



**Agricultural Commission  
Staff Report**

Date: May 6, 2021

To: El Dorado County Agricultural Commission

From: C.J. Seado; Agricultural Biologist III

Subject: **ADM21-0013 James Agricultural Setback Relief  
Administrative Relief from Agricultural Setback to  
construct a swimming pool  
Assessor's Parcel Number: 317-030-007-000**

**Planning Request and Project Description:**

The applicant is requesting administrative relief from the required 200-foot agricultural setback for the above-referenced project be reduced to 70 feet from the south property line adjacent to parcel 319-030-006 for a pool through building permit number 338051.

The applicant's parcel, APN 317-030-007, is 54 acres and zoned Rural Lands -20 acre (RL-20). The parcels located to the north are 317-030-003 and 317-030-004 are zoned RL-10 and Limited Agriculture LA-10; the parcels to the east is 317-040-030 and 317-040-010 is zoned RL-10 and RL 20; the parcel located to the south and west is 317-030-006 is zoned Agricultural Grazing 40 acre (AG-40). All parcels are in Supervisor District 4 and are located in an Agricultural District. Parcel 317-030-006 located to the south and west of the subject parcel is in a WAC.

**Parcel Description:**

- Parcel Number and Acreage: 317-030-007-000, 53 Acres
- Agricultural District: Yes, Gold Hill
- Land Use Designation: Agricultural Land, AL
- Zoning: RL-20 (Rural Lands, 20 Acres).
- Soil Type: Choice Soils
  - ArB: Auberry Coarse Sandy Loam 5-9 % Slopes

### **Discussion:**

A site visit was conducted on April 13, 2021 to assess the placement of the proposed pool.

### **Staff Findings:**

*Staff recommends APPROVAL of the request for potential future development of a swimming pool, no less than 70 ft. from the southern 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 200 foot setback limits the available building sites. The existing home is located within the 200 foot agricultural setback. This was discovered during a subsequent land survey by the neighboring property owner, parcel 317-030-006 (located to the south), that the parcel line was actually further to the north. The proposed placement of the pool is due to the existing placement of the septic system and leach lines behind the home. Placement of the pool to the north of the house would place the swimming pool at a considerable distance away from the home and impact grazing areas on the applicant's 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;*

**The proposed site for the pool is placed directly behind the existing house, within a fenced area which is located between an existing chicken coop, and lawn area.**

- 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*

**Several natural and previously existing buffers exist that protect the cattle grazing land located to the south and west from the proposed building site. A dense stand of interior live oak trees already provides a visual buffer, while a historic vertical mineshaft prevents any future development within this**

**setback. An existing fruit orchard and vegetable planting beds further buffer the grazing land from the proposed swimming pool site.**

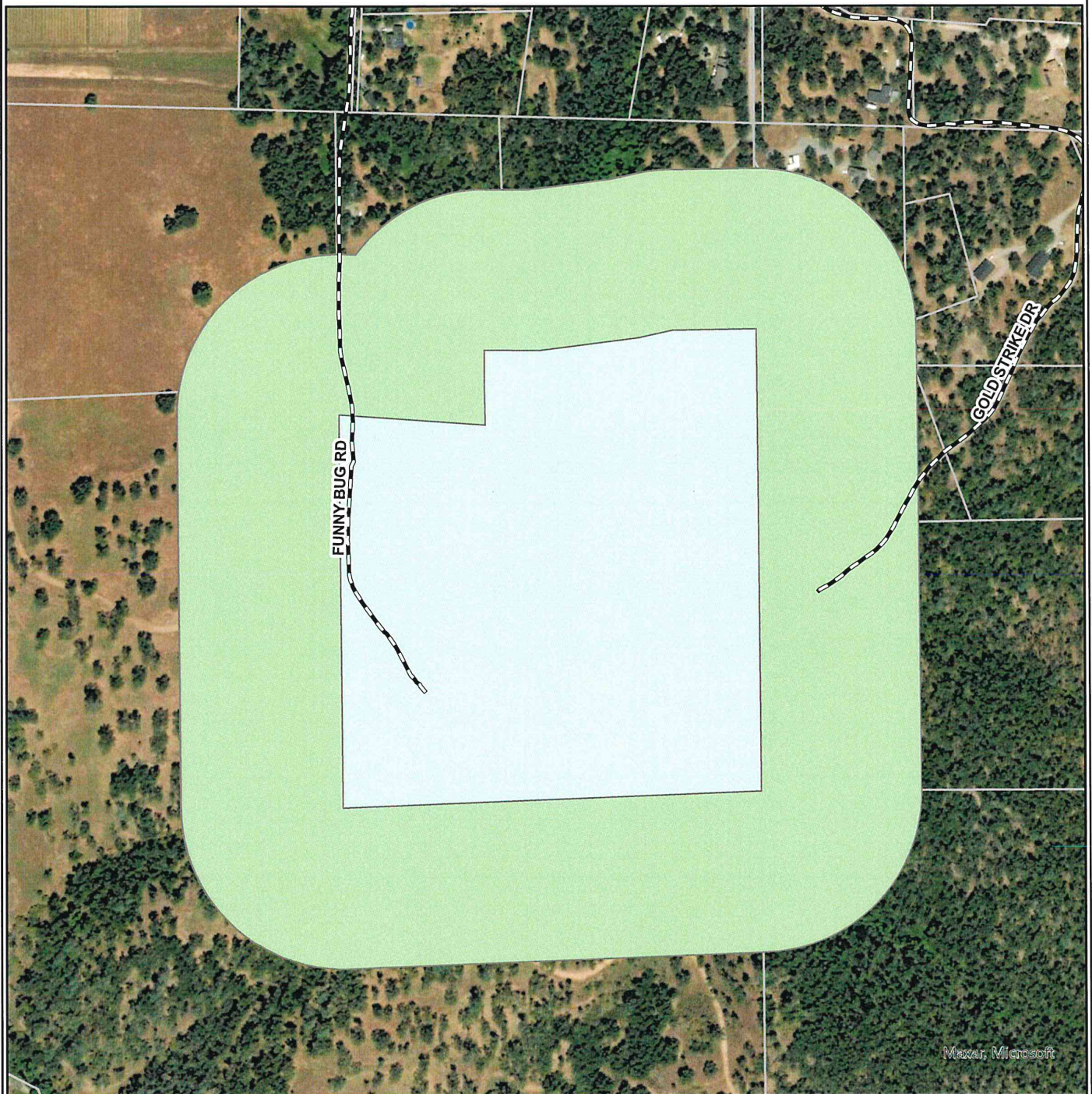
4. *There is currently no agricultural activity on the agriculturally zoned parcel adjacent to the subject parcel and the Commission determines that the conversion to a low or high intensive farming operation is not likely to take place due to the soils and/or topographic characteristics of the adjacent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



# James Notification



## DISCLAIMER

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MAP PREPARED BY: Sara Dougherty DATE: April 26, 2021

PROJECT ID: sec074421\_James\_01

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

## Legend

Parcel Base Roads James 500ft Buffer

0 100 200 300 400 500 600 700  
Feet

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



# El Dorado County Agricultural Commission





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PLACERVILLE CA 95667-9435

KROKOSZ WALTER H & TERRY B  
1220 GOLD STRIKE DR  
PLACERVILLE CA 95667-9426

JAMES KEVIN ANDREW TR & JESSICA  
ROBYN LEE TR  
1330 FUNNY BUG RD  
PLACERVILLE CA 95667-9485

AKIN EDWARD P TR & LINDALEE M TR  
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PLACERVILLE CA 95667-9435

KRAMER SCOTT M & JENNIFER L  
1330 GOLD STRIKE DR  
PLACERVILLE CA 95667

FLANAGAN GERALD WILLIAM TR &  
CAROLYN TR  
1301 FUNNY BUG RD  
PLACERVILLE CA 95667-9485

MESSER TOBY LEE & MICHELLE RENEE  
3360 CABALLERO CT  
CAMERON PARK CA 95682

HOOVER PAMELA & PAUL WILLIAM  
PO BOX 446  
PLACERVILLE CA 95667

DBA OSIER CONSTRUCTION - OSIER  
JOSEPH & DENISE  
1511 GOLD STRIKE DR  
PLACERVILLE CA 95667-9474

DELLINGER DEBORAH & STANFORD  
1212 GOLD STRIKE DR  
PLACERVILLE CA 95667-9426

FLANAGAN GERALD WILLIAM TR &  
CAROLYN TR  
1301 FUNNY BUG RD  
PLACERVILLE CA 95667-9485

WELLER FOREST & JANET SUE  
1428 GOLD STRIKE DR  
PLACERVILLE CA 95667-9474

BUREAU OF LAND MANAGEMENT  
2800 COTTAGE WAY  
SACRAMENTO CA 95825-1829

KRAMER SCOTT M & JENNIFER L  
1330 GOLD STRIKE DR  
PLACERVILLE CA 95667

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KRAMER SCOTT M & JENNIFER L  
1330 GOLD STRIKE DR  
PLACERVILLE CA 95667



## 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 **May 12, 2021 6:30 pm. You may join the waiting room anytime after 6:25pm. If you have questions about the meeting please call Myrna at the office at (530) 621-6647 before 12:00pm on 4/12/2021.**

Myrna Tow is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://zoom.us/j/95512047064?pwd=VEk0akZ0N1crT3ptckVCL29OWERLUT09>

Meeting ID: 955 1204 7064

Passcode: 827299

One tap mobile

+16699006833,,95512047064#,,,,\*827299# US (San Jose)

+Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

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Find your local number: <https://zoom.us/u/adXjuwjoQ1>

Jon Philip Mijat, Associate Planner

**RE: ADM21-0013 James Pool Agricultural Setback Relief**

**Administrative Relief from Agricultural Setback to Build Pool**

**Assessor's Parcel Number: 317-030-007-000**

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Agricultural Commission Meeting Notice  
Meeting Date: May 12, 2021

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.

