

P

Type

15

Docs

Plans

AGPOS-0019

Building Permit Number (List all associated with these documents)

S976

Street Number

PETERSEN RD

Street Name

Community Code

APN

COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT
2550 VENTURA AVENUE, SANTA ROSA, CA 95403-2829
(707) 565-1900 FAX (707) 565-1103

Application Fees / Invoice for: AGP05-0019

Project Address: 5976 PETERSEN RD HES
Cross Street: BLANK ROAD

APN: 024-010-015

Description: PHASE OUT OF WILLIAMSON ACT CONTRACT (PORTION OF)

Status: STARTED

Printed: Thursday September 29, 2005

Initialized by: TTESCONI

Activity Type: C-AGP 501

Owner: BARCLAY LEO W & ADELE L TR ET AL
5976 PETERSEN RD
SEBASTOPOL CA 95472

707 795-3200

Applicant: PETERSEN DON
6036 PETERSEN RD
SEBASTOPOL CA 95472

Fees:

| Item# | Description | Account Code | Tot Fee | Prev. Pmts | Cur. Pmts |
|-------|-------------------------|--------------|----------|------------|-----------|
| 1003 | AG PRESERVE - PHASE-OUT | 025015-3802 | 405.00 | .00 | .00 |
| | | | \$405.00 | \$0.00 | |

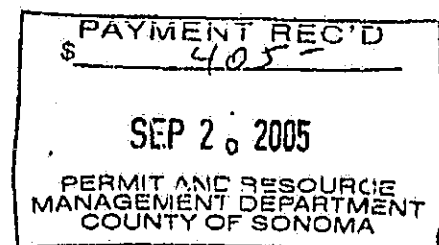
Total Fees: \$405.00

Total Paid: \$0.00

Balance Due: \$405.00

Refunds will not be authorized unless circumstances
comply with established PRMD refund policy provisions.

When validated below, this is your receipt.



Planning Application

PJR-001

File#:

AGP05-0019

Type of Application:

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Admin Cert. Compliance | <input type="checkbox"/> Design Review Comm./Ind. | <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Ag./Timber Preserve | <input type="checkbox"/> Design Review Residential | <input type="checkbox"/> Mobile Home Zoning Permit | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Cert. of Compliance | <input type="checkbox"/> Design Review Signs | <input type="checkbox"/> Ordinance Interpretation | <input type="checkbox"/> Zoning Permit |
| <input type="checkbox"/> Cert. of Modification | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Second Unit Permit | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Coastal Permit | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Specific/Area Plan Amendment | |
| <input type="checkbox"/> Design Review Admin. | <input type="checkbox"/> Major Subdivision | <input type="checkbox"/> Use Permit | |

Applicant (Contact Person):

Don Petersen

Name

6306 Petersen Rd.

Mailing Address

Sebastopol, CA. 95472

City/Town

State/Zip

707-795-3200/696-0149 (cell) 707-795-2550, fax

Phone

Fax

Signature

Date

9/29/05

Owner, if other than Applicant:

see attached

Name

Mailing Address

City/Town

State/Zip

Phone

Fax

Signature

Date

Other Persons to be Notified: (Specify: Agent, Lender, Architect or Engineer)

(see attached)

Name

Name

Name

Mailing Address

Mailing Address

Mailing Address

City/Town

State/Zip

City/Town

State/Zip

City/Town

State/Zip

Title

Title

Title

Phone

Fax

Phone

Fax

Phone

Fax

Project Information:

Address(es)

024-031-063, 024-010-015-000

024-010-024-000, 062-180-069-000, 024-020-004-000

Assessor's Parcel Number(s)

City/Town

303 71 acres

260 (apprx)

Acreage

Project Description: to discontinue Ag. Preserve contract.

5976 Petersen Road, Sebastopol.

Site Served by Public Water? ☐ yes ☒ no

Site Served by Public Sewer? ☐ yes ☒ no

Number of new lots proposed

DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff U

Planning Area:

86

Supervisory District:

2

Current Zoning:

OAB640SRZ/OAB610

General Plan Land Use:

DA40/DA

Specific Plan:

OAB640,SR,Z-1

S.P. Land Use:

DA10/DA40

Needs CEQA Review?

☐ yes ☒ no 10

Commercial/Industrial Uses: (Enter numbers where applicable)

024-010-015-000

Bldg. sq. ft. Existing:

Proposed:

Existing Employees:

New Employees:

Residential Uses: (Enter numbers where applicable)

New Single Family Homes:

New Multi-Family Units:

New Second Units:

New Manufactured Homes:

New Units For Sale:

New Units For Rent:

Density Bonus Units:

Violation? ☐ yes ☒ no; Application resolve planning violation? ☐ yes ☒ no; Penalty applicable? ☐ yes ☒ no; Civil Penalty Factor

Previous Files:

ACC 92-097-1103, LUA 92-440.

