

Watershed & Regional Collaboration Committee of Amador Water Agency

Directors Peters and Farrington

Special Meeting

February 28, 2023 1:00 p.m.

12800 Ridge Road and Zoom

Public Notice: Members of the public will have the opportunity to directly address the Committee on any item listed on the Agenda below before or during consideration of that item.

This meeting will be conducted both in person and by Zoom. Members of the public may participate in the meeting either in person or by using the dial in information below:

Join Zoom Meeting

<https://us06web.zoom.us/j/89984790217>

Meeting ID: 899 8479 0217

833 548 0282 US Toll-free

877 853 5247 US Toll-free

- 1. CALL TO ORDER**
- 2. COUNTY JOINT WATER COMMITTEE**
- 3. REGIONAL CONSOLIDATIONS**
- 4. MANAGERS REPORT**
- 5. COMMITTEE MEETING SCHEDULE**
- 6. ADJOURNMENT**

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact Karen Gish at (209) 257-5234. Requests must be made as early as possible, and at least two-full business days before the start of the meeting.

STAFF REPORT

COUNTY JOINT WATER COMMITTEE

Recommended Action:

Discuss and provide input to staff on potential agenda topics.

Background:

The Amador County Board of Supervisors assigns two Supervisors to the “Water/Joint Water Committee.” Currently the appointees are Supervisors Brown and Oneto. The Committee has not met in recent memory. At a previous meeting of this W&RC Committee, Supervisor Brown suggested that AWA could suggest agenda topics for the Joint Water Committee.

In the past, the Joint Water Committee agendas included lengthy lists of AWA activities and issues. It is unlikely that either agency wants to spend time on such a list of topics now. It would be preferable to focus Joint Committee discussion on a limited number of strategic issues.

Staff recommends that an initial meeting be suggested that would focus on a single topic: Implementing the strategy identified in the draft Housing Element Update to work jointly to find funding to expand water treatment plant capacity.

A future topic, once a conversation has been established, could be a return to the goal of consolidating water planning in the county into a single entity.

Fiscal Impact:

None.

Prepared by: Larry McKenney, General Manager



December 13, 2022

Chuck Beatty, Planning Director
Amador County
810 Court Street
Jackson, CA 95642
BY EMAIL: CBeatty@amadorgov.org

Re: Draft Countywide 6th Housing Element

Dear Mr. Beatty:

Amador Water Agency (AWA) appreciates the opportunity to provide comments on the Draft Countywide 6th Cycle Housing Element.

Housing Plan

AWA is also pleased to support Policy H-1.8 to integrate energy- and water-conserving designs into residential development. In addition to other important reasons for such a policy, considering AWA's water treatment capacity constraints discussed below, and the likelihood that solutions will take some time to implement, water conservation and efficiency are the most effective near-term actions to help protect water service reliability for all of the Agency's customers. Perhaps there should be an express link between Policy H-1.8 and Program 18: Code Review.

AWA is pleased to see that the discussion within Program 19 includes AWA's shared concerns with its treated water capacity. These capacity challenges are well documented in the Agency's 2021 Water Master Plan Study and 2022 Tanner and Lone Water Treatment Plants Capacity Study, which should be cited in the Background Report in the section addressing potable water (page 72). AWA looks forward to working together with the jurisdictions in efforts to fund and implement treatment capacity expansion in order to accommodate the regional housing needs allocation (RHNA). It is noteworthy that the issues being faced involve both the physical capacity to serve additional housing and the affordability of that service.

Background Report

The third paragraph of the discussion of River Pines PUD (page 74) refers to water purchased from AWA. In fact, River Pines PUD is served from its own wells. Under a services agreement, AWA provides certain water and wastewater operator services to River Pines on a time and materials basis, but does not deliver AWA water to River Pines.



The discussion of Rabb Park Community Services District (page 76) is out of date. AWA provides retail service there. All of the service is through the Central Amador Water Project, treated at the Buckhorn Water Treatment Plant. There is no separate supply from Tiger Reservoir.

Amador Water Agency does not sell water to EBMUD (page 77).

The section on wastewater services describes Lake Camanche Village (page 78) as separate from AWA. The County conveyed that system to AWA in 2003. The discussion should also include the fact that AWA imposed a moratorium on new wastewater connections to its wastewater system in 2005 due to insufficient wastewater treatment capacity, and the moratorium is still in effect.

