

ORDINANCE NO. 2008-230

**AN ORDINANCE OF THE TOWN OF WINDSOR
AMENDING SECTION 27.23.040 AND THE DEFINITIONS SECTION OF THE
ZONING ORDINANCE (AFFORDABLE HOUSING REQUIREMENTS)
PERTAINING TO PERCENTAGE OF INCOME DEVOTED TO AFFORDABLE
HOUSING MORTGAGE PAYMENTS FROM 30% TO 38%**

THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1. Recitals.

1. A comprehensive revision to the Town of Windsor Zoning Ordinance was adopted in July 2000.
2. Modifications were proposed to the Ordinance in order to reflect current trends in housing finance.
3. The Planning Commission conducted a duly noticed public hearing on the proposed Zoning Ordinance modifications on November 27, 2007 and forwarded their recommendation to the Town Council in Resolution No. 524-07.
4. The Town Council conducted a duly noticed public hearing on the proposed Zoning Ordinance modifications on January 16, 2008.
5. The Town Council previously adopted a Negative Declaration for the Zoning Ordinance revision on June 21, 2000, finding that the Windsor General Plan EIR adequately reviewed potential environmental issues, and because the Zoning Ordinance is consistent with the General Plan, no additional significant impacts would occur as a result of the adoption of the Zoning Ordinance and map. The proposed minor changes to the Zoning Ordinance serve to clarify design standards previously incorporated into the document. There is no evidence that the additions to the Zoning Ordinance would result in any impacts that were not addressed in the General Plan EIR; therefore, no additional environmental review is necessary.

SECTION 2. Findings.

1. The proposed amendment is consistent with the General Plan.
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the Town.
3. The proposed amendment is internally consistent with other applicable provisions of the Zoning Ordinance.

SECTION 3. Amendment.

27.23.040 – Pricing Requirements for Inclusionary Units

A. **Allowable rents and sales prices.** The Planning Director shall set the maximum allowable rents and maximum allowable purchase price for inclusionary units, adjusted by the number of bedrooms. Such maximum allowable rents and maximum allowable purchase price shall be set as rates such that qualified occupants pay no more than thirty percent (30%) of the gross monthly household income for their income category for publicly subsidized projects and thirty-eight percent (38%) of the gross monthly household income for non-subsidized projects. In the case of for sale units, developers shall provide a written statement setting forth maximum sales price, projected monthly mortgage payment, and down payment for each required unit.

Zoning Ordinance Definitions:

Affordable Unit. Dwelling units (both rental and ownership) that are affordable to households making 120 percent or less of the County median income, with monthly housing payments not exceeding 30 percent for publicly subsidized projects and 38 percent for non-subsidized projects. The cost of utilities, property taxes, insurance, homeowners' dues and the like shall not be included in the calculation of housing costs unless the project receives a public subsidy.

SECTION 4. Severability.

If any part of this Ordinance or the application thereof to any person is held invalid, the remainder of the Ordinance and the application of such provisions to other persons shall not be affected thereby.

SECTION 5. Effective Date.

This Ordinance shall take effect and be in force 30 days following its adoption.

SECTION 6. Posting.

The Town Clerk of the Town of Windsor shall cause this Ordinance to be published and posted in at least three (3) public places in the Town of Windsor in accordance with Section 36933 of the Government Code of the State of California.

PASSED, APPROVED, AND ADOPTED this 20th day of February 2008 by the following vote:

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



DEBORA FUDGE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK