

# Housing Elements & Beyond: What Happens After Approval?

First 5 Marin  
November 17, 2022



# Agenda

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- What is the Housing Element?
- Housing Element & Fair Housing
- Needs Assessment and Public Input
- Implementation: Policies & Programs
- Implementation Timeline 2023 & 2024
- Next Steps and Opportunities to Engage

# Housing Element



# Updating the Housing Element

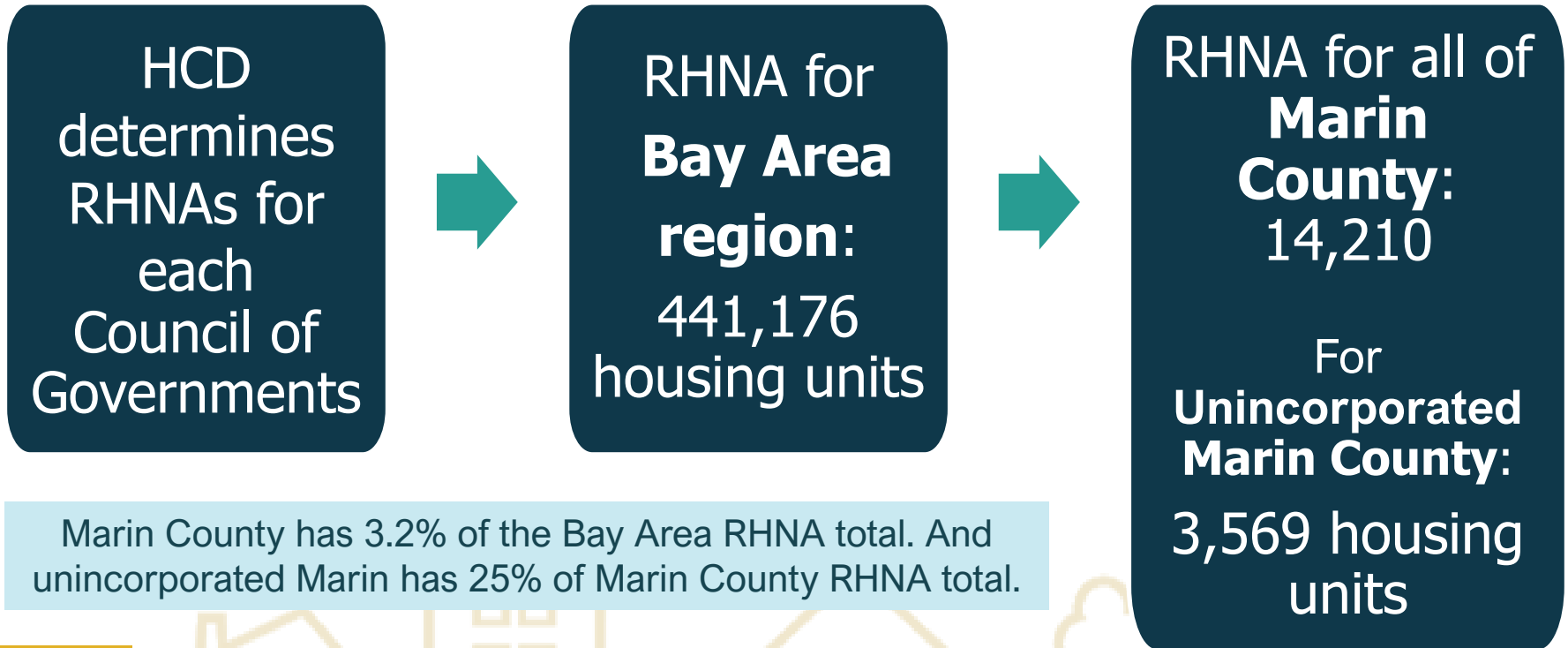
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- **Updated every 8 years**
- **Required to be reviewed** by CA Housing and Community Development Department (HCD)
- **Adoption deadline:** January 2023
- Housing Element for Marin County only covers the **unincorporated areas**



# What is the RHNA?

- **Regional Housing Needs Allocation** for Unincorporated Marin County: 3,569 units



