



Agricultural Commission Staff Report

Date: August 02, 2021
To: El Dorado County Agricultural Commission
From: LeeAnne Mila; Deputy Agricultural Commissioner
Subject: **ADM20-0050 Stewart
Agricultural Setback Relief for Accessory Dwelling
Assessor's Parcel Number: 317-040-026-000**

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 about 150 feet from the northern property line to place an accessory dwelling unit.

The applicant's parcel, APN 317-040-026, is 10.00 acres and zoned Limited Agricultural-10 acre (LA- 10). The parcel located to the north is 317-040-086 is zoned Planned Agriculture 20-acre (PA-20); the parcel to the southwest is 317-040-027 is zoned LA-10. The remaining neighboring properties are zoned Rural Lands 10 acre minimum (RL-10). All parcels are in Supervisor District 4 and are within agriculture districts.

Parcel Description:

- Parcel Number and Acreage: 317-040-026, 10.00 Acres
- Agricultural District: Yes, Gold Hill
- Land Use Designation: Rural Residential, RR
- Zoning: LA-20 (Limited Agriculture, 20 Acres).
- Choice Soils:
 - AsC: Auberry rocky coarse sandy loam, 5 to 15 percent slopes

Discussion:

A site visit was conducted on July 19, 2021 to assess the placement of the proposed dwelling.

Staff Findings:

Staff recommends APPROVAL for the above-referenced project, reducing the setback to no less than 150 feet from the northern property line to place an accessory dwelling unit, 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;*

Topography limits the buildable sites. American Way bisects the property further limiting the available sites. There is a current dwelling on the opposite side of American Way on the applicants 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;*

The proposed building has been located to minimize any negative impacts.

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 site is buffered by existing shrubs and oak stands at the fence line. The PA-20 zoned land slopes away from the applicants property effectively acting as a buffer.

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

Greg Boeger, Chair – Agricultural Processing Industry
Dave Bolster, Vice-chair – Fruit and Nut Farming Industry
Lloyd Walker- Other Agriculture 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 11, 2021**. 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. This is a ZOOM Meeting and the directions are as follows. You are invited to a Zoom webinar.
When: Aug 11, 2021 06:00 PM Pacific Time (US and Canada)
Topic: Agricultural Commission Meeting 8-11-2021

Please click the link below to join the webinar:

<https://zoom.us/j/95574772611>

Or One tap mobile :

US: +12133388477,,95574772611# or +16692192599,,95574772611#

Or Telephone: Dial(for higher quality, dial a number based on your current location):

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1195 or +1 253 215 8782 or +1 346 248 7799 or +1 602 753 0140 or +1 720 928

9299 or +1 267 831 0333 or +1 301 715 8592 or +1 312 626 6799 or +1 470 250

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Webinar ID: 955 7477 2611

International numbers available: <https://zoom.us/j/95574772611>

**RE: ADM20-0050 Stewart Agricultural Setback Relief for Accessory Dwelling
Unit Administrative Relief from Agricultural Setback to Permit Accessory
Dwelling Unit Assessor's Parcel Number: 317-040-026-000**

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 about 150 feet from the northern property line to place an accessory dwelling unit. The applicant's parcel, APN 317-040-026, is 10.00 acres and zoned Limited Agricultural-10 acre (LA-10). The parcel located to the north is 317-040-086 is zoned Planned Agriculture 20-acre (PA-20); the parcels to

the southwest is 317-040-027 is zoned LA-10. The remaining neighboring properties are zoned Rural Lands 10 acre minimum (RL-10). All parcels are in Supervisor District 4 and are within agriculture districts.

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 Jon Philip Mijat at Planning Services, (530) 621-5355.



