Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Finding The Project Exempt From CEQA And Approving The Request To Modify An Existing Agricultural Preserve And Rescind And Replace Existing Type I Williamson Act Contract As Requested By Silverado Sonoma Vineyards For Property Located 2521 And 2543 Laughlin Road, Windsor; APNs 059-220-030, -031, -032, and -033.

Whereas, Silverado Sonoma Vineyards (“the Applicant”), filed an application with the Sonoma County Permit and Resource Management Department to add 6.02 acres of the subject lands to Agricultural Preserve #1-232-76 and mutually rescind an existing Type I Contract (Recorded at Book 3052, Page 222 of Sonoma County Official Records) and authorize the Chair of the Board of Supervisors to sign replacement Type I Contracts on the resulting two parcels of 12.02 acres (Lot A) and 121.04 acres (Lot B) pursuant to Gov. Code Section 51257 and a Condition of Approval for Lot Line Adjustment LLA09-0047 located at 2521 and 2543 Laughlin Road, Windsor; APNs 059-220-030, -031, -032, and -033; Zoned LIA (Land Intensive Agriculture), B6-40 acre density, Z (Second Dwelling Unit Exclusion), SR (Scenic Resources), and VOH (Valley Oak Habitat); Supervisorial District No. 4 (“the Project”); and

Whereas, on February 2, 2010, the Board of Supervisors made findings required by Government Code 51257 and approved Lot Line Adjustment LLA09-0047 between three parcels identified under APN’s 059-220-030, -031, -032, -033; and

Whereas, the applicant had provided evidence that the Lot Line Adjustment complies with County-adopted Rules and Regulations for Administration of Agricultural Preserves and that each resulting parcel will qualify for a Type I Williamson Act Contract; and

Whereas, Section 15317 Class 17 of the California Code of Regulations provides that enlargement of an Agricultural Preserve and the making and renewing of Williamson Act Contracts are exempt from the California Environmental Quality Act; and

Whereas, in accordance with the provisions of law, the Board held a public hearing on December 13, 2011, at which time all interested persons were given an opportunity to be heard.

Now, Therefore, Be It Resolved, that the Board makes the following findings with respect to enlarging the existing Agricultural Preserve Area (1-232):

1. Pursuant to Government Code Section 51230 the Board of Supervisors may only modify a preserve by a resolution and after a public hearing. Therefore, consistent with these requirements a public hearing is being held and if approved, consistent with Government Code Section 51237, the Resolution, along with the approved and enlarged Agricultural Preserve Area map (1-232) depicting the 6.02 acres
added to the preserve area will be recorded with the County Recorder’s Office. In the Resolution and transmittal, PRMD has requested the Clerk of the Board to simultaneously record the adopted Resolution and approved Agricultural Preserve Map (1-232).

2. Pursuant to Government Code Section 51233, a minimum of two weeks prior to this hearing, a public hearing notice was sent to the Local Agency Formation Commission Office. No cities are located within one mile of the preserve boundary; therefore, no hearing notice was required to be sent to any nearby city.

3. Pursuant to Government Code Section 51234, PRMD has determined that enlarging the existing Agricultural Preserve Area (1-232) is consistent with the General Plan because the land to be added to the Preserve area has a Land Intensive Agriculture land use and zoning designations, with a majority of the parcel planted in existing vineyard which is considered to be devoted to agriculture.

4. Pursuant to Government Code Section 51234, the Board of Supervisors has determined that enlarging the existing Agricultural Preserve Area (1-232) is consistent with the General Plan because the land added to the Preserve area is under the Land Intensive Agriculture land use and zoning designation, is planted with existing vineyards, and is devoted to a commercial agricultural use.

5. The two subject parcels continue to exceed the 10-acre minimum parcel size requirement and the minimum of $200 per acre gross income requirement for a Type I Contract. A majority (over 50%) of the two parcels are planted in existing vineyard.

6. The modification of the existing Agricultural Preserve Area is allowed to be considered concurrently with the application for replacement contracts. Therefore, under one action the Board of Supervisors can approve the enlargement of Agricultural Preserve Area (1-232) and approve the two replacement contracts within the preserve.

Be It Further Resolved that the Board hereby grants the request by Silverado Sonoma Vineyards to rescind and replace an existing Type I Williamson Act Contract (Book 3052 of Records, Page 222; Recorded February 27, 1976) with two new Type I Contracts on two parcels of 12.02 acres (Lot A; 2543 Laughlin Road; APN’s 059-220-030 and -031) and 121.04 acres (Lot B; 2521 Laughlin Road; APN’s 059-220-032 and -033), and authorizes the Chair of the Board of Supervisors to sign two new Type I Contracts and approve the modification to Agricultural Preserve Area Map (1-232).

Be It Further Resolved that the Clerk of the Board of Supervisors is hereby instructed to record this Resolution, along with the modified Agricultural Preserve Area Map (1-232) with the Office of the Sonoma County Recorder.

Be It Further Resolved that the Board hereby authorizes the Chair of the Board of Supervisors to sign the two new Type I Williamson Act Contracts.

Be It Further Resolved that the Board 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) in that the project is an establishment of a Williamson Act Contract.

**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. 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:**

Brown: Rabbitt: Zane: McGuire: Carrillo:

Ayes: Noes: Absent: Abstain:

**So Ordered.**