RESOLUTION NO. 4008-25

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR AUTHORIZING THE TOWN MANAGER TO EXECUTE: (1) AN INCLUSIONARY HOUSING AGREEMENT BETWEEN THE TOWN OF WINDSOR AND FALCON POINT BOLTEN HEMBREE LLC; (2) AN AFFORDABLE HOUSING REGULATORY AGREEMENT BETWEEN THE TOWN OF WINDSOR AND THE HOUSING LAND TRUST OF SONOMA COUNTY (HLT) ENTITLED "AFFORDABLE HOUSING AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS WITH OPTION TO PURCHASE" (REGULATORY AGREEMENT); AND ACCEPTING THE PERFORMANCE DEED OF TRUST ISSUED BY HLT FOR INCLUSIONARY HOUSING UNITS IN THE OLD REDWOOD HIGHWAY VILLAGES PROJECT LOCATED AT 6114 AND 6122 OLD REDWOOD HIGHWAY APNS 163-172-019, 163-172-020, AND 163-172-021 / FILE NO. 21-21

WHEREAS, on November 2, 2022, the Town Council approved a rezone with revisions to existing Planned Development standards, and approved a 28-lot Tentative Subdivision Map and Site Plan and Design Review for the Old Redwood Highway Villages project located at 6114 and 6122 Old Redwood Highway; and

WHEREAS, on December 12, 2023, the Planning Commission approved a minor change to the Tentative Subdivision Map to add one lot for a total of 29 single-family residential lots (with three private common open space parcels) (the "Project"); and

WHEREAS, the Town of Windsor Inclusionary Housing Ordinance requires the project to include 10% affordable units or pay inclusionary housing in-lieu fees; and

WHEREAS, the developer has elected to provide three moderate income units out of the 29 units to be constructed; and

WHEREAS, the Housing Land Trust of Sonoma County ("HLT") will take title to the properties containing the inclusionary housing units in order to enter into ground leases with purchasers and administer the inclusionary housing regulatory requirements applicable to the units; and

WHEREAS, prior to the purchase of the first inclusionary housing unit, the Town is required to approve an agreement with HLT to allow for the recordation of covenants and to impose terms and conditions to enforce the inclusionary housing requirements; and

WHEREAS, adoption of this Resolution is in compliance with the terms of the Inclusionary Housing Ordinance and will allow the Developer and HLT to enter into subsequent agreements necessary to fulfill the inclusionary housing requirements applicable to the Project; and

WHEREAS, no further environmental review is required because a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) were adopted for the Project and because the approvals granted in this resolution are ministerial actions being made in furtherance of the Project and in compliance with the Inclusionary Housing Ordinance.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor hereby authorizes the Town Manager to execute an Inclusionary Housing Agreement, Affordable Housing Regulatory Agreement, and Performance Deed of Trust for the Old Redwood Highway Villages project.

PASSED, APPROVED AND ADOPTED this 19th day of February 2025, by the following vote:

AYES:	**COUNCILMEMBERS LEEP, SALMON, WALL, VICE MAYOR POTTER AND MAYOR REYNOZA**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**NONE**

ROSA REYNOZA, MAYOR

ATTEST:

IRENE CAMACHO-WERBY, TOWN CLERK