



## **Agricultural Commission Staff Report**

Date: August 3, 2017  
To: El Dorado County Agricultural Commission  
From: LeeAnne Mila; Deputy Agricultural Commissioner  
Subject: **ADM17-0050/Miller**  
**Administrative Relief from Agricultural Setback**  
**Assessor's Parcel Number: 048-050-17**

### **Planning Request and Project Description:**

Planning Services is requesting review of a request for administrative relief from the agricultural setbacks for the above referenced project. This request is for the construction of a pool. According to the applicant, the proposed building site is approximately 34 feet from the property line of the adjacent PA-20 zoned parcel to the east (APN 048-050-14) and 95 feet from the property line of the adjacent PA-20 parcel to the west (APN 048-050-15). The applicant's parcel, identified by APN 048-050-17, consists of 12.09 acres and is located on Carson (Supervisor District 3).

### **Parcel Description:**

- Parcel Number and Acreage: 048-050-17, 12.09 Acres
- Agricultural District: Yes
- Land Use Designation: Open Space to the south and Agricultural Lands on all other sides of the property.
- Zoning: PA-20 (Planned Agriculture, 20 acres); surrounding zoning designations are OS (Open Space) to the south and PA-20 on all other sides of the property.
- Soil Type: Choice soils on this parcel.
  - AfD: Aiken Loam, 15 to 30 percent slopes
  - AfB2: Aiken Loam, 3 to 9 percent slopes, eroded

### **Discussion:**

A site visit was conducted on July 27, 2017 to review the placement of the swimming pool.

Staff Recommendation:

*Staff recommends APPROVAL of the Miller's request for administrative relief of an agricultural setback, allowing for placement of a swimming pool, no less than 34 feet from the property line of the adjacent PA-20 zoned parcel to the east (APN 048-050-14) and no less than 95 feet from the property line of the adjacent PA-20 parcel to the west (APN 048-050-15), 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;*
  - a. ***The applicants house is built in the narrowest part of the parcel with a width of approximately 168 feet. The residence site is surrounded by the applicants apple orchard. Apple trees have been removed to place the pool close to the house in the flat area of the parcel. Placement of the pool outside of the developed area is prohibitive due to the slope of the parcel.***
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 applicant has located the building site to reasonably minimize any negative impacts to agriculturally zoned lands adjacent to the parcel. The pool will be surrounded on two sides by the applicants apple orchard and on the south side by their residence.***
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 pool placement has been located behind the residence surrounded by the applicants apple orchard, which buffer surrounding agricultural operations from conflicts***

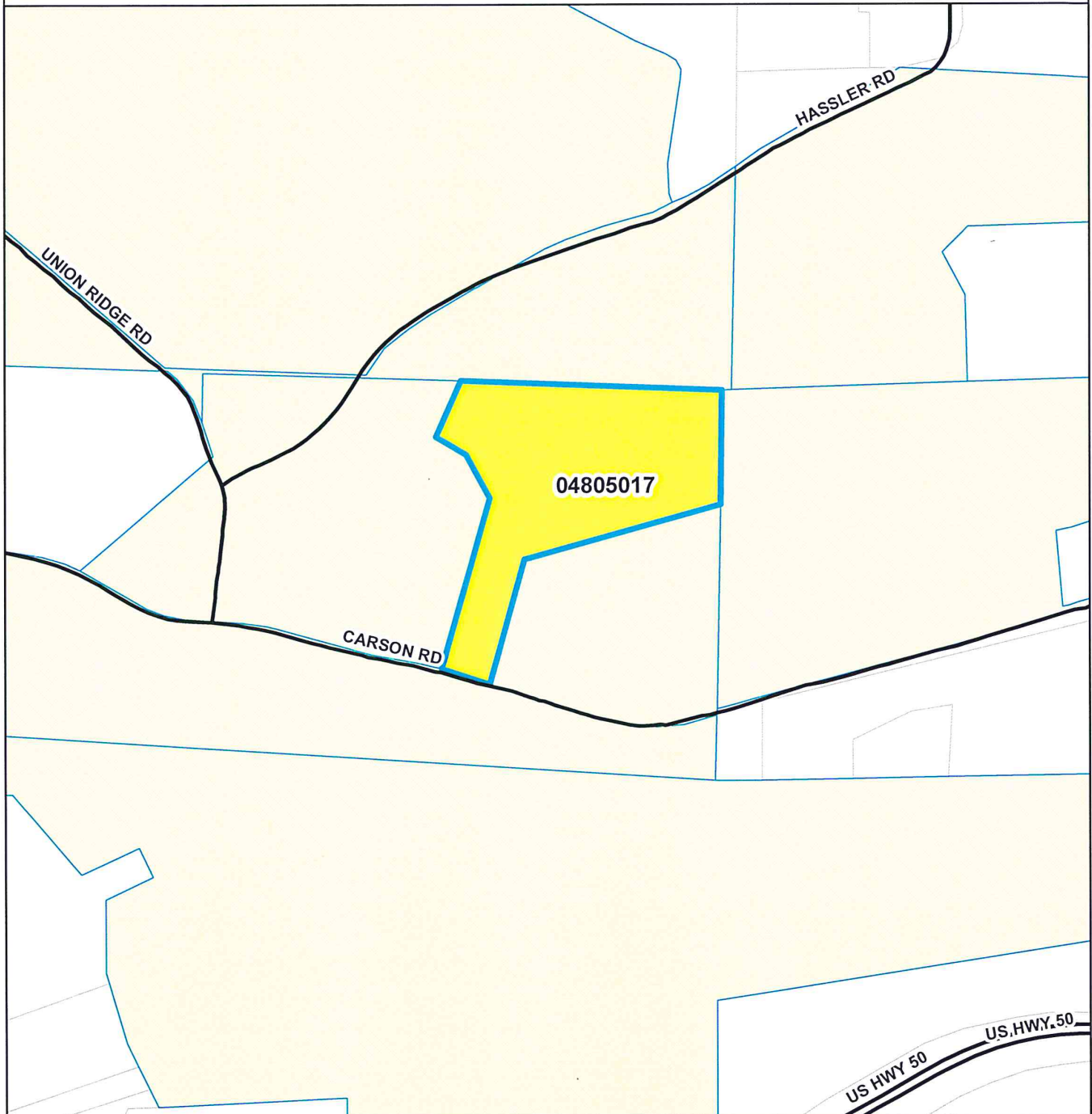
4. *There is currently no agricultural activity on the agriculturally zoned parcel adjacent to the subject parcel and the Commission determines that the conversion to a low or high intensive farming operation is not likely to take place due to the soil and/or topographic characteristics of the adjacent 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.*



# MILLER 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: Frank Bruijn DATE: July 25, 2017

PROJECT ID: 0071077a  
EL DORADO COUNTY SURVEYOR G.I.S. DIVISION  
PHONE (530) 621-6511 FAX (530) 626-8721

Miller Parcel
  Parcel Base  
 Parcels Within 500ft
  Roads

0 200 400 600  
Feet

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



# El Dorado County Agricultural Commission

## COUNTY OF EL DORADO



# AGRICULTURAL COMMISSION

311 Fair Lane  
Placerville, CA 95667  
(530) 621-5520  
(530) 626-4756  
[eldcag@edcgov.us](mailto: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 **August 9, 2017**. This meeting is a public hearing that will begin at **6:30 pm** in the **Building C Hearing Room** located at 2850 Fair Lane Court, Placerville, California.

**Subject: ADM17-0050/MILLER Administrative Relief from Agricultural Setback**  
**Assessor's Parcel Number: 048-050-17**

#### Planning Request and Project Description:

Planning Services is requesting review of a request for administrative relief from the agricultural setbacks for the above referenced project. This request is for the construction of a pool. According to the applicant, the proposed building site is approximately 34 feet from the property line of the adjacent PA-20 zoned parcel to the east (APN 048-050-14) and 95 feet from the property line of the adjacent PA-20 parcel to the west (APN 048-050-15). The applicant's parcel, identified by APN 048-050-17, consists of 12.09 acres and is located on Carson (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.



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04805015  
ABEL EVELYN TR  
2100 HASSLER RD  
PLACERVILLE, CA 95667

04806059  
AL FENAUGHTY ORCHARDS L P  
% MANSFIELD 2530 CARSON RD  
PLACERVILLE, CA 95667

04806078  
FUTERNICK KENNETH D TR  
2625 CARSON RD  
PLACERVILLE, CA 95667

04805014  
MANSFIELD RONALD C TR  
2530 CARSON RD  
PLACERVILLE, CA 95667

04805017  
MILLER WILLIAM ANTHONY  
2453 CARSON RD  
PLACERVILLE, CA 95667

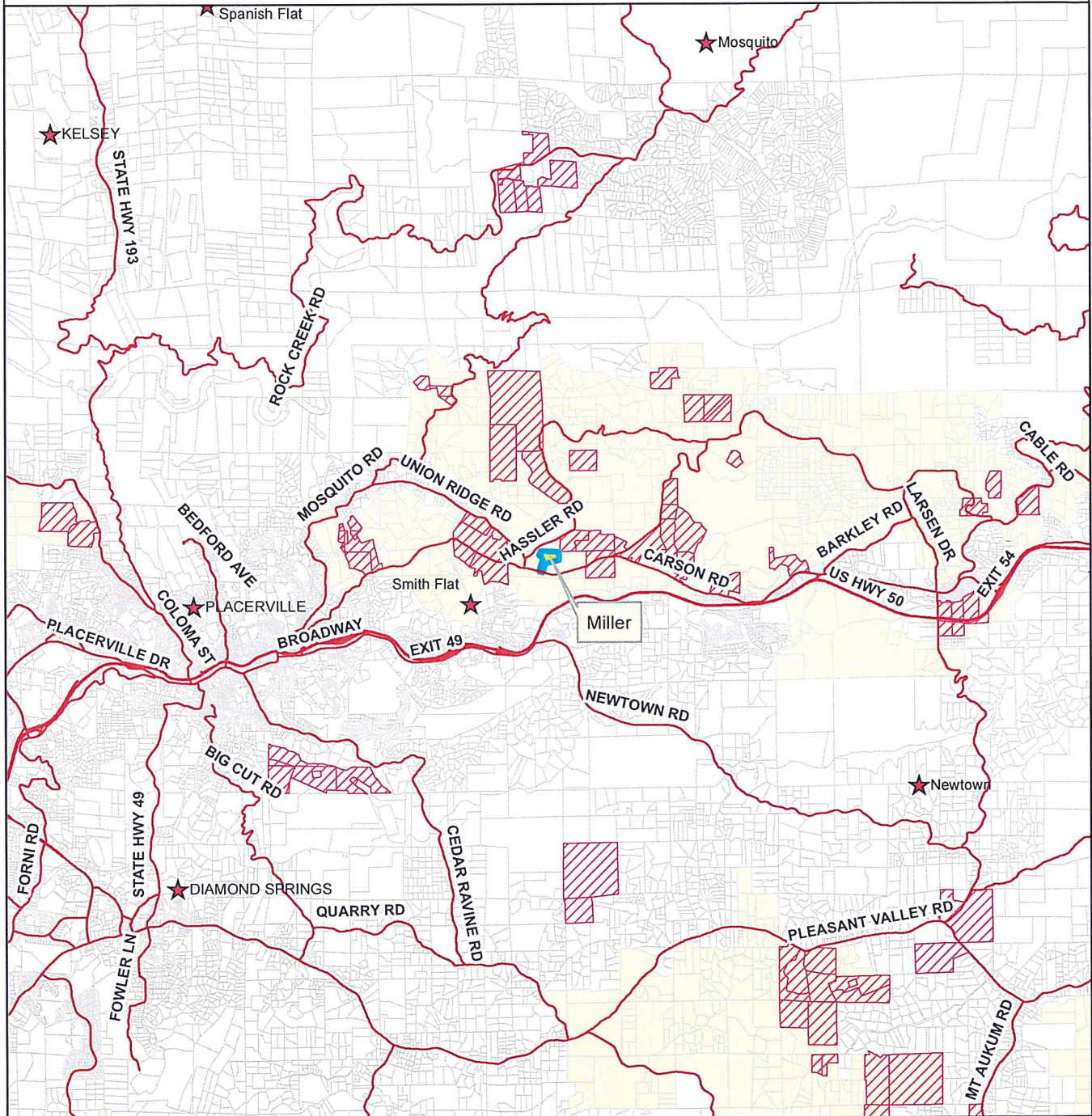
04805028  
SMITH MATTHEW W TR  
2323 UNION RIDGE RD  
PLACERVILLE, CA 95667

04805020  
SMITH TODD A  
7550 COTTONWOOD RD  
BOZEMAN, MT 59718



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## Proximity to Agricultural District



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MAP PREPARED BY: Frank Bruijn DATE: July 25, 2017

PROJECT ID: 0072077p

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

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

0 0.5 1 1.5 2 2.5 Miles

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



# El Dorado County Agricultural Commission



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## Zoning 6-28-2017









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MAP PREPARED BY: Frank Bruijn DATE: July 25, 2017

PROJECT ID: 00730772

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

-  Miller Parcel
-  PA-20 = Planned Agriculture 20 Acres
-  OS = Open Space
-  TC = Transportation Corridor
-  Parcel Base
-  Roads



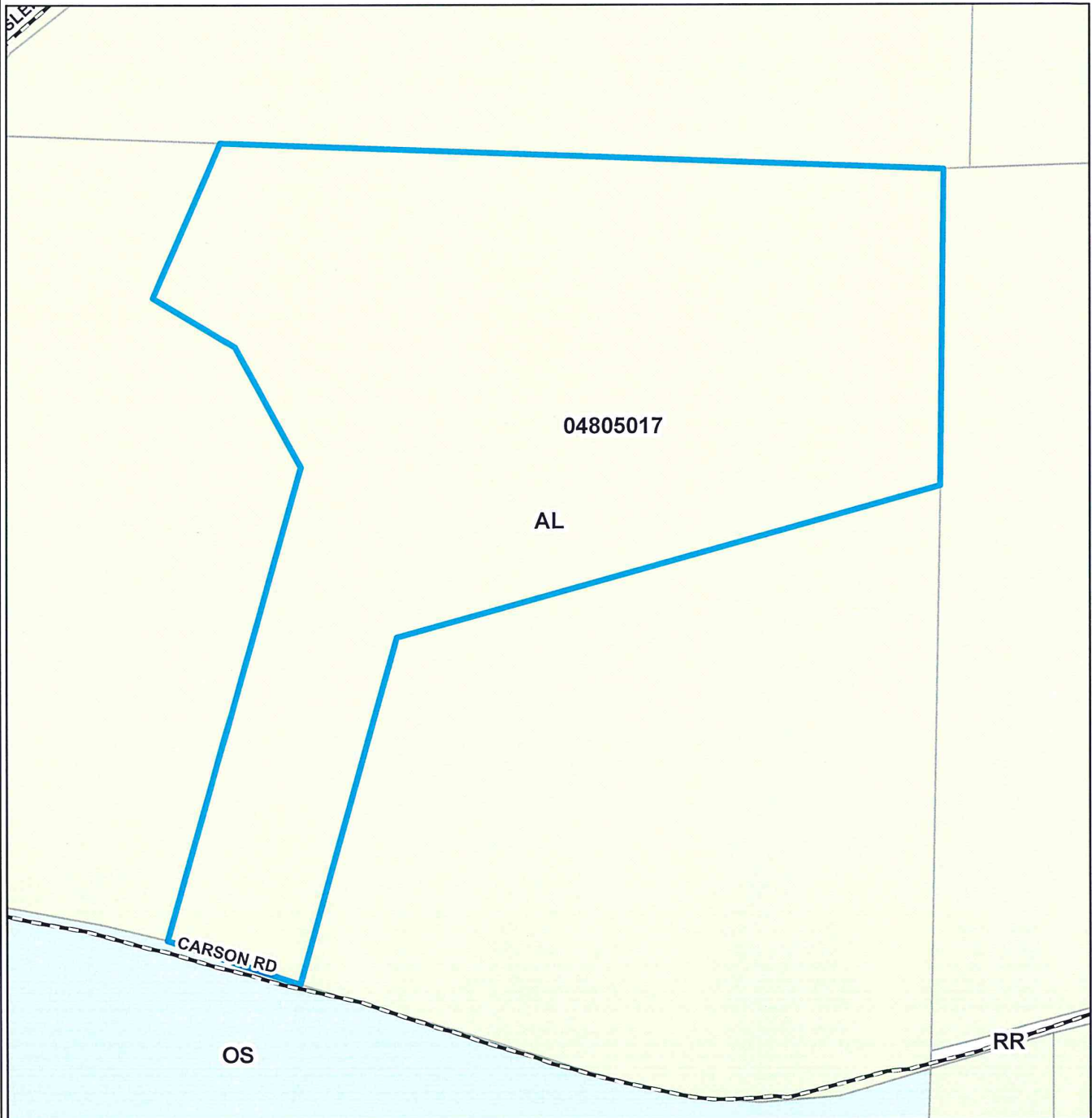
Map Displayed in State Plane Coordinate System  
(NAD 1983 California Zone 2, feet)

# El Dorado County Agricultural Commission



# MILLER

## Land Use 6-28-2017



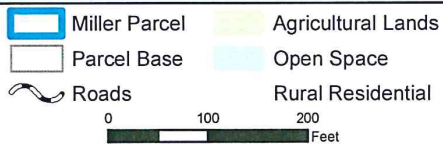
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MAP PREPARED BY: Frank Brugg DATE: July 25, 2017

PROJECT ID: 0073077L

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
PHONE (530) 621-6911 FAX (530) 626-4731

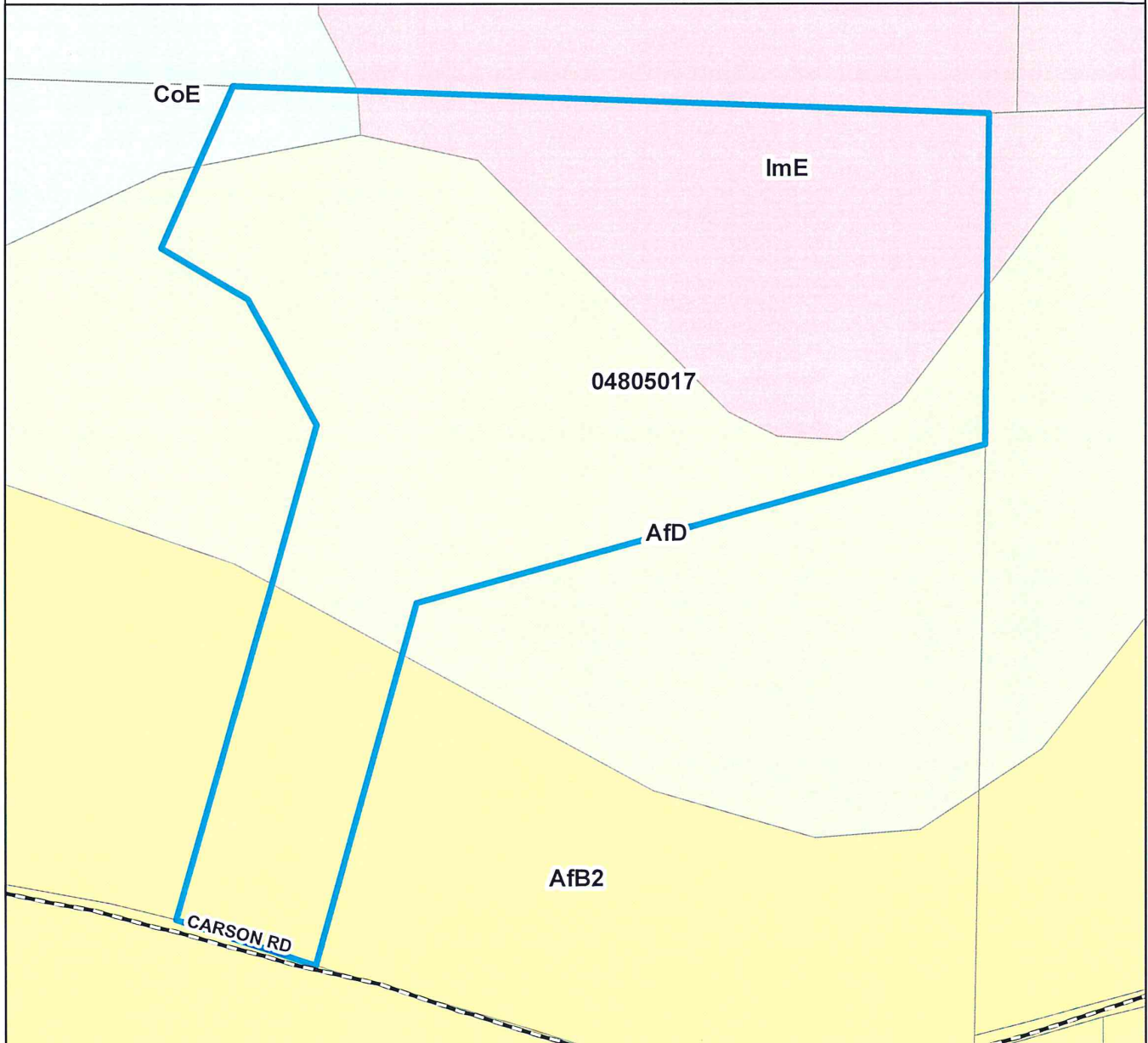


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# El Dorado County Agricultural Commission

# MILLER Soils



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MAP PREPARED BY: Frank Bruijn DATE: July 25, 2017

PROJECT ID: 0075077a

EL DORADO COUNTY SURVEYOR G.L.S. DIVISION  
PHONE (530) 621-6511 FAX (530) 626-4731

- Miller Parcel
- AfB2 - AIKEN LOAM, 3 TO 9 PERCENT SLOPES, ERODED
- AfD - AIKEN LOAM, 15 TO 30 PERCENT SLOPES
- CoE - COHASSET COBBLY LOAM, 15 TO 50 PERCENT SLOPES
- ImE - IRON MOUNTAIN VERY ROCKY SANDY LOAM, 3 TO 50 PERCENT SLOPES
- Parcel Base
- Roads