## COUNTY OF EL DORADO



Please note the first memo you received didn't have the meeting time on it. The meeting will start at 6:30pm, thank you!

Lane  
Merced, CA 95667  
(530) 621-5520  
(530) 626-4756  
[eldcag@edcgov.us](mailto:eldcag@edcgov.us)

## CULTURAL COMMISSION

Greg Boeger, Chair – Agricultural Processing Industry  
Dave Bolster, Vice-chair – Fruit and Nut Farming Industry  
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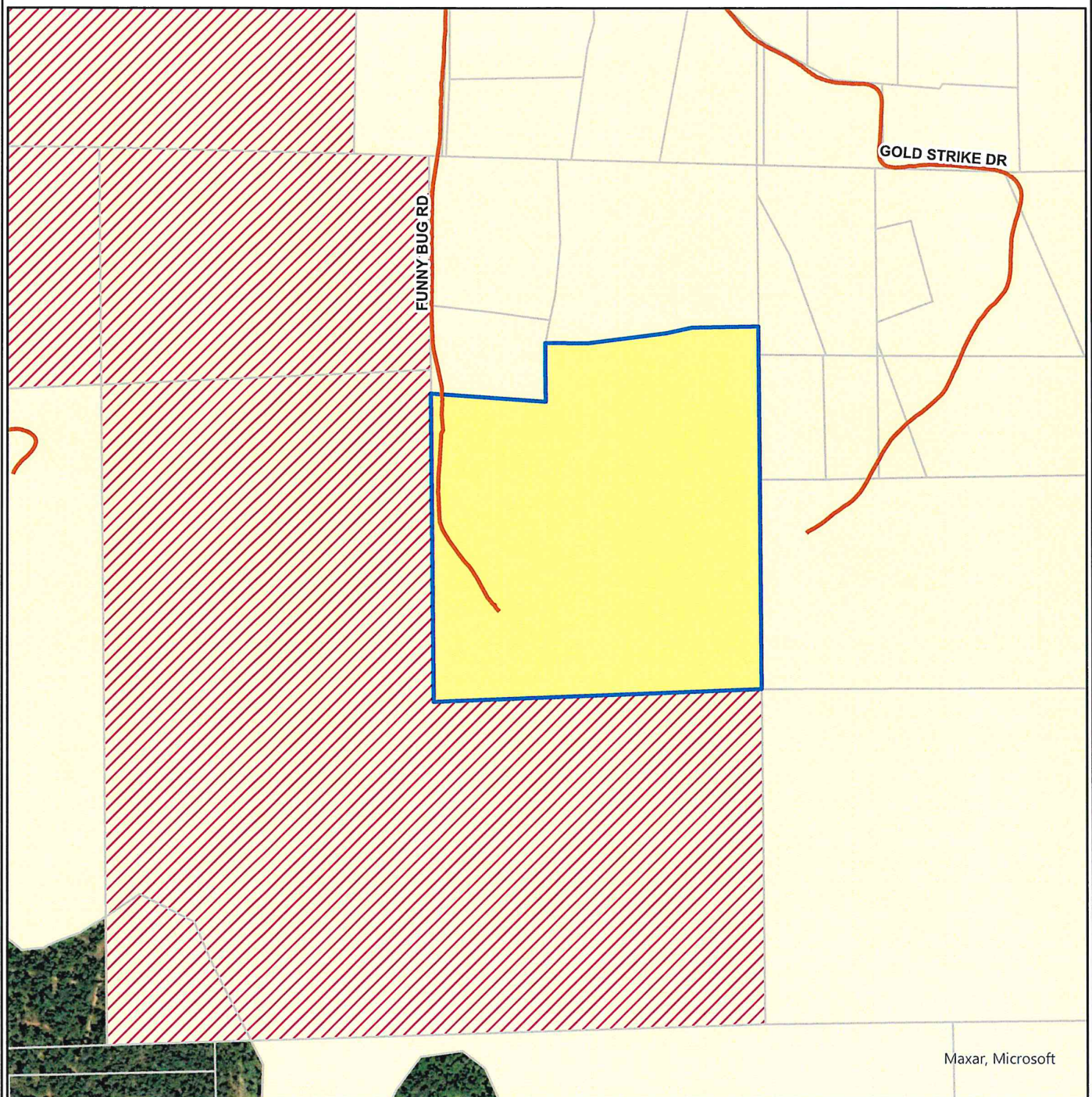
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# James

