

CWP / Zoning Amendments

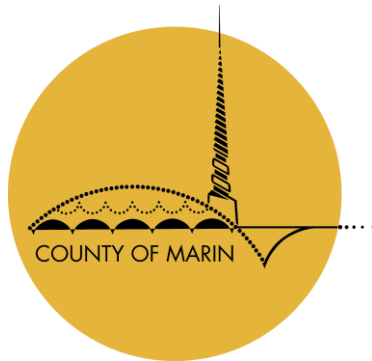
Housing/Safety Element Update

Marin County Board of Supervisors &
Planning Commission

August 9, 2022



Presenters and Facilitators



County Staff

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Jillian Zeiger

Tom Lai



Consultant Team

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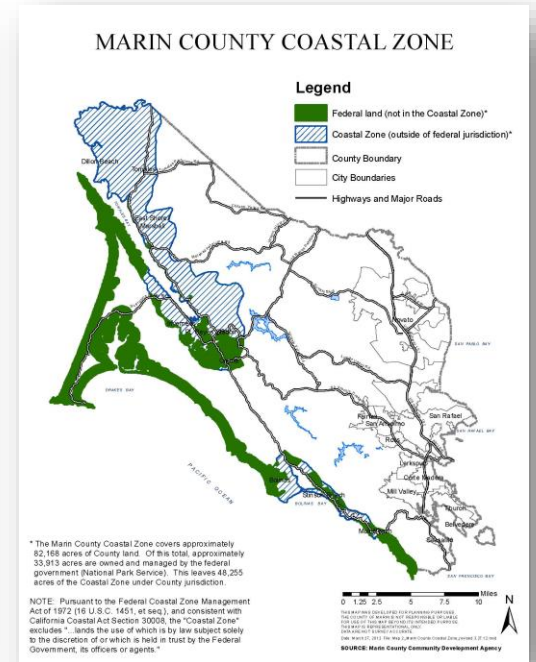
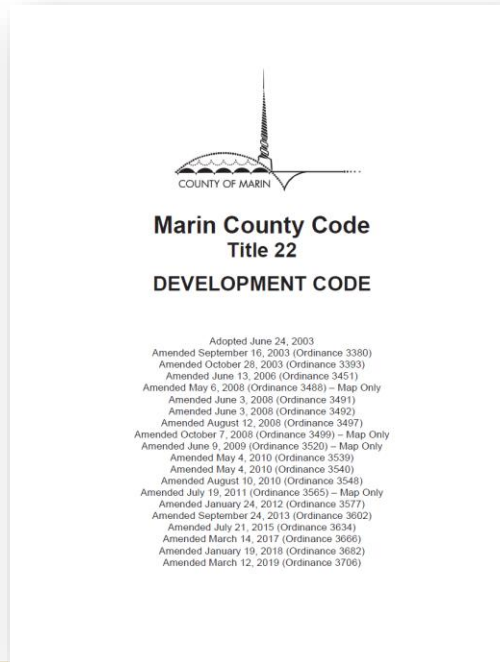
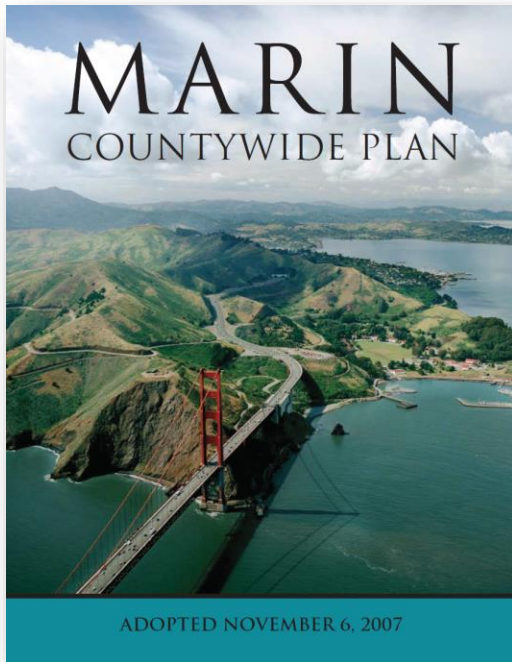
Agenda

