



Legislation Text

File #: 2022-1154, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Georgia McDaniel, Planner III (707) 565-4919

Vote Requirement: Majority

Supervisory District(s): First

Title:

PLP20-0032 Mary Paige Lane

Recommended Actions:

Adopt a Resolution to mutually rescind and replace a single Prime (Type I) Land Conservation Act contract with three new Land Conservation contracts for prime and non-prime agricultural land on three properties, located at 100, 116, and 121 Mary Paige Lane, Santa Rosa; APNs 049-020-036, -037, and -038; Permit Sonoma File No. PLP20-0032. (First 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 Prime (Type I) Land Conservation Contract with one new prime contract for vineyard land on 41.65 acres (Lot A) and two new hybrid contracts for a combination of grazing land and vineyard on 40.09 acres (Lot B) and 40.19 acres (Lot C). The new contracts will correspond with new property line boundaries and current agricultural uses consistent with a previously approved Lot Line Adjustment (LLA17-0072). 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 and meets all requirements of the Uniform Rules for prime and non-prime contracts, staff recommends Board approval of the rescind and replace contract request.

Discussion:

Hogan Land Services, the applicant, seeks approval of replacement Land Conservation Contracts for three separate legal parcels, 41.65 acres (Lot A), 40.09 acres (Lot B) and 40.19 acres (Lot C) in size, located within Agricultural Preserve Area Number 2-393, to satisfy a Condition of Approval by a Board-approved Lot Line Adjustment processed on July 23, 2019 (LLA17-0072, Resolution No. 19-0301).

Site Characteristics:

The three parcels are located approximately 0.35 mile off Bennett Valley Road on Sonoma Mountain, 6 miles southeast of the City of Santa Rosa. Lot A contains a shed and is devoted to vineyard with 35.46 acres planted

in vines. Lot B is developed with a residence, barn, shed, agricultural ponds and contains 5 acres of vineyard and 20 acres of grazing land. Lot C is developed with a residence and two barns and contains 10 acres of vineyard and 25 acres of grazing land. The existing uses are expected to remain the same. Each property individually exceeds minimum parcel size requirements and complies with the required agricultural use and compatible use thresholds, as well as the minimum income requirements for establishing a new Land Conservation Contract.

Zoning for the properties is LIA (Land Intensive Agriculture) B6 40/40 (Ac/DU)/Ac MIN (40 acres per dwelling unit / 40 acres minimum parcel size) and combining districts for Z (Accessory Unit Exclusion), SR (Scenic Resources), and RC 50/50 (Riparian Corridor with 50-foot setbacks).

Background:

The three subject properties (APN 049-020-037 Lot A (formerly -026); APN 049-020-036 Lot B (formerly -027); and APN 049-020-038 Lot C (formerly -029)) were legally created by Parcel Map No. 92-166 and have been under a single prime Land Conservation contract since February 19, 1971 (contract #L99769). On July 23, 2019, the Board approved Lot Line Adjustment LLA17-0072 for the subject properties. The proposed adjustment brought into alignment existing property lines with current agricultural uses and improvements already established on the affected parcels. The Lot Line Adjustment did not reduce or enlarge the aggregate acreage of all three properties, 121.93 acres. The Conditions of Approval for LLA17-0072 require that the landowners rescind the existing Land Conservation Act contract and replace it with three new contracts for the reconfigured parcels in accordance with the Uniform Rules (refer to Site Plan Attachments 5 - 7).

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 properties are located within Agricultural Preserve Area Number 2-393.

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 one new Prime and two new Hybrid contracts (Lot A and Lots B and C, respectively) because all of the state and local requirements for the replacement request on the three adjacent parcels, 121.93 aggregate acreage,

within the existing Agricultural Preserve have been met.

Prior Board Actions:

- 12/13/2011: Board approves the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678)
- 07/31/2012: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 12-0379)
- 05/07/2013: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 13-0186)
- 12/20/2016: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 16-0485)
- 10/31/2017: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 17-0426)
- 11/07/2017: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 17-0438)
- 07/23/2019: Board approves Lot Line Adjustment LLA17-0072 (Resolution No. 19-0301)

FISCAL SUMMARY

Not Applicable

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 value for each of the properties, and therefore no fiscal impact associated with the application.

Staffing Impacts:

Not Applicable

Narrative Explanation of Staffing Impacts (If Required):

Not Applicable

Attachments:

- Att 1 Board of Supervisors Resolution
- Att 2 Proposal Statement prepared by applicant for Lot A
- Att 3 Proposal Statement prepared by applicant for Lot B
- Att 4 Proposal Statement prepared by applicant for Lot C
- Att 5 Site Plan for Lot A
- Att 6 Site Plan for Lot B
- Att 7 Site Plan for Lot C
- Att 8 Lot Line Adjustment File No. LLA17-0072 Conditions of Approval

Att 9 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 with attached Site Plan) for Lot A.

Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan) for Lot B.

Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan) for Lot C.