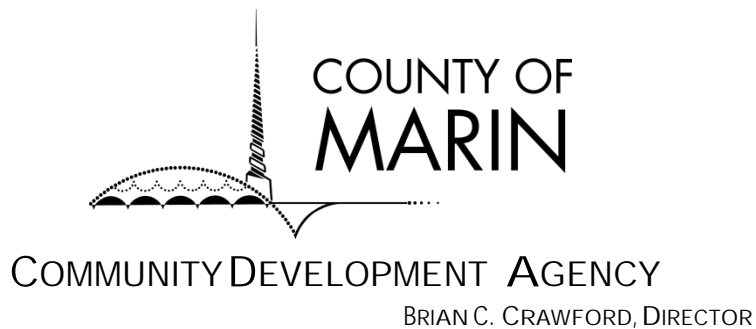


# Marin County Housing Element

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***September 24, 2013***



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# Introduction

## Housing Element Overview and Purpose

### Overview

According to State housing and planning laws, all California cities and counties are required to include in their General Plan a housing element that establishes objectives, policies, and programs in response to community housing conditions and needs. This draft Housing Element has been prepared to satisfy this mandate by evaluating and addressing housing needs in the unincorporated area of Marin County during the planning period. This document is an update of the County's State-certified Housing Element that was adopted initially in November 1991, readopted with the Countywide Plan Update in January 1994, updated in June 2003, and then readopted with the Countywide Plan Update in November 2007.

Marin County offers varied and attractive residential environments due to its unique combination of natural beauty and proximity to San Francisco. Many of the housing problems that exist today, such as low vacancy rates, escalating housing prices and rents, and the overall demand for housing and pressure for growth, are a result of these attractive qualities.

The 2007 Marin Countywide Plan (the County's general plan), into which this Housing Element will be incorporated, is based on the principal of sustainability, which is defined as aligning our built environment and socioeconomic activities with the natural systems that support life. The Countywide Plan focuses on the three E's of a sustainable community: Environment, Economy, and Equity. Consistent with this focus, the primary objective of the Marin County Housing Element is to plan sustainable communities by supplying housing affordable to the full range of our diverse community and workforce. The approach of this Housing Element is to focus on the following areas:

#### **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, prices, and designs.

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

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

### Purpose

The purpose of the Housing Element is to achieve an adequate supply of decent, safe, and affordable housing for Marin's workforce, residents, and special needs populations, with a particular focus on the unincorporated areas of the County. The Housing Element assesses housing needs for all income groups and lays out a program to meet these needs. Housing affordability in Marin County and in the Bay Area as a whole has become increasingly important as climate change issues are addressed. The built environment and commute patterns are major contributors to greenhouse gas emissions. A strategic infill approach that supports

affordable housing for members of the workforce at selected mixed-use locations near existing jobs and transit, along with an emphasis on green building and business practices, offers Marin communities a way to carry out the three E's of sustainability. The overall goal of the Housing Element is to present goals, objectives, policies, and action programs to facilitate housing for existing and future needs.

The Housing Element is divided into five sections. Section I contains introductory material and an overview of State law requirements for housing elements. Section II contains an analysis of housing needs. Section III contains a detailed analysis of governmental and non-governmental constraints to housing development. Section IV contains quantified housing needs and an assessment of housing opportunities and site capacity. Section V contains housing goals and objectives, policies, and implementation programs.

## **Housing Element Law and Changes to State Requirements**

### **Overview**

Enacted in 1969, State housing element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development.

Unlike the other State-mandated general plan elements, the housing element is subject to detailed statutory requirements regarding its content, and is subject to mandatory review by the California Department of Housing and Community Development (HCD). The housing element must also be updated every five years, unlike other general plan elements, unless the deadline is extended by the State. According to State law, the statutory due date to update the housing element for the 2007-2014 period was June 30, 2007. On September 29, 2005, ABAG received approval from the State Department of Housing and Community Development to extend the deadline to June 30, 2009. The purpose of the extension was to coordinate the projections and forecasting for the Regional Housing Needs Allocation (RHNA) with the Regional Transportation Plan being developed by the Metropolitan Transportation Commission.

State law requires that the housing element contain the following information:

- A review of the goals, objectives, and policies of the current housing element.
- Current demographic, economic, and housing information for the locality.
- A quantified housing needs assessment.
- Analysis of the constraints to providing housing for all income levels.
- A discussion of opportunities for energy conservation in new housing developments.
- An inventory of assisted units at risk of conversion to market rate.
- An inventory of residential land resources, including suitable sites for housing, homeless shelters, and transitional housing.
- A set of housing goals, policies, and programs.
- Quantified objectives for housing over the next five-year period.
- A description of diligent efforts towards participation by all economic groups in the update process.

### **Changes in State Law**

There have been a number of changes in State housing element law since the 2003 Housing Element was adopted. The changes have helped to clarify needed information in the housing element and establish new requirements and responsibilities for local governments. Below is a summary of recent changes in State law.

*Extremely Low-Income Households Housing Needs:* Government Code (GC) Section 65583(a) requires "Documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels, including extremely low-income households" (GC 65583 (a)(1)). "Extremely low-income is a subset of the very low-income housing need and is defined as 30 percent of area median and below."

*Planning for Emergency Shelters (SB2):* Government Code Sections 65582, 65583, and 65589.5 (Chapter 614, Statutes of 2007 (SB 2)) increase planning requirements for emergency shelters. These sections require, at a minimum and regardless of the need, that all jurisdictions have a zone in place to permit at least one year-round emergency shelter without a conditional use permit or any discretionary permit requirements.

*Counting Units Built, Under Construction, and/or Approved During the Planning Period:* A jurisdiction may take credit for units constructed or under construction from the base year of the RHNA period (January 2007).

*Requirement for Carryover of Unmet RHNA Units (AB 1233):* Government Code Section 65584.09 provides that a jurisdiction's RHNA from the previous housing element cycle is not required to be carried over to the 2007-2014 planning period if the current element was found in compliance by HCD and the inventory of sites required by Section 65583(a)(3) identified adequate sites, or the program actions to rezone or provide adequate sites were fully implemented.

*Sites Inventory and Suitability Analysis:* A thorough sites inventory and analysis must be undertaken by the jurisdiction to determine whether program actions must be adopted to make sites available with appropriate zoning, development standards, and infrastructure capacity to accommodate the new construction need. Land suitable for residential development should include residentially zoned sites, non-residentially zoned sites that allow residential development, underutilized residentially zoned sites capable of being developed at a higher density or with greater intensity, and non-residentially zoned sites that should be redeveloped for, and/or rezoned for, residential use (via program actions).

*Realistic Development Capacity:* The housing element must include a description of the methodology used to estimate the realistic capacity for potential housing sites. The housing element should not estimate unit capacity based on the theoretical maximum buildout allowed by the zoning, but should be based on all applicable land-use controls and site improvement requirements. When establishing realistic unit capacity calculations, the jurisdiction must consider existing development trends as well as the cumulative impact of standards such as maximum lot coverage, height, open space, parking, and floor area ratios. If a local government has adopted, through regulations or ordinance, minimum density requirements that explicitly prohibit development below the minimum density, the housing element may establish the housing unit capacity based on the established minimum density.

*Limited Land Availability:* Local governments with limited residential land resources or with infill and reuse goals may rely on non-residential and underutilized residential sites to accommodate

the regional housing need. Examples include sites with potential for recycling, scattered sites suitable for assembly, publicly-owned surplus land, portions of blighted areas with abandoned or vacant buildings, areas with mixed-used potential, substandard or irregular lots that could be consolidated, and any other suitable underutilized land.

*Constraints - Housing for Persons with Disabilities (SB520):* Housing element law requires that in addition to the needs analysis for persons with disabilities, the Housing Element must analyze potential governmental constraints to the development, improvement, and maintenance of housing for persons with disabilities, demonstrate local efforts to remove any such constraints, and provide for reasonable accommodations for persons with disabilities through programs that remove constraints.

*Priority for Water and Sewer (SB1087):* Chapter 727, Statutes of 2005 (SB 1087) establishes processes to ensure the effective implementation of Government Code Section 65589.7. This statute requires local governments to provide a copy of the adopted housing element to water and sewer providers. In addition, water and sewer providers must grant priority for service allocations to proposed developments that include housing units affordable to lower income households.

*Annual Reporting:* Government Code Section 65400 requires each governing body (City Council or Board of Supervisors) to prepare an annual report on the status and progress in implementing the jurisdiction's housing element of the general plan using forms and definitions adopted by the Department of Housing and Community Development. HCD has developed regulations governing the State housing element annual progress report.

*Flooding Issues (AB 162):* In October 2007, the Governor signed AB 162, which requires cities and counties to address flood-related matters in the Land Use, Conservation, Safety, and Housing Elements of their general plans.

*Protect Sites for Affordable Housing (AB 2069):* When a specific site is identified for housing in a jurisdiction's housing element as part of its adequate sites inventory, then the approval of a project on that site, if it results in fewer than the number identified in the housing element, or in no units, would be subject to the no-net-loss zoning law's provisions and a replacement site or sites for accommodating those "lost" units would be needed.

Most importantly, the housing element must: (1) identify adequate sites with appropriate zoning densities and infrastructure to meet the community's need for housing (including its need for very low, low, and moderate income households); and (2) address, and where appropriate and legally possible, remove governmental constraints to housing development.

## **Goals, Policies and Programs**

The housing element establishes an action plan that details the actions, or programs, that will implement the goals and policies. For each program, the action plan must identify the agency responsible and the timeframe for implementation. The County's housing objectives and primary areas of housing need are outlined in the three main goals and 10 policies of this Housing Element.

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

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

#### **Policy 1.1      Land Use**

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

#### **Policy 1.2      Housing Sites**

Recognize developable land as a scarce community resource. Protect and strive to expand the supply and residential capacity of housing sites, particularly for lower income households.

#### **Policy 1.3      Development Certainty**

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

#### **Policy 1.4      Design, Sustainability, and Flexibility**

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

### **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**

Promote the development and rehabilitation of housing for special needs groups, including seniors, people living with disabilities, agricultural workers, individuals and families who are homeless, people in need of mental health care, single-parent families, large families, extremely low income households and other persons identified as having special housing needs in Marin County. Link housing to programs in the Department of Health and Human Services to coordinate assistance to people with special needs.

#### **Policy 2.2      Housing Choice**

Promote policies that facilitate housing development and preservation to meet the needs of Marin County's workforce and low income population.

#### **Policy 2.3      Incentives for Affordable Housing**

Continue to provide a range of incentives and flexible standards for affordable housing in order to ensure development certainty and cost savings for affordable housing providers.

#### **Policy 2.4      Protect Existing Housing**

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

### **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      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 3.2            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 effectively to changing housing conditions and needs of the population over time.

**Policy 3.3            Funding**

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

## **Preparation of the Housing Element Update**

The housing element must identify community involvement and decision-making processes and techniques that constitute affirmative steps for receiving input from all economic segments of the community, especially low-income persons and their representatives, as well as from other members of the community. Input should be sought, received, and considered before the draft Housing Element is completed.

Requirements for public participation are described in Section 65583(c)(8) of the Government Code. Public participation has been accomplished in a variety of ways. During the Countywide Plan update, an extensive effort was made to provide opportunities for public comment and feedback. A wide variety of community groups and individuals were engaged in that process. Comments related to housing have been compiled and considered in the writing of this document and are summarized and included in the update materials.

In an effort to involve all economic segments of the community, the Marin County Housing Element update was conducted with an open, inclusive process. The persons and organizations on the mailing list include all housing-related non-profits and organizations that provide services to low income families and individuals in Marin County, as well as parties interested in the Countywide Plan process and the Local Coastal Program update. Below are some examples of outreach and noticing conducted as part of the Housing Element update.

- Housing Element Newsletter introducing Housing Element process, public workshops, and Planning Commission workshop, mailed via US Postal Service to 554 recipients.
- Press releases sent to local news outlets, including Marin Independent Journal, West Marin Citizen, The Ark, Pt. Reyes Light, Coastal Post, Pacific Sun, Novato Advance, and the Marin Scope.
- Housing Element workshops announced on local radio station KWMR.
- Notices for Public Workshops and three Planning Commission workshops e-mailed to approximately 1,000 recipients. Hard copy notice mailed to approximately 1,146 recipients.
- Webpage hosted on the County website focused exclusively on the Housing Element Update process, where workshops were announced, workshop summaries posted, and drafts provided. The website also provides a comment box for the public to provide feedback and input.
- Notice of website additions and Workshop reminders e-mailed to 840 Housing Element website subscribers.

- Workshop reminders e-mailed or web-posted by each of the five district Supervisors to community contacts.
- Housing Element Workshop information e-mailed to over 40 local non-profit, housing advocacy, and service organizations.
- Staff presentations at a variety of community forums including; Marin Partnership to End Homelessness, Marin Grassroots , ISOJI community forum, Housing Element Working Group and Chamber of Commerce Committee meetings.

The County's outreach also included an experts meeting of non-profit and for-profit housing developers, building industry trade groups, architects, planners, and affordable housing funders. The Housing Element update process in Marin County has involved a number of groups and individuals in the process of reviewing current housing conditions and needs and considering potential housing strategies. Three public workshops were held, one on a weekend in central Marin and two evening meetings, including one in the rural west part of the County and the other in the central part of the County. In addition, three publicly noticed Planning Commission Workshops were held and included extensive public comment. Summaries of these working sessions and public workshops were used to identify needs, assess constraints and develop draft programs for the Housing Element update and are included in Appendix C: Summary of Public Meetings.

The 2009 Marin Countywide Housing Element Workbook contains housing element background data, sample practices, and encouragement for developing common strategies to address housing needs.<sup>1</sup> The Workbook was prepared jointly by all jurisdictions in Marin and is cited as a reference document for Marin County's Housing Element update. As part of the Marin Housing Workbook, a roundtable working session with housing advocates was held. The advocates meeting included, among others, representatives from organizations serving homeless families and individuals, developmentally disabled individuals, senior citizens, disabled individuals and families, working poor, and public housing residents. The outreach process and collaborative effort on the Housing Workbook provided coordination among various departments, local agencies, housing groups, community organizations, and housing sponsors in the collection of data and development of sample practices. Housing has regional implications and the jurisdictions of Marin County are striving to collaborate and enhance the effectiveness of housing elements throughout the county.

In addition to the outreach conducted previously, the 2012 Draft included the following opportunities for additional public participation. All of these meetings were noticed through standard practices and additional outreach and notification followed the procedures described above. In addition, notices were sent out in Spanish and Vietnamese, which are the most common languages of non-English speakers in Marin.

- At the initiation of the environmental review, a notice of preparation was mailed to all interested parties, with a specific focus on reaching underserved populations.
- Workshops were held in Marin City in August and San Rafael in September of 2012.
- A scoping session was held as part of the environmental review.
- The Planning Commission held two workshops to review the 2012 Draft Housing Element

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<sup>1</sup> The 2009 Marin Countywide Housing Element Workbook can be accessed at [www.marinhousingworkbook.org](http://www.marinhousingworkbook.org).

- The Planning Commission will hold four public hearings to receive public comment on the Draft Housing Element and Draft Environmental Review and recommend adoption to the Board of Supervisors.
- The Board of Supervisors will hold a public hearing to review and adopt the Draft Housing Element and Final Environmental Review.

## **Relationship of the Housing Element to Other Countywide Plan Elements**

The Countywide Plan serves as the constitution for land use in the unincorporated portions of Marin County. The long-range planning document describes goals, policies, and programs to guide land use decision-making. State law requires a community's general plan to be internally consistent. This means that the housing element, although subject to special requirements and a different schedule of updates, must function as an integral part of the overall general plan, with consistency between it and the other general plan elements. Once the general plan is adopted, all development-related decisions in unincorporated areas must be consistent with the plan. If a development proposal is not consistent with the plan, the proposal must be revised or the plan itself must be amended.

The updated Countywide Plan is structured around the goal of building sustainable communities. Each of the three other elements in the Plan addresses sustainability: the Natural Systems and Agriculture Element, the Built Environment Element, and the Socioeconomic Element. The Marin Countywide Plan Update Guiding Principles related to housing are excerpted below.

- Supply housing affordable to the full range of our workforce and diverse community. We will provide and maintain well designed, energy efficient, diverse housing close to job centers, shopping, and transportation links. We will pursue innovative opportunities to finance senior, workforce, and special needs housing, promote infill development, and reuse and redevelop underutilized sites.
- Provide efficient and effective transportation. We will expand our public transportation systems to better connect jobs, housing, schools, shopping, and recreational facilities. We will provide affordable and convenient transportation alternatives that reduce our dependence on single occupancy vehicles, conserve resources, improve air quality, and reduce traffic congestion.
- Foster businesses that create economic, environmental, and social benefits. We will retain, expand, and attract a diversity of businesses that meet the needs of our residents and strengthen our economic base. We will partner with local employers to address transportation and housing needs.

With the Countywide Plan as a framework, this Housing Element update is also utilizing the same glossary. The Countywide Plan glossary begins on page 5-21 as part of the Plan's Appendices. The terms defined in the glossary are also consistent with the Marin County Development Code. Additional definitions included in this Housing Element update as a part of the mandated SB2 analysis of emergency, and transitional and supportive housing can be found in Section IV: Site Inventory Analysis. Section V: Goals, Policies, and Programs contains a program to add these definitions to the Development Code.

There are 16 community plan areas in the unincorporated area, all of which have adopted community plans (plus the additional Peacock Gap Plan). Community plans further detail the policies of the Countywide Plan as they pertain to specific areas. Policies contained in the

community plans, including those related to housing, must be consistent with those in the Countywide Plan, and, by extension, its Housing Element. The following is a list of community plans and the date of their last adopted plan.

Black Point - 1978  
Bollinas - 1975  
Dillon Beach - 1989  
East Shore (Tomales Bay) - 1987  
Indian Valley - 2003  
Inverness Ridge - 1983  
Kentfield / Greenbrae - 1987  
Marin City - 1992  
Muir Beach - 1972

Nicasio Valley - 1988  
Point Reyes Station - 2001  
Peacock Gap Neighborhood Plan –  
1981 (City of San Rafael)  
San Geronimo - 1997  
Stinson Beach - 1985  
Strawberry - 1973, 1982  
Tamalpais Valley - 1992  
Tomales - 1997

### **2003 Housing Element Policy and Program Accomplishments**

The County's current Housing Element was adopted by the Board of Supervisors on June 3, 2003, and certified by HCD on July 24, 2003. The goals, objectives, policies, and programs in the 2003 Housing Element have been very successful overall. Actual residential unit production during the 1999-2007 planning period exceeded the Regional Housing Needs Allocation of 521 units. The County also exceeded its very low-, low- and moderate-income allocation by an average of 145% (see Appendix A) through either actual construction of affordable units at the required level of affordability or approval of projects that include affordable units. Therefore, the County has made available adequate sites to more than accommodate its Regional Housing Needs Allocation, and no additional zoning is needed to satisfy Government Code Section 65584.09.

The County made nearly every policy change outlined in the 2003 Housing Element's Framework for Action. A full review of the current Housing Element's goals, objectives, policies, and programs, as well as a detailed description of progress towards implementation, is available in Appendix B: Evaluation of 2003 Housing Element Programs. Some highlights of implementation actions completed since adoption of the 2003 Housing Element include:

- An Affordable Housing Impact Fee ordinance was adopted in October 2008 that applies to all new single-family homes over 2,000 square feet. A nexus study completed in 2008 established the basis for this fee, which represents an alternative way to provide funding for affordable housing in spite of the limited residential and commercial development in the County.
- Amendments were made to the Development Code in August 2008 to clarify, correct, and update the County's inclusionary policy and incentives for affordable housing, as well as to comply with the State density bonus law.
- An affordable housing overlay and mixed-use zoning with incentives for affordable housing were included in the adopted Countywide Plan.
- A new 10-Year Plan to End Homelessness was adopted in May 2006. The first Project Homeless Connect, a public-private partnership, was held in December 2007 as part of the County's 10-Year Plan to End Homelessness.
- A First-Time Homebuyers Fair was held in October 2007 in partnership with the City and Chamber of Commerce of San Rafael. As a result of three Brown Bag

events and paycheck notices to County employees, 58 households became first-time homebuyers in Marin County.

- One million dollars was committed to the Marin Workforce Housing Trust (MWHT) to leverage an additional two million dollars for new affordable workforce housing development.
- County staff initiated the Marin Housing Workbook, a collaborative of the 12 jurisdictions in Marin County, to develop a combination of templates, methodologies, baseline data, comparative information, key findings, sample practices, and processes, with the aim of producing higher quality and integrative Housing Elements countywide.
- Numerous green building principles and Development Code updates were incorporated prior to the 2007 adoption of the Countywide Plan Update, including implementation of the:
  - The Single Family Dwelling Energy Efficiency Ordinance requires all new and remodeled homes larger than 1,500 square feet to exceed State energy efficiency requirements by a minimum of 15% depending on the building area. Since 2006, an average of 25 projects have exceeded the County's minimum Title 24 requirements annually.
  - The Construction and Demolition Reuse and Recycling Ordinance that requires all construction projects to recycle or reuse 50% of their project materials. 75,000 tons of diverted waste reduces GHG emissions by 150,000 tons annually.
  - The Residential Green Building Guidelines and Rating System program requires all residential projects subject to discretionary planning permit review to meet minimum points thresholds on the County Green Building Residential Certification Checklist. Approximately 150 checklists are completed and submitted annually.
  - The Solar Energy Rebate program that awarded \$75,000 in rebates to 156 residents that installed photovoltaic systems, solar pool heaters, or solar domestic hot water heaters. As a result of the program and free County provided technical assistance, in 2008 Marin County had the highest number of solar energy systems per capita among the nine Bay Area counties, averaging 4.3 solar systems per 1,000 residents.
  - The Woodstove Smoke Ordinance that banned the operation and installation of non-EPA certified woodstoves and inserts. A rebate program to promote the proper removal of these appliances will remove 158 non-EPA certified stoves and inserts by providing residents with \$50,000 in rebates.
- County staff has been working to eliminate development constraints associated with Design Review. Single family residential design guidelines were established in July 2005. In August 2008, the Board of Supervisors adopted procedures to simplify and streamline Design Review and to provide a Minor Design Review procedure.

Additional tasks not identified in the Housing Element were also completed to advance Marin County's housing goals.

- The County applied for and received designation as a proposed Priority Development Area (PDA) through the Association of Bay Area Governments (ABAG) regional planning initiative, FOCUS.

- The Marin County Affordable Housing Inventory 2008 was published. The report surveyed all Marin County affordable housing providers and developed a comprehensive picture of income-restricted housing across all 12 Marin jurisdictions.
- As a part of broader efforts to address agricultural housing needs in West Marin, a funding of \$200,000 was approved and committed for rehabilitation of 10 to 15 units of agricultural worker housing.
- A second-units survey was conducted in August 2008 to evaluate the use, availability, and affordability of second units and to monitor the success of the second unit amnesty program.
- The Second Unit Amnesty program resulted in the legalization of 54 second units and the construction of 35 new second units.
- Staff continues to manage the Affordable Housing Trust Fund, which has helped fund 157 new units of affordable housing during the last planning period.

Overall, the 2003 Housing Element helped guide the County's activities to promote and facilitate the development, conservation, and rehabilitation of housing for all economic segments of the community. Several policy changes helped to remove potential governmental constraints and provided incentives for the development of affordable housing. This draft Housing Element has carefully considered the effectiveness of the 2003 programs and has incorporated, amended, or removed programs based on their likelihood to support the goals and policies identified for this Housing Element.



# Housing Needs Analysis

## Overview of Marin County

Marin County is located immediately north of San Francisco across the Golden Gate Bridge. The County has a total area of 606 square miles. Marin County is home to 252,409<sup>1</sup> permanent residents. Most of the population lives along the County's urban east side, primarily in the County's 11 incorporated cities and towns. The City of San Rafael is the County seat.

Marin County's population is affluent, well-educated, and relatively homogenous. The 2012 median household income is 103,000, 1.8 times the median household income for California as a whole. In 2010, Marin County had the highest median household income among California's 58 counties<sup>2</sup>. While Marin is a wealthy county overall, it is also home to populations impacted by the high cost of living. Since 2007, there has been a significant downturn in the economy, and with this there are an increasing number of families and individuals struggling to make ends meet. The high cost of living in Marin, in conjunction with low-paying jobs, an uncertain job market, and continued rising costs of basic necessities, has resulted in the inability of many working families to meet their basic housing, food, and childcare needs.<sup>3</sup>

## Regional Housing Need Allocation

The Regional Housing Needs Allocation (RHNA) is a critical part of State housing element law (Government Code Section 65580). Every city and county in the State of California provides for its fair share of the projected future housing need. Figure II-1 illustrates the unincorporated area of Marin County's RHNA by income category, including extremely low income, which is estimated at 50% of the very low income households.

Figure II-1: Housing Need by Income Category

Jurisdiction	Extremely Low (0-30% AMI)	Very Low (30-50% AMI)	Low (51-80% AMI)	Moderate (81-120% AMI)	Above Moderate (121%+ AMI)	2007-2014	2000-2007
Unincorporated Marin County	91	92	137	169	284	773	521

Source: [http://www.abag.ca.gov/planning/housingneeds/pdfs/Final\\_RHNA.pdf](http://www.abag.ca.gov/planning/housingneeds/pdfs/Final_RHNA.pdf); and Marin County Community Development Agency

## Population and Employment

### Population Trends

Marin County's total population is 252,409, of which 67,427 live in the unincorporated area of the County<sup>4</sup>. The total population of Marin grew by 5,120 between 2000 and 2010 but the overall rate is slowing. In the next decade, the growth rate will begin to fall, and is projected to continue do so until 2025, when it will level off at just 0.3% per year.<sup>5</sup>

<sup>1</sup> US Census, 2010

<sup>2</sup> Federal Bureau of Economic Analysis, 2010

<sup>3</sup> Insight: Center for Community Economic Development, 2008; How much is enough in Marin County?

<sup>4</sup> Census, 2010

<sup>5</sup> ABAG Projections 2009

Figure II-2: Population Growth Trends in Unincorporated Marin County

Year	Population	Numerical Change	Percent Change	Average Annual Growth Rate
2000	68,735			
2005	69,000	265	0.4%	0.1% or 53
2010	70,800	1,800	2.5%	0.5% or 360
2015	71,200	400	0.5%	0.1% or 80
2020	71,700	500	0.7%	0.14% or 100

Source: ABAG Projections 2009

Note: The original draft of this document was prepared in 2009 and used a variety of data sources available at that time. Data has been updated whenever it was available for unincorporated counties.

This is considerably lower than neighboring jurisdictions or the Bay Area region as a whole. The largest cities in Marin grew more rapidly; San Rafael's population grew by 2.9%, while Novato grew more significantly at a rate of 9%.

Figure II-3: Population Trends – Neighboring Jurisdictions

Jurisdiction Name	2000	2010	Change (2000-2010)	
			Number	Percent
Marin County	68,695	67,427	-1,268	-1.9%
San Rafael	56,063	57,713	1,650	2.9%
Novato	47,630	51,904	4,274	9.0%

Source: Census, 2010

The proportion of population by age groups is similar to that of the State, but with a slightly higher percentage of people 45 years old and over<sup>6</sup>. According to the 2010 U.S. Census, 16.7% of all households in Marin County are age 65 or older. The median age in Marin County is 44.5 years, compared to 35.2 years for the State as a whole. The greatest increase in population within age groupings over the next 40 years is expected to be in elderly and young adult households, which tend to have the lowest income levels.

Figure II-4: Population by Age

Age Group	2000		2008	
	Number	Percent	Number	Percent
0-9 years	7,184	11%	6,683	10%
10-19 years	7,436	11%	8,232	12%
21-24 years	2,484	4%	3,487	5%
25-34 years	8,445	12%	6,650	10%
35-44 years	12,946	19%	9,574	14%
45-54 years	13,924	20%	12,922	19%
55-59 years	4,907	7%	6,420	9%
60-64 years	3,183	5%	4,870	7%
65-74 years	4,495	7%	5,349	8%
75-84 years	2,906	4%	3,028	4%
85+ years	825	1%	1,231	2%

Source: Census 2000; Claritas 2008

<sup>6</sup> Census 2010

### Employment Trends

The Marin County resident workforce is predominantly white collar. Over 91% of the County's residents age 25 or older have at least a high school diploma, compared with about 50% statewide; over 51% in this same age group have a bachelor's degree. These higher than average educational levels directly correlate with a low poverty rate of 5.9 percent, compared with 13.3% statewide. The County's largest employers include the County government, Marin General Hospital, Kaiser Permanente, Autodesk Software, and Fireman's Fund Insurance. Over half the working population is employed in professional, management, or financial business occupations, but most of these workers are employed outside the County in urban centers such as San Francisco and Oakland. The services, construction, and transportation industries combined employ less than a quarter of the resident population, but are major employment sectors within the County. According to the Marin Economic Commission, service industries based in Marin are a major source of employment for residents of surrounding counties who commute to Marin. The agricultural sector also retains a strong cultural and historical presence.

Figure II-5: Employment by Industry in Unincorporated Marin County

Industry Types	2000	
	Number	Percent
Agriculture, forestry, fishing and hunting, mining	510	4.7%
Manufacturing, wholesale trades, transportation	1,120	10.3%
Retail sector	970	8.9%
Finance and professional services	2,460	22.6%
Health, educational, and recreational services	3,540	32.5%
Other	2,300	21.1%
TOTAL	10,900	100.1%

Source: ABAG Projections 2007

Note: This data assigned jobs within the spheres of influence of the County's towns and cities as part of the job data for the incorporated jurisdictions. As a result, the data presented here underestimates the numbers of jobs in the unincorporated area of the County. For example, total jobs determined strictly along jurisdictional boundaries from the same source (ABAG Projections 2007) indicate that there are 23,380 jobs in the unincorporated area of the County.

A balance between jobs and employed residents can help reduce greenhouse gas emissions, freeway congestion, and fuel consumption, and can result in improved air quality. A jobs-housing balance can also provide savings in travel time for businesses and individuals. However, a one-to-one ratio between jobs and employed residents does not guarantee a reduction in commute trips. Marin County nearly has a 1:1 ratio, but there is a disparity between the types of jobs here and the cost of housing. According to the Department of Finance, the average wage earned at a Marin-based job in 2008 was \$37,000 a year. Contrast this with the median income of a single family household in Marin of \$67,750 or the median home sale price of a single-family home of \$914,000 or of a condominium of \$767,000. Even with a 1:1 ratio of jobs to housing, Marin will continue to import workers from neighboring counties where more affordable housing is located. Therefore, a focus of this Housing Element is to address the issue of matching housing costs and types to the needs and incomes of the community's workforce.

## Household Characteristics

### Household Types and Tenure

The Census Bureau defines a household as all persons who occupy a housing unit, including families, single people, or unrelated persons. Persons living in licensed facilities or dormitories are not considered households. In 2005, there were 25,750 households in unincorporated Marin County, an increase of only 316 from the 2000 level of 25,434. Of these, 72% owned the home they live in and 28% rented. This ownership percentage has decreased by one point since 2000, which may be related to the recent increased rate of foreclosures. Between 1990 and 2000, the ratio of owners to renters remained slightly closer, at 66% owner.

Figure II-6: Households by Tenure in Unincorporated Marin County

	1990		2000		Current†	
	Number	Percent	Number	Percent	Number	Percent
Owner	16,581	65%	18,053	66%	12,456	72%
Renter	7,364	29%	7,381	27%	4,833	28%
Vacant ‡	1,891	7%	1,971	7%	N/A	N/A
TOTAL	25,836	~100%	27,405	100%	17,289	100%

Source: 1990 and 2000 data from 2003 Housing Element, 2008 Claritas

† Claritas provides information based on zip code rather than jurisdiction; therefore the Current figures represent only a section of the unincorporated area. Vacancy rates were not available for 2008 using this data set; however, vacancy rates are detailed in Figure II-12 below.

‡ Vacancy rates shown above are inconsistent with the <5% vacancy data available from the Department of Finance.

Fewer than half of Marin County's households consist of married couple families with or without children. Approximately 30% of households were occupied by people living alone. This percentage was significantly higher than the overall State figure of 23% for single-person households. As households become smaller, the County needs more housing units to serve the same population. The primary stock of housing in the unincorporated County is single-family homes, almost exclusively affordable to above moderate-income households. There is a shortage of rental housing, including multi-family, single-family, second units, and Single Room Occupancy (SRO) units. In addition, opportunities for smaller, more moderately priced home ownership units are needed to serve singles, senior citizens, and lower income families.

The housing type best suited to serve the workforce of Marin, those with an income of approximately \$37,000 a year, is often multifamily rental housing and SRO units located close to transportation and services. Examples of this type of housing include the Fireside and San Clemente developments which provide rental housing at a range of affordability levels. These housing developments are close to transit and services and help to reduce commute costs to the low-income residents. Mixed-use developments, such as that planned for the Marinwood Village site and the mixed-use units located at the Strawberry shopping center, are other examples of housing types which may address the increasing demands of Marin's workforce.

### Annual Household Growth

According to the 2000 Census, the average household size in Marin County was 2.40 persons. The Countywide average household size was expected to increase to 2.41 by 2005, before declining to 2.39 by 2020. Compared to the rest of the Bay Area, Marin County's average household size is 0.3 fewer persons per household.

Marin County's aging population, discussed in the Special Needs section, also reduces the occupancy rate as children move out and mortality increases. However, high housing prices can force people to share living accommodations, thereby increasing household size. On average, renter households in Marin County (2.21 persons per household in 2000) are smaller than owner households (2.42 persons per household in 2000). As households become smaller, the number of units needed to house the same number of people increases.

Figure II-7: Household Growth Trends, 2000 – 2020

Year	Households	Numerical Change	Annual Percent Change
2000	25,434		
2005	25,750	316	1.2%
2010	26,460	710	2.68%
2015	26,700	240	0.90%
2020	27,090	390	1.44%

Source: ABAG Projections 2009

## Housing Stock Characteristics

### Housing Units by Type and Production

Based on 2008 data from the California Department of Finance, the unincorporated area has 23,038 single-family homes (constituting 83% of the total housing stock), 4,471 multi-family homes (16% of all housing), and 414 mobile homes, for a total of 27,923 homes. Single-family homes are slightly less dominant Countywide, and comprise just over 60% of the County's total housing stock. Figures II-8 and II-9 show the distribution of housing by type for the unincorporated County and for the County as a whole. These proportions have not changed significantly since 2000.

Figure II-8: Housing Units by Type, Unincorporated County

Unit Type	2000		2008		Change	
	Number	Percent	Number	Percent	Number	Percent
Single-family (detached & attached)	22,543	82.3%	23,038	82.5%	495	2.2%
2-4 units	1,569	5.7%	1,589	5.7%	20	1.3%
5+ units	2,882	10.5%	2,882	10.3%	0	0.0%
Mobile home & other	412	1.5%	414	1.5%	2	0.5%
Totals	27,406	100.0%	27,923	100%	517	1.9%

Source: Department of Finance E-5 County/State Population and Housing Estimates

Figure II-9: Housing Units by Type, Countywide

Unit Type	2000		2008		Change	
	Number	Percent	Number	Percent	Number	Percent
Single-family (detached & attached)	72,141	68.7%	74,417	68.6%	2,276	3.2%
2-4 units	9,343	8.9%	9,791	9.0%	448	4.8%
5+ units	21,383	20.4%	22,199	20.5%	816	3.8%
Mobile home & other	2,123	2.0%	2,131	1.9%	8	0.4%
Totals	104,990	100%	108,538	100%	3,548	3.4%

Source: Department of Finance E-5 County/State Population and Housing Estimates

The median home sales price across the County increased from \$514,600 to \$901,900 between 1999 and 2006. This 75% jump occurred while median household income increased by only 15%, meaning home values increased five times as much as area incomes. In 2000, the market was already tight, with only 11% of homes valued at less than \$300,000. By 2011, the median home value in unincorporated Marin County was \$800,000 for a single family home. Condominiums and townhomes were more affordable with a median home value of \$356,500. While many areas throughout the State experienced decreasing values in the real estate market, home prices in Marin County have remained relatively stable and will likely continue to rise.

The Marin County Affordable Housing Inventory 2008 provides a comprehensive picture of income-restricted housing in 11 of the 12 Marin cities and towns and the unincorporated area of the County. Conducted by Community Development Agency staff in the fall of 2007, the inventory surveyed all affordable housing providers, which together supply 2,616 units at non-profit rental properties, 274 inclusionary rental units, 758 Below Market Rate ownership units, 573 units of public housing, and 2269 Section 8 vouchers. There are approximately 6,500 households that benefit from affordable housing in Marin, representing 6.4% of the population. Approximately 20% of Marin's affordable units are reserved for seniors or persons with disabilities. The majorities of these households receive income from Social Security, are in the very low income category, and rely heavily on affordable housing to enable them to age within their community.

