

Resolution Number

County of Sonoma
Santa Rosa, California

May 5, 2009
LLA08-0071 Traci Tesconi

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, GRANTING THE REQUEST BY [REDACTED], TRUSTEES OF THE [REDACTED] TRUST, AND [REDACTED] FOR A LOT LINE ADJUSTMENT FOR PROPERTY LOCATED AT 12925 AND 12825 CHALK HILL ROAD, HEALDSBURG, APNS 086-070-028 AND 086-070-010

WHEREAS, the applicants, [REDACTED] Trustees of the [REDACTED] Trust, and [REDACTED] filed an application with the Sonoma County Permit and Resource Management Department for a minor Lot Line Adjustment between two parcels of 47.16 acres and 155.05 acres in size resulting in two parcels of 47.16 acres and 155.05 acres in size with 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; 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 May 5, 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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years. 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. 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. 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.
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. 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. 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. 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.
6. The Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use. Lots 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. The Lot Line Adjustment does not result in a greater number of developable parcels. 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.

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 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 grants the request by [REDACTED], Trustees of the [REDACTED] Trust, and [REDACTED] for the subject minor Lot Line Adjustment with Conditions of Approval which include rescission and replacement of the existing Type II Williamson Act contract on APN 086-070-010 established in 1971, referenced under Agricultural Preserve No. 2-351-71 recorded in Book 2515, Page 712 of the Sonoma County Official Records, subject to conditions as shown in Exhibit "A" for property located at 12925 and 12825 Chalk Hill Road, Healdsburg, APNs 086-070-028 and 086-070-010.

BE IT FURTHER RESOLVED that the Board of Supervisors designates the Clerk of the Board

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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.