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COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

DATE: July 14, 2009 at 2:05 p.m.

TO: Board of Supervisors

FROM: Scott Hunsperger

SUBJECT: Williamson Act Contract Authorization; [REDACTED] AGP08-0001

Background:

The property owner, [REDACTED] has requested the Board of Supervisors to include 3.87 acres into an existing Agricultural Preserve (1-361), and authorize the Chair of the Board of Supervisors to sign a new Type I Williamson Act contract for the total 22.18 acres. The subject parcel is used for single family residence, farmworker housing, and vineyards and has been subject to a Williamson Act contract since 1972. The applicant recently completed a Lot Line Adjustment (LLA06-0008) where 3.87 acres was added to the subject parcel. As a condition of approval of the Lot Line Adjustment, the owner was required to make application to include the 3.87 acres into the existing Agricultural Preserve and request authorization for the Chair of the Board of Supervisors to execute a new Type I Williamson Act contract. This staff report is submitted pursuant to §51234 of the Government Code, which requires the Board of Supervisors to consider the establishment or alteration of Agricultural Preserves. The project has also been duly noticed pursuant to Government Code §51233.

Analysis:

A Type I Williamson Act contract requires a minimum parcel size of 10 acres. The subject property totals 22.18 acres and meets the 10 acre minimum. The proposal is also consistent with the General Plan which promotes participation in the Williamson Act program. The property is designated as agricultural land and meets the minimum parcel size prescribed in General Plan policy AR-8c. It should be noted that for purposes of this application, the two assessor's parcels that comprise the subject parcel are considered one legal lot and have been reviewed as one farm operation.

The agricultural operation includes approximately 15 acres of vineyards for Cabernet wine grapes. A Type I Williamson Act Contract requires the contracted lands to produce at least \$ 200 per gross acre. The applicant has provided copies of tax documents that demonstrate that the agricultural use will meet the income requirements for a Type I Williamson Act contract. Specifically, sales of grapes over the past five years have returned an average of \$10,000 per acre which exceeds the \$200 per gross acre requirement of the Type I Williamson Act Contract.

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Recommendation:

The agricultural use meets the income requirements for a Type I Williamson Act contract and the subject lands meet the minimum parcel size requirement; therefore, staff recommends the Board of Supervisors include 3.87 acres of the subject lands within Agricultural Preserve #1-361 and authorize the Chair of the Board of Supervisors to sign a new Type I Williamson Act contract for the total 22.18 acres.

List of Attachments:

- EXHIBIT A: Aerial Photograph of Project Site
- EXHIBIT B: Assessor's Parcel Maps (2)
- EXHIBIT C: Agricultural Preserve Income Statement
- EXHIBIT D: Agricultural Preserve Expansion Map
- EXHIBIT E: Draft Board of Supervisors Resolution

Supporting maps are on file at:

County of Sonoma Board of Supervisors Office
575 Administration Drive, Room 100A
Santa Rosa, CA 95403

They can be viewed and/or copies requested during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday. Call (707) 565-2241 for more information.

Resolution Number 09-0

County of Sonoma
Santa Rosa, California

July 14, 2009
AGP08-0001 Scott Hunsperger

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, GRANTING THE REQUEST BY ██████████ TO INCLUDE 3.87 ACRES INTO EXISTING AGRICULTURAL PRESERVE 1-361 AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO SIGN A NEW TYPE I WILLIAMSON ACT CONTRACT FOR THE 22.18 ACRE SITE LOCATED AT 5080 WEST SODA ROCK LANE, HEALDSBURG, APN 088-040-007 AND 088-050-017.

WHEREAS, the applicant, ██████████ filed an application with the Sonoma County Permit and Resource Management Department request for an amendment to include 3.87 acres into an existing Agricultural Preserve (1-361-72; Book 2607, Page 613) and authorizing the chair of the Board of Supervisors to mutually rescind an existing Type I Williamson Act contract and establish a new Type I Williamson Act contract on 22.18 acres pursuant to Government Code § 51254 to meet a Condition of Approval for Lot Line Adjustment LLA06-0008 located at 5080 West Soda Rock Lane, APN 088-040-007 and 088-050-017; Zoned LIA (Land Intensive Agriculture), B6 -20 acre density, Z (Second Dwelling Unit Exclusion), VOH (Valley Oak Habitat); Supervisorial District No. 4; and

WHEREAS, the Board of Supervisors finds that the modification of the existing Agricultural Preserve 1-361 to be consistent with the Sonoma County General Plan and the applicable provisions of state law; and

WHEREAS, the subject property is used for vineyards and is devoted to commercial agricultural pursuits; and

WHEREAS, the subject property qualifies for a new Type I Williamson Act contract under the County's Rules and Regulations for Administration of Agricultural Preserves, Type A-I, and under the State Williamson Act (Government Code § 51200 et seq.); and

WHEREAS, the project described in this resolution is exempt from the requirements of the California Environmental Quality Act under Section 15317 Class 17 of Title 14 of the California Code of Regulations (CEQA Guidelines) in that it involves the enlargement of an existing Agricultural Preserve and the authorization of a Williamson Act contract.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors finds, declares, and determines that all of the above recitals are true and correct; and on that basis grants the request by ██████████ for the modification of Agricultural Preserve 1-361 and a new Type I Williamson Act contract restricting those lands which are described on the tax rolls of the County of Sonoma by Assessor's Parcel Number 088-040-007 and 088-050-017; and

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is hereby instructed to record this Resolution with the Office of the Sonoma County Recorder; and

BE IT FURTHER RESOLVED that the Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to sign a new Type I Williamson Act Contract; and

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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.