Application accepted by

Steve Jensen

Date

9/29/05.

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue * Santa Rosa, CA * 95403-2829 * (707) 565-1900 * Fax (707) 565-1103

h:\wheel L:\HANDOUTS\PJR-001.WPD

rev:8/01/01

SEP 21, 2005 07:54P

(2-421-72; 26057/1997080)

portion of contract - phase-out.



COUNTY OF SONOMA PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Indemnification Agreement

"As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which accompanies it. This indemnification shall include but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in conjunction with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the County. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect."

Applicant

Property Owner (if other than applicant)

9/29/05

Date

ARP05-0019

File No.

Note: The purpose of the Indemnification Agreement is to allow the County to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.

Ronald E. Petersen ✓
Melvin W. Petersen ✓
William G. Petersen ✓
Deane J. Petersen ✓
Sandra A. Petersen ✓

Joyce E. Petersen ✓
Susan M. Lawlor ✓
John F. Barclay ✓
John F. Petersen ✓

To discontinue Ag. Preserve contract on the following parcels:

Ownership of parcel # 024-101-015-000;

Adele L. Barclay
Susan M. Lawlor
Joyce E. Petersen
Lynn R. Petersen
Melvin N. Petersen
William M. Petersen
Donald E. Petersen

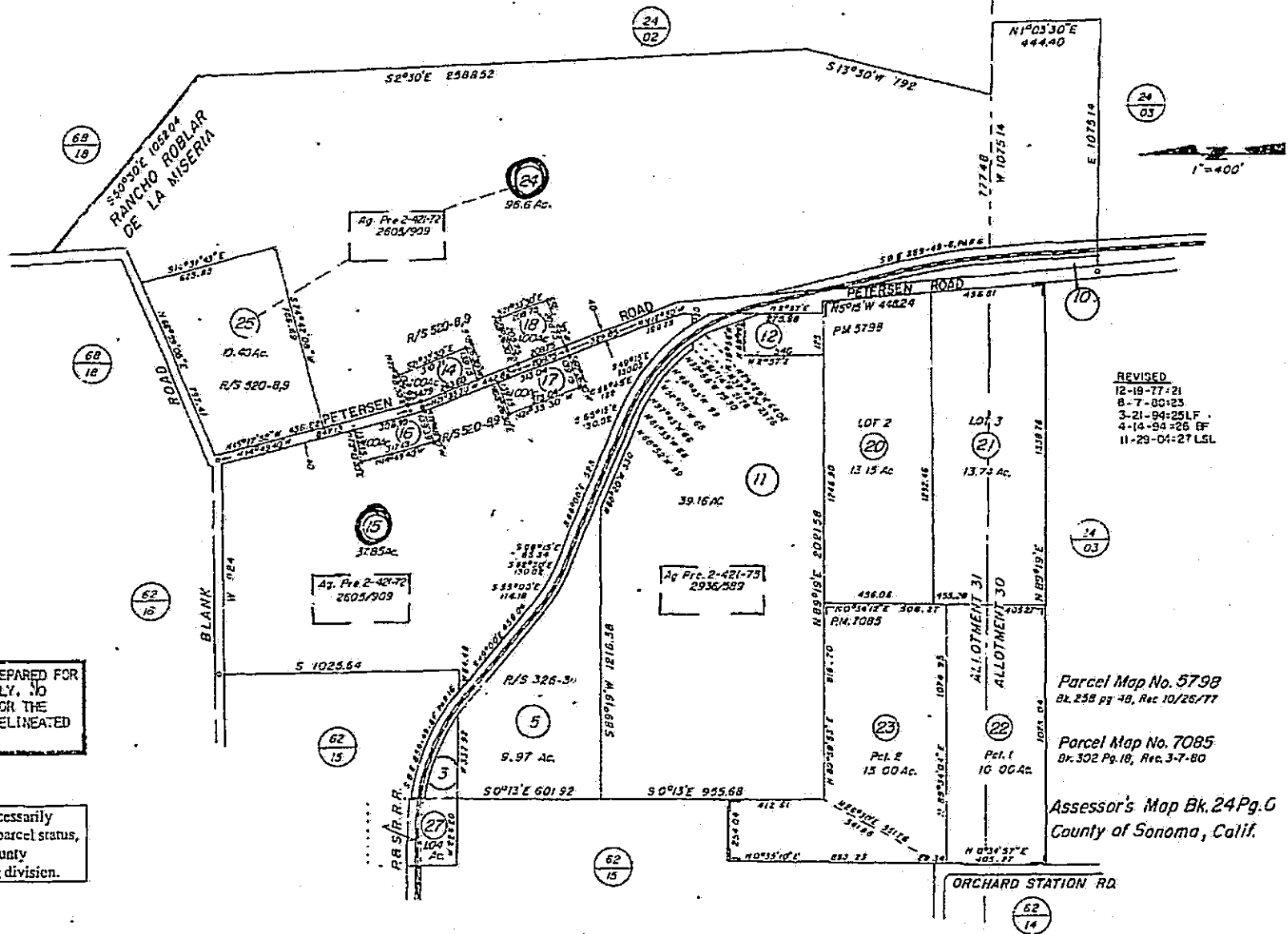
Ownership of parcel #'s 024-010-024-000, 062-180-069-000, 024-020-004-000,
024-031-063-000