# 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

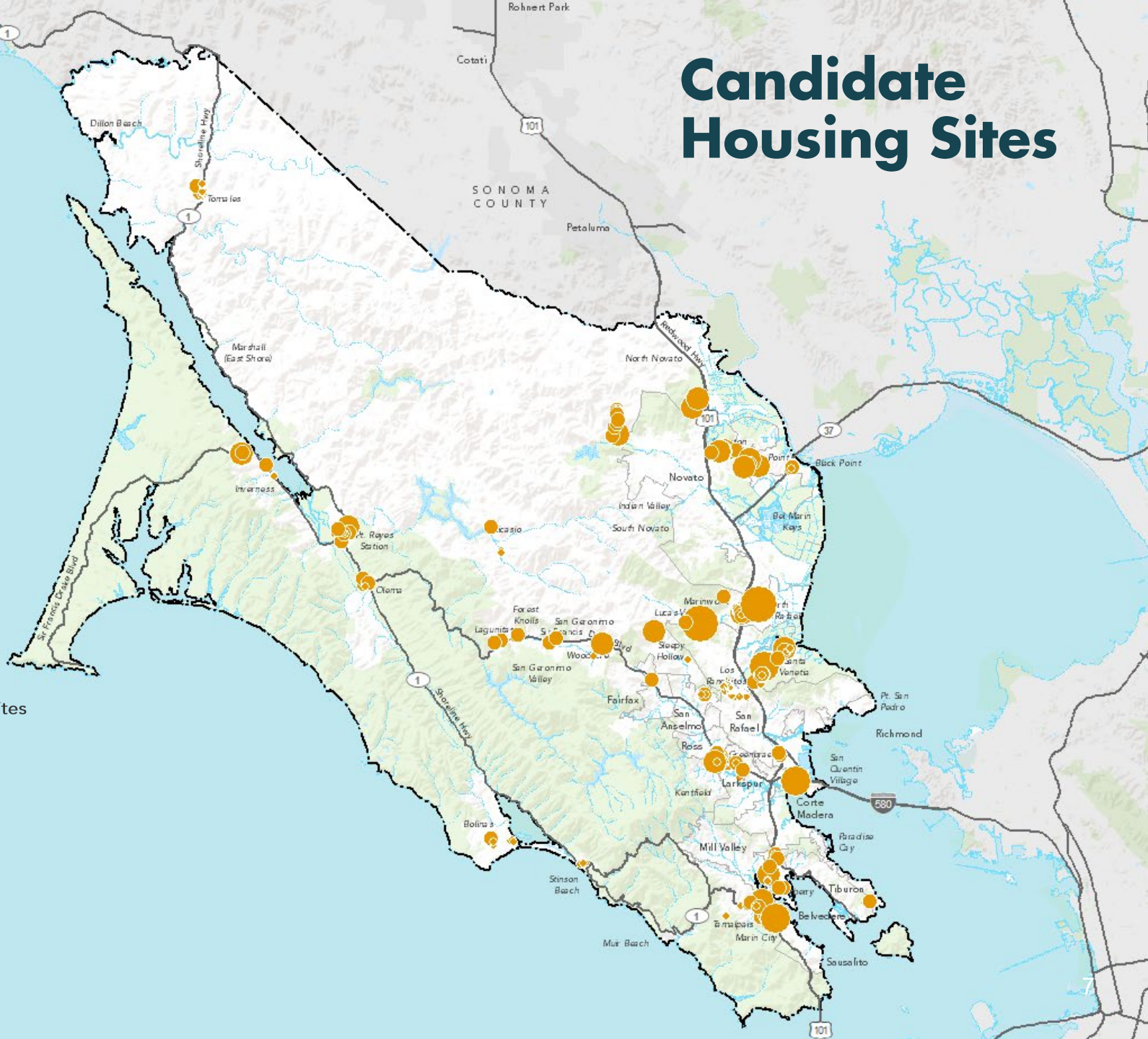
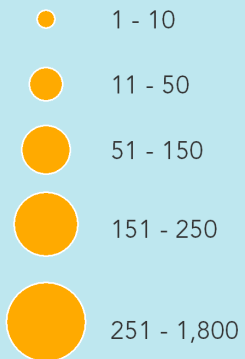
- Sites for very low, low, moderate income and market rate housing

### Programs and Policies

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

# Candidate Housing Sites

## Candidate Housing Sites



# Housing Element & Fair Housing





# Affirmatively Furthering Fair Housing in CA

- To promote **inclusive communities**
- Further housing **choice**
- Address **racial and economic disparities** through government programs, policies, and operations
- Applies to all public agencies in all activities related to housing and community development



# Affirmatively Furthering Fair Housing in CA

All public agencies are required to administer programs and activities relating to housing and community development in a manner to AFFH and take no action that is materially inconsistent with this obligation.