It is possible that the reference on page 175 to Amador County agencies working with the Sacramento Council of Governments is an error or warrants a more specific reference.

In the accomplishments listed for Program H-1 on page 186-187, the third, fourth and fifth sentences should be replaced with: "AWA completed a Wastewater Master Plan Study in May 2022 that evaluated alternatives for needed improvements to infrastructure serving Martell. The Agency is still evaluating options, but the Study formulated a 20-year capital improvements plan that the Agency intends to implement." AWA certainly supports continued County support in the 6th Cycle Housing Element.

The section on the City of Sutter Creek (page 204), Program H-1, discusses the development of modified water and sewer rates for residential second unit dwellings. The section appears to be addressing capacity fees (referred to as "hookup fees"), but also uses the term "rates," which means something else entirely. Water and wastewater rates are set subject to procedural and substantive requirements under Proposition 218. The Agency set a five-year schedule of water and wastewater rates in July 2021. Capacity fees are set under a different legal authority after a fee study. AWA updated its water capacity fees in June 2021 and its wastewater capacity fees in July 2022. AWA updated its Water Code of Regulations in October 2022, including amendments addressing current state law affecting ADUs and capacity fees. This area of law has been changing rapidly, and AWA is happy to coordinate with the City of Sutter Creek and other jurisdictions to ensure continued compliance.

Thank you for the opportunity to provide comments, and AWA looks forward to working with the County and Cities to effectively address the needs of the community we all serve. Questions regarding these comments may be directed to me at lmckenney@amadorwater.org.

Sincerely,


Larry B. McKenney
General Manager

COUNTYWIDE 6TH CYCLE DRAFT HOUSING ELEMENT
AMADOR COUNTY, CITY OF AMADOR CITY, CITY OF IONE,
CITY OF JACKSON, CITY OF PLYMOUTH, AND CITY OF SUTTER
CREEK

Housing Plan
Background Report
Amador County Annex
Amador City Annex
Ione Annex
Plymouth Annex
Jackson Annex
Sutter Creek Annex

November 2022

Prepared By:

De Novo Planning Group
1020 Suncast Lane, #106
El Dorado Hills, CA 95762
<https://denovoplanning.com/>

<i>Responsible Department/Agency:</i>	<i>Planning Department of each jurisdiction</i>
<i>Funding Sources:</i>	<i>General Fund</i>
<i>Program Objectives and Timeframe:</i>	<p><u>All Jurisdictions</u></p> <ul style="list-style-type: none"> ● <i>Review local code requirements annually to ensure that amendments are made where necessary to reduce impacts to life and property.</i> ● <i>Review updates to the California Building Standards Code on a triennial basis and adopt updates to code requirements accordingly</i> <p><u>Jackson</u></p> <ul style="list-style-type: none"> ● <i>Review implementation of the Affordable Housing Requirement every 5 years (by December 2027) to ensure it is not an impediment to housing production.</i>

PROGRAM 19: WATER AND WASTEWATER INFRASTRUCTURE CAPACITY (ALL JURISDICTIONS)

State legislation (SB 1087 and Government Code 65589.7(a) requires local water agencies and wastewater collection and treatment districts to grant priority to service connections for projects that help meet the community’s fair housing need.

In response to the challenges associated with meeting projected water demand, Amador Water Agency (AWA) has developed a broad strategy for meeting projected water needs through development of an updated Urban Water Management Plan (2020). However, AWA’s system is in need of improvement to provide services to the cities and communities generally located along the SR 49 corridor in order to accommodate the full RHNA.

Sewer system improvements are also necessary to accommodate the full RHNA, particularly for Amador City and Lone.

Each jurisdiction within Amador County has a responsibility to regularly monitor the capacity of the water and sewer systems serving its community to ensure the regional housing needs allocation (RHNA) can be accommodated. To support this effort, each jurisdiction within Amador County shall work together to help AWA expand their capacity to support the Countywide RHNA and individual jurisdictions will ensure they plan for adequate improvements to their local systems.

Where appropriate, each jurisdiction will continue to utilize development agreements as they formally document work to be accomplished, timing and/or sequencing, and require bonding to guarantee task completion. These agreements serve to ensure “fair-share” funding of off-site improvements and thus minimize additional construction costs from being passed onto the housing consumer. Jurisdictions will continue to implement and update development impact fees to ensure adequate funds are collected to provide for infrastructure improvements necessary to extend services to accommodate new residential development.

