



## Legislation Details (With Text)

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**File created:** 11/15/2016      **In control:** Board of Supervisors

**On agenda:** 12/13/2016      **Final action:** 12/13/2016

**Title:** HEARING - Community Development Agency, Development Services Division, recommending the Board consider Williamson Act Contract WAC09-0002/Lot Line Adjustment BLA13-0032/Rossi amending an existing Williamson Act Contract, Agricultural Preserve 298, and approve a Lot Line Adjustment adjusting common property lines between four parcels on property identified by Assessor's Parcel Numbers 093-040-45, 093-040-46, 093-040-58, and 093-040-59, consisting of 269.795 acres in the Somerset area, submitted by Randy Rossi, Brian Luce, Miranda Luce, David Hendry, Liane Hendry, and Sunny Hammonds, and take the following actions:

- 1) Find that the project is Categorically Exempt from the California Environmental Quality Act pursuant to Sections 15305 and 15317;
- 2) Approve Williamson Act Contract WAC09-0002 amending an existing Williamson Act Contract, Agricultural Preserve 298 (Assessor's Parcel Number 093-040-46), by expanding the 40-acre parcel into a 74.406 acre parcel, based on the Findings (Attachment E) and subject to the Conditions of Approval (Attachment F);
- 3) Approve Lot Line Adjustment BLA13-0032 adjusting common property lines between four parcels based on the Findings (Attachment E) and resulting in the following changes:
  - a) Assessor's Parcel Number 093-040-59 decreasing from 112.385 acres to 110.035 acres;
  - b) Assessor's Parcel Number 093-040-58 decreasing from 77.408 acres to 65.353 acres;
  - c) Assessor's Parcel Number 093-040-46 increasing from 40.001 acres to 74.406 acres; and
  - d) Assessor's Parcel Number 093-040-45 decreasing from 40.001 acres to 20.001 acres.
- 4) Approve and authorize the Chair to sign said Williamson Act Contract (Attachment C); and
- 5) Adopt and authorize the Chair to sign Resolution 222-2016 for said Williamson Act Contract (Attachment B). (Supervisory District 2) (Est. Time: 30 Min.)

**FUNDING:** N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Blue Route 12-13-16, 2. B - Resolution 12-13-16, 3. C - Williamson Act Contract 12-13-16, 4. D - Staff Report 12-13-16, 5. E - Findings 12-13-16, 6. F - Conditions of Approval 12-13-16, 7. G - Exhibits A-G 12-13-16, 8. H - Application 12-13-16, 9. I - Proof of Publication-Mountain Democrat 12-13-16, 10. Executed Williamson Act Contract, 11. Executed Resolution 222-2016, 12. FINAL Findings, 13. FINAL Conditions of Approval

Date	Ver.	Action By	Action	Result
12/13/2016	1	Board of Supervisors	Approved	Pass

HEARING - Community Development Agency, Development Services Division, recommending the Board consider Williamson Act Contract WAC09-0002/Lot Line Adjustment BLA13-0032/Rossi amending an existing Williamson Act Contract, Agricultural Preserve 298, and approve a Lot Line Adjustment adjusting common property lines between four parcels on property identified by Assessor's Parcel Numbers 093-040-45, 093-040-46, 093-040-58, and 093-040-59, consisting of 269.795 acres in the Somerset area, submitted by Randy Rossi, Brian Luce, Miranda Luce, David Hendry, Liane Hendry, and Sunny Hammonds, and take the following actions:

1) Find that the project is Categorically Exempt from the California Environmental Quality Act

pursuant to Sections 15305 and 15317;

2) Approve Williamson Act Contract WAC09-0002 amending an existing Williamson Act Contract, Agricultural Preserve 298 (Assessor's Parcel Number 093-040-46), by expanding the 40-acre parcel into a 74.406 acre parcel, based on the Findings (Attachment E) and subject to the Conditions of Approval (Attachment F);

3) Approve Lot Line Adjustment BLA13-0032 adjusting common property lines between four parcels based on the Findings (Attachment E) and resulting in the following changes:

a) Assessor's Parcel Number 093-040-59 decreasing from 112.385 acres to 110.035 acres;

b) Assessor's Parcel Number 093-040-58 decreasing from 77.408 acres to 65.353 acres;

c) Assessor's Parcel Number 093-040-46 increasing from 40.001 acres to 74.406 acres; and

d) Assessor's Parcel Number 093-040-45 decreasing from 40.001 acres to 20.001 acres.

