

**STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION  
FOR MEETING OF: September 12, 2023**

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**ITEM 2 Zone Change ZC-23;7-1 Joses-Yager, including a request to establish two (2) new CLCA Contracts consisting of ±444 acres and ±719 acres, in conjunction with the application for a Boundary Line Adjustment and a Zone Change for all parcels from the R1A, Single-family Residential and Agricultural Zoning District to the AG, Exclusive Agriculture Zoning District. All parcels have the AG, Agricultural General, General Plan Designation. Subject parcels are identified by APNs 011-090-007, 011-120-002, 011-120-018, 011-120-008, 011-120-009, 011-150-018, 011-150-002, 011-150-001.**

**Applicants:** John Joses and Lewis Yager

**Property Owner(s):** John K. Joses and Lela V. Joses, Trustees of the J & L Joses Trust dated April 24, 2012, and Joanne Smith, Peter Yager, and Lewis Yager, as trustees of the Frank Yager Living Trust dated July 19, 1991.

**Supervisorial District:** 2

**Location:** East of the City Limits of Ione and the intersection of CA State Highway 124 and CA State Highway 104.

- A. General Plan Designation:** AG, Agricultural General
- B. Present Zoning:** R1A, Single-family Residential and Agriculture
- C. Proposed Zoning:** AG, Exclusive Agriculture
- D. Acreage Involved:** 1201.55 acres, (±444 acres and ±719 acres)
- E. Description:** The applicants have applied for two new CLCA (Williamson Act) Contracts for ±444 acres and ±719 acres, respectively, in conjunction with the application for a Boundary Line Adjustment. 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 properties are currently zoned R1A and therefore require rezones to AG to allow for the inclusion in Williamson Act Contracts. The AG district allows more by-right uses than the R1A district does however the Draft Williamson Act Contracts proposed for this project require the applicant(s) 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. Therefore, the applicant(s) are not required to analyze the environmental impacts of those by-right uses that would require a use permit at this time.
- F. Agricultural Advisory Committee Recommendation:** The Agricultural Advisory Committee reviewed the request on July 12, 2023 and determined the application as proposed would qualify for inclusion under the California Land Conservation Act (CLCA)(Williamson Act).
- G. Staff Review:** This project was reviewed by the Amador County Technical Advisory Committee (TAC) on July 20, 2023 and August 3, 2023. TAC has no technical objections to the Planning Commission recommending approval of the variance and the proposed Exemption from CEQA, pursuant to Class 17 (Open Space Contracts or Easements), subject to the findings set forth below. 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.
- H. 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.

**I. 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).

**J. 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.

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

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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.

**MINUTES**  
**AMADOR COUNTY AGRICULTURAL ADVISORY COMMITTEE**  
**MEETING OF WEDNESDAY, FEBRUARY 1, 2023**

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

The following members were present:

David Bassett, District 1  
Dan Port, District 2 (Vice Chair)  
Gary Gladen, District 3  
John Allen, Jr., District 4 (Chair)  
Eric Mayberry, Agricultural Commissioner  
Mark Bennett, Planning Commissioner  
Patty Bautista, Assessor's Office  
Scott Oneto, Farm Advisor

The following members were absent:

Dan Dentone, District 5

Staff in attendance:

Chuck Beatty, Planning Department  
Mary Ann Manges, Recording Secretary  
Krista Ruesell, Planner II

Others present:

Jeffery Himmelmann, Assessor's Office

- A. **Correspondence:** None
- B. **Public matters and persons wishing to address the Committee regarding non-agenda items:** None
- C. **Approval of minutes:** Minutes of the March 2, 2022 meeting were approved following a motion by Dave Bassett, seconded by Gary Gladen.

**Ayes:** Bassett, Gladen, Allen, Mayberry, Bennett, Bautista, Port  
**Absent:** Dentone

D. **Agenda Items:**

- Item 1: **Request for a zone change from the "R1A," Single Family Residential & Agricultural zoning district to the "AG," Exclusive Agriculture zoning district in conjunction with a request for inclusion of a combined 281.75**

**acres into a California Land Conservation Act (CLCA) Contract (APN:008-330-039, 011-040-036, and 011-040-037).**

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

Chair Allen introduced the item.

Chair Allen asked if the applicant desires to merge the parcels or have them qualify individually. The applicant was not present to answer and Ms. Ruesel stated that she is not sure what the applicant's intent is. Chair Allen said they typically are all merged. Mr. Beatty responded that is what typically is recommendation particularly if they do not qualify individually. Vice Chair Port asked if that is Planning Department policy. Mr. Beatty said part of the application by default asks the assessor to merge the parcels. Chair Allen says that each parcel is sellable on its own. Ms. Bautista said that none of the parcels are currently being assessed for improvements. Mr. Beatty stated that the proposed improvement is the one with the 106 acre parcel with the barn on it. Mr. Bassett asked if the 106 acre one has enough income. Chair Allen responded that his numbers are right and that it does.

Upon a motion by Eric Mayberry, seconded by Dave Bassett, and unanimously carried, the Committee recommended approval to either

- Approve the 106 acre parcel by itself
- Merge all 3 parcels together
- Put the 106 in its own contract and merge the other 2 and put them in their own contract

**Ayes:** Mayberry, Bassett, Gladen, Allen, Mayberry, Bennett, Bautista, Port

**Absent:** Dentone

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

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John Allen, Jr., Chair

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Chuck Beatty, Planning Director





AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY  
**PLANNING DEPARTMENT**

PHONE: (209) 223-6380  
FAX: (209) 223-6254  
WEBSITE: [www.amadorgov.org](http://www.amadorgov.org)  
E-MAIL: [planning@amadorgov.org](mailto:planning@amadorgov.org)

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

### NOTICE OF PUBLIC HEARING

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

**PROJECT DESCRIPTION:** Zone Change ZC-23;7-1 Joses-Yager, including a request to establish two (2) new CLCA Contracts consisting of ±444 acres and ±719 acres, in conjunction with the application for a Boundary Line Adjustment and a Zone Change for all parcels from the R1A, Single-family Residential and Agricultural Zoning District to the AG, Exclusive Agriculture Zoning District. All parcels have the AG, Agricultural General, General Plan Designation. Subject parcels are identified by APNs 011-090-007, 011-120-002, 011-120-018, 011-120-008, 011-120-009, 011-150-018, 011-150-002, 011-150-001.

**Applicants:** John Joses and Lewis Yager

**Supervisory District:** 2

**Location:** East of the City Limits of Ione and the intersection of CA State Highway 124 and CA State Highway 104.

**PUBLIC HEARING:** Discussion and possible action on this project by the Amador County Planning Commission will take place following a public hearing scheduled for **September 12, 2023 at 7:00 p.m. in the Board Chambers of the County Administration Center located at 810 Court St., Jackson, CA 95642.** The meeting may be attended in person or via teleconference by dialing **669-900-6833** and using **meeting ID 537-512-9883**, or by using the following link: <https://zoom.us/j/5375128983>.

The Chairperson will invite the public to comment via phone/online. Public comment will also be accepted at the above address or at [planning@amadorgov.org](mailto:planning@amadorgov.org). Comments received prior to publication of the agenda will be included in the agenda packet. The agenda will be published online at [www.amadorgov.org](http://www.amadorgov.org) in the Agendas and Minutes section. Comments received after publication of the agenda will be distributed to the Commissioners prior to the meeting, and shall be subject to the same rules as would otherwise govern speaker comments at the meeting. However, be advised that due to time constraints, the Commissioners may not be able to give letters submitted after the agenda 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.

In compliance with the Americans with Disabilities Act, if you need an accessibility-related 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](mailto:planning@amadorgov.org). Requests must be made as early as possible, and at least two business days before the start of the meeting.

