



County of Sonoma
State of California

Date: October 24, 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 Gloeckner Turner Vineyards LLC to 1) Expand Existing Agricultural Preserve Area (2-314) by Adding 22.82-Acres; and 2) Rescind an Existing Non-Prime Land Conservation Act Contract and Replace It With a New Non-Prime Land Conservation Act Contract and Authorize the Chair of the Board to Execute the New Land Conservation Act Contract and Land Conservation Plan, for the Non-Prime Agricultural Land Located at 15015 Rockpile Road, Geyserville; APNs 114-270-001, -002, and -003.

Whereas, a request has been made by Gloeckner Grandchildren LLC, to expand Agricultural Preserve No. 2-314, and to authorize the Chair of the Board to sign a new Non-prime Land Conservation Contract which mutually rescinds and replaces an existing Non-Prime (Type II) Land Conservation Contract with for grazing land for the property located at 15015 Rockpile Road, Geyserville; APN 114-270-001, -002, and -003; Supervisorial District No. 5; and,

Whereas, the subject parcels identified as APN 114-270-001, -002, and -003 comprise a single legal property of 1,403.86-acres in size. A 1,380.86-acre portion of the property (identified as APN 114-270-001) has been under a non-prime Land Conservation Contract since 2003 (contract recorded under Contract #03-259556). The property is part of a larger 3,300-acre ranch, known as Gloeckner Turner Ranch, previously consisting of 23 parcels; and,

Whereas, in 2020, the landowners placed Gloeckner Turner Ranch under a Conservation Easement Agreement with the Sonoma County Agricultural Preservation and Open Space District (easement recorded under #20-043257) which requires the landowners merge all 23 ranch parcels into a total of four parcels; and,

Whereas, on June 22, 2020, Permit Sonoma administratively approved the landowner's application for four Voluntary Mergers (recorded under #20-050791, #20-050790, #20-050792, and #20-050793). Prior to completing the APN merger process, the Assessor's Office requires each resulting ranch parcel be subject to a single Land Conservation contract; 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 1,380.86 acres of the 1,403.86-acre legal parcel is currently located in Agricultural Preserve Area number 2-314. The remaining 22.82 acres of land is proposed to be added to Agricultural Preserve Area number 2-314 to ensure the parcel boundaries are conterminous with the contracted area. The entire 1,403.86-acre property meets the requirements for a new Non-prime Land Conservation Act Contract is suitable to be added to the Preserve; and,

Whereas, consistent with the *Uniform Rules*, the Board of Supervisors may concurrently consider and approve both the enlargement of Agricultural Preserve 2-314 and the new Land Conservation Contract; and,

Whereas, the Board of Supervisors finds that the inclusion of the 22.82-acres, identified as APNs 114-270-002 and -003, into Agricultural Preserve 2-314 is consistent with the Sonoma County General Plan and the applicable provisions of state law; and

Whereas, the Board of Supervisors finds that the entire 1,403.86-acre property will meet the requirements for a new Non-prime Land Conservation Act Contract for grazing land, upon inclusion of the 22.82-acres into the Agricultural Preserve Area 2-314.

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.

Now, Therefore, Be It Resolved that the Board of Supervisors makes the following specific findings concerning the requirements for enlargement of Agricultural Preserve 2-314:

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 (Exhibit A to the Resolution) depicting the 22.82-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 2-314 is consistent with the General Plan because the land is devoted to an agricultural use consisting of grazing land, is designated as Resources and Rural Development under the General Plan, and the zoning is Resources and Rural Development which protects lands for 1) commercial timber, geothermal, and aggregate resources production; 2) watershed, fish and wildlife habitat, and biotic resources; and, 3) agricultural production activities. The enlargement of the existing Agricultural Preserve Area does not result in any loss of land under the Land Conservation Act program since 22.82-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 2-314, is over 40,000 acres in size. The addition of 22.82-acres further increases the size of the preserve.
4. The enlargement of Agricultural Preserve 2-314 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 Land Conservation Act Contract ("Contract").

- a. Land is within an Agricultural Preserve: Per Board approval, the entire 1,403.86-acre parcel will be located within Agricultural Preserve 2-314. 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 with the following Assessor's Parcel Numbers: 114-270-001, -002, and -003.
- c. Minimum Parcel Size: The land must be at least 40 acres in size for a Non-prime Land Conservation Act Contract. The 1,403.86-acre parcel exceeds the 40-acre minimum parcel size for a new Land Conservation (Williamson) Act Contract.
- d. Agricultural Use Requirement: Parcels under a Non-Prime Land Conservation Act Contract must devote at least 50 percent of the land to qualifying 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. The property is 1,403.86-acres in size with 710 acres (50.5%) devoted to cattle grazing which meets the 50% threshold and has produced the required income for the last five years (see below). Therefore, the land meets the definitions for Non-prime Agricultural Land.
- e. Minimum Income Requirement: For grazing land, the minimum gross annual income requirement is \$2,000.00 per farm operation and \$2.50 per acre per year. Over the past five years, the grazing operation has generated an average gross income of \$4,000 per year, while per grazed-acre gross annual income has been \$5.60. The grazing operations is expected to continue generating an average gross total income of \$4,000.00 per year.
- f. Compatible Uses for Non-Prime Contracts: 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 property contains a hunter's shack, a barn, and two wells which collectively occupy 1 acre of the property, thereby meeting the threshold under the contract. The remaining 692.68 acres of land is undesignated.

Be It Further Resolved that the Board of Supervisors hereby grants the request to enlarge Agricultural Preserve 2-314 by 22.82-acres as depicted on the map attached to this resolution as Exhibit A.

Be It Further Resolved that the Board of Supervisors hereby grants the request by Gloeckner Turner Vineyards LLC by approving a new Non-prime Land Conservation Act Contract and attached Land Conservation Plan, to restrict the 1,403.86-acre parcel located at 15015 Rockpile Rd, Geyserville; APNs 114-270-001, -002, and -003.

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, 2023 (1) this Resolution and Exhibit A (the Agricultural Preserve Map) and (2) the associate Land Conservation Act Contract and attached Land Conservation Plan and site map 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:

Rabbitt:

Gore:

Hopkins:

Coursey:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.