



Agricultural Commission Staff Report

Date: May 02, 2019

To: El Dorado County Agricultural Commission

From: LeeAnne Mila; Deputy Agricultural Commissioner

Subject: **ADM19-0020/Chad and Janelle Montgomery
Administrative Relief from Agricultural Setback
Assessor's Parcel Number: 048-080-37**

Planning Request and Project Description:

Planning Services is requesting review for administrative relief from the required 200 foot agricultural setback for the above referenced project. The applicant's request is for a secondary dwelling to be located 175 feet from the south property line (APN 048-080-55) and 30 feet from the east property line (APN 048-010-31). The property to the south, Assessor's Parcel Number 048-080-55 is 20 acres and zoned Planned Agricultural-20 acre (PA-20), and the property to the east is Assessor's Parcel Number 048-010-31 is 261.236 acres and is also zoned PA-20. The applicant's parcel, identified as APN 048-080-37, is 3.49 acres, zoned Planned Agricultural-20 acre (PA-20) and is located at 3146 North Canyon Road (Supervisor District 3).

Parcel Description:

- Parcel Number and Acreage: 048-080-37, 5 Acres
- Agricultural District: Yes
- Land Use Designation: AL = Agricultural Lands
- Zoning: PA-20 (Planned Agriculture, 20 Acres).
- Soil Type: All Choice Soils

Discussion:

A site visit was conducted on April 26, 2019 to review the location for the proposed secondary dwelling.

Staff Recommendation:

Staff recommends APPROVAL of the Montgomery's request to allow for the construction of a secondary dwelling no less than 175 feet from the south property line (APN 048-080-55) and 30 feet from the east property line (APN 048-010-31), as staff believes the 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;*
 - a. ***The entire parcel is constrained by the agriculture setbacks imposed by the surrounding parcels.***
2. *The proposed non-compatible structure will be located on the property to reasonably minimize the potential negative impact on adjacent agriculturally zoned land;*
 - a. ***The secondary dwelling has been placed to limit the impacts on adjacent agriculture. This placement will also preserve the most area for the planting of crops on the applicants parcel.***
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. ***The eastern border is buffered by extremely well established trees that are unlikely to be removed. The southern border is buffered by the existing house, which is roughly 40 feet away from the property line to the south.***
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.



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 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 May 8, 2019. 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.

RE: ADM19-0020/Chad and Janelle Montgomery Administrative Relief from Agricultural Setback Assessor's Parcel Number: 048-080-37

Planning Services is requesting review for administrative relief from the required 200 foot agricultural setback for the above referenced project. The applicant's request is for a secondary dwelling to be located 175 feet from the south property line (APN 048-080-55) and 30 feet from the east property line (APN 048-010-31). The property to the south, Assessor's Parcel Number 048-080-55 is 20 acres and zoned Planned Agricultural-20 acre (PA-20), and the property to the east is Assessor's Parcel Number 048-010-31 is 261.236 acres and is also zoned PA-20. The applicant's parcel, identified as APN 048-080-37, is 3.49 acres, zoned Planned Agricultural-20 acre (PA-20) and is located at 3146 North Canyon Road (Supervisor District 3).

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 identified above at Planning Services, (530) 621-5355.