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MARTINEZ OCHOA NANCY
6000 GOLD HILL RD
PLACERVILLE CA 95667-9448

MILITELLO CHARLES R & LINDA M
1155 MOUNT SHASTA CT
PLACERVILLE CA 95667

BURNS THOMAS J & JOAN M
1161 MOUNT SHASTA CT
PLACERVILLE CA 95667

CLARK DONALD DAVID TR & JOSEPHINE
PANTO TR
6501 AMERICAN WAY
PLACERVILLE CA 95667-9339

STEWART CHILDRENS IRRV TR(REM) &
STEWART STEVEN PH
6498 AMERICAN WAY
PLACERVILLE CA 95667

SEXTON JOSEPH THOMAS JR & LISA
6421 FOX PRINT CT
PLACERVILLE CA 95667-9401

OVERTON CALVIN & TAMI
6420 FOX PRINT CT
PLACERVILLE CA 95667

STEWART STEVEN P TR & EDITH C TR
6498 AMERICAN WAY
PLACERVILLE CA 95667-9339

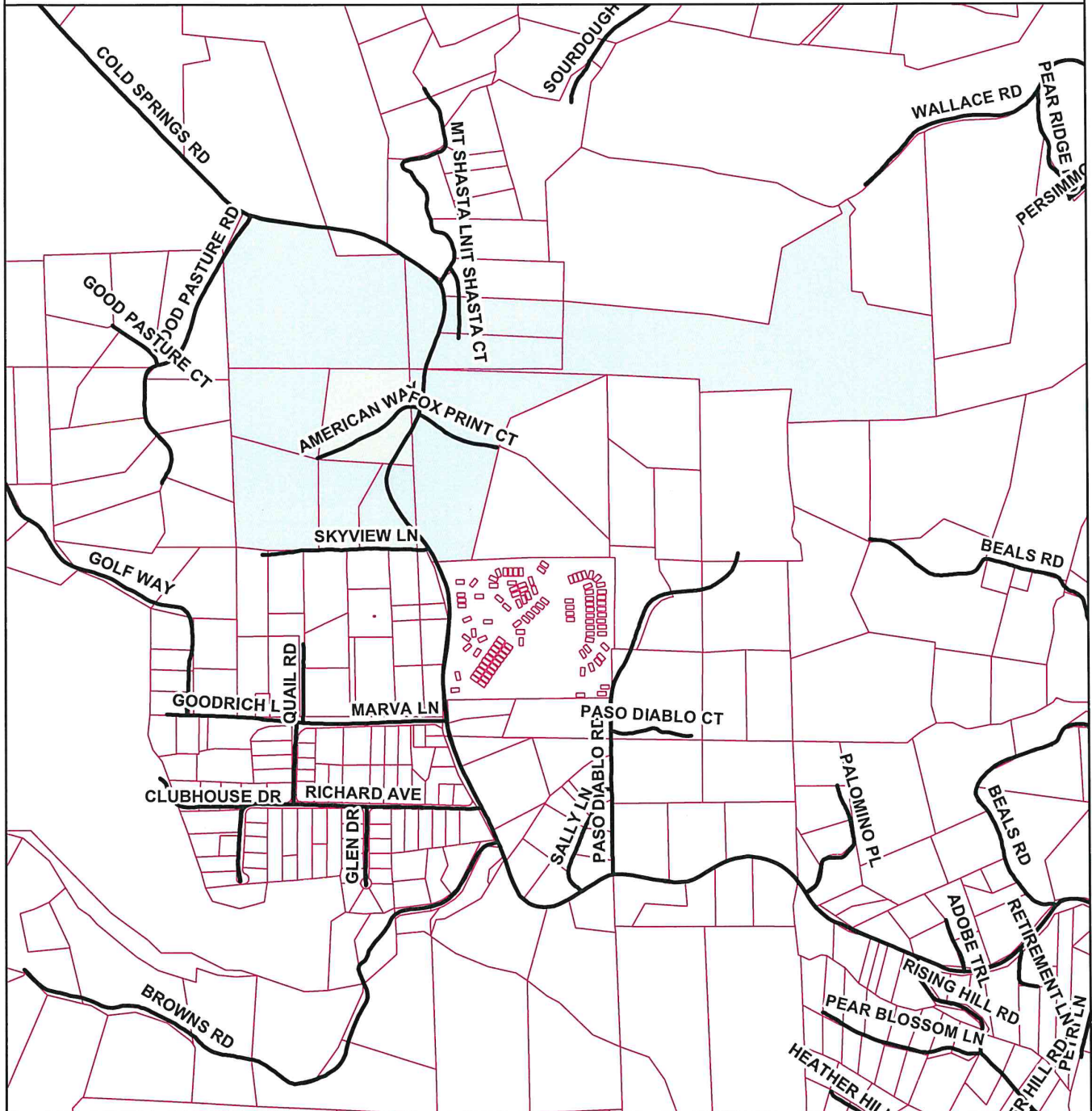
KEPUS KATHLEEN M SURV TR
6502 AMERICAN WAY
PLACERVILLE CA 95667-9339

PANGER CLYDE A & DEANNA A
PO BOX 1296
PLACERVILLE CA 95667

ERJAVEC TIMOTHY & STACI A
1020 WALLACE RD
PLACERVILLE CA 95667

CARTER SARAH
PO BOX 2395
PLACERVILLE CA 95667

Stewart Notification



DISCLAIMER

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MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018
PROJECT ID: projJackson_n
EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731