William M. & Diane I Petersen
Donald E. & Sandra Petersen
Lynn Petersen

COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA
75-005

24-01



NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREON.

NOTE: Assessor's parcels do not necessarily constitute legal lots. To verify legal parcel status, check with the appropriate city or county community development planning division.

REVISED
12-19-77:21
8-7-80:23
3-21-94:25LF
4-14-94:26 EF
11-29-04:27 LSL

Parcel Map No. 5798
Bk. 258 pg. 48, Rec. 10/26/77

Parcel Map No. 7085
Bk. 302 Pg. 18, Rec. 3-7-80

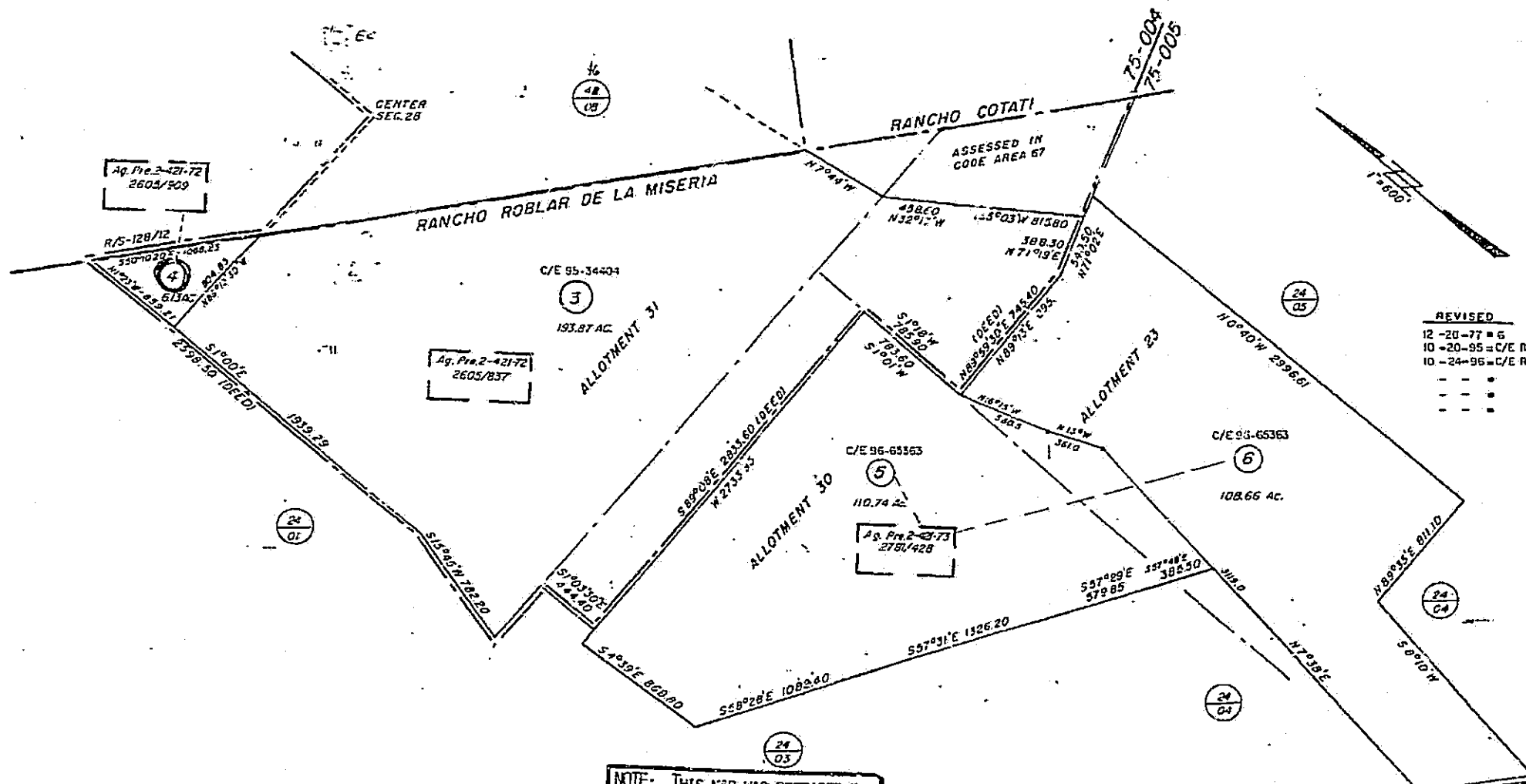
Assessor's Map Bk. 24 Pg. C
County of Sonoma, Calif.