- Present Countywide Plan (CWP) Amendments
- Discuss Development Code Amendments Framework
- Review Next Steps

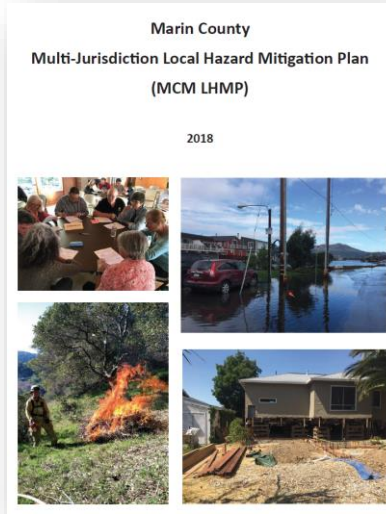
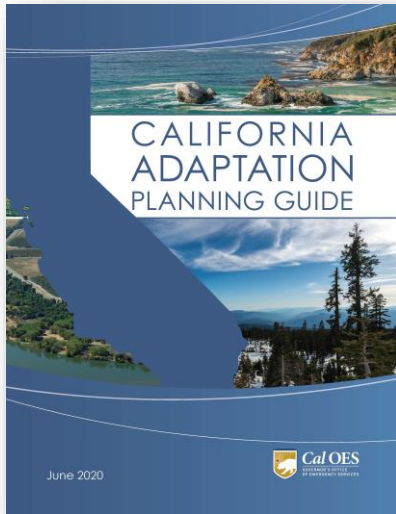
Overview



Planning Context – CWP, DC, CCA



Updating the Safety Element



- Focus on planning for wildfires, sea level rise, and resiliency planning
- Plan emphasizes equity & needs of vulnerable communities



Updating the Housing Element

- **Updated every 8 years**
- **Required to be reviewed** by CA Housing and Community Development Department (HCD)
- **Adoption deadline:** January 2023
- Housing Element for Marin County only covers the **unincorporated areas**



