

SONOMA COUNTY BOARD OF SUPERVISORS

Conditions of Approval

Date: January 14, 2020
Staff: Katrina Braehmer
Applicant: Pikachu II, LLC
Owner(s): Pikachu II, LLC and the Kimberly Pfendler Marital Trust
Address: 545, 750, and 1000 Sonoma Mountain Road, Petaluma
APNs: 136-220-004, 136-220-008, -009, -016, -017, -018, and 136-160-011
File No.: LLA19-0005

Project Description: Request for a Lot Line Adjustment between three legal parcels 81.57 acres (Parcel A), 568.41 acres (Parcel B), and 133.67 acres (Parcel C) in size, resulting in three parcels, 271.37 acres, 354.87 acres, and 157.31 acres in size, subject to the conditions below. The two existing Non-Prime (Type II) Land Conservation Act Contracts for Parcels B and C will be rescinded and replaced and a new Hybrid contract for a combination of Non-Prime and Prime agricultural uses will be established for Parcel A based on the new parcel configurations and the current agricultural use of each parcel. The purpose of the lot line adjustment is to reconfigure the lots for new cattle grazing leases.

NOTE: Amendments and changes to approved Lot Line Adjustment conditions may be considered by the Board of Supervisors at a later date if additional information justifies the changes and does not increase the intensity of use approved by the original approval. The Director of Permit Sonoma will determine if a public hearing is necessary and if additional fees are required.

NOTE: These conditions must be met and the application validated within 24 months (from January 14, 2020) unless a request for an extension of time is received before the expiration date.

PRIOR TO RECORDING THE LOT LINE ADJUSTMENT

To be Reviewed and Approved by the County Surveyor:

1. A draft description, prepared by a licensed land surveyor or civil engineer authorized to practice land surveying, showing the combination of lots or transfer of property shall be submitted to the County Surveyor for approval. The following note shall be placed on the deed or deeds. "The purpose of this deed is for a combination of a portion of the Lands of Pikachu II, LLC, a California Limited Liability Company as described by recorded Document Numbers 2012-088904, 2019-040655, and 2019-04056, Sonoma County Records, APNs 136-220-008, 136-220-009, 136-220-016, and 136-220-017, and the Lands of Kimberly Pfendler, as Trustee of the Kimberly Pfendler Marital Trust, created under the Peter G. Pfendler Trust dated June 15, 2007, as described by recorded Document No. 2009-080827, Sonoma County Records, APN 136-220-018 with the Lands of Pikachu II, LLC, a California Limited Liability Company as described by recorded Document No. 2012-088890, Sonoma County Records, APN 136-220-004; and for a combination of a portion of the Lands of Pikachu II, LLC, a California Limited Liability Company as described by recorded Document Numbers 2012-088904, 2019-040655, and 2019-04056, Sonoma County Records, APNs 136-220-008, 136-220-009, 136-220-016, and 136-220-017, and the Lands of Kimberly Pfendler, as Trustee of the Kimberly Pfendler Marital Trust, created under the Peter G. Pfendler Trust dated June 15, 2007, as described by recorded Document No. 2009-080827, Sonoma County Records, APN 136-220-018 with the Lands of Pikachu II, LLC, a California Limited Liability Company as described by recorded Document No. 2012-088941, Sonoma County Records, APN 136-160-011. This deed is pursuant to LLA19-0005 on file in the office of the Sonoma County Permit and Resource Management Department. It is the express intent of

the signatory hereto that the recordation of this deed extinguishes any underlying parcels or portions of parcels.”

It is the responsibility of the surveyor/engineer preparing the deeds to ensure that the information contained within the combination note is correct. Note: The County Surveyor may modify the above described note.

2. A site plan map of the Lot Line Adjustment shall be prepared by a licensed surveyor or civil engineer and attached to the deed(s) to be recorded. The site plan shall be subject to the review and approval of the County Surveyor. The following note shall be placed on said plan:

“THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. Any errors or omissions on this exhibit shall not affect the deed description.”

3. After approval of the Deed description by the County Surveyor, a Grant Deed or Deeds shall be prepared with all attachments and submitted to the Project Review planner for approval prior to recording.

To be Reviewed and Approved by the Project Review Planner:

4. Submit verification that taxes and/or assessments, which are a lien and termed as payable, are paid to the Treasurer-Tax Collector’s Department on all parcels affected by the adjustment. The Treasurer-Tax Collector knows the amount of the tax due.
5. Deed of Trust agreements, which encumber only portions of accepted legal lots, are violations of the Subdivision Map Act; therefore, prior to the Permit Sonoma approval of the deeds for recordation, the applicant(s) shall submit either recorded documents or documents to be recorded concurrently with the Lot Line Adjustment deeds, showing that any Deed of Trust agreements on the subject properties will conform with the adjusted parcel boundaries.
6. The property owners shall execute a Right-to-Farm Declaration for each resulting parcel on a form provided by Permit Sonoma. The Right-to-Farm Declaration shall be recorded concurrently with the Permit Sonoma-approved Lot Line Adjustment grant deed(s).
7. The property owners shall submit all required application materials and applicable filing fees to: 1) rescind and replace the two existing Non-Prime Land Conservation Act Contracts on Parcels B and C with two new Non-Prime Land Conservation Contracts, and 2) expand Agricultural Preserve 2-411 and enter Parcel A into a new Hybrid Land Conservation Act Contract. Applications must be deemed complete prior to recording the Lot Line Adjustment. Once the Lot Line Adjustment grant deeds are recorded, Permit Sonoma can proceed with processing the new contracts.
8. The property owners shall submit all required application materials and applicable filing fees for a General Plan Amendment and Zone Change to: 1) change Parcel A’s land use to DA 60 and zoning to DA B6 60; 2) change Parcel B’s land use to LEA 80 and zoning to LEA B6 80; and 3) change Parcel C’s land use to DA 40 and zoning to DA B6 40, such that the land use and zoning boundaries align with the adjusted parcel boundaries. Applications must be deemed complete prior to recording the Lot Line Adjustment.
9. Prior to recordation of the Grant Deed(s), a Zoning Permit shall be applied for and approved designating the caretaker dwelling unit located on Parcel B as an Agricultural Employee Unit or Farm Family Unit. The Agricultural Employee and/or Farm Family Dwelling Unit covenants shall be recorded concurrently with the PRMD approved Lot Line Adjustment Grant Deed(s).

RECORDATION OF THE LOT LINE ADJUSTMENT DEED

Once you have accomplished the items above, the Permit and Resource Management Department will authorize you to record the deed(s) subject to the following additional conditions:

10. The packet containing all the documents to be recorded shall be submitted to the Project Review planner for approval prior to recording. The approval will be noted by the planner placing a stamp on the front of each deed.
11. After approval by Project Review, the grant deed(s) shall be recorded along with all other required documents.
12. In order to close the file, a conformed copy of the deed(s), and all other recorded documents required as conditions of approval, shall be submitted to the Permit and Resource Management Department. This will complete your application file.
13. This "At Cost" entitlement is not vested until all permit processing costs are paid in full.