



# County of Sonoma

## State of California

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Date: December 10, 2024

Item Number: \_\_\_\_\_  
Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Approving The Request by Joseph E. Tresch To: 1) Expand by 41.87 acres Existing Agricultural Preserve Area 2-387; 2) Establish A New Land Conservation Act Contract And Land Conservation Plan; And 3) Authorize The Chair To Execute The New Land Conservation Act Contract And Attached Land Conservation Plan, For Non-Prime Agricultural Land Located At 8495 Valley Ford Rd, Petaluma, Ca; APN 022-300-007**

**Whereas**, request AGP22-0013 has been made by property owner Joseph Eddy Tresch to concurrently expand Agricultural Preserve No. 2-387 and to authorize the Chair to approve a new Land Conservation Act Contract and attached Land Conservation Plan, for Non-Prime agricultural land located within that Agricultural Preserve, 8495 Valley Ford Rd, Petaluma, CA; APN 022-300-007, Supervisorial District No. 2; 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*, 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,

**Whereas**, the Board of Supervisors finds that the 41.87-acre parcel is currently located

adjacent to Agricultural Preserve 2-387, and meets the requirements for a new Non-Prime Land Conservation Act Contract and is suitable to be added the Preserve; and

**Whereas**, consistent with the *Uniform Rules*, the Board of Supervisors may concurrently consider and approve both the enlargement of Agricultural Preserve 2-387 and the new Non-Prime Land Conservation Contract; and

**Whereas**, the Board of Supervisors finds that the inclusion of the 41.87 acres, identified as APN 022-300-007, into Agricultural Preserve 2-387, which currently contains roughly 3,550 acres, is consistent with the Sonoma County General Plan and the applicable provisions of state law, and that after the expansion the preserve at approximately will continue to be larger than the minimum 100-acre requirement; and

**Whereas**, the Board of Supervisors finds that the 41.87 acre parcel will meet the requirements for a new Non-Prime Land Conservation Act Contract, upon inclusion of the land into the Agricultural Preserve Area 2-387.

**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 the establishment of agricultural preserves and the execution of new Land Conservation Act Contracts are exempt from the California Environmental Quality Act.

**Now, Therefore, Be It Resolved** that the Board of Supervisors finds the above recitals are true and correct and makes the following specific findings concerning the requirements for enlargement of Agricultural Preserve 2-387:

1. Pursuant to Government Code Section 51231 and under the County's Uniform Rules (Uniform Rule 3.5.A) the Board of Supervisors may modify an existing Agricultural Preserve by a Resolution after a public hearing. Pursuant to Government code Section 51237, the Resolution and enlarged Agricultural Preserve Map (Attachment A to the Resolution) depicting the 41.87 acres added to the preserve area will be recorded.
2. Pursuant to Government Code Section 51234, enlargement of an Agricultural Preserve must be consistent with the General Plan. Also, the use of any land within an Agricultural Preserve must be restricted by zoning that is compatible with the agricultural or open space uses of the land within the preserve subject to Land Conservation contracts. Enlarging the existing Agricultural Preserve 2-387 is consistent with the General Plan because the land is currently devoted to an agricultural use consisting of commercial grazing of dairy cattle, is designated under the General Plan for *Land Extensive Agriculture use* and is zoned LEA (Land Extensive Agriculture), which protects lands best suited for permanent agricultural

use and capable of relatively low production per acre of land. The proposed expansion of the existing Agricultural Preserve Area does not result in any loss of land under the Land Conservation Act program since 41.87 acres is being added.

3. Generally, an Agricultural Preserve must contain at least 100 contiguous acres of land unless the Board of Supervisors finds that a smaller preserve is necessary due to the unique characteristics of the agricultural enterprises in the area and that such preserve is consistent with the General Plan and Zoning Code (Rule 3.3 A of the Uniform Rules for Agricultural Preserves). The existing preserve, 2-387, is roughly \_\_\_\_\_ acres in size. The addition of 41.87 acres further increases the size of the preserve.
4. The enlargement of Agricultural Preserve 2-387 can be considered concurrently with the application for a new contract and approved by one action.
5. Pursuant to Section 15317 of the CEQA Guidelines, the project is Categorically Exempt from CEQA.

**Be It Further Resolved** that the Board of Supervisors makes the following specific findings concerning the requirements for a new Non-Prime Land Conservation Act Contract (“Contract”):

- a. Land is within an Agricultural Preserve: Per Board approval, the 41.87-acre parcel will be located within Agricultural Preserve 2-387 prior to recording the contract. The Board of Supervisors may approve an application for the alteration of an Agricultural Preserve concurrently with its approval of an application for a contract within the Preserve.
- b. Single Legal Parcel Requirement: The land proposed for the contract is comprised of a single legal parcel; Assessor’s Parcel Number 022-300-007.
- c. Minimum Parcel Size: The minimum size requirement for a Non-prime agricultural parcel under the Uniform Rules is 40 acres. The subject parcel is 41.87 acres and therefore meets the minimum parcel size requirement to qualify for a Non-Prime Land Conservation Act Contract.
- d. Agricultural Use Requirement: Parcels under a Land Conservation (Williamson) Act Contracts must generally devote at least 50 percent of the land to qualifying agricultural uses. Non-prime Agricultural Land is defined as land commercially used for grazing, hay production, rotational crops such as seasonal or year-round row crops, ornamental trees or flowers, and dry farming. The landowner currently devotes 97.8 percent of the total 41.87-acre parcel to commercial dairy grazing, which is a non-prime agricultural use, on 40.92 acres, therefore meeting the requirement that the land be ‘devoted to’ (50% or more) an agricultural use.

- e. Minimum Income Requirement: For commercial grazing land, the minimum annual income requirement is \$2,000.00 per farm operation. Submitted application materials confirm the existing grazing operation for the site meets the minimum income requirement under the Uniform Rules by producing a gross annual income of \$5,400.
- f. Compatible Uses: Non-agricultural uses of the land must be listed in the Uniform Rules as compatible uses and collectively, cannot occupy more than five acres or 15 percent of the total parcel size, whichever is less, excluding public roads, private access roads, and driveways. For the subject 41.87 acres, the five-acre limitation on compatible uses applies. The submitted land conservation site plan designates a 0.95-acre portion of the total parcel for supporting compatible uses, which currently includes one single-family residence and a detached garage, consistent with the Uniform Rules.

**Be It Further Resolved** that the Board of Supervisors hereby grants the request to enlarge Agricultural Preserve 2-387 by 41.87 acres as depicted on the map attached to this resolution as Attachment A.

**Be It Further Resolved** that the Board of Supervisors hereby grants the request by Joseph E. Tresch by approving a new Non-Non-Prime Land Conservation Act Contract and attached Land Conservation Plan, to restrict the 41.87-acre parcel located at 8495 Valley Ford Road, Petaluma; APNs 022-300-007.

**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, in order: (1) this Resolution and Attachment A (the Agricultural Preserve Map) and (2) the associated Land Conservation Act Contract with attached Land Conservation Plan and site plan exhibit 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.

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**Supervisors:**

Gorin:	Coursey:	Gore:	Hopkins:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**