
ARTICLE 2

**Zoning Districts, Allowable Land Uses,
and Zone-Specific Standards**

CHAPTER 27.04 - ZONING MAP

27.04.010 - Purpose

This Chapter establishes the zoning districts applied to property within the Town and adopts the Town's Zoning Map.

27.04.020 - Zoning Map and Zoning Districts

The Council hereby adopts the Town of Windsor Zoning Map (hereafter referred to as the "Zoning Map"), which is on file with the Department. The Zoning Map is hereby incorporated into this Zoning Ordinance by reference as though it were fully included here.

- A. Zoning districts established.** The Town of Windsor shall be divided into zoning districts which implement the Windsor General Plan. The zoning districts shown in Table 2-1 are hereby established, and shall be shown on the Zoning Map.
- B. Interpretation of zoning district boundaries.** If there is uncertainty about the location of any zoning district boundary shown on the official Zoning Map, the precise location of the boundary shall be determined by the Director.
 - 1. Where district boundaries approximately follow lot, alley, or street lines, the lot lines and street and alley centerlines shall be construed as the district boundaries;
 - 2. If a district boundary divides a parcel and the boundary line location is not specified by distances printed on the zoning map, the location of the boundary will be determined by using the scale appearing on the zoning map; and
 - 3. Where a public street or alley is officially vacated or abandoned, the property that was formerly in the street or alley will be included within the zoning district of the adjoining property on either side of the centerline of the vacated or abandoned street or alley.

**TABLE 2-1
ZONING DISTRICTS**

Zoning District Symbol	Zoning District Name	General Plan Land Use Classification Implemented by Zoning District
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Residential Districts

CR	Compact Residential	High Density Residential*
ER	Estate Residential	Estate Residential Rural Residential*
SR	Surrounding Residential	Very Low Density Residential*
VR	Village Residential	Low Density Residential
MDR	Medium Density Residential	Mobile Home Park Medium Density Residential
HDR	High Density Residential	High-Density Residential

Commercial Districts

BC	Boulevard Commercial	Boulevard Mixed Use*
RC	Regional Mixed Use	Gateway Commercial*
NC	Neighborhood Center Commercial	Neighborhood Commercial Mixed Use*
CC	Community Commercial	General Business, Retail Commercial
TC	Town Center Commercial	Town Center Mixed Use
SC	Service Commercial	Service Commercial
GC	Gateway Commercial	Gateway Commercial

Industrial Districts

BPI	Industrial/Business Park	Light Industrial
LI	Light Industrial	Light Industrial
HI	Heavy Industrial	Heavy Industrial

Special Purpose Districts

OS	Open Space	Open Space
PD	Planned Development	All
PI	Public/Institutional	Public/Quasi-Public*
REC	Recreation	Parks & Recreation*

Overlay Districts

-AS	Airport Safety	All
-F	Flood Hazard	All
-HO*	Historic Overlay*	All*

*Revised 04/18/18, ORD. 2018-325

CHAPTER 27.06 -DEVELOPMENT AND LAND USE APPROVAL REQUIREMENTS

27.06.010 - Purpose

This Chapter describes the Town's requirements for the approval of proposed development and new land uses. The permit requirements established by this Zoning Ordinance for specific land uses are in Chapters 27.08 through 27.14.

27.06.020 - General Requirements for Development and New Land Uses

All land uses and structures shall be established, constructed, reconstructed, altered, or replaced in compliance with the following requirements.

- A. Allowable use.** The land use shall be allowed by this Zoning Ordinance in the zoning district applied to the site. The basis for determining whether a use is allowable is described in Section 27.06.030 (Allowable Land Uses and Permit Requirements).
- B. Permit and approval requirements.** Any land use permit or other approval required by Section 27.06.030 (Allowable Land Uses and Permit Requirements) shall be obtained before the proposed use is constructed, otherwise established or put into operation, unless the proposed use is listed in Section 27.06.040 (Exemptions from Development and Land Use Approval Requirements).
- C. Development standards, conditions of approval.** Land uses and structures shall comply with the development standards of this Chapter, the provisions of Article 3 (Site Planning and General Development Standards), and any applicable conditions imposed by a previously granted land use permit.
- D. Legal parcel.** The proposed site shall be a parcel that was legally created in compliance with the Subdivision Map Act and the Town's Subdivision Ordinance.

27.06.030 - Allowable Land Uses and Permit Requirements

- A. Allowable land uses.** The uses of land allowed by this Zoning Ordinance in each zoning district are listed in Tables 2-2, 2-4, 2-6, and 2-8, together with the type of land use permit required for each use.
 - 1. Uses not listed.** Land uses that are not listed in tables or are not shown in a particular zoning district are not allowed, except as otherwise provided Subsection A.2., or Section 27.06.040 (Exemptions from Land Use Permit Requirements).
 - 2. Similar uses may be allowed.** The Director may determine that a proposed use not listed in this Article is allowable if all of the following findings are made:

- a. The characteristics of, and activities associated with the proposed use are equivalent to one or more of the listed uses, and will not involve a higher level of activity or population density than the uses listed in the district;
 - b. The proposed use will be consistent with the purposes of the applicable zoning district; and
 - c. The proposed use will be consistent with the General Plan and any applicable Specific Plan.
- 3. Applicable standards and permit requirements.** When the Director determines that a proposed, but unlisted, use is equivalent to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this Zoning Ordinance apply.
- 4. Commission determination.** The Director may forward questions about equivalent uses directly to the Commission for a determination at a public meeting.

B. Permit requirements. Tables 2-2, 2-4, 2-6, and 2-8 provide for land uses that are:

- 1. Permitted subject to compliance with all applicable provisions of this Zoning Ordinance, subject to first obtaining a Zoning Clearance (Section 27.42.020). These are shown as "P" uses in the tables;
- 2. Allowed subject to the approval of a Minor Use Permit (Section 27.42.050), and shown as "MUP" uses in the tables; and
- 3. Allowed subject to the approval of a Use Permit (Section 27.42.050), and shown as "UP" uses in the tables.

Note: any land use authorized through the approval of a Zoning Clearance, Minor Use Permit, or Use Permit may also require Site Plan and Design Review approval (Section 27.42.030), a Building Permit, or other permit required by the Town Code.

27.06.040 - Exemptions from Land Use Permit Requirements

The land use permit requirements of this Zoning Ordinance do not apply to the land uses, structures, and activities identified by this Section. These are allowed in all zoning districts subject to compliance with this Section.

A. General requirements for exemption. The land uses, structures, and activities identified by Subsection B. below are exempt from the land use permit requirements of this Zoning Ordinance only when:

- 1. The use, activity or structure is established and operated in compliance with the setback requirements, height limits, and all other applicable standards of this Article

(Zoning Districts and Allowable Land Uses) and Article 3 (General Development and Performance Standards); and

2. Any permit or approval required by regulations other than this Zoning Ordinance is obtained (for example, a Building Permit).

B. Exempt activities and uses. The following are exempt from the land use permit requirements of this Zoning Ordinance when in compliance with Subsection A. above.

1. **Decks, paths and driveways.** Decks, platforms, on-site paths, and driveways that are not required to have a Building Permit or Grading Permit by the Town Code.
2. **Fences and walls.** See Chapter 27.26 (Fences, Walls, and Hedges). A Building Permit is required for any fence or wall over six feet in height.
3. **Interior remodeling.** Interior alterations that do not increase the number of rooms or the gross floor area within the structure, or a change in the permitted use of the structure.
4. **Portable spas, hot tubs, and fish ponds.** Portable spas, hot tubs, and fish ponds, etc., that do not: exceed 120 square feet in total area including related equipment; contain more than 2,000 gallons of water; or exceed three feet in depth, and are outside required setbacks. These facilities shall comply with the side and rear setback requirements established in Section 27.20.070 (Setback Measurement and Exceptions) for the applicable zoning district, or Section 27.34.170 (Residential Accessory Uses and Structures), where applicable.
5. **Repairs and maintenance.** Ordinary repairs and maintenance, if:
 - a. The work does not change the approved land use of the site or structure, or add to, enlarge or expand the land use and/or structure; and
 - b. Any exterior repairs employ the same materials and design as the original construction.
6. **Small, portable residential accessory structures.** A single portable structure per lot or unit, including pre-manufactured storage sheds, small play structures/houses and other small structures in residential zoning districts that are exempt from Building Permit requirements in compliance with the Town Code and the Uniform Building Code Structures under this section are subject to the setback requirements in Section 27.34.170.
(Revised 09/06/08, ORD. 2008-241)
7. **Solar collectors.** The addition of solar collection systems to the roofs or sides of existing structures, provided that the collectors comply with applicable height limit requirements.
8. **Utilities.** The erection, construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities intended to service existing or nearby approved developments shall be permitted in any zoning district. These

include: water; gas; electric; telecommunication; supply or disposal systems; including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, etc., but not including new transmission lines and structures. Satellite and wireless communications antennas are subject to Section 27.34.200 (Telecommunications Facilities).

27.06.050 - Prohibited Land Uses

- A. Medical Marijuana Dispensary.** A Medical Marijuana Dispensary, as defined in Section 27.60.020(M), is a prohibited land use in the Town of Windsor. No conditional use permit, temporary permit, or permit of any nature shall be issued for a prohibited land use. (Revised 06/20/07, ORD. 2007-217)
- B. Nonmedical (Recreational) Marijuana Dispensary.** A Nonmedical (Recreational) Marijuana Dispensary, as defined in Section 27.60.020(N), is a prohibited land use in the Town of Windsor. No conditional use permit, temporary permit, or permit of any nature shall be issued for a prohibited land use.
- C. Nonmedical (Recreational) Marijuana Outdoor Cultivation.** Outdoor cultivation of nonmedical marijuana is prohibited in all zoning districts of the Town. It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any lot or site within any zoning district in the Town of Windsor to cause or allow such lot or site to be used for the outdoor cultivation of marijuana plants for nonmedical (recreational) use.
- D. Nonmedical (Recreational) Marijuana Indoor Cultivation.** Indoor cultivation of nonmedical marijuana is prohibited in all zoning districts of the Town, except when such cultivation occurs on property with a private residence. It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any dwelling unit within any zoning district in the Town of Windsor to cause or allow for the indoor cultivation of more than six marijuana plants. The limit of six plants per residence for nonmedical marijuana cultivation shall apply regardless of how many adult individuals reside at the private residence.
- E.** The following marijuana-related activities and uses are prohibited within the Town of Windsor:
1. Mixed-light cultivation of marijuana.
 2. Marijuana nurseries.
 3. Manufacturing of marijuana products.
 4. Testing facilities for the testing of marijuana or marijuana products.
 5. Retail sales of marijuana, marijuana products, or marijuana accessories.
 6. Facilities for the distribution of marijuana, marijuana products, or marijuana accessories.
 7. Marijuana microbusinesses.
 8. Marijuana cultivation as a home occupation.
- (Revised 04/09/18, ORD. 2017-318)

CHAPTER 27.08 - RESIDENTIAL ZONING DISTRICTS

27.08.010 - Purpose of Chapter

This Chapter lists the land uses that may be allowed within the residential zoning districts established by Section 27.04.020 (Zoning Map and Zoning Districts), determines the type of land use permit/approval required for each use, and provides basic standards for site layout and building size.

