



COMMUNITY DEVELOPMENT AGENCY  
**HOUSING AND FEDERAL GRANTS DIVISION**

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Marin County Board of Supervisors and  
Planning Commission  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT:** Housing Element Update (Draft Housing Element)

Dear Supervisors and Commissioners,

**RECOMMENDATION:**

1. Receive public comments and provide feedback to staff on the Draft Housing Element

**SUMMARY:**

The Community Development Agency is in the process of updating the Housing and Safety Elements, which are integral parts of the Countywide Plan (CWP). The Housing Element update will establish a strategy for meeting housing needs for the 2022-2030 planning period. The Safety Element is being updated to incorporate policies focused on responding to potential adverse impacts associated with climate change, as well as specific new State law requirements related to flood and fire hazards. The Housing Element must be submitted to the State for review and certification no later than January 31, 2023.

**BACKGROUND:**

The California State Legislature has found the availability of housing to be of statewide importance. To ensure that counties and cities recognize their collective responsibility in implementing the statewide housing goals, housing element legislation was originally enacted in 1969, requiring all local governments to prepare and implement housing elements as part of their general and countywide plans. State legislation enacted in 1980 required councils of governments (e.g. the Association of Bay Area Governments (ABAG) for Bay Area counties) to determine the existing and projected housing needs at all income levels for each city and county in the region, which is then to be addressed in each local jurisdiction's housing element. This process became the Regional Housing Need Allocation (RHNA), which determines the fair share of housing need for each county, city and town in California.

Every eight years, all California jurisdictions are required to revise and update their individual Housing Elements consistent with State law. Marin County is updating its Housing Element along the same timetable as other Bay Area jurisdictions.

The Housing Element identifies and analyzes existing and projected housing needs and constraints to create goals, policies, and programs for the development, preservation and improvement of housing. The Housing Element plans for new housing for all income levels to meet the RHNA and the local housing needs of the community. As part of the plan, the site inventory identifies sites in the unincorporated County where new housing may be built. If a local government does not meet the housing element requirements, they face the possibility of litigation, which could result in the loss of land use discretion, housing grant ineligibility, and other penalties.

Staff worked with MIG, Inc., the consultant retained by the County to support the Housing and Safety Element updates, to create the Draft Housing Element. Throughout the last year, MIG and staff have done significant outreach to inform the community about the Housing Element process and receive feedback on housing needs, constraints and sites, including over 40 meetings, community workshops, and Board of Supervisor/Planning Commission workshops. The feedback from focus groups, surveys, community workshops, and Board of Supervisors/Planning Commission joint workshops has informed the preparation of the Draft Housing Element. The public engagement and outreach effort is detailed in Attachment 3.

### **DISCUSSION:**

The Housing Element consists of an extensive assessment of housing needs, constraints to housing development, housing resources, goals, programs and policies, a list of proposed housing sites, review of the prior housing element, a summary of community outreach, and analysis and policies related to affirmatively furthering fair housing (AFFH). The Housing Element is available on the County website here:

<https://www.marincounty.org/depts/cd/divisions/housing/housing-element/draft-2023-2031-housing-element>

### **Key Sections of the Housing Element**

#### **❖ Housing Needs Assessment and Constraints:**

The housing needs assessment presents demographic information from local, state, and federal sources. This data is complemented with information from the public outreach process, including information gathered from focus groups, surveys, and workshops. This includes a focused assessment of existing and proposed housing employment and demographic trends, with an emphasis on the following topics:

- Population Trends
- Household Characteristics
- Housing Stock Characteristics
- Housing Costs, Household Income, and Ability to Pay for Housing
- Special Needs Housing

Findings from the analysis include:

- **Limited Housing Options:** In unincorporated Marin County, over 80% of housing types are single, detached dwellings.

- **Cost Burdened:** Thirty-five percent (35%) of owner-occupied households and forty-three percent (43%) of renter-occupied households are cost-burdened, meaning they pay more than one-third (30%) of their income towards their rent or mortgage. Sixteen percent (16%) of owner-occupied households and twenty percent (20%) of renter-occupied households are severely cost-burdened, meaning they spend more than half (50%) of their income toward their rent or mortgage.
- **Overcrowded:** Over 13% of renter households and .9% of owner households are overcrowded.

Housing element law requires that jurisdictions analyze governmental and non-governmental constraints to the development of housing, such as market forces, financing availability and construction costs. Local land use, zoning, permit procedures and review procedures were analyzed to identify governmental constraints. These constraints were taken into consideration to develop policies and programs included in the Housing Plan.

❖ **Housing Plan:**

The Housing Plan contains a set of goals, policies, and implementing programs. Goals are defined as broad and comprehensive targets that describe the vision for the unincorporated County's Housing Element. A policy is specific guideline. The goals and policies are carried out through a series of implementing programs that identify specific timelines and actions the County will undertake toward putting each goal and policy into action.

Policies and programs are organized around four central goals:

➔ **Goal 1: Use Land Efficiently**

Use Marin's land efficiently to meet housing needs and implement smart and sustainable development principles.

➔ **Goal 2: Meet Housing Needs through a Variety of Housing Choices**

Respond to the broad range of housing needs in Marin County by supporting a mix of housing types, densities, affordability levels, and designs.

➔ **Goal 3: Ensure Leadership and Institutional Capacity**

Build and maintain local government institutional capacity and monitor accomplishments to respond to housing needs effectively over time.

➔ **Goal 4: Combat Housing Discrimination, Eliminate Racial Bias, Undo Historic Patterns of Segregation**

Lift barriers that restrict access in order to foster inclusive communities and achieve racial equity, fair housing choice, and opportunity for all Californians.

See Attachment 1 and the Draft Housing Element for a list of draft policies and programs.

❖ **Affirmatively Furthering Fair Housing:**

Assembly Bill 686 passed in 2017 and other legislation requires the inclusion in the Housing Element of an analysis of barriers that restrict access to opportunity and a commitment to specific meaningful actions to affirmatively further fair

housing. California Housing and Community Development (HCD) guidelines mandate that local governments identify meaningful goals to address the impacts of systemic issues such as residential segregation, housing cost burden, and unequal educational or employment opportunities to the extent these issues create and/or perpetuate discrimination against protected classes. The assessment of fair housing must consider the elements and factors that cause, increase, contribute to, maintain, or perpetuate segregation, racially or ethnically concentrated areas of poverty, significant disparities in access to opportunity, and disproportionate housing needs. The analysis addresses patterns at a regional and local level and trends in patterns over time. This analysis compares the locality at a county level and regional level.

❖ **Site Inventory:**

State law requires the County to provide information that shows the location of sites that are suitable and available for new housing units during the planning period. These new sites must meet the minimum RHNA of 3,569 homes, at all income levels. This sites list took into consideration the feedback from the Board of Supervisors, Planning Commission, and the public over the past several months, including the Board of Supervisors and Planning Commission Joint Workshops. This list will be further refined through the EIR process discussed below.

**TIMELINE AND NEXT STEPS:**

Following today's workshop, staff will continue to take comments on the Draft Housing Element until June 30, 2022. Public comments will be incorporated into the draft Housing Element before submittal to HCD. The draft document will be submitted to HCD for a 90-day review period. Later this summer, there will be another Joint Workshop focused on an updated Draft Housing Element, Countywide Plan Amendments, and Development Code Amendments.

An Environmental Impact Report (EIR) is being prepared to evaluate the impacts from the sites and proposed Housing Element policies and programs on the full scope of environmental resource topics covered under the California Environmental Quality Act (CEQA), including, but not limited to: biological and cultural resources, hazards, hydrology and water quality, public services, recreation, transportation, tribal cultural resources, and wildfire hazards. A final decision will not be made on sites until after the Final EIR has been considered and certified by the Board of Supervisors. The public draft EIR will be available for a 45-day review and comment period in Summer 2022. This Draft EIR review period will also include a public hearing to receive comments on the adequacy of the Draft EIR. Release of the Final EIR and separate hearings before the Planning Commission and then Board of Supervisors to consider the Final EIR for certification would occur in late 2022.

More information related to the Housing and Safety Element updates, including the Final Housing Element, will be presented at future workshops and at meetings of the Board of Supervisors and the Planning Commission in Fall/Winter 2022. Attachment 4 shows the schedule of activities necessary to meet the State's deadline and identifies the planned public outreach and required environmental review.

**EQUITY IMPACT:**

The County believes in equitable communities, where all community members have access to healthy affordable housing. Evidence shows that access to stable, affordable housing in communities of opportunity has broad, positive impacts. It can lead to better health and education outcomes and higher lifetime earnings, especially for children. Under state law, the Housing Element is required to include an assessment of fair housing to address barriers to fair housing choice and identify sites and programs that provide housing opportunity for lower income families and individuals near high quality schools, employment opportunities and public transportation. State law also requires local governments to identify meaningful goals to address the impacts of systemic issues such as residential segregation, housing cost burden, and unequal educational or employment opportunities to the extent these issues create and/or perpetuate discrimination against protected groups. These requirements will be incorporated into the Housing Element, including the site selection recommendation.

**FISCAL/STAFFING IMPACT:**

There is no general fund impact; funding to complete the Housing and Safety Elements is available in CDA's budgets.

**REVIEWED BY:**

- |   |   |
|---|---|
| <input type="checkbox"/> Department of Finance                    | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Administrator's Office | <input type="checkbox"/> N/A            |
| <input checked="" type="checkbox"/> County Counsel                | <input type="checkbox"/> N/A            |
| <input type="checkbox"/> Human Resources                          | <input checked="" type="checkbox"/> N/A |

**SIGNATURE:**

  
Jillian Zeiger  
Senior Planner

  
Leelee Thomas  
Deputy Director

**ATTACHMENTS:**

1. Draft Policies and Programs
2. Draft Housing Element – *to conserve resources, the draft Housing Element is provided to your Board and Commission electronically only:*  
<https://www.marincounty.org/depts/cd/divisions/housing/housing-element/draft-2023-2031-housing-element>
3. Public Outreach Summary
4. Schedule

A physical copy of the draft Housing Element is available for review at the Marin County Community Development Agency's Public Information Counter, located at the Marin County Civic Center: 3501 Civic Center Drive, Suite 308, San Rafael, CA 94903. The Public Information Counter is open to the public Monday-Thursday 8am – 4pm and Friday 8am-12pm.

# CHAPTER 5: GOALS, POLICIES, AND PROGRAMS

## Overview

State law requires each jurisdiction to address how it will satisfy the objectives for new residential units as represented by the Regional Housing Needs Allocation (RHNA). Means of achieving the development of these units should be outlined through policies and programs in the Housing Element.

Marin County's housing policies and programs have been revised to reflect the major themes identified through the County's community outreach process and a critical evaluation of the programs and policies from the 2015 Housing Element (found in Appendix B: Evaluation of 2015 Housing Element Programs). Implementing programs are grouped by the housing goals described below. Additionally, under AB 686, policies and programs must be examined under the lens of affirmatively furthering fair housing and a commitment to specific meaningful actions (Appendix D: Affirmatively Furthering Fair Housing).

### **Goal 1: Use Land Efficiently**

Use Marin's land efficiently to meet housing needs and implement smart and sustainable development principles.

### **Goal 2: Meet Housing Needs through a Variety of Housing Choices**

Respond to the broad range of housing needs in Marin County by supporting a mix of housing types, densities, affordability levels, and designs.

### **Goal 3: Ensure Leadership and Institutional Capacity**

Build and maintain local government institutional capacity and monitor accomplishments to respond to housing needs effectively over time.

### **Goal 4: Combat Housing Discrimination, Eliminate Racial Bias, Undo Historic Patterns of Segregation**

Lift barriers that restrict access in order to foster inclusive communities and achieve racial equity, fair housing choice, and opportunity for all Californians.

Policies are organized around these four central goals, with an emphasis on facilitating development of housing affordable to lower and moderate income households in Marin. Strategies to aid in achieving these goals include:

- Provide clear standards and incentives for affordable and special needs housing developments to minimize risk and costs to funders and developers.
- Minimize discretionary review; streamline the permitting process.
- Establish programs appropriate to various Marin locations (urban vs. rural) and be responsive to the local community.

These ideas have been carried through in the Housing Element update to be implemented with a series of programs. In direct response to public input, these new programs have been included in the 2023-2031 Housing Element:

- Program 5: SB 9 Mapping Tool
- Program 7: Religious and Institutional Facility Housing Overlay
- Program 17: Housing for Seniors
- Program 18: Short-Term Rentals
- Program 31: Tenant Protection Strategies
- Program 32: Community Engagement

Upon adoption of the Housing Element, the County will provide it to all water and sewer service districts and notify all districts of the requirement to prioritize water and sewer service allocation for new affordable housing development (Government Code Section 65589.7).

## Goals and Policies

### Housing Goal 1: Use Land Efficiently

Use Marin's land efficiently to meet housing needs and to implement smart and sustainable development principles.

#### Policy 1.1: Land Use

Enact policies that encourage efficient use of land to foster a range of housing types in our community.

#### Policy 1.2: Regional Housing Needs Assessment

Maintain an adequate inventory of residential and mixed-use sites to fully accommodate the County's RHNA by income category throughout the planning period.

#### Policy 1.3: Housing Sites

Recognize developable land as a scarce community resource. Protect and expand the

supply and residential capacity of housing sites, particularly for lower income households.

#### **Policy 1.4: Development Certainty**

Promote development certainty and minimize discretionary review for affordable and special needs housing through amendments to the Development Code.

#### **Policy 1.5: Design, Sustainability, and Flexibility**

Enact programs that facilitate well designed, energy efficient development and flexibility of standards to encourage outstanding projects.

### **Housing Goal 2: Meet Housing Needs through a Variety of Housing Choices**

Respond to the broad range of housing needs in Marin County by supporting a mix of housing types, densities, affordability levels, and designs.

#### **Policy 2.1: Special Needs Groups**

Expand housing opportunities for special needs groups, including seniors, people living with disabilities (including mental, physical, and developmental disabilities), agricultural workers, individuals and families experiencing homelessness, single-parent families, large households, lower income (including extremely low-income) households, and other persons identified as having special housing needs in Marin County.

#### **Policy 2.2: Supportive Services**

Link housing to Department of Health and Human Services programs in order to coordinate assistance to people with special needs.

#### **Policy 2.3: Workforce Housing**

Implement policies that facilitate housing opportunities to meet the needs of Marin County's workforce, especially those earning lower incomes.

#### **Policy 2.4: Incentives for Affordable Housing**

Continue to provide a range of incentives and tools to ensure development certainty and cost savings for affordable housing providers.

#### **Policy 2.5: Preserve Existing Housing**

Protect and enhance the housing we have and ensure that existing affordable housing remains affordable.

### **Policy 2.6: Preserve Permanent Housing Inventory**

Preserve our housing inventory for permanent residential uses. Discourage or mitigate the impact of short-term rentals and units unoccupied for extended periods of time.

### **Housing Goal 3: Ensure Leadership and Institutional Capacity**

Build and maintain local government institutional capacity and monitor accomplishments to respond to housing needs effectively over time.

#### **Policy 3.1: Community Participation**

Maintain an open channel of communications among the community, County staff, and decision makers. Ensure inclusive and meaningful efforts are undertaken to obtain input from diverse groups in the community. When needed, employ additional efforts to include those that typically excluded or under-represented.

#### **Policy 3.2: Coordination**

Take a proactive approach in local housing coordination, policy development, and communication. Share resources with other agencies to effectively create and respond to opportunities for achieving housing goals.

#### **Policy 3.3: Research, Monitoring, and Evaluation**

Perform effective management of housing data relating to Marin County housing programs, production, and achievements. Monitor and evaluate housing policies on an ongoing basis and respond expeditiously to changing housing conditions and needs of the population over time.

#### **Policy 3.4: Funding**

Actively and creatively seek ways to increase funding resources for affordable and special needs housing.

### **Housing Goal 4: Combat Housing Discrimination, Eliminate Racial Bias, Undo Historic Patterns of Segregation**

Lift barriers that restrict access in order to foster inclusive communities and achieve racial equity, fair housing choice, and opportunity for all Californians.

#### **Policy 4.1: Tenant Protection**

Implement policies and actions to protect tenants from unlawful evictions as well as direct and indirect (economic) displacement, and to promote greater education around tenants' rights.

**Policy 4.2: Fair Housing Outreach and Education**

Proactively outreach to and educate the community about fair housing rights and responsibilities.

**Policy 4.3: Affirmatively Further Fair Housing**

Ensure that the County's land use, development, and housing policies further the goal of equal access to housing opportunities.

**Implementing Programs**

A housing program can implement more than one goal and multiple policies. Furthermore, some programs and actions may target specific areas of implementation in order to bridge existing service gaps, access to resources, and disproportionate housing needs.

**Housing Supply****Program 1: Adequate Sites for RHNA and Monitoring of No Net Loss**

The County of Marin has been allocated a need of 3,569 units (1,100 very low income, 634 low income, 512 moderate income, and 1,323 above moderate income units). Based on projected ADUs and entitled projects, the County has met 475 of its RHNA, with a remaining RHNA of 3,094 units (1,458 lower income, 428 moderate income, and 1,208 above moderate income units).

To accommodate this remaining RHNA, the County has identified an inventory of sites with potential for redevelopment over the eight-year planning period. The inventory includes sites that can accommodate additional housing (689 units) under current Countywide Plan (CWP) and Development Code. The inventory also includes sites that will be rezoned/upzoned concurrent with this Housing Element update. Sites identified for rezoning/upzoning can accommodate 2,677 units (see Table H-5.1). The County is committed to redesignating and rezoning accordingly by January 31, 2023. Appendix C contains a detailed parcel listing of properties in the inventory, including those that will be redesignated/rezoned concurrent with the Housing Element update.

**Table H-5.1: Summary of Areas to be Rezoned**

Existing Zoning	Acreage	Parcels	RHNA Units
Agriculture and Conservation	288	3	275
Agriculture Limited	339	11	911
Agriculture Residential Planned	84	4	127
Planned Commercial	4	1	100
Public Facilities	46	7	224
Residential Agriculture	10	3	31
Residential Commercial Multiple Planned	16	20	241
Residential Multiple Planned	616	14	245
Residential Single Family	10	14	156
Residential Single Family Planned	29	28	293
Resort and Commercial Recreation	1	1	36
Retail Business	2	2	36
Village Commercial Residential	0	1	2
<b>Total</b>	<b>1,445</b>	<b>109</b>	<b>2,677</b>

To ensure that the County complies with Government Code Section 65863 (No Net Loss), the County will monitor the use of residential and mixed-use acreage included in the sites inventory to ensure an adequate inventory is available to meet the County’s RHNA obligations throughout the planning period. To ensure sufficient residential capacity is maintained to accommodate the RHNA, the County will develop and implement a formal, ongoing, project-by-project evaluation procedure pursuant to Government Code Section 65863. Should an approval of development result in a reduction of residential capacity below what is needed to accommodate the remaining need for households at an income level, the County will identify replacement sites as part of the findings for project approval, or if necessary, rezone sufficient sites to accommodate the shortfall and ensure “no net loss” in capacity to accommodate the RHNA within six months.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ Complete redesignation/rezoning of 1,445 acres as outlined in Table H-5.1 to fully accommodate the RHNA. Redesignation and rezoning for adequate sites is being taken concurrently with the Housing Element update and to be completed prior to Housing Element adoption before January 31, 2023. Specifically, the County will completely revamp the Housing Opportunity sites (HOD) policy language in the CWP to outline: <ul style="list-style-type: none"> <li>○ Allowable density</li> <li>○ Maximum and minimum number of units</li> <li>○ Site constraints if any</li> <li>○ Objective Design Standards category</li> </ul> </li> <li>▪ By the end of 2022, amend the CWP to adjust the Inland Rural/City-Center corridor boundary and to ensure consistency between CWP and zoning districts.</li> <li>▪ Ongoing, maintain an inventory of the available sites for residential development and make it available on County website. Update sites inventory annually to reflect status of individual sites.</li> <li>▪ By January 2024, implement a formal evaluation procedure pursuant to Government Code Section 65863 to monitor the development of vacant and nonvacant sites in the sites inventory and ensure that adequate sites are available to meet the remaining RHNA by income category.</li> </ul>
Primary Responsible Departments	Housing
Funding Sources	General Fund
Relevant Housing Policies	1.1, 1.2, and 1.3

### Program 2: By Right Approval

Pursuant to Government Code Section 65583.2, reusing the following types of sites in the County’s sites inventory for lower income RHNA are subject to by-right approval exempt from CEQA and subject only to design review based on objective standards, when a project includes 20 percent of the units affordable to lower income households and no subdivision is proposed:

- Vacant sites that were identified in the County’s 4<sup>th</sup> and 5<sup>th</sup> cycles Housing Element as sites for lower income RHNA; and
- Nonvacant sites that were identified in the County’s 5<sup>th</sup> cycle Housing Element as sites for lower income RHNA.

Parcels that are subject to by-right approval pursuant to State law are identified in Appendix C.

In addition, the County may consider expanding the scope of streamlining:

- For sites not subject to Section 65583.2 - projects that include 20 percent of the units affordable to homeowners at 60 percent AMI or to renters at 50 percent AMI; and/or
- 100 percent affordable projects on any Housing Element sites.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ By December 2022, concurrent with the Development Code and CWP update to provide adequate sites for RHNA (see Program 1), update the Development Code to address the by-right approval requirements.</li> </ul>
Primary Responsible Departments	Planning
Funding Sources	General Fund
Relevant Housing Policies	1.3 and 1.4

### Program 3: Replacement Housing

Development on all nonvacant sites designated in the Housing Element, at all income levels, that contain existing residential units, or units that were rented in the past five years, is subject to the replacement housing requirements specified in Government Code sections 65583.2 and 65915.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>By December 2022, as part of the redesignation and rezoning being undertaken concurrently with the Housing Element update (see Program 1, update the Development Code to address the replacement requirements).</li> </ul>
Primary Responsible Departments	Planning
Funding Sources	General Fund
Relevant Housing Policies	1.1, 1.3, and 2.5

### Program 4: Accessory Dwelling Units

Accessory Dwelling Units (ADUs) are an important resource to provide lower and moderate income housing in the unincorporated County. To facilitate ADU production, the County will:

- Dedicate a specific page on the County website to provide information and resources for ADU construction.
- Dedicate an ombudsman position to help applicants navigate the pre-development phase of ADU construction.
- Develop an ADU construction guide to clarify the permit application process and requirements. The guide will outline the required review by various departments and fees required.
- Provide financial assistance to income-qualified property owners to build ADUs using State funds (such as Cal HOME funds).

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>Permit on average 35 ADUs or JADUs per year (280 ADUs or JADUs over eight years).</li> <li>Update ADU webpage semi-annually, or more frequently as needed, to ensure information addresses questions</li> </ul>
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	<p>raised by applicants.</p> <ul style="list-style-type: none"> <li>▪ By December 2023, create an ombudsman position to help property owners navigate the ADU pre-development process.</li> <li>▪ Annually, pursue and allocate financial incentives to support ADU construction with the annual goal of assisting 5 lower income households with ADU construction or deed restricting 5 ADUs as affordable housing.</li> <li>▪ By January 31, 2027, review the production of ADUs to verify that Housing Element projections are accurate. If production estimates are below estimated amounts, revise as appropriate, the County’s ADU strategies to help achieve overall goal of at least 280 ADUs during the planning period.</li> </ul>
Primary Responsible Departments	Housing; Planning; Building; Environmental Health Services; Public Works
Funding Sources	General Fund; CalHome; Marin County Collaborative REAP
Relevant Housing Policies	1.3, 1.4, 2.4, and 3.4

**Program 5: SB 9 Mapping Tool**

SB 9 (Government Code Section 65852.21) is a new regulation that allows property owners to build additional units on their properties. In the unincorporated County, properties eligible to utilize SB 9 are limited to those in urbanized areas and in urban clusters, in addition to other exclusions included in the statute. The County will facilitate the SB 9 process by developing a mapping tool to help property owners determine if their properties may be eligible to utilize SB 9 to add new units onsite.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ By December 2024, develop and implement an online mapping tool that will identify areas in the unincorporated area that are eligible to use SB 9.</li> </ul>
Primary Responsible	Housing; Planning; Public Works

Departments	
Funding Sources	Marin County Collaborative REAP Funds
Relevant Housing Policies	1.1, 3.1, 3.2, and 3.3

### Program 6: Efficient Use of Multi-Unit Land

The County permits single-unit homes in all residential zones and nonresidential zones that permit housing, potentially reducing the achievable density in multi-unit development. Establishing minimum densities will ensure efficient use of the County's multi-unit land and prohibit the construction of new detached single-unit homes on multi-unit zoned property. Existing single-unit homes on multi-unit zoned property can remain and limited expansion or improvement, or reconstruction to replace units damaged due to accidents or disasters would be permitted.

To facilitate efficient use of land, some jurisdictions have also established target densities (tied to the calculation of RHNA potential, for example) to ensure no net loss of capacity as development occurs.

Also, currently no conventional zones in the County permit multi-unit housing, and only ten percent of the parcels are zoned to permit multi-unit residential use. This limited land available solely for multi-unit use is a potential constraint to housing development.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ By December 2023, amend the Development Code to: <ul style="list-style-type: none"> <li>○ Establish minimum densities for multi-unit and mixed-use zones.</li> </ul> </li> <li>▪ By December 2023: <ul style="list-style-type: none"> <li>○ Explore and, if appropriate, develop target density for each zone.</li> <li>○ Create a residential combining district that allows for form-based objective development standards rather than discretionary review.</li> </ul> </li> </ul>
Primary Responsible Departments	Planning
Funding Sources	General Fund

Relevant Housing Policies	1.1, 2.4, and 2.5
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### Program 7: Religious and Institutional Facility Housing Overlay

Government Code Section 65913.6 allows a religious institution to develop an affordable housing project at a place of worship owned by the religious institution even if the development requires the religious institution to reduce the number of religious-use parking spaces available. This bill applies only to religious facilities located in zones that allow residential uses.