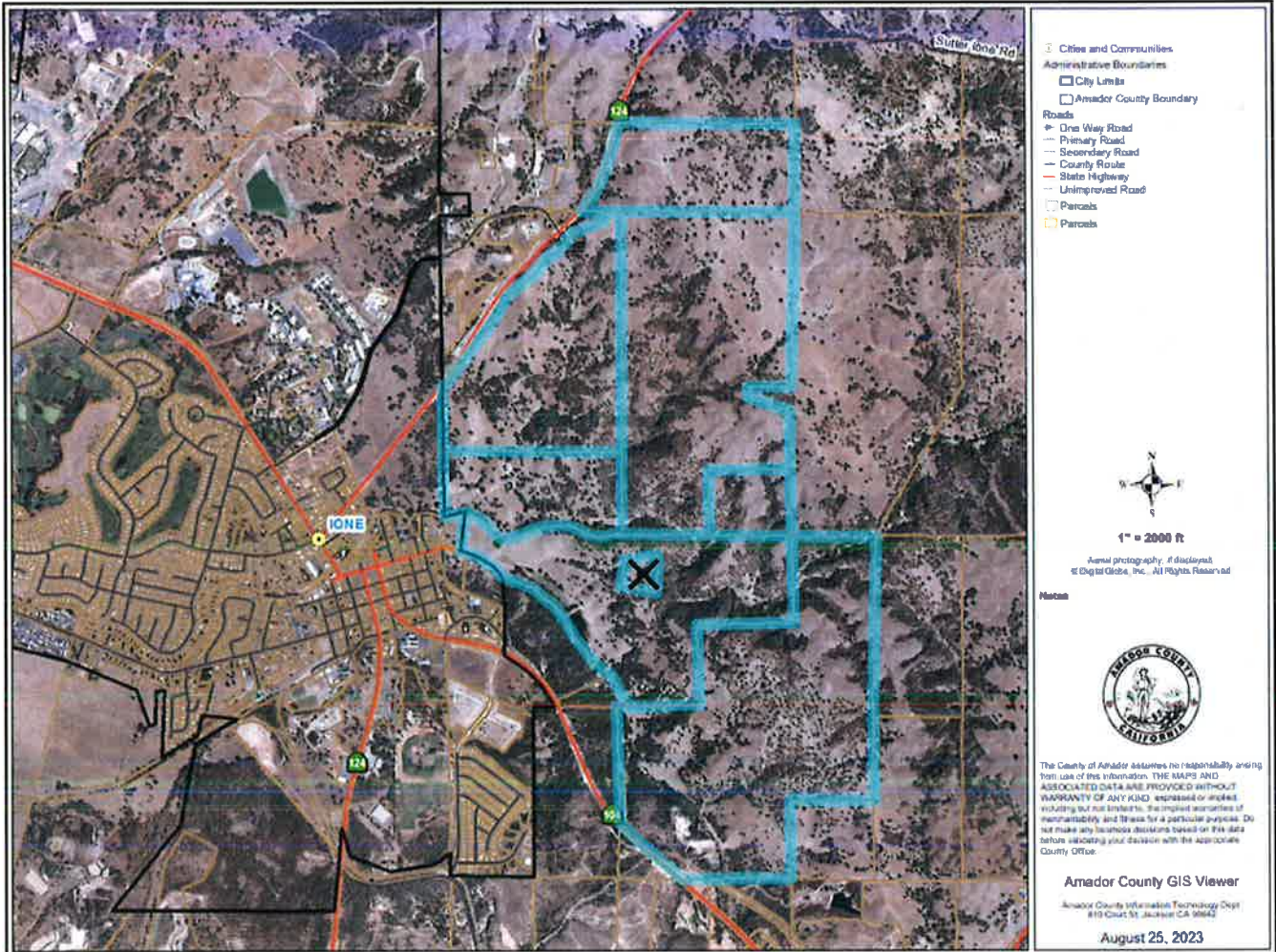
**NOTE:** If you do not comment at the public hearing or send in written comments and later decide to challenge the nature of this proposed action in court, you may be limited to raising only those issues you raised at the public hearing or have given in written correspondence delivered to the public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

**ENVIRONMENTAL REVIEW PROCESS:** In accordance with the California Environmental Quality Act (CEQA), the lead agency, the Amador County Planning Commission, intends to consider this project Categorical Exempt from CEQA pursuant to Class 17 (Open Space Contracts or Easements). The application materials appear to be complete and indicate there are no extraordinary or unique environmental issues.

If you have any questions or desire more information, please contact this office.

**AMADOR COUNTY PLANNING COMMISSION**  
**Date of this notice: August 28, 2023**

# SUBJECT PARCEL HIGHLIGHTED BELOW



- |   |                      |
|---|----------------------|
| 1. GIS List. <u>300</u> ft. Plus _____<br>(Distance) (Special Instructions: e.g. to end of access road)   | Initial<br><u>KR</u> |
| 2. Checked <u>all</u> APN pages of those parcels from the GIS list for "NOTES" or "SPECIAL INSTRUCTIONS." | <u>KR</u>            |
| 3. Project Applicant and Representative(s), if applicable.  | <u>KR</u>            |
| 4. Checked Project file cover for agency distribution.  | <u>KR</u>            |
| 5. Checked inside file for special requests for notification.   | <u>KR</u>            |
| 6. Checked old notification list for additional notification.   | <u>NA</u>            |
| 7. Other – Specify:<br>_____<br>_____<br>_____  |                      |

**AFFIDAVIT OF SERVICE BY MAIL**

I am a citizen of the United States, over eighteen years of age, employed in Amador County, and not a party to the within action; my business address is 810 Court Street, City of Jackson, State of California. I hereby declare I served a copy of the attached public hearing notice regarding 2C-23, 7-1 Fees + Nager New WA by placing copies in 26 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 August 28, 2023 at Jackson, California.

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

Executed at Jackson, California on August 28, 2023

Signed [Signature]

Witness [Signature]

Allez à avery.ca/gabarits  
Utilisez le Gabarit Avery 5160

STOUFFER ALAN & CARI  
216 N SUMMIT ST  
IONE, CA 95640

LANE DAVID R JR  
PO BOX 1224  
IONE, CA 95640

YAGER FRANK LIVING TRUST C/O  
YAGER LEWIS  
PO BOX 553  
IONE, CA 95640

HOSKINS HELEN P TRUST  
6700 SUTTER IONE RD  
IONE, CA 95640

JOSES PHILIP J TRUST & JOSES J & L  
TRUST C/O JOSES JOHN K  
PO BOX 365 IONE, CA 95640

WINDLEY WESLEY A & MITZI M  
PO BOX 1240  
IONE, CA 95640

LASAVIO DAVID J & LILLY  
120 W JACKSON ST  
IONE, CA 956409816

JACKSON VALLEY PROPERTIES  
4405 BUENA VISTA RD  
IONE, CA 95640

PABCO BUILDING PRODUCTS LLC C/O  
TAX DEPARTMENT  
PO BOX 419074  
RANCHO CORDOVA, CA 957419074

Étiquettes d'adresse Easy Peel  
Repliez à la hauteur afin de révéler le rebord Pop-up

ULM J & S TRUST ULM JAMES R &  
SHIRLEY E TRUSTEES  
500 ROBIN CT  
IONE, CA 95640

MARTINEZ KRISTEN & CHEGIA  
DANIELLE  
PO BOX 277  
IONE, CA 956400277

RED BARN INVESTORS LLC C/O  
TELISCHAK & COMPANY  
4370 TOWN CENTER BLVD STE 100  
EL DORADO HILLS, CA 957627139

PARIANI TYSON J & WALLACE LAURA K  
10835 WATERMAN RD  
IONE, CA 95640-9721

MASON RANCH TRUST MASON  
JENNIFER L TRUSTEE  
7775 OLD SACRAMENTO RD  
PLYMOUTH, CA 95669-9738

MACKAY KEN & DEBBIE  
PO BOX 275  
IONE, CA 95640

YAGER FRANK LIVING TRUST C/O FURY  
LISA  
2225 HAYLOFT DR  
FOLSOM, CA 956306198

AMADOR COUNTY WATER AGENCY  
12800 RIDGE ROAD  
SUTTER CREEK, CA 95685

DELTA RECREATION FRATERNITY LLC  
4633 PINE VALLEY CIR  
STOCKTON, CA 95219

Pat: avery.com/patents

YAGER LEWIS C  
PO BOX 553  
IONE, CA 95640

CITY OF IONE  
P O BOX 398  
IONE, CA 95640

JOSES JOSEPHINE ESTATE OF & J & L  
JOSES TRUST & JO C/O JOSES JOHN  
PO BOX 365  
IONE, CA 95640

JOHNSON MARTIN & JOHNSON  
MAEBETH & PATRICK MARK & C/O  
JOHNSON MARTIN & MAEBETH  
10845 WATERMAN RD  
IONE, CA 95640

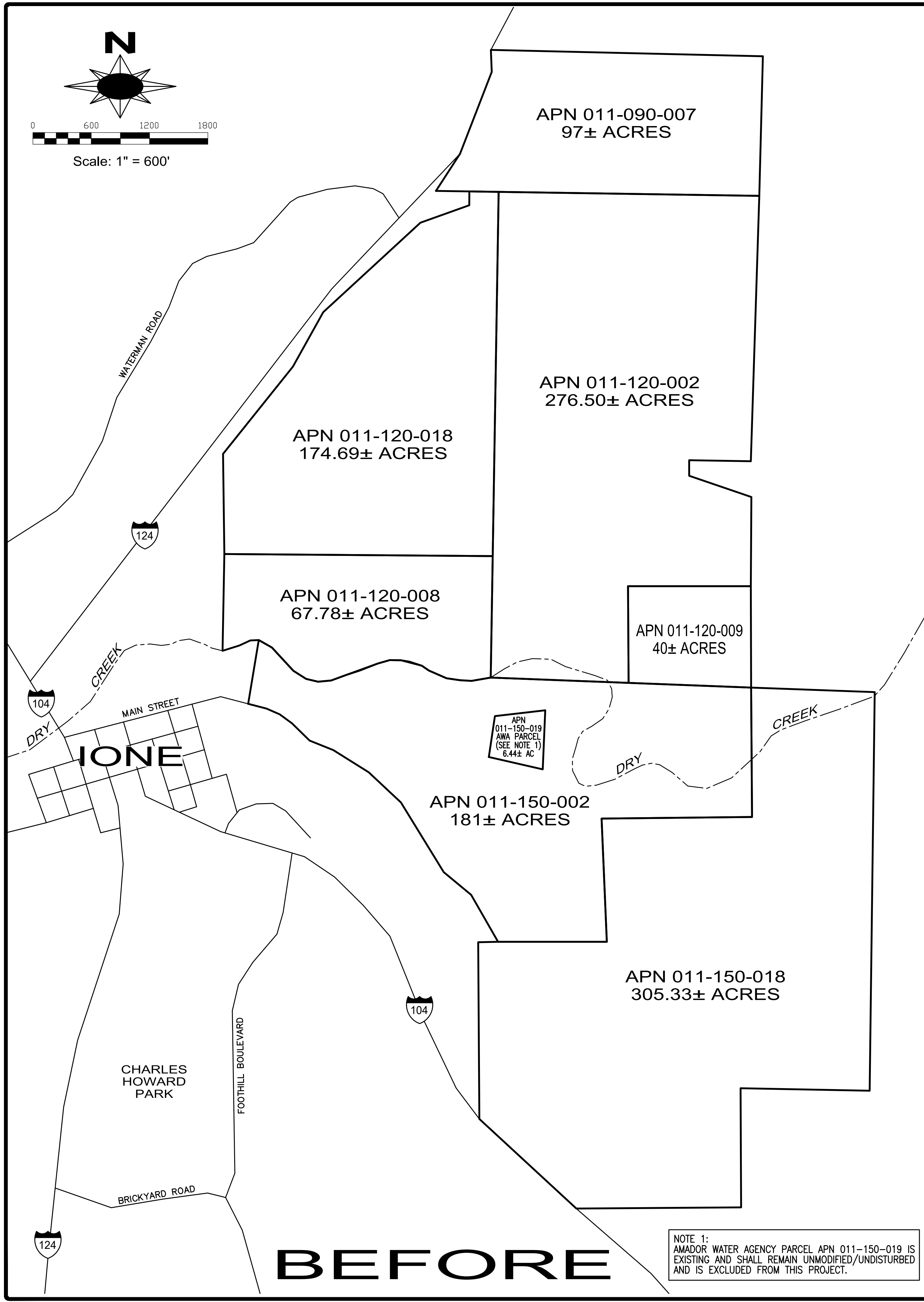
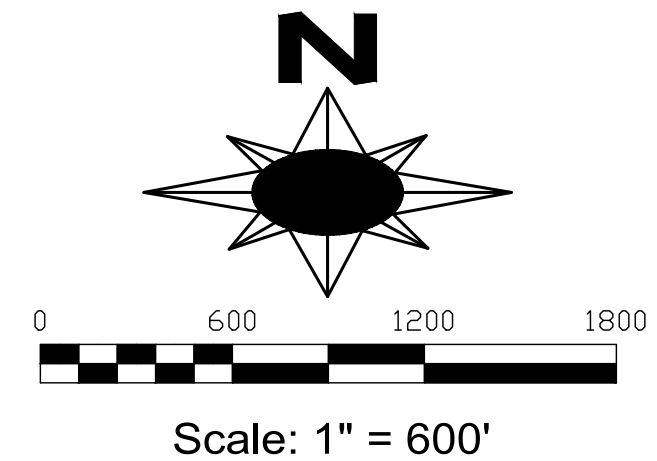
QUESTO JON S & DEBRA  
PO BOX 31  
IONE, CA 95640-0031

DOSANJH BALHAR  
7911 JACOBSEN CT  
SACRAMENTO, CA 958296598

GOINS DWIGHT A TRUST GLAVENICH  
SHANNON PATRICIA SUCCESSOR  
TRUSTEE  
PO BOX 254  
SUTTER CREEK, CA 95685-0254

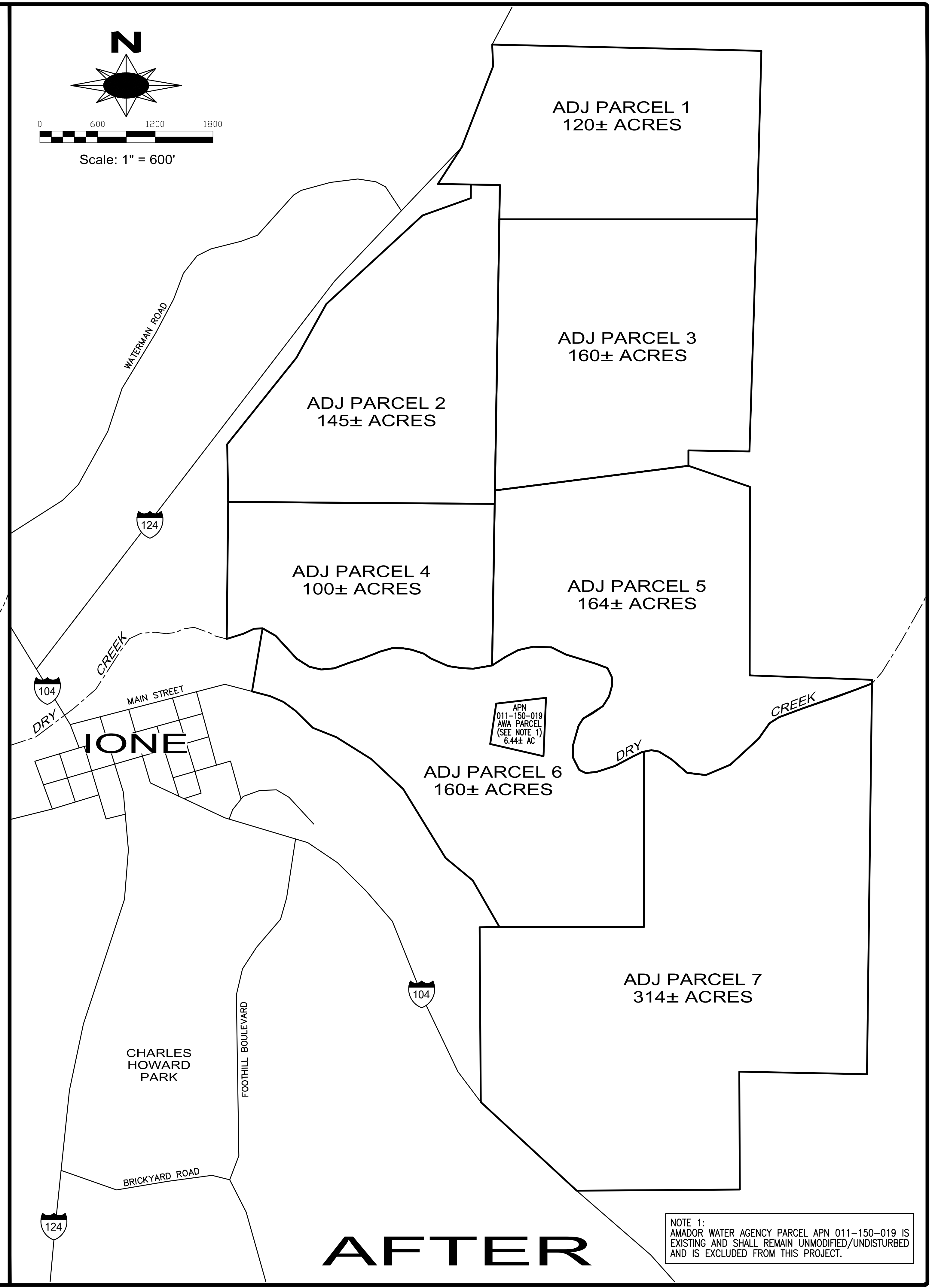
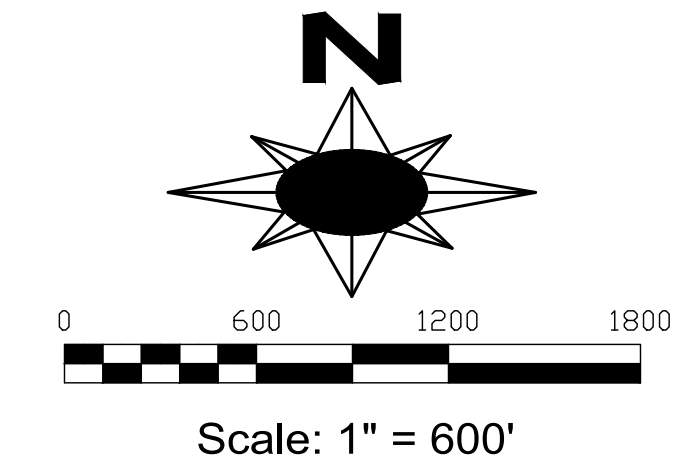
ANGIOTHEUTICS LLC C/O FENG,  
XIAODONG  
6041 GRANT AVE  
CARMICHAEL, CA 95608-3318





