



## **Agricultural Commission Staff Report**

Date: February 3, 2023  
To: El Dorado County Agricultural Commission  
From: LeeAnne Mila, Interim Agricultural Commissioner  
Subject: ADM22-0094 Jenika Pond Ag. Setback Relief  
Administrative Relief from Agricultural Setback for as-built pond.  
Assessor's Parcel Number: 089-110-080

### **Planning Request and Project Description:**

The applicant is requesting that the agriculture setbacks for an as-built 53,290 sqft pond associated with code case CE21-0163 be reduced to 95' from the west parcel line with APN 089-110-076 (105' reduction) and 189' from the south parcel line with APN 089-120-033 (11' reduction) for the as-built pond.

The applicant's parcel, APN 089-110-080, is 20.08 acres, zoned Planned Agricultural 20-Acre (PA-20) and located north of Gold Hill Rd, in Supervisorial District 4. The parcel is located within a General Plan designated Agricultural Lands (AL) and is within an Agricultural District.

### **Parcel Description:**

- Parcel Number and Acreage: 089-110-080, 20.08 Acres
- Agricultural District: Yes
- Land Use Designation: Agricultural Lands, AL
- Zoning: Planned Agricultural 20 Acres, PA-20
- Choice Soils: ArB- Auberry coarse sandy Loam, 5-9 percent slopes and BhC-Boomer gravelly loam, 3-15 percent slopes

**Discussion:**

A site visit was conducted on January 18, 2023, to assess the placement of the as built pond.

**Staff Findings:**

*Staff is recommending approval for the as built, 53,290 sqft pond, associated with code case CE21-0163 be reduced to no less than 95 ft. from the west parcel line with APN 089-110-076 and no less than 189 ft. from the south parcel line with APN 089-120-033, as staff believes that three of the four findings that the Agricultural Commission is required to make by Resolution No. 079-2007 and adopted by the Board of Supervisors on April 17, 2007, can be made:*

1. *No suitable building site exists on the subject parcel except within the required setback due, but not limited to, compliance with other requirements of the General Plan or other County development regulations;*  
**The pond is already built and it is unfeasable to move it's location. The placement of the pond is in the south western corner, keeping the existing agricultural operation in tact.**
  
2. *The proposed non-compatible structure will be located on the property to reasonably minimize the potential negative impact on adjacent agriculturally zoned land;*  
**Placing the pond in this corner utilizes the access road between the western parcel as a buffer and Gold Hill Rd. as a buffer to the parcel to the south.**
  
3. *Based on the site characteristics of the subject parcel and the adjacent agriculturally zoned land including, but not limited to, topography and location of agricultural improvements, etc., the Commission determines that the location of the proposed non-compatible structure would reasonably minimize potential negative impacts on agricultural or timber production use; and*  
**The pond is placed to reasonably minimize potential impacts to surrounding agriculture.**
  
4. *There is currently no agricultural activity on the agriculturally zoned parcel adjacent to the subject parcel and the Commission determines that the conversion to a low or high intensive farming operation is not likely to take place due to the soil and/or topographic characteristics of the adjacent agriculturally zoned parcel or because the General Plan Land Use Designation of the surrounding or adjacent parcels is not agricultural (e.g. Light/Medium/High Density Residential).*

*Staff also recommends that the applicant comply with Resolution No. 079-2007 Exhibit A of the Board of Supervisors pertaining to the adoption of the Criteria and Procedures for Administrative Relief from Agricultural Setbacks. Section B.5 requires the following action by the applicant: In all cases, if a reduction in the agricultural setback is granted for a non-compatible use/structure, prior to the issuance of a building permit, a Notice of Restriction must be recorded identifying that the non-compatible use/structure is constructed within an agricultural setback and that the owner of the parcel granted the reduction in the agricultural setback acknowledges and accepts responsibility for the risks associated with building a non-compatible use/structure within the setback.*

*If the Agricultural Commission cannot make the required findings in Resolution No. 079-2007, an application may be made to the Board of Supervisors for administrative relief. Such relief may be granted by the Board of Supervisors upon a determination by the Board taking all relevant facts into consideration that the public interest is served by the granting of the relief. Such applications shall be made to the Development Services Department and a recommendation made to the Board of Supervisors.*



# The County of El Dorado

## AGRICULTURAL COMMISSION

311 Fair Lane  
Placerville, CA 95667-4197

Phone (530) 621-5520  
Fax (530) 626-4756

Greg Boeger, Chair- Agricultural Processing Industry  
Lloyd Walker, Vice Chair- Other Agricultural Interest  
Shamarie Tong- Livestock Industry  
Bill Draper- Forestry Related Industries  
Chuck Mansfield- Fruit and Nut Farming Industries  
Tim Neilsen- Livestock Industry  
David Bolster- Fruit and Nut Farming Industries

### MEETING NOTIFICATION

The El Dorado County Agricultural Commission has been requested to review a project application for a parcel that is located in the proximity of your property. It is the customary business practice for this Commission to notify all parcels located within 500 feet of the subject parcel's boundary lines. Please note that the requested project may or may not affect your property.

The project listed below will be heard by the El Dorado County Agricultural Commission on **February 8, 2023**. This meeting is a public hearing that will begin at **6:30 pm** in the **Building A Board of Supervisors Hearing Room 330 Fair Lane, Placerville, California**. This will also be a Zoom meeting. The link information to join the zoom meeting will be available on the county Legistar calendar at this website: <https://eldorado.legistar.com/Calendar.aspx> under Ag Commission Meetings for 02/08/2023 and will be posted with the Agenda on February 3, 2023.

**ADM22-0094 Jenika Pond Ag. Setback Relief Administrative Relief from Agricultural Setback for as-built pond. Assessor's Parcel Number: 089-110-080**  
Planning Services Mackenzie Gauldin

#### Planning Request and Project Description:

The applicant is requesting that the agriculture setbacks for an as-built 53,290sqft pond associated with code case CE21-0163 be reduced to 95' from the west parcel line (105' reduction) and 189' from the south parcel line (11' reduction) for the as-built pond.

The applicant's parcel, APN 089-110-080, is 20.08 acres, zoned Planned Agricultural 20-Acre (PA-20) and located north of Gold Hill Rd, in Supervisorial District 4. The parcel is located within a General Plan designated Agricultural Lands (AL) and is within an agricultural district.

The applicant's parcel is bordered by five parcels; of which four parcels have agricultural zoning: APN 089-110-076 borders the applicant's parcel along the entire west boundary and is approximately 21 acres; zoned Planned Agricultural 10-Acre (PA-10). APN 089-120-033 borders the applicant's parcel on the south and is approximately 66.31 acres is zoned (PA-20). APN's 089-110-086 & 089-110-085 border applicant's parcel on the entire east side together they are approximately 32.2 acres both are zoned (PA-20).

The Agricultural Commission is an advisory body to and for the Board of Supervisors and Planning Commission on all matters pertaining to agriculture. The Agricultural Commission reviews and makes recommendations only on the agricultural element of the project. *\*\*Please note that the exception to this is a "Request for Administrative Relief from an Agricultural Setback" which is processed solely through the El Dorado County Department of Agriculture with the Agricultural Commission's decision being able to be appealed to the El Dorado County Board of Supervisors.*

All interested parties for the above-mentioned project are encouraged to attend this meeting. Public testimony will be received on each agenda item as it is called. Individual comments are limited to 3 minutes; and individuals representing a group are allocated 5 minutes.

If you wish to view the meeting agenda in its entirety, please go to following website: <https://eldorado.legistar.com/Calendar.aspx>. The agenda is also posted in the lobby of the Bethell-Delfino Agriculture Building located at 311 Fair Lane, Placerville, California. A copy of the project's submitted documents may also be reviewed at this location.

If you have any questions regarding this meeting, please contact the Clerk to the Agricultural Commission at (530) 621-6647. All questions relating to specific details of the project should be addressed to the Planner Mackenzie Gauldin at Planning Services, (530) 621-5355.

5661 GOLD HILL LLC CA LLC  
2215 PLAZA DR #100  
ROCKLIN CA 95765

AKIN EDWARD P TR  
5500 GOLD HILL RD  
PLACERVILLE CA 95667-9435

CROWLEY THOMAS FRANCIS TR &  
PATRICIA COLE TR  
2769 HAY RANCH RD  
PLACERVILLE CA 95667

DILLON THOMAS R TR & JUDITH A TR  
5563 GOLD HILL RD  
PLACERVILLE CA 95667-9435

EDWARDS DONALD G & DARLA M  
5525 GOLD HILL RD  
PLACERVILLE CA 95667-9435

EDWARDS ROBERT L TR & SARA L TR  
5521 GOLD HILL RD  
PLACERVILLE CA 95667-9435

GAMEZ RICHARD L & FLEMING  
GAMEZ TRISHA K  
10215 FAIR OAKS BLVD  
FAIR OAKS CA 95628-7111

HOBBS CHRISTOPHER  
5689 GOLD HILL RD  
PLACERVILLE CA 95667-9434

JENIKA GROUP INC CA CORP  
DBA JENIKA GROUP, INC.  
PO BOX 278232  
SACRAMENTO CA 95827

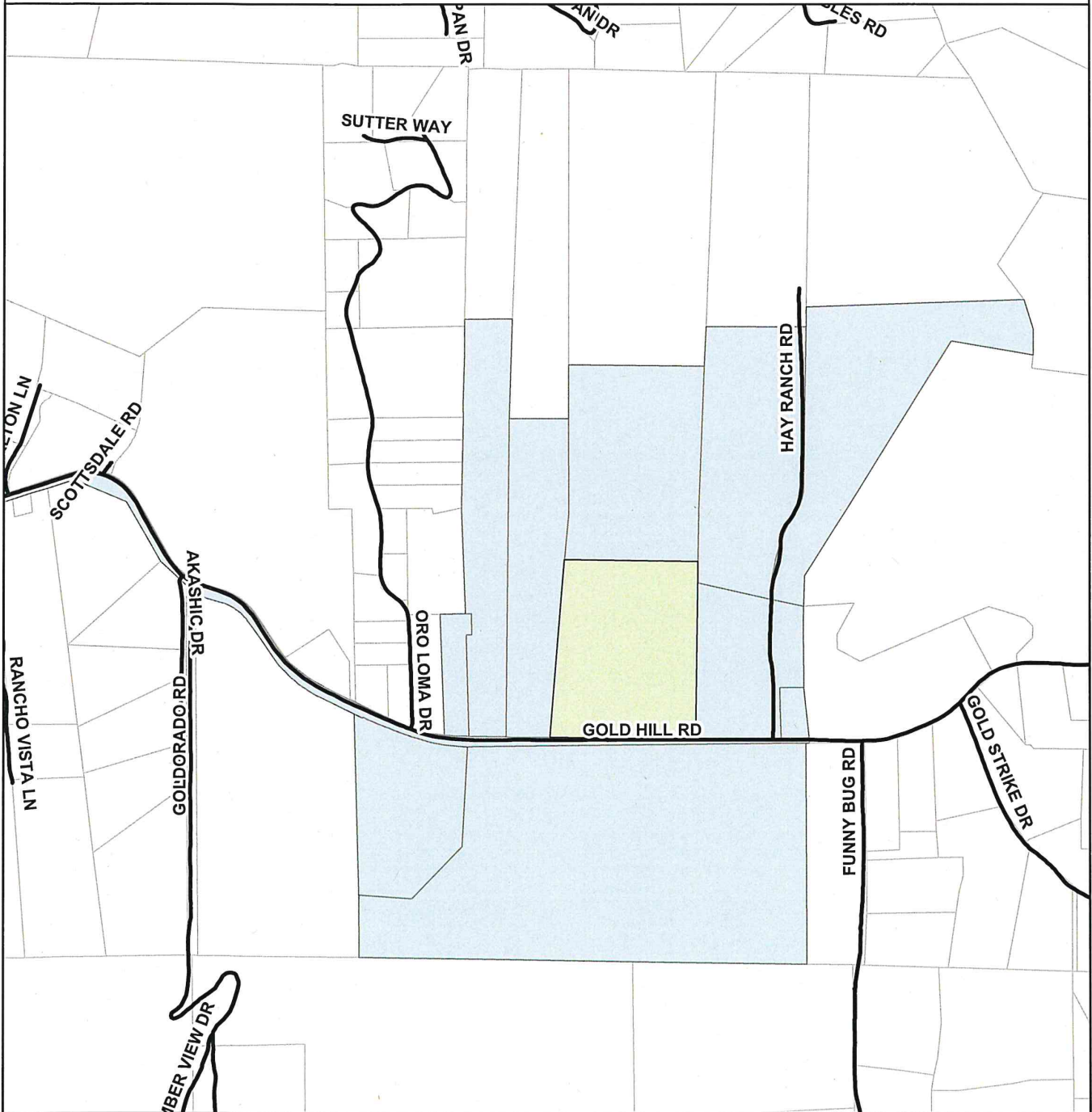
MITCHELL SCOTT P & GARAMENDI  
MITCHELL ANNA R  
1408 AKASHIC DR  
PLACERVILLE CA 95667-9434

500 FT  
Double ✓'d

Jenika Pond

# Jenika

## 500 Ft. Notification



**DISCLAIMER**

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MAP PREPARED BY: LeeAnne Miles    DATE: November 27, 2018  
 PROJECT ID: projjenika\_n  
 EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
 PHONE (530) 621-6511 FAX (530) 626-8731