The County will establish a Religious and Institutional Facility Housing Overlay with the following potential provisions:

- Expanding the provisions of Section 65913.6 to other institutional uses, such as schools and hospitals, as well as religious facilities located in zones that currently do not allow residential uses.
- Allowing religious and institutional uses to construct up to four ADUs and JADUs onsite.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ Beginning in 2023, conduct outreach to religious and institutional facilities regarding the Overlay opportunity.</li> <li>▪ By December 2024, establish a Religious and Institutional Facility Housing Overlay to extend the provisions of Section 65913.6 to other institutional and religious uses.</li> </ul>
Primary Responsible Departments	Planning, Housing
Funding Sources	General Fund
Relevant Housing Policies	1.3 and 2.4

### Program 8: Development Code Amendments

The County will amend the Development Code to address the following to facilitate development of a variety of housing types:

- **Residential Use in Mixed-Use Development:** - The County allows residential uses on the upper floors and residential units are limited between 25 and 29 percent of the floor area. Amend the Development Code to allow at least 50

percent of the floor area as residential use.

- **Height Limit:** The 30-foot height limit is potentially constraining to achieving a density of 30 units per acre. Amend the Development Code to increase the height limit to 45 feet.
- **Accessory Dwelling Units:** Currently, the County’s ordinance does not allow an ADU to be sold or otherwise conveyed separately from the primary dwelling unit. However, State law makes an exception if the property is owned by a nonprofit organization. The County will amend the ADU regulations to be consistent with State law.
- **Agricultural Worker and Employee Housing:** The County’s provisions for agricultural worker housing is not consistent with the State Employee Housing Act. Furthermore, the Development Code does not contain provisions for employee housing. Pursuant to the Employee Housing Act, any housing for six or fewer employees (in any industry) should be permitted as single-unit residential use. The County will amend agricultural worker provisions in the Development Code to be consistent with State law.
- **Residential Care Facilities:** The County permits residential care facilities for six or fewer persons in all residential zones. For residential care facilities for seven or more persons, a conditional use permit is required. The County will revise the Development Code to permit or conditionally permit large residential care facilities in all zones that permit residential uses, as similar uses in the same zone, and to ensure the required conditions for large facilities are objective and provide certainty in outcomes.
- **Supportive Housing:** Pursuant to State law (Government Code Section 65650 et seq.), supportive housing developments of 50 units or fewer that meet certain requirements must be permitted by right in zones where mixed-use and multi-unit development is permitted. Additionally, parking requirements are prohibited for supportive housing developments within one half mile of a transit stop. The County will amend Title 24 of the Municipal Code to address the parking requirements to comply with State law (see Program 9).
- **Emergency Shelters:** Government Code Section 65583 requires that parking standards for emergency shelters be established based on the number of employees only and that the separation requirement between two shelters be a maximum of 300 feet. The County Development Code will be revised to comply with this provision.
- **Low Barrier Navigation Center (LBNC):** Government Code section 65660 et seq. requires that LBNCs be permitted by right in mixed-use and nonresidential zones that permit multi-unit housing. The Development Code will be amended

to include provisions for LBNC.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>By December 2023, amend the Development Code as outlined above to facilitate a variety of housing types, especially for special needs populations.</li> </ul>
Primary Responsible Departments	Planning
Funding Sources	General Fund
Relevant Housing Policies	1.1, 2.1, 2.3, and 2.4

### Program 9: Parking Standards

The County’s current parking standards are codified in Title 24 of the Municipal Code. The parking standards will be updated to address the following:

- Parking for Multi-Unit Housing:** The County current standards are slightly higher than the standards established for the State density bonus program. The County will reduce the parking requirements to match the State density bonus requirements.
- Supportive Housing:** Pursuant to State law (Government Code Section 65650 et seq.), parking requirements are prohibited for supportive housing developments of 50 units or fewer meeting certain requirements and located within one-half mile of a transit stop.
- Emergency Shelters:** Government Code Section 65583 requires that parking standards for emergency shelters be established based on the number of employees only, not based on shelter capacity (such as number of beds).

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>By December 2023, amend Title 24 of the Municipal Code to reduce parking requirements for multi-unit housing, and to revise parking requirements for supportive housing meeting certain criteria and emergency shelters.</li> </ul>
Primary Responsible Departments	Public Works
Funding Sources	General Fund

Relevant Housing Policies	1.1 and 2.1
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### Program 10: Objective Development Standards for Off-Site Improvements

Development projects in the County are required to make on- and off-site improvements. The Objective Design Standards that the County has been working on impact only on-site improvements and cover a property up to the right of way. Many rural communities in the unincorporated areas do not have standardized requirements for off-site improvements (such as streetscape improvements), which can make development uncertain and add costs.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>By December 2025, establish objective development standards for off-site improvements.</li> </ul>
Primary Responsible Departments	Housing; Planning; Public Works
Funding Sources	General Fund
Relevant Housing Policies	1.1 and 1.5

### Program 11: Water Availability

Availability of water is a significant constraint to housing development in the County and beyond. The County will pursue several strategies to mitigate this constraint to the extent feasible.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>Continue to promote sustainability strategies (such as water conservation and recycling).</li> <li>Beginning in 2023, collaborate with water service providers to conduct a strategic water supply assessment in 2023 to evaluate increased supply within Marin (e.g., increased reservoir capacity, new reservoir(s), increase use of recycled water, desalinization plant) and external to Marin (e.g., EBMUD, Russian River water).</li> <li>Upon adoption of the Housing Element, submit it to all water districts and notify all water districts of the requirement to prioritize water allocation for new</li> </ul>
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	affordable housing development (Government Code Section 65589.7).
Primary Responsible Departments	Housing
Funding Sources	General Fund, State infrastructure funds
Relevant Housing Policies	1.5

**Program 12: Septic for Multi-Unit Housing**

Parts of the County have no sewer services, with properties relying on individual onsite septic systems. The County will pursue strategies to address this constraint to multi-unit development.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ In 2022, develop standards for multi-unit development in septic areas.</li> <li>▪ In 2023 initiate a study to identify alternative approaches to sewage disposal (e.g., package plants, community systems, incinerator toilets, etc.). Upon completion of the study, update by 2024 the County’s methodology for calculating septic capacity.</li> </ul>
Primary Responsible Departments	Housing; Environmental Health Services
Funding Sources	General Fund
Relevant Housing Policies	1.5

**Special Needs Housing**

**Program 13: Reasonable Accommodation**

Reasonable Accommodation provides flexibility in the implementation of land use and development regulations in order to address the special housing needs of persons with disabilities. The review and approval process of Reasonable Accommodation

requests may delay a person’s ability to access adequate housing. The County will expedite Reasonable Accommodation requests. (See also Program 21: Rehabilitation Assistance for funding available to assist lower income households in making accessibility improvements.)

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>Beginning in 2023, offer expedited review and approval of Reasonable Accommodation requests.</li> </ul>
Primary Responsible Departments	Planning
Funding Sources	General Fund
Relevant Housing Policies	2.1 and 4.3

#### **Program 14: Universal Design and Visitability**

Universal design is the design of buildings or environments to make them accessible to all people, regardless of age, disability, or other factors. Universal design goes beyond ADA requirements but may add to the cost of construction. Typically, local governments incentivize the use of universal design principles.

Currently, visitability is a requirement for HUD-funded single-unit or owned-occupied housing. Visitability refers to housing designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers. The County may consider expanding the visitability requirement to multi-unit housing.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>In 2024, study policies and/or incentives to encourage requirements for universal design and visitability, and develop them by 2025 for implementation.</li> </ul>
Primary Responsible Departments	Housing
Funding Sources	General Fund
Relevant Housing Policies	2.1 and 4.3

**Program 15: Housing for Farmworkers and Hospitality Workers**

Agricultural operations represent an important component of the County’s economic base. Most farming operations are small dairies, individually employing a small number of farmworkers. These farms often do not have the ability to provide housing for all their workers. Year-round fishery operations also employ a significant number of workers collectively. In addition, Marin County is a popular tourist destination. Farmworkers, fishery workers, and hospitality employees typically earn lower incomes and have limited affordable housing options. The County will explore policies that facilitate the provision of affordable housing for these workers. Potential considerations include:

- Setting aside a specific percentage of affordable housing units for farmworkers within larger affordable housing developments.
- Partnering with other jurisdictions, farm operators, hotels, and other hospitality employers in the region to contribute to an affordable housing fund or a community land trust. Funding collected can be used to acquire, develop, and/or rehabilitate housing for farmworkers.
- Requiring hospitality employers to provide housing to temporary employees during peak seasons.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ By December 2025, develop strategies for addressing farmworker and hospitality worker housing, with the goal of increasing housing for these employees by 20 percent.</li> </ul>
Primary Responsible Departments	Housing
Funding Sources	General Fund
Relevant Housing Policies	2.1 and 2.3

