

RESOLUTION NO. 3685-21

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
DENYING AN APPEAL AND UPHOLDING THE PLANNING COMMISSION'S
APPROVAL OF A LOT LINE ADJUSTMENT BETWEEN 10095 OLD REDWOOD
HIGHWAY AND 220 ENTRADA LANE
(FILE NO. 19-09)**

WHEREAS, on May 25, 2021 the Planning Commission held a duly noticed public hearing on May 25, 2021, at which it reviewed the proposed Lot Line Adjustment between the properties located at 10095 Old Redwood Highway and 220 Entrada Lane; considered all public comments; and approved the Lot Line Adjustment, finding the application to be in compliance with the Town's General Plan, Zoning Ordinance and Building Code; and

WHEREAS, on May 30, 2021 an appeal was received by At-large Mayor Sam Salmon appealing the decision of the Planning Commission to approve the Lot Line Adjustment; and

WHEREAS, California Government Code 66412(d) specifies the parameters by which a jurisdiction can act on a requested Lot Line Adjustment. Specifically, the Code Section states that "A local agency shall limit its review and approval to determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, ... and zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, any applicable specific plan, ... and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements."; and

WHEREAS, under the proposed lot configuration and corresponding General Plan and Zoning designations, the development potential would be reduced from a range of 82 to 164 residential units to 76 to 153 residential units; and

WHEREAS, the Town strives to meet its Regional Housing Needs Allocation (RHNA) and the General Plan's goals for new housing; and

WHEREAS, 10095 Old Redwood Highway and 220 Entrada Lane are not identified as potential housing sites in the Town's Housing Element, and, therefore, the reduced development potential would not impact the Town's ability to meet its RHNA; and

WHEREAS, on July 7, 2021, the Town Council conducted a duly noticed public hearing on the proposed amendment at which time all interested persons had an opportunity to be heard; and

WHEREAS, the Town Council makes the following findings as required by California Government Code 66412(d)

1. The lot line adjustment will increase the lot size of the property at 10095 Old Redwood Highway to 1.58 acres and will decrease the size of the property at 220 Entrada Lane to 4 acres. The resulting lot sizes and setbacks to existing buildings are consistent with the Zoning Ordinance and Building Code requirements.
2. The Lot Line Adjustment is consistent with the 2040 General Plan. The General Plan states that the High Density Residential land use designation “provides for compact, high-density multi-family housing in areas served by major transportation routes and facilities, and near major shopping areas.” The required density range for the designation is 16 to 32 units per acre. The lot sizes resulting from the Lot Line Adjustment will create development potential of 76 to 153 residential units. A future residential development project on the 220 Entrada Lane site with 50 or more units will require a second point of access. The site will remain consistent with the General Plan density requirements as the site is surrounded by underdeveloped sites that provide multiple opportunities for a future second point of access to the Entrada Lane property. The Lot Line Adjustment is also consistent with and implements General Plan policies LU-2.5 and LU-6.3. Specifically, both 220 Entrada Lane and 10095 Old Redwood Highway will continue to be within a reasonable walking distance to commercial services areas and transit stops. In addition, the Highway 101 on and off-ramps at Old Redwood Highway and Arata will remain easily accessible.

; and

WHEREAS, the Town Council finds that the proposed Lot Line Adjustment is within the scope of the Town of Windsor General Plan 2040 Program EIR, which adequately addresses the potential environmental impacts of the project for the purposes of the California Environmental Quality Act (CEQA). A CEQA Addendum and checklist were prepared that documented that the project is within the scope of the analysis included in the General Plan 2040 EIR and that no impacts would occur as a result of the Lot Line Adjustment.

NOW, THEREFORE BE IT RESOLVED THAT the foregoing recitals are true and correct and made a part of this resolution; and

BE IT FURTHER RESOLVED that the Town Council denies the appeal and upholds the Planning Commission’s approval of the Lot Line Adjustment between 10095 Old Redwood Highway and 220 Entrada Lane.

PASSED, APPROVED AND ADOPTED this 7th day of July 2021, by the following vote:

**AYES: COUNCILMEMBERS FUDGE, LEMUS AND
VICE MAYOR REYNOZA**
NOES: MAYOR SALMON
ABSTAIN: NONE
ABSENT: NONE


SAM SALMON, AT-LARGE MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK