

ORDINANCE NO. 2021-351

**AN ORDINANCE OF THE TOWN OF WINDSOR
AMENDING THE MAP OF THE TOWN OF WINDSOR ZONING ORDINANCE TO
REZONE 10095 OLD REDWOOD HIGHWAY FROM VILLAGE RESIDENTIAL TO
MEDIUM DENSITY RESIDENTIAL AND 220 ENTRADA LANE FROM BOULEVARD
COMMERCIAL TO HIGH DENSITY RESIDENTIAL**

WHEREAS, on April 4, 2018, the Town Council adopted a comprehensive update to the Town's General Plan (2040 General Plan) in conformance with the requirements of California Government Code section 65300 (Resolution No. 3448-18), in which the process included extensive community engagement, workshops, and public meetings; and

WHEREAS, General Plan policies and the Town's Design Review process ensure the compatibility of residential development projects with surrounding neighborhoods; and

WHEREAS, under the new 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, the Planning Commission held a duly noticed public hearing on May 25, 2021, at which it reviewed the proposed Zoning Ordinance Map Amendment for the properties located at 10095 Old Redwood Highway and 220 Entrada Lane; considered all public comments; and forwarded a resolution to the Town Council to approve the proposed Zoning Ordinance Map Amendment; 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, on July 7, 2021 the Town Council approved a General Plan Amendment to amend the General Plan land use designation at 10095 Old Redwood Highway from Village Residential to Medium Density Residential and at 220 Entrada Lane from Boulevard Mixed Use to High Density Residential.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals.

The above recitals are true and correct and adopted as findings.

SECTION 2. Findings.

The Town Council finds that:

- A. A duly noticed public hearing, in accordance with California Government Code Section 65856 regarding the proposed amendments to the Zoning Ordinance was held by the Town Council on July 7, 2021.
- B. The proposed amendment is consistent with the 2040 General Plan in that it will continue to allow residential development resulting in a development potential of 76 to 153 units. While the development potential is less than what is currently allowed (82 to 164 units), because the sites are not identified as potential housing sites in the Town's Housing Element, the development potential will not impact the Town's ability to meet its RHNA. Any development of 50 or more units on the 220 Entrada Lane site would require a second point of access per the Fire Code. However, given the underdeveloped sites surrounding the subject site, there are multiple opportunities in which a project could gain the needed secondary access allowing the site to meet density requirements of 16 to 32 units per acre. The proposed amendment 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.
- C. The proposed Zoning Map Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the Town in that no development is proposed as part of this project. Any future development will be required to comply with the 2040 General Plan goals and policies and all Zoning Ordinance and Building Code regulations.
- D. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land use developments. The project as proposed does not include any new development. The new development potential will be decreased with the Zoning Map Amendment, from 82 to 164 residential units to 76 to 153 residential units, with no requirement for commercial development, therefore the site will continue to be physically suitable. Any development of 50 or more units on the 220 Entrada Lane site would require a second point of access per the Fire Code. Given the underdeveloped sites surrounding the subject site, there are multiple opportunities in which a project could gain the needed secondary access. Future development will be required to comply with the 2040 General Plan goals and policies and all Zoning Ordinance regulations.
- E. The Town Council finds that this Ordinance is within the scope of the analysis in the Town of Windsor General Plan 2040 Program EIR, which adequately addresses the potential environmental impacts of the proposed rezoning for the purposes of the California Environmental Quality Act (CEQA). A CEQA Addendum and Checklist were prepared that documented that the rezoning is within the scope if the analysis included in the 2040 General Plan EIR and that no impacts would occur as a result of the Rezoning.

SECTION 3. Amendment.

The Town of Windsor Zoning Map is hereby amended as follows:

- The property at 10095 Old Redwood Highway shall be rezoned from Village Residential to Medium Density Residential and 220 Entrada Lane shall be rezoned from Boulevard Commercial to High Density Residential as shown in Table 1 below.

CURRENT AND PROPOSED ZONING DISTRICTS

Address and Assessor's Parcel Number	Current Zoning District	Proposed Zoning District
10095 Old Redwood Hwy 161-040-046	Village Residential 5 to 8 units per acre	Medium Density Residential 8 to 16 units per acre
220 Entrada Lane 161-040-047	Boulevard Commercial 16 to 32 units per acre 0.5 to 2.0 floor area ratio	High Density Residential 16 to 32 units per acre

SECTION 4. Severability.

If any section, subsection, sentence, clause or phrase or word in this Ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed and adopted this Ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions may be declared unconstitutional, unlawful or otherwise invalid.

SECTION 5. Effective Date and Publication.

This Ordinance shall take effect and be in force 30 days following its passage. Before the expiration of fifteen (15) days after its passage, this Ordinance, or a summary thereof, as provided in California Government Code Section 36933, shall be published at least once in a newspaper of general circulation published and circulated in the Town of Windsor.

PASSED, APPROVED, AND ADOPTED this 21st 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