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PLANNING COMMISSION MEETING

December 4, 2018

FILE NUMBER: RZ #2018-005
PROPERTY OWNER: Ramsey and Trisha Wood
TYPE OF APPLICATION: Rezone

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LASSEN COUNTY PLANNING COMMISSION
STAFF REPORT
December 4, 2018

FILE NUMBER: RZ #2018-005
PROPERTY OWNER: Ramsey and Trisha Wood
TYPE OF APPLICATION: Rezone
GENERAL LOCATION: The subject APNs are located adjacent to Standish-Buntingville Road and Capezzoli Lane in Standish, approximately 15 miles southeast of Susanville, CA
ASSESSOR'S PARCEL NUMBER(S): 119-450-09, 10, 11, 17, and 32
CURRENT ZONING: E-A (Exclusive Agricultural District) and E-A-D (Exclusive Agricultural District, Design Combining District [within 500 feet of Standish-Buntingville Road])
PROPOSED ZONING: E-A-A-P (Exclusive Agricultural District, Agricultural Preserve Combining District) and E-A-A-P-D (Exclusive Agricultural District, Agricultural Preserve Combining District, Design Combining District [within 500 feet of Standish-Buntingville Road])
GENERAL PLAN DESIGNATION: "Intensive Agriculture" and "Scenic Corridor" pursuant to the *Standish-Litchfield Area Plan, 1986*
ENVIRONMENTAL DOCUMENT: Exempt from CEQA pursuant to Section 15317 of the Guidelines
ASSIGNED STAFF: Stefano Richichi, Associate Planner

AUTHORITY FOR APPLICATION:

Procedure for Precise Zoning and Amendments, Lassen County Code Section 18.124.010 et seq.
Policies and Procedures for Implementing the California Land Conservation Act of 1965 (Williamson Act) in Lassen County, Board Resolution #12-050

REGULATING AGENCIES:

Agency
Planning Commission
Board of Supervisors

Identified Permits/Approvals
Recommendation to Board
Approval/Authorization to Offer Contract

PROJECT DESCRIPTION: The Planning Commission will consider an application by Ramsey and Trisha Wood to rezone lands within Lassen County into an A-P (Agricultural Preserve Combining District) zoning district in order to allow for a new Land Conservation (Williamson) Act contract. The Planning Commission will then forward its recommendation to the Board of Supervisors, pursuant to Section 1(e) of Exhibit A of Board Resolution #12-050. If approved, the rezone would affect five assessor's parcel numbers (APNs) that contain approximately 220 acres of contiguous, irrigated land.

After the Planning Commission has made a recommendation in regard to the rezone, the Board of Supervisors will consider placing the subject properties into an agricultural preserve and entering the same lands into a Williamson Act Contract. This rezone application, if approved, would make the zoning consistent with that required by Policies and Procedures for Implementing the California Land Conservation Act of 1965 (Williamson Act) in Lassen County (Board Resolution #12-050).

The Williamson Act requires that contract lands be restricted to the production of food or fiber. In Lassen County, Williamson Act lands are so restricted through stipulations of the contract, and through zoning by requiring inclusion into the “A-P” zoning district (Agricultural Preserve Combining District).

PROJECT SITE CHARACTERISTICS:

Soil information generated through the Natural Resources Conservation Service’s (NRCS) Web Soil Survey on October 30, 2018, demonstrates that the subject APNs contain approximately 170 acres of Class-I-soil-equivalent land¹ (using the Natural Resources Conservation Service Land Classification System). Section 1(g) of Exhibit A of Board Resolution #12-050 requires 100 acres of Class I or Class I-equivalent soils for land to be eligible to enter into an agricultural preserve.

NEIGHBORING PROPERTIES:

Immediately surrounding properties are zoned A-2-B-20 (Agricultural Residential District, 20 Acre Building Site Combining District), A-2-B-20-D (Agricultural Residential District, 20 Acre Building Site Combining District, Design Combining District), E-A (Exclusive Agricultural District), E-A-A-P (Exclusive Agricultural District, Agricultural Preserve Combining District) with both “Rural Residential” and “Intensive Agriculture” land use designation in the *Standish-Litchfield Area Plan, 1986*, and are predominantly used for crop production, although some parcels do have a residential component. Surrounding properties range from approximately 2.5 to 350 acres.

GENERAL PLAN:

The following goals, policies, and implementation measures from the *Lassen County General Plan, 2000*, relate to the proposed project:

Land Use Designation:

The Intensive Agriculture designation identifies lands devoted to or having high suitability potential for the growing of crops and/or the raising of livestock on natural or improved pasture land. It requires the provision of parcel sizes large enough to support agricultural land use and production. Intensive Agriculture areas also provide a variety of open space resources including wildlife habitat and scenic resources.

¹ Soil classes at the site range from Class II to Class IV soils (all irrigated).

To the extent that residential uses are allowed, building intensity will generally not exceed 0.025 DUA (dwelling units per acre). Population density will generally average 0.067 PPA (persons per acre). Exceptions to these averages would include limited farm labor housing facilities.

Corresponding Zoning: “E-A”, Exclusive Agricultural District; “A-3”, Agricultural District; “U-C”, Upland Conservation District; “U-C-2”, Upland Conservation/Resource Management District.

Land Use Element:

ISSUE: Agricultural Land Uses

- GOAL L-16: Conservation of productive agricultural lands and lands having substantial physical potential for productive agricultural use, and the protection of such lands from unwarranted intrusion of incompatible land uses and conversion to uses which may significantly obstruct or constrain agricultural use and value.
- LU40 POLICY: The County recognizes and has generally assigned General Plan land use designations for lands having high agricultural resource value as “Intensive Agriculture or “Crop Land and Prime Grazing Land...”
- Implementation Measure LU-X: Land designated “Intensive Agriculture” in the Land Use Element shall be zoned “E-A” Exclusive Agricultural District, “A-3” Agricultural District, “U-C” Upland Conservation District, or “U-C-2” Upland Conservation/Resource Management District.

