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**FINAL DRAFT**

## 2008 HOUSING ELEMENT UPDATE

Prepared for:

City of Winters

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June 17, 2009

EPS #18438

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# I. INTRODUCTION

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## PURPOSE

The State of California (State) requires all local jurisdictions to plan to provide housing for every segment of the local population. Each jurisdiction has a responsibility to institute policies and programs designed to encourage the provision of housing that is affordable to its citizens. As stated in Government Code 65580 (d):

*Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.*

To meet this affordable housing planning requirement, every jurisdiction prepares a Housing Element section of its General Plan. The Housing Element is just one of seven mandated General Plan elements.

The City of Winters' (City's) prior Housing Element was prepared by Parsons in December 2004, reviewed by the State Department of Housing and Community Development (HCD) in March of 2005 and found in compliance with State law. Economic & Planning Systems, Inc., (EPS) was retained by the City to prepare this 2008 update. Some of the information from the 2004 update has been carried forward into this Housing Element as the information did not require revision.

State law requires that Housing Elements be periodically reviewed and updated. As with all incorporated jurisdictions within the Sacramento Area Council of Governments' (SACOG's) jurisdiction, this Housing Element Update is required to cover the planning period which began January 1, 2006, and ends June 30, 2013, (Planning Period). The City's prior Housing Element reported accomplishments through 2002. This Housing Element reports the City's accomplishments from 2002 through 2007.

## CONTENTS

The Housing Element of the General Plan is a comprehensive statement by the City of its current and future housing needs and proposed actions to facilitate the provision of housing to meet those needs at all income levels. The policies contained in this Housing Element are an expression of the statewide housing goal of "attaining decent housing and a suitable living environment for every California family," as well as a reflection of the unique concerns of the community. The purpose of the Housing Element is to establish specific goals, policies, and objectives relative to the provision of housing, and

to adopt an action plan toward this end. In addition, the Housing Element identifies and analyzes housing needs, and resources and constraints to meeting those needs.

This Housing Element is based on seven strategic goals:

1. To designate adequate land for a balanced range of housing types and densities for all economic segments of the community;
2. To encourage the maintenance, improvement, and rehabilitation of the City's existing housing stock and residential neighborhoods;
3. To encourage energy efficiency in both new and existing housing;
4. To promote the production and construction of affordable housing;
5. To ensure the provision of adequate services to support existing and future residential development;
6. To promote equal opportunity to secure safe, sanitary, and affordable housing for all members of the community regardless of race, creed, color, religion, sex, marital status, ancestry, national origin, disability, age, or sexual orientation; and
7. To preserve existing affordable housing.

In accordance with State law, the Housing Element is to be consistent and compatible with other General Plan elements. In addition, Housing Elements are to provide clear policy and direction for making decisions pertaining to zoning, subdivision approval, housing allocations, and capital improvements. State law (Government Code Sections 65580 through 65589) mandates the contents of the Housing Element. By law, the Element must contain:

- An assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs;
- A statement of the community's goals, quantified objectives, and policies relevant to the maintenance, improvement and development of housing; and
- A program that sets forth a schedule of actions that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element during the Planning Period.

The housing program must also identify adequate residential sites available for a variety of housing types for all income levels; assist in developing adequate housing to meet the needs of low- and moderate-income households; address governmental constraints to housing maintenance, improvement, and development; conserve and improve the condition of the existing affordable housing stock; and promote housing opportunities for all persons.

This Housing Element is supported by the 2008 Housing Needs Assessment which provides the data and analysis required by State Housing Element law.

Although, by nature of the State mandate, the Housing Element tends to focus on the affordability and availability of housing for extremely low-, low- and moderate-income households and families, the Housing Element must also address the housing needs and related policy issues for the entire community, and be consistent with the adopted policies of the rest of the General Plan. For these reasons, the focus of the updated Element will be on policies and programs that can balance the desire of residents to maintain the character of residential neighborhoods, manage traffic, and minimize visual and other impacts of new development, while addressing the needs of extremely low-, low- and moderate-income households and special needs groups (such as seniors and individuals with disabilities). This balance will require the City to examine strategies to accommodate higher density housing, mixed use projects in commercial zones, infill developments, and second units without sacrificing other legitimate community goals.

## II. EVALUATION OF 2002 HOUSING ELEMENT ACHIEVEMENTS

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The purpose of this chapter is to evaluate achievements under the policies and implementation programs included in the previously adopted Housing Element. The evaluation provides valuable information on the extent to which programs have been successful in achieving stated objectives and addressing local needs, and to which these programs continue to be relevant in addressing current and future housing needs in the City. The evaluation also provides the basis for recommended modifications to policies and programs and the establishment of new objectives in the Housing Element.

Overall, the City made great strides toward the creation of a comprehensive set of policies and programs to increase and preserve the supply of affordable housing. The following is a summary of several of the City's achievements under the prior Housing Element. A full analysis and evaluation of the City's prior Housing Element Implementation Programs is included below.

- ***Winters II:*** The City provided financial and administrative support for the Community Housing Opportunities Corporation (CHOC) sponsored new-construction rental project containing 34 units for very low-income families.
- ***Winters Apartments:*** The City provided financial assistance to preserve the 44-unit rental housing complex for very low-income households. The complex was in danger of converting from affordable to market rate rental.
- ***Cottages at Carter Ranch:*** Through the City's Inclusionary Housing Ordinance, the Carter Ranch developer constructed 30 units of affordable ownership housing. The City provided homebuyer assistance for 19 of the units which were purchased by very low- and low-income households.
- ***Senior Housing Rehabilitation:*** The City established a new program for low-income seniors, funded the rehabilitation of three units and is in the process of funding two more.
- ***First-Time Homebuyer Program:*** The City established a new first-time homebuyer program and provided soft second financing for six very low-income households and 13 low-income households in the Cottages at Carter Ranch subdivision.
- ***Housing Programs Manager:*** The City hired a full-time staff person to manage its housing programs and policies. The creation of this position will result in increased capacity for achieving the City's Housing Element goals.
- ***Overall Production:*** During the period of 2002 through 2007, an additional 108 affordable units were produced or preserved. During this six-year period, a total of 270 units were built in the City.

## PROGRAM EVALUATION

The program evaluation is a comprehensive list of the City's programs from the previous Housing Element with each Implementation Program followed by accomplishments made towards the goal set forth in the Implementation Program. The first number listed next to each program signifies the original program number. The number or phase listed below in parentheses is the new program number or the action taken on that program.

- II.1**      The City shall maintain the Affordable Housing Steering Committee (AHSC) to review housing projects of 50 or more units. The City shall encourage project applicants to receive concurrent reviews by the AHSC and the Development Review Committee (DRC). The AHSC shall also advise the City Council, Planning Commission, and Community Development Agency (CDA/redevelopment) on housing policy, City incentives to encourage production of affordable housing units above the minimum inclusionary housing requirements, housing policy implementation, and the allocation of the CDA's Tax Increment Housing Set-Aside Funds. The AHSC does not have the power to alter project review, design review, or development standards.
- (II.1)**

**Responsible Agency:**      City Council.

**Time Frame:**              Ongoing, 2002–2007.

**Achievements:**          *Winters Highlands Project:*  
In 2003 and again in 2005, the AHSC met with the developers of the Winters Highlands project, a proposed residential subdivision of 378 single-family housing units and 66 multifamily housing units. The AHSC members reviewed the affordable housing component of the project and provided input on the bedroom mix of affordable units, the amenities for the multifamily site, and other affordable housing aspects. Subsequently, the developers of the Highlands project relocated the multifamily housing site and reduced the number of units to 30. The Highlands project was approved by the Winters City Council in April 2006. The number of affordable single-family units was increased by 36 units to make up for the decrease in multifamily units.

*Anderson Place:*

In 2006, the AHSC met with the developer of Anderson Place. Anderson Place is a proposed residential subdivision to create 24 residential lots with a total of 28 residential units and 9 office suites. While AHSC review of the Anderson Place project was not required, the applicant requested a review. The AHSC reviewed the affordable housing component of the project, which will consist of a housing cooperative for the four affordable units.

*Orchard Village (formerly Village on the Park):*  
In 2006, the AHSC met with the attorney/project representative of the project now known as Orchard Village, a proposed residential subdivision to create 75 for sale, attached housing units. The AHSC reviewed the affordable housing component of the project and discussed the density of the project, the development of the property as a for-sale product, and the potential of constructing a portion of the affordable units as rentals.

In 2007, the AHSC also met with representatives of the Sacramento Mutual Housing Association (SMHA) at the August meeting to discuss development of the five-acre Orchard Village site for affordable housing.

*Almondwood Apartments:*  
In 2007, the AHSC met with the prospective buyer of the Almondwood Apartments, an affordable housing facility with an expiring use restriction, to discuss City CDA financial participation in the project. The apartment complex was constructed in 1983 under the Section 515 U.S. Department of Agriculture loan program and is at risk of converting to a market-rate facility.

*Other:*  
In 2007, the AHSC reviewed and commented on the DRAFT Housing Programs Planned Action

prepared by City staff. The AHSC discussed potential affordable housing projects/programs and available City CDA resources (Community Development Block Grant Program Income, HOME Program Income, redevelopment agency low and moderate housing bond proceeds, and redevelopment agency low and moderate housing tax increment).

**Conclusion:**

AHSC recommendations carry weight with the Planning Commission and the City Council. AHSC has two planning Commissioners among the five-member roster with one Councilperson attending as non-voting Council liaison

The 50-unit threshold has proved to be too high, and in practice, a threshold of 15 or greater units has been observed. This program will be revised such that the AHSC will review all residential projects subject to the City's Ordinance 94-10 (see below).

**II.2** The City shall continue to implement Ordinance 94-10 (aka Inclusionary  
**(II.2)** Ordinance), that requires at least 15 percent of all new units developed in the City to be affordable to very low-, low-, or moderate-income households. Development of the affordable units on-site will normally be preferred. When this is found to be infeasible or inappropriate, the City may allow off-site development of the affordable units, may accept in-lieu contributions of cash or land, or may approve a combination of these and other methods. The City shall provide regulatory and financial incentives geared to the financial need of each project including these:

1. A 25-percent density bonus for projects meeting requirements of the Density Bonus Ordinance 97-02 (as revised per Program II-3), General Plan Implementation II.3.
2. The use of housing set-aside funds to subsidize the production of very low-income units.
3. Assistance in accessing State or federal funding by lending support to such requests, priority permit processing for entitlements necessary to increase the competitiveness of a funding request, and providing documentation of housing needs that would increase the competitiveness of a funding request.

4. Modified development standards, such as for parking, setbacks, on- or off-site improvements, street improvement standards, and less stringent site plan (design review) requirements under the City's Planned Development Process.

**Responsible Agency:** City Council, CDA, Community Development Department.

**Time Frame:** Ongoing, 2002–2007.

**Achievements:** Completed Projects:

*Cottages at Carter Ranch:*

In 2003, the Winters Planning Commission approved a 30-unit, for sale affordable housing project. The Cottages at Carter Ranch was built to address the affordable housing requirements for the Carter Ranch project. The project was approved with a density bonus; and the developer was provided with reductions on building setbacks, street standards, parking requirements, and lot sizes.

In 2005, the City provided first time homebuyer assistance in the amount of approximately \$785,000 to 19 lower-income households (6 very low-income and 13 low-income households) that purchased homes in the Cottages at Carter Ranch Subdivision Phase I. The remaining 11 units were sold to moderate income households.

The homebuyer assistance was provided in the form of "silent" second loans. The loans are deferred for a period of 30 years; this covers both the principal and the 4-percent simple interest. The City funded the first-time homebuyer's assistance through redevelopment agency affordable housing tax increment, HOME Investment Partnership Act Program (HOME) Income, Community Development Block Grant (CDBG) Program Income, and developer contributions.

*Winters Village East*

There have been five units constructed. The City is negotiating with the developer for an in-lieu

fee for one unit. The affordable housing obligation is on hold pending the update of the in-lieu fee.

Pipeline Projects:

There are several residential development projects in the pipeline, all of which are subject to the City ordinance.

