

Resolution Number

County of Sonoma
Santa Rosa, California

April 21, 2009
LLA09-0004 Traci Tesconi

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, GRANTING THE REQUEST BY ALEXANDER MOUNTAIN FARMS FOR A LOT LINE ADJUSTMENT FOR PROPERTY LOCATED AT 4300 AND 4120 WEST SAUSAL LANE, GEYSERVILLE, APNS 131-210-025 AND 131-210-030.

WHEREAS, the applicant, Alexander Mountain Farms, filed an application with the Sonoma County Permit and Resource Management Department for a minor Lot Line Adjustment between two parcels, 2.8 acres (Lot A) and 22.75 acres (Lot B) in size, resulting in two parcels with no change to parcel sizes, subject to Conditions of Approval requiring the rescission and replacement of an existing Williamson Act contract on Lot B with a new contract. The Conditions of Approval require that the existing Williamson Act contract be rescinded and replaced with either: a) a single contract that continues to include Lot B and APN 131-210-030, or b) two new contracts for property located at 4300 and 4120 West Sausal Lane, Geyserville; APNs 131-210-025 and 131-210-030; Supervisorial District No. 4; and

WHEREAS, to facilitate a Lot Line Adjustment, Government Code § 51257 authorizes parties to a Williamson Act Contract or contracts to mutually rescind the contract or contracts and simultaneously enter into a new contract or contracts, if certain findings are made by the Board of Supervisors; and

WHEREAS, §15305(a) of Title 14 of the California Code of Regulations (CEQA Guidelines) provides that minor Lot Line Adjustments are exempt from the California Environmental Quality Act; and

WHEREAS, in accordance with the provisions of law, the Board of Supervisors held a public hearing on April 21, 2009, at which time all interested persons were given an opportunity to be heard; and

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors makes the following findings consistent with Government Code § 51257:

1. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years. The property owner has agreed to the requirement of the Conditions of Approval for the Lot Line Adjustment to rescind and replace the existing Type I Williamson Act contract on Lot B with a new contract. Lot B will continue to be 22.75 acres with 11 acres of existing vineyard. The land adjusted out of existing Lot B to form resultant Lot A contains existing woodlands and is not planted. The new contract on Lot B will restrict the adjusted boundaries of each parcel for not less than 10 years, renewing automatically every January 1st. At that time, the property owner may also file for a new, separate contract on their adjacent parcel (APN: 131-210-031) which is under the existing contract with Lot B, but not part of this Lot Line Adjustment.
2. There is no net decrease in the amount of the acreage restricted. The Lot Line Adjustment

will not result in any decrease in the aggregate acreage of land under contract. The amount of acreage under contract will remain under contract after the Lot Line Adjustment.

3. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts. The Lot Line Adjustment will not result in any decrease in the acreage of land under contract. Since Lot B and the property owner's adjacent parcel (APN: 131-210-031) are currently under a single Williamson Act contract totaling 54 acres, the adjusted area equals 5.1% of the total area; therefore, 94.90% of the original land under the contract will remain under contract.
4. 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. Lot B, the parcel currently under contract, will remain 22.75 acres in size, will continue to contain 11 acres of existing vineyard, and will continue to exceed the 10 acre minimum parcel size requirement for a Type I Williamson Act contract.
5. 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. The Lot Line Adjustment does not result in a decrease in the amount of land under Williamson Act contract because Conditions of Approval require that the contract for Lot B be rescinded and replaced with a new contract.
6. The Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use. As a result of the Lot Line Adjustment, Lot B, the parcel under contract, will continue to be restricted by Williamson Act contract and will continue to exceed the minimum parcel size requirement of 10 acres for a Type I contract to foster agricultural uses. Also, both Lot A and Lot B will continue to be zoned LIA (Land Intensive Agriculture).
7. 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. Under the General Plan land use designations listed above, neither parcel is eligible for a lot split before or after the Lot Line Adjustment. In addition, suitable septic area has been demonstrated on resulting Lot A (SEV08-0882 and SEV08-0883); therefore, it also demonstrates that resultant Lot A is a developable parcel.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby finds that substantial evidence in the record before it supports the above findings, and further finds that the Lot Line Adjustment meets the requirements of the Subdivision Map Act and the Williamson Act; and

BE IT FURTHER RESOLVED that the Board of Supervisors grants the request by Alexander Mountain Farms for the subject minor Lot Line Adjustment with Conditions of Approval which include rescission and replacement of the existing Type I Williamson Act contract on Lot B, established in 1972, referenced under Agricultural Preserve No. 1-282, recorded in Book 2606, Page 1 of the Sonoma County Official Records, subject to conditions as shown in Exhibit "A" for property located at 4300 and 4120 West Sausal Lane, Geyserville; APNs 131-210-025 and 131-210-030.

BE IT FURTHER RESOLVED that the Board of Supervisors finds that the project described in this resolution is exempt from the requirements of the California Environmental Quality Act by virtue of Section 15305 Class 5 of Title 14 of the California Code of Regulations (CEQA Guidelines) in that the project is a minor Lot Line Adjustment; and

BE IT FURTHER RESOLVED that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

SUPERVISORS VOTE:

Brown:	Kerns:	Zane:	Carrillo:	Kelley:
	Ayes:	Noes:	Absent:	Abstain:

SO ORDERED.