



County of Sonoma
State of California

Date: December 10, 2024

Item Number: _____
Resolution Number: _____

LLA23-0032 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 Beth Garibaldi and Alexander Vista Vineyards, LLC Between two Legal Parcels with Conditions Requiring that the Applicant apply to Rescind the Existing Land Conservation Act Contract and Replace it with one Contract to restrict resulting Parcel B, with Parcel A after the Lot Line Adjustment remaining unencumbered by a Land Conservation Act Contract , for land located at 30225 and 30355 River Road, Cloverdale; APNs 116-190-013 and 116-190-006.

Whereas, Curtis and Associates, on behalf of the landowners, Beth Garibaldi and Alexander Vista Vineyards, LLC, submitted a request for a Lot Line Adjustment between **two** parcels of **0.30** +/- acres (Parcel A) and **89.17** +/- acres (Parcel B) in size resulting in **two** parcels of **0.30** +/- acres (proposed Parcel A) and **89.17** +/- acres (proposed Parcel B) all within Supervisorial District No. 4, located at 30225 and 30355 River Road, Cloverdale; APNs 116-190-013 (Parcel A) and 116-190-006(Parcel B); and

Whereas, the purpose of the Lot Line Adjustment is to realign property boundaries around the development on lot A; and

Whereas, APN 116-190-013 (Parcel A) is not subject to a Land Conservation Act Contract and is zoned LIA (Land Intensive Agriculture) B6 20 (20 acre density) with combining zones for SR (Scenic Resource) and VOH (Valley Oak Habitat).; and

Whereas, APN 116-190-006 (Parcel B) is subject to a Prime (Type I) Land Conservation Act Contract recorded under Book 3044 and Page 537 (located in Agricultural Preserve 1-564) and is zoned LIA (Land Intensive Agriculture) B6 20 Z (20 acre density, Accessory Dwelling Unit Exclusion) with combining zones for F1 (Floodway), F2 (Floodplain), MR (Mineral Resources), RC 50/25 (Riparian Corridor with 50-foot and 25-foot setbacks), RC 200/100 (Riparian Corridor with 200-foot and 100-foot setbacks), SR (Scenic Resource) and VOH (Valley Oak Habitat); and

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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

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 resulting in two legal parcels of 0.30+/- acres (Parcel A) and 89.17 +/- acres (Parcel B), subject to the Conditions of Approval in Exhibit "A," attached hereto which includes a condition to 1) rescind and replace the existing Prime Land Conservation Act Contract , and replace with a new Prime Contract for resulting Parcel B. Resulting Parcel A will remain unencumbered by a Land Conservation Contract. 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 contract will enforce and restrict the adjusted boundaries of the contracted parcel (resulting parcel B) 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. Existing Parcel B is currently under contract and the resulting Parcel B will be under new contract, as a result there is no decrease in size as Parcel B before and after the lot line adjustment will be X acres.
- c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts because X acres of the former contract

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will remain under the new contract, which is X %.

- d. After the Lot Line Adjustment Parcel B will exceed the minimum 50 percent threshold for agricultural use, as Parcel B will be 89.17 acres in size and contain 70.3 acres planted in vineyard (79% of the parcel).
- e. After the Lot Line Adjustment, Parcel B will be unchanged in total size and will be large enough to sustain its agricultural use, as defined in Section 51222. The applicant is required as a condition of the LLA to apply for a replacement contract to restrict resulting Parcel B, so that the contracts boundaries are coterminous with the adjusted parcel boundaries. Parcel A will remain unencumbered by a Land Conservation Contract. Resulting Parcel B will exceed the 10-acre minimum acreage requirement for Prime contracts as Parcel B will be 89.17 acres. The agricultural operations will exceed the minimum gross income requirement of \$1,000.00 per planted acre per year, as the parcels currently generate an annual income of \$8,000.00+/- per planted acre of vineyard. The area occupied by compatible uses on Parcel B is approximately 0.5 acres which is less than the 5-acre maximum established per parcel for compatible uses in the Uniform Rules. All residential and non-agricultural uses of the property are listed compatible uses.
- f. The Lot Line Adjustment will not compromise the long-term agricultural productivity of the parcels or other agricultural lands subject to the contract or contracts. The Lot Line Adjustment is being undertaken to align property boundary lines with existing development on parcel A. The Lot Line Adjustment will not compromise other agricultural lands in the area under contract.
- g. The Lot Line Adjustment will not result in adjacent lands being removed from agriculture.
- h. 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, Parcels A and B will not be increased and will remain at the designated density of 20 acres per dwelling unit. 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

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100-A, Santa Rosa, California 95403.

Supervisors:

Gorin:

Rabbitt:

Coursey:

Hopkins:

Gore:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.