Figure II-10: Affordable Housing Units in Marin County

Affordable Housing Units by Type	
Privately Managed Affordable Rental	2,616 units
Inclusionary Rentals	274 units
Below Market Rate Ownership	758 units
Public Housing and Marin Housing Authority Managed Rentals	573 units
Section 8 Voucher Program	2,269 units
<b>TOTAL</b>	<b>6,490 units</b>

Source: Marin County Affordable Housing Inventory, 2008

The Marin Housing Authority (MHA) administers the Section 8 voucher program that provides housing opportunities for approximately 2,200 households. The waiting list for the Section 8 voucher program is a widely accepted indicator of need for affordable housing. The Marin Housing Authority opened its waiting list for one week in March 2009, for the first time in 7 years, with the following results:

- 11,200 households submitted applications;
- 2,831 (or 25%) currently live in Marin County (however, data was not collected on whether applicants currently worked in Marin County);
- Approximately 235 households (or 11%) were from the unincorporated area of Marin County;
- 53% of the applications were from families, 22% from disabled individuals, 9% from elderly households, and 24% were homeless individuals or families; and

- 32% of the applications were from non-Hispanic/Caucasian families, 61% from African American families, and 7% from Hispanic families.

MHA operates 200 units of public housing in five separate complexes within Marin for the elderly and disabled as well as 292 units of public housing for families in Marin City. MHA owns and operates four private properties within Marin County, all for low-income families, seniors, and disabled. The Shelter Plus Care Program, also administered by MHA, provides up to 80 rental subsidies linked with supportive services to individuals and families who are homeless and living with a mental health disability. There are 35 rental subsidies for people living with HIV/AIDS independently in the community who are served through the Housing Opportunities for People With AIDS Program (HOPWA). Additional programs offer services to specific special needs populations housed through Marin Housing Authority. These programs assist tenants in maintaining their housing and target services to frail seniors, families seeking to become self-sufficient, and at-risk populations with mental health or other disabilities.

### Age and Condition of the Housing Stock

The housing stock in the unincorporated County is older than the County's stock as a whole. About two-thirds of the existing homes throughout Marin County, versus 82% of the housing stock in the unincorporated area, were built more than 30 years ago.

Figure II-11: Year Structure Built

Year Structure Built	Number	Percentage
Built 1999 to March 2000	289	1.1%
Built 1995 to 1998	1,106	4.0%
Built 1990 to 1994	853	3.1%
Built 1980 to 1989	2,460	9.0%
Built 1970 to 1979	4,899	17.9%
Built 1960 to 1969	5,856	21.4%
Built 1950 to 1959	6,375	23.3%
Built 1940 to 1949	2,345	8.6%
Built 1939 or earlier	3,134	11.5%
<b>Total</b>	<b>27,317</b>	<b>100%</b>

Source: Census 2000 Summary File 3 (SF 3) H34. Year structure built

To estimate the condition of the existing housing stock, three local sources were used, including Marin County Code Enforcement caseload and staff interviews, the Marin Association of Realtors, and the Marin Housing Authority Housing Choice Voucher Program inspectors. In general, the condition of the housing stock in Marin County is good. According to the Marin Association of Realtors, the high value of homes encourages refinancing and frequent remodeling to increase the size and quality of older, smaller homes.

According to code enforcement staff, 17 of the 631 active cases include code violations associated with substandard housing or substantial rehabilitation needs, accounting for approximately 2% of their caseload. It is important to mention that Marin County's code enforcement is complaint driven and may therefore not be a representative sample. The Marin Housing Authority staff also confirmed that only a small percentage, approximately 2-4%, of their inspections involved housing in need of major rehabilitation or substandard housing conditions.

### Housing Construction Prices and Trends

Throughout Marin County, new housing construction is increasing the size and already high proportion of single-family units relative to other unit types. In 2007, 94% of the construction permits issued was for single-family units, which marked a seven-year high in the proportion of single family-unit construction permits issued. The average size of these homes was 3,800 square feet which reflects the predominant development pattern in unincorporated Marin County of large, custom-built, single-family homes. Smaller units, which are usually more affordable, have a higher price per square foot than do larger homes because of land prices<sup>7</sup>. This may act as a disincentive to construct smaller, more modest homes.

The existing construction trends contribute to the increasing imbalance between the wages earned in Marin and the housing costs of new and existing homes. It is too early to analyze the impact of the current economic downturn and decrease in permits for large, custom-built homes. But given the high cost of land and limited available stock, it is unlikely that existing trends will be significantly impacted.

### Vacancy Rate Trends

Vacancy rates for housing have decreased since 1990, when the U.S. Census recorded a vacancy rate of 4.7%. In 2000, the total vacancy rate was recorded at 4.1%; in 2008, it was 2.7%<sup>8</sup> and in 2010 it was 3.5%. The 3.5% vacancy rate is indicative of a very tight rental housing market in which demand for units exceeds the available supply. Figure II-12 below shows that vacant long-term rental properties are far scarcer than units available as vacation, seasonal, or recreational housing. This highlights the need for housing affordable to very low and low income households.

Figure II-12: Vacancy Rates

	2000 Census
<b>Total housing units</b>	<b>27,317</b>
Occupied	25,304
Vacant	2,013
For rent	166
For sale only	99
Rented or sold, not occupied	162
For seasonal, recreational, or occasional use	1,396
For migrant workers	13
Other vacant	177

Source: Census 2000 Summary File 3 (SF 3) H6 Occupancy status, H8 Vacancy status

In general, a higher vacancy rate is considered necessary by housing experts to assure adequate choice in the marketplace and to temper the rise in home prices. A 5.0% rental vacancy rate is considered crucial to permit ordinary rental mobility. In a housing market with a lower vacancy rate, strong market pressure will inflate rents and tenants will have difficulty locating appropriate units. Thus, the 2000's saw a significant tightening in the local housing market, a phenomenon that has been experienced in many Bay Area communities. Nationwide, there was a sharp drop in multifamily housing construction during the 1990s and through the 2000s, which has also contributed to low vacancy rates and rising rents.

<sup>7</sup> Inclusionary Zoning In-Lieu Fee Analysis, March 2008 by Vernazza Wolf Associates

<sup>8</sup> US Census, American Fact Finder and Real Facts

According to Fair Housing of Marin, a civil rights organization that investigates housing discrimination, including discrimination based on race, national origin, disability, gender, and children, Marin's low vacancy rate also increases the tendency for landlords to discriminate against potential renters. Fair Housing of Marin's caseload consists almost entirely of renters. The organization receives approximately 1,200 inquiries a year, of which about 350, or almost 30 percent, are discrimination complaints that are fully investigated, where clients are helped to file administrative and legal complaints (this is an increase of 8% since 2003). Fair Housing's staff attorney advocates for tenants and negotiates with landlords to find reasonable accommodations for thousands of persons with disabilities, to enable them to live in accessible housing. It also educates landowners on fair housing laws, provides seminars and brochures in English, Spanish, and Vietnamese on how to prepare for a housing search and recognize discrimination, and sponsors school programs aimed at encouraging tolerance.

## **Housing Costs, Household Income, and Ability to Pay for Housing**

### **Household Income**

Income is defined as wages, salaries, pensions, social security benefits, and other forms of cash received by a household. Non-cash items, such as Medicare and other medical insurance benefits, are not included as income. It is generally expected that people can afford to pay about thirty percent of their income on housing in the case of renters and forty percent in the case of homeowners. Housing costs include rent and utilities for renters, and principal, interest, property taxes, and insurance for homeowners. It is therefore critical to understand the relationship between household incomes and housing costs to determine how affordable—or unaffordable—housing really is.

It is currently estimated that 35% of all Marin County households fall in the extremely low, very low, and low income categories, earning less than 80% of median income. There are an even greater proportion of very low and low income households among renters. It was estimated in 2000 that 53% of all renters in Marin County were in the extremely low, very low, and low income categories.

In Marin County, the median income in 2012 for a family of four was \$103,300. A household income less than \$33,300 is considered extremely low income. Using 2000 population data, a little over 10,000 households countywide, or 10% of total households, were extremely low income<sup>9</sup>. In general, the unincorporated County reflects the income distribution of the County as a whole. Therefore, it is estimated that there were approximately 2,540 extremely low income households in 2000 in the unincorporated County. Into the next planning period, this number is anticipated to continue to increase, with a projected 2,645 extremely low income households in 2010 and 2,690 extremely low income households in 2015 in the unincorporated County.<sup>10</sup>

Information on household income by household size is maintained by the U.S. Department of Housing and Urban Development (HUD) for each county and is updated annually. Income categories are defined as a percentage of Area Median Household Income (AMI) for four-person households: (1) Extremely Low Income (30% of median income and below); (2) Very-Low Income (50% of median income); (3) Low Income (80% of median income); (4) Moderate Income (120% of median income); and (5) Above-Moderate Income (120% and above).

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<sup>9</sup> CHAS 2000

<sup>10</sup> ABAG Projections 2007

Figure II-13: FY 2012 Marin County Income Limits (HUD)

Household size	Extremely low -30% of Median	Very low	Low	Median	Moderate
1	23,350	38,850	62,200	72,100	86,500
2	26,652	44,400	71,050	82,400	98,900
3	30,000	49,950	79,950	92,700	111,250
4	33,300	55,500	88,800	103,000	123,600
5	36,000	59,950	95,950	111,250	133,500
6	38,650	64,400	103,050	119,500	143,400
7	41,300	68,850	110,150	127,700	153,250
8	44,000	73,300	117,250	135,950	163,150

*The "30% of Median," "Very Low Income" and "Low Income" schedules shown above were published by the U.S. Dept. of Housing and Urban Development (HUD), effective 1/1/12. The "Median Income" schedule shown above is based on the FY2012 median family income for the San Francisco HMFIA of \$103,000 for a four-person household, issued by HUD effective 1/1/12, with adjustments for smaller and larger household sizes. The "Moderate Income" schedule shown above represents 120% of median income. For additional information, you may consult the HUD website at [www.huduser.org/datasets/il.html](http://www.huduser.org/datasets/il.html).*

#### *Strategies and Programmatic Responses to Meet Projected Needs*

In many cases, the most affordable housing choice for extremely low income households is rental housing. Many individuals with incomes below \$33,900 will have trouble saving for a down payment or emergency repairs. For individuals, single-room occupancy units are also an affordable solution. Deed restricted rentals that target these income categories, often with supportive services, can be the best housing solution for extremely low income families or individuals.

Over 72% of the 2,512 occupied income restricted rental units throughout Marin are rented to extremely or very low-income households, and 25% are rented to low-income households. Only 3% of these units are rented to households making moderate or above-moderate incomes<sup>11</sup>. In Marin County, there are five single-room occupancy (SRO) properties, which provide single bedrooms for individuals who share restrooms and kitchens. One of these properties, Bolinas Garage, is owned and operated by the Bolinas Community Land Trust, providing SRO and live/work units in West Marin. In addition, there are 549 units of supportive housing across 15 properties countywide<sup>12</sup>, providing services to a variety of special needs populations ranging from the homeless to seniors to people with disabilities, to name a few.

Programs in this Housing Element which promote housing for extremely low income households include programs which will increase the supply of multifamily housing and promote second units, Single Room Occupancy units (SRO) and agricultural worker housing (1.a Establish Minimum Densities on Housing Element Sites, 1.b Conduct a Comprehensive Affordable Housing Sites Inventory, 1.d Streamline the Review of Affordable Housing, 1.e Study Ministerial Review for Affordable Housing, 1.f Develop Multi-family Design Guidelines, , 1.g Undertake Adjustments to Second Unit Development Standards, 1.i Review and Update Parking Standards, 1.j Zone and Provide Appropriate Standards for SRO Units, 1.k Zone and Provide Appropriate Standards for Homeless Shelters, 1.l Enable Transitional and Supportive Housing, 2.i Modify Development Code to Reflect Williamson Act, and 2.j Promote the Development of Agricultural Worker Units in Agricultural Zones).

<sup>11</sup> Marin County Affordable Housing Inventory, 2008

<sup>12</sup> Marin Housing Workbook, 2009

The Marin Workforce Housing Trust, a public private partnership that provides funding for housing countywide, includes a set aside for extremely low income households (30% AMI). This Housing Element contains a program which addresses the County's role to monitor and insure that these provisions are maintained (*3.I Provide Leadership to the Marin Workforce Housing Trust*).

### Sales Prices and Rents

In 2000, the median price for a single-family detached home in Marin County was \$599,000, requiring an income over \$150,000 per year to qualify for a loan. As housing costs and incomes have continued to increase, the issue of affordability has become more pronounced for Marin residents on the lower end of the income spectrum. The median price for a single-family detached home in Marin County in 2008 was \$914,000, requiring an income over \$216,000 per year to qualify for a loan. The cost of multi-family homes has also increased, but to a lesser degree. The median price of a townhome or condominium rose from \$315,000 in 2000 to \$415,000 in 2008. The required income to afford the median townhome or condominium rose from \$84,000 to over \$90,000.

According to rental data compiled by realtor Michael Burke of Frank Howard Allen, rental prices increased approximately 18% for one bedroom units and 13% for two bedroom units between 1999 and 2007. Rents were highest during 2000 and 2001 during the dot-com boom. However, with inflation as a factor, rental prices have remained steady in relative terms (defined as less than 10% change in price). Figure II-14 below shows average rents in Marin County from 1999 to 2007.

Figure: II-14: Forecast of Average Rental Prices (2 Bedroom Apartments), 2004-2012

	2012 Year Ave.	2011 Year Ave.	2010 Year Ave.	2009 Year Ave.	2008 Year Ave.	2007 Year Ave.	2006 Year Ave.	2005 Year Ave.	2004 Year Ave.
Two Bedroom	\$1844	\$1,777	\$1,667	\$1,673	\$1,695	\$1,620	\$1,537	\$1,478	\$1,483
Cost adjusted for inflation	\$1,726	\$1,701	\$1,647	\$1,680	\$1,695	\$1,682	\$1,640	\$1,616	\$1,677

Note: The inflation adjustment calculates all rental prices to 2008 dollars.

Source: Michael Burke, Frank Howard Allen Realtors, from Craigslist and Marin Independent Journal apartment for rent ads

In 2010, the average rental price for a two-bedroom apartment in Marin County was \$1,667.<sup>13</sup> In spite of the economic downturn, rental prices continued to rise in 2011 to an average of \$1,777 for a two bedroom apartment.<sup>14</sup> Data from the first two quarters of 2012 indicate an increase from 2011 to \$1,844. In spite of economic turmoil, the sustained increase in rental prices, paired with rental occupancy rates above 95%, demonstrate the steady demand for rental housing in Marin County. An average-priced rental accommodation may be affordable to households with lower or moderate income, but is still unaffordable to households with very low or extremely low income.

<sup>13</sup> Burke Apartment Data

<sup>14</sup> Real Facts, 2009.

### Ability to Pay for Housing/Overpaying

According to the U.S. Department of Housing and Urban Development (HUD), affordable housing costs should equal 30% or less of a household's income for renters and 40% for homeowners. Because household incomes and sizes vary, the affordable price for each household also varies. For example, a double-income household with no children could afford a different type of housing than a large family with one lower-income wage earner.

Households are considered to be overpaying when they pay more than 30% of their income for housing. Approximately 41% of renters were estimated in 2000 to be overpaying, while approximately one-third of owners were overpaying for housing. Data show that for Marin County residents who earn 80% or less of the area median income (AMI), 83% of renters and 54% of homeowners pay more than 30% of household income for housing costs.<sup>15</sup> This data illustrates that low-income households have more pronounced financial burden with regard to housing.

Given the household income trends and housing cost trends discussed previously, it is reasonable to conclude that the incidence of overpayment for very low, low, and moderate-income households may increase in the future. Overpaying households are shown in the Figures II-15 and II-16 below. It should be noted that owners are given tax breaks for mortgage interest payments while renters are not. In fact, by far the largest, and often least recognized, Federal housing subsidy is for mortgage and property tax deductions.

Figure II-15: Housing Cost as a Percentage of Household Income

Owner-Occupied Units: SF3- H97						
Income Range	Total Households	% of Total Households	0-20% of HH Income	20-29% of HH Income	Overpaying	
					30-34% of HH Income	35+% of HH Income
\$0-10,000	417	1.8%	-	2	-	316
\$10,000-19,999	602	2.6%	8	152	11	431
\$20,000-34,999	1,282	5.5%	388	168	44	682
\$35,000-49,999	1,333	5.7%	510	186	57	580
\$50,000 +	12,555	54.1%	6,301	3,117	1,038	2,099
<b>Subtotal</b>	<b>16,189</b>	<b>69.7%</b>	<b>7,207</b>	<b>3,625</b>	<b>1,150</b>	<b>4,108</b>
Renter-Occupied Units: SF3- H73						
\$0-10,000	692	3.0%	5	69	26	436
\$10,000-19,999	780	3.4%	89	65	65	516
\$20,000-34,999	1,091	4.7%	98	137	83	698
\$35,000-49,999	1,106	4.8%	180	284	157	450
\$50,000 +	3,332	14.4%	1,758	1,088	189	231
<b>Subtotal</b>	<b>7,001</b>	<b>30.3%</b>	<b>2,130</b>	<b>1,643</b>	<b>520</b>	<b>2,331</b>
<b>TOTAL</b>	<b>23,190</b>	<b>100%</b>	<b>9,337</b>	<b>5,268</b>	<b>1,670</b>	<b>6,439</b>

Source: U.S. Census, 2000 Population and Housing, Summary Tape File 3A- H73 and H97

<sup>15</sup> CHAS, 2000; Marin County Community Development Agency

The figure below translates each of the income categories into affordable rents. These are the rents that households earning that level of income would pay if they were to spend 30% of their income on housing (33% for owner-occupied housing). These rough calculations demonstrate the gap between market prices and affordability at various income levels.

Figure II-16: Bay Area Wages and Affordable Rents†

<b>Very Low Income – Less than 50% of Median</b>	<b>Hourly Wage</b>	<b>Annual Income</b>	<b>Affordable Rent + Utilities</b>	<b>Median Rent Gap‡</b>
Dishwashers	\$9.68	\$20,134	\$503.36	-\$1,174.64
Retail Salespersons	\$11.79	\$24,523	\$613.08	-\$1,064.92
Child Care Workers	\$13.11	\$27,269	\$681.72	-\$996.28
Truck Drivers, Delivery	\$17.80	\$37,024	\$925.60	-\$752.40
<b>Low Income – 50%-80% of Median</b>	<b>Hourly Wage</b>	<b>Annual Income</b>	<b>Affordable Rent + Utilities</b>	<b>Median Rent Gap</b>
Mental Health and Substance Abuse Social Workers	\$19.81	\$41,205	\$1,030.12	-\$647.88
Construction Laborers	\$23.82	\$49,546	\$1,238.64	-\$439.36
Police, Fire and Ambulance Dispatchers	\$26.91	\$55,973	\$1,399.32	-\$278.68
Civil Engineering Technicians	\$29.63	\$61,630	\$1,540.76	-\$137.24
<b>Moderate Income – 80%-100% of Median</b>	<b>Hourly Wage</b>	<b>Annual Income</b>	<b>Affordable Rent + Utilities</b>	<b>Median Rent Gap</b>
Carpenters	\$30.65	\$63,752	\$1,593.80	-\$84.20
Medical and Public Health Social Workers	\$32.44	\$67,475	\$1,686.88	\$8.88
Correctional Officers and Jailers	\$35.23	\$73,278	\$1,831.96	\$153.96
Loan Officers	\$37.30	\$77,584	\$1,939.60	\$261.60

Source: 2009 California Occupational Employment Statistics - San Francisco-San Mateo-Redwood City MD

† Income categories based on two-person household with one wage earner

‡ Based on \$1,678 2009 median rent – Real Facts 2009

Market prices for single-family homes are out of reach for many people who work in Marin County. However, average market rate rental housing is affordable at the moderate-income level for a two-person household with both persons employed. It can be concluded from this analysis that new rental housing at market rates can provide a portion of the County's moderate income housing need.

Nonetheless, the impact of the housing cost burden on low-income households can be significant regardless of tenure. In particular, seniors, many large-families and single-parent or female-headed households are struggling with housing costs. The costs of health care, food, and transportation compound the difficulty of finding and maintaining tenancy or homeownership in an affordable unit. Thus, high incidences of overpaying are often characteristics of these populations with low incomes.

In addition to the income restricted affordable housing units in the County, resources and programs to assist households with cost burdens or other housing problems include "2-1-1", the hotline that connects callers to the United Way in San Francisco for information on local housing opportunities and social services. A number of nonprofit organizations also provide housing

counseling and resources, such as the Marin Center for Independent Living, an organization that focuses on the needs of disabled individuals and their families. Adopt a Family, provides financial assistance to homeless and formerly homeless families through an Emergency Assistance Program for basic needs, including security deposits, rental assistance, childcare subsidies, car repair, and help with food, transportation, and other daily needs.

### Overcrowding

Overcrowded housing is defined by the U.S. Census as units with more than one inhabitant per room, excluding kitchens and bathrooms. In 2000, as shown in the Figure II-17 below, the incidence of overcrowding in Marin County was one percent for owner-occupied units, and 6.5% for rental units. However, it is likely that 2000 Census counts of overcrowding underestimated the actual occurrence, as households living in overcrowded situations were unlikely to provide accurate data on household members who might be living in the unit illegally or in violation of a rental agreement.

Figure II-17: Overcrowded Households

Persons per Room	Owner		Renter		Total Overcrowded	
	Households	Percent	Households	Percent	Households	Percent
0.50 or less	14,126	78.5%	4,430	60.6%	18,556	0%
0.51 to 1.0	3,687	20.5%	2,403	32.9%	6,090	0%
1.01 to 1.500	147	0.8%	239	3.3%	386	1.5%
1.51 to 2.00	30	0.2%	190	2.6%	220	0.9%
2.01 or more	7	0.0%	45	0.6%	52	0.2%
<b>TOTAL</b>	<b>17,997</b>	<b>100%</b>	<b>7,307</b>	<b>100%</b>	<b>25,304</b>	<b>2.6%</b>
<b>% Overcrowded by Tenure</b>	<b>184</b>	<b>1.0%</b>	<b>474</b>	<b>6.5%</b>	<b>658</b>	<b>2.6%</b>

Source: 2000 U.S. Census of Population and Housing, Summary Tape File 3A- H20 Tenure by Occupants per Room. The Census defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens). Units with more than 1.5 persons per room are considered severely overcrowded.

It should also be noted that studies show that overcrowding results in negative public health indicators, including increased transmission of tuberculosis and hepatitis. In addition, studies show increases in domestic violence, sexual assault, mental health problems, and substance abuse related to overcrowded living conditions. Overcrowded conditions are common among large-family, single-parent, and female-headed households that subsist on low incomes. In addition, overcrowded conditions can sometimes occur on ranches that employ agricultural workers, especially during peak harvest times when seasonal or migrant workers are utilized.

Managers of income restricted affordable units, whether private or the Marin Housing Authority, ensure that the unit is an appropriate size given the household size. For those households participating in the Section 8 program, the Marin Housing Authority provides search assistance for the difficult to house and special needs populations, such as large households or households with a person with disabilities. The rehabilitation and replacement of agricultural units, undertaken by the Marin Workforce Housing Trust, and California Human Development and funded by the Marin Community Foundation, USDA, State and County sources, seeks to improve health and safety conditions for agricultural workers. In order to qualify for the program, participating ranches must insure quality maintenance and not allow overcrowding.

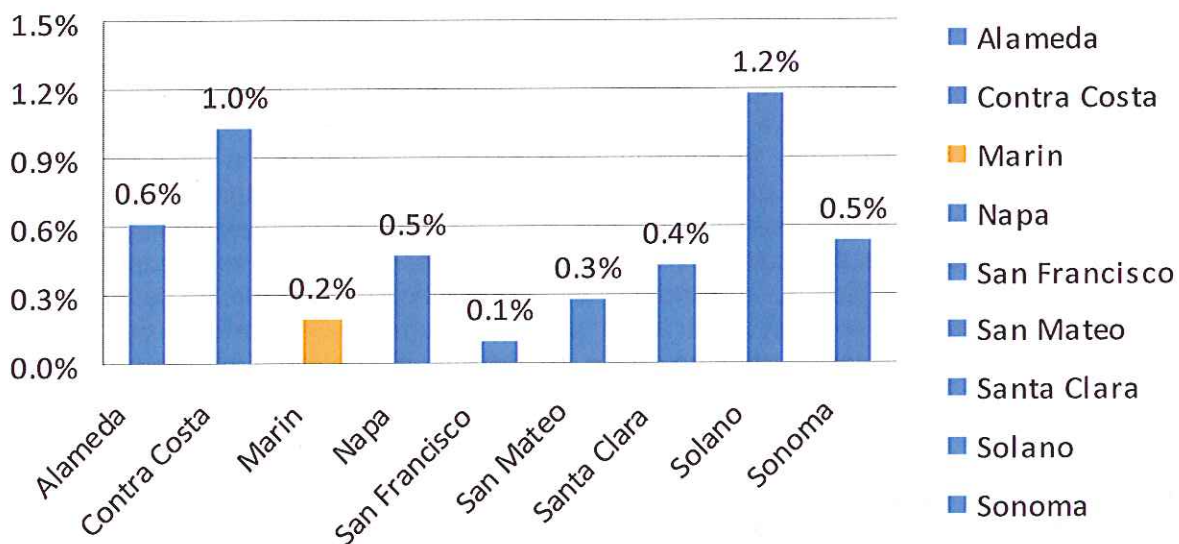
## Foreclosure

As of January 2008, California had the nation's second-highest foreclosure rate.<sup>16</sup> However, the foreclosure crisis has had a relatively smaller impact on Marin than the Bay Area region or the State as a whole. Nonetheless, the price of housing is still not affordable to lower income households and those that work in Marin-based industries.

On January 7, 2009, the Marin Independent Journal reported, "Marin foreclosures more than tripled in 2008". In December 2008, 1 in 148 homes in California was in foreclosure. In Marin County, 1 in 528 homes were in foreclosure. Between 2007 and 2008, foreclosure rates rose in most jurisdictions throughout the Bay Area and the State. Many rates were high; however, this was frequently due to the very low rates in 2007 when a small increase would result in a high percentage change. In contrast, the median change in the Bay Area as a whole was approximately a 50% increase.

However, the crisis has impacted public perception. The idea that the need for new construction is obsolete because affordable homes are available due to the foreclosure crisis is widespread and may increase community opposition to new construction of affordable homes. Because Marin has one of the lowest foreclosure rates in the State, Marin is not eligible for funds such as the Neighborhood Stabilization Program (NSP) through HUD.

Figure II-18: Bay Area County Foreclosure Rates – December 2008



Source: Marin Housing Workbook, 2009

Another useful indicator of foreclosure trends is the proportion of housing stock at risk of foreclosure; a home is termed at risk when it is worth less than the amount the owner still owes on the original mortgage. Owners who owe more than their homes are worth have a higher frequency of foreclosure. In the fourth quarter of 2008, the Bay Area median percentage of at risk homes was approximately 12 percent; rates varied considerably among ZIP code areas in Marin, from a low of 2% in the unincorporated communities of Inverness and Stinson Beach to a high of 24% in the City of Novato.

<sup>16</sup> RealtyTrac.com

## Special Needs Housing

### Overview

In addition to overall housing needs, the County plans for housing for special needs groups. To meet the community's special housing needs, including the needs of seniors, people living with disabilities, people with HIV/AIDS and other illnesses, people in need of mental health care, single-parent families, singles with no children, large households, agricultural workers, the homeless, and the local workforce, Marin County must look to new ways of increasing the supply, diversity, and affordability of specialized housing stock.

There is a continuum of housing types that address special needs, including independent living (owning or renting), supportive housing, assisted living, group home and skilled nursing facilities, transitional housing, residential treatment (licensed facilities), detoxification programs, Safe Haven, and emergency shelter. One of the most effective housing options for special needs housing is supportive housing where services are offered to tenants, often on-site, to help achieve and maintain housing security. However, there is an inadequate supply of supportive housing units and affordable units in general to meet the needs of the community.

### Seniors

The need for senior housing can be determined by the age distribution, housing characteristics and demographic projections. On a countywide level, these determinants indicate that Marin has one of the oldest populations in the State, almost two-thirds of County seniors are homeowners, and the majority of the existing housing stock is homes over two bedrooms.<sup>17</sup> However, those figures alone do not account for the types of accommodations necessary to provide for the elderly population. Given that senior income drops precipitously as seniors age and Marin is one of the most expensive places for seniors to live, particular needs include smaller and more efficient housing, barrier-free and accessible housing, and a wide variety of housing with health care and/or personal services provided.<sup>18</sup> In addition, a continuum of care is needed as elderly households develop health care needs. As the data below indicates, seniors are more likely to be lower income than the population in general and face distinct difficulties in finding appropriate and affordable housing for their needs.

According to the American Community Survey in 2007, there were 99,627 households in Marin County, of which 27,642 or 28% were persons aged 65 or older. Of these households, 4.7%, or 1,299, had incomes below the poverty line. According to 2000 Census data, there were 5,610 households in the unincorporated area of Marin County headed by a person age 65 or older. Of those, 85% owned their home and 15% were renters.

Housing types to meet the needs of seniors include smaller attached or detached housing for independent living (both market rate and below market rate), second units for inter-generational living, age-restricted subsidized rental developments, shared housing, congregate care facilities, licensed facilities, Alzheimer's and other specialty facilities, and skilled nursing homes. There is also a need for senior housing where an in-home caregiver can reside.

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<sup>17</sup> Claritas Senior Life Report, 2008

<sup>18</sup> Elder Economic Security Standard by County 2007, Center for Community and Economic Development

In addition, the nexus between living arrangements for seniors and senior-oriented services must reinforce the ability for seniors to achieve a high quality of life with access to local amenities, choices in housing, health care, and activities, and full integration into the community. A well-balanced community is one in which these elements are implicit and guaranteed for all members of the community, with particular recognition of the needs of specific demographic groups such as seniors. As such, the Older Americans Act provides funding for services that:

- Enable older individuals to secure and maintain independence and dignity in their homes;
- Remove barriers to personal and economic independence;
- Provide a continuum of care for vulnerable older persons;
- Secure the opportunity for older individuals to receive managed in-home care and community-based long-term care services.

The County's Division of Aging and Adult Services supports a variety of services that are provided to a network of local non-profit organizations and governmental agencies throughout Marin County. Figure II-19 below provides a summary of senior services available throughout Marin County.

Figure II-19: Countywide Services Offered for Seniors

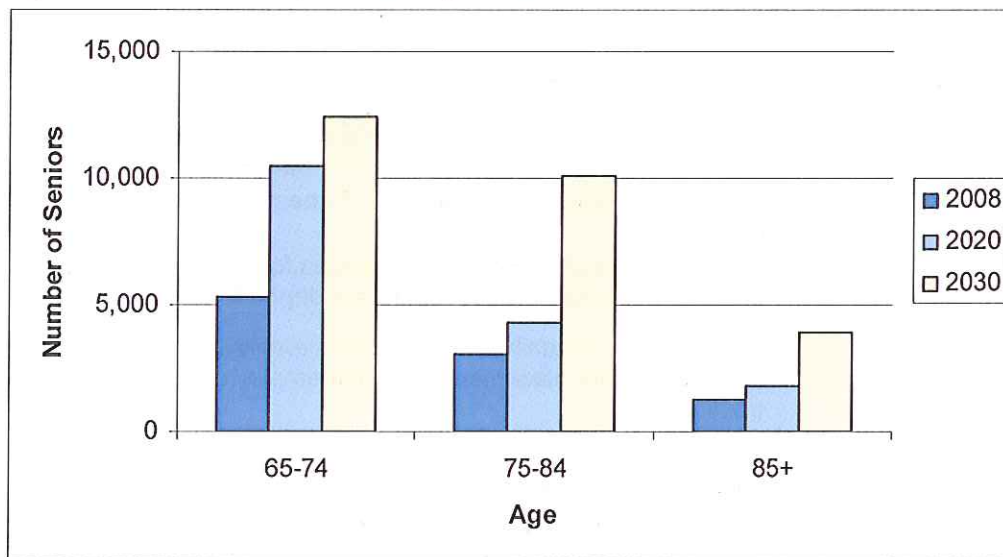
Service	Description
Adult Day Healthcare	Day care services for older adults with health care needs.
Alzheimer's Day Care Resource Center	Day care services for persons with Alzheimer's and other dementias.
Case Management	Coordination and monitoring of services for older persons and persons with disabilities to maintain independence.
Employment Services (Senior Community Services Employment Program for Older Adults)	Subsidized community services-based employment and opportunities for placement in regular employment after training.
Family Caregiver Support	Emotional support, education, training, and respite care for family caregivers and grandparents.
Health Insurance Counseling	Information and counseling on Medicare, Medi-Cal, managed care, and long-term care.
In-Home Services/Respite Registry	Home care worker referrals to assist older persons to remain in their own homes.
Information and Assistance	Links older adults and their family members to appropriate services through information and referrals.
Legal Services	Provides seniors with legal services and education on older persons' rights, entitlements, and benefits.
Long Term Care Ombudsman	Ensuring the rights and protection of older persons at risk for abuse, neglect, or exploitation while living in long-term care facilities.
Medication Management	Programs to educate older adults on how to better manage complicated medication regimens.
Multicultural Services	Outreach programs to the Asian, Latino, and African-American communities in San Rafael and Marin City.
Nutrition Services	Nutrition services, such as home delivered and congregate meals and Brown Bag supplemental grocery services.

Service	Description
Preventive Health Care	Educational forums on how to take preventive measures before health conditions occur.
Project Independence	Volunteer advocates providing support to adults at discharge from local hospitals.
Senior Center Activities Services	Educational, creative, and fun activities, including trips that enhance both health and well-being.
Transportation Services	Transportation to assist older persons in obtaining services.
Volunteer Programs	Tax-free stipend volunteer opportunities for older adults to spend time with children and other older persons in need.

Source: County Division on Aging, <http://www.co.marin.ca.us/depts/HH/main/ag/Programs.cfm>

Many seniors are over-housed, which means living in a home far larger than they need. This phenomenon will become more pronounced in the coming years, as the senior population in the unincorporated County is projected to experience an increase of 172% between 2008 and 2020. Some may be willing to vacate their home for a smaller unit, thus increasing housing options for families if more suitable housing is made available.

Figure II-20: Senior Population Projections



Source: Marin Housing Workbook, 2009

The increasing number of seniors and longevity in the population in Marin County will create additional need for affordable housing and specialized housing for older residents. This has the following implications:

- Marin has a limited supply of vacant residential land. Senior projects would compete with non-age-restricted housing for this land, as additional housing for area workers and families is also an important need.
- Many seniors can become "trapped" in large houses due to upkeep expenditures. Seniors on fixed incomes have limited resources for home improvements to maintain or rehabilitate older housing.

- Moving to smaller units could increase home payments and cause increased financial burden. Senior homeowners can be house rich and cash poor, meaning they may have a lot of value in their homes but it is inaccessible.<sup>19</sup>

Low- and very low-income seniors often cannot afford the cost of licensed facilities in Marin. According to the Marin County Division of Aging, the average basic room and board is currently between \$3,500 to \$4,000 per month for a single bed (room, bathroom, and three meals a day). Personal care is an additional cost above the basic housing charge.

Through a 2003 ordinance, the development of licensed senior facilities, such as assisted living facilities, is subject to the jobs/housing linkage fee, whereby funds are contributed to the County's Affordable Housing Trust based on the number of low- and moderate-income jobs anticipated for the new development.

#### *Strategies and Programmatic Responses to Meet Projected Needs*

The County currently encourages senior housing through a variety of provisions in the Development Code, including reduced parking standards, allowances for increased densities, and flexibility around kitchen designs. This Housing Element contains a number of programs related to increasing multifamily and special needs housing that can also result in increased opportunities for senior housing, such as *1.d Streamline the Review of Affordable Housing*, *1.e Study Ministerial Review for Affordable Housing*, and *2.a Encourage Housing for Special Needs Households*. Other programs that can facilitate housing types appropriate for seniors include second units, accessibility and universal design, and preservation of existing affordable housing and rental housing stock (*1.g Undertake Adjustments to Second Unit Development Standards*, *2.g Ensure Reasonable Accommodations*, and *3.p Utilize Federal Grants Division Funding*).

#### **People Living with Physical, Mental and Developmental Disabilities**

People living with disabilities represent a wide range of housing needs, depending on the type and severity of their disability. Special consideration should be given to the issue of income and affordability, as many people with disabilities are living on fixed incomes. Some of the considerations and accommodations that are important in serving individuals and families with disabilities are: (1) the design of barrier-free housing; (2) accessibility modifications; (3) proximity to services and transit; (4) on-site services; and, (5) mixed income diversity and group living opportunities.

Some people with disabilities can live most successfully in housing that provides a semi-independent living state, such as clustered group housing or other group-living quarters; others are capable of living independently if affordable units are available. Different types of housing that can serve these populations include: (1) single-room occupancy units (SROs), (2) single-family and group homes specifically dedicated to each population and their required supportive services, (3) set-asides in larger, more traditional affordable housing developments and (4) transitional housing or crisis shelters. Sources of financing could include Section 202, Section 811, Multi-family Housing/Supportive Housing, Mental Health Services Act, Transitional Age Youth and Section 8 project-based vouchers, which can be leveraged with local funds.