27.08.020 - Purposes of Residential Zoning Districts

(Revised 4/18/18, Ord. 2018-325)

The residential zoning districts are provided to preserve, enhance, and expand the existing housing stock to provide a range of safe housing opportunities for all members of the Windsor community, and to blend in with the natural setting of the community. The purposes of the individual residential zoning districts and the manner in which they are applied are as follows.

- A. **ER (Estate Residential) District.** The ER zoning district is intended for areas suitable for single-family residential development on larger parcels. The allowable density ranges from zero to three dwelling units per acre. The ER zoning district is consistent with the Estate Residential and Rural Residential land use classifications of the General Plan.
- B. **SR (Surrounding Residential) District.** The SR zoning district is intended for areas appropriate for a mixture of housing types. The primary housing type is single-family homes; however, duplexes and triplexes are encouraged within the allowable density range. The allowable density ranges from three to six dwelling units per acre. The SR zoning district is consistent with the Very Low Density land use classification of the General Plan.
- C. **VR (Village Residential) District.** The VR zoning district is intended for areas appropriate for a mixture of housing types on smaller lots. The allowable density ranges from five to eight dwelling units per acre. The lower end of the density range may be appropriate adjacent to the SR or ER zoning districts, with the higher end of the range being appropriate near neighborhood centers, parks, and transit stops. The VR zoning district is consistent with the Low Density Residential land use classification of the General Plan.
- D. **MDR (Medium Density Residential) District.** The MDR zoning district is intended for areas appropriate for multi-family housing, and is suitable near activity centers and along major thoroughfares. This zoning district allows for a variety of residential opportunities including small single-family units, row houses, townhomes, and small apartment complexes. The allowable density ranges from eight to sixteen dwelling units per acre. The MDR zoning district is consistent with the Medium Density Residential and Mobile Home Park land use classifications of the General Plan.
- E. **HDR (High Density Residential) District.** The HDR zoning district is intended for areas appropriate for high-density, multi-family housing. Typical dwelling units include

townhouses and apartments. The allowable density ranges from sixteen to thirty-two dwelling units per acre. The HDR zoning district is consistent with the High Density Residential land use classification of the General Plan.

- F. CR (Compact Residential) District.** The CR zoning district is intended for areas of compact high density housing, especially in association with nearby mixed use development and near transit corridors or stops. Typical dwelling units include apartments, condominiums and town homes. In limited circumstances, schools, parks and other public facilities may be provided to serve the residential community. The allowable density ranges from twelve to twenty-four units per acre for CR-24 zoned sites to twelve to thirty-two units per acre for CR-32 zoned sites. The CR zoning district is consistent with the High Density Residential land use classification of the General Plan.

27.08.030 - Residential District Land Uses and Permit Requirements

Table 2-2 identifies the uses of land allowed by this Zoning Ordinance in each residential zoning district, and the land use permit required to establish each use, in compliance with Section 27.06.030 (Allowable Land Uses and Permit Requirements).

Note: the far right column in the tables ("Specific Use Regulations") will show a section number for regulations that apply to the particular use listed, in addition to the other general standards of this Zoning Ordinance.

- A. Windsor Station Area/Downtown Specific Plan: Properties within the adopted Windsor Station Area/Downtown Specific Plan area are subject to additional design and development standards. Where conflicts arise between the Zoning Ordinance and the Windsor Station Area/Downtown Specific Plan, the Windsor Station Area/Downtown Specific Plan criteria and standards shall apply.” (Revised 02/06/13 Ord 2013-277)

TABLE 2-2 Allowed Uses and Permit Requirements for Residential Zoning Districts				P Permitted Use (2) (3) MUP Minor Use Permit Required (3) UP Use Permit Required (3) — Use not allowed			
LAND USE (1)	PERMIT REQUIREMENT BY ZONE						Specific Use Regulations
	ER	SR	VR	MDR	CR**	HDR	

AGRICULTURE, RESOURCE & OPEN SPACE USES

Animal keeping	P	P(4)	P(4)	P(4)	P(4)	P(4)	27.34.040
Crop production and horticulture	P	—	—	—	—	—	
Roadside stands	MUP	—	—	—	—	—	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Parks and Playgrounds	P	P	P	P	P	P	
Religious places of worship	UP	UP	UP	UP	UP	UP	
Schools – Private, K-12	UP	UP	UP	UP	UP	UP	

RESIDENTIAL USES***

Accessory dwelling units*****	P	P	P	P	—	—	27.34.180
Guest house	P	P	MUP	MUP	MUP	MUP	27.34.090
Home occupations	P	P	P	P	P	P	27.34.100
Indoor Marijuana Cultivation (Nonmedical, up to 6 plants)*****	P	P	P	P	P	P	27.37.030 27.42.020
Junior accessory dwelling units*****	P	P	P	P	—	—	27.34.185
Kennels, hobby	MUP	MUP	MUP	MUP	MUP	MUP	
Mobile home parks	—	UP	UP	UP	—	UP	27.34.120
Multi-family dwellings	—	UP	UP	P	P	P	27.08.060
Organizational houses (convents, fraternities, etc.)	UP	UP	UP	UP	UP	UP	
Residential accessory uses and structures	P	P	P	P	P	P	27.34.170
Residential care homes – 6 or fewer clients	P	P	P	P	P	P	
Residential care homes – 7 or more clients	MUP	MUP	MUP	MUP	MUP	MUP	
Single family dwellings	P	P	P	P	—	—	
Single room occupancy housing (SRO)****	—	UP	UP	P	P	P	27.08.070
Zero lot line projects	—	—	UP	UP	UP	UP	

PROHIBITED USES*****

Marijuana accessories sales	—	—	—	—	—	—	27.06.050
Marijuana cultivation	—	—	—	—	—	—	27.06.050
Marijuana distribution facilities	—	—	—	—	—	—	27.06.050
Marijuana microbusinesses	—	—	—	—	—	—	27.06.050
Marijuana mixed-light cultivation	—	—	—	—	—	—	27.06.050
Marijuana nurseries	—	—	—	—	—	—	27.06.050
Marijuana product manufacturing	—	—	—	—	—	—	27.06.050
Marijuana retail sales	—	—	—	—	—	—	27.06.050
Marijuana testing facilities	—	—	—	—	—	—	27.06.050

Notes:

- (1) See Section 27.06.030.A regarding uses not listed. See Article 6 for definitions of the listed land uses.
- (2) Zoning Clearance required, see Section 27.42.020.
- (3) Site Plan and Design Review may also be required. See Section 27.42.030.
- (4) Animal keeping shall be limited to domestic animals in compliance with Section 27.34.040.

** Zone CR added 8/3/05 Ord. 2005-192

*** Revised 09/17/14, ORD. 2014-287 to remove supportive housing facility

**** Revised 09/17/14, ORD. 2014-287 to add single room occupancy housing (SRO)

*****Revised 04/09/18, ORD 2017-318 regulating marijuana cultivation

*****Revised 04/09/18, ORD 2017-319 requirements for ADUs and JADUs

TABLE 2-2 Allowed Uses and Permit Requirements for Residential Zoning Districts						P Permitted Use (2) (3) MUP Minor Use Permit Required (3) UP Use Permit Required (3) — Use not allowed	
LAND USE (1)	PERMIT REQUIREMENT BY ZONE						Specific Use Regulations
	ER	SR	VR	MDR	CR*	HDR	

RETAIL TRADE USES

Neighborhood markets	—	UP	UP	UP	UP	UP	27.34.130
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SERVICES

Adult day care facilities, 6 or fewer clients	P	P	P	P	P	P	
Adult day care facilities, 7 or more clients	MUP	MUP	MUP	MUP	MUP	MUP	
Bed and breakfast inns (B&Bs)	MUP	MUP	MUP	—	MUP	MUP	27.34.060
Cemeteries, mausoleums	UP	UP	UP	UP	UP	UP	
Child day care – Large family day care homes	MUP	MUP	MUP	MUP	MUP	MUP	27.34.070
Child day care – Small family day care homes	P	P	P	P	P	P	
Child day care centers	UP	UP	UP	UP	UP	UP	27.34.070
Public utility or safety facilities	MUP	MUP	MUP	MUP	MUP	MUP	

TRANSPORTATION & COMMUNICATIONS USES

Utility infrastructure	P	P	P	P	P	P	

Notes:

(1) See Section 27.06.030.A regarding uses not listed. See Article 6 for definitions of the listed land uses.

(2) Zoning Clearance required, see Section 27.42.020.

* Zone CR added 08/3/05, ORD. 2005-192

27.08.040 - Residential District General Development Standards

Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Table 2-3, in addition to the applicable standards (e.g., landscaping, parking and loading, etc.) in Article 3 (General Development and Performance Standards).