Jennika500ft
  Jenika
  Parcel Base
  Roads



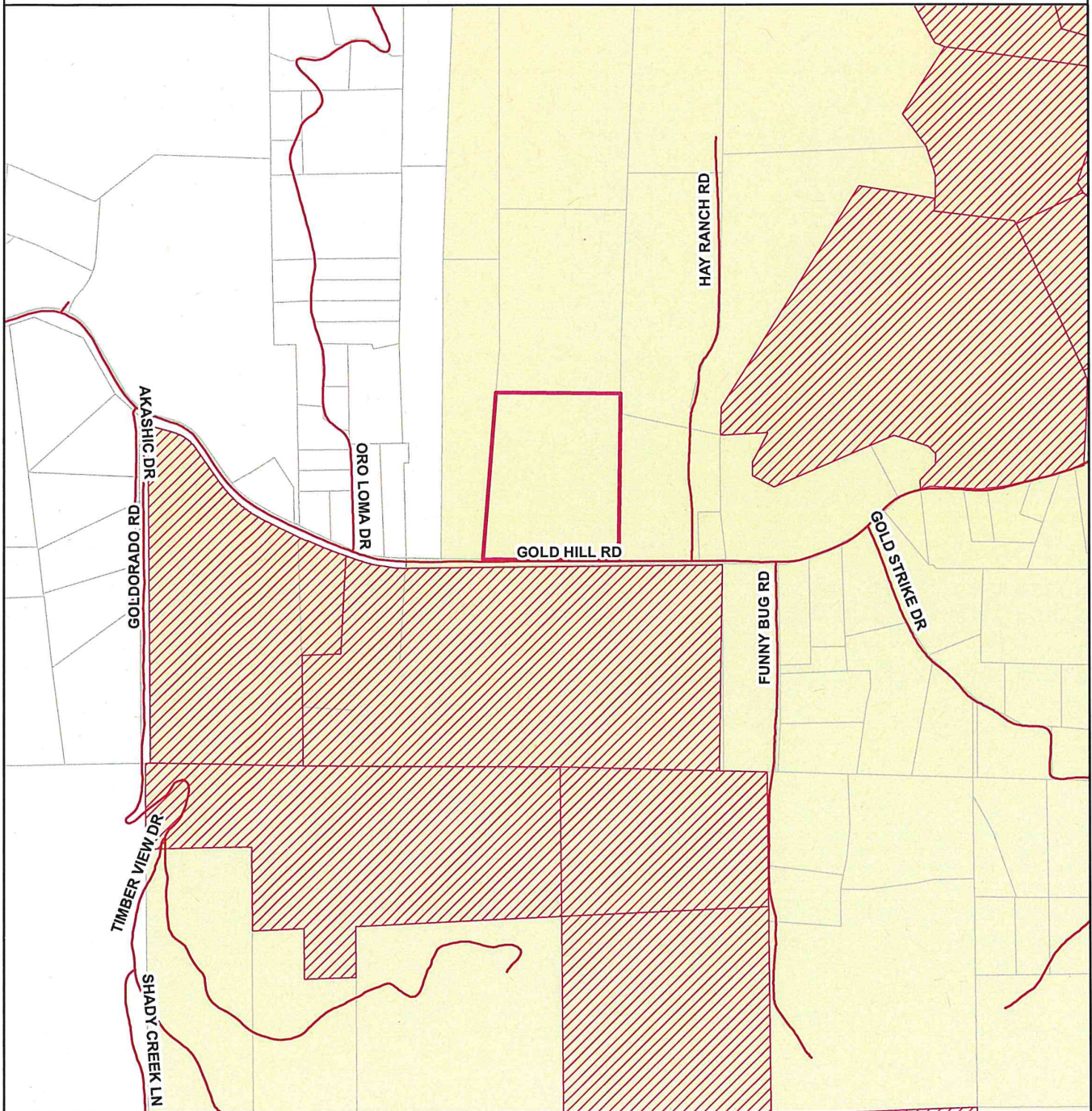
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



# El Dorado County Agricultural Commission

# Jenika

## Proximity to Agricultural District



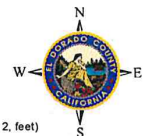
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MAP PREPARED BY: LeeAnne Mela    DATE: November 27, 2018  
PROJECT ID: projJackson\_p

