARTMENT
Date of this notice: April 18, 2023

SUBJECT AREA HIGHLIGHTED IN BLUE



Not

ICR

- 1. GIS List. 500 ft. Plus _____
(Distance) (Special Instructions: e.g. to end of access road) Initial KR
- 2. Checked all APN pages of those parcels from the GIS list for "NOTES" or "SPECIAL INSTRUCTIONS." KR
- 3. Project Applicant and Representative(s), if applicable. KR
- 4. Checked Project file cover for agency distribution. KR
emails.
- 5. Checked inside file for special requests for notification. KR
- 6. Checked old notification list for additional notification. NA KR
- 7. Other - Specify:

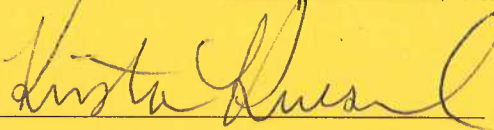
AFFIDAVIT OF SERVICE BY MAIL

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 21-22, 6-2 Oneto by placing copies in 10 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 April 18, 2023 at Jackson, California.

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

Executed at Jackson, California on April 18, 2023

Signed 

Witness 

BOWERS ELGIN ROBERT & DEBORAH L
TRUST BOWERS ELGIN ROBERT &
DEBORAH L TRUSTEES
10355 SUTTER IONE RD
SUTTER CREEK CA

MEYER JOHN PALMER & JOYCE M
5810 MISSION RD
SUNOL, CA 945869478

MEROLA ANTHONY DEAN & ANNETTE
YVONNE TRUST
10365 TAVERNOR RD
WILTON, CA 95693

ALLEN GEORGE E; WILLIAM I; JOEL B;
JOHN JR
PO BOX 562
SUTTER CREEK, CA 95685

ONETO KURT R
1340 CROMWELL CT
EL DORADO HILLS, CA 95762-5929

STANGER DIANNA
14355 HIGHWAY 105
WASHINGTON, TX 77880-6699

QUESNEL ARNAUD & LOWERY KEENA
4810 TUNIS RD
SACRAMENTO, CA 95835-1006

BOWERS ELGIN ROBERT & DEBORAH L
TRUST BOWERS ELGIN ROBERT &
DEBORAH L TRUSTEES
PO BOX 253
Sutter Creek, CA 94585

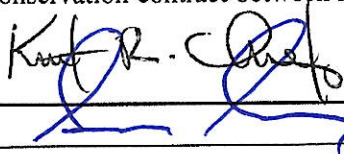
LYONS JON P & ROBIN B 2006 TRUST
9751 TONZI RD
IONE, CA 95640

MILLER OBADIAH & SHELBEY
PO BOX 8
PLYMOUTH, CA 956690008

Project Application

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

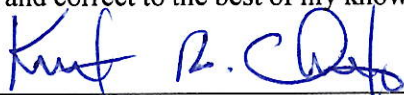
Type of Improvement	Estimated Value
Barn(s) <i>livestock/hay/equipment barn (under construction)</i>	\$75,000 <i>(when complete)</i>
Corral(s)	
Fences – <i>approx. 12,000ft new/restored fence</i>	\$60,000
Wells - <i>2 wells (1.5gpm and 60gpm)</i>	\$25,000
Water Systems	
Other (specify)	
TOTAL	\$160,000

2. ESTIMATED INCOME

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

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: _____



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

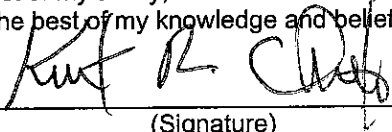
- | | | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 17. Change in existing features or any lakes or hills, or substantial alteration of ground contours. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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.