Stewart Notification Stewart Parcel Parcel Roads

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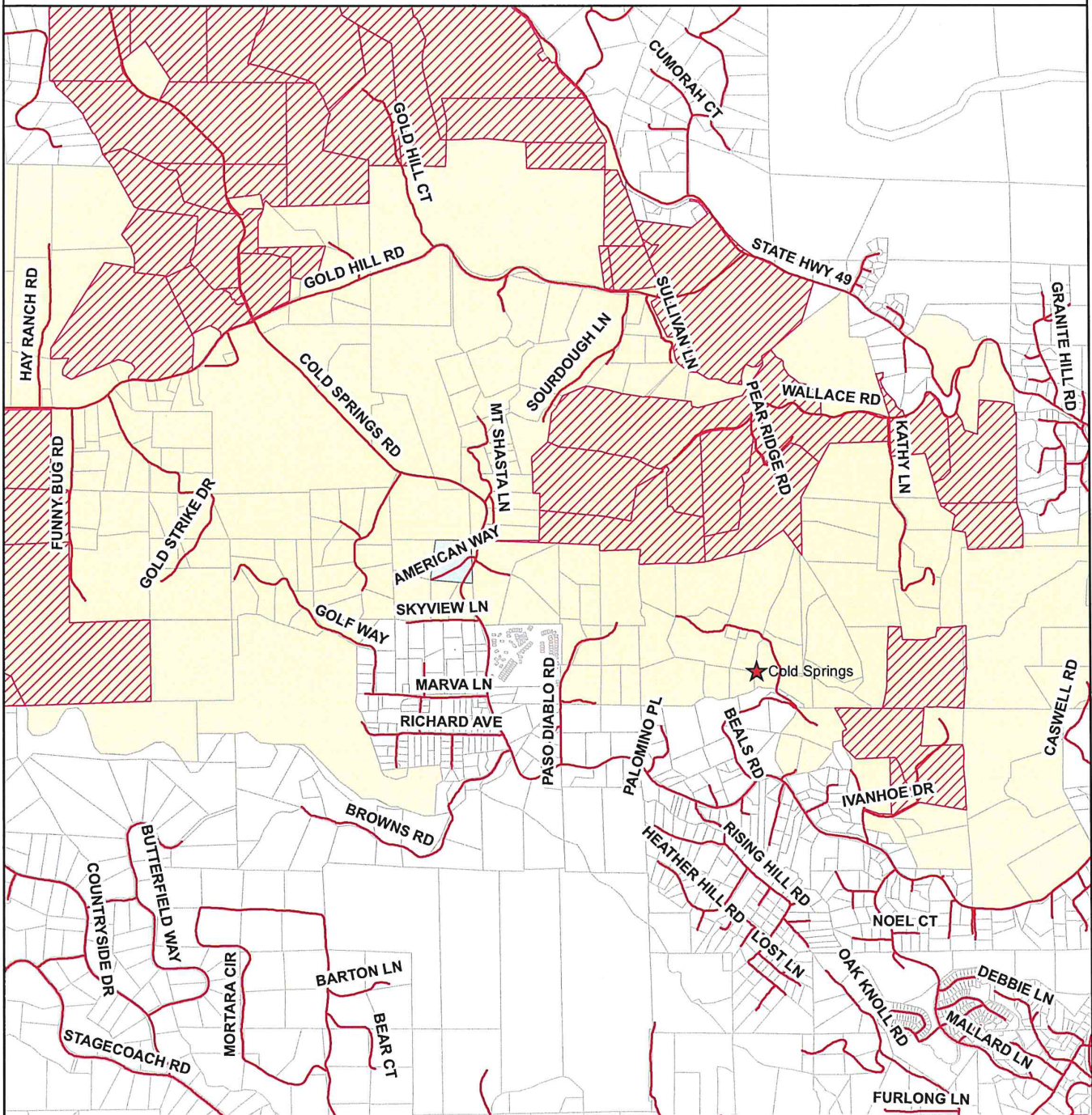
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El Dorado County Agricultural Commission