EL DORADO COUNTY SURVEYOR G.I.S. DIVISION  
PHONE (951) 621-6511    FAX (951) 626-8731

- Ag District
- Jenika
- Ag Preserves
- Parcel Base
- Major Roads

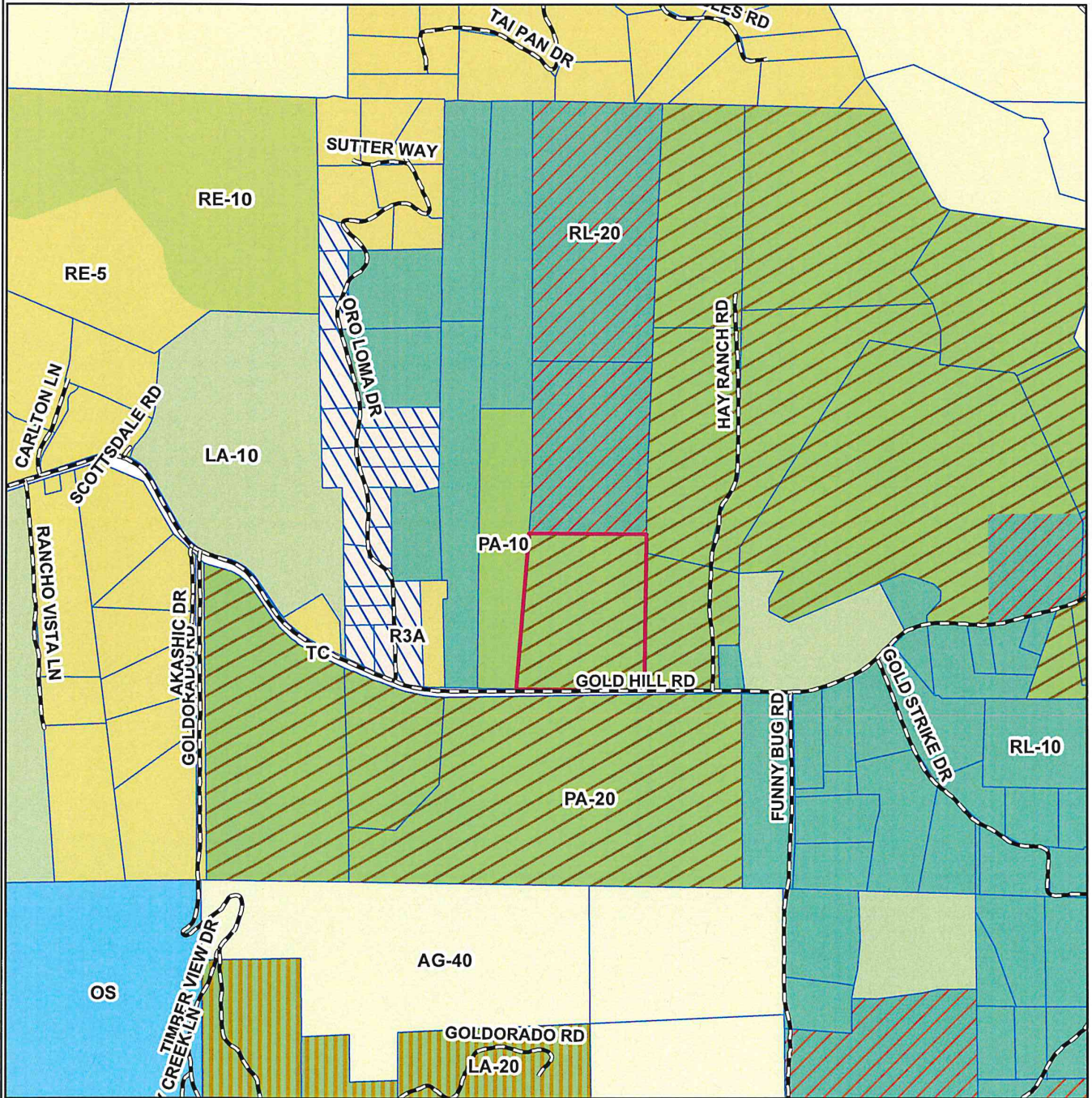


Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)

# El Dorado County Agricultural Commission



# Jenika Zoning



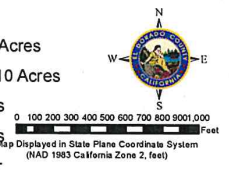
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MAP PREPARED BY: LeAnne Mills DATE: November 27, 2018  
PROJECT ID: prgjackson\_z