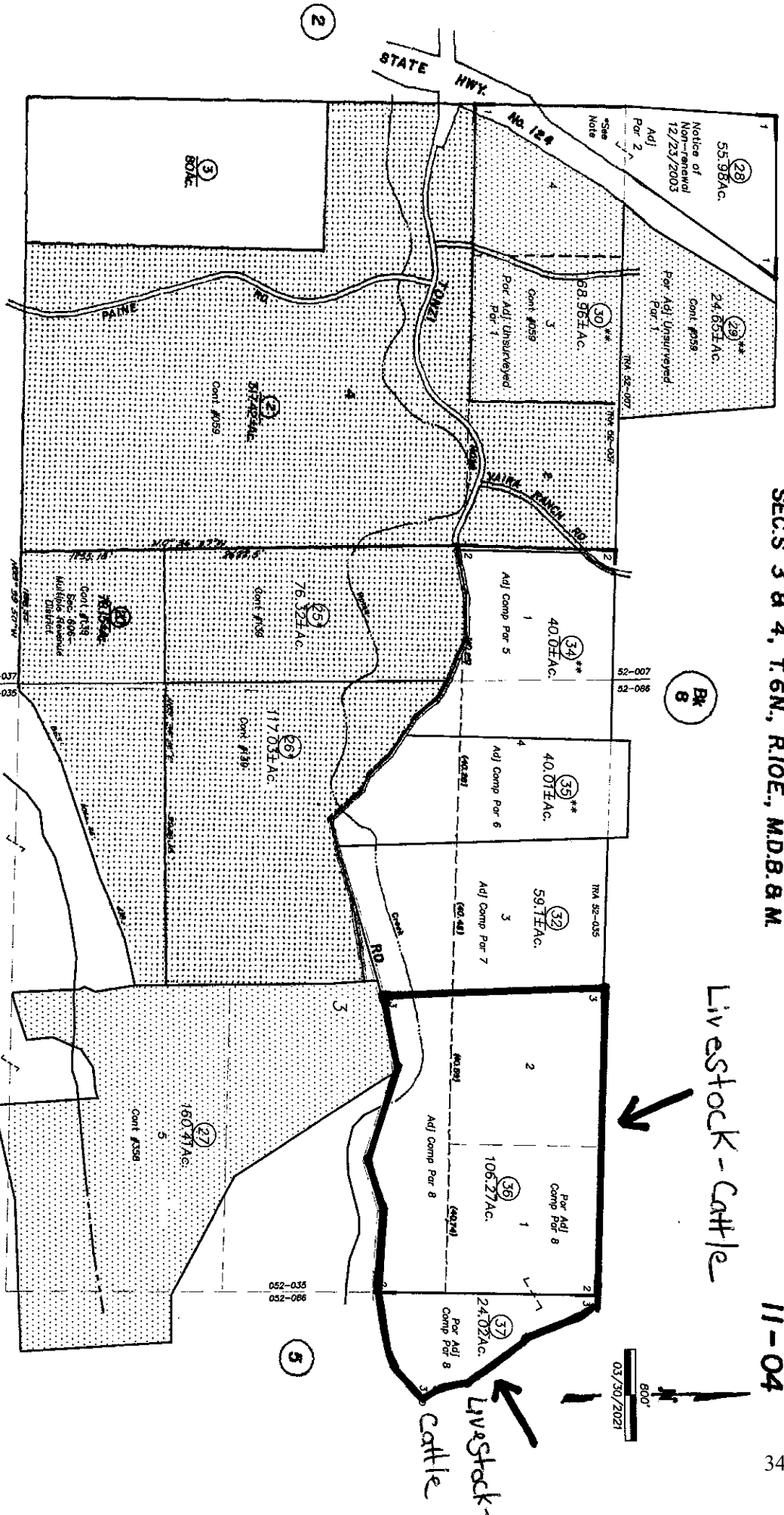
- a. The surrounding areas, on all sides, are undeveloped oak woodlands that are similarly used for livestock grazing.

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.

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

11-04



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 (12/19/2019)
- 3-R.M. Bk. 66, Pg. 46 (06/12/2020)