<sup>19</sup> Strategic Plan Data Focus Report 2004-2014, Division of Aging, Marin Health and Human Services

As the population ages, the need for handicapped accessible housing will increase. Consideration can be given to handicapped dwelling conversion (or adaptability) and appropriate site design. Incorporating barrier-free design in all new multifamily housing is especially important to provide the widest range of choice and is often required by State and Federal fair housing laws. Barriers to applying for building and planning approvals for reasonable accommodation modifications to units could be removed by providing over-the-counter approvals and streamlining the application process.

Figure II-21: Persons with Disabilities by Disability Type

	Number	Percent
Total Disabilities	13,864	100%
Total Disabilities for Ages 5-64	9,171	66.1%
Sensory disability	564	4.1%
Physical disability	1,452	10.4%
Mental disability	1,378	9.9%
Self-care disability	589	4.2%
Go-outside-home disability	1,592	11.5%
Employment disability	3,596	25.9%
Total Disabilities for Ages 65 and Over	4,693	33.9%
Sensory disability	803	5.8%
Physical disability	1,632	11.8%
Mental disability	567	4.1%
Self-care disability	551	4.0%
Go-outside-home disability	1,140	8.2%

Source: 2000 Census SF 3: P41

Agencies such as the Marin Center for Independent Living, the Regional Center, and Marin County Community Mental Health serve people living with disabilities. Below is a sampling of data provided by these organizations. Based on this information, the housing type best suited for these households may be single-room occupancies (SROs) with supportive services.

- The Marin Center for Independent Living, for example, served 973 people in 2008 throughout Marin County; of these, over 20% were facing a lack of affordable accessible housing. Most of their clients live under the poverty level, and their average client earns about \$8,700 annually.
- Marin County's Mental Health Services served 3,885 unduplicated clients in 2008, and provided housing and shelter to 445, or 11% of their total caseload. Anecdotally, caseworkers say that the demand far exceeds the limited available supply of housing and services; affordable housing is a major issue for their clients.

Figure II-22: Persons with Disability by Employment Status

	Number	Percent
Age 5-15, Persons with a Disability	375	0.6%
Age 16-64, Employed Persons with a Disability	3,590	6.1%
Age 16-64, Not Employed Persons with a Disability	1,769	3.0%
Persons Age 65 Plus with a Disability	2,461	4.2%
Total Persons with a Disability, Age 5 Plus	8,195	13.9%

Source: Census Bureau (2000 Census SF 3: P42)

SB 812, which took effect January 2011, requires housing elements to include an analysis of the special housing needs of the developmentally disabled in accordance with Government Code Section 65583(e). The needs of individuals with developmental disabilities are similar to that of other disabilities and they face similar challenges in finding affordable housing. Many developmentally disabled individuals are on fixed incomes and cannot afford market rate rents. In addition, supportive services are often beneficial to maintain housing stability.

According to the Developmental Disabilities Board Area 5, which serves Marin, there are 1,165 individuals with developmental disabilities. The Area 5 Board projects that 380 individuals are in need of housing, of which 38, or 10%, are dually diagnosed with a mental health issue, and an additional 57, or 15%, require accessible housing.

#### *Strategies and Programmatic Responses to Meet Projected Needs*

Housing which serves persons with mental, physical or developmental disabilities may include very low cost units in large group home settings (near retail services and public transit), supervised apartment settings with support services, outpatient/day treatment programs, inpatient/day treatment programs, crisis shelters, transitional housing, and independent living units.

Residential care facilities that serve a variety of disabled clientele groups are a permitted use in all zoning districts where dwellings are allowed and have traditionally been found intermixed within the County's residential neighborhoods. Consistent with State law, group homes with six or fewer residents per facility are allowed by right in all residential zoning districts. Group homes with seven or more persons are also permitted, subject to a conditional use permit, in all residential districts and in several commercial districts. Non-profit developers report that there is a need for jurisdictions to fast track the permitting process for these projects.

Programs in this Housing Element seek to encourage and facilitate special needs housing, enable group homes, ensure reasonable accommodation, and provide funding for rental assistance for disabled households (2.a *Encourage Housing for Special Needs Households*, 2.b *Enable Group Residential Care Facilities*, 2.d *Foster Linkages to Health and Human Services Programs* and 2.g *Ensure Reasonable Accommodation*).

#### **Large Families**

Large-family households are defined by the U.S. Census Bureau as households containing five or more persons. Due to the limited supply of adequately sized rental units and affordable homeownership opportunities to accommodate large-family households, large families face an above-average level of difficulty in locating housing

that is adequately sized and affordably priced. In Marin County, there are adequate market rate homeownership opportunities, but these homes are out of reach economically for moderate- and low-income families. The stock of three bedroom or larger rental housing is very limited. Even when larger units are available, the cost is generally higher than low income families can afford.

The 2000 Census data shows that 7% of greater Marin's households meet the definition of a large family (five people or more), and that over half (60%) of large-family households in the County live in owner-occupied units. In the unincorporated area of the County, there are 1,642 large-family households, which comprise 7% of all households. Of these households 81% are owner-occupied households and 19% are renters.

Figure II-23: Number of Large-Family Households (households with 5 or more persons)

	Owner Households		Renter Households		All Households	
	Number	Percent	Number	Percent	Number	Percent
Unincorporated	1,334	81%	308	19%	1,642	100%
Total County	3,913	60%	2,591	40%	6,504	100%

Source: 2000 CHAS

As Figure II-24 below illustrates, the shortage of large units is primarily in the rental category, where only 5.9% of the housing stock has three bedrooms, 1.2% of units have 4 bedrooms, and only 0.3% has 5 or more bedrooms.

Figure II-24: Existing Housing Stock Number of Bedrooms By Tenure

Bedroom Type	Owner Households		Renter Households		All Households	
	Number	Percent	Number	Percent	Number	Percent
0 BR	99	0.4%	771	3.0%	870	3.4%
1 BR	686	2.7%	2,207	8.7%	2,893	11.4%
2 BR	2,846	11.2%	2,454	9.7%	5,300	20.9%
3 BR	8,070	31.9%	1,483	5.9%	9,553	37.8%
4 BR	5,027	19.9%	311	1.2%	5,338	21.1%
5+ BR	1,269	5.0%	81	0.3%	1,350	5.3%
<b>TOTAL</b>	<b>17,997</b>	<b>71.1%</b>	<b>7,307</b>	<b>28.9%</b>	<b>25,304</b>	<b>100%</b>

Source: 2000 Census, SF 3: H42

### Female-Headed and Single-Parent Households

Female-headed households fall into one of three primary groups in Marin – single professional woman, single parents, and seniors. The last two groups in particular may have a need for affordable housing. The housing needs of senior citizens are discussed above in the section on Seniors. The needs of female-headed households with children are particularly acute. In addition to difficulties faced by these households in finding and maintaining affordable housing, these households also typically have additional special needs relating to access to childcare, health care, and other supportive services.

Single-parent households, like many large households, may have difficulty finding appropriately sized housing and, even more importantly, housing that is affordable. Despite fair housing laws, discrimination against children may make it more difficult for this group to find adequate housing. Women in the housing market, including but not limited to the elderly, low and moderate-income earners, and single parents, face significant difficulties finding housing. Both ownership and rental units are extremely

expensive relative to the incomes of many people in this population category. As shown in the chart below, there are a total of 25,398 households in the unincorporated area of the County, of which 2,104, or 8.3%, are female-headed households. Moreover, 1,262, or 5% of the total, are female-headed households with children under the age of 18, while 842, or 3.3%, are female-headed households without children. The percentage that is female-headed households living in poverty is 2%, which is actually significantly lower than the 4% of households overall in the County that are living in poverty.

Figure II-25: Female-Headed Households

Household Type	Number	Percent
Total Households	25,398	100%
Total Female-Headed Householders	2,104	8.3%
Female-Headed with Children under 18	1,262	5.0%
Female-Headed without Children under 18	842	3.3%
Total Families	16,525	100%
Total Families Under the Poverty Level	653	4.0%
Female-Headed Households Under the Poverty Level	325	2.0%

Source: Census Bureau (2000 Census SF 3: P10 and P90)

In addition to the female-headed households with children, there are 454 male single-parent households in the unincorporated County that are likely to have housing issues that are similar to those of their female single-parent counterparts. Housing costs are usually the greatest expense for single heads of household.

#### *Strategies and Programmatic Responses to Meet Projected Needs of Large Families and Female-Headed Households*

As with other special needs groups, large families and single parent households would benefit from multifamily housing developments that include childcare facilities. The economies of scale available in this type of housing would be advantageous to these special needs groups, as well as to all other low-income households. Large families should also have adequate services and recreational areas for children and adults near their residences. Housing for large families should also be located near public transit. The preponderance of development in the unincorporated County is large homes, most frequently of three or more bedrooms. To specifically address the needs for larger units, the County will continue to apply the inclusionary requirement that inclusionary units developed be of equal number of bedrooms as the other units in the development. In addition, the County prioritizes units for larger families through the Marin Workforce Housing Trust Fund.

In addition to the specific sites named for multi-family housing, strategies in this element to increase multi-family housing opportunities include the promotion and streamlining of multi-family developments (1.a Establish Minimum Densities on Housing Element Sites, 1.b Conduct a Comprehensive Affordable Housing Sites Inventory, 1.d Streamline the Review of Affordable Housing, 1.e Study Ministerial Review for Affordable Housing, 1.f Develop Multi-family Design Guidelines, 1.i Review and Update Parking Standards, and 1.m Codify Affordable Housing Incentives Identified in the Community Development Element).

### **Agricultural Workers**

Marin's agricultural history remains a strong value and source of pride, particularly in the Coastal and Inland Rural Corridors of the County. According to the University of California Cooperative Extension, Marin County farms and ranches encompass approximately 167,000 acres, or about 50% of the County's total land area. Rural West Marin has an economic base of cattle ranches, dairies, organic vegetable farms, poultry, mariculture, and tourism. Of the 276 agricultural operations in Marin; 86% are family owned, and are not large by California standards, with an average size of 588 acres. The total population of West Marin, consisting of the Inland Rural and Coastal Corridors, is estimated to be around 12,000 people. Agricultural workers are impacted by a high cost of living, especially housing costs that are impacted by vacation rentals and high-end tourism. In order to promote a vibrant and economically sound agriculture base as part of Marin County's future, quality affordable housing for agricultural workers is needed.

Almost all agriculturally zoned land in Marin County is located in the unincorporated County, and it can be assumed that most data available on the agricultural worker population in the County is representative of the unincorporated County. A USDA Census in 2002 identified 491 agricultural workers in the County. The 2007 County profile published by the California Employment Development Department (EDD) estimated 600 agricultural workers, and in 2007, the U.S. Department of Labor Employment and Training Administration estimated between 800 and 1,000 agricultural workers in the County. Agricultural workers are historically undercounted, and it is commonly believed that the number of agricultural workers is higher than any of these estimates. In 2006, the California Economic Development Department reported that agricultural jobs accounted for only 0.6% of the workforce in Marin County.

Distinct from other agricultural regions of the State, much of the County's agricultural production primarily requires a year-round, permanent workforce. As a result, the County does not experience a significant influx of seasonal workers during peak harvest times. Agricultural worker housing needs are dictated by the presence of parallel factors.

- A large number of agricultural worker housing units, both for permanent and seasonal workers, are provided on-site by the employer-ranchers.
- As a largely permanent workforce, agricultural workers live in multi-person households, often with spouses and children.<sup>20</sup> Agricultural workers' spouses are often employed in non-agricultural jobs, such as visitor-serving businesses in West Marin.

These factors indicate that the housing needs of agricultural workers are best met through the provision of permanent single- and multi-family affordable housing. Given the existing housing on ranches, two important issues arise:

- Ensuring that the workforce and their families are being housed in safe and healthy conditions is a major priority.

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<sup>20</sup> Evaluation of the Need for Ranch Worker Housing in Marin County, California, California Human Development Corporation, July 2008

- Allowing agricultural worker households to determine the type and location of housing that is most suitable through enhancing housing choices and options.

Determining the unmet housing need for permanent workers is difficult, and the limited housing options available to agricultural worker households may contribute to the lack of knowledge about the housing needs of this population. Instead, agricultural worker households may choose to live on the ranch that provides their employment or in other affordable accommodations, which may vary considerably in condition and crowding.

Unmet housing need for seasonal agricultural workers is not known, and is especially difficult to estimate given the presumption that temporary housing is provided by the employer-rancher. However, limited space and septic capacity and high building costs often make it difficult to house migrant workers, presenting disincentives for employer-ranchers to provide more than basic shelter with minimal amenities. Common challenges faced by agricultural worker households include:

- **Limited Income:** With an average salary of \$2,400 per month, most agricultural workers fall within extremely low-income groups. In a 2008 Market Study conducted by the California Human Development Corporation for the Marin Community Development Agency, ranchers wishing to participate in a proposed housing replacement program indicated that average wages were close to \$9 per hour. These ranch owners reported full-time wages at an average of \$2,000 to \$2,400 per month, and that frequently no benefits, such as health insurance, were offered.
- **Overpaying/Lack of Affordability:** The Department of Housing and Urban Development (HUD) considers payment of more than 30% of a household's income for direct housing expenses as overpayment or an undue hardship. Using 2007 wages, a Marin County household would have to earn a minimum of \$19.90 an hour in fulltime employment to rent a studio apartment and not exceed the 30% affordability standard. Likewise, a 2007 renter would need to make \$24.46, \$30.62, or \$40.87 per hour, respectively, to afford a 1-, 2- or 3-bedroom rental unit. Opportunities for affordable rental housing or opportunities for homeownership are considerably constrained for the agricultural worker population.
- **Overcrowding:** Due to low incomes, agricultural workers have limited housing choices and are often forced to double up to afford rents. Overcrowding in temporary housing for seasonal workers would be particularly prevalent, and many such units are not monitored for code enforcement on past development and building approvals unless complaints are lodged. As a whole, the rate of overcrowding in the unincorporated County totals 2.6%, with a higher prevalence of overcrowding in renter households, in the amount of 6.5%.
- **Substandard Housing Conditions:** Many agricultural workers occupy substandard housing, such as informal shacks, illegal garages, barns or storage units, trailers, and other structures generally unsuitable for occupancy.<sup>21</sup> The County's Code Enforcement staff investigates complaints against property-owners for code violations, but does not actively monitor agricultural worker housing units for code

<sup>21</sup> California Institute for Rural Housing, 1997.

compliance. Few HUD Section 8 vouchers are utilized in West Marin due to the scarcity of affordable units and the inability of these units to pass the required HUD Housing Quality Standards inspection.

#### *Strategies and Programmatic Responses to Meet Projected Needs*

The County's efforts and partnerships with organizations in West Marin serve to encourage and facilitate the development of housing affordable to agricultural workers.

- Marin County is collaborating with the Marin Community Foundation and the Marin Workforce Housing Trust to replace, rebuild and add new agricultural worker units located on private ranches. This program was initiated with a large stakeholders meeting, including advocates, ranchers, funders, and members of conservation groups. The rehabilitation work will be undertaken by the California Human Development Corporation.
- The Community Land Trust Association of West Marin (known as CLAM) was established as a nonprofit, community-based organization in 2001 to expand the stock of affordable housing in the Tomales Bay area and beyond. The County has sought CLAM's input during outreach for the Housing Element, and provides technical support to the organization and other parties working in the area that provide or support workforce and affordable housing.
- Marin County partnered with UC Cooperative Extension to create and develop the position of agricultural ombudsman to provide training in areas such as farm worker housing regulations, water supply, water quality and stream protection, and the use of agricultural easements. As of 2006, eighteen staff from the County's Community Development Agency and the Department of Public Works participated in training and education on County planning and policy development regarding agriculture. Additionally, twenty-one agricultural producers received the ombudsman's assistance with business development and guidance through the County permitting process.

Additional actions to increase and improve the stock of agricultural worker housing units are part of this Housing Element (*2.i Modify Development Code to Reflect Williamson Act*, and *2.j Promote the Development of Agricultural Worker Units*).

#### **Individuals and Families Who Are Homeless**

Homeless individuals and families have immediate housing needs. There are also many residents who lack stable housing but are not considered homeless. They live doubled up in overcrowded dwellings, often sleeping in shifts or renting closet space or "couch surfing" with family or friends. Although not living on the street, this population often has no means of stable accommodation and may experience periods of being unsheltered. According to the Marin County 2009 Point In Time Count of Homeless Persons, there are 1,770 persons in the County who meet the Marin County Health and Human Services definition of homeless.<sup>22</sup> 1,077 individuals meet the HUD definition of

<sup>22</sup> For the purposes of the 2009 Homeless Count, Marin County Health and Human Services included all individuals who meet the definition of unsheltered or sheltered as homeless. Unsheltered is defined as any person that resides in a place not mean for human habitation, such as a car, park, sidewalk, open space or on the street. As part of the "unsheltered" population were individuals living on a boat or in a home lacking electricity or plumbing, in jail or an institution who would not have a permanent address after release, who

unsheltered and in immediate need of housing.<sup>23</sup> A total of 4,798 individuals meet the broader definitions of homeless used for the McKinney Vento Education of Homeless Children and Youth programs as well as the Substance Abuse and Mental Health Services Administration (SAMHSA), a part of the U.S. Department of Health and Human Services.<sup>24</sup> Approximately 0.5% of Marin's population is homeless, similar to the proportion of homeless people in California as a whole. Statewide, the homeless population is estimated at approximately 159,732, or 0.4% of the State's total population.<sup>25</sup>

The County used information from the SB2 Policy and Technical Paper for Marin County Jurisdictions and the 2008 Marin County Continuum of Care funding application submitted to the U.S. Department of Housing and Urban Development to estimate the unmet need for shelter beds and to document the existing resources for homeless families and individuals. Figure II-26 below provides a summary of the emergency shelter beds and transitional and supportive housing units for homeless people that are located throughout the 12 jurisdictions of Marin County. The Fireside Affordable Apartments, which provide 30 units of supportive housing, are located within unincorporated Marin County. Additional transitional or supportive units provided at scattered sites and located within the unincorporated County are unknown at this time.

Figure II-26: Existing Shelter Beds and Transitional and Supportive Housing Units†

Emergency Shelter Beds	Transitional Housing Units	Supportive Housing Units
179	416	476

† All Marin County Jurisdictions

Marin County is committed to expanding the resources for homeless individuals in our community, particularly the supply of permanent supportive housing. The Countywide Plan and this Housing Element identify the need for housing for homeless and at risk populations as a high priority. The County, primarily through Health and Human Services, provides \$13,639,639 in funds targeted to homeless populations. Recently the Department of Health and Human Services (H&HS) has taken a more active role in homeless services. H&HS coordinated the One Day Count of homeless people and the Continuum of Care application which brought almost two million dollars into the County for housing and services for homeless people. H&HS has also hired a full time staff person who will act as the Countywide Homeless Services Coordinator. Homeless people in Marin County have access to a wide range of supportive services throughout the community designed to help them gain greater stability and self-sufficiency and to meet their health and behavioral health needs. These services include prevention,

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stayed temporarily with family or friends the night before the count and identified themselves as homeless on the day of the count. Sheltered refers to individuals residing in an emergency shelter or transitional housing program for homeless persons who originally came from the streets or emergency shelter.

<sup>23</sup> HUD McKinney Vento supportive housing programs define homelessness as individuals who are living on the streets, in shelters, or in public spaces.

<sup>24</sup> In addition to the general McKinney Vento definition provided above, the McKinney Vento Education of Homeless Children and Youth programs includes non-permanent or inadequate living situations, such as shared housing, as well as individuals and families that are at risk of homelessness or experiencing housing instability. The SAMHSA defines homelessness as an individual who lacks a primary night-time residence including those in shelters as well as those living "doubled-up" – defined as sharing another person's dwelling on a temporary basis where continued tenancy is contingent upon the hospitality of the primary leaseholder or owner and can be rescinded at any time without notice.

<sup>25</sup> National Alliance to End Homelessness, 2007

outreach and supportive services. Appendix D: Inventory of Homeless Housing Resources provides a complete listing of the emergency shelter beds and transitional and supportive housing units available for homeless people throughout Marin County.

### ***Number and Characteristics of Homeless People***

Using methodology derived in the SB2 Policy and Technical Paper for Marin County Jurisdictions, Marin County estimates that there is an average of 96 unsheltered homeless people in the unincorporated county at any given point in time. Based on countywide percentages, 60% of the homeless population is male and 33% are female, 1% was transgender and the remaining 6% declined to state, the percent who are single male and single female was not available. Countywide, 70% of the homeless people surveyed are single and 20% are families with children under 18, the remaining 10% declined to state or had another living arrangement. These estimates were drawn from the 2009 Marin Homeless Point in Time Count, which was conducted on January 29, 2009 and surveyed homeless and precariously housed individuals.

The 2009 methodology did not include a breakdown of the homeless population by jurisdiction, so estimates are based on the unincorporated County's share of the total Marin population. Since 27% of the total population of the county lives in the unincorporated areas of Marin, 27% of the 351 unsheltered homeless population or 96 individuals are estimated to reside in the unincorporated area.

Figure II-27 provides a breakdown of the percentage of subpopulations of homeless people in Marin County, including identification of specific service needs.

Figure II-27: Homeless Persons by Subpopulations and Service Needs

Subpopulation/Special Needs	Percentage
Chronically Homeless	32%
Mentally Ill	32%
Chronic Substance Abuse	1%
Veterans	41%
HIV/AIDS	0%
Domestic Violence	39%
Unaccompanied Youth (under age 18)	12%
Senior (65 or older)	0%
Physical Disability	53%
Emotional Disability	0%

Source: SB2 Policy and Technical Paper for Marin County Jurisdictions, included in the Marin Housing Workbook, 2009.

This data demonstrates that homeless people in Marin County are likely to have at least one disability, with over 32% reporting a mental illness and/or a substance abuse issue and 53% reporting a physical disability. The survey found that 32% were chronically homeless, meaning they had a disability and had been homeless continuously for 12 months or had experienced four episodes of homelessness over a three year period. This data is consistent with national studies that have found high levels of disability among homeless people and suggests that both health and behavioral health services are needed to assist this population. Consistent with what has been found nationally, Marin's homeless population also includes a significant number of veterans (41%) and people with domestic violence issues (39%).

### ***Assessment of Unmet Year Round Need for Emergency Shelter***

Marin County estimates that a total of 96 year-round emergency shelter beds are needed to meet the needs of the 96 unsheltered homeless people in our community.

### ***Assessment of Seasonal Need for Emergency Shelter***

There is no data presently available documenting the increased level of demand for shelter in Marin County during particular times of the year. Due to the relatively mild climate, the only time of year when increased demand appears to be a factor is during the winter months (December to February). The biannual homeless count always takes place in the last week of January, a period when demand for shelter typically is at its highest. Since the year-round need described above is based on that biannual count, the seasonal need for emergency shelter is not likely to be greater than the year-round need.

### ***Assessment of Unmet Need for Supportive Housing***

Marin County's most recent application to HUD for Continuum of Care funding estimates that the county has an unmet need for 15 transitional housing units and 551 supportive housing units across jurisdictions. There is no breakdown of this unmet need estimate by jurisdiction. However, Marin County has estimated the needed units based on the percentage of the total number of unsheltered homeless people living in the community. Given the estimate that 27% of the total unsheltered homeless people in the county are residing in unincorporated areas of Marin, the estimated unmet need for transitional housing units is 4 and supportive housing units is 148.

### ***Strategies and Programmatic Responses to Meet Projected Needs***

Specific recommendations and SB2 compliance are discussed in the SB2 section under Section IV: Site Inventory Analysis. Additional actions to meet housing and service needs of homeless or near homeless households have been included in this Housing Element (2.a Encourage Housing for Special Needs Households, 2.d Foster Linkages to Health and Human Services Programs, 2.e Support Efforts to House the Homeless and 2.f Engage in a Countywide Effort to Address Homeless Needs).

### ***Units at Risk of Conversion***

As of January 1, 2008, there are 4,221 deed restricted affordable housing units in Marin County.<sup>26</sup> Government Code Section 65583 requires each city and county to conduct an analysis and identify programs for preserving assisted housing developments. The analysis is required to identify any low-income units that are at risk of losing deed-restricted subsidies in the next 10 years. According to the California Housing Partnership Corporation, there are no units deemed at risk of conversion in the unincorporated area of Marin County. Only one development within the entire County was identified as at risk of conversion; it is in the Town of Tiburon.

Marin County has 91 Below Market Rate (BMR) home ownership units that are preserved by deed-restriction. The Marin Housing Authority processes all resales and monitors the affordability range for all Marin County BMR units.

The following sources were consulted as part of the research of at-risk units:

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<sup>26</sup> Marin County Affordable Housing Inventory, 2008

- California Department of Housing and Community Development
- California Housing Finance Agency
- United States Department of Agriculture
- California Tax Credit Allocation Committee (TCAC)
- California Debt Limit Allocation Committee

*Strategies and Programmatic Responses to Meet Projected Needs*

Program actions to preserve at-risk units include working with the property owners and/or other parties to ensure that units are preserved as part of the County's affordable housing stock. A key component of the actions will be to identify additional funding sources and timelines for action, as described in the Programs section (2.u Monitor Rental Housing Stock and 3.g Preserve Existing Housing Stock).

# Constraints and Opportunities for Housing Development

## Nongovernmental Constraints

### Land and Construction Costs

Land costs and other market constraints can significantly impact housing development and affordability. Two major factors contribute to high land costs: high demand and limited supply of developable land.<sup>1</sup>

According to the Association of Bay Area Governments, wood frame construction at 20 to 30 units per acre is generally the most cost efficient method of residential development. However, local circumstances affecting land costs and market demand will impact the economic feasibility of construction types.

Construction costs are higher in the Bay Area than many other regions in the State. Another factor affecting costs is the use of prevailing wage labor. In 2008, construction costs for a typical apartment complex in the region (45 units per acre, structured parking, 800 square foot units), are around \$200,000 a unit for prevailing wage labor and \$175,000 a unit for non-prevailing wage labor. Projects receiving public subsidies, such as affordable housing developments, often must pay prevailing wages to comply with funding criteria.

### Single-family Homes

According to research completed for the 2009 Countywide Housing Element Workbook, the typical land value for a single-family lot ranges from \$300,000 to \$900,000 in a jurisdiction such as Novato, to \$1 million to \$5 million in a jurisdiction such as Tiburon. In the unincorporated area of Marin County, costs vary based on factors such as the desirability of the location and the permitted density. Developable lots for single-family dwellings are scarce, and lots that can accommodate multi-family development are even scarcer. Total development costs for a single-family home, including land and construction costs, are estimated to be about \$460 per square foot, according to a study commissioned in 2008 by the Marin County Community Development Agency. Using these figures, developing a 2,000 square foot dwelling can cost up to \$920,000.

### Multi-family Homes

In Marin County as a whole, land costs average around 15% to 20% of construction costs for multi-family developments. Generally, land zoned for multi-family and mixed-use developments costs more than land zoned single-family residential. Recent sales show land zoned for multi-family developments in the unincorporated area of Marin County average between \$1 million and \$1.75 million dollars per acre. Based on a model multi-family development in the County, land costs add \$50,000-\$65,000 per unit, but can run as high as \$75,000 in some locations.<sup>2</sup> Total development costs for a subsidized multi-family development are even higher at \$490 per square foot. A 10-unit multi-family development of 1,200 square foot units would cost about \$5.8 million.<sup>3</sup>

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<sup>1</sup> According to the Marin Economic Commission's *Marin Profile 2007: A Survey of Economic, Social and Environmental Indicators*, 84% of land area in Marin is designated for agriculture, parklands, open space, and watershed. Of the remaining land, 11 percent is developed and 5% is listed as potentially developable.

<sup>2</sup> Marin County Housing Element Workbook, 2009.

<sup>3</sup> Vernazza Wolfe, 2008.

Costs can change dramatically over time. According to local multi-family affordable housing developers, from 2000-2007 construction costs rose faster than inflation. In late 2007 costs leveled off and have since been declining. In late 2008 and early 2009, construction costs dropped roughly 10%.

### **Financing**

Until mid- 2008, home mortgage financing was readily available at attractive rates throughout Marin County and California. Rates vary, but ranged from around 6.25% to 7% between 2006 and 2008 for a 30-year fixed rate loan. While rates have dropped significantly, terms and requirements have become so stringent that they effectively prevent many low income and first-time households from becoming homebuyers.

The decline in the housing market and economic downturn has had a major impact on the availability of financing for individual homeowners and for housing developers. Starting in late 2008, it became harder to get a home purchase loan, but the average interest rate fell to around 5% in early 2009 and then fell further to 3.8% as of May 2012. In particular, people with poor credit history, lower incomes, or self-employment incomes, or those with unusual circumstances, have had trouble qualifying for a loan or were charged higher interest rates. In addition, most lenders are requiring a 20% down payment, which poses a difficulty for lower income households and first-time homebuyers, especially in an expensive market such as Marin. Small changes in the interest rate for home purchases dramatically affect affordability. A 30-year home loan for \$400,000 at 5% interest requires monthly payments of roughly \$2,150. A similar home loan at 7% interest has payments of roughly 24% more, or \$2,660.

Construction loans for new housing are difficult to secure in the current market. In past years, lenders would provide up to 80% of the loan-to-value ratio of the new construction cost. In recent years, due to market conditions and government regulations, banks require larger investments by the builder.

Currently, many builders are finding it difficult to get construction loans for residential property. Complicated projects, such as mixed use developments, are often the hardest to finance. Non-profit developers may find it especially difficult to secure funding from the private sector.

Affordable housing developments face additional constraints in financing. Although public funding is available, it is allocated on a highly competitive basis and developments must meet multiple qualifying criteria, often including the requirement to pay prevailing wages. Smaller developments may be more difficult to make financially feasible. This is because the higher per unit costs result in a sale or rental price that is above the affordability levels set for many programs. Additionally, smaller projects often require significant investments of time by developers. But because the overall budget is smaller and a developer's operating income is based on a percentage of total costs, the projects are often not feasible, without special incentives or significant local funding. These conclusions were compiled through research done for the 2009 Marin Housing Element Workbook process. Despite these barriers, smaller projects have been successfully built and managed in Marin County by several local community based organizations.

Affordable rental developments tend to be easier to finance than for-sale developments, as there are more sources of funding available. However, recent cuts in public spending statewide have put pressure on these sources. Tax credits used to be a valuable source of revenue for low-income housing developers, but programs have been cut and the tax credit resale market has softened. Though construction costs have been falling for all builders, the potential for tax

credit revenue has been falling at an even greater rate, meaning that developers of low-income property are at a greater financing disadvantage than market-rate developers.

### **Community Resistance to New Development**

Another constraint to housing production in Marin County is community resistance to new developments. Marin County's infrastructure has been strained and this leads to a number of concerns, primarily: 1) new developments will cause increased traffic, 2) long-term sustainability of the local water supply, and 3) valuable open space will be lost. Additionally, community character issues are often raised, such as how density may adversely affect the visual cohesiveness of the neighborhood, how affordable housing may impact property values, and how affordable housing should be distributed more evenly throughout the County. At times, there is a tension between fair housing laws and a desire to provide preferential access to affordable housing for some community segments, such as nurses, teachers, and law enforcement personnel. In many cases, it is not possible to target housing to select groups. These concerns are often expressed during project review processes and can present significant political barriers to development.

The County of Marin seeks to address community opposition in a number of ways, including:

- Housing staff will continue to provide presentations and facts sheets about affordable housing. Concerns addressed include studies on property values and affordable housing, information on who lives in affordable housing, and traffic data on affordable developments, such as fewer vehicles owned, and fewer vehicle miles traveled by lower income households.
- Work with groups such as the Marin Environmental Housing Collaborative (MEHC), an organization founded to bring together two interest groups, environmentalists and affordable housing advocates. The Collaborative works to identify common ground and promote smart growth principals.
- Worked with the Marin Community Housing Action Initiative, a collaborative of the Marin Community Foundation, the Non-Profit Housing Association, and Greenbelt Alliance, which sought to analyze barriers to and advocate for affordable housing throughout Marin County.
- Coordinate with local non-profit developers on how to effectively work with community groups, County staff, and elected officials.
- Programs in this Housing Element are intended to encourage and facilitate early community planning of major developments in order to identify and address opposition at an early stage (*1.b Conduct a Comprehensive Affordable Housing Sites Inventory and 1.f Develop Multi-family Design Guidelines*).

### **Infrastructure**

Public infrastructure is generally sufficient to meet projected growth demands. Electric, gas, and telephone services have capacity to meet additional projected need. Transportation, water and sewer infrastructure are discussed in greater detail below.

### **Transportation**

The County has two main thoroughfares. Highway 101 transverses the County north to south, and Sir Francis Drake Boulevard is the primary east-west thoroughfare. Highway 1 also connects southern Marin to the coastal communities. In 2007, Marin County ranked third among the Bay Area counties in daily vehicle hours of delay.<sup>4</sup> As a result of limited circulation routes, the County is impacted by severe traffic conditions. These were addressed in the Countywide

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<sup>4</sup> Annual Data Compilation, State Highway Congestion Monitoring Program, CalTrans, 2008.

Plan by limiting development to the lowest end of the density range in areas with failing level of service standards. However, exceptions are granted for affordable housing and housing that serves seniors (see the discussion of incentives below for more detail).

Marin is served by a network of bus service, including Golden Gate Transit which provides inter-county regional bus service, and Marin Transit which operates local service and shuttles. Marin is also linked to San Francisco via ferry service from Larkspur, Sausalito, and Tiburon.

The future Sonoma Marin Area Rail Transit (SMART) system will expand the transit and commute choices available to Marin residents, providing significant new opportunities for transit oriented development (TOD) and pedestrian development (PeD) improvements in the areas surrounding the four proposed stations in the cities of San Rafael and Novato. Although no SMART stations are projected to be located within the unincorporated County, the commuter train system will significantly affect the County's interwoven urban corridor areas. The SMART plan includes increased feeder bus services to enhance circulation to and from the train.

### **Water**

Marin County's water supplies include surface water, groundwater, recycled water, and imported water. Surface water is the main source of urban areas in the eastern portion of the County while groundwater and surface water are the primary sources for rural areas. There are approximately six water districts supplying water to Marin residents. The Marin Municipal Water District (MMWD) and the North Marin Water District (NMWD) are the principal entities managing and delivering water to residential and commercial consumers. The Marin Municipal Water District serves the largest customer base in Marin, providing water to the eastern corridor of Marin County from the Golden Gate Bridge northward up to, but not including Novato, an area covering 147 square miles. The NMWD serves the City of Novato and the Point Reyes area of West Marin. Imported water is from the Sonoma County Water Agency (SCWA) which serves over 570,000 residents in Sonoma and Marin counties.

Water delivery in West Marin encompasses a range of scales, from the large water districts to small community water districts and smaller, individual systems. The small community water districts include Bolinas Community Public Utility Districts (BCPUD), Stinson Beach County Water District (SBCWD), Inverness Public Utility District (IPUD), and Muir Beach Community Services District (MBCSD). The community of Dillon Beach is served by two small independent water companies: the California Water Service Company (CWSC) and the Estero Mutual Water System (EMWS). SBCWD, MBCSD, and the Dillon Beach area primarily use groundwater for their water supplies while IPUD and BCPUD rely mainly on surface water. Locales beyond the current municipal and community water service areas rely on individual groundwater wells, surface water, or small spring-based systems.<sup>5</sup>

### **Analysis:**

The Marin Countywide Plan, updated in 2007, supports a land use pattern intended to shift future dwelling units from environmentally sensitive lands, which are often on septic and/or use well water, to locations within the City-Centered Corridor where public water and sewer systems are provided. Accordingly, the Sites Inventory primarily consists of properties located in the City-Centered Corridor, where services are available and it is most feasible to meet the default density of 30 units per acre. This is likely to result in less water use per unit but some increase in overall water usage in the MMWD service area (see Figure III-1 below). Housing may be

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<sup>5</sup> See Exhibit 2 of the Hydrology and Water Quality Background Report, prepared as part of the environmental review documentation for the Marin Countywide Plan, adopted in 2007.

developed in West Marin at lower densities as appropriate, and may need to utilize wells and septic systems.

Despite a limited water supply, water districts have indicated sufficient projected supply to meet demand, with the exception of Bolinas Public Utility District where there is a moratorium on new water meters which has been in effect since 1971. The environmental review conducted for Marin Countywide Plan in 2007 determined that development to the point of buildout<sup>6</sup> would have significant and avoidable impacts with respect to water supply. However, the County's RHNA allocation of 773 units for this planning cycle and projected development into the future do not approach the 4,476 additional units calculated as buildout. Additionally, while four of Marin's water districts, including those that serve the largest customer bases, will face capacity concerns given current supplies, alternative measures are part of the districts' long-term plans. MMWD's Board of Directors adopted a plan for a 5-million-gallon-per-day desalination facility in August 2009, intending to keep desalination available as one of Marin's potential water supply sources. In 2010, that plan was put on hold in favor of conservation measures to meet demand. Both MMWD and NMWD undertook substantial water conservation programs in recent years resulting in significant reduction in water usage. Other measures utilized by Marin water districts include reservoir expansion, a recycled water distribution system and conservation programs. There are no anticipated overdraft issues for areas using ground water (wells). Taken together, these long-term planning efforts and approaches to water delivery and conservation alleviate concerns about water supply in areas served by public water. The West Marin water agencies generally have sufficient water on an average annual basis and do not anticipate projects to increase overall supply. Water supply may constrain development in unserved areas; however, these areas are zoned at low densities and not identified as priority locations for future housing development. Figure III-1 shows the capacity for new development, up to buildouts provided in the Marin Countywide Plan, given current water supplies.

