



SUMMARY REPORT

Agenda Date: 10/24/2023

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Levan King Cranston

Vote Requirement: Majority

Supervisorial District(s): Fifth

Title:

9:40 AM- File No. AGP22-0011 Gloeckner Grandchildren LLC, Agricultural Preserve Expansion and Replacement Land Conservation Contract, 15015 Rockpile Rd, Geyserville

Recommended Action:

- A) Conduct a Public Hearing and Adopt a Resolution to expand Agricultural Preserve 2-314 by adding 22.82-acres and,
- B) Authorize the chair to sign a new Non-Prime Land Conservation Contract which will mutually rescind and replace a Non-prime (Type II) Land Conservation Contract for grazing land on a 1,403.68-acre property located at 15015 Rockpile Road Geyserville CA; APNs 114-270-001, -002, -003.

(Fifth 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 open space also with a 40-acre minimum. This is a combined request to approve an expansion of an existing Agricultural Preserve by adding 22.82-acres and replace a Non-prime (Type II) Land Conservation Contract with a new non-prime contract that corresponds with new property line boundaries consistent with a previously approved voluntary merger (VMG20-0010). 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, the landowner receives reduced property taxes. Staff recommends the Board of Supervisors hold a public hearing to consider approving the Agricultural Preserve Expansion and new contract request.

Gloeckner Turney Vineyards LLC desires to expand an agricultural preserve and to replace its existing Land Conservation Contract with a new contract to restrict the changed boundaries of its parcel as a result of the merger of parcel(s) under contract and parcel(s) not under contract. The merged parcel qualifies to be entirely restricted by a Land Conservation Contract. The Uniform Rules for Agricultural Preserves requires that contracts restrict single legal parcels. Additionally, absent a replacement contract that restricts the entirety of the parcel that was enlarged via merger, the Assessor will continue to assess the two portions of the merged parcel separately, in order to reflect the partially restricted status. Finally, the merger was required by an existing recorded Conservation Easement that requires the merger of all 23 parcels that encompass the entire ranch property into four legal parcels.

On June 22, 2020, Permit Sonoma administratively approved the landowner's application for four Voluntary Mergers (recorded under #20-050791, #20-050790, #20-050792, and #20-050793). Prior to completing the merger of Assessors Parcels (which are for assessment purposes only, and do not necessarily connote legal parcel status), the Assessor's Office requires each resulting ranch parcel be subject to a single Land Conservation contract. This application is one of three applications filed for Gloeckner Turner Ranch to rescind and replace the existing Land Conservation Act contracts with new contracts that align with the reconfigured ranch parcel boundaries, in accordance with the Assessor's Office requirements and the Uniform Rules. If all 3 applications are approved by the Board the total estimated tax property reduction is estimated to be \$270.00 annually.

Discussion:

Gloeckner Grandchildren LLC seeks approval of an expansion of Agricultural Preserve 2-314 and to replace an existing non-prime Land Conservation Act Contract (1,380.86 acres; Contract #03-259556) and establish a new non-prime Land Conservation Contract for the entire 1,403.86-acre property. The 1,403.86-acre property is partially located within Agricultural Preserve Area Number 2-314. This action would expand Agricultural Preserve 2-314 by adding 22.82 acres and place the entire 1,403.68-acre property under a new replacement non-prime Land Conservation contract for grazing land.

Zoning for the subject property is Resources and Rural Development (allowed density: 240 acres per dwelling) and combining zone for Riparian Corridor with 50-foot setbacks.

Site Characteristics:

The project site is accessed via Rockpile Road, approximately 11.5-miles west of Geyserville, and 1-mile southwest of Lake Sonoma. The 1,403.86-acre property is a part of a large cattle ranch that has been managed by the Gloeckner Family since the 1970's. The subject property contains 710 acres devoted to cattle grazing, a hunter's shack, a barn and two wells. The remaining 692.68 acres of land is undesignated.

