

Resolution Number 09-

County of Sonoma
Santa Rosa, California

September 29, 2009
LLA09-0015 Scott Hunsperger

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, MAKING FINDINGS PURSUANT TO GOVERNMENT CODE § 51257 AND GRANTING THE REQUEST BY BROKEN HILL 1, LLC FOR A LOT LINE ADJUSTMENT FOR PROPERTY LOCATED AT 4605 WESTSIDE ROAD, HEALDSBURG; APN 110-110-001; SUPERVISORIAL DISTRICT NO. 4.

WHEREAS, the applicant(s), Broken Hill 1, LLC, filed an application with the Sonoma County Permit and Resource Management Department for a minor Lot Line Adjustment between two Administrative Certificate of Compliance parcels of 40.3 acres and 6.1 acres in size, resulting in two modified parcels of 26.2 acres and 20.2 acres in size for property located at 4605 Westside Road, Healdsburg; APN's 110-110-001; Supervisorial District No. 4; and

WHEREAS, in accordance with the provisions of law, the Board of Supervisors held a public hearing on September 22, 2009, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, Government Code § 51257 requires that the Board of Supervisors make certain findings before an existing Williamson Act Contract may be rescinded and replaced to facilitate a Lot Line Adjustment.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors makes the following findings consistent with Government Code § 51257:

1. The replacement contract 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restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract but for not less than 10 years.
2. There is no net decrease in the amount of the acreage restricted as the two parcels will remain under contract.
3. One hundred percent of the land under the original contract will remain restricted under two new Type I replacement contracts required as a Condition of Approval for the Lot Line Adjustment.
4. After the Lot Line Adjustment, the two resultant parcels will remain large enough (26.2 acres and 20.2 acres in size) to sustain their agricultural use. The resultant parcels will exceed the minimum acreage and minimum income requirement for a Type I contract. For *prime* land under a Type I Williamson Act contract, the minimum parcel size requirement is 10 acres with the minimum income requirement of \$200 per gross acre.
5. The Lot Line Adjustment does not compromise the long-term agricultural productivity of the parcel subject to contract. There is no change to the existing land use designation of Land Intensive Agriculture. The parcels will continue to be used for vineyards.
6. The Lot Line Adjustment did not and is not likely to result in the removal of adjacent land

from agricultural use because the zoning will continue to be Land Intensive Agriculture and the vineyard operation will continue on both parcels; these uses are compatible with surrounding land uses.

7. The Lot Line Adjustment did 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.

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 above findings; and

BE IT FURTHER RESOLVED that the Board of Supervisors grants the request by Broken Hill 1, LLC for the subject Lot Line Adjustment with Conditions of Approval which includes rescinding and replacing the existing Type I Williamson Act contract with two new Type I Williamson Act contracts for property located at 4605 Westside Road, Healdsburg; APN 110-110-001; 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 hereby grants the requested Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Board of Supervisors' action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

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.