

Joint Application for Agricultural Preserve Establishment or Modification and New or Replacement Land Conservation Contract (AGP-LCC)

Sonoma County Land Conservation Act Program

PJR-105

Notes: Multiple new or replacement contracts may be requested in a single application. However, the land proposed to be restricted by a single contract must be comprised of a single legal parcel.

Application materials:

1. One copy of a Project Proposal Statement for EACH requested contract, describing the present agricultural operation, any open space land, and any future plans for the parcel. The Project Proposal Statement need not be in a particular form.
2. One copy of Planning Application Form (PJR-001) completed and signed by the property owner and/or authorized agent. This form is available from PRMD.
3. One copy of AGP-Supplemental Questionnaire Form, completed and signed by owner and/or authorized agent for EACH requested contract. This form is available from PRMD.
4. One copy of LCC/RLCC-Supplemental Questionnaire Form, completed and signed by owner and/or authorized agent for EACH requested contract. This form is available from PRMD.
5. One copy of the Land Conservation Plan Form, completed and signed by the owner for EACH requested contract. This form is available from PRMD.
6. One copy of the Agricultural Income Statement Form, completed and signed by the owner and/or applicant for EACH requested contract. This form is available from PRMD.
7. One copy of documentation that land qualifies as "open space land," if applicable, for EACH requested contract. If open space land is a "wildlife habitat area," then submit one copy of the Wildlife Habitat Biologist Report, if required by PRMD.
8. One 8 ½ "x 11" copy of the Site Plan, drawn to an approximate scale. Please depict all existing and proposed structures, label and indicate the use of each structure; identify all existing and proposed agricultural areas and open space areas; and depict all ponds, creeks, streams, or waterways located on the project site. See Minimum Site Plan Requirements (CS-019), available from PRMD.
9. One copy of the Assessor's Parcel map showing the parcels affected by the application. This map is available from the Assessor's Office or PRMD.
10. One 8 ½ " x 11" legible copy of the United States Geological Survey Map of the project site area clearly showing project boundaries and labeled with the quadrangle map name and applicant's name. Also delineate the boundary of any existing Agricultural Preserve and/or existing Land Conservation Contract that this application proposes to affect. The USGS Map is available through PRMD.
11. One copy of the approved subdivision or lot line adjustment map affecting the project area, if applicable.
12. One copy of a recorded Certificate of Compliance, affecting the project area, if any.
13. One copy of any recorded deed conveying a Certificate of Compliance parcel, if applicable.
14. Two copies of a current Preliminary Title Report (issued within 60 days of filing) for EACH legal parcel to be restricted by EACH requested new or replacement contract.
15. One copy of documentation demonstrating that the person(s) signing the Land Conservation Contract(s) on behalf of a legal entity (i.e. partnership, LLC), if any, that owns the subject property is authorized to bind the legal entity to the contract(s). This documentation will not be recorded with the contract(s).

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16. One copy of documentation demonstrating that the person(s) signing the Land Conservation Contract(s) on behalf of a legal entity (i.e. partnership, LLC) that holds an encumbrance (i.e. Deed of Trust) against the subject property is authorized to bind the legal entity to the contract(s), if applicable. This documentation will not be recorded with the contract(s).
17. One copy of a Trust Certificate Form, completed and signed by the trustee(s) executing the Land Conservation Contract(s) on behalf of a trust as owner of the subject property, if any, or on behalf of a trust as the holder of an encumbrance (i.e. Deed of Trust) against the subject property, if any. This documentation will not be recorded with the contract(s). This form is available from PRMD or County Counsel.

Processing Procedures:

Once the application is deemed complete, PRMD staff will review the application for compliance with the California Land Conservation Act, and the County's Uniform Rules, and consistency with the General Plan.

Staff will transmit the application materials and one copy of the preliminary title report to the Assessor's Office, which will review and determine if the provided legal description accurately describes the parcel. Once the Assessor's Office determines the accuracy of the legal description for the proposed contract, PRMD staff will provide the application materials and one copy of the preliminary title report to the Office of County Counsel, which will prepare the contract and send it to the owner or agent, as designated on the application, for execution. The owner and encumbrance holders sign the contract and return it to County Counsel, which transmits it to PRMD.

PRMD staff will prepare a report and recommendation to the Board of Supervisors on the requested new or modified agricultural preserve and requested contract. PRMD staff then schedules the joint application for consideration by the Board of Supervisors at a public hearing. Notice of the public hearing will be provided in compliance with all of the following: (1) by publication pursuant to Gov. Code Section 6061, (2) by written, mailed notice to the Sonoma County Local Agency Formation Commission (LAFCO) at least 14 days prior to the hearing, (3) by written, mailed notice to any city within one mile of the exterior boundaries of the agricultural preserve affected by the proposed action at least 14 days prior to the hearing; and (4) by written, mailed notice to the applicant.

The Board's final action on the application may not occur until it has received staff's report and at least 60 days from the time the application is deemed complete has elapsed. If the Board acts to establish, modify, or disestablish a preserve, the Clerk of the Board will record the Board's adopted resolution and map with the Sonoma County Recorder's Office. If the Board also approves the requested contract, the Chairperson of the Board signs the contract and the Clerk records the contract with the Sonoma County Recorder's Office. Lastly, the Clerk mails a conformed copy of the recorded contract, resolution, and map to the owner or agent designated on the application, and provides conformed copies to PRMD and County Counsel. After recordation, the original contract, resolution, and map are kept on file with the Clerk of the Board.

Filing Fee: See current fee schedule. Make checks payable to PRMD.

Other Information:

1. Application Deadline: May 1st. Applications for establishment, modification, or disestablishment of an agricultural preserve, and/or for a new or replacement contract must be submitted by May 1st of each year.
2. A new or replacement contract must be recorded on or prior to December 31st to affect the property's assessment on January 1st for the following tax year.

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3. An application for new or replacement contract(s) must be combined with an application for establishment or modification of an agricultural preserve, unless the land to be restricted by the requested contract(s) is entirely within a presently designated agricultural preserve or preserves. See Joint AGP / LCC or RLCC Application.
4. The land proposed to be restricted by a single contract must be comprised of a single legal parcel.)
5. A replacement contract is generally required following approval of a LLA or Subdivision for each affected or resulting lot.
6. PRMD will make every effort to process multiple related applications from the same owner together, provided that all required application materials and information has been submitted to allow joint processing

References:

Sonoma County Uniform Rules, Uniform Rules 3.0 and 4.0

California Government Code §§ 51230 – 51237 and §§ 51240-51244

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