



Agricultural Commission Staff Report

Date: May 31, 2022

To: El Dorado County Agricultural Commission

From: LeeAnne Mila; Deputy Agricultural Commissioner

Subject : ADM22-0041 Schram's Ag. Setback Relief
Administrative Relief from Agricultural Setback to Construct a New Pool
and for the Existing Single Family Dwelling
Assessor's Parcel Number: 078-270-010

Planning Request and Project Description:

Planning Division is requesting review for administrative relief from the agricultural setback for the above referenced project. This request is for the construction of a new swimming pool adjacent to the existing property owner's residence, 45.96 acres, split zoned Residential Estate (RE-5) and Two-Acre Residential (R2A). The project site is located on the RE-5 zoned portion of the lot, within the Rural Region of the County. The proposed building site is fifty feet (50') from the eastern property line adjacent to a parcel, APN 078- 060-013, 40 acres, and zoned Limited Agricultural 20-acre minimum (LA-20).

The administrative relief from the agricultural setback is to include the existing single family dwelling, which was erroneously permitted in 2020 with a setback of eighty feet (80') from the same adjacent parcel. This request is to memorialize setback relief for both projects. The parcel is located in unincorporated El Dorado County in the Pleasant Valley area, is in Supervisor District 2, and is not located within an agricultural district.

Parcel Description:

- Parcel Number and Acreage: 078-270-010, 45.96 Acres
- Agricultural District: No
- Land Use Designation: Rural Residential, RR, and Medium Density Residential, MDR
- Zoning: Residential Estate 5 Acres, RE-5 and Two Acre Residential, R2A
- Choice Soils: JtC- Josephine Silt Loam, 5-15 slopes

Discussion:

A site visit was conducted on May 24, 2022 to assess the placement of the proposed pool and the single family dwelling

Staff Findings:

Staff recommends APPROVAL of the request for construction of a swimming pool, no less than 50 ft. from the eastern property line from APN: 078- 060-013, and the request to memorialize the setback relief for the existing single family dwelling at 80 ft. from the property line 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 pool has been located near the house to keep all non-compatible uses together. The property has placement limitations due to an existing single family dwelling and a pond on the property. The parcel also has natural creeks on the western and eastern sides. The property is narrow in the RE-5 section further limiting building sites outside of the setback. The proposed site for the pool is directly next to the house placing all the developed sites on the property together. This allows a large portion of the land on the applicants parcel to be utilized for agricultural activities. Currently it is being used for grazing.

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 building site is buffered by natural creek with vegetation and trees that provide a natural buffer and limit the potential of negative impacts to adjacent agriculture.

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 sites available to place a pool near the house are limited due to historical development of the parcel. There is also a large pond that further limits building sites. Placing the pool next to the house keeps all non-

compatible uses together, reasonably minimizing non-compatibilities with any future agricultural operations on the adjacent parcel.

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.



AGRICULTURAL COMMISSION

311 Fair Lane
Placerville, CA 95667
(530) 621-5520
(530) 626-4756
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
Tim Neilsen – Livestock Industry
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 **June 8, 2022**. 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 6/8/2022 and will be posted with the Agenda on June 3, 2022.

ADM22-0041 Schram's Ag Setback Relief Administrative Relief from Agricultural Setback to Construct a New Pool and for Existing Single Family Dwelling Assessor's Parcel Number: 078-270-010

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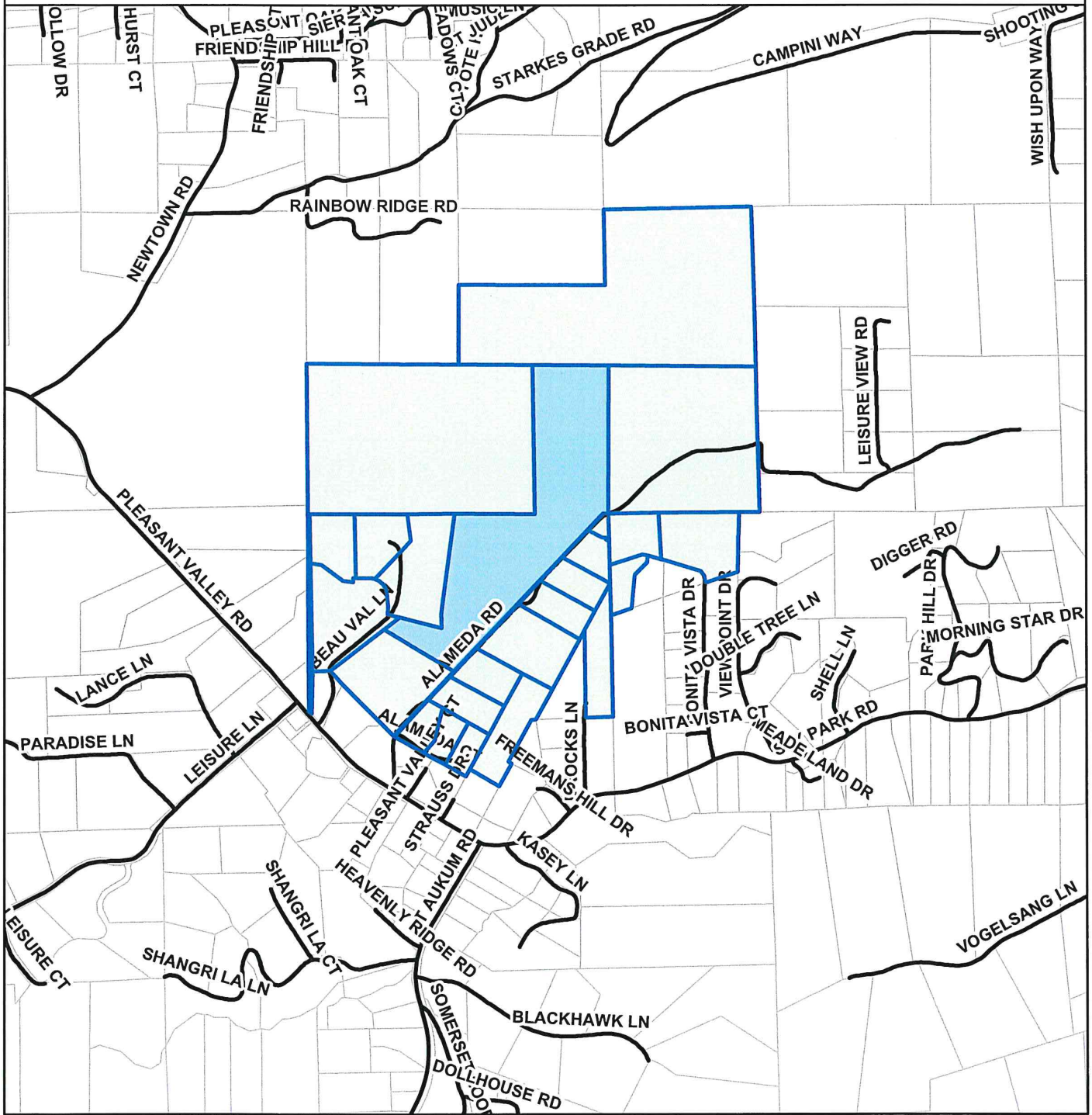
The Agricultural Commission is an advisory body to and for the Board of Supervisors and Planning Commission on all matters pertaining to agriculture. The Agricultural Commission reviews and makes recommendations only on the agricultural element of the project. ****Please note that the exception to this 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 Rebecca Leisher at Planning Services, (530) 621-5355.

Schram Notification

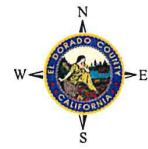


DISCLAIMER
 THIS DEPICTION WAS COMPILED FROM UNVERIFIED PUBLIC AND PRIVATE SOURCES AND IS ILLUSTRATIVE ONLY. NO REPRESENTATION IS MADE AS TO ACCURACY OF THIS INFORMATION. PARCEL BOUNDARIES ARE PARTICULARLY UNRELIABLE. USERS MAKE USE OF THIS DEPICTION AT THEIR OWN RISK.
 MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018
 PROJECT ID: projJackson_n
 EL DORADO COUNTY SURVEYOR/G.L.S. DIVISION
 PHONE (530) 621-6311 FAX (530) 626-8731

Parcel Base Schram500 Schram Roads

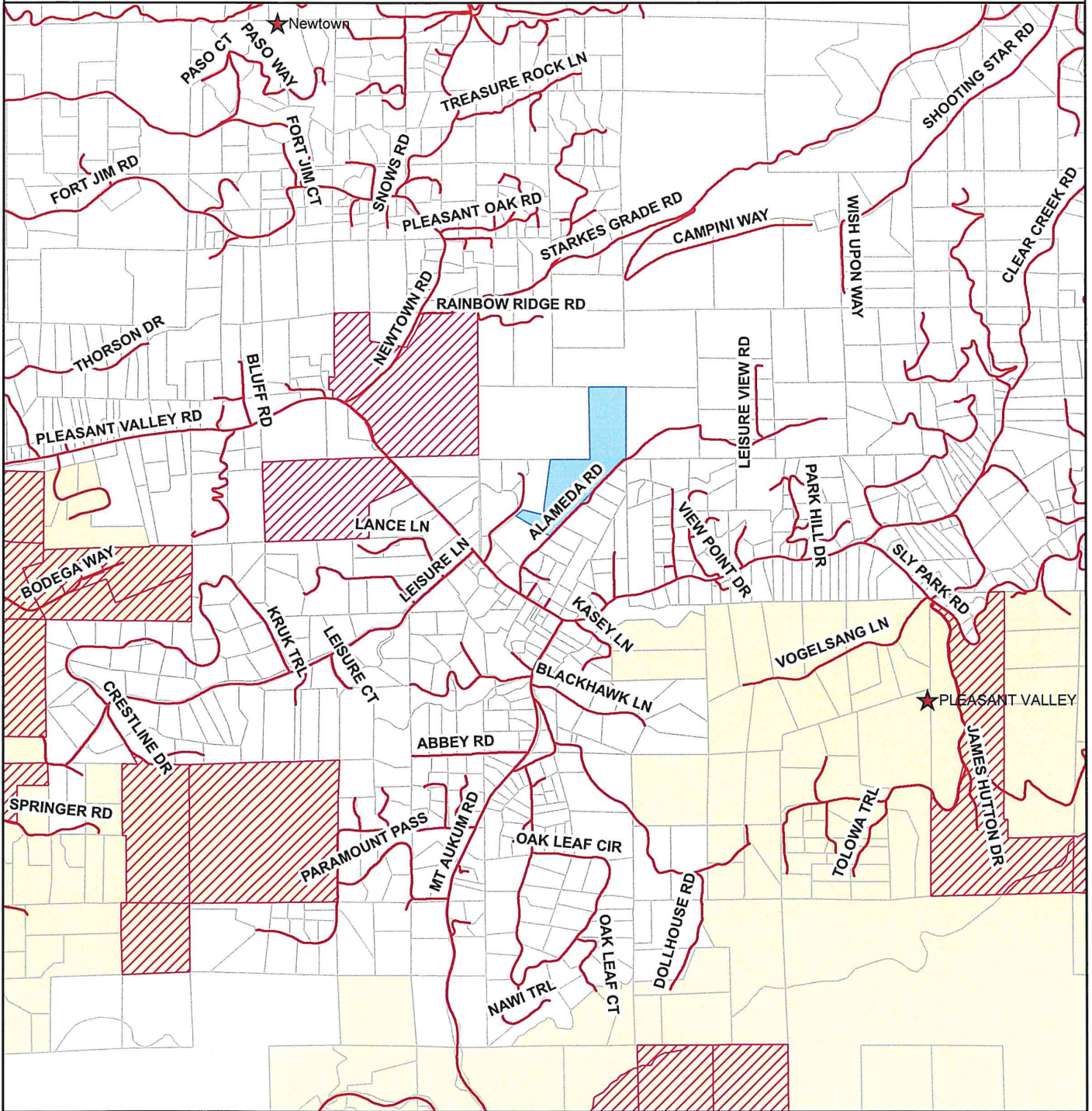


Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



Schram

Proximity to Agricultural District



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MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018
PROJECT ID: pejackson_p

EL DORADO COUNTY SURVEYOR & G.L.S. DIVISION
PHONE: (951) 621-6311 FAX: (951) 626-4771

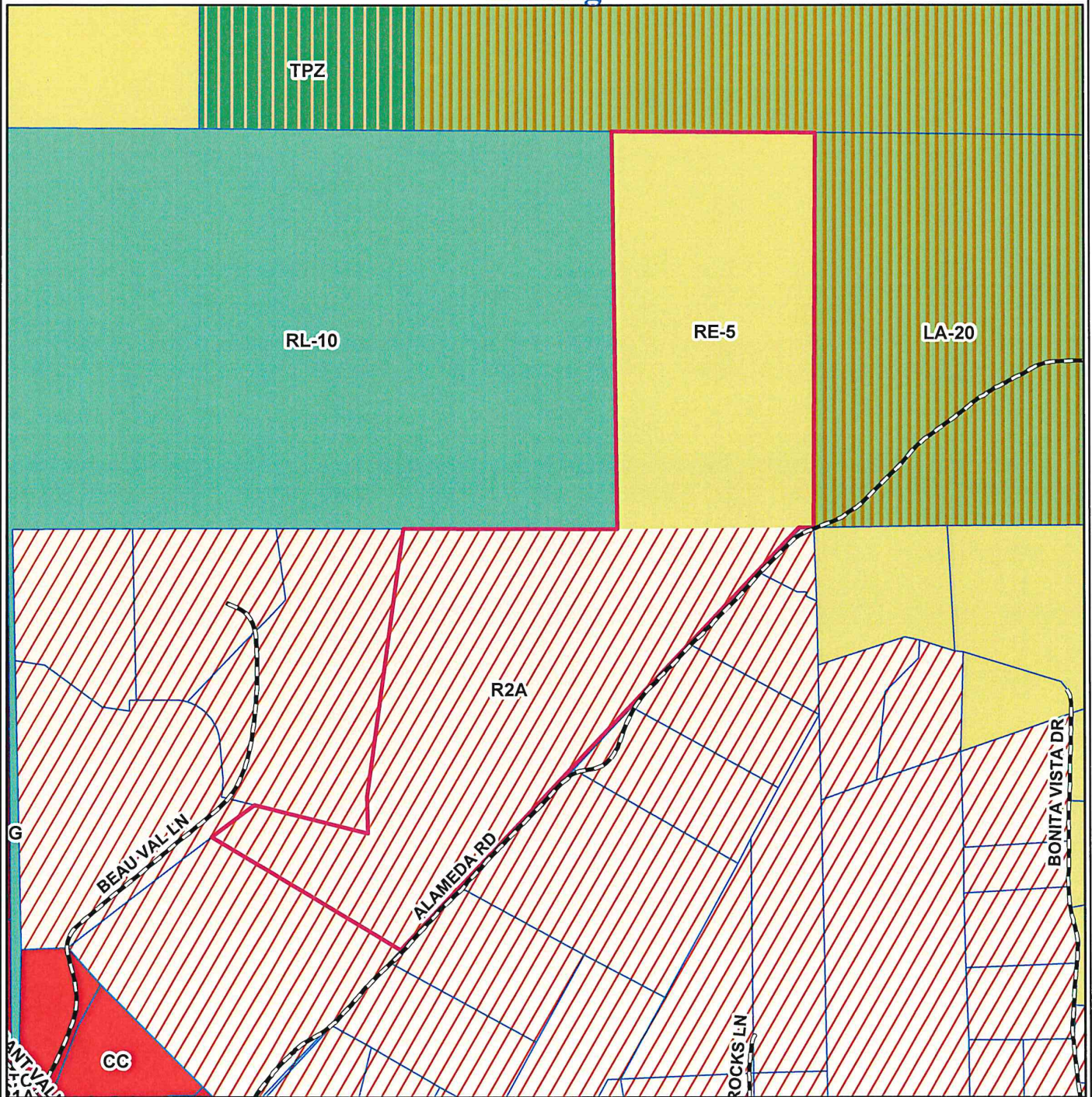
- Ag District
- Schram
- Ag Preserves
- Parcel Base
- Major Roads



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

El Dorado County Agricultural Commission

Schram Zoning



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MAP PREPARED BY: LeeAnne Milla DATE: November 27, 2018
PROJECT ID: projJackson_z

EL DORADO COUNTY SURVEYOR/G.L.S. DIVISION
PHONE (951) 621-6511 FAX (951) 626-4731

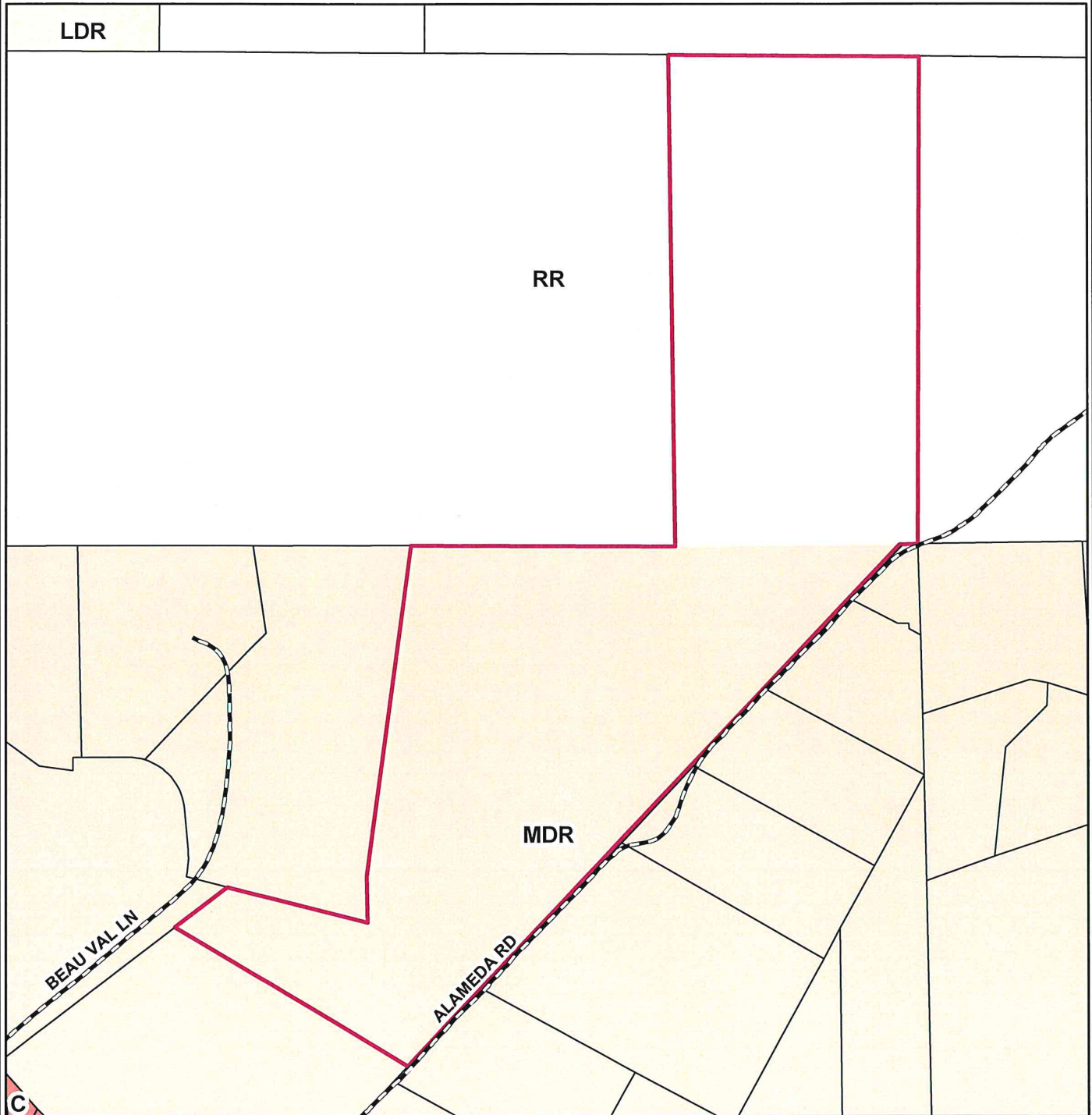
- Parcel Base
- Schram
- Roads
- LA-20 = Limited Agriculture 20 Acres
- PA-20 = Planned Agriculture 20 Acres
- CC = Commercial Community
- CG = Commercial General
- CL = Commercial Limited
- TPZ = Timber Preserve
- R1A = Residential 1 Acre
- R2A = Residential 2 Acres
- RE-5 = Residential Estate 5 Acres
- RL-10 = Rural Land 10 Acres
- RL-20 = Rural Land 20 Acres
- TC = Transportation Corridor



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

El Dorado County Agricultural Commission

Schram Land Use



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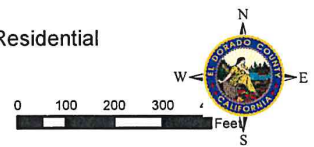
MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018

PROJECT ID: projJackson_L

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (930) 621-6511 FAX (930) 626-8731

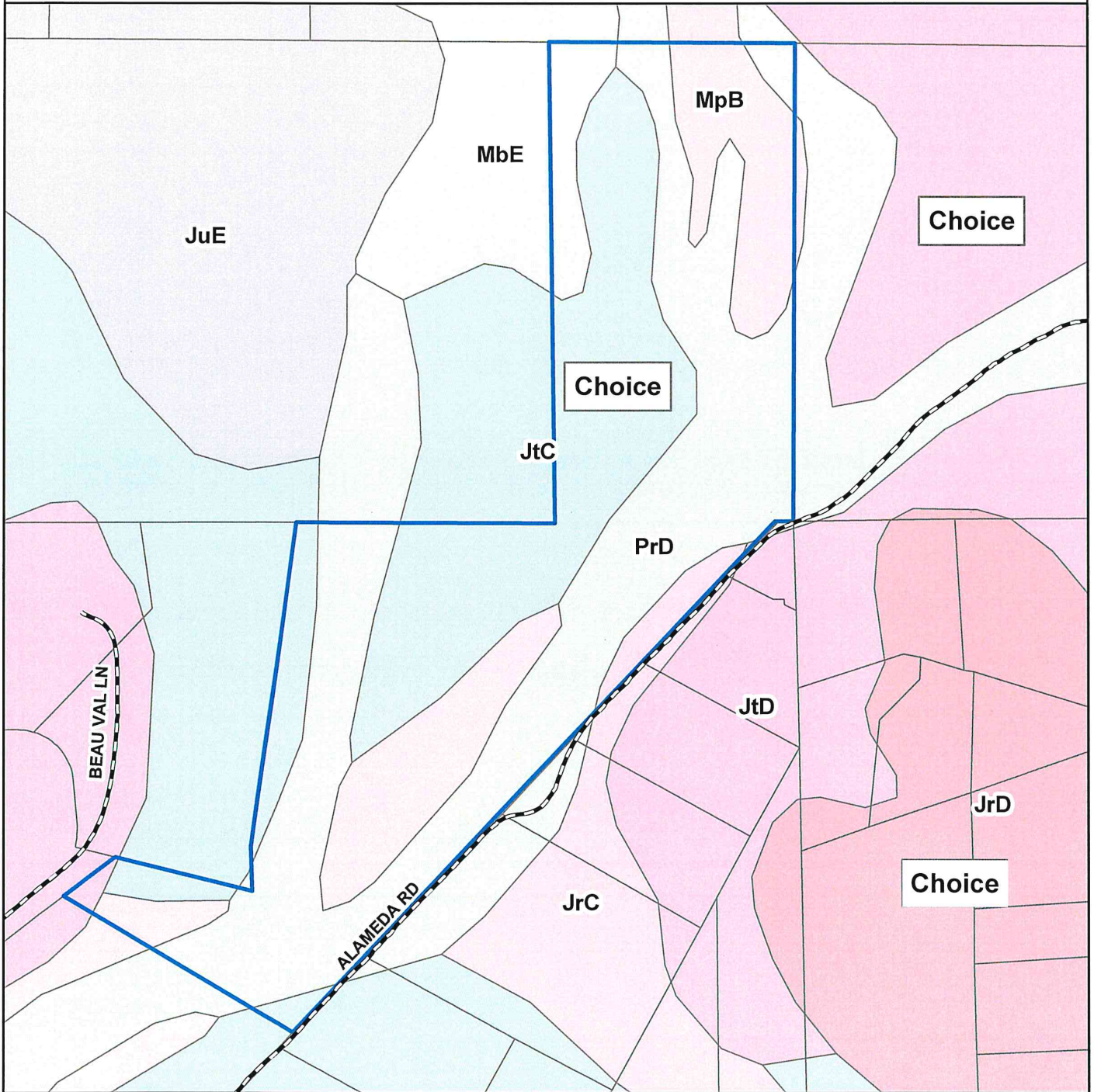
- Parcels
- Schram
- Roads
- Commercial
- Low Density Residential
- Medium Density Residential
- Rural Residential

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



El Dorado County Agricultural Commission

Schram Soils



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

PROJECT ID: projJackson_4

EL DORADO COUNTY SURVEYOR & U.S. DIVISION PHONE (530) 621-6911 FAX (530) 626-4731

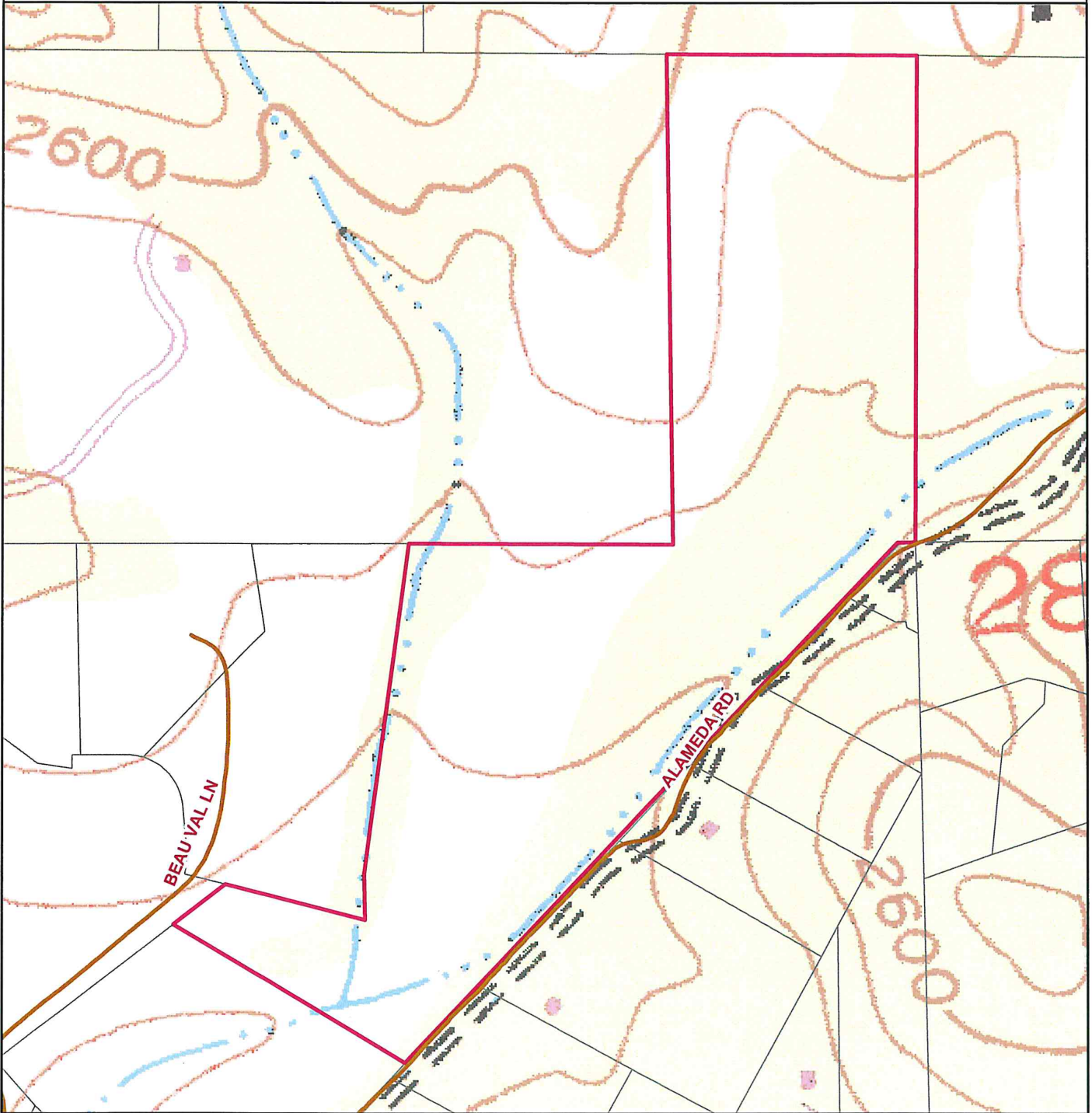
- | | |
|--|--|
| Schram | Josephine silt loam, 5 to 15 percent slopes |
| Soils | Josephine very rocky silt loam, 9 to 50 percent slopes |
| Josephine gravelly loam, 15 to 30 percent slopes | Mariposa very rocky silt loam, 3 to 50 percent slopes |
| Josephine gravelly loam, 9 to 15 percent slopes | Mixed alluvial land |
| Josephine silt loam, 15 to 30 percent slopes | Placer diggings |



