

RESOLUTION NO. 5788

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF SEBASTOPOL INITIATING REORGANIZATION PROCEEDINGS  
FOR THE ANNEXATION AND DETACHMENT OF SIX SONOMA COUNTY PARCELS  
LOCATED AT 601 GRAVENSTEIN HWY NORTH; 595 GRAVENSTEIN HWY NORTH; 545  
GRAVENSTEIN HWY NORTH; 585 GRAVENSTEIN HWY NORTH; 501 and 505 GRAVENSTEIN  
HWY NORTH; AND 913 MCFARLANE AVENUE  
060-250-011; 060-250-012; 060-250-013; 060-250-014; 060-250-059; 060-180-015

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WHEREAS, the City of Sebastopol desires to initiate proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, as the same may be amended from time to time, of the annexation to the City of Sebastopol of certain territory comprising six unincorporated islands within the County of Sonoma jurisdiction substantially surrounded by City and the detachment of the same from the County of Sonoma; and

WHEREAS, such unincorporated County islands are located at 601 Gravenstein Hwy N; 595 Gravenstein Hwy N; 545 Gravenstein Hwy N; 585 Gravenstein Hwy N; 501 and 505 Gravenstein Hwy N; and 913 McFarlane Avenue and maps showing the locations of the islands are attached hereto;

WHEREAS, in connection with the County island annexations, the Planning Commission and City Council conducted a preliminary review of the annexations and staff proceeded to prepare a staff report, dated November 6, 2009, describing and analyzing the project; and

WHEREAS, the area of the subject properties does not exceed one hundred fifty (150) acres in size and the subject property constitutes islands of unincorporated County of Sonoma jurisdiction within City limits that is surrounded or substantially surrounded by City jurisdiction; and

WHEREAS, the subject properties are not gated communities where urban services area provided by a community service district; and

WHEREAS, the properties are substantially developed in that single family residences are currently located on the properties; and

WHEREAS, the subject properties are not prime agricultural land under the provisions of California Government Code Section 56064; and

WHEREAS, the subject properties will receive the following benefits from the City, to wit: law enforcement, code enforcement, and fire protection and provide for City services, if not already provided, with payment of applicable fees; and

WHEREAS, the existing General Plan designation of Medium Density Residential will be retained and these unincorporated County of Sonoma islands are hereby rezoned by the City Council to the City of Sebastopol prezone designation of RSF-2: Single Family Residential (6,000 square foot minimum lot size); and

WHEREAS, the City of Sebastopol is the Lead Agency for environmental review for the reorganization under the California Environmental Quality Act of 1970, as amended (“CEQA”); and

WHEREAS, the City Council has found that the project is exempt from the requirements of CEQA pursuant to Section 15319: Annexation of Existing Facilities and Lots for Exempt Facilities, subsection (b): Annexations of individual small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures; and

WHEREAS, the reason for the proposed reorganization is as follows: to eliminate six urban pockets of unincorporated territory that are surrounded by City territory.

WHEREAS, the owners of the County island properties will not be required to connect to City utilities until such time as they apply for a land use or site development permit, or seek new City utility connections. The land use permits that would trigger payment of annexation fees shall include the following: Second Unit, Lot Line Adjustment, Rezone, Subdivision, Use Permit, or Variance. The site development permits that would trigger payment of annexation fees shall include any permit application that involves new construction that would result in more than one addition of 250 square feet of additional square footage of conditioned space, meaning one addition of conditioned space 250 square feet in size or less, and unconditioned spaces such as accessory structures utilized for storage, garage area, etc. would not require payment of fees. Fee payment would also be triggered by any new water or sewer connections to City services. In addition, annexation fee payment will be triggered if there is a sale of the property, but exclude transfer between spouses or domestic partners, or to a spouse or domestic partner or child of the owner. Furthermore, if a septic system fails on one of the subject properties, creating a health concern and the property thereby needs to be connected to the City sewer, the property owner shall pay the annexation fee. These thresholds will be noted in City files, and with owner concurrence, agreements will be recorded for each property.

WHEREAS, notice of intent to annex the County island parcels was given, and on December 8, 2009, the Planning Commission conducted a public hearing based on the notification; and

WHEREAS, following said public hearing the Planning Commission made appropriate findings of fact and made a motion recommending that the City Council approve the application for reorganization of the designated unincorporated County island territories located at 601 Gravenstein Hwy N; 595 Gravenstein Hwy N; 545 Gravenstein Hwy N; 585 Gravenstein Hwy N; 501 and 505 Gravenstein Hwy N; and 913 McFarlane Avenue annexation;

WHEREAS, on February 16, 2010, the City Council held a duly noticed public hearing, received public testimony, and considered the staff report;

NOW, THEREFORE BE IT RESOLVED, that the City Council has made appropriate findings of fact and hereby recommends that the City Council initiate proceedings for the proposed reorganization of the designated unincorporated County island territories located at 601 Gravenstein Hwy N; 595 Gravenstein Hwy N; 545 Gravenstein Hwy N; 585 Gravenstein Hwy N; 501 and 505 Gravenstein Hwy N; and 913 McFarlane Avenue described herein pursuant to Section 56000 of the California Government Code without protest or election proceeding.

IN COUNCIL DULY PASSED AND ADOPTED this 16<sup>th</sup> day of March, 2010.

AYES: Councilmembers Robinson, Shaffer, Vice Mayor Wilson and Mayor Gurney

NOES: None  
ABSENT: Councilmember Kelley  
ABSTAIN: None

APPROVED: Sarah Glade Gurney  
Mayor Sarah Glade Gurney

ATTEST: Mary Gourley  
City Clerk Mary Gourley