COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

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

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

AGENDA
TUOLUMNE COUNTY BOARD OF SUPERVISORS HOUSING POLICY COMMITTEE
Thursday, July 14, 2022
1:00 p.m.

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/88945057902

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 (qyaley@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 HPC2022-006 authorizing remote teleconference meetings of BOSHPC for the period of July 14, 2022 to August 11, 2022.

2. Consideration of the Minutes of the Meeting of June 9, 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. Inclusionary Ordinance - Ad Hoc Committee for Special Project – (Mike Lemke, Trinity Abila, Brad Vondrak)

2. Consideration of the amended draft 2022 Workplan for the BOS Housing Policy Committee.

3. Title 17 Zoning Code Project – Status Update

NEW ITEMS

1. Discussion on priorities for the newly created Housing Development Specialist position.

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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July 14, 2022

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 qyaley@co.tuolumne.ca.us.

You are invited to a Zoom webinar.

When: Jul 14, 2022 01:00 PM

Topic: Board of Supervisors Housing Policy Committee (BOSHPC)

Please click the link below to join the webinar:
https://us02web.zoom.us/j/88945057902

Or One tap mobile:
US: +16699006833, 88945057902# or +12532158782, 88945057902#
Or Telephone:
Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099
Webinar ID: 889 4505 7902
International numbers available: https://us02web.zoom.us/u/kdrfhlJ2dr

JOINING A WEBINAR BY LINK

- To join the webinar, clink 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.

<u>Board of Supervisors Housing Policy Committee</u>

<u>County of Tuolumne</u>

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 JULY 14, 2022 TO AUGUST 11, 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 declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625); and,

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

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

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

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

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

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

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NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED by the Board of Supervisors Housing Policy Committee (BOSHPC), County of Tuolumne, State of California, in Regular session assembled on July 14, 2022 does hereby resolve as follows:

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

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

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

Section 4. Effective Date. These Findings shall take effect immediately upon its adoption and shall be effective until the earlier of (i) August 11, 2022, or (ii) such time the Board of Supervisors Housing Policy Committee (BOSHPC) adopts a subsequent Findings in accordance with Government Code section 54953(e)(3) to extend the time during which its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

ADOPTED this 14TH day of July, 2022 by Board of Supervisors Housing Policy Committee (BOSHPC), by the following vote:

YES:

NO:

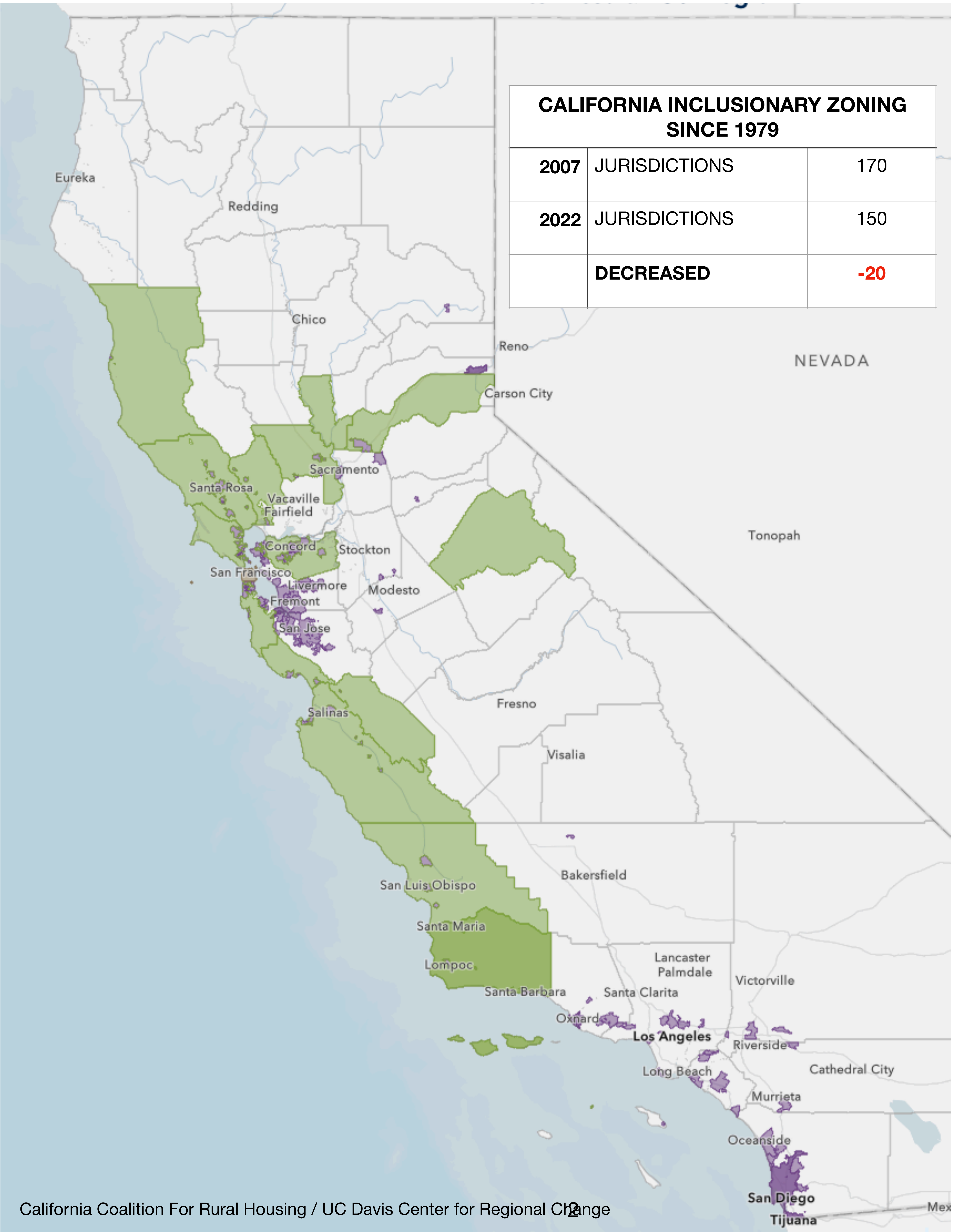
ABSENT:

ABSTAIN:

Inclusionary Zoning

Tuolumne County Rural Application

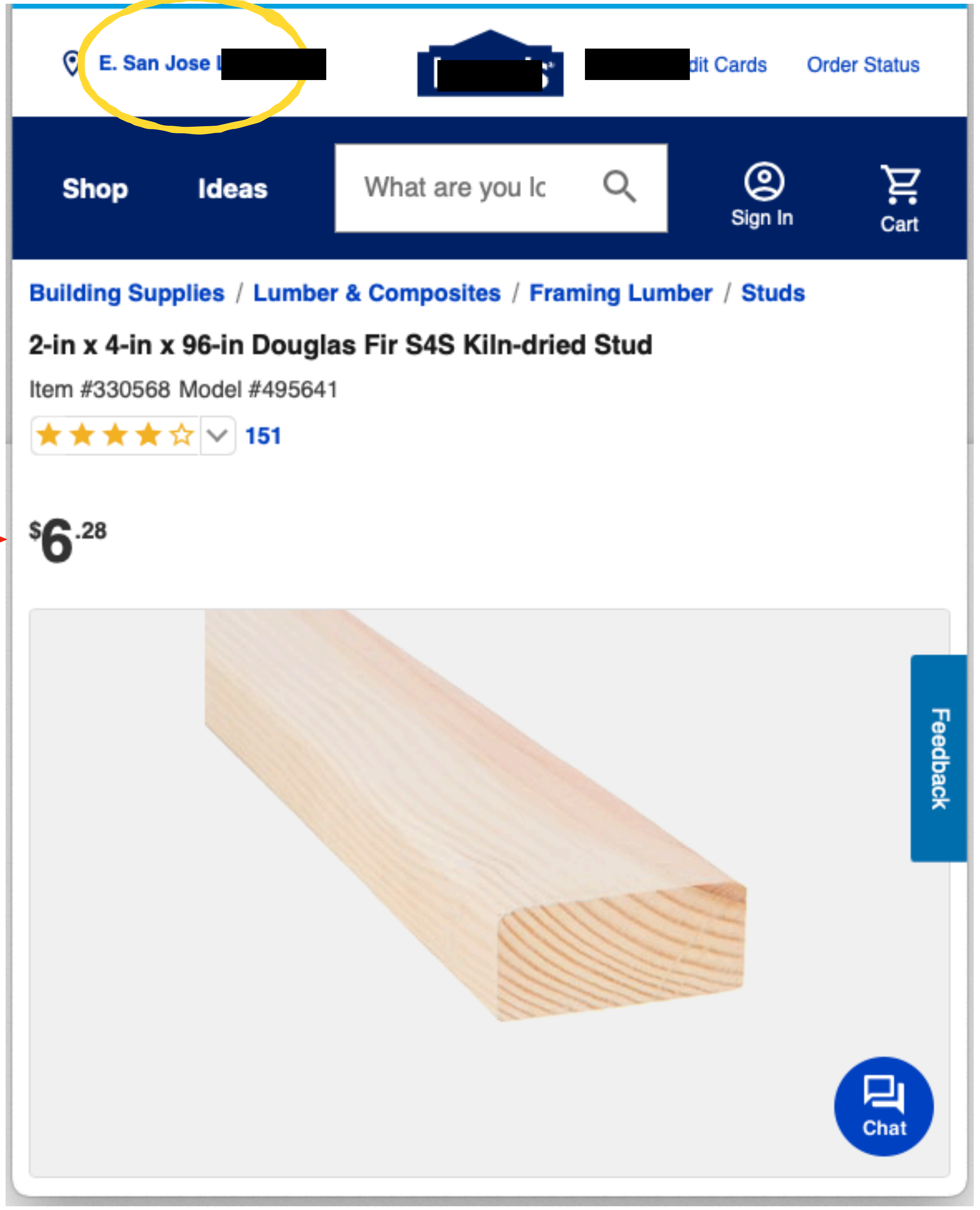
TCBOSHPC Ad Hoc Committee Report June 9, 2022



