

2015

**RESOLUTION NO. 3239-15**

**A RESOLUTION OF THE TOWN OF WINDSOR TOWN COUNCIL  
APPROVING AN AMENDMENT TO THE GENERAL PLAN TEXT AND LAND USE  
MAP ASSOCIATED WITH THE VICTORIA OAKS PROJECT  
(FILE GPA/ZC/MJS/UP 05-28)**

**WHEREAS**, the Town of Windsor Town Council considered a request from Niniv Tamimi requesting a General Plan Amendment, Zone Change, Subdivision, Use Permit, and Design Review for an 89 lot single-family residential subdivision known as Victoria Oaks (previously Hembree Village). The project consists of three parcels located on Hembree Lane for a total of 17+/- acres. A General Plan Amendment is requested to change the existing land use designation from High Density Residential (HDR 12-16 units/acre) to Village Residential (“VR” 5-8 units/acre) and the Zoning to “PD” Planned Development. Current General Plan: High Density Residential 12-16du/ac Special Area G; Current Zoning: “HDR” High Density Residential 12-16 du/ac. The property is located at 6808, 6816 and 6842 Hembree Lane, Windsor, CA, 95492; APN: 163-130-030, 031, & 032.

**WHEREAS**, by Resolution No. 3238-15, incorporated herein by reference, the Town Council adopted a Mitigated Negative Declaration associated with the proposed project; and

**WHEREAS**, by Resolution No. 626-15, incorporated herein by reference, the Planning Commission recommended approval of the requested General Plan Amendment; and

**WHEREAS**, in accordance with the provisions of law, the Town Council did conduct a duly noticed public hearing on October 7, 2015 on said application at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, the Town Council considered the Mitigated Negative Declaration, the Planning Commission recommendation, a staff report dated October 7, 2015, and all written and oral testimony submitted at the public hearings; and

**WHEREAS**, the Town Council makes the following General Plan findings:

1. The proposed amendment would not make the General Plan internally inconsistent. *The project includes a decrease in density supported by the Town Council. The density reduction was analyzed during the review process and found to be consistent with the goals of the General Plan Housing Element to provide flexibility for infill development.*
2. The proposed amendment would not be detrimental to the public, interest, health, safety, convenience, or welfare of the Town. *The project does not include any design features that would impact public health, safety, and welfare;*
3. The site is physically suitable (including absence of physical constraints, access, and compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land use development. *The site is relatively flat and is consistent with the development and density to the north. Access is provided off Hembree Lane and Victory Lane. The project has been designed to allow future development access to the properties to the north.*

**WHEREAS**, the proposed text amendment amends Chapter 4, Community Development B. Community Development Pattern, Policies, Type of Growth, Special Area G (North of Shiloh Center site to read as follows:

***B.7.29** The site consists of three parcels for approximately 17+/- acres and is designated Village Residential. Development of the site requires trail connections along Pool Creek and Faught Creek. In addition, street access will be required to the landlocked parcels to the north of the project site. Development along Hembree Lane shall be designed as to not create a continuous sound wall along the property. A Planned Development Zoning shall be required prior to development approval to assure these development requirements.*

**WHEREAS**, the proposed map amendment to the General Plan includes the following and is further described in attached Exhibit “A” which is incorporated herein by reference:

Amend the land use category for 17+/- acres at 6808, 6816, and 6824 Hembree Lane from “HDR” High Density Residential 12-16 DU/AC to “VR” Village Residential/Medium Density Residential 5-8 DU/AC.

**WHEREAS**, the Town has not amended the General Plan four times during the calendar year; and

**WHEREAS**, consistent with section 65352.3 of the California Government Code, the Town obtained a contact list of local Native American tribes from the Native American Heritage Commission and notified the tribes on the contact list of the opportunity to consult with the Town on the proposed General Plan Amendments. None of the contacted tribes requested a consultation within the 90-day statutory consultation period and no further action is required under section 65352.3; and

**WHEREAS**, the Town Council finds that amending the General Plan as proposed above and in the attached Exhibit “A” is in the public interest and accurately and properly reflects the Town’s intended use of the property.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Windsor Town Council, based on the evidence presented, approves the following General Plan text amendment and the map amendment in attached Exhibit “A” for the Victoria Oaks project.

Chapter 4, Community Development B. Community Development Pattern, Policies, Type of Growth, Special Area G (North of Shiloh Center site is hereby amended to read as follows:

**B.7.29** *The site consists of three parcels for approximately 17+/- acres and is designated Village Residential. Development of the site requires trail connections along Pool Creek and Faught Creek. In addition, street access will be required to the landlocked parcels to the north of the project site. Development along Hembree Lane shall be designed as to not create a continuous sound wall along the property. A Planned Development Zoning shall be required prior to development approval to assure these development requirements.*

**PASSED, APPROVED, AND ADOPTED** this 7th day of October 2015, by the following vote:

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

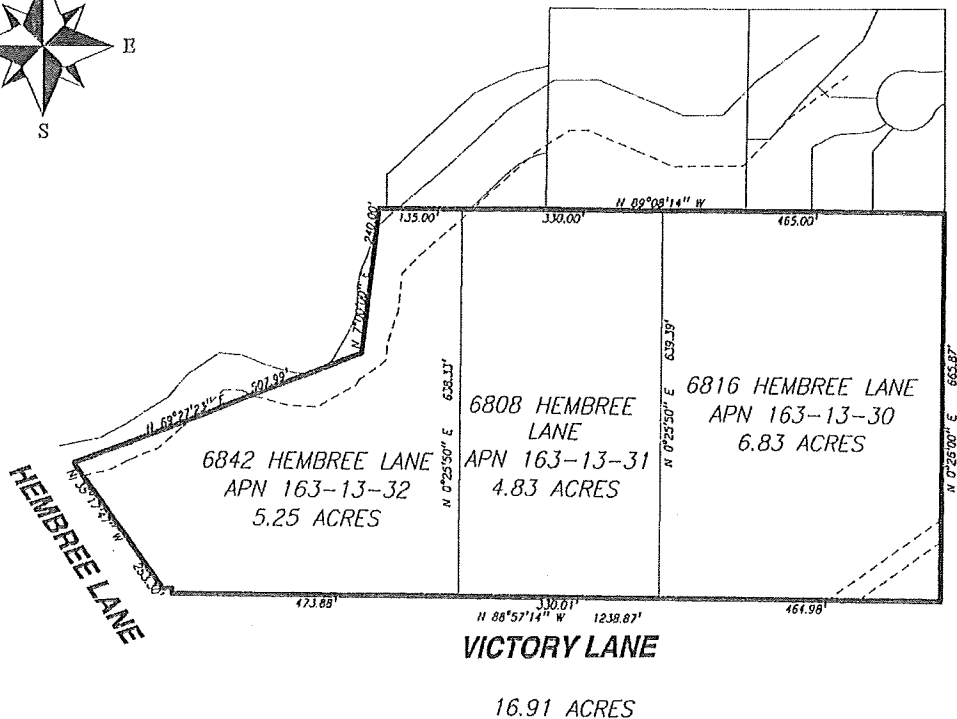
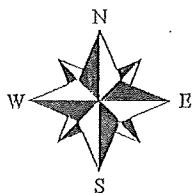


**BRUCE OKREPKIE, MAYOR**

**ATTEST:**

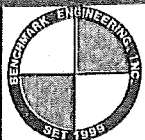
  
  
**MARIA DE LA O, TOWN CLERK**

**Attachment:**  
Exhibit "A": General Plan Exhibit



**GENERAL PLAN EXHIBIT**

**Project Name:** Victoria Oaks Subdivision  
**Address:** 6808, 6816 and 6842 Hembree Lane  
**Acreage:** 16.91 Gross Acres  
**Existing G.P.** HDR - High Density Residential  
**Proposed G.P.** VR- Village Residential / Medium Density Residential



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**GENERAL PLAN EXHIBIT**  
**VICTORIA OAKS**  
 TOWN OF WINDSOR, CALIFORNIA

DRAWN BY:	RM
DATE:	9-18-13
SHEET:	1 OF 1
JOB:	202107