



## **Agricultural Commission Staff Report**

Date: March 11, 2021

To: County of El Dorado Agricultural Commissioner/Commission

From: Charlene Carveth

Subject: **Steward Ag Setback Relief (ADM21-0012)**  
**Administrative Relief from Agricultural Setback**  
**Assessor's Parcel Number: 060-430-075**

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

Planning Services is requesting review for administrative relief from the agricultural setback for the above-referenced project. This request is for an un-permitted existing single family dwelling. The existing dwelling is one hundred forty (140) feet from the western property line, adjacent to a parcel zoned Planned Agriculture-20 acre (PA-20) (APN: 060-480-036) which is in Ag Preserve #195. The applicant's parcel is zoned Rural Lands (RL-20) (APN: 060-430-075). Both parcels are located within a General Plan Agricultural District.

The applicant's parcel was recently approved for a Tentative Map to create two parcels (Parcel A: 30 acres and Parcel B: 20 acres) from the current 50-acre parcel (see tentative map in attached application packet). P17-0008 was approved by the County Zoning Administrator on January 20, 2021. As a condition of approval for the parcel split, the applicant must obtain building permits for any un-permitted structures on the site. This existing dwelling (located on proposed Parcel B) also requires administrative relief from the agricultural setback from the parcel to the east. Per Section 130.30.050.E.1, of the El Dorado County Zoning Ordinance, the setback for incompatible uses in the zoning ordinance is 200 feet from the parcel boundary.

The property is located on the west side of State Highway 193, approximately 0.4 miles north of the intersection with Black Oak Mine Road in the Garden Valley area, Supervisorial District 4. General Plan Policy 8.1.3.5. and General Plan Policy 8.1.4.1. requires a recommendation from the Agricultural Commission.

### **Parcel Description:**

- Parcel Number and Acreage: 060-430-075, 50 acres

- Agricultural District: Yes, Garden Valley Georgetown District
- Land Use Designation: Agricultural Lands, AL
- Zoning: RL-20 (Rural Lands, 20 Acres)
- Soil Type: Choice Soils
  - BpC: Boomer-Sites loam 9-15% Slopes
  - SkD: Sites loam 15-30% Slopes

### **Discussion:**

A site visit was conducted on December 17, 2020 to review consistency with pertinent General Plan policies. The existing vineyard located on adjacent parcel (APN: 060-480-036) located to the west is in Ag Preserve #195.

### **Staff Findings:**

*Staff recommends APPROVAL of the request for agricultural setback relief of no less than 140 ft. of the western 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;*

**The existing structure was placed on the parcel to avoid impact on the existing GPUD irrigation canal as well as existing drainages through the property.**

2. *The proposed non-compatible structure will be located on the property to reasonably minimize the potential negative impact on adjacent agriculturally zoned land;*

**An existing utility easement combined with slope place the adjacent vineyard property above the residence requesting agricultural setback relief. These site characteristics help to buffer and protect the production vineyard from the home residence that has previously existed inside of the required 200 ft. setback.**

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*

**The structure requiring agricultural setback relief has coexisted along with the adjacent production vineyard since 2005 with no conflicts. The vineyard property has a utility right of way that runs parallel to the property line which further buffers the vineyard from the residential structure.**

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 soils 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 agriculture (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  
[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 **April 14, 2021, 6:30 pm. You may join the waiting room anytime after 6:25pm If you have any questions about the meeting please call Myrna at the office at (530) 621-6647 before 12:00pm on 1/13/2021.**

Myrna Tow is inviting you to a scheduled Zoom meeting. Join Zoom Meeting  
<https://zoom.us/j/97881517357?pwd=Q1N4VXVXeWRIM0svWldncWJhV25PUT09> Meeting ID: 978 8151 7357 Passcode: 199681 One tap mobile +16699006833,,97881517357#,,,,\*199681# US (San Jose) +13462487799,,97881517357#,,,,\*199681# US (Houston) Dial by your location +1 669 900 6833 US (San Jose) +1 346 248 7799 US (Houston) +1 253 215 8782 US (Tacoma) +1 929 205 6099 US (New York) +1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago) Meeting ID: 978 8151 7357 Passcode: 199681 Find your local number:  
<https://zoom.us/j/97881517357?pwd=Q1N4VXVXeWRIM0svWldncWJhV25PUT09>

### Administrative Relief from Agricultural Setback

Assessor's Parcel Number: 060-430-075

099-150-059-000 Planning Services Gina Hamilton,

Applicant: James Steward

### Planning Request and Project Description:

**Planning Services is requesting review for administrative relief from the agricultural setback for the above-referenced project. This request is for un-permitted existing single family dwelling. The existing dwelling is one hundred forty (140) feet from the western property line, adjacent to a parcel zoned Planned Agriculture-20 acre (PA-20) (APN: 060-430-036). The applicant's parcel is zoned Rural Lands (RL-20) (APN: 060-430-075). Both parcels are located within a General Plan Agricultural District. The applicant's parcel was recently approved for a Tentative Map to create two parcels.. P17-0008 was approved by the County Zoning Administrator on January 20, 2021. As a condition of approval for the parcel split, the applicant must obtain building permits for any un-permitted structures on the site. This existing dwelling (located on proposed Parcel B) also requires administrative relief from the agricultural setback from the parcel to the east. Per Section 130.30.050.E.1, of the El Dorado County Zoning Ordinance, the setback for incompatible uses in the zoning ordinance is 200 feet from the parcel boundary. The property is located on the west side of State Highway 193, approximately 0.4 miles north of the intersection with Black Oak Mine Road in the Garden Valley area, Supervisorial District 4.**

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.**

Agricultural Commission Meeting Notice  
Meeting Date: April 14, 2021

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.

Nancy K. Beam Trust & Family  
Revocable Living Trust  
P.O. BOX 102  
Georgetown, CA 95634

Irvine J. Bingham & Jean E. Trust  
P.O. BOX 4030  
Georgetown, CA 95634

David & Kathleen J. Otermat  
6470 Forest View Drive  
Georgetown, CA 95634-9672

Diane P. Ellis & BYPS KE Trust  
27580 Mooncrest Drive  
Carmel, CA 93923-8535

Derald Edwin and Judith Granberg Trust  
7460 State Highway 193  
Georgetown, CA 95634

Amanda Douglas Torres  
4981 Twin Pines Loop  
Georgetown, CA 95634-9619

Mark Steven Scott & Mary Geddes  
Trust  
P.O. BOX 28  
Garden Valley, CA 95633

Dale E. & Catherine M. Schumacher  
5061 Twin Pines Loop  
Georgetown, CA 95634-9618

James L Steward Jr. & Jennifer J.  
Steward  
P.O. BOX 164  
Garden Valley, CA 95633

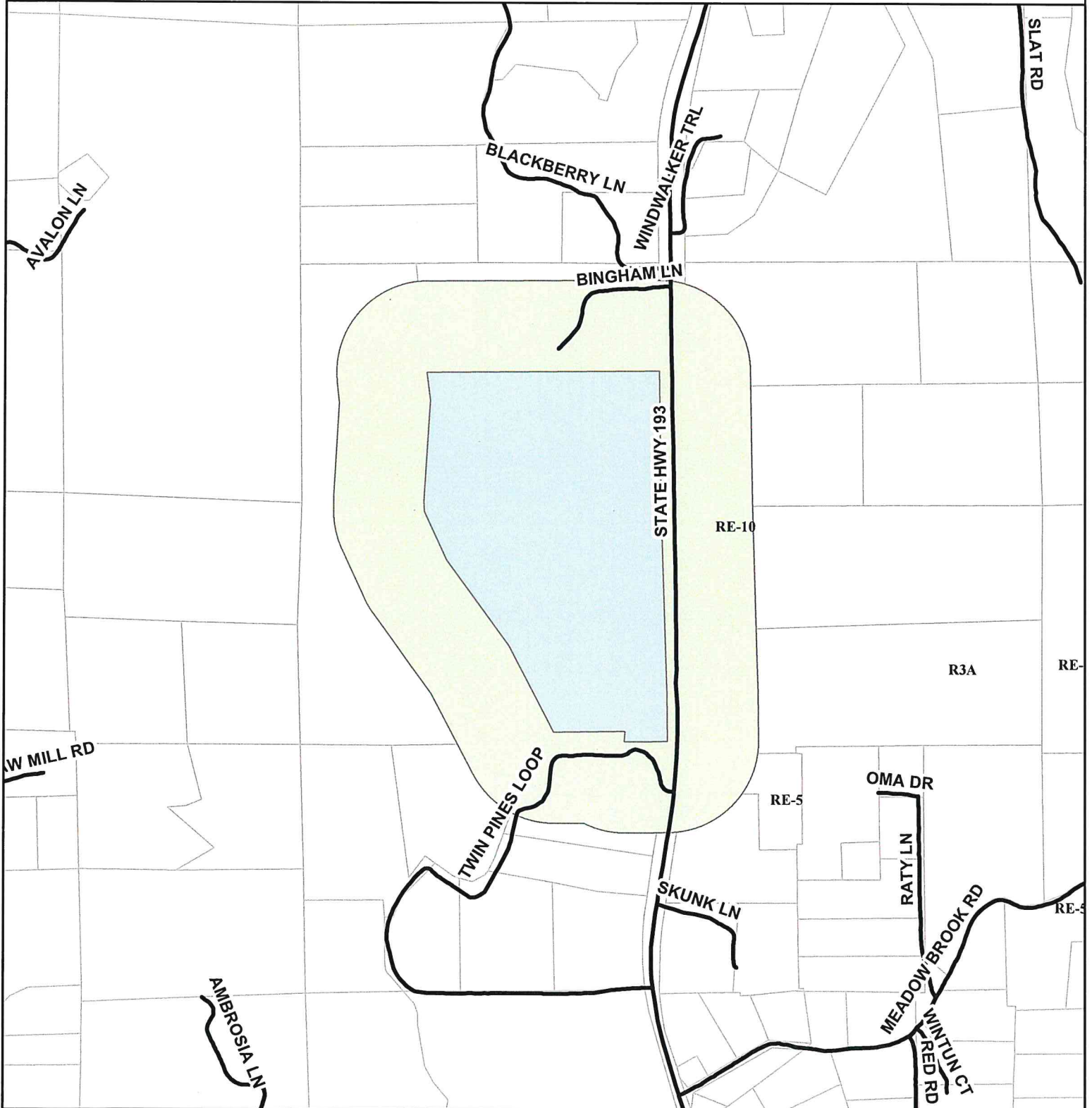
Christopher G. & Melissa Alexander  
7560 State Highway 193  
Georgetown, CA 95634