NOTE 1:  
AMADOR WATER AGENCY PARCEL APN 011-150-019 IS EXISTING AND SHALL REMAIN UNMODIFIED/UNDISTURBED AND IS EXCLUDED FROM THIS PROJECT.

**BEFORE**



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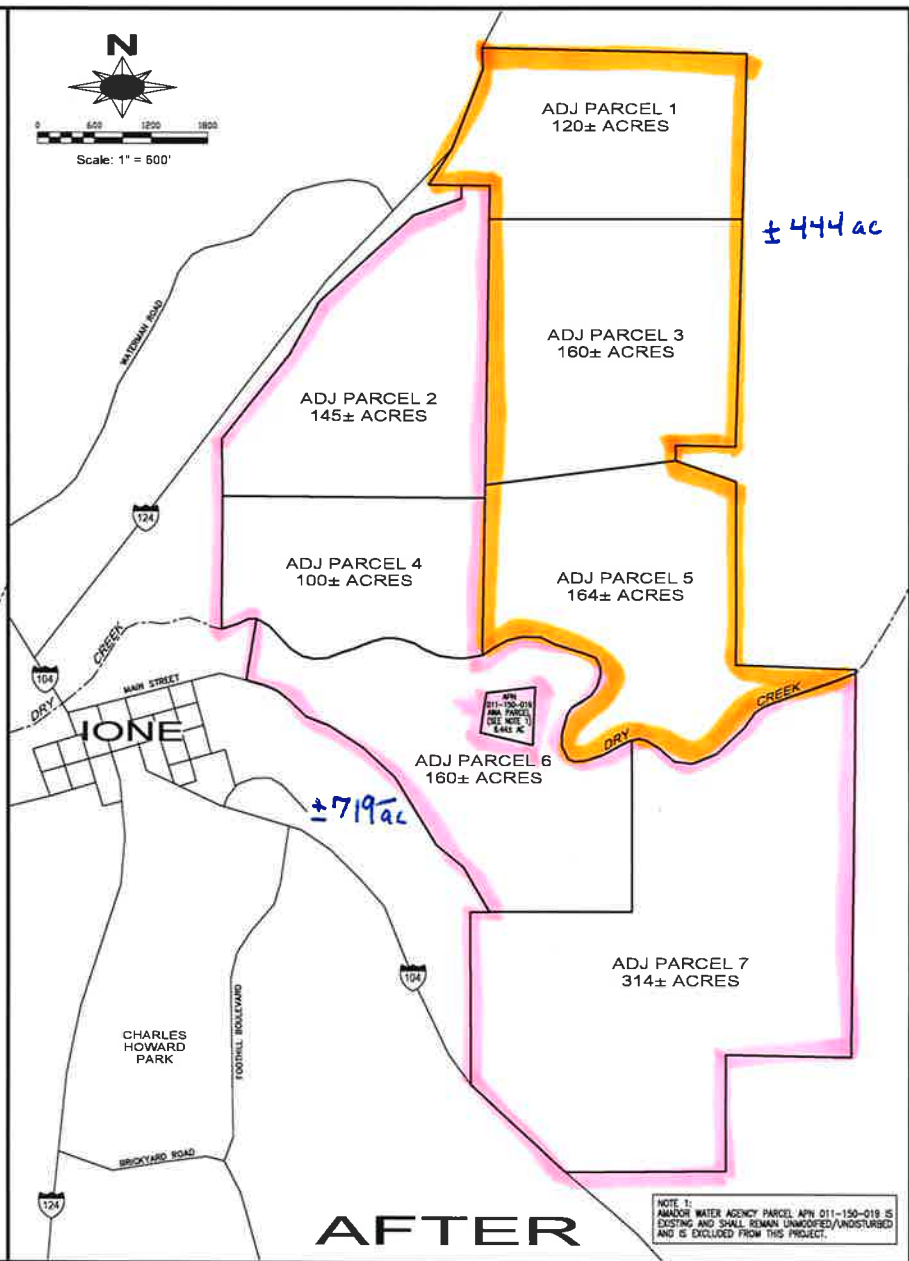
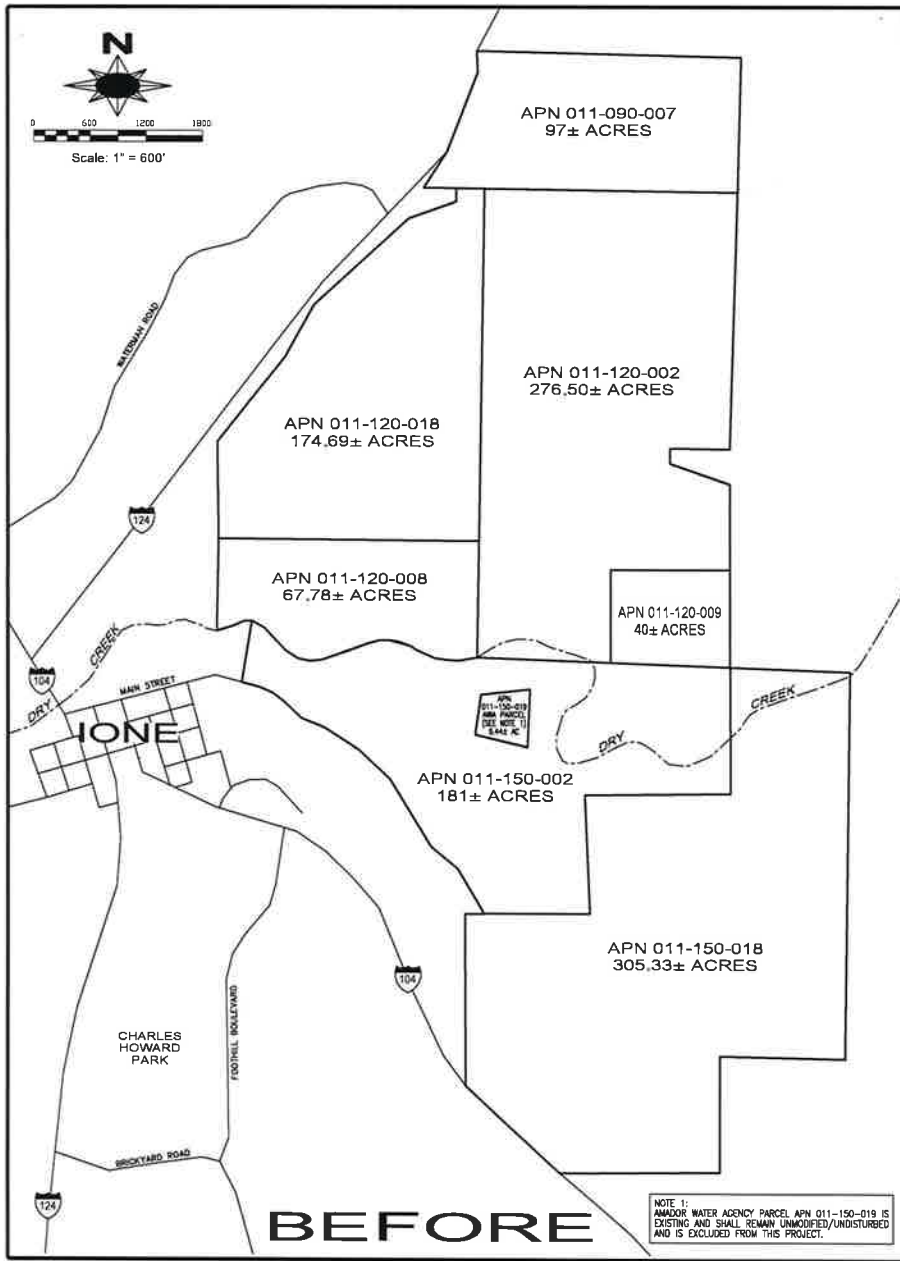
**AFTER**