4) Approve and authorize the Chair to sign said Williamson Act Contract (Attachment C); and

5) Adopt and authorize the Chair to sign Resolution **222-2016** for said Williamson Act Contract (Attachment B). (Supervisory District 2) (Est. Time: 30 Min.)

**FUNDING:** N/A

### **DEPARTMENT RECOMMENDATION**

Community Development Agency (CDA), Development Services Division, recommending the Board approve Williamson Act Contract WAC09-0002/Lot Line Adjustment BLA13-0032/Rossi amending an existing Williamson Act Contract, Agricultural Preserve 298, and approve a Lot Line Adjustment adjusting common property lines between four parcels.

### **DISCUSSION / BACKGROUND**

Request to consider Williamson Act Contract WAC09-0002/Lot Line Adjustment BLA13-0032/Rossi submitted by Randy Rossi, Brian Luce, Miranda Luce, David Hendry, Liane Hendry, and Sunny Hammonds for the following:

1) Amend existing Williamson Act Contract, Agricultural Preserve 298 (Assessor's Parcel Number 093-040-46), by expanding the 40-acre parcel to 74.406 acres; and

2) Lot Line Adjustment adjusting common property lines between four parcels resulting in the following revisions:

(a) Assessor's Parcel Number 093-040-59 decreasing from 112.385 acres to 110.035 acres;

(b) Assessor's Parcel Number 093-040-58 decreasing from 77.408 acres to 65.353 acres;

(c) Assessor's Parcel Number 093-040-46 increasing from 40.001 acres to 74.406 acres; and

(d) Assessor's Parcel Number 093-040-45 decreasing from 40.001 acres to 20.001 acres.

The property, identified by Assessor's Parcel Numbers 093-040-45, 093-040-46, 093-040-58, and 093-040-59, consisting of 269.795 acres, is located on the east side of Grizzly Flat Road, approximately 3.9 miles east of the intersection with Mt. Aukum Road, in the Somerset area, Supervisory District 2. (County Planner: Aaron Mount) (Categorical Exemption pursuant to Sections 15305 and 15317 of the California Environmental Quality Act Guidelines)

### Williamson Act Contracts

The applicant is requesting an amendment to Agricultural Preserve 298 (Assessor's Parcel Number 093-040-46), by increasing its area to 74.406 acres through the Lot Line Adjustment process. The agricultural use of the site is high intensive vineyards. The resulting single contract would encompass the entirety of the existing eight-acre vineyard and winery.

The original agricultural preserve number, "298", would be retained, and would continue to meet the criteria to qualify as an agricultural preserve after reconfiguring the boundary lines. Consistent with

Resolution 188-2002, the requested Williamson Act Contract exceeds the following criteria:

- 1) Capital outlay requirement of \$45,000 exceeded at \$90,000;
- 2) Minimum 20 acre requirement exceeded at 74.406 acres;
- 3) Gross income requirement of \$13,500 exceeded at \$15,000.

The Agricultural Commission reviewed the applicants' requests at their regularly scheduled meeting on September 14, 2016, and recommended approval of the applications (Attachment G-Exhibit F).

### Boundary Line Adjustment

The proposed Boundary Line Adjustment would reconfigure the common property lines. As shown in Attachment G-Exhibit G, Assessor's Parcel Number 093-040-45 (Parcel 4) would decrease from 40.001 acres to 20.001 acres, and Assessor's Parcel Number 093-040-46 (Parcel 3, Agricultural Preserve 298) would increase from 40.001 acres to 74.406 acres. Assessor's Parcel Number 093-040-58 (Parcel 2) would decrease from 77.408 acres to 65.353 acres, and Assessor's Parcel Number 093-040-59 (Parcel 1) would decrease from 112.385 acres to 110.035 acres. The adjusted common property lines would expand Agricultural Preserve 298 from 40 acres to 74.406 acres. Attachment G-Exhibit H details the existing improvements, and land use and zoning designations, on the subject and surrounding properties.

### **ALTERNATIVES**

N/A

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Assessor, Agricultural Commission, and County Counsel.

### **CAO RECOMMENDATION**

Approve the Department's recommendation.

### **FINANCIAL IMPACT**

N/A

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk to obtain Chair's signature on Williamson Act Contract.
- 2) Clerk to obtain Chair's signature on Resolution.
- 3) Clerk to send two (2) fully executed and recorded copies of documents to CDA Development Services Division.

### **STRATEGIC PLAN COMPONENT**

N/A

### **CONTACT**

Lillian MacLeod, Principal Planner  
Roger Trout, Development Services Division Director  
Community Development Agency