

**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:
 Sigrid Swedenborg

Phone:
 (707) 565-1914

Board Date:
 June 2, 2009

Deadline for Board Action:

AGENDA SHORT TITLE:

Williamson Act Contract Authorization: [REDACTED] Family Trust, AGP09-0017

REQUESTED BOARD ACTION:

Resolution authorizing the Chair of the Board of Supervisors to sign a Type I Williamson Act Contract as requested by [REDACTED] for the [REDACTED] Family Trust, for 20.6 acres located at 1298 Jensen Lane, Windsor; APN 162-020-067; 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):

None

Alternatives - Results of Non-Approval:

Applicant would not receive tax benefits from maintaining property in agricultural use.

On File with the Clerk: Planning Application, Supplemental Questionnaire, Income Statement, and APN Map

Background:

The property owners, [REDACTED] Family Trust, have requested that their land be placed under a Type I Williamson Act Contract. A Williamson Act Contract restricts land in exchange for tax benefits to the owner; any loss of tax revenue to the County is generally off-set by subvention funds received from the state. The California Department of Conservation and the County have established requirements for the inclusion of land under Williamson Act Contracts. The property that will go under contract meets these requirements as follows:

1. The parcel is within an existing Agricultural Preserve:

The parcel is located within the boundaries of Agricultural Preserve 1-519 as established by Board of Supervisors Resolution 43375 approved on January 22, 1974.

2. The land is prime agricultural land or has prime soils:

The site is considered prime agricultural land as it is planted in vineyards. The zoning, DA (Diverse Agriculture), B6-10 acres per dwelling unit, Z (Second Unit Exclusion), SR (Scenic Resources), VOH (Valley Oak Habitat), reflects the agricultural nature of the site.

3. For Type I Williamson Act Contracts the minimum parcel size is 10 acres:

The parcel, at 20.6 acres, exceeds the 10 acre minimum parcel size required.

4. The land is devoted to an agricultural use (the production of food or fiber):

Approximately 12 acres are planted in grapes, generally land is devoted to agricultural use in Sonoma County when at least 50% of the land is in agricultural use. Agricultural use is defined as, "use of land, including but not limited to greenhouses, for the purpose of providing an agricultural commodity for commercial purposes (Govt. Code 51201 (b)).

Attachments:

Draft Resolution

On File With Clerk:

Application
Supplemental Questionnaire
Income Statement
APN Map

CLERK OF THE BOARD USE ONLY

Board Action (If other than "Requested")

Vote:

Background: (Continued)

5. Non-agricultural uses of the property are compatible with the Williamson Act as defined in the County Regulations for Type I Contracts and the Principles of Compatibility established by Government Code Section 51238.1:

The parcel is currently developed with a single family residence and a shop. These improvements encumber less than one acre of land. The Rules and Regulations for Administration of Agricultural Preserve, adopted in 1970 by the Board of Supervisors, under item #8, permit one single family dwelling, a guest house, and accessory buildings of all kinds, when located upon farms and occupied or used by the owner or person engaged in the operation and maintenance of the farm. The existing on-site single family residence is occupied by the owner of the property.

6. The parcel meets the minimum income generation standards of \$200 per acre per year:

As shown on the Income Statement submitted by the applicant, the vineyard operation on the subject parcel exceeds the minimum income requirement of \$200.00 per acre gross annual income earning an average of \$5402.00 gross income per planted acre annually from 12 +/- acres of vineyard.

Therefore staff recommends approval of a Type I Williamson Act Contract on the subject parcel.