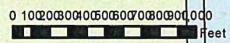
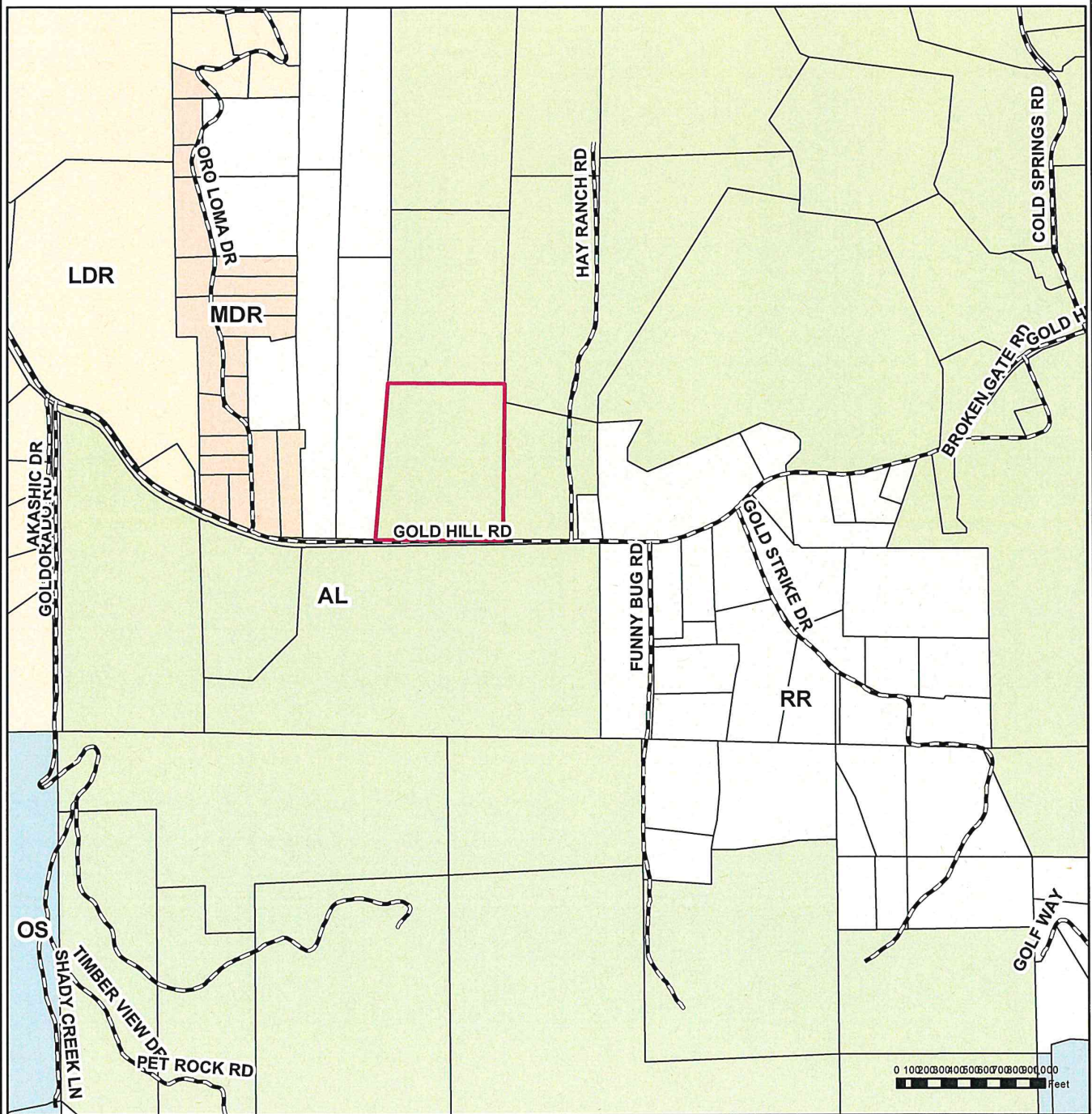
EL DORADO COUNTY SURVEYOR/G.L.S. DIVISION  
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- Parcel Base
- Jenika
- Roads
- AG-40 = Agricultural Grazing 40 Acres
- LA-10 = Limited Agriculture 10 Acres
- LA-20 = Limited Agriculture 20 Acres
- PA-10 = Planned Agriculture 10 Acres
- PA-20 = Planned Agriculture 20 Acres
- OS = Open Space
- AG-40 = Agricultural Grazing 40 Acres
- RE-5 = Residential Estate 5 Acres
- RE-10 = Residential Estate 10 Acres
- RL-10 = Rural Land 10 Acres
- RL-20 = Rural Land 20 Acres
- R3A = Residential 3 Acres
- TC = Transportation Corridor



## El Dorado County Agricultural Commission

# Jenika Land Use



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MAP PREPARED BY: LeeAnne Mils DATE: November 27, 2018

