



Legislation Text

File #: 2021-0970, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Alison Hodgkin, (707) 565-1926

Vote Requirement: Majority

Supervisorial District(s): Fourth

Title:

File No. LLA19-0009 Mark Lyon Family Trust Lot Line Adjustment 28021 and 28197 River Road, Cloverdale

Recommended Action:

Adopt a Resolution approving a Lot Line Adjustment between two parcels subject to Conditions of Approval and a Land Conservation Act contract at 28021 and 28197 River Road, Cloverdale; APN's 116-280-008 (Lot A), and 117-060-004 (Lot B). (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 adjust two parcels zoned Land Intensive Agriculture with a 20-acre density. The Mark Lyon Family Trust requests to adjust their property line boundaries to enhance agricultural operations by reducing their existing 122.15-acre parcel to a 101.74-acre parcel and increasing their existing 2.0-acre parcel to a 22.41 acre parcel. Lot Line Adjustments on lands under a Land Conservation Act contract require that the Board of Supervisors make findings of consistency with the Land Conservation Act requirements. The adjusted parcels meet the land use and density criteria of the General Plan and all of the required findings for Land Conservation Act Requirements.

Discussion:

BC Engineering Group, on behalf of the Mark Lyon Family Trust, seeks approval of a Lot Line Adjustment between two legal parcels. The parcels are identified on the Lot Line Adjustment Site Plan (Attachment 4) as APN's 116-280-008 (Lot A) and 117-060-004 (Lot B). The current lot sizes are: 122.15 acres (Lot A) and 2.0 acres (Lot B). The Lot Line Adjustment would decrease Lot A by 20.41 acres, adding it to Lot B, resulting in adjusted total acreages of 101.74 (proposed Lot A) and 22.41 (proposed Lot B). The purpose of the Lot Line Adjustment is to support the construction of a new agricultural equipment barn and create the potential for future farm-related housing on Lot B by increasing the acreage to conform with the 20-acre density requirement of the B6 combining district.

Both parcels are zoned LIA (Land Intensive Agriculture) with a 20-acre density.

Lot A is subject to the following combining districts: Z (Accessory Unit Exclusion), MR (Mineral Resources), F1 (Floodway), F2 (Floodplain), VOH (Valley Oak Habitat), RC 200/100 (Riparian Corridor with 200-foot and 100-foot setbacks), RC50/50 (Riparian Corridor with 50-foot and 50-foot setbacks), and SR (Scenic Resources).

Lot B is subject to the F2, SR and VOH combining districts.

Site Characteristics:

The project site includes two contiguous parcels under the same ownership, comprising 124.15 acres total. The parcels are situated directly adjacent to the Russian River across from the Cloverdale Municipal Airport. Future development of the property may be subject to an Avigation Easement with the airport.

Lot A is a 122.15-acre parcel currently under a Prime (Type I) Land Conservation Act contract approved by the Board in February 1972 and is devoted to agriculture with 103.49 acres planted in vineyard. Existing agricultural structures on Lot A comprise approximately 0.84 acres and include a well pump house, two small storage sheds for garden and farm tools/supplies, temporary storage containers for storing farm supplies, biodynamic preps and compost tea brewers and one mobile office trailer for the vineyard manager. The remaining 17.82 acres of Lot A are maintained in open space as part of the Russian River Riparian Corridor. In 2018 and 2019, the applicant applied for well permits on Lot A which were both approved and are currently operational (WEL18-0417 and WEL19-0073).

Lot B is currently not subject to a Land Conservation Act contract. Existing structures on the 2.0-acre parcel include one, occupied, 3-bedroom farmhouse, one barn and a small storage shed. The existing farmhouse is supported by an adequate, conforming septic system. To assess the possibility of future agricultural-related expansion, in March and April 2018, the applicant arranged a ground water inspection and pre-perc site evaluation with Permit Sonoma. Permit Sonoma concluded Lot B is able to accommodate a standard septic system that would support development of a future barn and office with a bathroom for agricultural employees.

After the Lot Line Adjustment, both Lots A and B will be subject to Land Conservation Act contracts. Resulting Lot A will contain 83.52 acres in vineyard and resulting Lot B will contain 21.97 acres in vineyard. The landowner intends to construct a new equipment barn on Lot B to enhance agricultural operations and support long-term vineyard operations.

Background:

Land Conservation Act:

State regulations for Williamson Act 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 after the Lot Line Adjustment Lot A will continue to meet all the requirements for a contract and Lot B will now be able to meet the requirements for a contract.

Lot A is currently under a Prime (Type I) Land Conservation Act contract. The proposed Lot Line Adjustment will not result in a reduction of land under contract as all of the existing contracted land on Lot A will remain under contract when new Land Conservation Act contracts for Lot A and B are approved. Additionally, when Agricultural Preserve 1-350 is expanded by two acres currently in Lot B, the land under contract will actually be increased. Resulting parcels A and B will be devoted to agriculture with at least 50 percent of each parcel planted in vineyard. Staff has determined the proposal meets all of the required findings as described in the attached Resolution.

To facilitate a Lot Line Adjustment, Government Code Section 51257 permits the contracting parties to rescind the existing Land Conservation Act contract and simultaneously enter into new contract(s) if the required findings can be made. One of the conditions of approval for the Lot Line Adjustment requires that prior to recording the grant deeds for the adjusted parcels, the owner apply to expand Agricultural Preserve 1-350 by 2 acres to include existing Lot B, rescind the existing Land Conservation Act contract on Lot A, and replace it with two new Land Conservation Act contracts for Lots A and B 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:

December 13, 2011; Board approves the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678).

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

None. The applicant pays for the costs of processing the application. Both parcels are currently under a Land Conservation Act Contract and after the Lot Line Adjustment the reconfigured parcels will be under separate replacement contracts. There will be no new fiscal impacts as a result of this action

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

ATT 1: Draft Board of Supervisors Resolution with Exhibit A - Conditions of Approval

ATT 2: Owners Proposal Statement

ATT 3: Assessor's Parcel Maps

ATT 4: Lot Line Adjustment Site Plan

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

N/A