EXHIBIT C

COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA
75-004
75-005

24-02



REVISED

12-20-77 = 6

10-20-95 = C/E R

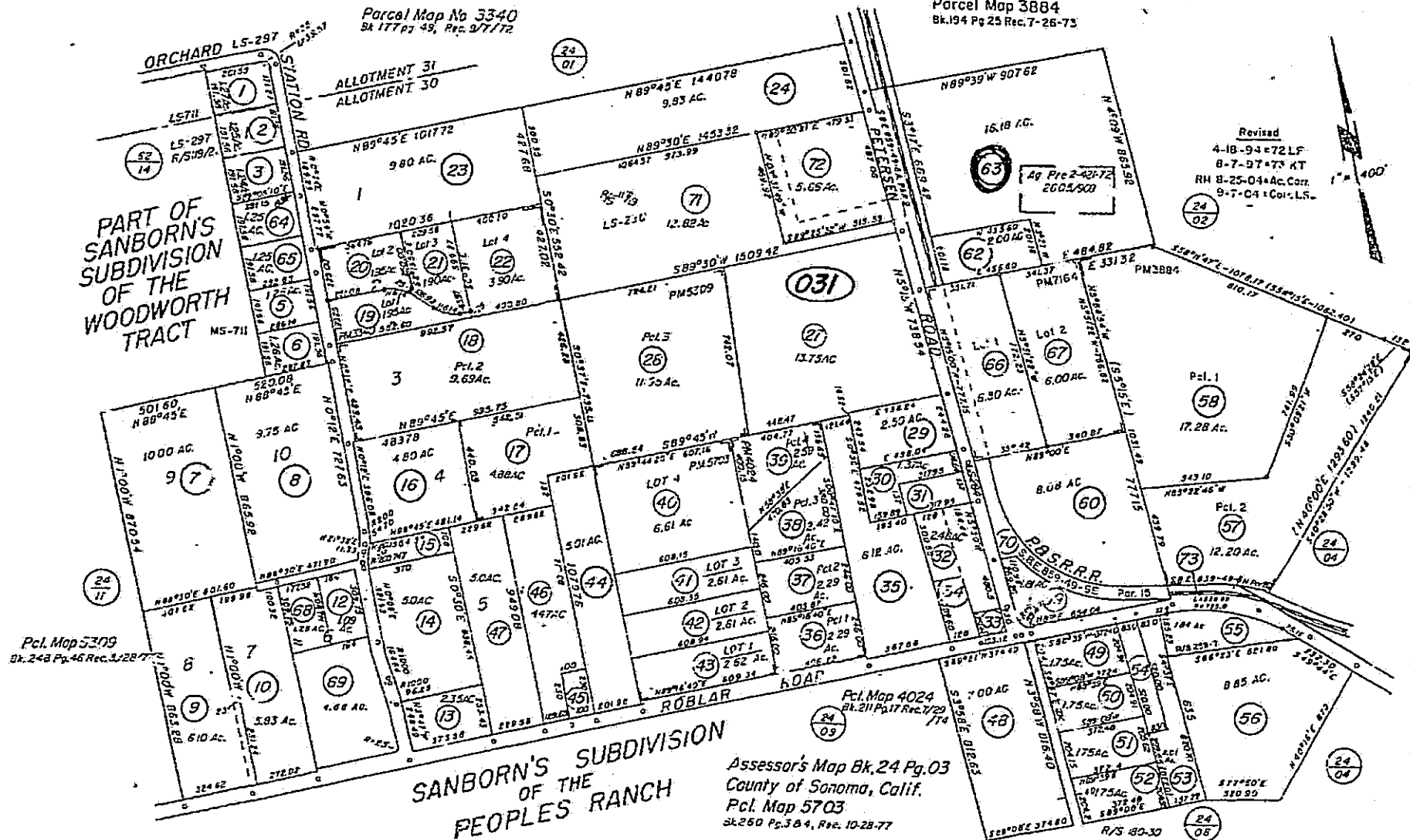
10-24-96 = C/E R

NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREON.

