



**Agricultural Commission
Staff Report**

Date: August 5, 2021
To: El Dorado County Agricultural Commission
From: LeeAnne Mila; Deputy Agricultural Commissioner
Subject: **ADM21-0025 Simonin Ag Setback Relief
Administrative Relief from Agricultural Setback to Construct a
New Pool
Assessor's Parcel Number: 078-050-020**

Planning Request and Project Description:

The applicant is requesting administrative relief from the required 200-foot agricultural setback for the above-referenced project. Applicant has also applied for in-ground pool permit (permit 340203). The applicant's parcel, APN 078-050-20, is 18.89 acres, zoned Residential Estate-5 acre (RE-5). The parcel located south of Pleasant Valley Road, approximately 1,887 feet west of the intersection of Pleasant Valley Road and New Town Road (Supervisor District 2).

The applicant's parcel is bordered by six parcels:

APN 078-050-024 borders the applicant's parcel on the northwestern boundaries, is 3.13 acres, and zoned RE-5. APN 078-050-023 borders the applicant's parcel on the northeastern boundaries, is 2.70 acres, and is zoned RE-5. APN 078-050-068 borders the applicant's parcel along the western boundaries, is 19.46 acre, and is zoned RE-5. APN 078-070-018 borders the applicant's parcel on the southwestern boundaries, is 11.52 acres, and zoned RE-5. APN 078-070-030 borders the applicant's parcel on the southeastern boundaries, is 6.27 acres and zoned RE-5. APN 078-050-059 borders the applicant's parcel on the eastern boundaries, is 72.17 acres, and zoned Planned Agriculture-20 (PA-20).

Applicant is requesting that the setback for this parcel be reduced to 137 feet on the east to allow room to build an in-ground pool.

Parcel Description:

- Parcel Number and Acreage: 078-050-020, 18.89 Acres
- Agricultural District: No
- Land Use Designation: Low Density Residential, LDR
- Zoning: Residential Estate 5 Acres, RE-5.
- Soil Type: Choice Soils
 - CoE – Cohasset cobbly loam, 15 to 50 percent slopes

Discussion:

A site visit was conducted on July 20, 2021 to assess the placement of the proposed pool.

Staff Findings:

Staff recommends APPROVAL of the request for construction of a swimming pool, no less than 137 ft. from the eastern 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;*

Topography of the parcel severely limits available placement sites for the pool.

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 site for the pool is directly behind the house placing all the developed sites on the property together.

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*

There are natural buffers in place on the applicants parcel and on the PA-20 property to the east. The applicants parcel dramatically slopes toward the PA-20 zoned property to east into a seasonal drainage. Next to the drainage is a dense shrub and oak stand.

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
eldcaq@edcgov.us

Greg Boeger, Chair – Agricultural Processing Industry
Dave Bolster, Vice-chair – Fruit and Nut Farming Industry
Lloyd Walker- Other Agricultural 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#

Or Telephone: Dial(for higher quality, dial a number based on your current location):

US: +1 213 338 8477 or +1 669 219 2599 or +1 669 900 9128 or +1 971 247

1195 or +1 253 215 8782 or +1 346 248 7799 or +1 602 753 0140 or +1 720 928

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Webinar ID: 955 7477 2611

International numbers available: <https://zoom.us/j/95574772611>

RE: ADM21-0025 Simonin Ag Setback Relief Administrative Relief from Agricultural Setback to Construct a New Pool Assessor's Parcel Number: 078-050-020

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Agricultural Commission Meeting
August 11, 2021
Page 2

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 Christina Duran at Planning Services, (530) 621-5355.

