**RESOLUTION NO. 3488-18**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR INITIATING PROCEEDINGS WITH THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SONOMA FOR AMENDMENT OF THE SPHERE OF INFLUENCE AND REORGANIZATION OF TERRITORY CONSISTING OF ASSESSOR'S PARCEL NUMBER 066-310-029 (FILE NO. 18-24)**

**WHEREAS,** the Town Council desires to initiate proceedings with the Local Agency Formation Commission of the County of Sonoma ("LAFCO"), pursuant to the Cortese-Knox-Hertzberg Local Reorganization Act of 2000 (Government Code Section 56000 et seq.) ("the Cortese-Knox-Hertzberg Act"), for an amendment of the sphere of influence of the Town of Windsor ("Town") and a reorganization consisting of annexation of a 0.93 acre parcel (APN 066-310-029) ("the affected territory") to the Town and detachment of that same parcel from County Service Area No. 41 (Multi-Services) ("the proposal"); and

**WHEREAS,** the affected territory is outside the sphere of influence of the Town, making it ineligible for annexation to the Town without amendment of the sphere of influence; and

**WHEREAS,** in 2000 the Town purchased the affected territory in order to provide a buffer between the Town's Russian River well field and vineyards located to the east of the well field and as the location for the control building for the well fields; and

**WHEREAS,** the reason for the application is to give the Town land use authority over the affected territory and exempt the affected territory from property tax. No change in use or development of the affected territory would occur as a result of the proposal; and

**WHEREAS,** on July 8, 2018, the Town Council directed staff to initiate a General Plan amendment to pre-establish a land use designation for the affected territory and prezoning of the affected territory to make the affected territory eligible for annexation, which would give the Town land use authority over the affected territory and exempt the affected territory from property tax; and

**WHEREAS,** the use of the affected territory for public utility purposes is consistent with the uses intended in a Public/Quasi-Public General Plan land use designation; and

**WHEREAS**, the affected territory is uninhabited, as defined in the Cortese-Knox-Hertzberg Act, and a description of the affected territory is set forth in Exhibit "A," attached hereto and incorporated herein by this reference; and

**WHEREAS,** the proposal has been determined to be exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15319 (Annexations of Existing Facilities and Lots for Exempt Facilities) which exempts annexations to a city or special district of areas containing existing public structures developed to the density allowed by the current zoning or prezoning of either the gaining or losing

government agency, whichever is more restrictive, provided however that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. The affected territory includes a public facility that was developed in the County of Sonoma under the County's zoning requirements. No change of use or additional development of the affected territory would occur. The proposal is also exempt pursuant to Section 15061(b)(3) (General Rule), which states that CEQA applies only to projects which have the potential to have a significant effect on the environment, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposal would result in the annexation of the affected territory to the Town of Windsor. The existing use of the affected territory would continue. No development or modifications would occur. Therefore, it can be seen with certainty that there is no possibility that the proposal would have a significant effect on the environment; and

**WHEREAS,** the Planning Commission held a duly noticed public hearing on the General Plan amendment on October 9, 2018 at which time all interested persons had an opportunity to be heard and adopted Resolution No. 663-18 recommending the Town Council approve the proposed General Plan amendment and prezoning; and

**WHEREAS,** the Town Council held a duly noticed public hearing on November 7, 2018 on the General Plan amendment, prezoning, and reorganization and amendment to the Sphere of Influence, at which time all interested persons had an opportunity to be heard, and adopted Resolution No. 3486-18 amending the 2040 General Plan Land Use Diagram to pre-designate the affected territory Public/Quasi-Public, introduced an ordinance to prezone the affected territory Public/Institutional, and adopted Resolution No. 3487-18 to initiate proceedings with LAFCo to amend the Sphere of Influence and to reorganize of the territory consisting of APN 066-310-029.

**NOW, THEREFORE BE IT RESOLVED** that:

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. This resolution is hereby adopted, and staff is authorized to submit an application to LAFCO requesting the initiation of proceedings for the proposal, pursuant to the Cortese-Knox-Hertzberg Act.