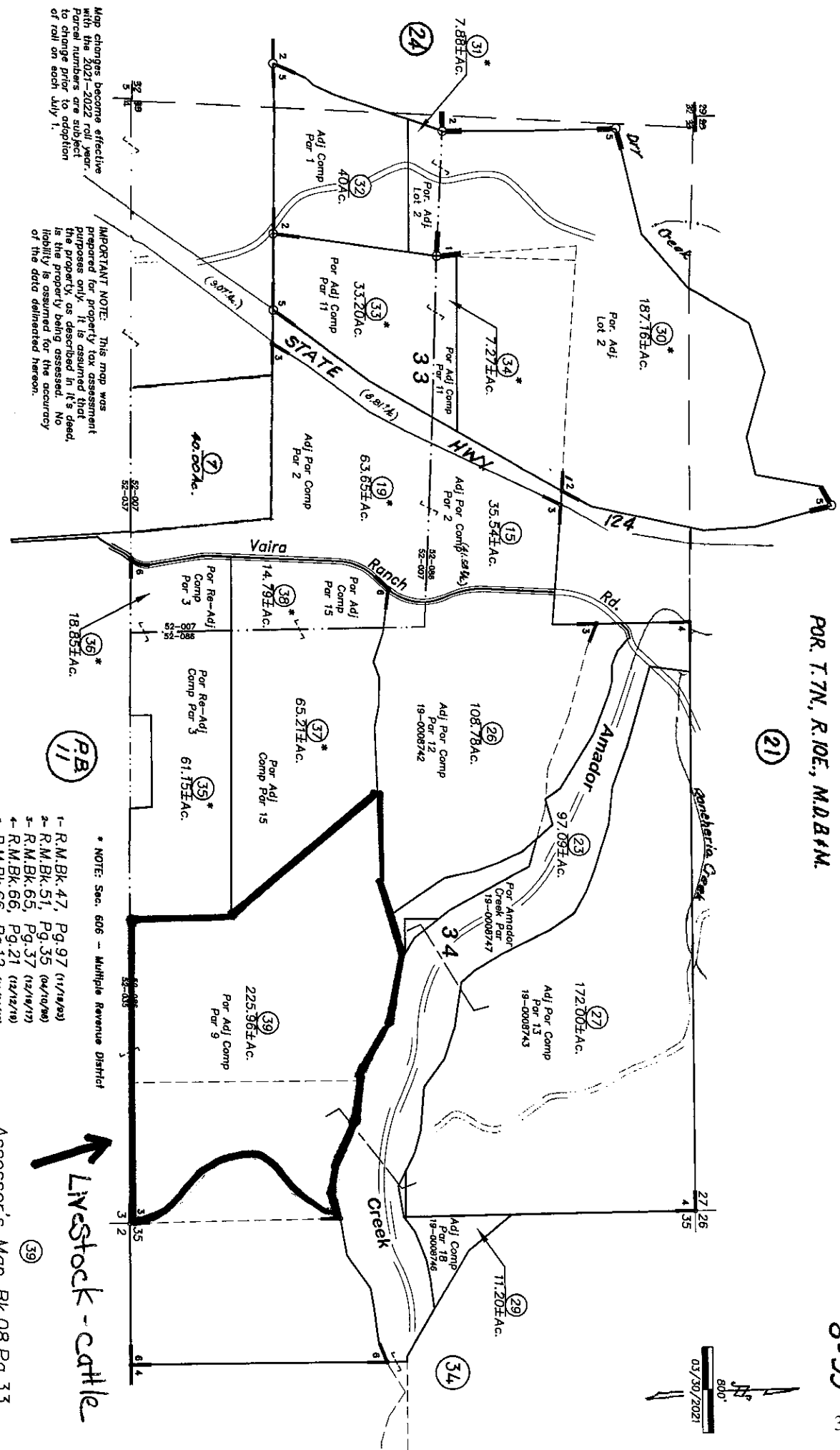
NOTE—Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

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

POR. T. 7N., R. 10E., M.D. B1M.

(21)

8-35



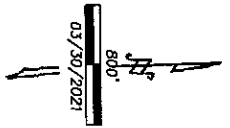
Map changes become effective with the 2021-2022 roll year. Parcel numbers are subject to change prior to adoption of roll on each July 1.

