

**PLANNING AND BUILDING DEPARTMENT  
BOARD OF SUPERVISORS  
STAFF REPORT**



**Agenda of:** May 8, 2018  
**Staff:** Aaron Mount

**WILLIAMSON ACT CONTRACT**

**FILE NUMBER:** WAC17-0002/Rombauer Vineyards

**APPLICANT:** Rombauer Vineyards, Inc.

**REQUEST:** The project consists of the following request:  
  
The establishment of a Williamson Act Contract (Agricultural Preserve).

**LOCATION:** On the north and south side of D'Agostini Road approximately 4 miles west of the intersection with E-16/Mt. Aukum Road, in the Somerset area, Supervisorial District 2. (Exhibit A)

**APN:** 046-071-27 (Exhibit B1)

**ACREAGE:** 217.68 acres

**GENERAL PLAN:** Agricultural Lands, Agricultural District Overlay (AL-A) (Exhibit C)

**ZONING:** Planned Agriculture-Twenty Acre (PA-20) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Categorically exempt pursuant to Section 15317 (Open Space Contracts or Easements) of the California Environmental Quality Act (CEQA) Guidelines.

**RECOMMENDATION:** Staff recommends that the Board of Supervisors take the following actions:

1. Find that the project is Categorically Exempt from California Environmental Quality Act (CEQA) pursuant to Section 15317; and

2. Approve Williamson Act Contract WAC17-0002 establishing a new Agricultural Preserve of approximately 217.68 acres in size, based on the Findings and subject to the Conditions of Approval.

## **PROJECT DESCRIPTION**

### Williamson Act Contract

The applicant requests the establishment of a Williamson Act Contract (Agricultural Preserve) on Assessor's Parcel Number 046-071-27. The project parcel consists of 217.68 acres in size. The site has an existing agricultural structure and is currently being used for high intensity agriculture as a vineyard.

The proposed agricultural preserve has shown that it will meet the minimum criteria to qualify as an Agricultural Preserve:

- (1) Capital outlay exceeds \$45,000;
- (2) Minimum acreage exceeds the 20 acre requirement;
- (3) Gross income exceeds \$13,500/year (Exhibit E)

The Agricultural Commission reviewed the applicant's requests at their regularly scheduled meeting on October 11, 2017 session and recommended approval of the application (Exhibit F).

## **CONSISTENCY ANALYSIS**

**General Plan:** The project has been reviewed for consistency with applicable policies of the General Plan. As analyzed and discussed under Findings, the project is consistent with General Plan Policies 8.1.1.1. (Agricultural Districts), 8.1.1.4 (The Procedure for Evaluating the Suitability of Land for Agriculture), 8.1.3.5 and 8.1.4.1(Agricultural Commission Review of Agricultural Use and Adjacent Developments), and 8.2.4.1 (Agricultural Programs).

**Zoning:** The parcel is within the Planned Agricultural zone district and is therefore consistent with Section 130.40.060.B.1 of the Zoning Ordinance meeting the criteria for an agricultural preserve and not requiring a zone change. The project has been reviewed for consistency with Section 130.21.010.C (Use of lands within the Planned Agricultural zone district) and Section 130.21.020 (Matrix of Allowed Uses). No changes to the current zoning of Planned Agricultural are proposed.

## **ENVIRONMENTAL REVIEW**

This project is Categorically Exempt from the requirements of CEQA pursuant to Section 15317 (Open Space Contracts or Easements) which exempts the establishment of agricultural preserves and the making and renewing of open space contracts under the Williamson Act.

A \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption. The filing of the Notice of Exemption is optional; however, not filing the Notice extends the statute of limitations for legal challenges to the project from 35 days to 180 days.

**SUPPORT INFORMATION**

**Attachments:**

Findings

- Exhibit A.....Location Map/Ag District
- Exhibit B1 .....Assessor’s Map
- Exhibit B2 .....Record of Survey 23-139A
- Exhibit C .....General Plan Map
- Exhibit D.....Zoning Map
- Exhibit E .....Williamson Act Contract Information
- Exhibit F.....Agricultural Commission Memorandum;  
October 17, 2017
- Exhibit G.....Aerial Photo
- Exhibit H.....Assessor’s Approval