Patrick J. & Cheryal R. Meyer  
340 Juniper Drive  
Auburn, CA 95602-9557

Dennis & Elizabeth Keene Trust  
5020 Twin Pines Loop  
Georgetown, CA 95634-9618



# Steward 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: LeeAnne Mills DATE: December 21, 2020  
PROJECT ID: sec0074300\_Steward\_n  
EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
PHONE (530) 621-6511 FAX (530) 626-8731

## Legend

Parcel Base Steward - 500 ft Buffer Steward Roads

0 200 400 600 800 1,000  
Feet

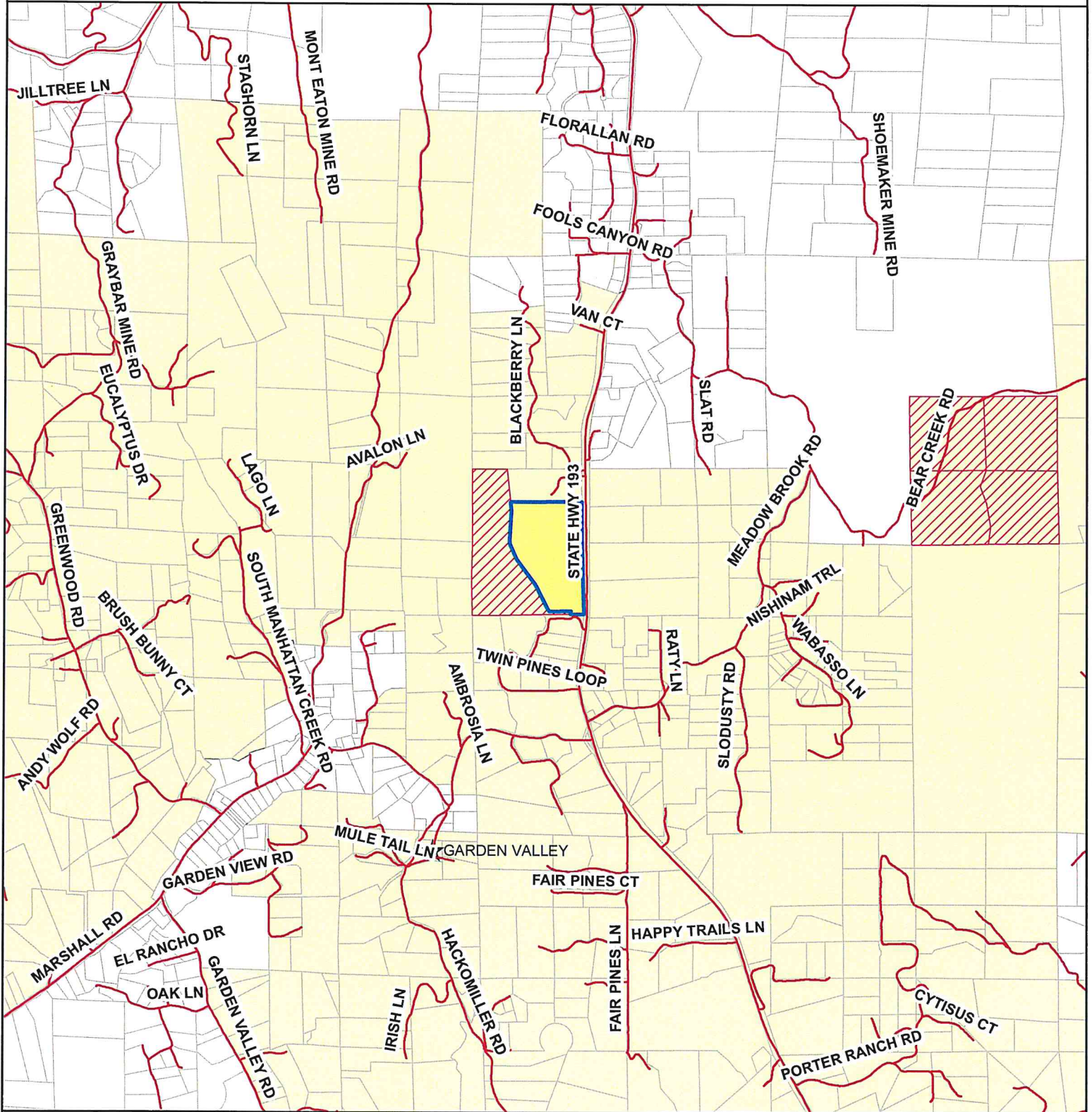
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)