Components of the Housing Element

Housing Plan

Needs Assessment

- Demographic Trends
- Housing Market Trends
- Special Needs Groups

Affirmatively Furthering Fair Housing

- Five Categories of Analysis
- Distribution of RHNA Sites
- Meaningful Actions

Sites Inventory

- Sites for very low, low, moderate income and market rate housing

Programs and Policies

- Increase Availability of Existing Units
- AFFH
- Special Populations
- Market

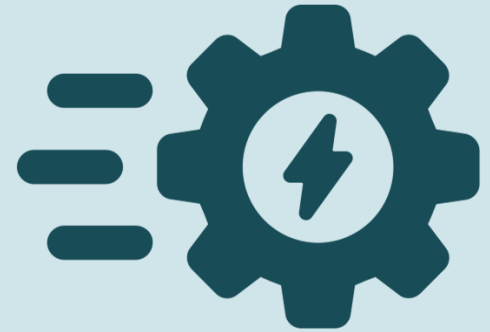
Programs Aligned with State Law



By-Right Zoning
Policy



Incentivize Affordable
Housing Production

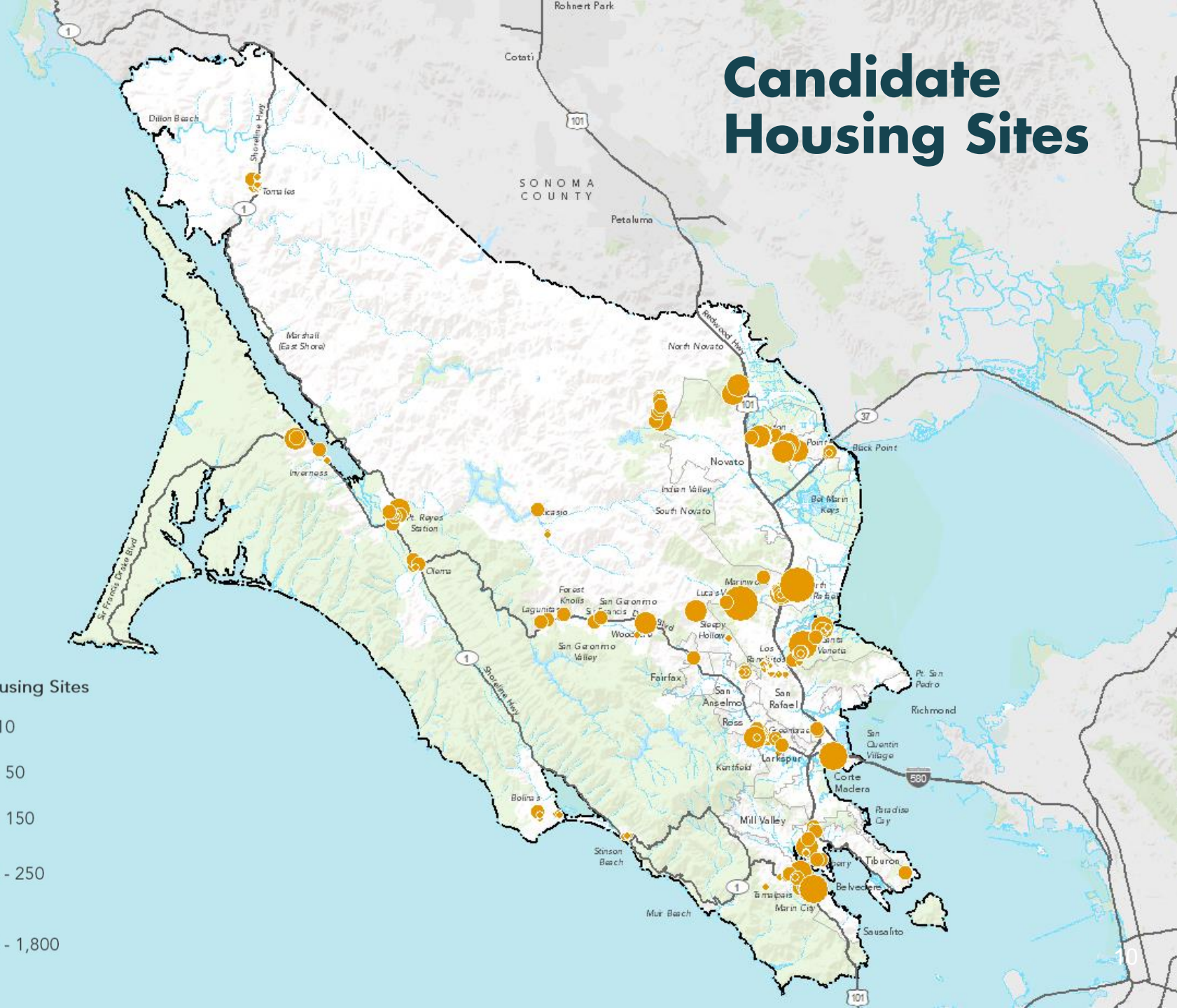


Streamlining
County
development
timelines

Candidate Housing Sites

Candidate Housing Sites

- 1 - 10
- 11 - 50
- 51 - 150
- 151 - 250
- 251 - 1,800



CWP Amendments



