



## Legislation Text

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**File #:** 2021-0145, **Version:** 1

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**To:** Board of Supervisors

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

**Staff Name and Phone Number:** Hannah Spencer (707) 565-1928

**Vote Requirement:** Majority

**Supervisorial District(s):** Fourth

**Title:**

File No. PLP20-0021 WKM Properties LLC, et al Replacement Land Conservation Contracts, 18875 Hassett Ln., Geyserville

**Recommended Action:**

Adopt a Resolution to mutually rescind and replace a single Prime (Type I) Land Conservation Act contract with two new Prime (Type I) Land Conservation contracts for agricultural land on two properties, 13.11-acres and 64.59-acres in size, located at 18875 Hassett Ln., Geyserville; APNs 091-010-020 and 091-010-021; Permit Sonoma File No. PLP20-0021; Supervisorial District 4. (Fourth 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 single Prime (Type I) Land Conservation Contract with two new prime contracts that correspond with new property line boundaries consistent with a previously approved Lot Line Adjustment (LLA19-0003). 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. An expansion or modification to the existing Agricultural Preserve area is not required. As the requested action implements prior Board action as directed, staff recommends Board approval of rescind and replacement contract request.

**Discussion:**

WKM Properties LLC, et al seek approval of two replacement Land Conservation Contracts for two separate legal parcels, 13.11 acres and 64.59 acres in size, located within Agricultural Preserve Area Number 1-307, to satisfy a Condition of Approval by a Board-approved Lot Line Adjustment processed on April 28, 2020 (LLA19-0003, Resolution No. 20-0155). This action would replace the existing prime Land Conservation contract with two new prime Land Conservation contracts that correspond with the new property line boundaries.

**Site Characteristics:**

The affected parcels are located in Alexander Valley, 2 miles north of the City of Healdsburg. The 13.11-acre site is developed with an existing primary residence, a farm family dwelling unit, a well, sheds and barns, and contains 8.87 acres planted in vineyard. The 64.59-acre site contains one shed and 55.51 acres planted in vineyard. The vineyards are currently managed as a single agricultural operation. Zoning for both parcels is LIA

(Land Intensive Agriculture) B6-20 acre density, Z (Accessory Unit Exclusion), F2 (Floodplain), RC25/50 (Riparian Corridor with 50-foot and 25-foot setbacks), SR (Scenic Resources), and VOH (Valley Oak Habitat).

**Background:**

The subject parcels identified as APN 091-010-020 and -021 (formerly APN 091-010-001) have been under a single prime Land Conservation contract since 1972 (contract recorded under Book 2608 Page 107). On April 28, 2020, the Board approved Lot Line Adjustment LLA19-0003 for the two parcels. The Lot Line Adjustment deeds recorded on September 24, 2020 (OR#2020-085764 and 2020-085765), resulting in an acreage swap between the two parcels. The Conditions of Approval for LLA19-0003 require that the landowner rescind the existing Land Conservation Act contract and replace it with two new contracts for the reconfigured parcels in accordance with the Uniform Rules (refer to Attachment 5).

**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 1-307.

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 prime contract with two new Prime contracts because the requested action implements prior Board action as directed and all of the state and local requirements for the replacement request on the 13.11-acre and 64.59-acre parcels within the existing Agricultural Preserve have been 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).
- b. On April 28, 2020, the Board approved a Lot Line Adjustment LLA19-0003 (Resolution No. 20-0155)

**FISCAL SUMMARY**

N/A

**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 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 values, 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 WKM Properties LLC, et al

ATT 3: Site Plan for 13.11-acre parcel

ATT 4: Site Plan for 64.59-acre parcel

ATT 5: Lot Line Adjustment File No. LLA19-0003 Conditions of Approval

ATT 6: Assessor's Parcel Map

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

Land Conservation Act Contract (13.11-acre parcel) with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).

Land Conservation Act Contract (64.59-acre parcel) with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).