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FINDLETON ROBERT C
4010 PLEASANT VALLEY RD
PLACERVILLE CA 95667-7833

HART ROBERT S
4235 MICHAEL WAY
PLACERVILLE CA 95667

HELLER MARY L & RICHARD F
4260 MICHAEL WAY
PLACERVILLE CA 95667-9536

KENAGY PHILIP A & DONETTE M
4004 PLEASANT VALLEY RD
PLACERVILLE CA 95667-7833

FIGOR DONALD G
4002 PLEASANT VALLEY RD
PLACERVILLE CA 95667-7833

OSTROWSKI MICHEAEL THEODORE &
AMANDA
4240 MICHAEL WAY
PLACERVILLE CA 95667

SIMONIN THOMAS JOSEPH TR & T LIV
FM TR 10/23/12
4351 MICHAEL WAY
PLACERVILLE CA 95667-9520

BAMBERGER TINO & GINA
4341 PARADISE LN
PLACERVILLE CA 95667-8409

WALDIE COURTNEY MARIE & WIELE
ERIK DOUGLAS
6920 CALCITE DR
EL DORADO CA 95623

ROBSON MARK EDWARD TR &
KATHLEEN ELLEN TR
4515-4517 KRUK TRL
PLACERVILLE CA 95667

GUDMANN NOEL TR & HANNE
KRISTINE TR
4500 KRUK TRL
PLACERVILLE CA 95667-9277

MACHADO DONNA MARIE
PO BOX 2064
DIAMOND SPRINGS CA 95619

POWERS NATHANAEL JOSEPH
4340 PARADISE LN
PLACERVILLE CA 95667-8409

GOLD OAK UNION SCHOOL DIST
3171 PLEASANT VALLEY RD
PLACERVILLE CA 95667-7836

HILDEBRAND FRANK W TR
DBA NARROW GATE VINEYARDS
4180 PLEASANT VALLEY RD

HELLER MARY L & RICHARD F
4260 MICHAEL WAY
PLACERVILLE CA 95667-9536

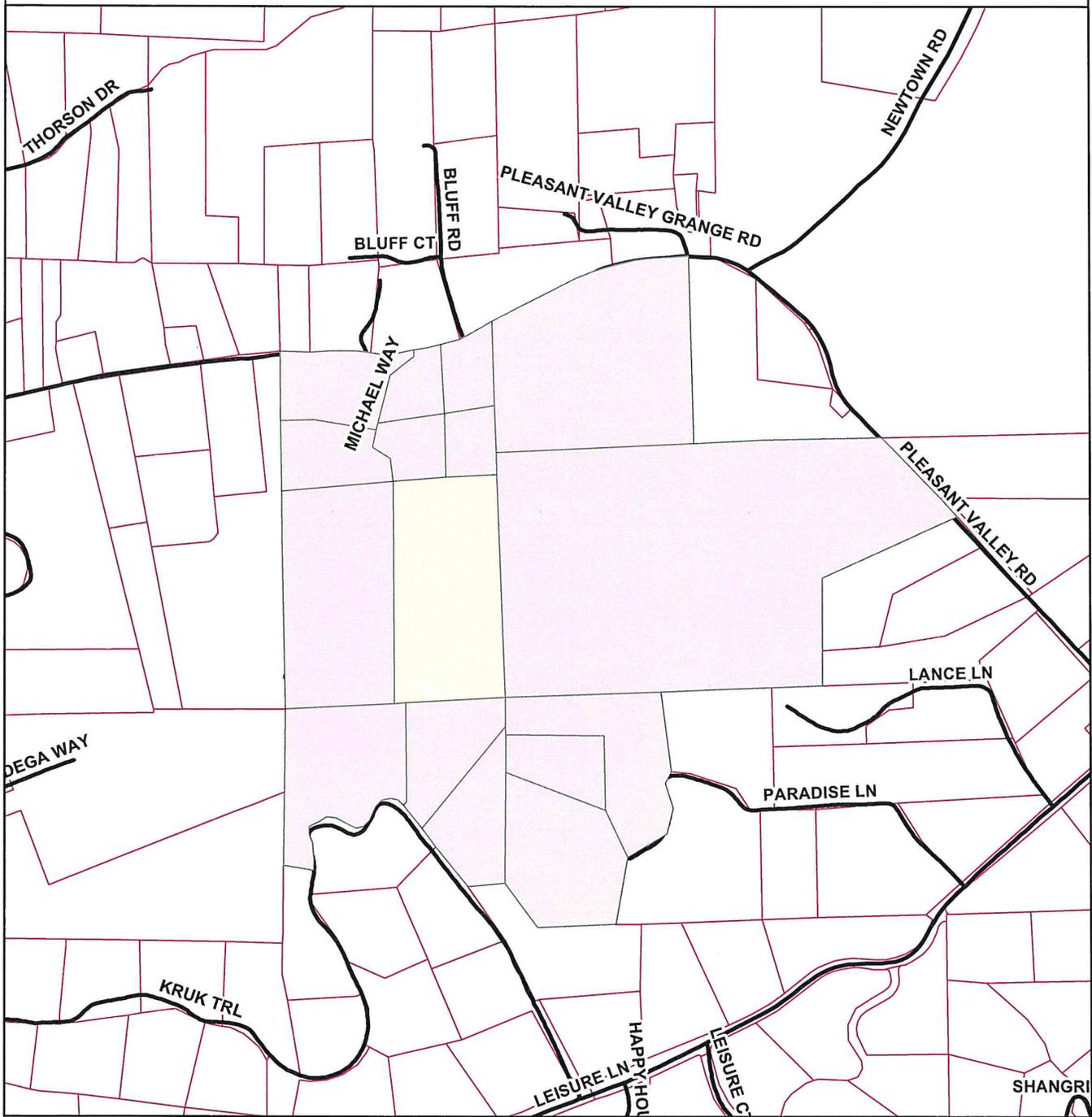
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Simonin Notification