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<sup>6</sup> Buildout figures represent development to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations in the 2007 Countywide Plan and projects to the year 2030.

Figure III-1: Water Capacity for New Development

Water Service Area	Communities Served	Existing Units	Site Inventory Units	Development Potential+	Countywide Plan Buildout	Supply Deficits for Inventory	Notes/ Description of Limitation
MMWD	All cities and towns along the City-Centered Corridor from the Golden Gate Bridge to the southern border of Novato <sup>A</sup>	20,422	830	2,859	23,281	No	Current water sources are sufficient for the development of the units proposed in the Site Inventory. Additionally, the district is pursuing alternative water sources (desalination) and measures such as conservation, and will continue to allow new development.
NMWD-Novato	Novato	2,854	10	262	3,116	No	Sufficient water capacity for existing units and to accommodate the number of units proposed in the Site Inventory.
NMWD-West Marin	Point Reyes Station, Olema, Bear Valley, Inverness Park, Paradise Ranch Estates	790	2	472	1,262	N/A	Current water sources are sufficient for development of the units proposed in the Site Inventory. Additionally, the district is pursuing alternative water sources and measures such as conservation, and will continue to allow new development.
BCPUD	Bolinas	722	0	75	797	N/A	Currently at capacity. Community Plan allows the development of 68 to 75 open parcels. Due to current moratorium, future water demand anticipated to remain at or near current levels.
SBCWD	Stinson Beach	825	0	60	885	N/A	Sufficient water capacity at present. No new development proposed in the Site Inventory.
IPUD	Inverness	623	21		647	No	Sufficient water capacity for existing units and to accommodate units in the inventory.
MBCSD	Muir Beach	143	0	10	153	N/A	Sufficient water capacity for existing units and to accommodate remaining number of units before buildout.
CSWS	Dillon Beach	273	0	3	276	N/A	Sufficient water capacity for existing units and to accommodate remaining number of units before buildout.
EMWS	Dillon Beach	133	0	40	173	N/A	Sufficient water capacity for existing units and to accommodate remaining number of units before buildout.
Unserved Areas	Fallon, Inverness Park, Marshall, Nicasio, Tomales,	356	0	853	1,209	No	Water capacity dependent on availability of alternative sources, such as on individual groundwater wells, surface water, or small

	Valley Ford*							spring-based systems.
TOTAL	Unincorporated Marin	27,323	863	4,476	31,799	-		

Source: Marin Countywide Plan FEIR (2007) Exhibits 3.0-14, 5.0-17 and Section 4.9, NIMWD website and CDA Staff.  
 Note: The distribution of existing units served by MMWD, served by water districts in West Marin and located in unserved areas in West Marin was estimated based on knowledge of existing units in West Marin communities and locations of known wells and community water systems in West Marin.  
 +This column represents the difference between the number of units per maximum Countywide Plan land use (buildout) and the number of existing units.  
 ^These communities included: Lagunitas, Forest Knolls, San Geronimo Village, San Geronimo Valley, Woodacre, unincorporated Fairfax, Sleepy Hollow, Lucas Valley, Marinwood, Kentfield, Greenbrae, Greenbrae Boardwalk, Santa Venetia, Los Ranchitos, San Quentin, Bayside Acres, Country Club, Muir Woods, Homestead, Tamalpais Valley, Almonte, Marin City, Strawberry, Alto, and unincorporated Tiburon.  
 \*These communities were identified as having wells outside of the existing municipal service areas (CWP FEIR, page 4.9 – 50). Currently, 482 private wells are identified in the Marin County Environmental Health Services database as having been drilled outside of the existing municipal and community water service areas. The wells are concentrated in the communities of Nicasio, Tomales and Marshall (CWP EIR 4.9-19).  
 \*\* This includes sites which would require annexation, projects with pending annexations and areas on wells.

## Sewer

There are nine sanitary treatment plants in the City-Centered Corridor, most of which connect to lines from more than one sanitary district. There are three districts in West Marin, each with sewer lines and a treatment facility. Sanitary sewer districts have adequate capacity to treat wastewater for their service areas. Large areas of the County are served by on-site wastewater (septic) systems. As described in greater detail below, the County Environmental Health Services office regulates septic systems.

### Analysis:

As shown in Figure III-2 below, Marin wastewater facilities are able to accommodate additional housing development above and beyond the RHNA allocation for this planning cycle. This excludes the Bolinas Community Public Utility District, which, as previously discussed, is not considered a service area for future housing development. All areas within the Housing Overlay Designation are within a sanitary district or a service district that is responsible for ensuring wastewater effluent is treated.

Figure III-2: Existing Wastewater Treatment Capacity and Projected Wastewater Flows at Buildout

Wastewater Treatment Agency	Community Served	2005 Remaining Capacity (MGD)*	Additional Flow at Buildout	Remaining Capacity
Sausalito / Marin City Community Service District	Sausalito, Marin City, Tamalpais Valley, Marin Headlands, Muir Woods and surrounding areas	0.50	0.292	+0.208
Sewage Agency of Southern Marin	Mill Valley, Tamalpais Valley, Almonte, Alto, Homestead Valley and surrounding areas	1.10	0.236	+0.864
Sanitary District #5	Tiburon, Belvedere and surrounding areas	0.21	0.001	+0.209
Central Marin Sanitation Agency	San Rafael, Ross Valley, Larkspur, Corte Madera, Kentfield, Greenbrae, Ross, San Anselmo, Fairfax, Sleep Hollow, Murray Park, San Quentin and surrounding areas	2.00	0.377	+1.623
Las Gallinas Valley Sanitary District	San Rafael, Marinwood, Terra Linda, Santa Venetia, Smith Ranch Road, Lucas Valley and surrounding areas	0.59	0.205	+0.385
Novato Sanitary District	Novato and surrounding areas	1.35	0.002	+1.348
Bolinas Community Public Utility District+	Bolinas and surrounding areas	n/a	0.059	n/a

Source: Marin Countywide Plan FEIR (2007) Exhibit 4.10-7.

\*Dry Weather Capacities in million gallons per day (MGD).

+Bolinas Community Public Utility District currently has a moratorium on additional wastewater hookups due to lack of treatment capacity and limitations on water.

Areas not served by sanitary sewers are subject to larger minimum lot requirements and are limited to the lowest end of the density range permitted in the Countywide Plan, which limits the potential for construction of multi-family units in the Inland Rural and Coastal Corridors. Properties near streams, baylands and in the lowlands of the Inland-Rural Corridor are heavily constrained by high groundwater which can result in limited residential capacity.

## Septic

Septic systems are utilized on properties throughout the County (see CWP Map 2-8 for parcels with buildings and septic systems). Septic use is typical in the rural areas of West Marin and low-density residential areas such as the northern side of the Tiburon Peninsula. The County utilizes a permitting procedure for the design of new septic systems that requires review of engineering plans. There are two types of septic systems – standard and alternative – available to address a range of site-specific factors. Both types of septic systems are subject to the County's permitting process for wastewater treatment and disposal. Standard septic system design is based on accepted design principles that are assumed to ensure proper function of the system for extended periods. Because the systems are expected to operate properly with proper owner maintenance, there is no County inspection process after the initial inspection. Older septic systems within the County are standard septic systems. Alternative septic systems may be necessary when site conditions do not lend themselves to installation of a standard type of system. However, since these are based on newer technologies, ongoing inspections are required to ensure proper operation. Environmental Health Services tries to respond to request for septic system permits within 30 days of submission of the septic system design. The permitting process and associated costs, shown in Figure III-3, do not constitute a constraint to development as the costs are relatively minimal in relation to overall development costs, and are necessary to protect the health and safety of the community and environment.

Figure III-3: Permit Application Costs for Septic Systems

Permit Application Costs	Standard Septic System	Alternative Septic System
Pre-Application Fee	\$752	\$752
New System or Upgrade (contractor installed), 1 to 3 bedroom	\$2,331	\$4,271
New System or Upgrade (contractor installed), each additional bedroom	\$259	\$259
New System or Upgrade (owner installed), 1 to 3 bedroom	\$2,913	-
New System or Upgrade (owner installed), each additional bedroom	\$389	-
Construction Inspection	\$163	\$171

Source: Septic Program Fee Schedule (EHS); FAQs about Septic Systems (EHS) 2010.

Development setbacks and the preservation of riparian vegetation can minimize the adverse effects of wastewater discharge. The County maintains the Septic Matters website ([www.septicmatters.org](http://www.septicmatters.org)) to disseminate information to community members about septic systems and maintains a database to help improve the management of septic systems through the County.

## Flood Control and Management

Government Code 65302 requires all cities and counties to assess their flood hazard and prepare for potential flooding. In particular, it requires all cities and counties:

- to amend the safety and conservation elements of their general plan to include analysis and policies regarding flood hazard and flood management information upon the next revision of the housing element after January 1, 2009, and
- to annually review the land use element for those areas subject to flooding identified by flood plain mapping prepared by the Federal Management Agency (FEMA) or the State Department of Water Resources (DWR), effective January 1, 2008.

Marin County Code 23.09.010 addresses statutory authorization for the enforcement of Government Code Section 65302 (Ord. 3293§1, 1999). Marin County is in compliance with §65302.d.3, §65302.g.2, §65302.g.3, and §65302.g.4 of the California Government Code, and no revisions were found to be necessary for the safety element of the Countywide Plan with respect to flood hazards, as outlined in Appendix J.

## **Governmental Constraints**

Regulatory standards provide consistency and foster a high quality and cohesive built environment. Standards may also present conflicts in land use objectives and pose constraints to the production of affordable housing.

This chapter analyzes land use regulations, procedures, and fees to identify possible solutions to policy conflicts. Government Code Section 65583(a)(5) requires in particular that local agencies analyze governmental constraints that hinder the agency from meeting its Regional Housing Needs Allocation. Since all of the housing units required in Marin County by the 1999 – 2006 Regional Housing Needs Allocation were either constructed or approved, at the required income levels, it appears that, overall, the governmental constraints imposed by the County have not prevented the County from providing its regional fair share of housing.

## **Land Use and Permit Controls**

While the unincorporated County comprises a large land area, most of the land is not zoned for residential development, as it is publicly owned as parklands, watershed, or open space. Agricultural conservation easements and related zoning also limit the ability to develop vacant lands. Most land suitable for residential development has been built upon. Remaining vacant lands zoned for residential uses tend to have significant environmental constraints which either substantially increase construction costs or preclude development altogether, including sites with steep slopes or wetland habitats. As a strategy for dealing with these constraints, the County has adopted programs in its Countywide Plan which promote opportunities for reuse of underutilized commercial centers, mixed-use development, and encourage more dense development along transit routes. Marin County also encourages residential development in urbanized areas or within villages in the Inland Rural and Coastal Corridors. While there is no growth boundary in effect at a countywide level, there are community expansion boundaries (CEBs) in effect in four communities in the Coastal Zone including Olema, Point Reyes Station, Tomales, and Dillon Beach. The CEBs were established to preserve agricultural lands for agricultural use while at the same time allowing for reasonable growth within urban areas in accordance with the Coastal Act.

There are two fundamental types of zoning district in unincorporated Marin, called conventional zoning districts and planned zoning districts. Conventional zoning districts have specific numerical subdivision and development standards, including minimum lot area, minimum setbacks, height limits, and floor area ratio limits. Provided a development project conforms to those standards, no discretionary development applications are required. Contrary to the land use control approach used in conventional zoning districts, planned districts have few specific numerical standards. Instead, they encourage development to be clustered in the areas most suitable for development on a given site to conserve a larger portion of that site in its natural state. No minimum lot areas are established for subdivisions in planned districts, but the number of lots allowed on a property is governed by a density standard specific to that district. As a result, subdivision applications in planned districts are likely to have smaller lot sizes with a larger percentage of the original lot left as open space in comparison to subdivisions in conventional districts where lot sizes are governed by

the minimum lot areas applicable to the applicable to that particular district. The distinction between conventional and planned zoning districts is most important in governing the subdivision and development of properties.

Activities and functions on a property are governed by various classifications of use, which are regulated through zoning controls. Each zoning district contains a list of uses that are "principally permitted" or "conditionally permitted" and all uses not listed are prohibited in that zoning district. Discretionary planning approval is not necessary to establish a principally permitted use, but a conditional use permit is required to establish any conditionally permitted use on a property. Planning permits are discussed in more detail in the Processing and Permit Procedures section.

There are three primary types of uses allowed on private properties in unincorporated Marin: (1) agricultural; (2) commercial, and; (3) residential. Zoning regulations for each of these groups are outlined in Chapter 22 of the Marin County Code, which describes uses, design standards, and requirements. The County's zoning regulations are similar to those of the other jurisdictions in Marin, especially with respect to urbanized areas. Zoning is consistent with General Plan land use designations as adopted on November 7, 2007.

Figures III-7, III-8, and III-9 summarize residential development standards. The figures indicate (where applicable) minimum lot size, minimum setbacks, height, and floor area ratios (FAR). Figures III-10, III-11 and III-12 identify permitted or conditionally permitted residential uses by zoning district.

Affordable Housing is a principally permitted use (P) in all districts that allow residential uses, except the Agriculture and Conservation district. Additionally, the density for affordable housing is the maximum density allowed by the Countywide Plan land use designation, rather than the zoning district density standard.

#### ***Residential Districts - Conventional Zoning***

Within conventionally zoned districts, including R1, R2, RA, RE, and RF, single-family homes are permitted by right when conforming to the zoning district standards. Conventional single-family residential zoning districts also allow the following as permitted residential uses: second units, room rentals, group homes of six or fewer residents, residential accessory structures, and residential care facilities. Other permitted uses include home occupations, schools, child care centers, and churches. Buildings cannot exceed 35 feet in height and must not exceed a floor area ratio (FAR) of 30%. Minimum lot sizes in residential districts vary from 6,000 square feet to 10 acres.

The zoning requirements of two-family (R2) conventional zoning districts are similar to those of single-family districts. A lot in an R2 district may be as small as 4,000 square feet. R2 districts allow all the same uses as R1 districts, as well as the construction of two-family units by right, which is not allowed in R1 districts.

#### ***Residential Districts - Planned Zoning***

Planned districts allow more flexible site designs than do conventional districts, but development applications in these districts are usually discretionary. Flexibility is permitted to enable house design and siting that respect the natural features of the site. Planned districts do not have specific setback requirements or minimum lot areas in order to encourage clustering. Ultimate development potential is based on the maximum density allowable by the zoning district and Countywide Plan.

In contrast to conventional zoning districts, the County's planned districts do not have quantified building standards, with the exception of a 30 or 35 foot height limit for primary structures and

ridgeline setbacks. The effect of this height limit on multi-family housing is analyzed in Table III-4. The development standards for planned districts are contained in Development Code section 22.16 Planned District Development Standards, which pertain to such issues as building placement, architectural design, building height and massing, grading and vegetation removal, protection of streams and wetlands. Potential permitting constraints posed by planned districts are addressed below under the heading Processing and Permit Procedures.

There are two planned residential districts: Residential Single-family Planned (RSP) and Residential Multiple Planned (RMP). The Agricultural Residential Planned (ARP) zoning district is formally listed as an agricultural zoning district, but essentially acts as a mixed agricultural/ residential use district, where both agricultural and residential uses are principally permitted on lots less than five acres in area. A description of land use controls vis-à-vis development standards is provided in Figure III-8: Development Standards, Planned Districts. The principally permitted uses in conventional and planned residential district are the same. RSP districts allow the same uses as R1 districts, RMP districts allow multi-family development, and ARP districts allow uses consistent with other agricultural districts, including the construction of agricultural worker housing. The maximum number of units allowed on each lot varies from 0.01 per acre up to 45 per acre, depending on the special characteristics of an area. For example, on steep slopes, only one unit may be allowed for every four acres of land; hence, the area may be zoned RSP-0.25 or RMP-0.25. The Community Development Element of the general plan establishes an upper limit to residential density. Affordable housing may exceed the zoned density in favor of the maximum density established by the general plan<sup>7</sup>.

#### *Multi-family Development*

Multi-family housing, including duplexes, triplexes, fourplexes, and apartments, is permitted in the Residential, Multiple Planned District (RMP), and the Residential/Commercial Multiple Planned District (RMPC). Duplexes are a permitted use in the Residential, Two-Family District (R2); and require only discretionary review. Multi-family housing is also permitted in commercial districts including Retail Business (C1), Administrative and Professional District (AP), Limited Roadside Business District (H1), Planned Commercial District (CP), Planned Office (OP), and Village Commercial/Residential District (VCR). All multi-family developments which are single phase are eligible for a master plan waiver. Multi-phase projects require a master plan.

The majority of multi-family housing developed recently in Marin has been affordable housing, likely due to limited multi-family zoning, high demand for single family dwellings, and incentives offered for affordable housing. Multi-family housing development often faces regulatory challenges. Consequent delays can affect the financial feasibility of these projects. In an effort to increase certainty for multi-family development, the Development Code has been amended to exempt affordable housing from the master plan and precise development plan processes (1.d Streamline the Review of Affordable Housing, subprogram a).

Further acknowledging the constraint posed by design review and the lack of specificity in the Development Code around the design of multi-family developments, the Board of Supervisors pursued and received a technical assistance award to develop Multi-family Design Guidelines in 2012. (1.f Develop Multi-family Design Guidelines). Marin County's Single-family Residential Design Guidelines have made a demonstrable impact in the design review process. They assist applicants

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<sup>7</sup> Development Code 22.24.020.A – Density for Affordable Housing Projects. For affordable housing located in all districts that allow residential uses, allowable density will be established by the maximum Marin Countywide Plan density range, subject to all applicable Countywide Plan policies.

in planning site and architectural design, increase design certainty, and help minimize design revisions. Establishing similar guidelines for multi-family housing projects will help guide the preparation of development plans, expedite the process for developers and planners, and assure local residents that projects under review must meet appropriate predetermined design features. Additional measures will be considered to establish specific development criteria in planned zoning districts to allow for residential development to be permitted ministerially (*1.o Simplify Review of Residential Development Projects in Planned Districts*). And to allow flexibility to established height limits this element includes a program to amend the Development Code to increase the allowable height for multi-family residential development (*1.p Adjust Height Limits for Multi-family Residential Buildings*).

### **Non-residential Districts – Commercial**

Housing is encouraged in commercial districts. The Community Development Agency has completed amendments to the Development Code that introduce residential uses in certain commercial districts and implement mixed-use housing policies contained in the Countywide Plan (CD-8.7). Chapter 22.32.150 of the Development Code contains mixed use standards for the Commercial Planned (CP), Retail Business (C1), Administrative Professional (AP), and Limited Roadside Business (H1) commercial districts. For parcels larger than 2 acres, at least 50% of the new floor area must be developed with new housing. For parcels less than 2 acres in size, at least 25% of the new floor area must be developed with housing. Residential density in those districts is a maximum of 30 units per acre. Unit sizes are restricted to a minimum of 220 square feet and a maximum of 1,000 square feet per unit to encourage more affordable housing types. Housing should be accessory to the primary commercial use, except affordable housing. The promotion of residential uses in commercial districts significantly increases the capacity for medium density development and supports the development of walkable communities.

The following analysis assesses the combined effects of the County's development standards, applicable depending on zoning district, to identify possible conflicts and their effects on the cost and supply of housing. The development standards are found in Article II of Title 22, the County's Development Code.

Figure III-4: Residential Development Standards

Standard	Impact
<p><b>Height Limits.</b> Conventional Zoning Districts: 25 feet in the Coastal Zone and 35 feet in the interior. Single family residences may reach a height 45 feet when they meet minimum 15 foot side yard setbacks.</p> <p>Planned Zoning Districts: 25 feet in the Coastal Zone and 30 feet in the interior, except on protected ridgelines, where they are 18 feet.</p>	<p>Height limits in conventional districts may be exceeded through variance approval (22.20.060.F.1) and height standards are flexible. The fact that multi-family residences cannot reach 45 feet when they meet certain side yard setbacks constrains their design. The development of multi-family design guidelines in 2012 and subsequent Development Code amendments may help establish appropriate multi-family residential height standards. (see program <i>1.f Develop Multi-family Design Guidelines</i>). Subsequent code amendments may allow multi-family development to reach similar height limits as single family residences that meet 15-foot side yard setbacks. (See program <i>1.p Adjust Height limits for Multi-family Residential Buildings</i>).</p>
<p><b>Parking Requirements.</b> Conventional Zoning Districts and Planned Zoning Districts: 1.2 spaces per studio unit; 1.5 spaces per one</p>	<p>These parking requirements are not significantly different from other Marin jurisdictions. Additionally, parking requirements are reduced if a development is</p>

bedroom unit; 2.0 spaces per two bedroom unit, 2.5 spaces per unit over two bedrooms.	eligible for a density bonus. A broader analysis of parking standards is provided earlier in this chapter.
<p><b>Minimum Lot Area.</b> Conventional Zoning Districts: 7,500 sq ft for RA, RR, RE, R1, R2; n/a for RSP, RMP; not including floating home or mobile home park. Combining B districts modify minimum lot area and development standards.</p> <p>Planned Zoning Districts: Not applicable, but density standards are established in the zoning district.</p>	The discretionary nature of subdivisions increases the uncertainty for developers seeking approval, and therefore raises the costs of investment.
<p><b>Setbacks.</b> Conventional Zoning Districts: 25 ft front, 6 on sides, 10 on street sides, 20% of lot depth to 25ft max for RA, RR, RE, R1, R2; n/a for RSP, RMP; not including floating home or mobile home park. Combining B districts modify minimum setback standards.</p> <p>Planned Zoning Districts: Not applicable, but tentative maps or master plans may establish building envelopes. Appropriate setbacks are normally established through design review.</p>	<p>The inflexibility of setback standards in conventional zoning districts may result in increased construction costs on steep sites.</p> <p>In planned zoning districts, the discretionary nature of design review applications increases the uncertainty for developers seeking approval, and therefore raises investment costs. Establishing criteria for ministerial review of development projects in planned districts would reduce the uncertainty and resulting costs developers face. (See program 1.o <i>Simplify Review of Residential Development Projects in Planned Districts</i>).</p>
<p><b>Density.</b> Zoning district determines density which can range from 1 units/60 acres in the Agricultural, Residential Planned (ARP) zoning district to 45 units/acre in the Residential Multiple-family Planned (RMP) zoning district. In addition, the Countywide Plan's community design principles encourage "like facing like," whereby different uses abut at the back of the property, not the front. This principle could affect the placement of affordable housing next to other types of development, particularly less dense uses. Parcels to the front or side of low density residential properties may be zoned at or near the density of the low density residential property.</p>	The lower density permitted in many zoning districts may pose a constraint to multi-family housing. A number of programs in this element are intended to address this, including creating a combining zoning district to permit affordable housing at increased densities (see programs 1.c Establish an Affordable Housing Combining District, 1.o Simplify Review of Residential Development Projects in Planned Districts, and 1.p Adjust Height Limits for Multi-family Residential Buildings).

#### Analysis:

Conventional districts and planned districts both have strengths and weaknesses with respect to development costs and impediments. In many instances, the hilly terrain found throughout much of Marin increase construction costs unless there is some flexibility in the development standards applicable to a project. However, anecdotal evidence suggests that the more serious impediment to housing development is the uncertainty involved with discretionary planning permits. Permit processing is discussed in greater detail under the Processing and Permit Procedures section.

To ensure that the County's development standards do not have the prohibitive effects on the development potential or cost of affordable multi-family development, a number of programs in this housing element remove possible barriers.

- *1.a Establish Minimum Densities on Housing Element Sites* prohibits the approval of development on sites identified in the Housing Element with fewer units than shown in the Site Inventory Analysis.
- *1.f Develop Multi-family Design Guidelines* will address the potential impacts of community design principles discussed above related to land use transitions.
- *1.p Adjust Height Limits for Multi-family Residential Buildings* will allow increased height limits for multi-family development.

Additionally, affordable multi-family development will most likely qualify for density bonus concessions to development standards, as outlined in Section 22.24.030 of the Development Code.

### ***Non-residential Districts – Agricultural***

The development of agricultural worker housing is a priority in the unincorporated County, and of particular interest as the Community Development Agency is engaged in an update to the Local Coastal Program (LCP). As stated in the County's Development Code (22.32.023):

“Agricultural worker housing providing accommodations for twelve or fewer employees shall be considered a principally-permitted agricultural land use for the following zoning districts: A2, A3 to A60, ARP, and C-ARP, C-APZ, O-A, and C-OA, and are allowed by Article II (Zoning Districts and Allowable Land Uses) and Article V (Coastal Zone Development and Resource Management Standards).”

Figure III-12 details the permit requirements for various residential uses within the zoning districts that allow agricultural worker housing to be considered as a principally-permitted land use.

The zoning districts that allow agricultural worker housing as a principally-permitted agricultural use render the Marin County Development Code consistent with Health and Safety Code Section 17021.6, with one exception (see program 2.j *Promote the Development of Agricultural Worker Units in Agricultural Zones*). All of the remaining zoning districts allow agricultural worker housing as a permitted use in order to encourage and facilitate the development of agricultural worker housing. The current permit requirements of the C-APZ zoning district allow agricultural worker housing as a conditional use, but are being updated in the Local Coastal Program to become consistent with the Health and Safety Code.

The agricultural zoning districts consist primarily of agricultural areas characterized by low density housing. The County's Development Code reflects efforts to focus agriculture uses in agricultural zoning districts through two primary means: lot size and density provisions related to agricultural worker housing. The minimum lot size ranges from two to 60 acres, except in the Suburban Agricultural and Limited Agriculture Districts which allow 7,500 square foot lots. Such large lot size requirements constrain the development of housing in areas where the County is committed to maintaining the viability of agriculture. Furthermore, the County's Development Code is consistent with provisions of Health and Safety Code 17021.5. Section 22.32.023 of the County's Development Code states:

“Each agricultural worker housing that provides accommodation for six or fewer employees...equivalent to one dwelling unit with the exception that agricultural worker housing providing accommodations for 7 to 12 employees shall not be counted for purposes of computing residential density.”

This section of the Development Code ensures that agricultural worker housing for six or fewer employees is a permitted use, with the same allowances as a single family dwelling. Recognizing

agriculture's role as a primary industry and substantial contributor to Marin County's economic vitality, the Housing Element includes a program to encourage agricultural worker housing on large, protected agricultural parcels (2.i *Modify Development Code to Reflect Williamson Act*), and another to increase or upgrade the quality of existing agricultural worker housing (2.j *Promote the Development of Agricultural Units in Agricultural Zones*).

### ***Zoning Standards for Special Housing Types***

In accordance with recently enacted law (Chapter 633 of Statutes 2007, SB 2), transitional and supportive housing are considered residential uses of property and are subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. This Housing Element contains recently implemented programs that clarify the Development Code's consistency with SB 2 (1.j *Zone and Provide Appropriate Standards for SRO Units*, 1.k *Zone and Provide Appropriate Standards for Homeless Shelters* and 1.l *Enable Transitional and Supportive Housing*).

### ***Open Space, Lot Coverage, and Unit Size Requirements***

There are no minimum open space or maximum lot coverage standards for development projects in Marin. However, in conformance with the Quimby Act, a parkland dedication of three acres for every 1,000 people in a project area is required for subdivisions. Where there is no park or recreation facility designated, a fee in lieu of dedication shall be required. The fee is based on the fair market value of land that would otherwise be required.

The County has no unit size requirements except for limitations on the size of residences in commercial zones, with the exception of C-APZ, and on second units to encourage more affordable housing types. Please see discussion in the relevant section.

### ***Building Code and Enforcement***

Marin County adopts the International Building Code and Uniform subsidiary codes that establish minimum standards for building construction. The County has amended two specific provisions contained in the model codes which can impose additional costs on residential development: 1) Fire sprinklers are required in all new residential structures and any addition or substantial remodel that exceeds 50% of the original structure, and 2) Class 'A' roofing is required because of potential fire hazard. The standards may add material and labor costs but are felt to be necessary minimum standards for the health and safety of those occupying the structures.

The County also enforces provisions of the California Building Standards Code (Title 24), specifically those provisions related to energy conservation and efficiency. While these requirements have been strengthened over time resulting in increased construction costs, greater energy efficiency results in lower operating costs for the resident. For additional information on the County's energy efficiency efforts, refer to Section IV: Sites Inventory and Analysis.

The County's code enforcement program is complaint-driven. The County has four staff dedicated to building and zoning code enforcement while additional staff is dedicated to septic system monitoring and enforcement. Most complaints are resolved voluntarily through corrective action by the property owner, although some require additional actions through hearings and assessment of fines. In instances where work is done without building permits, additional fees and penalties are assessed and the work must meet minimum code standards.

Code enforcement staff has been trained on available resources and makes referrals when appropriate. For example, they make referrals to Marin Housing Authority for the rehabilitation loan program, to Marin Center for Independent Living for accessibility re-habilitation needs, or to the

Department of Health and Human Services for support services. The County has adopted policy consistent with Health and Safety Code Section 17980(b)(2), and code enforcement staff uses these guidelines in their enforcement activities.

### ***Parking Standards***

Marin County's parking standards are based on the anticipated use of a structure. Figure III-5 and Figure III-6 below outlines current parking requirements. Projects that apply for a density bonus are eligible to apply reduced parking standards, consistent with Government Code Section 65915.

Parking requirements can increase the costs and difficulty of developing affordable housing projects. Flexibility in applying these requirements could make development easier and reduce costs. Currently, a 50% reduction in parking is allowed for senior housing. The County will evaluate further options for reduced parking requirements, especially for infill sites close to transit, second units, and affordable housing projects where research confirms a lower per-capita rate of vehicle ownership (*1.i Review and Update Parking Standards*). These concepts will be evaluated in the context of whether implementing alternative standards can make a project feasible or reduce costs without burdening the immediate neighborhood, and make the best use of limited land resources.

Figure III-5: Summary of Parking Requirements for Multi-Family Development

	<b>Section 24.04.340</b>	<b>Density Bonus, Section 22.24.030</b>
Studio units	1.2 spaces per unit	1 space per unit
One bedroom units	1.5 spaces per unit	1 space per unit
Two bedroom units	2.0 spaces per unit	2 spaces per unit
Three bedroom units	2.5 spaces per unit	2 spaces per unit
Four bedroom units	2.5 spaces per unit	2.5 spaces per unit

The 2009 Marin Countywide Housing Element Workbook conducted a cross jurisdictional survey of parking standards (Figure III-6), which shows that Marin County's requirements are among the lowest for single-family homes and duplexes but are slightly higher than surrounding municipalities for apartments. This Element contains a program to consider further parking reductions (*1.i Review and Update Parking Standards*).

Figure III-6: Parking Comparison – Marin Jurisdictions

	Single Family Home		Duplex (2 units 3BR each)		Single family home with second unit		Studio Apartment		One Bedroom Apt		Two Bedroom Apt		Three Bedroom Apt		Four Bedroom Apt	
	Covered	Total	Covered	Total	Covered	Total	Covered	Total	Covered	Total	Covered	Total	Covered	Total	Covered	Total
Belvedere	0	2	0	4	0	3	0	0	1.25	1.25	1.25	1.25	2	2	2	2
Corte Madera	1	2	2	4	1	3	1	1.5	1	1.5	1	2	1	2	1	2
Fairfax	1	3	2	5	1	4	1	2	1	2	1	2	1	2	1	0
Larkspur	1	4	2	7	1	5	0	1	0	1	0	1.5	0	2	0	2
Mill Valley	0	3	0	6	0	3	0	3	0	3	0	3	0	3	0	3
Novato	1	2	2	4	1	3	1.2	1.2	1	1.5	1	2	1	2.2	n/a	n/a
Ross	1	2	n/a	n/a	1	3	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
San Anselmo	0	2	0	4	0	3	0	1	0	1	0	2	0	2	0	2
San Rafael	2	2	2	4	2	3	0	1	0	1	0	1.5	1	2	1	2
Tiburon	0	2	0	3	0	3	0	1.5	0	1.5	0	2	0	2.5	0	2.5
County of Marin	0	2	0	2	0	3	0	1.2	0	1.5	0	2	0	2.5	0	2.5

Source: Marin Countywide Housing Workbook

### On/Off Site Improvement Standards and Exactions

Marin County Code provides minimum design guidelines to achieve health and safety requirements. Administered by the Department of Public Works and the Community Development Agency, standards for on and off site improvements are detailed in Appendix H. The summary includes requirements related to street improvements, driveways, landscaping, easements, drainage, parkland dedication and fees, sewage disposal and water supply.

#### Analysis:

Overall, the purpose of on and off site requirements is to ensure the health and safety of residents. While required on and off site improvements may add to the cost of housing on affected properties, it is not evidenced that these requirements and associated costs represent a higher standard than other jurisdictions in the County and beyond. For example, the required width of public utility easements is no less than 10 feet for the unincorporated County, San Rafael and Novato. Parkland dedications and fees are calculated in an identical fashion to San Rafael and Novato. Additionally, street and driveways widths and grades in the County's Development Code are on par with the requirements set forth in Novato and San Rafael's Codes or Ordinances. On- and off-site improvement requirements do not constitute extraneous requirements, with the exception perhaps of landscaping and parkland dedication requirements. However, the requirements are not onerous, and the additional cost associated with these requirements may enhance property value and minimize the constraint presented by community opposition to new development. Parkland

dedication fees are waived for affordable housing developments. Therefore, the County's improvement requirements do not pose constraints to the development of housing.

### ***Cumulative Impacts of Development Standards on the Cost and Supply of Housing***

The County's development standards ensure procedural consistency, promote a cohesive built environment, and protect the long-term health, safety and welfare of the community. However, particular requirements may appear reasonable on their own, but may limit development opportunities when combined with other requirements. Sometimes, the combined effect of different development controls can limit the feasibility of certain types of development. The best way to evaluate the cumulative impacts of development standards on the cost and supply of housing is to analyze whether the County met its fair share of the RHNA. The County in fact exceeded its RHNA obligations at all income levels between 1999 and 2006 with housing built and approved in the County.

### ***Second Units***

A larger discussion of second units is presented in Section IV: Site Inventory Analysis, including data on units permitted, the 2007-2008 Amnesty Program, and the affordability survey. Consistent with Government Code Section 65852.2, second units are allowed in all residential zoning districts as a permitted use. New second units are limited to 750 square feet in size. The 2008 second unit survey found that smaller units in Marin County are not necessarily more affordable. Therefore, the County will further analyze second unit size and consider an increase in allowable size to accommodate families, particularly in the Coastal Zone.

Owner occupancy of the primary or secondary unit is required except in the communities of Bolinas and Inverness, and may be waived in the Tamalpais area. Owner occupancy is a potential constraint to ongoing availability of second units, but has not been an issue to date.

Parking standards for second units require one space for a studio or one bedroom, and two spaces for a two or more bedroom unit. All parking spaces should be off-street and independently accessible. Particularly in the urban areas of the County, adding on-site parking to an existing residential lot can be onerous. In order to encourage the development of second units, the County addresses these constraints through a subprogram to allow flexibility in second unit parking requirements (*1.g Undertake Adjustments to Second Unit Development Standards, subprogram d Develop standards to allow flexibility of second unit parking requirements, etc.*).

Figure III-7: Development Standards, Conventional Zoning Districts

ZONING DISTRICT	EXAMPLES OF PERMITTED USES (Without use permit)	MINIMUM LOT AREA	MINIMUM SETBACKS <sup>4,5,6</sup> (Front) (Side)		MAXIMUM HEIGHT <sup>7,8</sup> (Main building)	MAXIMUM FAR <sup>9,10</sup> (Floor Area Ratio)
R-1		7,500 sq. ft.	25 ft.	6 ft.		
R-1:B-1	• Single-family dwelling	6,000 sq. ft.	25 ft.	5 ft.		
R-1:B-2	• Accessory buildings and uses	10,000 sq. ft.	25 ft.	10 ft.	30 ft. maximum	30%
R-1:B-3	• Home occupations	20,000 sq. ft.	30 ft.	15 ft.		
R-1:B-4	• Public parks and playgrounds	1 acre	30 ft.	20 ft.		
R-1:B-4	• Crop and tree farming					
R-1:B-4	• Nursery and greenhouses					
R-A		7,500 sq. ft.	25 ft.	6 ft.		
R-A:B-1	• All uses permitted in R-1	6,000 sq. ft.	25 ft.	5 ft.		
R-A:B-2	• Limited livestock uses	10,000 sq. ft.	25 ft.	10 ft.	30 ft. maximum	30%
R-A:B-3	• (see Section 22.32.030, M.C.C.)	20,000 sq. ft.	30 ft.	15 ft.		
R-A:B-4	• Dairy on five acres or more	1 acre	30 ft.	20 ft.		
A-2		2 acres	25 ft.	6 ft.		
A-2:B-1	• All uses permitted in R-1	6,000 sq. ft.	25 ft.	5 ft.		
A-2:B-2	• Limited agricultural uses	10,000 sq. ft.	25 ft.	10 ft.	30 ft. maximum	30%
A-2:B-3	• Horse stables and riding academies	20,000 sq. ft.	30 ft.	15 ft.		
A-2:B-4	• Dog kennels having six or less dogs	1 acre	30 ft.	20 ft.		

