



SUMMARY REPORT

Agenda Date: 12/10/2024

To: Sonoma County Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Tennis Wick (707) 565-1925, Ken Compton, Planner II (707) 565-2829

Vote Requirement: Majority

Supervisorial District(s): Fifth

Title:

File No. AGP21-0003 Ohlson Ranch Lot C Land Conservation Contract; 28100 Stewarts Point-Skaggs Springs Road, Annapolis

Recommended Action:

Adopt a Resolution to approve and authorize the Chair to execute an agreement to mutually rescind and replace a Non-rime (Type II) Land Conservation Act contract with a Non-Prime (Type II) Land Conservation contract for agricultural land on a 139.48-acre property located at 28100 Stewarts Point-Skaggs Springs Road; APN 123-180-018; Permit Sonoma File No. AGP21-0003. (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/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 Non-Prime contract that corresponds with new property line boundaries and current agricultural uses consistent with a previously approved Lot Line Adjustment (LLA17-0010). 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. An expansion or modification to the existing Agricultural Preserve area is not required. Staff recommends the Board of Supervisors approve the rescind and replace contract request.

Discussion:

Cinquini & Passarino Inc, on behalf of Ernest Ohlson, seeks approval of a replacement Land Conservation Contract for a 139.48-acre parcel located within Agricultural Preserve Area Number 2-298 to satisfy a Condition of Approval of a Lot Line Adjustment approved by the Board of Supervisors on November 10, 2020 (LLA17-0010, Resolution No. 20-0411). This action would replace the existing Non-prime Land Conservation contract with a Non-prime Land Conservation contract that corresponds with the new property line boundaries.

Site Characteristics:

The project site is located in northwestern Sonoma County in the Girdle Mountain Range, approximately 2.5 miles east of South Fork Gualala River and 6 miles southeast of the unincorporated community of Annapolis. The project site contains approximately 138.68 acres of timberland and 0.80 acres of grazing land. The site is characterized by grasslands and timber forest including conifers and hardwoods. No structures are located on the site. The landowner does not have plans for future development on the site. The parcel is zoned Resources and Rural Development (RRD) with maximum density of one dwelling unit per 240 acres and combining districts for Oak Woodland (OAK) and Riparian Corridor (RC50/50).

Background:

The subject parcel and four adjacent parcels (previously identified as APNs 123-180-011, -012, -013, -014, and -015) have been under a single non-prime Land Conservation contract since 1971 (contract #71-098502). On November 10, 2020, the Board approved Lot Line Adjustment LLA17-0010 for the subject site. The Lot Line Adjustment reconfigured the parcel boundaries for four of the five contracted parcels (previously identified by APNs 123-180-012, -013, -014, and -015) and enlarged the subject site (now identified as APN 123-180-018) by 2.17 acres. The Conditions of Approval for LLA17-0010 require that the landowner rescind the existing Land Conservation Act contract and replace it with four new contracts for the reconfigured parcels in accordance with the Uniform Rules (refer to Attachment 5).

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 2-298.

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 Non-prime Williamson Act contract, the subject parcel must be at least 40 acres in size and have 50% of the total parcel dedicated to a qualifying agricultural use. The subject parcel is 139.48 acres in size and has 138.68 acres (99%) of land devoted to nonindustrial timber management and therefore qualifies for a Land Conservation Act contract for Non-Prime agricultural land.

Staff Recommendation:

Staff recommends the Board approve the request to rescind and replace the existing prime/non-prime/open

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space contract with a new Non-Prime contract because all of the state and local requirements for the replacement request on the 139.48-acre parcel within the existing Agricultural Preserve have been met.

Strategic Plan:

N/A

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. 11/10/2020: the Board approved a Lot Line Adjustment LLA17-0010 (Resolution No. 20-0411)

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: AGP21-0003 Board of Supervisors Resolution

Attachment 2: AGP21-0003 Landowner Affidavit

Attachment 3: AGP21-0003 Site Plan

Attachment 4: AGP21-0003 Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan)

Attachment 5: AGP21-0003 Lot Line Adjustment File No. LLA17-0010 Conditions of Approval

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Attachment 6: Assessor's Parcel Map

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

N/A