



## **Agricultural Commission Staff Report**

Date: August 26, 2021

To: El Dorado County Agricultural Commission

From: LeeAnne Mila; Deputy Agricultural Commissioner

Subject: **ADM21-0046 Dawid's Ag Setback Relief  
Administrative Relief from Agricultural Setback to  
Construct a New Pool  
Assessor's Parcel Number: 090-260-017**

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

Planning Division is requesting review for administrative relief from the agricultural setback for the above referenced project. This request is for the construction of a new swimming pool adjacent to the existing property owner's residence. The proposed building site is one hundred and eighty one feet (181') from the north eastern property line adjacent to a parcel zoned Planned Agricultural 20-acre minimum (PA-20), APN 090-026-007.

The applicant's parcel, APN 090-260-017, is 10.59 acres, zoned Rural Lands 10 acres (RL-10). The parcel is located in the town of El Dorado, is in Supervisor District 3, and is not located within an agricultural district.

### **Parcel Description:**

- Parcel Number and Acreage: 090-260-017, 10.59 Acres
- Agricultural District: No
- Land Use Designation: Rural Residential, RR
- Zoning: Rural Lands 10 Acres, RL-10.
- No choice soils

### **Discussion:**

A site visit was conducted on August 26, 2021 to assess the placement of the proposed pool.

**Staff Findings:**

*Staff recommends APPROVAL of the request for construction of a swimming pool, no less than 181 ft. from the north eastern property line from APN: 090-026-007, 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 of the parcel severely limits available placement sites for the pool.**

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 directly behind the house placing all the developed sites on the property together.**

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 location of the house acts as a buffer for the agriculturally zoned property. The house is located in between the agriculturally zoned parcel and the swimming pool.**

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.*



## 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 Agriculture Interest  
Chuck Bacchi – Livestock Industry  
Bill Draper – Forestry/Related Industries  
Tim Neilsen – Livestock Industry  
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 **September 8, 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: Sep 8, 2021 06:30 PM Pacific Time (US and Canada)

Topic: Ag Commission 9-8-2021

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/82665318687>

Or One tap mobile :

US: +16692192599,,82665318687# or +12133388477,,82665318687#

Or Telephone:

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US: +1 669 219 2599 or +1 213 338 8477 or +1 720 928 9299 or +1 971 247

1195 or +1 253 215 8782 or +1 346 248 7799 or +1 602 753 0140 or +1 470 250

9358 or +1 470 381 2552 or +1 646 518 9805 or +1 646 558 8656 or +1 651 372

8299 or +1 786 635 1003 or +1 267 831 0333 or +1 301 715 8592 or +1 312 626  
6799

Webinar ID: 826 6531 8687

International numbers available: <https://us06web.zoom.us/j/82665318687>

**Administrative Relief from Agricultural Setback to  
Construct a New Pool  
Assessor's Parcel Number: 090-260-017**

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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 Amelia Pedri at Planning Services, (530) 621-5355.



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COSTANZO SEAN A  
4944 KINGVALE RD  
EL DORADO CA 95623-4620

CRUICKSHANK WILLIAM C & BONNIE J  
PO BOX 1282  
EL DORADO CA 95623

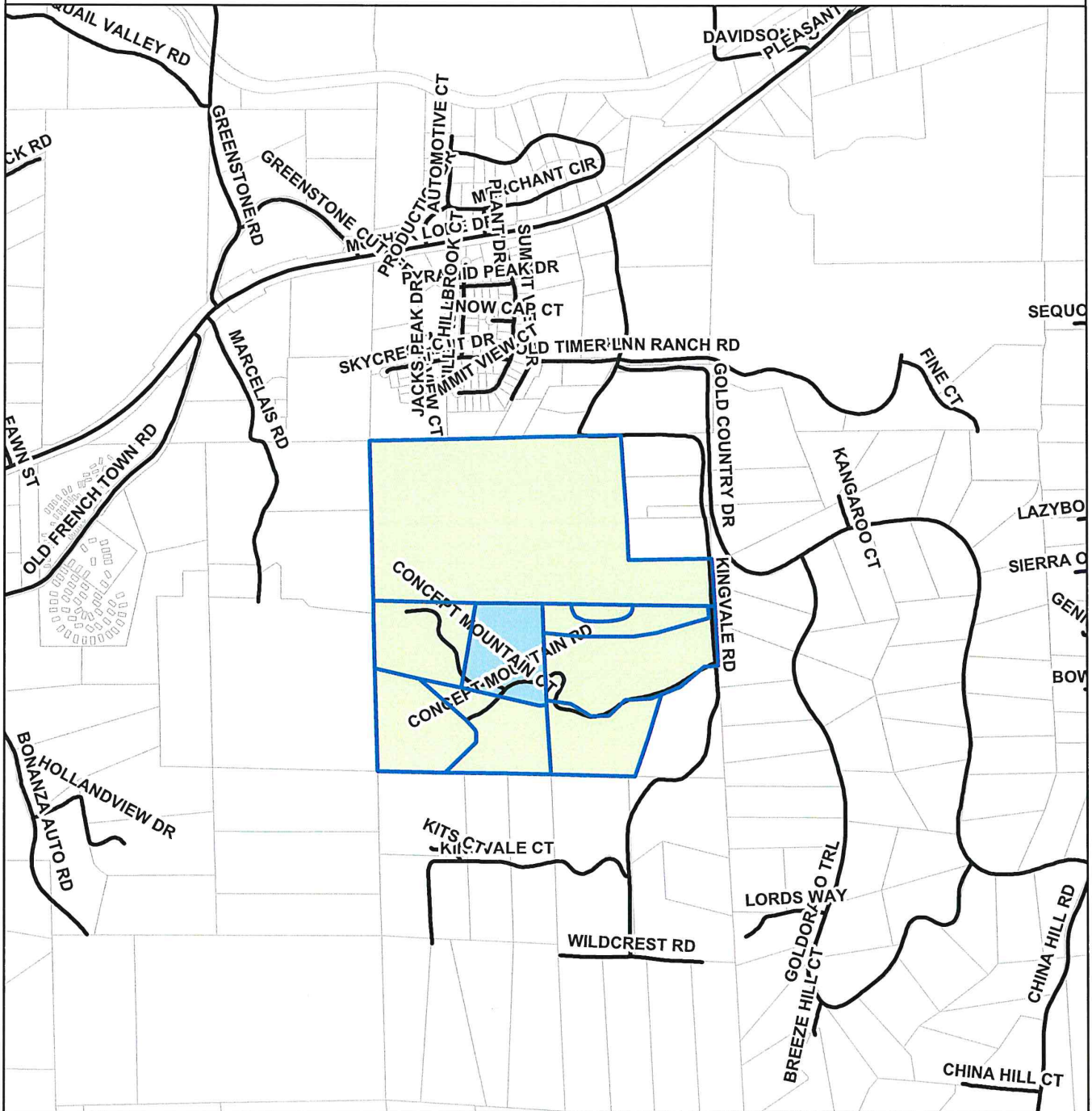
DAWID ELISHA & THERESA  
P O BOX 783  
SHINGLE SPRINGS CA 95682

COSTANZO SEAN A & BARNUM  
CHRISTOPHER  
4944 KINGVALE RD  
EL DORADO CA 95623-4620  
MURDOCH THOMAS R  
PO BOX 412  
PLACERVILLE CA 95667

COSTANZO SEAN A & BARNUM  
CHRISTOPHER  
4944 KINGVALE RD  
EL DORADO CA 95623-4620  
WATKINS STEPHEN R SURV TR  
4770 CONCEPT MOUNTAIN RD  
EL DORADO CA 95623

REAY RICHARD M TR & CATHY TR  
4801 CONCEPT MOUNTAIN RD  
EL DORADO CA 95623-4612  
PREACHER CHAD M  
4780 CONCEPT MOUNTAIN ROAD  
EL DORADO CA 95623

# Dawid Notification



## DISCLAIMER

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MAP PREPARED BY: LeeAnne Mile DATE: November 27, 2018  
PROJECT ID: proj1457  
EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
PHONE: (530) 621-6511 FAX: (530) 626-4731