**Outreach**



**Assessment of  
Fair Housing**



**Site  
Analysis**



**Priorities,  
Goals, and  
Actions**

# Needs Assessment and Public Input



# Needs Assessment

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<b>Limited Housing Options:</b>	83% single-unit homes
<b>Aging Population:</b>	22% residents 65+
<b>Limited Vacancy (rent/sale):</b>	57% of vacant units are for seasonal uses
<b>Cost-Burdened:</b>	20% of households
<b>Severely Cost-Burdened:</b>	17% of households
<b>Overcrowded:</b>	13.4% renter-households 0.9% owner-households

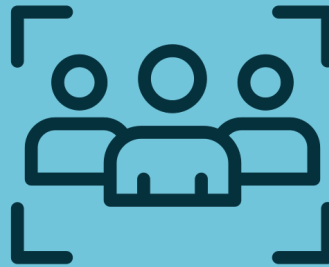


# Outreach Methods

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**Survey**



**Focus  
Groups**



**Community  
Workshops**

# Main Themes

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Limited availability  
of affordable units



Lack of information  
about County  
programs



Housing is too  
expensive



Discrimination by  
landlords



Barriers to develop  
housing/second  
units



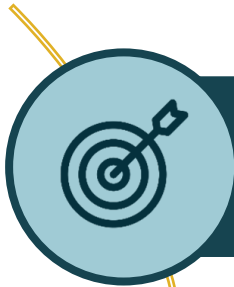
More support to  
attain  
homeownership

# Implementation of the Housing Element: Policies & Programs



# Defining Goal, Program, Policy

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Goal: Statement that describes a **desired future condition** or “end” state.



Policy: Clear statement that guides a specific course of action for **decision makers to achieve a desired goal**.



Program: an action, procedure, program or technique that **carries out goals and policies**.



# Goals of Policies and Programs

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Provide **opportunities for a variety of housing choices** to meet the diverse needs of the County

Facilitate the **development of affordable housing**, particularly for those with lower income

**Remove barriers** to creating housing

Improve the **condition of existing** housing

**Preserve existing affordable** housing

**Affirmatively further fair housing**

# Program Topics

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A. Increase Availability of Housing Units

B. AFFH (Affirmatively Furthering Fair Housing)

C. Special Needs Housing

D. Programs Aligned with State Law

## A. Increase Availability of Housing Units

→ *Preserve Existing Housing Stock for Permanent Housing*

- **Short-Term Rental Policy (Start: 2024; Goal: Dec 2024)**
  - Prohibit
  - Limit number of days
  - Permit if property is owner's primary residence
  - Benchmark to specific percentage of rental units
  - Impose license fees and/or TOT
- **Vacant Home Tax (Start 2024; Goal: 2025)**
  - Study the length of vacancy and reasons
  - Establish tax to discourage extended vacancy

# A. Increase Availability of Housing Units

→ *Increase Housing Stock*

- **Accessory Dwelling Units (ADU) (Ongoing)**
  - One-stop shop (Goal: Dec 2023)
  - Dedicated staff and time for review (Goal: Dec 2023)
  - Financial assistance in construction (Goal: Dec 2025)
- **SB 9 Mapping Tool (Goal: Dec 2023)**
  - Tool to identify eligible properties

## A. Increase Availability of Housing Units

→ *Remove Governmental Constraints*

- **Efficient Use of Multi-Family Land (Goal: Dec 2023)**
  - Prohibit new single-family development
  - Expansion/improvement less than 25% after improvement value permitted
  - Reconstruction not permitted unless damaged/destroyed due to disasters

## B. Fair Housing – Tenant Protections

- **Start: 2023; Goal: Dec 2024**
- **Create Local Rent Stabilization Ordinance**
  - Make permanent state rent cap
  - Expand state rent cap to allowable under Costa Hawkins
- **Expand the Just Cause for Eviction Program**
  - Current County ordinance covers only 3+ units
- **Create a Tenant Commission**
  - Provide a tenant's perspective on policy discussions
- **Establish Right to Purchase and Right to Return Policies** for displaced residents
- **Promote Home Ownership for Renters**

