

S. Taylor

BOS 4/8/2025 Open Forum

Re: Legistar #25-0210, Agenda 3-11-25, Item #18 approval for resolution 018-2025, accepting an exchange of property tax increment for the annexation of the El Dorado Senior Village Apartments into the El Dorado Irrigation District (project).

According to Section 2.03.140 of the County Code, those on the Board of Supervisors that voted yes on any action previously, and finds that substantial new evidence exists which was not considered at the time the previous action was taken, may reconsider their vote.

A motion to reconsider may only be made by a Board member who had voted in the majority in the previous action. If a majority of the Board votes to reconsider, the matter shall be placed on the agenda for reconsideration.

We the community surrounding the proposed El Dorado Senior Village Apartments ask that either Supervisor Ferraro, Supervisor Laine or preferably Supervisor Veerkamp make a motion prior to approving the consent calendar and agenda regarding the "project".

Whether that consideration to rescind is on a future agenda or today is up to the Board.

It appears that the Board of Supervisors have been led to believe that this project, using ~~State~~^{Senate} Bill 35, does not have to abide by the General Plan, Design Standards or even the Conditions of approval in which the project was approved.

This is not true. Regarding the General Plan: Under SECTION. 3. Section 65913.4 (a) of the Government Code, which is within SB35, it states: "A development proponent may submit an application for a development that is subject to the streamlined, ministerial approval process provided by subdivision (b) and not subject to a conditional use permit **if the development satisfies all of the following objective planning standards**: The following is to show that the project has to comply with the General Plan, (which it does not) and it must comply with the zoning and design standards without someone having to make a subjective judgment, (which it also does not):

(5) The development, is consistent with objective zoning standards and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, "objective zoning standards" and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications, subject to the following:

(B) In the event that objective zoning, general plan, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.

The project is inconsistent with General Plan Policy TC-Xa 1: "Traffic from residential development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.

And inconsistent with, TC-Ta-7: Before giving approval of any kind to a residential development project of five or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County **shall not approve the project** in order to protect the public's health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

And, inconsistent with Policy TC-Xc Developer paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development during peak hours upon any highways, arterial roads

and their intersections during weekday, peak-hour periods in unincorporated areas of the county.

The County illegally wrote off the \$1,103,806.00 required traffic impact fee, which conflicts with Policy TC-Xc.

The Design Standards were approved by the Planning Commission on 8-27-2020 in which approval was used in the application for the EID annexation. The Conditions of Approval state that, "Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. **Deviations without the above described approval would constitute a violation of permit approval.**" Also, "The development, use, and maintenance of the property, the size, shape and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. **The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.**

The statement in the Conditions of approval states: "Approval of Design Review DR20-0001 is based upon and limited to compliance with the project description, Conditions of Approval set forth below, and the hearing exhibits marked Exhibits K-U:" The site plan presented within the EID application is different than the Project Site plan Exhibit K, and the elevation that was presented elsewhere by the applicant no longer matches Exhibit L from the Conditions of Approval. Therefore, due to the above statement and other conflicts, the project is in violation of the Design Review permit approval.

Regarding other violations of the Conditions of Approval:

In 2022, the Zoning Administrator approved splitting the parcel, during a hearing that violated County Code Section 130.50.030,

that requires revisions to an approved permit be decided by the review authority of original jurisdiction, which should have been the Planning Commission. This action violated Condition of Approval, #13. Lot Line Merge: Pending lot line merge application No. LLA-M20-0004, between existing Assessor's Parcel Numbers 331-221-030 and 331-221-032, shall be finalized prior to issuance of any County development permit including but not limited to a building, grading, encroachment or improvement permit.

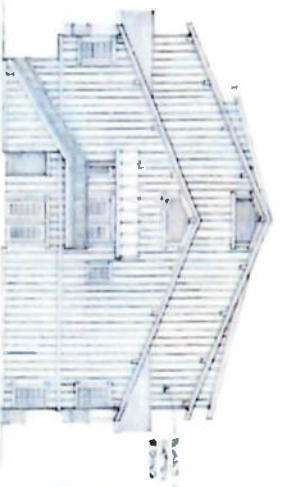
To make this simple, we ask that you simply expire Design Review DR20-0001 due to Condition of Approval #2:

"Design Review DR20-0001 shall automatically expire 36 months from the date of approval pursuant to applicable provisions of Government Code Section 65913.4 (SB 35) unless vertical construction has been initiated prior to the expiration date. This application may qualify for a one-time, one-year time extension, at the discretion of the County, if the project proponent submits a timely request for such extension including documentation of significant progress toward construction. Such documentation shall include but not be limited to submitted building or grading permit application(s)."

It has been 54 months from the date of approval. 6 months over the 36 plus a possible 12-month extension. We ask that the County retract the approval of the EID annexation due to the project having automatically expired.

