



COUNTY OF HUMBOLDT

For the meeting of: 9/29/2020

File #: 20-1185

To: Board of Supervisors
From: Planning and Building Department
Agenda Section: Consent

SUBJECT:

Successor Land Conservation Contract

Successor Contract for Karl Benemann, New Owner of "Walker Preserve" Class "B" Agricultural Preserve; Petrolia area

Case Number: PLN-2020-16472

Assessor's Parcel Numbers (APN): 104-191-001, 104-221-017, 104-222-017, 104-232-003, 104-232-004, 104-232-005, 105-101-011

RECOMMENDATION(S):

That the Board of Supervisors:

1. Direct the Chair to execute the Successor Land Conservation Contract (Attachment A);
2. Direct the Clerk of the Board to record the Successor Land Conservation Contract with the County Recorder; and
3. Direct the Clerk of the Board to give notice of the decision to the applicant, the Planning Division, and any other interested party.

SOURCE OF FUNDING:

Planning and Engineering Services Revenue Account No. 1100-277-608000.

DISCUSSION:

The property has been in the Williamson Act program since 1979 when it was established as the approximately 834-acre Lowell Walker Class B Agricultural Preserve (Preserve No. 79-6, Resolution No. 79-19). In 1984, 200 acres were added to the Preserve (Preserve No. 84-2, (Resolution No. 84-20), bringing the area to its current 1034-acres. The property was used for cattle grazing continuously since its establishment as an agricultural preserve and the new owners are continuing this activity. The raising of beef cattle is consistent with the requirements of the county's Williamson Act guidelines for a Class B preserve. The property remains in compliance with all aspects of the Williamson Act guidelines and the resolution establishing the preserve with uniform rules including compatible uses.

In March of 2020 the property was transferred in its entirety from Richard Cogswell to Karl Benemann.

The County's Williamson Act Guidelines require a new owner to enter into a successor land conservation contract with the Board of Supervisors, unless the new owners are immediate family members of the original contract holders.

The new owner, Karl Benemann, has submitted a successor land conservation contract for consideration. Upon execution by the Board and recordation of the contract, the new owner will be in full compliance with the transfer requirements of the Guidelines.

FINANCIAL IMPACT:

All expenses for processing the successor conservation contract for Karl Benemann are borne by the applicant; there will therefore be no effect on the General Fund. The execution of the successor land conservation contract will maintain the property's preferential tax status as it will remain subject to an enforceable restriction under the Williamson Act.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents .

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose not to enter into a successor land conservation contract with the new property owner. However, this action would not be consistent with the County's adopted Williamson Act Guidelines. Planning staff does not recommend further consideration of this alternative.

ATTACHMENTS:

Attachment A: Successor Land Conservation Contract
Exhibit A (legal description); Exhibit B (map)

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: 15329