



County of Sonoma

State of California

Date: May 23, 2023

Item Number: _____

Resolution Number: _____

LLA21-0018 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 M.A. Properties, LLC Between Three Legal Parcels, one of which is restricted by an existing Land Conservation (Williamson) Act Contract, with Conditions Requiring that the One Existing Land Conservation (Williamson) Act Contract is Rescinded and Replaced with One Contract to restrict the adjusted boundaries of Lot B following the Lot Line Adjustment affecting land located at 13410, 13414, 13418 and 13422 Chalk Hill Road, Healdsburg; APNs 132-120-017, -016 and -018

Whereas, the applicant, M.A. Properties, LLC, has filed a request for a Lot Line Adjustment between three legal parcels of 27.81 acres (Lot A), 48.37 acres (Lot B) and 139.90 acres (Lot C) acres in size resulting in 3 contiguous parcels of 30.78, 48.37 and 136.96 acres in size with Lot B under a Land Conservation Contract on prime agricultural land located at 13414 and 13418 Chalk Hill Road, Healdsburg; and

Whereas, the land affected by the Lot Line adjustment is currently described as APN 132-120-017; zoned LIA (Land Intensive Agriculture) B6 40-acre density with combining districts for Z (Accessory Dwelling Unit Exclusion) and RC 100/50 (Riparian Corridor with 100 ft setback); , and APN 132-120-016; zoned LIA (Land Intensive Agriculture) B6 40-acre density with combining districts for RC 100/50 (Riparian Corridor with 100 ft setback), and APN 132-120-018; zoned LIA (Land Intensive Agriculture) B6 40-acre density with combining districts for RC 100/25 (Riparian Corridor with 100 ft setback) and VOH (Valley Oak Habitat); and

Whereas, Lot B, currently described by APN 132-120-017, and located at 13414 and 13418 Chalk Hill Road, Healdsburg, with LIA (Land Intensive Agriculture) B6 40-acre density with combining districts for Z (Accessory Dwelling Unit Exclusion) and RC 100/50 (Riparian Corridor with 100 ft setback) zoning, is currently restricted by a Land Conservation Contract; and

Whereas, the purpose of the Lot Line Adjustment is to exchange approximately 4 acres of land between the restricted and unrestricted parcels in order to align legal parcel boundaries with an existing vineyard block, to bring Lot B into compliance with its Land

Conservation Contract, and to move the primary residence from Lot B to uncontracted Lot A. Lot B is subject to a Prime Land Conservation Act Contract; 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 three legal parcels to create three legal parcels of 30.78 acres (Lot A), 48.37 acres (Lot B) and 136.96 acres (Lot C) subject to the Conditions of Approval in ATT 2 attached hereto which includes a condition to rescind and replace the one existing Prime Land Conservation Act Contract for Lot B to restrict the parcel's adjusted boundaries. 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, Lot B, 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 parcel is currently under contract and the parcel resulting from the Lot Line Adjustment will be under contract, with no net decrease in acreage. Lot B is currently 48.37 acres in size, and will remain so after the lot line adjustment. As a result of the Lot Line Adjustment, 4.35 acres of existing Lot B will be exchanged with the adjacent non-contracted Lot A and Lot C. A condition of

approval of the lot line adjustment requires the owner to submit an application to simultaneously expand Agricultural Preserve No. 1-386 to include the added 6.76 acres of land on resulting Lot B, and to rescind and replace the prime Land Conservation Contract to align the contract with the adjusted property line boundaries for resulting Lot B.

- c. At least 90 percent of the land under the former contract remains under the new contract. Approximately 9% of the contracted land will be exchanged, leaving approximately 91% of the land under the former contract restricted under the replacement contract, which meets this criteria.
- d. After the Lot Line Adjustment the resulting parcel will meet the minimum 50% threshold for agricultural use, as resulting Lot B will be a 48.37 acre parcel with 23.61 acres in vineyard and 0.86 acres planted in olive trees (51% of the parcel). The remaining acreage of Lot B is devoted to a combination of agricultural accessory use and residential housing.
- e. After the Lot Line Adjustment, the parcel of land subject to contract will be large enough to sustain its agricultural use, as defined in Section 51222. Resultant Lot B exceeds the 10-acre minimum acreage requirement for Prime contracts and will exceed the minimum annual gross income requirement of \$1,000 per planted acre of vineyard. The area occupied by compatible uses (winery, residence, leachfields) is approximately 2.22 acres which is less than the 5-acre maximum established for compatible uses in the Uniform Rules
- f. The Lot Line Adjustment would not compromise the long term agricultural productivity of the parcel or other agricultural lands subject to the contract. The Lot Line Adjustment is being undertaken to align parcel boundaries with an existing vineyard block. 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 parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan. Only existing and resulting Lot C has the potential for subdivision. Lot C has the density and acreage to potentially subdivide into three lots with the current LIA (Land Intensive Agriculture) 40-acre density land use and zoning designation which does not change as a result of the Lot Line Adjustment; and

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

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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.