Parcel Base Dawid\_Notification Dawid Roads

0 200 400 600 800 1,000 2,000 4,000  
Feet

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

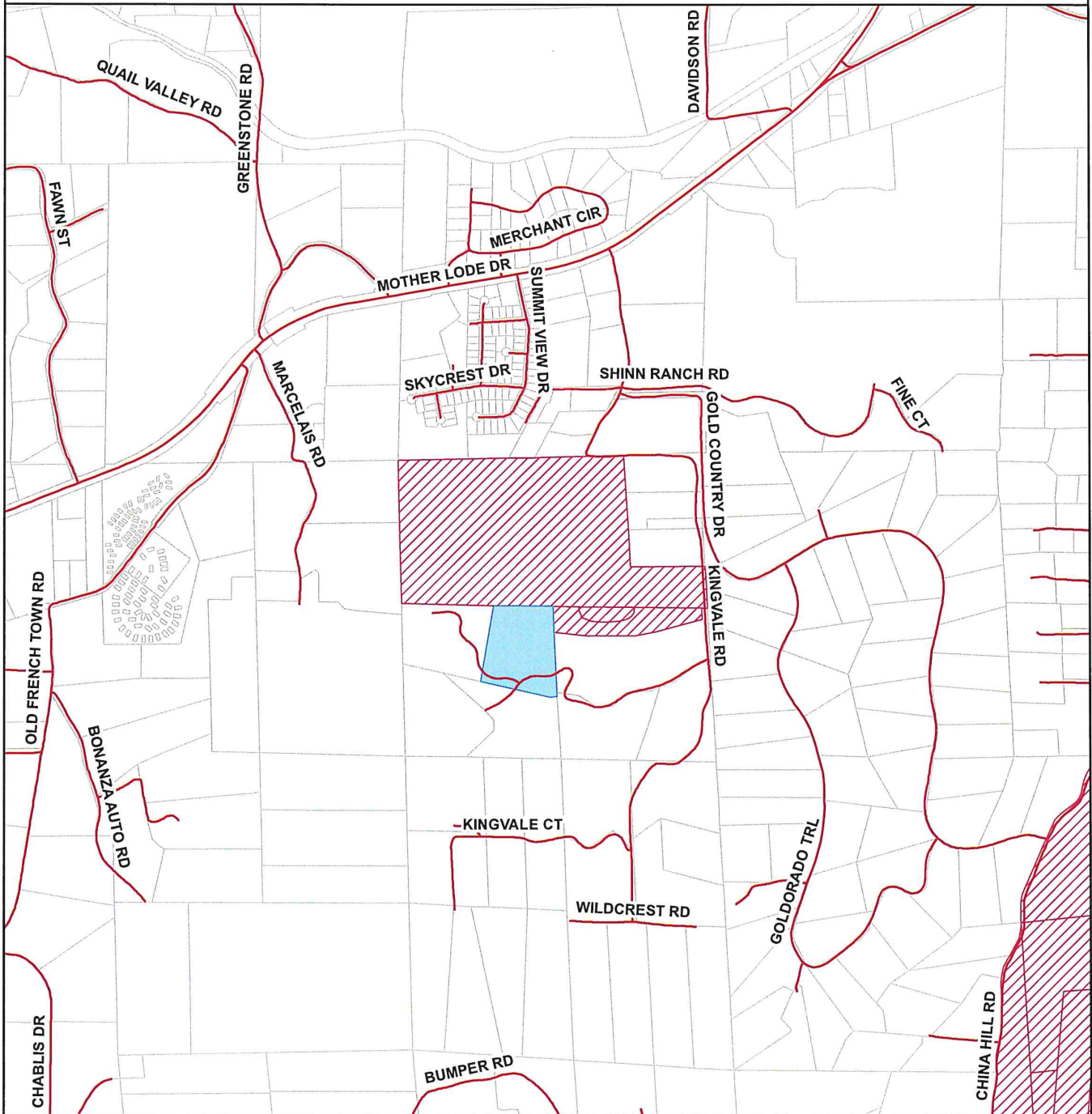


# El Dorado County Agricultural Commission



# Dawid

## Proximity to Agricultural District



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MAP PREPARED BY: LeeAnne Milla DATE: November 27, 2018  
PROJECT ID: proj1457

