

ORDINANCE NO. 2008-231

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
AMENDING SECTION 27.40.030 OF THE ZONING ORDINANCE TO
REQUIRE COMPLIANCE WITH THE GROWTH CONTROL ORDINANCE**

The Town Council of the Town of Windsor does ordain as follows:

Section 1. Findings.

A. The Town Council adopted Ordinance 2007-226 on December 5, 2007, comprehensively updating the Town's Growth Control Ordinance.

B. Ordinance 2007-226 requires compliance with the Growth Control Ordinance before any Residential Development Application, as defined, can be deemed complete for processing.

C. The Town Council wishes to include a related provision in the Zoning Ordinance requiring compliance with the Growth Control Ordinance prior to submitting an application for any residential dwelling units.

Section 2. Section 27.40.030.C of the Town of Windsor Zoning Ordinance is amended to read as follows.

"27.40.030.C – Compliance with Growth Control Ordinance.

Any application for proposed residential dwelling units, whether through subdivision or non-subdivision application, shall include evidence of compliance with the Growth Control Ordinance, section 16-4.100 et seq., either through Reserved Allocations, exemption, or waiver. No application for proposed residential dwelling units shall be deemed complete until and unless the requirements of the Growth Control Ordinance have been met."

Section 3. Existing paragraphs C. and D. of Section 27.40.030 are relettered as paragraphs D. and E., respectively.

Section 4. California Environmental Quality Act ("CEQA").

The Town Council finds that this Ordinance is not subject to CEQA under the general rule in CEQA Guidelines section 15061(b)(3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment, either directly or indirectly.

Section 5. Severability.

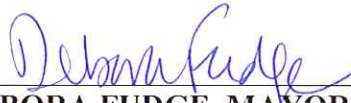
If any section, subsection, sentence, clause or phrase or word in this Ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council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

Section 6. Effective Date and Publication.

This Ordinance shall take effect thirty (30) days from its passage. Before the expiration of fifteen (15) days after its passage, this Ordinance, or a summary thereof, as provided in California Government Code Section 36933, shall be published at least once in a newspaper of general circulation published and circulated in the Town of Windsor. A certified copy of the full text of the Ordinance will be posted in the office of the Town Clerk within fifteen (15) days of its adoption.

PASSED, APPROVED AND ADOPTED this 5th day of March 2008 by the following vote:

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


DEBORA FUDGE, MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK