

TOWN OF WINDSOR AGENDA REPORT

Joint Windsor Town Council, Windsor Redevelopment Successor Agency and Windsor Water District Meeting Date: February 4, 2026

To: Mayor and Town Council
From: Patrick Streeter, Community Development Director
Subject: Senate Bill 10 (SB 10): Informational Report and Policy Direction Request

Recommendation to Council:

Receive an informational report Senate Bill 10 and provide direction to staff.

Strategic Plan Element:

The recommended action supports the goal of Livability. Goal Statement: Preserve community character by maximizing the use of existing amenities and creating future opportunities that enhance quality of life for all.

Background:

This informational report is provided in response to a request from members of the Town Council for future agenda items addressing recent State housing legislation. The purpose of this report is to explain what Senate Bill 10 (SB 10) allows, how it differs from other State housing laws, how it relates to Windsor's existing zoning framework, and what policy considerations would be involved if the Town were to consider adopting an SB 10 ordinance. No policy action is proposed at this time. The intent is to provide background information and seek direction from the Town Council on whether staff should further evaluate this option for possible future consideration.

In recent years, the California Legislature has adopted a series of laws intended to increase housing production, diversify housing types, and reduce procedural barriers to residential development. Many of these laws directly modify or supersede local zoning and land use authority, while others provide optional tools that local jurisdictions may choose to use.

Several of the most significant recent housing laws operate automatically and do not require local adoption. For example, Senate Bill 9 (Atkins, 2021) requires cities to allow certain single-family parcels to be developed with two primary dwelling units or to be split into two parcels, each of which may contain multiple units, subject to objective standards. Senate Bill 1123 (Caballero, 2024) amended and expanded SB 9 by clarifying implementation requirements, requiring cities to allow condominiums and parcel maps for SB 9 projects, and confirming that accessory dwelling units (ADUs) may be constructed on parcels created through SB 9 lot splits. Together, SB 9 and SB 1123 establish a largely mandatory framework that enables small-scale multi-unit development and lot splitting on qualifying single-family parcels throughout the State.

Other housing legislation is optional and applies only if a local jurisdiction chooses to adopt it. One such tool is Senate Bill 10 (Wiener, 2021), which creates a voluntary process allowing cities and counties to adopt ordinances that permit up to ten (10) residential units per parcel in specified areas using a streamlined, ministerial zoning process. Unlike SB 9 and SB 1123, SB 10 does not automatically change local zoning. Its provisions apply only if a city affirmatively adopts an ordinance

to “opt in.”

The stated intent of SB 10 is to facilitate the development of small-scale, multi-unit housing, often referred to as “missing middle” housing, such as duplexes, triplexes, fourplexes, and small apartment buildings, particularly in transit-rich, job-rich, and infill areas. The legislation is designed to give local governments a way to modestly increase allowable residential density without triggering voter-approval requirements or full environmental review, while still allowing cities to define where the provisions apply and what development standards govern.

SB 10 represents a different approach than other recent State housing laws. Whereas SB 9 and SB 1123 impose mandatory standards that apply statewide, SB 10 provides an optional framework that a city may use if it wishes to allow somewhat higher densities, up to ten units per parcel, in selected locations through a ministerial process. If adopted, an SB 10 ordinance could create a streamlined pathway for certain multi-unit projects that today would require discretionary review, while still allowing the Town to define where the program applies and what objective development standards must be met.

Discussion:

The Town of Windsor has already taken meaningful steps to modernize its zoning regulations and to align local standards with State housing law. The comprehensive Zoning Code update adopted in late 2024 included a new Housing chapter that consolidates and expands regulations for a wide range of housing types, including accessory dwelling units (ADUs), junior ADUs, two-unit dwellings and urban lot splits under SB 9 and SB 1123, cottage homes, dwelling groups, small lot subdivisions, multi-unit residential development, and affordable housing incentives.

Under the Town’s current zoning framework, many housing types commonly described as “missing middle” are already allowed. In the Surrounding Residential (SR) district, the Town’s most prevalent single-family zoning district, two to four dwelling units are permitted by right, and five or more units may be allowed with a Minor Use Permit. Other residential and mixed-use districts similarly allow multi-unit development at varying scales.

However, in Windsor, “permitted by right” does not necessarily mean “ministerial.” With the exception of single-family detached dwellings and certain State-mandated housing types, most residential development involving multiple units is still subject to Site Plan and Design Review. This process involves Town discretion and, in many cases, environmental review under the California Environmental Quality Act (CEQA). As a result, while Windsor already provides substantial zoning flexibility for housing, that flexibility is generally implemented through discretionary review rather than a purely ministerial approval process.