EL DORADO COUNTY SURVEYOR-G.L.S. DIVISION  
PHONE: (951) 621-6311 FAX: (951) 626-6731

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



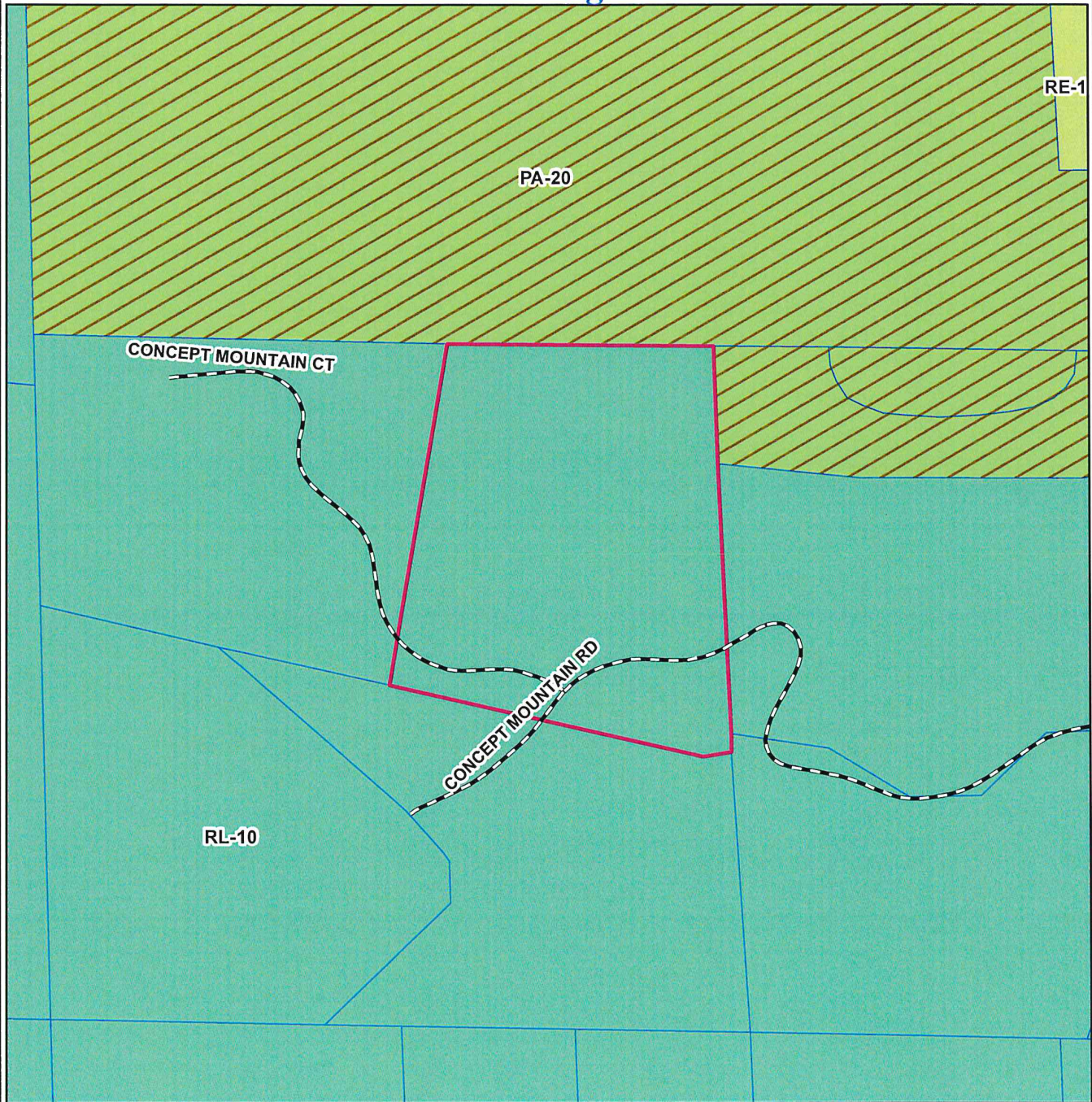
Map Displayed in State Plane Coordinate System (NAD 1983 California Zone 2, feet)

# El Dorado County Agricultural Commission



# Dawid

## Zoning



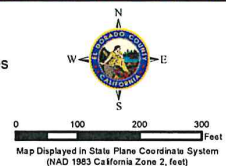
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MAP PREPARED BY: LeeAnne Mils DATE: November 27, 2018  
PROJECT ID: projackson.z

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
PHONE (530) 621-6311 FAX (530) 626-4731

