# 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

		1. AB 68 L 2. Commu	2021	Hone:		islation n) – Department of nr: annual reports. – Planning and Zon	
		AB 215 I	nity Development	per Sharon Quirt	ng Leo	islation n) – Department of in annual reports. – Planning and Zor	
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	13.	AB 1020: democratic	ymember Ch.	rriedman (D-Gle	ndala	ng and zoning.	
	14.	AB 948 by Assemb disclosures: demogra AB 1029 by Assem B 1043 by Assemb B 1043 by Assemb B 1095 by Assemb B 1096 by Assemb	Olyment of the F	lolden (D-Pasado	- State H	velopment fees: im  Density Bonus Li  Covenants and  ag and zoning: hou  ousing Law: enforce  Real Estate Approximation	sing
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20.	restrict	one Assembly	Prohousiard Bloc	m in -	ingeles) - Ass	housing and	- 1
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# 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

- <u>Jurisdiction cannot disapprove housing project or approve it at a lower density</u> 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