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

500 Ft. Buffer
 Parcel selection
 Parcel
 Roads

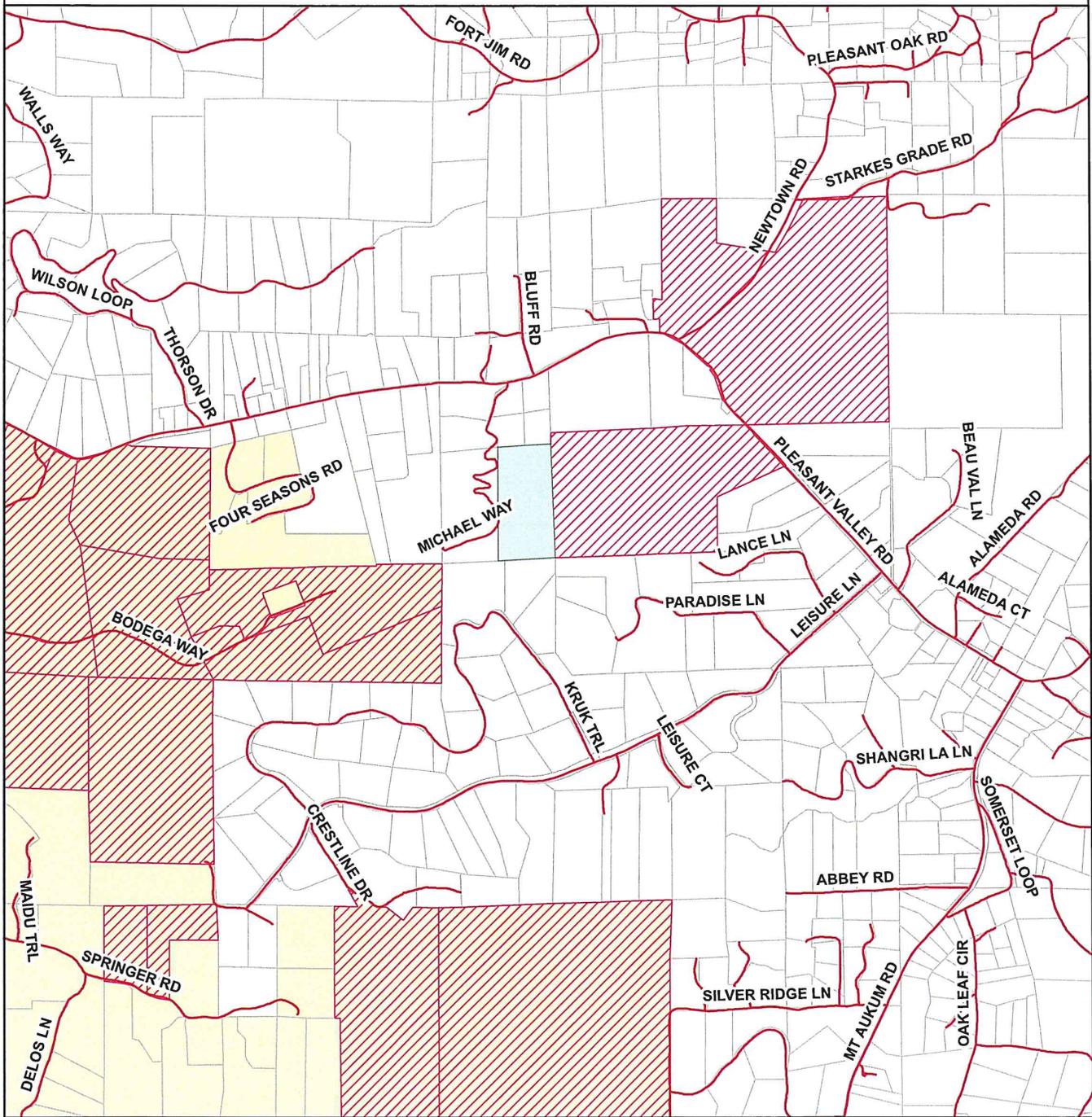


Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



Simonin

Proximity to Agricultural District



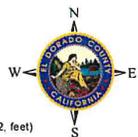