Stewart

Proximity to Agricultural District



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MAP PREPARED BY: LeeAnne Mils DATE: November 27, 2018
PROJECT ID: projJackson_p

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



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

El Dorado County Agricultural Commission

Stewart Zoning



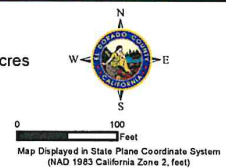
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MAP PREPARED BY: LeeAnne Milla DATE: November 27, 2018
PROJECT ID: projJackson_z

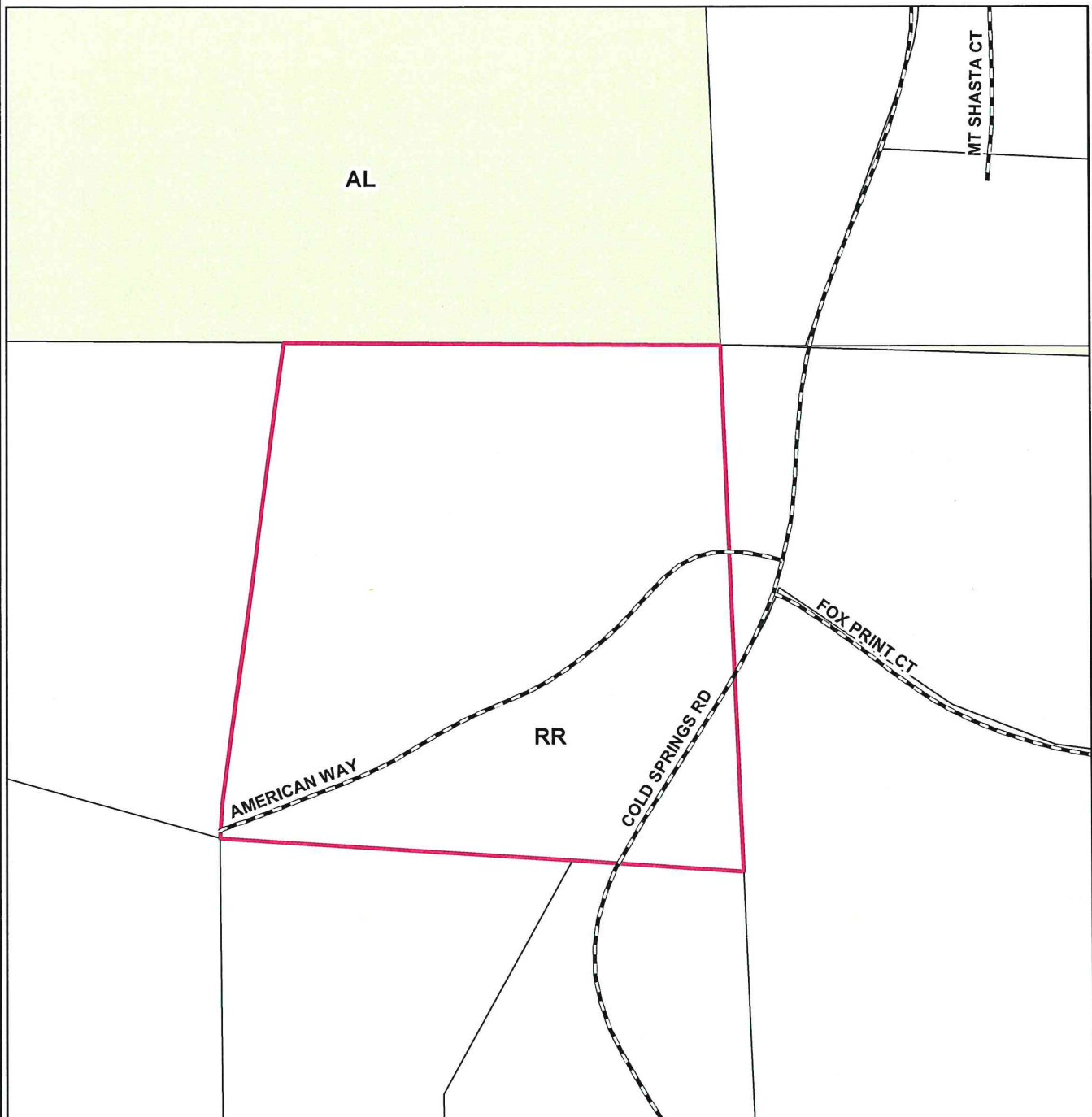
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PHONE (530) 621-6511 FAX (530) 626-8731