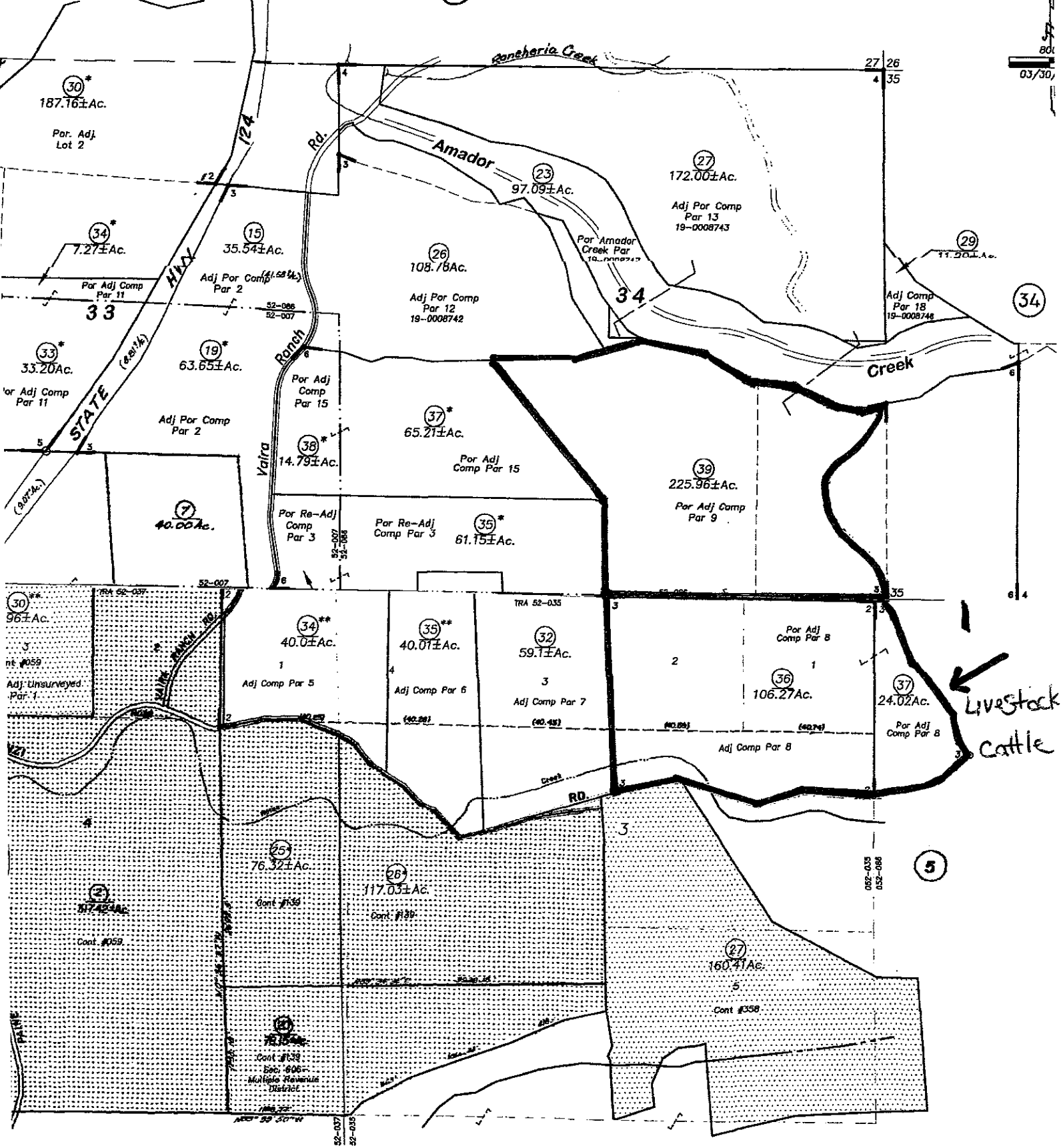
IMPORTANT NOTE: This map was prepared for property tax assessment purposes only. It is assumed that the property, as described in it's deed, is the property being assessed. No liability is assumed for the accuracy of the data delineated hereon.

- * 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





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.