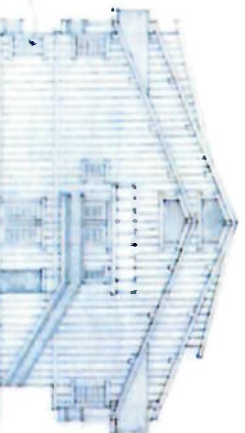
And lastly, as far as misleading the public or another Board Member in the future, regarding information on the agendas, according to government code 54959: "Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter (the Brown Act), and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor."

DR20-0001 EXHIBIT L - ARCHITECTURAL BUILDING ELEVATIONS

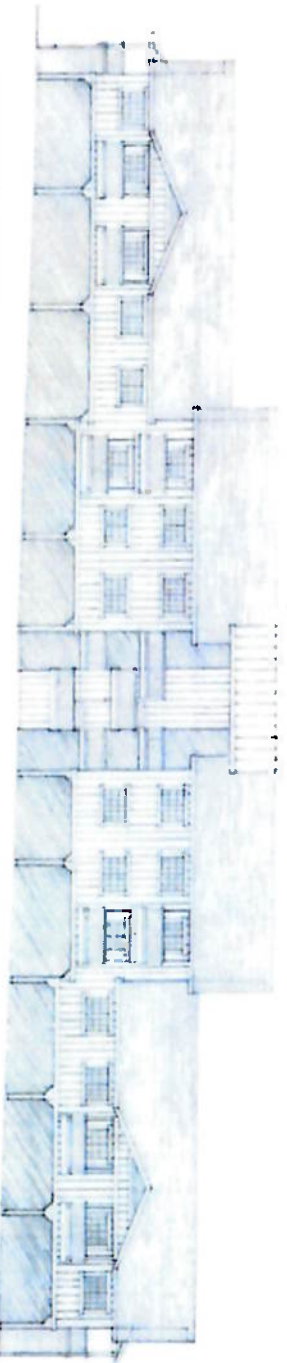


BUILDING 9 - WEST

APPROVED
EL DORADO COUNTY
PLANNING COMMISSION
August 27, 2020
Tiffany Schmidknecht
EXECUTIVE SECRETARY



BUILDING 9 - EAST



BUILDING 9 - NORTH



BUILDING 9 - SOUTH

RESIDENTIAL
ELEVATIONS



WRIGHT
ARCHITECTURE,
LLC

101 E. 1st St., Suite 313
San Jose, CA 95131
(408) 431-7141 / Fax: (408) 431-7142

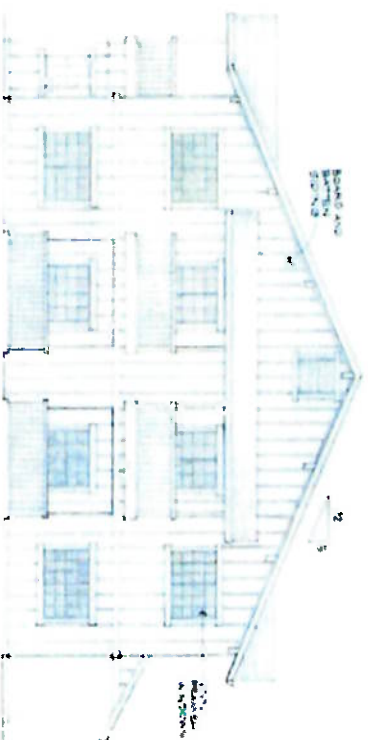
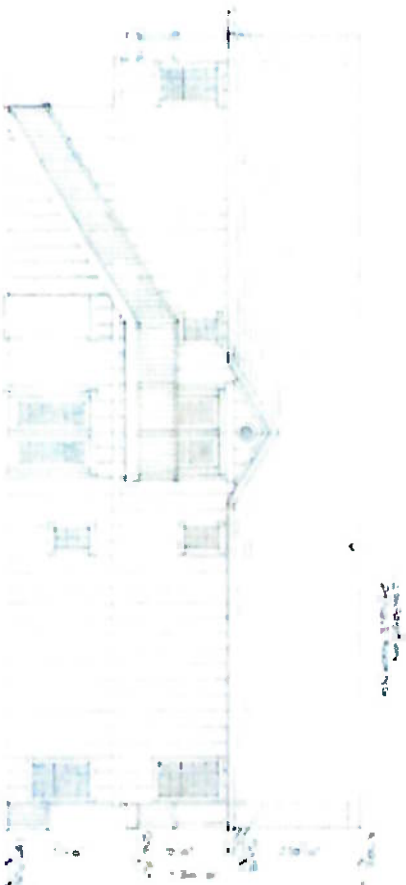
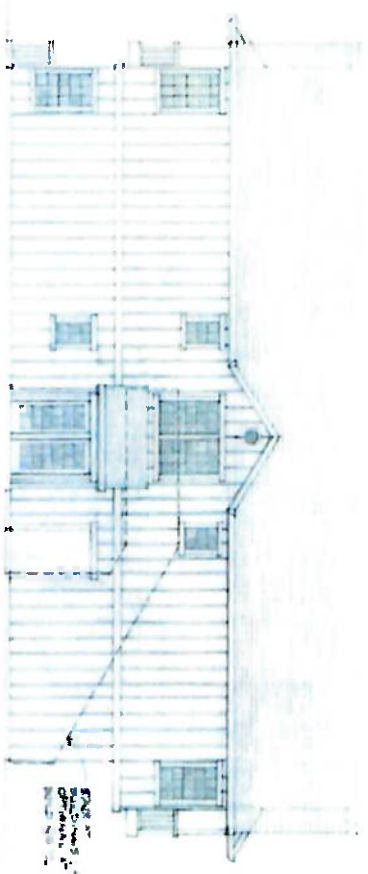
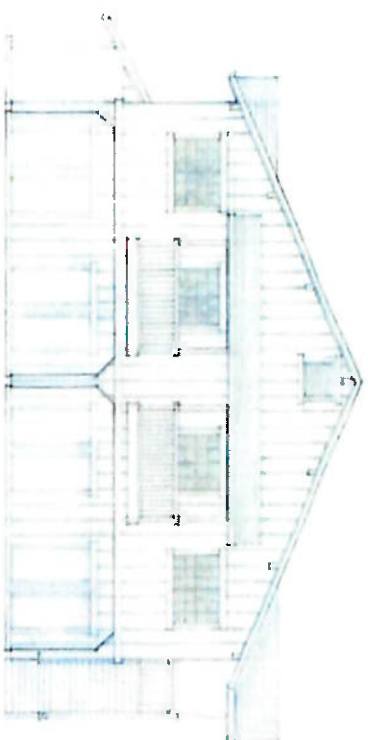
El Dorado Senior Village
Highway 49 at Raki Lane
El Dorado, California