FOOTNOTES:

- For information regarding other zoning districts, please contact the Marin County Community Development Agency, Planning Division.
- Minimum lot area requirements increase on sloping lots (see Chapter 22.82, Marin County Code).
- Design review approval is required on vacant lots proposed for development that are at least 50% smaller than the required lot area (Section 22.42.030, M.C.C.).
- Setback requirements for corner lots, double frontage lots, and detached accessory structures may vary (see Sections 22.08.040 & 22.10.040, M.C.C.).
- Setback requirements are measured from access easements/right-of-ways within yard areas (see Section 22.20.090, M.C.C.). Setbacks to streams may be increased if a watercourse exists on or near a subject property (see DPW-Flood Control). Development within the Countywide Plan's Stream Conservation Area on vacant lots that adjoin a mapped anadromous fish stream is subject to different setback standards (see Section 22.42.045, M.C.C. and Countywide Plan Policies EQ-2.3 to 2.6).
- Some architectural features (roof overhangs, chimneys, bay windows, etc.) may be permitted to encroach into the required setbacks (see Section 22.20.090, M.C.C.).
- Main buildings over 30 ft. in height require design review approval. Main buildings over 35 ft. in height require Variance and design review approvals.
- Maximum building height for detached accessory buildings is 15 ft. Accessory buildings over 15 ft. require use permit approval.
- All single-family dwellings with a building area greater than 4,000 sq. ft. require design review approval.
- For information regarding the calculation of FAR in the Tamalpais planning area, please refer to the Tamalpais Area Community Plan Program LU1.4a.

Figure III-8: Development Standards, Planned Districts

ZONING DISTRICT <sup>1</sup>	EXAMPLES OF PERMITTED USES (Without use permit)	EXAMPLES OF DENSITY (Maximum units/acre)	MAXIMUM HEIGHT (Main) (Accessory)	DEVELOPMENT <sup>2</sup> STANDARDS
RSP Residential, Single-family Planned	<ul style="list-style-type: none"> <li>Single-family dwelling</li> <li>Accessory buildings and uses</li> <li>Public parks and playgrounds</li> <li>Crop and tree farming</li> <li>Nurseries and greenhouses (private)</li> <li>Home occupations</li> </ul>	RSP-0.25 1 unit/4 acres RSP-0.5 1 unit/2 acres RSP-1.0 1 unit/acre RSP-2.0 2 units/acre RSP-10 10 units/acre	30 ft. 15 ft.	Determined by master plan and/or design review
RMP Residential, Multiple-family Planned	<ul style="list-style-type: none"> <li>All uses permitted in RSP</li> <li>Two-family and multiple-family dwellings</li> <li>Lodges and organizational houses</li> <li>Schools, libraries, museums, churches, private residential recreational facilities</li> </ul>	RMP-1.0 1 unit/acre RMP-5.0 5 units/acre RMP-10 10 units/acre RMP-30 30 units/acre RMP-45 45 units/acre	30 ft. 15 ft.	Determined by master plan and/or design review
ARP Agricultural, Residential Planned	<ul style="list-style-type: none"> <li>Single-family dwelling</li> <li>Accessory buildings and uses</li> <li>Agricultural uses: grazing, dairying, crop farming, fish hatchery, poultry, etc.</li> <li>Equestrian uses: grazing, breeding, training, boarding, etc.</li> </ul>	ARP-2.0 1 unit/2 acres ARP-10 1 unit/10 acres ARP-30 1 unit/30 acres ARP-60 1 unit/60 acres	30 ft. 15 ft.	Determined by master plan and/or design review

FOOTNOTES:

- For information regarding other zoning districts, please contact the Marin County Community Development Agency, Planning Division.
- Please see Chapters 22.08, 22.10, and 22.16 of Marin County Code for more information on uses, design standards, and requirements. All development in planned districts is subject to master plan and/or design review approval.
- Development within the Countywide Plan's Stream Conservation Area is subject to different setback standards (see Countywide Plan Policies EQ-2.3 to 2.6).

Figure III-9: Development Standards, Commercial Districts

Zoning District	Minimum Lot Area (1)	Maximum Residential Density (2)	Minimum Setback Requirements (3)			Height Limit (4)		Maximum FAR (5)
			Front	Sides	Rear	Primary	Accessory	
VCR		1 unit per 2,000 sq.ft. of lot area	0 ft.	0 ft. for commercial use, 5 ft. for residential use	0 ft. for commercial use, 15 ft. for residential use			
AP		1 unit per 1,450 sq. ft. of lot area	25 ft.	6 ft. for 1-story building, 10 ft. for multi-story building, or on street side	20 ft.			
C1	7,500 sq.ft.	1 unit per 1,450 sq. ft. of lot area	30 ft. 0 ft.	6 ft. adjacent to residential district, none otherwise	12 ft. adjacent to residential district, none otherwise	35 ft.	15 ft.	Not applicable
CP		1 unit per 1,450 sq. ft. of lot area	Not applicable			30 ft.	15 ft.	Not applicable
IP		Not permitted						
RCR	Not applicable	Affordable Housing per CWP						
OP		Not permitted in OP;						
RMPC		See Zoning Map for RMPC						

**FOOTNOTES:**

- Minimum lot area and setback standards may change, as follows:
  - In VCR, AP, H1, and C1 districts, the minimum lot area and setback standards may change when the district is combined with a "B" district in compliance with provisions of section 22.14.050 (Minimum Lot Size "B" Combining District).
  - In VCR, AP, H1, and C1 districts, including those combined with "B" districts, the minimum lot area may change in areas of sloping terrain in compliance with provisions of section 22.82.050 (Hillside Subdivision Design).
  - In CP, IP, RCR, OP, and RMPC districts, minimum lot area is determined through the master plan, precise development plan, or design review process in compliance with chapters 22.44 (Master Plans and Precise Development Plans) or 22.42 (Design Review). Through such process, the review authority will determine whether the lot area is adequate for the proposed land use.
- Except for affordable housing, dwellings are not permitted in RCR districts. Where dwellings are permitted, the following standards apply:
  - In RMPC districts, when determining the maximum residential density allowed, any fraction of a dwelling unit of 0.90 or greater will be counted as a whole unit.
  - In C1 districts, dwellings are allowed only on above the first floor. The first floor shall be reserved for non-residential use.
- See (1) above. See section 22.20.090 (Setback Requirements and Exceptions) for setback measurement, allowed projections into setbacks, and exceptions to required setbacks. In CP, IP, RCR, OP, and RMPC districts, setbacks determined through the master plan, precise development plan, or design review process in compliance with chapters 22.44 (Master Plans and Precise Development Plans) or 22.42 (Design Review).

4. See section 22.20.060 (Height Measurement and Height Limit Exceptions) for height measurement and exceptions. In VCR, H1, or C1 districts, single-family dwellings over thirty feet in height require design review approval in compliance with chapter 22.42 (design review), and single-family dwellings over thirty-five feet in height require design review and variance approval in compliance with chapters 22.42 (design review) and 22.54 (Variances).
  5. In VCR, H1, or C1 districts, single-family dwellings that contain over four thousand square feet of floor area require design review approval in compliance with chapter 22.42 (Design Review).
  6. See Section 22.32.150 Residential Uses in Commercial/Mixed Use Areas for standards on residential development. For mixed use developments, the floor area ratio shall not exceed the floor area ratio as established by the governing Countywide Plan Land Use Designation.
  7. The maximum residential density for proposed subdivisions for that portion or portions of properties with sensitive habitat or within the Ridge and Upland Greenbelt or the Baylands Corridor, and properties that lack public water or sewer systems, shall be calculated at the lowest end of the density range as established by the governing Countywide Plan Land Use Designation, except for projects that provide significant public benefits, as determined by the Review Authority, and lots proposed for affordable housing. This restriction does not apply to lots governed by the Countywide Plan's PD-AERA (Planned Designation – Agricultural and Environmental Reserve Area) land use designation and to lots in the Baylands Corridor that are two acres or less in size that were legally created prior to January 1, 2007.
  8. The maximum non-residential and non-agricultural floor area for that portion or portions of properties with sensitive habitat or within the Ridge and Upland Greenbelt or the Baylands Corridor, and properties that lack public water or sewer systems, shall be calculated at the lowest end of the floor area ratio range as established by the governing Countywide Plan Land Use Designation, except for projects that provide significant public benefits, as determined by the Review Authority. The floor area ratio restrictions do not apply to additions to non-residential and non-agricultural structures not exceeding 500 square feet. This restriction does not apply to lots governed by the Countywide Plan's PD-AERA (Planned Designation – Agricultural and Environmental Reserve Area) land use designation and to lots in the Baylands Corridor that are two acres or less in size that were legally created prior to January 1, 2007.
- See Marin County Code article VIII (Development Code Definitions) for definitions of the terms used above.

Figure III-10: Permit Requirements by District, Residential Districts

RESIDENTIAL USES	R1 Residential Single Family	RSP Residential Single Family Planned	RA Residential Agriculture	RR Residential Restricted	RE Residential Estate	R2 Residential Two Family	RMP Residential Multiple Planned	RX Residential Mobile Home Park	RF Floating Home Marina	Development Code Section:
Affordable housing	P	P	P	P	P	P	P	P	P	22.22
Floating home marinas	—	—	—	—	—	—	—	—	MP	22.32.070
Floating homes	—	—	—	—	—	—	—	—	MP	22.32.075
Group homes, 6 or fewer residents	P	P	P	P	P	P	P	P	P	22.32.080
Group homes, 7 or more residents	U	MU	U	U	U	U	MU	MU	MU	22.32.080
Guest house	P	MP	P	P	P	P	—	—	—	22.32.090
Home occupations	P	MP	P	P	P	P	MP	MP	MP	22.32.100
Mobile home parks	—	—	—	—	—	U	MU	MP	—	22.32.110
Mobile homes	—	—	—	—	—	—	—	MP	—	22.32.110
Multi-family dwellings	—	—	—	—	—	—	MP	—	—	—
Organizational houses	U	MU	U	U	U	U	MU	—	—	—
Residential accessory uses and structures	P	MP	P	P	P	P	MU	MP	MP	22.32.130
Residential care facilities	P	MP	P	P	P	P	MP	MP	MP	22.32.080
Room rentals	P	MP	P	P	P	P	MP	—	—	—
Residential second units	P	P	P	P	P	P	P	—	—	22.32.140
Single-family dwellings	P	MP	P	P	P	P	MP	—	P	—
Tennis and other recreational uses	P	MP	P	P	P	P	MP	MP	MP	22.32.130
Transitional and supportive housing	—	—	—	—	—	—	MP	—	—	—
Two-family dwellings	—	—	—	—	—	P	MP	—	—	—

Key to Permit Requirements

Permit Requirement	Procedures in Development Code Section:
P Permitted use	
U Conditional use, use permit required	Chapter 22.48
MP Permitted use, master plan/Precise Development Plan required	Chapter 22.44
MU Conditional use, use permit required where authorized by master plan/PDP	Chapter 22.44
— Use not allowed. (See 22.02.020.E regarding uses not listed.)	

Figure III-11: Permit Requirements by District, Commercial Districts

RESIDENTIAL USES	VCR Village Commercial Residential	RMPC Residential Commercial Multiple Planned	C1 Retail Business	CP Planned Commercial	AP Admin and Professional	OP Planned Office	H1 Limited Roadside Business	RCR Resort and Commercial Recreation	IP Industrial Planned	Development Code Section:
Affordable Housing	P	P	P	P	P	P	P	P	U	Chapter 22.22
Group homes, 6 or fewer residents	P	P	—	—	—	P	U	—	—	22.32.080
Group homes, 7 or more residents	U	MU	—	—	—	MU	U	—	—	22.32.080
Guest houses	P	MP	—	—	—	MP	U	—	—	22.32.090
Homeless Shelter	—	—	P	P	U	U	U	—	—	22.32.095
Home occupations	P	MP	P	MP	P	MP	P	—	—	22.32.100
Multi-family dwellings	U	MP	P	MP	P	MP	P	—	—	22.32.150
Organizational houses	U	MU	U	—	—	MU	U	MU	—	
Residential accessory uses and structures	P	MP	P	—	P	MP	P	—	—	22.32.130
Residential care facilities	P	MP	—	—	—	MP	U	—	—	22.32.080
Room rentals	P	MP	P	MP	P	MP	U	—	—	
Single-family dwellings	P	MP	P	MP	P	MP	P	—	—	22.32.150
Tennis and other recreational uses	U	MP	U	MU	—	MU	U	—	—	22.32.130
Two-family dwellings	U	MP	P	—	P	MP	P	—	—	22.32.150

Key to Permit Requirements

Permit Requirement	Procedures in Development Code Section:
P Permitted use	
U Conditional use, use permit required	Chapter 22.48
MP Permitted use, master plan/Precise Development Plan required	Chapter 22.44
MU Conditional use, use permit required where authorized by master plan/PDP	Chapter 22.44
— Use not allowed. (See 22.02.020.E regarding uses not listed.)	

Figure III-12: Permit Requirements by District, Agricultural Districts

	A2 Agriculture Limited	A3 to A60 Agriculture and Conservation	ARP Agriculture Residential Planned	C-ARP Coastal, Agriculture Residential Planned	OA Open Area Zoning/ Combining District	C-OA Coastal, Open Area District	C-APZ Agriculture Production Zone
<b>RESIDENTIAL USES</b>							
Affordable housing	P	U	P	P	—	U	U
Agricultural worker housing	P	P	P	PP	P	U	PP
Group homes, 6 or fewer residents	P	P	P	MP	—	—	P
Group homes, 7 or more residents	U	U	MU	MU	—	—	P
Guest house	P	P	MP	MP	P	P	—
Home occupations	P	P	MP	MP	P	P	P
Private residential recreational facilities	U	U	MU	MU	—	—	—
Religious residential retreats	U	U	MU	MU	—	—	—
Residential accessory uses and structures	P	P	MP	MP	P	P	P
Residential care facilities	P	P	MP	MP	—	—	P
Residential second units	P	P	P	MP	—	—	—
Room rentals	P	P	MP	MP	—	—	P
Single-family dwellings (attached or detached)	P	P	MP	MP	U	U	U
Tennis and other recreational uses	P	P	MU	MU	U	—	—

Key to Permit Requirements

Permit Requirement	Procedures in Development Code Section:
P Permitted use	
U Conditional use, use permit required	Chapter 22.48
MP Permitted use, master plan/Precise Development Plan required	Chapter 22.44
MU Conditional use, use permit required where authorized by master plan/PDP	Chapter 22.44
— Use not allowed. (See 22.02.020.E regarding uses not listed.)	

### **Countywide Plan Program Constraints**

The 2007 Countywide Plan contains a range of policies that address the competing land use pressures in Marin. Sea level rise, many areas of environmental sensitivity, limited water and sanitary resources, and high levels of traffic congestion precipitated policies that restrict residential development to the lowest end of the density range in many areas of the County. Most of these policies, however, exempt affordable housing from density limitations, acknowledging the critical need for low income housing in the community. Examples of such policies are below.

- CD-1.3 **Reduce Potential Impacts.** Calculate potential residential densities and commercial floor area ratio (FAR) at the low end of the applicable range on sites with sensitive habitat or within the Ridge and Upland Greenbelt, or properties lacking public water or sewer systems except for multi-family parcels identified in certified housing elements.
- CD-8.7.5 **Establish Commercial/Mixed-Use Land use Categories and Intensities.** For projects consisting of low income and very low income affordable units, the FAR may be exceeded to accommodate additional units for those affordable categories. For projects consisting of moderate income housing, the FAR may only be exceeded in areas with acceptable traffic levels of service — but not to an amount sufficient to cause an LOS standard to be exceeded.

Considering these limitations and feedback from the development community, a program (1.d *Streamline the Review of Affordable Housing*) in this Element has been implemented that exempts affordable housing from underlying zoning in favor of the high end of the General Plan density range<sup>8</sup>. Another program will study the implications and opportunities of a ministerial review process for affordable housing, which would seek to limit lengthy and expensive delays and hurdles in the pre-development process while ensuring that environmental protection measures consistent with the Countywide Plan are incorporated (1.e *Study Ministerial Review for Affordable Housing*).

### **Housing Overlay Designation**

The 2007 Countywide Plan update established a Housing Overlay Designation (HOD) as one mechanism to provide a range of housing types, sizes, and prices to accommodate special needs populations and workers employed in Marin County. The purpose of the HOD is to encourage affordable housing on sites close to transit and services. Underlying land uses may include Multi-family (MF), General Commercial (GP), Neighborhood Commercial (NC), Office Commercial (OC), Recreational Commercial (RC), or Public Facilities. The HOD policy names 11 specific sites which must be developed per HOD specifications should any development occur on the site. Additional projected HOD development may be distributed to other qualifying sites throughout urban areas within the City Centered Corridor, to a maximum of 658 residential units. A minimum of 30 units per acre is required, except sites designated Neighborhood Commercial. The policy requires that approximately 50% of residential development should be affordable to low or very-low income households. The County intends to partner with applicants to support the high level of affordability. Projects qualifying for the designation are entitled to development standards adjustments such as parking, floor area ratio, height, and fee reductions.

One site under the HOD policy has undergone a community planning process. A conceptual plan that included a mix of shops and residential uses was accepted by the Marin County Board of Supervisors in November 2006. Retail uses were revived at the site in 2011, and a planning application for 85 units of affordable housing is expected in late 2012. Two other sites, California

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<sup>8</sup> Marin County Development Code, Chapter 22.24.020.A Density for Affordable Housing Projects.

Park and Oak Manor, have the potential to develop in this planning period. Several HOD sites, including Marin City Shopping Center, Strawberry Shopping Center, Fireside Motel and Gallinas School, were recently redeveloped prior to the HOD policy and are unlikely to produce housing in this Housing Element cycle. The HOD has the potential to produce additional housing on unnamed, voluntary sites that qualify for the designation.

### **Processing and Permit Procedures**

Marin County's planning permit review process includes three types of actions.

1. Ministerial actions: ministerial planning permits and building permits
2. Discretionary actions: use permits, development permits, and mapping applications
3. Legislative actions: land use plan amendments, rezoning, and master plans

#### ***Ministerial Actions***

Ministerial actions are taken by planning and building and safety division staff for projects that involve the imposition of predetermined and objective criteria. Ministerial actions taken by planning staff include approvals of second units, daycare facilities, and homeless shelters. Building and safety division staff issue building permits. Ministerial actions are by far the most common type of decision issued by the County and are a routine part of development throughout the State. Ministerial actions are the most cost effective means for regulating land use and development at the County's disposal and provide developers high levels of certainty because the standards applied are clear and objective. Ministerial permits are not subject to CEQA or to appeal.

#### ***Discretionary Actions***

Discretionary actions are decisions on planning permits that involve subjective reasoning and may be taken by planning staff, the planning commission, or the board of supervisors. Discretionary planning permits are far more common than legislative actions, and are required for projects that vary considerably in their size and complexity. Permit processing requires an evaluation of an application based on substantial evidence in the record and approvals can only be issued for projects that meet predetermined findings related to the County's policies, regulations, and guidelines. For certain types of applications, including use permits and tentative maps, public hearings are required by State law. Provided an application is categorically exempt from CEQA, a decision will be issued within three months of the date that a complete application is submitted. If environmental review is required for the project, a negative declaration will normally take an additional six months and an EIR will normally take an additional year. Discretionary planning permits may be subject to CEQA and are subject to appeal to the planning commission and subsequently to the board of supervisors.

Anecdotal evidence suggests that discretionary planning permits are a significant regulatory impediment to housing development. Higher costs and delays are common because discretionary actions are subject to CEQA and are appealable. Further, risk deters financing opportunities and community opposition to affordable housing projects may result in their eventual denial. While the policies and standards implemented through the discretionary permit process are not an outright constraint on the construction of new housing, the additional public review as part of the process can increase time and costs to secure project approval. Single-family design guidelines have been instrumental in curtailing the impacts of design review on a projects cost and timeline; program 1.f in this Housing Element calls for the development of multi-family design guidelines, is intended to increase developmental certainty and create a higher level of transparency in the project review process. The most common types of discretionary planning permits are described below.

### *Use Permits*

The use permit is an effective tool that enables regulatory flexibility and the mix of residential and commercial development that make up balanced neighborhoods. The review procedures for use permits require circulation of a public notice and a public hearing before the Deputy Zoning Administrator. Public review is not an additional constraint because a public hearing for design review is also generally required in planned districts. Findings for a use permit require that the use is conditionally permitted within the zoning district, and that the project would not result in detriments to the local community.

### *Design Reviews and Precise Development Plans*

New residential developments in planned districts, homes in conventional districts that exceed 4,000 square feet of floor area, and commercial development projects are generally subject to design review. Precise development plans are design reviews for multiple properties and are sometimes related to a master plan approved for a particular property. Design reviews and precise development plans set forth in detail the design and placement of development on a site. Design reviews are the most common type of discretionary planning permit and an important tool used to implement the policies contained in the countywide plan and local community plans, the planned district development standards in the development code, and the single family residential design guidelines, and any standards required by an applicable master plan for the property. Fees for design review are outlined in Figure III-16 as part of the Fees and Exactions section. Smaller, less expensive projects benefit from a smaller fee, and affordable housing projects may have the design review fee waived.

### *Variances*

Variances are required for projects in conventional zoning districts that do not meet the development standards. The findings for variance approval are mandated by State law, and require that a property is constrained by special physical circumstances that are unique to that particular property. Site constraints such as steep slopes and substandard lot sizes are an impediment to developing housing, but variances provide some regulatory relief and in some limited cases and can allow a project that would otherwise not be able to go forward.

### *Subdivisions*

Subdivision of property requires submittal and approval of a tentative map or a vesting tentative map, which serve primarily to locate existing and proposed boundaries of all lots, building envelopes, and associated roads and utilities. If a developer seeks approval of a vesting tentative map in a planned zoning district, design reviews for the future development on the new lots is typically required. Public hearings before the Deputy Zoning Administrator are required for Subdivisions. Subdivisions typically require a negative declaration, but larger subdivisions may be required to undergo an EIR.

### *Coastal Permits*

Most development, subdivisions, and the intensification of use within the Coastal Zone is subject to a coastal permit, which is a discretionary permit that is subject to standards certified by the California Coastal Commission in Marin County's Local Coastal Plan. Coastal permits are unusual in that they regulate both development and use, even when a particular use is principally permitted within a given zoning district. For this reason, very few projects are exempt from discretionary review in the coastal zone. Risks and costs associated with the coastal permit process are further increased because coastal permit approval is appealable to the

California Coastal Commission, leading to additional costs and delays. Affordable housing projects are not exempt from coastal permit requirements. Marin County's Local Coastal Plan is undergoing review and amendment as of July 2012. Consistency between the Housing Element and the Local Coastal Program are required by law. Programs relating to the Coastal Zone have been developed collaboratively with staff working on the Local Coastal plan update.

### ***Legislative Actions***

Legislative actions must be taken by the Board of Supervisors, and are the most unusual type of planning related action. Legislative actions are usually reserved for major projects or initiated in an effort to achieve long term planning goals, and the process for their approval is commensurately complex and time consuming. Legislative actions are subject to the California Environmental Quality Act (CEQA), but are not subject to appeal.

### ***Plan and Code Amendments***

Amendments to the Countywide Plan or Community Plans are most commonly initiated by the Planning Division in conformance with State guidelines regarding general plan amendments. Text amendments to the Development Code are also normally initiated by the Planning Division in order to address changing circumstances and public attitudes. Property rezoning applications are usually initiated by private developers in an effort to modify the restrictions pertaining to their property.

### ***Master Plans***

Master plans establish standards for future development on a particular property, which serve as site specific zoning standards for future development. Master plans are required in for projects in a planned zoning district involve more than 15,000 square feet of commercial floor area or more than five housing units to be built over multiple phases in subsequent years. Master plans generally provide conceptual development envelopes, potential uses, and other information at a less detailed level than would otherwise be required for use permits or development permits. Please see the discussion of multi-family housing and master plan requirements above.

In 2012, the County amended the Development Code to exempt affordable housing projects from master plan and precise development plan requirements<sup>9</sup>, thereby implementing Housing Element program *1.d Streamline the Review of Affordable Housing*. This allowance is intended to shorten the costly pre-development process undertaken by affordable housing developers in order to secure approvals. Such projects will, however, still be subject to design review and applicable requirements of State law.

Multi-phased development on large parcels in planned districts often begins with the submittal and approval of a master plan. A master plan consists of written and graphic material setting forth a general development scheme. The master plan allows flexibility in determining building placement, height, bulk, and mass that will be most suitable for the site.

Master plan applications are heard by the Planning Commission, and recommended the Board of Supervisors for adoption. Generally, final action is taken by the Board of Supervisors within

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<sup>9</sup> Development Code 22.44.035 – The following land uses are exempt from the requirements of a Master Plan and/or Precise Development Plan: ... B. Affordable housing, except where an applicable Community Plan or Community based visioning plan approved by the Board contains policies that directly require Master Plans for development on specific properties.

60 days from the date environmental review is completed. The necessary findings required by review of master plans ensure consistency between the project and the goals and policies of the Countywide Plan and community plans, including:

- Consistency with the Countywide Plan and any applicable Community Plan
- Not detrimental to the public interest, health, safety, convenience or welfare of the county
- Site is environmentally and physically suitable for the development

The county's standard submittal requirements for master plans include an affordable housing plan, which must indicate the "Construction schedule and phasing of inclusionary units in relation to market rate units". The findings require by Development Code section 22.22.110 to approve an affordable housing plan indicate that the plan must "Specify the construction of affordable housing units and/or timing of payment of fees. All affordable housing units and other phases of a development shall be constructed prior to, or concurrent with, the construction of the primary project, unless the review authority approves a different schedule."

### ***Timing for Permit Processing***

Time requirements for review of the merits of a project are contingent on project complexity and environmental impacts. If a house design meets County standards and Uniform Building Code requirements in a conventionally zoned agricultural or urban zoning district, a building permit can be granted without further review. Processing times are usually between eight to 10 weeks after the completed application has been submitted. Figure III-13 displays application processing times which account for staff's review time, exclusive of applicant response time to completeness items. Many of these processes overlap or occur concurrently. Total processing times for a general plan amendment, assuming an EIR is needed, is approximately 65 weeks. If an EIR is not required, the timing would be significantly reduced. Other discretionary permits have immediate processing times of 12 weeks. An initial study, depending on the complexity, could add up to 24 weeks.

Figure III-13: Median Processing Times by Planning Permit Type

Type of Approval or Permit	Processing Times Unincorporated County (weeks)	Median Processing Times Countywide Average (weeks)*
Ministerial Review	9	3-5
Conditional use permit	12	7-12
Zone Change	65	20-24
General Plan Amendment	65	20-24
Site Plan Review	N/A	2-3
Development Review with public hearing	12	8-12
Tentative Maps	12	12-18
Subdivisions	12	12-36
Initial Environmental Study (additional time)	24	12-38
Environmental Impact Report	52	48
Variance	12	7-12

\*The low end of the range represents the processing times for straight forward applications; the high end of the range represents processing times for more complex applications.

Efficiency of discretionary permit approvals has increased in the last several years. In the first quarter of 2010/2011 the Planning Division issued decisions for 84% of the discretionary permits that do not require environmental review within designated 48-day timeframe. The average number of days to issue a decision (as measured from the date the application was found complete) was 30.5 days for the 32 decisions that were issued during the first quarter. Below is a comparison of Division performance during the same period in prior fiscal years.

Figure III-14: Discretionary Permit Performance Comparisons for Expedited Timeframes

	FY 06-07	FY 07-08	FY 08-09	FY 09-10	FY 10-11
Percentage	67%	60%	56%	89%	84%
# Projects	42	57	32	35	32

### ***Customer Assistance***

In an effort to clarify the application and permitting process for the public, the Community Development Agency has prepared a number of Fact Sheets that explain the review process, submittal requirements, and the time frames for processing permits, including design reviews, master plans, coastal permits, use permits, variances, environmental review, and second unit permits.

For major applications, the County encourages applicants to schedule a pre-application consultation to discuss the development concept with planning staff prior to actual submittal. The applicant benefits from the pre-application meeting by learning about local plans, codes, infrastructure availability, and related matters. A general consulting meeting service is also available for smaller-scaled applications.

The County also has created a project review committee comprised of staff from the current planning, environmental review, environmental health services and affordable housing program, with representatives from other departments such as Department of Public Works, and the Fire Marshal. This group meets to discuss major or controversial projects in order to identify potential challenges and to convey the potential problem considerations to the applicant early in the process. Future plans for this committee are to expand representation to include other outside agencies.

### ***Environmental Review***

Marin County reviews residential development projects for compliance with State and local environmental quality regulations that promote, preserve, and enhance the public welfare. Most projects are exempt from environmental review either as an action that is statutorily or categorically exempt under state guidelines. Projects subject to environmental review pursuant to the California Environmental Quality Act (CEQA) are determined to have only minor adverse impacts which can be reduced to a less than significant level or eliminated by mitigations incorporated into the project design. Environmental review for a project that has no significant impacts or that mitigates impacts to less than significant normally takes an additional six months to a year to accomplish, depending whether the project receives a negative declaration or is subject to an EIR. If the development 1) has potential environmental impacts that are not determined to be mitigated to a level of less than significant, or 2) requires further study to determine the significant impacts, appropriate mitigations, and/or project alternatives, processing time may take longer, depending on the complexity of the project and the scope of impacts, mitigations, and alternatives to be analyzed. Appendix K discusses the Supplemental Environmental Impact Review conducted on the Housing Element and the impact on future environmental review for any proposed housing developments.

#### Analysis:

To analyze whether or not the processing and permit procedures of the County are potential or actual constraints to the development of housing, they were compared with the zoning codes and development standards of Novato and San Rafael. Novato also requires master plan and precise development plans for certain types of development and certain site constraints, using nearly identical criteria and a very similar process to that at the County. Likewise, San Rafael employs a two-tiered review system for development proposals which roughly mirrors the County's Master plan process. Single-family homes not located on ridgelines undergo a lower level of review and site planning, while single-family homes on ridgelines and multi-family developments undergo a more stringent review and site planning process. The processing times (Figure III-13) for development proposals within the unincorporated County are, on average, equivalent to local cities and towns, and therefore are not found to be a constraint in comparison to the other jurisdictions. The Board of Supervisors has directed staff to engage a Citizen's Advisory Panel to identify and improve efficiencies in the entitlement review process as part of the Community Development Agency's 2012/2013 work program.

To ensure that the County's permitting procedures do not have the prohibitive effects on the development potential or cost of affordable multi-family development, a number of programs in this housing element remove possible barriers.

- *1.d Streamline the Review of Affordable Housing* allows the density of affordable housing developments to be established by the Marin Countywide Plan density range without the requirement of a use permit in zones that allow residential uses. It also exempts affordable housing from the master plan and precise development plan review.
- *1.o Simplify Review of Residential Development Projects in Planned Districts*
- *1.p Adjust Height Limits for Multi-family Residential Buildings*

#### Incentives for Affordable Housing

Amendments to the Marin County Development Code in 2008 and 2012 clarified incentives for affordable housing development. Chapter 22.24 clearly outlines a range of incentives, such as density bonuses, technical assistance, site development alternative standards, and fee waivers to encourage and facilitate the development of affordable homes. Incentives for inclusionary and 100% affordable housing include:

- Density for affordable housing projects. For affordable housing located in all districts that allow residential uses, allowable density will be established by the maximum Marin Countywide Plan density range, subject to all applicable countywide Plan policies.
- County density bonus. An increase in density of up to 10% of the number of dwelling units normally allowed by the applicable zoning district in a proposed residential development or subdivision.
- Interior design. The applicant may have the option of reducing the interior amenity level and the square footage of inclusionary units below that of large market-rate units. The County strongly encourages the use of green building principles, such as the use of environmentally preferable interior finishes and flooring, as well as the installation of water and energy efficient hardware, wherever feasible.
- Unit types. In a residential project that contains single-family detached homes; inclusionary units may be attached living units rather than detached homes or may be constructed on smaller lots.
- On-site inclusionary housing for commercial and industrial development. As an inducement to include on-site inclusionary housing in a commercial or industrial

development, the County may grant a reduction in the Development Code's site development standards or in architectural design requirements that exceed the minimum building standards approved by the State Building Standards Commission in compliance with State law (Health and Safety Code Sections 18901 et seq.), including, but not limited to, setback, coverage, and parking requirements.

- Affordable housing on mixed-use and industrial sites. In commercial/mixed-use and industrial land use categories, as designated in the Countywide Plan, the floor-area ratio may be exceeded for income-restricted units that are affordable to very low, low or moderate-income persons, subject to any limitations in the Countywide Plan.
- Impacted roadways. In areas restricted to the low end of the density range due to vehicle Level of Service standards, affordable housing developments may be considered for densities higher than the low end standard per the Countywide Plan.
- Fee waivers. The County may waive any County fees applicable to the affordable or income-restricted units of a proposed residential, commercial, or industrial development. In addition, for projects developed pursuant to Housing Overlay Designation policies and for income-restricted housing developments that are affordable to very low or low income persons, the Director may waive fees or transfer In-Lieu Housing Trust funds to pay for up to 100% of Community Development Agency fees.
- Projects developed pursuant to Housing Overlay Designation policies. Residential development projects developed in conformance with Housing Overlay Designation policies may be granted adjustments in development standards, such as parking, floor area ratio, and height, as provided in the Countywide Plan.
- Technical assistance. In order to emphasize the importance of securing affordable housing as a part of the County's affordable housing program, the County may provide assistance to applicants in qualifying for financial subsidy programs.
- Priority processing. The County shall priority process projects developed pursuant to Housing Overlay Designation policies and affordable housing developments that are affordable to very low or low income persons.

Because permit review can increase the costs of housing construction, priority processing of planning and building permits for projects affordable to lower income households has been identified as a valuable incentive. However, measurable timeframe and process standards for priority processing need to be further established to make this incentive more effective, and are identified as a program in this Housing Element (*2.p Expedite Permit Processing of Affordable and Special Needs Housing*).

The Community Development Agency has also increasingly taken the opportunity to connect applicants for affordable housing projects and community groups in the pre-application process by noticing, facilitating, or funding visioning and community engagement exercises. This Housing Element contains a number of programs to continue this practice.

- *1.b Conduct a Comprehensive Affordable Housing Sites Inventory*
- *1.f Develop Multi-family Design Guidelines*
- *2.a Encourage Housing for Special Needs Households*
- *2.e Support Efforts to House the Homeless*
- *2.f Engage in a Countywide Effort to Address Homeless Needs*
- *2.o Encourage Land Acquisition and Land Banking*
- *3.c Provide and Promote Opportunities for Community Participation in Housing Issues*
- *3.j Provide and Participate in Local Affordable Housing Training and Education*
- *3.k Update Affordable Housing Trust Fund Operating Procedures*
- *3.l Provide Leadership to the Marin Workforce Housing Trust*
- *3.m Assist with Local Funding for Affordable Housing*

- 3.0 Coordinate Among Project Funders.

#### *Affordable Housing Combining District*

Program 1.c establishes an affordable housing combining zoning district. This district will allow affordable housing development at 30 units per acre and offer development concessions on sites in the City Centered Corridor that are otherwise governed by a lower density zone. This approach will allow compact development to occur on portions of very large parcels that may have environmental conservation features. It also provides a financial edge to affordable housing over market rate developers. The program specifies that eligible sites should be identified in the Housing Element. Proposed sites are identified in Figure III-15. These properties are also identified in the Site Inventory (Figure IV-6). Units projected in that table reflect current zoning, and do not represent any increased capacity that may result from implementation of the affordable housing combining zoning district.

Figure III-15: Affordable Housing Combining District Sites

Site Name	Acres by Parcel	Acres Total	Countywide Plan 2007	Zoning 2009	AH-Combining District
St. Vincent's / Silveira	314.189 250.882	1110	PD-Agriculture and Env Resource	A2	AH zone - limited to 3.5 acres at 30 duac
Marin City Community Development	3.87	3.87	MF2	RMP-4.2 RE-B3	AH zone - limited to 0.5 acres at 30 duac
Golden Gate Seminary	48.45 25.13	73.57	MF-2	RMP-2.47	AH zone - limited to 2 acres at 30 duac

#### **Fees and Exactions**

##### **Permit Fees – County Agencies**

Local fees add to the cost of development. Figure III-16 illustrates the increased cost to two development scenarios incurred from fees assessed by Marin County in 2008. The first scenario is a 2,400 square foot, three bedroom, single-family home on a 10,000 square foot lot with a 400 square foot garage at a density of 4 units per acre, construction cost of \$500,000, and an estimated sale price of \$800,000. The second scenario is a multi-family condominium development with ten 1,200 square foot, 2-bedroom units, on 0.5 acres, with a construction cost of \$400,000 per unit, to be sold at an average of \$500,000 per unit. Line item fees related to processing, inspections, and installation services are limited by California law to the cost to the agencies of performing these services. Most jurisdictions, the County of Marin among them, establish fees that are designed to cover the costs of staff time charged on an hourly basis and materials, consistent with California law. The County's 2012 adopted fee schedule can be found as Appendix E. Fees have increased since 2008/09 to respond to the lack of permit revenue resulting from the decline in the housing market.