5160®

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

Go to avery.com/templates
Use Avery Template 5160

SIMOPOULOS DEMETRIOS N TR
3203 DOGLEG CT
CAMERON PARK, CA 95682

AVERY CARY TR
3146 NORTH CANYON RD
CAMINO, CA 95709

DYROFF DENNY
3101 NORTH CANYON RD
CAMINO, CA 95709

VISMAN CARL B JR & RUTH B
2952 CARSON RD
PLACERVILLE, CA 95667

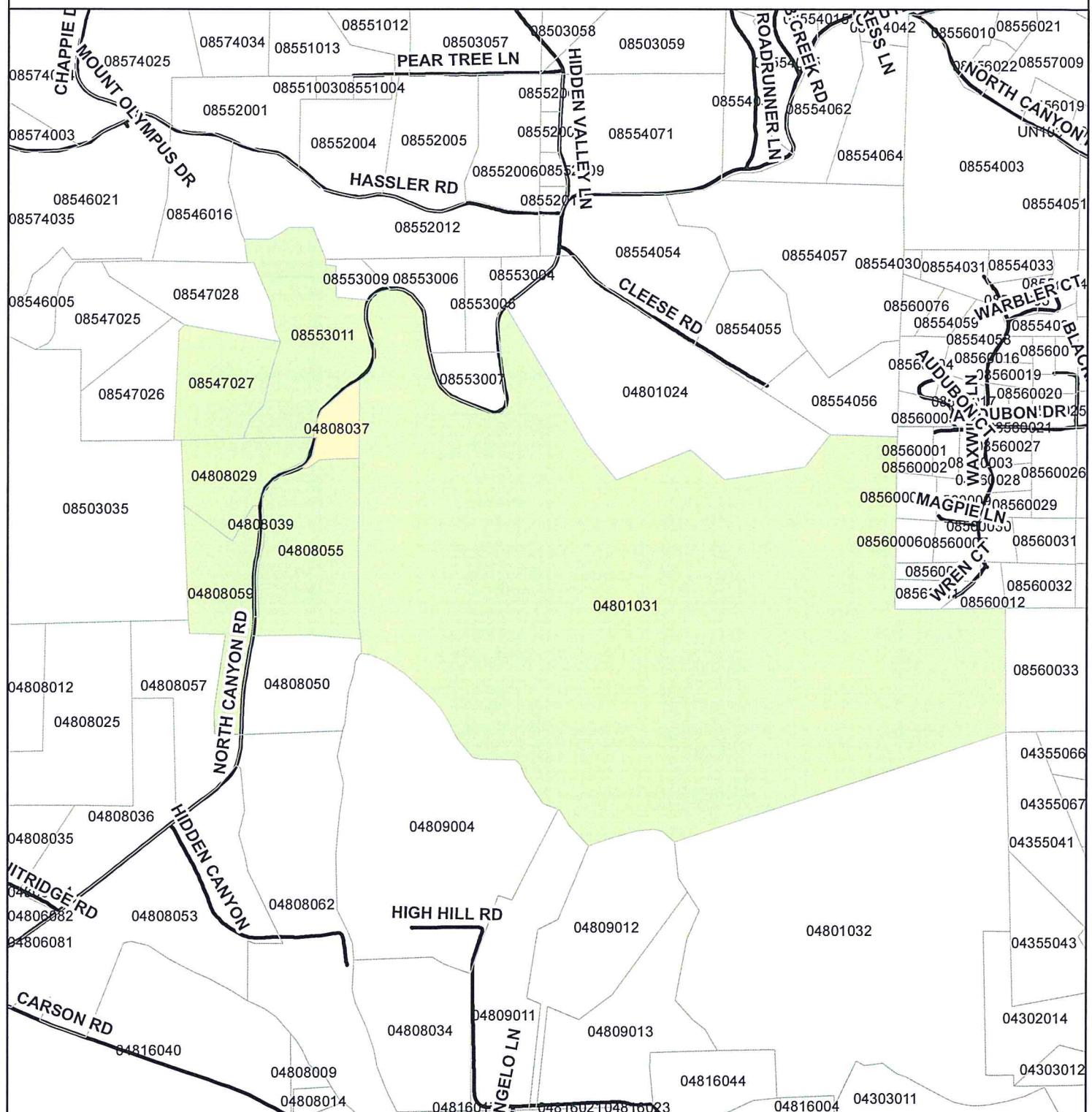
BUNTING INGEBORG H TR
3100 NORTH CANYON RD
CAMINO, CA 95709

DYROFF DENNY
1405 FIELDSpring DR # D
BAKERSFIELD, CA 93311

APPLE MOUNTAIN L P
1111 CATTA VERDERA
LINCOLN, CA 95648

DELFINO CHRISTOPHER
3205 NORTH CANYON RD
CAMINO, CA 95709

Montgomery Notification

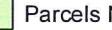
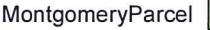


DISCLAIMER

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.



Parcel Base



~ Roads



0 1,000

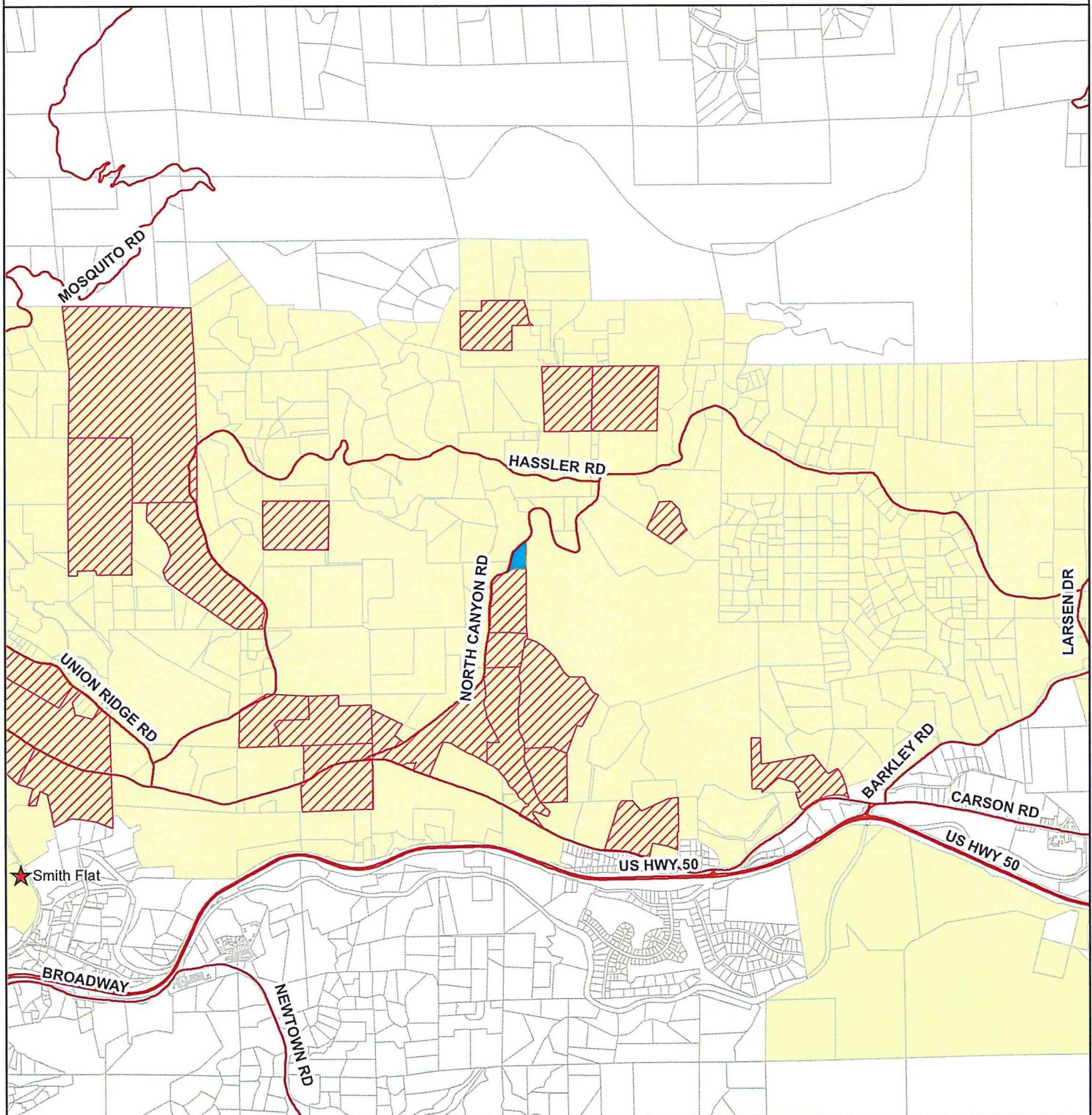
in State Plane Coordinate System (NAD)

El Dorado County Agricultural Commission

19 0758 MONTGOMERY AG STAFF REPORT 6 of 12

Montgomery

Proximity to Agricultural District



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 Mila DATE: December 21, 2018
PROJECT ID: Cordelias_p