CALIFORNIA INCLUSIONARY ZONING SINCE 1979		
2007	JURISDICTIONS	170
2022	JURISDICTIONS	150
	DECREASED	-20

California Coalition For Rural Housing / UC Davis Center for Regional Change

Sonora
$392,992
Stockton
$530,466
San Francisco
$1,391,474
Modesto
$443,554
San Jose
$1,578,375
Madera
$393,892
Merced
$399,906
Santa Cruz
$1,174,602
Fresno
$369,498
Salinas
$802,927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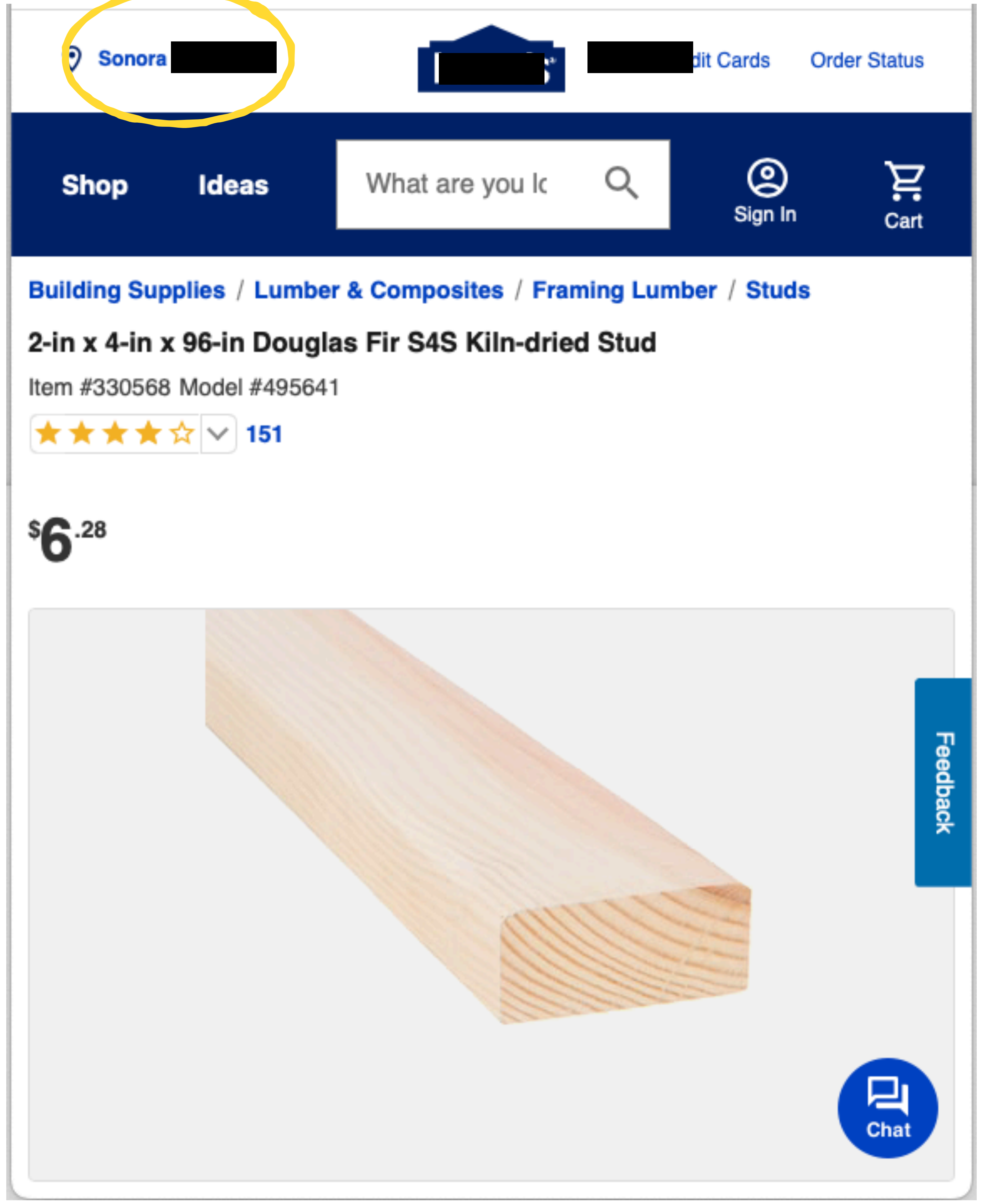
Order Status
Shop
Ideas
What are you lc
Sign In
Cart
Building Supplies / Lumber & Composites / Framing Lumber / Studs
2-in x 4-in x 96-in Douglas Fir S4S Kiln-dried Stud
Item #330568 Model #495641
151
$6.28
Feedback
Chat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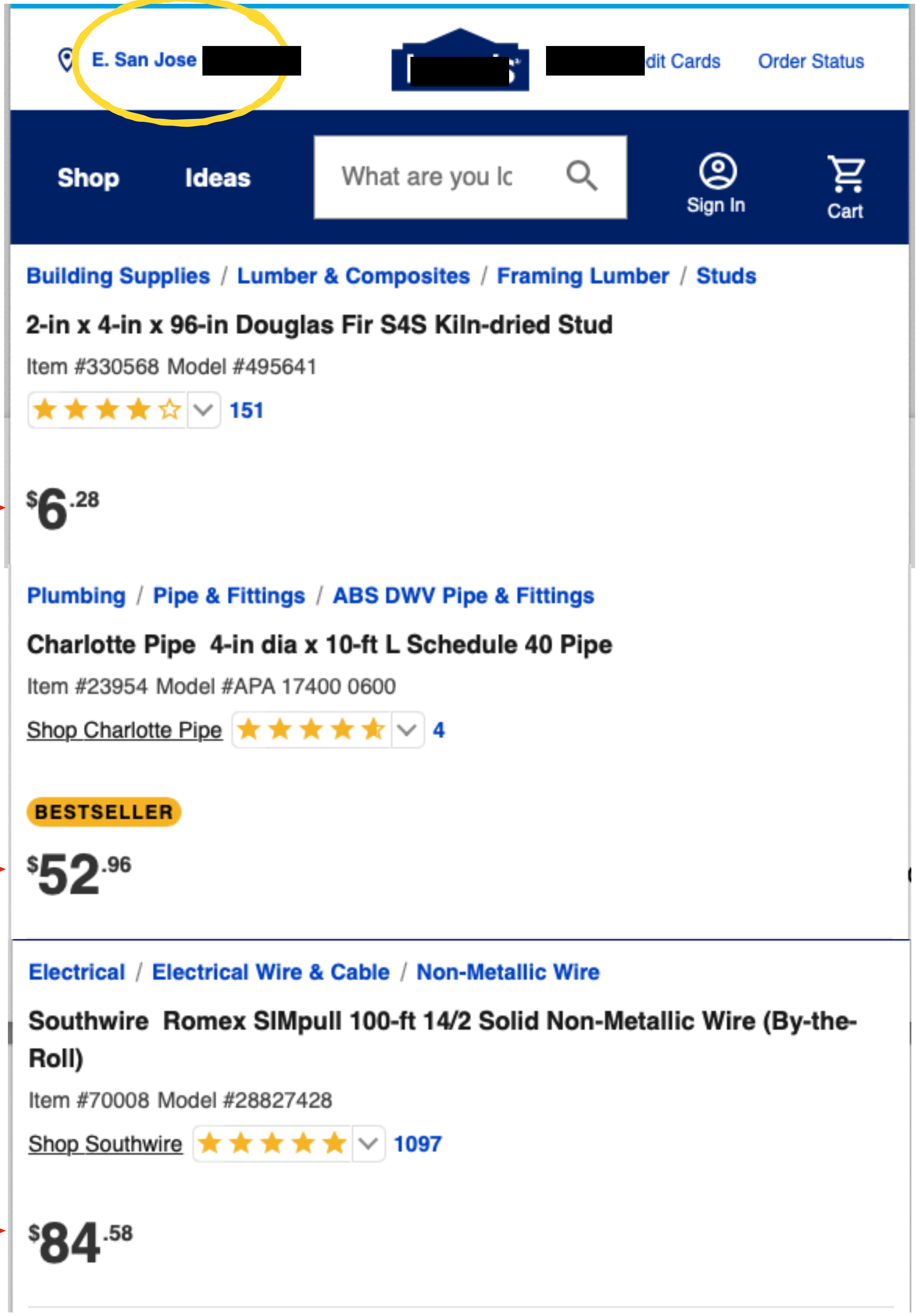

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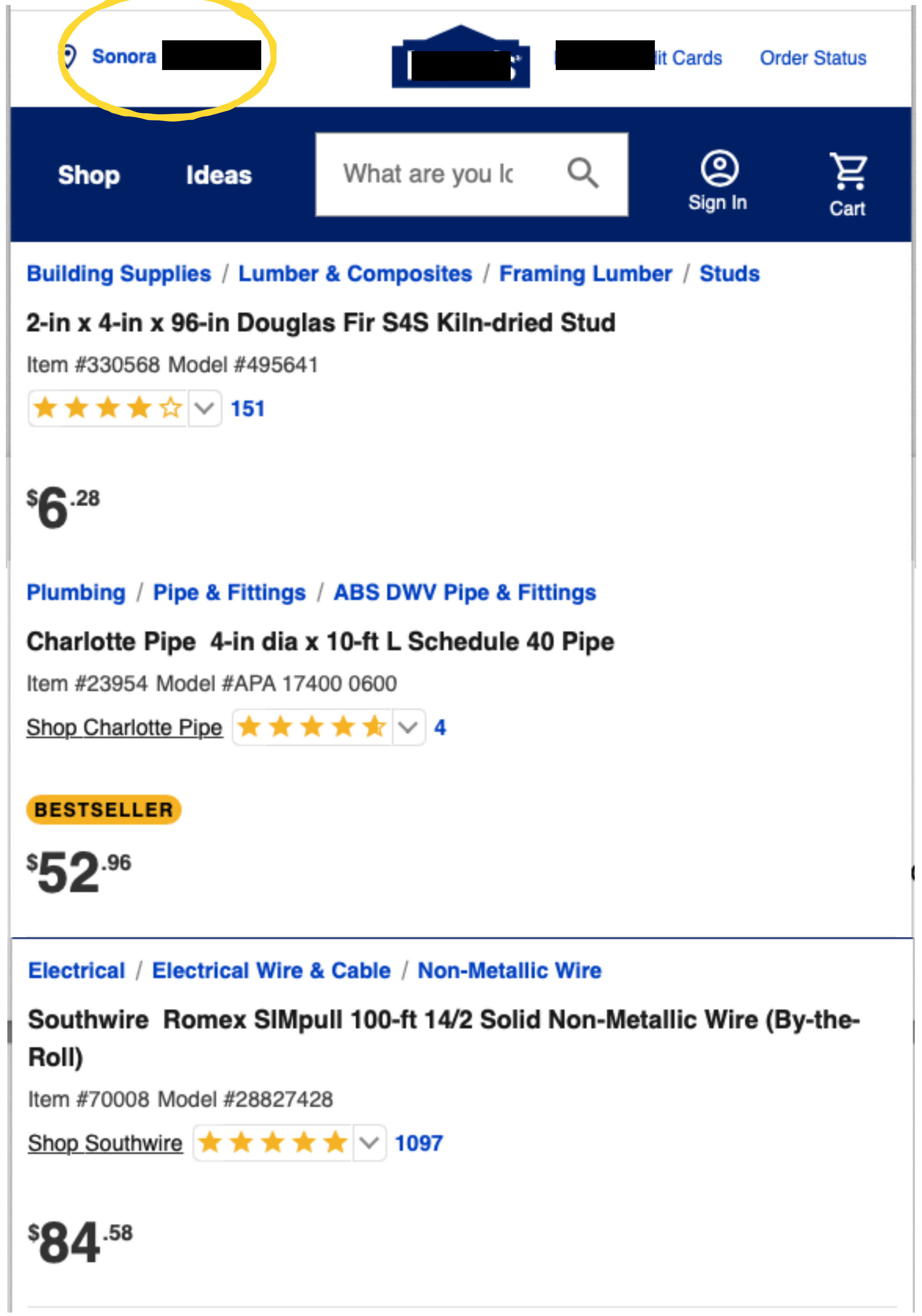
2-in x 4-in x 96-in Douglas Fir S4S Kiln-dried Stud
Item #330568 Model #495641
151
$6.28
Plumbing / Pipe & Fittings / ABS DWV Pipe & Fittings
Charlotte Pipe 4-in dia x 10-ft L Schedule 40 Pipe
Item #23954 Model #APA 17400 0600
Shop Charlotte Pipe
4
BESTSELLER
$52.96
Electrical / Electrical Wire & Cable / Non-Metallic Wire
Southwire Romex SIMpull 100-ft 14/2 Solid Non-Metallic Wire (By-the-Roll)
Item #70008 Model #28827428
Shop Southwire
1097
$84.58