**TABLE 2-3
RESIDENTIAL DISTRICT GENERAL DEVELOPMENT STANDARDS**

	Requirement by Zoning District		
	ER	SR	VR
Minimum lot size	<i>Minimum area and width for parcels proposed in new subdivisions.</i>		
Area	10,000 sq. ft.	6,000 sq. ft.	5,000 sq. ft.
Width (1)	80 ft.	60 ft.	
Maximum Density (2)	0.2 to 3 dwelling units per gross acre	3 to 6 dwelling units per gross acre	5 to 8 dwelling units per gross acre
Setbacks	<i>Minimum and maximum setbacks required. See Chapter 27.20 for setback measurement, allowed projections into setbacks, and exceptions to setbacks.</i>		
Front – Minimum, infill development (3)	The average of the front setbacks of the two nearest buildings on the same block face, or the minimum setback shown below for new development, whichever is less.		
Front - Minimum, new project (3)	20 ft.	15 ft.	13 ft.
Front – Maximum, new project (3)	30 ft.	25 ft.	20 ft.
Front – Minimum for garage (9)	35 ft. (4)	25 ft. (4)	18 ft., but not less than 5 ft. further from the street than the façade of the residence.
Sides – Minimum	5 ft.; 10 ft. on street side (5) (8)		
Rear – Minimum	20 ft.		
Rear – Minimum for attached garage	5 ft.		
Between structures	See Section 27.08.050 (Minimum Distance Between Residential Structures)		
Accessory structures	See Section 27.34.170 (Residential Accessory Uses and Structures)		
Site coverage (6)	35%	40%	50%
Height limit (7)	35 ft. for principal structures; 15 ft. for accessory structures; 15 ft. for detached accessory dwelling units, except as allowed by Section 27.34.180*		35 ft.
Landscaping	As required by Chapter 27.28 (Landscaping)		
Parking	As required by Chapter 27.30 (Parking and Loading).		

* Rev 04/09/18, ORD. 2017-319

**TABLE 2-3
RESIDENTIAL DISTRICT GENERAL DEVELOPMENT STANDARDS**

					Requirement by Zoning District				
					MDR	HDR	CR-24*	CR-32*	
Minimum Lot Size					<i>Minimum area and width for parcels proposed in new subdivisions.</i>				
Area					5,000 sq. ft.			3,500 sq. ft.	
Width (1)					50 ft.			20 ft.	
Maximum density (2)					8 to 12 dwelling units per gross acre	12 to 16 dwelling units per gross acre	12 to 24 dwelling units per gross acre	16 to 32 dwelling units per gross acre	
Setbacks					<i>Minimum and maximum setbacks required. See Chapter 27.20 for setback measurement, allowed projections into setbacks, and exceptions to setbacks.</i>				
Front – Minimum, infill development (3)					The average of the front setbacks of the two nearest buildings on the same block face, or the minimum setback shown below for new development, whichever is less.				
Front, Minimum, new project (3)					13 ft.			5 ft.	
Front – Maximum, new project (3)					20 ft.			10 ft.	
Sides – Minimum					5ft.; 10 ft. on street side (5) (8)			5 ft.	
Rear – Minimum					15 ft.			10 ft.	5 ft.
Rear – Minimum for attached or detached garage					5 ft.				
Between structures					See Section 27.08.050 (Minimum Distance Between Residential Structures)				
Accessory structures					See Section 27.34.170 (Residential Accessory Uses and Structures)				
Accessory dwelling units**					See Section 27.34.180 (Accessory Dwelling Units)	N/A			
Site coverage (6)					50%			80%	100%
Height limit (7) Primary structures					35 ft. maximum			2 stories maximum 4 stories maximum	
Accessory structures**					15 ft. for accessory structures				
Accessory dwelling unit**					15 ft., except as allowed by Section 27.34.180	N/A			

Requirement by Zoning District			
MDR	HDR	CR-24*	CR-32*

Landscaping	As required by Chapter 27.28 (Landscaping)		
Parking	As required by Chapter 27.30 (Parking and Loading)		In rear of lot only
Maximum Block Perimeter	N/A	2,000 ft.	1,600 ft.

* Revised 08/03/05, ORD. 2005-192

** Revised 04/09/18, ORD. 2017-319

Notes:

- (1) Lot widths, lot sizes, and setbacks below the minimum may be authorized by Use Permit approval or through rezoning to apply the -PD overlay district where the review authority finds that a lesser lot width, lot size, or setback will be adequate after first reviewing the design and layout of the proposed housing units.
- (2) Allowable density will be determined for each specific site by the review authority through the Minor Use Permit, Use Permit, Tentative Map, or -PD rezoning process, as applicable.
- (3) A porch with a minimum depth of six feet may encroach into a required front setback.
- (4) But not less than 10 feet further from the street than the front facade of the residence.
- (5) In the MDR zoning district, the required side setback shall be increased by one foot for each four feet of building height in excess of 15 feet.
- (6) Maximum percentage of lot area that may be covered by structures.
- (7) Maximum allowed height of structures, except as otherwise provided by Chapter 27.20 (General Property Development and Use Standards).
- (8) None required on one side for a zero lot line project authorized by Use Permit approval.
- (9) The Town of Windsor encourages diversity in house design and, therefore, requires a minimum of three different garage configurations or setbacks within each subdivision of 10 or more units.
- (10) The Town of Windsor desires a walkable community; therefore, entrances to dwelling units (single or multi-family, but not including accessory dwelling units) shall generally be located on the front facade and directly face the street. However, a prominent porch may be substituted where side doors are used but should not comprise more than 25% of all homes along a street. On multi-family units, front doors or common vestibules should face a street or a courtyard that provides a direct walkway to a street. (Revised 08/1/01, ORD. 2001-148)
- (11) For single-family houses, duplexes and townhouses, garages should not make up more than 50% of the street-facing width of the house. However, where lot widths are less than 45 feet, wider garage doors may be allowed with a Conditional Use Permit if garage door dominance is minimized through innovative lot patterns, deeper garage setbacks or architectural excellence. (Revised 08/1/01, ORD. 2001-148)
- (12) New homes should provide a minimum of 48 square feet of covered porch (with a minimum depth of 6 feet clear of railings and supports). Porches should cover at least 20% of the street-facing width of a house, inclusive of the width of attached garages. For up to 50% of all units within a project, arbors, trellises, courtyards and similar landscape architectural features may substitute for porches at the front door if they are accompanied by fast-growing vines, and if the front door is protected from rain. (Revised 08/1/01, ORD. 2001-148)
- (13) Corner lots shall have enhanced architecture – such as windows, bay windows, doors, wraparound porches (strongly recommended), room projections, changes in roofline features, etc. – on both street frontages. These enhanced architectural features shall be provided for a minimum of 50% of the side street frontage elevation. (Revised 08/1/01, ORD. 2001-148 and Revised 03/15/05 ORD. 2005-189)
- (14) Garages must be located in the rear of lot, in a parking lot or off an alley. (Revised 08/3/05, ORD. 2005-192).
- (15) To provide a transition in density ranges, a single row of housing units up to 3 units per acre along the

southern, northern and eastern boundaries of General Plan Special Planning Area “J.”
(Revised 08/3/05, ORD. 2005-192)

- (16) To provide a transition in density ranges, a single row of 3-6 housing units per acre may be allowed along the northern portion of the “Village Residential” area of General Plan Special Planning Area “J.” (Revised 08/3/05, ORD. 2005-192)
- (17) Properties within the boundaries of the adopted Windsor Station Area/Downtown Specific Plan are subject to additional design and development standards. Refer to the Windsor Station Area/Downtown Specific Plan for specific information. (Revised 02/06/13, ORD 2013-277)

27.08.050 - Minimum Distance Between Residential Structures

Residential structures on the same parcel shall be separated by the minimum distances shown in the following table.

Characteristics of Structures	Minimum Distance Between Structures
1-story structures	10 ft.
2-story structures	15 ft.
Where one or both walls contain windows.	Add 5 ft. (1)

Notes:

- (1) Landscaping shall be incorporated into multi-family residential projects to effectively screen views and provide privacy for adjoining units.
(Revised 08/1/01, ORD. 2001-148)

27.08.060 - Multi-Family Project Open Space Standards

Proposed residential projects of two or more dwelling units shall be designed to provide on the site a minimum of 400 square feet of usable open space per dwelling unit, in compliance with the following standards.

- A. Composition of open space.** The open space may be a combination of common open space accessible to all project residents, or private open space for the exclusive use of a single dwelling; however, no unit shall have less than 50 square feet of private open space when it is provided by a deck or balcony, or 100 square feet when provided by a yard at ground level. Porch areas can apply toward these requirements, but driveways and service areas shall not be counted as applying.
- B. Location of open space.** At least one-half of the required open space shall be provided at the ground level.
- C. Minimum dimensions.** At ground level, common open space shall have a minimum contiguous area of 400 square feet and no dimension less than 20 feet. Private yards at ground level shall have no dimension less than 10 feet. Balconies and bay windows shall not encroach into these dimensions by more than three feet. Required porches, decks, and balconies shall have no dimension less than six feet.

Exceptions: (Revised 08/3/05, ORD. 2005-192)

- D. **Mixed use projects.** Shall have a minimum of 50 square feet of private open space for the exclusive use of a single dwelling. It may be provided by a porch, balcony or roof top garden.
- E. **Compact Residential (CR) zoning designation.** Shall provide a minimum of 200 square feet of usable open space per dwelling unit, in compliance with “A” above.

27.08.070 – Single Room Occupancy Housing (SRO) Standards*

The purpose of this section is to provide development standards for properties that operate Single Room Occupancy Housing (SRO).

- A. **Size:** Minimum unit size is 150 square feet and a maximum of 400 square feet and occupancy is limited to two people.
- B. **Laundry facilities:**
 - a. One washer and one dryer for every 20 units or fraction thereof.
 - b. At least one washer and one dryer per floor.
- C. **Bathroom Facilities:** An SRO unit is not required to, but may, contain a partial or full bathroom facility. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the Town of Windsor Municipal Code for congregate residences with at least one full bathroom per floor.
- D. **Kitchen Facilities:** An SRO unit is not required to, but may, contain a partial or full kitchen facility. If a kitchen is not provided, at least one common full kitchen must be provided per floor.
- E. **Closets:** Each unit must have a separate closet.
- F. **On-Site Management:** Provide a management plan that contains the policies and operations for the site, rental procedures, residency and guest rules, security and staff needs. Facilities with 6 or more units require a 24-hour resident manager.
- G. **Parking:** 0.5 parking spaces for each SRO unit, one space for an on-site manager (where required), and one parking spaces for each additional employee. Parking reductions may be considered at the discretion of the Community Development Director and/or Planning Commission, if a parking analysis is prepared.

* Section Added 09/17/2014, ORD. 2014-287

CHAPTER 27.10 - COMMERCIAL ZONING DISTRICTS

27.10.010 - Purpose of Chapter

This Chapter lists the land uses that may be allowed within the commercial zoning districts established by Section 27.04.020 (Zoning Map and Zoning Districts), determines the type of land use permit/approval required for each use, and provides basic standards for site layout and building size.