Key Adjustments

**Elimination of
Existing CWP
Policies**

**Policies
Specific to
Regional Sites**

**Policies
Related to
Community
Plans**

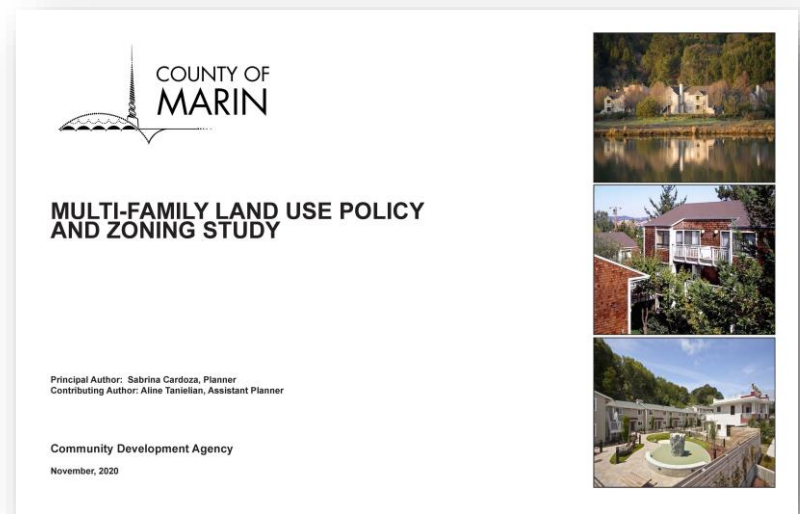
**HE Sites on
CWP Land Use
Maps**



Elimination of Existing CWP Policies

Remove policies limiting development to lowest end of density range

- Consistent with Multi-Family Land Use Policy and Zoning Study
- Examples affected: Baylands Corridor; Septic and Wells; Environmental Resources



Elimination of Existing CWP Policies

Remove policy limiting development to lowest end of density range in urbanized areas

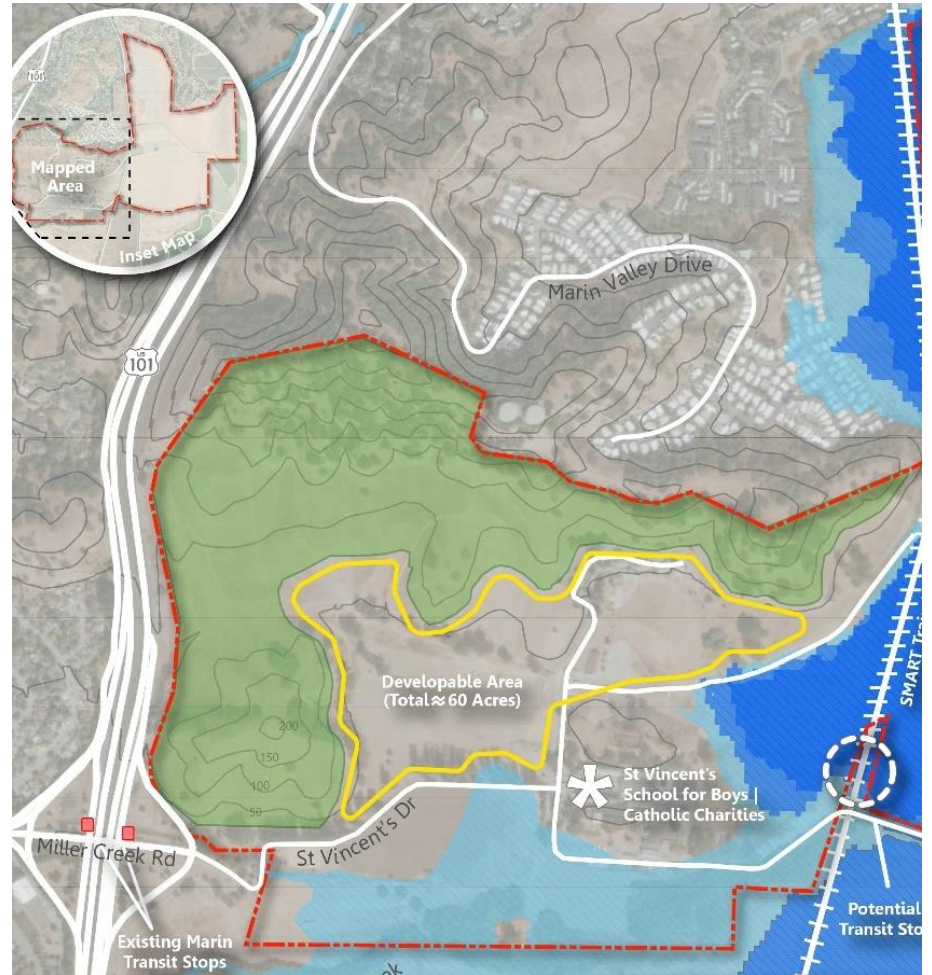
- Eliminate Program CD-6.a *Consider Annexation of Urbanized Areas*
- Eliminate program due to proximity of sites to transportation and other local services



Policies Specific to Regional Sites

St. Vincent's/Silveira Site

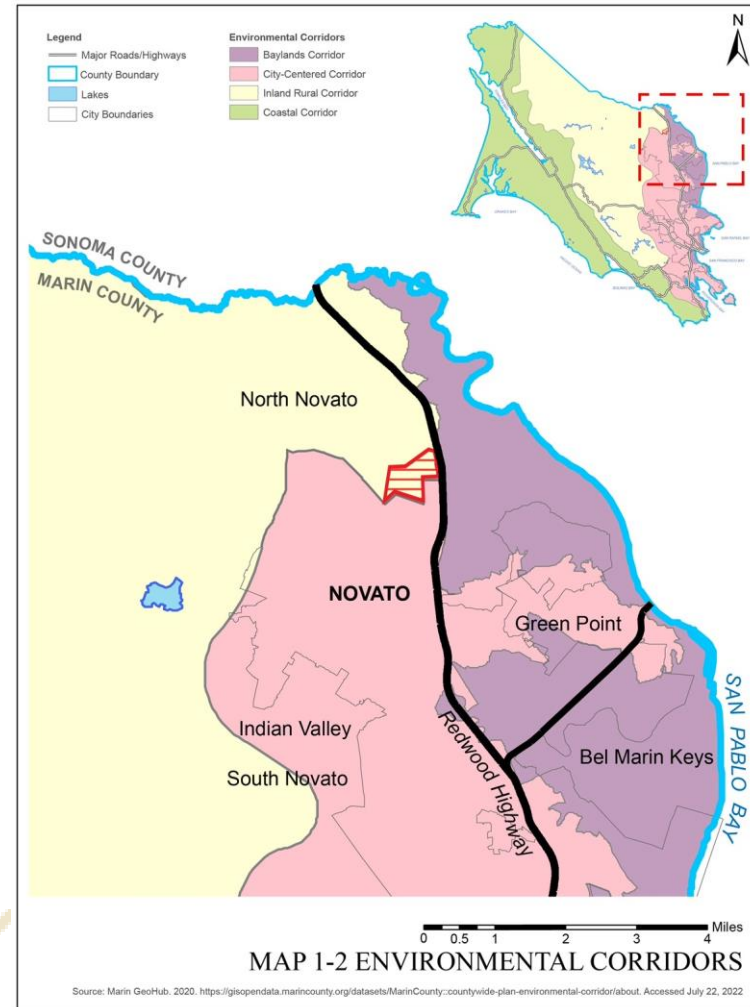
- Focus development on app. 60 acres outside of resources & hazards
- Exceptions to policies for housing to implement HE



Policies Specific to Regional Sites

Buck Center Site

- Adjust City Center / Inland Rural Corridor boundary to accommodate Buck Center



Policies Related to Community Plans

Community Plans set forth Goals, Objectives, Policies, and Programs for Specific Communities

- **Establish the CWP as prevailing in regulations for density, FAR, setback, and heights, with exceptions for sites subject to Development Agreements**



HE Sites on Land Use Maps

- Revise maps to identify HE sites with new designations
- Eliminate HOD Overlay and establish new HE designation



Rezoning Considerations



HCD Requirements

- **Default Density**

- In the County, lower income sites (low and very low income) must be zoned to allow ***at least 20 dwelling units per acre***
 - Example: If the default density is 20 units per acre, and the zoning allows for a range, such as between 20 to 30 units per acre, the zoning is considered appropriate to accommodate the RHNA for lower income households

HCD Requirements

- **By-right for Sites Used in Previous Planning Periods Housing Elements**
 - To include sites used in previous housing element cycles (that were not developed) to meet the current RHNA, County must **take actions to make sites viable**
 - Must allow by-right approval if a project provides at least 20 percent affordable units and requires no subdivision, the project is exempt from CEQA, and only design review based on objective standards may be required

HCD Requirements

- **No Net Loss**
 - Requires **adequate sites to be available at all times** throughout the planning period to meet the County's remaining unmet housing needs for each income category
 - If a site develops with fewer units than identified in the Housing Element, the County must add additional sites to its inventory to accommodate its remaining housing need for each income category

