Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

To: Board of Supervisors

Board Agenda Date: March 3, 2015  
Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number: Scott Hunsperger  565-2404  
Supervisorial District(s): Fourth

Title: Lot Line Adjustment between three parcels with a Land Conservation Act Contract, owned by Robert Mauritson et al; LLA14-0057.

Recommended Actions:

Adopt a Resolution and Conditions of Approval for a Lot Line Adjustment between three parcels subject to Land Conservation Act Contracts for property located at 11560 Chalk Hill Road, Healdsburg; APN's 079-120-024, -025, -030, and -031.

Executive Summary:

This is a request for a Lot Line Adjustment between three parcels of 74.4 acres (Lot A), 39.3 acres (Lot B), and 29.6 acres (Lot C) resulting in three parcels of 57.8 acres (Lot A), 41.4 acres (Lot B), and 44.1 acres (Lot C). Lots A, B, and portion of Lot C are under an existing non-prime (Type II) Land Conservation Act Contract (2-250-72; Book 2603 of Records, Page 905) and the remaining portion of Lot C is under another existing non-prime (Type II) Land Conservation Act Contract (2-250-76; Book 3050 of Records, Page 983). The purpose of the Lot Line Adjustment is to improve the management of the existing grazing operations on each parcel. A recommended condition of approval requires each of the three resulting parcels to have a separate Land Conservation Contract.

Parcel and Zoning Information:

Lots A, B, and C contain a large grazing operation with no residences or agricultural accessory buildings. All of the affected lots are zoned RRD (Resources and Rural Development) 100-acre density with no overlay zoning designations.

Land Conservation Act:

To facilitate a Lot Line Adjustment, Gov. Code Section 51257 permits the contracting party to rescind the existing contracts and simultaneously enter into three new contracts if the specified below findings can be made.

a. The new contract or contracts would enforce and restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for
This finding can be made because the property owner of Lots A, B, and C has agreed to Conditions of Approval for the Lot Line Adjustment to rescind and replace the existing contracts with three new non-prime contracts. The new contracts for resulting Lots A, B, and C will be for not less than 10 years, renewing automatically every January 1st. The rescission and replacement of the existing contracts will require a separate and subsequent Board action to be scheduled at a later date.

b. There is no net decrease in the amount of the acreage restricted. In cases where both parcels involved in the Lot Line Adjustment are subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

Staff Comment:
This finding can be made because the Lot Line Adjustment will not result in any decrease in the aggregate acreage of land under contract as all three parcels will remain subject to contracts.

c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.

Staff Comment:
This finding can be made because the Lot Line Adjustment results in 100% of existing Lot A, B, and C remaining under new contracts. Overall, all of the land currently under contract will remain under contract.

d. After the Lot Line Adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

Staff Comment:
This finding can be made because the Lot Line Adjustment involves three parcels all subject to Land Conservation contracts. Under the Lot Line Adjustment Lot A, B, and C will continue to be large enough to sustain their respective agricultural use (cattle grazing) and will continue to meet their respective contract-type’s minimum parcel size requirement. Resulting Lots A, B, and C will all exceed 40 acres in size under new non-prime (Type II) contracts that require a minimum parcel size of 40 acres.

e. The Lot Line Adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.

Staff Comment:
This finding can be made because the Lot Line Adjustment does not result in a decrease in the amount of land under Land Conservation contract because Conditions of Approval require that the existing contracts on Lots A, B, and C be rescinded and replaced with three new contracts. Lot A, B, and C will continue to be in compliance with their Land Conservation contracts because over 50% of each parcel is being used for a cattle grazing operation with a gross income of at least $2,000.00 for each of the three subject parcels. Once the parcels are reconfigured as a result of the Lot Line Adjustment, each parcel will
be required to have an individual grazing operation and show compliance with the Uniform Rules through review of the replacement Land Conservation contracts. If ownership changes for any of the parcels, each different property owner will have to verify compliance with the Land Conservation Act and Uniform Rules.

Based on the Sonoma County Agricultural Preserve Rules, the minimum gross income requirements are as follows:

Vineyard: Not less than $1,000.00 per Planted Acre
Grazing: Not less than $2,000.00 Gross Total Income per Farm Operation and $2.50 Gross Income per Acre of Production

Lots A, B, and C will conform with their new non-prime (Type II) contracts under the local Agricultural Preserve Rules and Regulations for minimum parcel size of 40 acres and minimum gross income requirement. At this time, there are no non-agricultural uses on any of the subject parcels. Any future non-agricultural uses will be restricted to “compatible uses” consistent with the Uniform Rules.

f. The Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use.

Staff Comment:
The Lot Line Adjustment is minor in nature and will not affect adjacent lands or their agriculture uses.

g. The Lot Line Adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan.

Staff Comment:
The Lot Line Adjustment does not result in a greater number of developable parcels. Under their current General Plan land use designation of Resources and Rural Development 100 acres per dwelling unit, no parcel is eligible for a subdivision and that does not change as a result of the Lot Line Adjustment.

Staff Recommendation:
Staff recommends the Board find that all Government Code Section 51257 findings are satisfied in connection with the proposed Lot Line Adjustment, and approve the proposed Lot Line Adjustment subject to the attached Conditions of Approval. Lots A, B, and C will continue to be devoted to a qualifying agricultural use. Conditions of Approval require that prior to recording the Grant Deeds for the Lot Line Adjustment, the property owner of Lots A, B, and C shall submit the appropriate applications and filing fees to rescind and replace the existing contracts with three new non-prime (Type II) Land Conservation contracts on Lot A, B, and C. Once the Lot Line Adjustment grant deeds are recorded, then the County can proceed with preparation of the new contracts, and include the new legal descriptions for each parcel. Furthermore, all three parcels involved in the Lot Line Adjustment are under the same land use and zoning designation and there is no increase in overall subdivision potential as a result of the Lot Line Adjustment.

Prior Board Actions:
None.

Revision No. 20140617-1
Strategic Plan Alignment  Goal 2: Economic and Environmental Stewardship

The Board of Supervisors has endorsed the continuation of the County’s agricultural preserve program to preserve a maximum amount of the limited supply of agricultural, open space, scenic, and critical habitat lands within the county, to discourage premature and unnecessary conversion of such lands to urban land uses, to promote vitality in the agricultural economy, and to ensure an adequate, varied, and healthy supply of food and fiber for current and future generations. The purpose of the Lot Line Adjustment is to improve the management of the existing grazing operation on each parcel. In addition, the rescission and replacement of Land Conservation contract for all of the subject parcels will facilitate further agricultural investment and support agricultural viability and help preserve open space land in Sonoma County.

Fiscal Summary - FY 14-15

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<td>Total Expenditure</td>
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Narrative Explanation of Fiscal Impacts (If Required):

All subject parcels are currently under a Land Conservation Contract and will continue to remain under new replacement contracts. There should be no new fiscal impacts as a result of this action.

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<th>Position Title (Payroll Classification)</th>
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Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Draft Board of Supervisors Resolution and Att A Conditions of Approval
Exhibit A: Proposal Statement
Exhibit B: Assessor’s Parcel Map

Revision No. 20140617-1
<table>
<thead>
<tr>
<th>Exhibit C: Lot Line Adjustment Site Plan</th>
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<td><strong>Related Items “On File” with the Clerk of the Board:</strong></td>
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