*Hudson-Ogando*: 5 very low, and 6 low/moderate.

*Callahan*: 7 very low, 7 low, and 4 moderate.

*Winters Highlands*: 26 very low, 25 low, 15 moderate.

*Creekside*: 1 very low, 2 low, 1 moderate, and 2 off site or in lieu.

**Conclusion:**

Ordinance 94-10 significantly impacts the increase of affordable housing in the City. The City needs to flesh out the requirements of the Ordinance and provide increased program and policy direction during the next Planning Period. The creation of a Housing Programs Manager position has increased the City's capacity to run a more comprehensive program.

**II.3** The City shall revise the Zoning Ordinance to meet current State law requirements for a density bonus; the State legislature adopted AB 1863 in 2002, which amends the density bonus law (Government Code Section 65915). The bill requires cities to grant a density bonus of at least 25 percent, and an additional incentive, or financially equivalent incentive(s), to a developer of a housing development agreeing to construct at least (1) 20 percent of the units for lower income households, (2) 10 percent of the units for very low-income households, or (3) 50 percent of the units for senior citizens.

**(II.3)**

If below market-rate units are included in a project pursuant to the density bonus program or other local, State, or federal requirements, the City shall require buyer/renter eligibility screening. The City shall require that assisted rental units remain affordable to very low- or low-income households for at least 55 years or the longest period required by the funding source(s) if more than 55 years. The City shall also adopt resale provisions for assisted ownership housing.

The City shall consult with Yolo County Housing (a California Housing

Authority), Mercy Housing, or CHOC to develop procedures and guidelines for establishing income eligibility, rent restrictions, and resale controls for the “reserved” units and for maintaining the “reserved” units as affordable units for the minimum specified period of time. Rent, resale, and occupancy restrictions shall be recorded as deed restrictions against the assisted residential property.

Based on consultation with Yolo County Housing, Mercy, or CHOC the City shall determine whether monitoring for compliance with affordability requirements shall be contracted to one of the three housing organizations or performed by the City.

Other incentives the City will consider in conjunction with density bonuses for low-income housing include these:

1. Zoning and development regulatory incentives;
2. Financial incentives; and
3. Waiver or modification of development standards.

The City will advertise the above incentives to developers or other interested parties through published information available at the Community Development Department’s counter, in the general development application packet, and on the local community access television channel.

**Responsible Agency:** City Council, Community Development Department, Yolo County Housing, Mercy Housing, and CHOC.

**Time Frame:** Adopt revised density bonus ordinance by November 2005.

Adopt implementing guidelines by December 2005 after consultation with one of the three housing organizations.

Apply affordability requirements to density bonus units as qualifying projects are proposed, 2002–2007.

**Achievements:** The City’s Zoning Ordinance was revised several years ago to provide for a density bonus of at least 25 percent and at least one other incentive for residential projects of five or more units which reserve at least 20 percent of their units for lower-income households, including elderly persons and families who meet the criteria for lower-income households.

In 2003, the Winters Planning Commission approved two density bonus projects: the 30-unit Cottages at Carter Ranch Subdivision and the 15-unit Winters Townhomes and Apartments. Incentives were provided to the developers of both projects; these incentives included reduced building setbacks, street standards, parking standards, and lot sizes.

**Conclusion:** The City has been following the requirements of current State Bonus Density Law; however, the City's Zoning Ordinance has not been updated to reflect the most recent amendments. The City will revise its Zoning Ordinance to bring it in compliance with State law during this Planning Period.

**II.4** Through the Zoning Ordinance, the City shall continue to allow secondary dwelling units in residential zones subject to criteria concerning floor area, relations to principal residence, required parking, and other features. Development of secondary residential units shall be encouraged through flexible application of the City's development standards. The City will market this program through an informational brochure distributed annually to single-family property owners:

1. Posted at City Hall, library, senior center, and public locations; and
2. Included annually in utility bill mailings.

To encourage homeowners to create second units with affordable rents for very low- and low-income households, the City shall waive the City impact fees in exchange for deed restrictions limiting rents and occupancy to very low- or low-income households for a minimum of 55 years. If redevelopment funds are not used, the affordability restriction shall be for a period of no less than 30 years.

**Responsible Agency:** City Council, CDA, Planning Commission, Community Development Department.

**Time Frame:** Amend Zoning Code by December 2005 to permit modifications to development standards to encourage the construction of secondary dwelling units.

Prepare brochure and information for utility mailing by January/February 2006 and distribute

annually thereafter.

Provide financial assistance as requested for qualifying rent-restricted second units.

**Achievements:**

While approximately 15 secondary dwelling units were constructed in the mid-1990s through 2002, no units were constructed in 2003 or 2004.

City staff did receive a couple of inquiries about secondary dwelling units in 2005, and staff provided information on the permitting and fee requirements. In 2006, staff worked extensively with a property owner interested in constructing a secondary dwelling unit at his property. Eventually, the property owner and staff were able to come up with a site plan that met the minimum secondary dwelling unit requirements, and the unit is under construction.

**Conclusion:**

The City has been acting in compliance with current State Law; however, the City's Zoning Ordinance will need to be revised to reflect current State requirements.

**II.5** The City shall continue to permit manufactured homes on permanent  
**(II.5)** foundations in all zones that permit single-family homes according to the same development standards as site-built homes.

The City shall continue to permit mobile home parks in residential zones consistent with the requirements of State law.

**Responsible Agency:** City Council, Planning Commission, Community Development Department.

**Time Frame:** Ongoing, 2002–2007.

**Achievements:** The City received a few inquiries about constructing manufactured homes in 2005. The prospective applicants were informed that manufactured homes placed on permanent foundations are permitted for single-family lots. In 2006, the City's Planning Commission approved a Site Plan (Design Review) application for locating a manufactured home on a single-family lot. A second Site Plan for locating a

manufactured home on a single-family lot was submitted and considered by the Planning Commission in January 2007. In both instances, City staff worked with both manufactured home applicants to ensure that they understood the permitting requirements. For the second applicant, staff met with the applicant on at least five different occasions to advise the applicant of the requirements for the applicant's project. City staff also had several contacts with the applicant's permitting consultant.

The City permitted one manufactured home in 2007 after the Planning Commission approved the Design Review application for the residence and detached garage. The project was completed in 2007 after the home was installed on a permanent concrete foundation. The City's Building Official worked extensively with the property owner's general contractor to ensure a successful project.

**Conclusion:**

The use of manufactured housing as opposed to site-built can decrease the cost of new homes. While there were not many units produced as a direct result of this program, it remains important to the City as a tool to achieve housing affordability.

The City will revise this program to incorporate pending changes to the Zoning Ordinance which will specifically mention mobile homes and factory built homes as being permitted in residentially zoned areas.

**II.6** The City shall continue to allow for the development of duplexes on corner  
**(II.6)** lots as a permitted use within the single-family zoning designation (R-1 and R-2 zones). The City will promote the construction of duplexes, including duplexes affordable to very low- or low-income households, through the following actions:

1. The City will encourage homebuilders to construct duplexes on corner lots as part of pre-application conferences.

2. The City will provide financial assistance for the construction of affordable duplexes if Redevelopment Housing Set-aside Funds are available at the time of application.
3. The City will provide documentation necessary to support applications for State or federal financial assistance for affordable duplexes.
4. The City will offer reduced or deferred fees for affordable duplexes.
5. For larger projects, the City will negotiate alternative development standards, such as flexible yard and setback requirements through its planned development process

**Responsible Agency:** City Council, CDA, Planning Commission, Community Development Department.

**Time Frame:** Ongoing, 2002–2007.

**Achievements:** In 2003, the City revised the Zoning Ordinance to facilitate duplexes on corner lots in the R-1 and R-2 zoning districts citywide and reduced the minimum lot size for an affordable duplex unit.

In 2005, the City Council approved the Callahan Estates and Hudson-Ogando Subdivision projects. The two projects combined were initially designed to have a total of 11 corner lot duplex sites that will be constructed for dwelling units. The initial concept was for the affordable units (22) for the two projects to be constructed as duplexes. City staff encouraged the applicants for both projects to use corner lot duplexes for addressing their affordable housing units.

Hudson-Ogando subsequently received approval to cluster their affordable units to accommodate a sweat equity project.

The City Council approved the Winters Highlands Subdivision project in 2006. The project includes 18 corner lot duplex sites for a total of 36 residential units. A portion of the affordable units will be accomplished through the duplex sites. City staff encouraged the project applicant to use corner lot duplexes for addressing their affordable housing units.

**Conclusion:** The City feels that this has been a successful program and will continue to maintain it.

**II.7** The City shall continue to allow emergency homeless shelters in the  
**(II.7)** Medium/High-Density Residential (MHR), High-Density Residential (HR),  
Central Business District (CBD), and Public/Quasi-Public (PQP) designations  
with a conditional use permit.

The City will revise the Zoning Ordinance to provide for transitional housing in the Medium High Residential (R-3 Zone) and High-Density Residential (R-4 Zone) Zoning Districts with a conditional use permit.

The City shall also revise the Zoning Ordinance to provide for the establishment, subject to the approval of a conditional use permit, of farmworker housing in the Multifamily Residential (R-3) and High-Density Multifamily Residential (R-4) zones. Seasonal or migrant farmworker housing is provided in the unincorporated areas of Yolo County, while the City will provide housing opportunities for permanent farmworkers and other lower income households.

In granting a conditional use permit, the Planning Commission or Zoning Administrator must find that all of the following general conditions be fulfilled by the requested use:

- Use will be in conformity with the General Plan.
- Use is listed as a conditional use in the zone regulations or elsewhere in Section 8-1.4205 of the Zoning Ordinance, or, where an interpretation is necessary, a determination is made by the Community Development Director or Planning Commission that the proposed use would require a use permit.
- Use is consistent with the intent and purposes of the zone in which it is located and will not detrimentally impact the character of the neighborhood.
- Use will not be detrimental to the public health, safety, or general welfare.
- Adequate utilities, access roads, drainage, sanitation, or other necessary facilities or services will be provided.
- Use will not create a nuisance or enforcement problem in the neighborhood.
- Use will not result in a negative fiscal impact on the City.

The conditional use permit process acts to facilitate and encourage the development of emergency shelters and transitional housing through clear

and unambiguous standards of the steps in the application review process, basis for approval (criteria), and terms and conditions.

The City will inform the Yolo County Homeless Services Coordination and other organizations and agencies in Yolo County that provide homeless facilities and services of the zoning changes and the City's policies regarding the location and approval process for homeless and transitional housing.

The City will advertise emergency homeless shelters and transitional housing sites to interested parties through published information available at the Community Development Department's counter.

**Responsible Agency:** City Council, Community Development Department.

**Time Frame:** Revise the Zoning Ordinance by December 2005 to specify transitional and farmworker housing. Distribute information to Yolo County Homeless Service Coordination and other organizations and agencies by February 2006.

**Achievements:** For 2006, the City Council amended the Winters Municipal Code (Title 17, Zoning) in March to remove the conditional use permit requirement for multifamily projects in the R-3 (Multifamily Residential) and R04 (High-Density Multifamily Residential) Zones.

The Zoning Ordinance is silent on conditional use permits precluding homeless shelters and transitional housing. The City will need to designate specific zones in which transitional housing will be allowed as part of revisions to the Zoning Ordinance. To date, there have been no requests for the establishment of homeless shelters or transitional housing. The City does not have supportive or other services that would be attractive to such uses.

The City continues to allow emergency homeless shelters in the MHR, HR, CBD, and PQP designations with a conditional use permit.

**Conclusion:** The City's Zoning Ordinance does not meet current State requirements regarding emergency shelters and transitional housing. This Implementation Program will be revised to

address the need to modify City Zoning Code to conform to State law.