7

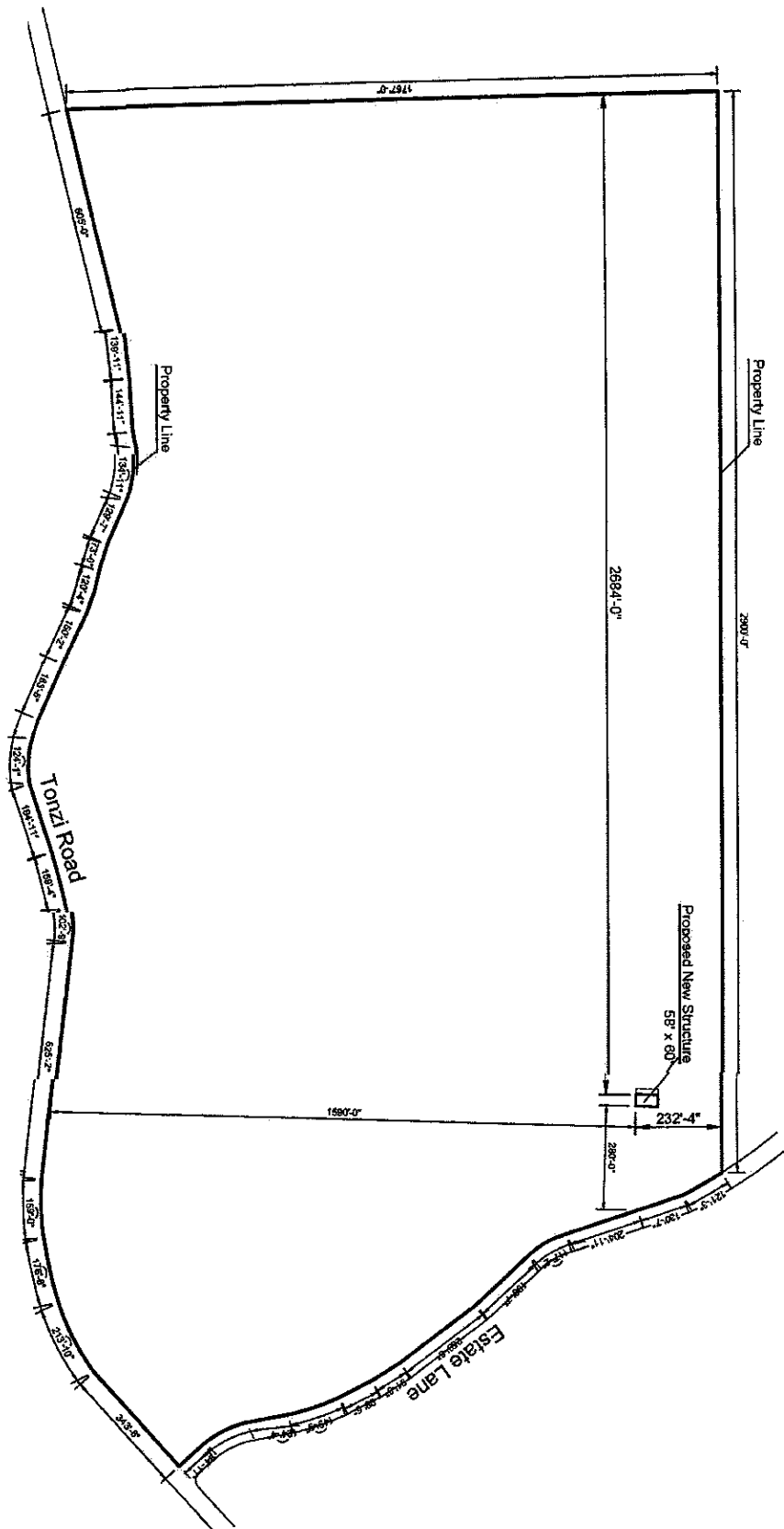
- R.M.Bk.52, Pg.100 (12/22/1999)
- 1-R.M.Bk.56, Pg.24 (12/18/2003)
- 2-R.M.Bk.65, Pg.37 (12/19/2012)
- 3-R.M.Bk.66, Pg.46 (08/12/2020)

37

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.



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





AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

PHONE: (209) 223-6380
FAX: (209) 223-6254
WEBSITE: www.amadorgov.org
E-MAIL: planning@amadorgov.org

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

Comments

AMA-124-PM 11.973 Zone Change Kurt Oneto

3 messages

Bauldry, Paul@DOT <paul.bauldry@dot.ca.gov>
To: Krista Ruesel <kruesel@amadorgov.org>
Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>

Mon, Apr 3, 2023 at 4:18 PM

Hello Krista,

California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Oneto Zone Change (ZC) application.

The proposed project is approximately two (2) miles from State Route (SR) 124.

The Assessor's Parcel Numbers are 008-330-039, 011-040-036, and 011-040-037.

The proposed project will not impact the SR based on the project description and distance to the nearest SR. Caltrans has no additional comments. However, Caltrans requests to be included in the review process for any improvements for the encroachment to SR 124.

Let me know if you have any questions.

Thanks,

Paul Bauldry

Caltrans District 10

Office of Rural Planning

Division of Planning, Local Assistance, and Environmental

1976 E. Dr. Martin Luther King Jr Blvd.

[Stockton CA 95205](#)

Telework # 209.670.9488

Krista Ruesel <kruesel@amadorgov.org>
To: "Bauldry, Paul@DOT" <paul.bauldry@dot.ca.gov>
Cc: "Ponce, Gregoria@DOT" <gregoria.ponce@dot.ca.gov>

Tue, Apr 4, 2023 at 1:07 PM

Received, thank you.

Krista Ruesel
Planner|Amador County Planning Department
(209)223-6803|kruesel@amadorgov.org

The information transmitted by this email is intended only for the person or entity to which it is addressed. This email may contain proprietary, confidential and/or privileged material. If you are not the intended recipient of this message, be aware that any use, review, retransmission, distribution, reproduction or any action taken in reliance upon this message is strictly prohibited. If you received this in error, please contact the sender and delete the material.

[Quoted text hidden]



Busy Message

Bauldry, Paul@DOT <paul.bauldry@dot.ca.gov>
To: Amador County Planning Department <planning@amadorgov.org>

Fri, Apr 7, 2023 at 11:53 AM

Hi Ruslan,

Thanks for the heads up.

