



**Agricultural Commission  
Staff Report**

Date: August 02, 2021  
To: El Dorado County Agricultural Commission  
From: LeeAnne Mila; Deputy Agricultural Commissioner  
Subject: **ADM21-0032 Gibson Agricultural Setback Relief for Accessory Dwelling Unit**  
**Administrative Relief from Agricultural Setback to Permit Accessory Dwelling Unit**  
**Assessor's Parcel Number: 074-300-017-000**

**Planning Request and Project Description:**

The applicant is requesting administrative relief from the required 200-foot agricultural setback for the above-referenced project be reduced to about 124 feet from the northern property line to place an accessory dwelling unit.

The applicant's parcel, APN 074-300-017, is 20.83 acres and zoned Rural Lands -20 acre (RL-20). The parcel located to the north is 074-300-016 is zoned Limited Agriculture 20-acre (LA-20); the parcel to the west is 074-300-014 is zoned LA-20 too. The remaining neighboring properties are zoned Rural Lands 20 acre minimum (RL-20). All parcels are in Supervisor District 4 and are not within agriculture districts.

Please see attached application packet that includes site plans that illustrate this request.

**Parcel Description:**

- Parcel Number and Acreage: 074-300-017, 20.83 Acres
- Agricultural District: No
- Land Use Designation: Rural Residential, RR
- Zoning: RL-20 (Rural Lands, 20 Acres).
- Soil Type: No Choice Soils

**Discussion:**

A site visit was conducted on July 19, 2021 to assess the placement of the proposed dwelling.

**Staff Findings:**

*Staff recommends APPROVAL for the above-referenced project, reducing the setback to no less than 124 feet from the northern property line to place an accessory dwelling unit, 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;*

**Topography limits the buildable sites. Structures have been grouped together to use infrastructure already in place.**

2. *The proposed non-compatible structure will be located on the property to reasonably minimize the potential negative impact on adjacent agriculturally zoned land;*

**The proposed building has been located to minimize any negative impacts.**

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 site is buffered by existing shrubs and oak stands at the fence line. The LA-20 zoned land slopes away from the applicants property effectively acting as a buffer.**

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 soils 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 agriculture (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.*



# AGRICULTURAL COMMISSION

311 Fair Lane  
Placerville, CA 95667  
(530) 621-5520  
(530) 626-4756  
[eldcag@edcgov.us](mailto:eldcag@edcgov.us)

Greg Boeger, Chair – Agricultural Processing Industry  
Dave Bolster, Vice-chair – Fruit and Nut Farming Industry  
Lloyd Walker- Other Agricultura Interest  
Chuck Bacchi – Livestock Industry  
Bill Draper – Forestry/Related Industries  
Ron Mansfield – Fruit and Nut Farming Industry

## 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 **August 11, 2021**. 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 is a ZOOM Meeting and the directions are as follows. You are invited to a Zoom webinar.

When: Aug 11, 2021 06:00 PM Pacific Time (US and Canada)

Topic: Agricultural Commission Meeting 8-11-2021

Please click the link below to join the webinar:

<https://zoom.us/j/95574772611>

Or One tap mobile :

US: +12133388477,,95574772611# or +16692192599,,95574772611#

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9358 or +1 470 381 2552 or +1 646 518 9805 or +1 646 558 8656 or +1 651 372

8299 or +1 786 635 1003

Webinar ID: 955 7477 2611

International numbers available: <https://zoom.us/u/adFdedwq3x>

**RE: ADM21-0032 Gibson Agricultural Setback Relief for Accessory Dwelling Unit  
Administrative Relief from Agricultural Setback to Permit Accessory Dwelling  
Unit Assessor's Parcel Number: 074-300-017-000 Planning Request and Project**

### Description:

The applicant is requesting administrative relief from the required 200-foot agricultural setback for the above-referenced project be reduced to about 124 feet from the northern property line to place an accessory dwelling unit. The applicant's parcel, APN 074-300-017, is 20.83 acres and zoned Rural Lands -20 acre (RL-20). The parcel located to the north is 074-300-016 is zoned Limited Agriculture 20-acre (LA-20); the parcel to the

Agricultural Commission Meeting  
August 11, 2021  
Page 2

west is 074-300-014 is zoned LA-20 too. The remaining neighboring properties are zoned Rural Lands 20 acre minimum (RL-20). All parcels are in Supervisor District 4 and are not within agriculture districts.

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) 621-5520. All questions relating to specific details of the project should be addressed to the Planner Jon Philip Mijat at Planning Services, (530) 621-5355.

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GREENWOOD CA 95635

FREEMAN JOANIE TR & JE LIV TR  
10/03/96  
5000 SCARLET OAK DR  
GREENWOOD CA 95635-9684

RHEIN BARRY LEE TR & MARY JANE TR  
930 TAHOE BLVD STE 802-77  
INCLINE VILLAGE NV 89451

LINKA GLENN M TR & MARY BETH TR  
2320 PEACEFUL GLEN WAY  
GREENWOOD CA 95635-9683

MACSPARRAN PATRICIA A  
38525 TITNORE CT  
HAMILTON VA 20158-9487

MURCHISON ROBERT W TR & CATHERINE  
P TR  
4840 SCARLET OAK DR  
GREENWOOD CA 95635-9686

HOLMAN DAVID S TR & KAREN E TR  
1988 PINNACLE PL  
GREENWOOD CA 95635-9705

GIBSON JOSEPH M & JULIE L &  
FONDERSMITH DAVID G TR  
2280 PEACEFUL GLEN WAY  
GREENWOOD CA 95635-9683

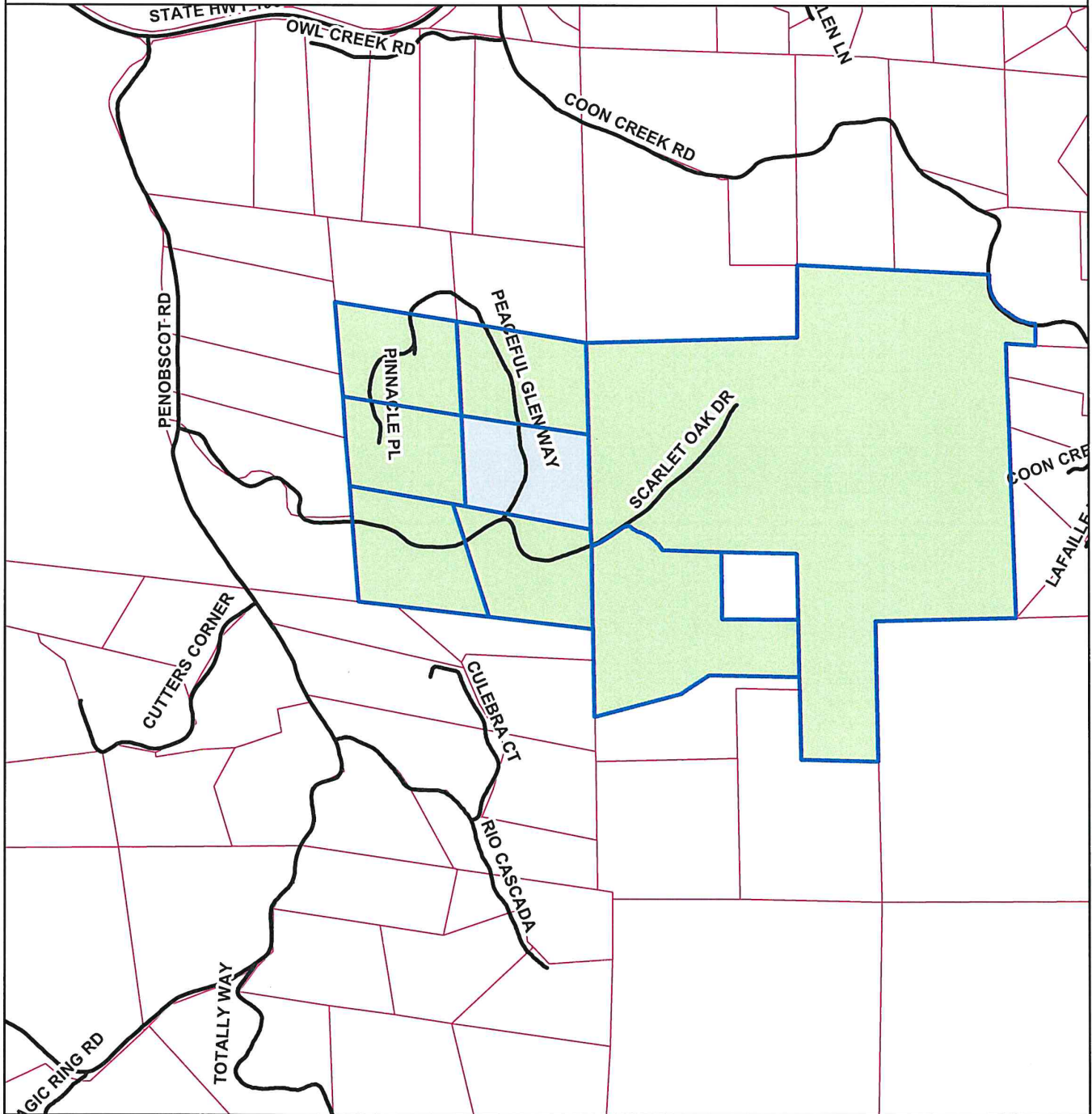
Go to [avery.com/templates](http://avery.com/templates)  
Use Avery Template 5160

Easy Peel® Address Labels  
Bend along line to expose Pop-up Edge®

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# Gibson Notification

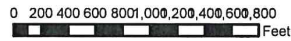


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MAP PREPARED BY: LeeAnne Mils DATE: November 27, 2018  
 PROJECT ID: proj1345  
 EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
 PHONE (530) 621-6511 FAX (530) 626-8731

Notification
  Gibson Parcel
  Parcel
  Roads



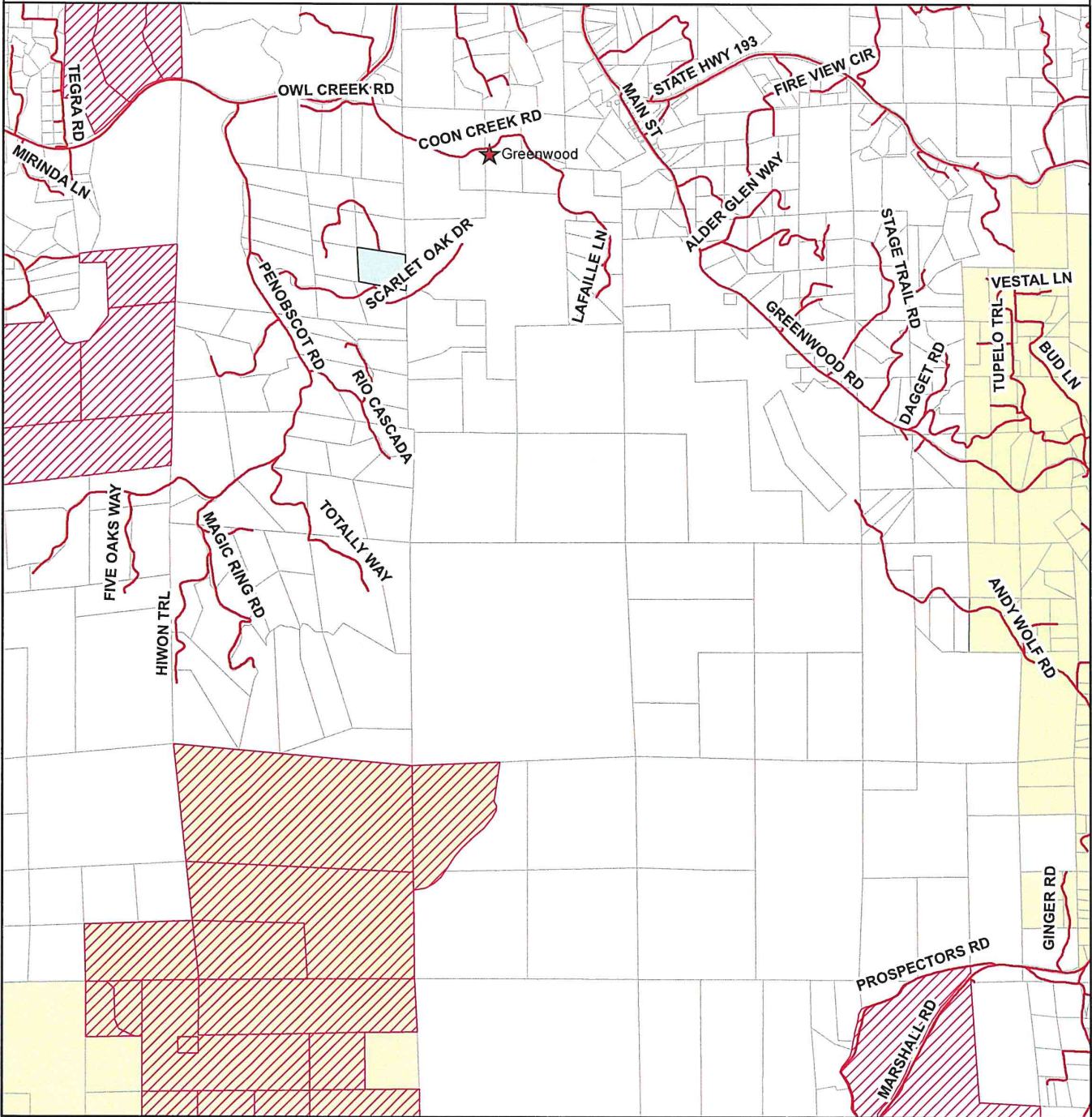
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