REVISIONS	BY

**TOMA & ASSOCIATES INC.**  
ENGINEERING - SURVEYING - PLANNING  
41 Summit Street, Jackson, CA 95642  
(209) 223-0156

**EXHIBIT MAP**  
**PROPOSED BOUNDARY LINE ADJUSTMENT**  
**AND WILLIAMSON ACT ANNEXATION**  
BEING A PORTION OF SECTIONS 18, 19 AND 30, T. 6 N., R. 10 E., M. D. M.  
AMADOR COUNTY, CALIFORNIA

APNs: 011-090-007 011-120-002 011-120-008 011-120-009 011-120-018 011-150-002 011-150-018
DATE: 7.20.2023
SCALE: 1" = 600'
DRAWN BY: GMW
JOB NO.: 2306-23
SHEET
<b>1</b>
OF 1 SHEETS



REVISIONS	BY

**TOMA & ASSOCIATES INC.**  
ENGINEERING - SURVEYING - PLANNING  
41 Summit Street, Jackson, CA 95842  
(209) 223-0186

**EXHIBIT MAP**  
**PROPOSED BOUNDARY LINE ADJUSTMENT AND WILLIAMSON ACT ANNEXATION**  
BEING A PORTION OF SECTIONS 16, 19 AND 20, T.7N., 6 N., R. 10 E., M. D. M. AMADOR COUNTY, CALIFORNIA.

APNs:  
011-090-007  
011-120-002  
011-120-008  
011-120-018  
011-150-002  
011-150-018


DATE: 7.26.2023  
SCALE: 1" = 600'  
DRAWN BY: GJM  
JOB NO.: 2306-23

SHEET  
**1**  
OF 1 SHEETS

## 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.


  
 JOHN JOSES  
 (209) 329-2785

**ITEM B** Attach current title report.

FRANK YAGGER TRUST Pt 7/4/19

**ITEM C** Attach legal description of all property included in this request. (SEE DEEDS)

**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
011-090-007	97.00	GRAZING	97.00		
011-120-002	276.50	GRAZING	276.50		
011-120-008	67.78	GRAZING	60± AC		
011-120-009	40.00	GRAZING	40.00		
011-120-018	174.69	GRAZING	174.69		
011-150-001	59.23	GRAZING	59.23		
011-150-002	181.00	GRAZING	181.00		
011-150-018	305.33	GRAZING	305.33		
<b>Total Acres in request.</b>	<b>1201.53 ±</b>				

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		58 cows 6 months Animal Units	
Irrigated Pasture		Animal Units	
Field Crops		Tons Per Acre	
		Tons Per Acre	
Row Crops		Tons Per Acre	
		Tons Per Acre	
Orchard		Tons Per Acre	
Other			

**ITEM F: OTHER INCOME FROM THE LAND**

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

**ITEM G: LEASES**

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

**ITEM H: IMPROVEMENT AND INCOME STATEMENT**

**1. PERMANENT AGRICULTURAL IMPROVEMENTS**

APN-011-120-008  
67.78 AC

Type of Improvement	Estimated Value
Barn(s) 75,000	
Corral(s) 5,000	
Fences 5,000	
Wells	
Water Systems	
Other (specify)	
TOTAL	

**2. ESTIMATED INCOME**

Use	Estimated Annual Income
\$35,000 - CATTLE INCOME	\$35,000
TOTAL	

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

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

PHONE: \_\_\_\_\_

Signature of person who prepared application. \_\_\_\_\_

Date \_\_\_\_\_

Additional persons to be notified concerning action on this request:

NAME: John K. [Signature]

ADDRESS: [Signature]

CITY: Leic [Signature]

PHONE: FR 744

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

PHONE: \_\_\_\_\_

FRANK ALGER TRUST

**ITEM E: AGRICULTURAL PRODUCTION FROM THE LAND**

Use	Crop	Production	Comments
Dry Pasture		Animal Units <i>40 cows</i>	
Irrigated Pasture		Animal Units	
Field Crops		Tons Per Acre	
		Tons Per Acre	
Row Crops		Tons Per Acre	
		Tons Per Acre	
Orchard		Tons Per Acre	
Other			

**ITEM F: OTHER INCOME FROM THE LAND**

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

**ITEM G: LEASES**

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

**ITEM H: IMPROVEMENT AND INCOME STATEMENT**

**1. PERMANENT AGRICULTURAL IMPROVEMENTS**

Type of Improvement	Estimated Value
Barn(s)	
Corral(s)	
Fences \$ 30,000	
Wells	
Water Systems	
Other (specify) 1 pond	
TOTAL	

**2. ESTIMATED INCOME**

Use	Estimated Annual Income
Cattle Income	\$ 60,000
TOTAL	

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

NAME: Frank Yager

ADDRESS: Alto

CITY: Lincoln

PHONE: 407-444-4444

Signature of person who prepared application.

FRANK YAGER TRUST

Date

Additional persons to be notified concerning action on this request:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

PHONE: \_\_\_\_\_

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

PHONE: \_\_\_\_\_



**INDEMNIFICATION**

Project: \_\_\_\_\_

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.

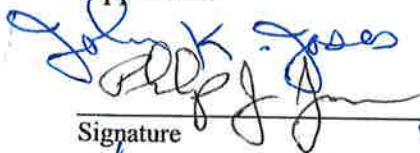
2. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, action, or proceeding in good faith.

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:

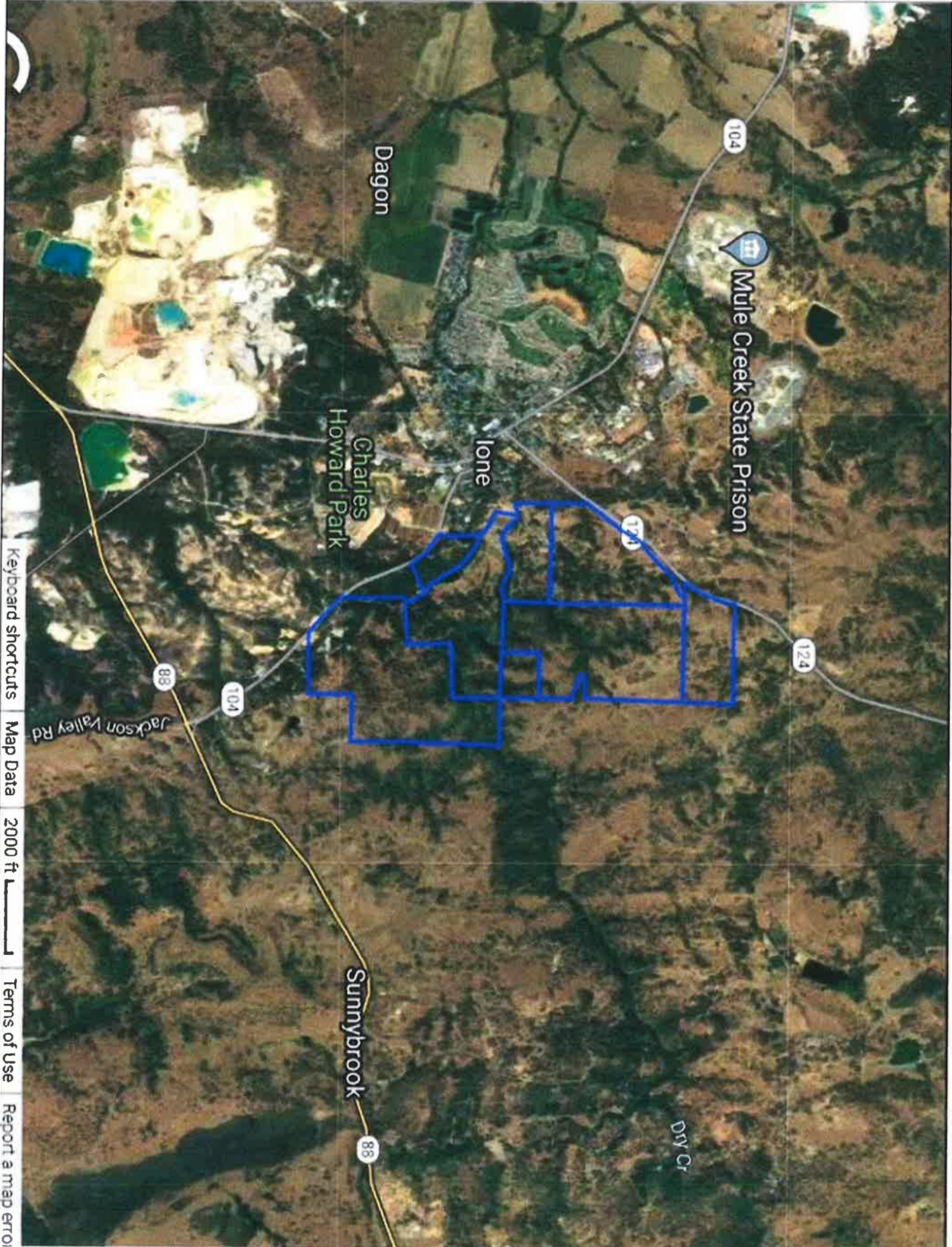
Owner (if different than Applicant):