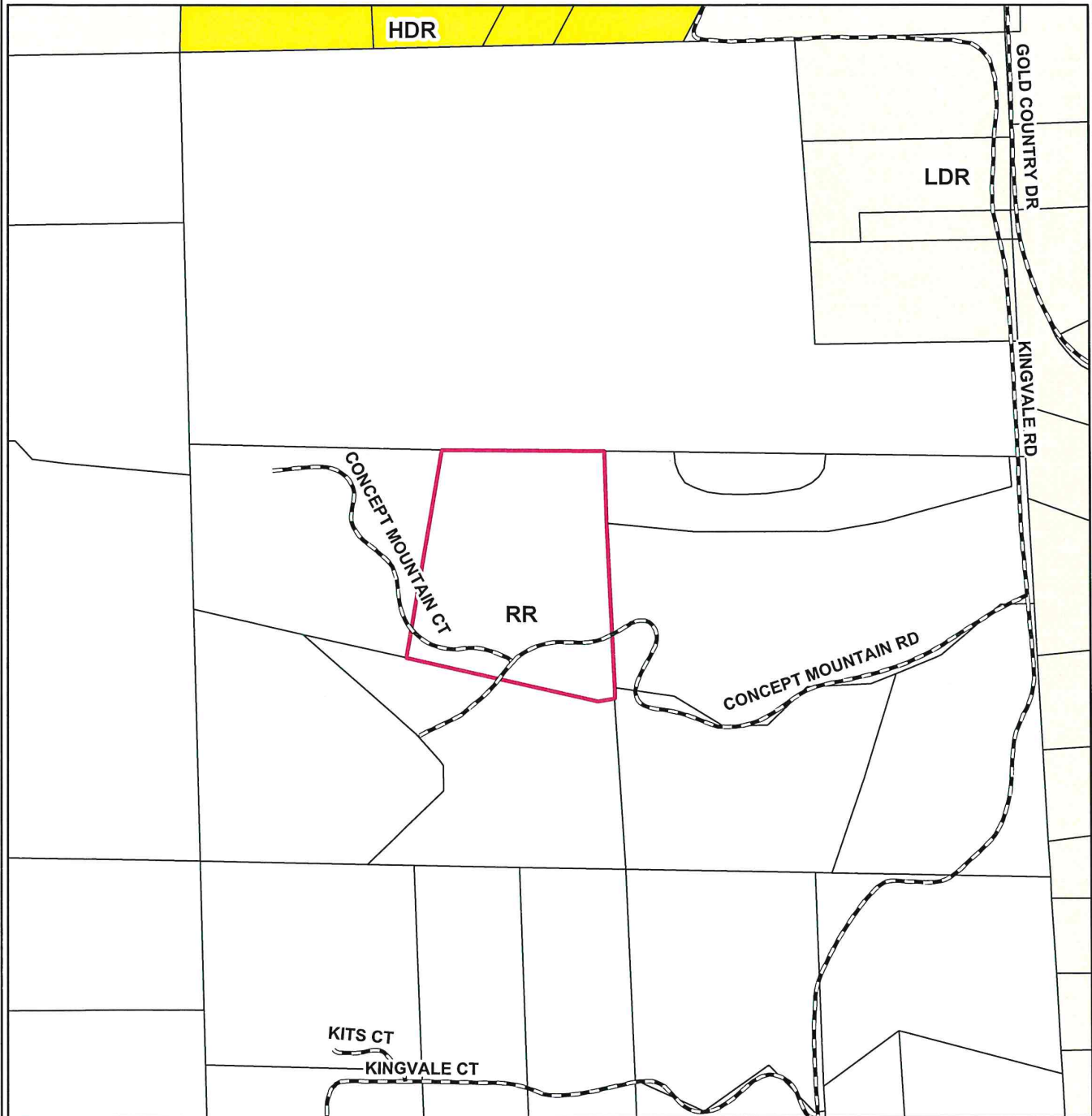
- Parcel Base
- PA-20 = Planned Agriculture 20 Acres
- RL-10 = Rural Land 10 Acres
- Dawid
- RE-10 = Residential Estate 10 Acres
- Roads



# El Dorado County Agricultural Commission



# Dawid Land Use



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

PROJECT ID: projjackson\_1

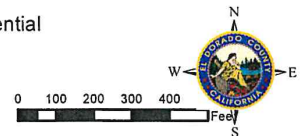
EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION  
PHONE (530) 621-6511 FAX (530) 626-8731