Figure III-16: Permit and Impact Fees Assessed by Marin County (2009)

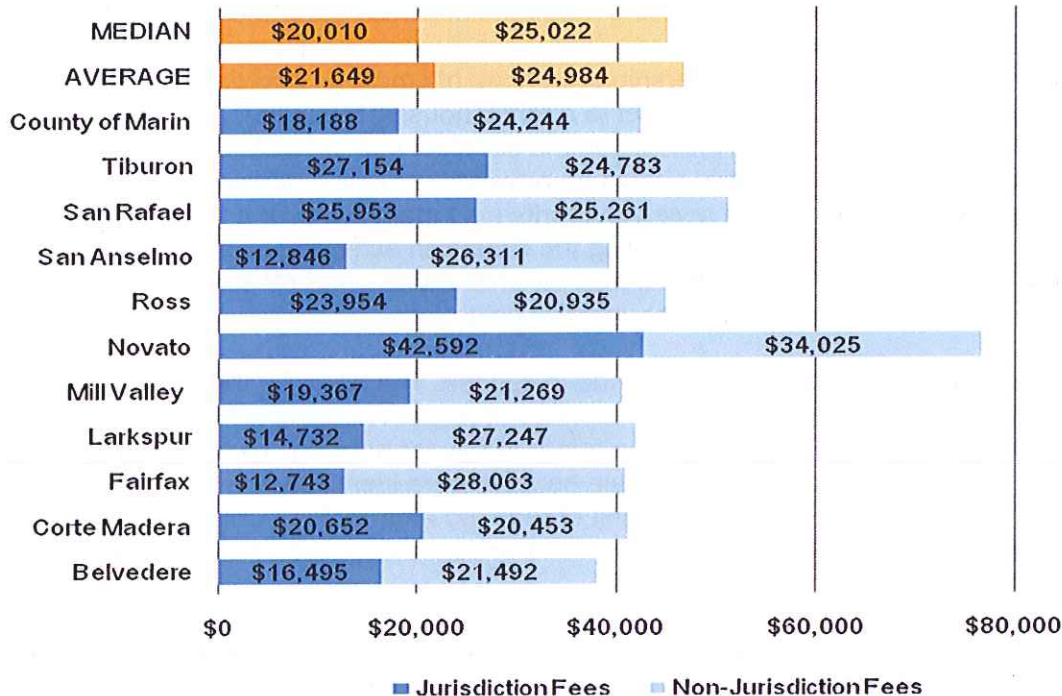
Permit Type / Impact Fee	Scenario A Single-family house, 2400 sq ft, 3 bedrooms. 10,000 sq ft lot, 4 units/acre. Construction \$500,000/unit. Sale \$800,000/unit.	Scenario B 10-unit condo development, 1,200 sq ft, 2 bedrooms. 0.5 acre lot, 20 units/acre. Construction \$400,000/unit. Sale \$500,000/unit.
Design Review	4,405	50,145
Building Permit	3,513	17,017
Plan Check	2,441	11,579
Plan Storage	0	0
Title 24 Energy Fee	703	3,408
Seismic Tax	0	0
Engineering Plan Check	1,200	1,200
Engineering Site Inspection	0	0
Planning Plan Check	705	705
Plumbing	344	824
Electrical	144	624
Mechanical (incl. fire sprinklers/ alarms)	144	624
Crime Prevention	0	0
General Plan Surcharge	644	3,492
Residential Development Tax	0	0
Construction Permits	0	0
Other	237	430
Roads	3,708	18,000
<b>County Development Fees - Example</b>	<b>\$18,188</b>	<b>\$108,048 (\$10,805 per unit)</b>

The County provides partial or full fee waivers for projects that incorporate affordable units. The Agency Director can waive or transfer from the In-Lieu Housing Trust Fund up to 100% of the planning, building and environmental health services fees for projects that include below market rate housing units, subject to the requirement that the project meet the eligibility standards for State or Federal housing funding. The amount of fees waived is determined based on the proportion of the project that consists of below market rate housing and the permanency of the housing subsidy. Historically, fees on affordable housing projects have been either waived or paid for with County Housing Trust funds.

A 2009 review of other localities in Marin found that the County's fees are generally comparable to those of the neighboring cities and towns. To provide a cross-jurisdiction comparison of development costs, the 2009 Marin Countywide Housing Element Workbook surveyed all 12 local jurisdictions on residential development fees. Jurisdictions provided development fees for the two hypothetical scenarios discussed above. The following two figures (Figure III-17 and Figure III-18) illustrate the portion of planning, building, and impact fees that contribute to the total charged by each jurisdiction. Fees collected by outside agencies, such as water, sewer, and school impact fees, are also included. Typically, school impact fees are set by the school district, water connection and impact fees are set by the water district and sewer connection and impact fees are set by the sanitary district. Water and sewer fees are fairly consistent throughout the jurisdictions in the County, with the exception of Novato, where water fees are considerably higher.

In the comparison for the single-family home (Figure III-17), the County of Marin's fees were close to the median, including \$18,188 in jurisdiction fees and \$24,244 for non-jurisdiction fees.

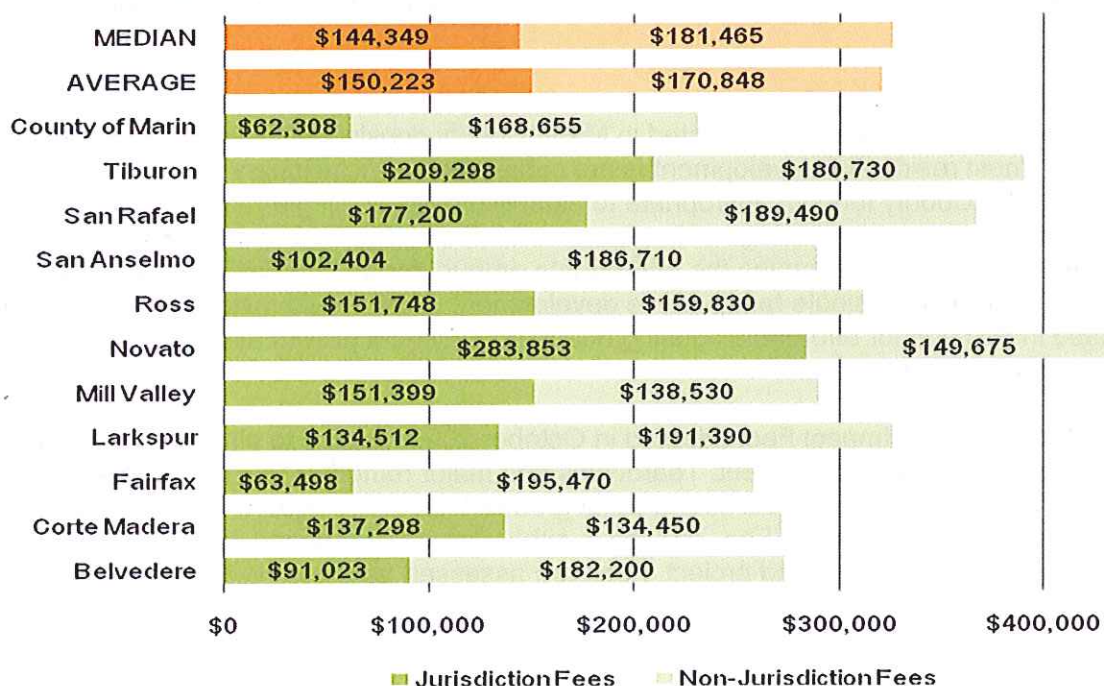
Figure III-17: Comparison of Total Development Fees, Single Family Home



Source: 2009 Marin Countywide Housing Element Workbook, Development Fee Survey Report

The same comparison for the multi-family development (Figure III-18) found that the County's fees were considerably below the median, including the lowest fees charged by a jurisdiction, at \$62,308, and \$168,655 in non-jurisdiction fees.

Figure III-18: Comparison of Total Development Fees, 10-unit Condo



Source: 2009 Marin Countywide Housing Element Workbook, Development Fee Survey Report

### ***Inclusionary Housing***

Marin County has had an inclusionary housing requirement since 1980. Section 22.22 of the Development Code currently requires that residential subdivisions shall provide 20% of the total units or lots for affordable housing. Ownership developments must be affordable to low income households. Rental developments are subject to a rental housing impact fee, or may alternatively provide very low income units within the development. All inclusionary units must be income restricted in perpetuity. Units should be provided within the development, although the ordinance allows for flexibility; the review authority may grant a waiver if the alternative proposal demonstrate a better means of serving the County in achieving its affordable housing goals than the requirements. Waiver options may be units constructed off-site, real property may be dedicated, or 125% of the in-lieu fee may be paid.

A fee study was conducted in 2008 to update the in-lieu fee. The basis for the fee is the difference between the development costs and prices of modest housing in Marin County and the amount that lower income households can afford to pay for housing. To establish this affordability gap, the gaps for rental and for-sale housing were identified and then combined. The in-lieu fee in 2009 is \$232,020 for each unit of required affordable housing not constructed; this encourages actual provision of affordable units. Funds are deposited into the Affordable Housing Trust Fund.

In addition, the fee study looked at whether the increased inclusionary fee posed a constraint to housing development. The Study found that the inclusionary housing requirements are not a constraint on market rate housing development because the inclusionary housing program in Marin has been in effect since 1980 and is well known by members of the real estate and development community and have been incorporated into the cost of land. Another way to determine if the new fee is a constraint is to compare Marin County's in-lieu fee with fees charged in surrounding areas. In theory, if Marin County's in-lieu fee is much higher than what neighboring jurisdictions impose, then it is possible that developers will build in neighboring cities, rather than pay the higher in-lieu fees in Marin County. The fee is comparable to San Francisco and San Rafael, and not significantly higher than a number of other surrounding jurisdictions.

### ***Affordable Housing Impact Fee***

Because the majority of homes constructed in Marin County consist of custom built high-end market units, most residential development is not subject to the Inclusionary Housing requirement. The County found it appropriate to establish a fee on single-family home development to address the shortage of low-income homes in the community. A nexus study was conducted in 2008 to determine the appropriate amount for an affordable housing impact fee to be charged on new single-family home development which would mitigate the impact of an increase in demand for affordable housing due to employment growth associated with the new single-family development.

The Affordable Housing Impact Fee, adopted in October 2008, applies to all new single-family homes greater than 2,000 square feet. Teardowns and major remodels that would result in over 500 square feet of new space and a floor area of greater than 2,000 square feet are also subject to the Affordable Housing Impact Fee. The fee is either waived or reduced when a second unit is included as part of the proposed project. Fees are assessed as shown in Figure III-19 below:

Figure III-19: Affordable Housing Impact Fee

Example Home Size	Fee Per Square Foot	Housing Impact Fee (\$5 and \$10 per ft <sup>2</sup> )	If proposed project includes second unit or agricultural worker unit
< 2,000	\$0	\$0	\$0
2,500	\$5	\$2,500	\$0
> 3,000	\$10	\$10,000	\$5,000
3,500	\$10	\$15,000	\$7,500
4,000	\$10	\$20,000	\$10,000

From its inception in January 2009 through May 2012, the Affordable Housing Trust Fund collected \$747,390 in Affordable Housing Impact Fees from large new single family homes or additions.

#### **Permit Fees – Outside Agencies**

Unincorporated Marin's water and sanitary disposal needs are serviced by 20 separate water, sanitation, community service, and public utility districts. In June 2009, the Community Development Agency informed all districts of the 2009 Housing Element update through written correspondence. Per SB 1087, the letter detailed:

- The need to accommodate new residential units per the Regional Housing Needs Allocation at the prescribed income levels.
- The requirement that water and sewer providers must grant priority for service allocations to proposed developments that include housing units affordable to lower-income households.

Upon adoption, the Community Development Agency will provide a copy of the Housing Element to water and sewer providers.

As discussed previously, fees from outside agencies constitute a significant share of the total fees charged to a project. While the County does not control outside agency fee schedules, an analysis of cumulative fee impacts establishes a broader picture of potential housing constraints. A program is included to work with these agencies to encourage fee waivers for affordable and special needs housing (*3.e Coordinate with Other Agencies*).

#### **Water Connection and Impact Fees**

Water fees are determined by each water district. Marin is served primarily by two districts, North Marin Water District and Marin Municipal Water District. This fee analysis continues using the two previously described housing scenarios of a 2,400 square foot house and a 10-unit condo development.

Figure III-20 below summarizes typical water fees for new residential developments. It includes installation fee, connection fee, meter charge, and any other initial fees required prior to the commencement of service. Monthly service fees and any other ongoing charges are not included.

Figure III-20: Average Water Fees

Service Area	Water District	Single-family Home	10-Unit Condo
Belvedere	Marin Municipal Water District	\$14,141	\$102,890 (\$10,289 per unit)
Corte Madera			
Fairfax			
Larkspur			
Mill Valley			
Ross/Kentfield			
Tiburon			
San Anselmo			
San Rafael			
Novato	North Marin Water District	\$23,275	\$76,175 (\$7,618 per unit)

Source: 2009 Marin Countywide Housing Element Workbook

### Sewer Connection and Impact Fees

Unincorporated Marin is served by approximately 16 sanitary districts. Each sanitary district categorizes and calculates sewer fees using a different method. A new residential development may be subject to fees for permits, inspections, connection, and impact. Terminology between districts is not standardized. The average fees provided in Figure III-21 summarize typical sewer fees for new residential developments. The figures include installation fees, connection fees, inspection fees, and any other initial fees charged prior to the commencement of service. Monthly service fees and any other ongoing charges are not included. Despite the number of sanitary districts and charging methods, sewer fee levels are remarkably consistent across the surveyed jurisdictions.

Figure III-21: Average Sanitary Fees

Service Area	Sanitary District	Single Family Home	1-Condo Unit	10-Unit Condo
Belvedere	Sanitary District No. 5	\$7,351	\$6,083	\$60,290 (\$6,029 per unit)
Tiburon		\$7,282	\$6,026	\$59,720 (\$5,972 per unit)
Corte Madera	Sanitary District No. 2 (Jurisdiction)	\$6,747	\$6,747	\$67,470 (\$6,747 per unit)
Fairfax	Ross Valley Sanitary District No 1.	\$6,794	\$6,594	\$56,940 (\$5,694 per unit)
Larkspur †				
Ross				
San Anselmo	Jurisdiction's Department of Public Works	\$4,000	\$4,000	\$40,000 (\$4,000 per unit)
Mill Valley				
Novato	Novato Sanitary District	\$7,390	\$7,390	\$73,900 (\$7,390 per unit)
San Rafael	Las Gallinas Sanitary District	\$6,200	\$6,200	\$62,000 (\$6,200 per unit)

† Jurisdiction calculated slightly lower fees than sanitary district. (2008).

## **Housing for People with Disabilities**

As noted in the Special Needs section of the Housing Needs Assessment, persons with disabilities have specific housing needs related to affordability, accessibility, access to transportation and services, and alternative living arrangements (such as Single Room Occupancy units and housing that includes supportive services). The County ensures that new housing developments comply with California building standards (Title 24 of the California Code of Regulations) and Federal requirements for accessibility.

### **Reasonable Accommodation**

A series of Federal and State laws have been enacted over the past several years to prohibit policies that act as a barrier to individuals with disabilities who are seeking housing. Among such laws are the Federal Fair Housing Amendments Act of 1988, California's Fair Employment and Housing Act, and the State's housing element law. Additionally, the U.S. Department of Housing and Urban Development (HUD) requires that localities utilizing Community Development Block Grant (CDBG) funds prepare an Analysis of Impediments to Fair Housing Choice. Taken together, these pieces of legislation require jurisdictions to take affirmative action to eliminate regulations and practices that deny housing opportunities to individuals with disabilities.

Consistent with Federal and State law, each housing element should contain policies and programs to implement fair housing laws and to provide housing for all needs groups. Fair housing laws and supporting Federal and State legislation require all cities and counties to further housing opportunities by identifying and removing constraints to the development of housing for individuals with disabilities, including local land use and zoning barriers, and also to provide reasonable accommodation as one method of advancing equal access to housing.

The fair housing laws require that cities and counties provide flexibility or even waive certain requirements when it is necessary to do so in order to eliminate barriers to housing opportunities for people with disabilities. An example of such a request might be for installation of a ramp in a front yard to facilitate access from the street to the front door.

The State Attorney General, in a letter to the City of Los Angeles in May 2001, stated that local governments have an affirmative duty under fair housing laws to provide reasonable accommodation, and that "[i]t is becoming increasingly important that a process be made available for handling such requests that operates promptly and efficiently." The Attorney General advised jurisdictions not to rely on existing variance or conditional use permit processes, because they do not provide the correct standard for making fair housing determinations, and because the public process used in making entitlement determinations fosters opposition to much needed housing for individuals with disabilities. In response to the Attorney General's letter, many cities throughout the State are adopting fair housing reasonable accommodation procedures as one way of addressing barriers in land use and zoning regulations and procedures.

A fundamental characteristic of a fair housing reasonable accommodation procedure is the establishment of appropriate findings that reflect the intent and specific language of both the Federal and State fair housing statutes. This is somewhat different from traditional or typical zoning cases, because here the focus of review is on the need of the individual with disabilities to overcome barriers to housing, not on the topography of the site or unique characteristics of the lot. The focus here is solely on the special needs of the individual to utilize his or her home or dwelling unit, which is directly related to the individual's disability. It is this reasoning that underlies the Attorney General's warning not to utilize variance criteria for such determinations.

### ***Procedures for Ensuring Reasonable Accommodations***

To provide exceptions in zoning and land use criteria for housing for persons with disabilities, Marin County currently utilizes either a variance or an encroachment permit process to accommodate requests, such as for special structures or features (e.g., access ramps or lifts) needed by persons with physical disabilities. While both variance and encroachment permit applications may be handled through an administrative procedure, the standard used to evaluate such exceptions may conflict with laws applicable to housing for persons with disabilities. As a result, this Housing Element includes a program to establish in the Development Code a written and administrative reasonable accommodation procedure for providing exceptions in zoning and land use regulations for housing for persons with disabilities (*2.g Ensure Reasonable Accommodation*).

### ***Efforts to Remove Regulatory Constraints for Persons with Disabilities***

The State has removed any local discretion for review of small group homes for persons with disabilities (six or fewer residents). The County does not impose additional zoning, building code, or permitting procedures other than those allowed by State law. There are no County initiated constraints on housing for persons with disabilities caused or controlled by the County. The County also allows residential retrofitting to increase the suitability of homes for persons with disabilities in compliance with accessibility requirements. Such retrofitting is permitted under Chapters 11 A & B, of the 2007 version of the California Building Code Title 24. Further, the County works with applicants who need special accommodations in their homes to ensure that application of building code requirements does not create a constraint. Finally, this Housing Element includes a program to amend the Development Code to clarify that retrofitted access ramps are permitted in setback areas (*2.g Ensure Reasonable Accommodation*).

### ***Zoning and Other Land Use Regulations***

Marin County implements and enforces Chapters 11 A & B, 2007 California Building Code Title 24. The County provides information to all interested parties regarding accommodations in zoning, permit processes, and application of building codes for housing for persons with disabilities.

The County has not identified any zoning or other land-use regulatory practices that could discriminate against persons with disabilities and impede the availability of housing for these individuals.

Examples of the ways in which the County facilitates housing for persons with disabilities through its regulatory and permitting processes include:

- The County permits group homes of all sizes in all residential districts. All of the County's commercial zones also allow group homes. The County has no authority to approve or deny group homes of six or fewer people, except for compliance with building code requirements, which are also governed by the State.
- The County does not restrict occupancy of unrelated individuals in group homes and does not define family or enforce a definition in its zoning ordinances.
- The County permits housing for special needs groups, including for individuals with disabilities, without regard to distances between such uses or the number of uses in any part of the County. The Land Use Element of the General Plan does not restrict the siting of special needs housing.

### **Permitting Procedures**

The County does not impose special permit procedures or requirements that could impede the retrofitting of homes for accessibility. Requirements for building permits and inspections are the same as for other residential projects. Staff is not aware of any instances in which an applicant experienced delays or rejection of a retrofitting proposal for accessibility to persons with disabilities. As discussed above, County Code allows group homes of six or fewer persons by right, as required by State law. No use permit or other special permitting requirements apply to such homes. The County does require a use permit for group homes of more than six persons in all residential and commercial zones that allow for residential uses. The County does not impose special occupancy permit requirements or business licenses for the establishment or retrofitting of structures for residential use by persons with disabilities. If structural improvements were required for an existing group home, a building permit would be required. If a new structure were proposed for a group home use, design review would be required as for other new residential structures. The permit process has not been used to deny or substantially modify a housing project for persons with disabilities to the point where the project became no longer feasible.

### **Universal Design**

Marin County has not adopted a universal design ordinance governing construction or modification of homes using design principles that allow individuals to remain in their homes as their physical needs and capabilities change. However, universal design principles are strongly encouraged. A program in this Housing Element calls for the adoption of universal design standards during this planning period (2.g *Ensure Reasonable Accommodation*).

### **Fair Housing**

An important aspect of Fair Housing choice is the availability and access to a variety of housing that is suited and affordable to a range of household types and income levels. The County of Marin actively seeks to further non-discrimination in housing in a variety of ways. Marin County Child Discrimination Ordinance of 1989 prohibits certain activities that are not spelled out in Federal and State laws. The Community Development Agency contracts with Fair Housing of Marin to issue an Analysis of Impediments to Housing Choice in Marin County. The last Analysis and Implementation Plan were completed in 2011. Additionally, the Marin Housing Authority issues a statement on affirmatively furthering fair housing in their programs, including the Housing Choice Voucher Program, supportive housing programs, and homeownership programs. Staff from the Community Development Agency participates in the Fair Housing Task Force with staff from Fair Housing of Marin, the District Attorney's office, and interested community members.



# Sites Inventory and Analysis

## Land Characteristics of Marin County: Development Policy and Objectives

Marin County includes a total area of approximately 606 square miles of land and water, of which 91,065 acres are taxable<sup>1</sup>. Nearly 84% of the County consists of open space, watersheds, tidelands, parks, and agricultural lands.<sup>2</sup> Significant public amenities include the federally protected Golden Gate National Recreation Area, the Marin Islands National Wildlife Refuge, the Muir Woods National Monument, the Point Reyes National Seashore, and the San Pablo Bay National Wildlife Refuge. 11% of Marin County's area has been developed, primarily within cities and towns, near services, and along major transportation corridors. Much of the additional land potentially available for development (approximately 5% of the County) is in incorporated cities and towns.

The Marin Countywide Plan recognizes four separate environmental corridors present in the County, based on specific geographical and environmental characteristics and natural boundaries formed by north-south running ridges.

The Baylands Corridor, encompassing lands along the shoreline of San Francisco, San Pablo, and Richardson Bays, provides heightened recognition of the unique environmental characteristics of this area and the need to protect its important resources. The area generally contains marshes, tidelands, and diked lands that were once wetlands or part of the bays, and adjacent, largely undeveloped uplands. Less than one percent of the County's residents live in the Baylands Corridor.

The City-Centered Corridor, along Highway 101 in the eastern part of the County near San Francisco and San Pablo bays, is designated primarily for urban development and for protection of environmental resources. This corridor is divided into six planning areas, generally based on watersheds, and is intertwined with Marin's 11 cities and towns. Nearly 96% of Marin County's population lives in the City-Centered Corridor, where the majority of development is concentrated.

The Inland-Rural Corridor in the central and northwestern part of the County is primarily designated for agriculture and compatible uses, as well as for preservation of existing small communities. Less than 2% of Marin County's population lives in the Inland-Rural Corridor.

The Coastal Corridor is adjacent to the Pacific Ocean and is designated primarily for agriculture, Federal parklands, recreational uses, and the preservation of existing small coastal communities. Approximately 2% of Marin County residents live in the Coastal Corridor.<sup>3</sup>

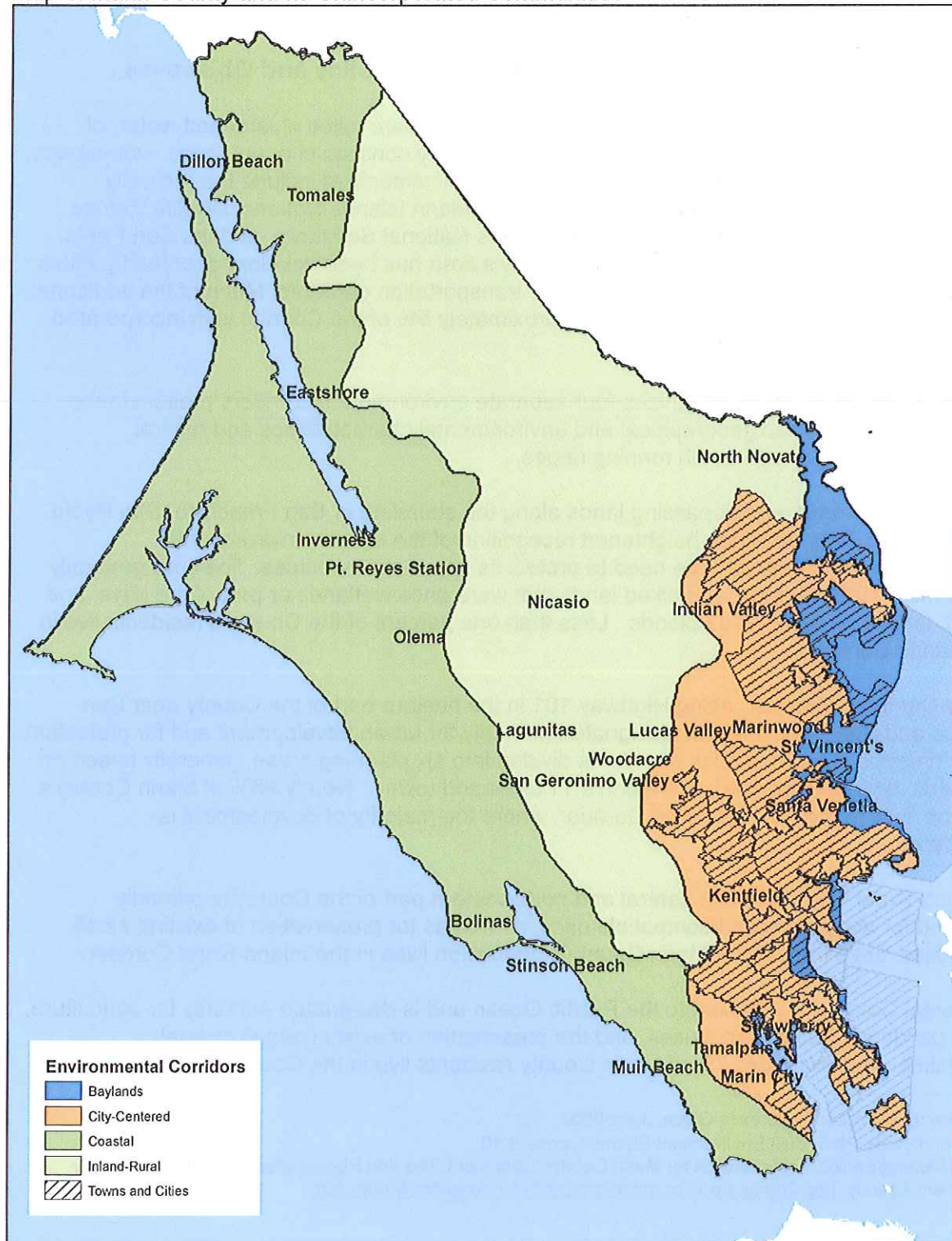
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<sup>1</sup> Marin County Assessor-Recorder's Office, June 2008

<sup>2</sup> Marin Countywide Plan, Built Environment Element, page 3-10.

<sup>3</sup> General Demographic Characteristics for Marin County California Cities and Places, Marin County Community Development Agency, <http://demographics.marin.org/2000comdevcensus/index.cfm>.

Map 1: Marin County and Its Unincorporated Communities



As a result of policies in the Countywide Plan, community plans, and the Local Coastal Program, residential development in Marin County is directed to the City-Centered Corridor and limited in the Inland-Rural and Coastal Corridors. Urban-type development of moderate densities is most compatible with the City-Centered Corridor, close to transit, services, and Marin's cities and towns.

The Inland-Rural and Coastal communities recognize the need, and advocate for, housing affordable to visitor serving employees, agricultural workers, and other local workers in their communities. Multi-family or moderately dense development permitted in the coastal areas is directed as infill within the various villages.

## Affordable Housing in Marin County

As of 2008, there were approximately 6,500 households benefiting from deed restricted affordable housing throughout Marin County's 12 jurisdictions.<sup>4</sup> The income-restricted housing stock includes 6,490 units comprised of:

- over 101 privately managed rental properties with 2,890 units;
- 274 inclusionary rental units;
- 758 below-market ownership homes;
- 9 public housing properties;
- 2 State funded properties comprising 573 units; and
- 2,269 Section 8 vouchers.

770 of these units restricted to moderate, low, very low, and extremely low income households are located in the unincorporated County (Figure IV-1), not including Section 8 vouchers. The majority of affordable housing is in the City-Centered Corridor, although there are several deed restricted rental and ownership properties in the villages of West Marin and the Inland-Rural Corridor. These developments demonstrate the future potential for affordable housing in a range of communities and geographic locations throughout the diverse environs of unincorporated Marin.

Figure IV-1: Units Restricted for Affordability in the Unincorporated County (2008)

	Very Low 0 – 50%	Low 50-80%	Moderate 80-120%	TOTAL
Restricted rentals	325	47	13	385
BMR ownership	0	35	56	91
Public housing	294	0	0	294
<b>TOTAL</b>	<b>619</b>	<b>82</b>	<b>69</b>	<b>770</b>

Source: Marin County Community Development Agency, as provided to ABAG

Income limits are updated annually by the US Department of Housing and Urban Development (HUD) for each county or metropolitan statistical area (MSA) and are used to determine the affordability levels of needed housing. The State Department of Housing and Community Development (HCD) also adjust the standards set by HUD and releases income limits. Many State and local programs use these eligibility limits instead. Examples of wages as they relate to income categories are illustrated in Figure II-16.

<sup>4</sup> [Marin County Affordable Housing Inventory 2008](#), Marin County Community Development Agency.

## Regional Housing Needs Allocation

The Regional Housing Needs Allocation (RHNA) is a key part of State housing element law (Government Code Section 65580) and is a central factor in satisfying periodic required updates of the housing element. Every city and county in the State of California has a legal obligation to respond to its fair share of the projected future housing needs in the region in which it is located. Housing element law requires local governments to update land use plans, policies, and zoning to accommodate projected housing growth. The RHNA figure is not a projection of residential building permit activities but of housing need based on regional growth projections and regional policies for accommodating that growth. On January 18, 2007, the Executive Board of the Association of Bay Area Governments adopted the 2007-2014 Bay Area regional allocation of need numbers, which included a formula for distributing the regional housing need across all the jurisdictions in the nine-county Bay Area. The allocation methodology relied on weighted factors, including 40% household growth, 20% existing employment, 20% employment growth, 10% job growth near transit, and 10% household growth near transit. Figure IV-2 summarizes the Regional Housing Needs Allocation for all jurisdictions in Marin County.

Marin jurisdictions overall saw a decrease in the 2007-2014 allocation from the 1999-2007 allocation. This was due to the methodological decision to focus growth in transit-oriented areas of the Bay Area. Because Marin has no fixed transit and a relatively low service level of bus transit, the RHNA share was reduced. The figures for unincorporated Marin County increased, however, due to changes (contractions) in sphere-of-influence boundaries for several of the County's cities, which had the effect of shifting housing needs from affected cities to the unincorporated County.

Figure IV-2: Regional Needs Housing Allocation, 2007-2014 Planning Period

City	NEW CONSTRUCTION NEEDED BY INCOME CATEGORY				2007-2014 Total	2000-2007 Total
	Very Low (0-50% AMI)†	Low (51-80% AMI)	Moderate (81-120% AMI)	Above Moderate (120%+ AMI)		
Belvedere	5	4	4	4	17	10
Corte Madera	68	38	46	92	244	179
Fairfax	23	12	19	54	108	64
Larkspur	90	55	75	162	382	303
Mill Valley	74	54	68	96	292	225
Novato	275	171	221	574	1,241	2,582
Ross	8	6	5	8	27	21
San Anselmo	26	19	21	47	113	149
San Rafael	262	207	288	646	1,403	2,090
Sausalito	45	30	34	56	165	207
Tiburon	36	21	27	33	117	164
<b>Unincorporated</b>	<b>183</b> 91 ELI, 92 VL	<b>137</b>	<b>169</b>	<b>284</b>	<b>773</b>	<b>521</b>
<b>Total Marin County</b>	<b>1,095</b>	<b>754</b>	<b>977</b>	<b>2,056</b>	<b>4,882</b>	<b>6,515</b>

† Extremely Low Income (ELI) units are assumed to be 50% of the Very Low (VL) income RHNA figure, or 91 units, for the unincorporated County.

Source: [http://www.abag.ca.gov/planning/housingneeds/pdfs/Final\\_RHNA.pdf](http://www.abag.ca.gov/planning/housingneeds/pdfs/Final_RHNA.pdf); and Marin County Community Development Agency

Every housing element must demonstrate that the local jurisdiction has made adequate provisions to support development of housing at various income levels (extremely low, very low, low, moderate, and above moderate) to meet its 'fair share' of the existing and projected regional housing need. However, because local jurisdictions are rarely, if ever, involved in the actual construction of housing units, the RHNA numbers establish goals that should be used to guide planning and development decision-making. Specifically, the numbers establish a gauge for determining whether the County is allocating adequate sites at a range of densities for the development of housing. The proxy to demonstrate that the County can achieve housing goals for lower income households is the identification of available sites that allow residential uses at 30 units per acre.

The County permitted residential units in excess of the RHNA figures in all income categories for the last planning period (1999-2007) (see Appendix A: Evaluation of 2003 Regional Housing Needs Allocation).



*Toussin Senior Housing in Kentfield provides 13 one-bedroom apartments for formerly homeless senior citizens.*

## Quantified Objectives

Each jurisdiction should establish local housing objectives in relation to needs, resources, and constraints. Reasonable housing construction and preservation targets should be identified, with appropriate programmatic goals and policies to respond to these objectives.

This housing element contains three broad housing goals, supported by a range of implementation programs, to achieve the County's quantified objectives:

### 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, prices, and designs.

### Goal 3 Ensure Leadership and Institutional Capacity

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

The primary means through which Marin's quantified objectives will be achieved are new construction, rehabilitation, and conservation/preservation of market-rate to affordable units. As an example, rehabilitation will significantly support lower income housing objectives, with the rehabilitation and conversion of 153 housing units at the Ridgeway Apartments, and of single family homes through the federally funded Rehab Loan Program. The Marin Agricultural Housing program also aims to rehabilitate up to 200 agricultural worker housing units in the next 5 years, 45 of which are represented in the extremely low income category in Figure IV-3. Affordable housing objectives will also rely, in part, on new construction, consistent with potential opportunities reported in the site inventory in Figure IV-6. Development trends have historically shown that moderate and above moderate income housing objectives will be met through new construction of single family homes and second units. Figure IV-3 below outlines how these three strategies can achieve the County's quantified objectives over the planning period.

Figure IV-3: Quantified Objectives by Income Category

		New Construction	Rehabilitation	Conservation/ Preservation	TOTAL
<b>Extremely Low</b>					<b>130</b>
	Permits issued or projects pending	100			
	Rehab Loan Program		15		
	Marin Agricultural Housing Program			15	
<b>Very Low</b>					<b>144</b>
	Permits issued or projects pending	104			
	Rehab Loan Program			10	
	Marin Agricultural Housing Program		30		
<b>Low</b>					<b>224</b>
	Permits issued or projects pending	105			
	Ridgeway Rehab and Conversion		119		
<b>Moderate</b>					<b>75</b>
	Permits issued or projects pending	75			
<b>Above Moderate</b>					<b>241</b>
	Permits issued or projects pending	241			
<b>TOTAL</b>		<b>625</b>	<b>164</b>	<b>25</b>	<b>814</b>

## **Sites Inventory and Analysis**

This section of the Housing Element addresses the requirements of Government Code Sections 65583 and 65583.2, which require the County to provide an inventory of sites suitable for housing development that can accommodate Marin County's short-term housing development objectives, as determined by the Regional Housing Needs Allocation for the period of January 2007 to December 2014.

### **Methodology to Satisfy the Regional Housing Needs Allocation**

Marin County's housing needs will be met through the implementation of a variety of strategies. The primary method for addressing the adequate sites requirement is the identification of available vacant and underutilized sites that are appropriately zoned and likely to develop within this planning period. Analysis includes a parcel-specific inventory of appropriately zoned, available, and suitable sites that can provide realistic opportunities for the provision of housing to all income segments within the community. Figure IV-6 provides a summary inventory of potential housing sites, each of which is analyzed in detail in Appendix F: Site Inventory Profiles. Affordable housing potential is discussed later in this section under the heading *Description of Affordable Housing Opportunity Sites*.

The secondary method of addressing the adequate sites requirement is through an inventory of dwellings that received building permits between January 1, 2007, the beginning of the Regional Housing Needs Allocation (RHNA) period, and December 2011. Additionally, 34 units converted from market rate to deed restricted affordable rental units are accounted for in the overall development inventory. Figure IV-4 provides a summary of building permits issued or units converted since the beginning of this planning period.

