



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

AGENDA TUOLUMNE COUNTY BOARD OF SUPERVISORS HOUSING POLICY COMMITTEE Thursday, October 13, 2022 1:00 p.m.

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
www.tuolumnecounty.ca.gov

IMPORTANT PUBLIC NOTICE: Under the Governor's Executive Order N-25-20, this meeting will allow members of the Housing Policy Committee to participate by teleconference; and under Order N-29-20, Accessibility Requirements, if you need swift special assistance during the Committee meeting, please call 209-770-5423.

PUBLIC PARTICIPATION PROCEDURES

In order to protect public health and the safety of Tuolumne County citizens, this meeting will be physically closed to the public. Public Comment will be opened and closed individually for each agenda item listed below, excluding Reports. To observe or participate in this meeting, please use the following link: <https://us02web.zoom.us/j/85446690835>

For detailed Zoom instructions go to the Agenda Packet
<https://www.tuolumnecounty.ca.gov/638/Board-of-Supervisors-Housing-Policy-Comm>

You also may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email (gyaley@co.tuolumne.ca.us) for retention as part of the administrative record. Comments will not be read during the meeting.

COMMITTEE BUSINESS

1. Adopting Resolution HPC2022-009 authorizing remote teleconference meetings of BOSHPC for the period of October 13, 2022, to November 10, 2022.
2. Consideration of the Minutes of the Meeting of September 8, 2022.
3. Reports

Reports are a brief oral report from a committee or commission member and/or County staff, and no committee or commission action will occur. This item is not intended to include in depth presentations or reports, as those matters should be placed on an agenda for discussion.

PUBLIC FORUM

The public may speak on any item not on the printed agenda. No action may be taken by the Committee. The amount of time allocated for the public forum is limited to 15 minutes.

OLD BUSINESS

1. Title 17 Project - Discussion of Housing-Related Policies for Consideration and Possible Recommendation by the Housing Policy Committee.

ADJOURNMENT

The Board of Supervisors Housing Policy Committee serves as an advisory group to the Board of Supervisors for matters related to housing.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Resources Agency at 209-533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28CFR Part 35 ADA Title II).



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TO: Tuolumne County Committee and Commission Members

FROM: Quincy Yaley, AICP Community Development Department Director

RE: COVID-19 Meeting Procedures

In response to increasing risks of exposure to the coronavirus (COVID-19), all the Committee and Commission meetings will be conducted and participated via Zoom. Video conferencing via Zoom will allow the Commission/Committees and County to adhere to social distancing requirements of the Brown Act and provide a way for the public to provide public comment live during the meeting.

Due to the modified meeting format and tele-conferencing meeting procedures, the Chair may choose to allow public comment on the project in an alternative fashion, rather than calling for those in favor, those in opposition, those neutral, and then any rebuttals or surrebuttals. The Chair may take public comment on the project in any order in lieu of the calling for those in favor, opposition, neutral, rebuttals, and then surrebuttals.

The Committee and Commission may elect to allow the applicant or applicant representative a specific time to speak on the project prior to taking public comments on the item. This opportunity could have a specific time length allotted, such as five or ten minutes.

As a reminder, those who wish to provide information during the public comment are not required to provide their name. County staff will notify the Chair of any individuals who wish to provide testimony and will limit the testimony to the time limit identified by the Chair.

If an item on the agenda is not identified as a “public hearing”, public comment is still required and can be conducted in a similar format to the modified procedures above.

All votes require a roll call with each Committee and Commission member to be named by County Staff prior to stating their vote. The Chair shall also identify by name the commissioner who initiated the motion and the name of the commissioner who seconds the motion. After a second is named, the Chair must allow County staff to complete a roll call vote.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the zoom meeting. It is recommended that the Chair pause for 60-90 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 90 seconds has elapsed County staff will notify the Chair that there is no further public comment.

Staff may need to respond to emails or phone calls from members of the public during the meeting to provide assistance to the public if they encounter problems using the Zoom platform. Staff requests that the Chair allow additional time as needed to ensure that members of the public can engage in the meeting.

Zoom Instructions

Zoom links can be found in the agenda for each meeting. The public can view the meeting from their smartphone, on their computer browser, or listen on their telephone. Zoom does not require an account to attend the meeting, but if the public wishes to create one, their basic accounts are free.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the Zoom meeting. The Chair will pause for 60 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 60 seconds has elapsed county staff will notify the Chair that there is no public comment.

