



County of Sonoma

State of California

Date: May 3, 2022

Item Number: _____

Resolution Number: _____

☐ 4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Approving a Lot Line Adjustment for Sonoma County Regional Parks and Lang Family Trust
Between Two Legal Parcels with Conditions Requiring that One Existing Land Conservation
(Williamson) Act Contract is Rescinded and Replaced with a New Contract to restrict all of the
land; located at 3000 and 4000 Porter Creek Road, Santa Rosa; APNs 028-060-062, 028-070-
036, and 028-070-032.**

Whereas, the Lang Family Trust and Sonoma County Regional Parks submitted a request for a Lot Line Adjustment between two parcels of 284.91+/- acres (Parcel A – Portion of Mark West Creek Regional Park & Open Space Preserve) and 201.63+/- acres (Parcel B – Lang Family Trust) in size resulting in in two parcels, 289.41+/- acres (Parcel A) and 197.13+/- acres (Parcel B) in size. Parcel A is currently under a Land Conservation Contract on non-prime agricultural land. The properties are located at 3000 and 4000 Porter Creek Road, Santa Rosa; APNs 028-060-062 and 028-070-036 (Parcel A), and 028-070-032 (Parcel B); zoned RRD B6 100, RC50/50, RC200/50, VOH, SR and RRD B6 100, RC50/50, RC200/50, SR; Supervisorial District No. 1; and

Whereas, In 2002, the Sonoma County Agricultural Preservation and Open Space District (“District”) acquired a conservation easement over Parcel A to protect the open space, natural, and scenic values. The District then purchased Parcel A from the McCulloughs in 2009 and transferred the property to Sonoma County Regional Parks in 2018 and now holds a Conservation Easement over this property and other adjacent properties that comprise Mark West Creek Regional Park & Open Space Preserve.

Whereas, the purpose of the Lot Line Adjustment is to adjust property lines to add 4.5-acres of land to Mark West Creek Regional Park & Open Space Preserve requirements to carry out a Conservation Easement Amendment on the Lang – Guttman and Lang – Safari West Conservation Easements, which was approved by the Board of Supervisors

on July 13, 2021 (Resolution No. 21-0272). Parcel A (portion of Mark West Creek Regional Park & Open Space Preserve) is subject to a Non-Prime Land Conservation Act Contract currently in phase-out and set to expire on December 31, 2027 (Notice of Non-Renewal recorded under O.R. #2018-060417); and

Whereas, to facilitate a Lot Line Adjustment, Government Code Section 51257 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 two legal parcels to create two parcels, 289.41+/- acres (Parcel A) and 197.13+/- acres (Parcel B) in size subject to the Conditions of Approval in Exhibit "A," attached hereto which includes a condition to rescind and replace the single existing Non-prime Land Conservation Act Contract for Parcel A. 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 contract will enforce and restrict the adjusted boundaries of the contracted parcel for an initial term for at least as long as the unexpired term of the rescinded contract but for not less than 10 years.
- b. There is no net decrease in the amount of the acreage restricted by a contract. The resulting Parcel A restricted by the contract will be expanded by 4.5 acres.
- c. At least 90 percent of the land under the former contract or contracts remains

under the new contract or contracts.

- d. All of the land under contract will remain under contract as a condition of approval for the Lot Line Adjustment requires that prior to recording the grant deeds for the adjusted parcels, Sonoma County Regional Parks apply to simultaneously 1) expand Agricultural Preserve No. 2-260 to include the 4.5 acres added to Parcel A, and 2) rescind the existing contract and enter into a new contract for reconfigured Parcel A in accordance with the Uniform Rules.
- e. At least 50 percent of Parcel A is in open space use. The resulting Parcel A is 289.41+/- acres in size and is operated as a Regional Park to protect scenic and natural resources, habitat connectivity and recreational and educational resources, thereby exceeding the 50 percent threshold for contract.
- f. To reflect the current open space use of Parcel A, the replacement contract will be updated to an Open Space Land Conservation Act Contract.
- g. After the Lot Line Adjustment, the parcel of land subject to contract will be large enough to sustain the open space use, as defined in Section 51222. Resulting Parcel A will be 289.41+/- acres which exceeds the 40-acre minimum acreage requirement for Open Space contracts. There are no residential or agricultural uses occurring onsite.

The Lot Line Adjustment would not compromise the long term open space use of the parcel or other open space lands subject to the contract or contracts. The Lot Line Adjustment is being undertaken in order to partly satisfy the amendment requirements of a nearby Conservation Easement. The Lot Line Adjustment will not compromise other open space lands in the area under contract.

The Lot Line Adjustment will not result in adjacent lands being removed from open space. 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. In the current configuration and at the designated density of 100 acres per dwelling unit, each parcel could potentially be divided into two parcels. After the Lot Line Adjustment, there will be one parcel of 197.13 acres which will not be able to be divided and one parcel of 289.41 acres which could potentially be divided into two parcels. Therefore, the Lot Line Adjustment results in one less developable parcel 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:	Coursey:	Hopkins:	Gore:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.