HCD Requirements

- **Buffer**

- To ensure that sufficient capacity exists in the housing element to meet the RHNA throughout the planning period, HCD recommends the County create a buffer in the inventory of **at least 15 to 30 percent more units than required**, especially for the lower income RHNA.
 - Add additional sites to meet the buffer, or
 - create a buffer by using a minimum density to ensure sites develop consistent with the number of units in the site inventory

Rezoning Options Explored

- **Update Affordable Housing Overlay (AH)**
 - Change existing AH overlay to accommodate units on the site list
 - Underlying zoning would not change
 - Would require a significant augmentation of the Affordable Housing Trust to demonstrate feasibility
- ***Would not comply with HCD requirements for underlying zoning to meet default density***

Rezoning Options Explored

- **Rezoning Affordable Housing Sites with the Minimum Default Density**
 - Rezone the RHNA sites that accommodate lower income units to a minimum density of 20 units per acre
 - *Demonstrates feasibility for affordable housing*
 - *May allow more housing units on sites than contemplated in the sites list*

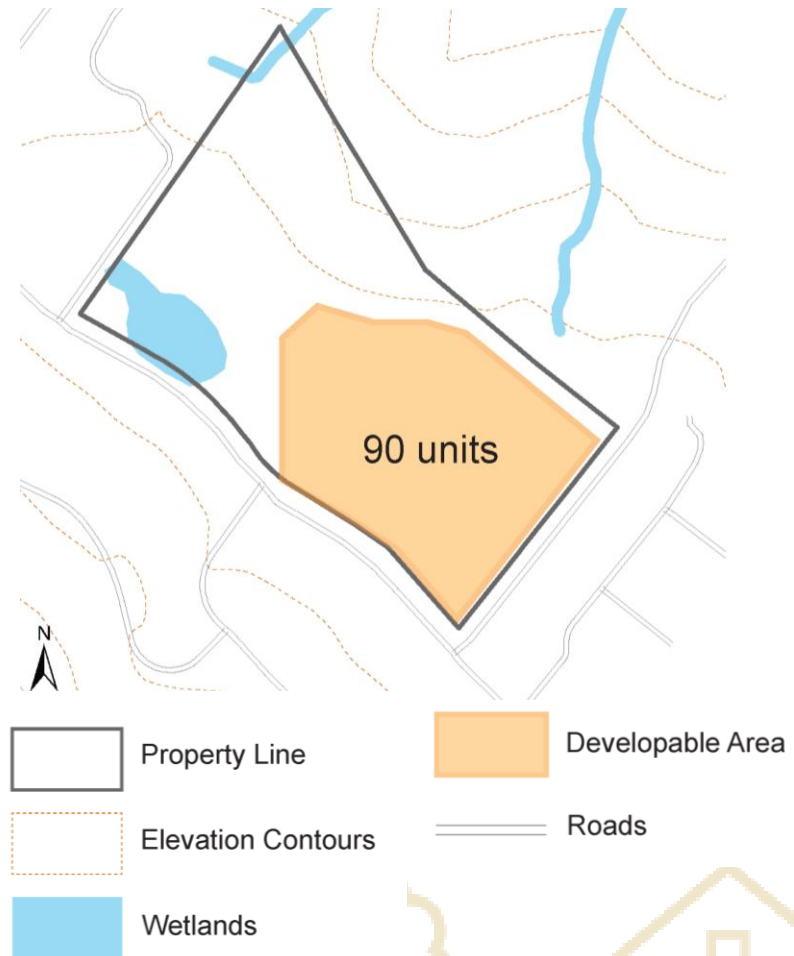
Recommended Rezoning

- **Rezone portions of sites and allow streamlined review of affordable housing**
 - A portion or the whole site will be rezoned with a maximum and/or minimum density in order to achieve the RHNA number associated with the site
 - Ministerial (by-right) review
 - Include a Housing Element program that allows a ministerial or streamlined process for subdivision of the lot

Recommended Rezoning

- Example* 10-acre site
- **Developable Site Area = 4.5 acres**
- **Density Range = 20 – 30 units/acre**
- Units that can be produced:
 - **90 units** allowed on the developable site area (4.5 acres x 20 dwelling units/acre)