ISSUE: Neighborhood Quality

- GOAL L-9: Protection of the open, rural character of the county.

Natural Resources Element:

Resource Management Agencies

- NR-3 POLICY: The County supports partnerships of private resource users with public agencies to provide for continued progressive management and conservation of public and private resources within the context of productive stewardship.

Rangeland

- NR41 POLICY: The County supports grazing practices on private lands and lands managed by state and Federal agencies which support the long-term health and sustainability of rangeland resources.

Scenic Resources

- GOAL N-23: Scenic resources of high quality which will continue to be enjoyed by residents and visitors and which will continue to be an asset to the reputation and economic resources of Lassen County.
- Implementation Measure NR-U: The County shall adopt policies to minimize adverse impacts which will significantly deteriorate the scenic qualities of visually sensitive areas.

Agricultural Element:

- AG-1 POLICY: The County recognizes that land having the physical characteristics (e.g., soil) for production of agricultural crops and livestock is a resource of significant value which needs to be protected for its economic value, its contribution to the character of the community, and its environmental and scenic values.
- GOAL A-2: Maintain area plan policies and related land use and resource management decisions which support the agricultural policies of the Agriculture Element.
- AG-15 POLICY: The County supports the consideration of innovative ways to maintain the economic viability of productive agricultural lands, subject to the unique circumstances of each area. Measures may include use of land conservation contracts (e.g., Williamson Act contracts), land banks, transfer of development rights, voluntary conservation easements, and use of buffer areas between agricultural lands and developing areas.
- Implementation Measure AG-G: The County will continue to implement the Williamson Act and utilize land conservation contracts for qualifying lands
- Implementation Measure AG-H: The County may place lands in the "A-P", Agricultural Preserve Combining District, to establish the precise boundaries of agricultural preserves and to provide such additional restrictions upon the use of land as are necessary.

In addition, the following goals, policies, and implementation measures from the *Standish-Litchfield Area Plan, 1986*, relate to the proposed project:

1. Land Use Growth and Development

ISSUE M: Agricultural Uses

GOAL AND OBJECTIVE: Protect productive agricultural lands from conversion to less appropriate uses or conflict caused by intrusion from incompatible uses. Protect the resource values of the area's rangeland and livestock production areas.

2. Environment/Natural Resources

ISSUE B: Soils

GOAL AND OBJECTIVE: Maintain the resource values and stability of the Planning Area's soils.

ISSUE H: Scenic Resources

GOAL AND OBJECTIVE: Protect and enhance the aesthetic values by recognizing and protecting unique scenic features and by encouraging appropriate land use patterns, design and utilization.

4. Economic Considerations

Issue: Economic Resources

GOAL AND OBJECTIVE: Protect and provide for appropriate utilization of resources fundamental to the economic history and viability of the Planning Area (agricultural lands, geothermal, gas, etc.).

Natural and Cultural Resources

Agricultural land is a resource of limited availability in Lassen County. Like timberland it is economically important and provides other benefits such as wildlife habitat, groundwater recharge areas, and open space which contributes to the rural character of the area.

Policy 7-A: Agricultural land in Lassen County shall be protected for its economic importance, its contribution to the character of the community and its environmental values. Agricultural lands in the Planning Area shall be designated as either intensive or extensive agriculture.

Implementation Measure 7.2: Non-agricultural uses shall be directed to areas with soils with limited value for agricultural use or to areas where similar uses already exist. Non-agricultural uses shall not interfere with agricultural operations.

Implementation Measure 7.4: Land designated intensive agriculture shall be zoned "A-3", Agricultural District or "E-A", Exclusive Agriculture.

Scenic Corridors

Policy 8-A: Lassen County shall establish, protect and maintain, scenic corridors in order to preserve the beauty of its landscapes...

LASSEN COUNTY CODE:

Lassen County Code Section 18.124.010 et seq. establish the regulations regarding the rezone (zoning amendment) process. Lassen County Code Sections 18.124.030 and 18.124.040 in part

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION
RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE REZONE
APPLICATION #2018-005, AND ADOPT AN ORDINANCE EFFECTING THE REZONE.

WHEREAS, the Planning Commission of Lassen County, after due notice and a public hearing conducted December 4, 2018, has considered Rezone Application #2018-005, filed by Ramsey and Trisha Wood, to enter five Assessor Parcel Numbers (APNs) in Lassen County (totaling approximately 220 acres) into an A-P (Agricultural Preserve Combining District) zoning district in order to allow for a new Land Conservation (Williamson) Act contract.. The rezone of said five APNs is from E-A (Exclusive Agricultural District) and E-A-D (Exclusive Agricultural District, Design Combining District [within 500 feet of Standish-Buntingville Road]) to E-A-A-P (Exclusive Agricultural District, Agricultural Preserve Combining District) and E-A-A-P-D (Exclusive Agricultural District, Agricultural Preserve Combining District, Design Combining District).

After the Planning Commission has made a recommendation in regard to the rezone, the Board of Supervisors will consider placing the subject properties into an agricultural preserve and entering the same lands into a Land Conservation (Williamson) Act contract. This rezone application, if approved, would make the zoning consistent with that required by Policies and Procedures for Implementing the California Land Conservation Act of 1965 (Williamson Act) in Lassen County (Resolution #12-050); and

WHEREAS, the Board of Supervisors will consider the placement of the subject property in to an Agricultural Preserve and entering of this land into a Land Conservation (Williamson) Act contract at a future date; and

WHEREAS, the Land Conservation Committee has determined that the subject lands meet the minimum qualifications to be placed into an agricultural preserve and Land Conservation (Williamson) Act contract; and

WHEREAS, the Environmental Review Officer of the County of Lassen has determined that this proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the 2018 CEQA Guidelines, which in part exempts “the establishment of agricultural preserves...”

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds as follows:
 - a. That rezoning the subject parcels from “E-A” and “E-A-D” to “E-A-A-P” and “E-A-A-P-D” is consistent with the “Intensive Agriculture” and “Scenic Corridor” land use designations and all applicable goals and policies set forth in the Lassen County General Plan.

RESOLUTION NO. _____

- b. The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the 2018 CEQA Guidelines, which in part exempts “the establishment of agricultural preserves...”
- c. The project site is physically suitable for the uses allowed within the “A-P” District.
- d. The rezoning of the subject properties to “E-A-A-P” and “E-A-A-P-D” will not adversely affect the health, welfare, and safety of the public.

Based on the foregoing, the Planning Commission hereby makes the following recommendations to the Lassen County Board of Supervisors:

- 1. That the Board of Supervisors adopt findings (a) through (d) as set forth above.
- 2. That the Board of Supervisors approve Rezone Application #2018-005 and adopt an ordinance to rezone the subject properties from “E-A” and “E-A-D” to “E-A-A-P” and “E-A-A-P-D.”

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 4th day of December, 2018, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION
RECOMMENDING THAT THE BOARD OF SUPERVISORS DISAPPROVE REZONE
APPLICATION #2018-005.

WHEREAS, the Planning Commission of Lassen County, after due notice and a public hearing conducted December 4, 2018, has considered Rezone Application #2018-005, filed by Ramsey and Trisha Wood, to enter five Assessor Parcel Numbers (APNs) in Lassen County (totaling approximately 220 acres) into an A-P (Agricultural Preserve Combining District) zoning district in order to allow for a new Land Conservation (Williamson) Act contract.. The rezone of said five APNs is from E-A (Exclusive Agricultural District) and E-A-D (Exclusive Agricultural District, Design Combining District [within 500 feet of Standish-Buntingville Road]) to E-A-A-P (Exclusive Agricultural District, Agricultural Preserve Combining District) and E-A-A-P-D (Exclusive Agricultural District, Agricultural Preserve Combining District, Design Combining District).

After the Planning Commission has made a recommendation in regard to the rezone, the Board of Supervisors will consider placing the subject properties into an agricultural preserve and entering the same lands into a Land Conservation (Williamson) Act contract. This rezone application, if approved, would make the zoning consistent with that required by Policies and Procedures for Implementing the California Land Conservation Act of 1965 (Williamson Act) in Lassen County (Resolution #12-050); and

WHEREAS, the Board of Supervisors will consider the placement of the subject property in to an Agricultural Preserve and entering of this land into a Land Conservation (Williamson) Act contract at a future date; and

WHEREAS, the Land Conservation Committee has determined that the subject lands meet the minimum qualifications to be placed into an agricultural preserve and Land Conservation (Williamson) Act contract; and

WHEREAS, projects that are disapproved are not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15270 of the 2018 CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds as follows:
 - a. That rezoning the subject parcels from “E-A” and “E-A-D” to “E-A-A-P” and “E-A-A-P-D” is inconsistent with the “Intensive Agriculture” and “Scenic Corridor” land use designations and applicable goals and policies set forth in the Lassen County General Plan.

RESOLUTION NO. _____

- b. Projects that are disapproved are not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15270 of the 2018 CEQA Guidelines.
- c. The project site is not physically suitable for the uses allowed within the “A-P” District.
- d. The rezoning of the subject properties to “E-A-A-P” and “E-A-A-P-D” will adversely affect the health, welfare, and safety of the public.

Based on the foregoing, the Planning Commission hereby makes the following recommendations to the Lassen County Board of Supervisors:

- 1. That the Board of Supervisors adopt findings (a) through (d) as set forth above.
- 2. That the Board of Supervisors disapprove Rezone Application #2018-005.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the County of Lassen, State of California, on the 4th day of December, 2018, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

EXHIBIT "A"
LEGAL DESCRIPTION

All that certain real property situated in portions of Sections 32 and 33, Township 29 North, Range 14 East, Mount Diablo Base and Meridian, in the unincorporated territory of Lassen County, California, more particularly described as follows:

Parcel One:

The Northeast one-quarter (NE1/4) of Section 32, Township 29 North, Range 14 East, Mount Diablo Meridian, according to the official plat thereof.

Excepting therefrom the South 300 feet of the Northeast one-quarter of the Southwest one-quarter of the Northeast one-quarter (NE1/4 SW1/4 NE1/4) and the North 60 feet of the Southeast one-quarter of the Southwest one-quarter of the Northeast one-quarter (SE1/4 SW1/4 NE1/4) of Section 32, Township 29 North, Range 14 East, Mount Diablo Meridian, according to the official plat thereof.

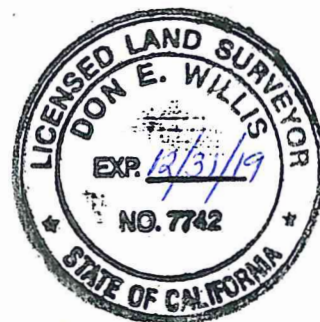
Also excepting therefrom that portion lying within lands of the County of Lassen as described in that certain deed filed May 6, 1938 in Book 36 of Deeds, at Page 282, of the Official Records of Lassen County, California.

Parcel Two:

The Northwest one-quarter of the Northwest one-quarter (NW1/4 NW1/4) of Section 33, Township 29 North, Range 14 East, Mount Diablo Meridian, according to the official plat thereof.

Parcel Three:

Parcel A, as shown on that certain map entitled "Parcel Map No. 3-04-83 for Arnoux Martial", filed June 11, 1985 in the office of the Lassen County Recorder in Book 24 of Maps, at Pages 12 and 13.



Don E. Willis



County of Lassen
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

October 26, 2018

Maurice L. Anderson, Director
707 Nevada Street, Suite 5
Susanville, CA 96130-3912
Phone: 530 251-8269
Fax: 530 251-8373
email: landuse@co.lassen.ca.us
website: www.co.lassen.ca.us

TO: Land Conservation Committee
Agenda Date: November 2, 2018

Zoning & Building
Inspection Requests
Phone: 530 257-5263

FROM: Maurice L. Anderson, Director

MAF

RE: Agricultural Preserve #2018-002 and Rezone #2018-005, Wood

Project Description

AGRICULTURAL PRESERVE #2018-002 AND REZONE #2018-005, Wood. The Land Conservation Committee will consider an application by Ramsey and Trisha Wood to rezone and enter lands within Lassen County into a new Land Conservation (Williamson) Act contract. If approved, the contract would affect five Assessor's Parcel Numbers (APNs) that contain approximately 220 acres of contiguous, irrigated land. The subject APNs are zoned E-A (Exclusive Agricultural District) and E-A-D (Exclusive Agricultural District, Design Combining District [within 500 feet of Standish-Buntingville Road]), and are designated "Intensive Agriculture" and "Scenic Corridor" (also within 500 feet of Standish-Buntingville Road) by the *Standish-Litchfield Area Plan, 1986*. The subject APNs are located adjacent to Standish-Buntingville Road and Capezzoli Lane in Standish, approximately 15 miles southeast of Susanville, CA. APNs: 119-450-09, 10, 11, 17, and 32. Staff Contact: Stefano Richichi, Associate Planner.

The Planning Division of the Lassen County Department of Planning and Building Services recommends that the Land Conservation Committee adopt the following findings:

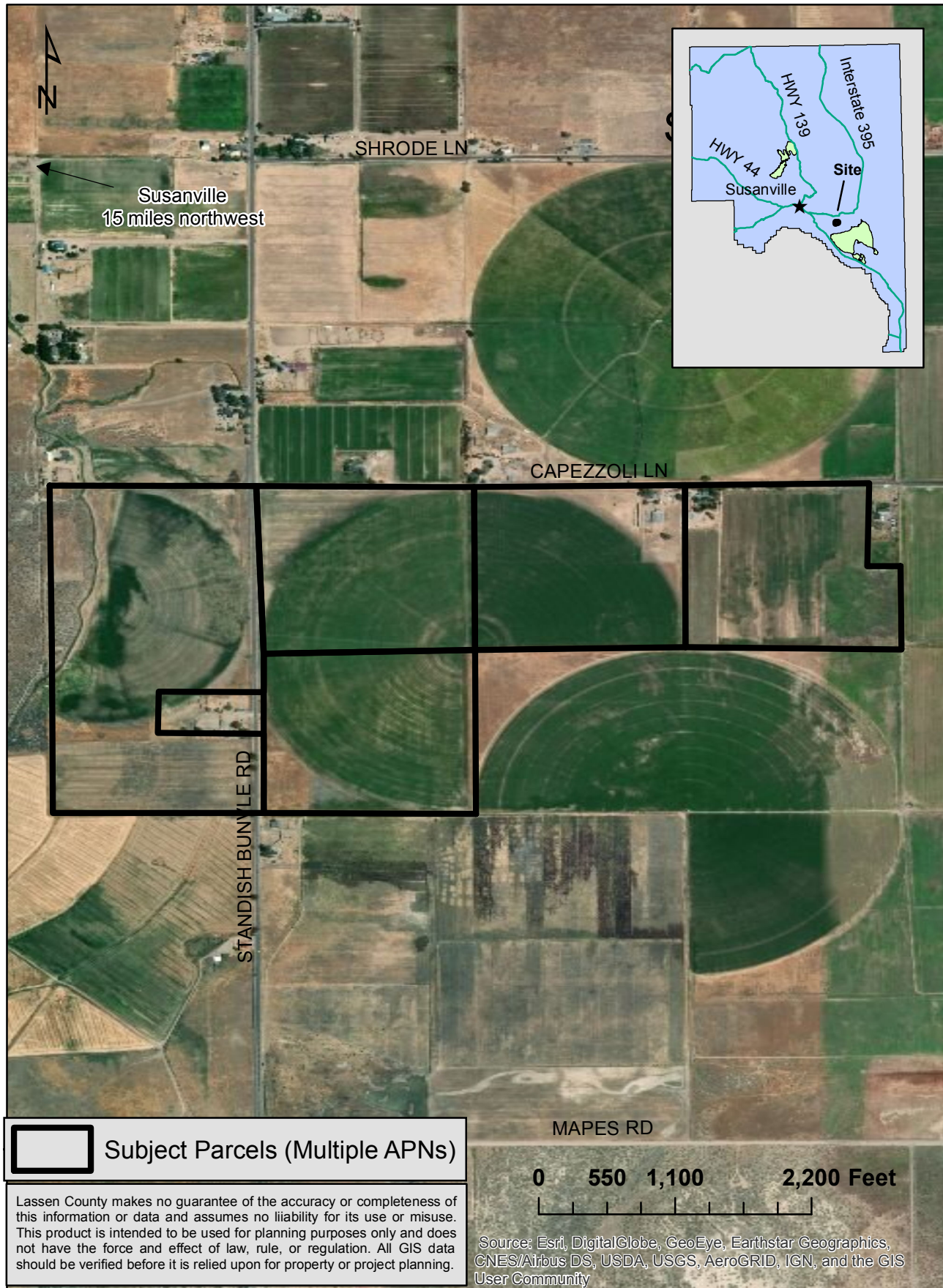
1. The applicant has submitted a Land Conservation (Williamson) Act contract application and rezone application that affects the subject APNs (approximately 220 acres of land) for consideration by Lassen County.
2. The subject APNs are not currently in a Land Conservation (Williamson) Act contract.
3. The subject APNs are in a qualifying agricultural zoning district as required by Section (1)(a) of Exhibit A of Board Resolution #12-050 (the E-A, U-C, and U-C-2 zoning districts are all qualifying agricultural zoning districts). The subject APNs are zoned E-A, and E-A-D.
4. The above section of Board Resolution #12-050 also requires that land be in an Agricultural Preserve (i.e., have an Agricultural Preserve [A-P] Combining District) in order to enter into a Williamson Act contract.
5. The applicant has submitted an application to rezone the subject APNs into an Agricultural Preserve (Agricultural Preserve [A-P] Combining District).

6. Pursuant to Section (1)(d) of Exhibit A of Board Resolution #12-050, the Land Conservation Committee shall review the submitted applications and forward its recommendation to the Planning Commission and Board of Supervisors.
7. According to the applicant, the subject APNs produce hay and also serve as pasture for grazing. Sections (1)(b) and 4 of Exhibit A of Board Resolution #12-050 require that the land for which a Williamson Act contract is applied be used for the production of agricultural commodities, including crops or livestock produce principally for sale to others. The above uses meet this requirement.
8. Section 1(g) of Exhibit A of Board Resolution #12-050 requires 100 acres of Class I or Class I-equivalent soils for land to be eligible to enter into an agricultural preserve.
9. According to the Natural Resources Conservation Service's (NRCS) Web Soil Survey, the subject APNs together contain approximately 170 acres of Class-I-soil-equivalent land (using the Natural Resources Conservation Service Land Classification System), ranging between Class II and Class IV soils (all irrigated).
10. The subject APNs contain sufficient acreage to enter into a Williamson Act contract pursuant to Section 1(h)(a) of Exhibit A of Board Resolution #12-050, which requires at least 100 acres of Class I through V soils of irrigated land¹ to enter into a contract. The applicant proposes to enter approximately 220 acres of irrigated land² with Class II through IV soils into a contract.
11. The proposed projects are exempt from the California Environmental Quality Act (CEQA) under Section 15317 of the 2018 CEQA Guidelines, which in part exempts "the establishment of agricultural preserves... [and] the making and renewing of open space contracts under the Williamson Act..."
12. The Board of Supervisors will determine whether this project is consistent with the *Lassen County General Plan, 2000*.

¹ A functioning irrigation system requires an adequate and available water source and delivery system. Said irrigation system must be capable of delivering adequate and available water source to a minimum of 100 acres to qualify.

² Google Earth aerial imagery dated March 21, 2014, and ArcGIS imagery dated August 7, 2016, show that the applicant irrigates the land with a pivot system.

Agricultural Preserve #2018-002, Rezone #2018-005, Wood



AGRICULTURAL LAND CONSERVATION APPLICATION

FILING FEE: \$476.00

RECEIVED

OCT 16 2018

*Lassen County Department of
Planning and Building Services*

AA2018-002

Application includes the filing of: (a) Soils Map
(b) Lot Book Guarantee

Check Lines Requested

ZONING DISTRICTS:

| | |
|-----------------------------|---------------|
| Agricultural Preserve "AP" | <u>X</u> |
| Exclusive Agricultural "EA" | <u>X</u> |
| Upland Conservation "UC" | <u> </u> |
| Agricultural Forest "AF" | <u> </u> |

AGREEMENT:

NAME OF LANDOWNER: Ramsey + Trisha Wood

ADDRESS: Box 270534 Susanville CA 96127

| | | |
|--------------------|---------------------------|--|
| Agricultural Land: | Use | Acres |
| | <u>Grazing (Seasonal)</u> | <u>120 acres (Ravendale)</u> ^{SR} |
| | <u>Hay Crop / Pasture</u> | <u>220.40 acres (Standish)</u> |

Total Acreage:

340.43 Approx 220 acres ^{SR}

County Assessor's Description of Property (ATTACH COPY OF ASSESSOR'S MAP):

| <u>Code Area No.</u> | <u>Assessor's Parcel No.</u> | <u>Assessed Value-Land</u> |
|----------------------|------------------------------|----------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

Certification:

I hereby certify that the above information is true to the best of my knowledge.

LANDOWNER'S SIGNATURE: *[Signature]* 10-16-18
Date

(To add information for any part, use additional copies of this form).

Planning Department Information:

Present Designation in General Plan: Intensive Agriculture
Present Zoning: E-A / E-A-D



REZONE APPLICATION

FILING FEE: \$754
DEPARTMENT OF PLANNING AND BUILDING SERVICES
707 Nevada Street, Suite 5 · Susanville, CA 96130-3912
(530) 251-8269 · (530) 251-8373 (fax)
www.co.lassen.ca.us

RECEIVED

OCT 16 2018

Lassen County Department of
Planning and Building Services

Form must be typed or printed clearly in black or blue ink. All sections must be completed in full.

This application consists of one page; only attach additional sheets if necessary.

