

TOWN OF WINDSOR AGENDA REPORT

Joint Windsor Town Council, Windsor Redevelopment Successor Agency and Windsor Water District Meeting Date: August 5, 2026

To: Mayor and Council Members
From: Kim Voge, Planner III
Subject: Consideration of Amendments to the Gas Station Ban Ordinance

Recommendation to Council:

Provide input to staff on potential revisions to the Town of Windsor Gas Station Ban Ordinance.

Strategic Plan Element:

The recommended action supports the goals of Fiscal Health and Livability. Goal Statement: Ensure the economic health and long-term financial viability of the Town. Goal Statement: Preserve community character by maximizing the use of existing amenities and creating future opportunities that enhance quality of life for all.

Background:

The Town Council requested that staff bring forward options to consider for potential amendments to the Gas Station Ban ordinance. The express intent of this request is to explore the potential to attract new large-format retail business, with Costco cited by Council as an example, to expand the Town's sales tax base. This section provides the history leading up to the Town's enactment of the Gas Station Ban ordinance and several key events that followed.

In 2009, the Sonoma County Regional Climate Protection Authority (RCPA) was formed to coordinate climate protection efforts among the County of Sonoma, the nine local municipalities, and multiple partner agencies. The Town Council is responsible for designating a sitting Council member to represent the Town as a voting member of the RCPA Board of Directors; Council member JB Leep is currently assigned.

On April 4, 2018, the Town Council adopted the 2040 General Plan, which states that the Town places a high value on environmental resources. The General Plan includes numerous policies to reduce greenhouse gas (GHG) emissions and promote energy efficiency to curtail the impacts of climate change.

On September 4, 2019, the Town Council declared a Climate Emergency and directed staff to update and prioritize implementation of the General Plan and GHG Emissions Reduction Action Plan to attain GHG emissions reductions and zero net carbon emissions by the year 2030 pursuant to Resolution No. 3548-19 (Attachment 2).

On September 23, 2020, the Governor of California signed Executive Order N-79-20, initiating a phase-out of gas-powered vehicles, and setting a target for all new passenger cars and trucks sold in California to be zero-emission vehicles (ZEV) by the year 2035.

On March 1, 2021, the City of Petaluma became the first municipal government in the country to adopt

a prohibition on new gas station land uses within the city's boundaries.

On September 13, 2021, RCPA recommended that all local jurisdictions in Sonoma County stop accepting applications for new gas stations and expansion of existing fossil fuel infrastructure at existing gas stations, pursuant to RCPA Resolution No. 2021-003 (Attachment 3).

On November 3, 2021, the Town Council considered RCPA's recommendations and directed staff to bring forward policy amendments for a Town-wide ban on the construction of new gas stations and expansion of fossil-fuel infrastructure at existing gas stations.

On August 25, 2022, the California Air Resources Board (CARB) approved the Advanced Clean Cars II (ACC II), which went into effect on November 30, 2022. The purpose of the ACCII was to implement and codify the goals of the Governor's Executive Order N-79-20. These regulations required automakers to ramp up sales of zero-emission vehicles (ZEV), starting with a target of 35% of new passenger vehicle sales by 2026 and scaling up to 100% by 2035.

On September 7, 2022, the Town Council adopted Ordinance 2022-366 (Attachment 4), banning the construction of new gas stations and the expansion of fossil fuel infrastructure at existing gas stations within the Town of Windsor.

In the years from 2021-2025, most jurisdictions within Sonoma County adopted gas station ban ordinances, including Santa Rosa, Petaluma, Rohnert Park, Cotati, Sebastopol, and the County of Sonoma. All jurisdictions in Napa County have adopted gas station ban ordinances, including Napa, Calistoga, Yountville, St. Helena, and American Canyon. Other North Bay jurisdictions with gas station bans include Novato, San Anselmo, and Fairfax.

In May 2025, the Federal government rescinded the Clean Air Act waiver for the Advanced Clean Cars II (ACC II) program. CARB then suspended the implementation of ACC II while litigation plays out between the State and the Federal Government.

On February 4, 2026, the Town Council amended the 2040 General Plan Environmental Resources Element and adopted a GHG Consistency Checklist to streamline the environmental review process, pursuant to Resolution No. 4060-26 (Attachment 5). The General Plan policy amendments included deleting outdated references; updates for clarification (providing examples and identifying monitoring timelines and implementation responsibilities); updates to reflect current best practices, changes in technology, and additional opportunities to reduce GHG; and updates to the GHG targets for implementation.

At the April 1, 2026, meeting of the Town Council, during the Requests for Future Agenda Items portion of the meeting, there was support from a majority of Council members to bring the gas station ban back before the Council for reconsideration and discussion.

Discussion:

Two reasons were given to consider amending the Town's gas station policies. One reason is the current Federal suspension of State targets and policies for EV passenger vehicle sales. The second reason is to support the ongoing effort to consider all options to address the Town's structural budget deficit. For this purpose, the idea has been raised that relaxing the ban could make the Town more competitive for large-format retail. Regardless of any changes to local sales taxes on gas purchases, the potential sales tax revenues to the Town from a large-format retailer of that scale could be significant.

What is the Potential for a Large-Format Retail in Windsor?

While Costco has not communicated directly to Town staff an interest in developing a new store in Windsor, Economic Development staff has had conversations with commercial brokers and other intermediaries who indicate the company may have interest in the Windsor market. Those conversations have also covered the company's general site and development requirements. Among them, an accessory fuel station is treated as essential to any new store, and locations that cannot accommodate fueling are generally not pursued. Staff has not received confirmation of these requirements from the company directly. If such a retailer were interested in developing a new store in Windsor, a commercial site that is approximately 15 acres or more would likely be required. Table 1, below, provides additional information on the only two undeveloped commercial/industrial parcels in Windsor meeting that criterion.

Table 1. Review of Large Commercial and Industrial Sites

Parcel Information	Parcel 1. 10860 Old Redwood Highway APN 086-170-045	Parcel 2. 895 Shiloh Road APN 163-130-033
Parcel Size	Approx. 15 acres	Approx. 39 acres
General Plan	Gateway Commercial	Light Industrial
Zoning	Gateway Commercial	Light Industrial; Flood Hazard Overlay; Airport Safety Overlay
Planning Considerations	Zoning Text Amendment to allow an exception for gas stations that are accessory to large retail in Gateway Commercial zoning district	General Plan Amendment and Rezone from Light Industrial to Gateway Commercial; Zoning Text Amendment to allow an exception for gas stations that are accessory to large retail in Gateway Commercial zoning district
Environmental Considerations	Access/circulation, VMT, GHG, AQ, creeks, flooding, riparian habitat, wetlands, biological resources, including special status plants and animals, wildlife corridor, historic and/or cultural resources, tribal resources, traffic noise, hazardous materials	Access/circulation, VMT, GHG, AQ, creeks, riparian habitat, wetlands, biological resources, including special status plants and animals, wildlife corridor, California Tiger Salamander, cultural resources, tribal resources, traffic noise
Anticipated CEQA Document	Subsequent EIR. (An EIR was previously adopted for a proposed car dealership on this parcel.)	Environmental Impact Report.

Depending upon the Council's direction, the Town could plan to accommodate a large-format retailer with an accessory gas station in various ways. The simplest path would be to amend the Zoning Code to allow exceptions within the Gateway Commercial zoning district for gas stations that are accessory to large retail businesses. This would allow a development application for a large-format retailer with an accessory gas station on Parcel 1, subject to design review and environmental review, both of which are Planning Commission-level decisions. Parcel 2 would need a General Plan Amendment to change the land use designation from Light Industrial to Gateway Commercial, which would add a legislative decision at the Council level, in addition to the required Planning Commission review and

recommendations. Because both parcels have significant environmental constraints, an environmental impact report would be anticipated for this type of project on either parcel.

It should be noted that this analysis is limited to commercial and industrial sites. The development path for a large retailer in residential areas is much more complex, due partly to the fact that the Town is generally prohibited from "downzoning" or reducing planned residential densities, but the potential for development exists.

Options

Several options are outlined below for discussion:

1. Retain the gas station ban ordinance with no amendments
2. Rescind the gas station ban ordinance in full
3. Amend the Zoning Code to allow a gas station that is accessory to large retail in the Gateway Commercial Zoning district
4. Other

Performance Standards/Mitigation

Through the planning and environmental review process, it may be possible to identify a set of criteria, performance standards and/or self-mitigating conditions of approval for exceptions to the gas station ban, such as:

1. Maximum # of pumps to qualify for the exception
2. Minimum retail sf to qualify for the exception
3. CalGreen Tier 2 Electric Vehicle (EV) standards
4. Other mitigation measures related to VMT, GHG, air quality, groundwater, stormwater quality, etc.

Public Comments

At the time of this report, one public comment was received from the California Fuels & Convenience Alliance (Attachment 6). The letter requests consideration of a full repeal of the Gas Station Ban Ordinance for the purposes of economic development and equal opportunity.

Fiscal Impact:

This agenda report is provided for the purpose of discussion; no decision will be made and there will be no fiscal impact. Broadly speaking, relaxing the gas station ban likely would increase local sales taxes. If exceptions to the gas station ban are targeted to allow large scale retail, there is the potential to keep more sales taxes local by reducing the Town's identified "retail leakage" to adjacent communities.

Environmental Review:

Environmental review is not required at this time, because no action will be taken. An informational report is not a "project" that is subject to the California Environmental Quality Act (CEQA). Any direction for changes to the Town's gas station ban ordinance would be analyzed for CEQA compliance prior to a future decision.

Attachment(s):

1. [Map of Large Commercial and Industrial Parcels](#)
2. [Reso 3548-19 Climate Emergency Resolution](#)
3. [RCPA Reso 2021-003 Gas Station Ban](#)
4. [Ordinance 2022-366 Gas Station Ban](#)
5. [Reso 4060-26 General Plan GHG Policy Amendments and GHG Consistency Checklist](#)
6. [California Fuels and Convenience Alliance Letter 2026-06-15](#)

13.2 Correspondence Received (Distributed 2026.08.03)
13.2 Correspondence Received (Distributed 2026.08.03)
13.2 Correspondence Received (Distributed 2026.08.05)
13.2 PowerPoint (Distributed 2026.08.05)

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