PROJECT ID: projjackson\_L

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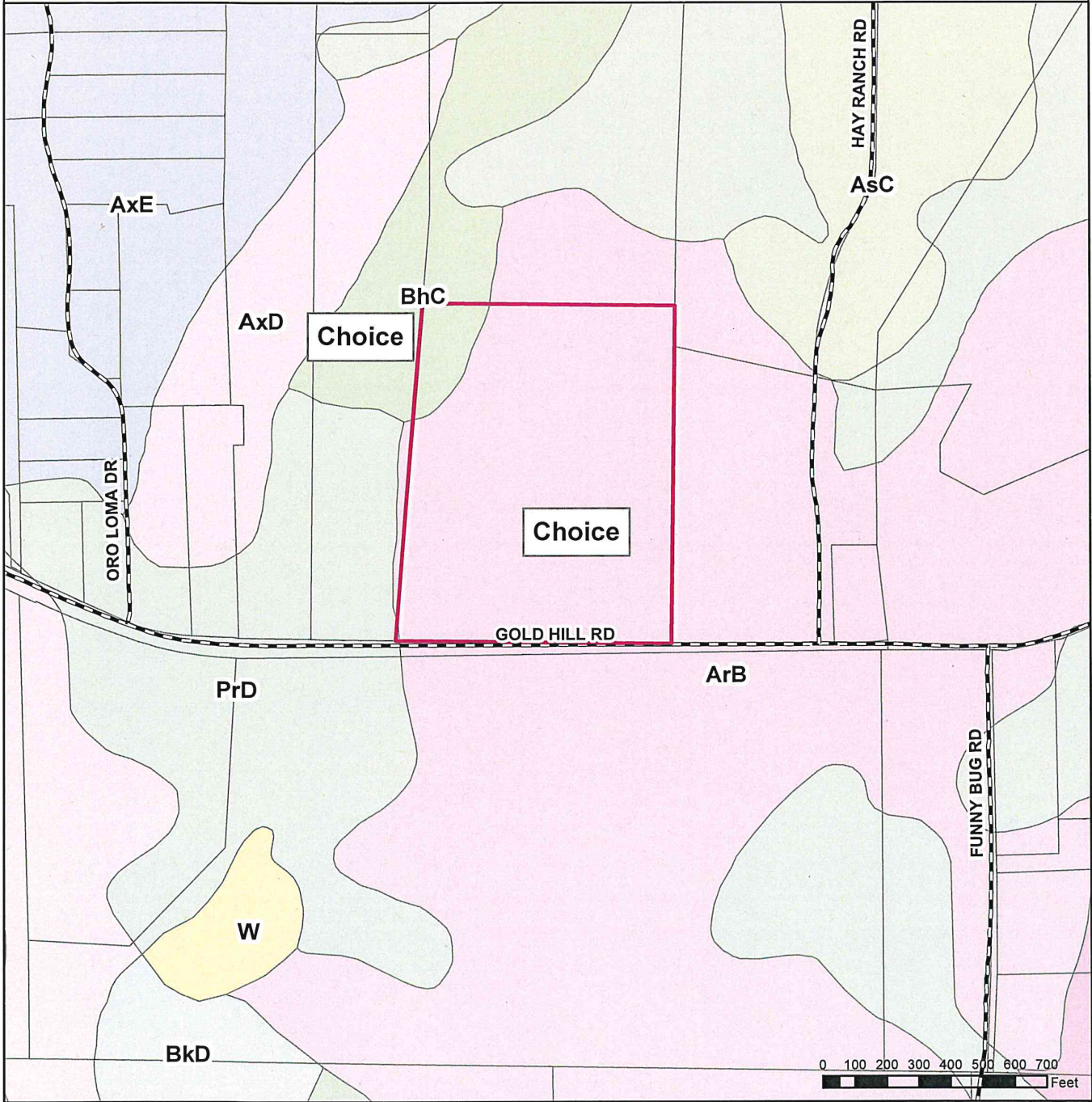
- |         |                            |                   |
|---------|----------------------------|-------------------|
| Parcels | Agricultural Lands         | Open Space        |
| Jenika  | Low Density Residential    | Rural Residential |
| Roads   | Medium Density Residential |                   |

Map is in State Plane Coordinate System  
(NAD 1983 California Zone 2, feet)



## El Dorado County Agricultural Commission

# Jenika Soils



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MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018

PROJECT ID: projJackson\_s

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Jenika

**Soils**

- Auberry coarse sandy loam, 5 to 9 percent slopes
- Auberry rocky coarse sandy loam, 5 to 15 percent slopes
- Auberry very rocky coarse sandy loam, 30 to 50 percent slopes
- Auburn very rocky silt loam, 2 to 30 percent slopes

