



County of Sonoma  
State of California

---

Date: June 6, 2023

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 Vella Properties, LLC, to Rescind a Prime Land Conservation Act Contract and Replace it with a New Prime Contract, and Authorize the Chair of the Board to Execute the New Replacement Prime Contract and Land Conservation Plan for the Agricultural Land Located at 21828 Arnold Drive, Sonoma; APNs 128-391-028 and 128-391-029;**

**Whereas**, a request has been made by Maria S. Vella on behalf of the Owner(s) in interest, Vella Properties, LLC, to authorize the Chair of the Board to mutually rescind and replace one existing Prime Land Conservation Act Contract with one new Prime contract for existing vineyard land on 42.58 acres within Agricultural Preserve 1-240, located at 21828 Arnold Drive, Sonoma; APNs 128-391-028 and 128-391-029; Supervisorial District No. 1; Permit Sonoma File No. PLP18-0018; and

**Whereas**, in 1972, the subject properties were entered into a Prime Land Conservation Act contract for agricultural production (Contract No. 2607-679) located within Agricultural Preserve 1-240; 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; 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 PRMD 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 made by Maria S. Vella on behalf of Vella Properties, LLC, to mutually rescind one Prime Land Conservation Act contract and replace it with one new Prime contract on 42.58 acres, and authorizes the Chair of the Board to execute the new replacement Contract and Land Conservation plan on agricultural land under APNs 128-391-028 and 128-391-029. The Board makes the following specific findings concerning the requirements for Non-prime and Prime Land Conservation Act Contracts (“Contract”) in granting the request:

1. Agricultural Preserve: The subject 42.58 acres is located within established Agricultural Preserve Area Number 1-240;
2. Single Legal Parcel: The land proposed for contract replacement is comprised of a single legal property identified by the following Assessor’s Parcel Numbers: 128-391-028 and 128-391-029;
3. Minimum Parcel Size: A legal property under contract must be at least 10 acres in size for a Prime contract. The land on which contract replacement is requested meets the 10-acre minimum requirement for a Prime contract with a total parcel size of 42.58 acres;
4. Agricultural Use: Parcels subject to Land Conservation Act Contracts must devote at least 50 percent of the land to a qualifying agricultural land use, including Prime, Non-prime, or Open Space uses, or a combination thereof. **Prime Agricultural Land** is defined as Land that is planted with fruit- or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and meet the minimum income requirements. The landowner currently devotes 84 percent of the property to a qualifying Prime agricultural use with 35.97 acres planted in vineyard production, exceeding the 50 percent threshold requirement, and generating the required gross average annual income.
5. Minimum Income Requirement: For Prime land, the minimum gross annual income requirement is \$1000 per production acre. The existing vineyard operation meets the required income qualification generating a gross average annual income of \$1,040 per acre.
6. Compatible Uses for Non-Prime and 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 the subject land, the 5-acre threshold applies, and a 4.52-acre portion of the property is currently designated for supporting existing compatible uses. The existing compatible uses include a 2,000-square-foot single-family residence and various detached accessory structures, including an 1,800-square-foot carport, two barns totaling 21,000 square feet, a 3,100 square-foot workshop, and two storage buildings totaling 15,350 square feet.

**Be It Further Resolved** that the Board of Supervisors authorizes the Chair of the Board of Supervisors to execute the Land Conservation Act Contracts and attached Land Conservation Plans.

**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, 2020 the associate Land Conservation Act Contracts and attached Land Conservation Plans with the Office of the Sonoma County Recorder.

**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.**