

Resolution Number

County of Sonoma
Santa Rosa, California

August 11, 2009
LLA08-0052 Traci Tesconi

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, GRANTING THE REQUEST BY [REDACTED] AND [REDACTED] TRUST II FOR A LOT LINE ADJUSTMENT FOR PROPERTY LOCATED AT 10900 CHEMISE RIDGE ROAD AND 10377 CHEMISE ROAD, HEALDSBURG, APN'S 111-140-011, 111-140-013 AND 111-030-012

WHEREAS, the applicant, [REDACTED] and [REDACTED] Trust II, filed an application with the Sonoma County Permit and Resource Management Department for a minor Lot Line Adjustment between two parcels, 560 acres (Lot A) and 183.41 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 Type II Williamson Act contract on Lot A with a new contract. The Conditions of Approval require that the existing Williamson Act contract be rescinded and replaced with a new contract in order for the adjusted parcel boundary lines to coincide with the contract's legal description for property located at 10900 Chemise Ridge Road and 10377 Chemise Road, Healdsburg; APNs 111-140-011, 111-140-013 and 111-030-012; 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 August 11, 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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.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 II Williamson Act contract on Lot A with a new contract which has a 10-year automatically renewing term. Lot B is not under an existing contract.
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 Lot Line Adjustment would adjust property lines between Lot A (560 acres) and Lot B (183.41 acres), but results in no change to parcel sizes. The original total 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 results in a total of one (1) acre being adjusted between Lot A and Lot B in order for an existing residence (cabin) to meet setbacks from property lines. With only one (1) acre out of 560 acres being adjusted, more than 90% of the originally contracted land of Lot A will remain under the replacement 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 A, the parcel currently under contract, will continue to exceed the 40 acre minimum parcel size requirement for a Type II 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 change the parcel size of Lot A, is minor in nature, and does not compromise the current agricultural use of the property for cattle grazing.
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 A, the parcel under contract, will continue to be restricted by Williamson Act contract, will continue to exceed the minimum parcel size requirement of 40 acres for a Type II contract to foster agricultural uses, and does not remove adjacent land from agricultural use. Lot A will continue to be zoned RRDWA (Resources and Rural Development/Agricultural Preserve).
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. Lot A (560 acres), currently zoned RRDWA B6-320 acre density, does not have subdivision potential. Lot B (184.41 acres), currently zoned RRD B7 (Frozen Lot Size), cannot be subdivided.

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 [REDACTED] and [REDACTED] Trust II 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 Lot A, referenced under Agricultural Preserve No. 2-314, recorded under Official Record No. 93-026361 in Sonoma County Official Records, subject to conditions as shown in Exhibit "A" for property located at 10900 Chemise Ridge Road and 10377 Chemise Road, Healdsburg; APNs 111-140-011, 111-140-013 and 111-030-012.

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

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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.