The combination of these strategies, including the available land inventory, units constructed to date, and conversions, demonstrates that land is available to meet the total RHNA figure during the timeframe of this Housing Element (2007-2014).

### **Residential Development Permitted Between January 2007 and December 2011**

A jurisdiction may utilize units constructed or under construction between the base year of the RHNA period and the beginning of the new planning period to meet the RHNA. These units can be credited against the RHNA to determine the balance of site capacity that must be identified.

Figure IV-4 lists building permits issued from January 2007 to December 2011, showing progress in meeting the 2007-2014 regional housing needs.

Figure IV-4: Unit Development Inventory: Building permits issued between January 2007 and December 2012 (updated 1/17/13)

Project Name	Status (Built, Under Construction, Approved, etc.)	Total Units	Units by Income Level*					Method of Affordability: (1) Sales price (2) Rent price (3) Type of Subsidy
			Total Units	VL	L	M	AM†	
Single-family building permits	Bldg. permit issued		188	0	0	9	179	Mod, sales price. No subsidy.
Multi-family building	Bldg. permit issued		0	0	0	0	0	n/a
Houseboats and Mobile home permits issued	Bldg. permit issued		10	0	0	10	0	Moderate, no subsidy.
New second units permitted	Bldg. permit issued		98	10	48	30	10	Rent price. See Second Unit Survey 2008 discussion below.
Ridgeway Apartments - converting to low income (60% AMI)	Conversion complete (153 units total)		34	0	34	0	0	Rent price. RDA set-aside funded conversion of market units.
<b>Total units under construction or rehabilitation</b>			<b>330</b>	<b>10</b>	<b>82</b>	<b>49</b>	<b>189</b>	
RHNA 2007 - 2014			773	183	137	169	284	RHNA 2007 - 2014
<i>Remaining need</i>			<i>443</i>	<i>173</i>	<i>55</i>	<i>120</i>	<i>95</i>	<i>Remaining need</i>

VL = Very low income; L = Low income; M = Moderate income; AM = Above moderate income.

Note: A detailed discussion on income categories for second units can be found in the section titled *Second Units*.

### Conversion of the Ridgeway Apartments

Marin County is eligible to utilize the provisions of the alternate adequate sites program, set forth in Government Code Section 65583.1(c), through the conversion of 153 units in a multi-family apartment complex from market rate to 100% affordable. Thirty-four units in the lower income category are contributed to the Unit Development Inventory (Figure IV-4), representing 25% of that income category as limited by the statute for conversion of multi-family rental units of 4 or more from non-affordable to affordable housing (65583.1(c)(2)(b)).

The Ridgeway Apartments is a 225-unit rental property in Marin City. Prior to conversion there were 72 units restricted for very-low and extremely-low income households. Marin County, the Marin County Redevelopment Agency, and St. Anton Partners collaborated to convert 153 unrestricted units to long-term restricted units affordable to low income households and to extend the term of affordability for the existing deed restricted units. The Redevelopment Low-Moderate Income Housing Funds (20 percent set-aside) were dedicated to Ridgeway Marin LLP for the conversion and maintenance of the 153 affordable units. As of 2012, the annual 20% set-aside was approximately \$330,000, and the set-aside is pledged to the Ridgeway Marin LLP until 2041, the duration of the redevelopment bond payments. This pledge predated the Dissolution Acts, and is therefore an Enforceable Obligation under the ABx1 26 legislation, and has been reviewed and approved by the Oversight Board and the Department of Finance. Compliance with statutory requirements is itemized in Figure IV-5 below.

This Housing Element contains a program (*Monitor Rental Housing Stock*) that addresses conversion of market-rate housing units to long-term deed restricted affordable rentals, with a subprogram that specifically addresses the Ridgeway conversion.

Figure IV-5: Ridgeway Apartments Compliance with Adequate Sites Alternative Criteria

Government Code	Method of Compliance
Section 65583.1(c)(4)	Marin County provided committed assistance through a legally enforceable agreement during the first two years of the planning period. The recorded agreement is included as an appendix to the Housing Element (Appendix H).
Section 65583.1(c)(1)(A) and (B)	Marin County has dedicated \$337,000 annually in committed assistance for conversion of 153 units from market rate to long-term deed restricted affordable rentals using Redevelopment Low-Moderate Income Housing Funds, and this commitment will continue through the term of the Redevelopment Agency bond obligations.
Section 65583.1(c)(1)(B) Section 65583.1(c)(2)(B)(i)	Funds were sufficient to rehabilitate and convert the identified units at affordable rents. The converted units are affordable to low- or very-low-income households and are deed restricted to households at 60% of area median income through 4% tax credit and bond requirements.
Section 65583.1(c)(2)(B)(ii)	Units were not affordable to very-low- or low-income households at the time they were identified for acquisition.
Section 65583.1(c)(2)(B)(iii)	If the acquisition results in displacement of very-low- or low-income households, relocation assistance will be provided to those occupants permanently or temporarily displaced, consistent with Health and Safety Code Section 17975, including rent and moving expenses equivalent to four (4) months. A relocation plan was in place. All displaced households that were over 60% of AMI and between 80% AMI received rental and relocation assistance and those above 80% AMI received moving assistance.
Section 65583.1(c)(2)(B)(iv)	Units were decent, safe, and sanitary upon occupancy, as verified by the County Building Division. The conversion included major rehabilitation.
Section 65583.1(c)(2)(B)(v)	Affordability and occupancy restrictions will be maintained for at least 55 years.
Section 65583.1(c)(3)	The County has met at least some portion of its RHNA need for very low and low income households in the previous and current planning periods. In particular, the County issued 270 building permits for very low and low income units in the previous planning period, and 57 building permits for very low and low income units in the current planning period.
Section 65583.1(c)(7)	Marin County has submitted a written report to the Board of Supervisors; scheduled for July 10, 2012 and will submit to the California Department of Housing and Community Development that will identify the specific units for which committed assistance has been provided or which have been made available to low- and very low-income households in compliance with the above provisions. This report will be provided during the third year of the planning period (2012).

## Land Inventory

The County's land inventory was developed using a combination of resources, including the County's GIS parcel database and review of policies in the Marin Countywide Plan Community Development (land use) Element and the Marin County Development Code (zoning). Sites were also vetted through direct community input, a citizen's Housing Element Task Force, and current development proposals. This cross-analysis resulted in identification of suitable sites and an estimate of potential residential development capacity for these sites. Small and large residentially zoned and mixed-use parcels are included to accommodate a range of housing types and income categories.

The land inventory began with over 29,000 assessor's parcels. Studies were conducted by Countywide Plan land use designation groupings. Vacant and underutilized parcels were evaluated for residential potential. To encourage compact and sustainable development, an emphasis was placed on sites within existing communities and proximity to major roads and services. Opportunities for housing related to community need and local support were also evaluated, particularly in the Inland-Rural Corridor and Coastal Corridor. Development potential on identified sites was also compared to community plans for consistency. Competitiveness for tax credit funding was also considered. The resulting site inventory in Figure IV-6 accommodates Marin County's remaining need with properties currently identified as housing policy sites, or sites that comply with the County's default density. Only properties with potential to develop within the planning period were included in the inventory. Each site, its governing land use, and development potential are further detailed in Appendix F: Site Inventory Profiles.

Some properties included in the inventory have received planning entitlements for residential development. Marin County reports annually to the Department of Finance on unit development in terms of building permits finalized. Therefore, these potential units have not been reported to that agency in terms of housing development.

### Development Projections by Income Category

The Available Land Inventory, Figure IV-6, is organized in three categories.

- A. Affordable housing sites – 30 units per acre, or Countywide Plan policy
- B. Entitled projects, not yet submitted building permits
- C. Additional potential sites

Marin County's Regional Housing Need Allocation is satisfied with the identification of sites in these first two categories, plus the units produced to date (Figure IV-4).

Housing units in the Extremely Low Income, Very Low, and Low (ELI, VL, L) column of Figure IV-6 represent projected realistic capacity for affordable housing units on a site. Moderate and Above Moderate units are represented in a separate (M, AM) column. For each site, residential capacity by income category was determined by the zoned density, or the overriding Countywide Plan affordable housing requirement or land use designation. Housing Overlay Designation (HOD) sites identified in the Countywide Plan (CD-2.c) require residential development on those sites at a minimum of 30 units per acre (CD-2.d)<sup>5</sup>, and units were assigned consistent with that policy. Sites with a pending project application were assigned a unit capacity in the range of the project.

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<sup>5</sup> Except for sites with a general plan land use designation of Neighborhood Commercial, where at least 25 units per acre applies (CD-2.d.5).

Additional Potential Sites includes site opportunities that have been identified but do not meet the County's default density, or have less surety in developing affordable housing.

Marin County implements its inclusionary requirement as outlined in Development Code Chapter 22.22, which requires any residential development of two or more units to provide 20% of the units to be affordable to low income households. However, the potential for inclusionary housing is not contemplated in this analysis, consistent with HCD guidelines which do not encourage projected inclusionary housing to satisfy adequate sites requirements.

Similarly, affordable housing projections for each site do not contemplate the potential for increased density through a density bonus.

Figure IV-6: Available Land Inventory Summary – Remaining Units

Site #	Site Name & Address	Property APN	Parcel Acres	Total Acres	CWP Land Use	Zoning	ELI, VL, L	M / AM	Notes
<b>A: Affordable housing sites – 30 units per acre, or Countywide Plan policy</b>									
#1	Marinwood Plaza 100 Marinwood Ave	164-471-64	0.449	4.75	HOD / GC 30 units/acre	CP 30 units/acre	85	0	HOD. Affordable housing required by CWP policy. Non-profit developer in contract. Single ownership.
		164-471-65	1.934						
		164-471-69	0.809						
		164-471-70	1.561						
#2	Oak Manor 2400 Sir Francis Drake Blvd	174-011-36	0.527	1.58	HOD / GC 30 units/acre	C1 30 units/acre	10	0	HOD. Affordable housing required by CWP policy
		174-011-33	1.057						
#3	California Park Woodland Avenue	018-075-12	0.269	1.56	HOD / MIF2 30 units/acre	RSP-4 4 units/acre	50	0	HOD. Affordable housing required by CWP policy. Single ownership.
		018-075-14	0.067						
		018-075-15	0.041						
		018-075-17	0.045						
		018-075-18	0.042						
		018-075-19	0.174						
		018-075-20	0.044						
		018-075-21	0.043						
		018-075-22	0.042						
		018-075-27	0.029						
		018-086-17	0.175						
		018-086-10	0.188						
		018-086-13	0.046						
		018-086-14	0.271						
		018-086-15	0.044						
		018-086-16	0.047						
#4	Old Chevron Station 204 Flamingo Rd.	052-041-43	0.79	0.79	GC 30 units/acre	CP 30 units/acre	10	0	30 units/acre zoning. Reduced to contemplate larger units & amenities on site.
#5	St. Vincent's & Silveira St. Vincent's Dr; Silveira Parkway	155-011-08	250.26	1,110	PD-Agriculture and Env Resource.	A2	100	121	221 units, including affordable housing requirement specified in CWP policy. Two property owners. % of development potential for each is indicated in CWP.
		155-011-28	73.49						
		155-011-29	20.21						
		155-011-30	220.67						
		155-121-16	3.77						

Site #	Site Name & Address	Property APN	Parcel Acres	Total Acres	CWP Land Use	Zoning	ELI, VL, L	M / AM	Notes
<b>B: Existing projects, not yet submitted building permits</b>									
#6	Easton Point Paradise Drive	059-251-05	110	110	PR, SF-6 4-7 units/acre	RMP-0.2, R-1	0	43	Stipulated judgment.
#7	Tamarin Lane 12 Tamarin Lane	143-190-12	6.54	6.54	SF-3 1 units/1-5 acres	ARP-2	0	5	Entitled 2007 with condition for 2 second units required. Extension approved.
#9	Manzanita mixed use 150 Shoreline Hwy	052-371-03	0.58	0.563	GC 30 units/acre	CP 30 units/acre	1	2	Entitled 2011 with condition for 1 affordable unit.
#11	650 N. San Pedro 650 North San Pedro	180-231-05 180-231-06 180-231-07 180-231-09 180-291-04	5.984 3.201 1.117 0.727 5.272	16.3	SF-4 1-2 units/acre	RE-B3 20,000sqft min lot area	0	10	Entitled 2012 for 10 units.
	Second Units Projected – 20 second units projected per year (Jan 2012- July 2014)								
	<b>A+B: Affordable housing and entitled projects Inventory</b>								
	Unit Development Inventory Jan '07-Dec 2011 (Fig. IV-4)								
	<b>Subtotal Available Land Inventory A+B and Building Permits to date (Fig. IV-4)</b>								
	Regional Housing Need Allocation (2007-2014) 773 units								
	<b>C: Additional potential sites</b>								
#8	Indian Valley 1970 Indian Valley Rd	146-261-21 146-261-28	1.9 5.66	7.7	SF-3 1 units/1-5 acres	A2-B4 1 acre lot min	0	5	Entitlement expired.
#10	Grandi Bldg. 11101 State Route 1	119-234-01	2.5	2.5	C-NC 20 units/acre	C-VCR-B2	2	0	Entitlement expired for 2 affordable units.
	[Moved up to B: Existing Projects]								
#12	Golden Gate Seminary Seminary Dr.	043-261-25 043-261-26	48.45 25.13	73.57	MF-2 1-4 units/acre	RMP-2.47	25	20	Application pending revision and further review, property owner developing new proposal.

Site #	Site Name & Address	Property APN	Parcel Acres	Total Acres	CWP Land Use	Zoning	ELI, VL, L	M / AM	Notes
#13	Marin City Community Development 441 Drake Ave	052-140-36	3.87	3.87	MF-2 1-4 units/acre	RMP-4.2	15	0	Non-profit owner working with housing partner
#14	Armstrong Nursery 217 & 221 Shoreline Hwy	052-061-17 052-061-19	0.056 0.957	1.77	NC 20 units/acre	RMPC-6	0	10	20 units/acre 2007 general plan for affordable housing per development code incentive
#16	Grady Ranch Lucas Valley Rd.	164-310-15 164-310-17 164-310-19	86.7 38.0 105.1	240 **	PR 1 unit/acre	RMP-0.031 RMP-0.031 RMP-0.379	240	0	Owner pursuing development plan for all affordable housing project.
#17	Roosevelt Street 30 Roosevelt	179-124-08	0.18	0.18	SF-6 4-7 units/acre	RA-B1	2	0	County owned single family property, dedicated for affordable housing.
C: Additional potential Subtotal							284	35	
Total Available Land Inventory Total (A+B+C)							558	233	
Available Land Inventory + Unit Development Inventory Jan '07-Dec 2011 (Fig. IV-4)							650	466	

\*\*Acreage by Assessor's Map, acreage not necessarily accurate.

### **Description of Affordable Housing Opportunity Sites**

The sites below are discussed specifically to highlight their capacity for affordable housing. Sites identified with only market-rate capacity are not discussed below but are fully analyzed in Appendix F: Site Inventory Profiles.

#### **Affordable housing sites (#1 through #5)**

##### **Site #1          Marinwood Plaza**

This 4.75-acre infill site is an under-utilized commercial center with a recently revitalized grocery store. A large regional non-profit housing provider is in contract to develop primarily affordable housing, and submitted an application in June of 2013. The preliminary precise development plan includes retention of the existing market, demolition of adjacent commercial uses, and use of a majority of the acreage for affordable housing. The Countywide Plan land use is General Commercial (FAR .1 to .4), and the site is subject to the Housing Overlay Designation (HOD), which requires residential development at a minimum of 30 units per acre, up to 100 units for this site. The underlying mixed use zoning on this HOD site, Commercial Planned (CP), allows residential uses accessory to the primary commercial use up to 30 dwelling units per acre. A lengthy community planning process resulted in a guiding principles document which was accepted by the Board of Supervisors in 2007, and identifies desired project components such as a neighborhood market and ancillary retail, housing types and affordability, and site design. The site is adjacent to the Hwy 101 corridor, close to transit, services, and employment centers.

##### *Development and Funding Opportunities and Incentives*

The Marinwood site is an excellent location for a 4% tax credit project. The site is located in the award winning Dixie School District, close to the Marinwood Community Center, which offers community amenities and services and in the proximity of major employers including the County of Marin, Autodesk and Kaiser Permanente. Because of the high level of affordability required on HOD sites, the County is offering development standard adjustments, such as parking, floor area ratio, height and fee reductions as well as funding from local sources. The County currently has set aside \$484,000 in local transportation funds to improve pedestrian and bicycle access to the site and intends to grant funds from the Housing Trust toward the project.

##### **Site #2          Oak Manor**

This 1.58-acre site is an underutilized commercial center on the major east-west thoroughfare in unincorporated Fairfax. The site is located near transit, services and schools. The Countywide Plan assigned the Housing Overlay Designation (HOD) to this site which requires residential development at a minimum of 30 units per acre, up to 10 units at this site. The HOD requires 50% of residential development to be affordable to low and very low income households and any new development must include a residential component. The underlying mixed use zoning on this HOD site, Retail Business (C1), allows residential uses accessory to the primary commercial use up to 30 dwelling units per acre. Design review would be required on this site and could be accomplished within the planning period. Current uses include an auto repair shop, a convenience store and a laundry mat as well as a pizza restaurant and two other vacant retail spaces. Undeveloped and underutilized land suitable for development is very rare in the community which increases the likelihood of development. The site has a large underutilized parking lot and redevelopment could occur above or to the side of the existing commercial use, or the site could be completely redeveloped with commercial space and housing. Residential use is encouraged and required by the Countywide Plan in the case of redevelopment or major remodel.

#### *Development and Funding Opportunities and Incentives*

As with site #1 this is a HOD site. Due to the high level of affordability required, the County is offering development standard adjustments, such as parking, floor area ratio, height and fee reductions as well as funding from local sources. The County would intend to grant funds from the Housing Trust when an affordable housing developer is identified. A small special needs project could be appropriate on the site and given the proximity to amenities it could be eligible for State funding such as 9% tax credits.

#### **Site #3      California Park**

This vacant 1.82 acre site is comprised of 18 contiguous assessor's parcels under single ownership. The land is adjacent to the SMART right of way and close to retail, community uses and bus service. The site is also across the street from low density residential uses in a pastoral setting. Per the HOD policy, this site could accommodate up to 50 units of housing at 30 units per acre, with at least 50% affordability. The underlying zoning on this HOD site is a Residential Single-family Planned district. Entitlement actions would include a county-initiated rezone, and design review, which could be accomplished concurrently prior to the end of the planning period. Affordable housing is not subject to master plan or precise development plan requirements.

#### *Development and Funding Opportunities and Incentives*

Due to the high level of affordability required, the County is offering development standard adjustments, such as parking, floor area ratio, height and fee reductions as well as funding from local sources. Because the site abuts the SMART right of way, a project would require careful design to buffer noise and particulate matter from any future rail activity. It should be noted, however, that the SMART project currently does not have funding or a schedule to develop this segment of track. The County would intend to grant funds from the Housing Trust when an affordable housing developer is identified.

#### **Site #4      Old Chevron Station**

This 0.79-acre vacant site is located near transit, across the street from a retail center, including a pharmacy and adjacent to residential neighborhoods. The Countywide Plan land use designation is General Commercial (FAR .05-.3). The mixed use zoning on this site, Commercial Planned (CP), allows residential uses accessory to the primary commercial use up to 30 dwelling units per acre. Affordable housing is not subject to master plan or precise development plan requirements, and is also considered a primary use in this district. Design review would be required in this mixed use district.

#### *Development and Funding Opportunities and Incentives*

The site is under the same ownership as site #14 (Armstrong Nursery). A scattered site development with site #14 could be pursued to increase project feasibility. Funding sources could include 4% tax credits, and local sources including Housing Trust, CDBG and HOME funds.

#### **Site #5      St. Vincent's & Silveira**

The St. Vincent's and Silveira properties include approximately 1,100 acres of mostly agricultural land in the City Centered Corridor between the cities of San Rafael and Novato. The land is adjacent to Hwy 101, and bisected by the SMART rail line, and bordered by residentially developed areas on two sides. The site is located in the vicinity of the Civic Center with proximity to medical services and retail. The current uses of the site include a private school, non-profit facilities, and agricultural uses. The lots are owned by two parties, and the development potential is split between them.

The 2007 Countywide Plan assigned development potential of 221 residential units clustered on 5% of the total acreage, including up to 121 market units and 100 affordable units. The Countywide Plan land use is Planned District, Agricultural and Environmental Resource areas. A rezoning of the site to allow greater residential densities is anticipated, and would occur concurrently with the application process. The Countywide Plan requires a master plan for this site (SV-2.2 and 2.5), which will require analysis and public vetting. Most likely, this would be a partnership involving a for-profit residential developer with a non-profit housing partner, and possibly the inclusion of a public partnership. The county's standard submittal requirements for master plans include an affordable housing plan, which must indicate the construction schedule and phasing of any required affordable units. All affordable housing units and other phases of a development shall be constructed prior to, or concurrent with, the construction of the primary project, unless the review authority approves a different schedule. A subdivision map and precise development plan would be required.

Residential development opportunity at St. Vincent's & Silveira has been in place since the development of the 2007 Countywide Plan. It is considered an affordable housing site in this Housing Element because affordable and workforce housing are a primary component of the general plan objectives and policies specific to the properties<sup>6</sup>. A project without a significant affordable component would be inconsistent with the Countywide Plan and likely unfavorable to the Board of Supervisors. One hundred affordable housing units will support the financial feasibility of a project and be consistent with the Plan. Given the magnitude of the acreage, appropriate rezoning will occur when the development boundary is defined by a project application.

#### *Development and Funding opportunities and Incentives*

In 2008, a senior project including different levels of care from independent living to assisted living complimented with affordable workforce housing was considered for this site. Shuttle services and alternative transportation were also contemplated to maximize the development potential.

The site is eligible for a number of incentives offered to affordable housing, including the Affordable Housing Combining District that will allow up to 30 units per acre, fee waivers, and development standards adjustments. The site would be competitive for a HUD 202 project, and eligible for local funding sources including CDBG, HOME and Housing Trust.

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<sup>6</sup> Marin Countywide Plan, Built Environment Chapter, Policy SV-2.3 Allow for a Mix of Uses. Residential development should emphasize workforce and senior housing, especially for very low or low income households, and special needs housing, rather than large estates. Also see Policies SV-2.4, 2.5 and 5.1. [http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP\\_CD2.pdf](http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP_CD2.pdf)

### **Existing Projects, not yet submitted for building permits (#6 through #11) <sup>7</sup>**

Sites #6, 7, 9 and 11 have received planning entitlements or court ruling for residential uses. The projects will require vesting of any tentative maps, building permits, and possibly design reviews. Approved projects for sites #6, #7, #8, and #11 are projected to be market rate. Site #9 has been conditioned to include affordable units within the development. Some entitlements have, or will, expire prior to 2014.

### **Additional potential sites (#12 through #17)**

#### **Site #10      Grandi Building**

The Grandi Building is a vacant historic hotel structure in Pt. Reyes Station. Entitlements to restore the hotel and provide on-site employee housing have expired, however the applicant is still pursuing development potential.

#### **Site #12      Golden Gate Seminary**

This 73.57-acre underutilized site is located along Richardson Bay in a residential setting. Current uses include student dormitories, a playing field, instructional buildings, and a chapel; however large parts of the site are undeveloped. The Countywide Plan land use designation is Multi-Family-2 (1-4 du/ac) and there is an approved master plan with un-extinguished entitlements for 93 multi-family units for students or faculty. The master plan has received an extension per the request of the property owner so that they may continue to pursue development of this site.

#### *Development and Funding Opportunities and Incentives*

A previous application was withdrawn; however the owner continues to pursue development opportunities on the site. The assessor's parcels are under single ownership. If affordable housing is considered, funding opportunities could include the Workforce Housing Trust Fund, or other local sources such as CDBG, HOME and the Housing Trust.

#### **Site #13      Marin City Community Development**

This 3.87-acre site is within a residential neighborhood and located near transit, schools and services, including a senior center, community center and a park. It is owned by a non-profit Community Development Corporation who uses the existing historic home, carriage house, and driveway accesses for their offices and service areas. They are currently talking with local non-profits to explore opportunities for adding housing to the site.

The Countywide Plan land use designation Multi-family 2 (1-4 units per acre), and zoning is Multi-Family Planned (4 units per acre). Because of the existing uses and environmental site constraints, it could accommodate approximately 10 units of affordable housing. Development of a rental project on the perimeter of this site would require further site analysis and design review.

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<sup>7</sup> As of January 2013, during the public review of the Housing Element, Site #15, Inverness Valley Inn, was purchased by a hotel operator, thereby eliminating the opportunity for housing conversion within the planning period. Site #11, 650 San Pedro Road, was approved for a 10 unit above market subdivision. This site was elevated in the Figure IV-6 to the Existing Projects section to reflect the change in status. For simplicity, site numbers will not be revised at this time, despite the removal of Inverness Valley Inn from the Inventory.

#### *Development and Funding Opportunities and Incentives*

This site meets the location criteria for a 9% tax credit project (a small development for seniors of similar size was recently awarded tax credits in an unincorporated community). Also feasible on the site may be a homeownership development for very low income families, or a small rental project to serve single adults in transition. Housing Trust funds could also be available for this type of development.

#### **Site #14      Armstrong Nursery**

This 1.77-acre underutilized site is located near transit, services, including a pharmacy, retail and recreational facilities. The lot is disturbed with asphalt paving and sits on the south edge of a neighborhood retail center. The Countywide Plan land use is Neighborhood Commercial (1-20 du/ac, .05-.4 FAR), which would allow 10 units of market rate housing or 35 units of affordable housing. The property owner has expressed support for the inclusion of this site in the Housing Element. Affordable housing providers have expressed interest in this site for future development. Because the allowable density per zoning (up to 20 units per acre) is less than the County's default density, the site is not represented in the lower income category of the Site Inventory (Figure IV-6). The Residential Multiple-Family Planned Commercial (RMPC) zoning district would require a precise development plan or design review for a residential project. A mixed use project would also be allowed on this site with similar review process. This site is in a 100-year flood zone and therefore the design would have to include appropriate features such as avoiding habitable space below the base flood elevation.

#### *Development and Funding Opportunities and Incentives*

The permitted density would accommodate the minimum number of units identified as feasible by larger regional non-profits. The site is under the same ownership as site #4 and a scattered site development could be pursued to increase feasibility. There is existing infrastructure on the site. The location is impacted by severe traffic conditions; and a program in the transportation section of the Countywide Plan limits development to the low end of the density range. However, as a way to encourage affordable housing, deed restricted housing for low and very low income households is exempt from this provision. The Armstrong site offers an excellent location for a larger non-profit affordable housing developer for a 4% tax credit development or if a new grocer is identified, a 9% tax credit development. Other funding could include local sources including Housing Trust, CDBG and HOME funds.

#### **Site #16      Grady Ranch**

This 240 -acre site is located in a suburban foothill setting, abutting large single family residential lots and vast open space. The property was the subject of an extensive expansion plan for Lucasfilm's digital film studios. After withdrawal of that application, the property owner is evaluating the feasibility of development potential for 200 units of affordable housing on the site. There are significant infrastructure deficiencies such as lack of water and sewer. However, information and plans from the previous proposal may be applicable to a new residential proposal. Prior to the Lucasfilm proposal, the property had an approved master plan which had approved 114 units on the property. The site's zoning is Residential Multiple-family Planned (RMP) where residential uses are principally permitted. A subdivision map and design review would be required.

### *Development and Funding Opportunities and Incentives*

The project will require significant infrastructure and roadway improvements. A 4% tax project may be feasible. Likely funding would come from the property owner, and local sources like CDBG, HOME and the Housing Trust Fund.

#### **Site #17 Roosevelt**

This 0.18-acre vacant lot is owned by the County and designated for affordable residential use. It is located in a residential neighborhood near transit, schools, parks, a community center, a market and a major employment center. The General Plan land use designation is Single Family (4-7 du/ac). No planning entitlements would be required for this conventionally zoned property, as long as the unit does not exceed 4,000 square feet and development standards are adhered to. Applicants could proceed with a building permit.

### *Development and Funding Opportunities and Incentives*

It is likely that this site would be donated to a small non-profit developer or a regional developer with an emphasis on homeownership. A deed restricted primary and secondary unit are anticipated on the site. Funding would likely come from local sources, including the County's Housing Trust, CDBG and the Marin Workforce Housing Trust.

## **Housing Development Precedents**

### **Affordable Housing Production**

Affordable housing development in Marin during the last RHNA cycle (1999–2006) demonstrated that housing is possible at a range of densities, particularly when density standards are set by the Countywide Plan land use designation. The Toussin Senior Housing project achieved 36 units per acre within a small community by relying on the Countywide Plan land use. Similarly, the Fireside Motel was able to achieve 45 units per acre of clustered development using the same method and a density bonus. Interviews with a range of affordable housing developers with experience in Marin County<sup>8</sup> revealed that the desired density range of is between 22 and 28<sup>9</sup> units per acre. In many instances, lot size and zoning were less of a factor than net land costs and total unit potential.

Figure IV-7: Affordable Housing Units Developed in the 1999-2006 Planning Period

Project Name	CWP 2007	Zoning 2009	Very Low Income	Low Income	Moderate Income	Total	Parcel Acreage	Units per Acre
Gibson House (Bakery)	C-SF5, C-NC	C-RA-B2, C-VCR	7	0	0	7	.40	20
Bolinas Gas Station (BoGas)	C-NC	C-VCR	8	0	0	8	.29	27
Fireside Motel	RS	RMPC-12.7	50	0	0	50	1.1	45
Toussin Senior Housing (Ross Hospital)	MF4	RMP-20	13	0	0	13	0.38 (0.56 FAR)	36
Point Reyes Affordable	C-MF2	C-RMP-4.3	10	16	8	34	n/a	1.8

<sup>8</sup> EAH Housing, 9/17/09; Eden Housing 9/14/09; Falcone Development Services 9/15/09; HART Marin (for-profit developer of market and affordable housing) 9/15/09; PEP Housing 9/14/09;

<sup>9</sup> Smaller local housing providers operate on a much smaller scale.

Strawberry Shopping Center (Mixed Use)	GC	RMPC	0	4	1	5	8,502 sq.ft. total	678-690 sq.ft. units
Gates Cooperative (New floating home berths at existing Marina)	FH	BFC-RF	30	4	4	38	n/a	n/a
<b>TOTAL</b>			<b>118</b>	<b>24</b>	<b>13</b>	<b>155</b>	<b>-</b>	<b>-</b>

Note: The Gates Cooperative has received entitlements but not all building permits.

### Development Capacity for Affordable Housing on Small Sites

While small projects may be difficult to fund and are considered less efficient to manage, Marin has demonstrated that small site development is effective in this jurisdiction where affordable housing is provided by both large providers and small local community based organizations. Organizations providing essential affordable housing on small sites include the Bolinas Community Land Trust (BCLT), Community Land Trust Association of West Marin (CLAM), West Marin Ecumenical Senior Housing (EAH Housing), PEP Housing, San Geronimo Valley Family Housing, in addition to others operating in the incorporated areas of the County.

Within the last housing element cycle, seven major affordable housing projects were approved (Figure IV-7); for a total of 155 units of very low, low, and moderate income housing in unincorporated Marin County. Three of these developments were constructed on small sites, achieving an average density of 27 units per acre.

Marin County offers density incentives for affordable housing<sup>10</sup> that have been applied effectively to small-lot development. Affordable housing is currently allowed to the maximum density of the applicable Countywide Plan Land Use designation through Development Code Section 22.24.020.A11. The program, *1.d Streamline the Review of Affordable Housing*, applies the maximum Countywide Plan land use rather than the zoning density to all housing projects affordable to low and very low income households. Additionally, Development Code Section 22.32.150.E allows the floor-area ratio to be exceeded for deed-restricted units that are affordable to very low or low income households in commercial/mixed-use and industrial land use categories, subject to any limitations in the Countywide Plan consistent with the Countywide Plan policy CD-8.7. For deed-restricted units that are affordable to moderate-income households, the floor area ratio may be exceeded in areas with acceptable levels of traffic service, subject to any limitations in the Countywide Plan, and so long as the level of service standard is not exceeded.

## Local Funding Opportunities

### Affordable Housing Trust Fund

The County's Affordable Housing Trust Fund was established in 1980 by resolution 88-53, along with the inclusionary housing program. Projects throughout Marin County which serve low and very-low income households are eligible for funding, but priority is given to rental projects

<sup>10</sup> See a discussion of codified incentives in Section III: Constraints and Opportunities for Housing Development.

<sup>11</sup> 22.24.020.A Density for Affordable Housing Projects. For affordable housing located in all districts that allow residential uses, allowable density will be established by the maximum Marin Countywide Plan density range, subject to all applicable Countywide Plan policies.

located in the unincorporated County which serve the lowest income levels. Funding is to be used for preservation, land acquisition, development, construction, or preservation of affordable units. Applications are submitted to the Community Development Agency and staff makes funding recommendations to the Board of Supervisors as grant requests are received. The Affordable Housing Trust Fund is primarily funded through residential in-lieu fees, commercial linkage fees, and since 2009, the Affordable Housing Impact Fee (discussed later in this Chapter). In recent years, the Board of Supervisors has allocated \$250,000 annually from the general fund to the Affordable Housing Trust Fund. In the last ten years, the Housing Trust has been a major funder of every affordable housing development in the unincorporated County. Since 1988, the Affordable Housing Trust Fund has expended over \$14, 000,000 in support of approximately 900 units of affordable housing development. As of June 30, 2012, the Fund's balance is \$4,247,258. This Housing Element includes a program to further clarify operating procedures specific to the Affordable Housing Trust Fund (*3.k Update Affordable Housing Trust Fund Operating Procedures*).

### **Workforce Housing Trust Fund**

The Marin Workforce Housing Trust is a unique public/private partnership that has been created to meet the challenges of housing affordability for workers throughout Marin County. The major partners include the County of Marin, the Marin Community Foundation, and a group of major employers. Using revolving loan funds, the Trust provides low interest rate loans to nonprofit and for-profit developers who are constructing homes affordable to lower income families, as well as special needs populations. The Workforce Housing Trust intends loans to fill critical gaps in existing affordable housing finance – as first-in money to purchase land, secure sites, and fund pre-development work, and as last-in money to close the funding gap for developments that otherwise would not be able to be built. Once construction is complete, the loans are to be repaid and reinvested in other workforce housing developments. In this way, the Marin Workforce Housing Trust provides a self-replenishing vehicle for affordable housing investment. Every private dollar that has been contributed to the Housing Trust is matched by both the Marin Community Foundation and the County of Marin, thereby tripling the value of each donation.

### **Restricted Affordable Housing Fund**

The Community Development agency also oversees this fund which resulted from the excess funds of mortgage revenue bonds. The Restricted Affordable Housing Funds may be used solely for the purposes of residential development or preservation for low and moderate income households. Eligible projects shall include those which create new affordable units through new construction, or through acquisition and/or rehabilitation of existing structures, or that preserve existing affordable housing units threatened by expiration of affordability restrictions, or market forces.

### **Priority Development Areas**

Marin County is participating in the FOCUS regional planning initiative facilitated by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Authority (MTC). A number of sites within unincorporated areas within ½ mile of Highway 101 have been designated as Priority Development Areas (PDAs). The objectives of the program are to foster the valuable relationship between land use and transportation, and promote compact land use patterns. Funding is periodically available through regional sources for housing projects or planning activities within PDAs.

## **Zoning for a Variety of Housing Types**

Development opportunities for a variety of housing types will promote diversity in housing price, designs, and sizes, and contribute to neighborhood stability. Marin County's zoning code encourages a variety of housing types, including second units, single room occupancy, manufactured housing, supportive housing, housing for agricultural workers, transitional housing, and emergency shelters.

### **Second Units**

Consistent with Government Code Section 65852.2, second units are allowed in all residential zoning districts as a permitted use subject to non-discretionary review. As a matter of policy, the County encourages second unit development as a valuable infill and intensification strategy. Between 2000 and 2006, Marin County issued an average of 21 second unit building permits per year, and 18.6 per year from 2007 through 2011.

From January 2007 through December 2008, Marin County conducted a Second Unit Amnesty Program which fulfilled the mandate of the 2003 Housing Element, policy H3.28. The program offered both second unit permits consistent with the requirements of our Development Code and Amnesty permits for existing units that met the Uniform Housing Code and satisfied other health and safety requirements. Program incentives included permit fee reductions and adjustments to some Development Code requirements for amnesty units.

Resulting from the 2007-2008 amnesty period, Marin County Planning Division issued 54 second unit amnesty permits and 35 standard (new) second unit permits. Amnesty units were not included in the second units shown in Figure IV-4.

### **Second Unit Affordability Survey**

Marin County conducts a periodic anonymous survey of permitted second units. On the basis of permits issued and the surveys conducted, the County can project the amount of second unit development and the rent distribution in the market.