# Steward

## Proximity to Agricultural District



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MAP PREPARED BY: Lee Anne Milla DATE: December 21, 2020  
PROJECT ID: sce0074300\_Steward.p

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

### Legend

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

0 0.25 0.5 1 Miles

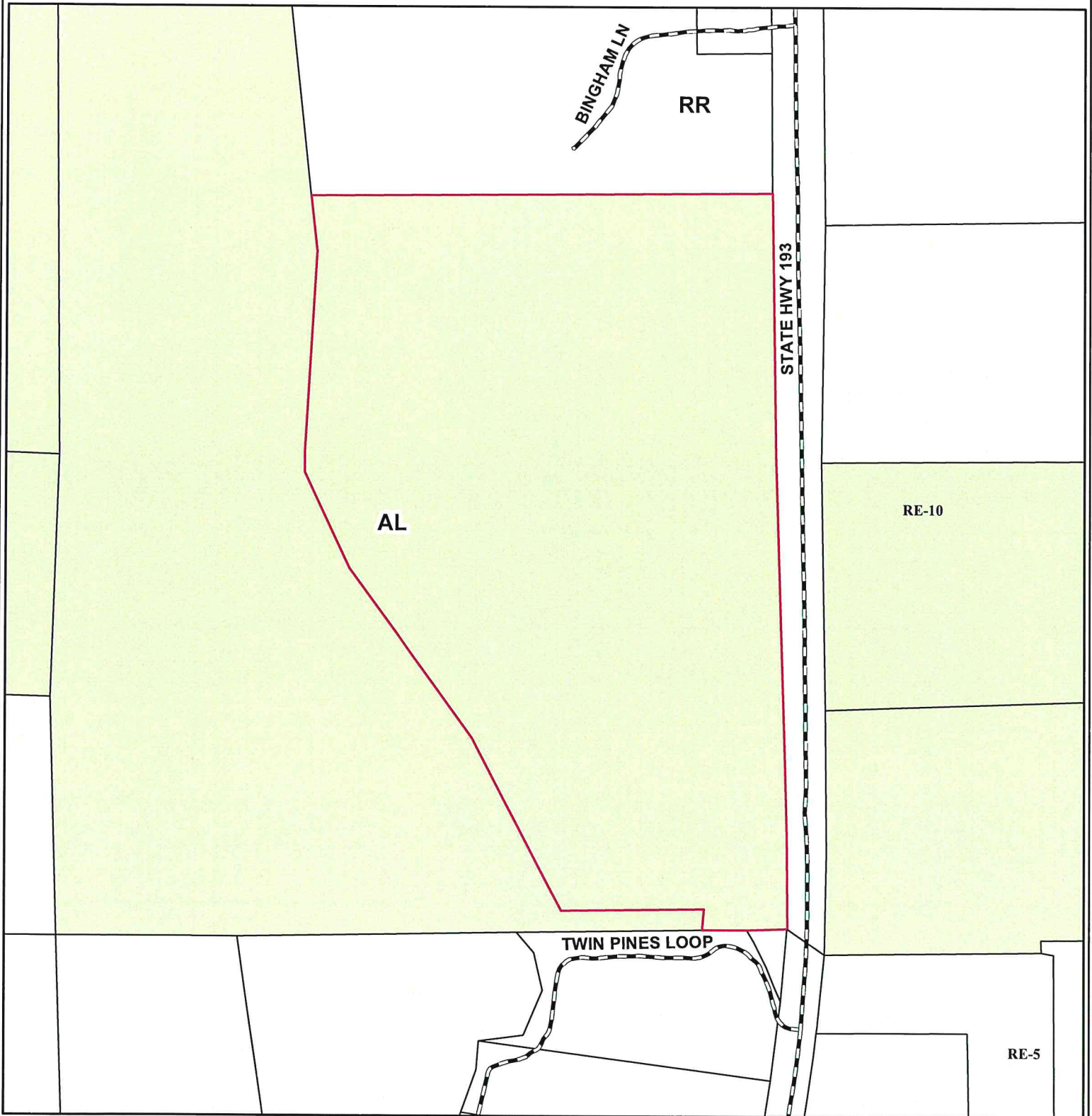


Map Displayed in State Plane Coordinate System  
(NAD 1983 California Zone 2, feet)



