



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 12/8/2020

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Crystal Acker, 565-8357

Vote Requirement: Majority

Supervisorial District(s): First

Title:

File No. AGP19-0015 Martinez Land Conservation Act Contract 5410 Petaluma Hill Road, Santa Rosa.

Recommended Action:

Adopt a Resolution to simultaneously rescind and replace an existing Non-Prime Land Conservation Act contract with a new Hybrid Land Conservation Act contract for agricultural land on a 40.37-acre parcel located at 5410 Petaluma Hill Road, Santa Rosa; APN 045-202-012. (First District)

Executive Summary:

In 2018, the landowner planted 18.6 acres of grapevines, decreasing grazing acreage by the same amount and falling under the required minimum grazing acreage for the current Non-Prime contract (50 percent or 20.2 acres). The new Hybrid contract would more accurately reflect current agricultural operations and bring the parcel back into compliance with the County's Land Conservation Act program. An expansion or modification to the existing Agricultural Preserve area is not required. Staff recommends the Board of Supervisors approve the request to rescind and replace the contract.

Discussion:

Andrew Martinez, Joseph Policarpo, and Samantha Policarpo (property owners) seek approval of a replacement Land Conservation Act contract for a 40.37-acre parcel located within an existing Agricultural Preserve (2-382) to reflect the current agricultural uses of the property. This action would replace the existing Non-prime Land Conservation contract with a Hybrid contract for prime agricultural (vineyard) and non-prime agricultural (grazing) uses.

Site Characteristics:

The project site is 0.8 mile east of Rohnert Park city limits in the Sonoma Mountain foothills. Since 1976, The 40.37-acre parcel has been under a non-prime Land Conservation contract (Recorded Document No. 1976012202), and currently contains 14.0 acres of grazing land and 18.6 acres of vineyard. The parcel is developed with a single-family residence and other compatible residential accessory structures including a shop, barn, storage shed, and recreational vehicle garage on approximately 4 acres of land.

Zoning for the parcel is DA (Diverse Agriculture) with a density of 20 acres per dwelling unit, and combining zones of Z (Accessory Dwelling Unit Exclusion), LG/MTN (Local Guidelines Taylor/Sonoma/Mayacamas Mountains), RC50/50 (Riparian Corridor setback 50 feet), SR (Scenic Resources - Community Separator), and

VOH (Valley Oak Habitat).

Uniform Rules:

As part of the Board of Supervisors' December 2011 update of the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules") the Board eliminated the distinction between Prime (Type I) and Non-Prime (Type II) Agricultural Preserves. This allows the County to enter into either a Prime or Non-Prime contract in any established Preserve. The subject property is within Agricultural Preserve Area Number 2-382.

Also, as part of the update of the Uniform Rules, the County implemented a Land Conservation Plan which is incorporated into Land Conservation (Williamson) Act Contracts. Land Conservation Plans show locations for open space, agricultural, permitted, and compatible land uses on contracted land. Future changes to the Land Conservation Plan may be approved by the Director of Permit Sonoma and recorded on title of the subject parcel.

Sonoma County's Land Conservation Act program has four contract types: a) Prime contracts for permanent crop agriculture with a 10-acre minimum parcel size requirement; b) Non-Prime contracts for grazing and non-permanent row crop production with a 40-acre minimum; c) Open Space contracts with a 40-acre minimum; and d) Hybrid contracts with a mix of agricultural and/or open space with a 40-acre minimum. Land Conservation contracts assist in the preservation of agricultural and open space lands throughout Sonoma County. In exchange for retaining land in agriculture and/or open space, the landowner receives reduced property taxes.

Staff Recommendation:

Staff recommends the Board approve the request to rescind and replace the existing non-prime contract with a new Hybrid contract because all of the state and local requirements for the replacement request on the 40.37-acre parcel within the existing Agricultural Preserve have been met.

Prior Board Actions:

December 13, 2011: Board approves the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678).

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

Approval of a Land Conservation Act contract means that the owners will pay reduced property taxes based upon the value of the agricultural uses rather than the land value under Proposition 13. This reduces the County's share of property tax revenue for the parcel. Because the property is currently under a Land Conservation Act contract and is therefore already subject to reduced property tax assessment, the County of Sonoma Assessor estimates there will be no change in property assessment value, and therefore no fiscal impact associated with the application.

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Agenda Date: 12/8/2020

Attachment 1: Draft Board of Supervisors Resolution

Attachment 2: Proposal Statement

Attachment 3: Site Plan

Attachment 4: Assessor's Parcel Map

Related Items "On File" with the Clerk of the Board:

Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).