



County of Sonoma

State of California

Date: November 10, 2020

Item Number: _____
Resolution Number: _____

LLA17-0010 Scott Hunsperger

☐ 4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Granting Ernest and Charlene Ohlson Trust Approving a Lot Line Adjustment Between Four Legal Parcels with Conditions Requiring that an Existing Land Conservation (Williamson) Act Contract is Rescinded and Replaced with Four New Contracts to restrict Resulting Lot A, B, C, and D located at 29227 and 28100 Stewarts Point Skaggs Springs Road, Annapolis; APN's 123-180-012, -013, -014 and -015.

Whereas, the applicant, Ernest and Charlene Ohlson Trust, has filed a request for Lot Line Adjustment between four legal parcels of 767.34 acres (Lot A), 180.46 acres (Lot B), 137.31 acres (Lot C), and 122.41 acres (Lot D), resulting in four parcels of 126.38 acres (Lot A), 315.62 acres (Lot B), 139.48 acres (Lot C), and 626.04 acres (Lot D), with all resultant lots subject to a Land Conservation Act Contract for Prime and Non-Prime agricultural uses and all within Agricultural Preserve 2-298, located at 29227 and 28100 Stewarts Point Skaggs Springs Road in Annapolis, APN's 123-180-013 (Lot A), 123-180-014 (Lot B), 123-180-015 (Lot C), and 123-180-012 (Lot D), Zoned RRD (Resources and Rural Development) B6 240-acre density with combining districts for RC50/50 (Riparian Corridor with 50-foot and 50-foot setbacks); Supervisorial District No. 5; and,

Whereas, the purpose of the Lot Line Adjustment is to align the legal boundaries of four parcels with existing agricultural uses on 1207.52 total acres. Existing Lots A, B, C, and D are subject in whole to a Non-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 four legal parcels resulting in four legal parcels of 126.38 acres (Lot A), 315.62 acres (Lot B), 139.48 acres (Lot C), and 626.04 acres (Lot D), 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 Contract for Lots A, B, C, and D. 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 A, B, C, and D 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.
- c. At least 90 percent of the land under the former contract or contract remains under the new contract or contract. All of the land under the former contract will remain under the four new contracts.
- d. The Uniform Rules define Forestry as land in timber or forestry use. Forestry qualifies as an agricultural use when at least 50 percent of the parcel is classified as timberland and is subject to an approved timber management plan. A total of 700.58 acres involved in the Lot Line Adjustment is classified as timberland and is subject to Nonindustrial Timber Management Plan 1-02NTMP-033 SON, dated April 9, 2003.
- e. After the Lot Line Adjustment each resulting parcel will meet the minimum 50% threshold for agricultural use, as resulting Lot A will be a 126.38 acre parcel with 73.7 acres in timber harvesting for 58%; Lot B will be a 315.62 acre parcel with 130.20 acres in vineyard and 30.65 acres in grazing for a total of 51%; Lot C will be a 139.48 acre parcel with 138.68 acres in timber harvesting

for 99%; and Lot D will be a 626.04 acre parcel with 406.71 acres in timber harvesting for 65%. The remaining acreage of each Lot is devoted to a combination of grazing land, forestry, agricultural accessory use, and undesignated land. There are no residential or non-agricultural uses onsite.

- f. 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 Lots A, B, C, and D exceed the 10 and 40-acre minimum acreage requirement for Prime and Non-Prime contracts and will exceed the minimum annual gross income requirement of \$1,000 per planted acre of vineyard and \$2,000 for the grazing operation. The Uniform Rules do not require a minimum annual gross income for lands in forestry.
- g. 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 to align parcel boundaries with existing agricultural and non-agricultural use. The Lot Line Adjustment will not compromise other agricultural lands in the area under contract.
- h. The Lot Line Adjustment would not result in adjacent lands being removed from agriculture.
- i. 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. The resulting parcels reduce the potential lots for subdivision by one and the current RRD (Resources and Rural Development) land use and zoning designation for each lot contains a 240 acre density requirement which allows only Lot D to subdivide into two parcels; 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 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:

Zane:

Hopkins:

Gore:

Ayes:

Noes:

Absent:

Abstain:

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So Ordered.