



## Agricultural Commission Staff Report

Date: April 6, 2023

To: El Dorado County Agricultural Commission

From: CJ Seado; Agricultural Biologist III

Subject : **ADM23-0008 Henson Agricultural Setback Relief  
Administrative Relief from Agricultural Setback to Construct a New Pool  
at the Existing Single Family Dwelling.  
Assessor's Parcel Number: 087-181-019-000**

### 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, 21.53 acres, zoned Limited Agriculture 20-acre minimum (LA-20). The proposed building site is one hundred eleven feet (111') from the southern property line, adjacent to a parcel, APN 087-181-009, that is 20.02 acres, and zoned LA-20. Neither parcel is located within an agricultural district. The subject parcel is not located in a Community Region or Rural Center and is in Supervisor District 2.

### Parcel Description:

- Parcel Number and Acreage: 087-181-019-000, 21.3 Acres
- Agricultural District: No
- Land Use Designation: Rural Residential
- Zoning: Limited Agriculture 20 Acres, LA-20
- Choice Soils: AXD, Auburn Very Rocky Silt Loam, 2-30% slopes

### Discussion:

A site visit was conducted on March 17, 2023 to assess the placement of the proposed pool at this single family dwelling.

**Staff Findings:**

Staff recommends APPROVAL of the request for construction of a swimming pool, no less than 110 ft. from the southern property line from APN: 087-181-009, 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 topography of this parcel severely limits areas where you could build a 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 pool has been located as close to the existing home as possible to keep all non-compatible uses together. The current placement of this project allows a large portion of the land on the applicants parcel to be utilized for agricultural activities. Currently this applicant is utilizing this land for grazing.**

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*

**A steep seasonal drainage lined with oak trees directly below the property line helps to provide a natural buffer to help limit the potential of negative impacts to the adjacent agricultural grazing property. The proposed building site for the pool sits approximately 40' above the adjoining parcel further creating a natural 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 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  
David Bolster, Vice Chair - Fruit and Nut Farming Industries  
Lloyd Walker - Other Agricultural Interest  
Shamarie Tong- Livestock Industry  
Bill Draper- Forestry Related Industries  
Chuck Mansfield- Fruit and Nut Farming Industries  
Tim Neilsen- Livestock 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 **April 12, 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 04/12/2023 and will be posted with the Agenda on April 7, 2023.

**ADM23-0008 Henson's Ag Setback Relief  
Administrative Relief from Agricultural Setback to Construct a New Pool  
Assessor's Parcel Number: 087-181-019**

#### 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, 21.53 acres, zoned Limited Agriculture 20-acre minimum (LA-20). The proposed building site is one hundred eleven feet (111') from the southern property line, adjacent to a parcel, APN 087-181-009, that is 20.02 acres, and zoned LA-20. Neither parcel is located within an agricultural district. The subject parcel is not located in a Community Region or Rural Center and is in Supervisor District 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) 621-6647. All questions relating to specific details of the project should be addressed to the Planner Rebecca Leisher Development Technician at Planning Services, (530) 621-5355.

AVERY

5160

ABDALLA SHERIF A & TRACY M  
8520 LATROBE RD  
SHINGLE SPRINGS CA 95682-8045

COUNTY OF EL DORADO  
330 FAIR LN  
PLACERVILLE CA 95667-4103

HANNAFORD ROBERT EARL TR & RE  
2017 LIV REV TR  
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SHINGLE SPRINGS CA 95682-8044

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8580 LATROBE RD  
SHINGLE SPRINGS CA 95682-8045

HENSON JUSTIN & BRINNAN  
7051 CHAPARRAL DR  
SHINGLE SPRINGS CA 95682-8009

MEADE PHILLIP D TR & LINDA F TR  
7151 CHAPARRAL DR  
SHINGLE SPRINGS CA 95682-8049

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JOYCE MONTY BOB TR & CARRILLO  
DEBORA LEE TR  
9641 FALCON HAVEN RD  
SHINGLE SPRINGS CA 95682-8084

RUVALCABA MIGUEL ALEJANDRO &  
LOPEZ MARIE A  
7015 CHAPARRAL DR  
SHINGLE SPRINGS CA 95682-8009

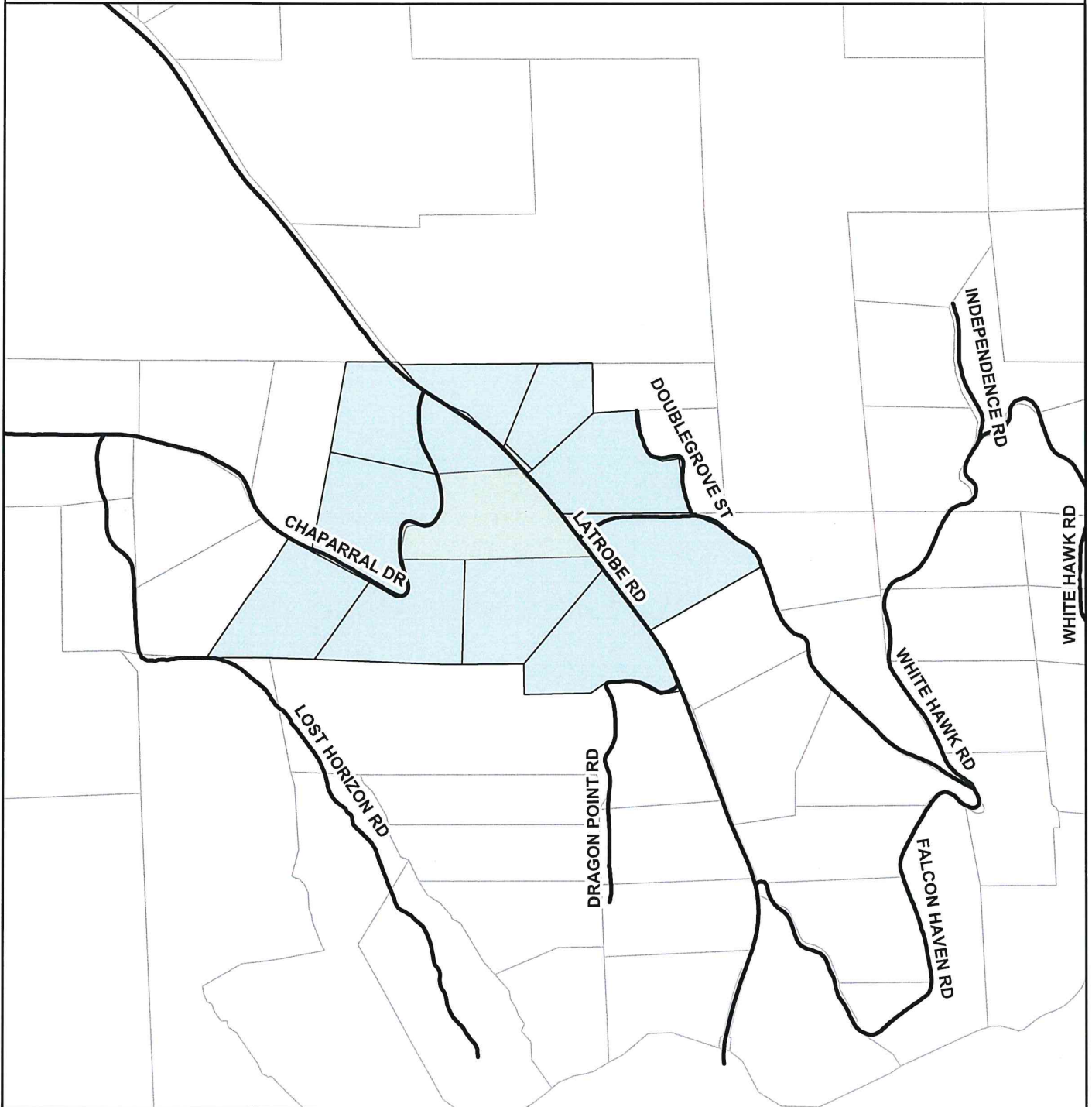
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# Henson