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

El Dorado County Agricultural Commission

Valdez Topography



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MAP PREPARED BY: Lee Anne Mills DATE: November 27, 2018

PROJECT ID: projJackson_1

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Legend

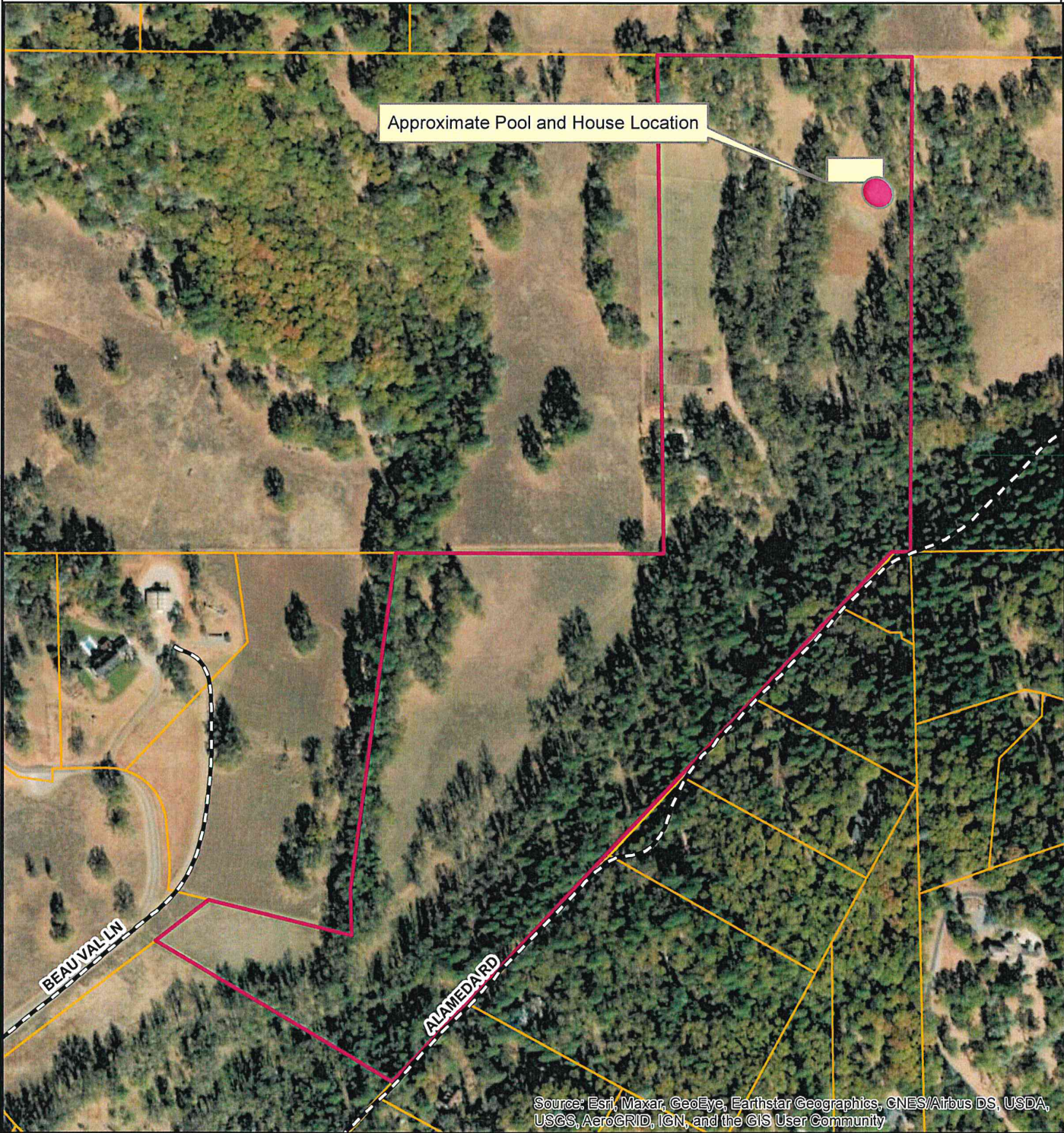
- curroads
- Parcels
- Schram
- Roads



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



Schram



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

PROJECT ID: Jackson_a

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (350) 621-6511 FAX (350) 626-8731

Legend

- Parcel Base
- Schram
- Roads



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



El Dorado County Agricultural Commission