

Christian Valley CSD Board Meeting Follow-Up & Clarifications
January 30, 2024

Rezone (Housing Element-1)

Information for the February 13th Workshop

2 p.m. on Feb. 13 at the Community Development Resource Agency building, 3091 County Center Drive in North Auburn

Following staff's presentation, community members will have an opportunity to provide comments both in person and via Zoom. Interested persons can also sign up to receive notifications on the county's rezone program here: [Housing needs rezone program](#)

Written comments may also be submitted in advance to the Clerk of the Board of Supervisors, 175 Fulweiler Ave., Auburn CA 95603 and via email at BoardClerk@placer.ca.gov

Information on the Housing Element Sites Rezone program is available for review by contacting Senior planner Kally Keding-Cecil at 530-745-3034 or by email at kkedinge@placer.ca.gov

Who on staff picked the Florence site? There are significant infrastructure concerns and Christian Valley CSD wasn't notified about the potential increase in their water usage.

The site on Florence Lane was identified by planning staff in the Housing Element as one of many sites that "might" be appropriate. The distance to existing connections and associated costs with extending connections and potentially improving outdated or insufficient infrastructure could be prohibitively expensive and is a compelling reason for the Board to not move forward with rezoning the site. As no specific sites have been finalized for rezone, nor is there a development proposal for Florence Lane, potential increases to infrastructure usage can't be estimated but as stated above could be a very significant cost and therefore be prohibitively expensive.

Are all the units required to be affordable?

No. The Placer County Affordable Housing ordinance requires residential projects with 100 or more units to ensure that at least 10% of the units be affordable (either very low, low, or moderate income). Projects with 99 or fewer units can pay a fee in-lieu of constructing affordable housing.

AMI definition and the difference between "low-income" and "affordable"

AMI means "average median income." "Affordable housing cost" as defined in state law means not more than 30% of gross household income goes towards housing costs (including rent/mortgage, utilities, property taxes, and insurance). This table is helpful for showing what the average annual income limit is by range in Placer County:

Income Group (4-person household)	Annual Income Range Limit	Affordable Mortgage / Rent Payment (monthly)	Maximum Affordable Home Price
Extremely Low	\$32,150	\$715	\$94,162
Very Low	\$53,600	\$1,348	\$162,068
Lower Income	\$85,750	\$2,310	\$267,431
Median Income	\$113,900	\$2,847.50	\$361,935
Moderate Income	\$136,700	\$3,835	\$429,663

How can residents complain directly to the state?

By contacting their local representatives including state assembly members and state senators, House Representative, and Senators. In addition, both the Housing and Community Development (HCD) is the state department responsible for Housing Element and certification and their Housing Policy Development office can be reached at 916-263-2911. Other HCD department contact info is here: [Contact Us | California Department of Housing and Community Development](#) .

Penalties for Non-Compliance

Builder's Remedy: In jurisdictions without an HCD-certified housing element, developers can pursue low-income housing projects that do not comply with zoning or the general plan. This means eligible projects could be taller and larger than allowed under local zoning ordinances.

Risk of Litigation: Noncompliant jurisdictions can be sued by HCD, the Attorney General, developers, and third parties like housing advocacy organizations.

Suspension of land use authority: Under state planning and zoning law, courts have broad authority to suspend jurisdictions' land use authority, including the ability to grant zoning changes, zoning variances, and subdivision map approvals. Courts can issue a moratorium on all building permits until the housing element is certified by HCD. Sonoma, Sacramento, and Mendocino counties have all been subject to such moratoriums.

Monetary Penalties: Noncompliant jurisdictions may face court-ordered penalties of \$10,000 to \$100,000 per month, which can be tripled after 3 months of noncompliance and increased by a factor of six after six months.

Lost Funding: The following funding sources require housing element compliance or consider housing element compliance in their criteria:

- Community Development Block Grant (CDBG) Program
- Permanent Local Housing Allocation (PLHA) Program
- Affordable Housing and Sustainable Communities (AHSC) Program
- HOME Investment Partnerships Program
- Caltrans Sustainable Communities Grant Program
- Infill Infrastructure Grant Program
- SB 1 Transportation Planning Grants and Regional Transportation Funds
- Infrastructure State Revolving Fund (ISRF) and California Infrastructure and Economic Development Bank (I-Bank)

Are there examples of other jurisdictions who have stood up to the state?

Sonoma, Sacramento and Mendocino counties were subject to building moratoriums in the form of suspension of the authority to issue building permits in the past.

For Huntington Beach, HCD is currently unable to levy any fines or impose any penalties until the legal case is settled or the judge makes a ruling. The lawsuit brought by the City was dismissed, but the lawsuit brought by the Attorney General is still pending. A hearing is set for January 31, 2024. In the lawsuit, the Attorney General seeks suspension of the city's permitting authority and a mandate requiring approval of builder's remedy projects. A potential for monetary penalties against the City also exists (\$100,000/month, which if unpaid can increase to \$600,000/month) that could be anywhere from \$1.2m to \$7.2m depending on the length of time prior to resolution

How many affordable housing projects are in Auburn?

***When we use the term "Affordable Housing Project" we are typically referring to a project that has specific restrictions limiting the households to those with certain incomes. In almost all cases our references will be to projects that use a federal or state funding source, and income is below 80% of the Area Median Income.*

There are 7 affordable housing projects in the City of Auburn, and 5 in the unincorporated area surrounding Auburn.

Mercy North Auburn

Funding breakdown

Mercy North Auburn is a 79-unit affordable apartment and townhome project financed by the California Tax Credit Allocation Committee (CTCAC) who is responsible for administering federal Housing Credits. The Low-Income Housing Tax Credit (Housing Credit) is a federal tax credit that was created by President Reagan and Congress in the Tax Reform Act of 1986 designed to encourage private sector investment in the new construction, acquisition, and rehabilitation of rental housing affordable to low-income households. Through this financing mechanism, rents are subsidized to support lower income households. A breakdown of the funding is as follows:

Tax Credit - \$30,426,667

Wells Fargo Bank - \$1,497,900

County Ground Lease and Fee Offset - \$3,405,507

State Grants - \$2,753,649

Do we know where the residents are from?

All states are required to comply with the Federal Fair Housing Act. In addition, the State of California has extended housing discrimination laws to cover other protected groups. Therefore, the request below isn't something that can be ascertained. However, we do know that when the project was initially occupied it predominantly housed Placer County residents who met the income requirements. I asked how the turnover has been since opening and the management group with Mercy said it has been very low.

General Plan Update

If you'd like to receive updates on the 2050 General Plan update, [click here](#)

Lorenson Road/Lonestar Road Roundabout

<https://dot.ca.gov/caltrans-near-me/district-3/d3-projects/d3-sr-49-safety-barrier>