



County of Sonoma

State of California

Date: _____

Item Number: _____
Resolution Number: _____

LLA25-0015 Jen Chard

4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Approving a Lot Line Adjustment for Sonoma Cutrer, Inc. Between two Legal Parcels with Conditions Requiring that one Existing Land Conservation (Williamson) Act Contract is Rescinded and Replaced with 2 Contracts to restrict all of the land located at 4151 and 4175 Slusser Road, Windsor; APNs 057-070-021 and 057-070-025.

Whereas, Duckhorn Wine Company submitted a request for a Lot Line Adjustment between two parcels of 153.55 +/- and 10 +/- acres in size resulting in two parcels of 148.05 +/- and 15.5 +/- acres in size both under Land Conservation Contracts on prime agricultural land located at 4151 and 4175 Slusser Road, Windsor; APNs 057-070-021 and 057-070-025; zoned DA (Diverse Agriculture), B6 60 (60-acre density), Z (Accessory Dwelling Unit Exclusion) with combining zones for F2 (Floodplain), OAK (Oak Woodland), RC 50/25 (Riparian Corridor 50 ft setback), RC 100/50 (Riparian Corridor 100 ft setback) and VOH (Valley Oak Habitat).; Supervisorial District No. four; and

Whereas, the purpose of the Lot Line Adjustment is to realign property boundaries around the proposed winery development on lot A. Both lots are subject to Prime Land Conservation Act Contract; and

Whereas, to facilitate a Lot Line Adjustment, Government Code Section 51257 authorizes parties to a Land Conservation Act Contract or Contracts to mutually agree to rescind the Contract or Contracts and simultaneously enter into a new Contract or Contracts, if certain findings are made by the Board of Supervisors; 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); and

Whereas, consistent with the Uniform Rules the Lot Line Adjustment has been reviewed for its compliance with those rules as well as the Subdivision Map Act and the Sonoma County Subdivision Ordinance; and

Resolution #

Date:

Page 2

Whereas, the project has been evaluated pursuant to the California Environmental Quality Act and found to be exempt per Section 15305(a) of the CEQA Guidelines as the project is a minor alteration in land use; and

Now, Therefore, Be It Resolved, that the Board of Supervisors finds that the project is exempt from the requirements of the California Environmental Quality Act by virtue of Section 15305(a) of Title 14 of the California Code of Regulations (CEQA Guidelines) which provides that minor alterations in land use limitations such as Lot Line Adjustments are exempt from the California Environmental Quality Act.

Be It Further Resolved that the Board of Supervisors hereby grants the request for a Lot Line Adjustment between two legal parcels to create two parcels at 148.05 +/- acres and 15.5 +/- acres subject to the Conditions of Approval in Exhibit "A," attached here to which includes a condition to rescind and replace the existing Prime Land Conservation Act Contracts for Lots A and B. The Board makes the following findings concerning Government Code Section 51257 requirements related to Land Conservation Act contracts in granting the request:

- a. The new contracts will enforce and restrict the adjusted boundaries of the contracted parcels for an initial term for at least as long as the unexpired term of the rescinded contracts but for not less than 10 years.
- b. There is no net decrease in the amount of the acreage restricted by a contract. Both parcels are currently under contract and both of the parcels resulting from the Lot Line Adjustment will be under contracts.
- c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
- d. All of the land under contract will remain under contract.
- e. At least 50 percent of each resulting parcel is in agricultural/open space use, as Lot A is 148.05 +/- acres in size and contains 119.3 acres of vineyard, which is approximately 81% percent of the parcel; and Lot B is 15.5 +/- acres in size and contains 14.2 acres of vineyard, which is approximately 92% percent of the parcel."
- f. After the Lot Line Adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural, as defined in Section 51222. The lots resulting from the Lot Line Adjustment will be 148.05 +/- acres and 15.5 +/- acres. The resulting 148.05 acre and 15.5 acre parcels will exceed the 10-acre minimum acreage requirement for Prime contracts and will exceed the minimum gross income requirement of \$1,000 per planted acre per year, as the parcels currently generate an annual average income of \$3,000 per

Resolution #

Date:

Page 3

planted acre of vineyard. All of the structures and landscaped areas are compatible uses and will be located on the 148.05 acre resulting parcel. The area occupied by compatible uses is approximately 4-acres which is less than the 5-acre maximum established for compatible uses in the Uniform Rules.

- g. The Lot Line Adjustment would not compromise the long term agricultural productivity of the parcel or other agricultural lands subject to the contract or contracts. The Lot Line Adjustment is being to realign property boundaries around the proposed winery development on lot A. The Lot Line Adjustment will not compromise other agricultural lands in the area under contract.
- h. The Lot Line Adjustment will not result in adjacent lands being removed from agriculture.
- i. The Lot Line Adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan. In the current configuration and at the designated density of 60 acres per dwelling unit, the 10 +/- acre parcel cannot be divided and the 153.55 +/- acre parcel could potentially be divided into two parcels. After the Lot Line Adjustment there will be one parcel of 15.5 +/- acres which will not be able to be divided and one parcel of 148.05 +/- acres that could potentially be divided into two parcels. Therefore, the Lot Line Adjustment results in the same number of developable parcels that existed prior to the adjustment. The Lot Line Adjustment is consistent with the General Plan.

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:

Hermosillo:

Rabbitt:

Coursey:

Hopkins:

Gore:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.