P.B.S.R.R.R.
Assessor's Map Bk. 24 Pg. 02
County of Sonoma, Calif.

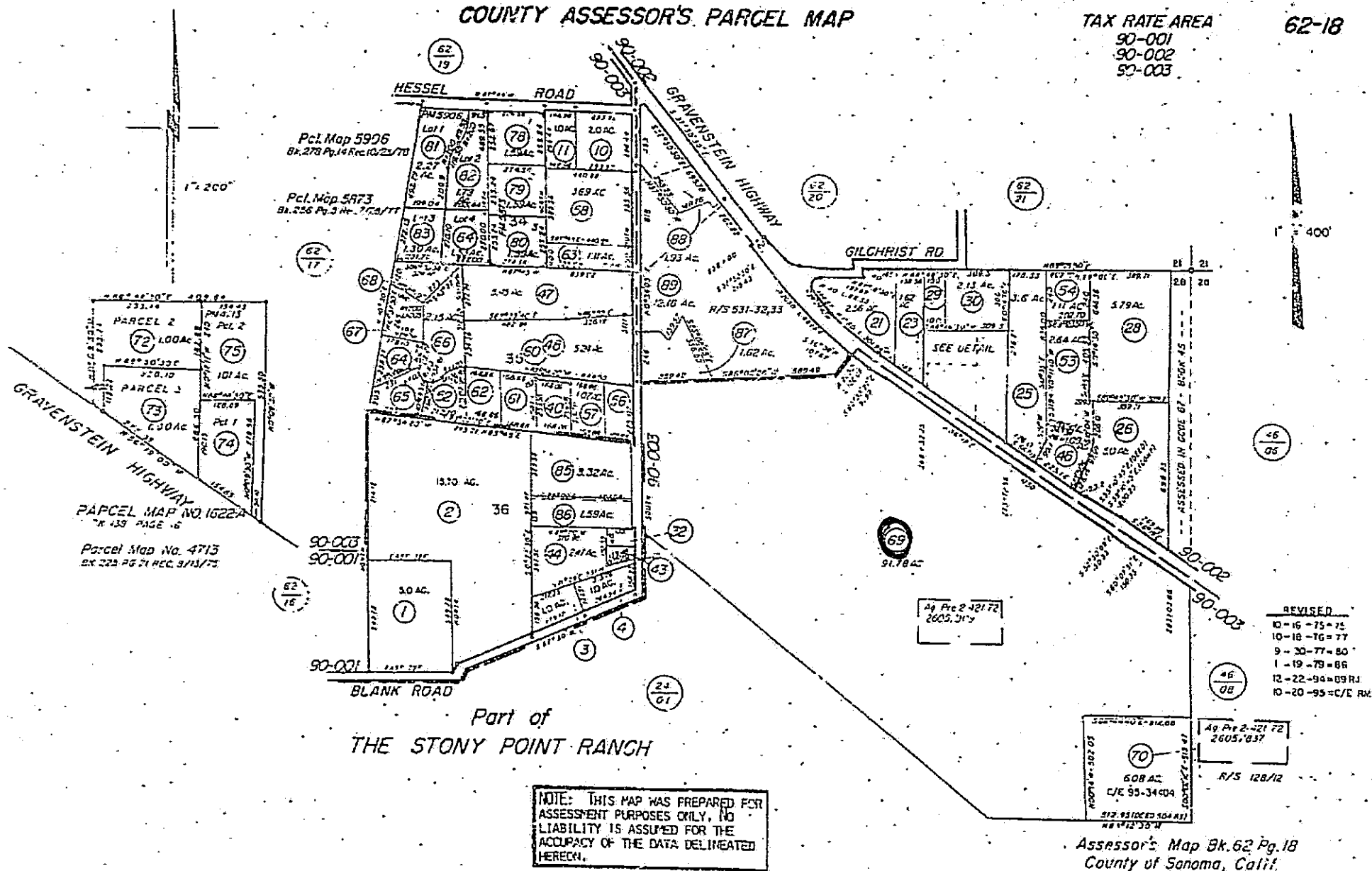
24-03

Assessor's Map Bk. 24 Pg. 03
County of Sonoma, Calif.
Pcl. Map 5703
Sk. 250 Pg. 384, Rec. 10-28-77



62-18

90-001
90-002
52-003





COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

October 4, 2005

Gary and Louise Petersen, Trust
4355 Blank Road
Sebastopol, Ca. 95472

RE: Property located at 4355 Blank Road, Sebastopol. APN: 024-010-025.
Williamson Act contract (2-421-72; 2605/909) with the Petersen Family property.