**This example is for illustrative purposes only.*

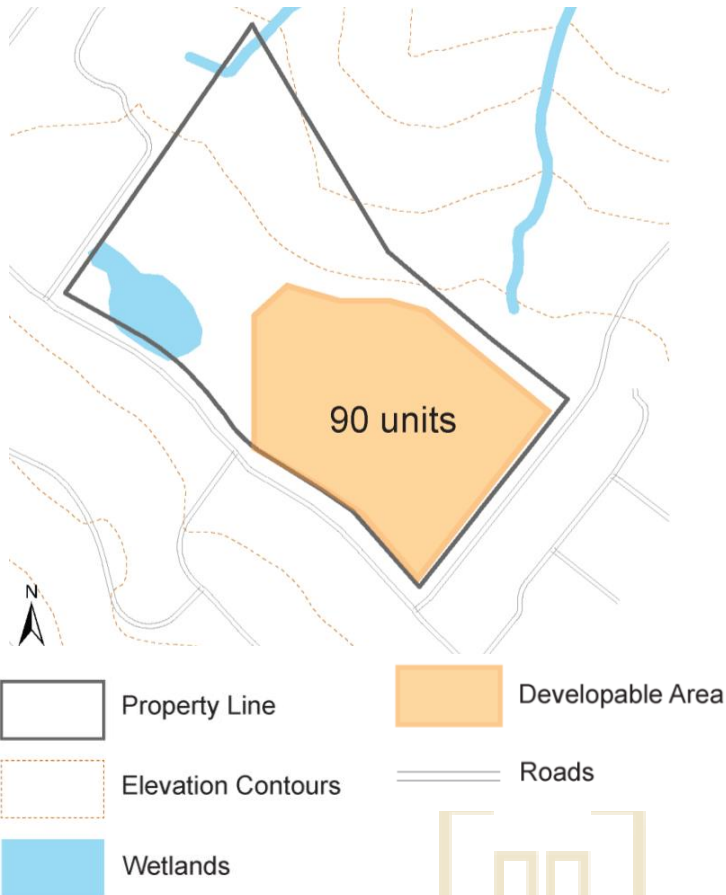


Recommended Rezoning

- **Density Options**

- Sites could be zoned to have a higher or lower density range, depending on constraints
 - If rezoned sites have a higher density range, the Housing Element could have a smaller buffer
 - Assigning a lower density range could lead to development of less units per site and the County would need a larger buffer

Buffer Scenarios



	Smaller Buffer	Larger Buffer
Site Size	4.5 acres	4.5 acres
Density Range	20-30 units/acre	10-20 units/acre
Unit Range	90-135 (4.5 x 20)	45-90 (4.5 x 10)
Buffer Status	No additional buffer needed	Additional buffer needed