**II.8** The City *shall encourage development* in the upper one-quarter of the density range in the Medium High-Density Residential designation and require it in the upper one-quarter of the density range in the High-Density Residential designation. When a project is proposed in the upper one-quarter of the density range in the Medium High-Density Residential or High-Density Residential designations, the City *shall not reduce* the project density below 75 percent of the density range, unless there are specific site constraints that make such density infeasible or undesirable. For affordable multifamily projects proposed in the upper one-quarter of the density range, the City shall provide non-financial incentives (such as reductions in street standards, setback requirements, and parking standards) and shall consider the provision of financial incentives where a financing gap can be demonstrated.

**Responsible Agency:** City Council, Community Development Department.

**Time Frame:** Ongoing, 2002–2007.

**Achievements:** The City revised the Zoning Ordinance in 1997 to impose this requirement. The objective of the requirement is to ensure that the limited supply of higher density residential land is not used by development at significantly lower densities.

In 2005, the City received a development application from CHOC for the construction of a 34-unit multifamily, affordable housing project on a 1.71-acre site. The project was approved in 2005, and the density of the project is in the upper one-quarter of the density range in the High-Density Residential designation.

The City received multiple inquiries on a five-acre site with a High-Density Residential designation. Staff advised the prospective project applicants of the requirement to develop the site in the upper one-quarter of the density range.

**Conclusion:** The City will revise its policy regarding density for R-4 to allow exceptions to be expanded from existing “site constraints” to include allowing

reduction to attain an increased number of larger family units in affordable multifamily projects.

**II.9** The City shall pursue available and appropriate State and Federal funding sources to support efforts to meet new construction needs of very low-, low, and moderate-income households. The City will market housing opportunities and assist developers with the construction of affordable housing through the following actions:

**(II.9)**

1. The City will provide financial assistance for the construction of affordable housing to the extent that Redevelopment Housing Set-Aside Funds and other funding sources are available.
2. The City will offer density bonuses for developments that include at least 10 percent very low-income units, 20 percent low-income units, or 50 percent senior units.
3. The City shall reduce or defer fees. The amount of fee reduction or deferral will be based on the financial needs of each development. Affordable housing projects that address the needs of large families or incorporate educational amenities/programs shall receive priority for fee reductions and waivers.
4. The City will negotiate alternative development standards through its planned development process, such as alternative parking standards, street improvement standards, maximum density, setbacks standards, and lot coverage requirements.
5. The City will apply for State or federal funding (such as CDBG or HOME funds) to acquire land, subsidize construction, or provide on- and off-site infrastructure improvement for lower-income housing projects.
6. The City will offer assistance in accessing local, State, and federal funding for affordable housing by applying for such funding on behalf of the affordable housing developer or providing technical assistance or documentation necessary to support an application for funding.

The City will advertise the available State and Federal funding sources to developers or other interested parties through published information available at the Community Development Department's counter and in the general development application packet.

**Responsible Agency:** City Council, Community Development Department.

**Time Frame:** Ongoing, 2002–2007.

**Achievements:** *Winters II Apartments:*  
The City approved the 34-unit Winters II multifamily, affordable housing project in 2005. The City and CDA have provided significant assistance for the Winters II project. The project was developed by CHOC of Davis, California and owned by Bruhn Orchards Housing Associates, L.P., a California limited partnership that was established by CHOC. The City was awarded a HOME grant in 2005 and the City loaned \$2,850,280 of the HOME funds to CHOC for the Winters II project under favorable terms. The City handled the CEQA and NEPA processing of the project. For NEPA, the staff effort was extensive as City staff prepared a 16-page Environmental Assessment, hired an anthropological consulting firm at the City's expense to survey the project site for potential cultural resources, and expended more than 40 hours in staff time to process the NEPA documentation.

The City CDA purchased the property in 2004 at a cost of approximately \$460,000 and then leased the land back to CHOC for a minimal amount. The CDA provided a predevelopment loan in the amount \$50,000, a development loan in the amount \$150,000, and a grant of \$1,400,000 for the project. The two loans are on favorable terms. In addition, the CDA picked up a portion of closing costs for the project.

*Orchard Village*

The City has submitted an application for CDBG funds totaling \$1 million for infrastructure funding to support the affordable rental project proposed by the Central Valley Coalition.

**Conclusion:** The City has successfully supported the development of affordable housing units by applying to the State for funding and by generating resources through redevelopment set-

aside funds. By working closely with developers of affordable housing, the City has facilitated unit creation and reduced entitlement uncertainty which can increase project risk.

- II.10** The City will continue to provide housing rehabilitation assistance to very low- and low-income homeowners and to rental property owners with very low- or low-income tenants. The City will continue to implement, annually review, and revise as needed program guidelines for housing rehabilitation assistance.
- (II.10)**

The City's Housing Programs Manager publicizes the Housing Rehabilitation Program. Interested homeowners and other applicable parties can acquire information about this program through fliers at the Community Development Department's counter, the City's utility billing mailings, and targeted property mailings.

**Responsible Agency:** City Council, Community Development Department, CDA.

**Time Frame:** Ongoing, 2002–2007. Annual review and revisions of program guidelines, as appropriate.

**Achievements:** *Winters Apartments:*  
In 2003, the City used Community Development Block Grant Program Income funds in the amount of \$185,000 (loan/grant) to assist CHOC, a non-profit developer and manager of multifamily affordable housing projects, with the rehabilitation of the Winters Apartments. The Winters Apartments is a 44-unit multifamily facility that serves very low- and low-income households in Winters. The City's redevelopment agency also provided a \$250,000 grant toward the purchase of the Winters Apartments; the apartment complex was at risk of converting to a market-rate facility.

*Almondwood Apartments:*  
In 2007, the City began discussions with the prospective buyer of the Almondwood Apartments, an affordable housing facility, on City CDA financial participation in the project. The apartment complex was constructed in 1983 under the Section 515 U.S. Department of

Agriculture loan program and is at risk of converting to a market-rate facility. The City Council at its December 18, 2007, meeting approved Resolution No. 2007-56 to authorize the issuance of tax-exempt revenue bonds by the California Statewide Communities Development Authority in an amount not to exceed \$5,000,000 to assist in financing the acquisition and rehabilitation of the Almondwood Apartments. At the same meeting, the City Council/CDA also directed staff to continue working on a funding proposal to assist the purchaser of the Almondwood Apartments with up to \$600,000 in loan/grant funding through the City (Community Development Block Grant and HOME program income) and CDA (low- and moderate-income housing funds) for rehabilitation of the Almondwood Apartments.

The City has committed \$178,000 from the City's CDBG revolving loan fund. The developer is seeking \$600,000 in subsidy from the City. The City is working on a commitment for the remaining amount of subsidy funds.

*New Senior Housing Program:*

The City's CDA established a housing rehabilitation program for lower-income senior households in 2006 and began advertising the program in 2007 through the City's monthly newsletter, program brochures, and meetings/presentations with senior citizen groups. In 2007, the housing rehabilitation program provided financial assistance for one lower-income senior household and is in the process of providing assistance to two other lower-income senior households.

**Conclusion:**

The City has been successful in preserving its affordable housing stock. The City has provided its own funds leveraged with other funds for this purpose.

The City will revise its Senior Housing Program to allow non-seniors who are income qualified to

participate.

**II.11** The City will encourage mixed use residential/commercial development in the CBD, neighborhood commercial, and office zones through these:  
**(II.11)**

1. Financial and regulatory incentives for projects that include a specified number of housing units affordable to very low- or low-income households under the City's density bonus ordinance.
2. Use of the planned development process to allow flexible development standards such as reduced or tandem parking, floor area ratio, and lot coverage limits.
3. Assistance in accessing State or Federal funding to subsidize the construction of very low- and low-income housing units.
4. Consideration of form based codes as part of master plans or specific planning efforts to achieve outlined goals of the House Element and the City's General Plan.

The City will promote mixed use developments in the following ways:

1. The City will send property owners in the CBD, neighborhood commercial, and office zones a brochure describing the mixed use options, benefits, and City incentives.
2. The City will prepare an inventory of sites with mixed use potential (based on current site and building conditions) and distribute this information to interested developers.
3. The City will post information about mixed use opportunities and the site inventory in the Community Development Department.
4. The City will contact commercial developers active in northern California who have a track record of successful, small mixed use projects to inform them of opportunities in Winters.

The City will advertise these incentives to developers or other interested parties through published information available at the Community Development Department's counter, in the general development application packet, and on the local community access television channel.

**Responsible Agency:** City Council, Community Development Department.

**Time Frame:** Prepare mixed use brochure by July 2005, distribute annually and post in the Community Development Department thereafter.

Apply for CDBG planning grant and conduct site inventory by August 2005.

**Achievements:**

*Cradwick and Buckhorn Buildings:*

The City participated in the rehabilitation of the Cradwick Building (through CDBG funds and fee waivers/deferrals) in 1998-1999 and the Cradwick now has six studio apartments restricted to low-income households on the second floor. The City also participated in the Phase I rehabilitation of the Buckhorn Building in 2000/2001, but the second floor is still unfinished because the building is constructed of unreinforced masonry.

*Anderson Place:*

Beginning in 2005 the City entered into discussions with a landowner for the development of a 2.13-acre, infill site with CBD and Office Zoning. Applicants were interested in developing the site, which contains a vacant warehouse/light industrial building, for residential purposes. Staff encouraged the applicants to consider a mixed use project.

In 2006, the applicants submitted a development application for a mixed use project (Anderson Place) with 28 residential units and 9 office suites. Anderson Place was processed with a planned development overlay to provide the project with flexibility on the development standards for lot size, off-street parking, setbacks, and other issues. In June of 2007 the City approved the Anderson Place project via Development Agreement (DA) executed with the applicants.

Because of the decline in the residential housing market, the applicant has decided to delay development of the residential/office development. As a result, the project timing is no longer consistent with the DA. This is not a circumstance limited to the Anderson Place project. In light of the changed real estate market and economy, the City is currently

processing amendments to DAs active in the City to address timing issues. The term of the Anderson Place DA is proposed to be pushed back to December 31, 2016 and the applicant given the discretion as to when to commence with the project during the term of the DA. The City Council will be taking action on this proposed amendment in early June 2008.

*Other Projects:*

The City's CDA is negotiating a Disposition and DA with a developer for the Monticello project, a mixed use development including 25,000 square feet of commercial space and 10 luxury residential units on a downtown property in the heart of the Downtown, owned by the CDA.

In March 2006, after a lengthy public process, the City adopted the Downtown Master Plan, which provides the vision for the development and redevelopment of the downtown core of Winters. The Downtown Master Plan identified several tools for fulfilling the vision in the Plan. One of those tools is the creation, adoption and use of a Form Based Code for the Downtown Master Plan Area. Cities use Form Based Codes to control the look and type of buildings, streets, landscaping and building details like signs, awnings, and storefronts to create and maintain an interesting, attractive and livable town. Standards for land use, density, setbacks, and design would be set-out in a zoning code-like format that can be used easily by landowners, applicants, business owners, and City staff and officials.

The City is currently working on the development of a Form Based Code for its Downtown core. It is anticipated that the Code will be adopted by summer 2008. The code will cover the downtown core of the City's Downtown Master Plan area.

On November 20, 2007, the City Council approved Ordinance 2007-08 providing for

commercial condominium conversions to provide increased options for commercial development and residential ownership opportunities.

In April 2008, the City was awarded a \$70,000 Planning and Technical Assistance CDBG to study the feasibility of the rehabilitation and adaptive reuse of the second floors of three of the City's core historic downtown properties which could lead to a successful mixed use project in at least one of the three buildings.

**Conclusion:**

The City believes that its efforts to secure State and Federal funding for rehabilitating older buildings downtown should continue and has the potential to yield additional affordable housing.

Encouraging the development of residential units along with commercial uses in the downtown area is a City priority designed to have positive impacts on the environment and the downtown economy.

**II.12** The City, acting as the CDA, shall update the Affordable Housing  
(II.12) Production Plan as required by Health & Safety Code Section 33413(b)(4) to ensure that sufficient affordable housing is developed with the Redevelopment Project Area to ensure compliance with State law targets.

**Responsible Agency:** Redevelopment Department, CDA.

**Time Frame:** Completed March 2003.

**Achievements:** In 2003, the City's redevelopment agency updated its redevelopment 5-year Implementation Plan including the five-year housing production plan.

