



County of Sonoma

State of California

Date: January 14, 2020

Item Number: _____

Resolution Number: _____

Katrina Braehmer; LLA19-0005



4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Approving a Lot Line Adjustment for Pikachu II, LLC Between Three Legal Parcels with Conditions of Approval Requiring that 2 Existing Land Conservation (Williamson) Act Contracts are Rescinded and Replaced with 3 Contracts to restrict all of the land located at 545, 750, and 1000 Sonoma Mountain Road, Petaluma; APNs 136-220-004, 136-220-008, -009, -016, -017, -018, and 136-160-011.

Whereas, Pikachu II, LLC submitted a request for a Lot Line Adjustment between three legal parcels 81.57+/- acres, 568.41+/- acres, and 133.67+/- acres in size resulting in three parcels 271.37+/- acres, 354.87+/- acres, and 157.31+/- acres in size. Two of the three parcels are under Land Conservation Contracts on Non-Prime land located at 545, 750, and 1000 Sonoma Mountain Road, Petaluma; APNs 136-220-004, 136-220-008, -009, -016, -017, -018, and 136-160-011; respectively zoned LEA (Land Extensive Agriculture) B6 60 acre density / RRD (Resources and Rural Development) B6 40 acre density, Z (Accessory Dwelling Unit Exclusion) LG/MTN (Local Guidelines, Taylor/Sonoma/Mayacamas Mountains) RC 50/50 (Riparian Corridor 50-foot setback for residential and agricultural uses) SR (Scenic Resources); LEA (Land Extensive Agriculture) B6 80 acre density / RRD (Resources and Rural Development) B6 40 acre density / DA (Diverse Agriculture) B6 80 acre density, Z (Accessory Dwelling Unit Exclusion) G (Geologic Hazard Area) LG/MTN (Local Guidelines, Taylor/Sonoma/Mayacamas Mountains) RC 50/50 (Riparian Corridor 50-foot setback for residential and agricultural uses) SR (Scenic Resources); and DA (Diverse Agriculture) B6 40 acre density, Z (Accessory Dwelling Unit Exclusion) G (Geologic Hazard Area) LG/MTN (Local Guidelines, Taylor/Sonoma/Mayacamas Mountains) SR (Scenic Resources); Supervisorial District No. 2; and

Whereas, the purpose of the Lot Line Adjustment is to reconfigure the parcels for new cattle grazing leases. Two of the three parcels are subject to Non-Prime Land Conservation Act Contracts; and

Whereas, to facilitate a Lot Line Adjustment, Government Code Section 51257

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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 three legal parcels to create three parcels of 271.37+/- acres, 354.87+/- acres, and 157.31+/- acres subject to the Conditions of Approval in Exhibit "A," attached hereto which includes a condition to rescind and replace the two existing Non-Prime (Type II) Land Conservation Act Contracts for Parcels B and C and to enter into a new Hybrid contract for a combination of Non-Prime and Prime agricultural uses for Parcel A based on the new parcel configurations and the current agricultural use of each parcel. 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 parcels subject to the lot line adjustment 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 acreage restricted by a contract as a result of the Lot Line Adjustment because there will be a net increase of 81.57 acres under contract following recordation of the Land Conservation Contracts that are required as a condition of approval.
- c. At least ninety percent of the land under contract will remain under contract after the lot line adjustment. Here, all of the land under contract will remain

- under contract. The aggregate acreage of contracted land resulting from the Lot Line Adjustment exceeds the amount currently restricted. As a condition of approval, existing Non-Prime contracts on Parcels B and C will be rescinded and replaced; and a new Hybrid contract for a combination of Non-Prime and Prime agricultural uses for resulting Parcel A will restrict an additional 81.47+/- acres, thereby increasing the aggregate amount of contracted land.
- d. At least 50 percent of each resulting parcel is in agricultural use. Resulting Parcel A at 271.37+/- acres in size will devote 265+/- acres (97.7%) of grazing land and 6.37+/- acres of vineyard land (2.3%) to continued agricultural use. Resulting Parcel B at 354.87+/- acres in size will devote 349.87+/- acres (98.5%) of Non-Prime grazing land for continued agricultural use. Resulting Parcel C at 157.31+/- acres in size will devote the entire parcel for continued agricultural use.
 - e. After the Lot Line Adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use as defined in Section 51222. The lots resulting from the Lot Line Adjustment will be 271.37+/- acres, 354.87+/- acres, and 157.31+/- acres. The resulting parcels will exceed the 40-acre minimum acreage requirement for Non-Prime and Hybrid contracts and exceed the minimum annual gross income requirements of \$2,000.00 per farm operation and \$2.50 per acre for Non-Prime uses, and \$1,000 per planted acre for Prime uses.
 - i. With a new grazing lease reflecting the adjusted lot lines, Parcel A's grazing operation is anticipated to generate an annual gross income of \$2,300 with a per acre annual gross income of \$8.67. The 6.37+/- acres of Chardonnay and Pinot are anticipated to generate a total annual income of \$17,762 per planted acre. The area occupied by the two vineyard storage buildings on site does not collectively exceed the 5 acres/15% of the parcel, whichever is less, maximum for compatible uses.
 - ii. With a new grazing lease reflecting the adjusted lot lines, Parcel B's grazing operation is anticipated to generate an annual gross income of \$2,400 and a per acre annual gross income of \$6.76. The area occupied by the primary residence, guest house, garage, caretaker's residence, pump house, two storage buildings, two barns, a corral, and a tennis court does not collectively exceed the 5 acres/15% of the parcel, whichever is less, maximum for compatible uses.
 - iii. With a new grazing lease reflecting the adjusted lot lines, Parcel C's grazing operation is anticipated to generate an annual gross income of \$2,500 and a per acre annual gross income of \$15.89. All uses are agricultural.

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- f. The Lot Line Adjustment would not compromise the long term agricultural productivity of the parcels or other agricultural lands in the area subject to contracts. The Lot Line Adjustment is being undertaken to reconfigure the parcels for new cattle grazing leases.
- g. The Lot Line Adjustment will not result in adjacent lands being removed from agriculture.
- h. 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. A condition of approval requires that prior to recording the grant deeds, a complete application for a General Plan Amendment and Zone Change is submitted to align land use and zoning boundaries with the new parcel boundaries prior to recordation of the lot line adjustment. Resulting Parcel A will be designated DA (Diverse Agriculture) B6 60 acre density; Parcel B will be designated LEA (Land Extensive Agriculture) B6 80 acre density; and Parcel C will be zoned DA (Diverse Agriculture) B6 40 acre density. In the current configuration and at the designated densities of 60 acres and 40 acres per dwelling unit, Parcel A at 81.47+/- acres cannot be divided. After the Lot Line Adjustment, resulting Parcel A, at 271.37+/- acres with a density of 60 acres per dwelling unit, could potentially be divided into four parcels. In the current configuration and at the designated densities of 80 acres and 40 acres per dwelling unit, Parcel B at 568.41+/- acres could be divided into seven parcels. After the Lot Line Adjustment, resulting Parcel B, at 354.87+/- acres with a density of 80 acres per dwelling unit, could potentially be divided into four parcels. In the current configuration and at the designated of 40 acres per dwelling unit, Parcel C at 133.67+/- acres can be divided into three parcels. After the Lot Line Adjustment, resulting Parcel C, at 157.31+/- acres with a density of 40 acres per dwelling unit, still has the potential to be divided into three parcels. The collective subdivision potential before and after the Lot Line Adjustment is 11 parcels. 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:

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Ayes:

Noes:

Absent:

Abstain:

So Ordered.