**PASSED, APPROVED AND ADOPTED this 7th day of November 2018, by the following vote:**

| | |
|---|---|
| **AYES:** | **COUNCILMEMBERS FUDGE, MILLAN, SALMON, VICE MAYOR FOPPOLI AND MAYOR OKREPKIE** |
| **NOES:** | **NONE** |
| **ABSENT:** | **NONE** |
| **ABSTAIN:** | **NONE** |

**BRUCE OKREPKIE, MAYOR**

**ATTEST:**

**MARIA DE LA O, TOWN CLERK**

**Attachment:**

- **Exhibit A -** Annexation Exhibit

EXHIBIT A

**APN 066-310-029 PARCEL INFORMATION FOR ANNEXATION**
**(FILE NO. 18-24)**

| Address | APNs | Size (acres) | Use | General Plan Land Use | Prezoning Designation |
|---|---|---|---|---|---|
| Fontana Rd | 066-310-029 | 0.93 | Buffer between vineyard operations and well sites | Public/Quasi-Public | Public/Institutional |

**APN 066-310-029 LOCATION EXHIBIT**

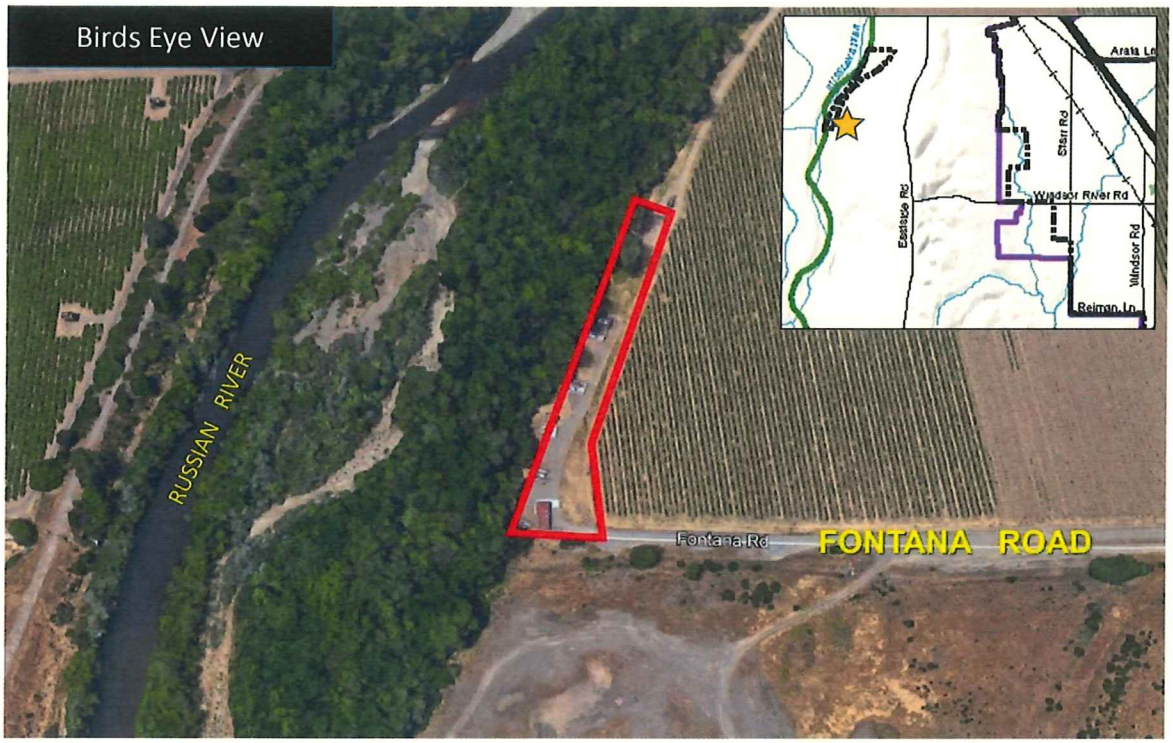


EXHIBIT A

## ANNEXATION GENERAL PLAN AND PREZONING EXHIBIT

