



RESOLUTION NO.
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**RESOLUTION ADOPTING THE CRITERIA AND PROCEDURES
FOR ADMINISTRATIVE RELIEF FROM AGRICULTURAL SETBACKS**

WHEREAS, agriculture is important to the vitality of El Dorado County as recognized in the 1996 and 2004 General Plan; and

WHEREAS, expansion of agricultural lands and operations are important to the economic health of the County; and

WHEREAS, the 2004 General Plan EIR recognized that locating incompatible uses near agricultural operations could result in premature agricultural land conversion while making it harder to maintain agricultural viability on surrounding properties; and

WHEREAS, the General Plan EIR found that certain agricultural uses and surrounding uses could be incompatible with each other, resulting in conversion of agricultural lands; and

WHEREAS, the General Plan EIR recommended special agricultural setbacks to which the Board of Supervisors agreed that these setbacks were needed; and

WHEREAS, the Board of Supervisors adopted, in 1996 and again in 2004, Policy 8.1.3.2 which provided that a minimum 200-foot setback would be placed on adjacent land for incompatible uses but also provided for administrative relief from these setbacks; and

WHEREAS, owners of land adjacent to agricultural land have testified that the current standards for administrative relief do not address all situations where setbacks cause undue hardship or all situations where setbacks may be modified without significant impact to the adjacent agricultural operations; and

WHEREAS, the Board of Supervisors directed staff to work to revise the administrative relief policies to address these concerns; and

WHEREAS, a committee comprised of agriculturalists, business owners, property owners, and the Agricultural Commissioner held several meetings to formulate appropriate criteria and procedures which were forwarded to the El Dorado County Agricultural Commission; and

WHEREAS, the El Dorado County Agricultural Commission held two public hearings on December 13, 2006, and January 10, 2007, to discuss the proposed criteria and procedures for Administrative Relief; and

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WHEREAS, on January 10, 2007, the El Dorado County Agricultural Commission unanimously recommended that the El Dorado County Board of Supervisors amend the current criteria and procedures; and

WHEREAS, the Board of Supervisors has reviewed and held a public hearing to consider the proposed criteria and procedures including revisions also considered at that time; and

WHEREAS, Resolution No. 176-97 adopted by the Board of Supervisors on July 22, 1997, included administrative relief procedures and criteria provisions, but those adopted provisions did not provide the necessary relief in all circumstances when the setback caused unnecessary hardship to the adjacent property owner; and

WHEREAS, the Board of Supervisors desires to protect agriculture, encourage more land converting to agriculture, when appropriate, and wishes to grant certainty of neighbor's lands adjacent to proposed agricultural rezones; and

WHEREAS, the most important asset to agricultural operations is the use of the land for agricultural production which would prohibit the 200-foot setback from being placed on the agricultural lands.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of El Dorado County adopts the Revised Criteria and Procedures for Administrative Relief from Agricultural Setbacks as contained in Exhibit A of this Resolution.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 200__, by the following vote of said Board:

Attest:
Cindy Keck
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE: _____

Attest: CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____