



Legislation Text

File #: 2019-0484, **Version:** 1

To: Board of Supervisors
Department or Agency Name(s): Permit Sonoma
Staff Name and Phone Number: Hannah Spencer 565-1928
Vote Requirement: Majority
Supervisorial District(s): 4

Title:

AGP18-0009 Land Conservation Act Contract Replacement; Radcliffe

Recommended Actions:

Adopt a Resolution to mutually rescind and replace a Non-prime (Type II) Land Conservation Act contract with a hybrid Land Conservation contract for vineyard and grazing land on a 113.75 acre property located at 2843 Wright Ranch Ln., Healdsburg; APN 079-120-029, -030; Permit Sonoma File No. AGP18-0009; Supervisorial District 4.

Executive Summary:

Sonoma County's Land Conservation Act program has four contract-types available: 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 a Non-prime (Type II) Land Conservation Contract with a new hybrid contract as a condition of a previously approved Lot Line Adjustment (LLA13-0047). The 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. This request is to replace a non-prime contract with a hybrid contract that corresponds with the new property line boundaries and current agricultural uses. An expansion or modification to the existing Agricultural Preserve area is not require with this request. Staff is recommending approval.

Discussion:

David and Jacqueline Radcliffe seek approval of a replacement Land Conservation Contract for a 113.75 acre parcel located within Agricultural Preserve Area Number 2-250, as a condition of approval by a previously Board-approved Lot Line Adjustment (LLA13-0047, Resolution No. 14- 0140). This action would replace the existing non-prime Land Conservation contract with new hybrid Land Conservation contract that corresponds with the new property line boundaries and the current agricultural uses.

Site Characteristics:

The project site is located in a rural hillside area located within the Franz Valley Area Plan, approximately 2 miles east of the Town of Windsor. The project site is developed with a 4,042 square foot single family dwelling, an associated ground mount solar array, and a barn.

Approximately 7.5 acres are planted in vineyard and 57 acres are grazed by 10 to 20 head of cattle. The landowners are currently constructing a pool and patio onsite and within 3 years, expect to expand the vineyard by 3.5 acres. The project site is zoned RRD (Resources and Rural

Development) B6-100 acre density, with combining districts RC100/50 (Riparian Corridor with 100-foot and 50-foot setbacks), and RC200/50 (Riparian Corridor with 200-foot and 50-foot setbacks).

Background:

The subject parcel (Lot C) and three adjacent parcels (APNs 079-120-027 "Lot A", -028 "Lot B", - 033 & -034 "Lot D") have been under a single Non-prime Land Conservation contract since 1976 (contract recorded under #3050/983). On April 15, 2014 the Board approved Lot Line Adjustment LLA13-0047 for the subject Lots A, B, C, and D. Recordation of Lot Line Adjustment grant deeds LLA13-0047 resulted in decreasing Lot C from 120 acres in size to 113.75 acres in size. As part of the conditions of approval of LLA13-0047, the landowner was required to apply to rescind the existing Land Conservation Act contract and replace it with four new contracts for the reconfigured parcels in accordance with the Uniform Rules.

File No. PLP13-0050 was submitted by the former landowner of Lots A, B, C, and D to rescind and replace each lot's Land Conservation Act contract. Subsequently, ownership changed for each lot and the remaining balance for PLP13-0050 was insufficient for further processing.

Therefore, Permit Sonoma required the new landowners of Lots A, B, C, and D to submit separate planning applications to rescind and replace the Land Conservation Act contract. Permit Sonoma is currently processing separate replacement contract applications for the other three parcels involved in LLA13-0047.

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 113.75 acre property is within the boundaries of established Agricultural Preserve Area Number 2-250, therefore a change to the Agricultural Preserve area is not required with this request.

Also, as part of the update of the Uniform Rules, the County has implemented use of a Land Conservation Plan which is incorporated into a Land Conservation (Williamson) Act Contract. Land Conservation Plans show locations of various agricultural, open space, 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.

Staff Recommendation: Staff recommends the Board approve the request to rescind and replace the existing Non-prime contract with a new hybrid contract for the combination of vineyard and grazing uses because all of the state and local requirements for the replacement non-prime Land Conservation Act Contract for the 113.75 acre parcel within the existing Agricultural Preserve have been met.

Prior Board Actions:

- On April 15, 2014 the Board approved Lot Line Adjustment LLA13-0047 (Resolution No. 14-0140).
- On December 13, 2011, the Board approved the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678).

FISCAL SUMMARY

Expenditures	FY 18-19 Adopted	FY19-20 Projected	FY 20-21 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			

Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

Approval of the Land Conservation Act Contract means that the owner will pay a reduced property tax assessment based upon the value of the agricultural uses rather than the land value under Proposition 13. This results in a reduction in the County's share of property tax revenue for each parcel under a Land Conservation Act Contract. For this particular replacement contract, the Assessor estimates there will be no change in property assessment value.

Staffing Impacts:			
Position Title (Payroll Code)	Monthly Salary Range (Step)	Additions (number)	Deletions (number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Draft Board of Supervisors Resolution

Attachment A: Proposal Statement prepared by applicant Attachment B: Site Plan

Attachment C: Assessor's Parcel Map

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

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