



County of Sonoma

State of California

Date: December 10, 2024

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Approving the Request by Cinquini & Passarino Inc to Rescind an Existing Non-Prime (Type II) Land Conservation Act Contract and Replace It With a Non-Prime (Type II) Land Conservation Act Contract and Authorize the Chair of the Board to Execute the New Land Conservation Act Contract and Land Conservation Plan, following an approved Lot Line Adjustment (LLA17-0010), for the Agricultural Land Located at 28100 Stewarts Point-Skaggs Springs Road, Annapolis; APN 123-180-016; AGP21-0001.

Whereas, a request has been made by Cinquini & Passarino Inc to approve, and authorize the Chair of the Board to execute, an agreement to rescind an existing Non-prime (Type II) Land Conservation Act Contract and replace it with a new Non-prime Land Conservation Act contract, following an approved lot line adjustment (LLA17-0010), for an adjusted 126.38 acre parcel, located at 28100 Stewarts Point-Skaggs Springs Road, Annapolis; APN 123-180-016; Supervisorial District No. 5; and

Whereas, in 1971, the subject property, along with additional land, was entered into a Non-prime (Type II) Land Conservation Act contract for grazing land (contract #71-098502); and

Whereas, a condition of the Lot Line Adjustment (LLA17-0010), Resolution No. 20-0411, approved on November 10, 2020, required the landowner to file an application for replacement contracts to separately restrict the adjusted boundaries of the resulting lots;; and

Whereas, on December 13, 2011, the Board of Supervisors adopted the updated *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules)* (Resolution No. 11-0678), which requires that Land Conservation Plans are incorporated into Land Conservation Contracts, which *Uniform Rules* have been amended from time to time since then; and

Whereas, consistent with the *Uniform Rules*, County Counsel has revised the Land

Conservation Act Contract form, which now incorporates a Land Conservation Plan identifying the various uses of the contracted land. Future changes to identified land uses require amendment of the Land Conservation Plan. The Board, pursuant to Resolution No. 11-0678, has authorized the Director of Permit Sonoma to approve amendments to executed Land Conservation Plans; and

Whereas, Sonoma County's Land Conservation Act program has four contract-types available: a) Prime contracts for crop agriculture with a 10 acre minimum parcel size requirement; b) Non-Prime contracts for grazing with a 40 acre minimum; c) Open Space contracts with a 40- acre minimum, and d) Hybrid contracts with a mix of agricultural and open space also with a 40-acre minimum; and

Now, Therefore, Be It Resolved, that the Board of Supervisors finds that the project described in this Resolution is exempt from the requirements of the California Environmental Quality Act by virtue of Section 15317 Class 17 of Title 14 of the California Code of Regulations (CEQA Guidelines) which provides that executing a new Land Conservation Act Contract is exempt from the California Environmental Quality Act.

Be It Further Resolved, that the Board of Supervisors hereby grants the request by Cinquini & Passarino Inc to mutually rescind and replace a Non-prime (Type II) Land Conservation Act contract with a new Non-prime Land Conservation Act contract for 126.38 acres of non-prime agricultural land within an existing Agricultural Preserve (2-298), currently described as APN 123-180-016, and authorizes the Chair of the Board to sign the new Non-prime Land Conservation Act Contract for APN 123-180-016. The Board makes the following specific findings concerning the requirements for a Land Conservation Act Contract ("Contract") in granting the request:

1. Land is within an Agricultural Preserve: The 126.38 acre parcel is located within established Agricultural Preserve Area Number 2-298.
2. Single Legal Parcel Requirement: The land proposed for the contract is comprised of a single legal parcel currently described by the following Assessor's Parcel Number: 123-180-016.
3. Minimum Parcel Size: The land must be at least 40 acres in size for a Non-prime Land Conservation Act Contract. The 126.38 acre parcel exceeds the 40-acre minimum parcel size for a new Non-prime Land Conservation (Williamson) Act Contract.
4. Agricultural Use Requirement: Parcels under Non-prime (Type II) Land Conservation (Williamson) Act Contracts must devote at least 50 percent of the land to non-prime agricultural land uses. Non-prime Agricultural Land is defined as land used for grazing, hay production, rotational crops such as seasonal or year round row crops, ornamental trees or flowers, and dry farming and meets the minimum income requirements, or forestry when at least 50 percent of the parcel is classified as timberland and is subject to an approved timber management plan.

The parcel is 126.38 acres in size, with 73.70 acres (58.3%) used for nonindustrial timber management which exceeds the 50% threshold and has an approved timber management plan. Therefore, the land meets the definition of Non-prime Agricultural Land.

5. Compatible Uses for Non-Prime Land: Compatible uses of the land must be listed in the Uniform Rules as compatible uses and collectively, cannot occupy more than 15 percent or 5 acres of the total parcel size, whichever is less, excluding public roads, private access roads, and driveways. For this parcel, the 5-acre threshold would apply. The parcel does not contain any residential or other non-agricultural compatible uses, thereby meeting the threshold under the contract.

Be It Further Resolved that the Board of Supervisors authorizes the Chair of the Board of Supervisors to execute the Land Conservation Act Contract and attached Land Conservation Plan.

Be It Further Resolved, that the Clerk of the Board of Supervisors is hereby instructed to record within 20 days and no later than December 31, 2024 the associate Land Conservation Act Contract and attached Land Conservation Plan with the Office of the Sonoma County Recorder, if the contract is timely executed by the property owner and any lien holders have subordinated their interests in the property.

Be It Further Resolved, that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based, including the original executed Contract and Land Conservation Plan. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Supervisors:

Gorin: Coursey: Gore: Hopkins: Rabbitt:

Ayes: Noes: Absent: Abstain:

So Ordered.