

File No. 2019-08: Annexation of APN 059-310-051 to the Windsor Water District and Windsor Reorganization No. 19-3 (South Shiloh Area) Involving Annexation to the Town of Windsor and Detachment from County Service Area No. 41 (Multi-Services)

Factors for Consideration (California Government Code §56668)

- (a) Population and population density; land area and land use; assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.***

The affected territory consists of two parcels totaling approximately five acres. It is generally flat sloping gradually to the southwest. Currently vacant and undeveloped with the exception of an old barn/chicken coop structure, the land is zoned Rural Residential in the Sonoma County General Plan. It is contiguous to the boundary of the Town of Windsor (Town) on its west side and within the Town's Sphere of Influence, voter-approved Urban Growth Boundary and "urban service area" boundary for the Town in the Sonoma County General Plan. The Windsor Water District, a subsidiary district of the Town, but a separate legal entity, has requested amendment of its sphere of influence to include APN 059-310-051, to allow the parcel to be eligible for annexation and access to utility services provided by the District.

Although no development is proposed as part of the subject reorganization, the affected territory is included in the Town's Shiloh Road Vision Plan, which the Town adopted in 2001, and also within the Shiloh Road East Community Place Area" of the Town's 2040 General Plan. The properties' pre-zoning of Boulevard Commercial, consistent with the General Plan land-use designation of Boulevard Mixed Use, envisions an area of intense, mixed-use development welcoming to pedestrians, bicyclists, as well as other means of transport, multi-family residences, commercial businesses, and live-work units. Significant growth may occur over the next 10 years.

- (b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.***

"Services," as used in this subdivision, refers to governmental services whether or not the services are services that would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

In that the Town projects substantial development in the Shiloh Road East Community Place Area, the applicants wish to develop with access to public services from the Town. The Windsor Water District has requested amendment of its sphere of influence to allow consideration of annexation of APN 059-310-051 to the District to access utility services of the District for development purposes. Development of the affected territory was analyzed in the Environmental Impact Report completed for the 2040 General Plan and a subsequent environmental checklist pursuant to Section 15168(c) of the State CEQA Guidelines. It was determined that the Town had adequate capacity to serve proposed development. Upon annexation of the area, the Town

anticipates extension of water and sewer lines as development progresses. The Windsor Fire Protection District would provide fire and emergency services while police services would be provided by the Sonoma County Sheriff, under continued contract with the Town.

(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

Although the land-use designation and zoning of the affected territory would change substantially from the current Rural Residential and Rural Residential/Agricultural and Residential, respectively, under County jurisdiction, to Boulevard Mixed Use (land-use designation) and Boulevard Commercial (zoning), the focus on higher density and mixed use is not unexpected. The area has been within the Town's Urban Growth Boundary (UGB) the LAFCO-determined sphere of influence and within the County General Plan's "urban service area" boundary for years. The Windsor Water District has requested amendment of its sphere of influence to include APN 059-310-051 to allow it to be eligible for annexation to the District; the District has stated that it has capacity to provide utility services to the parcel upon development.

The two parcels proposed for annexation within the Amador-Haskins area are designated as Farmland of Local Importance; however, at this time, the properties are not being used for agricultural purposes. Neither parcel is under a Williamson Act contract.

Territory to the south is unincorporated and mostly farmland and vineyards. In accordance with the Town's 2040 General Plan, any incompatibilities between planned urban use and agricultural uses must be considered in any development proposal. General Plan policies require land buffers between new development and agricultural land, disclosure of nearby agricultural uses when new development is proposed, and low density development so as to reduce potential agricultural/urban conflicts.

(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377. (Note: Section 56377 encourages preservation of agricultural and open-space land.

While no development is proposed, at this time, as part of the subject reorganization, the two Amador parcels are located within the Shiloh Road Vision Plan, adopted by the Town in 2001, and within the 2040 General Plan-designated Shiloh Road East Community Place Area. Any development of the two parcels would need to comply with policies established by the General Plan and the more specific plans for the overall area, to support planned, orderly development as well as sensitivity to nearby agricultural uses. The affected territory is within the Town's sphere of influence and Urban Growth Boundary. The Windsor Water District has requested amendment of its sphere of influence to include APN 059-310-051 to allow the parcel to be eligible for annexation to the District.

(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

The two Amador parcels, currently within the Town's Urban Growth Boundary and Sphere of Influence – indicating both the Town's and LAFCO's intention for annexation and potentially urban development - are undeveloped, with the exception of an old barn/chicken coop structure, and not currently used for agricultural purposes. The more southern parcel is zoned Agricultural and Residential in the Sonoma County General Plan.

