



## Legislation Text

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**File #:** 2024-0525, **Version:** 1

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**To:** Board of Supervisors

**Department or Agency Name(s):** Permit Sonoma

**Staff Name and Phone Number:** Ken Compton 707-565-2829

**Vote Requirement:** Majority

**Supervisorial District(s):** Fourth

**Title:**

1:45 P.M. File No. AGP17-0012; C and F Company, LLC Land Conservation Contract; 2850 Laughlin Rd, Windsor

**Recommended Action:**

To conduct a Public Hearing and Adopt a Resolution to expand Agricultural Preserve 1-436 by adding 63.59 acres and, approve a new Prime Land Conservation (Williamson) Act Contract and Land Conservation Plan on the same 63.59 acre parcel, for a vineyard property located at 2850 Laughlin Rd, Windsor; APN 059-190-006; PRMD File No. AGP17-0012; Supervisorial District 4.

**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/or open space also with a 40-acre minimum. This is a combined request to approve an expansion of an existing Agricultural Preserve by adding 63.59 acres and, to execute a new Prime Land Conservation Act Contract for the same 63.59-acre parcel. 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. Staff recommends the Board of Supervisors approve the Agricultural Preserve Expansion and new contract request.

**Discussion:**

Kelly Harrison on behalf of C and F Company, LLC, applicant, seeks approval of an expansion of Agricultural Preserve 1-436 and a new Prime Land Conservation Act Contract for the 63.59 acre parcel, containing 51.77 acres of vineyard. This action would expand Agricultural Preserve 1-436 by adding 63.59 acres and place the same 63.59 acres under a new prime Land Conservation contract for vineyard.

**Site Characteristics:**

The project site is located along Laughlin Road, approximately 1.7 miles northwest of the city of Santa Rosa, 1.3 miles south of the city of Windsor, and due south of the Sonoma County Airport. The project site contains approximately 52 acres of vineyard and two structures, one residence and one storage barn. The remainder of the site includes agricultural support structures such as wells and wind turbines, with interconnected access roads to service the vineyard. Mark West Creek, a tributary that feeds into the Laguna de Santa Rosa, runs along the northern property line of the site. An unnamed tributary extends east to west along the southern

property line and connects to Mark West Creek approximately 1.5 miles to the west.

**Uniform Rules:**

As part of the Board of Supervisors' December 2011 update of the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* ("Uniform Rules") the Board 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 subject land at issue here is adjacent to established Preserve Number 1-436.

Also, as part of the update of the Uniform Rules, the County implemented a Land Conservation Plan which is incorporated into Land Conservation (Williamson) Act Contracts. Land Conservation Plans show locations for open space, agricultural, permitted, and compatible land uses on contracted land. Future changes to the Land Conservation Plan may be approved by the Director of Permit Sonoma and recorded on title of the subject parcel.

Enlargement of the Agricultural Preserve:

To be considered for a contract, land must be in a designated Agricultural Preserve. The Board may conterminously consider adding the land to a designated Agricultural Preserve, and its qualification for a contract. The 63.59 acre subject parcel is currently not in an existing Agricultural Preserve. The parcel is proposed to be added to Agricultural Preserve Area number 1-436 to ensure the parcel boundaries are conterminous with the contracted area. The subject parcel qualifies for inclusion in the Agricultural Preserve Area for the reasons specified in Resolution Findings 1 through 4 (see Attachment 1). Additionally, the project is Categorical Exempt from the California Environmental Quality Act (CEQA) per Section 13517 of the CEQA Guidelines.

New Land Conservation (Williamson) Act Contract:

To be eligible for a new Prime (Type I) Williamson Act contract, the subject parcel must be at least 10 acres in size, have 50% of the total parcel dedicated to permanent crop uses, and once in a designated Agricultural Preserve, meet the minimum income requirements of the Williamson Act. The subject parcel is 63.59 acres in size, and has 51.77 acres of land planted as vineyards. The vineyard is projected to provide sufficient income to meet the minimum requirements and therefore qualifies for a Land Conservation Act contract for prime agricultural land.

**Staff Recommendation:**

Staff recommends the Board approve the request because all the state and local requirements for expansion of an Agricultural Preserve Area and approval of a new Prime Land Conservation Act Contract for the 63.59 acre parcel have been met.

**Strategic Plan:**

N/A

### Racial Equity:

#### Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

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#### Prior Board Actions:

- A. 12/13/2011: Board approves the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678)
- B. 07/31/2012: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 12-0379)
- C. 05/07/2013: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 13-0186)
- D. 12/20/2016: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 16-0485)
- E. 10/31/2017: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 17-0426)
- F. 11/07/2017: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 17-0438)

### 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. For this particular contract, the Assessor estimates the property assessment value will be reduced by approximately \$1,987,823, which equates to approximately \$21,866 in lost annual property tax revenue. Property taxes are generally 1.1% of assessed value.

#### Narrative Explanation of Staffing Impacts (If Required):

N/A

#### Attachments:

ATT 1: AGP17-0012 Board of Supervisors Resolution

ATT 2: AGP17-0012 Board of Supervisors Resolution Exhibit A-Agricultural Preserve Map

ATT 3: AGP17-0012 Proposal Statement prepared by applicant

ATT 4: AGP17-0012 Site Plan

ATT 5: AGP17-0012 Assessor's Parcel Map

ATT 6: AGP17-0012 Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan)

ATT 7: AGP17-0012 Staff Presentation

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

N/A