## El Dorado County Agricultural Commission

# Gibson

## Proximity to Agricultural District



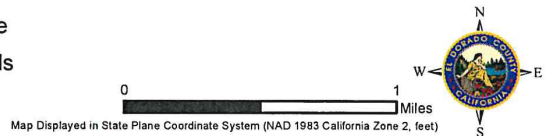
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MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018  
PROJECT ID: projjackson.p

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PHONE (951) 621-6511 FAX (951) 626-8731

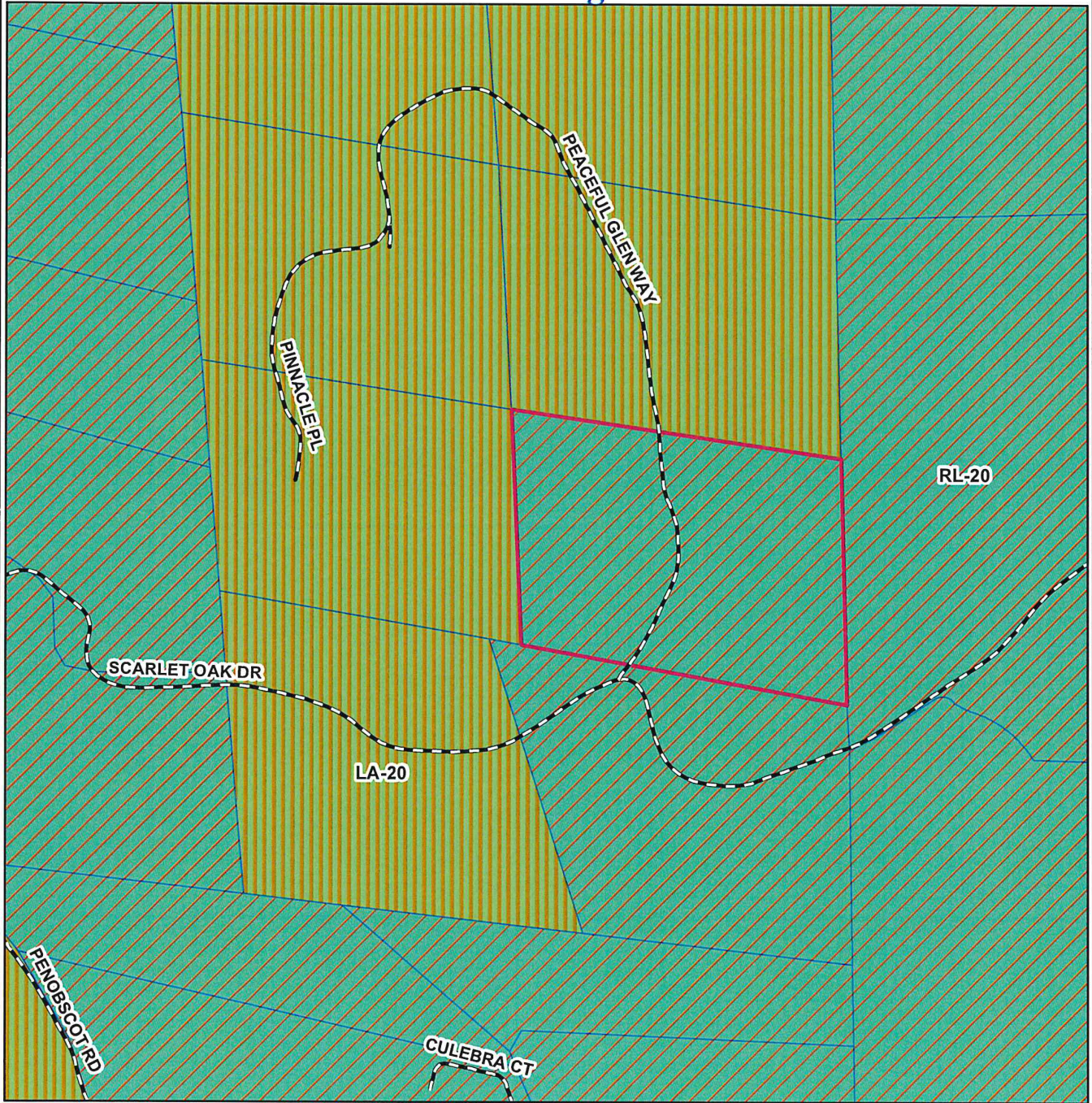
- Ag District
- Gibson Parcel
- Ag Preserves
- Parcel Base
- Major Roads



# El Dorado County Agricultural Commission



# Gibson Zoning



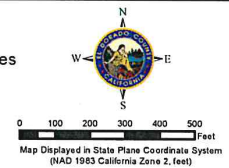
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MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018  
PROJECT ID: projJackson\_z

