

READ AND CONSIDERED  
DATE 9/16/22 BY [Signature]

### Response to Grand Jury Report Form

Report Title: Affordable Housing: Past, Present and Future  
Report Date: June 14, 2022  
Response by: Jack Ding Title: Mayor  
Agency/Department Name: City of Sonoma

**FINDINGS:** F1, F2, F3, F4, F5, F7, F10, F11, F12, F13, F14, F16, F17, F19, F20, F21, F22

I (we) agree with the findings numbered: F1, F2, F5, F11, F19, F20, F21, and F22

I (we) disagree wholly or partially with the findings numbered: F3, F4, F7, F10, F12, F13, F14, F16 and F17

(Attach a statement specifying any portions of the findings that are disputed with an explanation of the reasons.)

**RECOMMENDATIONS:** R1, R2, R3, R4, R5, R6, R7, R8

- Recommendations numbered: R1 and R7 have been implemented.  
(Attach a summary describing the implemented actions.)
- Recommendations numbered: R3, R4, R5, R6 and R8 have not yet been implemented, but will be implemented in the future.  
(Attach a timeframe for the implementation.)
- Recommendations numbered: \_\_\_\_\_ require(s) further analysis.  
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. ***This timeframe shall not exceed six months from the date of publication of the Grand Jury report.***)
- Recommendations numbered: R2 will not be implemented because they are not warranted or are not reasonable.  
(Attach an explanation.)

Date: 09/02/2022

Signed: \_\_\_\_\_

[Signature]

Number of pages attached: \_\_\_\_\_

(See attached Civil Grand Jury Response Requirements)

FINDINGS OF THE SONOMA COUNTY CIVIL GRAND JURY  
(2021-2022)

**“Affordable Housing: Past, Present and Future.”**

The City of Sonoma provides the following in response to the Findings of the Sonoma County Civil Grand Jury:

**F3. Sonoma County and its nine Cities have officially recognized the need for Affordable Housing but not all have fully endorsed the Regional Housing Needs Allocation or met earlier goals.**

Response: Disagree regarding the City of Sonoma. The City of Sonoma participated in the RHNA process and fully endorsed the allocation provided to it of 311 units. The City of Sonoma met or exceeded its 5<sup>th</sup> Cycle RHNA in all four income categories with two years left in the Cycle.

**F4. Some cities hinder the development of Affordable Housing through designation of new historic districts, increased landscaping requirements, highly restrictive zoning, and exploitation of environmental concerns.**

Response: Disagree regarding the City of Sonoma. The City of Sonoma’s Development Code in Title 19 promotes and encourages affordable housing and has the highest requirement for inclusionary housing in the County at 25%. Further, the City requires 5% for ELI, 10% for VLI and 10% LI for “Rental” units. It requires 5% LI, 10% Moderate and 10% Middle Income for “For sale” units. The City is of the opinion that “Historic Districts” help streamline housing development by clearly identifying historic resources and outlining a process for development. Sonoma’s efforts on Historic Districts do not discourage housing and were initiated in 2016.

**F7. There is great variability in the planning and approval processes and procedures for developing Affordable Housing in the County and its Cities, thus complicating and slowing development.**

Response: Partially disagree. Each jurisdiction within the County has developed its own Affordable Housing policies and procedures over time that reflect local priorities as determined by elected and appointed officials. It is not uncommon to have varying development regulations. Indeed, it is rare that a jurisdiction will have identical requirements to another jurisdiction. The time needed to process affordable housing projects is determined by the complexity of the project, environmental and financial constraints and public input (to name a few).

**F10. Design review and project approval are often slow and very complex, and hinder the development of Affordable Housing.**

Response: Disagree. The City of Sonoma processes affordable housing projects in the same way as other projects being developed within the City. Sensitive sites require thoughtful deliberation and often involves required environmental (CEQA) review through a public meeting process. Appeals of actions taken by the Planning Commission and Design Review and Historic Preservation Commission are not uncommon and are a part of the democratic process. Appeals add to the time taken to approve projects, but also provide all parties with due process of law. The City of Sonoma is very sensitive to its past and has developed multi-family design standards that ensure that new development (including affordable housing projects) is permitted in a streamlined manner and is consistent with the adopted General Plan. Affordable housing units are often approved as part of an overall project and must comprise 25% of a projects' total units in developments of five units or more.

**F12. Mitigation fees vary by individual projects and jurisdictions, complicating the building of Affordable Housing.**

Response: Partially agree. Units are required to be built on-site and fees are paid as established by law. The City collects AB 1600 fees for non-residential projects which are then placed in the City's newly created Housing Trust Fund that promotes affordable housing. The City agrees that it is very likely that jurisdictions have differing fees for affordable housing projects. These fees are very likely based on the size of the project and relate to local impacts. And these aforementioned fees would have been established using a nexus study unique to the circumstances of that respective city. Such fees impose the cost of development on the developer based on their voluntary choice to engage in development rather than shifting the costs to mitigate the impacts of development to city taxpayers, which could require tax increases.