**Conclusion:** Another five-year Implementation Plan is required for the 2009–2013 period.

**II.13** The City will promote energy conservation and encourage solar energy use  
(II.13) through the following actions:

1. Continue to implement State-building standards (Title 24 of the

California Code of Regulations) regarding energy efficiency in residential construction. The City shall also adopt an energy efficiency ordinance to exceed the requirements of Title 24; the City shall consider incorporating the "Energy Star" energy efficiency standard into the ordinance.

2. Annually provide information in the *Winters Express* on the availability of funding through the PG&E Energy Partners Program.
3. Provide California Energy Commission Brochures at City Hall.
4. Continue to review proposed developments for solar access, on-site solar energy utilization, site design techniques, and use of landscaping that can increase energy efficiency and reduce lifetime energy costs without significantly increasing housing production costs.
5. Evaluate the feasibility of a solar energy ordinance by working with the Local Government Commission's Stimulating Public-Sector Implementation of Renewable Energy (SPIRE) program. Study potential approaches and incentives for encouraging solar access and the use of solar energy equipment. Recommend an ordinance to the City Council.

**Responsible Agency:** Community Development Department.

**Time Frame:** Ongoing, 2002–2007.

Recommend a solar access ordinance to the City Council by August 2005.

**Achievements:** All new residential projects are required to submit energy calculations to verify that the structures meet the Title 24 requirements for energy conservation. This information is reviewed and checked by the building inspector. The Planning Commission has encouraged residential project applicants to orient their lots in a north-south fashion.

Having adopted the California Building Code several years ago, the City continues to enforce the energy efficiency requirements of Title 24 of the California Code of Regulations.

In 2005, the City approved the Callahan Estates, Creekside Estates, and Hudson-Ogando Subdivision projects and the approvals included

the following energy efficiency measures. These measures exceed the energy efficiency requirements contained in Title 24.

1. Construct a portion of the market rate residential units with photovoltaic solar energy systems capable of producing 2.4 peak rated direct current (DC) kilowatts.
2. Pre-wire the market rate units without photovoltaic solar energy systems for such systems.
3. Construct all units (market rate and affordables) to the Energy Star Standards as defined by the U.S. Environmental Protection Agency.
4. Construct units without dark colored roofing materials.

The above energy efficiency measures were achieved through the use of individual development agreements. The City does not have the authority to exceed the energy efficiency requirements of Title 24; however, the City is working with a Winters resident employed as an energy efficiency consultant on obtaining authorization from the California Energy Commission to exceed energy efficiency requirements of Title 24. If the City is successful, the City would enact the measures as an ordinance.

In 2006, the City Council approved the Winters Highlands Subdivision project and the approval included the following energy efficiency measures, which will exceed the energy efficiency requirements of Title 24.

1. Install photovoltaic solar energy systems capable of producing 2.4 peak rated direct current (DC) kilowatts in the 50 percent of the market rate residential units.
2. Pre-wire the market rate units without

photovoltaic solar energy systems for such systems.

3. Construct all units (market-rate and affordable) to the Energy Star Standards as defined by the U.S. Environmental Protection Agency.
4. Construct units without dark colored roofing.

The above energy efficiency measures were achieved through the use of a DA.

The City in 2006 prepared a brochure on "Tips & rebate information for saving energy in your home." Copies of the brochure have been made available at City Hall for the public.

The City has been successful at requiring solar technology usage through development agreements. The City also reduces fees for projects that use solar technology.

In 2008, the City reduced the building permit fees required for solar installation.

**Conclusion:**

The City continues to be committed to the reduction of resource consumption using the most current technology available.

- II.14** The City shall continue to cooperate with Yolo County Housing in its administration of the Housing Voucher (Section 8) rental assistance program.
- (II.14)** The City will assist the Yolo County Housing in developing and distributing information for rental property owners of the benefits of participation in the Section 8 Program and fair housing laws that prohibit discrimination based on source of income. The City will distribute information on the Section 8 Program annually to rental property owners in the City's utility billing. For housing projects receiving City assistance, the City shall require that these developments accept Section 8 rental assistance.

**Responsible Agency:** Community Development Department, Yolo County Housing.

**Time Frame:** Assist Yolo County Housing to prepare updated Section 8 Program information by August 2005. Distribute annually in utility billing thereafter.

**Achievements:** The Yolo County Housing did not request assistance.

**Conclusion:** This Implementation Program will be revised to include other ways the City can support the goals and efforts of the Yolo County Housing.

**II.15** The City shall continue its agreement with Yolo County Homeless Services  
**(II.15)** Coordination to provide ongoing homeless services.

**Responsible Agency:** City Council, City Manager, Community Development Department.

**Time Frame:** Ongoing.

**Achievements:** The City continues its participation in the Yolo County Homeless Services Coordination effort.

The City participated in the Homeless and Poverty Action Coalition point in time homeless count in January, 2007

**Conclusion:** No change recommended. Yolo County Homeless Services Coordination is now called the Yolo County Homeless & Poverty Action Coalition (HPAC).

**II.16** The City shall establish a position of Housing Manager through the  
**(deleted)** Community Development Department, either as a staff position or through contract, to coordinate City housing activities, to assist in the implementation of affordable housing programs, and to work with non-profit housing developers to build affordable housing.

**Responsible Agency:** City Council, City Manager, Community Development Department, CDA.

**Time Frame:** Position established in September 2002 and the Redevelopment Manager and Community Development Director now share the duties.

**Achievements:** In 2007, the City created and staffed a Housing Programs Manager position through the CDA.

**Conclusion:** The City achieved the goal established in the program, therefore; this program has been

deleted.

**II.17** The City shall continue to promote equal opportunity for all persons  
**(II.16)** regardless of race, creed, color, religion, sex, ancestry, national origin, disability, age, marital status and sexual orientation. The City shall continue to refer fair housing complaints to the County District Attorney or to the State Fair Employment and Housing Commission. The City shall publicize its fair housing program by placing printed information in schools, libraries, other public buildings and meeting places, and by advertising in the local media.

**Responsible Agency:** City Council, Community Development Department.

**Time Frame:** Annual distribution, advertising, and posting of information in various City locations.

Ongoing referral of discrimination complaints, 2002–2007.

**Achievements:** In 2005, 2006, and 2007 the City provided information (in Spanish and English) at City Hall on fair housing laws for the public. City staff continues to refer fair housing complaints to the California Department of Fair Housing and Employment and Legal Services of Northern California.

**Conclusion:** No change.

**II.18** The City shall require that 10 percent of the lots in residential subdivisions of  
**(II.17)** 20 or more lots be marketed to local builders or owner-builders. The City will adopt an ordinance to implement this requirement specifying the procedures for compliance and the definition of local builder or owner-builder. The pricing of these lots shall be based on a real estate analysis.

The City will require residential developers to place an ad in the local newspaper on at least three occasions and to publicly post the availability of the lots.

**Responsible Agency:** City Council, Community Development Department.

**Time Frame:** Adopt implementing ordinance by August 2005.

**Achievements:** In 2005, the City Council approved the Callahan Estates, Creekside Estates, and Hudson-Ogando Subdivisions projects and the Winters Highlands

Subdivision project in 2006. Each project was conditioned to require that a minimum of ten percent of the single-family lots shall be reserved for and sold to local builders or owner-builders. An ordinance was not adopted but the City has imposed this requirement through development agreements.

**Conclusion:** The City feels that this priority can be negotiated through development agreements and does not require an implementing ordinance.

**II.19** The City will assist non-profit housing corporations or any other entities  
**(II.18)** seeking to acquire and maintain government-assisted housing developments that could convert to market rate housing. Acquisition will be by negotiated sale. The City will use redevelopment housing set-aside funds to acquire or rehabilitate such units, if necessary, to preserve their use for low-income households.

**Responsible Agency:** CDA.

**Time Frame:** 2002–2007.

**Achievements:** *See discussions regarding Winters Apartments and Almondwood Apartments under program II.10 above.*

**Conclusion:** The City has successfully preserved affordable housing units which might otherwise have converted to market rate and displaced individuals and families who would not have been able to pay rent at unrestricted levels. The City will establish and maintain a database of units with affordability restrictions which will include ownership information, date of expiration of use restrictions, address, etc.

**II.20** The City shall expand the Wastewater Treatment Facility (WWTF) to  
*(deleted)* accommodate the City's fair share units.

**Responsible Agency:** Public Works Department, City Council.

**Time Frame:** Adopt implementing ordinance by August 2005.

**Achievements:** In 2006, the City Council approved the Winters Highlands Subdivision project. Subsequently, the Council approved an amendment to the DA

that establishes the funding obligation for expansion of the City's WWTF. As a result, the developer of the Highlands project had an obligation of up to \$8,000,000 for expansion of the facility.

The City completed the preliminary engineering for the Phase 2 expansion of the WWTF before 2007; however, the City has not begun construction of the Phase 2 project. The existing capacity of the WWTF for an additional 600 residential units, it is estimated that construction of the Phase 2 project will not need to begin for a minimum of three years. The current residential capacity of the WWTF exceeds the City's fair share allocation of 403 housing units as approved by the Sacramento Area Council of Governments (SACOG) for the current period of January 1, 2006, through June 30, 2013.

**Conclusion:** While the City is still in need of expanded water treatment capacity, there is remaining capacity for 600 homes. Expansion will not be required to meet the City's Regional Housing Needs Allocation for this Planning Period.

**II.21** The City as part of a comprehensive update of its Zoning Ordinance shall increase its Multifamily Residential (R-3) and High-Density Multifamily Residential (R-4) density ranges to make up for the dwelling units lost during the 2002 re-zoning of R-1 (Single-Family, 7,000 Square Foot Average Minimum) and R-2 (Single-Family, 6,000 Square Foot Average Minimum) parcels. The City shall also update its Zoning Ordinance to clarify that single-family, detached dwelling units that are deed restricted to low- and moderate-income households may fall below the minimum lot sizes, widths, and depths for the R-1 and R-2 Zones. These units shall not count towards determining compliance with the average lot size requirements for the R-1 and R-2 Zones.

**Responsible Agency:** City Council, Planning Commission, and Community Development Department.

**Time Frame:** December 2005.

**Achievements:** No progress was made on this program.

**Conclusion:** This change is still warranted and will be

undertaken in this Planning Period.

**II.22**      The City shall establish a DRC to expedite processing and approval of  
**(II.20)**      residential projects that conform to General Plan policies and City regulatory  
requirements. The DRC will be formed to help facilitate the development  
review process by streamlining departmental comments at the beginning of  
applications and mitigating any potential conflicts later on in the approval  
process. The DRC brings together representatives from planning,  
engineering/public works, police, fire, school district, planning commission,  
and city council to provide pre-application comments for a project.  
Utilization of the DRC process is at the discretion of the applicant.

**Responsible Agency:**      Community Development Department.

**Time Frame:**              The DRC was established in January 2003 and  
held its first meeting in February 2003.

**Achievements:**          The DRC met once in 2005 to review the Hudson-  
Ogando Subdivision project and twice in 2006 to  
review the Anderson Place, Mary Rose Gardens,  
and Orchard Village Subdivision projects.

**Conclusion:**              The City did not formally establish the DRC but  
finds that the informal approach is meeting its  
needs. The DRC is formed and meets on an as-  
needed basis. This Implementation Program will  
be revised to reflect its current informal, as  
needed approach.

**II.23**      The City shall revise its in-lieu fee ordinance for affordable housing to more  
**(II.21)**      accurately reflect the actual cost of producing an affordable unit.

**Responsible Agency:**      City Council, Community Development  
Department.

**Time Frame:**              July 2005.

**Achievements:**          In Fall 2007, staff began researching the  
affordable housing in-lieu fees of other cities. In  
February 2008, the staff convened a workshop  
with various stakeholders including  
representatives from Legal Services, the non-  
profit and for-profit development community,  
the City Council, the AHSC, the Planning  
Commission, and the real estate field to discuss

revising the in-lieu fee, establishing a method for calculating the in-lieu fee on an annual basis, and approaches for dealing with small residential projects. Staff plans to hold a subsequent workshop with the same stakeholders before preparing an in-lieu revision for City Council review and consideration.

**Conclusion:** The City will continue to move forward with the development of the affordable housing in-lieu fee schedule.

**II.24** The City shall require that new residential subdivisions incorporate  
**(II.22)** universal design features into a portion of the single-family residences to assist persons with disabilities.

**Responsible Agency:** Community Development Department, Planning Commission, and City Council.

**Time Frame:** December 2005.

**Achievements:** The City Council required conditions of approval related to universal design when it approved the Callahan Estates, Creekside Estates, and Hudson-Ogando Subdivisions projects in 2005, Winters Highlands Subdivision project in 2006 and the Anderson Place Subdivision project in 2007.

*New Senior Housing Program:*

The CDA established a housing rehabilitation program for lower-income senior households in 2006 and began advertising the program in 2007 through the City's monthly newsletter, program brochures, and meetings/presentations with senior citizen groups. The Senior Rehabilitation program allows for retrofitting.

*Rebuilding Together/Safe at Home Program*

Rebuilding together provides retrofitting for persons with disabilities. The City supports this organization's efforts by generating referrals, pre-qualifying applicants, and providing materials (e.g., smoke detectors) and support (e.g., building official consults with on more complex issues). The City also helps with

publicity and community outreach.

**Conclusion:**

The City shall continue to require the incorporation of universal design features in all new single-family residences.

The City will also modify its Senior Rehabilitation Program to include non-senior participation.

### III. 2008 GOALS AND POLICIES

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#### GOAL II.A

*To designate adequate land for a balanced range of housing types and densities for all economic segments of the community.*

#### POLICIES

- II.A.1** The City shall continue to promote the development of a broad mix of housing types.
- II.A.2** The City shall maintain an adequate supply of residential land in appropriate land use designations and zoning categories to accommodate the City's fair share of projected regional growth and have as a goal a residential vacancy rate of at least 5 percent.
- II.A.3** The City shall continue to implement its 15-percent inclusionary housing ordinance for all new housing developments.
- II.A.4** The City shall encourage development in the upper one-quarter of the density range in the Medium High-Density Residential designation and require it in the upper one-quarter of the density range in the High-Density Residential designation. Density reduction may be allowed in narrowly defined instances such as when the reduction in overall number of units increases the number of larger, family units in affordable rental developments.
- II.A.5** While promoting the provision of housing for all economic segments of the community, the City shall seek to ensure the highest quality in all new residential development.
- II.A.6** To address the needs of low-income large families, the City shall promote the development of multifamily rental units with three or more bedrooms.
- II.A.7** The City shall pursue available and appropriate State and Federal funding assistance to achieve the new construction objectives of the Housing Element.

- II.A.8** The Affordable Housing Steering Committee shall review all residential development proposals involving 15 housing units or more and encourage the applicant to include a higher percentage of affordable units than the minimum inclusionary requirement.
- II.A.9** The City shall expedite processing and approval of residential projects that conform to General Plan policies and City regulatory requirements.
- II.A.10** The City shall ensure that its policies, regulations, and procedures do not add unnecessary cost to housing production.
- II.A.11** The City shall continue to provide for the development of secondary residential units, as required by State law, while protecting the single-family character of neighborhoods.
- II.A.12** In accordance with the provisions of State law (Government Code Section 65915-65918), the City shall grant density bonuses on a sliding scale based on the percentage of affordable units in the development up to a total of 35 percent. The City will also provide concessions and incentives for qualifying developments in accordance with State law regarding bonus density.
- II.A.13** Residential units that are required to sell or rent at below-market-rates (such as inclusionary or density bonus units) within a housing development that includes market-rate units, the affordable units shall, to the extent reasonable, be visually indistinguishable from the market-rate units. Interspersing the units within the development is preferred but clustering for purposes of sweat equity subdivisions will also be considered.
- II.A.14** The City shall allow the installation of mobile homes and factory-built housing on permanent foundations consistent with the requirements of State law and in accordance with the City's residential design standards.
- II.A.15** The City shall continue to work with Yolo County Housing, Mercy Housing, Community Housing Opportunities Corporation (CHOC), and other housing groups where appropriate in the administration of affordable housing programs.
- II.A.16** The City shall provide incentives to developers to construct ownership housing affordable to low- and moderate-income households and require such housing be provided through the City's Inclusionary Ordinance.

- II.A.17** The City shall provide incentives for the development of second-story residential uses over commercial and office uses in the Central Business District and Neighborhood Commercial designations.
- II.A.18** The City shall require that 10 percent of the lots in residential subdivisions of 20 or more lots be marketed to local builders or owner-builders.
- II.A.19** The City shall provide incentives to non-profit housing developers to construct housing affordable to very low-, low-, and moderate-income households.

## **GOAL II.B**

*To encourage the maintenance, improvement, and rehabilitation of the City's existing housing stock and residential neighborhoods.*

### **POLICIES**

- II.B.1** The City shall encourage private reinvestment in older residential neighborhoods and private housing rehabilitation.
- II.B.2** The City shall pursue available and appropriate State and federal funding to meet the rehabilitation objectives of the Housing Element.
- II.B.3** The City shall support the revitalization of older neighborhoods by keeping streets and other municipal infrastructure in good repair.
- II.B.4** The City shall promote the continued upkeep of existing mobile home parks.
- II.B.5** The City shall require abatement of unsafe structures, giving property owners ample opportunities to correct deficiencies.
- II.B.6** The City shall promote the preservation of architecturally and historically significant residential structures.

## **GOAL II.C**

*To encourage energy efficiency in both new and existing housing.*

## POLICIES

- II.C.1** The City shall require the use of energy conservation features in the design of all new residential structures.
- II.C.2** The City shall promote incorporation of energy conservation and weatherization features in existing homes.

## GOAL II.D

*To ensure the provision of adequate services to support existing and future residential development.*

## POLICIES

- II.D.1** The City shall pursue appropriate State and federal funds, and use Redevelopment funds, for upgrading infrastructure and other public improvements in very low- and low-income neighborhoods.
- II.D.2** The City shall require that new residential development pay for the cost of infrastructure and public services needed for that development.
- II.D.3** The City shall plan for necessary public facilities and services (including school facilities) in collaboration with other responsible local agencies, so that these facilities and services are available at the time of demand from new residential development.

## GOAL II.E

*To promote equal opportunity to secure safe, sanitary, and affordable housing for all members of the community regardless of race, creed, color, national origin, religion, sex, marital status, disabilities, sexual orientation or age.*

### POLICIES

- II.E.1 The City shall provide incentives to developers to address special housing needs of low-income households including the physically and mentally disabled, large families, farm workers, the elderly, and female-headed households.
- II.E.2 The City shall make information on the enforcement activities of the State Department of Fair Employment and Housing available to the public.
- II.E.3 The City shall work with Yolo County and surrounding jurisdictions to address the needs of the homeless on a regional basis.
- II.E.4 The City shall cooperate with community-based organizations that provide services or information regarding the availability of services to the homeless.

## GOAL II.F

*Conserve existing affordable housing.*

### POLICIES

- II.F.1 The City shall support the continued use of Section 8 Housing Choice Vouchers for City residents.
- II.F.2 The City shall seek to maintain the affordability of existing subsidized multifamily rental housing.

## IV. 2008 IMPLEMENTATION PROGRAMS

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The following is a list of programs which will guide the City's land use policies related to residential development for this Planning Period which ends in 2013. Overall, there are several revisions to the City's Zoning Ordinance which will need to be accomplished within the next year. The City will work to make those important changes and to continue its efforts to generate and distribute resources for the development and preservation of affordable housing.

**II.1** The City shall maintain the Affordable Housing Steering Committee (AHSC) to review housing projects subject to the City's Ordinance 94-10 as well as any affordable housing development seeking City financial support either directly or via City-sponsored applications for subsidies. The City shall encourage project applicants to receive concurrent reviews by the AHSC and the Development Review Committee (DRC). The AHSC shall also advise the City Council, Planning Commission, and Community Development Agency (CDA/redevelopment) on housing policy, City incentives to encourage the production of affordable housing units above the minimum inclusionary housing requirements, housing policy implementation, and the allocation of the CDA's Tax Increment Housing Set-Aside Funds. The AHSC does not have the power to alter project review, design review, or development standards.

**Responsible Agency:** City Council.

**Financing:** Small administrative cost to City; application permit fees.

**Time Frame:** Ongoing, 2008–2013.

**II.2** The City shall continue to implement Ordinance 94-10 (aka Inclusionary Ordinance) that requires at least 15 percent of all new units developed within the City be affordable to very low-, low-, or moderate-income households. Development of the affordable units on-site will normally be preferred. When this is found to be infeasible or inappropriate, the City may allow off-site development of the affordable units, accept in-lieu contributions of cash or land, or may approve a combination of these and other methods. The City shall provide regulatory and financial incentives geared to the financial need of each project, which may include these:

1. The appropriate density bonus for projects meeting requirements of the Density Bonus Ordinance 97-02 (as revised per Implementation Program II-3).
2. Providing financial assistance as funds are available and by connecting buyers with resources such as Mortgage Credit Certificates.

3. Assistance in accessing State or federal funding by lending support to such requests, priority permit processing for entitlements necessary to increase the competitiveness of a funding request, and providing documentation of housing needs that would increase the competitiveness of a funding request.
4. Modified development standards, such as for parking, setbacks, on- or off-site improvements, street improvement standards, and less stringent site plan (design review) requirements under the City's Planned Development Process.

**Responsible Agency:** City Council, CDA, Community Development Department.

**Financing:** Small administrative cost for application assistance; Redevelopment Affordable Housing Set-Aside Funds as available on a case by case basis for affordable unit development above Ord. 94-70 requirement.

**Time Frame:** Ongoing, 2008–2013.

**II.3** The City shall revise the Zoning Ordinance to meet current State law requirements for a density bonus. Recent amendments to Government Code Sections 15915-65918 need to be incorporated into the City's Zoning Ordinance section regarding allowable density bonuses.

Incentives the City will consider in conjunction with density bonuses for low-income housing include these:

1. Zoning and development regulatory incentives.
2. Financial incentives.
3. Waiver or modification of development standards.

The City will advertise the above incentives to developers or other interested parties through published information available at the Community Development Department's counter, in the general development application packet, and on the local community access television channel.

As part of the City's overall strategy to administer its affordable housing programs which includes the City Ordinance 94-10 discussed above (Implementation Program II.2), the City shall consult with Yolo County Housing, Mercy Housing, or the Community Housing Opportunities Corporation (CHOC) to develop procedures and guidelines for establishing income eligibility, rent restrictions, and resale controls for the "reserved" units and for maintaining the

“reserved” units as affordable units for the minimum specified period of time. Rent, resale, and occupancy restrictions shall be recorded as deed restrictions against the assisted residential property.

Based on consultation with the Yolo County Housing, Mercy, or CHOC the City shall determine whether monitoring for compliance with affordability requirements shall be contracted to one of the three housing organizations or performed by the City.

**Responsible Agency:** City Council, Community Development Department, Yolo County Housing, Mercy Housing, and CHOC.

**Financing:** Application fees; small administrative cost.

**Time Frame:** Adopt revised density bonus ordinance by June 2009.  
Adopt implementing guidelines by October 2009 after consultation with at least one of the three housing organizations.

**II.4** The City will revise its Zoning Ordinance with regard to secondary dwelling units to bring it current with State Law. Through the Zoning Ordinance, the City shall continue to allow secondary dwelling units in residential zones subject to criteria concerning floor area, relationship to principal residence, required parking, and other features. Development of secondary residential units shall be encouraged through flexible application of the City’s development standards. The City will market this program through an informational brochure distributed annually to single-family property owners. The brochure will also be made available in the following ways:

1. Posted at City Hall, library, senior center, and other public locations.
2. Included annually in utility bill mailings.

To encourage homeowners to create second units with affordable rents for extremely low-, very low- and low-income households, the City shall waive the City impact fees in exchange for deed restrictions limiting rents and occupancy to very low- or low-income households for a minimum of 55 years. If Redevelopment funds are not used, the affordability restriction shall be for a period of not fewer than 30 years.

**Responsible Agency:** City Council, CDA, Planning Commission, Community Development Department.

**Financing:** City General Fund

**Time Frame:** Amend Zoning Code by December 2009 to permit modifications to development standards to encourage the construction of secondary dwelling units.

Prepare brochure and information for utility mailing by January/February 2010 and distribute annually thereafter.

Provide financial assistance as requested for qualifying rent-restricted second unit.

**II.5** The City shall continue to permit manufactured homes on permanent foundations in all zones that permit single-family homes according to the same development standards as site-built homes. The Zoning Ordinance will be revised to specifically mention manufactured and factory-built housing. Such housing will be mentioned as specifically being allowed in R-R, R-1 and R-2 zones by right and in R-4 zones with a CUP which is the same for all single-family homes.

**Responsible Agency:** City Council, Planning Commission, Community Development Department.

**Financing:** Minor administrative cost.

**Time Frame:** Update Ordinance by June, 2009.

**II.6** The City shall continue to allow for the development of duplexes on corner lots as a permitted use within the single-family zoning designation (R-1 and R-2 zones). The City will promote the construction of duplexes, including duplexes affordable to very low- or low-income households, through the following actions:

1. The City will encourage homebuilders to construct duplexes on corner lots as part of pre-application conferences.
2. The City will provide financial assistance for the construction of affordable duplexes if Redevelopment Housing Set-aside Funds are available at the time of application.
3. The City will provide documentation necessary to support applications for State or federal financial assistance for affordable duplexes.
4. The City will offer reduced or deferred fees for affordable duplexes.
5. For larger projects, the City will negotiate alternative development standards, such as flexible yard and setback requirements through its planned development process.

**Responsible Agency:** City Council, CDA, Planning Commission,  
Community Development Department.

**Financing:** Redevelopment Affordable Housing Set-Aside

**Time Frame:** Ongoing, 2008–2013.

**II.7** The City shall revise the Zoning Ordinance to permit year round emergency shelters in R-3, R-4, C-2, and PQP zones as a permitted use without the requirement for a conditional use permit. Emergency shelters will be subject to the same development and management standards as other permitted uses in zones R-3, R-4, C-3, and PQP, as summarized in the Constraints chapter of the Housing Element. In addition, the City will develop written, objective standards for emergency shelters to regulate the following, as permitted under Chapter 633, Statutes of 2007 (SB 2):

- The maximum number of beds/persons permitted to be served nightly;
- Off-street parking based on demonstrated need, but not to exceed parking requirements for other residential or commercial uses in the same zone;
- The size/location of exterior and interior onsite waiting and client intake areas;
- The provision of onsite management;
- The proximity of other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart;
- The length of stay;
- Lighting;
- Security during hours that the emergency shelter is in operation.

**Responsible Agency:** City Council, Community Development Department.

**Financing:** Minor administrative cost to the City; permit fees.

**Time Frame:** Revise the Zoning Ordinance by June 2009.

Distribute information to the Homeless & Poverty Action Coalition (HPAC) and other organizations and agencies by September 2009.

- II.8** The City shall encourage development in the upper one-quarter of the density range in the Medium High-Density Residential designation and require it in the upper one-quarter of the density range in the High-Density Residential designation.

According to the Winters Municipal Code Chapter 17.60 (Residential Densities and Standards), the residential density range for the corollary zoning district of Medium High Density Residential designation is 6.1 to 10.0 units per acre. The residential density range for the corollary zoning district of the High Density Residential designation is 10.1 to 20.0 units per acre. The upper one-quarter of the density range in the Medium High Density Residential designation is 9.025 to 10.0 while 17.525 to 20.0 is the upper one-quarter of the density range in the High Density Residential designation.

When a project is proposed in the upper one-quarter of the density range in the Medium High-Density Residential or High-Density Residential designations, the City shall not reduce the project density below 75 percent of the density range, unless there are specific site constraints that make such density infeasible or undesirable. A narrowly-defined exception is in the case of affordable rental housing where a reduction in the overall number of units results in the increase in the number of larger, family units. For affordable multifamily projects proposed in the upper one-quarter of the density range, the City shall provide non-financial incentives (such as reductions in street standards, setback requirements, and parking standards) and shall consider the provision of financial incentives where a financing gap can be demonstrated.

**Responsible Agency:** City Council, Community Development Department.

**Financing:** Minor administrative cost to the City; permit fees.

**Time Frame:** Ongoing, 2008–2013.

- II.9** The City shall continue to pursue available and appropriate State and Federal funding sources to support efforts to meet new construction needs of extremely low-, very low-, low-, and moderate-income households. The City will market housing opportunities and assist developers with the construction of affordable housing through the following actions:

- The City will consider on a case by case basis, the provision of financial assistance for the construction of affordable housing to the extent that Redevelopment Housing Set-Aside Funds and other funding sources are available.

- The City will offer density bonuses for developments that include at least 10 percent very low-income units, 20 percent low-income units, or 50 percent senior units.
- The City shall consider reducing or deferring fees. The amount of fee reduction or deferral will be based on the financial needs of each development. Affordable housing projects that address the needs of large families or incorporate educational amenities/programs shall receive priority for fee reductions and waivers.
- The City will negotiate alternative development standards through its planned development process, such as alternative parking standards, street improvement standards, maximum density, setbacks standards, and lot coverage requirements.
- The City will apply for State or federal funding (such as CDBG or HOME funds) to acquire land, subsidize construction, or provide on-and off-site infrastructure improvement for lower-income housing projects.
- The City will offer assistance in accessing local, State, and federal funding for affordable housing by applying for such funding on behalf of the affordable housing developer or providing technical assistance or documentation necessary to support an application for funding.

The City will advertise the available State and Federal funding sources to developers or other interested parties through published information available at the Community Development Department's counter and in the general development application packet.

**Responsible Agency:** City Council, Community Development Department.

**Financing:** Community Development Block Grant (CDBG); HOME Investment Partnerships Act Program (HOME); Housing and Urban Development (HUD) 202 or 811 programs; Multifamily Housing Program; Department of Agriculture Rural Housing Services; Redevelopment Housing Set-Aside Funds. (Ability to fund this program will largely depend on projects being brought forward by affordable housing developers and receiving grant/loan funds from State and Federal funding sources through a competitive process.)

**Time Frame:** Ongoing, 2008–2013.

**II.10** The City will continue to provide housing rehabilitation assistance to extremely low-, very low- and low-income homeowners and to rental property owners

with extremely low-, very low- or low-income tenants. The City will continue to implement, annually review, and revise as needed, program guidelines for housing rehabilitation assistance.

Interested homeowners and other applicable parties can acquire information about this program through fliers at the Community Development Department's counter, the City's utility billing mailings, and targeted property mailings.

**Responsible Agency:** City Council, Community Development Department, CDA.

**Financing:** CDBG funds; HOME funds; CalHome funds; California Housing Finance Agency (CalHFA) HELP Program; and Redevelopment Housing Set-Aside Funds as available (considered on a case by case basis). Ability to fund this program will largely depend on receiving grant/loan funds from State and Federal funding sources through a competitive process.)

**Time Frame:** Ongoing, 2008–2013. Annual review and revisions of program guidelines, as appropriate.

**II.11** The City will encourage mixed use residential/commercial development in the Central Business District (CBD), neighborhood commercial, and office zones through:

1. Financial and regulatory incentives for projects that include a specified number of housing units affordable to very low- or low-income households under the City's density bonus ordinance.
2. Use of the planned development process to allow flexible development standards such as reduced or tandem parking, floor area ratio, and lot coverage limits.
3. Assistance in accessing State or Federal funding to subsidize the construction of very low- and low-income housing units.
4. The City will continue to implement its Downtown Master Plan.
5. The City will continue to implement its commercial condominium conversion ordinance.
6. The City is working on a Downtown Form Based Code anticipated to be adopted summer 2008.

The City will promote mixed use developments in the following ways:

1. The City will send property owners in the CBD, neighborhood commercial, and office zones a brochure describing the mixed use options, benefits, and City incentives.
2. The City will prepare an inventory of sites with mixed use potential (based on current site and building conditions) and distribute this information to interested developers.
3. The City will post information about mixed use opportunities and the site inventory in the Community Development Department.
4. The City will contact commercial developers active in northern California who have a track record of successful, small mixed use projects to inform them of opportunities in the City.

The City will advertise these incentives to developers or other interested parties through published information available at the Community Development Department's counter, in the general development application packet, and on the local community access television channel.

**Responsible Agency:** City Council, Community Development Department.

**Financing:** CDBG planning grant to prepare and distribute site inventory; CDBG, HOME, CalHFA HELP, and Redevelopment Housing Set-Aside Funds for financial incentives as available, on a case by case basis. Ability to fund this program will largely depend on receiving grant/loan funds from State and Federal funding sources through a competitive process.

**Time Frame:** Prepare mixed use brochure by July 2010, distribute annually, and post in the Community Development Department thereafter.

Apply for CDBG planning grant and conduct site inventory by August 2010.

Provide site inventory and information on mixed use zone to developers by November 2010 and annually thereafter.

**II.12** The City, acting as the CDA, shall update the Affordable Housing Production Plan as required by Health & Safety Code Section 33413(b)(4) to ensure that sufficient affordable housing is developed with the Redevelopment Project Area to ensure compliance with State law targets.

**Responsible Agency:** Redevelopment Department, CDA.

**Financing:** Redevelopment funds.

**Time Frame:** September 2008

**II.13** The City will promote energy conservation and encourage solar energy use through the following actions:

1. Continue to implement State-building standards (Title 24 of the California Code of Regulations) regarding energy efficiency in residential construction. Annually provide information in the *Winters Express* on the availability of funding through the PG&E Energy Partners Program.
2. Provide California Energy Commission Brochures at City Hall.
3. The City will develop an ordinance specific to energy efficient (aka "green") building standards.
4. Continue to review proposed developments for solar access, on-site solar energy utilization, site design *techniques*, and use of landscaping that can increase energy efficiency and reduce lifetime energy costs without significantly increasing housing production costs.
5. The City shall study potential approaches and incentives for encouraging energy saving practices

**Responsible Agency:** Community Development Department.

**Financing:** Minor administrative cost to the City; permit fees.

**Time Frame:** Green building ordinance adoption anticipated December 2008. Remainder ongoing, 2008–2013.

**II.14** The City shall continue to cooperate with Yolo County Housing in its administration of the Section 8 Housing Voucher rental assistance program. For housing projects receiving City assistance, the City shall require that these projects accept Section 8 rental assistance. The City Housing Manager will meet with the regularly with Yolo County Housing Executive Director to explore avenues for collaboration and mutual support of the City and County's affordable housing goals for extremely low-, very low-, and low-income units.

**Responsible Agency:** Community Development Department, Yolo County Housing.

**Financing:** Small administrative cost to the City; Redevelopment Housing Set-Aside Funds.

**Time Frame:** Ongoing.

- II.15** The City shall continue its agreement with Yolo County HPAC to provide ongoing homeless services.
- Responsible Agency:** City Council, City Manager, Community Development Department.
- Financing:** City General Fund.
- Time Frame:** Ongoing.
- II.16** The City shall continue to promote equal opportunity for all persons regardless of race, creed, color, national origin, religion, sex, marital status, disabilities, sexual orientation, or age. The City shall continue to refer fair housing complaints to the County District Attorney or to the State Fair Employment and Housing Commission. The City shall publicize its fair housing program by placing printed information in schools, libraries, other public buildings and meeting places, and by advertising in the local media.
- Responsible Agency:** City Council, Community Development Department.
- Financing:** Small administrative cost to the City.
- Time Frame:** Annual distribution, advertising, and posting of information in various City locations.
- Ongoing referral of discrimination complaints, 2008–2013.
- II.17** The City shall require, to the extent practicable, that 10 percent of the lots in residential subdivisions of 20 or more lots be marketed to local builders or owner-builders. The City will implement this goal through negotiated development agreements with residential developers. The pricing of these lots shall be based on a real estate analysis.
- The City will require residential developers to place an ad in the local newspaper on at least three occasions and to publicly post the availability of the lots.
- Responsible Agency:** City Council, Community Development Department.
- Financing:** Small administrative cost to the City; permit fees.
- Time Frame:** Ongoing.
- II.18** The City will assist non-profit housing corporations or any another entities seeking to acquire and maintain government-assisted housing developments that could convert to market rate housing. Acquisition will be by negotiated sale. The City will use redevelopment Housing Set-Aside Funds to acquire or rehabilitate such units, if necessary, to preserve their use for extremely low-, very low-, and low-income households. To insure sufficient time to prevent the

conversion of income-restricted units, the City will maintain a database of all assisted rental units which will include, address, ownership information, and date of possible conversion.

**Responsible Agency:** CDA.  
**Financing:** Housing Set-Aside Funds.  
**Time Frame:** 2008–2013.

- II.19** The City shall continue to convene its DRC to expedite processing and approval of residential projects that conform to General Plan policies and City regulatory requirements. The DRC was formed to help facilitate the development review process by streamlining departmental comments at the beginning of applications and mitigating any potential conflicts later on in the approval process. The DRC brings together representatives from planning, engineering/public works, police, fire, school district, planning commission, and city council to provide pre-application comments for a project. Utilization of the DRC process is at the discretion of the applicant. The DRC meets on an as-needed basis.

**Responsible Agency:** Community Development Department.  
**Financing:** Small administrative cost to applicants.  
**Time Frame:** Ongoing.

- II.20** The City shall revise its in-lieu fee ordinance for affordable housing to more accurately reflect the actual cost of producing an affordable unit.

**Responsible Agency:** City Council, Community Development Department.  
**Financing:** General Fund.  
**Time Frame:** December 2008.

- II.21** The City shall require that new residential subdivisions incorporate universal design features into a portion of the single-family residences to assist persons with disabilities. The City will also expand eligibility for its low-income, owner-occupied rehabilitation program to include non-senior disabled households.

**Responsible Agency:** Community Development Department, Planning Commission, and City Council.  
**Financing:** General Fund.  
**Time Frame:** December 2008.

**II.22** The City will work to ensure the success of new homeowners by providing pre and post-purchase counseling for all participants in the City's homeownership-based housing programs.

**Responsible Agency:** Community Development Department.

**Financing:** City redevelopment funds.

**Time Frame:** June 2009.

**II.23** The City will revise the Zoning Ordinance to indicate that transitional housing and supportive housing are to be treated as residential uses, regardless of zone, subject only to the same permitting processes as other housing in similar zones without undue special regulatory requirements. The Zoning Ordinance shall be revised to make specific mention of transitional and supportive housing and to add language aimed at encouraging and facilitating the development of these housing types.

The City will inform the Yolo County HPAC and other organizations and agencies in Yolo County that provide homeless facilities and services, of the zoning changes and the City's policies regarding the location and approval process for transitional and supportive housing.

**Responsible Agency:** Community Development Department, Planning Commission, and City Council.

**Financing:** General Fund.

**Time Frame:** Revise Zoning Ordinance by June 2009.

**II.24** The City shall also revise the Zoning Ordinance to specifically address the development of single-room occupancy dwellings (SROs). The City believes that SROs are an important housing resource for extremely low- and very low-income households. The Zoning Ordinance revision shall be undertaken with the goal of encouraging and facilitating the development of new SRO's and the preservation of existing structures for such use. SRO housing will be allowed by right in R-3 and R-4 zones and with a CUP in C-2 zones.

**Responsible Agency:** Community Development Department, Planning Commission, and City Council.

**Financing:** General Fund.

**Time Frame:** Revise Zoning Ordinance by June 2009.

**II.25** The City seeks to provide a variety of housing types. As described in the Housing Needs Assessment, the City is currently and historically an agricultural community and many of its residents provide farm labor. As such, several

affordable housing projects have been undertaken in the City which target agricultural workers and are funded by the Department of Agriculture's Rural Development programs.

The City shall revise its Zoning Ordinance to allow farmworker housing by right in zones R-2, R-3, and R-4. For single, male farmworkers, SRO housing will be permitted in C-2 zones. These zoning changes will provide for by-right development without the requirement for a CUP.

**Responsible Agency:** Community Development Department, Planning Commission, and City Council.

**Financing:** General Fund.

**Time Frame:** Ongoing.

- II.26** The City shall establish written procedures for requests of reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act in the application of zoning laws and other land use regulations, policies, and procedures.

The procedure will identify applicability, application requirements, review authority, the review procedure, and findings that will serve the basis for the decision to grant or deny requests for reasonable accommodation. In addition, it will identify the process for appeals of determination.

**Responsible Agency:** Community Development Department, Planning Commission, and City Council.

**Financing:** General Fund.

**Time Frame:** December 2013

## V. CITY AND COUNTY HOUSING PROGRAMS

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### CITY HOUSING PROGRAMS

#### LAND USE-BASED

Land-use based affordable housing programs use the City's regulatory authority related to zoning to require or encourage the production of affordable units. These programs help to ensure that residential developers produce a variety of housing units which target lower income households in addition to higher income households.

#### **Inclusionary Zoning**

The City's Ordinance 94-10 requires at least 15 percent of all new units developed within the City be affordable to very low-, low-, or moderate-income households. Off-site development and in-lieu fee payments are permitted under certain circumstances, but on-site development is preferred. The City provides regulatory and financial incentives to support the goals of this program. (See Implementation Program II.2)

#### **Density Bonus Ordinance**

The density bonus ordinance, which is contained in the Zoning Ordinance (Ordinance No. 97-03), provides for greater densities in exchange for development of affordable housing. Density bonuses will be provided for qualified projects in accordance with the Health and Safety Code and Section 65915 et seq. of the Government Code to promote the inclusion of very low- and low-income and senior-housing households. (See Implementation Program II.3)

#### FINANCIAL ASSISTANCE

The City collects and manages financial resources which are to be provided in the form of a loan or grant for the purposes of preserving the existing stock of affordable housing or increasing the supply of affordable housing. The City generates its own resources through its Community Development Agency (CDA/redevelopment) which serves as the City's redevelopment authority and by collection of any in-lieu funds for affordable housing through its Inclusionary Zoning Ordinance. The City must compete for State and federal funds, the majority of which are distributed by HCD.

#### **Community Development Block Grant Funds**

Community Development Block Grant (CDBG) is a federal grant program the funds from which are allocated directly to local governments of substantial size (i.e., entitlement jurisdictions). CDBG funds for smaller jurisdictions, including the City are

allocated to the State which disburses CDBG funds to these “non-entitlement” jurisdictions. CDBG funds can be used to fund a broad range of housing, community development, and economic development activities. The City must compete with other small jurisdictions for these funds. The City accesses CDBG funds from the State, most often, to operate its first-time homebuyer program, its rehabilitation program, and for economic development activities. The City was recently awarded a \$70,000 planning grant to study the preservation of historic buildings in downtown.

### **HOME Investment Partnership Act Program**

HOME Investment Partnership Act Program (HOME) is similar to CDBG in that it is a federal program and, being a small city, the City must compete for its share for the State-allocated portion of the grant. The City typically applies for HOME Investment Partnership Act Program (HOME) funds to support development or preservation of a particular affordable housing project and for its revolving loan fund for first-time homebuyers. HOME funds can be used to assist in the provision of affordable housing for specified recipients, under such programs as new construction, acquisition, rehabilitation, and tenant-based rental assistance.

The City was awarded a \$2,850,380 HOME grant to fund the development of the Winters II apartment complex developed by CHOC.

### **Program Income**

The City also receives program income from its HOME and CDBG grants via repayments on the original loans back to the City. Use of these funds must meet federal guidelines, but the funds are retained by the City which does not have to compete for this resource. The City uses program income for rehabilitation and first-time homebuyer financing.

### **Housing Trust Funds (Redevelopment Funds)**

The CDA is the City’s redevelopment authority. The City’s redevelopment project area covers 41 percent of City territory. The City is required by State Redevelopment Law to set aside 20 percent of the property tax increment generated by the redevelopment project area, to support the creation of affordable housing.

The following is a list of the major goals for the CDA low- and moderate-income housing set-aside funds:

1. Ensuring that affordable housing projects at risk of converting to market rate projects remain affordable;
2. Assisting non-profits and others with the construction of additional low-income units; and
3. Rehabilitating affordable housing projects.

Current Housing Resources and Uses

The CDA’s unencumbered cash balance for its Low- and Moderate-Income Housing Set-Aside Fund is approximately \$3,400,115 as of May 15, 2008. This total represents \$572,828 in tax increment and \$2,827,287 in bond proceeds. For the fiscal year ending June 30, 2007, the set-aside fund revenues were \$420,158. The estimated total of housing set-aside funds for Fiscal Years 2002/2003 through 2006/2007 is \$1,300,000. This total does not include any bond proceeds. A portion of the set-aside revenues will be used to payoff redevelopment bonds.

From 2002 through 2007, the City used its Housing Trust Funds in the following manner:

1. Establishment of a first-time homebuyer program;
2. Revising the City’s Housing Element;
3. First-time homebuyer loans; and
4. Winters II land purchase, loan and grant.

Planned Housing Resources and Uses

The CDA’s estimated housing resources from FY 2007-08 through FY 2012-13 are estimated to consist of housing set aside deposits and proceeds from the 2004 and 2007 tax increment bond issuances. A summary of annual resources from the Winters Community Development Agency 2009-2013 Implementation Plan is shown below. As identified, annual housing resources are projected to be \$3.2 million in 2007-08. At the end of the planning period, in 2012-13, annual housing resources are estimated to be \$537,000.

**Estimated Housing Resources**

Item	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	Total
Housing Set Aside Deposit	\$370,668	\$413,739	\$434,426	\$456,147	\$510,955	\$536,502	<b>\$2,722,437</b>
Proceeds from 2004 TI Bond Issuance [1]	\$1,340,270	\$1,340,270					<b>\$2,680,540</b>
Proceeds from 2007 TI Bond Issuance [1]	\$1,486,546	\$1,486,546					<b>\$2,973,092</b>
<b>Total Resources</b>	<b>\$3,197,484</b>	<b>\$3,240,555</b>	<b>\$434,426</b>	<b>\$456,147</b>	<b>\$510,955</b>	<b>\$536,502</b>	<b>\$8,376,069</b>

*"hsg\_resources"*

[1] TI = Tax Increment.

As required by California Redevelopment Law, the CDA plans to target its 20 percent housing set-aside fund to assist very low and lower income households. Expenditures will be made in at least proportion to the total number of housing units needed in the community for those two income categories that are not being provided by other governmental programs. The number of units needed will be based on the regional

housing needs allocation determined by SACOG. The provision of age-restricted affordable housing units cannot exceed the proportion of the total population that is over 65 years of age. Community Redevelopment Law Section 33334.4 specifies that the goals for compliance with this section must be taken from the 2000 United States Census Data regarding the percentage of the population over 65 years of age.

The CDA will seek to combine its housing fund revenue with other funding sources devoted to the provision of affordable housing to maximize the number of affordable units that can be developed or rehabilitated using available housing funds. In summary, annual deposits to the housing fund for the next five years will be used for the following purposes:

- Assist existing affordable housing programs (e.g., stimulate the rehabilitation of existing single family and affordable multifamily units).
- Pay the CDAs share of other affordable housing where funds are available.
- Match funds for grants for Housing Rehabilitation (HOME, CDBG and CalHFA's HELP Program, and Department of Housing and Community Development (HCD) program funds at the state level and low income housing tax credit equity funds).
- Administer housing activities.
- Retire debt on bond proceeds.

The following projects have been specifically identified for housing fund allocations:

- \$1.3 to Orchard Village (all grant funding from bond issuance).
- \$300K to Almondwood (CDBG Revolving Loan Fund).
- \$300K to Almondwood (Housing Fund Bond Proceeds).