**Program 16: Project Homekey**

The County is actively pursuing Project Homekey opportunities in order to provide permanent supportive housing for people experiencing homelessness. Homekey is an opportunity for the County to pursue funding for the development of a broad range of housing types, including but not limited to hotels, motels, hostels, single-family homes, multi-unit apartments, adult residential facilities, and manufactured housing, and to convert commercial properties and other existing buildings to permanent or interim

housing for the homeless.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ In 2023, identify locations that may be appropriate as Project Homekey sites and conduct outreach to interested nonprofit developers to pursue funding from HCD.</li> <li>▪ Develop 20 units using Project Homekey over eight years.</li> </ul>
Primary Responsible Departments	Housing; Health and Human Services
Funding Sources	HCD Project Homekey Funds
Relevant Housing Policies	2.1, 2.2, and 4.3

### Program 17: Housing for Seniors

The County has a high proportion of aging residents. Many have expressed the need for additional senior housing options, specifically allowing seniors to trade their current homes for other housing that requires less maintenance, is designed to accommodate the mobility needs of seniors, and is more affordable. The County will pursue a variety of housing options for seniors.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ In 2023, explore expansion of home match services to help match over-housed seniors with potential lower income tenants.</li> <li>▪ In 2024, develop incentives and development standards to facilitate various senior housing options (such as senior apartments/homes, co-housing, assisted living, etc.).</li> </ul>
Primary Responsible Departments	Housing
Funding Sources	General Fund
Relevant Housing Policies	2.1 and 4.3

## Preservation of Housing

### Program 18: Short-Term Rentals

The County may explore options for limiting short-term rentals in order to preserve housing units for permanent residential use. Strategies may include:

- Prohibiting short-term rentals (no less than 30 days allowed)
- Limiting the number of days the unit can be used for short-term rentals
- Prohibiting short-term rentals in all multi-unit dwellings
- Allowing for short-term rentals if the property is the owner’s primary residence
- Benchmarking the number of short-term rentals allowed to no more than a specific percentage of the community’s rental housing stock

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ In 2023, evaluate and adopt strategies for regulating short-term rentals.</li> </ul>
Primary Responsible Departments	Planning
Funding Sources	General Fund
Relevant Housing Policies	2.6 and 3.3

### Program 19: Vacant Home Tax

The vacancy rate in the unincorporated County is about 10 percent with close to 60 percent of vacant units used for recreational, seasonal, and occasional purposes. A vacant home tax is an emerging strategy for discouraging leaving homes unoccupied for extended periods of time.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ In 2024, study the appropriateness of a vacant home tax as a strategy to discourage unoccupied housing units and increase revenue for affordable housing. If appropriate, pursue ballot measures in 2025 to establish tax.</li> </ul>
Primary Responsible Departments	Housing

Funding Sources	General Fund
Relevant Housing Policies	2.6

### Program 20: Monitoring of Rental Housing

The Marin County Landlord Registry was established in 2019 and requires landlords to report rents and general occupancy information for all rental properties subject to the Just Cause for Eviction ordinance. While the registry is designed to collect data on the rental market, the data provides an incomplete picture since a large portion of rental units are exempt from the Just Cause for Eviction ordinance.

Also, the County Development Code prohibits conversion of multi-unit rental units into condominiums unless the vacancy rate exceeds five percent and the change does not reduce the ratio of multi-unit rental units to less than 25 percent of the total number of dwelling units in the County.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ Continue to implement the Landlord Registry and Condominium Conversion ordinance.</li> <li>▪ In 2024, expand Landlord Registry requirements to cover all rental units in the unincorporated County.</li> </ul>
Primary Responsible Departments	Housing
Funding Sources	General Fund
Relevant Housing Policies	3.3 and 4.1

### Program 21: Rehabilitation Assistance

The County supports the housing rehabilitation needs of lower income households through:

- Residential Rehabilitation Loan Program: provides low-interest property improvement loans and technical assistance to qualified, very low income homeowners to make basic repairs and improvements, accessibility improvements, correct substandard conditions, and eliminate health and safety hazards.

- Funding assistance to Marin Center for Independent Living (MCIL) home modification program to increase independence and accessibility for renters and homeowners.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ Provide rehabilitation loans to 10 households annually (80 households over eight years).</li> <li>▪ Provide support for 6 households to make accessibility improvements annually (48 households over eight years).</li> <li>▪ Continue to support nonprofit organizations in providing rehabilitation assistance to lower income renters and homeowners.</li> </ul>
Primary Responsible Departments	Housing and Federal Grants
Funding Sources	CDBG
Relevant Housing Policies	2.1, 2.5, 2.6, and 3.4

**Program 22: Habitability**

The County Department of Environmental Health’s Housing Services conducts inspections on residential structures of three or more units only. Single-unit homes and duplexes are not covered by inspection services.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ In 2025, expand the inspection services to cover the entire housing stock.</li> </ul>
Primary Responsible Departments	Environmental Health Services
Funding Sources	General Fund
Relevant Housing Policies	2.5 and 2.6

### Program 23: Preservation of At-Risk Housing

The County has an inventory of publicly assisted housing projects that offer affordable housing opportunities for lower income households. Most of these projects are deed restricted for affordable housing use long-term. However, 61 units are considered at high and very high risk of converting to market-rate housing. The County will work to preserve these at-risk units.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ Annually monitor status of at-risk projects with the goal of preserving 100% of at-risk units.</li> <li>▪ Ensure tenants are properly noticed by the property owners should a Notice of Intent to opt out of low income use is filed. Notices must be filed three years, one year, and six months in advance of conversion.</li> <li>▪ In the event of a potential conversion, conduct outreach to other nonprofit housing providers to acquire projects opting out of low income use.</li> <li>▪ Consider a Community Opportunity to Purchase Act (COPA) program (see also Program 30: Tenant Protection Strategies).</li> </ul>
Primary Responsible Departments	Housing
Funding Sources	Housing Trust Fund
Relevant Housing Policies	2.5, 2.6, 3.3, and 3.4

### Housing Affordability

#### Program 24: Inclusionary Housing

The County implements an Inclusionary Housing program requiring a 20 percent set aside of new units or lots in a development for affordable housing. Ownership developments must have inclusionary units affordable for low to moderate income households. Rental developments must provide inclusionary units for very low to moderate income households. For both rental and homeownership developments, the larger the project, the deeper the affordability requirements. All inclusionary units must be income-restricted in perpetuity. To enhance housing development feasibility

while complying with the inclusionary requirements, the County plans to:

- Modify the inclusionary housing program to expand affordability ranges based on the type and size of projects and to be in compliance with AB 1505.
- Work with Marin County cities and towns to achieve consistency across jurisdictions and to ensure that the policies are aligned with best practices and reflect current market conditions.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ By 2023, modify the Inclusionary Housing program to expand affordability ranges and to comply with State law.</li> <li>▪ In 2023, coordinate with other County jurisdictions to align inclusionary housing requirements for consistency.</li> </ul>
Primary Responsible Departments	Housing, Planning
Funding Sources	General Fund
Relevant Housing Policies	1.1, 1.4, and 2.4

**Program 25: Incentives for Affordable Housing**

The County will continue to facilitate the development of affordable housing, especially for lower income households (including extremely low income) and those with special housing needs (including persons with disabilities/developmental disabilities, older adults, farmworkers, and people experiencing homelessness).

Incentives available for affordable housing projects include:

- County density bonus of 10 percent (above State density bonus)
- Potential fee waivers
- Priority processing
- Technical assistance
- Financial participation by the County, subject to funding availability
- Support and assistance in project developer’s applications for other local, State, and federal funds

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ Continue to offer incentives to facilitate affordable housing.</li> <li>▪ Annually conduct outreach to affordable housing</li> </ul>
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	<p>developers to evaluate the effectiveness of incentives and make appropriate adjustments.</p> <ul style="list-style-type: none"> <li>Facilitate the development of 200 affordable units over eight years.</li> </ul>
Primary Responsible Departments	Housing, Planning
Funding Sources	General Fund; Housing Trust Fund
Relevant Housing Policies	2.4

### Program 26: Below Market Rate (BMR) Homeownership Program

Funded with Successor Agency funds, the BMR Homeownership program offers low and moderate income, first-time homebuyers the opportunity to purchase specified condominium units in Marin County at less than market value. As the owner of a BMR unit sells, the unit is resold to another income-eligible homeowner.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>Maintain 90 BMR units for continued affordable housing for lower and moderate income households.</li> </ul>
Primary Responsible Departments	Marin Housing Authority
Funding Sources	Successor Agency to the Marin County Redevelopment Agency
Relevant Housing Policies	2.1, 2.4, and 3.4

### Program 27: Community Land Trust

Currently, the County has two Community Land Trusts in the unincorporated areas - Community Land Trust Association of West Marin (CLAM) and Bolinas Community Land Trust (BCLT). CLAM provides education, assistance with project management, and screening and referral services to prospective landlords who agree to rent their units at rates affordable to low and moderate income households. The County provides financial, administrative, and technical support to CLAM. The County may

facilitate the establishment of additional Community Land Trusts in different CPAs.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ Continue supporting the operation of CLTs.</li> <li>▪ Subject to funding availability, establish additional CLTs in other CPAs.</li> </ul>
Primary Responsible Departments	Housing
Funding Sources	General Fund
Relevant Housing Policies	3.4, 4.1, and 4.2

**Program 28: Affordable Housing Funding Sources**

The County’s Affordable Housing Fund is funded with a variety of sources:

- Affordable Housing Impact Fee
- Inclusionary Housing In-Lieu fee
- Rental Housing Impact Fee
- Jobs/Housing Linkage Fee
- CDBG
- HOME
- Permanent Local Housing Allocation
- General Fund

In addition, the County continues to pursue additional funding from State and Federal housing programs. Other potential sources may include vacant home tax (see Program 19).

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ Annually pursue additional funding from State and Federal housing programs.</li> <li>▪ Facilitate the development of 200 affordable housing units.</li> </ul>
Primary Responsible Departments	Housing

Funding Sources	
Relevant Housing Policies	3.4

### Program 29: Community Plans

Existing community plans contain goals, policies, and programs that are inconsistent with the Countywide Plan. Where such conflicts exist, the Countywide Plan prevails. The County will pursue neighborhood improvement strategies through community plans - specifically for Marin City, which already has a high concentration of affordable housing.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>In 2023, initiate Marin City Community Plan, with the goal of adopting the plan by 2025.</li> </ul>
Primary Responsible Departments	Housing; Planning
Funding Sources	General Fund
Relevant Housing Policies	1.1 and 4.3

### Affirmatively Furthering Fair Housing

#### Program 30: Fair Housing Outreach and Enforcement

The County refers fair housing complaints to Fair Housing Advocates of Northern California (FHANC) for legal services. The County will assist in fair housing outreach and education, and reasonable accommodations through funding FHANC.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>Assist an average of 50 residents annually with tenant/landlord dispute resolution, and fair housing inquiries and investigations.</li> <li>Annually update, or more frequently as needed, the County's Landlord and Tenant Resources webpage.</li> <li>Beginning in 2023, increase fair housing outreach to Homeowners Associations, realtors, property managers, and brokers, as well as individual property owners (such</li> </ul>
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	as single-unit homes, duplex/triplex units, and ADUs used as rentals). Specifically, promote the State’s Source of Income Protection bills (SB 329 and SB 222) that prohibit discrimination based on the use of public assistance for housing payments (such as Housing Choice Vouchers).
Primary Responsible Departments	Fair Housing Advocates of Norther California; Housing Authority; Housing
Funding Sources	CDBG; General Fund
Relevant Housing Policies	4.1, 4.2, and 4.3

**Program 31: Tenant Protection Strategies**

Throughout the region, tenants are facing rising rents and increasing risk of eviction due to the economic impact of COVID, as well as displacement from the economic pressure of new development. The County will explore a variety of strategies that offer tenant protection. These may include:

- **Rent stabilization:** Currently, the State imposes rent caps on some residential rental properties (AB 1482) through 2030. However, AB 1482 exempts single-unit homes and condominiums for rent and multi-unit housing units built within the previous 15 years. A strategy for rent stabilization is to adopt a permanent policy and/or expansion to units not covered by AB 1482. However, compliance with the 1995 Multi-unit Housing Act (Costa Hawkins) is critical.
- **Just cause for eviction:** AB 1482 also establishes a specific set of reasons that a tenancy can be terminated. These include: 1) default in rent payment; 2) breach of lease term; 3) nuisance activity or waste; 4) criminal activity; 5) subletting without permission; 6) refusal to provide access; 7) failure to vacate; 8) refusal to sign lease; and 9) unlawful purpose.

The County passed an ordinance to require a just cause for eviction that applies to properties of three or more dwelling units in January 2019, before the adoption of AB 1482. The County may consider expanding “just cause” to all units, and potentially include relocation assistance.

- **Local relocation assistance:** The County can adopt a local relocation assistance provision that provides greater relocation assistance to special needs groups (e.g., seniors, disabled, female-headed households) and reasonable accommodation for persons with disabilities.

- **Tenant commission:** Typically, most land use policies and planning decisions are made from the perspective of property owners. Tenants lack a voice in the planning process. A tenant commission or advisory committee may be an avenue through which they can bring policy discussions that highlight tenant interests to the County. While the proportion of renter-occupied units in the County is growing, there is currently no body within the County where their unique concerns can be raised.
- **Right to Purchase:** When tenants are being evicted due to condominium conversion or redevelopment, offer first right to purchase to displaced tenants to purchase the units.
- **Right to Return:** When tenants are being evicted due to rehabilitation/renovation of the property, offer first right to displaced tenants to return to the improved property.
- **Tenant Bill of Rights:** Adopt a tenant’s bill of rights that considers extending protections for subletters and family members, and addresses severe habitability issues and market pressures. This provision would also provide anti-retaliation protection for tenants that assert their rights.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>▪ Continue to implement the County’s Landlord Registry requirement.</li> <li>▪ In 2023, begin community outreach to discuss various tenant protection strategies.</li> <li>▪ In 2024, adopt appropriate tenant protection strategies.</li> </ul>
Primary Responsible Departments	Housing
Funding Sources	General Fund
Relevant Housing Policies	4.1

**Program 32: Comprehensive Review of Zoning and Planning Policies**

The County’s Development Code and planning policies have been incrementally developed over time and may have inherited language rooted in segregation. The County will conduct a comprehensive review of its zoning and planning policies to remove discriminatory language or policies that may directly or indirectly perpetuate segregation. This includes reviewing the use of the terms “single-unit” residential use,

“protecting the character of the neighborhood,” and findings of conditional approval in different regulatory documents.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>In 2025, conduct a comprehensive review of zoning and planning policies to remove discriminatory language and policies.</li> </ul>
Primary Responsible Departments	Housing, Planning
Funding Sources	General Fund
Relevant Housing Policies	1.1 and 4.3

**Program 33: Community Engagement**

Community Development Agency (CDA) outreach working group work with local communities to obtain input on housing and community development issues, especially to highlight areas that have historically been underserved or underrepresented in these conversations.

Specific Actions and Timeline	<ul style="list-style-type: none"> <li>By December 2023, develop a work plan and present to the BOS to identify new geographic areas/populations for outreach and establish a protocol for conducting outreach, with coordinated efforts with County CDA.</li> </ul>
Primary Responsible Departments	Housing, Planning
Funding Sources	General Fund
Relevant Housing Policies	3.1, 3.2, 4.2, and 4.3

## **Affirmatively Furthering Fair Housing Action Matrix**

The following table summarizes the County’s implementation actions to further fair housing. Individual housing programs may have different impacts on furthering housing choices. Fair housing actions are grouped into the five themes:

- Fair housing outreach and enforcement
- Housing mobility through expanded choices in housing types and locations
- New opportunities in high resource areas
- Place-based strategies for neighborhood improvements
- Tenant protection and anti-displacement

Housing programs are often implemented throughout the unincorporated areas. However, individual programs may have targeted locations for specific actions, increased outreach efforts, and/or priority for allocation of resources.

**Table H-5.2: AFFH Action Matrix**

Program	Specific Commitment	Timeline	Geographic Targeting	Eight-Year Metrics
<b>Housing Mobility</b>				
Program 7: Religious and Institutional Facility Housing Overlay	Establish a Religious and Institutional Facility Housing Overlay to extend the provisions of Section 65913.6 to other institutional and religious uses.	By December 2024	Throughout unincorporated County	Create 100 affordable units within the Overlay
Program 13: Reasonable Accommodation	Offer expedited review and approval of Reasonable Accommodation requests.	Beginning in 2023	Throughout unincorporated County	Not applicable
Program 14: Universal Design and Visitability	Study policies and/or incentives to encourage requirements for universal design and visitability, and develop them by 2025 for implementation.	Study in 2024  Develop policies/ incentives by 2025	Throughout unincorporated County	Increase accessible units by 10 percent
Program 17: Housing for Seniors	Explore expansion of home match services to help match over-housed seniors with potential lower income tenants.	In 2023	Throughout unincorporated County	Increase home matches by 20 percent
	Develop incentives and development standards to facilitate various senior housing options (such as senior apartments/homes, co-housing, assisted living, etc.).	In 2024	Throughout unincorporated County	Increase senior housing units by 20 percent