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MAP PREPARED BY: Luciana Milla DATE: November 27, 2018
PROJECT ID: projjackson_p

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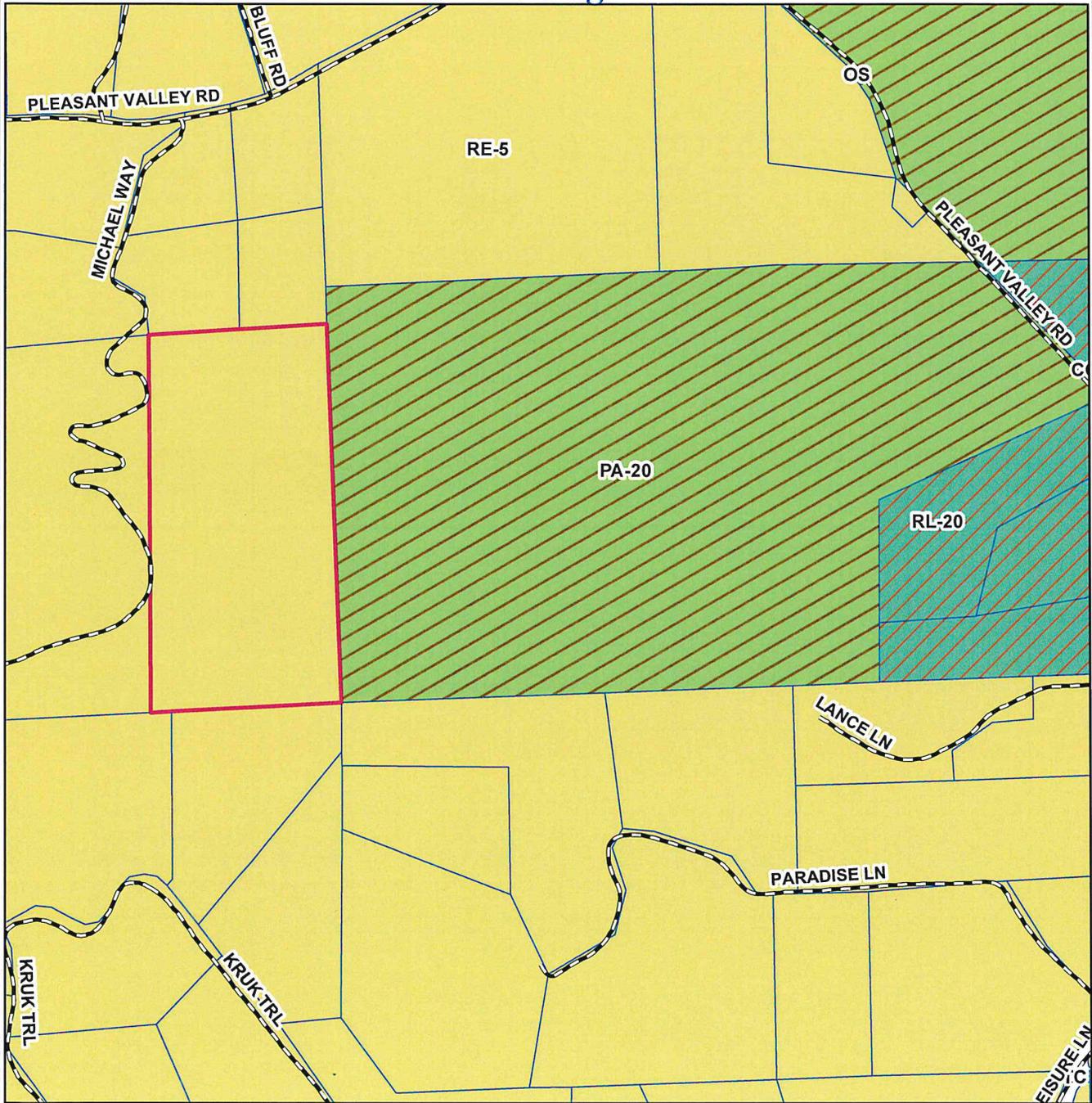
- Ag District
- Parcel
- Ag Preserves
- Parcel Base
- Major Roads