I was calling about the "ZC-22;6-1 Oneto - Williamson Act Contract and Zone Change Application." Since this project is approximately two (2) miles from our State Right-of-Way (ROW), we don't have any comments since the proposed project will not impact the State's ROW.

Let me know if you have any questions.

Thanks,

Paul

209.670.9488

From: rbratan@amadorgov.org <rbratan@amadorgov.org> **On Behalf Of** Amador County Planning Department
Sent: Friday, April 7, 2023 10:54 AM
To: Bauldry, Paul@DOT <paul.bauldry@dot.ca.gov>
Subject: Re: Busy Message

EXTERNAL EMAIL. Links/attachments may not be safe.

[Quoted text hidden]



Krista Ruesel <kruesel@amadorgov.org>

Fwd: AMA-88-PM 11.973, Zone Change (ZC) Kurt Oneto

Ruslan Bratan <rbratan@amadorgov.org>
To: Krista Ruesel <kruesel@amadorgov.org>

Fri, Jul 1, 2022 at 8:56 AM

Ruslan Bratan

Planner | Amador County Planning Department

810 Court Street, Jackson, CA 95642

rbratan@amadorgov.org | (209) 223-6332

----- Forwarded message -----

From: **Bauldry, Paul@DOT** <paul.bauldry@dot.ca.gov>
Date: Fri, Jul 1, 2022 at 8:55 AM
Subject: AMA-88-PM 11.973, Zone Change (ZC) Kurt Oneto
To: Ruslan Bratan <rbratan@amadorgov.org>
Cc: Ponce, Gregoria@DOT <gregoria.ponce@dot.ca.gov>

Hello Ruslan,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Kurt R. Oneto proposed project. The proponent requests a zone change (ZC) from the Single-Family Residential & Agricultural (R1A) zoning district to the Exclusive Agriculture (AG) zoning district, in conjunction with a request for the inclusion of a combined 281.75 acres into a California Land Conservation Act (CLCA) Contract.

This project is located approximately two (2) miles from state route (SR) 124 in the City of Lone.

Based on the project description, Caltrans has no comments at this time. However, Caltrans requests to be included in the review process for any future development.

Thank you.

Paul Bauldry

Caltrans District 10

Office of Rural Planning


Division of Planning, Local Assistance, and Environmental

1976 E. Dr. Martin Luther King Jr Blvd.

[Stockton CA 95205](#)



Amador County Planning Department <planning@amadorgov.org>

to Kurt, Anna 

Hi Anna,

I just wanted to summarize our conversation we had last Friday. We will be moving the project on to the environmental review and will not require the applicant to provide additional CEQA Initial Study, we will forward a draft to you prior to moving the project forward to a public hearing thus allowing UAIC to provide additional information, mitigations, or recomm

Thank you,

Krista Ruesel, Planner

Amador County Planning Department
810 Court Street
Jackson, CA 95642
(209) 223-6380
planning@amadorgov.org



Anna Starkey

to me, Kurt 

Good morning,

Thank you for the summary of our conversation. Everything is correct and accurate.

I will be providing UAIC's mitigation measures and recommendations for the Tribal Cultural Resources Chapter of the IS/MND (assuming this will be a recommendation would include having a 100 foot set back of all identified cultural/tribal cultural resources. I will provide that language when we re

Thank you,

Anna



TAC Project Referral - ZC-22;6-1 Oneto - Williamson Act Contract and Zone Change Application - Completeness

AFPD Headquarters <afpdhdq@amadorgov.org>

Mon, Jul 18, 2022 at 12:07 PM

To: Amador County Planning Department <planning@amadorgov.org>

Thank you. CFD condition does not apply.

Nicole Cook
Amador Fire Protection District
810 Court Street
Jackson, CA 95642
209-223-6391-phone
209-223-6646-fax

This communication may contain legally privileged and confidential information sent solely for the use of the intended recipient, and the privilege is not waived by the receipt of this communication by an unintended and unauthorized recipient. If you are not the intended recipient of this communication you are not authorized to use it in any manner, and must either immediately destroy it or return it to the sender. Please notify the sender immediately by telephone at (209) 223-6391 if you received this communication in error."

