



COUNTY OF SONOMA

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

SUMMARY REPORT

Agenda Date: 6/12/2023

To: Board Of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Jen Chard, (707) 565-2336

Vote Requirement: Majority

Supervisorial District(s): Second

Title:

1:30 P.M. - File No. AGP19-0005 Spring Hill New Land Conservation Contract; 2860 Spring Hill Road, Petaluma

Recommended Action:

To conduct a public hearing and adopt a Resolution to expand Agricultural Preserve 2-496 by adding 41.34 acres and, approve a new Non-Prime Land Conservation (Williamson) Act Contract and Land Conservation Plan on the same 41.34-acre parcel, for a grazing property located at 2860 Spring Hill Road, Petaluma; APN 022-280-009, and authorize the Chair to execute the Contract. (Second 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
- 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 108.97 acres and, to execute a new Non-prime Land Conservation Act Contract for the same 108.97-acre parcel. 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 approve the Agricultural Preserve Expansion and new contract request.

Discussion:

Robert J. McClure and Ruth H. McClure, trustees of the Robert J. McClure and Ruth H. McClure revocable intervivos trust, seeks approval of an expansion of Agricultural Preserve 2-496 and a new Non-prime Land Conservation Act Contract for the 41.34-acre parcel, containing 41.34 acres of grazing land. This action would expand Agricultural Preserve 2-496 by adding 41.34 acres and place the same 41.34 acres under a new non-prime Land Conservation contract for grazing.

Site Characteristics:

The project site is accessed via Spring Hill Road off Western Ave., approximately 3.22 miles west of Western Ave and the city of Petaluma. The project site contains approximately 41.34 acres for grazing and no structures.

Zoning for the property is Land Extensive Agriculture with no subdivision potential and accessory dwelling

unit exclusionary zone.

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 2-496.

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 qualify for a contract, among other things, land must be in a designated Agricultural Preserve. The Board may consider adding the land to a designated Agricultural Preserve at the same time it considers the contract request. The 41.34-acre subject parcel is currently not in an existing Agricultural Preserve. The parcel is proposed to be added to Agricultural Preserve Area number 2-496 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, once in a designated Agricultural Preserve, the subject parcel must be at least 40 acres in size, have at least 50% of the total parcel dedicated to commercial grazing land, and meet the minimum income requirements of the Williamson Act. The subject parcel is 41.34 acres in size and has 41.34 acres of land (100%) devoted to a commercial grazing operation. 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. There are no non-agricultural uses of the property. Non-agricultural uses would have to meet the compatible use requirements under the contract and Uniform Rules.

Staff Recommendation:

Staff recommends the Board approve the request because all the state and local requirements for expansion of an Agricultural Preserve Area and approval of a new Non-prime Land Conservation Act Contract for the 41.34-acre parcel have been met.

Strategic Plan:

Not Applicable

Racial Equity:

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

No

Prior Board Actions:

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

FISCAL SUMMARY

Not Applicable

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 \$249,699. Property taxes are generally 1.1% of assessed value.

Narrative Explanation of Staffing Impacts (If Required):

Not Applicable

Attachments:

- ATT 1: AGP19-0005 Board of Supervisors Resolution
- ATT 2: AGP19-0005 Board of Supervisors Resolution Exhibit A - Agricultural Preserve Map
- ATT 3: AGP19-0005 Proposal Statement Prepared by Applicant
- ATT 4: AGP19-0005 Site Plan
- ATT 5: AGP19-0005 Assessor's Parcel Map
- ATT 6: AGP19-0005 Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan)- executed by property owners
- ATT 7: AGP19-0005 Staff Presentation

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

Not Applicable