27.10.020 - Purposes of Commercial Zoning Districts

(Revised 4/18/18, Ord. 2018-325)

The commercial zoning districts are intended to provide an open and inviting business climate for new and existing businesses, a balanced economic environment, and diverse tax base. The purposes of the individual commercial zoning districts and the manner in which they are applied are as follows.

A. NC (Neighborhood Center Commercial) District. The NC zoning district is applied to areas where residents can shop, socialize, or recreate. This zoning district includes a mix of land uses that would be appropriate along major thoroughfares and adjacent to the MDR zoning district. Different NC land uses can be located in the same building or on the same site, and include retail, child care, and public uses. The NC zoning district is consistent with the Neighborhood Commercial Mixed Use land use classification of the General Plan.

B. CC (Community Commercial) District. The CC zoning district is applied to areas appropriate for a range of local- and community-serving retail and service land uses, including restaurants, shops, personal and business services. The CC zoning district is consistent with the Retail Commercial and General Business land use classifications of the General Plan.

C. TC (Town Center Commercial) District. The TC zoning district is intended to provide attractive areas within the Old Town where the community can gather to socialize, shop, recreate, or live. This zoning district includes diverse, compatible land uses that can be developed on the same site, and where desirable, in the same building. Appropriate land uses include retail, high density residential, public uses, hotels and motels, and offices. The TC zoning district is consistent with the Town Center Mixed Use land use classification of the General Plan.

D. TC (Town Center Commercial) Active Use Frontage Overlay District. The TC Active Use Frontage Overlay District is intended to provide attractive areas within the downtown where the community can gather to socialize, shop, recreate, or live. This zoning district includes diverse, compatible land uses that can be developed on the same site, and where desirable, in the same building. Appropriate land uses include retail, high density residential, public uses, hotels and motels. However, this District requires that the ground level have uses that are accessible to the general public, generate walk-in pedestrian clientele and thus contribute to a high level of pedestrian activity, and are engaging to pedestrians walking by. The TC zoning district is consistent with the Town Center Mixed Use land use classification of the General Plan and the

Station Area/Downtown Specific Plan. The TC Active Use Frontage Overlay zoning district is consistent with the Town Center land use classification of the Station Area/Downtown Plan.

E. TC (Town Center Commercial) Entertainment Overlay District. The TC Entertainment Overlay District is intended to promote entertainment uses and limit potential incompatibility with residential uses. The Entertainment Overlay restricts residential uses and serves community and regional retail needs with a focus on entertainment and recreation uses. This includes nightlife venues, various types of theaters, music venues, arcades/game rooms, and restaurants. While these uses are encouraged in this area by restricting housing, it is noted that entertainment uses are allowed throughout the Town Center designation. The TC zoning district is consistent with the Town Center Mixed Use land use classification of the General Plan. The TC Entertainment Overlay zoning district is consistent with the Town Center land use classification of the Station Area/Downtown Plan.

F. SC (Service Commercial). The SC zoning district is applied to areas suitable for land intensive personal and business service uses, including automobile repair shops, construction equipment sales and rental yards, service stations, and outdoor recreation uses. The SC zoning district is consistent with the Service Commercial land use classification of the General Plan.

G. GC (Gateway Commercial). The GC zoning district is applied to areas along highways that are visually prominent entryways into the town. Land uses in the GC zoning district are intended to serve the region, and include retail and tourist-related uses. Given the prominent locations of this zoning district, development will need to be of particularly high quality in design. The GC zoning district is consistent with the Gateway Commercial land use classification of the General Plan.

H. BC (Boulevard Commercial). The BC zoning district is applied to areas of intensive mixed use development with extensive pedestrian-oriented frontage on a boulevard street, near transit service and stops, and is intended primarily to serve local residents and businesses. A mix of compatible land uses is encouraged within the same building or on the same site, and could include public facilities or plazas, residential, retail, office and childcare uses. The BC zoning district is consistent with the Boulevard Mixed Use land use classification of the General Plan.
(Revised 08/3/05, ORD. 2005-192)

I. RC (Regional Commercial). The RC zoning district is applied in locations where more intensive employment opportunities, residential, shopping, visitor-serving, and institutional uses are mixed to serve Windsor and the surrounding community. This zoning district provides for a mix of diverse and compatible land uses in the same building or on the same site, and could include public facilities or plazas, retail, higher density residential, hotel/motel accommodations, conference facilities, health services and office uses. The RC zoning district is consistent with the Gateway Commercial land use classification of the General Plan.

27.10.030 - Commercial District Land Uses and Permit Requirements

Table 2-4 identifies the uses of land allowed by this Zoning Ordinance in the commercial zoning districts, and the land use permit required to establish each use, in compliance with Section 27.06.030 (Allowable Land Uses and Permit Requirements).

Note: the far right column in the tables ("Specific Use Regulations") will show a section number for regulations that apply to the particular use listed, in addition to the other general standards of this Zoning Ordinance.

- A. Windsor Station Area/Downtown Specific Plan: Properties within the adopted Windsor Station Area/Downtown Specific Plan are subject to additional design and development standards. Where conflicts arise between the Zoning Ordinance and the Windsor Station Area/Downtown Specific Plan, the Windsor Station Area/Downtown Specific Plan criteria and standards shall apply.” (Revised 02/06/13, ORD 2013-277)

TABLE 2-4 Allowed Uses and Permit Requirements for Commercial Zoning Districts (Rev. 02/06/13 Ord. 2013-277, 04/09/18 Ord2017-318)										P Permitted Use (2) (3) MUP Minor Use Permit Req. (3) UP Use Permit Req. (3) — Use not allowed
LAND USE (1)	PERMIT REQUIRED BY DISTRICT									Specific Use Regulations
	NC	CC	TC	TC AUFO	TC EO (11)	SC	GC	BC	RC	

INDUSTRY, MANUFACTURING & PROCESSING USES

Contractors storage yards	—	—	—	—	—	MUP	—	—	—	
Electrical & electronic equipment, instruments	—	—	—	—	—	UP	—	—	—	
Food and beverage manufacturing	—	—	—	—	—	UP	—	—	—	
Handcraft industries	P	P	P	P (10)	—	—	—	P	P	
Laundries and dry cleaning	—	P	—	—	—	—	—	—	—	
Marijuana cultivation**	—	—	—	—	—	—	—	—	—	27.06.050
Marijuana distribution facilities**	—	—	—	—	—	—	—	—	—	27.06.050
Marijuana mixed-light cultivation**	—	—	—	—	—	—	—	—	—	27.06.050
Marijuana nurseries**	—	—	—	—	—	—	—	—	—	27.06.050
Marijuana product manufacturing**	—	—	—	—	—	—	—	—	—	27.06.050
Metal products fabrication, machine/welding shops	—	—	—	—	—	P	—	—	—	
Recycling facilities – Large collection facility	—	—	—	—	—	UP	—	—	—	27.34.160
Recycling facilities – Reverse vending machines	—	—	P	—	—	P	—	—	—	27.34.160
Recycling facilities – Small collection facility	—	—	—	—	—	UP	—	—	—	27.34.160
Warehousing, wholesaling and distribution	—	—	—	—	—	UP	—	—	—	
Wineries	—	—	—	—	—	UP	—	—	—	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Adult business establishments	—	—	—	—	—	UP	—	—	—	27.34.030
Clubs, lodges and private meeting halls	MUP	MUP	MUP	—	—	—	—	MUP	MUP	
Community centers	MUP	MUP	MUP	—	—	—	—	MUP	MUP	
Health/fitness facilities	P	P	P	UP	UP	P	P	P	P	
Indoor amusement/entertainment facilities	—	UP	UP	UP	UP	UP	UP	UP	UP	
Libraries and museums	P	P	P	MUP	—	P	P	P	P	
Outdoor commercial recreation	—	—	—	—	—	UP	UP	—	—	
Parks and playgrounds	P	—	P	—	—	—	—	P	P	
Recreational vehicle parks	—	—	—	—	—	UP	UP	—	—	
Religious places of worship and related facilities	UP	UP	UP	—	—	UP	UP	UP	UP	
Schools - specialized education and training	—	MUP	MUP (5)	—	—	MUP	—	—	—	
Studios (art, dance, music, photography, etc.)	P	P	P	—	MUP	P	P	P	P	
Theaters and auditoriums	—	—	UP	UP (8)	UP	—	—	—	UP	

RESIDENTIAL USES

Agricultural worker housing	—	P	—	—	—	—	—	—	—	
Caretaker housing	—	P	—	—	—	P	P	—	—	
Emergency shelters*	—	P	—	—	—	—	—	—	—	27.21.030
Indoor Marijuana Cultivation (Nonmedical, up to six plants)**	P	P	P	P	—	P	P	P	P	27.37.030 27.42.020
Live-work facilities	P	P	P (9)	P (9)	—	P	UP	P	P	
Multi-family dwellings, in a mixed-use project	UP(4)	P(4)	P(4)	P	—	UP(4)	UP (4)	P(4)	P(4)	27.08.060 27.34.110
Residential care homes	MUP (4)	MUP (4)	MUP (4)	—	—	—	—	MUP (4)	MUP (4)	

RETAIL TRADE USES

Alcoholic beverage sales, off-site	P	P	P	P	P	P	P	P	P	
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TABLE 2-4 Allowed Uses and Permit Requirements for Commercial Zoning Districts (Rev. 02/06/13 Ord. 2013-277, 04/09/18 Ord2017-318)										P Permitted Use (2) (3) MUP Minor Use Permit Req. (3) UP Use Permit Req. (3) — Use not allowed
LAND USE (1)	PERMIT REQUIRED BY DISTRICT									Specific Use Regulations
	NC	CC	TC	TC AUFO	TC EO (11)	SC	GC	BC	RC	
Art, antique, collectable and gift sales	P	P	P	P	P	P	P	P	P	
Auto and vehicle sales/rental	—	—	—	—	—	—	P	UP	—	—
Auto parts sales	—	P	—	—	—	—	P	P	—	—
Bars and nightclubs	UP	UP	UP	UP	UP	UP	—	UP	UP	
Building material stores	—	—	—	—	—	—	UP	UP	—	—
Convenience stores	P(6)	P(6)	—	—	—	—	P(6)	—	P(6)	27.34.130
Drive-in and drive-through sales	—	UP	—	—	—	—	UP	UP	—	—
Equipment sales and rental	—	UP	—	—	—	—	P	—	—	—
Furniture, furnishings and appliance stores	—	P	P	P	P	P	—	P	P	
Garden supply and equipment sales and services	—	P	P	—	—	—	P	P	—	P
Gas stations (fuel sales without vehicle services)	—	UP	—	—	—	—	UP	UP	—	27.34.190
General retail stores not otherwise listed	P	P	P	P	P	P	P	P	P	
Grocery stores	P	P	P	P	P	P	—	P	P	
Hardware store	P	P	P	P	—	—	P	P	P	
Marijuana accessories sales**	—	—	—	—	—	—	—	—	—	27.06.050
Marijuana microbusinesses**	—	—	—	—	—	—	—	—	—	27.06.050
Marijuana retail sales**	—	—	—	—	—	—	—	—	—	27.06.050
Mobile home, recreational vehicle and boat sales	—	—	—	—	—	—	P	MUP	—	—
Neighborhood markets	P	P	P	P	P	P	P	P	P	27.34.130
Outdoor retail sales and activities	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	27.34.140
Plant nurseries and garden supply stores	P	P	P	—	—	—	P	P	P	P
Plant nurseries, wholesale	—	—	—	—	—	—	P	P	—	—
Restaurants	P	P	P	P	P	P	P	P	P	
Restaurants, take-out	P	P	MUP	MUP	MUP	P	P	P	MUP	
Restaurants, with alcohol sales	P	P	P	MUP	MUP	P	P	P	P	
Restaurants, with live entertainment	MUP	MUP	MUP	MUP	UP	MUP	MUP	MUP	MUP	
Restaurants, with outdoor dining	P	P	P	P	P	P	P	P	P	
Second hand stores	—	P	—	P	P	P	P	—	—	—
Wine/Beer tasting accessory to retail	—	P	P	P	P	—	P	P	P	
Warehouse retail sales	—	—	—	—	—	—	UP	UP	—	—

SERVICES

Ambulance services	—	—	—	—	—	—	P	—	—	—	
Automated teller machines (ATMs)	P	P	P	P	P	P	P	P	P	P	
Banks and financial services	P	P	P	P	P	P	—	P	P	P	
Bed and breakfast inns	MUP	—	P	P	—	—	—	MUP	MUP	MUP	27.34.060
Business support services	P	P	P	MUP	MUP	P	P	P	P	P	
Car wash	UP	UP	—	—	—	—	UP	UP	—	—	
Child and adult day care centers	MUP	P	MUP (7)	P	—	—	—	—	MUP	MUP	27.34.070
Child day care – Large family day care homes	MUP	MUP	MUP	—	—	—	—	—	MUP	MUP	27.34.070
Child day care – Small family day care homes	P	P	P	—	—	—	—	—	P	P	
Drive-in and drive-through	—	UP	—	—	—	—	UP	UP	—	—	
Hotels and motels	—	P	P	P	—	—	—	P	—	P	
Kennels, commercial	—	—	—	—	—	—	MUP	—	—	—	
Marijuana testing facilities	—	—	—	—	—	—	—	—	—	—	27.06.050
Medical services – Clinics, offices, laboratories	P	P	P	—	—	—	P	P	P(4)	P	
Medical services – Extended care	—	UP	UP	—	—	—	—	—	UP	UP	
Medical services – Hospitals	—	UP	—	—	—	—	UP	—	UP	UP	
Mortuaries and funeral homes	—	UP	—	—	—	—	UP	—	—	—	
Offices – Accessory to primary use	P	P	P	—	—	—	P	P	P	P	
Offices – Business and professional	P	P	P	—	—	—	P	P	P	P	
Personal services	P	P	P	—	—	—	P	P	P	P	
Personal services, restricted	—	—	—	—	—	—	MUP	MUP	—	—	27.34.175
Public safety and utility facilities	UP	UP	P	—	—	—	UP	UP	UP	P	

TABLE 2-4 Allowed Uses and Permit Requirements for Commercial Zoning Districts (Rev. 02/06/13 Ord. 2013-277, 04/09/18 Ord2017-318)										P Permitted Use (2) (3) MUP Minor Use Permit Req. (3) UP Use Permit Req. (3) — Use not allowed
LAND USE (1)	PERMIT REQUIRED BY DISTRICT									Specific Use Regulations
	NC	CC	TC	TC AUFO	TC EO (11)	SC	GC	BC	RC	
Spas and Tanning Salons	P	P	P	—	P	P	P	P	P	
Storage – Automobile storage yards	—	—	—	—	—	UP	—	—	—	
Storage – Personal storage facilities(mini-storage)	—	—	—	—	—	UP	—	—	—	
Storage – Outdoor	—	—	—	—	—	UP	—	—	—	27.34.150
Vehicle services – Maintenance/minor repair	—	—	—	—	—	P	P	—	—	
Vehicle services – Major repair/body work	—	—	—	—	—	P	P	—	—	
Vehicle services – Service stations	—	UP	—	—	—	UP	UP	—	—	
Veterinary clinics, animal hospitals	P	P	—	—	—	MUP	—	—	—	

TRANSPORTATION & COMMUNICATIONS USES

Broadcast studios	—	P	—	—	—	P	—	—	—	
Heliports	—	P	—	—	—	P	—	—	—	
Park and ride facilities	P	P	P	—	—	P	P	P	P	
Parking facilities	—	—	P	—	—	P	—	P	P	
Telecommunications facilities	—	UP	UP	—	—	UP	UP	UP	UP	27.34.200
Transit stations and terminals	—	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
Utility infrastructure	P	P	P	P	P	P	P	P	P	
Vehicle and freight terminals	—	—	—	—	—	UP	—	—	—	

* Revised 09/17/2014, ORD 2014-287

** Revised 04/09/2018, ORD 2017-318

Notes:

- (1) See Section 27.06.030.A regarding uses not listed. See Article 6 for definitions of the listed land uses.
- (2) Zoning Clearance required, see Section 27.42.020.
- (3) Site Plan and Design Review may also be required. See Section 27.42.030.
- (4) Residential uses may be permitted only on second or higher floors, above nonresidential uses. Accessible units that meet ADA requirements may be located on the ground floor. Home Occupations are permitted in residential units subject to Section 27.34.100
- (5) Schools (specialized education and training) may be permitted with a MUP on ground floor commercial only and shall provide on-site restroom facilities.
- (6) Convenience stores are a permitted use only when they comply with the requirements of Section 27.34.130 for neighborhood markets; convenience stores required Use Permit approval otherwise. (Rev. 03/03/04, Ord. 2004-178)
- (7) Child and adult care centers may be permitted with a MUP on ground floor commercial only and shall provide on-site restroom facilities. (Rev. 04/18/07, Ord. 2007-214)
- (8) Not in mixed use buildings with residential uses. (Rev. 02/06/13, Ord. 2013-277)
- (9) Work component must be an allowed use in the AUFO (Rev. 02/06/13, Ord. 2013-277)
- (10) Requires retail sales of products manufactured on site (Rev. 02/06/13, Ord. 2013-277)
- (11) Designations of Entertainment and Active Use Frontage must meet the spirit of both overlay districts (Rev. 02/06/13, Ord. 2013-277)

27.10.040 - Commercial District General Development Standards

Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements in Table 2-5, in addition to the applicable development standards (e.g., landscaping, parking and loading, etc.) in Article 3 (General Development and Performance Standards).

**TABLE 2-5
COMMERCIAL DISTRICT GENERAL DEVELOPMENT STANDARDS**

	Requirement by Zoning District		
	NC	CC	TC
Minimum lot area (1)	6,000 sq. ft.	2,000 sq. ft.	
Setbacks	<i>Minimum and maximum setbacks required. See Chapter 27.20 for setback measurement, allowed projections into setbacks, and exceptions to setbacks.</i>		
Front – Minimum (2)	0 ft.	0-10 ft.*	None required.
Sides – Minimum	10 ft. adjacent to a residential zone; none otherwise.	5 ft. adjacent to a residential zone; none otherwise.	10 ft. adjacent to a residential zone; none otherwise.
Street side – Minimum	0 ft.	10 ft.	0 ft.
Rear – Minimum	10 ft. adjacent to a residential zone; none otherwise.	5 ft. adjacent to a residential zone; none otherwise.	10 ft. adjacent to a residential zone; none otherwise.
Site coverage	60%		No maximum.
Height limit (3)	35 ft. maximum (4)	45 ft. maximum (4)	20 ft. minimum, 57 ft. maximum
Landscaping	As required by Chapter 27.28 (Landscaping)		
Lighting	As required by Section 27.20.030B		
Parking	As required by Chapter 27.30 (Parking and Loading)		
Signs	As required by Chapter 27.32 (Signs)		
Maximum Block Perimeter (5)	N/A		1600' or 2000' for blocks with structured parking

Notes: * Revised 04/5/05, ORD. 2005-190

- (1) Minimum area for parcels proposed in new subdivisions. The review authority may allow smaller parcels in condominium-type subdivisions provided that the common ownership parcel complies with this minimum area requirement.
- (2) Refer to Table 3.1.3.b of the Town's Design Guidelines. (Revised 02/06/13, ORD 2013-277)
- (3) Maximum allowed height of structures. Exceptions may be allowed by Chapter 27.20 (General Property Development and Use Standards).
- (4) Two story structures are encouraged in these districts.
- (5) Block perimeter – the linear feet along the public street right-of-way. (Revised 08/3/05, ORD. 2005-192).
- (6) Properties within the boundaries of the adopted Windsor Station Area/Downtown Specific Plan are subject to additional design and development standards. Refer to the Windsor Station Area/Downtown Specific Plan for specific information. ((Revised 02/06/13, ORD 2013-277)

**TABLE 2-5
COMMERCIAL DISTRICT GENERAL DEVELOPMENT STANDARDS**

	Requirement by Zoning District			
	SC	GC	BC (4)**	RC**
Minimum lot area (1)	10,000 sq. ft.		5,000 sq. ft.	
Setbacks	<i>Minimum and maximum setbacks required. See Chapter 27.20 for setback measurement, allowed projections into setbacks, and exceptions to setbacks.</i>			
Front – Minimum (2)	0-10 ft. (5)*		None required	
Front - Maximum	N/A		5 ft. – with up to 20% of façade setback 10 feet	
Sides (each)	15 ft. adjacent to a residential zone; none required otherwise.		None required.	
Street side	0 ft.			
Rear	10 ft.		0 ft.	
Site coverage	50% maximum		100% maximum	
Height limit (3)	45 ft. maximum (4)		2 story (5), 4 story maximum (6)	
Landscaping	As required by Chapter 27.28 (Landscaping) (8)			
Lighting	As required by Section 27.20.030B			
Parking	As required by Chapter 27.30 (Parking and Loading)		In rear of lot only.	
Signs	As required by Chapter 27.32 (Signs)			
Maximum Block Perimeter (9)	N/A		1600' or 2000' for blocks with structured parking	

Notes: * Revised 04-05/05, ORD. 2005-190 ** Revised 08/3/05, ORD. 2005-192

- (1) Minimum area for parcels proposed in new subdivisions. The review authority may allow smaller parcels in condominium-type subdivisions provided that the common ownership parcel complies with this minimum area requirement.
- (2) Refer to Table 3.1.3.b of the Town's Design Guidelines. (Revised 02/06/13, Ord 2013-277)
- (3) Maximum allowed height of structures. Exceptions may be allowed by Chapter 27.20 (General Property Development and Use Standards).
- (4)**Additional design criteria for Boulevard Mixed Use:
 - a) Maximum square footage per non-residential use: 8,000 square feet. An exception for a 20,000 sq. ft. tenant is allowed for major tenants provided that they furnish an operable and unlocked door during business hours to a street front liner store entry along Boulevards. This entry must connect directly to a larger part of the store that is hidden behind the "liner" stores. A continuous façade of liner stores are to be located on Shiloh Road and at least one other main cross street, to screen the interior use on at least two sides.
 - b) Minimum space between door openings on ground level: 35-50 feet.
 - c) Glazing for commercial first floor façade must be a minimum of 12 feet in height.
- (5)**The first floor façade must be a minimum of 12 feet in height.
- (6)**Building height shall be limited to a maximum of two stories for all structures located within 150 feet of the Old Redwood Highway/Shiloh Road intersection in the CB Zoning District; buildings shall be a maximum height of 2-3 stories from 150 to 300 feet from the Old Redwood Highway/Shiloh Road intersection in the CB Zoning District.
- (7)**In addition, buildings and site improvements shall be designed pursuant to any applicable area plan principles and guidelines.
- (8)**Structural soil per the Town of Windsor's Engineering Design Standards and tree grates are required for tree grates planted along major thoroughfares.
- (9)**Block perimeter – the linear feet along the public street right-of-way.
- (10)**Entrances to retail along major thoroughfares to be at sidewalk level.

CHAPTER 27.12 - INDUSTRIAL ZONING DISTRICTS

27.12.010 - Purpose of Chapter

This Chapter lists the land uses that may be allowed within the industrial zoning districts established by Section 27.04.020 (Zoning Map and Zoning Districts), determines the type of land use permit/approval required for each use, and provides basic standards for site layout and building size.

27.12.020 - Purposes of Industrial Zoning Districts

The purposes of the individual industrial zoning districts and the manner in which they are applied are as follows.

- A. BPI (Industrial/Business Park) District.** The BPI zoning district is applied to areas appropriate for light industrial and business park land uses, including low-intensity manufacturing and assembly processes, research and development, and corporate headquarters offices. The land uses allowed and development standards required within the BPI district are intended to protect adjacent areas from impacts while allowing indoor, clean, and quiet industry. Land uses in the BPI zoning district are often organized as a business park, with tenants that may include some commercial activities. The BPI zoning district is consistent with the Light Industrial land use designation of the General Plan.
- B. LI (Light Industrial) District.** The LI zoning district is applied to areas appropriate for light industrial and manufacturing, warehousing, offices and assembly uses. Land uses allowed in the LI zoning district will not create objectionable noise, smoke, odor, dust, noxious gases, glare, heat, vibration, or industrial wastes. The LI zoning district is consistent with the Light Industrial land use designation of the General Plan.
- C. HI (Heavy Industrial) District.** The HI zoning district is applied to areas appropriate for a wider variety of land uses that are more land-intensive manufacturing uses than allowed in the LI district. These include industrial manufacturing, warehousing, offices, and assembly that may generate objectionable noise, smoke, odor, dust, noxious gases, glare, heat, vibration, and industrial wastes. The HI zoning district is consistent with the Heavy Industrial land use designation of the General Plan.

27.12.030 - Industrial District Land Uses and Permit Requirements

- A. General requirements.** Table 2-6 identifies the uses of land allowed by this Zoning Ordinance in each industrial and special purpose zoning district, and the land use permit required to establish each use, in compliance with Section 27.06.030 (Allowable Land Uses and Permit Requirements).

Note: the far right column in the tables ("Specific Use Regulations") will show a section number for regulations that apply to the particular use listed, in addition to the other general standards of this Zoning Ordinance.

- B. Permit requirement for expansion.** Any expansion of an existing use within an industrial zoning district shall require Minor Use Permit approval (Section 27.42.050).

LAND USE (1)		PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
		BPI	LI	HI	

AGRICULTURE & OPEN SPACE USES

Beekeeping	P	P	—	
Crop production and horticulture	—	P	P	

INDUSTRY, MANUFACTURING & PROCESSING USES

Agricultural products processing	—	UP	UP	
Animal processing plants, rendering	—	—	UP	
Chemical product manufacturing	—	—	UP	
Concrete, gypsum, and plaster products	—	—	UP	
Electronics, equipment, and appliance manufacturing	P	P	P	
Fabric product manufacturing	P	P	P	
Food and beverage manufacturing	P	P	P	
Furniture and fixtures manufacturing, cabinet shops	P	P	P	
Handcraft industries, small scale manufacturing	P	P	P	
Laundries and drycleaning plants	P	P	P	
Lumber and wood product manufacturing	—	P	P	
Machinery manufacturing	—	P	P	
Metal products fabrication, machine/welding shops	—	P	P	
Metal products manufacturing	—	UP	UP	
Paper products manufacturing	—	P	P	
Paving material manufacturing	—	—	UP	
Pharmaceuticals manufacturing	P	P	P	
Plastics, synthetics, rubber products manufacturing	—	—	P	
Printing and publishing	P	P	P	
Recycling – Composting	—	P	P	27.34.160
Recycling – Large collection facility	—	UP	P	27.34.160
Recycling – Light processing facility	—	UP	P	27.34.160
Recycling – Scrap and dismantling yards	—	—	UP	27.34.160
Recycling – Small collection facility	—	P	P	27.34.160
Research and development (R&D)	P	P	P	
Structural clay and pottery product manufacturing	P	P	P	
Textile and leather product manufacturing	—	UP	P	
Warehousing, wholesaling and distribution	P	P	P	
Wineries, distilleries	—	P	P	

Notes:

- (1) See Section 27.06.030.A regarding uses not listed. See Article 6 for definitions of the listed land uses.
- (2) Zoning Clearance required, see Section 27.42.020.
- (3) Site Plan and Design Review may also be required. See Section 27.42.030.

**TABLE 2-6
Allowed Uses and Permit Requirements
for Industrial Zoning Districts**

P Permitted Use (2) (3)
MUP Minor Use Permit Required (3)
UP Use Permit Required (3)
— Use not allowed

LAND USE (1)	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	BPI	LI	HI	

RECREATION, EDUCATION, AND ASSEMBLY USES

Emergency Shelter***	—	UP	—	27.21.030
Health/fitness facilities	P	UP	UP	
Outdoor commercial recreation	UP	UP	UP	
Religious places of worship	—	UP	—	

RESIDENTIAL USES

Agricultural worker housing *	—	P	P	
Caretaker housing	MUP	MUP	MUP	
Indoor Marijuana Cultivation (Nonmedical, up to six plants****)	P	P	P	27.37.030 27.42.020
Multi-family dwelling, in a mixed-use project	—	UP (4)**	—	
Live/work facilities	MUP	MUP	—	

RETAIL AND SERVICE USES

Auto and vehicle sales/rentals	—	MUP	—	
Automated teller machines (ATMs)	P	P	P	27.34.050
Banks and financial institutions	P	P	—	
Building materials stores	P	P	—	
Business support services	P	P	P	
Child and adult day care centers	MUP	MUP	—	27.34.070
Construction equipment sales	—	P	P	
Hotels and motels	UP	—	—	
Marijuana accessories sales****	—	—	—	27.06.050
Marijuana cultivation****	—	—	—	27.06.050
Marijuana distribution facilities****	—	—	—	27.06.050
Marijuana microbusinesses****	—	—	—	27.06.050
Marijuana mixed-light cultivation****	—	—	—	27.06.050
Marijuana nurseries****	—	—	—	27.06.050
Marijuana product manufacturing****	—	—	—	27.06.050
Marijuana retail sales****	—	—	—	27.06.050
Marijuana testing facilities****	—	—	—	27.06.050
Mobile home, recreational vehicle, and boat sales	—	MUP	—	
Offices – Accessory	P	P	P	
Offices – Business and professional	P	P	P	
Public utility or safety facilities	P	P	P	
Restaurants	P	MUP	MUP	
Restaurants, accessory cafeteria	P	P	P	
Storage – Outdoor	P	P	P	27.34.150
Storage – Personal storage facilities (mini-storage)	—	P	P	
Vehicle services – Maintenance/minor repair	—	P	P	
Vehicle services – Major repair/body work	—	P	P	
Vehicle services – Service stations	UP	P	P	
Veterinary clinics, animal hospitals, kennels	P	P	—	

Notes:

- (1) See Section 27.06.030.A regarding uses not listed. See Article 6 for definitions of the listed land uses.
- (2) Zoning Clearance required, see Section 27.42.020.
- (3) Site Plan and Design Review may also be required. See Section 27.42.030.
- (4) Residential uses may be permitted only on second or higher floors, above nonresidential uses. Accessible units that meet ADA requirements may be located on the ground floor.*

* Revised 03/03/04, ORD. 2004-178

** Revised 11/03/04, ORD. 2004-184

*** Revised 09/17/2014, ORD. 2014-287

**** Revised 04/09/2018, ORD. 2017-318

TABLE 2-6 Allowed Uses and Permit Requirements for Industrial Zoning Districts		P	Permitted Use (2) (3)	
		MUP	Minor Use Permit Required (3)	
		UP	Use Permit Required (3)	
		—	Use not allowed	
LAND USE (1)	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	BPI	LI	HI	

TRANSPORTATION & COMMUNICATIONS USES

Broadcast studios	P	P	—	
Heliports	—	UP	UP	
Parking facilities/vehicle storage	—	UP	P	
Telecommunications facilities	UP	UP	UP	27.34.200
Transit stations and terminals	P	P	UP	
Utility infrastructure	P	P	P	
Vehicle and freight terminals	—	UP	P	

Notes:

- (1) See Section 27.06.030.A regarding uses not listed. See Article 6 for definitions of the listed land uses.
- (2) Zoning Clearance required, see Section 27.42.020.
- (3) Site Plan and Design Review may also be required. See Section 27.42.030.