**Table H-5.2: AFFH Action Matrix**

Program	Specific Commitment	Timeline	Geographic Targeting	Eight-Year Metrics
Program 21: Rehabilitation Assistance	Provide support for households to make accessibility improvements.	Annually	Throughout unincorporated County	Assist 48 households
<b>New Opportunities in High Resource Areas</b>				
Program 4: Accessory Dwelling Units	Dedicate an ombudsman position to help applicants navigate the pre-development phase of ADU construction.	By December 2023	Throughout unincorporated County	280 ADUs/JADUs
	Pursue and allocate financial incentives to support ADU construction	Annually	Throughout unincorporated County	40 affordable ADUs/ JADUs
Program 5: SB 9 Mapping Tool	Develop and implement an online mapping tool that will identify areas in the unincorporated area that are eligible to use SB 9.	By December 2024	Throughout unincorporated County, with emphasis in Los Ranchitos (Opportunity Area)	Online tool created
Program 24: Inclusionary Housing	Modify the Inclusionary Housing program to expand affordability ranges and to comply with State law	By 2023	Throughout unincorporated County	Increase affordable housing by 200 units
<b>Place-Based Strategies for Neighborhood Improvements</b>				
Program 10: Objective Development Standards for Off-Site Improvements	Establish objective development standards for off-site improvements	By December 2025	Rural communities	Development Code amended

**Table H-5.2: AFFH Action Matrix**

Program	Specific Commitment	Timeline	Geographic Targeting	Eight-Year Metrics
Program 12: Septic for Multi-Unit Housing	Develop standards for multi-unit development in septic areas.  Initiate a study to identify alternative approaches to sewage disposal (e.g., package plants, community systems, incinerator toilets, etc.). Upon completion of the study, update by 2024 the County’s methodology for calculating septic capacity.	Study in 2022/2023  Update methodology by 2024	Rural communities, with emphasis in West Marin, Greenpoint-Blackpoint	Development Code amended
Program 27: Community Land Trust	Subject to funding availability, establish additional CLTs in other CPAs.	2023-2031	Marin City and areas along City Center Corridor	Create 100 affordable units through CLTs
Program 29: Community Plans	Initiate Marin City Community Plan, with the goal of adopting the plan by 2025.	Initiate in 2023 with adoption in 2025	Marin City	Not applicable
<b>Tenant Protection and Anti-Displacement</b>				
Program 3: Replacement Housing	Update Development Code to address replacement requirement	By December 2022	Throughout unincorporated County	Development Code amended
Program 15: Housing for Farmworkers and Hospitality Workers	Develop strategies for addressing farmworker and hospitality worker housing.	By December 2025	Throughout unincorporated County, with emphasis in West Marin	Increase housing dedicated for farmworkers or hospitality workers by 20 percent

**Table H-5.2: AFFH Action Matrix**

Program	Specific Commitment	Timeline	Geographic Targeting	Eight-Year Metrics
Program 16: Project Homekey	Identify locations that may be appropriate as Project Homekey sites and conduct outreach to interested nonprofit developers to pursue funding from HCD.	In 2023	Throughout unincorporated County	Develop 20 Project Homekey units
Program 18: Short-Term Rentals	Evaluate and adopt strategies for regulating short-term rentals.	In 2023	Throughout unincorporated County, with emphasis in West Marin where a larger number of units are being used as vacation rentals	Development Code amended
Program 19: Vacant Home Tax	Study the appropriateness of a vacant home tax as a strategy to discourage unoccupied housing units and increase revenue for affordable housing. If appropriate, pursue ballot measures to establish tax.	Study in 2024  Pursue ballot in 2025	Throughout unincorporated County	Issue placed on Ballot
Program 20: Monitoring of Rental Housing	Expand Landlord Registry requirements to cover all rental units in the unincorporated County.	In 2024	Throughout unincorporated County	Collect accurate rental data
Program 23: Preservation of At-Risk Housing	Monitor status of at-risk projects with the goal of preserving 100% of at-risk units	Annually	Throughout unincorporated County, with emphasis in Marin City and Santa Venetia	Preserve 607 at-risk units

**Table H-5.2: AFFH Action Matrix**

Program	Specific Commitment	Timeline	Geographic Targeting	Eight-Year Metrics
Program 31: Tenant Protection Strategies	Begin community outreach to discuss various tenant protection strategies and adopt appropriate tenant protection strategies.	Begin outreach in 2023  Adopt strategies in 2024	Throughout unincorporated County, with emphasis in Marin City and West Marin where risk of displacement is high	Tenant protection strategies adopted
<b>Fair Housing Outreach and Enforcement</b>				
Program 30: Fair Housing Outreach and Enforcement	Assist an average of 50 residents annually with tenant/landlord dispute resolution, and fair housing inquiries and investigations.	Annually	Throughout unincorporated County	Assist 400 residents
	Increase fair housing outreach to Homeowners Associations, realtors, property managers, and brokers, as well as individual property owners (such as single-unit homes, duplex/triplex units, and ADUs used as rentals).	Beginning in 2023 and annually thereafter	Throughout unincorporated County, with emphasis in West Marin, Marin City, and Santa Venetia	Conduct 40 outreach events
Program 32: Comprehensive Review of Zoning and Planning Policies	Conduct a comprehensive review of zoning and planning policies to remove discriminatory language and policies.	In 2025	Throughout unincorporated County	Not applicable

**Table H-5.2: AFFH Action Matrix**

Program	Specific Commitment	Timeline	Geographic Targeting	Eight-Year Metrics
Program 33: Community Engagement	Develop a work plan and present to the BOS to identify new geographic areas/ populations for outreach and establish a protocol for conducting outreach, with coordinated efforts with County CDA.	By December 2023	Throughout unincorporated County, with emphasis in West Marin, Marin City, and Santa Venetia	Conduct 40 outreach events

## Quantified Objectives

For the 2023-2031 planning period, the County has established quantified objectives for construction, preservation, and rehabilitation of housing in the unincorporated areas. Pursuant to State law, quantified objectives can be established based on trends and available resources.

**Table H-5.3: Summary of Quantified Objectives (2023-2031)**

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
RHNA	550	550	634	512	1,323	3,569
New Construction	50	200	200	200	500	1,200
Rehabilitation Assistance	28	50	50			128
Preservation of At-Risk Housing	150	150	307			607



## Attachment 2: Draft Housing Element

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To conserve resources, the draft Housing Element is provided to your Board and Commission electronically only: <https://www.marincounty.org/depts/cd/divisions/housing/housing-element/draft-2023-2031-housing-element>

## Marin HESE – Outreach & Engagement Activities SUMMARY

Note: Due to public health restrictions on public gathering related to the Covid-19 pandemic, activities that required people to gather in person such as workshops, hearings, and focus groups were conducted on-line using Zoom video conferencing.

Activities listed in chronological order

Activity	Time Period	Target Audience	Summary	Translation / Interpretation Provided	Results / Feedback	Participation Metrics
Dedicated webpage	Ongoing	All	Serves as significant outreach tool to publicize activities and host supporting documents	Spanish translation of key activities	Low-cost efficient way to communicate and host documents and on-line tools	
County email notification service	Ongoing	All	Participants can sign-up to receive automatic notification when new materials are posted on website and when outreach activities are happening	Spanish translation of outreach activities	Participants received regular notifications throughout process	
Email and telephone communications with County staff	Ongoing	All	Throughout the process, County staff received comments and responded to questions through phone and email		Provided customized assistance to any requestor. Also, it provided an opportunity for those to comment without using any of the tools or participating in a workshop or hearing.	355 emails received related to sites
Social Media	Ongoing	All	County used Facebook, Next Door and related platforms to promote outreach activities	Spanish	Actively promoted workshops, hearings and digital surveys	
Outreach Flyers	Before outreach activities	All	Flyers were posted at neighborhood hubs and bulletin boards	Spanish	Flyers helped to reach those who don't use or don't have access to technology	
Focus Groups with following groups: -CBOs (2 sessions) -Homeowners (1 session) -Low-income residents (1 sessions) -West Marin Collaborative -County of Marin Employee Affinity Groups	Aug - Sept 2021	Members of protected classes under fair housing laws:  - Low-income - Minorities - People with disabilities	Engaged CBOs who represent members of protected classes under fair housing laws  Recruited and screened residents who represented specific demographic groups that input was needed from		Qualitative information about housing needs, barriers and challenges. Participants also responded to questions related to emergency preparedness and concerns regarding natural hazards to inform the Safety Element.	- 17 CBO's Invited - 14 CBO's Attended  Participating CBO's provide service to seniors, people with disabilities, low-income, and minority adults and families  -14 Resident Participants Recruitment Results: 8 were renters 6 were owners  4 said they speak a second language at home (3 Spanish, 1 Cantonese)  Total household income before taxes 2 selected Less than \$25,000 2 Preferred not to say  County of Marin Employee Affinity Groups included: -MCOLE (Marin County Organization of Latino Employees) -COMAEA (County of Marin African-American Employees Association) -MAPLE (Marin Asian American Public Local Employees)
Community Workshop #1	Sept 22, 2021	All	Focused on introducing the Housing Element. Also introduced the Safety Element	Spanish & Vietnamese -Spanish speakers were present but Zoom does not provide a count by language, We added the Language request question in registration as a result.	Initial feedback about issues and concerns	176 registrants 82 participants  Polling results: 30 were owners 16 were renters