EL DORADO COUNTY SURVEYOR/GLS DIVISION
PHONE (530) 621-4511 FAX (530) 626-8731

MontgomeryParcel
 Ag Preserves
 Ag District
 Parcel Base

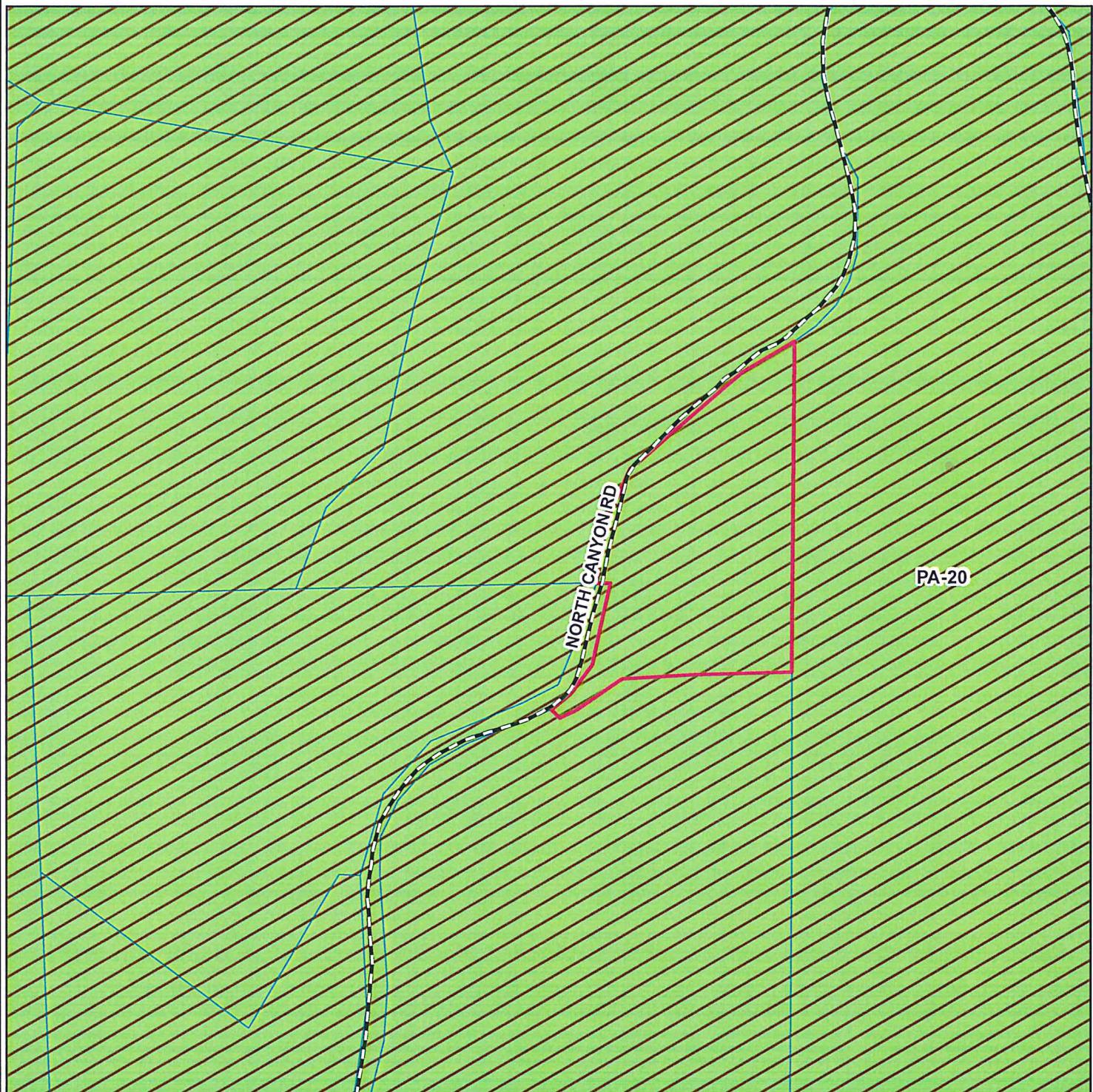


Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)

El Dorado County Agricultural Commission

19-0758 MONTGOMERY AG STAFF REPORT 7 of 12

Montgomery Zoning



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 Nila

EL DORADO COUNTY SURVEYOR G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731