In accordance with the Town's General Plan and the Shiloh Road Vision Plan, the two parcels could be developed at a higher density with a focus on residential and commercial use. Any development proposed must, pursuant to General Plan policies, consider nearby agricultural uses.

The Town supports the preservation of farm land that surrounds it, beyond its UGB. The General Plan contains policies that address the urban-agricultural interface and minimization of conflicts among various uses.

(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The boundaries of the reorganization area are definite and certain.

(g) A regional transportation plan adopted pursuant to Section 65080.

Plan Bay Area is a long-range land use and transportation plan for the nine-county San Francisco Bay Area. The plan contains ten goals with performance targets that seek to promote healthy and safe communities by reducing impacts from air pollution, protecting open space and agriculture, and increasing active transportation. The Town 2040 General Plan EIR determined that the policies established by the General Plan are consistent with Plan Bay Area. Future development proposed for the affected territory would be required to provide a variety of modes of transportation and travel through interconnected streets, to encourage walking, bicycling, and transit ridership. To that extent, the level of carbon emissions due to extended travel may be reduced.

(h) The proposal's consistency with city or county general plans.

The proposal is consistent with both the Town 2040 General Plan and the County of Sonoma 2035 General Plan by virtue of its location within the Town's Urban Growth Boundary and the "urban service area" boundary of the County General Plan.

(i) The sphere of influence of any local agency that may be applicable to the proposal being reviewed.

The affected territory is within the sphere of influence of the Town of Windsor and the Sonoma County Fire District. APN 059-310-052 is within the sphere of influence of the Windsor Water District, a subsidiary district of the Town but a separate legal entity. The District has requested amendment of its sphere of influence to include APN 059-310-051, in order to allow eligibility of the parcel for annexation to the District.

(j) The comments of any affected local agency or other public agency.

No comments have been received from any public agencies.

(k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The Town has determined that it can provide the necessary services to the affected territory upon annexation. The Windsor Water District has determined that it has capacity in its system to provide utility services. The 2040 General Plan Environmental Impact Report and subsequent environmental checklist for the subject proposal determined that capacity was available in the Town's utility systems for buildout. Costs of new infrastructure required to serve any development proposed must be paid for by developers to the extent a nexus exists between infrastructure needs and development.

(l) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

The Environmental Impact Report for the 2040 General Plan determined that the Town would have sufficient water resource for development planned. The Windsor Water District has requested amendment of its sphere of influence to include APN 059-310-051 to allow the parcel to be eligible for annexation to the District. The District has determined that it has capacity in its utility system to serve the parcel upon development. No development is proposed as part of the subject reorganization.

(m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

In the Sonoma County General Plan, the land-use designation of the affected territory is Rural Residential with Rural Residential and Agricultural and Residential zoning districts for the two parcels. The Town of Windsor's General Plan designates this area with a variety of densities and housing types, but the Housing Element does not designate sites for affordable housing. In their policies, both jurisdictions encourage the development of affordable housing due to a severe housing crisis that was exacerbated with the October 2017 fires and more recently with flooding of Russian River communities.

(n) Any information or comments from the landowner or landowners, voters, or residents of the affected territory.

The owners of the two properties have initiated and consented to the reorganization request. No other comments from owners, voters or residents of the affected territory have been received.

(o) Any information relating to existing land use designations.

The land-use designation for the affected territory in the County of Sonoma General Plan is Rural Residential with zoning identified as Rural Residential and Agricultural and Residential. In the

Town of Windsor 2040 General Plan the land-use designation is Boulevard Mixed Use. The Town pre-zoned the territory as Boulevard Commercial consistent with that land-use designation.

(p) The extent to which the proposal will promote environmental justice. As used in this subdivision, “environmental justice” means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.

The proposal makes no representations or exclusions of peoples of any race, culture, income and/or national origin with respect to location of public facilities and public services.

(q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

The Town of Windsor has prepared a Local Hazard Mitigation Plan (LHMP) which identifies mitigation measures to reduce the risks posed by potential hazards and to strengthen community resilience. The Public Health and Safety Element of the Town’s General Plan is integrated with the LHMP, ensuring a coordinated approach to public safety. When development of the affected territory is proposed, land-use plans must include measures to protect residents and the public. These might include fire preventive site design (i.e., defensible space), landscaping and building materials, and fire suppression techniques; assurance of more than adequate water flow for fire suppression; emergency vehicle access; and setbacks or buffers for uses that are potentially hazardous.