# STEWARD

## Land Use



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MAP PREPARED BY: LeeAnne Mills DATE: December 21, 2020

PROJECT ID: sec0074300\_Steward.L

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
PHONE (530) 621-6311 FAX (530) 626-8731

### Legend

- Steward
- Parcel Base
- Agricultural Lands
- Natural Resources
- Rural Residential
- Roads

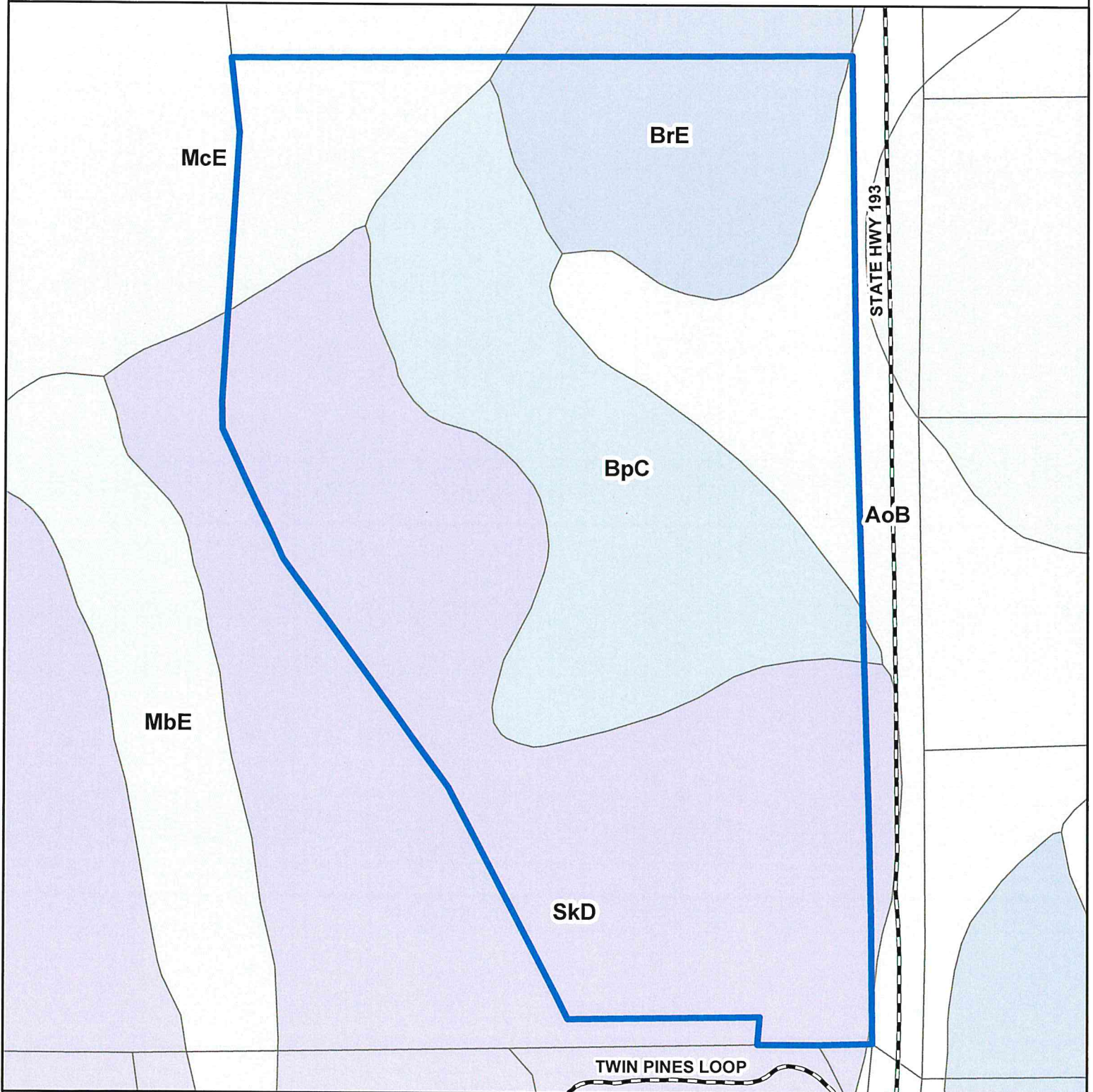
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Map Displayed in State Plane Coordinate System  
(NAD 1983 California Zone 2, feet)