- Parcel Base
- Stewart Parcel
- Roads
- LA-10 = Limited Agriculture 10 Acres
- PA-20 = Planned Agriculture 20 Acres
- RL-10 = Rural Land 10 Acres



El Dorado County Agricultural Commission

Stewart Land Use



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MAP PREPARED BY: LeeAnne Milla DATE: November 27, 2018

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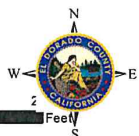
Roads

Agricultural Lands

Rural Residential

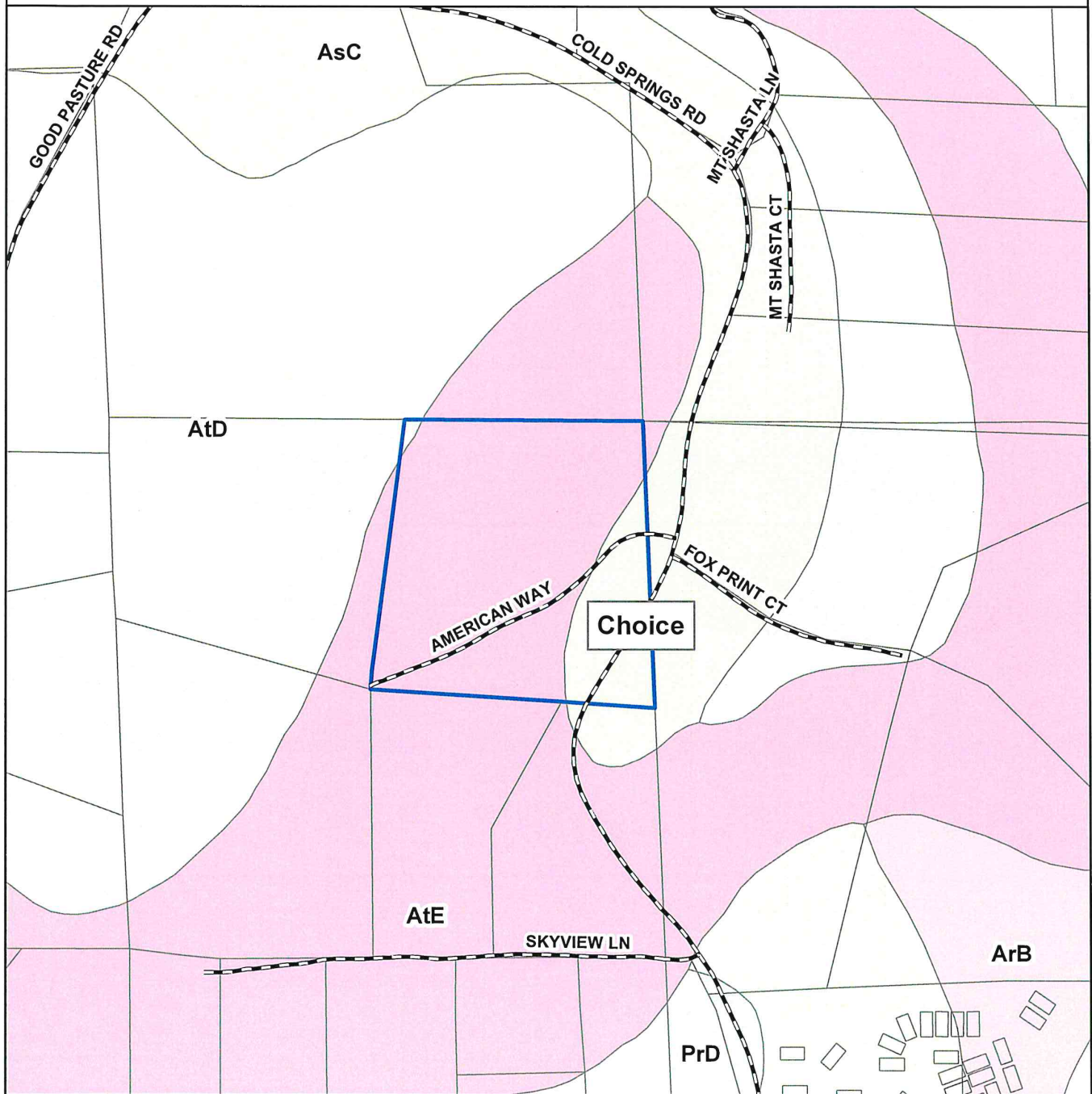
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Stewart Soils