27.12.040 - Industrial Zoning District Development Standards

Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Table 2-7, in addition to any other applicable requirements of this Article, and the development standards (e.g., landscaping, parking and loading, etc.) in Article 3 (General Development and Performance Standards).

**TABLE 2-7
INDUSTRIAL ZONING DISTRICT DEVELOPMENT STANDARDS**

				Requirement by Zoning District		
				BPI	LI	HI
Minimum lot size (1)				<i>Minimum area and dimensions for parcels proposed in new subdivisions.</i>		
Minimum lot area				10,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.
Minimum dimensions				100 ft.		
Setbacks				<i>Minimum setbacks required. See Chapter 27.20 for setback measurements, exceptions, and allowed projections into setbacks.</i>		
Front				10 ft.	10 ft.	10 ft.
Sides (each)				10 ft.	None required	None required
Rear				10 ft.	10 ft.	None required
Site coverage				50% maximum		
Height limit (2)				50 ft.		
Landscaping				As required by Chapter 27.28 (Landscaping)		
Lighting				As required by Section 27.20.030.B		
Parking and loading				As required by Chapter 27.30 (Parking and Loading)		
Signs				As required by Chapter 27.32 (Signs)		

Notes:

- (1) Minimum area and dimensions for parcels proposed in new subdivisions. The review authority may allow smaller parcels and reduced dimensions in condominium projects through the subdivision approval process, provided that the common ownership parcel complies with this minimum area requirement.
- (2) Maximum allowed height of structures. Exceptions may be allowed by Chapter 27.20 (General Property Development and Use Standards).

CHAPTER 27.14 - SPECIAL PURPOSE ZONING DISTRICTS

27.14.010 - Purpose of Chapter

This Chapter lists the land uses that may be allowed within the special purpose zoning districts established by Section 27.04.020 (Zoning Map and Districts), determines the type of land use permit/approval required for each use, and provides basic standards for site layout and building size.

27.14.020 - Purposes of Special Purpose Zoning Districts

The purposes of the individual special purpose zoning districts and the manner in which they are applied are as follows.

- A. OS (Open Space) District.** The OS zoning district is applied to areas in the Town with natural resource values to be conserved, and also to areas that have hazardous conditions (such as floodways). The OS zoning district is consistent with the Open Space land use classification of the General Plan.
- B. PD (Planned Development) District.** The PD zoning district is intended for sites where the Town desires to achieve a particular mix of uses, appearance, land use compatibility, or special sensitivity to natural resources, including oak trees and vernal pools. The PD zoning district is consistent with all land use classifications of the General Plan. See Section 27.14.050 (PD District Standards and Procedures) for specific requirements applicable to the PD district.
- C. REC (Recreation) District.** The REC zoning district is applied to locations appropriate for the development of parks and recreational facilities. The REC zoning district is consistent with the Parks and Recreation land use classification of the General Plan.
(Revised 4/18/18, Ord. 2018-325)
- D. PI (Public/Institutional) District.** The PI zoning district is applied to areas appropriate for public facilities, utilities, and public gathering facilities including: public schools, libraries, government offices, etc. The PI zoning district is consistent with the Public/Quasi-Public land use classification of the General Plan.
(Revised 4/18/18, Ord. 2018-325)

27.14.030 - Special Purpose District Land Uses and Permit Requirements

- A. General requirements.** Table 2-8 identifies the uses of land allowed by this Zoning Ordinance in each special purpose zoning district, and the land use permit required to establish each use in compliance with Section 27.06.030 (Allowable Land Uses and Permit Requirements).

Note: the far right column in the tables ("Specific Use Regulations") will show a section number for regulations that apply to the particular use listed, in addition to the other general standards of this Zoning Ordinance.

B. PD district land uses and permit requirements. The land uses that may be allowed within the PD zoning district and the land use permit requirements for each use shall be determined through the process of rezoning property to the PD district.

TABLE 2-8 Allowed Uses and Permit Requirements for Special Purpose Zoning Districts	P	Permitted Use (2) (3)
	MUP	Minor Use Permit Required (3)
	UP	Use Permit Required (3)
	—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	OS	PI	REC	

AGRICULTURE & OPEN SPACE USES

Crop production and horticulture	P	P	—	
Hiking trails	P	P	P	
Nature preserves	P	P	P	

INDUSTRY, MANUFACTURING & PROCESSING USES

Recycling – Small collection facility	—	P	—	
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RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Community centers	—	UP	UP	
Golf courses, public	UP	UP	UP	
Health/fitness facilities	—	UP	UP	
Libraries and museums	—	P	—	
Parks and playgrounds	P	P	P	
Schools	—	UP	—	
Theaters and auditoriums	—	UP	—	

RESIDENTIAL USES

Caretaker housing	MUP	MUP	MUP	
Residential care homes	—	UP	—	

RETAIL TRADE

Accessory retail uses	MUP	MUP	P	
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SERVICES

Cemeteries, mausoleums	UP	UP	—	
Child/adult day care centers	—	MUP	MUP	27.42.070
Offices – Accessory	P	P	P	
Public utility or safety facilities	UP	UP	UP	
Storage – Accessory	P	P	P	

TRANSPORTATION & COMMUNICATION USES

Heliports	—	UP	—	
Parking facilities/vehicle storage	—	P	—	
Telecommunication facilities	—	UP	—	27.34.200
Transit stations and terminals	—	UP	—	
Utility infrastructure	P	P	P	

Notes:

- (1) See Section 27.06.030.A regarding uses not listed. See Article 6 for definitions of the listed land uses.
- (2) Zoning Clearance required, see Section 27.42.020.
- (3) Site Plan and Design Review may also be required. See Section 27.42.030.

27.14.040 - Special Purpose District General Development Standards

Subdivisions, new land uses and structures, and alterations to existing land uses and structures in all special purpose districts except PD (Planned Development), shall be designed, constructed, and/or established in compliance with the requirements in Table 2-9, in addition to any other applicable requirements of this Chapter, and the development standards (e.g., landscaping, parking and loading, etc.) in Article 3 (General Development and Performance Standards). Projects within the PD zoning district shall comply with Section 27.14.050 (PD District Procedures and Standards).

**TABLE 2-9
SPECIAL PURPOSE DISTRICT GENERAL DEVELOPMENT STANDARDS**

				Requirement by Zoning District		
				OS	REC	PI
Minimum lot size				<i>Minimum area and dimensions for parcels proposed in new subdivisions.</i>		
Lot area				No minimums	Determined through development review process	6,000 sq. ft.
Lot width						60 ft.
Density/Intensity				1 dwelling unit per 20 acres	Varies with type of development, determined through development review process	
Site coverage				N.A.	N.A.	40%
Setbacks required (1)				<i>Minimum setbacks required. See Chapter 27.20 for setback measurement, allowed projections into setbacks, and exceptions to setbacks.</i>		
Front				20 ft.		
Sides				5 ft.		
Street side				10 ft.		
Rear				20 ft.		
Height limit (2)				Primary structure - 35 ft. Accessory structure - 15 ft.		
Landscaping				As required by Chapter 27.38 (Landscaping)		
Parking and loading				As required by Chapter 27.30 (Parking and Loading)		

Notes:

- (1) Minimum setbacks required. See Chapter 27.20 for setback measurement, allowed projections into setbacks, and exceptions to setbacks.
- (2) Maximum allowed height of structures. See Chapter 27.20 for height measurement and height limit exceptions.

27.14.050 - PD District Standards and Procedures

The application of the PD district to property through the rezoning process will include identifying the specific land uses that may be allowed on the site, and establishing specific site planning and development standards (for example, setback requirements, height limits, site coverage, etc.), consistent with the General Plan land use classifications that apply to the site. The process of rezoning a site to the PD district shall comply with the following requirements, in addition to those of Chapter 27.54 (Amendments).

- A. Application requirements.** A rezoning application for the PD district shall include the information required by the Department for a Preliminary Development Plan, in addition to all information and materials required by Chapter 27.40 (Applications - Filing and Processing).
- B. Preliminary Development Plan.** A rezoning application for the PD district shall include a Preliminary Development Plan. The approval of a rezoning to the PD district shall also include Council approval of a Preliminary Development Plan for the site which identifies the following, consistent with the General Plan.

 - 1. Allowable land uses.** The land uses that may be allowed on the site, and any additional land use permit requirements for establishing the allowed uses after the approval of a Final Development Plan (i.e., whether specific uses will require Zoning Clearance, Minor Use Permit, or Use Permit approval).
 - 2. Density and intensity.** The maximum density allowed for residential land uses on the site in dwelling units per acre and the minimum lot size for new parcels.
 - 3. Development standards.** The Final Development Plan shall provide for the site all types of development standards that would otherwise provided by Article 2 (setback requirements, height limits, etc.) and Article 3 (landscaping requirements, parking requirements, etc.), or shall reference specific provisions of this Zoning Ordinance that shall apply.
 - 4. Preliminary phasing plan.** A preliminary phasing plan for the development of the site, if construction is proposed in phases. The plan shall identify the timing and sequencing of construction of proposed and required streets, drainage facilities, water and sewer systems, and all other utilities and infrastructure, and all proposed land uses and structures.
- C. Final Development Plan.** After approval of a rezoning to the PD district and prior to the issuance of any subsequent subdivision or land use approvals, or construction permits, the applicant shall submit, and the Council shall approve a Final Development Plan consistent with the Preliminary Development Plan and the General Plan. The Final Development Plan shall identify the following.

 - 1. Allowable land uses.** The list land uses that may be allowed on the site and their land use permit requirements, consistent with the Preliminary Development Plan.

2. **Density and intensity.** The maximum density allowed for residential land uses consistent with the Preliminary Development Plan.
3. **Final phasing plan.** A final phasing plan for the development of the site, if construction is proposed in phases, in substantial compliance with the Preliminary Development Plan, provided that the Council may approve changes to the phasing plan as it determines to be appropriate.
4. **Architectural standards.** Project-wide architectural standards, concepts, and themes.
5. **Comprehensive Sign Program.** A comprehensive sign program in compliance with Section 27.32.070.