Sonora [redacted]
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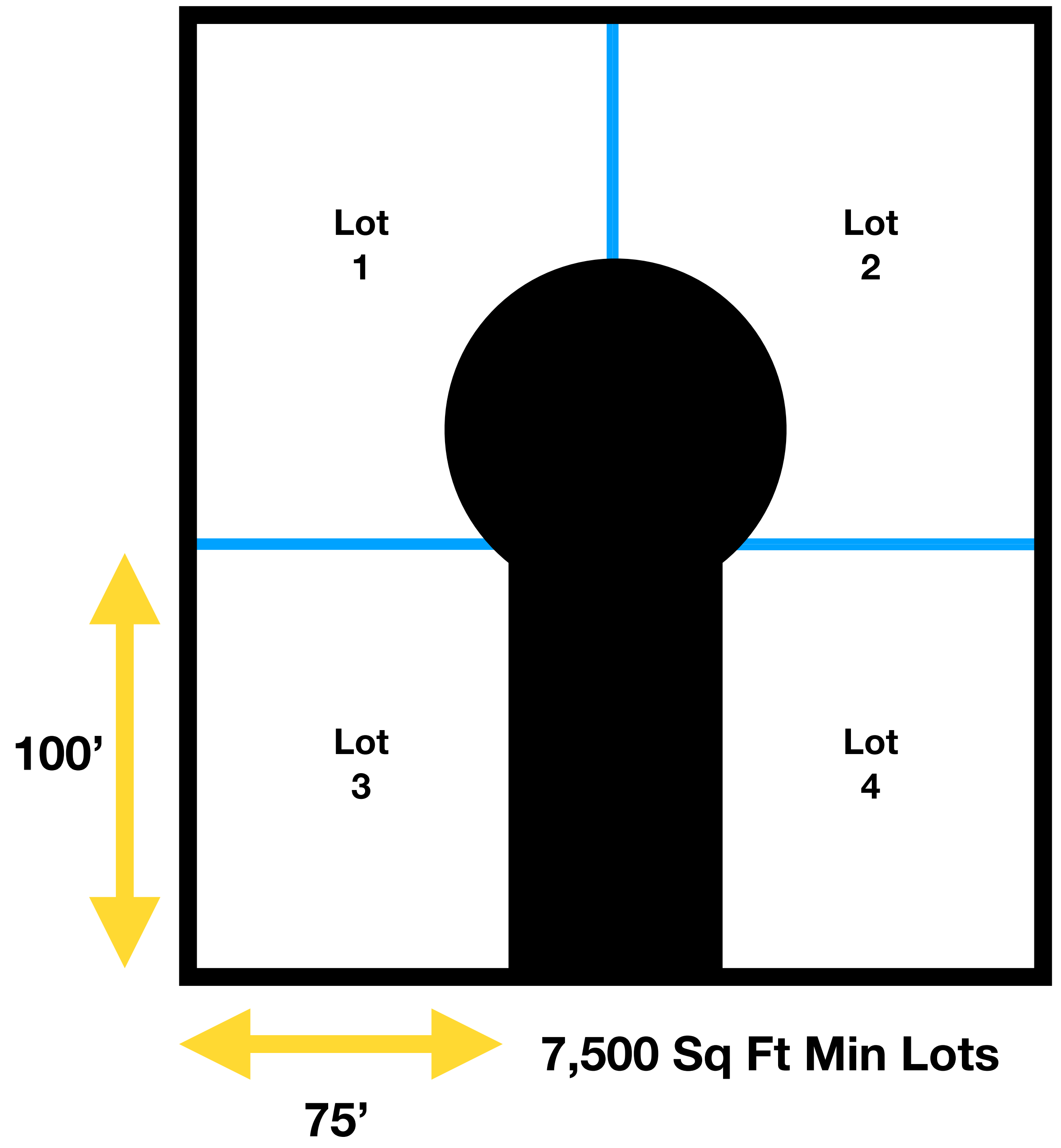
Item #70008 Model #28827428
Shop Southwire
1097
$84.58

APPENDIX B

ZONING CATEGORIES

TYPE OF USE	DESIGNATION	DENSITY RANGE (du/ac)
Exclusive Agricultural district, thirty-seven acre minimum	AE-37	2 du/37 acres
General Agricultural district, twenty acre minimum	A-20	1 du/10 acres
General Agricultural District, ten acre minimum	A-10	1 du/10 acres
Open Space	O	N/A
Open Space-1	O-1	N/A
General Recreational	K	1 du/5,000 sf
Single-family Residential	R-1	6 du/1 acre
Medium density Residential	R-2	12 du/1 acre
Multiple-family Residential	R-3	15 du/1 acre
Residential Estate, one acre minimum	RE-1	1 du/2 acre
Residential Estate, two acre minimum	RE-2	1 du/2 acre
Residential Estate, three acre minimum	RE-3	1 du/3 acre
Residential Estate, five acre minimum	RE-5	1 du/5 acre
Residential Estate, ten acre minimum	RE-10	1 du/10 acre
Mixed Use	MU	15 du/1 acre
Commercial Recreation	C-K	1 du/2 acre
Neighborhood Commercial	C-O	1 du/2,500 sf
General Commercial	C-1	1 du/2,500 sf
Heavy Commercial	C-2	1 du/2,500 sf
Special Commercial	C-S	1 du/2 acre
Business Park	BP	1 du/2,500 sf
Light Industrial	M-1	1 du/7,500 sf
Heavy Industrial	M-2	1 du/7,500 sf
Public	P	No Limit
Timberland Production Zone	TPZ	1 du/37 acres
Mineral Preserve Zone	MPZ	1 du/20 acres
Historic Combining	H	N/A because it is an overlay zone
Historic Design Preservation Combining	HDP	N/A because it is an overlay zone
Design Review Combining	:D	N/A because it is an overlay zone
Mobilehome exclusion Combining	:MX	N/A because it is an overlay zone
Planned Unit Development Combining.	:PD	N/A because it is an overlay zone
Agricultural Preserve Combining	:AP	N/A because it is an overlay zone
Airport Overlay	:AIR	N/A because it is an overlay zone

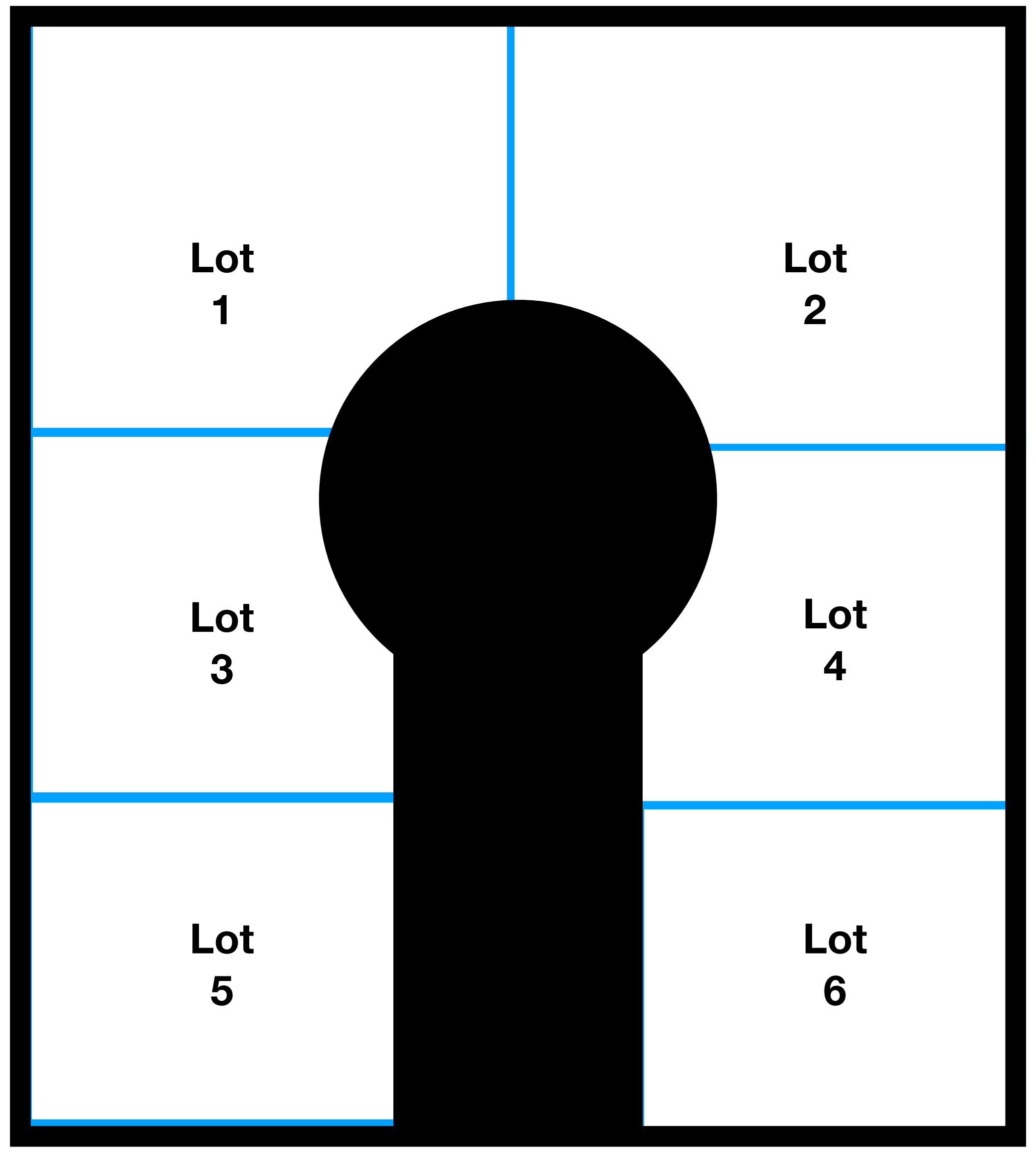
R1
6 Units Per Acre
Minimum 7,500 Sq Ft Lots



A perfect world 1 Acre parcel has a maximum yield of 4 lots due to the county 7,500 Sq Ft minimum. We start at a negative yield and get worse with rural site conflicts and development requirements.

