



## SUMMARY REPORT

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**Agenda Date:** 10/4/2022

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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):** First

**Title:**

File No. LLA21-0039 Jack London Lot Line Adjustment at 2600, 2610 and 2496 London Ranch Road, Glen Ellen

**Recommended Action:**

Adopt a Resolution approving a Lot Line Adjustment between four parcels subject to Conditions of Approval and Land Conservation Act contracts at 2600, 2610 and 2496 London Ranch Road, Glen Ellen; APN's 054-050-037, 054-050-033, 054-050-039, and 054-050-023. (First District)

**Executive Summary:**

Staff has determined that the adjusted are consistent with the County's Uniform Rules for Agricultural Preserves and the Land Conservation Act and recommends approval of the Lot Line Adjustment to adjust 4 existing vineyard and residential parcels, resulting in 72.8 acres (Parcel A), 62.8 acres (Parcel B), 29.6 acres (Parcel C), and 5 acres (Parcel D - residential parcel). The purpose of the Lot Line Adjustment is to address family estate planning efforts and to align property boundary lines with existing vineyard rows. Lot Line Adjustments on lands under Land Conservation Act contracts require that the Board of Supervisors make findings of consistency with the Land Conservation Act requirements. The adjusted Parcels meet the land use and density criteria of the General Plan and the required findings for Land Conservation Act Requirements; excepting Parcel D, which will remain unencumbered by a Land Conservation contract.

**Discussion:**

Adobe Associates, Inc., the applicant, seeks approval of a Lot Line Adjustment between four legal parcels. The parcels are identified on the Lot Line Adjustment Site Plan (Attachment 4) as APN's 054-050-037 (Parcel A), 054-050-033 (Parcel B), 054-050-039 (Parcel C) and 054-050-023 (Parcel D). The purpose of the Lot Line Adjustment is to address family estate planning efforts and to align property boundary lines with existing vineyard rows. Existing and proposed parcel sizes are listed below:

<u>Parcel</u>	<u>Existing</u>	<u>Proposed</u>
A	151.24 acres	72.8 acres
B	11.32 acres	62.8 acres
C	2.06 acres	29.6 acres
D	5.00 acres	5.0 acres

Zoning for Parcels A and B is LIA (Land Intensive Agriculture) B7 (Frozen Lot Size - restricted from further subdivision) with combining zones for LG/MTN (Local Guidelines Taylor/Sonoma/Mayacamas Mountains), RC

50/25 (Riparian Corridor with 50-foot and 25-foot setbacks), and SR (Scenic Resources).

Zoning for Parcel C is LIA B7 with combining zones for LG/MTN and SR.

Zoning for Parcel D is LIA B6-60 with combining zones for LG/MTN and SR.

A condition of approval requires that prior to recording the grant deeds, the owner must submit a complete application for a Zone Change technical correction to align the B7 and B6-60 combining zoning boundaries with the adjusted parcel boundaries for Parcels C and D.

**Site Characteristics:**

The project site includes four contiguous parcels under separate ownership: Parcels A and B are owned by Allen Greig Shepard, et al; Parcel C is owned by Allen Greig Shepard and Constance Sharpe; and Parcel D is owned by Margaret A. Wallach Trust, et al. The parcels are surrounded by Jack London State Historic Park and State-owned property on Sonoma Mountain in Glen Ellen.

Parcel A is a 151.24-acre parcel currently under a Prime (Type I) Land Conservation Act contract approved by the Board in November 2018 and is devoted to agriculture with 121 acres planted in vineyard. Existing agricultural structures on Parcel A comprise approximately 0.05 acres and include a barn and farmworker residence and septic system. The remaining 30.19+/- acres of Parcel A is undeveloped.

Parcel B is an 11.32-acre parcel that is currently phasing out of its Non-Prime (Type II) Land Conservation Act contract approved by the Board in February 1974. Parcel B is currently undeveloped and contains 5 acres planted in vineyard. As a result of the Lot Line Adjustment, Parcel B will be adjusted to 62.8 acres in size and qualify for a new Prime (Type I) Land Conservation Contract. In April 2021, Permit Sonoma approved File No. WSR21-0168 percolation test for a private wastewater disposal, however no residential development is proposed at this time.

