

DEPARTMENT OF AGRICULTURE/WEIGHTS & MEASURES

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Proposed Minor Amendments to VESCO to Allow Flexibility for Crop Rotation

On April 14, 2026 The Board of Supervisors Agriculture Ad Hoc Committee held a workshop to identify and contextualize challenges facing the near and long term viability of agriculture in the county. The board heard from staff, industry stakeholders, and the public on a number of issues including cultivation and fallowing and the need for greater flexibility in diversification of agricultural production in the county. Stakeholders requested clarity and a pathway to replant permitting for cultivated lands as defined in the Vineyard Erosion and Sediment Control Ordinance (VESCO) Chapter 36. The Board of Supervisors directed the Agriculture Ad Hoc Committee to come back to the board with a workplan for addressing this and other challenging issues over the near (FY26-27), mid (FY27-28), and longer (FY28-30) term through the General Plan update process. On June 2, 2026 The Agriculture Ad Hoc Committee returned to the board with a multi-departmental workplan, which included minor amendments to Sonoma County Code Chapter 36, Vineyard Erosion and Sediment Control Ordinance (VESCO) that will allow growers' greater options for rotating and changing crops by recognizing cultivated lands as eligible for replant permits.

*In the draft ordinance language below the ~~strikeout~~ language is being deleted while the **bolded underlined** language is being added. The [hyperlinks](#) will take you to the [Municode page](#) where you can see the full current text within Chapter 36 of the Sonoma County Code.*

Flexibility for rotating crops would be achieved by regulating conversions from cultivated lands to vineyard or orchard under the code sections for vineyard and orchard replanting. This is appropriate because the impacts to the lands from other specified crops are similar to vineyard and orchard development. Crop conversions would be subject to permit requirements for replanting permits under [Article 6](#) and subject to the standards for replanting permits already included in [Article 20](#). To achieve this the definitions for vineyard and orchard replanting in [SCC Section 36.30.020](#) would be amended as follows:

1. **Orchard replanting.** The replanting of all or part of an existing orchard **or the conversion to orchard of a perennial crop, row crop, or any other crop that is plowed or tilled, and harvested annually,** where the ~~orchard is~~ **land has been** under active cultivation **for at least five years immediately preceding the filing of a permit application** and the footprint of the area to be replanted **or converted** is not increased.

2. **Vineyard replanting.** The replanting of all or part of an existing vineyard **or the conversion to vineyard of a perennial crop, row crop, or any other crop that is plowed or tilled, and harvested annually,** where the vineyard is **land has been** under active cultivation **for at least five years immediately preceding the filing of a permit application** and the footprint of the area to be replanted **or converted** is not increased.

Cultivated lands are currently regulated under provisions for new vineyard and orchard development, but with an exemption from the requirement for a biotic assessment. Because crop conversions would instead be regulated under the provisions for replanting permits, the permit requirements for new vineyard and orchard development would revert back to the prior ordinance language before the cultivated lands exemption was introduced. Thus, the definitions for cultivated and uncultivated lands would be deleted from the [glossary](#), and [SCC Section 36.04.010\(C\)](#) would be amended as follows:

- C. Biotic resource and focused species assessments.
 1. Biotic resource assessment. A biotic resource assessment shall be required for all new vineyard and orchard development, **except where exempted from permit requirements by Subsection D.** ~~on uncultivated land.~~
 2. Focused species assessment. A focused species assessment shall be required for all new vineyard and orchard development ~~on cultivated land~~ in designated critical habitat areas, **except where exempted from permit requirements by Subsection D.**

In order to provide farmers flexibility in rotating vineyard and orchard and other crops, in 2021 the Board of Supervisors approved allowing extensions of replanting permits for an additional five years. To clarify those permit extensions within the ordinance, [SCC Section 36.18.030\(A\)\(2\)](#) would be amended as follows:

Vineyard and orchard replanting permits. Vineyard and orchard replanting permits shall expire five (5) years from the effective date of the permit, unless an extension has been granted in writing in compliance with Subsection B. **A vineyard and orchard replanting permit may also be extended once for a period of five (5) years where the extension is requested in writing prior to the expiration of the permit.** All work for which a vineyard and orchard replanting permit is issued shall be completed and finalized prior to expiration of the permit or any extension granted pursuant to **this paragraph or Subsection B.**