El Dorado Senior Housing LLC
354 Dorado Blvd.
Dorado, CA 94520
(925) 772-3772
Email: info@eldoradoresidential.com



Sheet A2

DR20-0001 EXHIBIT L - ARCHITECTURAL BUILDING ELEVATIONS



RESIDENTIAL BUILDINGS 1, 4, 12 (ALL SIMILAR)

RESIDENTIAL
ELEVATIONS

El Dorado Senior Village

Highway 49 at Kati Lane
El Dorado, California



WRIGHT
ARCHITECTURE,

Studio

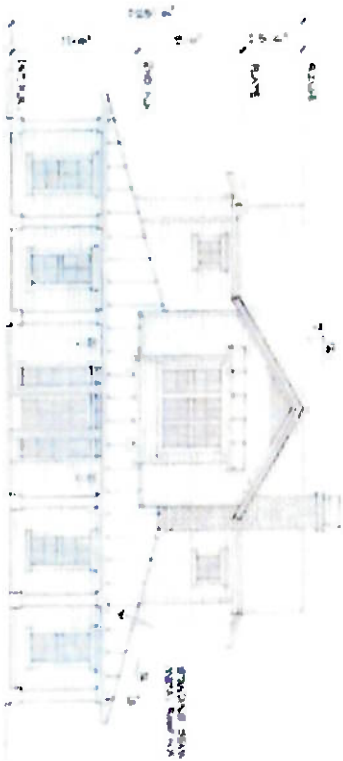
Project Wright No. 2018
Wright Architecture Studio
101 South West Street, Suite 303
San Jose, CA 95128
(408) 435-1111
www.wrightarchitecture.com

El Dorado Senior Housing LLC
844 Dakota Road
Dorville, CA 94524
(925) 772-3772
info@eldoradohousing.com

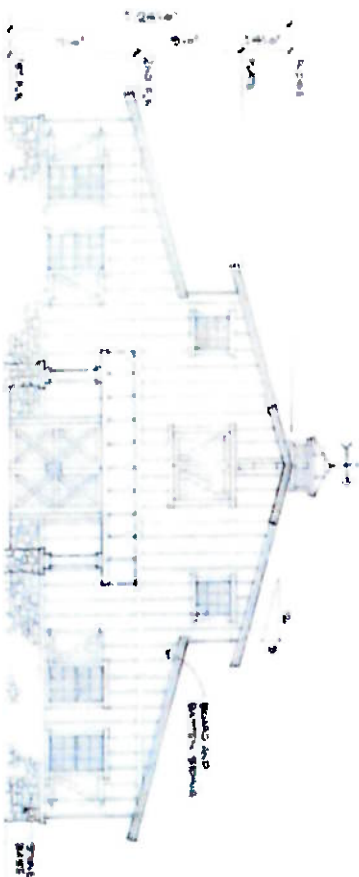


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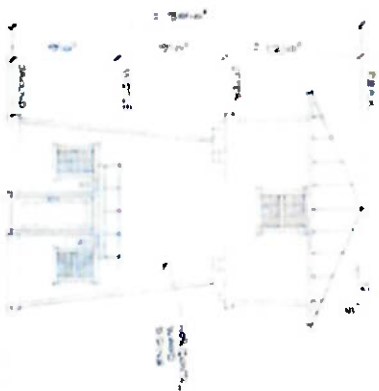
DR20-0001 EXHIBIT L - ARCHITECTURAL BUILDING ELEVATIONS



