



## Legislation Text

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**File #:** 2019-1491, **Version:** 1

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**To:** Board of Supervisors

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

**Staff Name and Phone Number:** Hannah Spencer, 565-1928

**Vote Requirement:** Majority

**Supervisory District(s):** First

**Title:**

PRMD File No. AGP19-0003 Replacement Land Conservation Contract

**Recommended Action:**

Adopt a Resolution to mutually rescind and replace a Prime (Type I) Land Conservation Act contract with an Open Space Land Conservation contract for open space land at 2050 Redwood Hill Rd., Santa Rosa; APN 079-100-019, -020, and -033; Permit Sonoma File No. AGP19-0003; Supervisory District 1. (First 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 action is to replace a Prime (Type I) Land Conservation Contract with a new open space contract that corresponds with current open space use of the site and the property line boundaries. 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.

**Discussion:**

Alfa Partners, LLC seek approval to replace a Land Conservation Contract to correspond with the current open space use of the site and the property line boundaries previously adjusted by a Lot Line Adjustment (LLA96-0116).

**Site Characteristics:**

The 60.03 acre site is located in the foothills of the Mayacama Mountains, 4 miles east of Windsor. The majority of the site was burned by the Tubbs Lane Fire of 2017. Prior to the fire, the site was developed with a residence, a barn, and a 6-acre vineyard. The landowners plan to rebuild the residence and barn, construct a new guest house, and maintain the vineyard which has been reduced to 1.3 acres in size. The remaining 55 acres of the site are devoted to open space consisting of oak woodland, Doug-Fir forest, chaparral and grassland habitats. Zoning for the site is RRD (Resources and Rural Development) with a frozen lot size and no combining zones.

In January 2019, an *Open Space and Wildlife Habitat Assessment* was conducted on the site by Kjeldsen Biological Consulting (refer to Attachment 4). The Assessment evaluated the project site's qualification for an

Open Space Land Conservation Act contract. The Assessment concluded that the property presents the open space qualities and wildlife resources consistent with an Open Space contract. The Land Conservation Plan (refer to Exhibit B) requires the landowner to implement management practices that will enhance and maintain the wildlife habitat values identified in the study.

**Background:**

The site was created in a Board-approved major subdivision in 1992. Since 1995, the site has been under a prime Land Conservation contract (contract # 1995-0016479). On July 17, 1998, Permit Sonoma administratively approved Lot Line Adjustment LLA96-0116 to expand the property by 5.09 acres. After recording the lot line adjustment, the owner submitted an application to rescind the existing Land Conservation Act contract and replace it with a new contract for the reconfigured parcel in accordance with the Uniform Rules (refer to Attachment 4). However, the file was not processed and ownership has since changed. Therefore, Permit Sonoma requested the current owner submit a new application to reflect the current ownership and open space use of the site.

**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 project site is within Agricultural Preserve 1-260.

**Staff Recommendation:**

Staff recommends the Board approve the request because all the state and local requirements for the replacement contract request 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. March 26, 1992; Board approves the Final Map for the Redwood Hill Subdivision - Phase II (Resolution No. 92-0359)

**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. Because the property is currently under a Land Conservation Act contract and is therefore already subject to reduced property tax assessment, the County of Sonoma Assessor estimates there will be no change in property assessment value, and therefore no fiscal impact associated with the application.

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

N/A

**Attachments:**

ATT 1: Draft Board of Supervisors Resolution

ATT 2: Proposal Statement prepared by applicant

ATT 3: Site Plan

ATT 4: Open Space Assessment

ATT 5: 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).