Members of the public can also choose to watch the meeting and do not have to comment during the meeting. If a member of the public does not want to provide public comment live, they can provide public comment prior to the meeting via email to the Community Development Department Director at gyaley@co.tuolumne.ca.us.

Hi there,

You are invited to a Zoom webinar.

When: Oct 13, 2022, 01:00 PM

Topic: BOSHPC 10-13-2022

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85446690835>

Or One tap mobile:

US: +16699006833, 85446690835# or +16694449171, 85446690835#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 669 444 9171 or +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or +1 386 347 5053 or +1 564 217 2000

Webinar ID: 854 4669 0835

International numbers available: <https://us02web.zoom.us/j/85446690835>

JOINING A WEBINAR BY LINK

- To join the webinar, click the link that we provided in the agenda.
- If you are signed in, change your name if you do not want your default name to appear.
- If you are not signed in, enter a display name.

MANUALLY JOINING A WEBINAR

- Use the 9-digit meeting ID/webinar ID provided in the agenda.
- Sign into the Zoom Desktop or Mobile App
- Click or tap **Join a Meeting**
- Enter the 9-digit webinar ID, and click **Join** or tap **Join Meeting**
- If prompted, enter your name and email, then click **Join Webinar** or tap **Join**.
- You may change your name if you do not want your default name to appear, as you are not required to state your name.

WAITING FOR HOST TO START THE WEBINAR

- If the host has not started broadcasting the webinar, you'll receive a message letting you know to "Please wait for the host to start the meeting".

PUBLIC COMMENT

- During the public comment period you will have the option to "raise your hand" if you would like to comment on a proposed project or during the public comment portion of the meeting.
- Once you have clicked the "raise your hand" option, please wait until a staff unmutes your microphone.
- Once staff has unmuted you will have three minutes to speak.
- A staff member will verbally communicate to you and the Committee Members when you have 30 seconds remaining and then when your time is up.
- Once your allotted time is up, a staff member will mute and "lower your hand".
- If you are participating from your smartphone, you will also have a "raise their hand" feature.
- When you are unmuted, a prompt will appear to confirm you would like to be unmuted.
- Once you confirm you will be able to provide public comment.
- If you are participating via telephone call, you will need to press *9 (star 9) to "raise their hand", and when you are unmuted you will hear "you are unmuted" allowing you to provide public comment.

END OF MEETING

- If you would like to leave the meeting before it ends, click **Leave meeting**. If you leave, you can rejoin if the webinar is still in progress, as long as the host has not locked the webinar.

Board of Supervisors Housing Policy Committee

County of Tuolumne

**FINDINGS OF THE BOARD OF SUPERVISORS
HOUSING POLICY COMMITTEE (BOSHPC)
AUTHORIZING REMOTE TELECONFERENCE MEETINGS
OF THE BOARD OF SUPERVISORS
HOUSING POLICY COMMITTEE (BOSHPC)
FOR THE PERIOD OCTOBER 13, 2022, TO NOVEMBER 10, 2022
PURSUANT TO THE RALPH M. BROWN ACT.**

WHEREAS, all meetings of the Board of Supervisors Housing Policy Committee (BOSHPC) and its legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963), so that any member of the public may attend, participate, and view the legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and requirements; and

WHEREAS a required condition of Government Code section 54953(e) is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558(b); and

WHEREAS a further required condition of Government Code section 54953(e) is that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body holds a meeting to determine or has determined by a majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency

1 declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California
2 Emergency Services Act (Government Code section 8625); and,

3 **WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which
4 formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a
5 gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020) but did
6 not rescind the proclaimed state of emergency; and,

7 **WHEREAS**, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, which set
8 expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020 and
9 other Executive Orders but did not rescind the proclaimed state of emergency; and,

10 **WHEREAS**, as of the date of this Findings, neither the Governor nor the state Legislature have
11 exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency
12 either by proclamation or by concurrent Findings the state Legislature; and,

13 **WHEREAS**, the California Department of Industrial Relations has issued regulations related to
14 COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of
15 Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the
16 measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel
17 more than six feet, especially indoors; and,

18 **WHEREAS** the Board of Supervisors Housing Policy Committee (BOSHPC) finds that state or
19 local officials have imposed or recommended measures to promote social distancing, based on the
20 California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention
21 through Title 8 of the California Code of Regulations, Section 3205(5)(D); and,

22 **WHEREAS**, as a consequence, the Board of Supervisors Housing Policy Committee (BOSHPC)
23 does hereby find that it shall conduct its meetings by teleconferencing without compliance with Government
24 Code section 54953 (b)(3), pursuant to Section 54953(e), and that such legislative bodies shall comply with
25 the requirements to provide the public with access to the meetings as prescribed by Government Code
26 section 54953(e)(2).

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3 **NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the Board of
4 Supervisors Housing Policy Committee (BOSHPC), County of Tuolumne, State of California, in Regular
5 session assembled on October 13, 2022, does hereby resolve as follows:

6 Section 1. Recitals. All of the above recitals are true and correct and are incorporated into this
7 Findings by this reference.

8 Section 2. State or Local Officials Have Imposed or Recommended Measures to Promote Social
9 Distancing. The Board of Supervisors Housing Policy Committee (BOSHPC) hereby proclaims that state
10 officials have imposed or recommended measures to promote social (physical) distancing based on the
11 California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention
12 through Title 8 of the California Code of Regulations, Section 3205(5)(D).

13 Section 3. Remote Teleconference Meetings. The Board of Supervisors Housing Policy
14 Committee (BOSHPC) is hereby authorized and directed to take all actions necessary to carry out the intent
15 and purpose of these Findings including, conducting open and public meetings in accordance with
16 Government Code section 54953(e) and other applicable provisions of the Brown Act.

17 Section 4. Effective Date. These Findings shall take effect immediately upon its adoption and
18 shall be effective until the earlier of (i) November 10, 2022, or (ii) such time the Board of Supervisors
19 Housing Policy Committee (BOSHPC) adopts a subsequent Findings in accordance with Government Code
20 section 54953(e)(3) to extend the time during which its legislative bodies may continue to teleconference
21 without compliance with Section 54953(b)(3).

22 ADOPTED this 13TH Day of October 2022, by Board of Supervisors Housing Policy Committee
23 (BOSHPC), by the following vote:

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25 YES:

26 NO:

27 ABSENT:

28 ABSTAIN:

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COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

BOARD OF SUPERVISORS HOUSING POLICY COMMITTEE MEETING *Unapproved* MINUTES September 8, 2022

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PRESENT: Chair Supervisor Jaron Brandon; Supervisor Anaiah Kirk; Joe Bors, Amador Tuolumne Community Action Agency (ATCAA); Mike Lemke, Tuolumne County Building Industry (TCBI); Trinity Abila, Habitat for Humanity; Brad Vondrak, Tuolumne County Association of Realtors (TCAR)

ABSENT: Kristin Millhoff, Area 12 Agency on Aging

STAFF: Quincy Yaley, Community Development Department Director; Rachel Bell, CDD Business Manager; Dave Ruby, Planning Manager

The Committee may have rearranged its agenda during the meeting; however, the minutes have been prepared to follow the printed agenda, for the purpose of consistency.

CALL TO ORDER/WELCOME:

Chair Supervisor Jaron Brandon called the meeting of September 8, 2022, to order at 1:06 p.m.

Ms. Yaley indicated there is a quorum.

Chair Supervisor Jaron Brandon: Present
Supervisor Anaiah Kirk: Absent
Kristin Millhoff: Absent
Mike Lemke: Present
Trinity Abila: Present
Brad Vondrak: Present
Joe Bors: Present

Staff indicated there is a quorum with Ms. Millhoff and Supervisor Kirk being absent.

COMMITTEE BUSINESS:

Adopting Resolution HPC2022-008 authorizing remote teleconference meetings of BOSHPC for the period of September 8, 2022, to October 13, 2022.

Chair Brandon asked the membership their thoughts on returning to in-person meeting and it was decided to keep it remote

Chair Brandon opened public comment. Seeing none, he closed public comment.

Chair Brandon called for a motion to approve the Resolution.

Moved by Joe Bors, seconded by Trinity Abila to approve.

Chair Supervisor Jaron Brandon: Aye

Supervisor Anaiah Kirk: Absent

Kristin Millhoff: Absent

Joe Bors: Aye

Mike Lemke: Aye

Trinity Abila: Aye

Brad Vondrak: Aye

YES: 5

NO: 0

ABSENT: 2

ABSTAIN: 0

Motion carried 5-0-2-0 with Ms. Millhoff and Supervisor Kirk being absent.

Consideration of the Minutes of the meeting of August 11, 2022.

Chair Brandon asked if there is a motion for any amendments or a motion to approve the minutes of the meeting of August 11, 2022.

Chair Brandon opened public comment. Seeing none, he closed public comment.

Moved by Brad Vondrak and seconded by Mike Lemke to approve.