[Quoted text hidden]



TAC Project Referral - ZC-22;6-1 Oneto - Williamson Act Contract and Zone Change Application - Completeness

7 messages

Amador County Planning Department <planning@amadorgov.org> Thu, Jun 23, 2022 at 12:13 PM
 Bcc: Todd Barr <tbarr@amadorgov.org>, Glenn Spitzer <gspitzer@amadorgov.org>, Chuck Beatty <CBeatty@amadorgov.org>, Ruslan Bratan <rbratan@amadorgov.org>, Mary Ann Manges <mmanges@amadorgov.org>, Krista Ruesel <kruesel@amadorgov.org>, Roger Pitto <rpitto@amadorgov.org>, Richard Vela <rvela@amadorgov.org>, Valerie Villa <vvilla@amadorgov.org>, Mark Hopkins <mhopkins@amadorgov.org>, Jeffry Gardner <jgardner@amadorgov.org>, Herminia Perry <hperry@amadorgov.org>, Mathew Peterson <mpeterson@amadorgov.org>, Gary Redman <gredman@amadorgov.org>, Cultural Committee <culturalcommittee@ionemiwok.net>, Sara <sara@ionemiwok.net>, Mike DeSpain <mike@buenavistatribe.com>, "Morningstar Pope, Rhonda" <rhonda@buenavistatribe.com>, Darrel Cruz <Darrel.Cruz@washoetribe.us>, Michelle Opalenik <mopalenik@amadorgov.org>, tribalchairperson@ssband.org, dfonseca@ssband.org, rcuellar@ssband.org, Amador County Recreation Agency <ACRA@amadorgov.org>, John Gedney <john@actc-amador.org>, Jared Critchfield <jcritchfield@acusd.org>, AFPD Head Quarters <afpdhdq@amadorgov.org>, Patrick Chew <pchew@amadorgov.org>, Dave Sheppard <dsheppard@amadorgov.org>, maggie@amadortransit.com, "Cook, Brandt" <bcook@amadorwater.org>, Darin McFarlin <darin.mcfarlin@fire.ca.gov>, Caltrans District 10 <d10.rural.igr@dot.ca.gov>, Fish and Wildlife Region 2 <R2CEQA@wildlife.ca.gov>, Matthew McKee <MMcKee@chp.ca.gov>, Roseanne Chamberlain <amador.lafco@gmail.com>, Bill Philpot <wtp6@pge.com>, Mara Feeney <marafeeney@gmail.com>, Katherine Evatt <katherine@mokeriver.com>, Sherry Pease <sherry@foothillconservancy.org>, carolyn@foothillconservancy.org, Amy Gedney <agedney@cityofsuttercreek.org>, calaverasband.miwukindians@gmail.com, calaverasmiwukpreservation@gmail.com, lmathiesen@crtribal.com, Adam Dalton <adalton@jacksoncasino.com>, bguth@auburnrancheria.com, Amanda Watson <Amanda@amadorrtd.org>, Kurt Oneto <kurt.oneto@gmail.com>

Greetings,

Please see attached submittal of ZC-22;6-1 Oneto - R1A to AG (CLCA), to be reviewed by the Technical Advisory Committee on **Thursday, July 7, 2022 at 1:00 PM** in the Board of Supervisors Chambers in the Amador County Administration Center, located at 810 Court St., Jackson, CA 95642. The Technical Advisory Committee will review the project for completeness.

Thank you,
 Amador County Planning Department
 810 Court Street
 Jackson, CA 95642
 (209) 223-6380
planning@amadorgov.org

Staff Referral Memo - Oneto ZC-22;6-1 CLCA.pdf
1830K

Amador County Planning Department <planning@amadorgov.org>
 Bcc: David Estey <destey@amadorgov.org>

Thu, Jun 23, 2022 at 12:17 PM

[Quoted text hidden]

Staff Referral Memo - Oneto ZC-22;6-1 CLCA.pdf
1830K

CulturalCommittee IBMI <culturalcommittee@ionemiwok.net>
 To: Amador County Planning Department <planning@amadorgov.org>

Thu, Jun 30, 2022 at 3:50 PM

Cc: Jereme Dutschke <jereme@ionemiwok.net>

Hi Ruslan,

Could you please send the cultural resources report for this application?

Thank you,



Cultural Committee
Ione Band of Miwok Indians
9252 Bush Street
Plymouth, CA 95669-0699
Email: culturalcommittee@ionemiwok.net

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[Quoted text hidden]

Amador County Planning Department <planning@amadorgov.org>
To: CulturalCommittee IBMI <culturalcommittee@ionemiwok.net>
Cc: Jereme Dutschke <jereme@ionemiwok.net>

Thu, Jun 30, 2022 at 4:00 PM

Hi Jereme,

There was no cultural resources study submitted with this project, however, I suspect TAC will find that one will be required in order to find the application complete.