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

El Dorado County Agricultural Commission

Simonin Zoning



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MAP PREPARED BY: LeeAnne Mili DATE: November 27, 2018
PROJECT ID: proj1343sim_e

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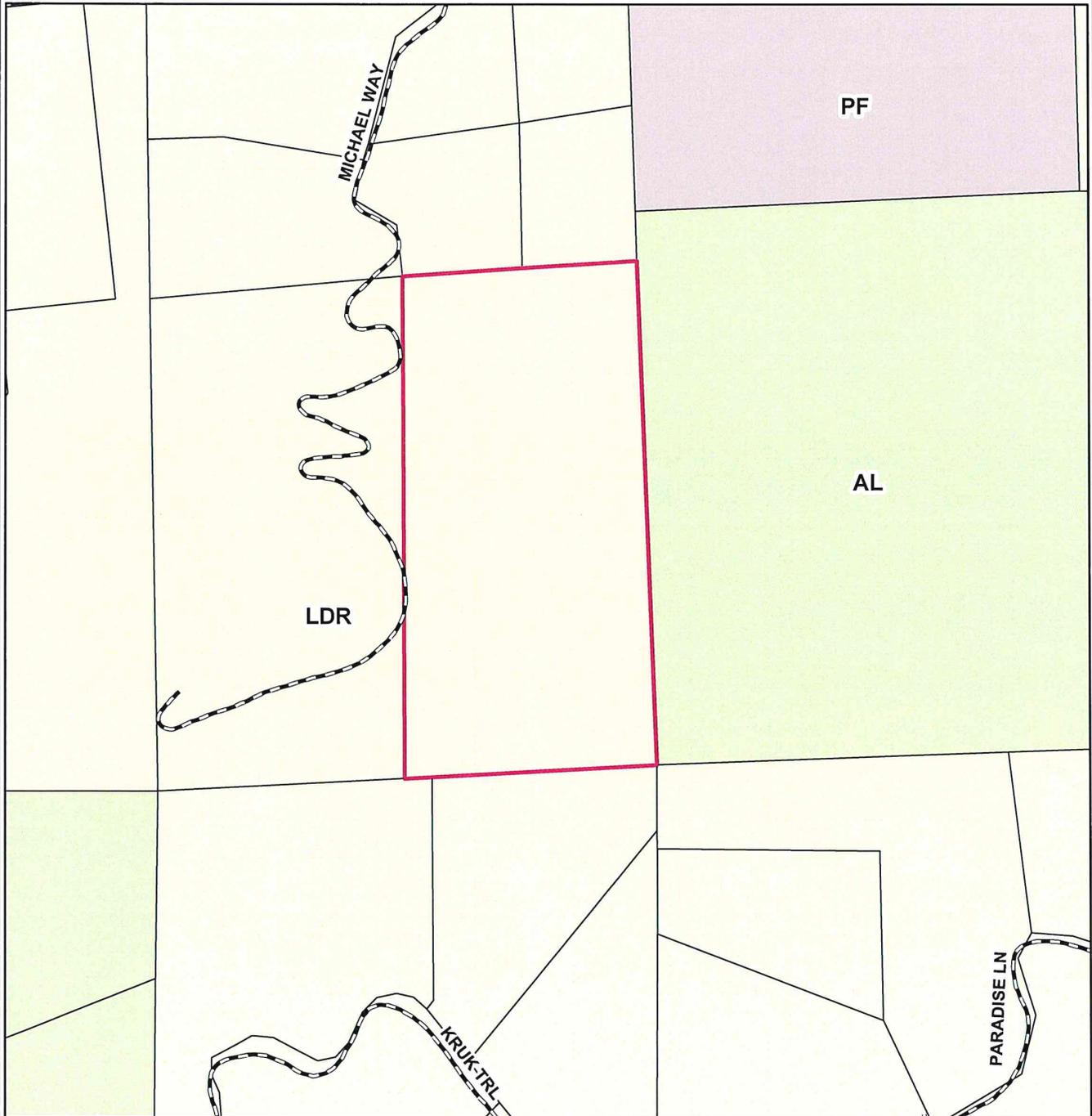
- Parcel Base
- Parcel
- Roads
- PA-20 = Planned Agriculture 20 Acres
- CG = Commercial General
- RL-20 = Rural Land 20 Acres
- OS = Open Space
- TC = Transportation Corridor



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

El Dorado County Agricultural Commission

Simonin Land Use



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

PROJECT ID: projlskoon_1

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (350) 624-6511 FAX (350) 626-4714

- Parcels
- Parcel
- Roads
- Agricultural Lands
- Low Density Residential
- Public Facilities