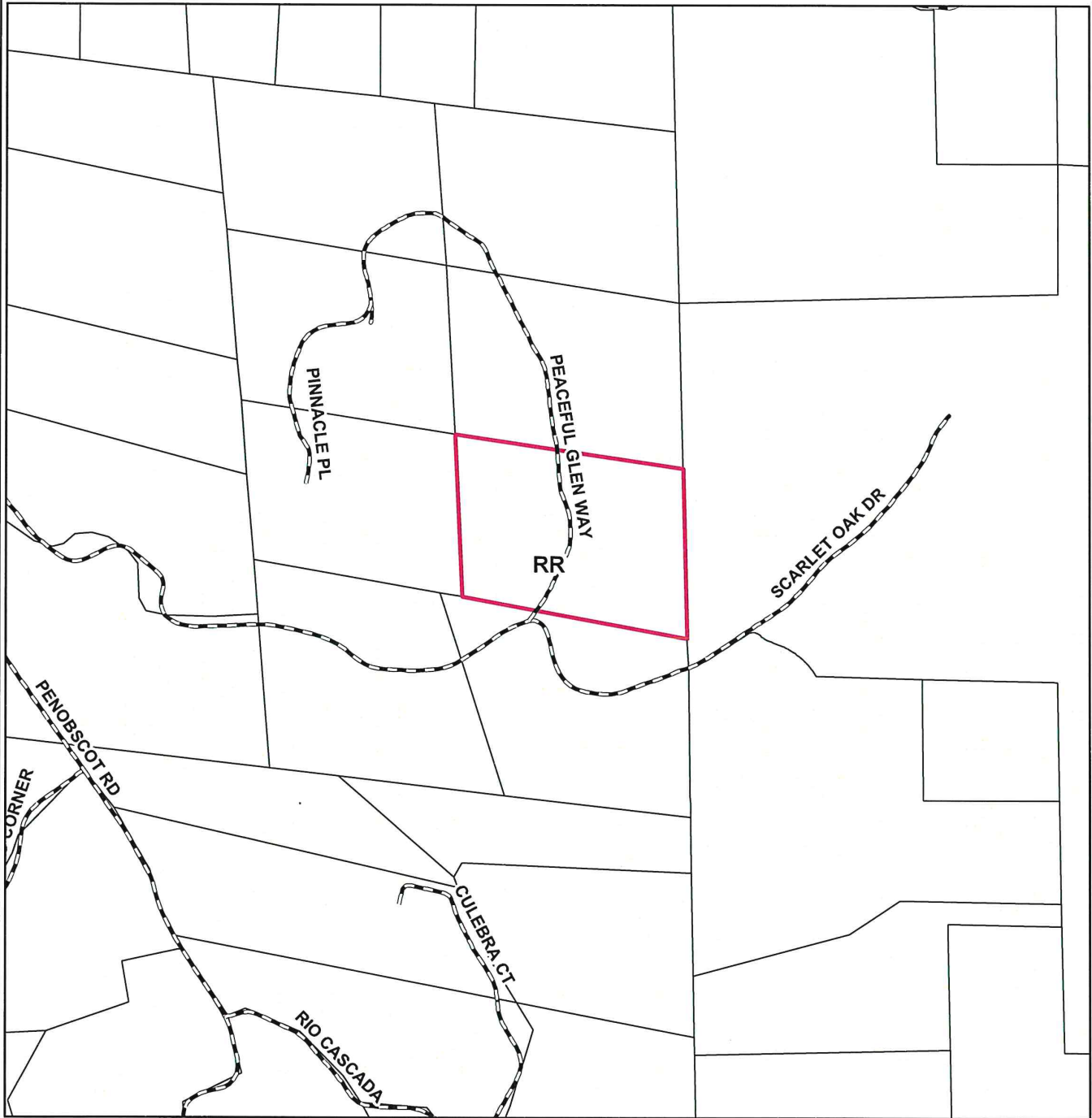
EL DORADO COUNTY SURVEYOR, G.L.S. DIVISION  
PHONE (530) 624-6511 FAX (530) 626-8731

- Parcel Base
- LA-20 = Limited Agriculture 20 Acres
- RL-20 = Rural Land 20 Acres
- GibsonParcel
- Roads



El Dorado County Agricultural Commission

# Gibson Land Use



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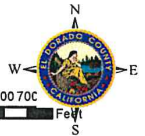
MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018

PROJECT ID: projJackson\_L

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-  Parcels
-  Gibson Parcel
-  Roads

Rural Residential

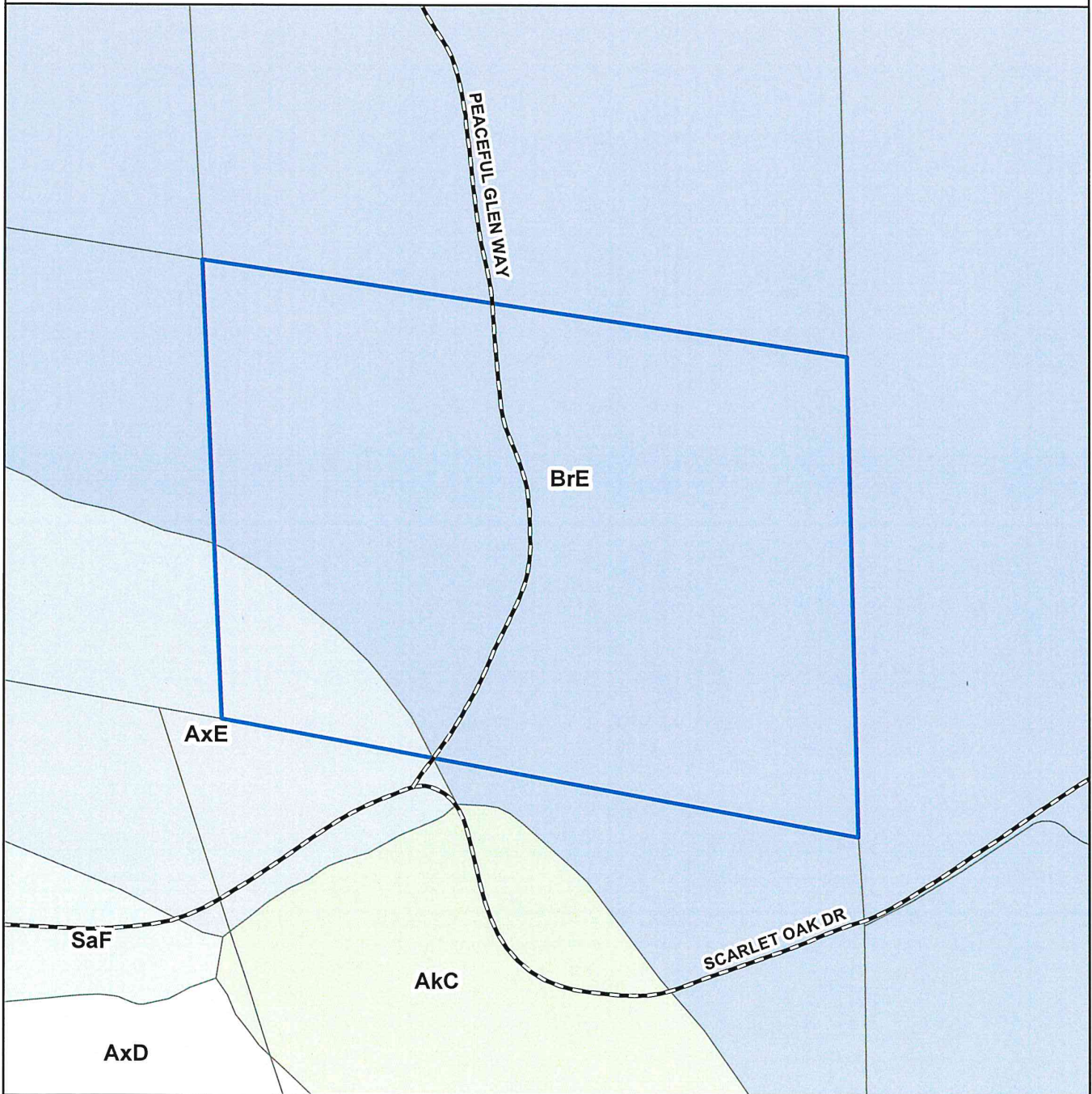


0 100 200 300 400 500 600 700 Feet

Map Displayed in State Plane Coordinate System  
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# Gibson Soils



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

PROJECT ID: proj\ackon\_3

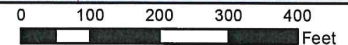
EL DORADO COUNTY SURVEYOR G.L.S. DIVISION  
PHONE: (951) 621-4511 FAX: (951) 626-4751

Gibson Parcel

**Soils**

- Argonaut gravelly loam, 2 to 15 percent slopes
- Auburn very rocky silt loam, 2 to 30 percent slopes

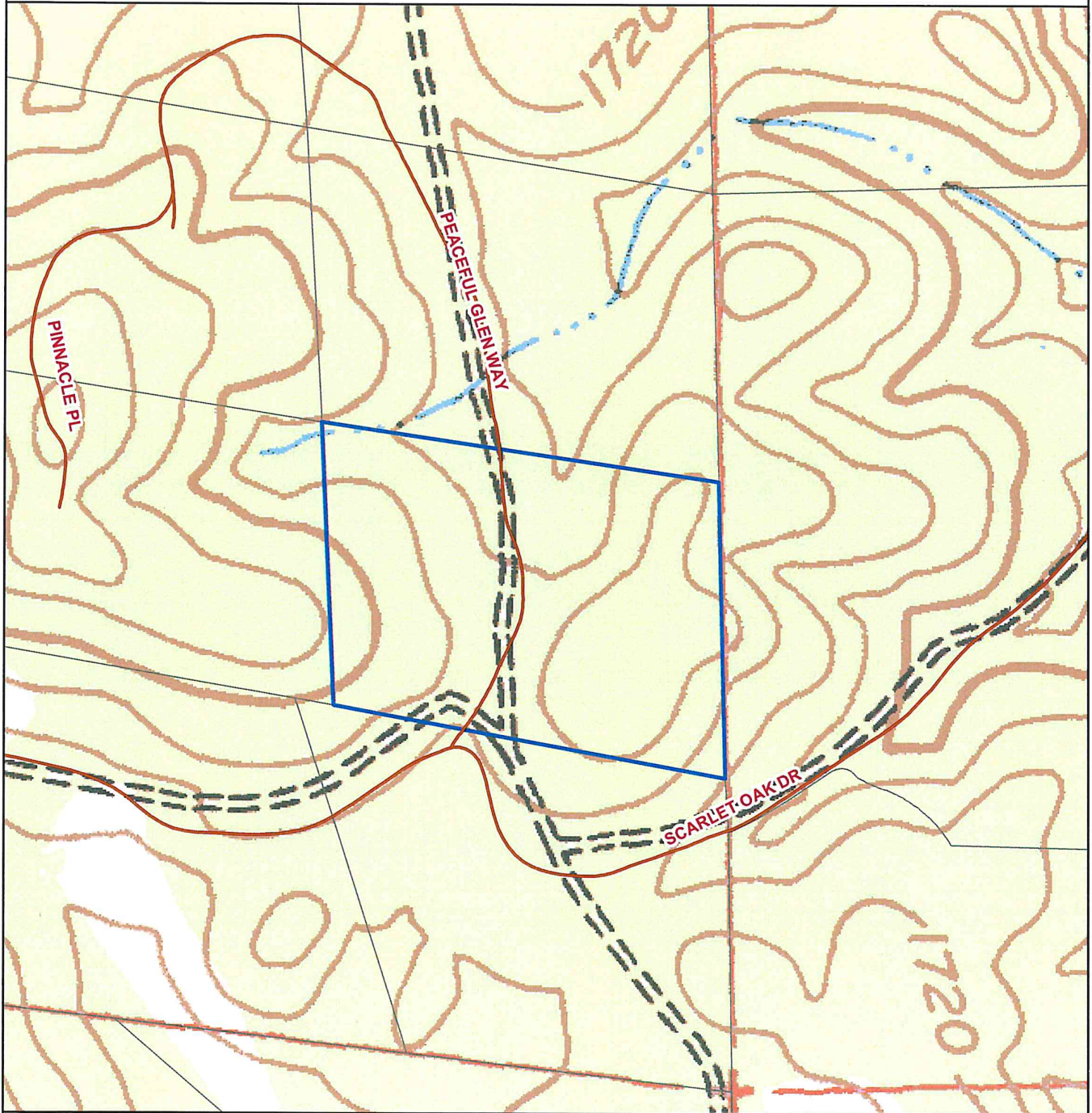
- Auburn very rocky silt loam, 30 to 50 percent slopes
- Boomer-Sites very rocky loams, 9 to 50 percent slopes
- Serpentine rock land



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

**El Dorado County Agricultural Commission**

# Gibson Topography



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

PROJECT ID: projJackson\_1

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
PHONE (530) 621-4511 FAX (530) 626-4731

**Legend**

- curroads
- Parcels
- GibsonParcel
- Roads



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



El Dorado County Agricultural Commission

# Gibson



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 MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018  
 PROJECT ID: Jackson\_4  
 EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
 PHONE (530) 621-6511 FAX (530) 626-4731

**Legend**

- Parcel Base
- 200 Ft
- GibsonParcel
- Roads

0 100 200 300 400 Feet  
 Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



## El Dorado County Agricultural Commission