Parcel C is a 2.06-acre parcel that is not currently subject to a Land Conservation Act contract. Parcel C is developed with a single-family residence (occupied by a farmworker) and a septic system.

Parcel D is a 5.0-acre parcel that is not currently subject to a Land Conservation Act contract. Parcel D is developed with a single-family residence, septic system, and contains 3.5 acres planted in vineyard.

After the Lot Line Adjustment, Parcels A, B and C will be subject to Land Conservation Act contracts. Resulting Parcel A will contain 61.0 acres in vineyard (84% of the parcel), resulting Parcel B will contain 44.5 acres in vineyard (71% of the parcel), and resulting Parcel C will contain 19.4 acres in vineyard (66% of the parcel). An even acreage exchange of 0.149 +/- acres between Parcel C and D is proposed to align the property line with existing vineyard rows; therefore, the use and acreage of Parcel D will remain unchanged.

**Background:**

Parcels A, C, and D were created by a minor subdivision recorded in 1989, under Book 431, Pages 13-15. In 2018, the Board expanded Agricultural Preserve No. 2-457 to include Parcel A (151.24 acres) and establish a new Prime Land Conservation Contract for Parcel A.

Parcel B has been subject to a Non-Prime Land Conservation Contract since 1974. In 2014, the County initiated Land Conservation contract phase out on Parcel B due to its substandard parcel size for a non-prime contract. On December 31, 2022, Parcel B will complete phase out and will no longer be subject to a Land Conservation contract.

**Land Conservation Act:**

State regulations for Land Conservation Contracts and the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Uniform Rules) require that the amount of land under contract after a Lot Line Adjustment remain the same as it was before the Lot Line Adjustment and that the adjusted parcels continue to meet all the requirements for a contract. The proposed Lot Line Adjustment will not result in a reduction of land under contract and each parcel individually meets the requirements for a contract as resulting Parcels A, B, and C will continue to be devoted to agriculture with at least 50% of each parcel planted in vineyard. Staff has determined the Lot Line Adjustment can meet all of the required findings as described in the attached Resolution.

Parcels A and B are currently under separate Prime (Type I) and Non-Prime Land Conservation Act contracts. The proposed Lot Line Adjustment will not result in a reduction of land under contract as all of the existing contracted land on Parcels A and B will remain under contract when new Land Conservation Act contracts for Lot A and B are approved. Additionally, when Agricultural Preserve 2-457 is expanded by 2.06 acres to include existing Parcel C, the overall acreage under contract will increase from 162.56 to 165+/- acres. Resulting Parcels A, B and C will be devoted to agriculture with at least 50 percent of each parcel planted in vineyard. Staff has determined the proposal meets all of the required findings as described in the attached Resolution.

To facilitate a Lot Line Adjustment, Government Code Section 51257 permits the contracting parties to rescind the existing Land Conservation Act contract and simultaneously enter into new contract(s) if the required findings can be made. A condition of approval for the Lot Line Adjustment requires that prior to recording the grant deeds for the adjusted parcels, the owner apply to: 1) expand Agricultural Preserve 2-457 by 2.209 acres and to establish a new Prime Land Conservation Contract on Parcel C; and 2) rescind the existing Land Conservation Act contracts on Parcels A and B, and replace them with two new Prime Land Conservation Act contracts in accordance with the Uniform Rules.

**Staff Recommendation:**

Staff recommends the Board approve the request because all the state and local requirements for the Lot Line Adjustment can be met.

**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

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- 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:**

Not Applicable

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

Not Applicable

**Attachments:**

- Att 1A Resolution
- Att 1B Conditions of Approval
- Att 2 Owners Proposal Statement
- Att 3 Assessor's Parcel Maps
- Att 4 Lot Line Adjustment Site Plans

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

Not Applicable