



## Legislation Text

File #: 2023-0217, Version: 1

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Jen Chard, Planner (707) 565-2336

Vote Requirement: Majority

Supervisory District(s): Second

### Title:

File No. LLA22-0040 Middle Two Rock Lot Line Adjustment at 3215-3230 Middle Two Rock Road, Petaluma

### Recommended Action:

Adopt a Resolution finding project exempt from the California Environmental Quality Act and approving a Lot Line Adjustment between four parcels subject to Conditions of Approval and Land Conservation Act contracts at 3215-3230 Middle Two Rock Road, Petaluma; APNs 021-160-001 and 021-160-011. (Second District)

### Executive Summary:

Staff has determined that the adjusted lots 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 4 existing ACC parcels for grazing and residential uses, resulting in 91.20 acres (Lot 1), 84.99 acres (Lot 2), 101.38 acres (Lot 3), and 101.17 acres (Lot 4). The purpose of the Lot Line Adjustment is to address family estate planning efforts and to align property boundary lines with existing public roads. Lot Line Adjustments on lands under Land Conservation Act contracts 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 are consistent with the required findings for Land Conservation Act Requirements.

### Discussion:

Sharon Desantis, the applicant, seeks approval of a Lot Line Adjustment between four legal parcels. The parcels are identified on the Lot Line Adjustment Site Plan (Attachment 4) as APNs 021-160-001 and 021-160-011 amended by ENP20-0008 recognizing parcels ACC 1, ACC 2, ACC 3 and ACC 4. The purpose of the Lot Line Adjustment is to address family estate planning efforts and to align property boundary lines with existing public roads. Existing and proposed parcel sizes are listed below:

ACC Parcel	Existing	Proposed
1	72.17 acres	91.20 acres
2	33.18 acres	84.99 acres
3	136.90 acres	101.38 acres
4	126.47 acres	101.17 acres

Zoning for APN 021-160-001 (ACC 1 and portion of ACC 3) is LEA (Land Extensive Agriculture) B6 60 (60 acre density) with no combining districts.

Zoning for APN 021-160-011 (ACC 2, portion of ACC 3 and ACC 4) is LEA (Land Extensive Agriculture) B6 60 (60 acre density) with combining zones for RC 50/50 (Riparian Corridor 50 foot setback) and RC 100/50 (Riparian Corridor 100 foot and 50 foot setback).

**Site Characteristics:**

The project site includes four contiguous ACC parcels under current APNs 021-160-001 and 021-160-011 and same ownership: Sharon Nadale Desantis, Richard Nadale and Marc Nadale, Co-Trustees of John Nadale and Dorthy Nadale Revocable Intervivos Trust. The parcels are surrounded by grazing agricultural lands along Middle Two Rock Road and is located 3 miles west of the City of Petaluma.

APN 021-160-001 (ACC 1 and portion of ACC 3) is a 95.28-acre parcel currently under a Non-Prime (Type II) Land Conservation Act contract recorded February 1972 and is devoted to agriculture with 93.88 acres devoted to grazing. Existing agricultural structures comprise approximately 1.4 acres and includes one residence, farm family home, one barn, well and septic system.

APN 021-160-011 (ACC 2, portion of ACC 3 and ACC 4) is a 294.15 acre parcel currently under a Non-Prime (Type II) Land Conservation Act contract recorded February 1972 and is devoted to agriculture with 291.36 acres devoted to grazing. Existing agricultural structures comprise approximately 2.79 acres and include one residence, two mobile homes for agricultural housing, four barns, a garage, well and septic system.

After the Lot Line Adjustment, resulting Lots 1, 2, 3 and 4 will be subject to Land Conservation Act contracts. Resulting Lot 1 will contain 89.8 acres of grazing (98% of the parcel) and 1.4 acres of compatible uses; resulting Lot 2 will contain 82.20 acres of grazing (97% of the parcel) and 2.79 acres of compatible uses; resulting Lot 3 will contain 101.38 acres of grazing (100% of the parcel) and resulting Lot 4 will contain 101.17 acres of grazing (100% of the parcel).

**Background:**

APNs 021-160-001 and 021-160-011 were recognized as four sperate legal lots, ACC Lot 1, ACC Lot 2, ACC Lot 3 and ACC Lot 4 by Certificates of Compliance recorded in 2020, under Document Numbers 2020-059252, 2020-059253, 2020-059254 and 2020-059255.

**Land Conservation Act:**

State regulations for 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 that the adjusted parcels continue to meet all the requirements for a contract. The proposed Lot Line Adjustment will not result in a reduction of land under contract and each parcel individually meets the requirements for a contract as resulting Lots 1, 2, 3 and 4 will continue to be devoted to agriculture with at least 50% of each parcel dedicated to grazing. Staff has determined the Lot Line Adjustment can meet all of the required findings as described in the attached Resolution.

ACC Lots 1, 2, 3 and 4 are currently under the same Non-Prime (Type II) 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 will remain under contract when new Land Conservation Act contracts are approved.

Additionally, Agricultural Preserve 2-420 includes all currently contracted land and does not need to be expanded. Resulting Lots 1, 2, 3 and 4 will be devoted to agriculture with at least 50 percent of each parcel dedicated to grazing. 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. A condition of approval for the Lot Line Adjustment requires that prior to recording the grant deeds for the adjusted parcels, the owner apply to: rescind the existing Land Conservation Act contract on APNs 021-160-001 and 021-016-011, or successor parcels resulting for the four ACC lots, and replace them with four new Prime Land Conservation Act contracts 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.

**Strategic Plan:**

Not Applicable

**Prior Board Actions:**

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

**FISCAL SUMMARY**

Not Applicable

**Narrative Explanation of Fiscal Impacts:**

None. The applicant pays for the costs of processing the application. There will be no new fiscal impacts as a result of this action.

**Narrative Explanation of Staffing Impacts (If Required):**

Not Applicable

**Attachments:**

Att 1 LLA22-0040 Board of Supervisors Resolution

Att 2 LLA22-0040 Conditions of Approval

Att 3 LLA22-0040 Owners Proposal Statement

Att 4 LLA22-0040 Assessor's Parcel Maps

Att 5 LLA22-0040 Lot Line Adjustment Site Plans

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

Not Applicable