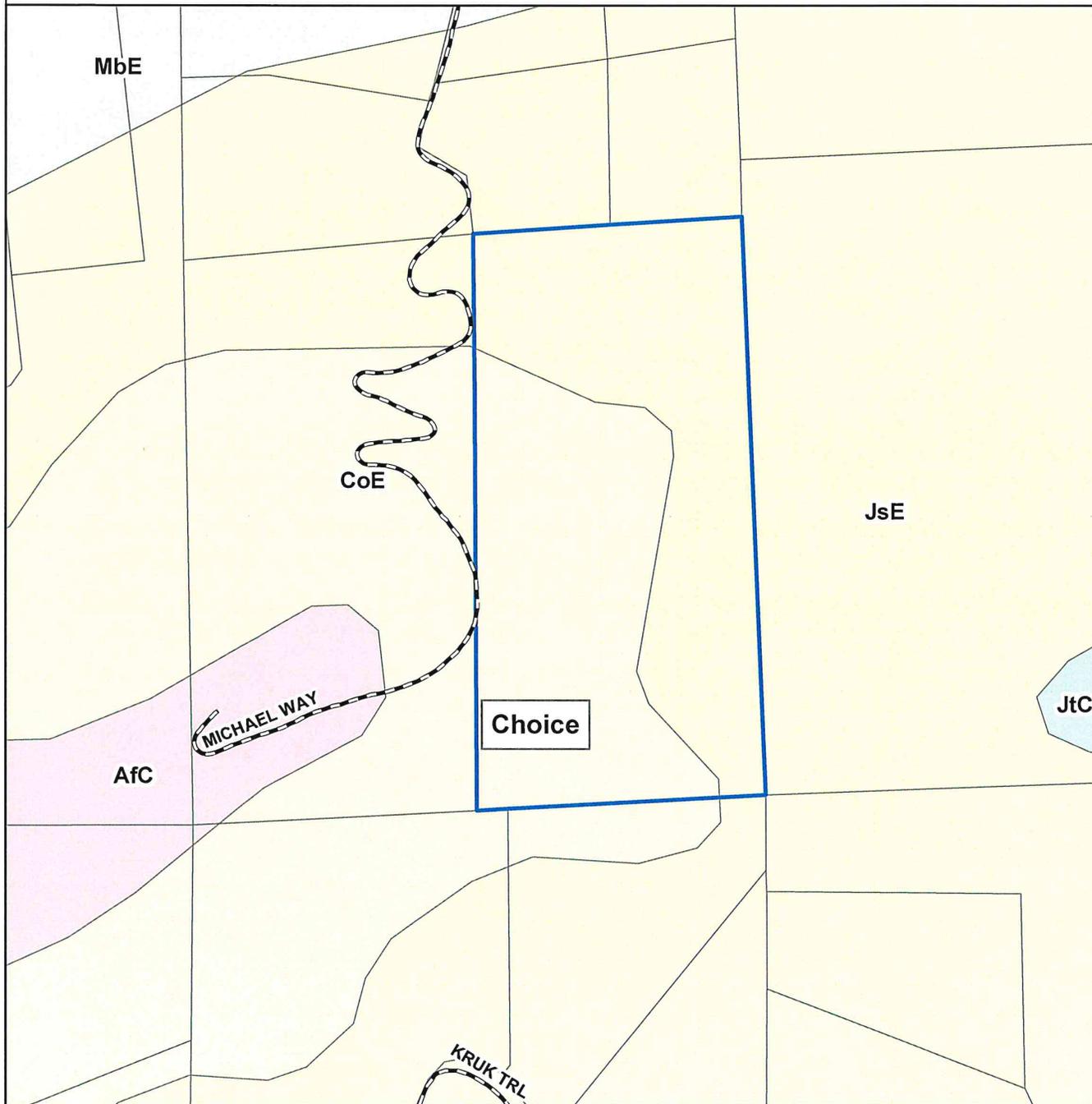
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(NAD 1983 California Zone 2, feet)

