



Legislation Text

File #: 2021-1251, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Eduardo Hernández, (707) 565-1735

Vote Requirement: Majority

Supervisorial District(s): Fourth

Title:

1:40 P.M. - File No. AGP20-0008 Simoncini Land Conservation Contract, 5697 Starr Road, Windsor

Recommended Action:

Hold a public hearing and adopt a Resolution to expand Agricultural Preserve 1-443 by adding 22.04 acres and, approve a new Prime Land Conservation (Williamson) Act Contract and Land Conservation Plan on the same 22.04-acre parcel, for a vineyard property located at 5697 Starr Road, Windsor; APN 066-230-089; PRMD File No. AGP20-0008. (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 is a combined request to approve an expansion of an existing Agricultural Preserve by adding 22.04 acres and, to execute a new Prime Land Conservation Act Contract for the same 22.04-acre parcel. 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. Staff recommends the Board of Supervisors approve the Agricultural Preserve Expansion and new contract request.

Discussion:

Kenneth D. Simoncini seeks approval of an expansion of Agricultural Preserve 1-443 and a new Prime Land Conservation Act Contract for the 22.04-acre parcel, containing 16.39 acres of vineyard. This action would expand Agricultural Preserve 1-443 by adding 22.04 acres and place the same 22.04 acres under a new prime Land Conservation contract for vineyard.

Site Characteristics:

The project site is located about one mile west of the Sonoma County airport and is surrounded by agricultural land. The project site is accessed via Starr Road, by-way-of Mark West Station Road. The property is currently developed with a gravel driveway, a garage, a private well and a water storage container. The site contains 16.39 acres planted in vineyard, and the first harvest is expected during the 2021-2022 season. The landowner plans to build a primary single-family residence and an agricultural employee residence.

Zoning for the parcel is DA (Diverse Agriculture) B6-60 acre density with combining zones for F2 (Floodplain), RC100/50 (Riparian Corridor with 100-foot setback for non-agricultural development and 50-foot setback for agricultural development), SR (Scenic Resources - Scenic Landscape Unit), and VOH (Valley Oak Habitat).

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 an agricultural or open space contract in any established Preserve. The subject land at issue here is adjacent to established Preserve Number 1-443.

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.

Enlargement of the Agricultural Preserve:

To be considered for a contract, land must be in a designated Agricultural Preserve. The Board may conterminously consider adding the land to a designated Agricultural Preserve, and its qualification for a contract. The 22.04-acre subject parcel is currently not in an existing Agricultural Preserve. The parcel is proposed to be added to Agricultural Preserve Area number 1-443 to ensure the parcel boundaries are conterminous with the contracted area. The subject parcel qualifies for inclusion in the Agricultural Preserve Area for the reasons specified in Resolution Findings 1 through 4 (see Attachment 1). Additionally, the project is Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 15317 of the CEQA Guidelines.

New Land Conservation (Williamson) Act Contract:

To be eligible for a new Prime (Type I) Williamson Act contract, the subject parcel must be at least 10 acres in size, have 50% of the total parcel dedicated to permanent crop uses, and once in a designated Agricultural Preserve, meet the minimum income requirements of the Williamson Act. The subject parcel is 22.04 acres in size, and has 16.39 acres of land planted as vineyards. The vineyard operation is projected to provide sufficient income to meet the minimum requirements and therefore qualifies for a Land Conservation Act contract for prime agricultural land.

Staff Recommendation:

Staff recommends the Board approve the request because all the state and local requirements for expansion of an Agricultural Preserve Area and approval of a new Prime Land Conservation Act Contract for the 22.04-

acre parcel have been met.

Strategic Plan:

This item directly support the County's Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

Pillar: Climate Action and Resiliency

Goal: Goal 5: Maximize opportunities for mitigation of climate change and adaptation through land conservation work and land use policies

Objective: Objective 2: Develop policies to maximize carbon sequestration and minimize loss of natural carbon sinks including old growth forests, the Laguna de Santa Rosa, and rangelands. Encourage agricultural and open space land management to maximize sequestration

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

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. For this particular contract, the Assessor estimates the property assessment value will be reduced by approximately \$1,568,415. Property taxes are generally 1.1% of assessed value.

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

ATT 1: Draft Board of Supervisors Resolution with Attachment A-Agricultural Preserve Map

ATT 2: Proposal Statement prepared by applicant

ATT 3: Site Plan

ATT 4: 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).