FILE NO. RZ 2018-005

| Property Owner/s | Property Owner/s |
|---|-------------------------------------|
| Name: <u>Ramsey Wood</u> | Name: <u>Trisha Wood</u> |
| Mailing Address: <u>PO Box 270536</u> | Mailing Address: <u>SAME</u> |
| City, ST, Zip: <u>Susanville CA 96127</u> | City, ST, Zip: |
| Telephone: <u>530 680 8955</u> Fax: | Telephone: <u>530 570 3663</u> Fax: |
| Email: <u>ramseywood83@gmail.com</u> | Email: |

| Applicant/Authorized Representative* | Agent (Land Surveyor/Engineer/Consultant) |
|---|---|
| Same as above: <input type="checkbox"/> | Correspondence also sent to: <input type="checkbox"/> |
| Name: | Name: |
| Mailing Address: | Mailing Address: |
| City, ST, Zip: | City, ST, Zip: |
| Telephone: Fax: | Telephone: Fax: |
| Email: | Email: License #: |

| Project Address or Specific Location: | | | |
|---------------------------------------|--|-----------|--------|
| Deed Reference: Book: | Page: | Year: | Doc#: |
| Zoning: <u>E-A / E-A-D</u> | General Plan Designation: <u>Intensive Agriculture</u> | | |
| Parcel Size (acreage): | Section: | Township: | Range: |

| | | | |
|------------------------------|-----------------------|-----------------------|-----------------------|
| Assessor's Parcel Number(s): | <u>119 -450-09 11</u> | <u>119 -450-10 11</u> | <u>119 -450-11 11</u> |
| | <u>119 -450-17 11</u> | <u>119 -450-32 11</u> | <u>079 -070-10</u> |
| | | | <u>033 -050-39</u> |

| | |
|--|---|
| Present Zoning: <u>EA / E-A-D</u> | Proposed Zoning: <u>EAAP</u> |
| General Plan Amendment Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | General Plan Amendment Submitted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No *Staff Initial: <u>SR</u> |
| Project Description: <u>Rezoning request from EA to EAAP and applying for Williamsch Act for above listed parcels.</u> | |

















































| SIGNATURE OF PROPERTY OWNER(S): I HEREBY ACKNOWLEDGE THAT: I have read this application and state that the information given is both true and correct to the best of my knowledge. I agree to comply with all County ordinances and State laws concerning this application. | *SIGNATURE OF APPLICANT/AUTHORIZED REPRESENTATIVE (Representative may sign application on behalf of the property owner only if Letter of Authorization from the owner/s is provided). |
|---|---|
| Date: | Date: |
| <u>Trisha Wood</u> Date: <u>10-16-18</u> | Date: |

See associated process form for required attachments and instructions.

Soil Map—Susanville Area, Parts of Lassen and Plumas Counties, California
(Ramsey and Trisha Wood AOI)



MAP LEGEND

| | | | | |
|-------------------------------|---|------------------------|---|-----------------------|
| Area of Interest (AOI) |  | Area of Interest (AOI) |  | Spoil Area |
| Soils |  | Soil Map Unit Polygons |  | Stony Spot |
| |  | Soil Map Unit Lines |  | Very Stony Spot |
| |  | Soil Map Unit Points |  | Wet Spot |
| Special Point Features |  | |  | Other |
| |  | Blowout |  | Special Line Features |
| |  | Borrow Pit |  | |
| |  | Clay Spot |  | Water Features |
| |  | Closed Depression |  | Streams and Canals |
| |  | Gravel Pit |  | Transportation |
| |  | Gravelly Spot |  | Rails |
| |  | Landfill |  | Interstate Highways |
| |  | Lava Flow |  | US Routes |
| |  | Marsh or swamp |  | Major Roads |
| |  | Mine or Quarry |  | Local Roads |
| |  | Miscellaneous Water |  | |
| |  | Perennial Water |  | Background |
| |  | Rock Outcrop |  | Aerial Photography |
| |  | Saline Spot |  | |
| |  | Sandy Spot |  | |
| |  | Severely Eroded Spot |  | |
| |  | Sinkhole |  | |
| |  | Slide or Slip |  | |
| |  | Sodic Spot |  | |

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Susanville Area, Parts of Lassen and Plumas Counties, California
Survey Area Data: Version 9, Sep 12, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 23, 2014—Nov 6, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------------|----------------|
| 122 | Bobert sandy loam, 0 to 2 percent slopes | 11.0 | 4.7% |
| 143 | Calpine sandy loam, 0 to 2 percent slopes | 42.7 | 18.1% |
| 206 | Fordney loamy fine sand, wet, 0 to 2 percent slopes | 20.1 | 8.5% |
| 252 | Incy fine sand, 5 to 30 percent slopes | 14.2 | 6.0% |
| 285 | Modoc-Truax complex, 0 to 2 percent slopes | 47.3 | 20.1% |
| 365 | Springmeyer sandy loam, 0 to 5 percent slopes | 100.1 | 42.5% |
| Totals for Area of Interest | | 235.4 | 100.0% |

RESOLUTION NO. 12-050

**RESOLUTION OF THE LASSEN COUNTY BOARD OF SUPERVISORS AMENDING THE
POLICIES AND PROCEDURES FOR IMPLEMENTING THE CALIFORNIA LAND
CONSERVATION ACT OF 1965 (WILLIAMSON ACT) IN LASSEN COUNTY**

WHEREAS, the California Legislature adopted the Land Conservation Act (Williamson Act) in 1965 to encourage preservation of limited supplies of agricultural land in the state. The Act provides a potential tax incentive to owners to maintain their land in agricultural production through contracts between the owner and the County; and

WHEREAS, the Williamson Act enforceably restricts the use of land under contract to commercial agriculture and compatible uses; and

WHEREAS, Government Code Section 51257 is ambiguous regarding the requirements for new Williamson Act contracts with lot line adjustments, and should be clarified as to how it will be applied in Lassen County; and