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PROJECT ID: proj1ackson_s

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Stewart Parcel

Soils

- 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
- Placer diggings

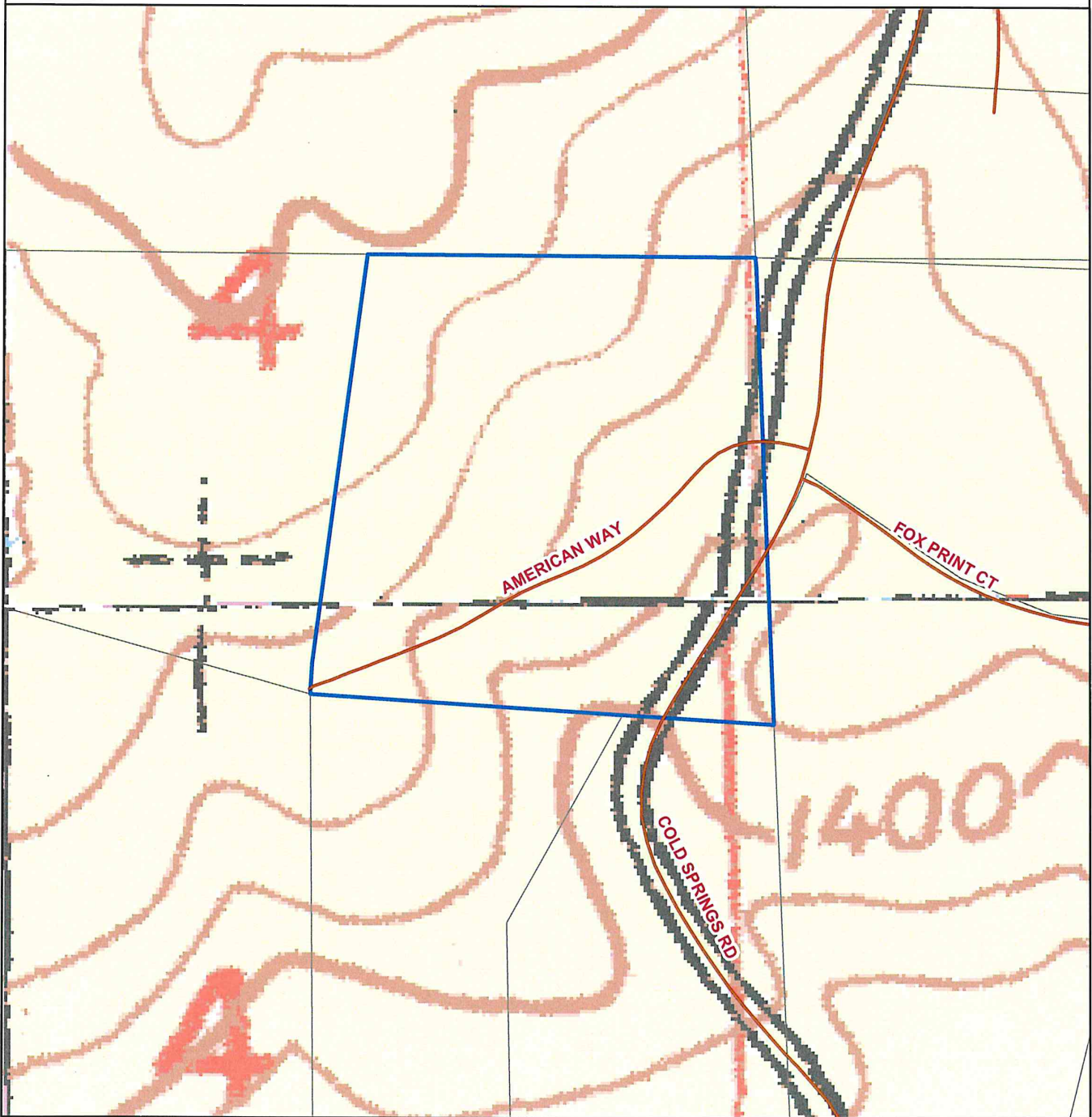
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El Dorado County Agricultural Commission