Dear Gary and Louise:

On September 29, 2005, Mr. Don Petersen, representing the Petersen Family, submitted a non-renewal application requesting to phase out the family's property from the existing Williamson Act- Type II contract (2-421-72; 2605/909). It was determined that your parcel, as referenced by the above address and 'Assessors Parcel' Number 024-010-025 is also under the original Williamson Act contract (2-421-72; 2605/909).

Your parcel is not listed on the non-renewal application and I was told by Mr. Don Petersen that you wished to stay under the Williamson Act program. Unfortunately, your parcel of 10.40 acres does not meet by itself the 40 acre minimum parcel size requirement for a Type II contract. With the surrounding lands under the same contract being requested for a phase out of the original Williamson Act contract, your parcel becomes not in compliance with the original Williamson Act contract.

It appears, however, that the parcel is planted in vineyard which is an agricultural use consistent with a Type I Williamson Act contract. Also your parcel meets the minimum parcel size of 10 acres for a Type I Williamson Act contract. If at least six to seven acres of the parcel is planted in vineyard and the vineyard generates a minimum income requirement of \$200 per acre gross from the sale of wine grapes; then most likely the parcel would qualify for a Type I Williamson Act contract.

The change from a Type II to a Type I Williamson Act contract does require an Agricultural Preserve modification application and a total filing fee of \$962.00. The contract modification would go to the Board of Supervisors for approval and authorization to prepare and record a new Type I- Williamson Act contract.

The County recently has been directed by the State Department of Conservation to monitor more closely property's compliance with the Williamson Act program. Since your parcel does not individually meet the minimum parcel size requirement for the original Type II contract, you will eventually be notified that the parcel is not in compliance with the Williamson Act contract and the issue would have to be resolved at that time. Please keep in mind that filing fees increase each fiscal year.

I would like to see your parcel remain under the Williamson Act program, so please contact me to obtain an application or if you have any further questions, I am willing to meet with you to go over the process in more detail. I appreciate your cooperation in this matter.

Sincerely,

Traci Tesconi

Traci Tesconi
Planner III

cc: Don Petersen
File AGP05-0019



COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

November 16, 2005

State Department of Conservation
Attn: Mr. Dennis O'Bryant, Acting Director
801 K Street
Sacramento, Ca. 95814

RE: Notices of Non-renewal of three Williamson Act contracts in the County of Sonoma.
Project file numbers: AGP05-0018; AGP05-0019, and AGP05-0020

Dear Mr. O'Bryant :

As required by the State Government Code, for your records please find copies of the Sonoma County Board of Supervisors Resolutions approving the non-renewals of the Williamson Act contracts for the following three separate properties:

1. AGP05-0018, located at: 9499 Mill Station Road, Sebastopol. Assessor Parcel Number: 061-100-075 = 81.27 acres. Type II Williamson Act Contract No. 2-433. Property owners: Gerald L. and Shauna L. Bybee.
2. AGP05-0019; located at 5976 and 6036 Petersen Road, Sebastopol; Assessor's Parcel Numbers: 024-010-015, 024-010-024, 024-020-004, 024-031-063, and 062-180-069 = 303.71 total acres. Type II Williamson Act Contract No. 2-421-72. Property owners: Donald E. & Sandra Petersen, et.al, and Adele L. & Leo W. Barclay, Trust.
3. AGP05-0020; located at 2901 Bloomfield Road, Sebastopol; Assessor's Parcel Number 025-060-009 = 23.11 acres. Type II Williamson Act Contract No. 2-349-74 . Property owners: William J. and Nancy Ann Noli.

The Board of Supervisors resolutions have been recorded at the Sonoma County Recorders office. If you have any questions or need further information, please contact the undersigned at (707) 565-1903.