Background:

A portion of the subject property (1,380.86 acres; APN 114-270-001) has been under a non-prime Land Conservation Contract since 2003 (contract recorded under Contract #03-259556). This land is part of a larger 3,300-acre ranch (Gloeckner Turner Ranch) previously consisting of 23 parcels. In 2020, the landowners placed Gloeckner Turner Ranch under a Conservation Easement Agreement with the Sonoma County Agricultural Preservation and Open Space District (easement recorded under #20-043257) which requires the landowners merge all 23 ranch parcels into a total of four parcels. On June 22, 2020, Permit Sonoma administratively approved the landowner's application for four Voluntary Mergers (recorded under #20-050791, #20-050790, #20-050792, and #20-050793). Prior to completing the APN merger process, the Assessor's Office requires each resulting ranch parcel be subject to a single Land Conservation contract. Permit Sonoma staff and the landowner consulted with Sonoma County Agricultural Preservation and Open Space District's Acquisition Specialist during the processing of the Voluntary Merger applications and the Land Conservation Contract application submittal process. This Land Conservation Contract application request does not result in any changes to the Conservation Easement held by Sonoma County Agricultural Preservation and Open Space District.

This application is the third of three applications filed for Gloeckner Turner Ranch to rescind and replace the existing Land Conservation Act contracts with new contracts that align with the reconfigured ranch parcel boundaries, in accordance with the Assessor's Office requirements and the Uniform Rules. Permit Sonoma has scheduled the landowner's application File No. AGP22-0010 for the Board of Supervisors' October 17, 2023 meeting date, and AGP22-0009 for the Board of Supervisors' October 24, 2023 meeting date.

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 partially located within Preserve Number 2-314.

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.

Enlargement of the Agricultural Preserve:

To be considered for a contract, land must be in a designated Agricultural Preserve. The Board may conterminously consider adding the land to a designated Agricultural Preserve, and its qualification for a contract. Currently, 1,380.86 acres of the 1,403.86-acre legal parcel is partially located in Agricultural Preserve Area number 2-314. The remaining 22.82 acres of land is proposed to be added to Agricultural Preserve Area number 2-314 to ensure the parcel boundaries are conterminous with the contracted area. The subject parcel qualifies for inclusion in the Agricultural Preserve Area for the reasons specified in Resolution Findings 1. through 4 (see Attachment 1). Additionally, the project is Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 13517 of the CEQA Guidelines.

New Land Conservation (Williamson) Act Contract:

To be eligible for a new Non-Prime Williamson Act contract, the subject parcel must be at least 40 acres in size, must be devoted to agricultural use, which means having at least 50% of the total parcel dedicated to qualifying non-prime agricultural uses, and once in a designated Agricultural Preserve, meet the minimum income requirements of the Williamson Act. In addition, non-agricultural uses must all be compatible uses and occupy no more than 5 acres or 15% of the land whichever is less. The subject parcel is 1,403.68-acres in size and has 710-acres of land devoted to commercial cattle grazing which is stated in Table 4-2 - Annual Income Requirements of the Uniform Rules for Agricultural Preserves and Farmland Security Zones as a Non-Prime Agricultural Land crop type. The grazing operation is projected to provide sufficient income to meet the minimum requirements and therefore qualifies for a Land Conservation Act contract for non-prime agricultural land.

Compatible uses of the land must be listed in the Uniform Rules as compatible uses (under Rule 8.3) and collectively, cannot occupy more than 15 percent or 5 acres of the total parcel size, whichever is less, excluding public roads, private access roads, and driveways. For this parcel, the 5-acre threshold would apply. The property contains a hunter's shack, a barn, and two wells which collectively occupy 1 acre of the property,

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thereby meeting the threshold under the contract. The remaining 692.68 acres of land is undesignated.

Strategic Plan:

Not Applicable

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

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)
- G. 05/26/2020: Board approves Deed and Agreement by and between Gloeckner Turner Vineyards LLC, Gloeckner Grandchildren LLC, and the Sonoma County Agricultural Preservation and Open Space District Conveying a Conservation Easement and Assigning Development Rights.

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. For this particular contract, the Assessor estimates the property assessment value will be reduced by approximately \$563.00. Property taxes are generally 1.1% of assessed value. If all 3 applications are approved by the Board the total estimated tax property reduction is estimated to be \$270.00 annually.

Narrative Explanation of Staffing Impacts (If Required):

Not Applicable

Attachments:

- ATT 1: AGP22-0011 Board of Supervisors Resolution
- ATT 2: AGP22-0011 Board of Supervisors Resolution with Exhibit A: Agricultural Preserve Map
- ATT 3: AGP22-0011 Proposal Statement prepared by Applicant
- ATT 4: AGP22-0011 Site Plan
- ATT 5: AGP22-0011 Assessor's Parcel Map

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ATT 6: AGP22-0011 Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B
(Land Conservation Plan with attached Site Plan)

ATT 7: AGP22-0011 Staff PowerPoint Presentation

Related Items “On File” with the Clerk of the Board:

Not Applicable