



## SUMMARY REPORT

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**Agenda Date:** 12/6/2022

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**To:** Board of Supervisors

**Department or Agency Name(s):** Permit Sonoma

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

**Vote Requirement:** Majority

**Supervisory District(s):** Fifth

**Title:**

File No. AGP19-0014 Bell Sonoma LLC Replacement Contract

**Recommended Actions:**

Adopt a Resolution 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 30-acre property located at 6981 Trenton Healdsburg Road, Forestville; APN 066-280-004. (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 action is to replace a Non-prime (Type II) Land Conservation Contract with a new prime contract to reflect the current vineyard operation on 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, 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:**

Bell Sonoma LLC seeks approval of a replacement Land Conservation Contract for a 30-acre parcel located within Agricultural Preserve Area Number 2-497, to reflect the current agricultural uses of the property. This action would replace the existing non-prime Land Conservation contract with a prime Land Conservation contract that corresponds with the current agricultural uses of the property.

**Site Characteristics:**

The project site is located near the corner of Trenton Healdsburg Road and Mark West Station Road, approximately 0.85 miles north of River Road and 1.5 miles west of the Charles M. Schulz Sonoma County Airport. The 30-acre project site contains approximately 15.44 acres of vineyards, a single-family dwelling and agricultural barn. The remainder of the site contains oak woodland, grassland and a wetland. Zoning for the subject property is Diverse Agriculture with a 60-acre density and combining zones for Accessory Dwelling Unit Exclusion, Floodplain, Scenic Resources and Valley Oak Habitat.

**Background:**

The subject parcel has been under a single non-prime Land Conservation contract since 1972 (contract #72-058314). Due to parcel size, the non-prime contract (40 acre minimum) was no longer in conformance with the Uniform Rules. As a part of the adoption of the Uniform Rules (Resolution #11-0678) the subject property was included in a County initiated phase out. The Notice of Non-Renewal was filed by the County in 2013 (document #2013073828). To reflect the current use of the site, the landowner is requesting to replace the non-prime Land Conservation contract with a Prime contract for prime agricultural uses recognizing the 15.44 acres of vineyard planted on the site.

**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 2-497.

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 agricultural use and meet the minimum income requirements of the Williamson Act. The subject parcel is 30 acres in size and has 15.44 acres (51%) of land devoted to a vineyard operation. The vineyard operation is projected to provide sufficient income to meet the minimum requirements and therefore 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 because all of the state and local requirements for the replacement request on the 30-acre parcel within the existing Agricultural Preserve have been met.

**Strategic Plan:**

Not Applicable

**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 \$2,483,513. Property taxes are generally 1.1% of assessed value.

**Staffing Impacts:**

Not Applicable

**Narrative Explanation of Staffing Impacts (If Required):**

Not Applicable

**Attachments:**

- Att 1: Board of Supervisors Resolution
- Att 2: Proposal Statement Prepared by Applicant
- Att 3: Site Plan
- Att 4: Assessor's Parcel Map

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

Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).