Sincerely,

Traci Tesconi

Traci Tesconi
Project Planner III

cc: File AGP05-0018
File AGP05-0019
File AGP05-0020
Shelly Bianchi-Williamson, PRMD- DIS Mapping Technician

COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 VENTURA AVENUE, SANTA ROSA, CA 95403
(707) 565-1900 FAX (707) 565-1103

Monday, October 03, 2005

PETERSEN DON
6036 PETERSEN RD
SEBASTOPOL CA 95472

Re: AGP05-0019
5976 PETERSEN RD HES

Dear Applicant:

I am the project coordinator for this application and your primary contact person at the Permit and Resource Management Department (PRMD). I will be processing your application and assuring it is completed in a timely manner.

Unless you tell us otherwise, we will assume that the person listed below is the single point of contact for this application. To expedite the process and maximize efficient communication, please:


1. Review the following information pertaining to the contact for this application and contact me with any corrections or additions:

Contact: PETERSEN DON
Phone: 707 795 3200
707 696 0149 CELL
Address: 6036 PETERSEN RD
SEBASTOPOL CA 95472

2. Notify me if the application contact changes or if there are any changes in the project, project team, project documents, plans, reports, etc.
3. Understand that additional items may be required to complete your application. A prompt turn-around of these items enables our timely processing of your application.
4. Be sure to direct all communication to PRMD to my attention, including a copy of any materials you may provide to other PRMD staff.

I am available to clarify any item or information on your project. When calling or leaving voice mail, always refer to your project's address and file number (AGP05-0019). Do not hesitate to contact me at (707) 565-1903 if you have any questions. I look forward to working with you.

Thank you,



TRACI TESCONI

c: Property Owner (if other than applicant)

AGENDA ITEM TRANSMITTAL REPORT

DEPARTMENT: Permit and Resource
Management Department

SUBMITTED BY: Pete Parkinson, Director

FOR BOARD ACTION ON: 11/01/2005

AS: (☒) CONSENT (☐) REGULAR

THIS ITEM REQUIRES: (Check appropriate boxes)

(☐) Hearing

(☐) 4/5 Vote

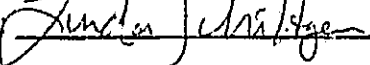
(☐) Requests Gold Resolution

(☐) Appropriation Transfer

(☐) Public Appearance Anticipated

(☐) Position Alloc List Change(s)

(☒) County Counsel Approval Date 10/19/05

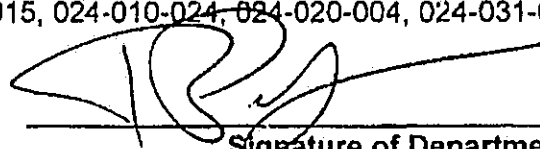
By 

AGENDA SHORT TITLE:

Williamson Act Contract phase-out: Donald E. & Sandra Petersen, et al; and Adele L. & Leo W. Barclay, Trust; AGP05-0019

REQUESTED BOARD ACTION:

Resolution approving a phase-out of an Agricultural Preserve, Type II Williamson Act contract on 303.71 total acres (APN 024-010-015, 024-010-024, 024-020-004, 024-031-063, and 062-180-069).



Signature of Department Head

Special Instructions to Clerk of the Board:

The Clerk of the Board is directed to record this resolution and send copies to the property owner, the County Assessor's office, County Counsel, PRMD's Project Review Section and DIS Section. Landowner address: Donald E. & Sandra Petersen, et. al., 6036 Petersen Road, Sebastopol, CA 95472; Adele L. & Leo W. Barclay, Trust, 5976 Petersen Road, Sebastopol, CA 95472

FOR AGENDA COMMITTEE USE

County Administrator's Office Recommendation:

(☐) Approval

(☐) Submitted with Comment

(☐) Not Recommended

(☐) Policy Determination by Board

Analyst Comment:

Signature of County Administrator

Agenda Committee Action:

(☐) Consent Calendar

Date Scheduled: ____/____/____

(☐) Regular Calendar

Time Scheduled: _____

(If required)

COUNTY OF SONOMA AGENDA ITEM SUMMARY REPORT

Clerk of the Board Use Only
Meeting Date: _____ Held Until: _____
Agenda Item No: _____ Agenda Item No: _____

Department: Permit and Resource Management
Department

() 4/5 Vote Required

Contact:
Traci Tesconi

Phone:
565-1903

Board Date:
11/01/2005

Deadline for Board Action:

AGENDA SHORT TITLE:

Williamson Act Contract phase-out: Donald E. & Sandra Petersen, et al; and Adele L. & Leo W. Barclay, Trust; AGP05-0019

REQUESTED BOARD ACTION:

Resolution approving a phase-out of an Agricultural Preserve, Type II Williamson Act contract on 303.71 total acres (APN 024-010-015, 024-010-024, 024-020-004, 024-031-063, and 062-180-069).