6 Units per Acre should be 5,000 Sq Ft Minimum

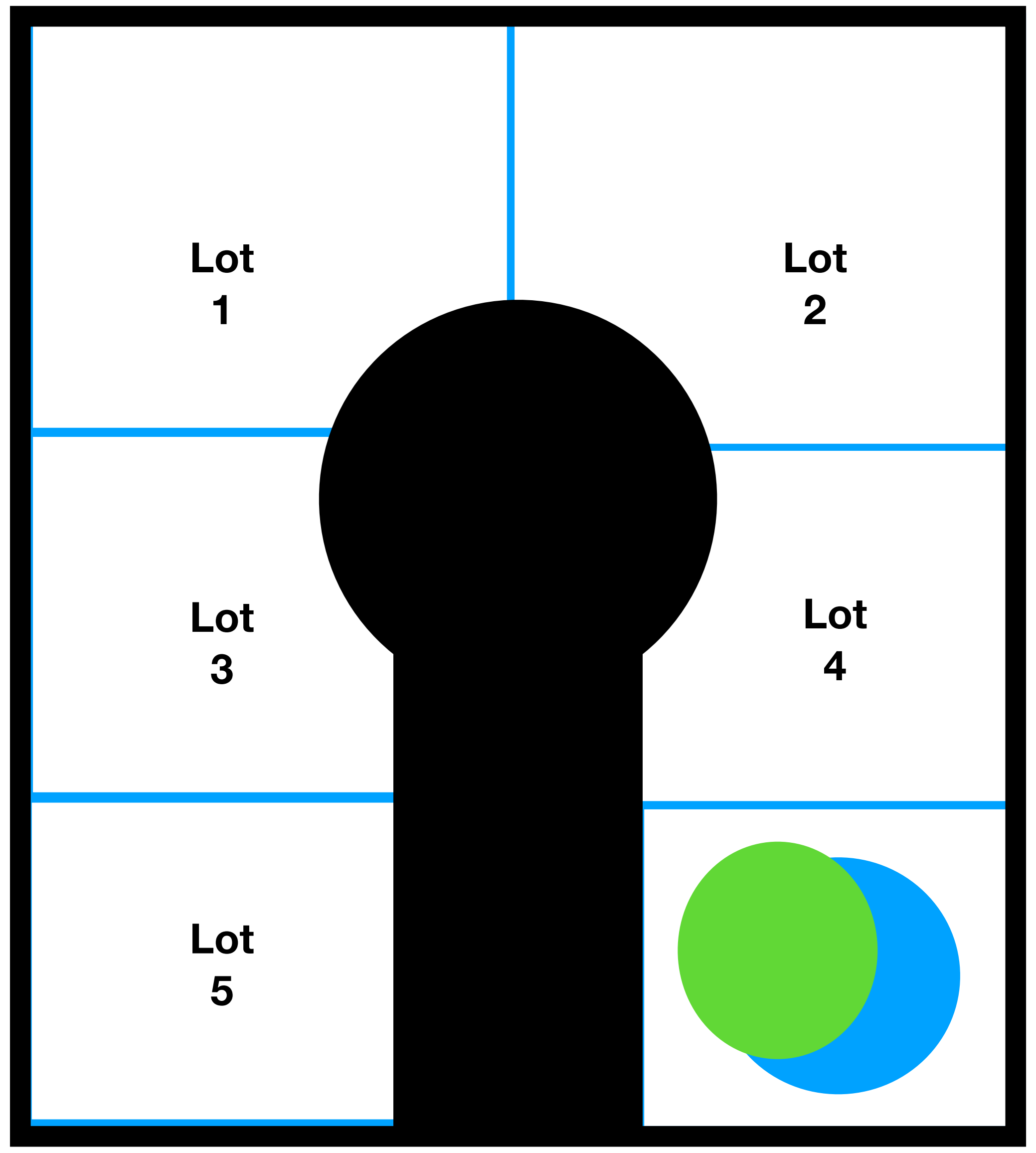
R1
6 Units Per Acre
Minimum 5,000 Sq Ft Lots



5,000 Sq Ft Min Lots

Development costs are now split between 6 lots and minimum lot size is in conformance with zoning.

R1
6 Units Per Acre
Minimum 5,000 Sq Ft Lots

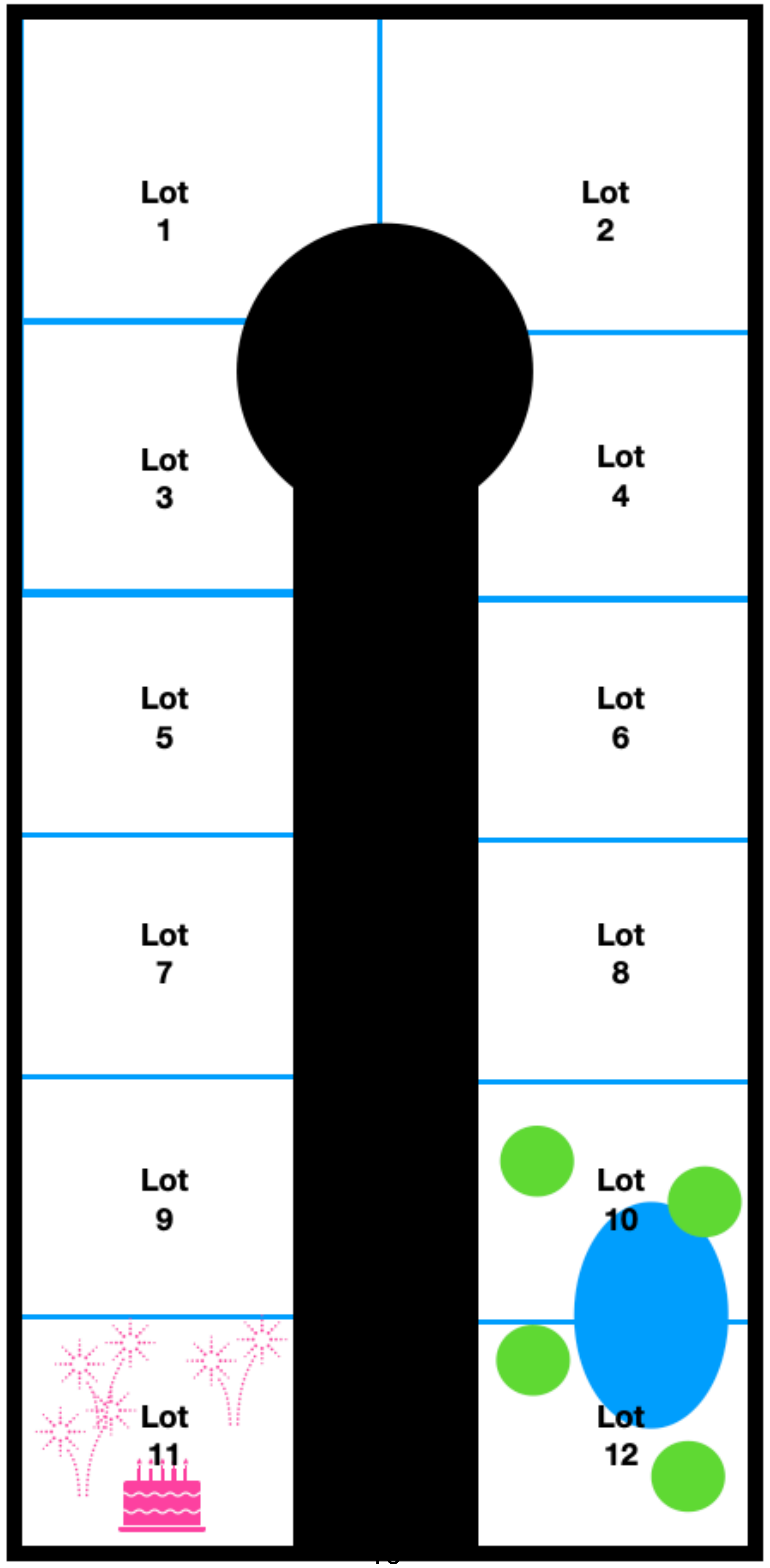


5,000 Sq Ft Min Lots

Development costs are now split between 5 lots and minimum lot size is in conformance with zoning.

R1 - 2 Acre Example

5,000 Sq Ft Min Lots



NO INCLUSIONARY FEE
21 Homes
8,000 Sq Ft Lots - 1,300 Sq Ft Homes

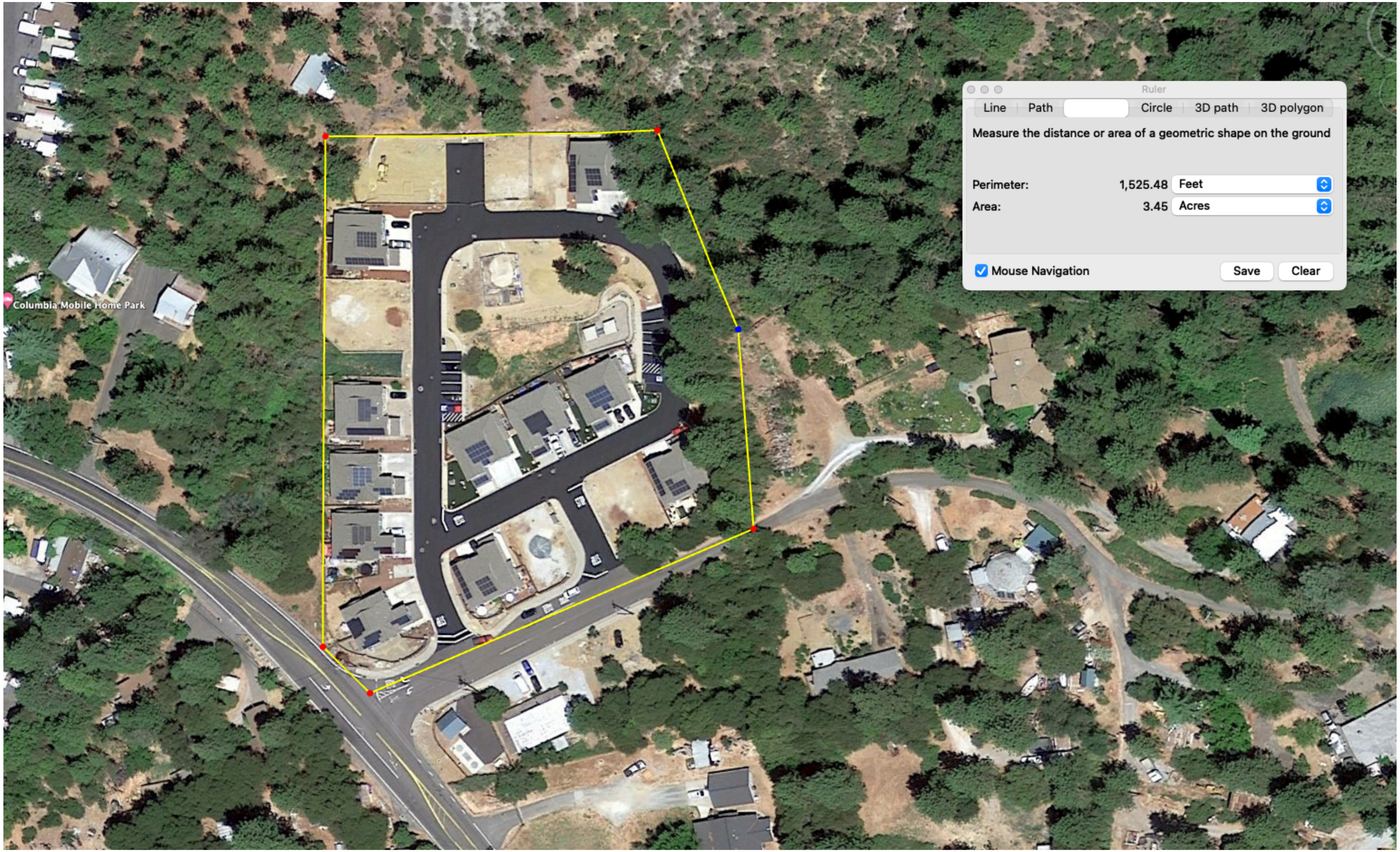
NO INCLUSIONARY FEE
2 Homes
2.5 Acre Lots - 1,800 Sq Ft Homes