Roads



PA-20 = Planned Agriculture 20 Acres



MontgomeryParcel



Parcel Base



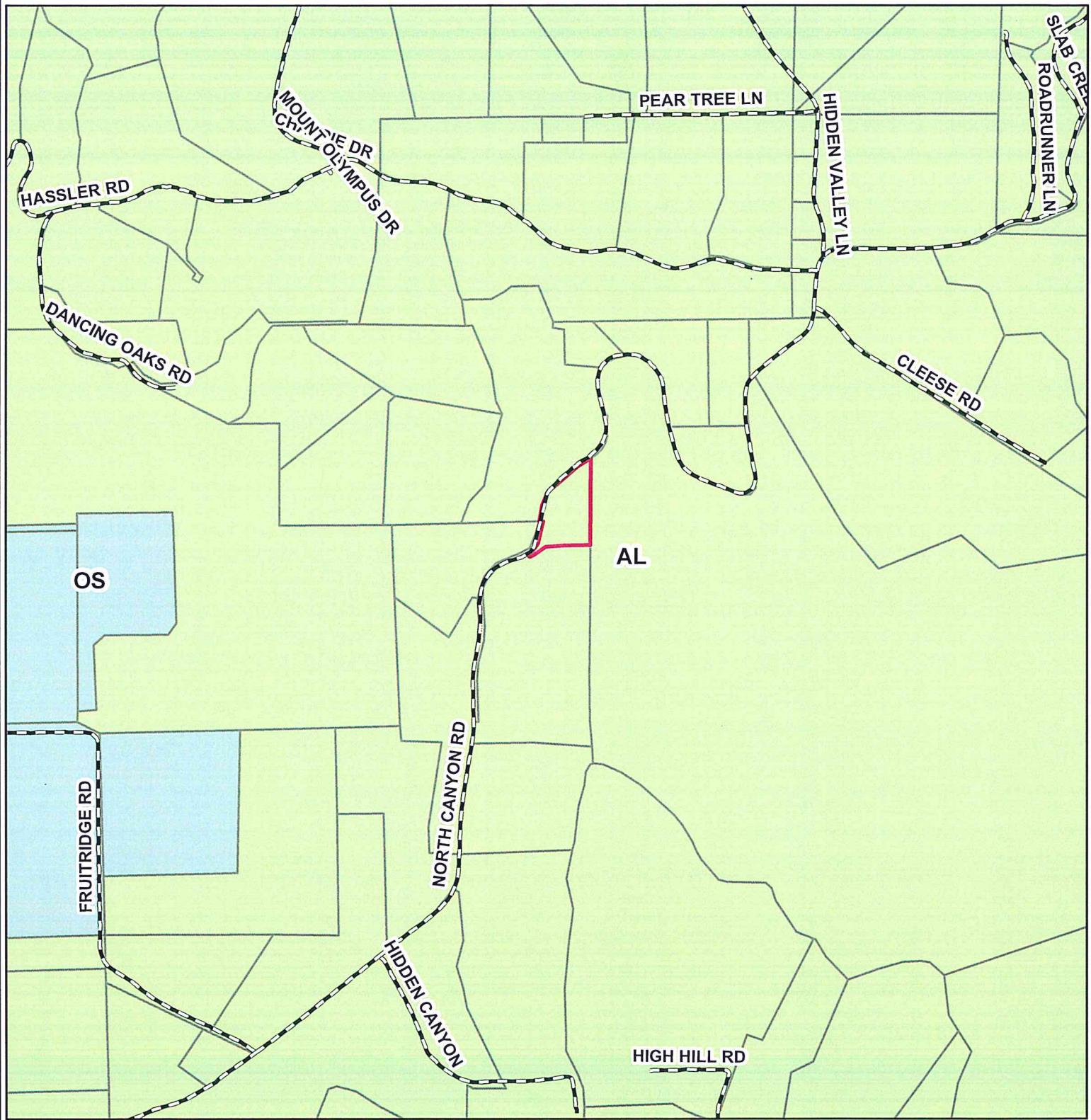
0 100 200
Map Displayed in State Plane Coordinate System
(NAD 1953 California Zone 2, feet)

El Dorado County Agricultural Commission

19-0758 MONTGOMERY AG STAFF REPORT 8 of 12

Montgomery

Land Use 7-10-2018



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: December 21, 2018

PROJECT ID: Cordellos_L

EL DORADO COUNTY SURVEYOR G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731

Parcel Base

Agricultural Lands

Open Space

MontgomeryParcel

Roads

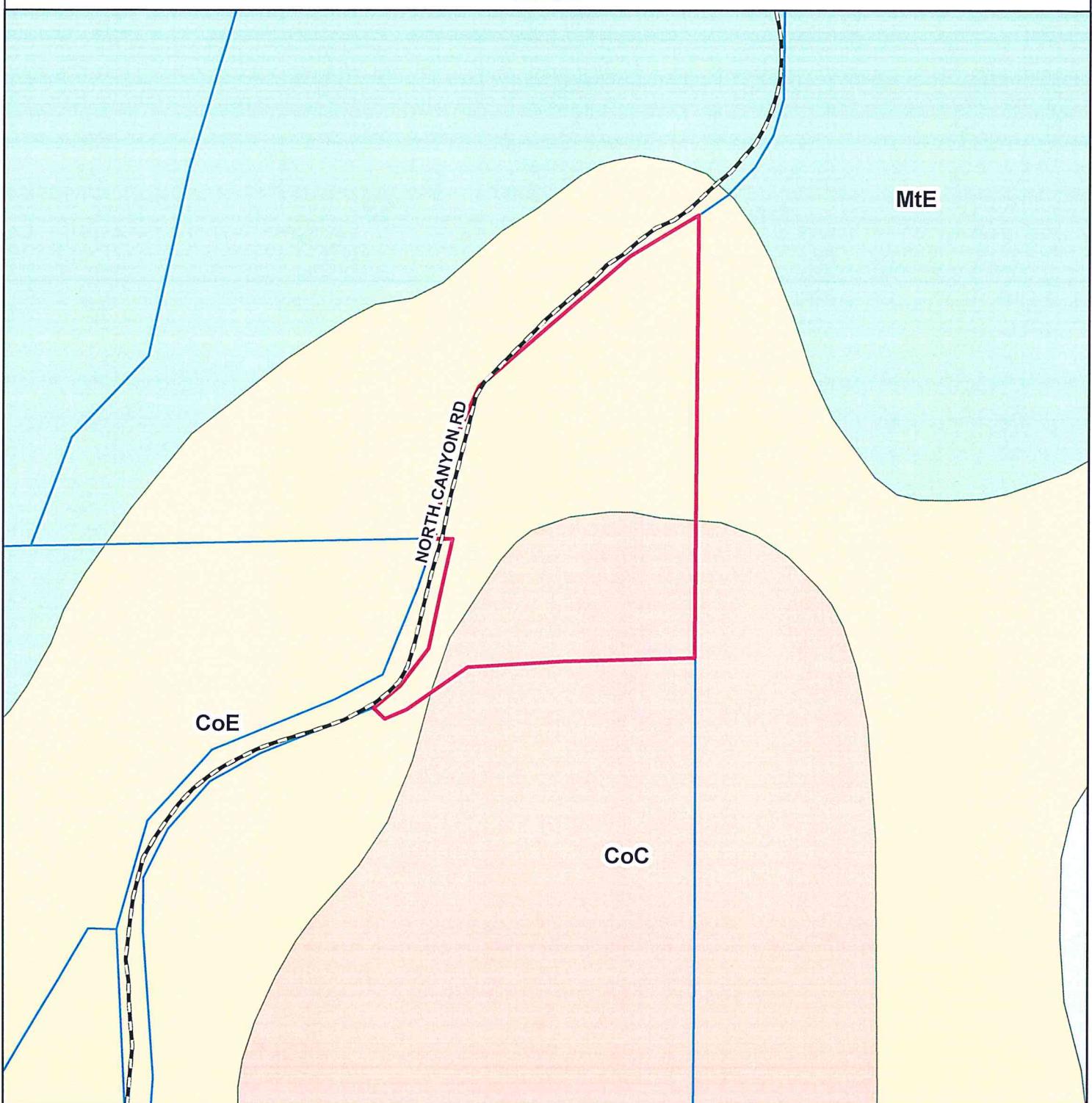
0 1,000 Feet

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



Montgomery

Soils



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 Mila



Soils
Argonaut loam, seeped variant
Cohasset cobble loam, 15 to 50 percent slopes
Cohasset cobble loam, 3 to 15 percent slopes
Musick very rocky sandy loam, 15 to 50 percent slopes