Next Steps

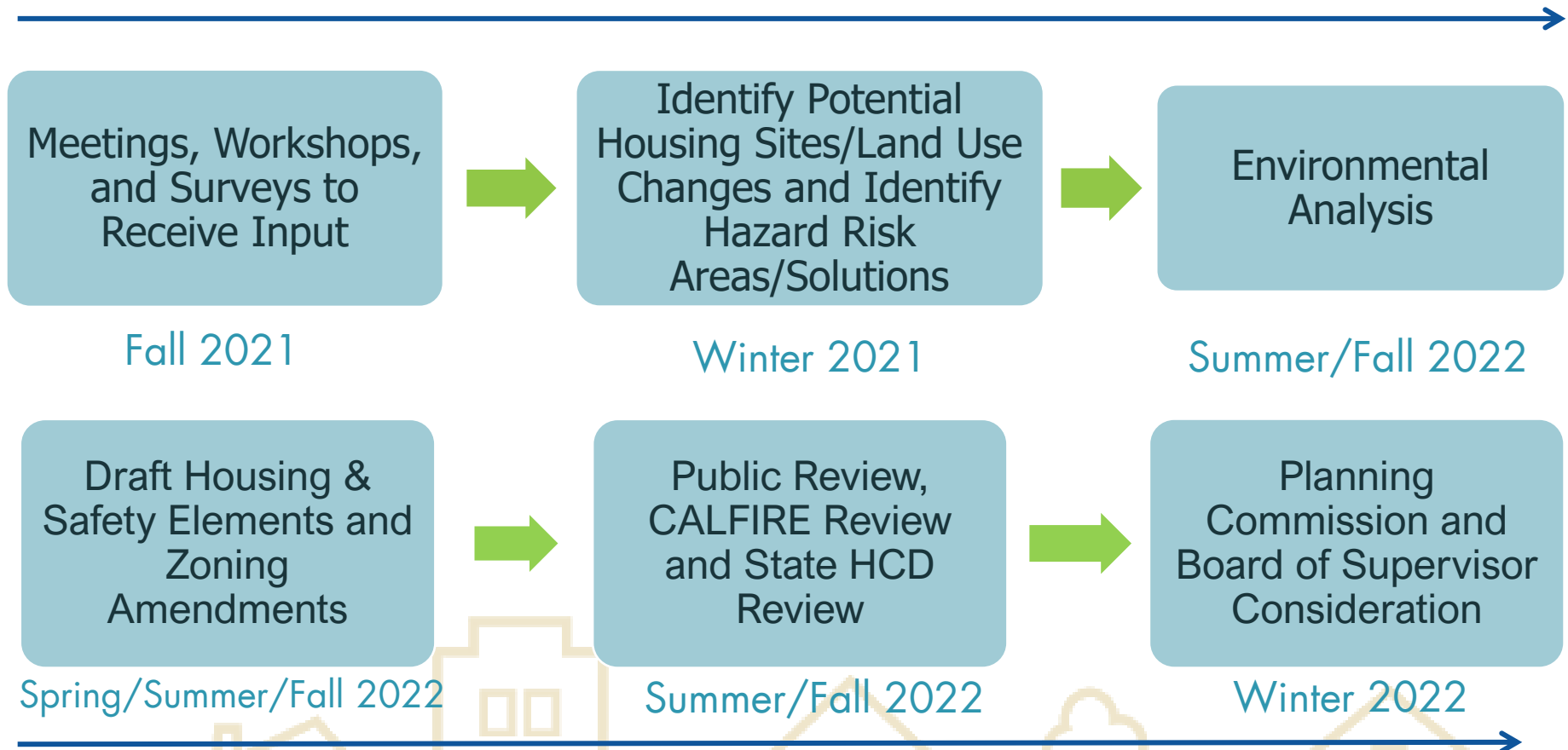


Next Steps

- Collect comments from HCD & Cal Fire on the Housing and Safety Elements
- Circulate DEIR for public review
- Update the CWP and Code amendments to
 - Reflect input & direction from the BOS and PC
 - Respond to community input
- Finalize CWP and Code amendments for presentation to the BOS/PC

Timeline

Public Input



Public Input



Questions and Comments



EXTRA SLIDES



Previous and Current RHNA Cycles

Income Categories	Previous Cycles (3 rd to 5 th)			Upcoming 6 th Cycle 2023-2031	
	1996-2006	2007-2014	2015-2022	Number	Percent
Very Low (0-50% AMI ¹)	85	183	55	1,100	31%
Low (50-80% AMI)	48	137	32	634	18%
Moderate (80-120% AMI)	96	169	37	512	14%
Above Moderate (120%+ AMI)	292	284	61	1,323	37%
Total	521	773	185	3,569	100%

Note: 1) The 2021 Median Area Income (AMI) for a family of four in Marin County is \$149,600.
Source: ABAG, 2021.



Existing Zoning/General Plan

Shortfall in Meeting RHNA for Lower and Moderate-Income Units

	Lower	Moderate	Above Moderate	Total
ADUs	130	51	30	211
Credit Sites	50	--	329	379
Housing Overlay	400	120	--	520
Vacant Residential	--	110	1,400	1,510
SB9	TBD			
Total	580	281	1,759	2,620
RHNA	1,734	512	1,323	3,569
Over/Short	-1,154	-231	436	-949

Note: 1) Numbers are approximate.