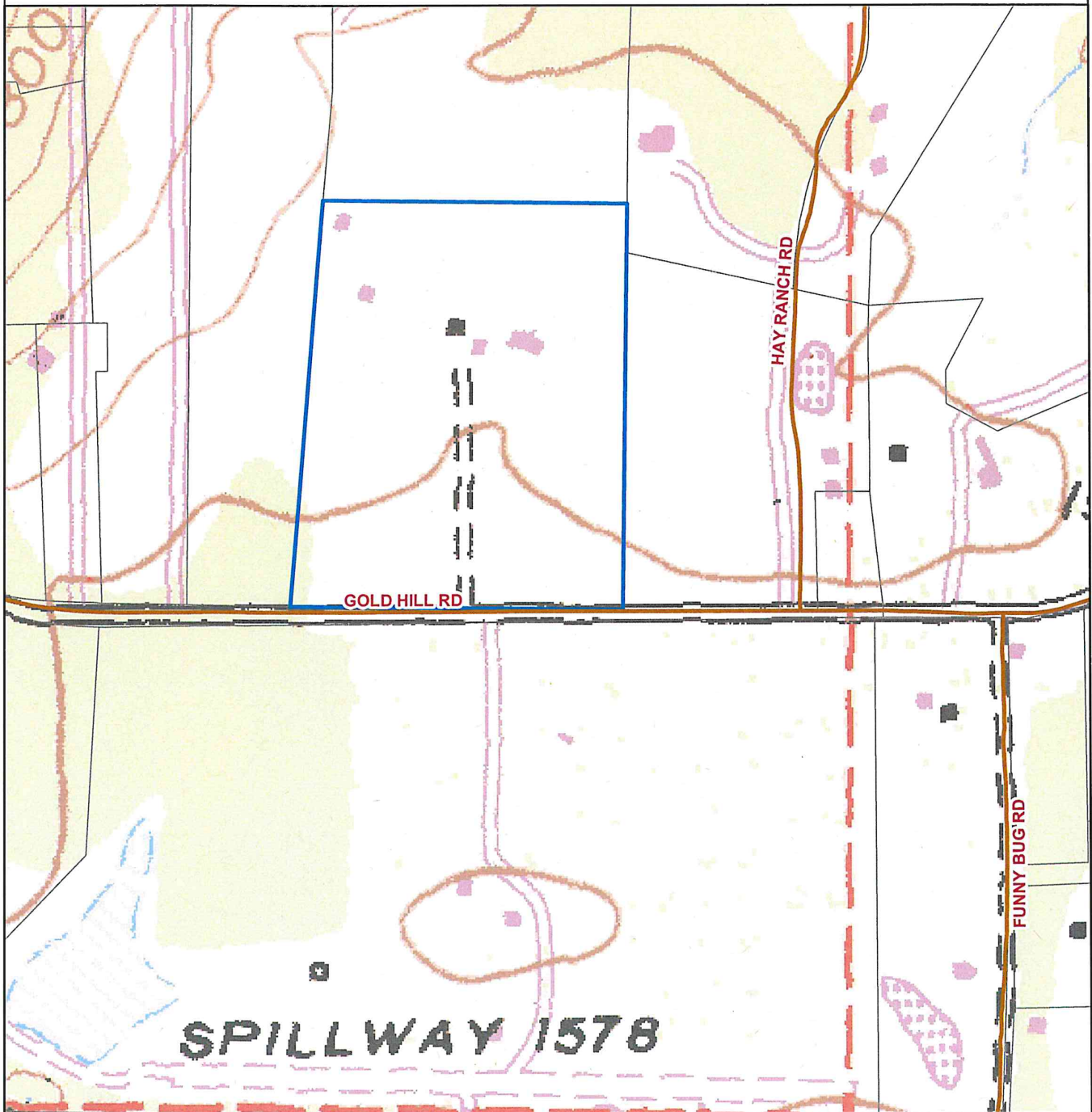
- Auburn very rocky silt loam, 30 to 50 percent slopes
- Boomer gravelly loam, 3 to 15 percent slopes
- Boomer very rocky loam, 3 to 30 percent slopes
- Placer diggings
- Water
- Soils\_Descr



Map Displayed in State Plane Coordinate System  
(NAD 1983 California Zone 2, feet)

## El Dorado County Agricultural Commission

# Jenika Topography



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MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018

PROJECT ID: projJackson\_1

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**Legend**

- curroads
- Parcels
- Jenika
- Roads



Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



**El Dorado County Agricultural Commission**

# Jenika



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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MAP PREPARED BY: LeeAnne Mida DATE: November 27, 2018

PROJECT ID: Jackson\_a

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
 PHONE (951) 621-4511 FAX (951) 626-4731

**Legend**

- Parcel Base
- Jenika
- Roads



Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



**El Dorado County Agricultural Commission**