

ORDINANCE NO. 2019-334

AN ORDINANCE OF THE TOWN OF WINDSOR TOWN COUNCIL DETERMINING THAT PREZONING THREE PROPERTIES LOCATED AT 1246 THROUGH 1346 SHILOH ROAD (APNs 164-150-009, -010 AND -054), SEVEN PROPERTIES LOCATED AT 104 THROUGH 180 SHILOH ROAD AND 210 EAST SHILOH ROAD (APNs 059-310-038, -039, -044, -051, -052, -056 AND -057), AND ONE PROPERTY LOCATED AT 6606 EMMERSON STREET (APN 163-012-001) TO ZONING DESIGNATIONS CONSISTENT WITH THE 2040 GENERAL PLAN LAND USE DESIGNATIONS OF THE PARCELS IS WITHIN THE SCOPE OF THE TOWN OF WINDSOR 2040 GENERAL PLAN AND 2040 GENERAL PLAN EIR AND APPROVING PREZONING (FILE NO. 18-21)

WHEREAS, on July 18, 2018, the Town Council held a public meeting to consider requests from private property owners to consider prezoning of three areas totaling 11 parcels located outside of Town limits and within the Town’s Urban Growth Boundary (UGB). The three prezoning areas are identified as: (1) the Carnation-ATP prezoning area comprised of three parcels (1246 Shiloh Rd/APN 164-150-010, 1264 Shiloh Rd/APN 164-150-009, and 1346 Shiloh Rd/164-150-054); (2) the Amador-Haskins prezoning area (104 Shiloh Rd/APN 059-310-057, 120 Shiloh Rd/APN 059-310-056, 160 Shiloh Rd 059-310-044, 170 Shiloh Rd/APN 059-310-039, 180 Shiloh Rd/APN 059-310-038, and 210 East Shiloh Rd/APNs 059-310-051 and 052); and (3) the Benson prezoning area (6606 Emmerson Street/APN 163-012-001); and

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), including a statement of overriding considerations for agricultural resources (conversion of agricultural land) and traffic (queueing) (Resolution No. 3447-18); and

WHEREAS, a Program-level Environmental Impact Report (EIR) was prepared and certified for the 2040 General Plan update in accordance with the requirements of the California Environmental Quality Act (SCH# 2016112065) (Resolution No. 3447-17); and

WHEREAS, the prezoning would apply zoning designations to three separate areas located outside of Town limits and within the Town’s UGB: (1) Carnation-ATP area comprised of three parcels; (2) the Amador-Haskins area comprised of seven parcels; and (3) the Benson area comprised of one parcel as shown on Exhibits A and B1, B2, and B3 attached hereto; and

WHEREAS, the prezoning designations for all three areas are consistent with the 2040 General Plan land use designations for these areas as identified in Exhibit A and shown on Exhibits B1 (Carnation-ATP prezoning), B2 (Amador-Haskins prezoning), and B3 (Benson prezoning), attached hereto, which exhibits are incorporated by reference herein; and

WHEREAS, the Amador-Haskins prezoning areas is located in the 2040 General Plan Shiloh Road East Community Place area and the 2040 General Plan includes specific policies that apply to development within the Shiloh Road East Community Place area; and the Carnation-ATP and Benson prezoning areas are not located within a 2040 General Plan Community Place area; and

WHEREAS, the Town of 2040 Windsor General Plan Program EIR, adequately addressed the potential environmental impacts of the proposed rezonings for the purposes of the California Environmental Quality Act (CEQA) based on the environmental checklist prepared for the rezoning; and

WHEREAS, the Planning Commission conducted a noticed public hearing on the proposed rezoning on March 12, 2019, at which time all interested parties had an opportunity to be heard; and

WHEREAS, the Planning Commission adopted Resolution No. 670-19 recommending that the Town Council adopt the proposed ordinance to prezone the Carnation-ATP, Amador-Haskins, and Benson rezoning areas which include the 11 parcels identified in Exhibit A attached hereto to the zoning designations identified in Exhibit A and as shown in Exhibits B1 (Carnation-ATP rezoning), B2 (Amador-Haskins rezoning), and B3 (Benson rezoning), attached hereto; and

WHEREAS, the Town Council conducted a noticed public hearing on the proposed rezoning on May 1, 2019, at which time all interested persons were given an opportunity to be heard.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF WINDSOR ORDAINS AS FOLLOWS:

SECTION 1. Recitals.

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

SECTION 2. Findings.

The Town Council find that:

1. The rezoning is within the scope of the Town of Windsor 2040 General Plan, would have no new environmental effects, and would require no mitigation measures other than those analyzed in the 2040 General Plain Environmental Impact Report.
2. The rezoning designations are consistent with the 2040 General Plan land use designation(s) of the parcels.
3. The rezoning will not be detrimental to the public interest, health, safety, convenience or welfare of the Town.
4. There is one potential public project located in the Carnation-ATP rezoning area: the potential expansion of the existing Santa Rosa Junior College site.
5. The rezoning allows owners of the properties that are rezoned to apply to the Local Agency Formation Commission for annexation to the Town. The rezoning does not become effective until property has been annexed to the Town.

SECTION 3. Approval With Condition.

Based on the recitals and findings above and considering the entire record of proceedings, the Town Council approves the recommendation of the Planning Commission and hereby rezones the Carnation-ATP area comprised of three parcels, the Amador-Haskins area comprised of seven parcels, and the Benson rezoning area comprised of one parcel as shown in Exhibit A, as designated in Exhibits B1 (Carnation-ATP rezoning), B2 (Amador-Haskins rezoning), and B3 (Benson rezoning), subject to the following condition of approval.

1. The rezoning does not become effective until property has been annexed to the Town.

SECTION 4. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance, including the application of such provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Ordinance are severable. The Town Council of the Town of Windsor hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 5. Effective Date.

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

SECTION 6. Publication or Posting.

The Town Clerk of the Town of Windsor shall cause this Ordinance to be published, or to be 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 15th day of May 2019, by the following vote:

**AYES: COUNCILMEMBERS OKREPKIE, SALMON,
VICE MAYOR FUDGE AND MAYOR FOPPOLI**
NOES: NONE
ABSTAIN: NONE
ABSENT: COUNCILMEMBER LEMUS


DOMINIC FOPPOLI, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK

Attachments:

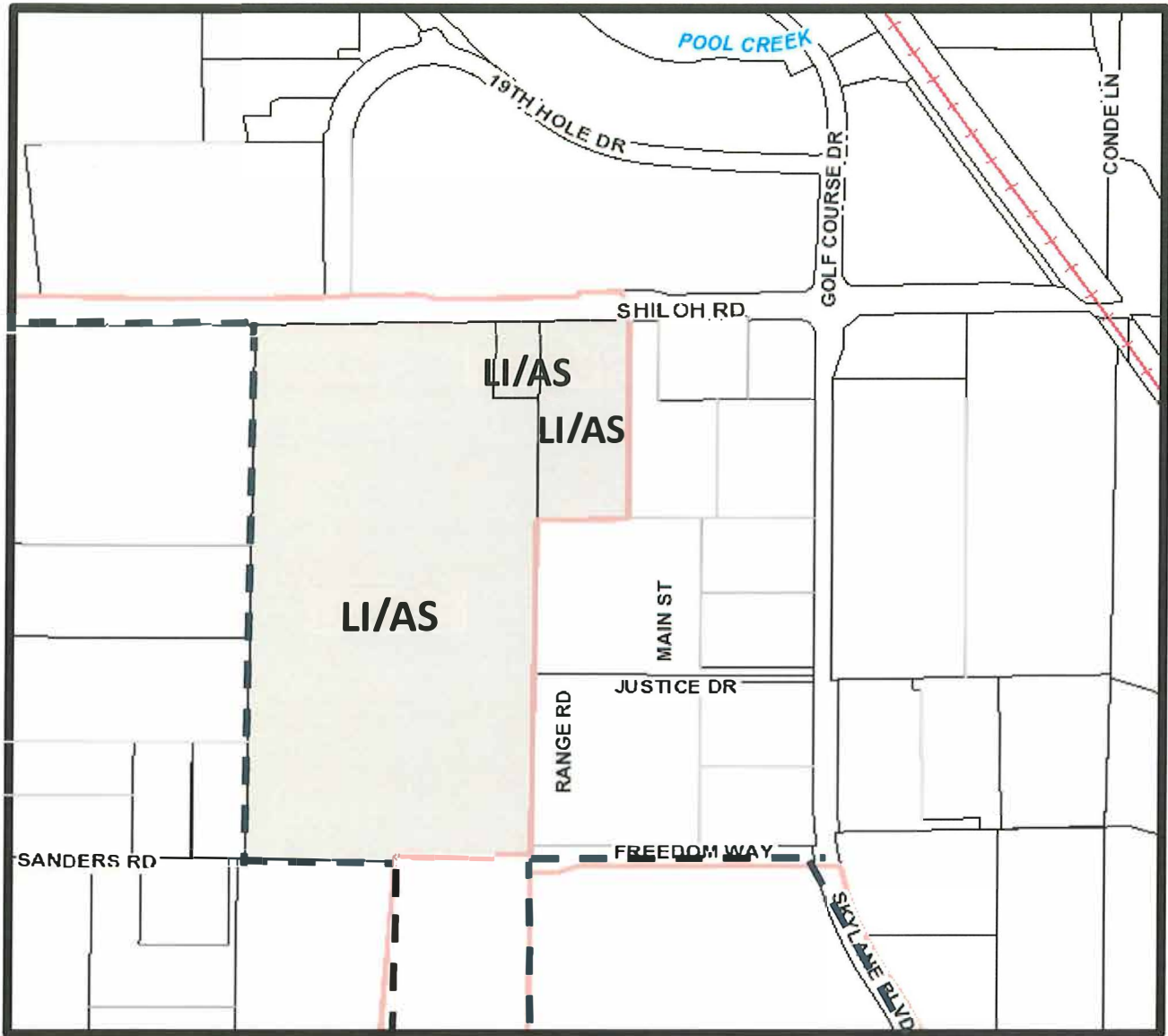
- **Exhibit A:** Rezoning Parcels and Zoning Designations
- **Exhibit B1:** Rezoning Designations – 1246 through 1346 Shiloh Road (“Carnation-ATP”)
- **Exhibit B2:** Rezoning Designations – 104 through 180 Shiloh Road, 210 East Shiloh Road (“Amador-Haskins”)
- **Exhibit B3:** Rezoning Designation – 6606 Emmerson Street (“Benson”)

**CARNATION-ATP AREA, AMADOR-HASKINS AREA, AND BENSON AREA
PREZONING DESIGNATIONS
(FILE NO. 18-21)**

Assessor's Parcel Number	Address	General Plan 2040 Land Use Designation(s)	Proposed Prezoning Designation(s)
Carnation-ATP Prezoning Area (1)			
164-150-009 (Carnation)	1264 Shiloh Rd	Light Industrial (0.0-0.6 FAR)	Light Industrial (0.0-0.6 FAR) Airport Safety Overlay (1)
164-150-010 (ATP)	1246 Shiloh Rd	Light Industrial (0.0-0.6 FAR)	Light Industrial (0.0-0.6 FAR) Airport Safety Overlay (1)
164-150-054 (Carnation)	1346 Shiloh Rd	Light Industrial (0.0-0.6 FAR) and Potential Junior College Expansion Site	Light Industrial (0.0-0.6 FAR) Airport Safety Overlay (1)
Amador-Haskins Prezoning Area			
059-310-038	180 Shiloh Rd	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre) Very Low Density Residential (3-6 units/acre)	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre) Surrounding Residential (3-6 units/acre)
059-310-039	170 Shiloh Rd	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre) Very Low Density Residential (3-6 units/acre)	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre) Surrounding Residential (3-6 units/acre)
059-310-44	160 Shiloh Rd	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre) Very Low Density Residential (3-6 units/acre)	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre) Surrounding Residential (3-6 units/acre)
059-310-051 (Amador)	210 East Shiloh Rd	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre)	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre)
059-310-052 (Amador)	210 East Shiloh Rd	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre)	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre)
059-310-056	120 Shiloh Rd	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre) Very Low Density Residential (3-6 units/acre)	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre) Surrounding Residential (3-6 units/acre)
059-310-057 (Haskins)	104 Shiloh Rd	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre) Very Low Density Residential (3-6 units/acre)	Boulevard Mixed Use (0.50-2.0 FAR 16-32 units/acre) Surrounding Residential (3-6 units/acre)
Benson Prezoning Area			
163-012-001	6606 Emmerson St	Very Low Density Residential (3-6 units/acre)	Very Low Density Residential (3-6 units/acre)

(1) The Airport Safety Overlay designation is included as part of the prezoning because the parcels are located within Sonoma County Airport (STS) Safety Zones.

Carnation-ATP Prezoning Area



PREZONING DESIGNATIONS

"LI" – Light Industrial

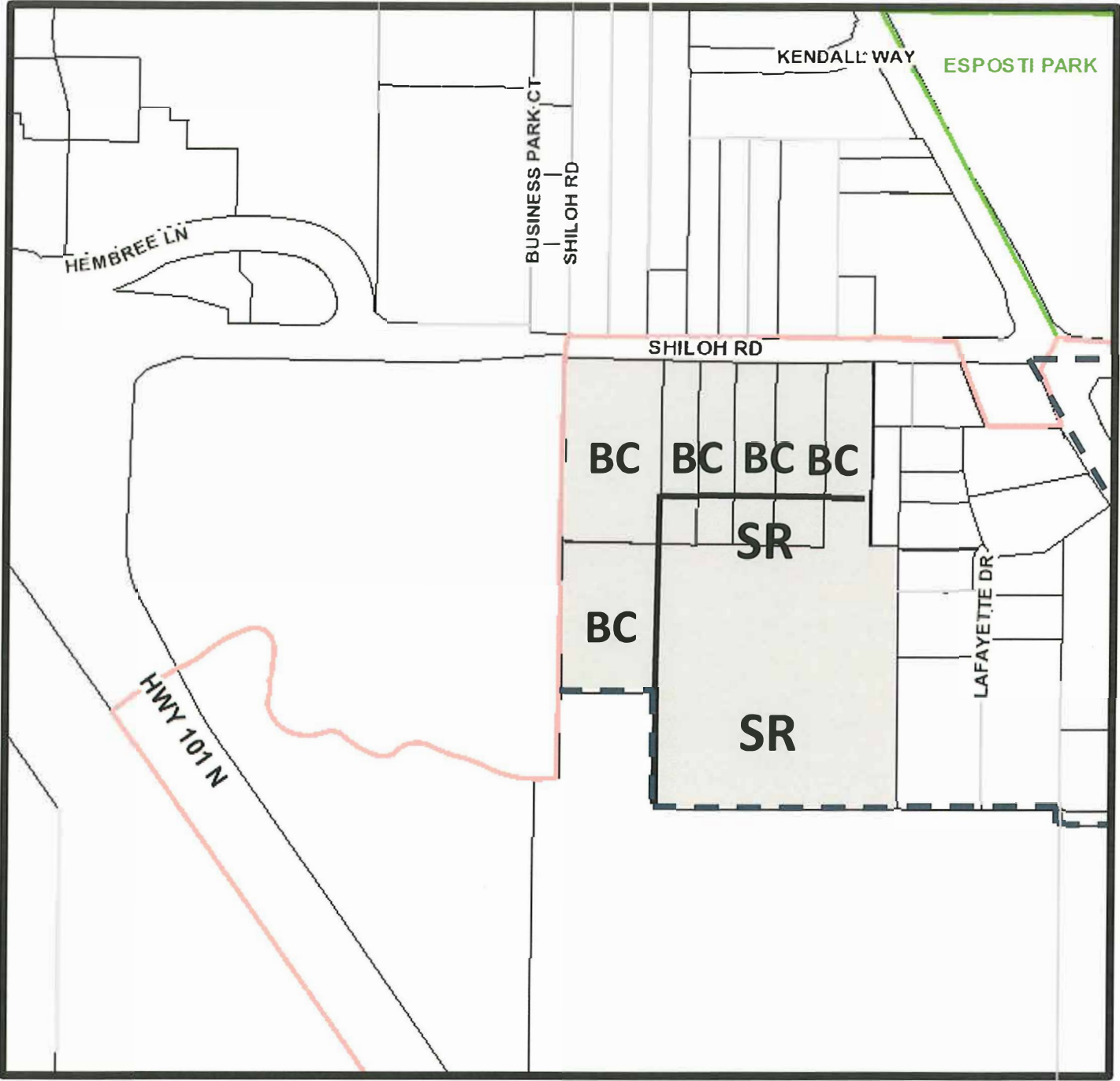
"AS" – Airport Safety Overlay

--- Urban Growth Boundary

— Town Limits






Amador-Haskins Prezoning Area



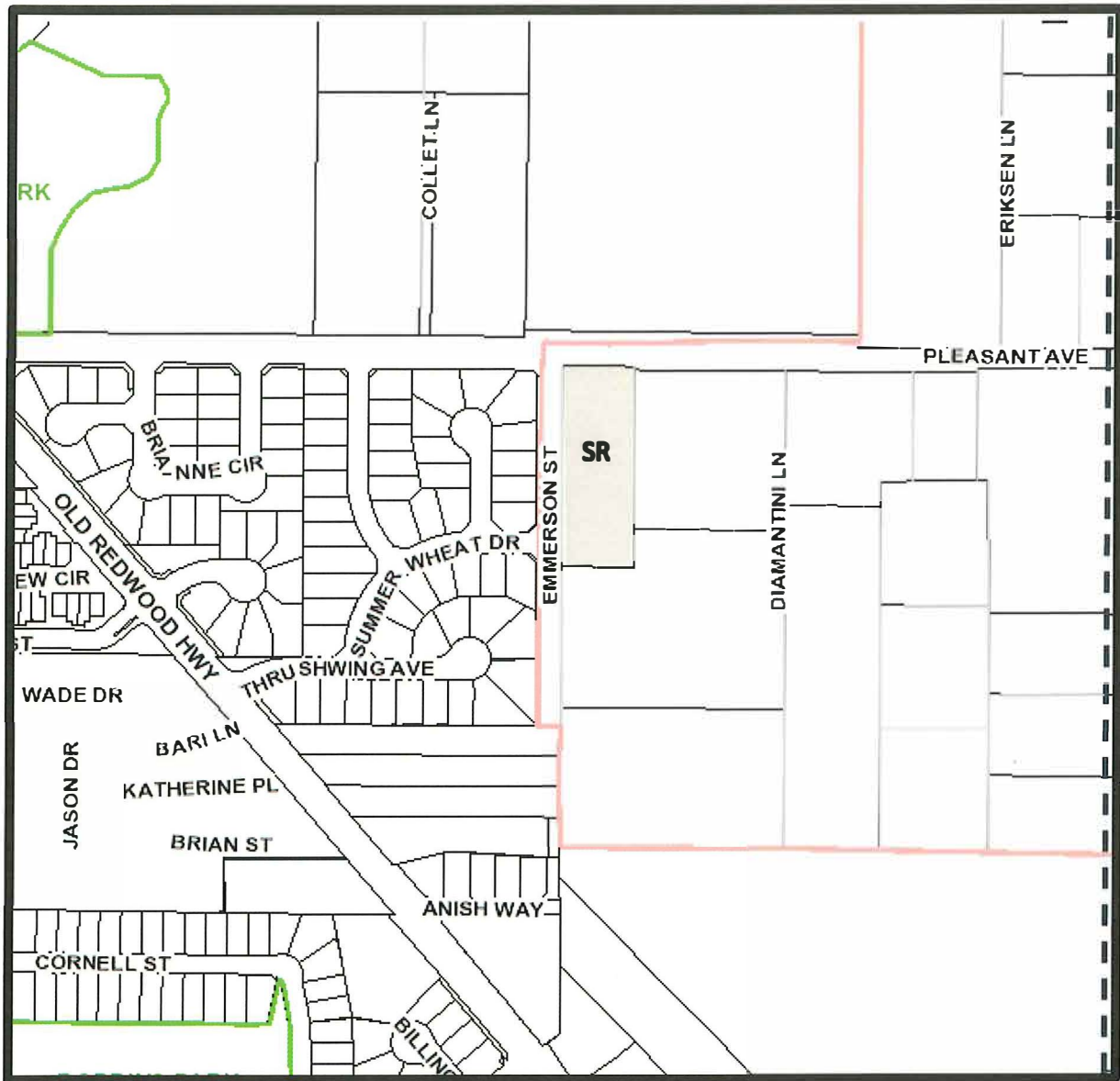
PREZONING DESIGNATIONS

“BC” – Boulevard Commercial
“SR” – Surrounding Residential

-  Urban Growth Boundary
-  Town Limits
-  Prezoning District Boundary



Benson Prezoning Area



PREZONING DESIGNATION

"SR" – Surrounding Residential

--- Urban Growth Boundary

— Town Limits