## 500 Ft. Notification



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

Parcel Base   
  Henson\_500\_Ft   
  Henson   
 Roads

0 200 400 600 800 1,000 2,000 4,000 6,000  
 Feet

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

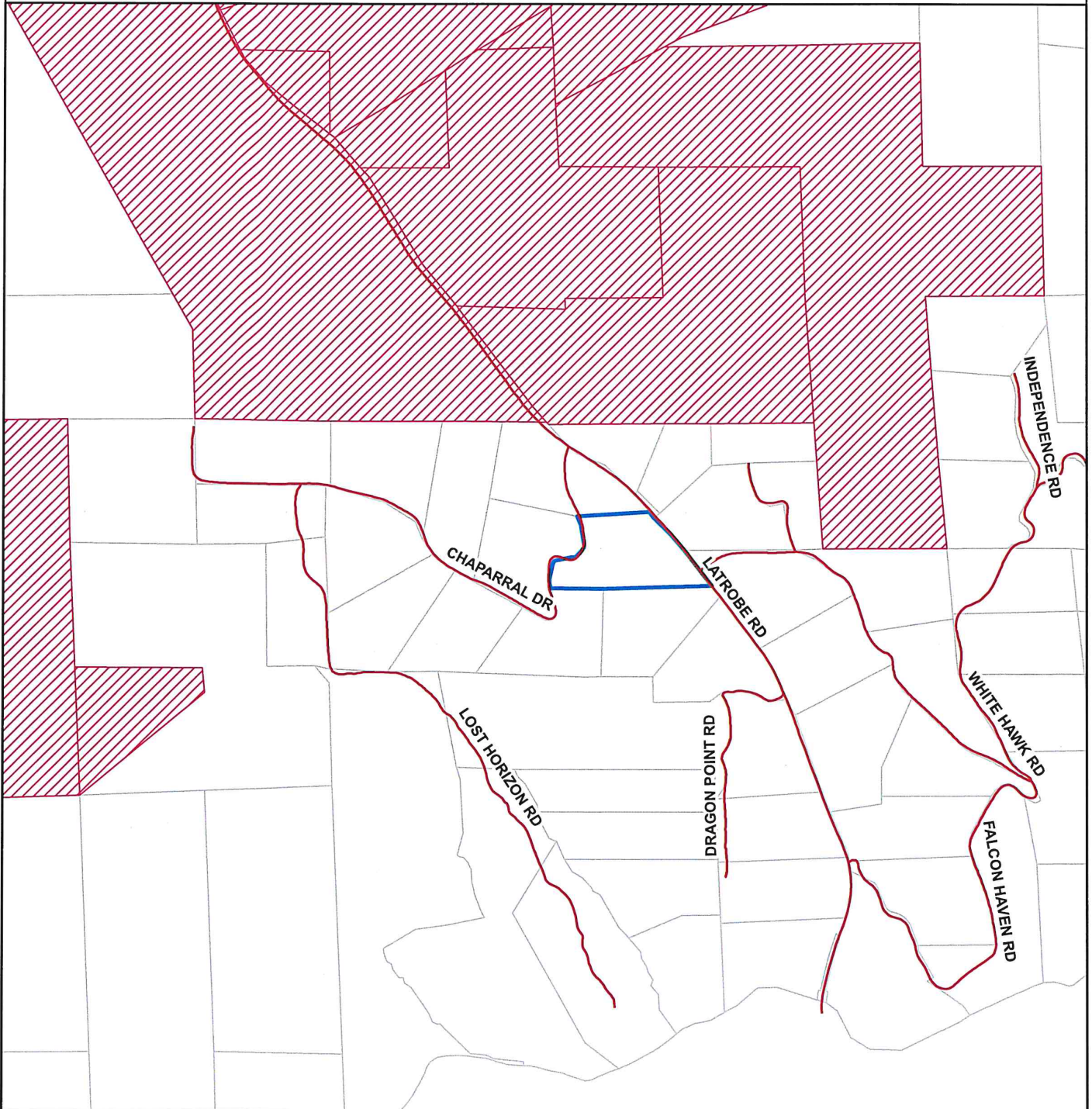


# El Dorado County Agricultural Commission



# Henson

## Proximity to Agricultural District



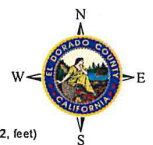
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MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018  
PROJECT ID: pmjackson\_p

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

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



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

El Dorado County Agricultural Commission



# Henson Zoning



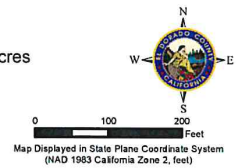
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MAP PREPARED BY: LeeAnn Mills DATE: November 27, 2018  
PROJECT ID: projJackson\_z

EL DORADO COUNTY SURVEYOR/O.L.S. DIVISION  
PHONE (951) 621-6111 FAX (951) 626-8771

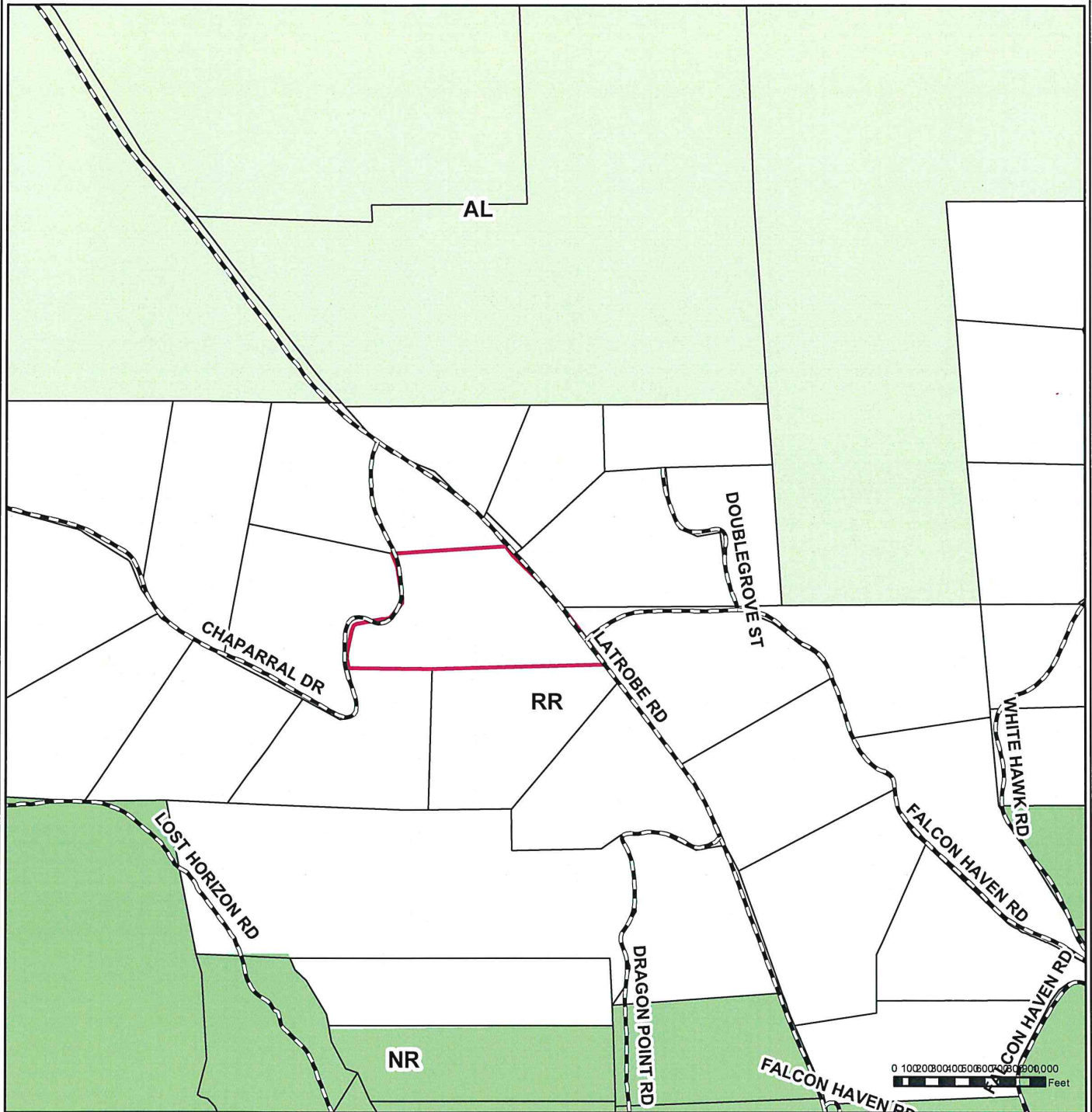
- Parcel Base
- Henson
- Roads
- LA-20 = Limited Agriculture 20 Acres
- RE-10 = Residential Estate 10 Acres
- RL-20 = Rural Land 20 Acres



**El Dorado County Agricultural Commission**



# Henson Land Use



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

PROJECT ID: projJackson\_L

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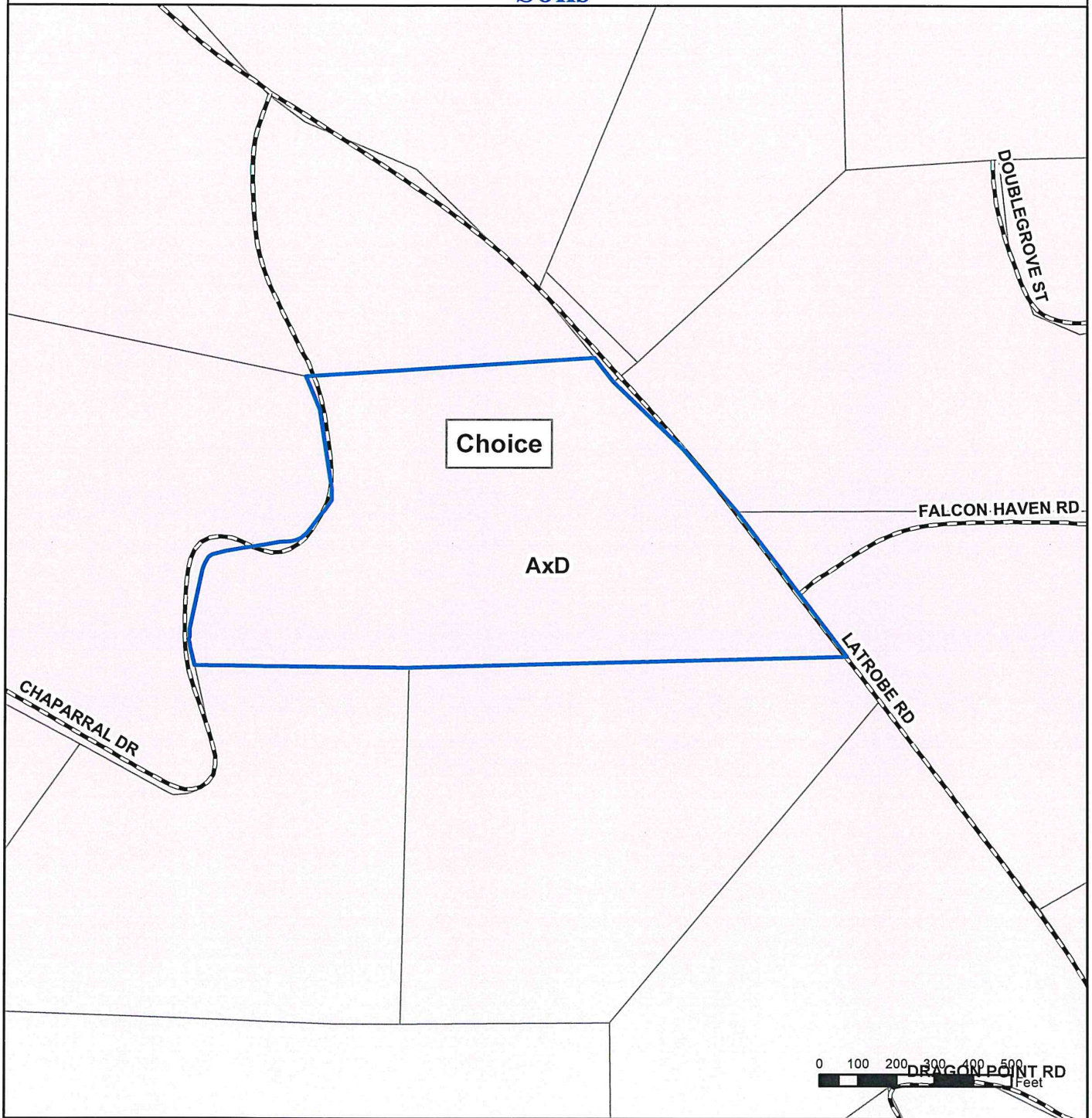
- Parcels
- Agricultural Lands
- Natural Resources
- Henson
- Roads
- Rural Residential



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## El Dorado County Agricultural Commission

# Henson Soils





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

PROJECT ID: prsjackson\_s

EL DORADO COUNTY SURVEYOR & I.S. DIVISION  
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 Henson  Auburn very rocky silt loam, 2 to 30 percent slopes  
Soils

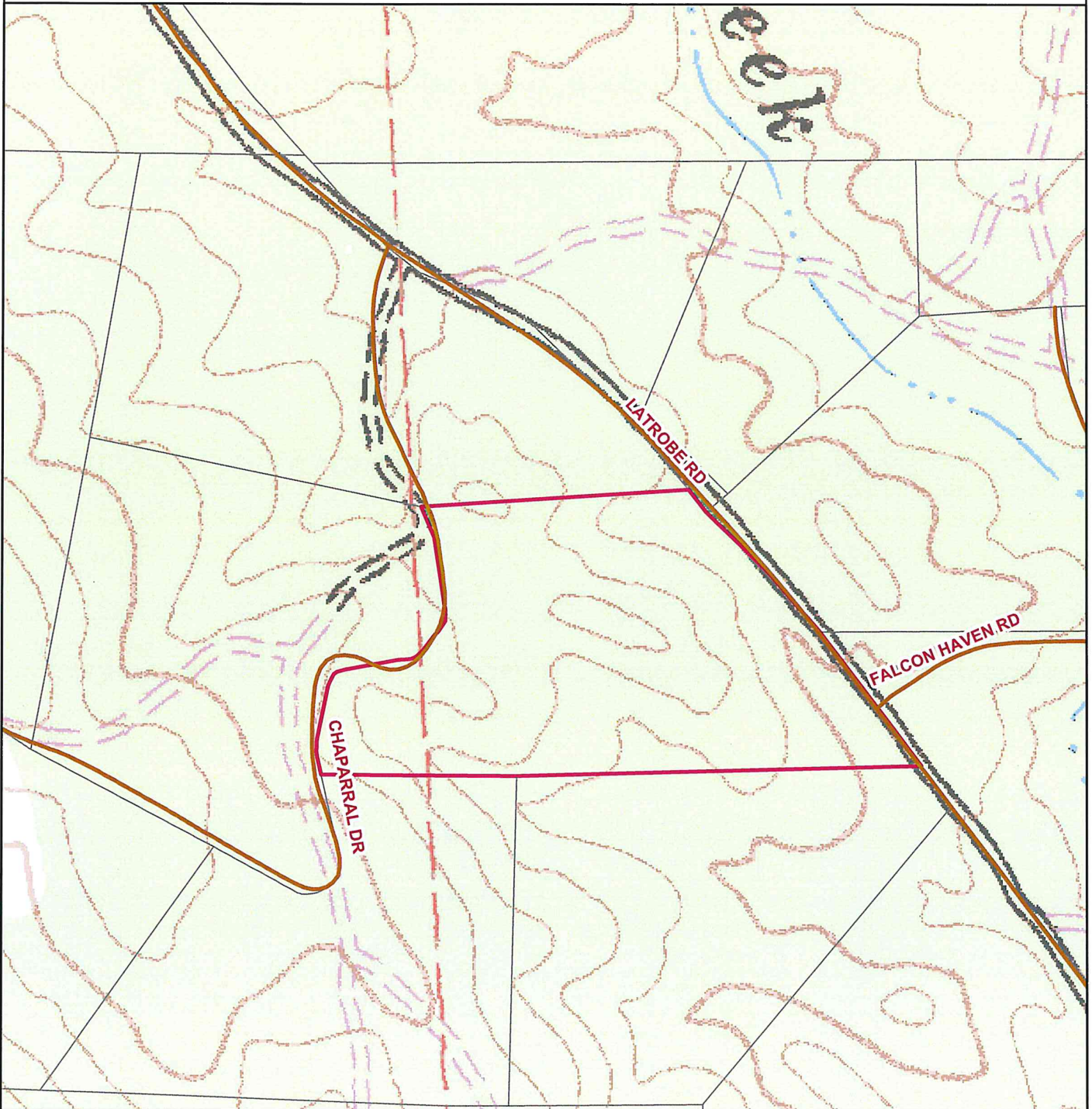


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# El Dorado County Agricultural Commission



# Henson Topography



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

PROJECT ID: projJackson\_1

EL DORADO COUNTY SURVEYOR/G.L.S. DIVISION  
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**Legend**

-  curroads
-  Parcels
-  Henson
-  Roads

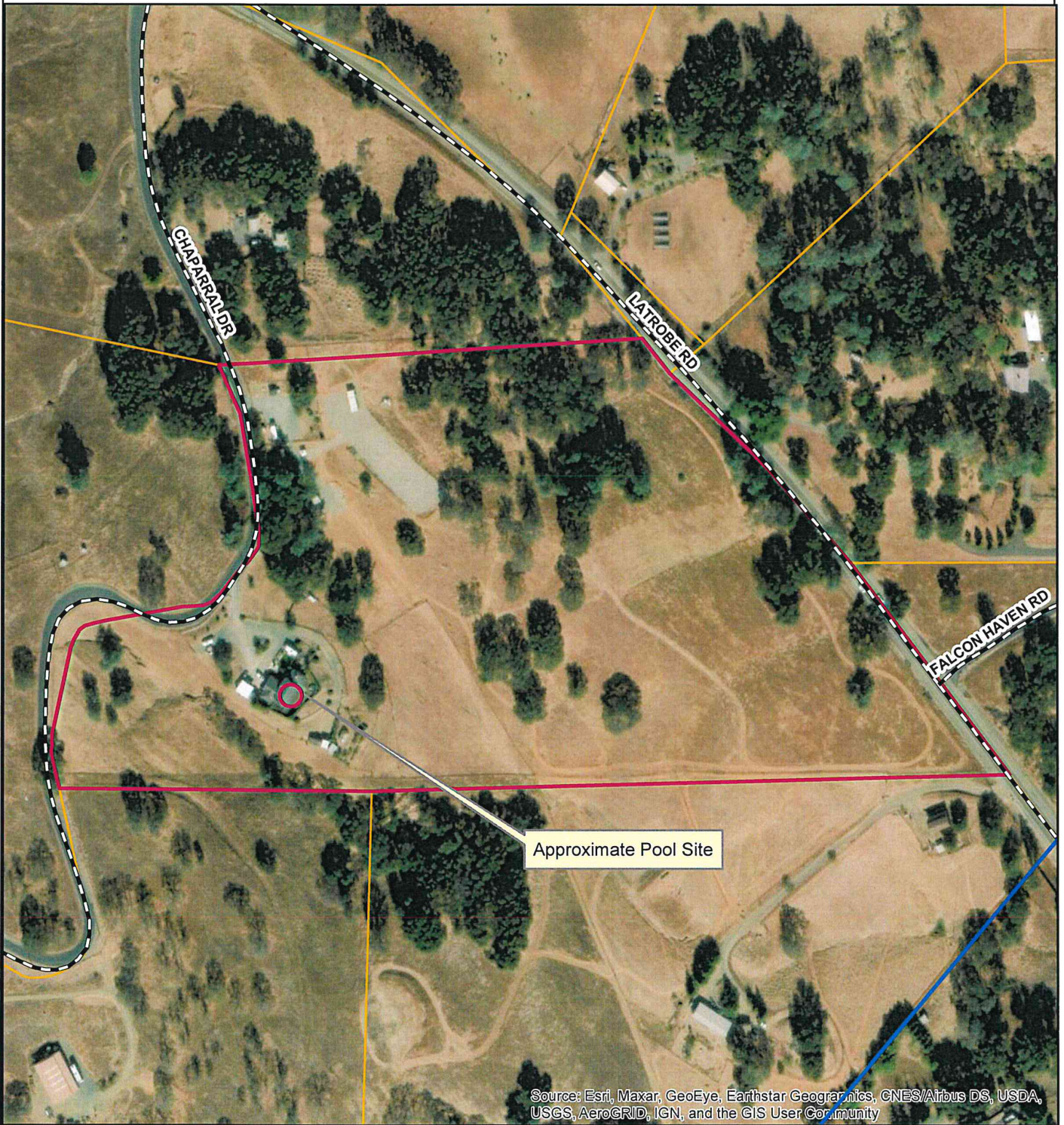


Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)





# Henson



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

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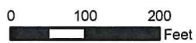
MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018

PROJECT ID: Jackson\_a

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
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**Legend**

- Parcel Base
- Thurston
- Henson
- Roads



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