5 ACRE PARCELS

R1 = 6/ACRE
Min 7,500 Sq Ft
ZONED 30 LOTS

INCLUSIONARY ZONE DENSITY BONUS FEE

24 Homes
4,600 Sq Ft Lots - 1,800 Sq Ft Homes


Ruler
Line
Path
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3D path
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Measure the distance or area of a geometric shape on the ground
Perimeter: 1,525.48 Feet
Area: 3.45 Acres
Mouse Navigation
Save
Clear
Columbia Mobile Home Park


7.500
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Columbia Mobile Home Park
Ruler
Line
Path
Circle
3D path
3D polygon
Measure the distance or area of a geometric shape on the ground
Perimeter: 1,525.48 Feet
Area: 3.45 Acres
Mouse Navigation
Save
Clear

Performance Timeline

Time is money. Unsold units are a significant financial drain on a neighborhood development.
Traditionally homes are sold then built. Lenders will finance based on contracts signed by buyers. Unsold units will put a detrimental hold on subdivision financing. Sales Release occurs before start of construction to secure financing and provide for customer accommodations prior to construction cut off deadlines. The current ordinance is written with a complete disregard to achieving affordable housing construction. The ordinance puts a home 330 DOM days on market versus the current average of 14 DOM. 90 days is the maximum amount of time allowable before financial damage occurs to the development and cost impacts are absorbed by neighboring home buyers.

17.65.110 Eligibility
D. If the developer is unable to obtain a signed sales contract from an eligible purchaser for the initial sale of an inclusionary unit that is intended for owner occupancy within **90** ~~180~~ days following **the published sales release** ~~final building inspection of the inclusionary unit by the division of building and safety~~, the developer may sell the unit at the market price and pay the in- lieu fee described in Section 17.65.040 to the Affordable Housing Trust Fund. (Ord. 3212 § 5 (part), 2012).

Performance Timeline

DAYS	Existing	Revised
For Sale	0	0
Build C of O	150	0
Signed Sales	180	90
TOTAL DAYS	**330**	**90**

IZ Fee Detail 10 Lot Subdivision

	$ 400,000	County-wide median sales price of a single-family residence		
	10%	Fee Multiplier		
	$ 40,000	In Lieu Fee Per Required Inclusionary Unit		
	$ 40,000	In Lieu Fee Per Required Inclusionary Unit		
	10	Divided proportionately across max 10 homes		
	$ 4,000	**In Lieu Fee per market rate home**		

Income Limits 2021

Number of Persons in Household:		1	2	3	4	5	6	7	8
Tuolumne County Area Median Income: $75,600	Acutely Low	$7,950	$9,100	$10,200	$11,350	$12,250	$13,150	$14,050	$15,000
	Extremely Low	$15,650	$17,850	$21,960	$26,500	$31,040	$35,580	$40,120	$44,660
	Very Low Income	$26,050	$29,800	$33,500	$37,200	$40,200	$43,200	$46,150	$49,150
	Low Income	$41,650	$47,600	$53,550	$59,500	$64,300	$69,050	$73,800	$78,550
	Median Income	$52,900	$60,500	$68,050	$75,600	$81,650	$87,700	$93,750	$99,800
	Moderate Income	$63,500	$72,550	$81,650	$90,700	$97,950	$105,200	$112,450	$119,700

December 31, 2021 Division of Housing Policy Development California

Chapter 17.65

INCLUSIONARY HOUSING

Sections:

17.65.010 Purpose. The purpose of this Chapter is to:

A. Provide one component of a countywide effort to encourage the permitting, development and availability of housing affordable to a broad range of households having varying income levels within Tuolumne County.

B. Assist the county in complying with state law which requires each local jurisdiction to develop a comprehensive, long-term general plan establishing policies for future development, including housing. As specified in the government code, the plan must "encourage the development of a variety of types of housing for all income levels, including multifamily rental housing" and "assist in the development of adequate housing to meet the needs of low- and moderate-income households."

C. Implement Program 3.B.d of the housing element of the general plan which directs the county to adopt an inclusionary zoning ordinance to contribute to the provision of housing units available to very low, low or moderate-income households.

D. Promote the planning, permitting and dispersal of affordable units throughout the County and each community. (Ord. 3212 § 1 (part), 2012).

IN EXCESS OF ALLOWABLE ZONING

17.65.020 Applicability. This Chapter shall apply to discretionary land use entitlements proposing residential development of five or more units, including tentative maps, conditional use permits, site development permits, site review permits and planned unit development permits for which the property owner has requested incentives as provided in this chapter except the following are exempt from the provisions contained herein:

A. Reconstruction of any structure that has been destroyed by fire, flood, earthquake or other act of nature provided that the reconstruction does not increase the number of residential units within the structure.

B. Changes to existing housing developments that do not result in additional residential units.

C. Construction of a secondary single-family dwelling on a parcel zoned for that use.

D. Housing constructed by government agencies.

E. Housing constructed by schools of an academic nature for use by employees of the school who meet the criteria for affordable housing as provided in this Chapter and/or students of the school.

F. Housing constructed by places of worship to house persons in need and not for sale.

G. Housing constructed by employers for use by their employees who meet the criteria for affordable housing as provided in this Chapter.

H. Discretionary entitlements referenced in Chapter 14.08, Section 12.20.075, Section 13.08.053, Section 13.16.065 and Section 15.04.013 of this Code.

I. Renter-occupied development when the owner has not otherwise agreed by contract with the County to build affordable housing in consideration for a direct financial contribution or any other forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code. (Ord. 3212 § 1 (part), 2012; Ord. 3135 § 1, 2010).

17.65.030 Inclusionary unit incentives. Property owners proposing residential development may request incentives as specified in Sections 17.65.070 and 17.65.080. In exchange, a percentage of newly constructed dwelling units in a residential development shall be constructed, offered to, and sold or rented to extremely low, very low, low, OR MODERATE or median income households as affordable housing or an in-lieu fee may be paid as provided in this Section and in Section 17.65.040.

A. For each owner-occupied development consisting of ten units or more, 10 percent of the total units shall be sold at a price affordable to a ~~median~~-income or below household. MODERATE

B. For each renter-occupied development consisting of ten units or more, 10 percent of the total units shall be rented at a price affordable to a low income or below household earning at or below ~~80% of~~ the Area Median Income.

C. If the percentage calculation provided in this Section results in fractional dwelling units, a proportional share of an in-lieu fee referenced in Section 17.65.040 shall be paid for any fractional dwelling unit. The proportional share of the in-lieu fee to be paid shall be calculated by multiplying the in-lieu fee by the fraction of a dwelling unit. Each market rate unit in the development shall pay a proportional share of the in-lieu fee for the fractional unit into the affordable housing trust fund prior to issuance of a Building Permit.

D. Secondary single-family dwellings, either attached to the primary single-family dwelling or on the same parcel as the primary single-family dwelling, are allowed consistent with this title and would not count toward the total density of the development BUT WILL COUNT AS AN AFFORDABLE UNIT

E. Because of interest rates, construction costs, economic conditions, or other factors that are outside the control of the developer, the developer may pay an in-lieu fee to the affordable housing trust fund as an alternative to constructing an inclusionary unit i~~f approved by the Board of Supervisors~~ C OF O prior to issuance of ~~any Building Permits~~ for primary residences in the development. In order to approve payment of the in-lieu fee, the Board shall find that constructing the inclusionary units would create a hardship. The in-lieu fee shall be calculated pursuant to Section 17.65.040. Each market rate unit in the development shall pay a proportional share of the in-lieu fee prior to issuance of a Building Permit.

F. Residential developments that result in five to nine primary single-family dwellings may pay a proportional share of the in-lieu fee referenced in Section 17.65.040 to the affordable housing trust fund. Each primary single-family dwelling in the development shall pay 10% of the in-lieu f~~ee prior to issuance of a Building Permit.~~

G. A developer may satisfy the inclusionary housing requirements in this Chapter through a combination of providing affordable units and paying In-Lieu Fees ~~as may be approved by the Board of Supervisors.~~ (Ord. 3212 § 5 (part), 2012; Ord. 3135 § 2, 2010).

17.65.040 Affordable housing fees. Except as otherwise provided herein, the in-lieu fee shall be 10% of the County-wide median sales price of a single-family residence in Tuolumne County. The median sales price shall be determined annually by the County Assessor on March 1 for use during the following year. Notwithstanding any other calculations provided in this Chapter, beginning January 1, 2012 through December 31, 202~~1~~4 the in-lieu fee for each unit subject to either Section 17.65.030(E) or Section 17.65.030(F) shall be

0.25% of the County-wide median sales price of a single-family residence in Tuolumne County. (Ord. 3303 § 3, 2016; Ord. 3212 § 5 (part), 2012; Ord. 3186 § 3, 2012).

17.65.050 Affordable housing standards. Inclusionary units constructed pursuant to this Chapter shall adhere to the following standards:

A. Inclusionary units shall be dispersed throughout appropriate areas of a residential development. OR OFFSITE Notwithstanding this requirement, inclusionary units may be clustered within the development when this furthers affordable housing opportunities as determined by the decision-making body.

B. Inclusionary units shall be comparable to market rate units in quality of construction and exterior appearance. Inclusionary units may be smaller and have different interior and exterior amenities, such as one-car garages, carports or open parking, than market rate units. The minimum size of the living area of an inclusionary unit shall be as follows:

Type of Unit	Size (square feet)
Owner-occupied detached dwelling	4-person or larger household..........1,000 2- or 3-person household.............800 1-person household.............600
Owner-occupied attached dwelling	800
Renter-occupied dwelling	600

C. Inclusionary units shall be constructed concurrently with market rate units in the development consistent with the inclusionary housing plan as provided in Section 17.65.100. Inclusionary units shall not be required to be constructed until ~~30%~~ 75% of the market rate units in the development have been constructed and a final building inspection has been conducted. All inclusionary units shall be ~~completed and~~ offered for sale or rent by the time 80% of the market rate units have been constructed and a final building inspection has been conducted. For phased developments, the inclusionary units provided by this Chapter shall be proportionately provided within each phase of the residential development after the ~~30%~~ threshold is met. (Ord. 3212 § 5 (part), 2012). 75%

17.65.060 Alternatives. In lieu of providing the inclusionary units on-site, a developer may propose an alternative means of providing inclusionary units. The decision-making body may approve, conditionally approve, or reject any alternative proposed by a developer as part of an inclusionary housing plan. Any approval or conditional approval must be based on a finding that the proposed alternative meets the purpose of this Chapter. (Ord. 3212 § 5 (part), 2012). INCLUDES FUNDING OR CONTRIBUTION TO ALTERNATIVE PROVIDER UNIT COUNTS

17.65.070 Incentives. The County shall provide incentives for the provision of inclusionary units as set forth in Section 17.65.080. The incentives shall be established by resolution of the Board of Supervisors. (Ord. 3212 § 5 (part) 2012).

17.65.080 Inclusionary housing incentives. Inclusionary housing incentives shall be adopted and modified by the Board of Supervisors by Resolution. Said resolution shall contain three categories of incentives, Category A - Standard Incentives, Category B, Additional Incentives, and Category C – Financial Incentives. The County shall provide standard incentives as specified in Category A - Standard Incentives, for any inclusionary unit built. Additional incentives, as specified in Category B - Additional Incentives, shall be granted to developers who provide inclusionary units or pay the in-lieu fee as specified in Sections 17.65.030 and 17.65.040. The additional incentives shall be granted through a Planned Unit Development Permit approved by the Board of Supervisors in accordance with Chapter 17.66 of this code. Financial Incentives in Category C may be made available through County programs or programs made available to the County. (Ord. 3212 § 5 (part), 2012).

17.65.090 Compliance with State density bonus law.

A. If a developer invokes the density bonus entitlements of Section 65915 of the Government Code, such entitlements and the units resulting from those entitlements shall not be subject to the inclusionary provisions of this Chapter.

B. The county shall grant a density bonus and other incentives to developers who agree to construct a housing project in accordance with Section 65915 of the Government Code. The county shall grant incentives required by Section 65915 of the Government Code which may include those referenced in Section 17.65.070. (Ord. 3212 § 5 (part), 2012).

17.65.100 Compliance procedures. An inclusionary housing plan must be approved for every residential development project for which a developer plans to provide inclusionary units pursuant to this Chapter, subject to the following:

A. A land development application shall be accompanied by an inclusionary housing plan which includes the following information:

1. The number of inclusionary units proposed;
2. A description of how the project will comply with the requirements of this Chapter;
3. A site plan or floor plan depicting the location, type (detached, attached), occupation type (owner-occupied, renter-occupied) and size of the proposed market rate and inclusionary units;
4. The household income levels to which each inclusionary unit will be made affordable: extremely-low, very-low, low, ~~or~~ OR MODERATE median and the household size for which each inclusionary unit would be constructed;
5. The mechanisms that will be used to assure that the inclusionary units remain affordable for the term required by this Chapter, such as deed notices, resale or rental restrictions, or other documents;
6. A plan that demonstrates the timely provision of inclusionary units consistent with Section 17.65.050(C);
7. A description of incentives referenced in Section 17.65.070 that are requested from the County; and
8. Any additional information requested by the Director necessary to assist with evaluation of the inclusionary housing plan under the terms of this Chapter.

B. If the inclusionary housing plan is determined to be incomplete by the Director, the inclusionary housing plan shall be returned to the developer within 30 days along with a list of deficiencies and required information. No application to which this Chapter applies, including tentative maps, conditional use permits, site development permits, site review permits or planned unit development permits, shall be deemed complete until an inclusionary housing plan meeting the requirements of this Section has been submitted to the Director.

C. Implementation of the inclusionary housing plan shall be made a condition of the entitlement issued for the land development project and shall be approved by the decision making body in conjunction with the project. Development and operation of the project shall comply at all times with the approved inclusionary housing plan.

D. A notice of action (NOA) shall be recorded by the County for all property included within an approved inclusionary housing plan. Property included within an inclusionary housing plan consists of the entire project site including market-rate and inclusionary units.

E. Each affordable housing unit constructed under a government subsidized program shall adhere to the term of affordability requirements of that program. (Ord. 3212 § 5 (part), 2012).

17.65.110 Eligibility.

A. No person in a household may occupy an inclusionary unit unless the county or its designee has approved the household's eligibility for the income limits specified in the approved inclusionary housing plan.

B. If the county or its designee fails to approve a household as an eligible buyer for the initial sale of an inclusionary unit that is intended for owner occupancy within 30 days following the date a request for household approval is submitted, the owner may sell the unit at a market price, pay the in-lieu fee described in Section 17.65.040 to the Affordable Housing Trust Fund, and the unit will not be subject to any requirement of this Chapter thereafter. Approval of a household by the county shall consist of verifying the number of persons in the household, the household income and that the household qualifies for the income level of the inclusionary unit specified in the approved inclusionary housing plan. The fee shall be paid to the Community Resources Agency at the time of closing and deposited into the affordable housing trust fund.

C. Notwithstanding Sections 17.65.120 and 17.65.130, if affordable housing units are constructed under a State or Federal housing program requiring longer time frames for income restrictions than specified in this Chapter, the income restrictions for the affordable housing units shall comply with that program. If affordable housing units are constructed under a State or Federal housing program, that project shall be subject to the benefits and restrictions of that program and shall not be subject to this Chapter.

D. If the developer is unable to obtain a signed sales contract from an eligible purchaser for the initial sale of an inclusionary unit that is intended for owner occupancy within ~~180~~ 30 days following final building inspection of the inclusionary unit by the division of building and safety, the developer may sell the unit at the market price and pay the in-lieu fee described in Section 17.65.040 to the Affordable Housing Trust Fund. (Ord. 3212 § 5 (part), 2012).

17.65.120 Owner-occupied units. The following provisions apply to the sale, use and resale of each owner-occupied inclusionary unit.

A. The sales price of each inclusionary unit during the 15 year affordability period shall be set so that an eligible household of the target income group will pay an affordable housing cost as specified in the approved inclusionary housing plan unless the initial owner elects the equity sharing provision contained in an equity sharing agreement. An equity sharing agreement shall be executed by the initial and each subsequent owner during the 15 year affordability period unless the unit has been sold at other than an affordable price and equity sharing has been executed as specified in Section 17.65.120 (C).

B. Selection of purchasers of inclusionary units shall be the responsibility of the developer. Selection of purchasers shall preferably be from a list of eligible households maintained by the county or its designee. The county or its designee shall verify that the purchase price being charged for each inclusionary unit is consistent with the approved inclusionary housing plan and that the purchaser meets the income qualifications for the unit as specified in the approved inclusionary housing plan at the time of sale and shall verify that the purchaser is a county resident or employed by a business located within the county wherever possible.

C. The initial or subsequent owner may sell the unit without restriction at an affordable price as determined and verified pursuant to subdivision B and retain any equity. The initial or subsequent owner may sell the unit at a market price, subject to the equity sharing provisions of Sections 17.65.120(A) and 17.65.120(F).

D. After sale at other than an affordable price, or at the end of 15 years after the date of the first transfer of title at an affordable price determined pursuant to Section 17.65.120 (F), whichever is earlier, the unit will no longer be subject to this Chapter or any agreement referred to in Section 17.65.120(F).

E. If an inclusionary unit is offered for rent by the initial owner during the first 15 years following the date of first transfer of title at an affordable price determined pursuant to Subdivision B, the inclusionary unit shall be rented only to income eligible households at an affordable rent based upon the income limit to which the inclusionary unit was made affordable pursuant to the approved inclusionary housing plan.

F. If the initial owner elects the equity sharing provision referenced in Section 17.65.120(A), equity sharing, as described in this subdivision, shall be applied to each owner-occupied inclusionary unit during the 15 year affordability period. The equity share shall be calculated using the date of first transfer of title at an affordable price determined pursuant to this section. At the date of transfer of ownership to a subsequent owner, the seller's equity share of the unit's increase in value shall be calculated by adding the number of months the unit has remained affordable since the date of first transfer of title at an affordable price, dividing by 180 months and multiplying by the increase in value. Partial months shall be calculated proportionately. Increase in value shall mean a positive number resulting from subtracting the initial owner's purchase price from the sale price, less the book value of any capital improvements made by the initial owner. In addition to the equity share, the initial owner shall be entitled to recover the book value of any capital improvements. The owner shall not be entitled to recover any maintenance costs. If there is no increase in value, the County is not responsible for any portion of any loss. If the unit is sold before the 15 year period expires, the difference between the owner's equity share and the increase in value shall be paid to the County and deposited into the Affordable Housing Trust Fund established by this Chapter. At least 20 days prior to transfer of title to a subsequent owner, the initial owner shall provide to the County or a designated County agency an equity sharing report. The report shall disclose the original sale price, the purchase price, the proposed date of transfer of title, the company name and number of any escrow, a description of and book value of any capital improvements made to the unit during the owner's ownership.

G. The equity sharing provisions of subdivision F shall also apply to a transfer of an inclusionary unit by gift, unless the person receiving the gift is income-qualified as determined by the County or its designee to own the inclusionary unit as established by the approved inclusionary housing plan.

H. The equity sharing provisions of subdivision F shall also apply to the transfer of an inclusionary unit if the owner defaults on any loan secured by the inclusionary unit and a foreclosure transfer, or conveyance in lieu of foreclosure, occurs and the new owner does not meet the criteria for household income established by the approved inclusionary housing plan. The market value of the inclusionary unit at the time of transfer, shall be determined using an appraisal performed by a licensed appraiser. If the owner of an inclusionary unit defaults on any loan secured by the inclusionary unit and the equity sharing provisions of subdivision F do not survive the foreclosure, the unit may be sold by the mortgage holder at the market rate and the provisions of this Chapter will no longer apply to that unit.

I. If the inclusionary unit is offered for sale at other than an affordable price as determined pursuant to Section 17.65.120(B), during the 15 years from the date of first transfer of title at an affordable price, the County or its designee shall have the right to acquire the unit at the appraised value as determined by a licensed appraiser. This right of first refusal shall be exercised by the County or its designee by written notice to the seller within 15 days of written notice from the seller that they intend to sell their property. The County or designee may apply its share of the equity to the purchase of the unit notwithstanding the trust fund deposit requirements of Subdivision D. (Ord. 3212 § 5 (part), 2012).

17.65.130 Renter-occupied units. The following provisions apply to the rental of each inclusionary unit.

A. Every unit shall be rented to an income eligible household at an affordable rent determined pursuant to Subdivision B for a period of 15 years commencing with the date the unit is first occupied.

B. Selection of a renter or renters of each inclusionary rental unit shall be the responsibility of the property owner. Selection of a renter shall preferably be from a list of eligible households maintained by the county or its designee. The county or its designee shall verify that the rent being charged for each inclusionary rental unit is consistent with the approved inclusionary housing plan and that the renter meets the income qualifications for the unit as specified in the approved inclusionary housing plan at the time the rental agreement is signed and shall verify that the renter is a county resident or employed by a business located within the county wherever possible.

C. When an inclusionary rental unit has been occupied for a period of 15 years following the date first occupied, such unit is no longer subject to this Chapter.

D. If, after moving into an inclusionary rental unit, a renter's household income exceeds the limit for that unit, the renter shall be provided one year's notice to vacate the unit. If, within that year, a market rate unit in the residential development is vacated, the owner may, at the owner's option, allow the renter to remain in the original unit, raise the renter's rent to market rate, and designate the newly vacated unit as an inclusionary unit at the income level previously applicable to the unit converted to market rate, provided this is consistent with the inclusionary housing plan approved for the development. With respect to the period of affordability required by Subdivision A, any period of occupation of the original unit before the household income exceeded the limit for that unit shall be transferred to the newly vacated unit.

E. An inclusionary housing agreement shall be executed by an owner of residential developments containing renter-occupied inclusionary units, prior to transfer of title. The agreement shall contain deeds of trust, terms of affordability, applicable resale restrictions, equity sharing conditions, rights of first refusal, and other provisions required by the County or designee. The agreement shall be in a form acceptable to, and executed by, the County or a designee, and recorded against the property. (Ord. 3212 § 5, 2012).

17.65.140 Affordable housing trust fund.

A. There is hereby established an affordable housing trust fund. The affordable housing trust fund shall receive all funds collected pursuant to this Chapter. The fund may also receive monies from other sources.

B. The affordable housing trust fund shall be administered by the entity designated by the board of supervisors, which may develop procedures to implement the purpose of the fund consistent with the provisions of this Section.

C. Monies deposited in the affordable housing trust fund shall be expended in accordance with the Housing Element of the County General Plan to construct, rehabilitate or subsidize affordable housing or assist other government entities, private organizations or individuals to do so. Monies shall be used to increase and improve the supply of housing affordable to median-, low, very low- or extremely-low income households within the county. The fund may be used for the benefit of both owner-occupied and renter-occupied housing.

D. This chapter is intended to be one tool in an effort to increase and improve affordable housing in Tuolumne County. The board of supervisors will annually conduct a review of the progress of this chapter to increase and improve affordable housing in the County. The review by the board of supervisors shall include an accounting of the use of funds deposited into the affordable housing trust fund and a discussion of other programs implemented by the County to increase and improve affordable housing in the County. (Ord. 3212 § 5 (part), 2012).

17.65.150 Adjustments, modifications or waivers. If the Board of Supervisors so determines, the inclusionary housing plan shall be modified, adjusted or waived to the extent necessary to avoid an unconstitutional result.

(Ord. 3212 § 5 (part), 2012; Ord. 2896 § 10 (part), 2008).

NEXT STEPS

- Extend the expired fee reduction for three years while the Inclusionary Ordinance is revised and submitted to BOS with HPC recommendation of revision or termination.

- Determine if an Inclusionary Ordinance is needed with the updated Density Bonus provisions of the County Title 17. At minimum affordable housing percentage should only be applied to housing that is achieved over and above the allowed County density on a land parcel.

- If the Inclusionary Ordinance is determined to be needed then what incentives are needed to make viable (have not found any good examples in other Inclusionary Ordinances other than a density bonus)

- Consider adopting existing incentives of the Inclusionary Ordinance as standards without other requirements to enable development to achieve an overall density closer to the already allowed density

- Modify Title 17 so that Mixed Use (MU), Planned Unit Developments (PUD) do not automatically trigger Inclusionary Ordinance constraints.

- With California regulations, site development costs and the current spike in building materials, can affordable housing, in rural areas, be reasonably developed by local nonprofit developers, without some form of public assistance in the form of grants and low interest loans? Is the current Inclusionary Ordinance approach that forces the affordable home development regardless of the cost the correct ordinance in our rural area?

NARRATIVE SUMMARY

Tuolumne County updated their General Plan at the end of 2019 and are now updating Title 17 to “conform”. The General Plan references an Inclusionary Ordinance to de facto require private sector development help provide for affordable housing. The Inclusionary Ordinance references “Voluntary Incentives” that if used then require the project to develop 10% of the homes as affordable housing with related restrictions (see below). Research shows that the main “incentive” of all Inclusionary Ordinances in the State (approximately 25% of Counties have in place – less than 3 in rural counties) is a density bonus that allows increased housing density in a development to help offset the cost of providing the affordable homes. In that a density bonus is very hard to achieve in our rural Tuolumne County with hilly topography, environmental constraints, oak mitigation, availability of adequate infrastructure (water, sewer, roads, etc) and arbitrary open space requirements is a density bonus a meaningless incentive? There are not any projects in Tuolumne County that have been able to achieve a density bonus over and above the allowed density for the various land uses. Many of the so-called Tuolumne County voluntary incentives are needed just to achieve some percentage of the County allowed density which is often only at 50% or lower.

Current drafts of Title 17 also reference a “Density Bonus” and related affordable housing requirements which begs the question, do we now even need an inclusionary Ordinance? The amended Title 17 is also proposing to add that if a project has a Mixed Use (MU) or Planned Unit Development (PUD) designation (regardless of the overall density achieved) it also has to include affordable housing or pay a large fee per unit (thousands of dollars). Infill development often requires a MU or PUD designation and is already much more expensive than simple lot splits because of required studies and approvals along with a lot more mitigation and approval time. The In Lieu Inclusionary Ordinance fee was reduced for several years to $600.00 however, the reduction has now expired on Jan 1, 2022. Adding more cost on infill housing projects greatly impacts the viability to develop and if new housing is reduced then this impact the move up housing ladder which then impacts all housing availability (including affordable housing).

BOARD OF SUPERVISORS
HOUSING POLICY COMMITTEE
(BOSHPC)
DRAFT 2022 WORK PROGRAM

Adopted by the Board of Supervisors on: ______________

The following is a list of issues proposed to be addressed by the Tuolumne County Board of Supervisors Housing Policy Committee in 2021. The issues addressed by the Committee are directed by the Board of Supervisors, requested by County staff, the Housing Policy Committee, the Housing Loan Review Committee, or are part of the normal operation of the County's affordable housing programs. Other items will be submitted to the Board for approval to be added to the list as issues arise requiring the Committee's consideration.

Title 17 Ordinance Code – The County is undergoing an update to Title 17-Zoning Ordinance. The BOSPHC has received several presentations on the project from CDD staff and has had the opportunity to comment on the draft document in 2021.

Status: CDD staff is continuing to review the comments from the public and is working on an internal legal review with County Counsel.

Board of Supervisors Strategic Plan Connection:

OBJECTIVE: Develop policies and projects to increase the supply of workforce housing
OBJECTIVE: Support business attraction for county strength areas and invest in small business to build a more resilient and prosperous economy
ACTION ITEM: Update Title 17 to complete the scope of work assigned to consultant

Reestablishing the Position of a Housing Coordinator – With the retirement of the previous Housing Coordinator, the Community Development Department hired a Business Manager who in addition to supporting the fiscal needs of the department, also manages the HOME program. It has been identified that an additional individual to support the development of housing policy and programs in the County is desirable.

Status: Board of Supervisors would need to recommend the addition of a FTE employee in the Fiscal Year 2022-23 Budget to allow CDD to hire an individual to perform these duties.

Board of Supervisors Strategic Plan Connection:

OBJECTIVE: Develop policies and projects to increase the supply of workforce housing
ACTION ITEM: Add Housing Specialist position in order to maintain code and policies in response to state mandates, including by-right affordable housing projects as well as recommendations from Housing Policy Committee, increase housing review efficiencies, identify regulatory barriers, coordinate with Regional Housing Authority

Inclusionary Housing Ordinance – On November 6, 2013, the Tuolumne County Board of Supervisors voted to amend the County's Inclusionary Housing Ordinance by converting it from a mandatory to a voluntary, incentive-based system. The Ordinance was originally enacted by the Board of Supervisors on March 11, 2008. The Inclusionary Ordinance is codified as Chapter 17.65 of the Tuolumne County Ordinance Code. On November 1, 2016, the Board of Supervisors extended the Inclusionary Ordinance to December 21, 2021. Therefore, the voluntary Inclusionary Ordinance has expired. The Board of Supervisors Housing Policy Committee is recommending exploring a new inclusionary ordinance and has created an Ad-Hoc committee to the Housing Policy Committee to explore new policies.

Status: The BOSHPC Ad Hoc Committee is meeting to work on potential drafts of an inclusionary ordinance.

<u>Board of Supervisors Strategic Plan Connection:</u>

OBJECTIVE: Increase the supply of transitional housing for those experiencing homelessness and behavioral health clients
ACTION ITEM: Audit existing development process and develop recommendations for improvement and streamlining

<u>Barriers to the Construction of Affordable Housing in Tuolumne County</u> – The BOSHPC is interested in creating a survey to be sent to stakeholders to help identify barriers to the construction of affordable housing in the County. The Board of Supervisors Housing Policy Committee has created an Ad-Hoc committee to the Housing Policy Committee to create the survey.

Status: The BOSHPC Ad Hoc Committee is meeting to work on potential drafts of a survey.

<u>Board of Supervisors Strategic Plan Connection:</u>

OBJECTIVE: Develop policies and projects to increase the supply of workforce housing
OBJECTIVE: Increase the supply of transitional housing for those experiencing homelessness and behavioral health clients
ACTION ITEM: Audit existing development process and develop recommendations for improvement and streamlining

COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

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

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DATE: July 5, 2022

TO: Board of Supervisors Housing Policy Committee

FROM: Quincy Yaley, Community Development Department Director

SUBJECT: Discussion on priorities for the Housing Development Specialist position

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1. In June of 2022, the Board of Supervisors approved the creation of a Housing Development Specialist position. This position will be located in the Community Development Department and report directly to the Community Development Director. The job description is attached to this report and the job is currently being advertised for potential candidates.

2. The Housing Development Specialist (HDS) will seek to increase production and preservation of housing in partnership with private and nonprofit developers and builders. The HDS will also secure funding sources, conduct outreach and education, administer housing programs, identify and market housing program development opportunities to potential partners; provides public information to review and evaluate housing program regulations and assists with special projects; supports the Board of Supervisors Housing Policy Committee, and performs related duties as assigned. The HDS will closely coordinate with the Health and Human Services Agency's housing related services, as well as the County Administrative Office.

3. During the February 2022 Board of Supervisors retreat, the Board members and staff drafted priorities and objectives to serve as focus points over the next two years. This has been correlated to the draft work plan under consideration by the Housing Policy Committee, which is included in the July 14, 2022, HPC Agenda. The creation of a Housing Specialist was listed as a Board objective. The creation of a Housing Specialist position was also a priority of the recent Housing Symposium

4. Staff is requesting the Housing Policy Committee provide feedback and direction on priority tasks and projects within the established scope of work for the Housing Development Specialist. After receiving the feedback from the HPC, staff will schedule an item with the Board of Supervisors to further discuss the goals for this new position to ensure that the hired individual is working on the stated priorities of the Board of Supervisors.

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JUNE 2022
FLSA: EXEMPT

HOUSING DEVELOPMENT SPECIALIST

DEFINITION

The Housing Development Specialist (HDS) will seek to increase production and preservation of housing in partnership with private and nonprofit developers and builders. The HDS will also secure funding sources, conduct outreach and education, administer housing programs, identify and market housing program development opportunities to potential partners; provides public information to review and evaluate housing program regulations and assists with special projects; supports the Board of Supervisors Housing Policy Committee, and performs related duties as assigned. The HDS will closely coordinate with the Health and Human Services Agency's housing related services, as well as the County Administrative Office.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from the Community Development Department Director. Exercises technical and functional direction over and provides training to lower-level staff.

CLASS CHARACTERISTICS

This is a single-position professional class that has responsibilities spanning the spectrum of the housing development field, including policy and project management. Incumbents are primarily responsible for planning, development, and administration activities for housing programs and the development of housing, including identifying funding opportunities, for use in pursuing county housing solutions. Assignments at this level are characterized by the requirement to work at a high level of independence and to exercise primary responsibility for the formulation, design, conduct and completion of major or specialized County housing policy, projects, studies, or services. Incumbents may also provide lead direction to other professionals within the Department or other housing-related County professionals and assist in matters related to their assigned projects / areas.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Directs the development, implementation and evaluation of County housing goals, policies and procedures; develops long and short range objectives and strategies to achieve those objectives.
- Manages projects/programs selected by the Board of Supervisors related to the planning and construction of housing.
- Work with the Planning Department to identify areas appropriate for rezoning, update zoning code to comply with state law, and identify parcels (both County-owned and privately-owned) that are optimal for housing development for people of all socio-economic and spatial requirements.
- Establish processes for vetting potential development partners to understand their capacities, strengths, and track record in collaborating with other local jurisdictions.