Thanks,

Krista Ruesel, Planner

Amador County Planning Department
810 Court Street
Jackson, CA 95642
(209) 223-6380
planning@amadorgov.org

[Quoted text hidden]

AFPD Headquarters <afpdhdq@amadorgov.org>
To: Amador County Planning Department <planning@amadorgov.org>

Mon, Jul 18, 2022 at 11:58 AM

Do you know if this parcel is going to go into the Williamson Act?

Nicole Cook
Amador Fire Protection District
810 Court Street
Jackson, CA 95642
209-223-6391-phone
209-223-6646-fax

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[Quoted text hidden]

Amador County Planning Department <planning@amadorgov.org>
To: AFPD Headquarters <afpdhdq@amadorgov.org>

Mon, Jul 18, 2022 at 12:05 PM

Yes the application is for a new Contract.

Amador County Planning Department
810 Court Street
Jackson, CA 95642
(209) 223-6380
planning@amadorgov.org

[Quoted text hidden]

AFPD Headquarters <afpdhdq@amadorgov.org>
To: Amador County Planning Department <planning@amadorgov.org>

Mon, Jul 18, 2022 at 12:07 PM

Thank you. CFD condition does not apply.

Nicole Cook
Amador Fire Protection District
810 Court Street
Jackson, CA 95642
209-223-6391-phone
209-223-6646-fax

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[Quoted text hidden]



AB52: ZC-22;6-1 Oneto Consultation

27 messages

Amador County Planning Department <planning@amadorgov.org>

Wed, Nov 2, 2022 at 8:59 AM

To: Anna Starkey <astarkey@auburnrancheria.com>

Cc: Kurt Oneto <kurt.oneto@gmail.com>, "peakinc@sbcglobal.net" <peakinc@sbcglobal.net>

Hello Anna,






I'm reaching out regarding the AB 52 consultation for this item. I have included the materials we have that have been submitted by the applicant. Once you have the opportunity to review these items, I'd be happy to schedule a meeting with you and the project applicant regarding the next steps in the consultation process. If I'm not mistaken, I believe the applicant has employed the services of Peak and Associates, Inc. to assist in the consultation, copied above.

Thank you,

Krista Ruesel, Planner

Amador County Planning Department
810 Court Street
Jackson, CA 95642
(209) 223-6380
planning@amadorgov.org

5 attachments

-  **2011 Local News Story.pdf**
1093K
-  **4.12.11 Amador Co Plann Com Minutes (1) (1).pdf**
897K
-  **2011 - Operating Engineers Proposal - County Staff Report (1).pdf**
670K
-  **45 Cultural Resources.pdf**
1674K
-  **Confidential - Oneto Ranch Recorded Cultural Resources.pdf**
1740K

Amador County Planning Department <planning@amadorgov.org>

Thu, Feb 2, 2023 at 12:18 PM

To: Anna Starkey <astarkey@auburnrancheria.com>

Cc: Kurt Oneto <kurt.oneto@gmail.com>, "peakinc@sbcglobal.net" <peakinc@sbcglobal.net>

Hello Anna,

I was hoping to touch base with you regarding this project. Will you be needing additional studies for this consultation, or are you okay with us moving this project forward with the environmental review? If you have comments at this time, we would be happy to incorporate them in the processing of this application. Please let me know, as we are hoping to schedule this item to move forward as soon as possible.

Thanks,

Krista Ruesel, Planner
Amador County Planning Department
810 Court Street
Jackson, CA 95642



Amador County Planning Department <planning@amadorgov.org>

to Anna, Kurt 

I don't think we need anything else as long as you are fine with closing out the consultation and approving the conditions as written. The TRC condition will be included under the ac
If everything looks good it will be uploaded tonight with the staff report.

Thanks!

Krista

Amador County Planning Department
810 Court Street
Jackson, CA 95642
(209) 223-6380
planning@amadorgov.org

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[Message clipped] [View entire message](#)



Anna Starkey

to me, Kurt 

Looks good and consultation can be closed.

Thank you for your time and consideration.

Anna



Anna M. Starkey, M.A., RPA
Cultural Regulatory Specialist
Tribal Historic Preservation Department | UAIC
10720 Indian Hill Road
Auburn, CA 95603
Direct Line: (916) 251-1565 | Cell: (530) 863-6503
astarkey@auburnrancheria.com | www.auburnrancheria.com