



SUMMARY REPORT

Agenda Date: 10/15/2019

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Hannah Spencer, 565-1928

Vote Requirement: Majority

Supervisory District(s): Second

Title:

Replacement Land Conservation Contracts PLP13-0041

Recommended Action:

Adopt a Resolution to mutually rescind and replace two Non-prime (Type II) Land Conservation Act contracts with three Non-prime (Type II) Land Conservation contracts for agricultural land at 7606 Valley Ford Rd., Petaluma; APN 022-050-009, -015, -016, and -017; Permit Sonoma File No. PLP13-0041; Supervisorial District 2.

Executive Summary:

Sonoma County's Land Conservation Act program has four contract-types: a) Prime contracts for crop agriculture with a 10-acre minimum parcel size requirement; b) Non-Prime contracts for grazing with a 40-acre minimum; c) Open Space contracts with a 40-acre minimum, and d) Hybrid contracts with a mix of agricultural and open space also with a 40-acre minimum.

This action is to replace two Non-prime (Type II) Land Conservation Contracts with three new non-prime contracts that correspond with new property line boundaries and current agricultural uses consistent with a previously approved Lot Line Adjustment (LLA13-0035). Land Conservation Act contracts assist in the preservation of agricultural and open space lands throughout Sonoma County. In exchange for retaining land in agriculture and/or open space, the landowner receives reduced property taxes.

Discussion:

Dennis and Gayleen Maas seek approval to replace two Land Conservation Contracts on three legal parcels to satisfy the requirements of a Board-approved Lot Line Adjustment processed on April 5, 2016 (LLA13-0035, Resolution No. 16-0122) and the 2011 Uniform Rules. This action would replace the existing non-prime Land Conservation contracts with three non-prime Land Conservation contracts that correspond with the new property line boundaries.

Site Characteristics:

The project site is 0.5 miles northeast of Two Rock and 6 miles west of Petaluma. The site comprises three separate legal parcels: APN 022-050-009 & -015 (Lot A, 76.54 acres); APN 022-050-016 (Lot B, 41.61 acres); and APN 022-050-017 (Lot C, 73.18 acres). Lot A is developed with several barns, sheds, and a residence. The remainder of Lot A is devoted to a mixture of grazing land and cropland. Lots B and C are devoted to grazing land and contain no structures. The landowner has no future plans to build any non-agricultural structures on

the project site. All three Lots are zoned LEA (Land Extensive Agriculture) with a density of 100-acres per dwelling unit and combining zones of Z (Accessory Unit Exclusion) and RC50/25 (Riparian Corridor with 50-foot and 25-foot setbacks).

Background:

The site has been under two non-prime Land Conservation contracts since the early 1970's (contracts recorded under Book 2516 Sonoma County Records, Page 479 and Book 2841 Sonoma County Records, Page 367). On April 5, 2016 the Board approved Lot Line Adjustment LLA13-0035 to expand Lot A by 38 acres and reconfigure Lots B and C so that each lot meets the 40-acre minimum parcel size for non-prime contracts. The unanimously-approved Board Resolution for LLA13-0035 (Reso. No. 16-0122) requires Permit Sonoma to process the landowner's application to rescind the existing Land Conservation Act contracts and replace them with three new contracts for the three reconfigured legal parcels in accordance with the Uniform Rules (refer to Attachment 4). As the requested action implements prior Board action as directed, Permit Sonoma recommends Board approval of the rescind and replace request.

Uniform Rules:

The December 2011 Board of Supervisors' update of the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* ("Uniform Rules") eliminated the distinction between Prime (Type I) and Non-Prime (Type II) Agricultural Preserves. This allows the County to enter into either a Prime or Non-Prime contract in any established Preserve. The project site is within two Agricultural Preserves: 2-388 and 2-252.

Prior Board Actions:

December 13, 2011: Board approves the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678).

April 5, 2016: Board approves a Lot Line Adjustment LLA13-0035 (Resolution No. 16-0122) requiring a follow-on rescind and replacement for the existing two land conservation contracts with three new contract.

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

Approval of the Land Conservation Act Contract means that the owner will pay reduced property taxes based upon the value of the agricultural uses rather than the land value under Proposition 13. This reduces the County's share of property tax revenue for the subject parcel. Because the properties are currently under Land Conservation Act contracts and are therefore already subject to reduced property tax assessment, the County of Sonoma Assessor estimates there will be no change in property assessment value, and therefore no fiscal impact associated with the application.

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

ATT 1: Draft Board of Supervisors Resolution

ATT 2: Proposal Statement prepared by applicant

ATT 3: Site Plan for Lot A

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ATT 4: Site Plan for Lot B

ATT 5: Site Plan for Lot C

ATT 6: Board Resolution No. 16-0122 (for LLA13-0035)

ATT 7: Assessor's Parcel Map

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

Land Conservation Act Contract (for Lot A) with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).

Land Conservation Act Contract (for Lot B) with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).

Land Conservation Act Contract (for Lot C) with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).