D. Approval of Preliminary and Final Development Plans.

1. A Preliminary Development Plan shall be reviewed and acted upon by the Commission and Council as part of their respective reviews of and actions on the property rezoning request, in compliance with Chapter 27.54 (Amendments).
2. The Commission shall review a Final Development Plan prior to final action by the Council and, after public notice and a public hearing in compliance with the Government Code, shall recommend to the Council whether the Final Development Plan shall be approved as submitted, should be modified as specified by the Commission, or should be disapproved.
3. The Council shall approve, approve with modifications, or disapprove a Final Development Plan after public notice and a public hearing in compliance with the Government Code.
4. The applicant may choose to submit all information and materials required by the Department for both Preliminary and Final Development Plan approval together with the application for rezoning to the PD district. In this case, the Commission and Council shall approve a Final Development Plan at the same time as their actions on the rezoning request.

- E. Effect of Final Development Plan.** No subdivision shall be approved, or land use permit, or construction permit granted within a PD zoning district unless they are consistent with the approved Final Development Plan.

CHAPTER 27.16 - OVERLAY ZONING DISTRICTS

27.16.010 - Purpose of Chapter

This Chapter regulates new and existing structures and land uses in the overlay zoning districts established by Section 27.04.020 (Zoning Map and Zoning Districts), being appended as a suffix to the symbol for the primary zoning district on the Zoning Map (e.g. RM-H). The provisions of this Chapter provide guidance for development in addition to the standards and regulations of the primary zoning districts, where important site, environmental, safety, compatibility, or design issues require particular attention in project planning.

27.16.020 - Applicability of Overlay Zoning Districts

- A. Mapping of overlay districts.** The applicability of any overlay zoning district to a specific site is shown by the overlay Zoning Map symbol established by Section 27.04.020 (Zoning Map and Zoning Districts), being appended as a suffix to the symbol for the primary zoning district on the Zoning Map (for example, CT-F).
- B. Conflicting provisions.** The provisions of this Chapter apply to proposed land uses and development in addition to all other applicable requirements of this Zoning Code. In the event of any perceived conflict between the provisions of this Chapter and any other provision of this Zoning Code, the most restrictive shall control.

27.16.030 - Airport Safety (-AS) Overlay District

- A. Purpose.** The intent of the -AS overlay zone is to protect people and property both in the air and on the ground by regulating structures that may affect navigable airspace, consistent with Federal regulations, and to minimize noise, safety, and other conflicts between airport operations and surrounding land uses. Land uses within this overlay zone are regulated in recognition that certain development and land use characteristics may conflict with the safe and efficient operation of the airport and aircraft.

It is further the intent of this district to establish consistency between the Town of Windsor’s zoning regulations and the adopted policies of the Sonoma County Airport Land Use Commission as they exist at the time of ordinance adoption. (Revised 03/5/03, ORD. 2003-164)

- B. Applicability.** The -AS overlay zoning district is applied to lands within the Sonoma County Airport referral area that are subject to:
 - 1. Sonoma County Airport Land Use Plan: adopted January 8, 2001, Resolution No. and Amended on October 9, 2001 Resolution No. by the Sonoma County Airport Land Use Commission. (Revised 03/5/03, ORD. 2003-164)
 - 2. For purposes of this section, “Airport Land Use Plan” shall mean the “Comprehensive Airport Land Use Plan” for Sonoma County. (Revised 03/5/03, ORD. 2003-164)

- C. Allowed land uses.** Any land use normally allowed in the primary zoning district by this Chapter may be allowed within the -AS overlay zone, provided that the land use is also in compliance with any applicable Airport Land Use Plan standards.
- D. Permit requirements.** A proposed development and/or new land use within the -AS overlay district shall obtain the land use permit required by this Chapter for the primary zoning district.
- E. Development standards.** Development and new land uses within the -AS overlay zone shall comply with the Airport Land Use Plan, all applicable permit and development requirements of the primary zoning district, and the following requirements.
- 1. Height limits.** The height limits of the Airport Land Use Plan apply if they are more restrictive than otherwise required by this Chapter for the primary zoning district, or by Article 3 (Site Planning and General Development Standards).
 - 2. Lot Coverage.** The lot coverage defined by the Airport Land Use Plan applies if after reviewing the Airport Land Use Plan as applied to the entire affected zone and not just those parcels within the Town of Windsor, it is more restrictive than otherwise required by this Chapter for the primary zoning district or by Article 3 (Site Planning and General Plan Development Standards). (Revised 03/5/03, ORD. 2003-164)
 - 3. Intensity of Use.** Intensity of proposed uses within the _ “AS” overlay shall be defined by the Airport Land Use Plan. Prior to issuance of any Building Permit on commercial properties in the AS overlay, the Town may require the property owner to execute and record an agreement or similar legal instrument limiting the number of employees and type of business to those allowed by the Airport Land Use Plan. (Revised 03/5/03, ORD. 2003-164)
 - 4. Noise mitigation.** Proposed structures shall be designed and constructed to provide noise insulation to reduce interior noise levels to the community noise equivalent level (CNEL) recommended by the Noise Element of the General Plan.
 - 5. Aviation easements, noise agreements.** Prior to the Town’s issuance of any Building Permit, the approval of a Tentative Map, or the approval of a land use permit in compliance with this Zoning Ordinance, the property owner shall enter into an agreement with the County of Sonoma granting any necessary aviation easements for aircraft over flight, and acknowledging and permitting the ongoing exposure of the site to aircraft noise. The property owner shall record the agreement/easements with the Sonoma County Recorder.

27.16.040 - Flood Hazard (-F) Overlay District

- A. Purpose.** The -F overlay zoning district is applied to areas within the Town prone to flooding, to protect people and property by requiring that proposed development and new land uses be designed and constructed so as to minimize the risk of flood damage, and to not increase the flood hazard on other properties.
- B. Applicability.** The -F overlay zoning district is applied to areas determined to be at risk for flood hazards identified on the maps prepared by the Federal Emergency Management Act (FEMA), and to other areas that may be identified by the Town Engineer as being subject to flooding.
- C. Allowed land uses.** Any land use normally allowed in the primary zoning district by this Article may be allowed within the -F overlay district, provided that the land use is also in compliance with development standards identified below and other applicable development standards required by this ordinance, Article 3, (Site Planning and General Development Standards).
- D. Development standards.** Development and new land uses shall comply with the following requirements, to prevent encroachment of flood waters on adjacent properties, and prevent undue increases in flood heights and danger to life and property within this and adjoining districts.
1. New residential, commercial, and industrial structures will be permitted, if designed, constructed and utilized so that appreciable flood damage will not occur. No basements in buildings will be allowed to be constructed below ground level and the lower floor of structures will be elevated a minimum of one foot above the flood profile level. All foundations shall be constructed to withstand or resist water or water pressure, and the top of foundations shall be six inches above the flood profile level. On parcels not being subdivided nor involving more than a one acre development site, the Town Engineer will assist applicants for building permits in locating the flood profile levels. Subdivisions will be allowed provided that all of the area to be subdivided is filled to the elevation of the selected flood profile level prior to platting, and all development conforms to Federal flood insurance regulations and programs.
 2. Any structure permitted shall be flood-proofed to the satisfaction of the Town Engineer and consistent with Federal requirements, and located so that it will minimize obstruction to water flow.
 3. Where the Town determines that topographic data, engineering studies, or other professional studies are needed to determine the effects of flooding on a proposed structure, or the effect of the structure on the floodway, the Town may require the applicant to submit requested studies prepared by qualified professionals.

27.16.050 – Historic Overlay (-HO)

- A. Purpose.** The HO overlay is applied to protect structures, sites and areas that are reminders of past eras, events, and people important to the history of the Town. These areas provide significant examples of architecture and styles of the past, which are irreplaceable assets to the Town. These cultural resources are reminders of the Town’s unique heritage and its place in the development of the state and nation.
- B. Applicability.** The HO overlay is applied to areas that have been identified as having special historical, architectural, or aesthetic interest or value.
- C. Allowed land uses.** Any land use normally allowed in the primary may be allowed in the HO overlay, provided that the land use is also in compliance with applicable development standards within the Zoning Code and the development standards identified below.
- D. Destruction of Site.** If the designated site or structure is demolished or destroyed by 50% of greater due to a natural disaster or occurrence (i.e. earthquake, fire, etc.) the owner may obtain a building permit to remove the structure if it posed an immediate health or safety issue, without first obtaining a discretionary permit. Remodeling the site or structure to something other than its original façade would require at a minimum a minor use permit. The Planning Director shall have the discretion of determining the appropriate permit process.
- E. Permit Requirements.** Due to the historical significance of the structures, sites, or areas a proposed development within the HO overlay shall be subject to the following:
1. Any new development shall be subject to the permitting process of the underlying zoning district. The development project will be subject to environmental review consistent with the California Environmental Quality Act (CEQA). Appropriate mitigation measures shall be required for any significant impacts identified.
 2. Alterations or demolition shall be subject to the Minor Use Permit process. At the discretion of the Planning Director these items may be referred to the Planning Commission for consideration.
 3. Interior renovations, re-roofs, and similar minor alterations are subject to administrative review and direction by the Planning Director.
- F. Development standards.** Development and new land uses within the HO overlay zone shall comply with the following requirements, to assure that alterations and/or use does not alter or destroy the significance of the architecture and style that is being protected. Refer to Section 27.20.060 – Historic Conservation and Preservation for additional criteria and standards.
1. Any structure, site, or area that has the HO overlay zoning shall be subject to the Use Permit process for development and/or demolition.

2. Efforts shall be made to incorporate the existing use into any new development of the site.
3. Development is encouraged to reuse architectural or historical buildings in a manner that preserves their historic architectural merit.
4. Development is subject to the Historic Conservation and Preservation Standards as provided in Section 27.20.060.
5. Development proposal shall be referred to the Northwest Information Center of the California Archaeological Inventory, Sonoma State University for review and recommendations.
6. Preservation, restoration, rehabilitation, alteration, and reconstruction are subject to the California Historical Building Code.
7. The Town may request the expertise of a design professional with a background in historic preservation to provide review and recommendations on development applications.

(Revised 03/5/03, ORD. 2003-163)