



# COUNTY OF SONOMA

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

## SUMMARY REPORT

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**Agenda Date:** 12/8/2020

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**To:** Board of Supervisors

**Department or Agency Name(s):** Permit Sonoma

**Staff Name and Phone Number:** Crystal Acker, 565-8357

**Vote Requirement:** Majority

**Supervisorial District(s):** Fourth

**Title:**

File No. PLP19-0022 Gallo Vineyards and Jackson Family Investments Land Conservation Contracts 9761 Eastside Rd. and (No Situs) Windsor River Rd., Healdsburg

**Recommended Action:**

Adopt a Resolution to establish a new Prime (Type I) Land Conservation contract and rescind and replace an existing Prime (Type I) Land Conservation Act contract for agricultural land at 9761 Eastside Rd. and (No Situs) Windsor River Rd., Healdsburg; APN 066-300-065 and 066-300-067; Permit Sonoma File No. PLP19-0022; (Fourth District).

**Executive Summary:**

This action satisfies the requirements of a Board-approved Lot Line Adjustment (PLP07-0090, Resolution No. 09-0237) by: 1) establishing a new Prime Land Conservation Contract on 21 acres and; 2) rescinding and replacing an existing Prime Land Conservation Contract on 67 acres with a new prime contract that corresponds with new property line boundaries. An expansion or modification to the existing Agricultural Preserve area is not required. As the requested action implements prior Board action as directed, staff recommends Board approval of the request for new and replacement prime contracts.

**Discussion:**

Gallo Vineyards Inc. and Jackson Family Investments III, LLC (the property owners) seek approval to establish a new Land Conservation Contract on a 21.91 acre property and to rescind and replace an existing Land Conservation Contract on a 67.61 acre property to satisfy the requirements of a Board-approved Lot Line Adjustment (PLP07-0090, Resolution No. 09-0237) and the 2011 Uniform Rules. This action would result in two prime Land Conservation contracts that correspond with the property line boundaries of two separate legal parcels created by PLP07-0090.

**Site Characteristics:**

The project site is 0.5 miles west of Windsor city limits. The site encompasses two non-contiguous legal parcels identified as: APN 066-300-065 (Jackson Family parcel, 67.61 acres) and APN 066-300-067 (Gallo Vineyards parcel, 21.91 acres). The Jackson Family parcel contains 62 acres planted in vineyard and has been under a prime Land Conservation contract since 1997 (contract recorded under OR# 97-14742). The Gallo Vineyards parcel contains 6.32 acres planted in vineyard and 15 acres of oak woodland/grassland. Neither property is developed with structures. Zoning for the Jackson Family parcel is LIA (Land Intensive Agriculture) with a density of 60-acres per dwelling unit and combining zones of Z (Accessory Unit Exclusion), F2

(Floodplain), and VOH (Valley Oak Habitat). Zoning for the Gallo Vineyards parcel is RRD (Resources and Rural Development) with a density of 20-acres per dwelling unit and combining zone of SR (Scenic Resources).

**Background:**

In 2007, the property owners concurrently filed a Lot Line Adjustment with a Minor Subdivision under Permit Sonoma File PLP07-0090. The Lot Line Adjustment portion of PLP07-0090 involved two lots of the subdivision and one parcel under a Land Conservation contract, thereby requiring Board review and approval. On January 15, 2009, the Project Review Advisory Committee adopted a Mitigated Negative Declaration and approved the minor subdivision. On March 24, 2009 the Board approved the Lot Line Adjustment which later recorded on June 15, 2012. Recordation of the Lot Line Adjustment resulted in four parcels of 24.41 acres (Lot A), 67.61 acres (Lot B, Jackson Family parcel), 23.14 acres (Lot C), and 21.91 acres (Lot D, Gallo Vineyards parcel). The unanimously-approved Board Resolution for PLP07-0090 (Reso. No. 09-0237) requires Permit Sonoma to process the landowners' application to rescind and replace the existing prime Land Conservation contract on Lot B, and to establish a new prime Land Conservation contract on Lot D. In the approval of PLP07-0090, the Board made findings consistent with the County's 2007 interim guidelines and procedures for Uniform Rules that more than 50% of Lot D could not be planted on due to steep terrain and oak woodlands.

**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 project site is within Agricultural Preserves: 1-368.

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.

Sonoma County's Land Conservation Act program has four contract types: a) Prime contracts for permanent crop agriculture with a 10-acre minimum parcel size requirement; b) Non-Prime contracts for grazing and non-permanent row crop production 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 with a 40-acre minimum. Land Conservation 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, the landowner receives reduced property taxes.

**Staff Recommendation:**

As the requested action implements prior Board action as directed, staff recommends Board approval of the request for new and replacement prime contracts.

**Prior Board Actions:**

March 24, 2009: Board approves Lot Line Adjustment portion of PLP07-0090 (Resolution No. 09-0237).

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December 13, 2011: Board approves the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Resolution No. 11-0678).

**FISCAL SUMMARY**

**Narrative Explanation of Fiscal Impacts:**

Approval of the Land Conservation Act Contracts means that the owners 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 two parcels. For the Gallo Vineyards contract, the Assessor estimates the property assessment value will be reduced by approximately \$296,854. Property taxes are generally 1.1% of assessed value. Because the Jackson Family parcel is currently under a Land Conservation Act contract and is therefore already subject to reduced property tax assessment, the County of Sonoma Assessor estimates there will be no change in property assessment value, and therefore no fiscal impact associated with rescinding and replacing the existing contract.

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

ATT 1: Draft Board of Supervisors Resolution

ATT 2: Proposal Statement prepared by Gallo Vineyards Inc.

ATT 3: Proposal Statement prepared by Jackson Family Investments III, LLC

ATT 4: Site Plan for Gallo Vineyards parcel

ATT 5: Site Plan for Jackson Family parcel

ATT 6: Board Resolution No. 09-0237

ATT 7: Assessor's Parcel Map

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

Land Conservation Act Contract (for Gallo Vineyards parcel) with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).

Land Conservation Act Contract (for Jackson Family parcel) with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).