CURRENT FISCAL YEAR FINANCIAL IMPACT

EXPENDITURES

ADD'L FUNDS REQUIRING BOARD APPROVAL

Estimated Cost \$

Contingencies \$
(Fund Name:)

Amount Budgeted \$

Unanticipated Revenue \$
(Source:)

Other Avail Approp \$
(Explain below)

Other Transfer(s) \$
(Source:)

Additional Requested: \$

Add'l Funds Requested: \$

Explanation (if required):

Prior Board Action(s):

N/A

Alternatives - Results of Non-Approval:

State law authorizes property owners to unilaterally phase out of Williamson Act Contracts. This contract will terminate on January 1, 2015.

Background:

In 1972, the subject parcels (APN 024-010-015, 024-010-024, 024-020-004, 024-031-063, and 062-180-069 ["the Property"]) were placed under a Williamson Act Type II contract (2-421-72; 2605/909) by the current property owners. The original contract also includes APN 024-010-025, 10.40 acres in size, which currently is owned separately by Gary and Louise Petersen Trust and not included in this request.

Unfortunately, APN 024-010-025 is not large enough to meet the 40 acre minimum parcel size requirement for the original Type II contract, and the parcel is not included in the non-renewal request. Staff has written a letter to the property owners of APN 024-010-025 informing them that the parcel does not individually meet the original Type II contract's acreage requirement. However, the parcel appears to be planted in vineyard and would meet the 10 acre minimum acreage requirement consistent with a Type I Williamson Act contract. Therefore, the letter recommends that the property owners file for an Agricultural Preserve modification application at which time the Board of Supervisors would decide if a new Type I contract can be prepared and recorded on the parcel (APN 024-010-025). If the property owners do not bring the parcel (APN 024-010-025) into compliance with the Williamson Act program and do not request a phase out, then the County may decide to initiate phase out of the parcel. Until the contract is amended or terminated, building permits for any non-agricultural related structure cannot be issued by PRMD.

In 1992 five Certificates of Compliance (ACC92-097 thru ACC92-0103) were recorded on the Property.

In 2005 the current owners of the Property served a Notice of Nonrenewal upon the County pursuant to Government Code section 51245. Therefore, the contract will terminate on January 1, 2015.

Once the Resolution has been recorded by the Clerk of the Board, PRMD will send a copy to the Director of the Department of Conservation as required by State law.

Attachments:

Draft Resolution authorizing phase-out
Exhibit A: Application for phase-out
Exhibit B: Letter of authorization
Exhibit C: APN Maps

On File With Clerk:**CLERK OF THE BOARD USE ONLY****Board Action (If other than "Requested")**

Vote:

THE WITHIN INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE.

ATTEST: NOV 08 2005

EEVE T. LEWIS
County Clerk & ex-officio Clerk of the Board of
Supervisors of the State of California, In & for
the County of Sonoma
By [Signature] Deputy

#29

Resolution Number 05-1010
County of Sonoma
Santa Rosa, California
November 8, 2005

AGP05-0019, Traci Tesconi

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY
OF SONOMA, STATE OF CALIFORNIA, APPROVING A
REQUEST FOR PHASE OUT OF FIVE PARCELS FROM WILLIAMSON ACT
CONTRACT NO. 2-421-72.

WHEREAS, Donald E. & Sandra Petersen, et.al, and Adele L. & Leo W. Barclay, Trust own 303.71 total acres located at 5976 and 6036 Petersen Road, Sebastopol; Assessor's Parcel Numbers 024-010-015, 024-010-024, 024-020-004, 024-031-063, and 062-180-069, that are subject to Williamson Act Contract No. 2-421-72 ("Contract"); and

WHEREAS, the owners have decided to phase out of the Contract; and

WHEREAS, pursuant to Government Code section 51245, the owners have served a Notice of Nonrenewal ("Notice") upon the County at least 90 days prior to the renewal date.

NOW, THEREFORE BE IT RESOLVED that the Board approves the phase out request and acknowledges that the Contract will terminate on January 1, 2015.

BE IT FURTHER RESOLVED that the Permit and Resource Management Department is directed to deliver a copy of this Resolution and the Notice to the Department of Conservation within 30 days pursuant to Government Code section 51245.

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to record this Resolution, and send copies to the Assessor's Office, the Permit and Resource Management Department, County Counsel's Office, and the property owners.

SUPERVISORS VOTE:

Brown: Kerns: Kelley: Reilly: Smith:

Ayes: 5 Noes: Absent: Abstain:

SO ORDERED.