



PLANNING AND BUILDING DEPARTMENT

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RE: Affordable Housing Ordinance

Staff requests that the Task Force provide recommendations for key points to be included in an Affordable Housing Policy and Ordinance. In addition to previous Task Force discussions and research, staff is providing the previous BAE report and summary as well as the County's current code section related to affordable housing. Though titled "Affordable Housing Density Bonus", Chapter 130.31 of the zoning code addresses topics related to affordable housing including concessions, incentives and terms of affordability. This code section does not require any development to provide affordable housing. Rather, it was written to encourage affordable housing through density bonuses, concessions and incentives.

This Chapter has not been updated since 2015 and largely mirrored state Density Bonus regulations in effect at that time. Given the changing nature of state regulations, this section likely needs to be updated. Staff will review and make any necessary updates to comply with current state requirements in addition to adding a new section with this Task Force's recommendations for Affordable Housing Policy and requirements for providing affordable housing units.

In the Task Force's next phase of work, it is anticipated that the Task Force will review existing ordinance incentives. The language in Chapter 130.31 will be updated at that time.

Below is a summary of affordable housing requirements previously discussed and based on Board feedback.

Affordable Housing Requirements

Applicability: Housing developments that consists of **five** or more residential units, either for rent or for sale.

Exemptions: Mobile Home Parks and traditional Affordable Housing Projects (TCAC, MHP, etc.)

Requirements: Qualifying housing developments are required to choose an affordable housing option below:

1. Reservation of units for income qualified occupants
 - a. Five percent of the total number of proposed units for very low-income households; or
 - b. 10 percent of the total number of proposed units for low income households; or
 - c. At least 10 percent of the total number of proposed units in a condominium project, for persons and families of moderate income
2. Donate land sufficient in size to allow development of at least 40 affordable housing units;
3. Payment of an in lieu fee;
 - a. Fees shall be paid at the time of issuance of the building permit (current ordinance)
 - b. Fees can be reduced if a portion of an established CFD fee is allocated to the Fund (proposed).

Staff requests that Task Force members provide input on the items above and address the following:

1. Reservation of units for income qualified occupants
 - a. Applicable to both attached and detached units?
2. Donate land sufficient in size to allow development of at least 40 affordable housing units
 - a. Should this number be adjusted based on project size? Percentage?
 - b. Who receives the land? County? Nonprofit Affordable Housing builder?
 - c. Who determines value of land and developability?
3. Payment of an in lieu fee
 - a. What is the in lieu fee based on? How/when does that get adjusted?
 - b. Clarify how this assessment would work. Who establishes? Who receives? What is the assessment amount? Used for same purpose as in lieu fees?