**F13. The speed of issuing permits has improved in some jurisdictions, but greater efficiency would help meet the building needs of Sonoma County.**

Response: This Finding appears to be directed to increasing speed and efficiency in the unincorporated areas of "Sonoma County". Notwithstanding the aforementioned, the City disagrees with respect to the City. The City's Planning and Building Departments process both discretionary permits and ministerial permits according to the procedures contained within the Sonoma Municipal Code, Permit Streamlining Act, and as expeditiously as possible.

**F14. Payment of in-lieu fees to the housing jurisdiction results in fewer inclusionary Affordable Housing units and houses being built.**

Response: Disagree regarding the City of Sonoma. The City of Sonoma's development regulations require all deed restricted affordable housing units to be built on-site and does not collect in-lieu fees at present. In-lieu fees are only allowed for small (4 or fewer units) developments or for fractional units, i.e., where the 25% requirement leads to a fraction of a unit to be constructed with affordability restrictions.

**F16. Recent legislation encourages construction of transit-oriented infill housing but has yet to show a large effect.**

Response: The City of Sonoma is not located near any high quality transit corridor and therefore is unable to agree or disagree with this Finding as it is unaware of any data that supports a definitive determination for projects within the County or the cities within the County.

**F17. Changes to city boundaries by annexation of land within their Spheres of Influence could allow the development of more Affordable Housing but is resisted due to the high costs of additional infrastructure.**

Response: Disagree regarding the City of Sonoma. The City Council encourages affordable housing units as part of development projects within the City limits and has an inclusionary requirement of 25%. The City would encourage projects in its Sphere of Influence/UGB pursuant to LAFCo policy and that any annexation would provide orderly growth and prevent sprawl through the logical extension of infrastructure, consistent with state policy.

RECOMMENDATIONS OF THE SONOMA COUNTY CIVIL GRAND JURY  
(2021-2022)

**“Affordable Housing: Past, Present and Future.”**

The Sonoma County Civil Grand Jury recommends:

**R1. By December 31, 2022, Permit Sonoma and the nine Cities should begin to streamline their procedures, from preliminary review through the permitting process, related to the development of Affordable Housing. (F7, F10, F11, F13)**

Response: This is already being done. The City of Sonoma processes housing development applications pursuant to its Development Code and the State Subdivision Map Act, as well as recent legislation such as SB 330 and SB 35. Affordable housing requirements are a part of its review and are not separated out for a separate review. The City requires 25% deed restricted affordable housing to be built onsite as part of any subdivision. The City has also recently adopted objective design review standards for multi-family housing that streamlines the process.

**R2. By December 31, 2022, Permit Sonoma and the nine Cities should meet to consider standardizing their procedures related to the development of Affordable Housing. (F7, F10, F11, F13)**

Response: Disagree. The City of Sonoma requires the highest percentage of deed restricted affordable housing (25%) than other agencies in Sonoma County. It is unlikely that other agencies would standardize their requirement to meet the City of Sonoma’s requirement and very unlikely that the City of Sonoma would lower its requirement.

**R3. By December 31, 2022, Permit Sonoma and the nine Cities should meet to discuss the coordination of fee reduction standards for Affordable Housing throughout the County. (F11, F12, F14)**

Response: Agree, with recommendation. It would be beneficial to see how fees could be reduced to increase housing production in the City.

**R4. By December 31, 2022, Permit Sonoma and the nine Cities should identify properties within their jurisdictions and Spheres of Influence that could support the construction of infill housing and accessory dwelling units. (F1, F2, F3, F4, F16, F17)**

Response: This work is currently being performed by the City as part of its 6<sup>th</sup> Cycle Housing Element update.

**R5. By December 31, 2022, Permit Sonoma and the nine Cities should identify properties within their jurisdictions and Spheres of Influence that are likely opportunities for rehabilitation or repurposing to increase the availability of Affordable Housing. (F16, F19, F22)**

Response: This work is currently being performed by the City as part of its 6<sup>th</sup> Cycle Housing Element update. The Housing Element will be approved by the City Council in late 2022, and submitted for certification by the California Department of Housing and Community Development in January 2023.

**R6. By June 1, 2023, Permit Sonoma and the nine Cities should develop permit ready accessory dwelling unit and junior accessory dwelling unit plans. (F1, F2, F3, F4, F5, F7, F10, F11, F13, F21, F22)**

Response: Agree with recommendation. It would be beneficial to create “permit ready” plans for ADU’s and JADU’s. The City is currently participating in local efforts to do this.

**R7. By December 31, 2022, Permit Sonoma and the nine Cities should discuss integration of preliminary design review committees with their planning commissions to help expedite the construction of Affordable Housing. (F1, F2, F3, F4, F5, F7, F10, F11, F13, F19, F20, F21, F22)**

Response: This work has already been directed by the City Council and is likely to be reviewed in the Fall of 2022. This will require amendments to the City’s Development (Zoning) Code.

**R8. By December 31, 2022, Permit Sonoma and the nine Cities should review their permitting requirements to allow nontraditional options such as manufactured homes, factory built homes, and tiny houses to increase housing supply. (F1, F2, F3, F4, F5, F10, F11, F13, F21, F22)**

Response: Agree with recommendation. The city encourages non-traditional design options to further the production of all housing types for all income levels.