# Steward Soils



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MAP PREPARED BY: LeeAnne Mila DATE: December 21, 2020

PROJECT ID: see0074300\_Steward\_s

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



## Soils

- Argonaut loam, seeped variant
- Boomer-Sites loams, 9 to 15 percent slopes
- Boomer-Sites very rocky loams, 9 to 50 percent slopes

- Mariposa very rocky silt loam, 3 to 50 percent slopes
- Mariposa-Josephine very rocky loams, 15 to 50 percent slopes
- Sites clay loam, 15 to 30 percent slopes
- Sites loam, 15 to 30 percent slopes

0 100 200 300 400  
Feet

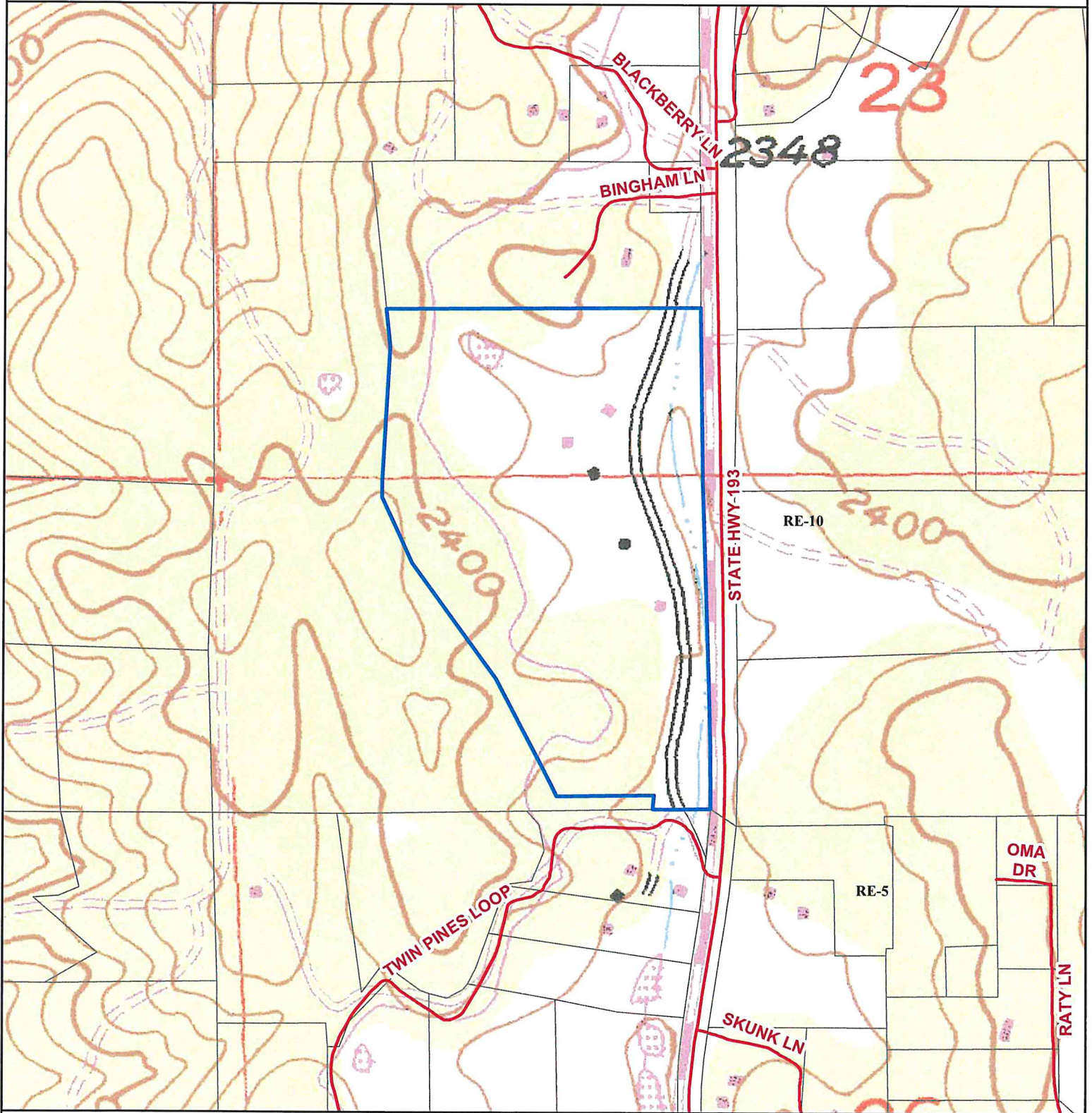


Map Displayed in State Plane Coordinate System  
(NAD 1983 California Zone 2, feet)



