



Legislation Text

File #: 2020-1045, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Scott Hunsperger, (707) 565-1908

Vote Requirement: Majority

Supervisory District(s): Four

Title:

File No. LLA17-0010 Ernest and Charlene Ohlson Trust Lot Line Adjustment 29227 and 28110 Stewarts Point Skaggs Springs Road, Annapolis

Recommended Action:

Adopt a Resolution approving a Lot Line Adjustment between four parcels subject to Conditions of Approval and a Land Conservation Act Contract at 29227 and 28110 Stewarts Point Skaggs Springs Road, Annapolis; APN's 123-180-013 (Lot A), 123-180-014 (Lot B), 123-180-015 (Lot C), and 128-180-012 (Lot D). (Fourth District)

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 four parcels at 126.38 acres, 315.62 acres, 139.48 acres, and 626.04 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:

Ernest and Charlene Ohlson Trust seeks approval of a Lot Line Adjustment between four legal parcels (refer to Lot Line Adjustment Site Plan under Attachment 4). The legal parcels are identified as APN's 123-180-013 (Lot A), 123-180-014 (Lot B), 123-180-015 (Lot C), and 123-180-012 (Lot D). The current lot sizes are: 767.34 acres (Lot A), 180.46 acres (Lot B), 137.31 acres (Lot C), and 122.41 acres (Lot D). The Lot Line Adjustment will result in four parcels of 126.38 acres, 315.62 acres, 139.48 acres, and 626.04 acres in size. The purpose of the Lot Line Adjustment is to align legal parcel boundaries with topography and existing agricultural uses including vineyards, grazing and timber harvesting.

Site Characteristics:

The project site includes four contiguous parcels encompassing 1,207.52 acres. The parcels are situated in the hills west of Lake Sonoma in Annapolis. Lot A is a 767.34 acre parcel with 62.35 acres devoted to vineyard, 5.8 acres for an irrigation reservoir, 241.95 acres in grazing land, and 415.21 acres in timber harvesting. Lot B is a 180.46 acre parcel with 60.22 acres devoted to vineyard, 12.84 acres in grazing land, and 90.61 acres in timber harvesting. Lot C is a 137.31 acre parcel with 7.6 acres devoted to vineyard, 1.4 acres in grazing land, and 119.84 acres in timber harvesting. Lot D is a 122.41 acre parcel with .03 acres devoted to vineyard, 47.27 acres

in grazing land and 74.92 acres in timber harvesting. The remaining acreage of each parcel is undesignated (fallow). After the lot line adjustment, resulting Lot A will be a 126.38 acre parcel with 73.7 acres in timber harvesting and 52.68 acres in grazing land. Resulting Lot B will be a 315.62 acre parcel with 130.20 acres devoted to vineyard, 5.8 acres for the irrigation reservoir, 30.65 acres in grazing land, 81.49 acres in timber harvesting, and 67.48 acres undesignated (fallow). Resulting Lot C will be a 139.48 acre parcel devoted to timber harvesting. Resulting Lot D will be a 626.04 acre parcel with 219.33 acres in grazing land and 406.71 acres in timber harvesting. There are currently no residential or non-agricultural uses on the project site.

Zoning for the parcels is RRD (Resources and Rural Development) B6 240-acre density with combining districts for RC 50/50 (Riparian Corridor with 50-foot and 50-foot setbacks).

Background:

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 Lots A, B, C, and D meet the requirements for a contract, as the contracted parcels will continue to be devoted to agriculture with at least 50% of each resulting parcel devoted to forestry or to a combination of vineyard and grazing uses. Staff has determined the Lot Line Adjustment can meet all of the required findings as described in the attached Resolution.

Lots A, B, C, and D, totaling 1207.52 acres, are currently under a Non-Prime (Type II) 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 Lots A, B, C, and D and replace it with four new contracts 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. February 1, 1971; Board of Supervisors approves original Land Conservation Contract on subject parcel (Book 2514 of Official Records, Page 676)

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

The applicant pays for the costs of processing the application to rescind and replace a Land Conservation Act Contract. All of the subject land is currently under contract and after the Lot Line Adjustment the entirety of

the reconfigured Lots A, B, C, and D will be under four new replacement contracts. 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 surveyor

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