

23 September 2022

Town of Windsor
9291 Old Redwood Highway
Windsor, CA 95492

RE: Comment on Windsor's 6th Cycle draft Housing Element

Dear Honorable City Council and City Planning Department:

Generation Housing is leading the movement for more, more affordable, and more diverse housing in Sonoma County. We champion effective policy, sustainable funding resources, and collaborative efforts to create an equitable, healthy, and resilient community for everyone.

We are grateful for the opportunity to play an active role in the review process for the Town of Windsor's ("Windsor") 6th Cycle draft Housing Element. We know this is a massive undertaking for any planning department, and so we thank you in advance for your meaningful consideration of the comments submitted herein prior to remitting your draft to the California Department of Housing and Community Development ("HCD").

Community Outreach

We were grateful to play a role in the one-on-one stakeholder consultation process. However, we feel that the scale of engagement was narrow in scope and excluded key community partners. Specifically, we would have recommended consulting Legal Aid of Sonoma County, Corazón Healdsburg, NAACP Santa Rosa-Sonoma, SHARE Sonoma County, Community Action Partnership of Sonoma County, and other community organizations that provide services for lower-income households and marginalized populations in Windsor. During the HCD 90-day review period, we strongly encourage you to solicit input from these organizations and incorporate their perspectives into the document.

Housing Goals, Policies, and Programs

We are pleased with the overall direction of Windsor's housing goals, policies, and programs. We have identified the following noteworthy aspects, some positive, some less so.

1. We are generally in support of Program H-8: Innovative Housing Options. While not explicitly articulated in this part of the document, this program appears intended to help drive a diversity of middle-income, "Missing Middle," plex-type housing that will be more attainable on the for-sale market to Windsor's workforce and families. However, if you strictly adhere to the [MissingMiddleHousing.com](https://www.missingmiddlehousing.com) "definition" of what

types of housing fall into this category, you'll find tiny homes are not included. Moreover, the document omits any sort of explanation or clarity around Windsor's definition of a tiny home. A tiny home is often categorized as a Junior Accessory Dwelling Unit (JADU). We recommend removing the usage of tiny home from the document or placing it under a different program.

We strongly support the town's commitment to streamlining this type of development, especially given that, per our [State of Housing in Sonoma County](#) report, over 90 percent of owner-occupied homes in Windsor are single family homes.

2. **H-1.2 Encourage a Range of Housing Types.** *"The Town shall encourage development of a range of housing types affordable to various income groups, including single-family and multifamily dwellings, "move-up" housing, senior housing, secondary and other smaller units, and special needs housing."*
 - We recommend removing or replacing "move-up" housing. If this is a reference to middle-income or "Missing Middle" housing, we recommend using those terms for clarity and consistency in the document.
3. **H-7.2 VMT Reduction.** *"The Town shall establish a development pattern that helps reduce vehicle miles traveled (VMT) and promotes transit ridership, and pedestrian and bicycle access."*
 - The general idea behind this policy is understood and certainly consistent with our values and goals. However, HCD is known for rejecting vague language. More clarity around the type of "development pattern" is recommended (e.g. [Woonerf-designed streets](#)) and warranted given the critical role transit-oriented development plays in a comprehensive climate action plan.
4. **Program H-7: Promote Accessory Dwelling Units.** We welcome Windsor's commitment to partnering with Napa Sonoma ADU to drive production of ADU's and JADU's. Please consider the following amendments to the language.
 - First bullet point (4-16), please remove "consider" and replace it with "commit" or a similar binding word. Scaling the number of pre-reviewed plans can greatly improve the likelihood of successfully meeting your ADU/JADU targets.
 - Tenth bullet point (4-17), please replace "Explore" with "Identify and Implement." Napa Sonoma ADU has already generated a number of proposals for incentivizing deed-restricted ADU's that have been tested and proven successful in other jurisdictions.
 - Please consider offering an amnesty program for non-permitted ADU's and JADU's.
 - Please consider dedicating someone on the planning team to solely supporting ADU/JADU education, permit processing, and other programmatic work.
5. **H-13: Housing Local Community Land Trust Program.** We strongly support the work of Housing Land Trust of Sonoma County ("HLTSC"). Please integrate all comments and recommendations submitted by HLTSC into this document.
 - We are confused by this program to some extent, however, because it states, *"The Town shall investigate development of a Community Land*

Trust program for Windsor to determine its feasibility and affordable housing production possibilities". Why would Windsor pursue their own program when an existing, successful, county-wide entity already exists?

- We recommend exploring options to bolster the work of HLTSC rather than expending scarce resources around researching and possibly launching a duplicative entity. If that is not the intent of this program, please augment the existing language to provide more clarity.
6. **H-14: Housing Webpage.** Given the urgency of our housing crisis, we *strongly* urge prioritizing the creation of this housing webpage.
- Please commit to having this available on your website by no later than June 2023. Aggregating housing tools and resources is a top priority. Among other things, it can allow you to make available the library of information Napa Sonoma ADU has prepared to help spur ADU/JADU development.
7. No reference is made in this draft to the state's new [Prohousing Designation Program](#) ("PHD"). The PHD is a tremendous opportunity for: (1) new local housing policies that drive real systems change with generational impact for our most vulnerable; (2) attraction of significant affordable housing and infrastructure funding; increased production of high-quality, affordable homes; and (3) the resulting improved economic stability and health and educational outcomes of our residents, strengthening our local economy, reducing traffic, and reducing our greenhouse gas emissions.
- We strongly recommend incorporating a commitment to securing the PHD during the 6th cycle. In the immediate short run, it can offer a distinct advantage in terms of priority processing or funding points when applying for several funding programs such as the [Infill Infrastructure Grant \(IIG\)](#) and the [Affordable Housing and Sustainable Communities Program \(AHSC\)](#).