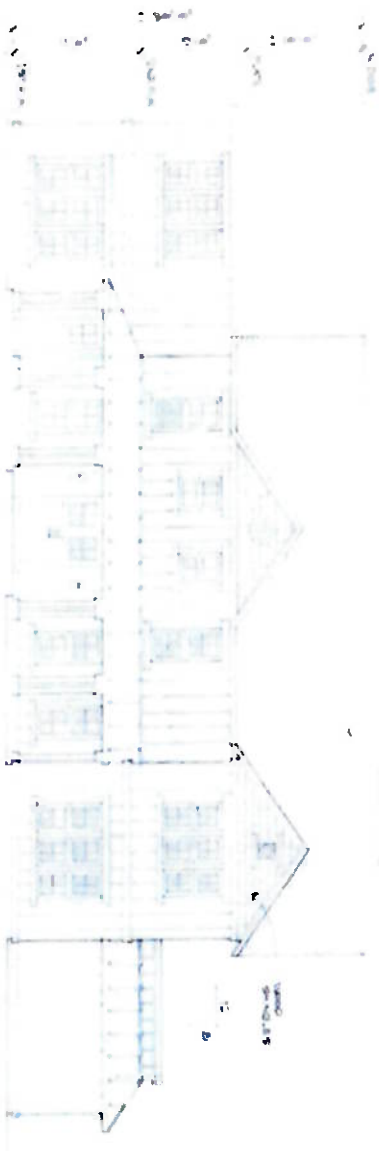
COMMERCIAL BUILDING TWO
"THE VILLAGE INN"
NORTH ELEVATION



CLUBHOUSE BUILDING
"THE BARN"
SOUTH ELEVATION



OFFICE BUILDING
"THE TANK HOUSE"
SOUTH ELEVATION



COMMERCIAL BUILDING ONE
"THE RANCH HOUSE"
NORTH ELEVATION

COMMERCIAL
ELEVATIONS



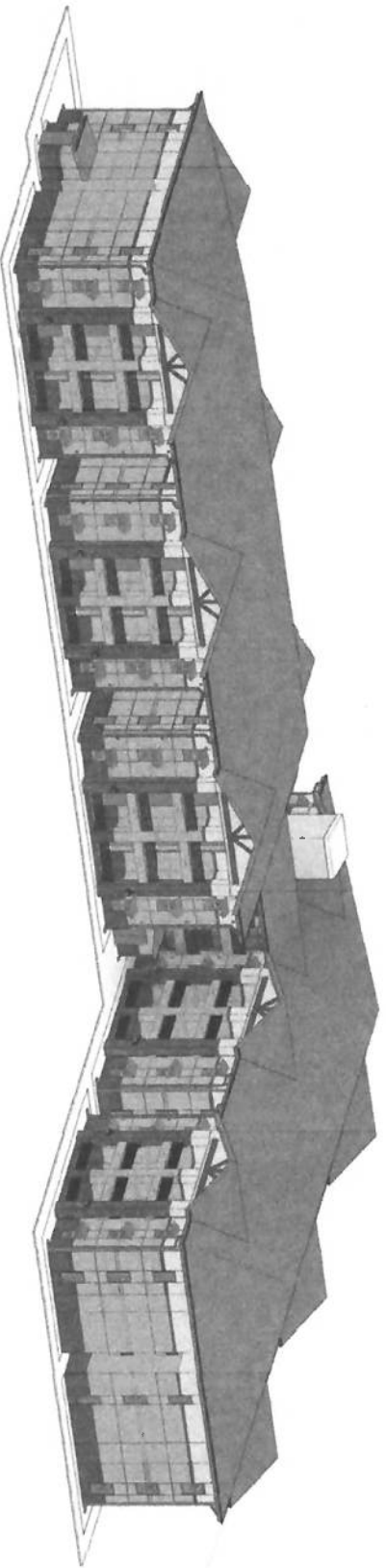
WRIGHT
ARCHITECTURE
Studio

Project: DR20-0001 1X A4
Wright Architecture, S.C.
1001 North Main Street, Suite 111
San Diego, CA 92101
(619) 441-4447 FAX: (619) 441-4447
www.wrightarchitecture.com

El Dorado Senior Village
Highway 49 at Kobi Lane
El Dorado, California
95623-1000

