



County of Sonoma

State of California

Date: March 21, 2023

Item Number: _____

Resolution Number: _____

LLA20-0026 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 Klaus Family Limited Partnership and Klaus Family Investments Limited Partnership Between Two Legal Parcels with Conditions Requiring that An Existing Land Conservation (Williamson) Act Contract is Rescinded and Replaced with Two New Contracts to restrict all of the land located at 1002 Chileno Valley Rd., Petaluma; APN 020-010-058, -059, and -060.

Whereas, LACO Associates, on behalf of the landowner, submitted a request for a Lot Line Adjustment between two parcels of 196.97 +/- acres (Lot A) and 41.55 +/- acres (Lot B), resulting in two parcels of 146.48 +/- acres (Lot A) and 92.04 +/- acres (Lot B) in size both under a single Land Conservation Contract on non-prime agricultural land located at 1002 Chileno Valley Rd., Petaluma; APN 020-010-058, -059, and -060; zoned LEA (Land Extensive Agriculture) B6 100 (100 acres per dwelling unit) and combining zone RC50/50 (Riparian Corridor with 50-foot and 50-foot setbacks); Supervisorial District No. 2; and

Whereas, the purpose of the Lot Line Adjustment is to reconfigure legal parcel boundaries for family planning purposes. Both lots are held in common ownership and subject to a single Non-Prime Land Conservation Act Contract (recorded under Book 2838 of Records, Page 995); 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 at 146.48 +/- acres (Lot A) and 92.04 +/- acres (Lot B) subject to the Conditions of Approval in Exhibit "A," attached hereto which includes a condition to rescind the existing Non-prime Land Conservation Act Contract and replace it with two Non-prime Land Conservation Act Contracts for resulting Lot A and Lot B. 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 contracted parcels 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 the acreage restricted by a contract. Both parcels are currently under contract and both of the parcels resulting from the Lot Line Adjustment will be under contracts.
- c. At least 90 percent of the land under the former contract remains under the new contracts. All of the land under contract will remain under contract.
- d. 100 percent of each resulting lot will be devoted to a commercial beef cattle grazing and horse breeding operation.
- 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 146.48 +/- acres and 92.04 +/- acres. The resulting 146.48-acre (Lot A) and 92.04-acre (Lot B) parcels will exceed the 40-acre minimum acreage requirement for Non-prime contracts and will exceed the minimum gross income requirement of \$2,000.00 per farm operation and \$2.50 per acre per year. The beef cattle grazing and horse breeding operations on both existing Lots A and B have generated an average total gross income of \$4,200.00 per year, while per acre gross annual income

has been \$17.65. Lot A is developed with a residence, horse riding covered arena, creamery house, and other agricultural storage buildings. There are no improvements on Lot B. The existing barns and paddocks on Lot A serve the agricultural operation and are permitted agricultural accessory uses which do not count towards the 5-acre compatible use threshold established in the Uniform Rules. Non-agricultural uses of the property are compatible and collectively do not exceed five acres in area.

- f. The Lot Line Adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to the contract or contracts. The Lot Line Adjustment is being undertaken for family planning purposes and will not compromise other agricultural lands in the area under contract.
- g. The Lot Line Adjustment will not result in the removal of adjacent land from agricultural use.
- 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. In the current configuration and at the designated density of 100 acres per dwelling unit, the 196.97 +/- acre parcel and the 41.55 +/- acre parcel cannot be subdivided into additional parcels. After the Lot Line Adjustment, the resulting parcels of 146.48 +/- acres and 92.04 +/- acres cannot be further subdivided. 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:	Gore:	Hopkins:	Coursey:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.