- Solicit bids and administer contracts for consultant services, and requests for proposals from housing developers, consistent with County contracting requirements.
- Participate in and support coalitions that promote public policies or legislative actions that encourage housing development and preservation.
- Ensure housing policy is developed prioritizing sustainability, equity, and housing quality and livability.
- Lead the annual evaluation of Housing Programs in the context of the General Plan Annual Report and Housing Element Update.
- Performs various administrative tasks as required, including preparing reports and correspondence, entering computer data, copying and filing documents, chairing committees, attending meetings, answering the telephone, etc.
- Prepares and administers grant applications and seek additional funding sources for housing activities.
- Assists in identifying, educating, creating and marketing housing program development opportunities to private developers, realtors, and non-profit organizations.
- Establishes and maintains communication and cooperative relationships with business leaders, developers, organizations, private and public agencies, and the general public to promote and facilitate the implementation and execution of the County's housing programs.
- Researches, compiles, and analyzes information; prepares specialized reports and correspondence related to projects and programs, including monthly reports, staff reports, financial spreadsheets, legal notices, oral presentations, annual report, implementation plan, news releases, and other correspondence; prepares and presents agenda items, memoranda, and reports to the Board of Supervisors; makes recommendations on related issues.
- Coordinates and prepares written materials on projects and programs, including marketing materials, agenda reports, spreadsheets, maps, memoranda, articles, and correspondence.
- Attends and participates in professional group meetings and committees; provides advisory and staff support to various committees.
- Stays abreast of new trends and innovations in the field of housing programs; researches emerging products and enhancements and their applicability to County needs.
- Performs other related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Modern principles, practices, and technical and legal issues of housing policy, regional planning, economics, and program management.
- Geographic, socio-economic, transportation, financial, political, and other elements related to housing projects.
- Principles and practices of management, administration, resources allocation, planning procedures and techniques.
- Procurement and contracting procedures, CEQA and NEPA rules and regulations, labor standards, fair housing and equal opportunity standards, relocation and acquisition rules.
- Affordable housing finance and programs including development, rehabilitation and other related programs.
- Grant and funding application and administration processes; funding sources; and principles of real estate financing.
- Principles and practices of policy development and implementation.
- Applicable Federal, State, and local laws, regulatory codes, ordinances, and procedures relevant to assigned area of responsibility.
- Data gathering and assessment techniques related to housing needs, market conditions and development costs.

- Administrative principles and methods, including goal setting, planning, program and budget development and implementation.
- Modern office procedures, practices and technology, including the use of computers for word processing, spreadsheets and other records maintenance.
- Modern office practices, methods, and computer equipment and applications related to the work.
- English usage, grammar, spelling, vocabulary, and punctuation.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and County staff.

Ability to:

- Plan and develop a comprehensive County housing strategy.
- Facilitate the activities necessary to enhance the number of affordable housing units available to County residents.
- Research, secure, monitor and administer grants and other funding for housing policy and development projects.
- Develop, implement and interpret division goals, objectives, policies and procedures, and work standards.
- Analyze complex problems, evaluate alternatives and make sound recommendations in support of goals.
- Assimilate both technical and theoretical concepts from many diverse disciplines and apply the knowledge in creative and intuitive ways to solve unique problems.
- Evaluate the suitability of projects to specific sites and surrounding areas.
- Interpret, apply, explain, and ensure compliance with Federal, State, and local laws, codes, and regulations and departmental policies and procedures.
- Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines.
- Exercise sound independent judgment within general policy guidelines.
- Represent the County effectively in meetings with others and make presentations to various groups.
- Communicate clearly and concisely, both orally and in writing.
- Effectively use computers for word and data processing.
- Establish and maintain effective working relationships with those contacted in the course of work.
- Operate modern office equipment including computer equipment and specialized software applications programs.
- Use English effectively to communicate in person, over the telephone, and in writing.
- Use tact, initiative, prudence, and independent judgment within general policy and legal guidelines in politically sensitive situations.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:
Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

Equivalent to graduation from an accredited four-year college or university with major coursework in housing, planning, community or urban development, or a closely related field and three (3) years of increasingly responsible professional housing program, planning, economic development/redevelopment or related experience.

<u>Licenses and Certifications</u>:

- Possession of, or ability to obtain, a valid California Driver's License by time of appointment.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; to operate a motor vehicle and to visit various County and meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office classification although standing and walking between work areas may be required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard, typewriter keyboard, or calculator and to operate standard office equipment. Employees in this classification occasionally bend, stoop, kneel, reach, push, and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 25 pounds.

ENVIRONMENTAL ELEMENTS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with members of the public or with staff under emotionally stressful conditions while interpreting and enforcing departmental policies and procedures.

Quincy Yaley, AICP
Director

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BOARD OF SUPERVISORS
HOUSING POLICY COMMITTEE MEETING
Unapproved MINUTES
MEETING June 9, 2022

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; **Brad Vondrak**, Tuolumne County Association of Realtors (TCAR)

ABSENT: **None.**

STAFF: **Quincy Yaley**, Community Development Department Director; **Dave Ruby**, Planning Manager, **Tracie Riggs**, Tuolumne County Administrative Officer; **Maureen Frank**, Tuolumne County Capital Project Director

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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 June 9, 2022, to order at 1:04 p.m.

Staff rolled called the committee.

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

Chair Brandon indicated there is a quorum.

COMMITTEE BUSINESS:

Adopting Resolution HPC2022-005 authorizing remote teleconference meetings of BOSHPC for the period of June 9, 2022 to July 14, 2022.

Trinity Abila joined the meeting.

Chair Brandon called for a motion to approve the Resolution

Moved by Supervisor Kirk seconded by Mike Lemke to approve.

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

Motion carried 7-0

Consideration of the Minutes of the meeting of May 12, 2022

Chair Brandon asked if there is a motion for any amendments or a motion to approve the minutes of the meeting of May 12, 2022.

Moved by Joe Bors and seconded by Mike Lemke to approve.

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

Motion carried 7-0

Survey/Outreach to Builders, Contractors and Engineers - Ad Hoc Committee for Special Project – (Brad Vondrak and Mike Lemke)

Mike Lemke indicated the project is ongoing and comments are still coming in. No projection yet on timing.

Brad Vondrak reported some of the comments have indicated they want to wait until they see the changes to Title 17 before having an outreach. He went on to recommend we put a hold on this until we see Title 17 update completion.

Chair Brandon agreed to bring this item back at the recommendation of Mike Lemke and Brad Vondrak, after the Title 17 update.

Reports

Chair Brandon gave a quick update on Board of Supervisors last meeting. He reported county staff and Quincy Yaley presented a proposal for HOME funds to be allocated to the Visionary Home Builders affordable housing project. He indicated a list of preliminary sites have been proposed for a housing project with the Stanislaus Regional Housing Authority, which could be for transitional housing, work force housing, and foster youth housing. They are reviewing those sites to help determine which has the most potential to move forward. He also gave a brief overview of the discussions that are taking place with the Community Economic Resilience Fund (CERF) funding.

Quincy Yaley highlighted some items related to housing, including staff housing projects for Rush Creek Lodge and Firefall Resort, and continuing to work with Under Canvas to find a site for employee housing for that project. The Board of Supervisors approved a budget recommendation to include the addition of a Housing Specialist position to the Community Development Department.

Brad Vondrak indicated he and Sam Segerstrom just recorded two radio commercial spots for a fire insurance survey and they will bring the results of the survey to the Insurance Commissioner.

Kristine Millhoff reported Area 12 Agency on Aging received $670K funding for a senior nutrition infrastructure grant for 5 counties. If her proposal is approved, the Senior Center in Tuolumne County will receive approximately $260K to purchase delivery vehicles and new kitchen equipment.

Joe Bors reported that the Commission on Homelessness received a request for a letter of support from Chicken Ranch for a grant opportunity they are applying for, committing as much as $800K to Resiliency Village, expanding Resiliency Village, and devoting funds to homeless youth.

Ron Kopf commented that beyond looking at county lands or Cal Trans lands to find available land for housing, other areas have had some success in finding available land by working with school districts and religious organizations.

Tracie Riggs reported the Board of Supervisors approved changing a position related to economic development from a director level position to a senior analyst level position, which will create more of a team approach from the CAOs office.

Trinity Abila indicated Habitat for Humanity is gearing up for their 12th Annual fundraiser. She reported the Housing Collaborative established 3 focus areas: housing specialist, messaging about housing in the community, and converting existing structures into housing. They will meet again with action teams and work on these focus areas.

Chair Brandon opened the public comment on the first two items on the agenda.

Chair Brandon, seeing no other comment, closed public comment.

PUBLIC COMMENT:

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 other comment, closed public forum.

NEW ITEMS:

Presentation on the City of Sonora and County of Tuolumne's Draft Permanent Local Housing Allocation Plan.

Maureen Frank, Tuolumne County Capital Project Director, did a presentation on the Permanent Local Housing Allocation Plan (PLHA), prepared by City of Sonora and County of Tuolumne. As part of the five year plan, she indicated that their PHLA team met together to establish goals, form priorities and allocations, along with proposing an expenditure guide. They set four goals for the five year plan which are getting people into safe housing situations, identify and assess barriers to housing, provide case management services to develop pathways to permanent housing, and create additional emergency temporary and permanent housing. She went on to outline six priority projects for this funding source. A discussion ensued over various aspects of the five year plan, homelessness, and funding allocations.

Chair Brandon opened the public comment. He said if any member of the public wants to speak, they may raise their hand and will have 3 minutes.

A member of the public thanked Ms. Frank.

Chair Brandon, seeing no other comment, closed public comment.

Inclusionary Ordinance - Ad Hoc Committee for Special Project – (Mike Lemke, Trinity Abila, Brad Vondrak)

Joe Bors left the meeting. Mr. Lemke, due to time constraints, agreed to cover a portion of his presentation but, would need to cover this information again at the next meeting for those who did not attend this meeting and to keep it in context. He gave a brief background on the issues and intentions of Inclusionary Zoning. He went on to explain how this original structure does not transfer well to our rural application. Some of the issues for rural areas are price of land, environmental restrictions, cost of materials, sales price after construction, current zoning density and the inclusionary zone density bonus fee. He indicated he would continue his presentation at the next meeting. Due to time constraints, this item was not completed and will come back on the next meeting's agenda.

OLD BUSINESS:

Consideration of the amended draft 2022 Workplan for the BOS Housing Policy Committee.

Due to time constraints, this item was not presented and will come back on the next meeting's agenda.

Title 17 Zoning Code Project – Status Update

Due to time constraints, this item was not presented and will come back on the next meeting's agenda.

ADJOURNMENT:

Chair Brandon adjourned the meeting at 2:32 p.m.

Respectfully submitted,

Quincy Yaley, AICP
Community Development Department Director

QY:js

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