Activity	Time Period	Target Audience	Summary	Translation / Interpretation Provided	Results / Feedback	Participation Metrics
Marin County Housing and Safety Elements Stakeholder Committee	Monthly	Represent All areas of unincorporated County. Members also include: -Young adult under 24 -Older adults non-White groups, including Black/African American and American Indian/Native American -Without permanent housing				
Postcard mailing	Nov 2021	All	Postcard mailed to 22,000 households to introduce the HE and promote outreach activities	Spanish & Vietnamese (included QR code and directions in Spanish & Vietnamese so recipient could get complete information in their preferred language.	The mailing served to reach households in a manner that didn't require technology and catch the attention of those who are on-line but were not aware of the process. The mailer also provided a phone contact for those who do not have access to or don't use online tools.	22,000 mailed
Community Workshop #2	Nov 22, 2021	All	Workshop focused on Safety Element and explained how the County would respond to natural hazards. These issues were prominent in comments received related to and informed the housing element.	Spanish & Vietnamese -4 registrants requested Spanish	County received substantial input on participant issues and concerns.	84 registrants 31 participants  Polling: 10 were homeowners 5 were renters
Joint Session / Board of Supervisors & Planning Commission	Dec 7, 2021	All	Presented HE, RHNA numbers and initial outreach findings	Spanish	BOS/PC input yielded guiding principles that were used to inform the identification of potential sites.	
Consider-it Forum	Nov - Dec 2021	All	Collected input about people's safety concerns and preparedness for responding to natural hazards and extreme weather.	Included translation option through Google translate	Many concerns about limited housing were linked to safety issues such as emergency evacuations. Input validated and further described the concerns people expressed during HE events	
Digital Housing Needs Survey	Oct - Dec 2021	All	Collected input about housing needs	Spanish translation and outreach	Brief survey was designed to collect input on housing needs and collect input with those with limited time to participate.	626 responses in English 22 responses in Spanish
Print version of Housing Needs Survey	Oct - Dec 2021	-Seniors -People with disabilities -Paratransit users -Low-income & without digital access	Collected input about housing needs. Surveys were distributed through community groups with the largest distribution achieved by a paratransit provider. County staff also attended several in-person events to share and discuss the survey.	Spanish translation and outreach. Paper surveys were distributed by a paratransit provider which helped reach people with disabilities	Brief survey was designed to collect input on housing needs and collect input with those with limited time to participate and no access to technology.	102 responses in English 68 responses in Spanish
Public Hearing - CEQA Scoping Meeting	Jan 11, 2022	All	Provided opportunity to comment on scope of environmental document.		Received comments to inform scoping	16 participants
Sites Road Shows	Jan - Feb 2022	All Minority residents Low-income Farmworkers Seniors People with disabilities	Presented "roadshow" of Housing Element information and sites to multiple neighborhoods, including: - Kentfield (Kentfield Planning Advisory Board meeting) - Tamalpais Valley (Tamalpais Valley Design Review Board)	Spanish Interpretation provides at West Marin, Santa Venetia/Los Ranchito, Unincorporated Novato and Marin City Road Shows	Along with introducing BA as a tool, participants were given multiple options to provide comments. The Road Shows allowed participants to ask questions and comment on sites in their specific geographic area.	460 participants

Activity	Time Period	Target Audience	Summary	Translation / Interpretation Provided	Results / Feedback	Participation Metrics
			<ul style="list-style-type: none"> <li>- Strawberry (Strawberry Design Review Board)</li> <li>- Lucas Valley and Marinwood</li> <li>- Santa Venetia and Los Ranchitos</li> <li>- Marin City (Community Conversations meeting)</li> <li>- West Marin</li> <li>- Unincorporated Novato</li> <li>- Follow-up meeting in San Geronimo Valley (West Marin) and Atherton (unincorporated Novato)</li> <li>- Follow-up meeting in Tomales and another in San Geronimo Valley (In May)</li> </ul>			
Community Workshop #3	Jan 20, 2022	All	<ul style="list-style-type: none"> <li>-Informed the community about the planning process for achieving County housing goals and the Site Selection Process</li> <li>-Provided an opportunity for participants to share their input on the site selection process.</li> <li>-Introduced digital tool used to receive input on specific sites.</li> </ul>	Spanish, Streamed to Youtube -5 Registrants requested Spanish	Introduced potential housing sites and described the process that would be used to narrow the sites to achieve the RHNA goal.	209 registrants 103 participants  Polling: 60 were homeowners 8 were renters
Joint Session / Board of Supervisors & Planning Commission	Mar 1, 2022	All	Presented initial sites and scenarios based on guiding principles, technical analysis and public input.	Spanish	Process started with the identification of sites that would far exceed the RHNA to allow for substantial community input.	
Joint Session / Board of Supervisors & Planning Commission	Mar 15, 2022	All	Presented revised scenarios for BOS/PC consideration and public input.	Spanish	BOS/PC provided input on preferred BOS/PC members and public provided additional feedback to inform refinements..	More than 40 people made public comments
Balancing Act (BA)	Feb-March 2022	All	BA Platform Open for Input	Spanish	Receive input on preferred housing sites to meet the RHNA	2,925 page views 143 completed submittals
Balancing Act Office Hours	Mar 2022	All	Staff provided on-line evening office hours to assist people who needed help with BA, Office hours were promoted during the Road Shows along with the channels used to promote BA		Provided assistance to anyone needing help with the BA platform	
Digital Atlas	March 2022	All	County produced a digital mapping tool, the Atlas, that provided information about community demographics and natural hazards - which were key concerns identified in many of the comments received.	Included translation option through Google translate	Provided more detailed information for people to consider as they comment on potential housing sites. Participants could also submit site comments using the Atlas.	
Community Workshop #4	Mar 29, 2022	All	Described the role that policies and programs play in the HE. Solicited input on policy topics including tenant protections and programs to serve special populations including farmworkers, seniors and people with disabilities	Spanish		181 registrants 112 participants  Polling: 58 were homeowners 13 were renters
Community Workshop #5	April 5, 2022	All	Provide an overview of the Safety Element update process. Discuss new climate change and resiliency planning goals and policies Present key issues and policies for discussion	Spanish		55 registrants 32 participants  Polling: 16 were homeowners 2 were renters
Joint Session / Board of Supervisors & Planning Commission	April 12, 2022	All	Part 1: Received direction on sites included in HE. Part 2: Received direction on policies and programs	Spanish	Input informed list of sites for use in the environmental impact analysis.	



## Attachment 4: Outreach, Meeting, and Workshop Schedule

*Last revised: 4/6/22*

**Blue** refers to Housing Element; **Orange** Refers to Safety Element, **Green** refers to EIR

Date	Item
9/22/21	Community Workshop #1: Housing Needs
11/15/21	Community Workshop #2: Safety Element Vulnerability Assessment
12/7/21	Board of Supervisors/Planning Commission Joint Session #1: Housing Sites
1/11/22	EIR (Environmental Impact Report) Scoping
1/20/22	Community Workshop #3: Housing Sites
2/1/22	Board of Supervisors/Planning Commission Joint Session #2: Safety Element Vulnerability Assessment/Key Issues
1/20/22 – 2/27/22	Public Engagement: Balancing Act; Office Hours; Design Review Board Meetings; Community Meetings
3/1/22	Board of Supervisors/Planning Commission Joint Session #3: Sites/Preferred Alternative (1 of 2)
3/15/22	Board of Supervisors/Planning Commission Joint Session #3: Sites/Preferred Alternative (2 of 2)
3/29/22	Community Workshop #4: Housing Policies and Programs
4/5/22	Community Workshop #5: Safety Policies and Programs
4/12/22	Board of Supervisors/Planning Commission Joint Session #5: Housing Policies and Programs; Finalize Recommended Sites
4/19/22	Board of Supervisors/Planning Commission Joint Session #6: Safety Policies and Programs
6/1/22 – 6/30/22	Safety Element Public Review
6/1/22 – 6/30/22	Housing Element Public Review
6/14/22	Board of Supervisors/Planning Commission Joint Session #7: Draft Housing Element, Safety Element, Public Comment
Mid July – Mid September	HCD Review (90 days)
Mid July – Mid September	EIR Public Review

8/9/22	Board of Supervisors/Planning Commission Joint Session #8: Housing – Countywide Plan/Development Code Amendment
8/23/22	Board of Supervisors/Planning Commission Joint Session #9: Draft EIR Public Comment
Sept/Oct	Board of Supervisors/Planning Commission Joint Session #10: HCD Comments/Proposed Revisions
11/7/22	Planning Commission Hearing: EIR, Housing Element, Safety Element, Countywide Plan Amendment Recommendation
11/15/22	Board of Supervisors Hearing (1 <sup>st</sup> reading): Certify EIR, Adopt Housing Element, Safety Element and Countywide Plan/Development Code Amendment
12/13/22	Board of Supervisors Hearing (2 <sup>nd</sup> reading): Certify EIR, Adopt Housing Element, Safety Element and Countywide Plan/Development Code Amendment