



COUNTY OF SONOMA

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

SUMMARY REPORT

Agenda Date: 12/10/2024

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Tennis Wick, Director (707) 565-2563 and Hannah Spencer, Supervising Planner (707) 565-1928

Vote Requirement: Majority

Supervisorial District(s): First

Title:

File No. AGP15-0001 NAC Tallgrass, LLC Land Conservation Contract, 700 Bonneau Road, Sonoma

Recommended Actions:

Adopt a Resolution authorizing the Chair to execute an agreement to mutually rescind and replace a Non-Prime (Type II) Land Conservation Act contract with a Prime (Type I) Land Conservation contract for agricultural land on a 131.86-acre property located at 700 Bonneau Road, Sonoma; APN 142-101-011; Permit Sonoma File No. AGP15-0001. (First District)

Executive Summary:

Sonoma County's Land Conservation Act program has four contract-types: a) Prime contracts for crop agriculture with a 10-acre minimum parcel size requirement; b) Non-Prime contracts for grazing 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 also with a 40-acre minimum.

This action is to replace a Non-Prime (Type II) Land Conservation Contract with a new prime contract to reflect the current agricultural use of the property. Land Conservation Act 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 use, the landowner receives reduced property taxes. An expansion or modification to the existing Agricultural Preserve area is not required. Staff recommends the Board of Supervisors approve Resolution approving and authorizing the Chair to execute an agreement to rescind the existing Type I contract and replace it with a Type II contract.

Discussion:

NAC Tallgrass, LLC seeks approval of a replacement Land Conservation Contract for a 131.86-acre parcel located within Agricultural Preserve Area Number 2-238 containing 69.77 acres planted in vineyard. This action would rescind and replace the existing non-prime Land Conservation contract with a prime Land Conservation contract that corresponds with the current agricultural use of the property. The boundaries of the parcel remain unchanged.

Site Characteristics:

The property is located in Big Bend, approximately 2.5 miles south of the City of Sonoma. The site contains

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69.77 acres planted in vineyard, approximately 10 acres in vineyard access roads, a well and power poles. The remaining 52 acres of the property is undesignated land consisting of grassland and an unnamed seasonal tributary to Sonoma Creek. The property does not contain any residential or other non-agricultural compatible uses.

Zoning for the subject property is Diverse Agriculture (allowed density: 40 acres per dwelling) and combining zones for Accessory Unit Exclusion, Riparian Corridor with 50-foot and 25-foot setbacks, Scenic Resources, and 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 land at issue here is adjacent to established Preserve Number 2-420.

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.

New Land Conservation (Williamson) Act Contract:

To be eligible for a new Prime Williamson Act contract, the subject parcel must be at least 10 acres in size, have 50% of the total parcel dedicated to a qualifying prime agricultural use, and meet the minimum income requirements for prime agricultural land under the County's Uniform Rules.. The subject parcel is a single legal parcel, is located within an established agricultural preserve, is 131.86 acres in size, and has 69.77 acres of land planted in vineyard which occupies approximately 53% of the property. The agricultural operation is projected to continue providing sufficient income well above the minimum requirements of \$1,000.00 per acre per year for prime agriculture (i.e. permanent vines). Non-agricultural uses are permitted as they meet the criteria for compatible uses and occupy no more than 15% or 5 acres of the parcel, whichever is less, with exceptions for access roads. For these reasons, the parcel qualifies for a Land Conservation Act contract for prime agricultural land.

Staff Recommendation:

Staff recommends the Board approve the request to rescind and replace the existing non-prime contract with a new prime contract, and authorize the Chair to execute the contract, because all of the state and local requirements for the replacement request on the 131.86-acre parcel within the existing Agricultural Preserve have been met.

Strategic Plan:

NA

Prior Board Actions:

- A. 12/13/2011: Board approves the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678)
- B. 07/31/2012: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 12-0379)
- C. 05/07/2013: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 13-0186)
- D. 12/20/2016: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 16-0485)
- E. 10/31/2017: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 17-0426)
- F. 11/07/2017: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 17-0438)

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

Approval of the Land Conservation Act Contract means that the owner 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 subject 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:

Attachment 1: AGP15-0001 Board of Supervisors Resolution

Attachment 2: AGP15-0001 Proposal Statement prepared by applicant

Attachment 3: AGP15-0001 Site Plan

Attachment 4: AGP15-0001 Assessor's Parcel Map

Attachment 5: AGP15-0001 Land Conservation Act Contract with attached Exhibit A (legal description), Exhibit B (Land Conservation Plan), and Exhibit C (Site Plan)

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

NA