# STEWARD

## Topography



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MAP PREPARED BY: LeeAnne Mills DATE: December 21, 2020

PROJECT ID: sec0074300\_Steward.t

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

### Legend

Parcels Steward Roads

0 200 400 600 800 1,000 Feet

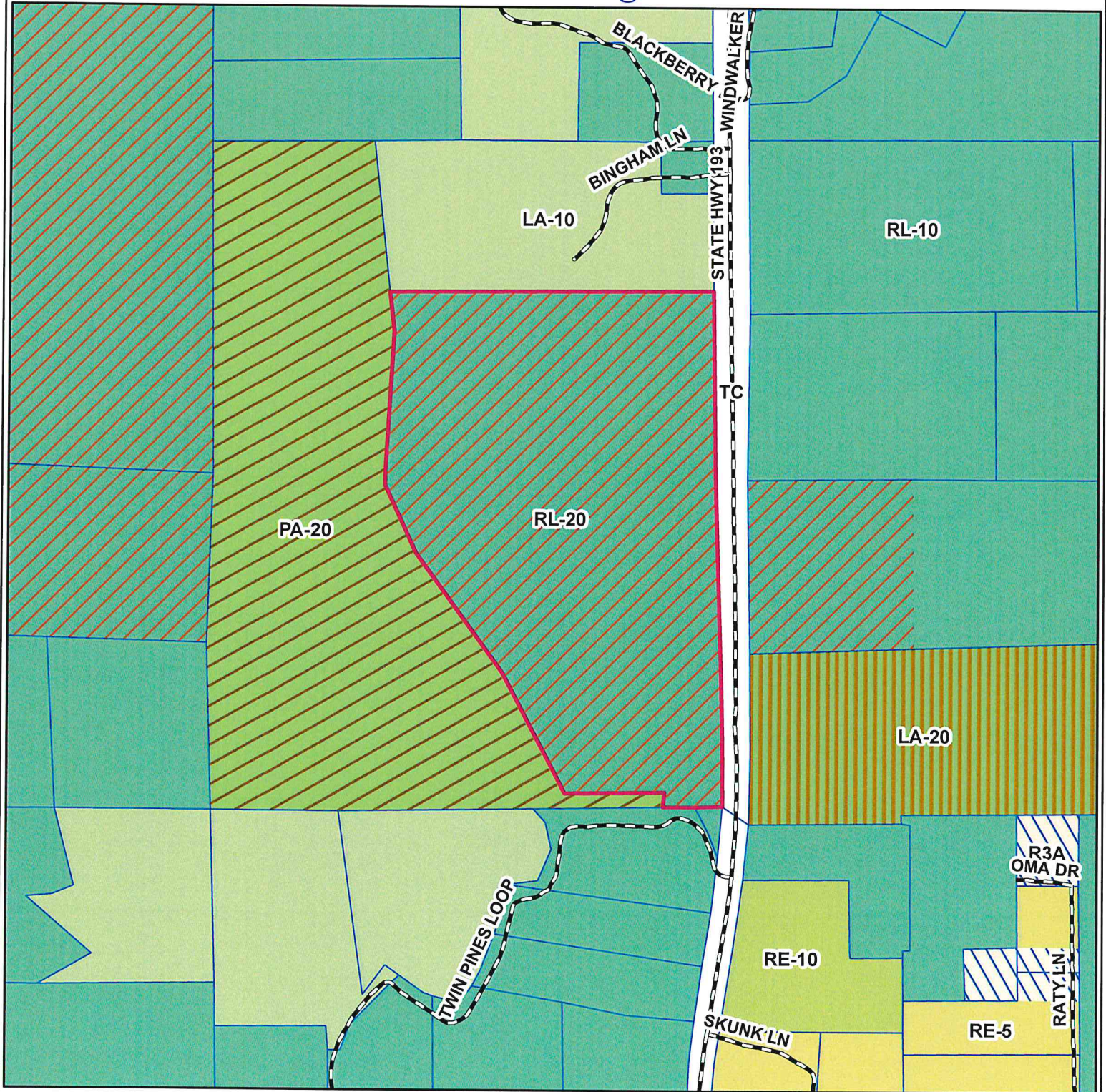
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)





# STEWARD

## Zoning



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MAP PREPARED BY: LeeAnne Mills DATE: December 21, 2020  
PROJECT ID: rec0074300\_Steward\_Z

