



Legislation Text

File #: 09-0223, **Version:** 2

Hearing to consider request to amend the property description for Agricultural Preserve No. 321 [Williamson Act Contract Revision WAC08-0004-R/Cox] to conform to a previously approved boundary line adjustment on property identified by Assessor's Parcel 093-180-53, consisting of 22.645 acres, in the Somerset area, submitted by James L. Cox; and staff recommending the Board take the following actions:

- 1) Approve the Williamson Act Contract Revision (WAC08-0004-R) for Agricultural Preserve No. 321 amending the property description, based on the Findings pursuant to California Government Code Section 51257; and
- 2) Approve and authorize the Chair to sign Resolution **065-2014** for said Williamson Act Contract Revision. (Supervisory District 2)

Background

Hearing to consider request submitted by James L. Cox to amend the property description for Agricultural Preserve No. 321 [Williamson Act Contract Revision WAC08-0004-R/Cox] to conform to a previously approved boundary line adjustment. The property, identified by Assessor's Parcel Number 093-180-53, consisting of 22.645 acres, is located on the east side of Gopher Hole Road, approximately 0.2 mile north of the intersection with Bucks Bar Road, in the Somerset area, Supervisory District 2.

Williamson Act Contract WAC08-0004 was approved by the Board on March 10, 2009, creating a 22.645 acre agricultural preserve in the Somerset area. On May 21, 2013, Planning Services approved a lot line adjustment (BLA13-0020) that traded 1,430 square feet of land with an adjoining property owner. The lot line adjustment was an even trade and the overall acreage of the preserve did not change. The purpose was to adjust the boundary to meet setback requirements for an existing structure. The lot line adjustment did not affect any of the agricultural operations.

Pursuant to California Government Code Section 51257, the County and property owner may mutually agree to rescind the existing contract and enter into a new contract, provided the Board makes the following Findings:

1. The new contract is for the same term as the existing contract;
2. There is no net decrease in the acreage under contract;
3. At least 90% of the land under the former contract remains in the new contract;
4. The land will be large enough to sustain agricultural use;
5. The lot line adjustment will not compromise the long term agricultural productivity of the parcel and other agricultural lands;
6. The lot line adjustment will not result in the removal of adjacent lands from agricultural use; and
7. The lot line adjustment will not result in a greater number of developable parcels.

All of these Findings can be made. The lot line adjustment consisted of a 25' wide strip of land granted to the property owner to the north, with a similar strip traded to the preserve property. No agricultural improvements or cropland was involved in the land traded. While not reviewed by the

Agricultural Commission, the Agricultural Commissioner has reviewed the request and agrees with Planning Services' assessment regarding the ability to make the required findings. The proposed contract amendment effectively accomplishes the intent of Government Code Section 51257.

Clerk of the Board Follow Up Actions

- 1) The Clerk to obtain the Chair's signature on the Resolution amending the property description for Agricultural Preserve No. 321.
- 2) The Clerk to record the amended pages of the Williamson Act Contract for Agricultural Preserve No. 321.
- 3) The Clerk to send copies of Minute Order, Resolution and amended Williamson Act Contract to the Division.

Contact

Roger Trout, Development Services Division Director
Community Development Agency

Concurrences

County Counsel