



## Legislation Text

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**File #:** 2019-1459, **Version:** 1

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**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):** Fifth

**Title:**

9:00 AM -AGP18-0014 New Land Conservation Act Contract

**Recommended Action:**

Hold a public hearing and adopt a Resolution to expand Agricultural Preserve 1-505 by adding 21.51 acres and, approve a new Prime Land Conservation (Williamson) Act Contract and Land Conservation Plan on the same 21.5 acre parcel, for a vineyard property located at 9520 Graton Rd, Sebastopol; APN 130-090-025; PRMD File No. AGP18-0014; Supervisorial District 5.

(Fifth District)

**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 is a combined request to approve an expansion of an existing Agricultural Preserve by adding 21.51 acres and, to execute a new Prime Land Conservation Act Contract for the same 21.51 acre parcel. Land Conservation Act Contracts assists in the preservation of agricultural and/or 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:**

FN Land, LLC seeks approval to expand Agricultural Preserve 1-505 by establishing a new Prime Land Conservation (Williamson) Act Contract on an adjacent 21.51 acre parcel with 17.55 acres of vineyard and adding the parcel to the existing Preserve.

**Site Characteristics:**

The project site is surrounded by vineyard properties and is accessed from Graton Road, half a mile west of the Graton downtown area. The project site contains 17.55 acres of vineyard, a well pump house, and a reservoir. The landowner has no future plans to build a residence or other non-agricultural structures onsite. The property is zoned DA (Diverse Agriculture) B6-20 acre density.

**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 new preserve land is adjacent to Preserve 1-505.

Enlargement of the Agricultural Preserve:

To be considered for a contract, land must be in a designated Agricultural Preserve. The Board may consider adding adjacent land to a designated Agricultural Preserve, and consider its qualification for a contract. The 21.51 acre subject parcel is currently not in an existing Agricultural Preserve; this application will add the property to Preserve 1-505 and establish eligibility for a Williamson Act contract. The subject parcel is more than one mile from any incorporated city limits. 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 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 21.51 acres in size, and has 17.55 acres of land planted as vineyards. The vineyard is projected to provide sufficient income to qualify 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 21.51 acre parcel can be met.

**Prior Board Actions:**

- a. 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**

**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 \$1,653,983.00. Property taxes are generally 1.1% of assessed value.

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

N/A

**Attachments:**

ATT 1-A: Draft Board of Supervisors Resolution

ATT 1-B: Attachment A-Agricultural Preserve Map

ATT 2: Proposal Statement prepared by applicant

ATT 3: Site Plan

ATT 4: 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).