<i>Responsible Department/Agency:</i>	<i>Planning Department of each jurisdiction and AWA</i>
<i>Funding Sources:</i>	<i>General Fund</i>
<i>Program Objectives and Timeframe:</i>	<ul style="list-style-type: none"> ● <i>In 2023, the Housing Working Group shall meet with AWA to identify necessary steps and resources to address water and wastewater system improvements where needed to accommodate the RHNA.</i> ● <i>Continue to work cooperatively with AWA, ARSA, and other agencies that own or operate water and sewer infrastructure on an ongoing basis.</i> ● <i>Housing Working Group to support infrastructure providers in pursuing funding to complete necessary improvements or to assist developers and agencies to complete these capital improvement projects as necessary on an ongoing basis to increase the availability of housing for low and very low income households.</i>

- Investigate establishment of assessment districts with a capital facilities fee on an ongoing basis to assist in funding infrastructure improvements.
- Submit a funding application to the USDA's Small Communities Rural Utilities Service Grants & Loans Program annually.
- Each jurisdiction shall adopt any necessary fee programs and shall seek funding resources to support improvement and expansion of water and wastewater systems to accommodate the RHNA.
- The City of Lone shall develop a program to complete wastewater system improvements to expand its treatment capacity by 2024/2025 in order to accommodate its RHNA.
- Coordinate with AWA and the cities to update Figure X every 3 years to identify parcels that are proximate to existing water and sewer service and planned water and sewer service as well as parcels where the cost to extend services would be considerable to assist developers in targeting locations for housing proposals.
- Where applicable, use development agreements or other mechanisms to ensure fair-share funding of off-site infrastructure and facility improvements on an on-going basis.
- Following adoption of the Housing Element, each jurisdiction shall provide the adopted Housing Element to its water and sewer providers and shall include a cover letter identifying the requirements of Government Code Section 65589.7(a) requiring priority service for developments that provide housing for lower income households.

PROGRAM 20: PARTNERSHIPS WITH AFFORDABLE HOUSING DEVELOPERS (ALL JURISDICTIONS)

In today's housing market, focused outreach to property owners, developers, and non-profits along with identification of incentives and funding resources are necessary to attract and build affordable and special needs housing.

<i>Responsible</i>	<i>Planning Department</i>
<i>Department/Agency:</i>	
<i>Funding Sources:</i>	<i>General Fund</i>
<i>Program Objectives and</i>	<i>Each jurisdiction shall:</i>
<i>Timeframe:</i>	<ul style="list-style-type: none"> ● <i>Facilitate land divisions, lot line adjustments, and specific plans resulting in parcel sizes that facilitate multi-family developments affordable to lower income households.</i> ● <i>Work with property owners and non-profit developers to target and market the availability of sites with the best potential for development, including annual outreach to property owners and non-profit developers identifying very low and low income sites included in the inventory of residential land.</i> ● <i>Host an annual meeting with affordable housing developers and non-profits to identify housing opportunities and to identify City programs and incentives that support affordable housing development through provision of land write-downs, regulatory incentives, and/or direct assistance.</i> ● <i>Annually meet with County representatives to discuss farmworker housing needs and to identify opportunities and potential applications for funding.</i>

<p>residential development permits, especially affordable residential projects and those which conform to respective jurisdiction's development requirements.</p> <p>The County and the Cities of Lone, Jackson, Plymouth, and Sutter Creek will monitor the development processing/review procedures to minimize the time required for review. This reduction in time will reduce the cost to developers and may increase the housing production throughout the County. Each jurisdiction, on an annual basis, will review and update their processing/review procedures as necessary.</p> <p><i>Time Frame: Annually</i></p>	<p>Lone: Implemented. The City's processing and review procedures, particularly related to housing development, were reviewed as part of the SB 2 funded grant effort. The City began amendments to the Zoning Code to improve development review and to establish more streamlined approval processes for housing development projects; the amendments were adopted during the 6th Cycle.</p> <p>Jackson: Implemented.</p> <p>Plymouth: Not implemented due to lack of staff resources.</p> <p>Sutter Creek: Implemented. City staff reviews application-processing procedures annually. In 2012, checklists were developed to assist applicants in meeting the City's requirements. The Planning Commission reviewed and agreed to the use of the recommended checklist. Checklists were updated in 2019 and 2020. The City has periodically reviewed the development fees. In 2013 the City established fee review as part of the annual budgeting process.</p> <p>Status: <input checked="" type="checkbox"/> Keep <input type="checkbox"/> Modify <input type="checkbox"/> Remove</p> <p>This program, when implemented, reduces public and private constraints to housing production and will be kept in the 6th Cycle Housing Element to ensure continued review and refinement of development processes.</p>
<p>Program H-5.3: Pursue Formation of a County Housing Task Force to consolidate countywide housing needs</p> <p>Build on contacts with city managers, city planners, and County staff to reestablish a housing task force. The purpose of the task force would be to explore the joint county/cities housing element programs.</p> <p><i>Time Frame: Establish in 2015 and meet biannually or as necessary</i></p>	<p>Accomplishments: Partially implemented. This program has assisted each jurisdiction in securing funding and coordinating for the 6th Cycle Housing Element Update and continues to be appropriate to ensure implementation of the 6th Cycle Housing Element. While a formal County Housing Task Force was not formed, Planning/Community Development staff from the County and each City have coordinated to address housing issues and to jointly prepare the 6th Cycle Housing Element Update.</p> <p>Status: <input type="checkbox"/> Keep <input checked="" type="checkbox"/> Modify <input type="checkbox"/> Remove</p> <p>This program will be revised to ensure that the Countywide task force meets quarterly to ensure each jurisdiction is on target for Housing Element implementation throughout the 6th Cycle and to coordinate implementation of individual programs.</p>
<p>AMADOR COUNTY</p>	
<p>Program H-1: Support AWA's Efforts to Develop Infrastructure Capacity in Martell</p>	<p>Accomplishments: Partially implemented and ongoing. The Amador Water Agency (AWA) currently serves Martell in Amador County, including collecting wastewater from the Martell area for treatment at Sutter Creek Wastewater Treatment Plant. The AWA is currently evaluating a regional wastewater treatment plant concept and may become the primary</p>

<p>The County is committed to ensuring that adequate water and wastewater system capacity is available to support its fair share of the regional housing need. The County will work with and support any and all efforts AWA may undertake to provide water and wastewater service to the County's low- and very-low-income housing sites in Martell.</p> <p><i>Time Frame: The County will twice annually meet with AWA to assess the wastewater expansion efforts and support any and all efforts.</i></p>	<p>agency for wastewater treatment for the region. The AWA has prepared a draft regional wastewater study (AWA 2004) that suggests the long-term regional wastewater treatment solution is the construction of a regional treatment facility in the Martell area. The feasibility and timing of the regional treatment facility is presently uncertain, but initial expectations are that the plant will be operational in 5-10 years.</p> <p>Status: <input checked="" type="checkbox"/> Keep <input type="checkbox"/> Modify <input type="checkbox"/> Remove</p> <p>This program supports AWA's efforts to develop infrastructure capacity in Martell and will be kept in the 6th Cycle Housing Element to ensure continued effectiveness.</p>
<p>Program H-2: Identify Parcels with Available or Anticipated Water and Sewer Service</p> <p>In coordination with the cities and the Amador County Environmental Health Department, AWA will prepare a map of those parcels or areas for which water and sewer services are currently available or are located in close proximity, anticipated to become available in the near future, or may be made available without significant funding.</p> <p><i>Time Frame: Ongoing</i></p>	<p>Accomplishments: Partially implemented and ongoing. Amador County has begun coordination with other departments and agencies to identify parcels with available or anticipated water and sewer service, but due to limitations on staff resources, has not been able to complete this exercise.</p> <p>Status: <input type="checkbox"/> Keep <input checked="" type="checkbox"/> Modify <input type="checkbox"/> Remove</p> <p>This program has not been completely implemented due to lack of staff resources and will be modified to include specific coordination timing with Amador County Environmental Health Department and AWA to make the program easier to implement in the 6th Cycle Housing Element.</p>
<p>Program H-3: Pursue Funding and Prepare a Plan for Funding Infrastructure Improvements</p> <p>Continue to work cooperatively with AWA, ARSA, and other agencies that own or operate water and sewer infrastructure. The Amador Water Agency provided a list of water and wastewater capital improvement projects which would best support the County's housing goals, with an emphasis on providing service to areas designated RM, RSC, SPA, and TC, and areas zoned R-3.</p> <p>Pursue funding to complete these projects or to assist developers and agencies to complete these capital improvement projects as necessary to increase the availability of housing for low and very low-income households. The County will take the following actions:</p> <p>Investigate establishment of assessment districts with a capital facilities fee to assist in funding infrastructure improvements;</p>	<p>Accomplishments: Partially implemented and ongoing. The County has several designated affordable apartment complexes receiving funding through the USDA Rural Development Program, HUD Section 8, or Low-Income Housing Tax Credit (LIHTC). The County has not notified public and/or private sewer and water providers per Section 65589.7 of the Government Code to provide service for new affordable housing projects, without conditions or a reduction in the amount requested.</p> <p>Infrastructure deficiencies continue to be an issue facing areas of the County. The County and jurisdictions have coordinated with AWA to identify infrastructure needs for housing development.</p> <p>Status: <input type="checkbox"/> Keep <input checked="" type="checkbox"/> Modify <input type="checkbox"/> Remove</p> <p>This program supports the County's efforts to work cooperatively with AWA and other agencies. Given that infrastructure constraints continue to exist and AWA has identified the need for improvements, there continues to be a need to pursue funding. This program will be modified in the 6th Cycle Housing Element to identify a specific timeline for efforts to</p>