The new Housing chapter reinforces this approach by providing multiple housing pathways while retaining local discretion over site design, compatibility, and development quality. In this sense, Windsor is already largely compliant with mandatory State housing laws and has built a strong local framework to accommodate housing diversity. Senate Bill 10 offers a different type of tool than those already embedded in Windsor’s zoning code. SB 10 allows a city, if it chooses to opt in, to adopt an ordinance permitting up to ten residential units per parcel in specified areas using a streamlined, ministerial process. The adoption of such an ordinance is exempt from CEQA, and projects that qualify under the ordinance would be processed based on objective standards rather than discretionary review.

In contrast, Windsor’s current framework generally relies on discretionary processes, such as Site Plan and Design Review, for multi-unit development, even when the use itself is permitted. SB 10 therefore does not replace existing zoning tools; rather, it offers a way to create a limited ministerial pathway for

a specific category of projects that today typically require discretionary approval.

Because Windsor already allows a wide range of housing types, SB 10 would function as a potential enhancement rather than a fundamental change. If the Town were to opt in, SB 10 could be used to:

- Create a ministerial approval pathway for modest multi-unit projects (generally in the 5–10 unit range) in selected locations.
- Reduce processing time and uncertainty for certain housing types where the Town wishes to encourage development.
- Complement existing tools such as ADUs, SB 9/SB 1123 lot splits, cottage homes, dwelling groups, and small lot subdivisions.

This could be particularly relevant in locations where the Town anticipates change or wants to focus housing opportunity, such as along key corridors, in mixed-use areas, or near future transit investments.

At the same time, Windsor’s recent zoning update already includes substantial flexibility for housing, and the Town is largely compliant with mandatory housing laws. In addition, upcoming Transit Oriented Communities policy updates and the Station Area Plan update will provide additional opportunities to remove barriers to housing, particularly missing middle housing, using Windsor’s existing planning framework. These efforts may address many of the same objectives that SB 10 is intended to support.

A central policy consideration is that SB 10 does not require a citywide change. An SB 10 ordinance can be tailored and targeted. For example, the Town could:

- Apply SB 10 only in specific geographic areas, such as the station area, specific “difficult-to-develop” sites, or selected corridors like Old Redwood Highway or adjacent to the SMART right-of-way.
- Limit its application to certain zoning districts or project types.
- Apply existing objective development standards or create new ones to ensure compatibility with surrounding neighborhoods.
- Implement SB 10 as a pilot program with a limited geography or time horizon.

This flexibility allows the Town to use SB 10 as a targeted tool rather than a blanket upzoning mechanism. Because it is not mandatory, the Town can dial back its implementation at will.

Another important consideration is that to date, SB 10 has not been widely adopted across California. Only a small number of jurisdictions appear to have formally opted in, and in most cases adoption has been narrow in scope. This limited uptake reflects the voluntary nature of SB 10 and the political and policy sensitivities associated with allowing up to ten units in traditionally lower-density areas.

The relative lack of peer examples means that there is limited real-world experience to draw from, compared to mandatory State housing laws such as SB 9 and SB 1123, ADU legislation, or more traditional local zoning reforms.

Given Windsor’s existing zoning flexibility, recent Housing chapter update, and upcoming Transit Oriented Communities and Station Area Plan efforts, from a policy standpoint, Windsor has already demonstrated that it can accommodate missing middle. The Council must consider whether the Town would benefit from adding an optional, targeted tool that could provide a ministerial pathway for certain multi-unit projects in selected locations.

If the Council is interested in further exploring SB 10, staff can return with options for how it could be structured in a tailored way, including potential geographies, eligibility criteria, and objective development standards, while continuing to rely on Windsor's updated zoning tools and planned policy work to address housing barriers more broadly.

Fiscal Impact:

There is no fiscal impact associated with the recommended action. If the Council directs further consideration of the "opt in" option, staff resources will be used to prepare reports and draft resolutions/ordinances.

Environmental Review:

The recommended action does not constitute a "project" within the meaning of California Environmental Quality Act (CEQA) Guidelines Section 15378 and requires no environmental review.

Attachment(s):

[13.1 PowerPoint - SB 10 \(Distributed 2026.02.03\)](#)

[13.1 Correspondence Received Revised \(Distributed 2026.02.03\)](#)

Prepared by:

Patrick Streeter

Community Development Director

Approved by:

Jon Davis

Town Manager