El Dorado Senior Housing LLC
854 Dorado Road
Dorado, CA 94526
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Email: wright@wrightarch.com

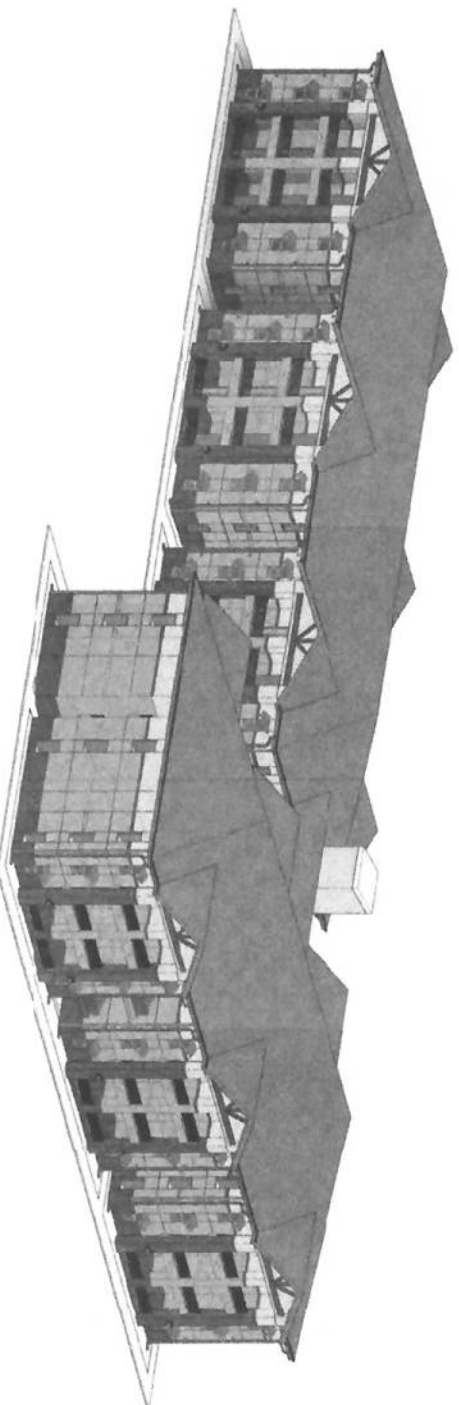




EL DORADO
SENIOR VILLAGE
APARTMENTS I,
LP

EL DORADO
SENIOR VILLAGE
APARTMENTS I

1. NORTHEAST VIEW



2. NORTHWEST VIEW



CLIENT

PROJECT TITLE
 EL DORADO
 SENIOR LIVING

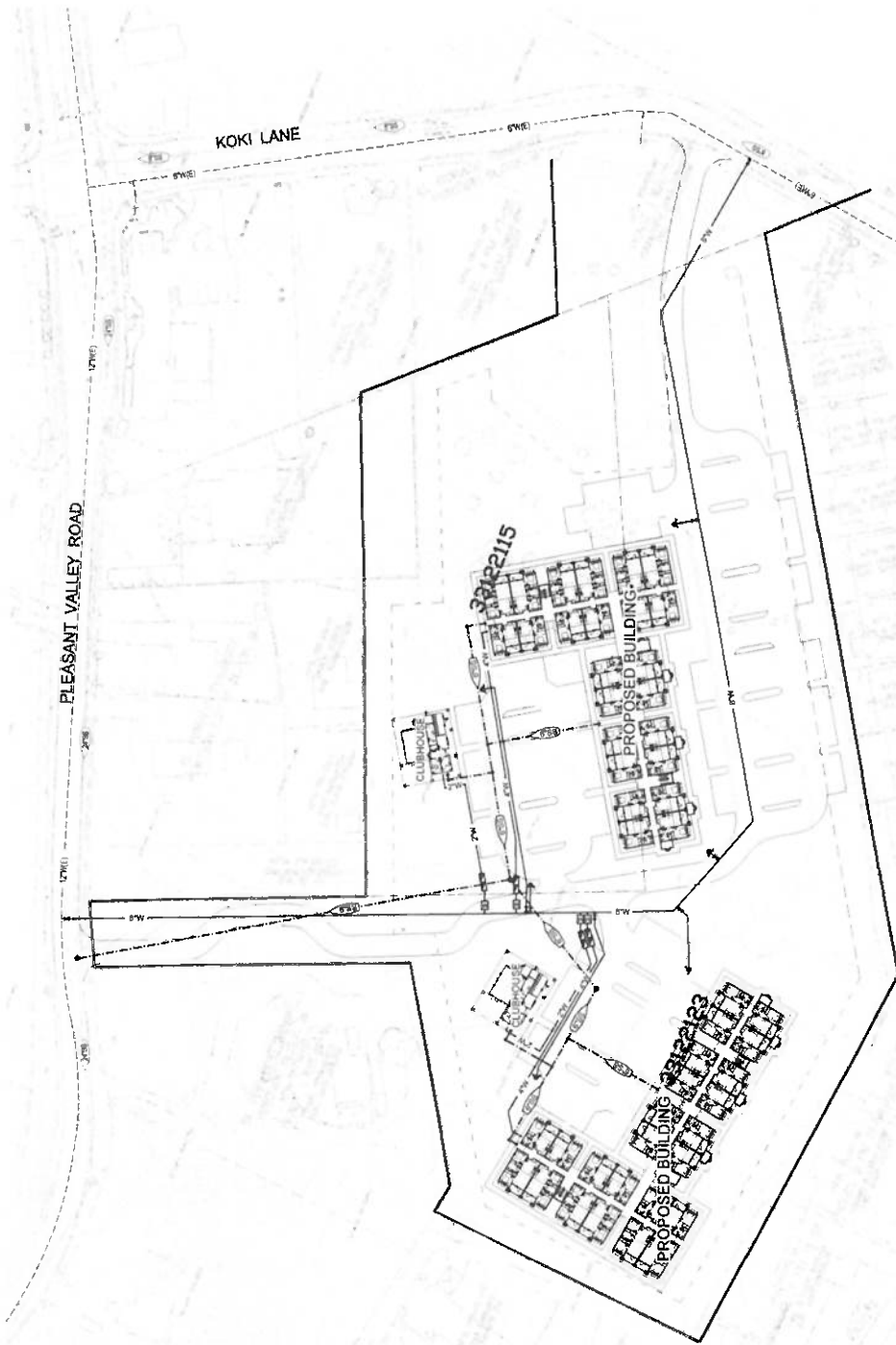
HIGHWAY 47 &
 KOKI LANE
 EL DORADO, CA

SHEET TITLE
**PRELIMINARY
 UTILITY
 PLAN**

DATE: 03/02/2024	DRAWN BY: MT / RP
JOB NO.: C194006	
SHEET NUMBER	

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25-0210 D 28 of 03



LEGEND:

	WATER MAIN		SEWER MAIN
	GAS MAIN		FIRE HYDRANT
	WATER VALVE		FIRE HYDRANT CONNECTION
	WATER METER		FIRE HYDRANT RISER
	WATER MAIN CLEANOUT		FIRE HYDRANT OUTLET
	WATER MAIN SHUT-OFF		FIRE HYDRANT CONNECTION BOX

DATE: 03/02/2024
 DRAWN BY: MT / RP
 JOB NO.: C194006
 SHEET NUMBER

PRELIMINARY UTILITY PLAN
 SCALE: 1" = 40'





A Nonprofit Housing and Community Development Organization

C. Armstrong
Open Form BUS 4/8/2025

October 25, 2024

To Whom it May Concern:

This letter will confirm our interactions with Non-Profit Construction Corporation (NPC), including its CEO Caleb Armstrong. They sought us out because of our vast experience in housing and infrastructure development in the San Joaquin Valley of California, as well as our pioneering efforts in the mutual self-help housing program, which NPC is interested in pursuing in El Dorado County.

We found NPC to be earnest, thoughtful, and mission driven. They did their "homework" prior to meeting with us and seem to have experience that is well suited to affordable housing endeavors. NPC intends to take advantage of our offer to provide field experience by allowing their team to witness our program firsthand.

Self-Help Enterprises is a nonprofit organization incorporated in 1965. The core activities of the organization are single family homeownership programs, rental housing development and operations, community development, and emergency services in times of groundwater scarcity. Since inception, we have built nearly 9,000 units for homeownership and rental by low-income households.

Feel free to contact me about our experience with NPC at any time.

Sincerely,

Thomas J. Collishaw
President/CEO



FACT SHEET

USDA Rural Development – Section 523 Mutual Self-Help Housing Program



Introduction

The Self-Help Housing program provides grant funding to eligible entities to support families who cooperatively build each other's homes. For more than 40 years, U.S. Department of Agriculture (USDA) and its grantees have implemented this program, resulting in home ownership for more than 25,000 low-income families in rural America. In addition, the program stimulates local economies, provides job training and community service skills, and instills a deep sense of community.