High Density Residential  
Low Density Residential

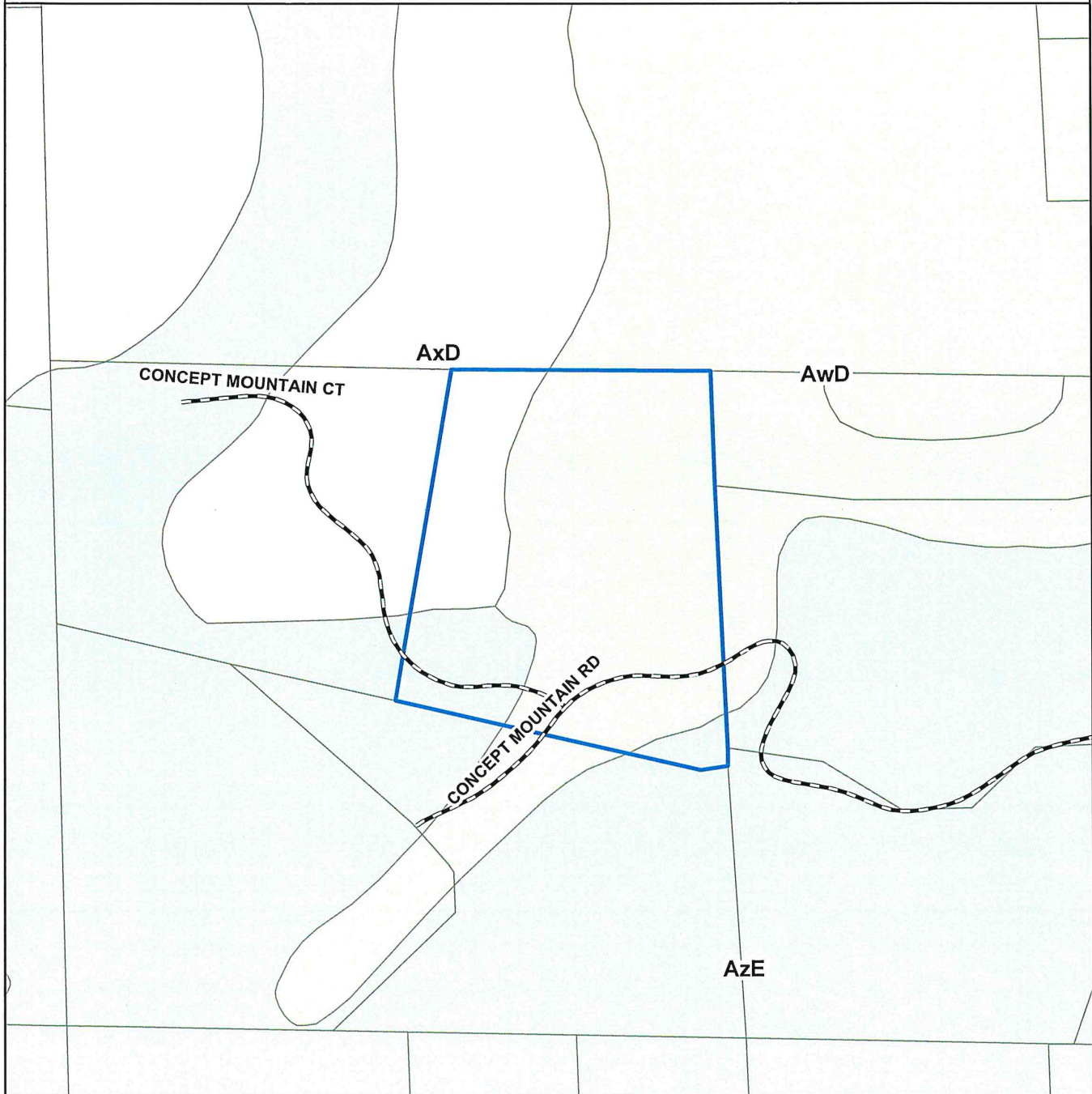
Rural Residential

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# El Dorado County Agricultural Commission