## Proximity to Agricultural District



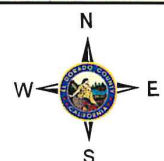
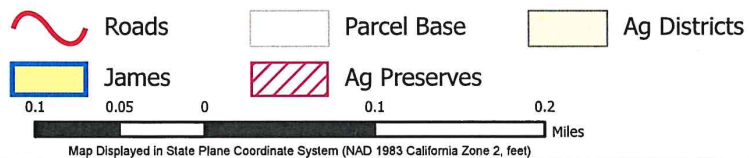
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MAP PREPARED BY: Sara Dougherty DATE: 04/26/2021

PROJECT ID: sec0074421\_James\_p

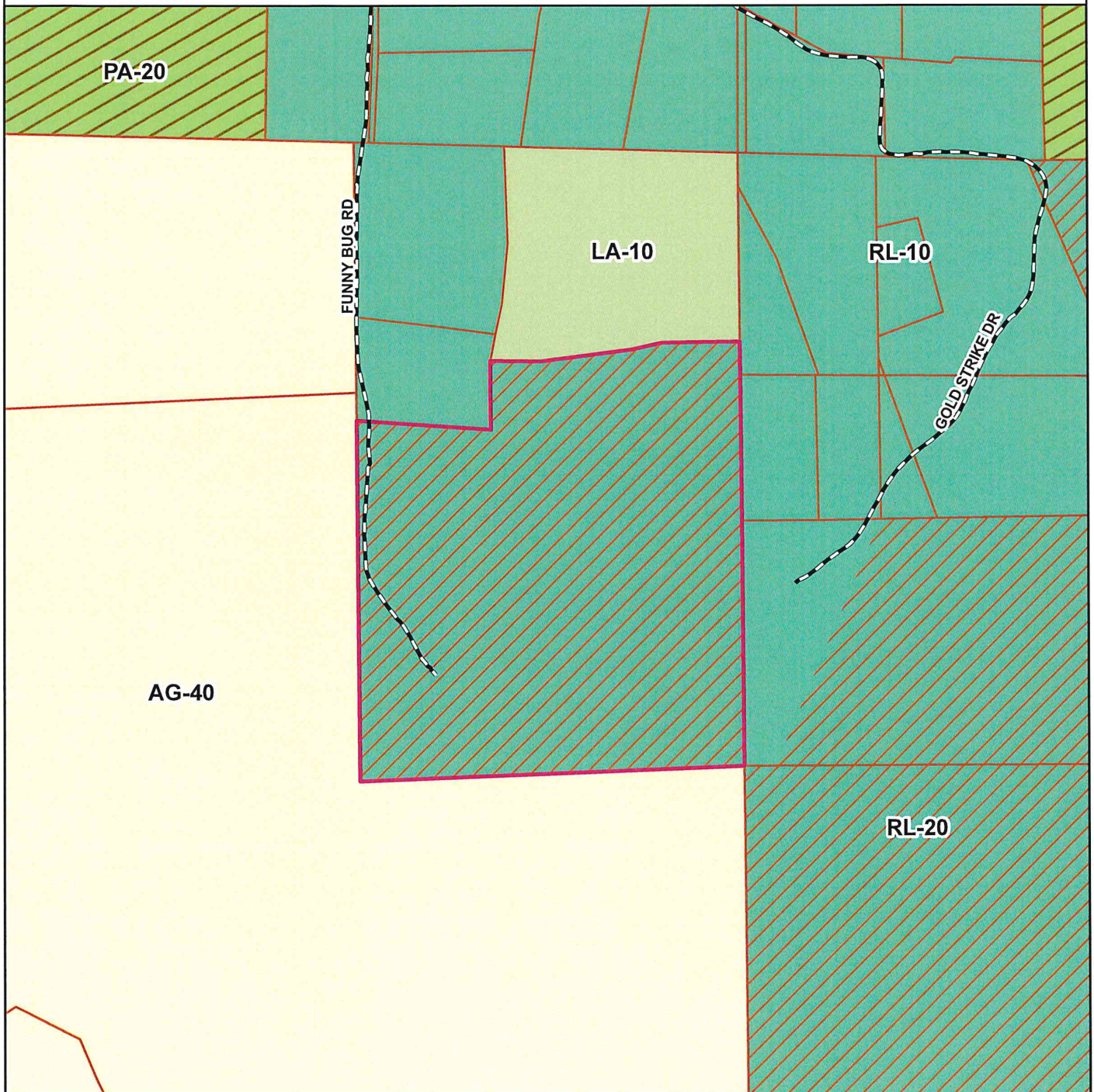
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# El Dorado County Agricultural Commission