Program Benefits

For families

- Provides affordable home ownership with minimal out-of-pocket expense
- Teaches construction skills
- Instills pride and a sense of ownership
- Families work together for a common goal to build strong communities
- Works with the 502 Loan Program to provide low-interest mortgage loans subsidized to as low as 1 percent interest
- Defers mortgage payments during the construction period
- Reduces the purchase price of the home through sweat equity
- Can be used with other funding sources for even greater family savings

For organizations

- Offers a source of hard-to-find administrative grant dollars to run the program
- Provides a predevelopment grant to help cover expenses during final application preparation
- Provides free technical assistance to help you apply for, set up and run the program
- Is an excellent vehicle for meeting the mission and goals of housing entities and nonprofit organizations
- Can create additional revenue for nonprofit organizations willing to undertake property development
- In some cases, funds can be used as a leveraged match, to attract additional dollars

For your communities

- Increases and maintains affordable housing stock
- Can be used to build new or rehabilitate existing housing
- Boosts local economies through purchase of building materials and hiring subcontractors
- Stabilizes communities by giving residents safe, decent and affordable housing

Grant Criteria

Qualified local entities or "grantees" receive an administrative grant for up to two years to build a specified number of homes. Grant size is based on the number of homes built and the comparable contractor cost for a similar home in the area. Roughly 15 percent of the comparable contractor cost or the difference between the comparable contractor cost and the amount of the Self-Help mortgage, minus \$1,000 is used to set the upper limits of the administrative grant. To determine the grant size, the amounts derived from these calculations are multiplied by the number of homes to be built. For example, in an area with an average comparable contractor built home cost of \$200,000 and a Self-Help housing cost of \$175,000, USDA could provide a grantee \$24,000 to \$30,000 per home built in the program. For an organization building 24 homes, that could mean a \$576,000 to \$720,000 grant. Many organizations have successfully renewed their grants for more than 30 years.

Nonprofit organizations, tribal entities and units of local government may apply. The administrative grant pays for salaries, office space and other program costs directly related to supervising families as they build their homes. Many groups provide developed lots and modest house plans for their families. The grantees manage the construction sites, including purchasing materials through an on-site construction supervisor.



Mortgages — USDA

Section 502

Each participating family qualifies for an individual mortgage, which is used to purchase the land and materials, and pay closing costs and subcontracted labor. Typically, a USDA Section 502 loan is used in tandem with the Section 523 program. In some areas however, conventional loans or other public loan sources are used in part or in full to provide construction and permanent loans to the families. Regardless of the source, all families participating in the 523 program must be at 80 percent median income or below. The Self-Help housing program criteria requires that of the families served, 40 percent must be at or below 50 percent of the median income. Given the favorable terms of the 502 loan and the lower loan amount resulting from the family's sweat equity, the Self-Help program is one of the few ways very-low income families can afford home ownership.



The Section 502 Direct Loan program has several unique features:

- Self-Help loans receive priority processing with 502 funds set-aside on both national and state levels.
- Participating households benefit; the loan is typically amortized for 33 years (up to 38 in some cases) and the payments are subsidized, with the lowest payment possible, based on a 1 percent interest payment. The mortgage subsidy is the difference between what the household is expected to pay and the payment at full note rate. The subsidy is subject to recapture and is repaid if the house sells, there is a change in use, the borrower refinances or in any way title transfers to a third party. Repayment of the subsidy varies, depending on how much has been granted, the length of time the borrower has lived in the home, and original equity in the property.
- A one-step construction loan converts to a permanent loan at the end of construction. There are no interest payments during construction, but the interest accrued during construction is added to the original loan amount and payments are based on the original amount of the note plus accrued interest.
- The self-help 502 does not require a down payment, and the applicant has very few out of pocket expenses at time of loan closing. Typically, the credit reporting fee, hand tools and homeowner's insurance are the only expenses required.

Construction

The Self-Help program can be used for both new construction and rehabilitation. Under the new construction guidelines, house plans must meet the Modest



Housing loan limits established by each USDA Rural Development state office. In addition, the family must complete a substantial portion of the labor. Typically, this means that the family performs 65 percent of the identified labor tasks. The local grantee establishes the labor tasks and weekly time commitments for each household. Under the new construction program, the families must work on each other's home.

The program guidelines for rehabilitation are negotiable in construction tasks and amount of funding, but the applicant must demonstrate a cost savings. The labor may be either mutual or each homeowner may complete it individually. The units may be owner occupied or vacant and include acquisition. The rehabilitation construction funding comes from a variety of sources, including but not limited to the RD 502, 504 or the 533 programs. The grantee secures the construction funding directly or partners with another agency that can provide the construction funds. Proposals are reviewed on a case-by-case basis, but still use the same application process and forms.

Application Process

Generally, the application is a two-step process. The pre-application determines the need and demand for the program, eligibility of the grantee, and the likely success of the program proposed. If approved, the grantee can secure a \$10,000 (tribal entities have been awarded \$15,000 in the past) predevelopment grant to support development of the full application. This application includes finalizing house plans, securing lots and qualifying families for their mortgages. The application process generally takes about a year to complete, but is open year-round to applicants on a first-come, first-served basis.