0 100 200 300 Feet



El Dorado County Agricultural Commission

Simonin Soils



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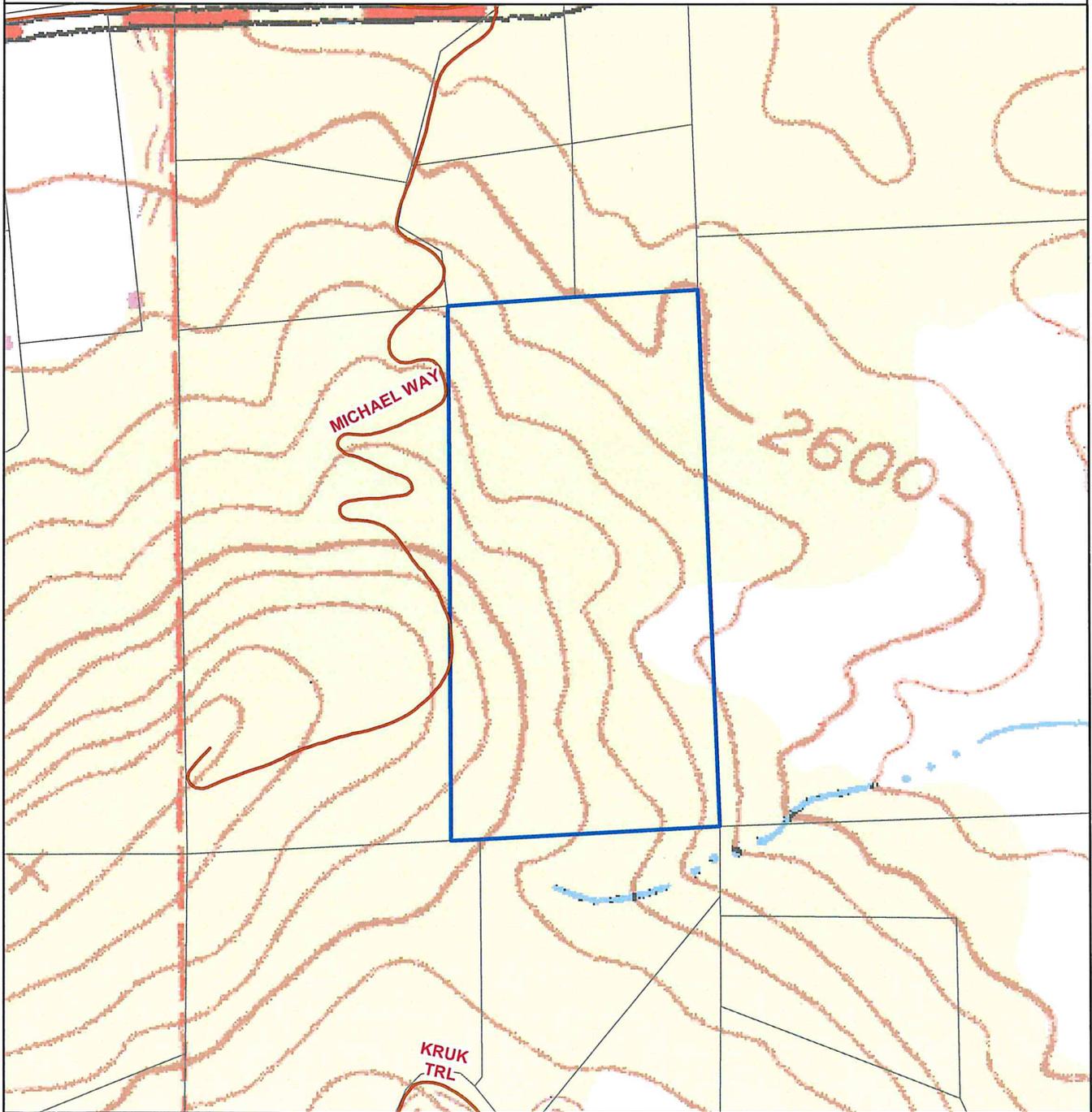
MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018
 PROJECT ID: proj1343m_s
 EL DORADO COUNTY SURVEYOR, G.I.S. DIVISION
 PHONE: (530) 621-6511 FAX: (530) 626-8751

- | | |
|---|---|
| Simonin Parcel | Josephine silt loam, 5 to 15 percent slopes |
| Soils | Josephine very rocky loam, 15 to 50 percent slopes |
| Aiken loam, 9 to 15 percent slopes | Mariposa very rocky silt loam, 3 to 50 percent slopes |
| Cohasset cobbly loam, 15 to 50 percent slopes | |



El Dorado County Agricultural Commission

Simonin Topography



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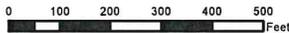
MAP PREPARED BY: LeeAnneMila DATE: November 27, 2018

PROJECT ID: projJackson_t

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Legend

- curroads
- Parcels
- Simonin Parcel
- Roads



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



El Dorado County Agricultural Commission

Gibson



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: LeeAnneMba DATE: November 27, 2018

PROJECT ID: Jackson_3

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Legend

- Parcel Base
- Simonin 200Ft
- Parcel
- Roads



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El Dorado County Agricultural Commission