

HOUSING DISCUSSION

EL DORADO COUNTY
BOARD OF SUPERVISORS
JANUARY 25, 2022

TODAY'S OVERVIEW

- Recent Accomplishments
- Planning in Progress
- Legislation Updates
- Ministerial vs. Discretionary Approvals
- Tahoe Housing Strategy
- What's Next
- Where Do We Go From Here

RECENT ACCOMPLISHMENTS

- **PROJECTS**

- Zoning Ordinance Major Amendments
- South Shore Housing Action Plan
- Urgency Ordinance for Temporary Use of RVs for hardship
- 2021-2029 Housing Element Update
- Caldor Fire Urgency Ordinance
- Accessory Dwelling Unit (ADU) Ordinance Update

- **PROGRAMS – Grant Funded**

- Permanent Local Housing Allocation (PLHA) grant (\$2,879,974) and 5-Year Plan
- HOME First Time Homebuyers Program and Tenant Based Rental Assistance Grant (\$983,000)
- Regional Early Action Planning (REAP-1) Grant for Housing Element Update (\$35,000)
- Local Early Action Planning (LEAP) Grant for ADU Phase II (\$293,282)
- REAP-2 for Affordable Housing Ordinance (\$90,000)

IN PROGRESS

- PROJECTS

- Phase I – Permit Ready Accessory Dwelling Unit (ADU) Plan Program (SB2 – \$110,030)
- Infill Incentives Ordinance and Amendments (SB2 \$190,134)
- Phase II Permit Ready ADU Plans (LEAP - \$293.282)
- Community Design Standards – Community Regions (SB2 \$198,000)
- Zoning Ordinance Updates

- PROGRAMS

- SB2 Grant Program for ADUs and Infill
- HOME First Time Homebuyers Program and Tenant Based Rental Assistance Grant (\$983,000)
- Affordable Housing Ordinance (REAP2 - \$90,000)

MINISTERIAL VS. DISCRETIONARY APPROVALS

- **MINISTERIAL PERMITS**

- Under the California Environmental Quality Act, or CEQA, ministerial approvals are those that **involve little or no discretion**, merely apply a checklist or clear OBJECTIVE requirements to the facts as presented and are often issued over-the-counter by county staff.

- **DISCRETIONARY PERMITS**

- Discretionary approvals are those that **involve judgment or deliberation**, allow a county to use discretion to decide whether to issue the approvals and how best to shape or condition those approvals to avoid environmental issues and are often issued by an appointed or elected decision-making body. CEQA review only applies to discretionary approvals.

LEGISLATIVE UPDATES

- 31 Housing-Related Bills Signed Into Law In 2021



LEGISLATIVE UPDATES

Senate Bill (SB) 9 - Urban Lot Split/Duplex Law

- Effective January 1, 2022, (SB 9)
 - Government Code Section 66452.6, 65852.21 and 66411.7
- Allows existing single family zoned lots to be subdivided into two lots and/or convert primary dwelling into duplex when strict eligibility criteria are met.
- **NOT ELIGIBLE:** Commercial, Agricultural, Rural, and Resource Zone Districts

LEGISLATIVE UPDATES

SB 10 Residential Density

- Authorizes legislative bodies to zone any parcel for up to 10 units of residential density in transit-rich area or an urban infill site, and meet certain other requirements
- Authorizes legislative body to override local initiative measures with 2/3 vote
- The ordinance, conforming general plan amendments and other changes in regulations are not "project s" subject to CEQA
- Local agency **retains authority** to decide whether or not to make zoning change

LEGISLATIVE UPDATES

SB 8 Extends Provisions Housing Crisis Act of 2019

- Contains various requirements intended to increase the supply of housing
- Some of the law was originally scheduled to sunset in 2025, but SB 8 extends the law to housing projects submitted before 2030

LEGISLATIVE UPDATES

SB 8 Provisions Extended To 2030

- Jurisdiction cannot disapprove housing project or approve it at a lower density if project complies with applicable, objective standards in place upon complete preliminary application
- Project modifications are allowed, including increasing the number of units or square footage by up to 20%
- Affordable Housing construction must start within 3.5 years (extended from 2.5 years)
- Retains five-hearing limit for certain projects with complete applications

TAHOE HOUSING STRATEGY

- **Tahoe Prosperity Center Housing Strategy – Acton Plan**
 - EDC Lead: Incentives, Loans and Grants, Code Simplifications, Fee Waivers, Inclusionary Policy
- **TRPA Tahoe Living Working Group**
 - Updates: ADU, density, height and intensity
- **Meyers Area Plan**
 - ADU Amendments
- **CA State Law and TRPA** (Regional Authority to override state law)
 - Jurisdictional Area Plan

WHAT'S NEXT?

- State Mandated Priorities
- General Plan 5-Year Review 2016-2020
- General Plan Safety Element Update
- Community-Based Planning: Commercial/Multi-Family Design Standards for Rural Centers
- Oak Resources Updates



WHERE DO WE GO FROM HERE?

- **Priorities to increase affordable or attainable housing availability**
 - In certain locations?
 - By income levels?
 - Homeownership vs. rental?
- **Approaches to increase affordable or attainable housing availability**
 - Inclusionary policy on market rate development
 - Jobs/Housing linkage fees
 - Incentives and/or subsidies
 - Other options based on best practices