# James Zoning



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MAP PREPARED BY: Sara Dougherty DATE: April 27, 2021

PROJECT ID: sec0074421\_James\_z

EL DORADO COUNTY SURVEYOR G.I.S. DIVISION  
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Roads



James



Parcel Base

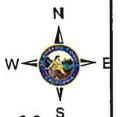
Agricultural Grazing 40 Acres

Limited Agriculture 10 Acres

Planned Agriculture 20 Acres

Rural Land 10 Acres

Rural Land 20 Acres



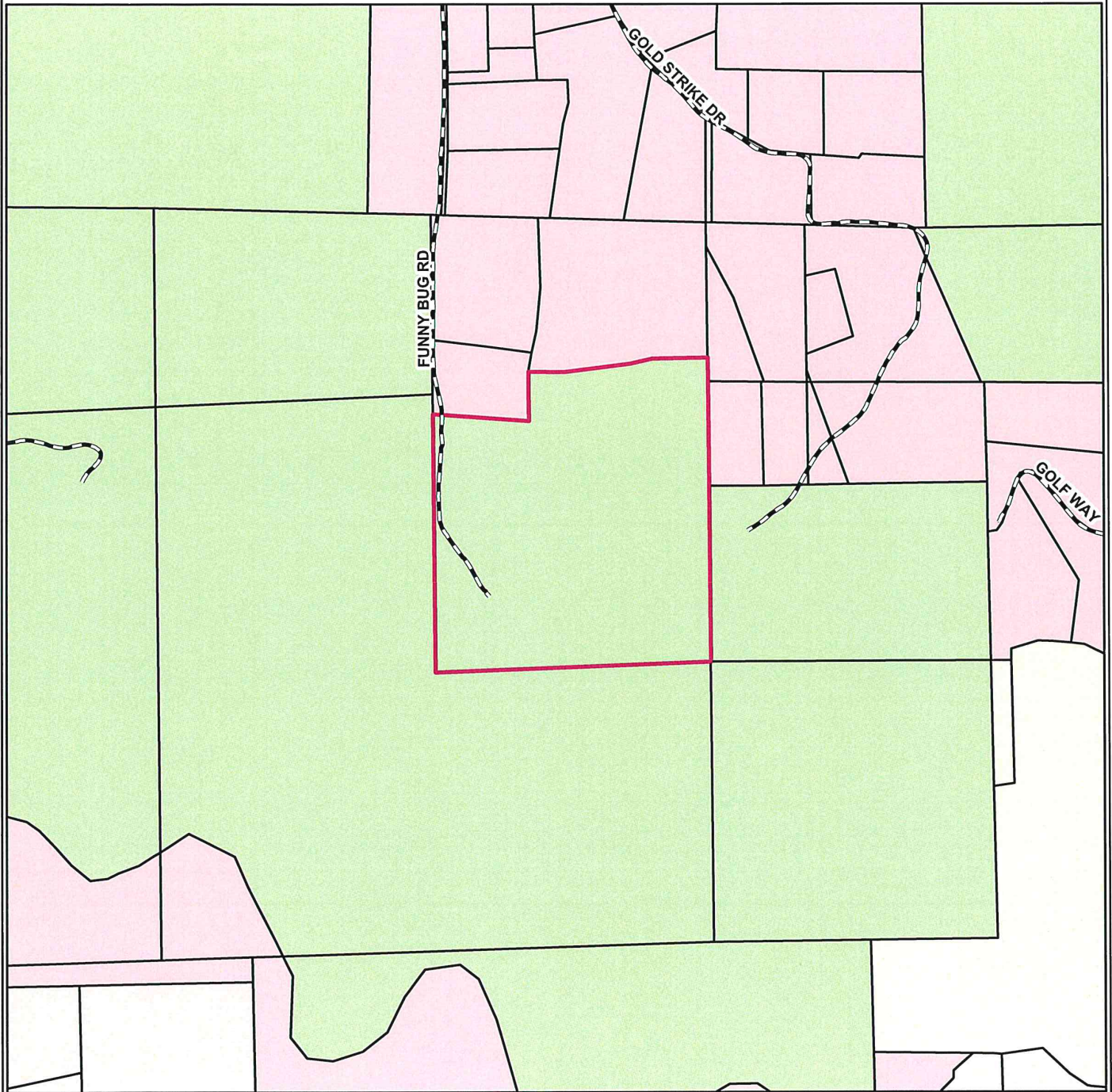
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Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)

# El Dorado County Agricultural Commission



# James Landuse



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MAP PREPARED BY: Sara Dougherty DATE: April 27, 2021

PROJECT ID: scc0074421\_James\_L

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PHONE (530) 621-6511 FAX (530) 626-4731

James

Roads

Parcel Base

Agricultural Land

Low Density Residential

Open Space

Rural Residential



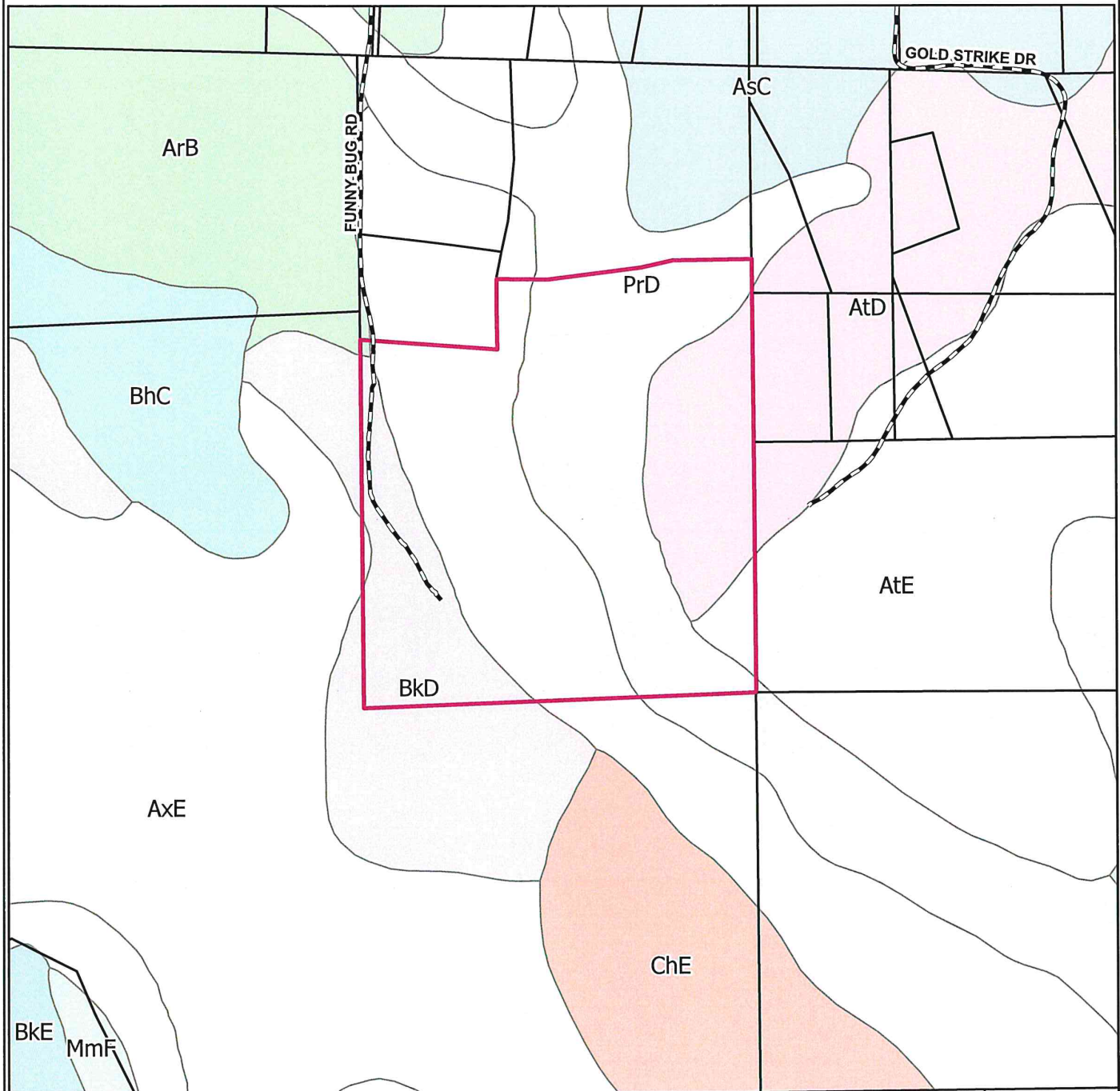
0.1 0.05 0 0.1 0.2 Miles

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# El Dorado County Agricultural Commission



# James Soils



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MAP PREPARED BY: Sara Dougherty DATE: April, 27, 2021

