

RESOLUTION NO. 2495-09

**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF WINDSOR INITIATING THE
OLD REDWOOD HIGHWAY ANNEXATION FOR 60 SHILOH ROAD
(FILE NO. ANX 09-38)**

WHEREAS, the Town of Windsor (“Town”) 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, for a reorganization, which would add property to the Town’s boundary; and

WHEREAS, the Town will be submitting an application to the Local Agency Formation Commission (“LAFCO”) for annexation of property to the Town, which property is located contiguous to the southern boundary of the Town and consists of a portion of Old Redwood Highway adjacent to the frontage of APN 059-310-061. The application will include a related detachment from County Service Area No. 41 (Multi-Services); and

WHEREAS, the territory proposed to be annexed is an uninhabited roadway of which a map and description of the boundaries of the territory are attached hereto as Exhibit “A” and by this reference incorporated herein; and

WHEREAS, in connection with the annexation, staff prepared a Town Council Agenda Report dated July 15, 2009, describing and analyzing the annexation. The staff report analyzed consistency of the request with the General Plan, including Community Development Policy B.3.1 requiring that annexations be permitted only when public services and facilities are in place or planned for the annexation site; and

WHEREAS, on August 5, 2005 the Planning Commission of the Town of Windsor certified a Negative Declaration for the project per the provisions for the California Environmental Quality Act; and

WHEREAS, on August 5, 2005 the Planning Commission of the Town of Windsor approved a mixed-use project located at 60 Shiloh Road, which was conditioned to pursue the annexation of a portion of Old Redwood Highway adjacent to the project’s frontage; and

WHEREAS, on July 15, 2009 the Town Council determined that the parcel is the public right-of-way and does not require pre-zoning; and

WHEREAS, the following agencies would be affected by the proposed change:

Agency

Nature of Change

County of Sonoma

Road ownership and maintenance

NOW, THEREFORE, BE IT RESOLVED THAT the Town Council of the Town of Windsor hereby approves this resolution of application to initiate annexation to the Town and detachment of the territory from County Service Area 41 (Multi-Services) as follows:

1. The foregoing recitals are true and correct and are hereby adopted.
2. The Town Council of the Town of Windsor does hereby find as follows:
 - a. The requested annexation is a logical extension of the Town boundary because it is contiguous with the existing Town limits and is consistent with the Town's General Plan and adopted Urban Growth Boundary.
 - b. The requested annexation is within the boundary of the Town's request for an amendment to the Sphere-of-Influence to be co-terminus with the Town's boundary.
 - c. The requested annexation is consistent with the annexation provisions of General Plan Community Development Policy B.1.3.
3. The Town Council hereby initiates an application for annexation and related detachment to LAFCO.

PASSED, APPROVED AND ADOPTED this the 15th day of July 2009, by the following vote:

AYES: COUNCILMEMBERS ALLEN, FUDGE, SALMON AND MAYOR GOBLE
NOES: NONE
ABSTAIN: NONE
ABSENT: COUNCILMEMBER SCHOLAR



ROBIN R. GOBLE, MAYOR

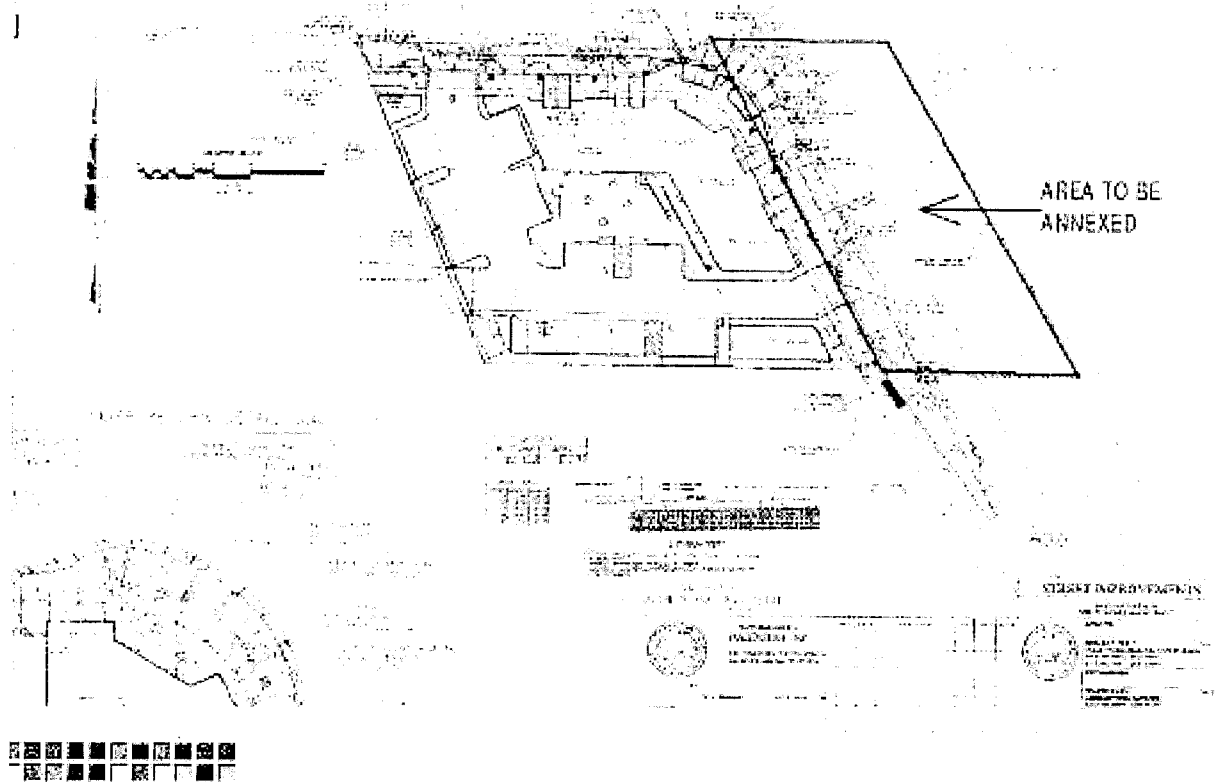
ATTEST:



MARIA DE LA O, TOWN CLERK

Attachment: Exhibit "A"

Exhibit "A"



Commercial Project;
Project Address: 60 Shiloh Rd, Windsor
Project AP#: 059-310-061
Owner: V.P.Khiroya, 1972 Dennis Lane, Santa Rosa, CA. 95403
Zoned: CC
Lot Area: 32,180 SQ.FT