



Internal Working DRAFT (6-20-06)

INTERIM INTERPRETIVE GUIDELINES for EL DORADO COUNTY GENERAL PLAN POLICY NUMBERS 8.1.3.2 AND 8.4.1.2

INTRODUCTION

This document presents information to planners, applicants, and the public on when special property line setbacks from agriculturally-zoned land are applicable to new development projects. Where “setbacks” are discussed below, the reference is to the special agricultural setbacks only. Regular setbacks as required under the Title 17 County Zoning Ordinance remain in effect.

BACKGROUND:

The adopted 2004 El Dorado County General Plan, Agricultural and Forestry Element, addresses the conservation, management, and utilization of the County’s agricultural and forest lands. In El Dorado County, these lands are regarded by residents as fundamental components of the County’s rural character and way of life. Policies adopted in this element focus on conserving non-renewable lands for agriculture and timber activities, natural resource values, and long-term productivity. Reproduced below, are the key policies that serve to protect agriculture and timberlands from incompatible uses:

Policy 8.1.3.2

- ***Agriculturally incompatible uses adjacent to agricultural zoned lands shall provide a minimum setback of 200 feet from the boundary of agriculturally zoned lands.***
- ***Agriculturally incompatible uses adjacent to agriculturally zoned land outside of designated Agricultural Districts shall provide a minimum setback of 200 feet on parcels 10 acres or larger.***
- ***The implementing ordinance shall contain provisions for Administrative relief to these setbacks, where appropriate, and may impose larger setbacks where needed to protect agricultural resources.***

Policy 8.4.1.2

- ***A permanent setback of at least 200 feet shall be provided on parcels located adjacent to lands identified as timber production lands designated Natural Resource and/or lands zoned Timberland Production Zone (TPZ). These setback areas shall be included in the zoning ordinance and shall be delineated on newly recorded***

parcel or subdivision maps. The Agricultural Commission may recommend a lesser setback to a minimum of 100 feet.

- ***Projects located within a Community Region or Rural Center planning concept area shall maintain a minimum setback of 50 feet. The 50-foot setback shall only apply to incompatible uses including residential structures.***
- ***All setbacks are measured from the property line.***

INTERIM SETBACK GUIDELINES

Policies 8.1.3.2 and 8.4.1.2 require that agricultural protection and timber production land setbacks and procedures for administrative relief be established in the County Zoning Ordinance. The current special agricultural setbacks specified in County Code Section 17.06.150 are superseded by the setback requirements of Policies 8.1.3.2 and 8.4.1.2. **Until permanent standards are adopted in a revised County Zoning Ordinance, the following standards will be utilized in establishing the special agricultural and timberland setbacks for development projects in rural areas.**

Definitions:

Agriculturally incompatible uses: Residential structures, nursing homes, schools, recreational uses such as playgrounds, swimming pool, ponds, churches.

Agriculturally-zoned land: Land located within the following Zone Districts identified in the Title 17 County Zoning Ordinance: RA, A, AE, PA, SA-10, AP, TA, TAE.

Designated Agricultural District: Land located within an Agricultural Overlay District designated in the El Dorado County General Plan.

Timberland: Land designated in the El Dorado County General Plan as Natural Resources or land zoned TPZ, **including but not limited to BLM and Forest Services lands.**

Agriculture Setback Standards:

Within a Designated Agricultural District Overlay:

1. Agriculturally incompatible uses shall be set back a minimum of 200 feet from any adjacent agriculturally-zoned land.

2. Modifications to the above setback may be requested in accordance with the administrative relief procedures provided below.

Outside of a Designated Agricultural District Overlay:

1. On subject parcels 10 acres or larger in area, agriculturally incompatible uses shall be set back a minimum of 200 feet from any adjacent agriculturally-zoned land.
2. On subject parcels that are less than 10 acres, no special agricultural setback is required.
3. Modifications to the setback required in item 1 above may be requested in accordance with the administrative relief procedures provided below.

Timberland Setback Standards:

1. Parcels outside of a designated Community Region or Rural Center: A 200-foot setback is required from adjacent timberland.
2. Parcels within a designated Community Region or Rural Center: A 50-foot setback is required from adjacent timberland.

ADMINISTRATIVE RELIEF FROM INTERIM SETBACK STANDARDS:

Pursuant to Resolution No. 176-97 of the El Dorado County Board of Supervisors, administrative relief from the above setback standards can **may** be granted by the County Agricultural Commission or the Director of the Development Services Department (i.e. the "Planning Director"). Specific criteria are included in the attached copy of this resolution that must be met in order for a parcel to qualify for such relief.

An additional factor to be considered for an administrative relief determination is the timing of the Zone District designation. If the zoning of the adjacent property placed after the initial adoption of the El Dorado County General Plan on January 23, 1996, relief may be granted by the Director or Agricultural Commission.

- Attachments:
1. Applicant questionnaire
 2. Board Resolution No. 176-97

AGRICULTURAL and TIMBERLAND SETBACKS

Applicant Questionnaire

Agricultural Setbacks:

1. What is your Assessor's Parcel Number? _____

2. Is your parcel located adjacent to agriculturally-zoned land?

Yes	Go to question #3
No	Stop. No special agricultural setback required.

3. Is your property located within an Agricultural District Overlay designated in the El Dorado County General Plan?

Yes	A 200-foot setback is required. Modifications can may be obtained through the Administrative Relief procedures.
No	Go to question #4.

4. Is your property less than 10 acres in area?

Yes	Stop. No special agricultural setback required.
No	A 200-foot setback is required. Modifications can may be obtained through the Administrative Relief procedures.

Timberland Setbacks:

5. Is your property located adjacent to land zoned TPZ or designated NR (Natural Resources), including but not limited to BLM and Forest Services lands, in the El Dorado County General Plan?

Yes	Go to question 6.
No	Stop. No special timberland setback required.

6. Is your property located within a Community Region or Rural Center?

Yes	A 50-foot setback is required. Modifications can may be obtained through the Administrative Relief procedures.
No	A 200-foot setback is required. Modifications can may be obtained through the Administrative Relief procedures.