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

 / FRANK YAGER TRUST





Dagon

104



Mule Creek State Prison

Charles  
Howard Park

Lone

151

124

88

104

Jackson Valley Rd

Sunnybrook

88

Dry Cr

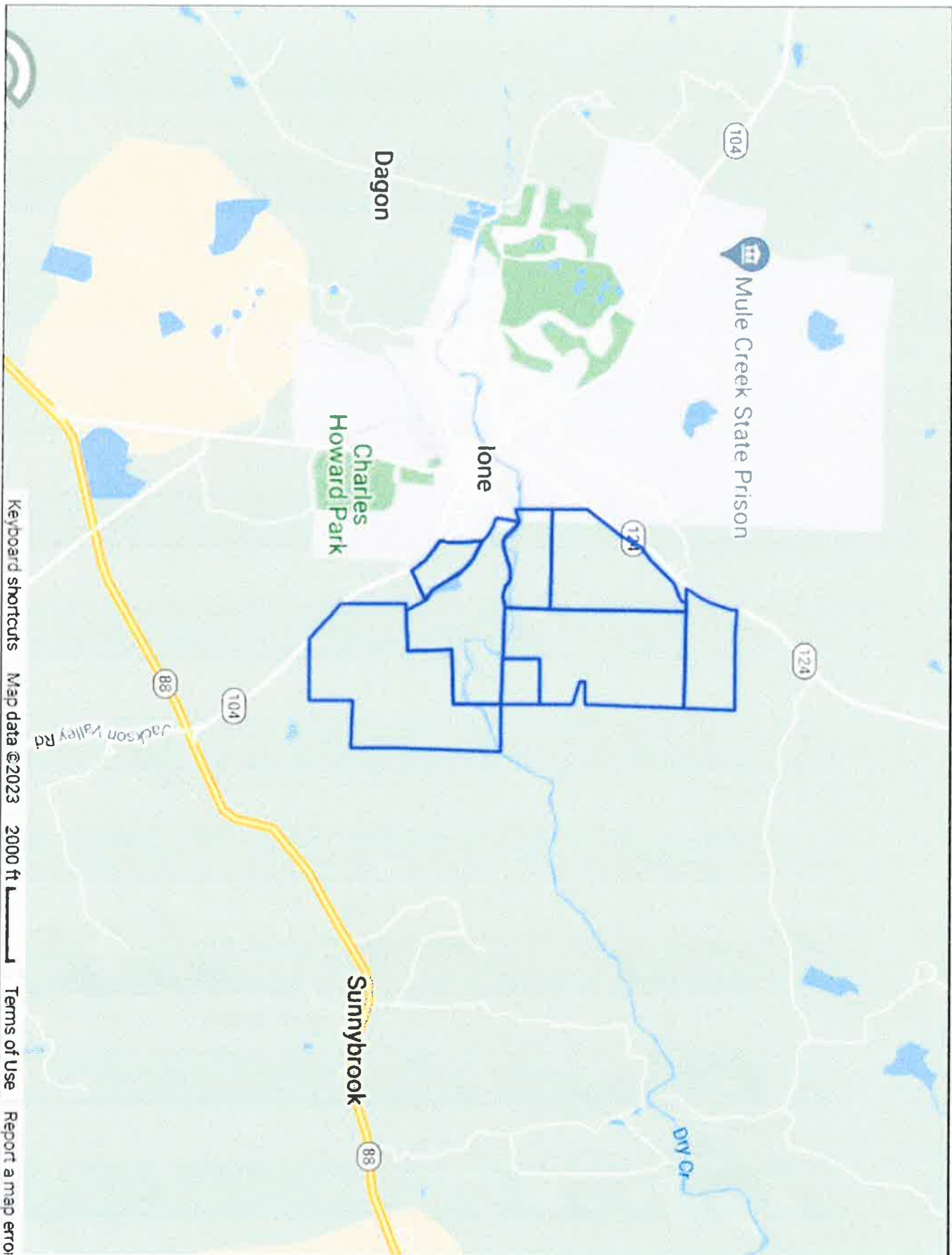
Keyboard shortcuts

Map Data

2000 ft

Terms of Use

Report a map error



104



Mule Creek State Prison

Dagon

Lone

Charles  
Howard Park

120

124

104

88

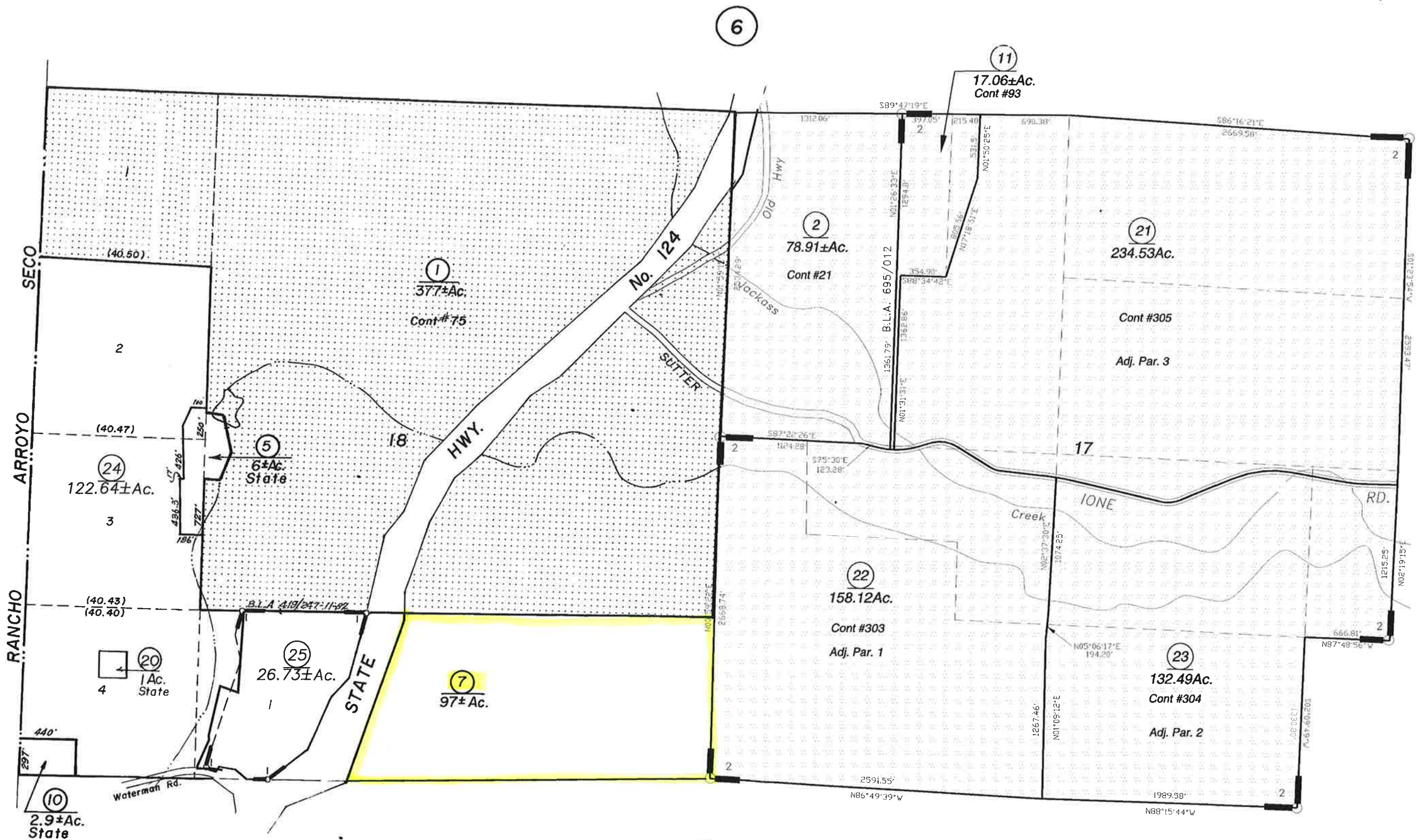
Jackson Valley Rd

Sunnybrook

88

DIV Cr





800'  
10/19/2016

**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.

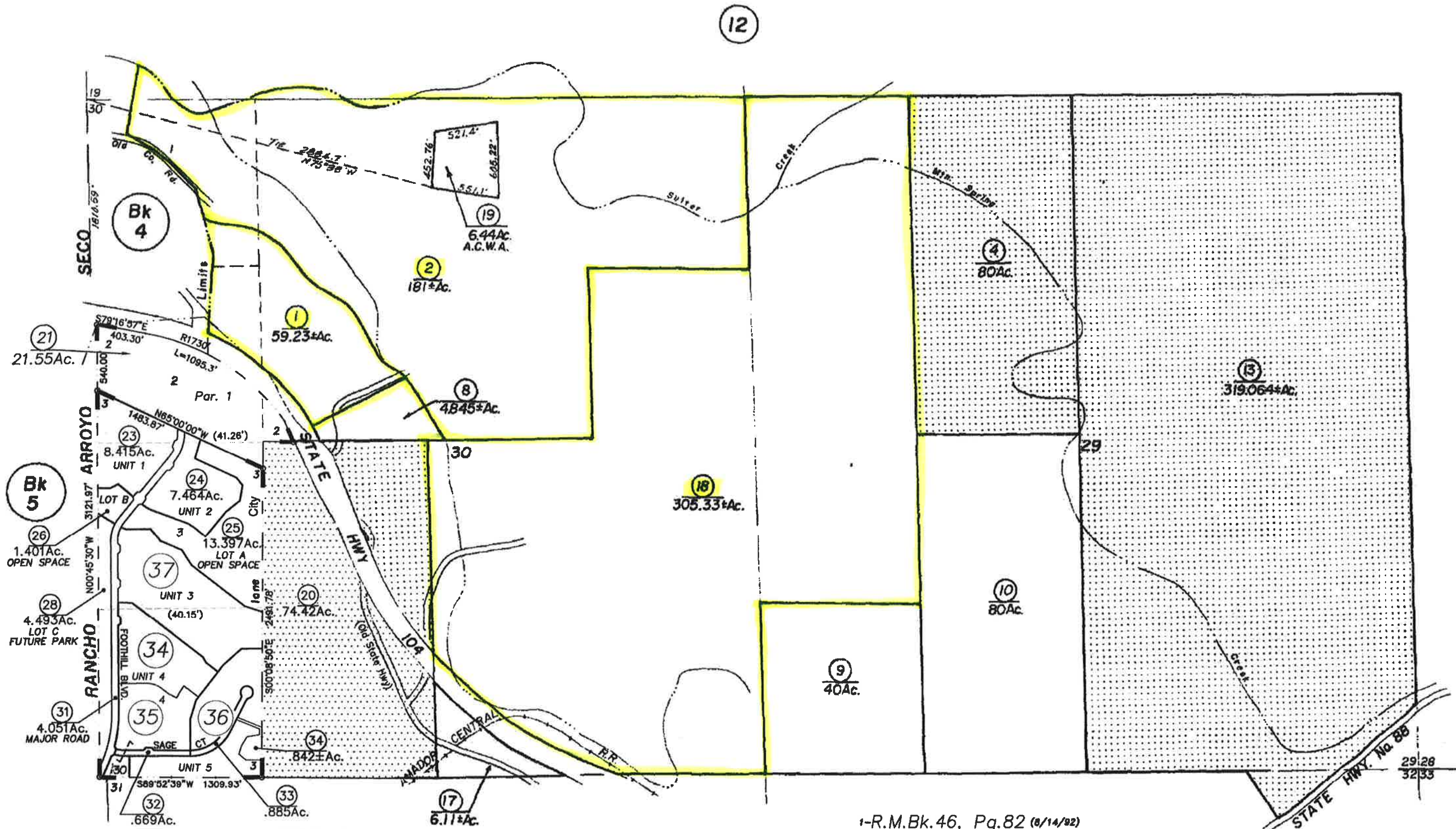