## C. Special Needs Housing - Seniors

- **Promote Participation in Home Match Program (Start: 2023)**
  - Helps seniors find a person to rent a room in their home
- **Increase Assisted Living Opportunities (Goal: 2024)**
- **Create Smaller Units for Trading Down (Ongoing)**
  - Small-lot/townhomes
  - Senior apartments

## C. Special Needs Housing - Farmworkers

- **Goal: Dec 2024**
- **Allow Contribution from Farm Employers**
  - Develop program for farm employers to contribute to an affordable housing fund or land trust
- **Set Aside Units for Farmworkers**
  - Establish County policy to set aside a percentage of units at new affordable housing development



## C. Special Needs Housing – People with Disabilities

- **Accessibility Improvements (Ongoing)**
  - Loans and grants
- **Reasonable Accommodation (Start: 2023)**
  - Expedited review
- **Incentives for Universal Design (Start: 2024)**
  - Units designed for all abilities
  - Allows aging in place
- **Visitability Requirements for Multi-Family Housing**
  - Current policy covers SF homes that are HUD-funded

## C. Special Needs Housing – People Experiencing Homelessness

- **Project HomeKey (Start: 2023; Ongoing)**
  - Provide housing by converting hotels/motels or other buildings into permanent housing
- **Support Rapid Re-Housing Options (Ongoing)**
  - Set aside vouchers
  - Financial assistance for security deposit
- **Provide Alternative Housing Types (Ongoing)**
  - Tiny homes
  - Co-housing
  - Single-room occupancy units

## D. Programs Aligned/Required by State Law

- **By-Right Zoning Policy (Goal: Dec 2022)**
  - Reusing sites identified in previous Housing Elements
  - Ministerial review
  - If project includes 20% affordable to lower income
- **Replacement Housing (Goal: Dec 2022)**
  - As project approval condition require the replacement of existing units be deed restricted or occupied by lower income households
- **Incentivize Affordable Housing Production (Ongoing)**
  - Affordable Housing Overlay
- **Streamlining County Development Timelines (Ongoing)**

# Programs Timeline - Beginning 2023

Program Name	Category	Action
<b>Tenant Protection Strategies</b>	AFFH	Begin community outreach.
<b>Water Availability</b>	Housing Supply	Collaborate with water service providers to conduct strategic water supply assessment.
<b>Septic for Multi-Unit Housing</b>	Housing Supply	Initiate study to identify alternative approaches to sewage disposal.
<b>Religious and Institutional Facility Housing Overlay</b>	Housing Supply	Start outreach to religious and institutional facilities.
<b>Community Plans</b>	Housing Affordability	Initiate Marin City Community Plan.
<b>Project Homekey</b>	Special Needs	Identify locations and conduct outreach.
<b>Reasonable Accommodation</b>	Special Needs	Begin offering expedited review and approval.
<b>Housing for Seniors</b>	Special Needs	Explore expansion of home match services.



# Programs Timeline - Beginning 2024

Program Name	Category	Action
<b>Comprehensive Review of Zoning and Planning Policies</b>	AFFH	Conduct comprehensive review of zoning/planning policies to remove discriminatory language/policies.
<b>Below Market Rate (BMR) Homeownership Program</b>	Housing Affordability	Pursue additional funding to expand affordable homeownership opportunities.
<b>Monitoring of Rental Housing</b>	Preservation of Housing	Expand Landlord Registry requirements to cover all units.
<b>Vacant Home Tax</b>	Preservation of Housing	Study feasibility of vacant home tax.
<b>Short-Term Rentals</b>	Preservation of Housing	Evaluate and adopt strategies to regulate.
<b>Universal Design and Visitability</b>	Special Needs	Study policies/incentives to encourage requirements for universal design/visitability.
<b>Housing for Seniors</b>	Special Needs	Develop incentives and development standards to facilitate senior housing options.



# Next Steps



# Next Steps

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- Address HCD comments in annotated final draft
- Review changes with HCD
- Finalize Sites List at Board Hearing on December 6
- Prepare Public Draft for Adoption (Hearings in January)



# Questions and Comments