WHEREAS, with regard to minimum acreage for a contract, Government Code Section 51222 provides that the state shall presume that parcels are large enough to sustain their agricultural use, and thereby qualify for a Williamson Act contract if they are at least ten (10) acres in size for prime agricultural land and at least forty (40) acres in size for non-prime land; and

WHEREAS, until 2009, the State made "subvention" payments to local governments (pursuant to Open Space Subvention Act, enacted on January 1, 1972) in order to provide for the replacement of local property tax revenue foregone as a result of participation in the California Land Conservation (Williamson Act). Since 2009 nearly all funding for Williamson Act has been removed from the state budget; and

WHEREAS, the Board has held multiple public meetings and hearings to discuss appropriate action for Lassen County to take as a result of the States failure to fund the program; and

WHEREAS, the Board has on multiple occasions requested input regarding appropriate Board action to the state's failure to fund the program from the Lassen County Farm Bureau, Cattlemen's Association, and others; and

WHEREAS, The Policies and Procedures adopted by this resolution replace those Policies and Procedures adopted by the Board of Supervisors through Board Resolution Number 06-068 on September 12, 2006.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Board of Supervisors does hereby amend the policies and procedures for administration and implementation of the Williamson Act Program in Lassen County attached hereto as Exhibit A, and incorporates the following findings as the basis for these policies and procedures:

- a) Agricultural production is and will remain a principle land use in Lassen County.
- b) Agricultural production on lands within Lassen County constitutes an important physical, social, aesthetic and economic asset to the county.
- c) In addition to a range of economically important commodities, agricultural land provides open space and scenic values, wildlife habitat and land stewardship, and contributes significantly to the county's rural character.
- d) Properties which are not in compliance with the Act and/or contract provisions jeopardize the viability of the program within the county.

THE FOREGOING RESOLUTION was adopted at a regular meeting of the Lassen County Board of Supervisors on the 9th day of October, 2012, by the following vote:

AYES: Supervisors Dahle, Chapman, Wosick

NOES: None

ABSTAIN: None

ABSENT: Supervisors Pyle, Hanson

Brian Dahle
Brian Dahle, Chairman
Lassen County Board of Supervisors

ATTEST:

Susan Osgood
Susan Osgood, Deputy Clerk of the Board

I, SUSAN OSGOOD, Deputy Clerk of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the Lassen County Board of Supervisors on the 9th day of October, 2012.

Susan Osgood
COUNTY CLERK AND EX-OFFICIO CLERK OF THE
BOARD OF SUPERVISORS

EXHIBIT A

**LASSEN COUNTY POLICIES AND PROCEDURES FOR ADMINISTRATION OF THE
LAND CONSERVATION ACT OF 1965 (WILLIAMSON ACT)**

**1. Establishing or Modifying an Agricultural Preserve; or Entering into or Modifying a
Williamson Act Contract**

a. To enter into a Williamson Act contract, the land must first be in a qualifying agricultural zoning district (E-A, Exclusive Agriculture; U-C, Upland Conservation; or U-C-2, Upland Conservation/Resource Management) and must be in an Agricultural Preserve.

b. Application(s) to rezone land to a qualifying agricultural zone and to establish or modify an agricultural preserve, and/or enter into or modify a Williamson Act contract shall be filed with the Lassen County Planning and Building Services Department on forms provided by that Department and shall include at least the following (additional information may be required):

- Name(s) of Landowner(s) of record
- Location of property, including maps depicting the location and boundaries of all affected lands
- Complete legal description of all lands to be placed in agricultural preserve and contract
- The total size of the affected property
- Details regarding the agricultural commodity(ies) produced on the property, and any proposed compatible land uses
- All additional information required for processing, as determined by the Planning and Building Services Department.

c. Applications shall be accompanied by the appropriate fee(s) established by the Board of Supervisors.

d. Applications for new or modified agricultural preserves and contracts shall be reviewed by the Lassen County Land Conservation Committee to determine eligibility. The Committee will forward its recommendation to the Planning Commission and Board of Supervisors.

e. The Planning Commission will hold a public hearing to consider the application(s) as required by zoning regulations, and shall forward its recommendation to the Board of Supervisors. The Board will hold its own public hearing and will consider the Planning Commission and Land Conservation Committee findings and recommendations, and shall determine whether or not all criteria have been met for an agricultural preserve and render its decision on the application(s).

f. After formation of the agricultural preserve, the applicant is eligible to be offered a Williamson Act contract which, when signed by the County and the Landowner, is binding upon the land for terms of at least ten (10) years, or twenty (20) years in the case of a

Farmland Security Zone. During the term of the contract uses of the land are enforceably restricted by the provisions of the zoning ordinance, the contract and the Williamson Act.

g. Except as provided in subsection 1(i), in the minimum acreage required to be eligible to enter into an agricultural preserve in Lassen County shall be 100 acres of Class I soils or Class I equivalent soils, using the Natural Resources Conservation Service Land Classification System, as prescribed in Lassen County Resolution No.1924, and summarized below.

| NRCS Soil Class | Acres Required for 1 Acre of Class I Equivalent |
|-----------------|---|
| I | 1 |
| II | 1 |
| III | 2 |
| IV | 4 |
| V | 6 |
| VI | 6 |
| VII | 10 |
| VIII | 20 |

h. Except as provided in subsection 1(i), the minimum acreage to be eligible to remain in or enter or into a Williamson Act contract in Lassen County shall be one of the following:

a. One hundred (100) acres of NRCS Class I through V soils with a functioning irrigation system (functioning irrigation system means an adequate and available water source and delivery system). Said irrigation system must be capable of delivering an adequate and available water source to a minimum of 100 acres to qualify under this provision; or

b. Four hundred (400) acres of dry (no irrigation) or partially irrigated land.

i. The Board of Supervisors may establish agricultural preserves on less acreage than prescribed in 1(g) in accordance with Government Code Section 51230, and may enter into Williamson Act contracts on less acreage than prescribed in 1(h), except that in no case shall an agricultural preserve be established or a contract be offered on acreage less than is presumed by the state to be large enough to sustain its agricultural use (GC §51222).