For More Information

USDA local offices in each state take responsibility for both the grant and the mortgages. USDA contracts with Rural Community Assistance Corporation (RCAC) in the West to provide information, assist in program development and support program management. Call RCAC at 916/447-2854 or go to www.rcac.org for more information. ❁



**COUNTY OF EL DORADO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject: AFFORDABLE HOUSING FEE STRUCTURE	Policy Number B-11	Page Number: 1 of 4
	Date Adopted: 03/14/2000	Revised Date:

BACKGROUND:

A goal of the Housing Element of the El Dorado County General Plan is to provide housing incentives through programs which assist developers in providing affordable housing opportunities while protecting the public health, safety and welfare. The Board of Supervisors has established a specific goal of studying means to create affordable housing within the County.

The deferral or waiver of development fees is one potential incentive in the process of developing affordable housing.

DEFINITIONS:

Lower Income Households: Households with monthly incomes that do not exceed 80% of the median monthly income for El Dorado County, as defined by the U.S. Department of Housing and Urban Development.

Very Low Income Households: Households with monthly incomes that do not exceed 50% of the median monthly income for El Dorado County, as defined by the U.S. Department of Housing and Urban Development.

Affordable Housing: Dwellings for which the monthly cost or rent, including a reasonable utility allowance, does not exceed 40% of the maximum monthly income limit for Lower Income Households in El Dorado County.



COUNTY OF EL DORADO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject: AFFORDABLE HOUSING FEE STRUCTURE	Policy Number B-11	Page Number: 2 of 4
	Date Adopted: 03/14/2000	Revised Date:

POLICY:

1. Fee Deferrals: Federally tax-exempt private non-profit or public agency applicants for construction of affordable housing utilizing primarily volunteer or self-help construction labor may have applicable Planning, Building, Transportation, Environmental Management and General Services (Parks and Recreation) fees deferred on a new construction unit until such time as a refinancing, resale or change in ownership from the initial owner-occupant of the unit occurs. The deferred amount shall bear simple interest at a rate of 3% per annum on the unpaid balance, and become due and payable by the owner-occupant upon the refinancing, resale or change in ownership of the unit.

Very low income applicants for permits to make health or safety repairs to their primary residence may receive a special needs deferral of Building Department fees until such time as their primary residence is re-financed, sold or changes ownership. Fees and interest also will become due and payable upon the death of a deferral beneficiary. The deferred amount shall bear simple interest at a rate of 3% per annum on the unpaid balance.

2. Fee Waivers: Because the Planning, Building, Transportation, Environmental Management and General Services (Parks and Recreation) Departments are fee dependent, the waiver or reduction of affordable housing development fees will only be considered when an alternative source of funds, other than the County General Fund, is identified and available to pay the otherwise required fees. If available, alternative sources of funds may include Community Development Block Grant or other resources.



**COUNTY OF EL DORADO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject: AFFORDABLE HOUSING FEE STRUCTURE	Policy Number B-11	Page Number: 3 of 4
	Date Adopted: 03/14/2000	Revised Date:

If an alternative source of funds is available to pay the otherwise required fees, applicable Departments must receive confirmation of payment of offsetting funds prior to the waiver of fees.

3. **Residential Development:** In order to promote affordable housing opportunities countywide, the County shall offer a Density Bonus Program, as described in the El Dorado County Housing Element, Policy 4.3.1.2, to encourage all builders and developers to provide dwelling units suitable for sale to low and moderate income groups. Density bonuses and other incentives shall be utilized as inclusionary zoning tools to promote the availability of affordable housing in all communities. Density bonus and other incentive requests shall be considered during the regular Planning Commission and Board of Supervisor review and approval process.
3. **Other Agencies:** It is the policy of the Board of Supervisors to encourage the purveyors of public facilities and services (schools, fire, water, sewer) to defer or waive fees in the development of affordable housing projects.

PROCEDURE:

An applicant for a fee deferral or waiver shall present a request in writing to the Department of Community Services, along with documentation necessary to establish eligibility for a deferral or waiver. Documentation for affordable housing construction projects shall include a copy of the applicant's Articles of Incorporation as a non-profit organization, evidence of experience and capacity in the construction of affordable housing, and a description of the proposed project. Documentation for low-income health and safety repairs shall include verification of the applicant's income and a description of the proposed project. The Department of Community Services shall review requests, determine eligibility and make recommendations in writing to the



**COUNTY OF EL DORADO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject: AFFORDABLE HOUSING FEE STRUCTURE	Policy Number B-11	Page Number: 4 of 4
	Date Adopted: 03/14/2000	Revised Date:

applicable County Departments. Final authority in determining if a deferral or waiver request shall be granted shall rest with the directors of the departments responsible for collection of the fees. Determinations shall be made in accordance with all applicable laws, regulations and policies.

In the event that fees are deferred until the refinancing, resale or change in ownership of a unit, it shall be the obligation of the department deferring the fees to record the fees and interest schedule with the County Recorder's office, to become due and payable upon the refinancing, resale or change in ownership of the unit, and to collect the fees with interest when they become due and payable.

Primary Departments: Community Services
 Building Department
 Planning Department
 Transportation
 Environmental Management
 General Services

References: None