# Dawid Soils



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

PROJECT ID: proj1ackom\_s

EL DORADO COUNTY SURVEYOR/G.L.S. DIVISION  
PHONE (916) 621-4511 FAX (916) 626-4731


 Dawid


## Soils

 Auburn silt loam, 2 to 30 percent slopes

 Auburn very rocky silt loam, 2 to 30 percent slopes

 Auburn cobbly clay loam, heavy subsoil variant, 9 to 50 percent slopes

 Auburn silt loam, 2 to 30 percent slopes

 Auburn very rocky silt loam, 2 to 30 percent slopes

 Placer diggings

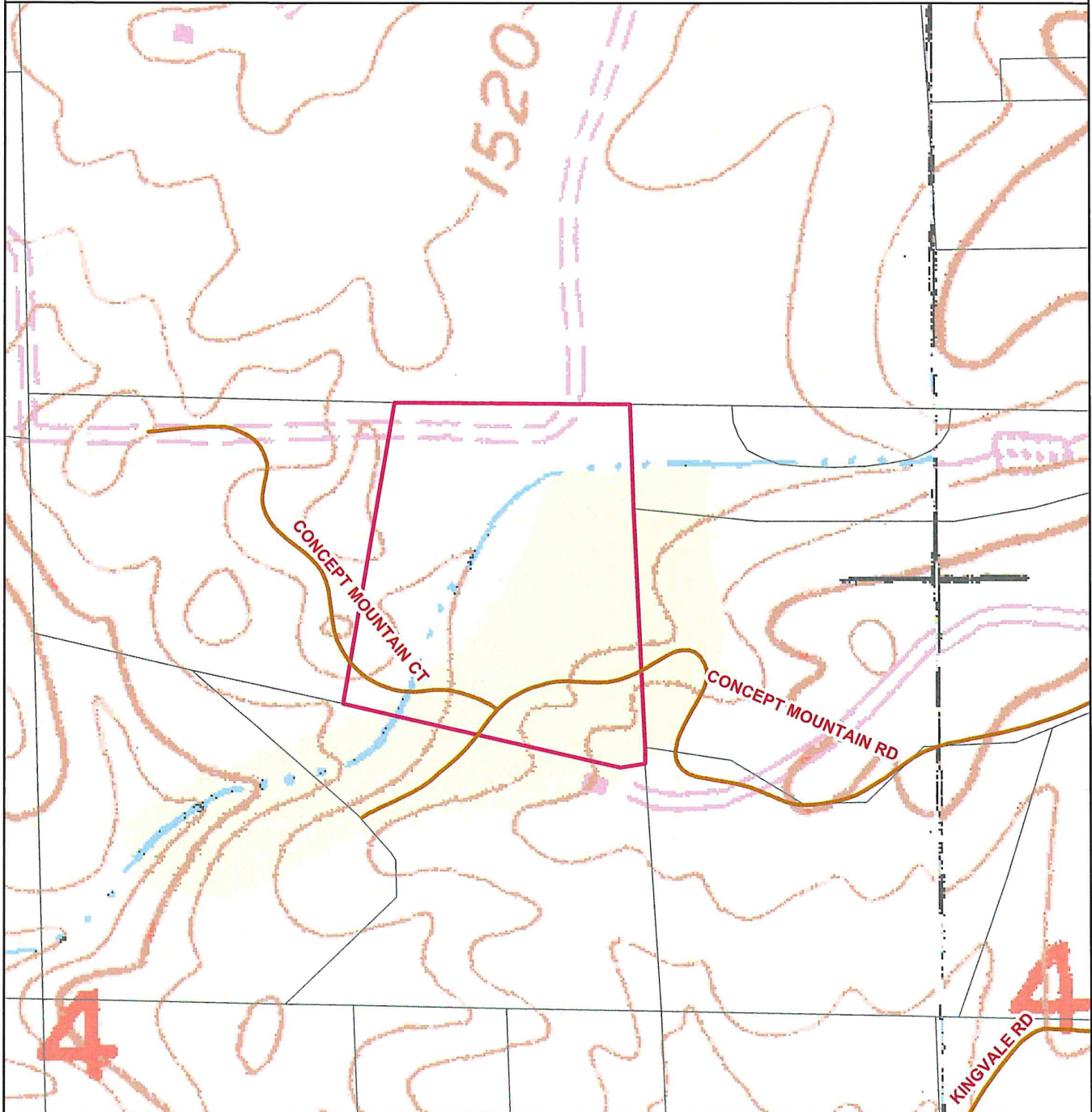
0 100 200 300 400  
Feet



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

# El Dorado County Agricultural Commission

# Dawid Topography



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

PROJECT ID: projJackson\_1

EL DORADO COUNTY SURVEYOR/G.L.S. DIVISION  
PHONE (530) 621-6511 FAX (530) 626-4751

## Legend

curroads Parcels Dawid Roads

0 100 200 300 400 500  
Feet

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



# El Dorado County Agricultural Commission



# Dawid



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

PROJECT ID: Jackson, a

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

## Legend

 Parcel Base  HardeParcelF  Roads



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

# El Dorado County Agricultural Commission