Site Inventory and Analysis

After reviewing the proposed 6th cycle low-income housing sites relative to the California Tax Credit Allocation Committee ("TCAC") [Opportunity Map](#), the site inventory appears compliant with the criteria for Affirmatively Furthering Fair Housing ("AFFH"). We appreciate Windsor's commitment to ending the cycle of segregation and driving vibrant, integrated neighborhoods.

While reviewing this section, we discovered the following errors and other issues of concern that we would like to flag for your team:

1. **Meeting the RHNA (4-165)**
 - Table 6.7 appears to have a mislabeled 7th column. As the narrative above this table indicates, Windsor has a **surplus** of [Available Site Capacity](#), *not* a shortfall. "Available" is also misspelled in the title.
 - Please add the buffer percentages for each income category. See the City of Sebastopol's [draft](#) housing element for an example. (Table 7, Page 26)
2. HCD's [Housing Element Sites Inventory Guidebook](#) (Page 22) states "that in order to ensure that sufficient capacity exists in the housing element to

accommodate the RHNA throughout the planning period, it is **recommended the jurisdiction create a buffer in the housing element inventory of at least 15 to 30 percent more capacity than required, especially for capacity to accommodate the lower income RHNA.** Jurisdictions can also create a buffer by projecting site capacity at less than the maximum density to allow for some reductions in density at a project level.”

- Presently, the combined site inventory for accommodating very low and low RHNA has a buffer of only 11 percent. RHNA in the moderate income category has a much lower buffer of 5 percent (See Table 6.7, Page 4-165).
- We recommend rezoning some sites and increasing the buffer for those income categories. If you pursue the Prohousing Designation, 3 points will be awarded if you have sufficient sites to accommodate 150 percent or greater of the current or draft RHNA, whichever is greater, by total or income category.

Housing Constraints and Incentives

We are pleased to see that plans to update elements of the Zoning Ordinance will be completed by December 2022. As indicated in the document, the multifamily residential parking requirements are a significant constraint to development and need to be lowered. This action would align with Windsor’s stated commitment of encouraging a more transit-oriented, climate conscious, walkable and bikeable town.

Parking

With respect to the parking requirements, we encourage the town to consider allowing the unbundling of parking for all residential developments, and not just those that fall within the sphere of the [Windsor Station Area Specific Plan](#). The passage of [AB 2097](#) now eliminates parking minimum requirements statewide for new housing developments within a half-mile of a train, ferry, major bus hub, or other rapid transit as defined by law. Undoubtedly, this will augment some of the planning for the community.

Tree Preservation and Protection Ordinance

The section titled “Tree Preservation and Protection Ordinance” (4-189) has an error in the last sentence of the second paragraph. Please amend for clarity. In addition to offering payment of in-lieu fees to the Oak Tree Fund, we encourage the option for off-site planting to be an allowable alternative. Moreover, if it improves feasibility early on of a residential development being built, we encourage allowing the option of a delayed replacement.

Impact Fees

No reference is made to the landmark legislation, AB 602. When triggered, provisions in AB 602 would automatically require that impact fees be updated from a per unit assessment, to a proportional or square footage assessment. This ensures that smaller individual homes pay smaller fees. It also incentivizes the development of more naturally-affordable, or “affordable-by-design” housing. We strongly encourage prioritizing this switch to better enable the feasibility of these residential developments.

Local Process and Permit Procedures

A prolonged entitlement process adds uncertainty to the development timeline and has the potential of significantly increasing the cost associated with a project. While the document does acknowledge this as a constraint, it does not utilize language that otherwise suggests a strong commitment to removing these barriers.

- *"...the Town will consider expediting the review for developments offering lower- and moderate-income housing as an incentive to production." (4-182)*
- We urge the town to replace that sentence with the following:
 - *"...the Town will commit to expediting the review for developments offering lower- and moderate-income housing as an incentive to production."*
- This sentence is problematic as well – *"In general, however, developers interviewed in the past indicated that the Town's entitlement timeline is largely in line with other jurisdictions in the area."*
 - The language is vague and no comparison is offered. Furthermore, this statement provides no specific details as to when developers last offered this input.

After completing our review of the governmental constraints, we are left with the following questions for your consideration:

1. On Page 4-189, the Town states they have developed an application for SB9 lot splits and units that is supported by an FAQ. Where is this information living on Windsor's website?
2. Are the permitting timelines found on Page 4-186 realistic? Can examples be offered?
3. Are the land use requirements outlined in Table 7.3 (Page 4-170) reasonable relative to other jurisdictions?

Thank you again for your work around this important opportunity. We recognize the enormous resource drain that the Housing Element demands, especially for a smaller planning department in a town such as Windsor. Moving forward, we welcome the opportunity to further engage in the completion, approval, and implementation of this plan.

Should you have any questions or concerns about the comments shared in this letter, please feel free to contact our Policy Director, Calum Weeks, at calum@generationhousing.org.

Respectfully,


Jen Klose
Executive Director | Generation Housing