The housing programs undertaken in the project area by CDA and non-CDA developers will address all of the goals and policies set forth in the housing element.

## CITY-OPERATED HOUSING PROGRAMS

The City uses the above-listed sources of financing to fund its affordable housing programs. These programs are as follows:

### **Rental Housing—Construction, Preservation, and Rehabilitation**

The City provides subsidy funds to developers of affordable rental housing such as the CHOC, the Central Valley Coalition for Housing, Yolo County Housing, and Mercy Housing to build affordable apartments and townhomes. The City has also provides subsidy funds to ensure continued affordability of rental housing with expiring use restrictions.

In 2003, the City worked successfully with CHOC to preserve the 44-unit Winters Apartments which was at risk of converting from restricted rents for very low income families to market rate. The City used program income generated by its CDBG program and redevelopment funds.

### **First-Time Homebuyer Program**

The City provides loans to qualified homebuyers in the form of “silent” second loans. This program has been used to assist buyers in the Putah Creek Hamlet project and the Cottages at Carter Ranch. It has not been used to fund homebuyers of re-sale homes. For the Cottages at Carter Ranch, the loans are deferred for a period of 30 years; this covers both the principal and the 4-percent simple interest. The City has funded the program through redevelopment agency funds, HOME and CDBG program income, and developer contributions.

### **Housing Rehabilitation Program for Seniors**

The City operates a Housing Rehabilitation Program to maintain residential properties that are occupied by low- (including very low and extremely low-) and moderate-income senior households. A senior household is defined as one in which any applicant or co-applicant is 65 years of age or older. Persons 50 years old or older who meet the Social Security Administration definition for having physical disabilities are also eligible. The primary goal of the program is to get money out in the community to help seniors with critical home repairs.

## **AFFORDABLE UNIT INVENTORY**

**Table 1** presents a list of the City’s affordable housing projects, the number of units, the type of housing, and the main sources of financing.

**Table 1**  
**City of Winters 2008 Housing Element Update**  
**Affordable Unit Inventory**

Name	Units		Type	Funding Sources [1]
	Single-Family	Multifamily		
Winters Apartments		44	Rental housing for very low-income families.	Originally funded through Rural Development Administration (RDA) 515, then preserved using CDBG and Redevelopment funds.
Cradwick Building Apartments		6	Low-income studio rentals in mixed-use downtown location.	CDBG, State Rehab Funds (CHRP-R), City fee waivers.
Morgan Street Senior Apartments		38	Rental housing for low-income seniors.	RDA 515, City fee waivers.
Almondwood Apartments		39	Rental units for very low-income families.	RDA 515
Putah Creek Hamlet	76		Single-family, owner-occupied homes for low income families using sweat equity program.	RDA 502, HOME, AHP (Through federal Home Loan Bank)
Cottages at Carter Ranch	30		Single-family, owner-occupied homes for very low to moderate income households as condition of Carter Ranch subdivision via Ordinance 94-10.	Redevelopment, City program income from HOME and CDBG grants
Winters II Apartments		34	Rental housing for very low-income families.	HOME, Redevelopment, City
<b>Total</b>	<b>106</b>	<b>161</b>		

Source: City of Winters

[1] Representative list, may not include all funding sources.

## VI. QUANTIFIED OBJECTIVES

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**Table 2** summarizes the City's quantified objectives for the period of January 1, 2006, to June 30, 2013. These objectives represent a reasonable expectation of the number of new housing units that will be developed and conserved, and the households that will be assisted over the next five years based on the policies and programs outlined in the previous section.

The City's extremely low-, very low- and low-income requirement for the Planning Period can be met largely by projects already in the pipeline. Two projects have received funding commitments from the City and are sponsored by the Central Valley Coalition for Housing, a non-profit organization. Almondwood Apartments is a 39-unit apartment complex whose use restriction was eligible for termination in 2003. The City has committed \$178,000 from its multifamily Community Development Block Grant (CDBG) revolving loan fund and anticipates additional funding commitments in the near term.

The Central Valley Coalition is also undertaking a new construction project that will provide approximately 74 units of affordable housing at affordability levels of 30 to 60 percent of area median. The City has submitted a CDBG grant application (infrastructure in support of affordable housing) for \$1 million.

The City anticipates meeting its moderate income goals through higher density, homeownership projects as well as through first-time homebuyer assistance. While development has slowed, the City has several residential developments in the pipeline and anticipates the eventual construction of those projects once the market regains some momentum.

**Table 2**  
**City of Winters 2008 Housing Element Update**  
**Qualified Allocation Plan**

<b>Category</b>	<b>Extremely Low- Income [1]</b>	<b>Very Low- Income</b>	<b>Low- Income</b>	<b>Moderate- Income</b>	<b>Above Moderate- Income</b>	<b>Total</b>
<b>Accommodate RHNA Allocation</b>	<b>38</b>	<b>58</b>	<b>64</b>	<b>68</b>	<b>175</b>	<b>403</b>
<b>New Construction [2] (2006-2008)</b>	0	34	0	0	12	<b>46</b>
<b>New Construction (2008-2013)</b>	23	24	40	68	163	<b>318</b>
<b>Housing Rehabilitation</b>		0	0	0	0	<b>0</b>
<b>Conserve Existing Rentals</b>	15	0	24	0	0	<b>39</b>

Source: City of Winters, EPS.

[1] Number of Extremely low-income units and very low-income units based on proportion of need quantified in **Table 9** of Housing Needs Assessment.

[2] Based on housing units completed during this period, including Winters II Apartments and market rate units.

## VII. EFFORTS TO ACHIEVE CITIZEN PARTICIPATION

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State law requires cities and counties to make a diligent effort to achieve participation by all segments of the community in preparing a Housing Element. Section 65583[c][6] of the California Government Code specifically requires that:

- The local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the program shall describe this effort.

The diligent effort required by State law means that local jurisdictions must do more than issue the customary public notices and conduct standard public hearings before adopting a Housing Element. State law requires cities and counties to take active steps to inform, involve, and solicit input from the public, particularly low-income and minority households that might otherwise not participate in the process. Active involvement of all segments of the community can include one or more of these:

- Outreach to community organizations serving low-income, special needs, and underserved populations;
- Special workshops, meetings, or study sessions that include participation by these groups;
- Establishing an advisory committee with representatives of various housing interests; and
- Public information materials translated into languages other than English if a significant percentage of the population is not English proficient.

To meet the requirements of State law, the City has completed the public outreach and community involvement activities described below.

### PUBLIC MEETINGS AND HEARINGS

The City conducted a public workshop which included a slide presentation outlining significant information from the Housing Needs Assessment and the Housing Element. After the public workshop, the City held a 30-day public comment period on the Public Review Draft versions of the Housing Needs Assessment and the Housing Element. Copies of both documents were made available to the public in electronic form on the City's website and in hard copy at City Hall.

In advance of that June 9, 2008 workshop and to initiate the 30-day public comment period, the City notified the public via the following mechanisms:

- Publication of a notice through display advertisements in the *Winters Express*;

- Posting on the City’s website;
- Posting on the local cable television channel;
- Posting of public notice in City Hall, the public library and the community center; and
- Direct mailing to the following organizations (among others):

St. Anthony Parish	Winters Affordable Housing Steering Committee	Yolo County Homeless Coordinator
Trustees for the Winters Joint Unified School District	Winters Cemetery District	Yolo County Administrator’s Office
Yolo County Transportation District	Yolo County Housing	Legal Services of Northern California
Yolo County Local Agency Formation Commission	California Department of Housing and Community Development	Winters Health Care Foundation
Community Housing Opportunities Corporation	Central Valley Coalition for Housing	Mercy Housing California, Mercy Housing System

## **SUMMARY OF PUBLIC COMMENTS AND RESPONSE THERETO**

There were two members of the public in attendance at the June 9, 2008 workshop. A comment was made by a workshop participant that he would prefer that affordable housing units be disbursed throughout a market rate development and indistinguishable from other market rate units.

The City has adopted an inclusionary zoning ordinance which is designed to address this issue to the greatest extent practicable without limiting the number of affordable housing units that can be produced.

There was one set of written comments received during the 30-day public review period. The comments came in written form in a letter addressed to Mayor Martin from Alysa Meyer, Managing Attorney for Legal Services of Northern California, dated August 7, 2008. Below is a summary of her comments and how the comments were addressed in the final Housing Element and Housing Needs Assessment.

*Ms. Meyer requested additional information related to the income of persons with disabilities be included in the Housing Needs Assessment.*

Data related to poverty levels of persons with disabilities ages 5 through 64 were added to **Table 12** of the Housing Needs Assessment and reference to those figures was added to the text related to persons with disabilities.

*Ms. Meyer requested additional information regarding the housing needs and resources for large families.*

The information for large families has been enhanced by Comprehensive Housing Affordability Strategy (CHAS) data from the U.S. Dept. of Housing and Urban Development, information regarding the inventory of rental apartments, and market lease up information from a recently-constructed affordable apartment complex.

*Ms. Meyer indicated that Table 2 of the Public Review Draft Housing Element did not include information related to the quantified objectives for extremely low-income households.*

That correction has been made in **Table 2** as well as referenced in the accompanying text.

## VIII. CONSISTENCY WITH OTHER GENERAL PLAN ELEMENTS

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State law requires that the Housing Element contain a statement of “the means by which consistency will be achieved with other general plan elements and community goals” (California Government Code, Section 65583[c][6][B]). There are two aspects of this analysis: 1) an identification of other General Plan goals, policies, and programs that could affect implementation of the Housing Element or that could be affected by the implementation of the Housing Element, and 2) an identification of actions to ensure consistency between the Housing Element and affected parts of other General Plan elements. The 1992 adopted (1994 revised) General Plan contains several elements with policies related to housing.

The Housing Element is primarily a housing program assistance document, the implementation of which will not directly impact policies in other General Plan elements. The 2004 Housing Element provided a review of policies for consistency with the General Plan. The following is a list of the Goals and Policies (**Chapter III**) that were revised or added to this Housing Element and comments related to General Plan consistency. Changes from 2004 Housing Element are in italics.

### HOUSING ELEMENT GOALS AND POLICIES

Goal A                      The City shall encourage development in the upper one-quarter of the density range in the Medium High-Density Residential designation and Policy II.A.4                      require it in the upper one-quarter of the density range in the High-Density Residential designation. *Density reduction may be allowed in narrowly defined instances such as the addition of larger family units in affordable multifamily projects.*

This change does not alter the density ranges for the two designations and is being done to address an identified affordable housing need—large families.

Goal A                      The Affordable Housing Steering Committee shall review all residential Policy II.A.8                      development proposals *involving 15 housing units* or more and encourage the applicant to include a higher percentage of affordable units than the minimum inclusionary requirement.

The change to the policy only lowers the threshold for which a project will require review by the AHSC.

Goal A  
Policy II.A.13 Residential units that are required to sell or rent at below-market-rates (such as inclusionary or density bonus units) within a housing development that includes market-rate units, the affordable units shall, to the extent reasonable, be visually indistinguishable from the market-rate units. *Interspersing the units within the development is preferred but clustering for purposes of sweat equity subdivisions will also be considered.*

This change provides flexibility for the development of affordable units and may be providing the means for affordable housing developers to lessen the costs of developing affordable units.

Goal A  
Policy II.A.16 The City shall provide incentives to developers to construct ownership housing affordable to low- and moderate-income households *and require such housing be provided through the City's Inclusionary Ordinance.*

This change merely clarifies that affordable units shall be constructed in new developments pursuant to the City's inclusionary ordinance.

## **OTHER GENERAL PLAN POLICIES**

The City has reviewed policies in the other elements of the General Plan and has concluded that none of those policies will impede the City's achievement of, or be inconsistent with, the policies of the Housing Element. Housing Element policies primarily relate to housing assistance, housing rehabilitation, equal housing opportunity, residential energy conservation, and other topics not directly affected by policies in the other General Plan elements. Residential energy conservation policies contained in the Housing Element will help contribute to the achievement of General Plan policies for resource conservation.