Legislation Text

File #: 2026-0593, **Version:** 1

To: Sonoma County Board of Supervisors
Department or Agency Name(s): Permit Sonoma
Staff Name and Phone Number: Scott Orr, Director and Ken Compton, Planner (707) 565-2829
Vote Requirement: Majority
Supervisorial District(s): Fourth

Title:
Permit Sonoma File No. LLA25-0038 Lot Line Adjustment, 5542 Dry Creek Road & 5610 Dry Creek Road, Healdsburg

Recommended Action:
Adopt a Resolution approving a Lot Line Adjustment between two legal parcels subject to Conditions of Approval and a Land Conservation Act Contract located at 5542 Dry Creek Road and 5610 Dry Creek Road, Healdsburg; APNs 090-220-031 (Parcel A) and 090-230-040 and 090-230-055 (Combined Parcel B). (Fourth District)

Executive Summary:
The proposed adjustment is consistent with the County's Uniform Rules for Agricultural Preserves and the Land Conservation Act and recommends approval of the Lot Line Adjustment to adjust between two parcels of 8.44 acres (Parcel A) and 28.00 acres (Parcel B) in size, resulting in two parcels of 12.24 acres and 24.20 acres in size. Lot Line Adjustments on lands under a Land Conservation Contract require the Board of Supervisors make findings of consistency with the Land Conservation Act requirements. The adjusted parcels meet the land use and density criteria of the General Plan and will meet the required findings for Land Conservation Act Requirements. A portion of Parcel B, APN 090-230-040, is subject to an existing Prime Land Conservation (Williamson Act) contract, located within Ag Preserve 1-295, recorded document 1991112730 of Sonoma County Records.

Discussion:
Chris Allen, on behalf of Allen Acres LLC, and Jeff Jones, on behalf of Aesthete Wines LLC, seek approval of a Lot Line Adjustment between two legal parcels. The legal parcels are identified as APN 090-220-031 (Parcel A), and APNs 090-230-040 and 090-230-055 (Parcel B). Parcel B is one legal parcel comprised of two assessor parcel numbers sized approximately 26.34 acres and 1.66 acres respectively. The current lot sizes are: 8.44 +/- acres (Parcel A) and 28.00 +/- acres (Parcel B). The Lot Line Adjustment will result in parcels 12.24 +/- acres (Parcel A) and 24.20 +/- acres (Parcel B). Refer to Lot Line Adjustment Site Plan under Attachment 5. The Lot Line Adjustment is being requested to realign property boundaries in order to both remove the need for an easement to provide access to Parcel A, and to facilitate the inclusion of Parcel A into a new Prime Land Conservation Contract.

Zoning for APN 090-220-031 (Parcel A) is LIA (Land Intensive Agriculture) B6 20 (20 Acre Density) with Combining Districts for F1 (Floodway), RC50/25 (Riparian Corridor 50-foot setback), RC100/50 (Riparian

Corridor 100-foot setback), SR (Scenic Resources), VOH (Valley Oak Habitat).

Zoning for APN 090-230-040 (Parcel B, portion) is LIA (Land Intensive Agriculture) B6 20 (20 Acre Density) with Combining Districts for Z (Accessory Dwelling Exclusion), F1 (Floodway), RC100/50 (Riparian Corridor 100-foot setback), SR (Scenic Resources), VOH (Valley Oak Habitat).

Zoning for APN 090-230-055 (Parcel B, portion) is LIA (Land Intensive Agriculture) B6 20 (20 Acre Density) with Combining Districts for F1 (Floodway), RC100/50 (Riparian Corridor 100-foot setback), VOH (Valley Oak Habitat).

A condition of approval requires that prior to recording the grant deeds, the owner must submit a complete application for a Zone Change technical correction to align zoning boundaries with the adjusted parcel boundaries.

Site Characteristics:
The project site includes two contiguous parcels under separate ownership, Allen Acres LLC (Parcel A) and Aesthete Wines LLC (Parcel B). The parcels are located at 5542 Dry Creek Road and 5610 Dry Creek Road respectively, in an unincorporated area northwest of Healdsburg.

Parcel A is approximately 8.44-acres in size and is currently developed with an existing primary dwelling, accessory dwelling unit (proposed for conversion to farm family unit), barn, and pool. Additional infrastructure on the parcel includes a private well and water tanks, septic system, and access road. Agricultural uses on the property include approximately 1.7 acres of vineyard.

Parcel B is approximately 28-acres in size and is subject to a Prime (Type I) Land Conservation contract approved by the Board in November 1991 (refer to Attachment 6). The parcel is devoted to agriculture primarily consisting of vineyard. Existing development on the parcel includes a winery with two tasting rooms, barrel storage barn, and equipment barn. Additional infrastructure on the parcel includes a private well and water tanks, septic system, parking area, and access road. Approximately 16.3-acres of the parcel is dedicated to prime agriculture.

In September 2014, three Administrative Certificates of Compliance (ACC) were recorded which included four parcels then designated as APNs 090-220-007, -008, -016 and 090-230-040 (recorded documents 2014066824, 2014066823, 2014066825). A subsequent Lot Line Adjustment (File No. LLA17-0061) was recorded in March 2020 involving said parcels and which included the transfer of approximately 1.66 acres from APN 090-220-008 to APN 090-230-040, resulting in the current parcel configuration. As a result, the portion of Parcel B comprised of APN 090-230-040 is currently subject to the Prime Land Conservation contract approved in 1991 while the portion of Parcel B comprised of APN 090-220-055 is not.