<p>Submit a funding application to the USDA's Small Communities Rural Utilities Service Grants & Loans Program.</p> <p><i>Time Frame: June 2015 and ongoing</i></p>	<p>secure additional infrastructure funding and to ensure continued effectiveness and compliance with State law.</p>
<p>Program H-4: Use Development Agreements for Large Developments within the SPA General Plan Land Use Designation to Create Affordable Housing</p> <p>Develop affordable housing targets for each of the undeveloped SPAs in the county. These targets should include a number of affordable units (including units affordable to low, very low, and/or extremely low income households), as well as total units. The County will require development agreements for future residential projects within SPA designations to provide a minimum of 5 percent of total units on site as housing affordable to extremely low, very low, low and moderate income households, or pay an in-lieu fee to support affordable housing development at an alternative location. The purpose of this program is to create units for a range of income level to accommodate the County's RHNA and housing goals, and the income level required (extremely low, very low, low, and/or moderate) shall be at the discretion of the County, with an emphasis on creating units affordable to extremely low income households.</p> <p><i>Time Frame: Ongoing</i></p>	<p>Accomplishments: Partially implemented and ongoing. Amador County has begun the process of formalizing development agreements for incoming large developments; however, due to limitations on staff resources the County has not been able to implement any development agreements in the 5th Cycle Housing Element.</p> <p>Status: <input type="checkbox"/> Keep <input checked="" type="checkbox"/> Modify <input type="checkbox"/> Remove</p> <p>This program to develop affordable housing targets has not been implemented due to lack of staff resources and will be modified to require a deadline for implementing targets in the 6th Cycle Housing Element.</p>
<p>Program H-5: Amend Code to Offer Incentives for Affordable Infill Housing</p> <p>County staff will bring forward a proposal to amend the County code after the adoption of the updated General Plan. The draft General Plan was ready for public review in Fall 2014. The proposed amendments will provide a menu of possible incentives for infill projects on land zoned R-1, R-2, or R-3 in which: (a) the project will provide a minimum density equal to 80 percent of the allowable maximum density for the subject site; and (b) the landowner enters into an agreement with long-term affordability covenants and restrictions to maintain the housing for at least 10 years for low or very low income households; and special needs housing for 6 or fewer residents in R-1 zones and for 7 or more residents in R-2 and R-3 zones:</p> <ul style="list-style-type: none"> ● No minimum wall dimensions 	<p>Accomplishments: Partially implemented and ongoing. The Amador County General Plan was adopted in October 2016, and the Zoning Code was updated in April 2022. The Zoning Code revisions include removal of fence and wall dimensions, an incentive for the Planning Commission to authorize deviations in lot size but with no more than ten percent increase in density in the overall development, and to refer to the County roadway standards in Title 12 regarding street widths. No reductions in parking for senior housing or small units were included. The specific amendments listed in the 5th Cycle Housing Element did not occur.</p> <p>Status: <input checked="" type="checkbox"/> Keep <input type="checkbox"/> Modify <input type="checkbox"/> Remove</p> <p>This program to amend the Zoning Code to offer incentives for affordable infill housing has not been fully implemented and will be updated to identify amendments to the code to remove constraints to housing discussed in Chapter 12 and to provide for parking reductions as described by this program.</p>