



Legislation Text

File #: 2020-0745, **Version:** 2

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Derik Michaelson 565-3095

Vote Requirement: Majority

Supervisorial District(s): First and Second

Title:

File No. LLA19-0012 Olympic Sun LLC Lot Line Adjustment 4202 and 4343 Stage Gulch Road, Sonoma

Recommended Action:

Adopt a Resolution approving a Lot Line Adjustment between two parcels subject to Conditions of Approval and a Land Conservation Act Contract at 4202 and 4343 Stage Gulch Road, Sonoma; APN's 142-051-039, -040, -041, -042, -043 (Lot A), and 142-051-032 (Lot B). (First and Second Districts)

Executive Summary:

Staff has determined that the adjusted parcels are consistent with the County's Uniform Rules for Agricultural Preserves and the Land Conservation Act and recommends approval of the Lot Line Adjustment to create two parcels at 140.25 acres and 34.29 acres in size. Lot Line Adjustments on lands under a Land Conservation Contract require that the Board of Supervisors make findings of consistency with the Land Conservation Act requirements. The adjusted parcels meet all of the required findings.

Discussion:

Olympic Sun LLC seeks approval of a Lot Line Adjustment between two legal parcels (refer to Lot Line Adjustment Site Plan under Attachment 4). The legal parcels are identified as APN's 142-051-039, -040, -041, -042, -043 (Lot A), and 142-051-032 (Lot B). The current lot sizes are: 140.25 acres (Lot A) acres and 34.29 acres (Lot B). The Lot Line Adjustment will result in an even acreage exchange of 34.29 acres between Lot A and Lot B. The purpose of the Lot Line Adjustment is to align legal parcel boundaries with existing agricultural and non-agricultural uses.

Site Characteristics:

The project site includes two contiguous parcels encompassing 174.54 acres. The parcels are situated in northerly foothills above Stage Gulch Road (Highway 116) in Sonoma, next to the Sonoma Refuse Disposal site. Lot A is a 140.25 acre parcel with 73.5 acres planted in vineyard and 34.29 acres in operation as an existing rock quarry (Soils Plus). Lot B is a 34.29 acre parcel with 13.1 acres planted in vineyard. After the lot line adjustment, resulting Lot A will contain the entire 86.6 acre vineyard and resulting Lot B will contain the rock quarry.

Zoning for the parcels is LEA (Land Extensive Agriculture) B6 100-acre density with combining districts for Z (Accessory Unit Exclusion), G (Geologic Hazard), MR (Mineral Resources), RC50/25 (Riparian Corridor with 50-foot and 25-foot setbacks), and SR (Scenic Resources).

Background:

In 2009, the Board of Supervisors approved a Notice of Partial Non-renewal of the Land Conservation Act contract for the 34.69 acre quarry portion of Lot A. As a result, effective January 1, 2020, the 34.69 acre quarry site located on Lot A is no longer under contract. The remaining 105.56 acre portion of Lot A is still subject to a Land Conservation Act contract for prime agricultural use. Lot B completed phase-out of the Land Conservation Act contract concurrently with the partial non-renewal executed on Lot A.

Land Conservation Act:

State regulations for Land Conservation Contracts and the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules) require that the amount of land under contract after a Lot Line Adjustment remain the same as it was before the Lot Line Adjustment and that the adjusted parcels continue to meet all the requirements for a contract. The proposed Lot Line Adjustment will not result in a reduction of land under contract and resulting Lot A meets the requirements for a contract as the contracted parcel will continue to be devoted to agriculture with at least 50% of the parcel planted in vineyard. Staff has determined the Lot Line Adjustment can meet all of the required findings as described in the attached Resolution.

Lot A, excluding the 34.69 acre non-renewed quarry portion of the parcel, is currently under a Prime (Type I) Land Conservation Act Contract. To facilitate a Lot Line Adjustment, Government Code Section 51257 permits the contracting parties to rescind the existing contract and simultaneously enter into new contract(s) if the required findings can be made. A condition of approval requires that prior to recording the grant deeds for the adjusted parcels, the owner apply to rescind the existing Land Conservation Act contract on Lot A and replace it with a new contract for the reconfigured parcel in accordance with the Uniform Rules.

Staff Recommendation:

Staff recommends the Board approve the request because all the state and local requirements for the Lot Line Adjustment can be met.

Prior Board Actions:

- a. December 13, 2011; Board approves the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678).
- b. July 21, 2009; Board approves Partial Non-renewal of Land Conservation Act contract for Lot A (Resolution No. 09-0669)

FISCAL SUMMARY

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Narrative Explanation of Fiscal Impacts:

The applicant pays for the costs of processing the application to rescind and replace a Land Conservation Act Contract. A portion of Lot A is currently under contract and after the Lot Line Adjustment the entirety of the reconfigured Lot will be under a new replacement contract. Approval of a 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. The amount of this reduction for an individual contract depends on parcel-specific variables

including the Proposition 13 status of the land and value of the agricultural crop, and is determined annually by the Assessor's office.

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

ATT 1A: Draft Board of Supervisors Resolution

ATT 1B: Conditions of Approval

ATT 2: Proposal Statement prepared by owner

ATT 3: Assessor's Parcel Map

ATT 4: Lot Line Adjustment Site Plan

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

N/A