Map changes become effective with the 2004-2005 roll year. Parcel numbers are subject to change prior to adoption of roll on each July 1.

1- R.M. Bk. 36, Pg. 37  
2- R.M. Bk. 46, Pg. 86 (9/10/92)  
R.M. Bk. 55, Pg. 74 (7/8/2003)

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

**Assessor's Map Bk. 11 , Pg. 09  
County of Amador, Calif.**





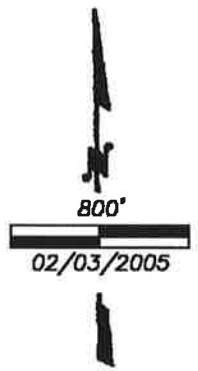
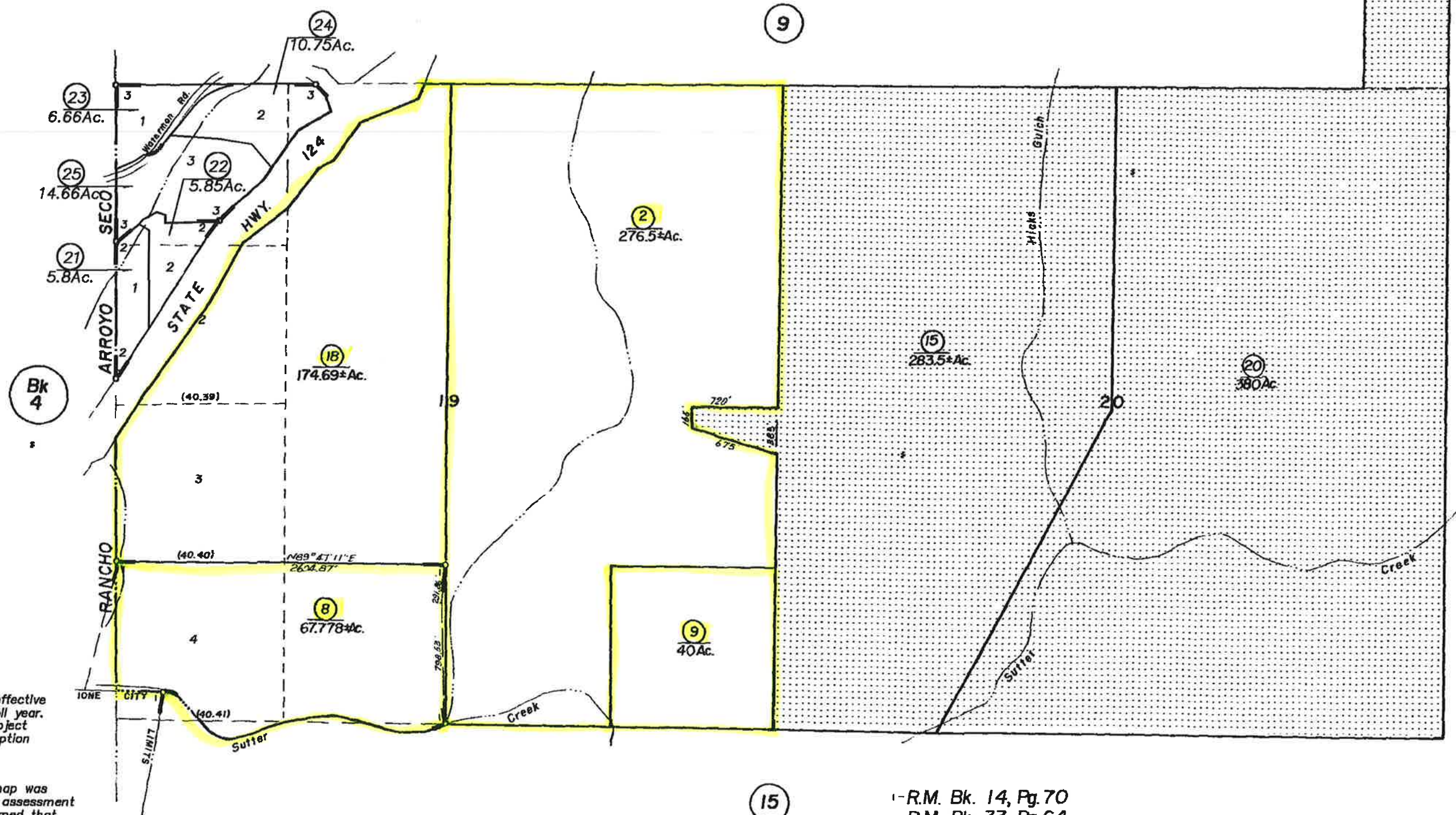
**IMPORTANT NOTE:** This map was prepared for property tax assessment purposes only. It is assumed that the property, as described in it's deed, is the property being assessed. No liability is assumed for the accuracy of the data delineated hereon.