Chair Supervisor Jaron Brandon: Aye

Supervisor Anaiah Kirk: Absent

Kristin Millhoff: Absent

Joe Bors: Aye

Mike Lemke: Aye

Trinity Abila: Aye

Brad Vondrak: Aye

Motion carried 5-0-2-0 with Ms. Millhoff and Supervisor Kirk being absent.

Reports

Chair Brandon reported the BOS had a 14 hour meeting and which included actions regarding the County adopted budget. He said the Board will also be looking at the position of the Housing Specialist, which is grant funded by ARP for one year, and will try to find a way to fill that position. The BOS will discuss adding this position to the budget as a general fund position, or keep it only grant funded.

Ms. Yaley reported on some of the projects she continues to work on. She also mentioned the items that were to go before the BOS the first meeting in October has now been moved to the second meeting in October due to being away at an American Planning Association Conference that first week.

Ms. Abila reported that Habitat is partnering with a pilot project looking at 3D printed homes to support "Aging in Place" housing design. The initial design has come back from an architect from Japan, and

the design is very innovative and unique. She shared that she and her construction supervisor went to Redding to view the first 3D printed concrete home in California. They saw the machine begin to print a 1200 square foot three bedroom, two bath home.

A discussion ensued concerning the inclusionary housing ordinance and R-1 density items that are going in front of the Board of Supervisors on October 18, 2022.

PUBLIC COMMENT:

Vice Chair Brandon opened the public forum. He said if any member of the public wants to speak on any item that is not on the agenda, they may raise their hand and will have 3 minutes.

Chair Brandon, seeing no comment, closed public comment.

OLD BUSINESS

Update of the Housing Policy Committee 2022 Work Plan

Ms. Yaley indicated there is no update other than she is continuing to work on the four items in the work plan: Title 17 Ordinance Code, Housing Coordinator Position, Inclusionary Housing Ordinance, and the Survey.

Survey/Outreach to Builders, Contractors, and Engineers - Update on Ad Hoc Committee for Special Project – Survey/Outreach to Builders, Contractors, and Engineers

Brad Vondrak indicated they are trying to make the survey very specific on who receives it and how to best deliver it so it would be filled out. A discussion ensued on potential best practices for the survey.

Chair Brandon opened public comment. Seeing none, he closed public comment.

Title 17 Project Discussion of Housing-Related Policies

a. Building Height

b. Density Bonuses for Additional Open Space

Ms. Yaley discussed two items related to the Title 17 project: maximum building height and density bonuses for additional open space. The building height limit is currently limited in the zoning and building code. There is not a ladder truck in Tuolumne County, so first responders are not able to reach higher than three stories. The code does allow higher buildings with securing a use permit. It was discussed that if the County wanted to allow 4 story buildings as a permitted use rather than a conditional use, the County would need to purchase a ladder truck.

Supervisor Kirk joined the meeting.

A discussion ensued concerning the building height limits in Tuolumne County.

Chair Brandon opened public comment. Seeing none, he closed public comment.

Chair Brandon proposed having the Committee make a motion to add a section (c.) to the Title 17 Project discussion which states the building height limit can be increased on approval of the CDD Director and the Fire Inspector.

Moved by Supervisor Kirk and seconded by Brad Vondrak to approve.

Chair Supervisor Jaron Brandon: Aye

Supervisor Anaiah Kirk: Aye
Kristin Millhoff: Absent
Joe Bors: Aye
Mike Lemke: Aye
Trinity Abila: Aye
Brad Vondrak: Aye

Motion carried 6-0-1-0 with Ms. Millhoff being absent.

Chair Brandon presented information about additional density bonuses if a developer provides additional open space, indicating there is an offset that allows for a density bonus if a certain amount of open space is authorized within a parcel. Currently an applicant get a small percentage of density for a larger percentage of open space. The proposal for consideration by the committee is to incentivize preserving large areas of open space to get a proportional amount of density where height limits and floor to area ratios allow.

Chair Brandon opened public comment. Seeing none, he closed public comment.

Moved by Supervisor Kirk and seconded by Joe Bors to approve a density bonus increase equivalent to the amount of open space.

Chair Supervisor Jaron Brandon: Aye
Supervisor Anaiah Kirk: Aye
Kristin Millhoff: Absent
Joe Bors: Aye
Mike Lemke: Aye
Trinity Abila: Aye
Brad Vondrak: Aye

Motion carried 6-0-1-0 with Ms. Millhoff being absent.

ADJOURNMENT:

Chair Brandon adjourned the meeting at 2:18 pm

Respectfully submitted,

Quincy Yaley, AICP
Community Development Department Director

QY:js

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