



County of Sonoma

State of California

Date: March 14, 2023

Item Number: _____

Resolution Number: _____

LLA22-0040 Jen Chard



4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Approving a Lot Line Adjustment for Sharon Nadale Desantis, Richard Nadale and Marc Nadale, Co-Trustees of John Nadale and Dorthy Nadale Revocable Intervivos Trust, Between Four Legal Parcels with Conditions Requiring the Existing Land Conservation (Williamson) Act Contract to be Rescinded and Replaced with Four New Contracts to Restrict Resulting Lots 1, 2, 3 and 4, and finding the project exempt under the California Environmental Quality Act, for Land Located at 3215, 3217, 3200 and 3230 Middle Two Rock Road, Petaluma; APNs 021-160-001 and 021-160-011.

Whereas, Sharon Desantis, on behalf of the landowners, Sharon Nadale Desantis, Richard Nadale and Marc Nadale, Co-Trustees of John Nadale and Dorthy Nadale Revocable Intervivos Trust; has filed a request for Lot Line Adjustment between four legal parcels of 72.17 acres (ACC 1), 33.18 acres (ACC 2), 136.90 acres (ACC 3) and 126.47 acres (ACC 4), resulting in four legal parcels of 91.20+/- acres (proposed Lot 1), 84.99+/- acres (proposed Lot 2), 101.38+/- acres (proposed Lot 3) and 101.17+/- acres (proposed Lot 4), all within Supervisorial District No. 2, located at 3215-3230 Middle Two Rock Road, Petaluma; APNs 021-160-001 and 021-160-011; and

Whereas, the Lot Line Adjustment is being requested for family estate planning purposes and to align property boundary lines with an existing public road; and

Whereas, APN 021-160-001 is subject to a Non-Prime (Type II) Land Conservation Act Contract recorded under Book 2605 and Page 875 (located in Agricultural Preserve 2-420) and is zoned LEA (Land Extensive Agriculture) B6 60 (60 acre density) with no combining districts; and

Whereas, APN 021-160-011 is subject to a Non-Prime (Type II) Land Conservation Act Contract recorded under Book 2605 and Page 875 (located in Agricultural Preserve 2-420) and is zoned LEA (Land Extensive Agriculture) B6 60 (60 acre density) with

combining districts for RC 50/25 (Riparian Corridor with 50-foot setback) and RC 100/50 (Riparian Corridor with 100-foot and 50-foot setbacks); 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 (CEQA) and found to be exempt per Section 15305(a) of Title 14 of the California Code of Regulations (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 CEQA by virtue of Section 15305(a) of the 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 four legal parcels resulting in four legal parcels of 91.20+/- acres (Lot 1), 84.99+/- acres (Lot 2), 101.38+/- acres (Lot 3) and 101.17+/- acres (Lot 4), subject to the Conditions of Approval in Exhibit "A," attached hereto which includes a condition to rescind and replace the existing Non-Prime Land Conservation Act Contracts with four new Non-Prime Contracts for resulting Lots 1, 2, 3 and 4. The Board makes the following findings concerning Government Code Section 51257 requirements related to Land Conservation Act contracts in granting the request:

- a. The four new contracts will enforce and restrict the adjusted boundaries of resulting Lots 1, 2, 3 and 4 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. Existing Parcels APNs 021-160-001 and 021-160-011 (ACC 1, ACC 2, ACC 3 and ACC 4) are currently under contract and the resulting Lots 1, 2, 3 and 4 will be under new contracts, thereby resulting in no change to the

overall acreage of contracted land.

- c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts. All of the land under the former contract will remain under the four new contracts as enforced through the conditions of approval requiring the application for the two contracts be rescinded and replaced by four new contracts be filed prior to recordation of the lot line adjustment.
- d. After the Lot Line Adjustment Lots 1, 2, 3 and 4 will exceed the minimum 50 percent threshold for agricultural use, as Lot 1 will be 91.20 acres in size and contain 89.9 acres devoted to grazing (98% of the parcel), Lot 2 will be 84.99 acres in size and contain 82.20 acres devoted to grazing (97% of the parcel), Lot 3 will be 101.38 acres and contain 101.38 acres devoted to grazing (100% of the parcel) and Lot 4 will be 101.17 acres and contain 101.17 acres devoted to grazing (100% of the parcel).
- e. After the Lot Line Adjustment, Lots 1, 2, 3 and 4 will be subject to new contracts and will be large enough to sustain their agricultural uses, as defined in Section 51222. Resulting Lots 1, 2, 3 and 4 will exceed the 40-acre minimum acreage requirement for Prime contracts as Lot 1 will be 91.20 acres, Lot 2 will be 84.99 acres, Lot 3 will be 101.38 acres, and Lot 4 will be 101.17 acres. The agricultural operations will exceed the minimum gross income requirement of \$2,000.00 gross per operation and \$2.50 gross per acre per year. The area occupied by compatible uses on Lot 1 is approximately 1.40 acres and 2.79 acres on Lot 2, which is less than the 5-acre maximum established per parcel for compatible uses in the Uniform Rules. Lots 3 and 4 have no compatible uses and are devoted to grazing.
- f. The Lot Line Adjustment will not compromise the long-term agricultural productivity of the parcels or other agricultural lands subject to the contract or contracts. The Lot Line Adjustment is being undertaken for family estate planning purposes and to align property boundary lines with existing public roads. The Lot Line Adjustment will not compromise other agricultural lands in the area under contract.
- 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 lots than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan. In the current configuration, Lots 1, 2, 3 and 4 will remain at the designated density of 60 acres per dwelling unit. Four parcels as represented by the 4 ACC lots will be adjusted resulting in

four parcels consistent with the General Plan. 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:

Coursey:

Hopkins:

Gore:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.