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.

- 1-R.M.Bk.46, Pg.82 (8/14/92)
- 2-R.M.Bk.49, Pg.22 (7/13/95)
- 3-P.M.Bk.09, SUB Pg.01 (WILDFLOWER SUB 10/06/2006)

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





Map changes become effective with the 2005-2006 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.

R.M. Bk. 14, Pg. 70  
R.M. Bk. 33, Pg. 64

# Comments



July 19, 2023

By Hand Delivery

Amador County Technical Advisory Committee (TAC)  
810 Court Street  
Jackson, CA 95642

RE: Application Referral for Zone Change ZC-23;7-1 Joses-Yager  
APN: 011-090-007, 011-120-002, 011-120-018, 011-120-008, 011-120-009,  
011-150-018, 011-150-002, & 011-150-001

Dear Technical Advisory Committee:

On July 7, 2023, the Amador Water Agency (Agency, AWA) received an Application Referral for Zone Change ZC-23;7-1 Joses-Yager, which consists of a request to establish two new CLCA Contracts consisting of ±444 acres and ±719 acres, in conjunction with the application for a Boundary Line Adjustment and a Zone Change for all parcels from the R1A, Single-family Residential and Agricultural Zoning District to the AG, Exclusive Agriculture Zoning District (Project). All parcels have the AG, Agricultural General, General Plan Designation. Subject parcels are identified by APNs 011-090-007, 011-120-002, 011-120-018, 011-120-008, 011-120-009, 011-150-018, 011-150-002, and 011-150-001.

Located within APN 011-150-002 is a 6.44-acre parcel designated APN 011-150-019, which is public property and has been owned by AWA since 1985 ("AWA Parcel"). The AWA Parcel was originally owned by the Amador Electric Light and Power Company, which in 1924 sold it to Pacific Gas & Electric Company ("PG&E") by a deed recorded in the Amador County Official Records in Book 44 of Deeds, page 72 on February 6, 1924. Prior to PG&E's construction of the existing Lone Reservoir in the early- to mid-1960s, the AWA Parcel formed part of the old Lone Reservoir site. In 1985, PG&E transferred the Amador Water System to AWA under the Final Order of Condemnation issued by the Amador County Superior Court in the case of *Amador County Water Agency v. Pacific Gas and Electric Company, et al.*, Case No. 12672. The order was recorded on April 1, 1985 in the Amador County Official Records. The AWA Parcel also is shown on the Amador County Assessor's map of the area and is easily found in a Parcel Quest search.

AWA objects to the California Land Conservation Act of 1965 (CLCA) contract, agricultural preserve, zone change, and boundary line adjustment (BLA) as proposed because it fails to recognize and exclude the AWA Parcel. The proponents' proposal in fact improperly includes the AWA parcel in the legal description of the land as the AWA parcel is neither described or shown on the proposed BLA maps and parcel maps, even though it is within in the map area and of record as a separate parcel.





The AWA Parcel is public property. The Agency has potential public uses for the parcel, including as a possible water tank site or backwash water recycling facility to support the AWA lone Water Treatment Plant and portion of the Amador Water System serving the City of lone. Any attempt to illegally burden the AWA Parcel by the proponents or the County would result in a taking of Agency property without compensation and limit the utility of the parcel for planned future public use.

In light of the foregoing, AWA requires that the AWA Parcel be specifically and completely excluded from the proposed CLCA contract, the application referral package, any future approval packages, zone changes, BLAs, and any agreements or similar changes or approvals that may in any way affect the AWA Parcel, or AWA Parcel access. To avoid any confusion in the public record, AWA requests that the AWA Parcel be specifically described and shown on a revised Boundary Line Adjustment and parcel maps as (1) existing and unmodified, (2) to remain undisturbed following the conclusion of the Project, and (3) excluded from the Project. As a conditional of project approval, the proponents must be required to prevent Project activities, as described in the application referral package, from occurring on the AWA Parcel without the Agency's prior approval.

For reasons that AWA has not been able to ascertain, the AWA Parcel has become landlocked and no longer has access from the nearest public road. As a further condition of the County's approval of the Project, AWA requests that it condition the approval by requiring the proponents to grant AWA a minimum 20-foot utility and access easement across APN 011-150-002 from Old lone-Jackson Road in a manner and location acceptable to all parties. Upon AWA's acceptance of the recorded access easement, AWA will inform the TAC of the completion of this Project requirement. Alternatively, if the proponents would prefer to avoid the existing inholding, the Agency is willing to negotiate a land swap in which it would transfer the AWA Parcel to the proponents in exchange for a like parcel created from APN 004-160-003 adjacent to the lone Water Treatment Plant.

If you have any further questions or concerns, please feel free to contact me at your convenience.

Kind Regards,

A handwritten signature in blue ink that reads "Larry B. McKenney".

Larry B. McKenney,  
General Manager

CC: Joshua M. Horowitz, General Counsel  
Gregory Gillott, County Counsel  
File

## California Department of Transportation

OFFICE OF THE DISTRICT 10 RURAL PLANNING  
P.O. BOX 2048 | STOCKTON, CA 95201  
(209) 948-7325 | FAX (209) 948-7164 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



July 19, 2023

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

**AMA-124-PM R2.68**  
**Zone Change (ZC)**  
**ZC-23;7-1**

Dear Ms. Ruesel:

The California Department of Transportation (Caltrans) appreciates the opportunity to review and respond to the Zone Change ZC-23;7-1 request to establish two (2) new California Land Conservation Act (CLCA) properties. The proposed project consists of ±689 acres and ±512 acres, in conjunction with the application for a Boundary Line Adjustment and a Zone Change for all parcels from a Single-family Residential and Agricultural (R1A) Zoning District to the Exclusive Agriculture (AG) Zoning District. All parcels have the Agricultural General (AG) General Plan Designation. Subject parcels are identified by Assessor Parcel Number (APN)s 011-090-007, 011-120-002, 011-120-018, 011-120-008, 011-120-009, 011-150-018, 011-150-002, and 011-150-001.

The proposed project is located east of the city limits of Lone and the intersection of State Route (SR) 124 and SR 104.

### **Caltrans at this time has the following comments:**

#### **Environmental**

If any construction-related activities encroach into Caltrans Right of Way (ROW) as a result of the California Land Conservation Act (CLCA) contracts, Boundary Line Adjustment, and/or Zone Change, the project proponent must apply for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. All California Environmental Quality Act (CEQA) documentation, with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies will analyze potential impacts to cultural sites, historic properties, biological resources, hazardous waste locations, scenic highways, and/or other environmental resources within Caltrans ROW at the project site(s).

### **Hydrology**

Should there be any future development plan on the approved zone change parcels that would significantly change the existing State drainage facilities and/or adversely change the existing stormwater runoff patterns within the State ROW of the SR 124 and 104, additional review will be required.

Caltrans suggest Amador County continue to coordinate and consult with Caltrans to identify and address potential cumulative transportation impacts that may occur from this project and other developments near this location. This will assist Caltrans in ensuring that traffic safety and quality standards are maintained for the traveling public on existing and future state transportation facilities.

### **Encroachment Permits**

If any future project activities encroach into Caltrans Right-of-Way (ROW), the project proponent must submit an application for an Encroachment Permit to the Caltrans District 10 Encroachment Permit Office. Appropriate environmental studies must be submitted with this application. These studies will include an analysis of potential impacts to any cultural sites, biological resources, hazardous waste locations, and/or other resources within Caltrans ROW at the project site(s). For more information, please visit the Caltrans Website at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>

If you have any questions or would like to discuss these comments, please contact Paul Bauldry at (209) 670-9488 (email: paul.bauldry@dot.ca.gov) or me at (209) 483-7234 (email: Gregoria.Ponce@dot.ca.gov).

Sincerely,

*Gregoria Ponce'*

Gregoria Ponce', Chief  
Office of Rural Planning