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

- Steward
- Parcel Base
- Roads
- LA-10 = Limited Agriculture 10 Acres
- LA-20 = Limited Agriculture 20 Acres
- PA-20 = Planned Agriculture 20 Acres
- R3A = Residential 3 Acres
- RE-5 = Residential Estate 5 Acres
- RE-10 = Residential Estate 10 Acres
- RL-10 = Rural Land 10 Acres
- RL-20 = Rural Land 20 Acres
- TC = Transportation Corridor

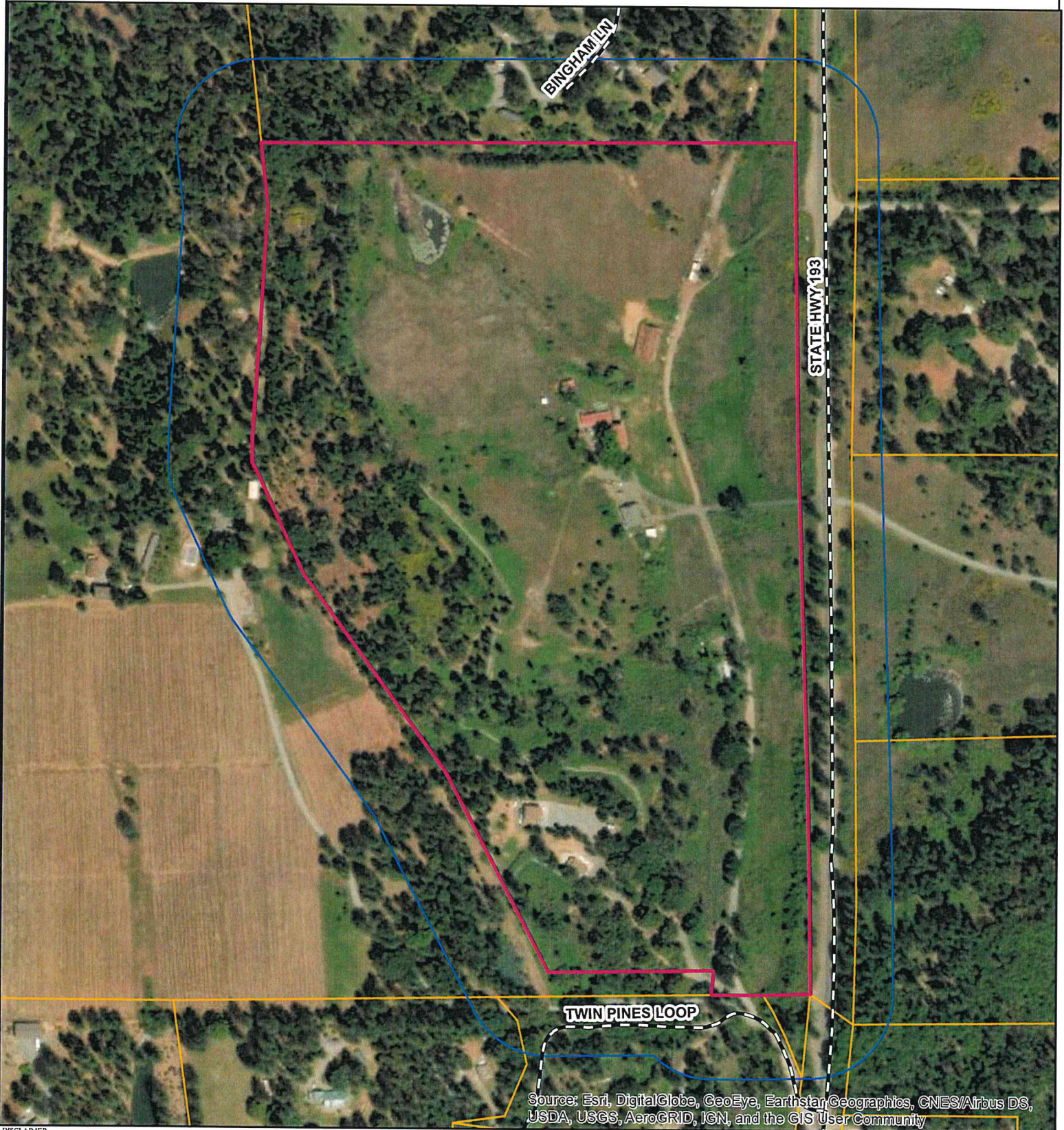
0 200 400 600 800 Feet



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



# STEWARD



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

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MAP PREPARED BY: LeeAnne Milla DATE: December 21, 2020

PROJECT ID: sec0074300\_Steward\_a

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
PHONE (530) 621-4511 FAX (530) 626-4731

## Legend

- Parcel Base
- 200 Ft. Setback
- Steward
- Roads

0 100 200 300 400 Feet

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



# El Dorado County Agricultural Commission