Stewart Topography



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MAP PREPARED BY: LeeAnne Mills DATE: November 27, 2018

PROJECT ID: projjackson_1

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Legend

curroads Parcels Export_Output_2 Roads

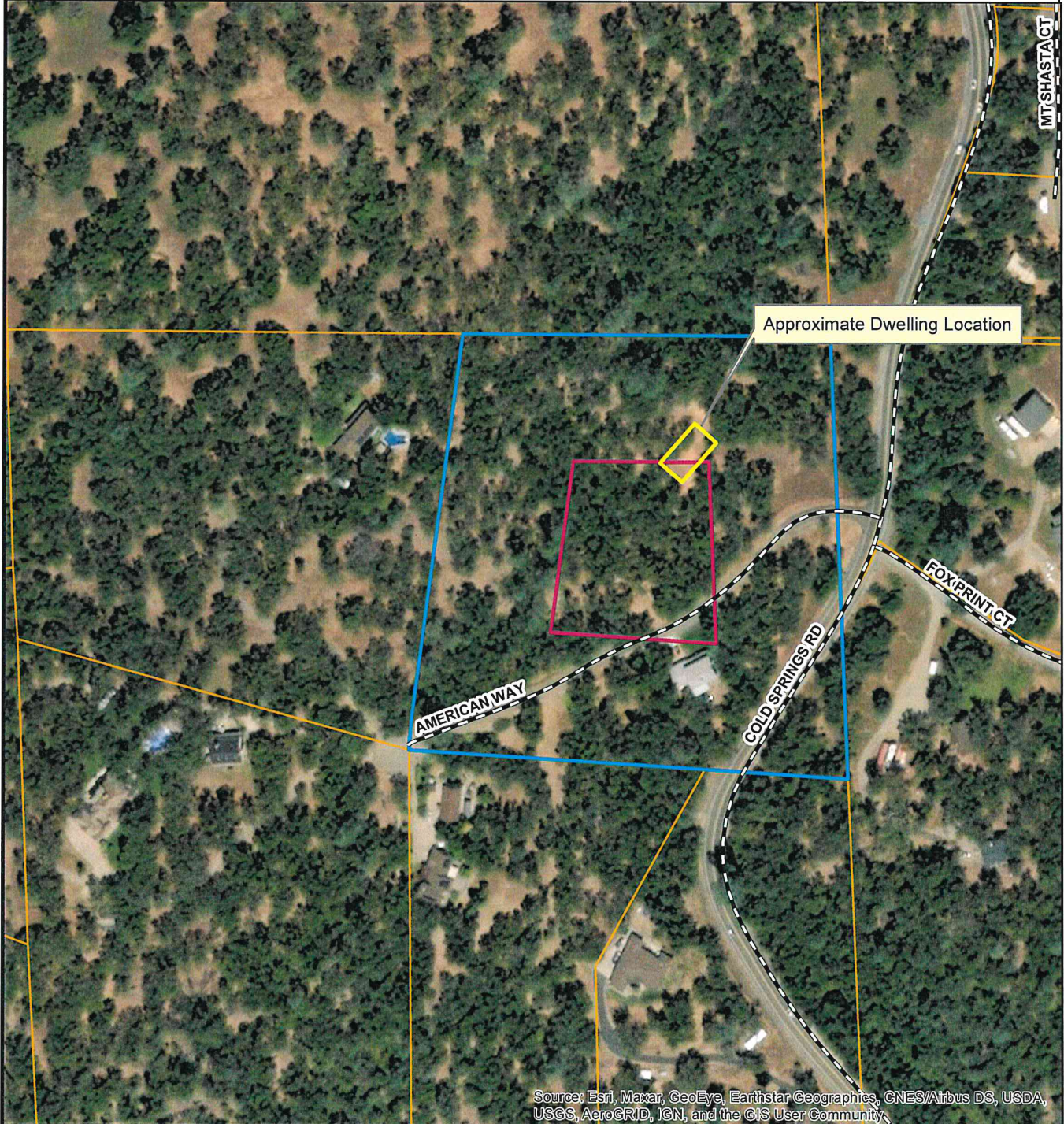
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Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)



El Dorado County Agricultural Commission

Stewart



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

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MAP PREPARED BY: LeeAnne Mils DATE: November 27, 2018

PROJECT ID: Jackson_e

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Legend

Parcel Base Stewartbuffer Export_Output_2 Roads

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Feet

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



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