



County of Sonoma

State of California

Date: January 10, 2023

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Approving a Lot Line Adjustment for Mahoney Family Partnership LP, et al. and Jeffrey Lapin, Trustee of Crop Lands Trust, et al. Between Two Legal Parcels, which are restricted by two existing Land Conservation (Williamson) Act Contracts, with Conditions Requiring that the Two Existing Land Conservation (Williamson) Act Contracts be Rescinded and Replaced with Two New Contracts to restrict the adjusted boundaries of Lots A and B following the Lot Line Adjustment affecting land located at 23401 and 23500 Ramal Road, Sonoma; APNs 135-061-004 and 135-071-005

Whereas, the applicant, Mahoney Family Partnership LP, et al. and Jeffrey Lapin, Trustee of Crop Lands Trust, et al. have filed a request for a Lot Line Adjustment between two legal parcels of 16.59 acres (Lot A) and 20.13 acres (Lot B) in size resulting in two parcels of 17.08 acres and 19.64 acres in size with Lots A and B under two Land Conservation Contracts for prime and non-prime agricultural land located at 23401 and 23500 Ramal Road, Sonoma; and

Whereas, the land affected by the Lot Line adjustment is currently described as APN 135-061-004; zoned LIA (Land Intensive Agriculture) B6 30-acre density with combining districts for Z (Accessory Dwelling Unit Exclusion), SR (Scenic Resources), VOH (Valley Oak Habitat); and LG/MTN (Taylor/Sonoma/Mayacamas Mountains Local Area Guidelines); and APN 135-071-005; zoned LIA (Land Intensive Agriculture) B6 60-acre density with combining districts for Z (Accessory Dwelling Unit Exclusion) and VOH (Valley Oak Habitat); and

Whereas, to facilitate a Lot Line Adjustment, Government Code Section 51257 authorizes parties to a Land Conservation Act Contract or Contracts to mutually agree to rescind the Contract or Contracts and simultaneously enter into a new Contract or Contracts, if certain findings are made by the Board of Supervisors; and

Whereas, on December 13, 2011, the Board of Supervisors adopted the updated *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Uniform Rules) (Resolution No. 11-0678); and

Whereas, consistent with the Uniform Rules the Lot Line Adjustment has been reviewed for its compliance with those rules as well as the Subdivision Map Act and the Sonoma County Subdivision Ordinance; and

Whereas, the project has been evaluated pursuant to the California Environmental Quality Act and found to be exempt per Section 15305(a) of the CEQA Guidelines as the project is a minor alteration in land use; and

Now, Therefore, Be It Resolved, that the Board of Supervisors finds that the project is exempt from the requirements of the California Environmental Quality Act by virtue of Section 15305(a) of Title 14 of the California Code of Regulations (CEQA Guidelines) which provides that minor alterations in land use limitations such as Lot Line Adjustments are exempt from the California Environmental Quality Act.

Be It Further Resolved that the Board of Supervisors hereby grants the request for a Lot Line Adjustment between two legal parcels to create two legal parcels of 17.08 acres (Lot A) and 19.64 acres (Lot B) subject to the Conditions of Approval in ATT 2 attached hereto which includes a condition to rescind and replace one existing Prime Land Conservation Contract and one existing Non-Prime Land Conservation Act Contract with two, new Prime Land Conservation Contracts for Lots A and B to restrict the parcel's adjusted boundaries. The Board makes the following findings concerning Government Code Section 51257 requirements related to Land Conservation Act contracts in granting the request:

- a. The new contracts will enforce and restrict the adjusted boundaries of the contracted parcels, Lots A and B, for an initial term for at least as long as the unexpired term of the rescinded contracts but for not less than 10 years.
- b. There is no net decrease in the amount of the acreage restricted by a contract. The parcels are currently under contract and the parcels resulting from the Lot Line Adjustment will be under contract, with no net decrease in acreage. A condition of approval of the lot line adjustment requires the owners to submit an application to rescind and replace the one prime and one non-prime Land Conservation Contracts to align the contracts with the adjusted property line boundaries for resulting Lots A and B.
- c. At least 90 percent of the land under the former contracts remains under the new contracts. 100% of the land under the former contracts will be restricted under the replacement contracts, which meets these criteria.
- d. After the Lot Line Adjustment the resulting parcel will meet the minimum 50%

threshold for agricultural use, as resulting Lot A will be a 17.08 acre parcel with approximately 11 acres in vineyard and agricultural irrigation ponds (64% of the parcel) and resulting Lot B will be a 19.64 acre parcel with 13.58 acres in vineyard (69% of the parcel). The remaining acreage of Lots A and B are devoted to a combination of agricultural accessory uses and residential housing.

- e. After the Lot Line Adjustment, the parcel of land subject to contract will be large enough to sustain its agricultural use, as defined in Section 51222. Resultant Lots A and B exceed the 10-acre minimum acreage requirement for Prime contracts and will exceed the minimum annual gross income requirement of \$1,000 per planted acre of vineyard. The area occupied by compatible uses on Lot A (residence and leachfield under construction, existing agricultural storage buildings) and the area occupied by compatible uses on Lot B (existing agricultural storage building) is approximately 0.1 acres and which is less than the 5-acre maximum established for compatible uses in the Uniform Rules
- f. The Lot Line Adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to the contract. The Lot Line Adjustment is being undertaken to align parcel boundaries with an existing county road and existing vineyard block. The Lot Line Adjustment will not compromise other agricultural lands in the area under contract.
- g. The Lot Line Adjustment will not result in adjacent lands being removed from agriculture.
- h. The Lot Line Adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan. None of the subject parcels have the density and acreage to subdivide with the current LIA (Land Intensive Agriculture) 30-acre and 60-acre density land use and zoning designation which does not change as a result of the Lot Line Adjustment; and

Be It Further Resolved that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based, including the original executed Contract and Land Conservation Plan. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Supervisors:

Gorin:

Rabbitt:

Gore:

Hopkins:

Coursey:

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Ayes:

Noes:

Absent:

Abstain:

So Ordered.