PROJECT ID: see00744421\_James\_s

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

Roads

James

Parcel Base

Auberry Coarse Sandy Loam, 5 to 9 Percent Slopes

Auberry Rocky Coarse Sandy Loam, 5 to 15 Percent Slopes

Auberry Very Rocky Coarse Sandy Loam, 15 to 30 Percent Slopes

Auberry Very Rocky Coarse Sandy Loam, 30 to 50 Percent Slopes

Auburn Very Rocky Silt Loam, 30 to 50 Percent Slopes

Boomer Gravelly Loam, 3 to 15 Percent Slopes

Boomer Very Rocky Loam, 3 to 30 Percent Slopes

Boomer Very Rocky Loam, 50 to 70 Percent Slopes

Chawanahee Very Rocky Coarse Sandy Loam, 9 to 50 Percent Slopes

Metamorphic Rock Land

Placer Diggings



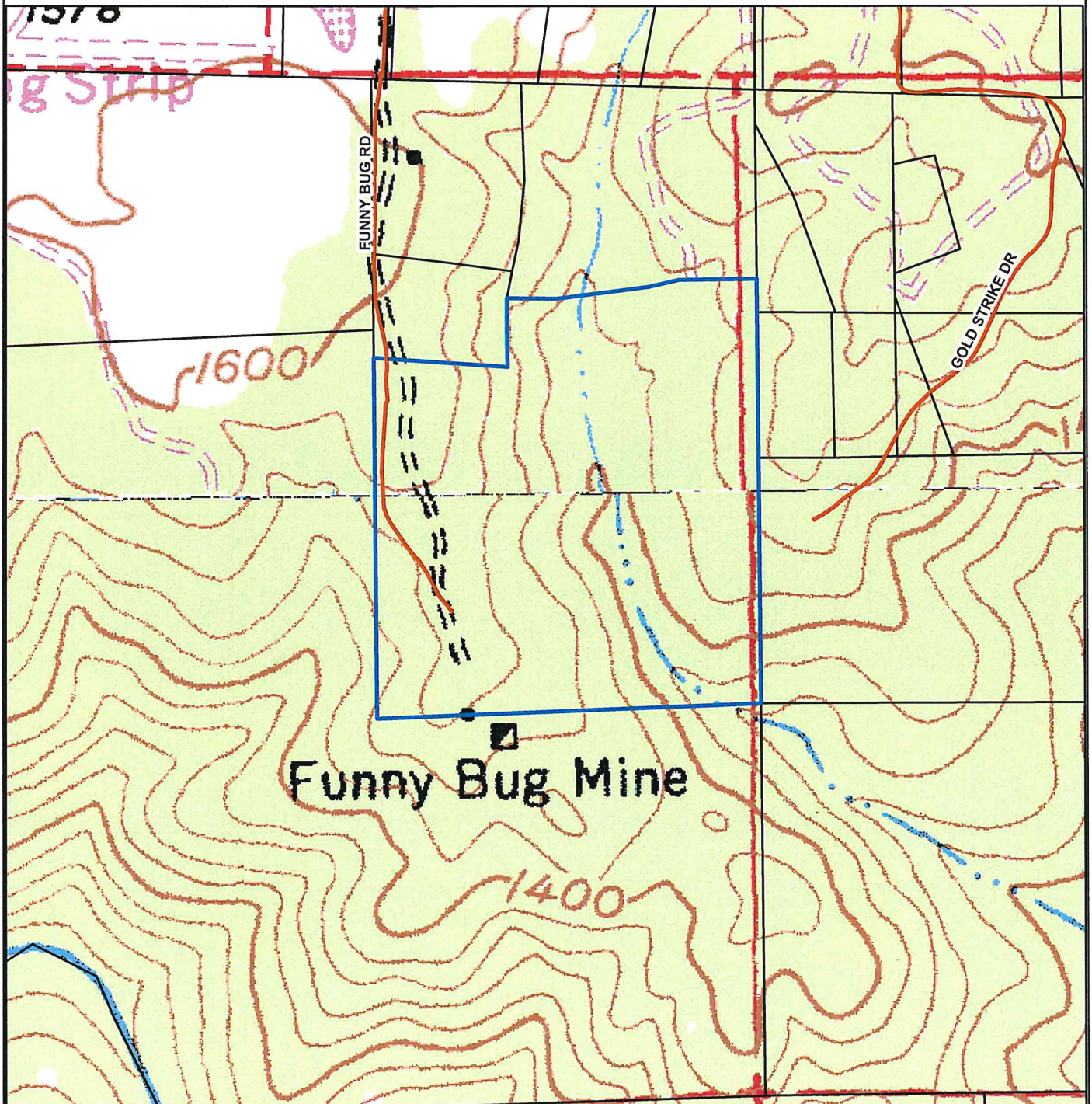
0 0.03 0.05 0.1 0.15 Miles

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

# El Dorado County Agricultural Commission



# James Topography



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MAP PREPARED BY: Sara Dougherty DATE: April 27, 2021

PROJECT ID: sec0074421\_James\_1

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# El Dorado County Agricultural Commission



