



County of Sonoma

State of California

Date: April 28, 2020

Item Number: _____

Resolution Number: _____

LLA19-0003 Georgia McDaniel



4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Approving a Lot Line Adjustment for WKM Properties LLC, et al Between 2 Legal Parcels with Conditions Requiring that the Existing Land Conservation (Williamson) Act Contract is Rescinded and Replaced with 2 Contracts to restrict all of the land located at 18875 Hassett Lane, Geyserville; APN 091-010-001.

Whereas, WKM Properties LLC, et al submitted a request for a Lot Line Adjustment between two parcels of 13.11 and 64.04 acres in size resulting in two parcels of 64.04 and 13.11 acres in size both under Land Conservation Contracts on prime agricultural land located at 18875 Hassett Lane, Geyserville; APN 091-010-001; zoned LIA (Land Intensive Agriculture) B6-20 acre density, Z (Accessory Unit Exclusion), F2 (Floodplain), RC25/50 (Riparian Corridor with 50-foot and 25-foot setbacks), SR (Scenic Resources), and VOH (Valley Oak Habitat); Supervisorial District No. 4; and

Whereas, the purpose of the Lot Line Adjustment is to reconfigure the property lines for family planning purposes and better utilization of the property. Both lots are subject to a Prime Land Conservation Act Contract (recorded under Book 2608, Page 107); 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 parcels at 64.04 acres and 13.11 acres subject to the Conditions of Approval in Exhibit "A," attached hereto which includes a condition to rescind and replace the existing Prime Land Conservation Act Contract for Lots A and B. 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 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. Both parcels are currently under contract and both of the parcels resulting from the Lot Line Adjustment will remain under contract.
- c. One-hundred percent (100%) of the land under the former contract will remain under the new contracts.
- d. At least 50 percent of each resulting parcel is in agricultural use, as Lot A is 13.11 acres in size and contains 8.87 acres of vineyard, which is approximately 67 percent of the parcel; and Lot B is 64.04 acres in size and contains 55.24 acres of vineyard, which is approximately 86 percent of the parcel.
- e. After the Lot Line Adjustment, each of the parcels of land subject to contract will be large enough to sustain their agricultural, as defined in Section 51222. The lots resulting from the Lot Line Adjustment will be 64.04 acres and 13.11 acres. The resulting 64.04 acre and 13.11 acre parcels will each exceed the 10-acre minimum acreage requirement for Prime contracts and will each exceed the minimum gross income requirement of \$1,000 per planted acre per year, as the parcels currently generate an annual average income of \$2,700.00 - \$3,400.00 per planted acre of vineyard. All of the residential structures are compatible uses and will occupy approximately 0.4 acres (3%) of Lot A, which is less than the 15% maximum established for compatible uses in the Uniform Rules. Both lots contain permitted agricultural accessory structures (barns, well) which do not count towards the compatible use threshold. To remain in

compliance with the Uniform Rules, a condition of approval requires that the owner designate the existing 600 +/- square foot dwelling on Lot A as a Farm Family Dwelling prior to recordation of the Lot Line Adjustment.

- f. The existing uses are in compliance with the LIA (Land Intensive Agriculture) zoning of the property which allows the primary single-family residence, one Farm Family Dwelling per lot provided a Williamson Act contract is in effect and the accessory structures (barns. well).
- g. The Lot Line Adjustment would not compromise the long term agricultural productivity of the parcel or other agricultural lands subject to the contract or contracts. The Lot Line Adjustment is being undertaken for family planning purposes and better utilization of the property. The Lot Line Adjustment will not compromise other agricultural lands in the area under contract.
- h. The Lot Line Adjustment will not result in adjacent lands being removed from agriculture. The use of the parcels will not be changing resulting in no effect on adjacent lands.
- i. 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. In the current configuration and at the designated density of 20 acres per dwelling unit, the 13.11 acre parcel cannot be divided and the 64.04 acre parcel could potentially be divided into three parcels. After the Lot Line Adjustment there will be one parcel of 64.04 acres that could potentially be divided into three parcels and one parcel of 13.11 acres that cannot be divided. Therefore, the Lot Line Adjustment results in the same number of developable parcels that existed prior to the adjustment. The Lot Line Adjustment is consistent with the General Plan.

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:	Zane:	Hopkins:	Gore:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.