2. Boundary Adjustments, Division or Transfer of Property under Williamson Act Contract.

a. No ownership that meets the minimum county acreage standard for a contract before lot line adjustment shall, as a result of adjustment, become substandard.

b. Lot Line Adjustments shall be considered by the Technical Advisory Committee (TAC) pursuant to the County Code. Any Lot Line Adjustment approved by the TAC on

lands under contract shall be conditioned upon the Board of Supervisors making the required findings in accordance with Government Code Section 51257. Prior to consideration by the Board of Supervisors, any Lot Line Adjustment that affects one or more Williamson Act Contracts shall first be reviewed by the Lassen County Land Conservation Committee, which shall forward its findings and recommendations to the Board of Supervisors.

c. An application to divide land under Williamson Act contract may be considered by the County in accordance with the County Subdivision Ordinance and the Subdivision Map Act, provided that each of the proposed parcels after division must meet the parcel size requirements of the Zoning Code and the County's minimum acreage standard for a Williamson Act contract.

d. Where a land division or lot line adjustment would result in separate ownerships under a single contract, a new contract for each newly created or adjusted parcel (or ownership) may be required as a condition of Tentative Map, Parcel Map or Lot Line Adjustment approval. For Lot Line Adjustments the following general guidelines will apply, subject to case by case review:

- i) Where a lot line adjustment involves parcels located entirely within a single contract under one ownership, new contracts will not be required;
- ii) Where a lot line adjustment involves parcels under two or more separate contracts and/or two or more ownerships, new contracts may be required;
- iii) Where a lot line adjustment results in lands not under contract being added to lands under contract, new contracts will be required as necessary to include the new land.

e. Except as provided in Government Code §51230.1, §51230.2, and as may otherwise be allowed with a binding Joint Management Agreement, no parcel or group of parcels that make up a "substandard portion" of land under contract may be divided and/or sold separately from the remaining lands under contract. As used here "substandard portion" means a parcel or group of contiguous parcels that do not collectively meet the minimum county acreage standard for a contract as established in Policy 1(h), above.

f. The provisions of County Code Section 18.108.250 "Segregation of Homesites in Agricultural Zones," may apply to lands under Williamson Act contract only if the segregated homesite meets the minimum acreage of ten (10) acres of prime land and forty (40) acres of non-prime land, or is subject to a binding Joint Management Agreement with adjoining land under contract, where the segregated homesite parcel and the adjoining lands collectively meet the County's minimum acreage requirement for a contract.

g. A notice on nonrenewal shall be filed on any contract that enters or has entered into a conservation easement. By August 31 of each year the County Assessor shall provide information to the Planning and Building Services Department necessary to allow recordation of said notice of nonrenewal. The Planning and Building Services Department shall record a notice of nonrenewal for all the parcels so identified by October 31 of that year. If for any reason said notice is not recorded in the year it was discovered that there is a conservation

easement on all or a portion of the restricted lands, said notice shall be recorded the following year.

h. A notice on nonrenewal shall be filed on any contract lands that are sold or otherwise transferred and result in a "substandard portion." By August 31 of each year the County Assessor shall provide information to the Planning and Building Services Department necessary to allow recordation of said notice of nonrenewal. The Planning and Building Services Department shall record a notice of nonrenewal for all the parcels so identified by October 31 of that year. If for any reason said notice is not recorded in the year it was discovered that there is a conservation easement on all or a portion of the restricted lands, said notice shall be recorded the following year.

3. Residential, Commercial and Industrial Structures on Property under Williamson Act Contract

a. On land under contract that meets or exceeds the county minimum acreage for a contract, one single family residence that is consistent with the Williamson Act may be permitted. Other residential structures, including additional dwellings, attached units such as a duplex, or a dormitory or bunkhouse for employee housing, may be approved upon securing a Certificate of Conditional Use, Use Permit, or other permit as required by the zoning code.

b. On land under contract that is less than the county minimum acreage for a contract, all residential development will be subject to discretionary review and approval. The County may also consider non-renewal of the contract on such lands.

c. On lands under contract, structures that would otherwise not be permitted without existing commercial agriculture (e.g., barn, equipment storage, residence), may, on a case by case basis, be considered for approval concurrently with the establishment of the commercial agricultural operation, provided that the combined floor area of all proposed structures is under 2,500 square feet; the property meets the county minimum acreage for a contract; and a Certificate of Conditional Use specifying the type and extent of commercial agriculture proposed and a timeline for establishment, is first secured.

d. No new structures shall be permitted on lands under Williamson Act contract unless they are directly related to, or are incidental to, on site commercial agriculture or other compatible use(s).

4. Definition of Agriculture for Williamson Act Purposes

Agriculture or Commercial Agriculture. As used in relation to the Williamson Act, the terms "agriculture" and "commercial agriculture" shall mean the use of land for the production of agricultural commodities (i.e., crops or livestock produced for food, fiber, flowers, fuel and oils) principally for sale to others.

5. Definition of "Contract" for Lassen County Williamson Act Purposes.

Contract. As used in relation to the Williamson Act, the term "contract" shall mean the contract actually entered into by the Board of Supervisors and a property owner. If the original contract is not owned by a single property owner or group of property owners, "Contract" shall also mean an "inured contract," which is defined as a portion of one or more prior contracts now owned by a unique property owner or group of property owners.

Last Revised 9-4-12 by gfn