# James



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MAP PREPARED BY: Sara Dougherty DATE: April 16, 2021

PROJECT ID: scc0074421\_James\_s

EL DORADO COUNTY SURVEYOR G.I.S. DIVISION  
PHONE (510) 621-6311 FAX (510) 626-8731

 Pool site

 James

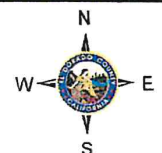
 200ft Setback

 Parcel Base

 Roads

0 100 200 300 400  
Feet

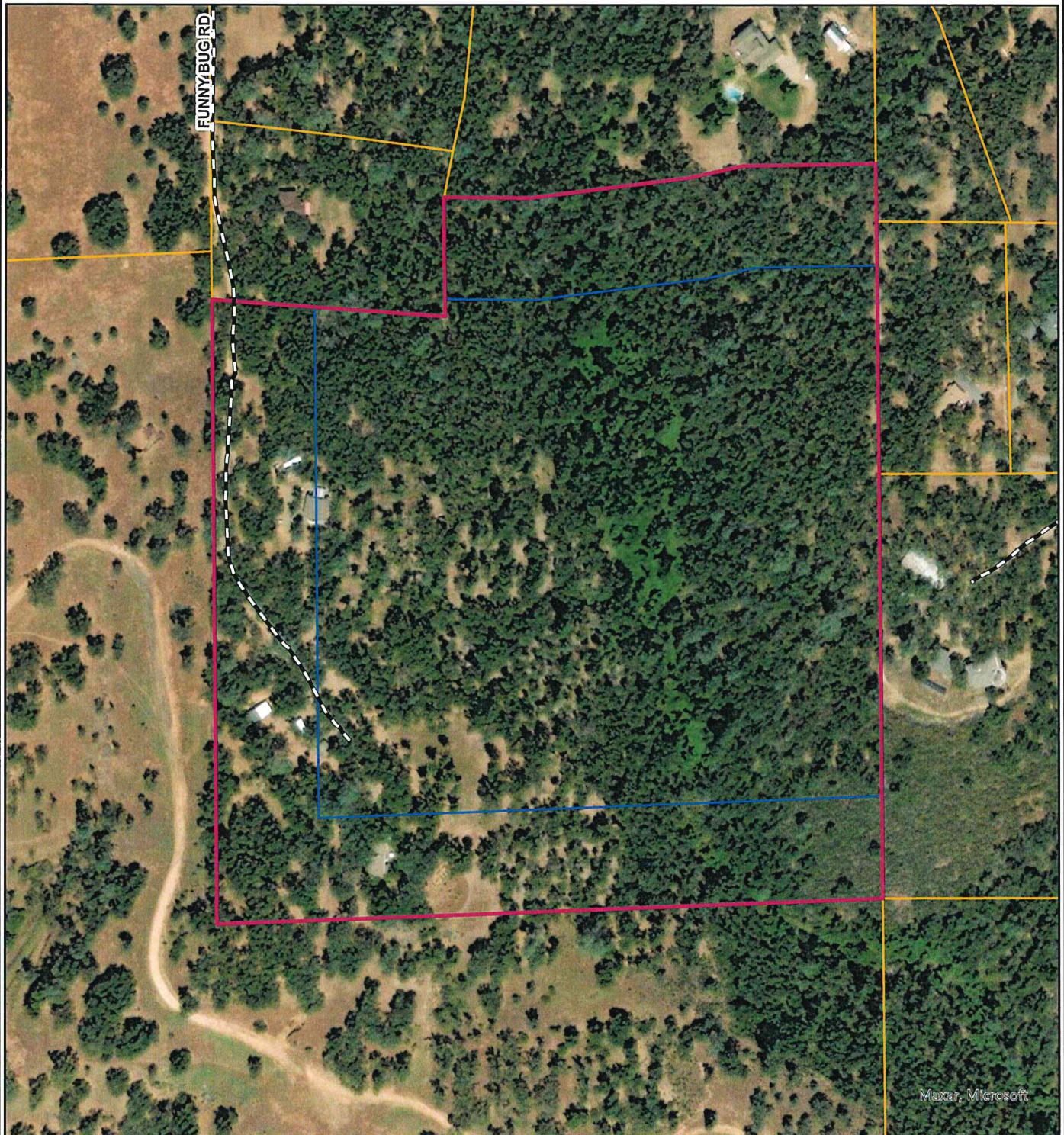
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



# El Dorado County Agricultural Commission



# James



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MAP PREPARED BY: Sara Dougherty DATE: April 26, 2021

PROJECT ID: sec0074421\_james\_a

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

James

200ft Setback

Parcel Base

Roads

0 100 200 300 400  
Feet

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# El Dorado County Agricultural Commission