



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 12/16/2025

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Scott Orr and Jen Chard, (707) 565-1900

Vote Requirement: Majority

Supervisorial District(s): Four

Title:

File No. AGP25-0003 Dry Creek Rancheria Band of Pomo Indians Replacement Land Conservation Contract, 3152 Highway 128, Geyserville

Recommended Action:

Adopt a Resolution to mutually rescind and replace a Prime (Type I) Land Conservation Act contract with a Hybrid Land Conservation contract for agricultural and open space land on a 310-acre property located at property located at 3152 Highway 128, Geyserville; APN 131-050-004; Permit Sonoma File No. AGP25-0003. (Fourth District)

Executive Summary:

Sonoma County's Land Conservation Act program has four contract-types: 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/or open space also with a 40-acre minimum. Land Conservation Act contracts assist in the preservation of agricultural and open space lands throughout Sonoma County. In exchange for retaining land in agriculture and/or open space use, the landowner receives reduced property taxes.

This action is to replace a Prime (Type I) Land Conservation Contract with a new Hybrid contract to reflect the current agricultural and open space uses of the property. Staff recommends the Board of Supervisors approve the Resolution approving the Agricultural Preserve Expansion and authorizing the Chair to execute the new Hybrid contract.

Discussion:

Dry Creek Rancheria Band of Pomo Indians seeks approval of a new Hybrid Land Conservation Act Contract for the 310-acre parcel located within Agricultural Preserve Area Number 1-303, containing 138 acres of vineyard and 170 acres of open space land. This action would replace the existing Prime Land Conservation contract with a Hybrid Land Conservation contract that corresponds with the current open space and agricultural uses of the property.

Site Characteristics:

The project site is located along Highway 128, approximately 0.75 miles northeast of Highway 101 and two miles southeast of the town of Geyserville. The project site contains approximately 138 acres of vineyard and

approximately 170 acres of the site is devoted to open space consisting of mixed oak woodlands, riparian woodlands, and chaparral. A branch of the Russian River runs through the western portion of the site. The site has one single-family dwelling, one agricultural employee housing unit, a barn, horse corral, and cell tower.

Zoning for the subject property is Land Intensive Agriculture (allowed density: 20 acres per dwelling), Diverse Agriculture (allowed density: 20 acres per dwelling) and combining zones for Accessory Unit Exclusion, Floodway, Floodplain, Mineral Resource, Oak Woodland, Riparian Corridor with 50-foot and 200-foot setbacks, Scenic Resources, and Valley Oak Habitat.

Background:

The subject parcel has been under a single Prime Land Conservation contract since 1972 (contract #72-055513). On November 19, 2020, the applicant recorded a Notice of Non-Renewal to initiate phase out of the existing contract (Recorded Document No. 2020109367). This replacement contract is to reverse the non-renewal and reflect the current open space use of the site. The landowner is requesting to replace the Prime Land Conservation contract with a Hybrid contract for prime agricultural and open space uses.

Uniform Rules:

As part of the Board of Supervisors' December 2011 update of the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* ("Uniform Rules") the Board eliminated the distinction between Prime (Type I) and Non-Prime (Type II) Agricultural Preserves. This allows the County to enter into either a Prime or Non-Prime contract in any established Preserve. The subject property is within Agricultural Preserve Area Number 1-303.

Also, as part of the update of the Uniform Rules, the County implemented a Land Conservation Plan which is incorporated into Land Conservation (Williamson) Act Contracts. Land Conservation Plans show locations for open space, agricultural, permitted, and compatible land uses on contracted land. Future changes to the Land Conservation Plan may be approved by the Director of Permit Sonoma and recorded on title of the subject parcel.

New Land Conservation (Williamson) Act Contract:

To be eligible for a new Hybrid Williamson Act contract, the subject parcel must be at least 40 acres in size, have at least 50% of the total parcel dedicated to a qualifying agricultural and open space use, meet the minimum income requirements for the qualifying agricultural land under the County's Uniform Rules. The subject parcel is a single legal parcel, is located within an established agricultural preserve, is 310 acres in size, has 138 acres of land planted as vineyards, and 170 acres devoted to open space and wildlife habitat. The vineyard is projected to provide sufficient annual income of \$1,000 per acre for prime agriculture (i.e. permanent vines). The non-agricultural uses are permitted as they meet the criteria for compatible uses and occupy no more than 15% or 5 acres of the parcel. For the subject property those compatible uses include a single-family dwelling, agricultural employee housing, a cell tower, a barn, and horse corral with a total

occupancy of 0.18 acres. . For these reasons, the parcel qualifies for a Hybrid Land Conservation Act contract.

CEQA

The project is Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 13517 of the CEQA Guidelines, as the establishment or enlargement of a preserve and the making of a new Land Conservation Contract.

Staff Recommendation:

Staff recommends the Board approve the request to rescind and replace the existing Prime Contract with a new Hybrid contract because all of the state and local requirements for the replacement request on the 310-acre parcel within the existing Agricultural Preserve have been met.

Strategic Plan:

This item directly supports the County's Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

Pillar: Climate Action and Resiliency

Goal: Goal 5: Maximize opportunities for mitigation of climate change and adaptation through land conservation work and land use policies

Objective: Objective 2: Expand outreach and education on vegetation management and provide additional resources to landowners to help mitigate fire risk.

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

- A. 12/13/2011: Board approves the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678)
- B. 07/31/2012: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 12-0379)
- C. 05/07/2013: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 13-0186)
- D. 12/20/2016: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 16-0485)
- E. 10/31/2017: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 17-0426)
- F. 11/07/2017: Board amends the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 17-0438)

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

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Approval of the Land Conservation Act Contract means that the owner will pay reduced property taxes based upon the value of the agricultural uses rather than the land value under Proposition 13. This reduces the County's share of property tax revenue for the subject parcel.

For this particular contract, the Assessor estimates the property assessment value will be reduced by approximately \$19,563,438. The property tax component of the tax rate is 1% of the property's assessed value.

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Attachment 1: AGP25-0003 Board of Supervisors Resolution

Attachment 2: AGP25-0003 Proposal Statement prepared by applicant

Attachment 3: AGP25-0003 Site Plan

Attachment 4: AGP25-0003 Assessor's Parcel Map

Attachment 5: AGP25-0003 Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan)

Related Items "On File" with the Clerk of the Board:

N/A