0 100 200 300 Feet

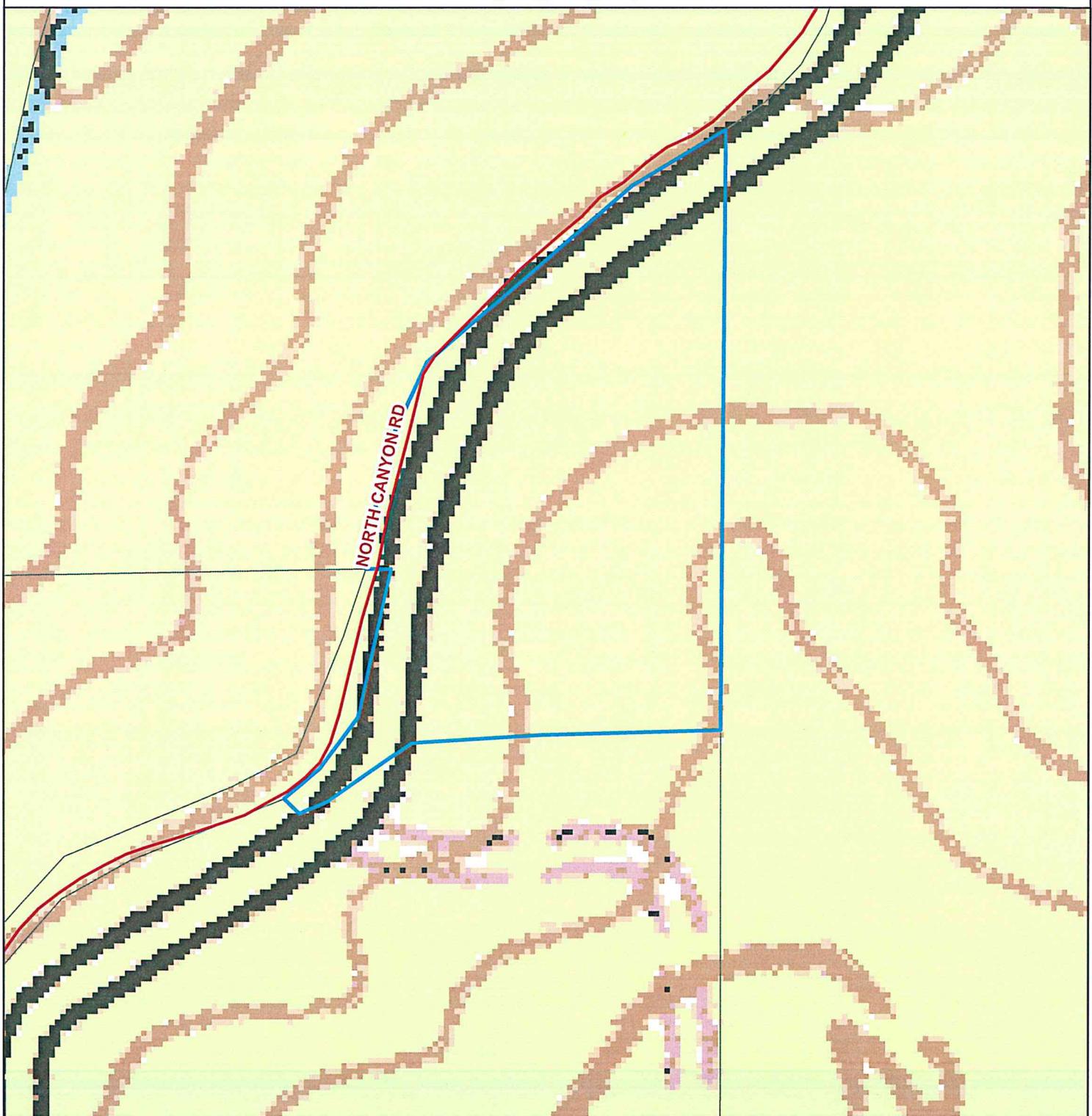


Map Displayed in State Plane Coordinate System
(NAD 1983 California Zone 2, feet)

El Dorado County Agricultural Commission

19-0758 MONTGOMERY AG STAFF REPORT 10 of 12

Montgomery Topography



DISCLAIMER

THIS DEPICTION WAS COMPILED FROM UNVERIFIED PUBLIC AND PRIVATE SOURCES AND IS ILIUSTRATIVE 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 Mila

Legend

- Parcels
- MontgomeryParcel
- Roads

0 100 200 Feet

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



El Dorado County Agricultural Commission

19-0758 MONTGOMERY AG STAFF REPORT 11 of 12

Montgomery

Aerials: 2011

Note: The entire parcel is constrained by setbacks

Approximate Dwelling Location

NORTH CANYON RD

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

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: December 21, 2018

PROJECT ID: Jackson_2

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731

Legend

- Parcel Base
- MontgomeryParcel
- WilliamsParcel
- Roads



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

El Dorado County Agricultural Commission

19-0758 MONTGOMERY AG STAFF REPORT 12 of 12