After the Lot Line Adjustment, the owner of Parcel B will seek County approval for rescission of the existing Prime Land Conservation Contract and immediate replacement with a new, separate Prime contract that will restrict the resulting adjusted parcel. Additionally, the owner of Parcel A will seek County approval for the expansion of the existing, adjacent Agricultural Preserve (1-295) and a new Prime contract that will restrict the resulting adjusted parcel.

Resulting Parcel A will be approximately 12.24-acres in size contain approximately 5.3 acres devoted to Prime agricultural uses (vineyard). The owner proposes an additional planting of 1.1 acres of commercial mixed orchard to bring total agricultural use on the parcel to 6.4 acres (52% of adjusted acreage). Following the proposed adjustment, Parcel A will contain approximately 8,105 square feet (0.2 acres) of compatible use area consisting of a single-family dwelling, accessory dwelling unit, barn, water shed, pool, and bocce court. The landowner has submitted an application (File No. ZPE26-0074) to convert the existing accessory dwelling unit into a farm family dwelling unit for consistency with compatible uses allowed under the County's Uniform Rules. Total area dedicated to compatible uses is substantially below the maximum allowed on the parcel (1.8 acres which is15% of total parcel acreage). Therefore, resulting Parcel A will meet the minimum requirements for a Prime Land Conservation Contract with respect to Prime agricultural acreage and compatible use area. Prior to final recordation of the Lot Line Adjustment, the landowner shall apply to both expand existing Agricultural Preserve 1-295 and enter into a new Prime Land Conservation Contract.

Resulting Parcel B will be approximately 24.2-acres in size and contain 12.7-acres (53% of adjusted acreage) devoted to Prime agricultural uses (vineyard). Currently 12.7-acres are planted with active vineyard and orchard. Following the proposed adjustment, Parcel B will contain approximately 5,418 square feet (0.12 acres) of compatible use area consisting of two tasting rooms, a barrel storage barn, and an equipment storage barn. Total area dedicated to compatible uses is substantially below the maximum allowed on the parcel (3.6 acres which is 15% of total parcel acreage). Therefore, resulting Parcel B will meet the minimum requirements for a Prime Land Conservation Contract with respect to Prime Agricultural acreage and compatible use area. Prior to final recordation of the Lot Line Adjustment, the landowner shall apply to rescind the existing contract to be replaced with a new Prime Land Conservation Contract..

Land Conservation Act:
To facilitate a Lot Line Adjustment, Government Code Section 51257 permits the contracting parties to rescind the existing contract(s) and simultaneously enter into a new contract(s) if the required findings can be made by the Board of Supervisors.

State regulations for Land Conservation Contracts and the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Uniform Rules) require that the amount of land under contract after a Lot Line Adjustment remain the same as it was before the Lot Line Adjustment and that the adjusted parcels continue to meet all the requirements for a contract. The proposed Lot Line Adjustment would result in a reduction of land under contract by approximately 3.8-acres. The conditions of the Lot Line Adjustment require that, in accordance with the Uniform Rules, both the existing Prime (Type I) contract for Parcel B be rescinded and replaced with a new, separate contract and that Parcel A enter into a new Prime contract, resulting in a "no net decrease" in contracted land.

The resulting parcels will individually meet the requirements for a contract after the adjustments because they will: (1) continue to be devoted to agriculture or open space with at least 50% of the parcels devoted to those uses; (2) meet agricultural income requirements (when applicable); (3) be included in an agricultural preserve; (4) will be comprised of a single legal parcel; and (5) all non-agricultural uses are compatible uses listed under the Count's Uniform Rules and do not collectively exceed an area that is 15% of the parcel or 5-acres in size, whichever is less.

For Parcel A, the owner will apply for a new Prime Land Conservation Act contract for the reconfigured parcel

and enter a covenant to convert the existing accessory dwelling unit into a farm family dwelling. The owner will dedicate 6.4 acres to Prime agricultural uses and will have 0.2 acres of designated Compatible Use area.

For Parcel B, the owner will apply for a rescind and replace the existing Prime Land Conservation Act contract for the reconfigured parcel. The owner will dedicate 12.7-acres (53% of adjusted acreage) to Prime agricultural uses and will have 0.12 acres of designated Compatible Use area.

Environmental Determination:
The proposed project has been analyzed under the California Environmental Quality Act (CEQA) and the CEQA Guidelines, California Code of Regulations. Staff have determined that the project is categorically exempt from CEQA pursuant to Section 15305, Minor Alteration in Land Use Limitations, as a project involving a minor lot line adjustment not resulting in the creation of any new parcel. No exceptions under Section 15300.2 apply.

Staff Recommendation:
Staff recommends the Board approve the request because the findings required by Gov. Code Section 51257 for facilitating a lot line adjustment involving land under a Williamson Act contract can be made, and all the state and local requirements for the Lot Line Adjustment are also met.

Strategic Plan:
N/A
Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?
No

Prior Board Actions:
N/A

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:
None. This is an at-cost project with costs paid by the applicant.

Narrative Explanation of Staffing Impacts (If Required):
N/A

Attachments:
Attachment 1: LLA25-0038 Draft Board of Supervisors Resolution
Attachment 2: LLA25-0038 Draft Conditions of Approval
Attachment 3: LLA25-0038 Proposal Statement prepared by Adobe and Associates, Inc.
Attachment 4: LLA25-0038 Assessor's Parcel Map
Attachment 5: LLA25-0038 Site Plan
Attachment 6: LLA25-0038 Recorded Williamson Act Contract

Related Items "On File" with the Clerk of the Board:
N/A