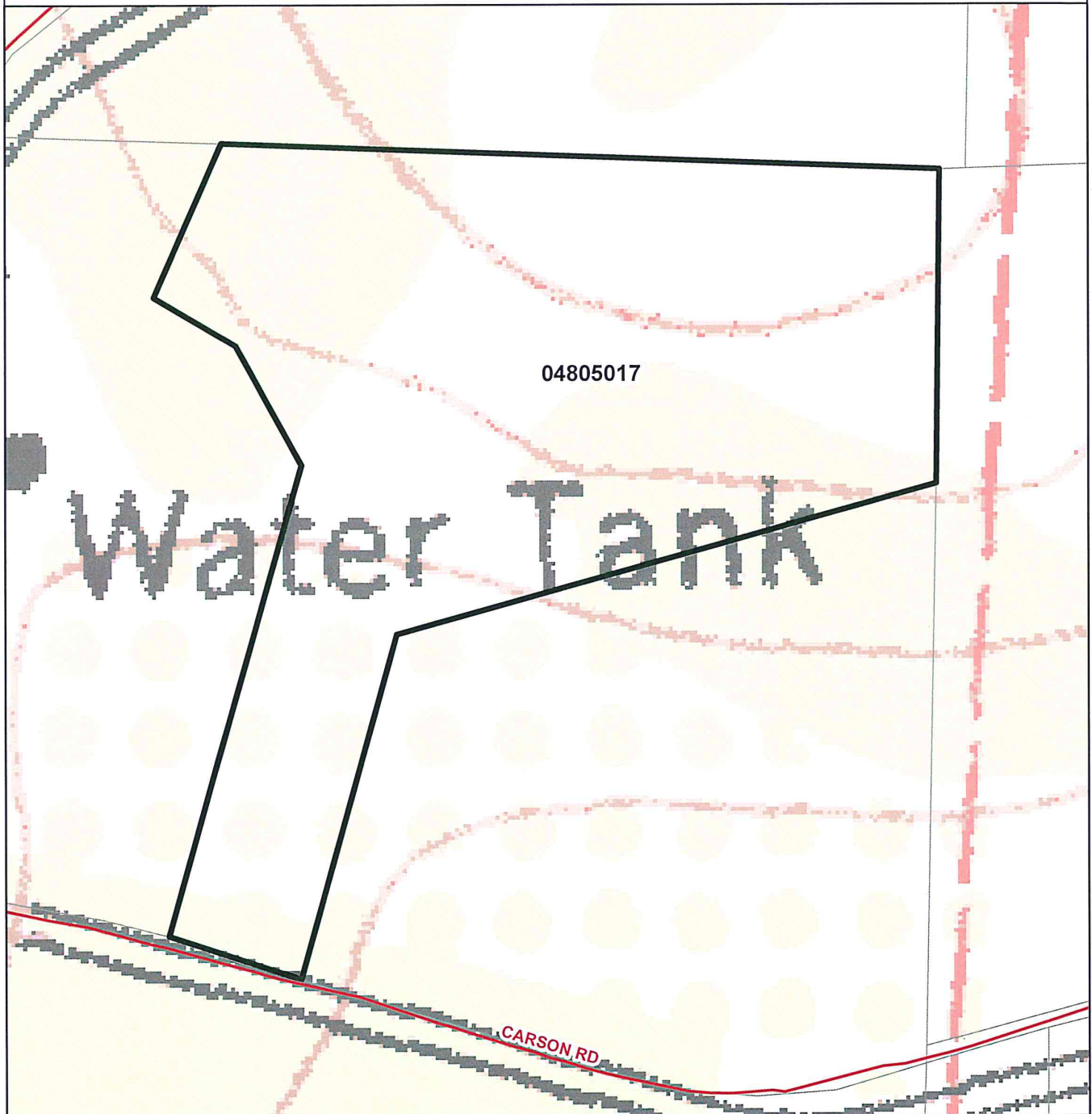


0 100 200 Feet  
Map Displayed in State Plane Coordinate System  
(NAD 1983 California Zone 2, feet)

# El Dorado County Agricultural Commission



# MILLER Topography



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MAP PREPARED BY: Frank Brugg DATE: July 25, 2017

PROJECT ID: 00730771

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

## Legend



Miller Parcel



Parcels



Roads

0 100 200 300  
Feet

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

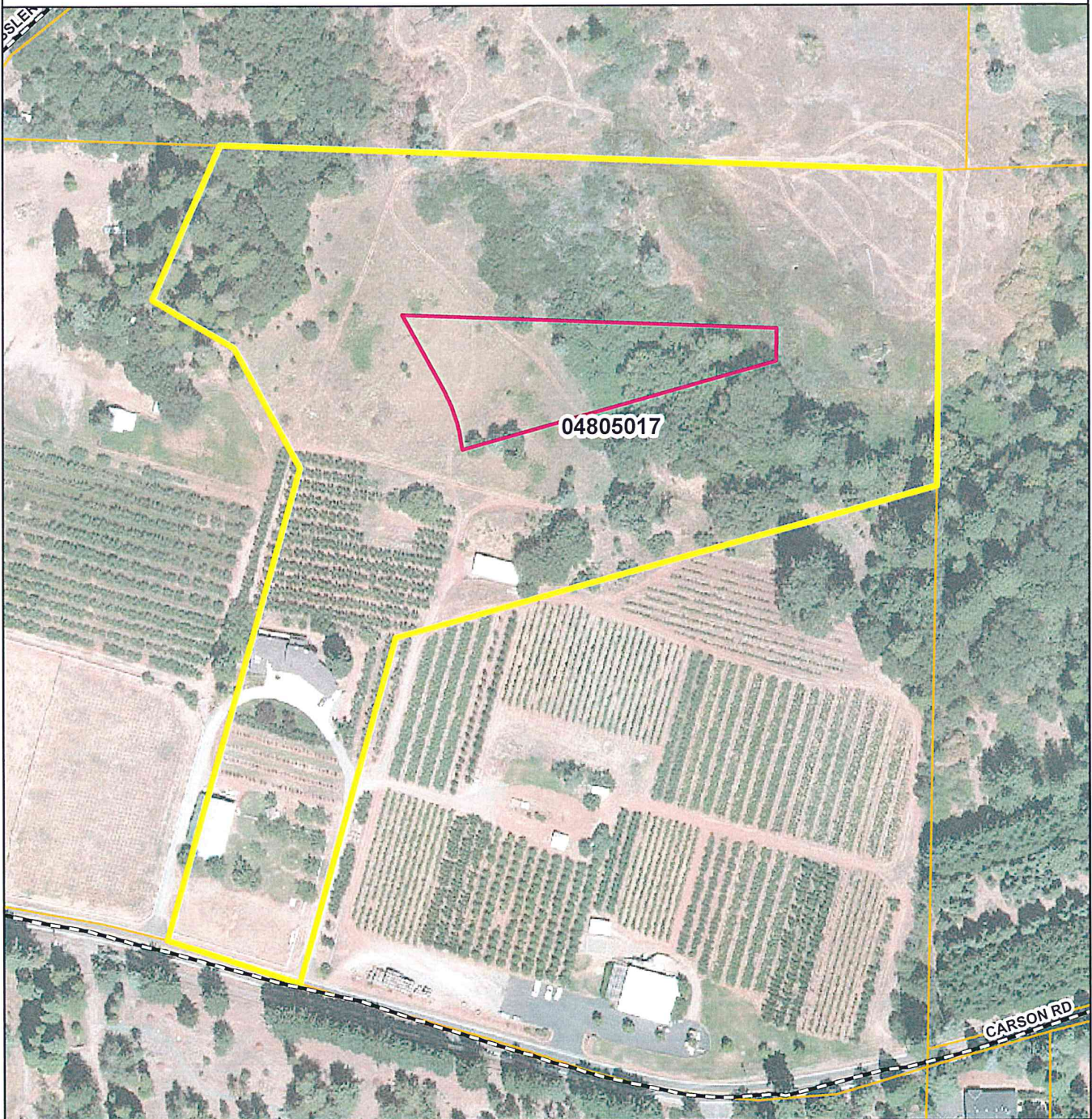


# El Dorado County Agricultural Commission



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## Aerials: 2011



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MAP PREPARED BY: Frank Bruijn DATE: July 25, 2017

PROJECT ID: 0071077a

EL DORADO COUNTY SURVEYOR G.I.S. DIVISION  
PHONE (950) 621-6511 FAX (950) 628-4791

### Legend

- Miller Parcel
- 200ft Setback
- Parcel Base
- Roads

0 100 200 Feet

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



# El Dorado County Agricultural Commission