

**COUNTY OF SONOMA  
AGENDA ITEM  
SUMMARY REPORT**

**Clerk of the Board Use Only**  
 Meeting Date \_\_\_\_\_ Held Until \_\_\_\_\_  
 Agenda Item No: \_\_\_\_\_ Agenda Item No: \_\_\_\_\_

Department: Permit and Resource Management  
 Department

( ) 4/5 Vote Required

Contact:  
 Traci Tesconi

Phone:  
 (707) 565-1903

Board Date:  
 May 5, 2009

Deadline for Board Action:

**AGENDA SHORT TITLE:**

Lot Line Adjustment: [REDACTED] and [REDACTED], LLA08-0071

**REQUESTED BOARD ACTION:**

Consider and approve the Resolution and Conditions of Approval for a minor Lot Line Adjustment, as requested by [REDACTED] and [REDACTED] between two parcels of 47.16 acres and 155.05 acres in size resulting in two parcels with no change in parcel size, involving one parcel under a Williamson Act contract located at 12925 and 12825 Chalk Hill Road, Healdsburg, APN 086-070-028 and 086-070-010; Supervisorial District 4

**CURRENT FISCAL YEAR FINANCIAL IMPACT**

**EXPENDITURES**

**ADD'L FUNDS REQUIRING BOARD APPROVAL**

Estimated Cost \$

Contingencies \$  
 (Fund Name: )

Amount Budgeted \$

Unanticipated Revenue \$  
 (Source: )

Other Avail Approp \$  
 (Explain below)

Other Transfer(s) \$  
 (Source: )

Additional Requested: \$

Add'l Funds Requested: \$

Explanation (if required):

Prior Board Action(s):

N/A

**Alternatives - Results of Non-Approval:**

Applicant would not be able to adjust lot lines.

**Background:**

Introduction: Lot Line Adjustments are normally approved administratively by PRMD Project Planners or by the Project Review and Advisory Committee. This particular Lot Line Adjustment requires Board of Supervisors approval because the Government Code requires the legislative body to make certain findings when the property is under Williamson Act contract. Lot B is under a Type II contract located in Type II Agricultural Preserve No. 2-35, recorded in Book 2515, Page 712 in 1971 in Sonoma County Official Records. Further discussion below indicates the Lot Line Adjustment is consistent with all of the Williamson Act findings required under state law and staff recommends approval.

The property owners, [REDACTED] and [REDACTED] have requested a minor Lot Line Adjustment between two parcels of 47.16 acres and 155.05 acres in size resulting in two parcels with no change in parcel sizes, involving one parcel under a Williamson Act contract. The purpose of the Lot Line Adjustment is to equally adjust 1.20 acres between the two parcels in order for the parcel boundaries to follow an existing ranch road.

The larger parcel, Lot B (155.05 acres), is zoned RRDWA (Resource and Rural Development/ Agricultural Preserve), B6-100 acre density, F1, F2, BR, and is currently under a Type II Williamson Act Contract. The smaller parcel, Lot A (47.16 acres), is zoned RRD (Resource and Rural Development), B6-100 acre density, F1, F2, BR, and is not under a Williamson Act Contract. The RRDWA and RRD zoning districts have a 20 acre minimum parcel size requirement; however, the minimum parcel size for Lot B under a Type II Williamson Act Contract is 40 acres. The adjusted Lots A and B (47.16 acres and 155.05 acres, respectively) will continue to meet the minimum lot size for their respective zoning districts and Williamson Act regulations. Consistent with Zoning Code requirements, the Lot Line Adjustment does not create any new parcels and does not increase the overall subdivision potential of the lots.

**Attachments:**

- Draft Resolution
- Exhibit A: Draft Conditions of Approval
- Exhibit B: Site Map
- Exhibit C: Topographical Map
- Exhibit D: APN Map

Separate Attachment for Board Members: Large Size Lot Line Adjustment Map

**On File With Clerk:**

Planning Application and Lot Line Adjustment Supplemental Application Information, LLA08-0071

**CLERK OF THE BOARD USE ONLY**

**Board Action** (If other than "Requested")

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Vote:**

**Background: (Continued)**

It has been determined that the Lot Line Adjustment is Categorically Exempt from CEQA because no parcel is being reduced by more than 30% or enlarged by more than 100%, no parcel is being reconfigured, and there has not been a previous Lot Line Adjustment in the last two years.

Required Findings: Gov. Code § 51257(a) states that to facilitate a Lot Line Adjustment, pursuant to subdivision (d) of Section 66412, and notwithstanding any other provision of this chapter, the parties may mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts pursuant to this chapter, provided that the Board of Supervisors makes all seven of the findings noted below.

1. *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 not less than 10 years.*

Staff comment:

As a Condition of Approval and prior to allowing the grant deeds to record, the property owner of Lot B is required to submit an application to rescind and replace the existing Type II contract with a new contract in order for the adjusted parcel boundary lines to coincide with the contract's legal description.

2. *There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a Lot Line Adjustment are both 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:

The Lot Line Adjustment does not result in a net decrease of land under contract. Lot B is currently under a Type II contract and upon approval of the required application, will be rescinded and simultaneously replaced with a new contract as a condition of the Lot Line Adjustment. Lot A is not under contract.

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

Staff comment:

All land currently under contract will remain under contract as a result of the Lot Line Adjustment as required by the conditions of approval prior to allowing the grant deeds to be recorded.

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.*

Staff comment:

After the Lot Line Adjustment, the parcel under an existing contract (Lot B) will not change its parcel size and will continue to be large enough (155.05 acres) to sustain its agricultural use.

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.*

Staff comment:

The Lot Line Adjustment does not change the parcel sizes and is minor in nature, thereby, it would not compromise the long term agricultural productivity of land under contract.

**Background: (Continued)**

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

Staff comment:

Lot B will remain grazing land and will continue to be zoned in an agricultural zoning district RRDWA (Resources and Rural Development/Agricultural Preserve). The Lot Line Adjustment will not result in removal of adjacent land from agricultural use.

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.*

Staff comment:

The Lot Line Adjustment does not result in a greater number of developable parcels. The Lot Line Adjustment equally adjusts 1.20 acres between the two parcels, but does not result in the change to either parcel's acreage. Lot A = 47.16 acres under the RRD, B6-100 acre density and the parcel does not have subdivision potential; Lot B = 155.05 acres under the RRDWA, B6-100 acre density and the parcel does not have subdivision potential.

As mentioned above, Conditions of Approval require that prior to recording the Grant Deeds for the Lot Line Adjustment, the property owner for Lot B shall submit a complete application and current filing fees to rescind and replace the existing Type II Williamson Act contract with a new contract. This is typically required as a condition of a Lot Line Adjustment because the Lot Line Adjustment must first be recorded with the new legal description provided in order for the new contract to be prepared/recorded. In addition, the two parcels are in different zoning districts and densities. The Lot Line Adjustment cannot be approved if it creates split zoning on a parcel. Therefore, another condition of approval requires a complete Zone Change application covering the 1.20 acres of land being adjusted because the two parcels are in different zoning districts (RRDWA vs RRD). However, a General Plan Amendment is not required because the parcels are within the same land use designation of RRD and the same density of 100 acres per dwelling unit.

Staff Recommendation: Approve the request for a Lot Line Adjustment as provided in the Resolution and Conditions of Approval which include the rescission and the replacement of the existing Type II Williamson Act contract on Lot B and the appropriate Zone Change to eliminate split zoning as a result of the Lot Line Adjustment.