



Legislation Text

File #: 2020-1049, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Derik Michaelson, (707) 565-3095

Vote Requirement: Majority

Supervisory District(s): One

Title:

File No. PLP15-0002; Bruce B. Donnell Trust Replacement Land Conservation Act Contracts; 26650 Arnold Dr. and 1000 Meadowlark Ln., Sonoma

Recommended Action:

Adopt a Resolution to (a) rescind the original Land Conservation Act contract on 978 acres, and (b) authorize the Chair of the Board of Supervisors to execute three replacement contracts for separate legal parcels comprising the 978 acres located at 26650 Arnold Drive and 1000 Meadowlark Lane, Sonoma, Ca; APNs 142-111-004 thru -006, 142-091-003 and -004, 128-451-010, 128-484-055, 068-070-006, and 068-080-006; Permit Sonoma File No. PLP15-0002 (AGP15-0006, AGP15-0007 and AGP15-0008). (First District)

Executive Summary:

The Sonoma County's Land Conservation Act program assists 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. The County 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 or hay production with a 40 acre minimum; c) Open Space contracts with a 40-acre minimum, and d) Hybrid contracts with a mix of all of the above, also with a 40-acre minimum.

This action allows replacement of the original Land Conservation Act contract on 978 acres with individual contracts for three separate legal parcels, which together comprise the 978 acres, including 306 acres for Contract 1, 301 acres for Contract 2, and 371 acres for Contract 3. Lands proposed for Contracts 1 and 2 are currently devoted to "Non-Prime" agricultural use for cattle grazing. The land proposed for Contract 3 is currently devoted to a combination of "Prime" and "Non-Prime" use, including 81 acres for vineyard production and 290 acres cattle grazing. An expansion or modification to the existing Agricultural Preserve area is not required. Staff recommends the Board of Supervisors approve the land owners' request to rescind and replace the contract.

Discussion:

Bruce B. Donnell Trust seeks approval of replacement Land Conservation Act contracts for three separate legal parcels comprising 978 acres located within Agricultural Preserve 2-238. This action will replace the existing non-prime Land Conservation Contract with three individual contracts that correspond with property line boundaries:

| CONTRACT | ACRES | CONTRACT TYPE | APN |
|-------------|-------|-----------------------------|---|
| Contract #1 | 306 | Non-prime (grazing) | 142-111-004, 068-080-006 |
| Contract #2 | 301 | Non-prime (grazing) | 128-484-055, 142-111-005, 068-070-006 |
| Contract #3 | 371 | Hybrid (vineyard & grazing) | 128-451-010, 142-111-006, 142-091-003, 142-091004 |

The subject parcels are zoned LEA (Land Extensive Agriculture) with a 100 acre density requirement. Applicable combining zones include Z (Accessory Dwelling Unit Exclusion), G (Geological Hazard), BH (Biotic Habitat), RC 50/50 (Riparian Corridor, 50 foot setbacks), SR (Scenic Resources), and VOH (Valley Oak Habitat).

Background:

In 1972, the County entered into a non-prime Land Conservation Act Contract on the subject 978 acres located within Agricultural Preserve 2-238. The original contract was recorded on February 16, 1972, under Book No. 2603, Page 126, in the Official Records of the Sonoma County Recorder. Staff notes the current request requires no expansion of the existing preserve boundary.

In 1986, The County issued Administrative Certificates of Compliance recognizing the subject properties as three separate legal parcels of 306 acres, 301 acres, and 371 acres. The certificates identify the subject properties as Lots 8, 9 and 10. The ACC lots correspond to the current contract request as ACC86-607, Lot 8 for Contract 1. ACC86-608, Lot 9 for Contract 2, and ACC86-609, Lot 10 for Contract 3.

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 property is within Agricultural Preserve Area Number 2-238.

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.

Staff Recommendation:

Staff recommends the Board approve the request to rescind and replace the existing Non-Prime Land Conservation Act Contract on 978 acres with individual contracts on three separate legal parcels of 306 acres, 301 acres, and 371 acres, located within Agricultural Preserve 2-238.

Prior Board Actions:

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 Contracts 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 properties are currently under a Land Conservation Act contract and are 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):

Not applicable

Attachments:

ATT 1: Draft Board of Supervisors Resolution

ATT 2: Land Conservation Act Contracts

ATT 2a: Contract #1 - Donnell (Lot 8).pdf

ATT 2b: Contract #2 - Donnell (Lot 9).pdf

ATT 2c: Contract #3 - Donnell (Lot10).pdf

ATT 3: Assessor's Parcel Maps

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) for each contract.