



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, November 10, 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/82090063565>

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 HPC2022-0010 authorizing remote teleconference meetings of BOSHPC for the period of November 10, 2022, to December 8, 2022.
2. Consideration of the Minutes of the Meeting of October 13, 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. REAP 2.0 Grant Application Update

2. Status Report on Housing Development Specialist Recruiting Process

NEW BUSINESS

1. Discussion on the November 10, 2022, Housing Collaborative Meeting
2. Presentation on upcoming Housing Element Update

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: Nov 10, 2022, 01:00 PM Pacific Time (US and Canada)

Topic: BOSHPC 11-10-2022

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82090063565>

Or One tap mobile:

US: +16699006833, 82090063565# or +16694449171 ,82090063565#

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 +1 346 248 7799 or +1 719 359 4580 or +1 253 215 8782 or +1 360 209 5623 or +1 386 347 5053 or +1 564 217 2000 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

Webinar ID: 820 9006 3565

International numbers available: <https://us02web.zoom.us/j/82090063565>

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 NOVEMBER 10, 2022, TO DECEMBER 8, 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 November 10, 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) December 8, 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 10TH day of November 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 October 13, 2022

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PRESENT: Chair Supervisor Jaron Brandon; Supervisor Anaiah Kirk; Kristin Millhoff, Area 12 Agency on Aging; Joe Bors, Amador Tuolumne Community Action Agency (ATCAA); Mike Lemke, Tuolumne County Building Industry (TCBI); Trinity Abila, Habitat for Humanity; Betsy Hurst, Tuolumne County Association of Realtors (TCAR)

ABSENT: None

STAFF: Quincy Yaley, Community Development Department Director; 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 October 13, 2022, to order at 1:01 p.m.

Ms. Yaley indicated there is a quorum.

Chair Supervisor Jaron Brandon: Present
Supervisor Anaiah Kirk: Present
Kristin Millhoff: Present
Joe Bors: Absent (joined meeting at 1:19 pm)
Mike Lemke: Present
Trinity Abila: Present
Betsy Hurst: Present

COMMITTEE BUSINESS:

Adopting Resolution HPC2022-009 authorizing remote teleconference meetings of BOSHPC for the period of October 13, 2022, to November 10, 2022.

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

Chair Brandon called for a motion to approve the Resolution.

Moved by Mike Lemke, seconded by Kristin Millhoff to approve.

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

YES: 6
NO: 0
ABSENT: 1
ABSTAIN: 0

Motion carried 6-0-1-0 with Joe Bors being absent.

Consideration of the Minutes of the meeting of September 8, 2022.

Chair Brandon asked if there is a motion for any amendments or a motion to approve the minutes of the meeting of September 8, 2022. Chair Brandon indicated he was referred to as the Vice Chair.

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

Moved by Kristin Millhoff and seconded by Mike Lemke to approve, with amendments.

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

Motion carried 6-0-1-0 with Joe Bors being absent.

Reports

Trinity Abila indicated the Housing Collaborative has different task forces and there is a particular task force that gathered local builders, from big developers to residential builders and non-profit builders, such as Habitat for Humanity, to discuss development process in the county. This group was put together to share their thoughts and perspective on some of the procedural processes at the County that work and don't work.

Mike Lemke reported that the City of Sonora was also represented at this group. He indicated most comments were focused on the permit acquisition process for structures, commercial and residential, as opposed to the first part, being the entitlements and planning process.

Mike Lemke reported they are anticipating some changes in the market. Interest rates play a significant bearing on the consumer along with the consumer price index, with fewer people able to move forward with new projects.

Kristin Millhoff reported they are still waiting on the infrastructure grant money from the State of California. This could take up to a year to receive. Then, they can begin their purchases which are already approved.

Quincy Yaley reported she reviewed several applications for the Housing Development Specialist position this week, and none met the qualifications for the position. She reminded the Committee that an item, regarding lot sizes, which the Committee recommended to go to the Board of Supervisors (BOS) will hopefully be rescheduled for a meeting in December. The Committee or some members of the Committee will be presenting to the BOS on that day. She offered help if there is anything the Committee may need for this item. This presentation may also include the Housing Specialist Position. The Climate Action Plan (CAP) did not pass and will be coming back to the BOS on November 8, 2022. Once this is approved, she will return to some of the long range planning projects, such as Title 17. Ms. Yaley indicated she is looking forward to hearing about the meeting with the builders, non-profits and what sort of issues were identified.

Dave Ruby reported on September 28, 2022, the Governor of California signed many new housing-related bills into state law. Some originated from the State Assembly and some from the State Senate. He indicated they are in the process of working through these bills preliminarily and it appears that SB 6 and AB 2011 are getting the most attention right now. He has taken a preliminary look at both and unfortunately, the bills that deal with increased density, such as SB 6 and AB 2011, can't be used in the high and very high fire hazard severity zones, which covers most of the County. He concluded that his department is still methodically working through these additional bills looking for some more tools to facilitate housing inventory and hopeful the Housing Development Specialist position, when filled, will have a better understanding of these bills, and know which ones could be helpful to this County.

Chair Supervisor Brandon reported there have been some discussions with the City of Sonoma about possibly looking at the sales tax arrangements between the City and County and an annexation strategy, of some type, along with discussions on economic development and housing. He also reported the Central Sierra Economic Development District (CSEDD) is doing a 5 County 5 Year survey and study for the next 5 year plan. Chair Supervisor Brandon indicated he would send the link for the CSEDD Survey to Ms. Yaley to send out to the membership. He encouraged anyone who could provide input, to do so. Chair Supervisor Brandon indicated he had an email discussion with Brian Bell and Rachel Bell concerning ADUs, mentioning San Diego has 10 different pre-approved designs that can be utilized and implemented to save costs. He also noted that housing and fire risk continue to be tied together.

Joe Bors joined the meeting at 1:19.

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

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

Chair Supervisor Brandon indicated that the Title 17 update is a standing item on our agenda to discuss. One of the discussions was to expand the density bonus criteria for student housing and senior housing.

Ms. Yaley indicated that any change to the density bonus criteria would most likely need to go through the Department of Housing and Community Development (HCD) for approval and without looking further into it now, it may already have language included that would allow it.

Chair Supervisor Brandon asked Ms. Yaley to contact HCD and find out how this applies and whether it needs to be in Title 17 and/or the Housing Element and which is first.

Ms. Yaley said she would follow up on this but may not have it for the next meeting.

Chair Supervisor Brandon said he would send an email to HCD and California State Association of Counties (CSAC) to get some background information on this. He then brought up one other proposal being, amongst all the different zonings in the County, the idea of having housing be at least a conditional use in all zoning districts. So, for an industrial or commercial project, if it makes sense and there is not a risk to health and safety, owners should be able to apply and go through the staff and the Planning Commission, specifically for workforce housing in a non-residential district.

A discussion ensued concerning zoning, rezoning and conditional use implications.

Chair Supervisor Brandon brought up a comment made about impact fees and the fees on developments charged by the County. These upfront costs can be a challenge to developers. There was a discussion on if there was a way to change the date these fees are due.

A discussion ensued concerning the pros and cons of timing on these fees.

ADJOURNMENT:

Chair Brandon adjourned the meeting at 2:02 pm.

Respectfully submitted,

Quincy Yaley, AICP
Community Development Department Director

QY:js

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