The most recent survey was conducted in August 2008. The purpose of the survey was to determine the use and affordability ranges of second units, as well as to measure changes in rent levels for different areas of unincorporated Marin County. Data collected included the following:

- Vacant or occupied
- Size of unit
- Rent in dollars
- Increase in rent
- Number of occupants

The survey also asked what changes can be made to the permitting process to improve the success of the amnesty program and standard second unit development.

Surveys were mailed to all owners who had been approved for a second unit building permit since the 1990's. A separate survey was sent to those who had received planning approval for a second unit since the last survey in 2004 was conducted. Amnesty second unit owners were given a slightly different survey as well. The survey was anonymous but color-coded for type of unit (amnesty or standard) and included initials to track the community plan area. A total of 205 surveys were sent out to owners. Completed surveys were returned with an overall response rate of 40.5. The survey revealed that 64% of second units are being rented (in comparison to

77% in 2004; units not yet built were not included), with rents ranging from \$0 to \$2,750. The average rent was \$1,180 per month, versus \$1,145 in 2004. By excluding the 9% of survey respondents not charging any rent (to reduce skew), rents averaged \$1,411, versus \$1,244 in 2004. Average occupancy was 1.55 persons per unit.

Assuming that the average household spends 30% of its income on housing and that units in our sample are rented to two persons, data from the survey revealed the following breakdown of unit affordability based on household size:

- 1.6% of the units qualified as extremely low income (not calculated in 2004),
- 8% as very low income (vs. 24% in 2004),
- 51% as low income (vs. 58% in 2004),
- 29% as moderate income (vs. 16% in 2004), and
- 9% as above moderate income or more (vs. 2% in 2004).

The survey revealed that up to 61% of second units in unincorporated Marin County are affordable to households at 80% AMI and below.<sup>12</sup> Approximately 9% of the units reported no rent charged. Overall, there was an increase in rental levels over the last four years.

### **Second Units and RHNA**

Based on the empirical data presented above specific to second unit permits, Marin County anticipates that an additional 20 second units will be permitted on an annual basis from January 2012 through July 2014 (50 units total). This assumption is reflected in Figure IV-6: Available Land Inventory Summary – Remaining Units. Additionally, all 95 second unit permits issued between January 2007 and December 2011 are counted in Figure IV-4: Unit Development Inventory. Findings from the Second Unit Affordability Survey have been applied to reflect the rent distribution of second units.

### **Single Room Occupancy (SRO)**

The Marin County Development Code does not contain language specific to the development of SROs. SROs are treated as any other residential use by the Development Code. This Housing Element contains a program to expand opportunities for SRO development as a residential use (1.j Zone and Provide Appropriate Standards for SRO Units).

### **Manufactured Housing and Mobile Homes**

Manufactured houses are treated as single-family dwellings and are subject to the same Development Code standards as stick-built structures, consistent with Government Code Section 65852.3. These housing types are specifically identified in the Development Code's definition of single-family dwelling. There are currently three mobile home parks in unincorporated Marin County, one with RX (Residential Mobile Home Park) zoning. According to the 2010 Census, 1.5% of dwelling units in the unincorporated County are mobile homes or similar types of housing. The agricultural worker housing project contemplates the use of these housing types.

### **Emergency (Homeless) Shelters, Supportive Housing, and Transitional Housing**

Effective January 1, 2008, SB 2 (Chapter 633, Statutes of 2007) requires every California city and county to engage in a detailed analysis of emergency shelters and transitional and supportive housing in its next Housing Element revision, regulates zoning for these facilities,

<sup>12</sup> Tenants of second units for which no rent is charged are not necessarily very-low, low, or moderate income households. It was beyond the scope of the survey conducted among property owners to inquire into the household incomes of second unit tenants. Zero rents were not included in the distribution of housing costs.

and broadens the scope of the Housing Accountability Act to include emergency homeless shelters as well as supportive and transitional housing.

Government Code Section 65583(a)(4) requires the County to accommodate the development of at least one year-round emergency shelter within its jurisdiction and to have capacity to accommodate the unmet needs of homeless individuals in emergency shelters. Effective January 1, 2008, Senate Bill 2 (SB 2) amended State Housing Element Law to require jurisdictions to allow emergency shelters without discretionary approvals (such as a use permit).

### ***Zoning for Emergency Shelters***

In January 2012, Marin County amended the Development Code to accommodate the permitting of emergency homeless shelters within Planned Commercial (CP) and Retail Business (C1) districts, and standards were established in Section 22.32.095 so that homeless shelters as a use may be approved by the Agency Director through a ministerial action, consistent with SB2 requirements (*1.k Zone and Provide Appropriate Standards for Homeless Shelters*). Shelters are subject to the same development and management standards as other residential or commercial uses within the zone.

Within the Planned Commercial (CP) zoning district there are 73 assessor parcels, comprising 48 acres. The current uses include 10 vacant parcels, 18 publicly owned parcels, 1 private/non-taxed parcel, and 4 industrial parcels. The other 40 parcels support commercial uses or single family dwellings. The average lot size is 0.69 acres. A land use analysis found that CP is the most feasible district given the adjacent uses, proximity to transit, general location, and status of available land. There are 18 parcels comprising 5.92 acres in the Retail Business (C1) zoning district. The current uses include 2 multi-family parcels, 4 vacant parcels, and 12 parcels with commercial uses. There is realistic potential for redevelopment or reuse within the C1 and CP zones as there are both vacant and underutilized parcels.

Three Marin County shelter locations in the cities of San Rafael and Novato accommodate an average of 125 beds per acre. Based on that average land requirement, these zoning districts can support well over 100 shelter beds, providing adequate capacity to meet the identified need for 96 year-round emergency shelter beds.

### ***Zoning for Transitional and Supportive Housing***

Marin County treats transitional and supportive housing in the same manner as any other residential use and does not require supportive and transitional housing to obtain any additional types of permits and approvals other than those required of any other residential development. Residential uses, including transitional and supportive housing, are permitted in the following zones: Agricultural and Resource-Related Districts, Single-Family Districts, Multi-Family Districts, Commercial Districts and Planned Office Districts.

To further simplify our existing practice, clarifications in the zoning code have been made, consistent with the program *1.l Enable Transitional and Supportive Housing*. Definitions of transitional housing and supportive housing as a residential use were added to the Development Code in January 2012. These definitions can be found below in Figure IV-8.

Figure IV-8: Definitions of Transitional and Supportive Housing

Definition
<i>Emergency shelter</i> is defined as "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No person may be denied emergency shelter because of an inability to pay." Health and Safety Code section 50801(e).
<i>Transitional housing</i> is defined as "buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months." Health and Safety Code section 50675.2(h).
<i>Supportive housing</i> is defined as "Housing with no limit on length of stay, that is occupied by the target population as defined in subdivision (d) of Section 53260, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community." Health and Safety Code section 50675.14(b).

### ***Housing Accountability Act***

Marin County's zoning is in compliance with the Housing Accountability Act. The County limits the denial of housing development for very low, low, or moderate income households to the five criteria listed in CA Government Code Section 65589.5. This policy includes emergency shelter, transitional housing, and supportive housing.

### ***Policies and Programs to Remove Barriers to Transitional and Supportive Housing***

Marin County has incorporated into the Housing Element policies and programs that promote development of transitional and supportive housing. These programs include *1.d Streamline the Review of Affordable Housing*, *1.e Study Ministerial Review for Affordable Housing*, *1.i Enable Transitional and Supportive Housing*, and *2.e Support Efforts to House the Homeless*.

### ***Agricultural Worker Housing***

An evaluation of the need for agricultural worker housing was conducted in July 2008 to support an application to the Joe Serna Program. The County has collaborated with the Marin Community Foundation, the Marin Workforce Housing Trust and Ag Innovations to develop a far reaching program to address the housing needs of agricultural workers and their families. The Marin Agricultural Housing program is a scattered-site housing project which proposes rehabilitation, replacement or adding new units for up to 200 total homes over the next 5 years. Wherever feasible, the project will utilize green building principles, such as orientation for maximum solar gain, photo-voltaic systems, and high efficiency building materials. The program will seek funding from a variety of sources including US Department of Agriculture, Marin Community Foundation, and the County Housing Trust.

The Constraints section contains a broad discussion on agricultural worker housing, including the zones that can accommodate agricultural worker housing. This Element includes programs that seek to expand and streamline opportunities for new development and to improve the existing stock of housing for agricultural workers (*2.i Modify Development Code to Reflect Williamson Act*, and *2.j Promote the Development of Agricultural Worker Units*).

### ***Housing in the Coastal Zone***

The Coastal Zone encompasses non-federal lands extending inland approximately 1,000 yards from the mean high tide line of the sea, and includes the villages of Muir Beach, Stinson Beach, Bolinas, Olema, Inverness, Point Reyes Station, Marshall, Tomales, and Dillon Beach. Between 1988 and 2002, approximately 353 new residential units were constructed within the Coastal

Zone. From January 2003 through June 2009, 143 new residential units were constructed within the Coastal Zone. All were single family homes with the exception of the 8-unit Bolinas Gas Station (Bo-Gas) project, the Gibson House providing 8 SROs, and 13 duplexes as part of the Point Reyes Affordable Homes project completed during this period (all affordable housing developments). There were three demolition permits issued in the Coastal Zone over the period; all were for single family homes, and all were replaced with single family development. Second units are permitted in the Coastal Zone area. A program in this Element (*1.g Undertake Adjustments to Second Unit Development Standards*) has been implemented and successfully eliminated a prohibition of second units in Bolinas.

Marin County policies direct urban-type development permitted in the Coastal Zone to the various villages as infill. Towards this end, Community Expansion Boundaries (CEBs) are in effect in the four villages of Olema, Point Reyes Station, Tomales, and Dillon Beach.

The West Marin community has consistently advocated for affordable housing in the western part of the county and has generally supported policies that promote agricultural and affordable workforce housing. Four affordable housing developments of note in the Coastal Zone are:

- Gibson House, a refurbished commercial bakery, now provides eight affordable rental SRO units;
- Bolinas Gas Station, a mixed use project that includes a service station converted to 8 residential units, a gasoline station, local retail, and community meeting space.
- Point Reyes Affordable Homes provides 26 low-income rentals and 8 moderate-income homeownership units; and
- Walnut Place provides 24 rental apartments to low income seniors.

Programs relating to the Coastal Zone will be consistent with the Local Coastal Program, an update of which is currently underway.

## **Loss of Affordable Housing through Demolitions and Conversions**

Between 1999 and 2008, approximately 40 demolition permits were granted in unincorporated Marin County. Given the high value of developed land in the County, demolitions are almost exclusively replaced with new construction, and therefore have no impact as lost housing units. However, the impact is a housing stock of larger, much more expensive homes, which changes the fabric of the community and further reduces affordable housing stock. Conversion and demolition has not significantly reduced the housing stock in Marin during the period of 1989 to the present.

Marin County has a condominium conversion ordinance that prevents conversion of rental units to condominiums while the residential vacancy rate is below 5.0%. The vacancy rate has been less than 5.0% since adoption of the ordinance. For 2010, rental vacancies were estimated at 3.5%<sup>13</sup>.

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<sup>13</sup> 2010 American Community Survey 1-Year Estimates, DP04, Selected Housing Characteristics

## Opportunities for Energy Conservation

Housing elements are required to identify opportunities for energy conservation. Since the deregulation of energy companies in 1998, the price of energy has skyrocketed. With such an increase in prices, energy costs can account for a substantial portion of housing costs. There are a number of programs offered locally, through the local energy distributor (PG&E), Marin's own clean energy provider (Marin Energy Authority) and through the State of California that provide cost-effective energy savings. The County makes information regarding energy conservation available to the public.

Effective energy conservation measures built into or added to existing housing can help residents manage their housing costs over time and keep lower income households' operating costs affordable. There are several significant areas in which the County of Marin County is encouraging energy conservation in new and existing housing:

- County residential building standards require that new single family dwellings and substantial remodels resulting in a total dwelling size of 1,500 square feet or greater of total conditioned floor area must exceed State energy efficiency standards by at least 15%.
- All residential projects requiring discretionary planning review must meet a minimum threshold for the green building certification program.
- The Housing Rehabilitation Loan Program assists low income owners in the rehabilitation of older housing units, which can include energy efficiency improvements.
- The County has sponsored various incentives, such as free solar and green building technical assistance programs that assist owners in converting to green energy technologies and green building techniques.
- Land use policies in the 2007 Countywide Plan promote more compact neighborhoods, encourage in-fill development, and promote cluster development.

Through these and other conservation measures, the County seeks to help minimize the proportion of household income that must be dedicated to energy costs as well as to minimize the use of nonrenewable resources (*1.n Promote Resource Conservation*).

# Goals, Policies & Programs

## Housing Objectives

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. The County's housing provision objectives are described in Figures IV-2 and IV-3.

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 2003 Housing Element (found in Appendix B: Evaluation of 2003 Housing Element Programs). Implementing programs are grouped by the housing goals described below.

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### 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, prices, and designs.

### Goal 3 Ensure Leadership and Institutional Capacity

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

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In addition to public workshops, focus group discussions with stakeholders were conducted in the preparation of the Housing Element Update. Feedback received at the meetings (Appendix C), identified three central ideas for facilitating development of housing affordable to lower income households in Marin:

- Provide clear development standards and incentives for affordable housing developments to minimize risk 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 incorporated into the Housing Element Update. For example, in direct response to input received from the development community and the housing advocacy community, and to establish a sound affordable housing inventory criteria, a program is included in this Housing Element to facilitate and streamline the development of affordable housing to accommodate the County's low income housing needs and RHNA objectives (*1.d Streamline the Review of Affordable Housing*). Through implementation of this program, the Development Code was amended to establish the residential density for affordable projects at the high end of the Countywide Plan density range rather than the zoned density, and to eliminate for affordable projects the master plan, and precise development plan review requirements.

A summary list of programs, responsible entities, funding, and implementation timeframes are identified in Appendix G: Housing Element Program Implementation. Policies and programs from other elements of the Countywide Plan are displayed parenthetically in cases where they either demonstrate consistency with Housing Element programs, or are further implemented through the Housing Element.

### **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 land use regulations which foster a range of housing types in our community.

#### **Policy 1.2      Housing Sites**

Recognize developable land as a scarce community resource. Protect and strive to expand the supply and residential capacity of housing sites, particularly for lower income households.

#### **Policy 1.3      Development Certainty**

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

#### **Policy 1.4      Design, Sustainability, and Flexibility**

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

### ***Implementing programs***

- 1.a Establish Minimum Densities on Housing Element Sites.** The County shall not approve development on sites identified in the Housing Element with fewer units than shown in the Site Inventory Analysis, unless physical or environmental constraints preclude development at the minimum density and the findings in Government Code Section 65863 can be made. If development on a site is to occur over time, the applicant must show that the proposed development does not prevent subsequent development of the site to the density shown in the Site Inventory Analysis. If a reduction in residential density for any parcel would render the sites inventory inadequate to accommodate the County's Regional Housing Need Allocation, the County must identify sufficient additional, adequate, and available sites with an equal or greater residential density in the jurisdiction so that there is no net loss of residential unit capacity.
- 1.b Conduct a Comprehensive Affordable Housing Sites Inventory<sup>1</sup>.** Involve the community in a planning exercise to designate appropriate sites for future housing by initiating a Housing Sites Inventory in preparation for the next Housing Element cycle. The process may include:
  - a. Convene a Housing Sites Inventory Taskforce representing a wide segment of the community, including affordable housing advocates, environmentalists, and people of a range of incomes, backgrounds,

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<sup>1</sup> Completed by Housing Element Task Force and through Housing Element update.

and geographic areas. The Taskforce should undertake a detailed planning exercise.

- b. The Taskforce should evaluate appropriate zoning, environmental and site characteristics, access to public services and amenities, potential environmental issues, and adjacent land uses.
- c. Develop a sites inventory that will include enough sites to meet the projected housing needs of the community over the next two RHNA cycles.

**1.c Establish an Affordable Housing Combining District.**

- a. Amend the Development Code to establish an affordable housing combining zoning district that increases residential density on certain sites specified in the housing element to 30 dwelling units per acre, in order to meet future RHNA need. Incentives are available consistent with Chapter 22.24.
- b. Amend the Countywide Plan land use section to add a cross-reference to the combining district.

**1.d Streamline the Review of Affordable Housing<sup>2</sup>.** Encourage the development of housing for low, very low and extremely low income households by making the review process more efficient and clarifying permitted density. Amend the Development Code to do the following:

- a. Exempt deed-restricted housing developments that are affordable to extremely low, very low and low income households from the Master Plan and Precise Development Plan review and permit procedures. Qualifying projects are subject to design review and other state law requirements.
- b. Allow the density of deed-restricted housing developments that are affordable to extremely low, very low or low income households to be established by the maximum Marin Countywide Plan density range in zones that allow residential uses, subject to all applicable Countywide Plan policies.

**1.e Study Ministerial Review for Affordable Housing.** Study the implications and opportunities for establishing a ministerial review process for affordable housing. A ministerial process could employ multi-family design guidelines and incorporate environmental protection measures consistent with the Countywide Plan. Upon completion of the study, either permit affordable housing projects ministerially or through a streamlined process of discretionary design review.

**1.f Develop Multi-family Design Guidelines.** Develop multi-family and residential mixed-use design guidelines to establish clear and comprehensive design recommendations for multi-family residential development in the unincorporated communities of Marin.

- a. Multi-family design guidelines should emphasize essential principles of development, particularly site planning, preservation of natural features, resource conservation, compatibility with neighboring development, location of buildings in relationship to pedestrian paths and streets, landscaping, general building form, massing, and scale

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<sup>2</sup> Completed with 2012 Development Code amendments.

and standards which will increase the feasibility of housing affordable to lower income households.

- b. Develop clear design criteria to help expedite the permit review process for developers, planners, and the public.
- c. Develop standards to facilitate some ministerial permit review of multi-family, transitional, and supportive housing developments.
- d. Allow duplexes through ministerial review within R2 and multi-family zones by applying streamlining thresholds, and apply similar design review triggers as single-family homes.

**1.g Undertake Adjustments to Second Unit Development Standards<sup>3</sup>.**

Consistent with SB1866, continue to enable construction of well-designed second units in both new and existing residential neighborhoods as an important way to provide workforce and special needs housing. Also pursue the following:

- a. Consider permitting larger sized second units of up to 1000 square feet to increase flexibility and to provide housing for families and for individuals in need of in-home care services.
- b. Reduce fees for second units in recognition of their small size and the low impact of second units. Pursue reductions in road impact and traffic fees, coastal permit fees, and design review fees.
- c. Consider developing standards to allow the height limit for primary residences to be applied to second units that are located over detached garages.
- d. Develop standards to allow flexibility of second unit parking requirements, such as off-site parking, and curb and shoulder parking along a property's frontage.
- e. Consider adjustments in septic standards for second units.
- f. Consider requiring Master Plans, Precise Development Plans and Coastal Permit applications that include development of 3 or more single family residences to include second units at an appropriate ratio, such as three primary residences to one second unit (3:1).
- g. Amend the Development Code Section 22.32.140 G to insure consistency with State Law in all planning areas, and eliminate the prohibition in Bolinas related to water adequacy for primary units.

**1.h Allow Rental of Detached Accessory Structures<sup>4</sup>.** In order to encourage efficient land use in existing neighborhoods and to increase the stock of homes affordable to a range of incomes, allow long-term rental of detached accessory structures.

**1.i Review and Update Parking Standards.** Analyze the parking needs of infill, transit-oriented, mixed-use, special needs, group homes, convalescent homes, multi-family, senior and affordable housing developments. In order to facilitate these housing types and to reduce vehicle dependence, amend Marin County Code Title 24 to reduce parking standards wherever appropriate. Possible amendments could include but are not limited to:

- reduction of onsite vehicular ratios for multi-family housing;

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<sup>3</sup> Partially completed with 2012 Development Code amendments.

<sup>4</sup> Completed with 2012 Development Code amendments

- allowance of tandem parking and other flexible solutions such as parking lifts;
- allowance of off-site parking, such as on-street parking and use of public parking, to satisfy a portion of the parking needs for new housing units, particularly affordable units; and
- establishment of parking standards for mixed-use developments such as shared parking.

**1.j Zone and Provide Appropriate Standards for SRO Units.** Establish opportunities for development of SROs in appropriate locations as lower cost rental alternatives for one-person and extremely low income households.

- Review and revise zoning regulations to identify Single Room Occupancy (SRO) units as a permitted residential use in multi-family and mixed-use areas.

**1.k Zone and Provide Appropriate Standards for Homeless Shelters<sup>5</sup>.**

Consistent with SB 2, amend the Development Code to allow the development of Homeless Shelters as a permitted, non-conditional (permitted) use in Commercial Planned (CP) and Retail Business (C1) districts. This amendment will ensure that emergency shelters are subject to the same development standards as other residential and commercial uses within the same zone. Establish appropriate parking, development, and management standards.

**1.l Enable Transitional and Supportive Housing<sup>6</sup>.** Add to the Development Code definitions of transitional housing and supportive housing as a residential use to further simplify existing practice, clarify the zoning code, and aid in the development of design guidelines. These definitions can be found within this Housing Element update in Section IV: Sites Analysis.

**1.m Codify Affordable Housing Incentives Identified in the Community**

**Development Element<sup>7</sup>.** Amend County Code to implement the provisions of the Countywide Plan by codifying certain affordable housing incentives. These should include:

- Allow additional units of senior housing on a Housing Overlay Designation (HOD) site if the units are affordable to low and very low income households, and if the projected peak hour traffic impacts of the total project fall within the maximum peak hour traffic level permissible on the site. (CD-2.d.7)
- Adjust parking requirements for senior and affordable housing using criteria established in the URBEMIS model to encourage transit-oriented development. (CD-2.d.8)
- Exempt affordable housing projects and second units from paying the full cost of impact fees. (CD-5.j)
- Allow housing for low and very low income households to exceed the FAR on mixed-use sites. Allow moderate income housing to exceed the FAR on mixed-use sites within areas of acceptable levels of traffic service. (CD-8.7.5)

<sup>5</sup> Completed with 2012 Development Code amendments

<sup>6</sup> Completed with 2012 Development Code amendments

<sup>7</sup> Partially implemented with 2012 Development Code amendments

- e. Identify incentives to strongly encourage residential and mixed-use development in commercial zoning districts. (DES-2.c)
- f. For affordable housing projects, mixed-use projects that include affordable housing, second units, and projects developed in accordance with the Housing Overlay Designation, allow densities above the low end of the range in areas with LOS D, E and F: In accordance with the Countywide Plan Policy CD-8.7, residential units on mixed use sites in the Tamalpais Area Community Plan area shall be restricted to 100 residential units, including any applicable density bonus. Such units are not subject to the FAR exemption described in CD-8.7 (5).

**1.n Promote Resource Conservation<sup>8</sup>.** (EN-1.b-f, EN-3.a, EN-3.e-i and EN-3.k)

Continue to promote development and construction standards for new and rehabilitated dwellings that encourage resource conservation through materials selection, water conservation, community design, energy efficiency, and the use of renewable energy through the following:

- a. Adopt green building requirements for new single-family and multi-family residential construction projects, additions, and remodels that require compliance with energy efficiency and conservation requirements that exceed State standards. Require verification of these measures.
- b. Consistent with the Countywide Plan, adopt Leadership in Energy and Environmental Design (LEED) Gold certification requirements for development and major remodels of public buildings where feasible.
- c. Evaluate the feasibility of carbon neutral construction for new single-family dwellings.
- d. Continue to enforce the Single-Family Dwelling Energy Efficiency Ordinance that requires new residential projects, additions, and remodels to exceed Title 24 requirements by a minimum of 15%.
- e. Explore a program consistent with AB 811 that provides to homeowners loans repayable through the property tax bill for energy efficiency, water conservation, and renewable energy generation upgrades.
- f. Work with the Marin Housing Authority to provide applicants for rehabilitation loans for upgrading their residences with green materials and energy conserving measures.
- g. Continue to provide free technical assistance to architects, developers, green businesses, homeowners, and other agencies.

**1.o Simplify Review of Residential Development Projects in Planned Districts.**

- a. Consider amending the Development Code to establish criteria for ministerial review of residential development projects in planned zoning districts. Criteria may be established for characteristics such as setbacks, height limits, floor area ratios, buffers from sensitive habitats, and slope constraints, among others.
- b. Consider amendments that would allow Master Plans to establish site specific criteria for ministerial review of subsequent development projects.

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<sup>8</sup> Currently implementing

- 1.p Adjust Height Limits for Multi-family Residential Buildings.** Consider amending the Development Code to increase the allowable height for multi-family residential development. Consider allowing increases to height limits depending on certain side yard setbacks.
- 1.q Clarify Applicability of State Density Bonus.** Evaluate policies in the Countywide Plan and Development Code for housing opportunity site to ensure consistency with Government Code Section 65915. Amend the Countywide Plan and Development Code as appropriate.

## **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**

Promote the development and rehabilitation of housing for special needs groups, including seniors, people living with disabilities, agricultural workers, individuals and families who are homeless, people in need of mental health care, single-parent families, large families, extremely low income households and other persons identified as having special housing needs in Marin County. Link housing to programs of the Department of Health and Human Services in order to coordinate assistance to people with special needs.

### **Policy 2.2      Housing Choice**

Implement policies that facilitate housing development and preservation to meet the needs of Marin County's workforce and low income population.

### **Policy 2.3      Incentives for Affordable Housing**

Continue to provide a range of incentives and flexible standards for affordable housing in order to ensure development certainty and cost savings for affordable housing providers.

### **Policy 2.4      Protect Existing Housing**

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

## **Implementing programs**

2.a. **Encourage Housing for Special Needs Households<sup>9</sup>.** Continue to work with affordable housing providers and funders on opportunities to construct or acquire a variety of types of affordable housing appropriate for special needs groups and extremely low income households. Specific types of housing include:

- Smaller, affordable residential units, especially for lower income single-person households.
- Affordable senior housing to meet the expected needs of an aging population, including assisted housing and board and care (licensed facilities).
- Affordable units with three or more bedrooms for large-family households.
- Affordable housing that can be adapted for use by people with disabilities (specific standards are established in California Title 24 Accessibility Regulations for new and rehabilitation projects).

2.b. **Enable Group Residential Care Facilities<sup>10</sup>.** Continue to comply with State and Federal law by allowing group homes with special living requirements consistent with the County's land use regulations.

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<sup>9</sup> Currently implementing

<sup>10</sup> Currently implementing

- 2.c. **Make Provisions for Multi-family Housing Amenities<sup>11</sup>.** Continue to ensure that adequate provisions are made in new developments for families with children, including consideration of amenities such as tot lots, play yards, and childcare.
- 2.d. **Foster Linkages to Health and Human Services Programs<sup>12</sup>.** Continue to seek ways to link services for lower income people to provide the most effective response to homeless or at-risk individuals.
- 2.e. **Support Efforts to House the Homeless<sup>13</sup>.** Support Countywide programs to provide for a continuum of care for the homeless, including emergency shelter, transitional housing, supportive housing, and permanent housing. Participate in efforts and allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related support services.
- 2.f. **Engage in a Countywide Effort to Address Homeless Needs<sup>14</sup>.** Continue to actively engage with other jurisdictions in Marin to provide additional housing and other options for the homeless, supporting and implementing *Continuum of Care* actions in response to the needs of homeless families and individuals.
- 2.g. **Ensure Reasonable Accommodation<sup>15</sup>.** Consistent with SB 520 enacted January 1, 2002, reduce barriers in housing for individuals with disabilities through the following actions:
- a. Establish a written Reasonable Accommodation procedure for providing exceptions in zoning and land use for housing for persons with disabilities.
  - b. Amend the Development Code to clarify that retrofitted access ramps are permitted in setback areas.
  - c. Develop guidelines encouraging the principles of universal design. Evaluate possible incentives to developers who incorporate principles of universal design and advance visitability.
  - d. Consider allowing up to 50% reduction in parking requirements for disabled housing, as allowed for senior housing.
- 2.h. **Require Non-discrimination Clauses<sup>16</sup>.** Continue to provide nondiscrimination clauses in rental agreements and deed restrictions for housing constructed with County participation.
- 2.i. **Modify Development Code to Reflect Williamson Act.** Modify the Development Code to reflect the section of the Williamson Act (Section 51230.2) that allows landowners to subdivide up to 5 acres of the preserved land for sale or lease to a nonprofit organization, a city, a county, a housing authority, or a state agency in order to facilitate the development and provision of agricultural worker housing. This section of the Williamson Act requires that the parcel to be sold or leased must be contiguous to one or more parcels that

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<sup>11</sup> Currently implementing

<sup>12</sup> Currently implementing

<sup>13</sup> Currently implementing

<sup>14</sup> Currently implementing

<sup>15</sup> Currently implementing

<sup>16</sup> Currently implementing

allow residential uses and are developed with existing residential, commercial, or industrial uses.

- 2.j. **Promote the Development of Agricultural Worker Units<sup>17</sup>**. Pursue policy changes that promote the development of agricultural worker units.
- a. Consider ministerial review of applications for agricultural worker units in order to expedite the permitting process and facilitate the development of legal agricultural worker units.
  - b. As the County undertakes an update of the Local Coastal Program (LCP), revise the C-APZ zoning district to allow certain agricultural worker housing as a permitted agricultural use, demonstrating consistency with California Health and Safety Code Section 17021.6.
  - c. Consider a program to facilitate the legalization of agricultural worker housing units.
  - d. Seek funding opportunities to assist with rehabilitation and replacement of agricultural worker housing units.
  - e. Amend the Development Code to insure consistency with Health and Safety Code Section 17021.5.
- 2.k. **Promote and Ensure Equal Housing Opportunity<sup>18</sup>**. Continue to promote equal housing opportunities for all persons and assure effective application of fair housing laws. To the extent possible, the County will ensure that individuals and families seeking housing in Marin County are not discriminated against on the basis of race, color, religion, marital status, disability, age, sex, family status (presence of children), national origin, or other arbitrary factors, consistent with the Fair Housing Act.
- a. Provide written material at public locations and on the County's public website. Information regarding equal housing opportunity laws shall be made available to the public. A pamphlet on equal housing opportunity shall be prepared and distributed to the public at the Civic Center and government outlets.
  - b. Continue to collaborate with Fair Housing of Marin, such as ongoing representation on the Fair Housing Task Force by a member of the County staff.
  - c. Conduct public outreach and complete an Analysis of Impediments to Fair Housing to identify private and public barriers to fair housing choice.
- 2.l. **Deter Housing Discrimination<sup>19</sup>**. Continue to refer discrimination complaints to Fair Housing of Marin or other appropriate legal services, County or State agencies.
- 2.m. **Implement the Inclusionary Housing Policy<sup>20</sup>**. Continue to implement Development Code Section 22.22 regarding inclusionary housing for low income households in order to increase affordable housing construction, as follows:
- a. Apply flexibility to allow for maximum affordable housing outcomes (either units or funds).

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<sup>17</sup> Partially implemented

<sup>18</sup> Currently implementing

<sup>19</sup> Currently implementing

<sup>20</sup> Currently implementing

- b. Maintain targets for very low income rental units and low income ownership units, such as 30% to 60% AMI for rental units, and 50% to 80% AMI for ownership units.
  - c. Inclusionary units shall be deed-restricted to maintain affordability on resale to the maximum extent possible (preserve existing policy of in perpetuity or at least 55 years).
  - d. Update Section 22.22 to reflect the 2009 California Court of Appeal decisions commonly referred to as Palmer and Patterson.
- 2.n. **Apply Long-Term Housing Affordability Controls<sup>21</sup>.** The County or its designee(s) will continue to apply resale controls and rent and income restrictions to ensure that affordable housing provided through local funding, incentives, or as a condition of development approval remains affordable over time to the income group for which it is intended.
- 2.o. **Encourage Land Acquisition and Land Banking.** Encourage land acquisition and land banking for future affordable projects as a way to assist development of affordable housing.
- 2.p. **Expedite Permit Processing of Affordable and Special Needs Housing Projects<sup>22</sup>.** Define fast-tracking and establish milestones for expedited permit processing for affordable housing projects, as well as green projects, childcare facilities, special needs housing, and agricultural worker housing projects. Specific timelines for fast-tracked projects that will result in expedited review will be established. Coordinate this process with appropriate County departments and outside agencies to establish clear and specific timelines for review. Employ updated information technology to track turn-around times and monitor the permitting process.
- 2.q. **Consider CEQA Expedited Review.** Consider an area-wide Environmental Assessment or Program EIR assessing area-wide infrastructure and other potential off-site impacts to expedite the processing of subsequent affordable housing development proposals.
- 2.r. **Encourage First-Time Homebuyer Programs<sup>23</sup>.** Continue to support first-time homebuyer programs for low and moderate income households, as funding is available, and combine such programs with housing counseling programs whenever possible.
- 2.s. **Link Code Enforcement with Public Information Programs<sup>24</sup>.** Continue to implement housing, building, and fire code enforcement to ensure compliance with basic health and safety building standards. Provide referrals to rehabilitation loan programs and subsidized housing programs for use by qualified residents.

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<sup>21</sup> Currently implementing

<sup>22</sup> Currently implementing

<sup>23</sup> Currently implementing

<sup>24</sup> Currently implementing

- 2.t. **Assist in Maximizing Use of Rehabilitation Programs**<sup>25</sup>. Continue to promote use of low-income homeowners' assistance for housing rehabilitation. Utilize Federal Community Development Block Grant (CDBG) funds, administered by the Marin Housing Authority, that are available for this purpose, or other sources to the extent possible, given program funding criteria and local need.
- 2.u. **Monitor Rental Housing Stock**<sup>26</sup>. Ensure that existing subsidized housing is conserved as part of the County's affordable housing stock, including State, Federal and locally-assisted developments. (See Figure IV-4 on page IV-7 for more detail about the Ridgeway Apartments conversion.)
- a. Identify and monitor affordable properties at risk of conversion to market rate.
  - b. Continue to work with and provide technical assistance to property owners and non-profit organizations to acquire and rehabilitate affordable rental housing units in order to maintain ongoing affordability of the units and to convert market rate units to affordable units.
  - c. Provide support and committed funding to purchasers of the Ridgeway Apartments to facilitate conversion of 153 units of market rate rental housing to long-term deed restricted units affordable to low income households.
  - d. Commit to provide relocation assistance in the event of displacement of residents of the Ridgeway Apartments as well as any other residents who may be displaced as a result of conversion from market rate to long-term affordable housing with committed assistance from the County.
  - e. Ensure that all units receiving committed assistance from the County for conversion from market rate to affordable carry affordability restrictions of 55 years, including the Ridgeway Apartments.
  - f. Submit a written report to the Board Supervisors and the California Department of Housing and Community Development documenting progress towards and committed assistance to the conversion of the Ridgeway Apartments. This report will be provided during the third year of the planning period (2012) in conjunction with the annual report on housing element progress.

### **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      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 3.2      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

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<sup>25</sup> Currently implementing

<sup>26</sup> Currently implementing

an ongoing basis, and respond effectively to changing housing conditions and needs of the population over time.

**Policy 3.3                      Funding**

Aggressively and creatively seek ways to increase funding resources for lower income and special needs housing.

***Implementing programs***

- 3.a. **Explore Housing at the Civic Center**<sup>27</sup>. Work with the City of San Rafael to consider affordable housing at the Civic Center site. Collaborate with San Rafael and HCD to facilitate possible sharing of affordable units for the RHNA process between the County and San Rafael.
- 3.b. **Advance Organizational Effectiveness**<sup>28</sup>. Continue to seek ways to organize and allocate staffing resources effectively and efficiently to encourage and implement effective housing policy Countywide. Opportunities to enhance Marin County's capabilities may include:
- Sharing or pooling resources and coordinating tasks among multiple jurisdictions in implementing common housing programs.
  - Initiate regular dialogue with Marin jurisdictions related to affordable housing policies, practices, and development updates.
  - When requested, provide technical assistance related to housing development and funding to local Marin jurisdictions.
  - Enhancing relationships and partnerships with non-profit service providers.
- 3.c. **Provide and Promote Opportunities for Community Participation in Housing Issues**<sup>29</sup>. Continue to undertake effective and informed public participation from all economic segments and special needs communities in the formulation and review of housing issues. Include the following:
- a. Coordinate community meetings. Strongly encourage developers to hold community meetings with stakeholders and County staff as part of any major development pre-application process.
  - b. Conduct community outreach activities. Provide ongoing outreach and a forum for discussion of housing issues through presentations and increased awareness of housing programs.
  - c. Provide public information to improve awareness of housing needs, issues, and programs through websites, fact sheets, and presentations.
  - d. Coordinate with interested groups including local businesses, housing advocacy groups, and neighborhood groups to build public understanding and support for workforce and special needs housing.
- 3.d. **Perform Regional Transportation and Housing Activities**<sup>30</sup>. Continue to coordinate with regional planning bodies, such as the Association of Bay Area Governments, Congestion Management Agency, Transportation Authority of Marin, Sonoma Marin Area Rapid Transit, and Metropolitan Transportation

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<sup>27</sup> Complete. Reviewed but not recommended by Housing Element Task Force and Planning Commission

<sup>28</sup> Currently implementing

<sup>29</sup> Currently implementing

<sup>30</sup> Currently implementing

Commission to facilitate transit-oriented housing development by using the incentives and other means provided through regional transportation plans.

- 3.e. **Coordinate with Other Agencies**<sup>31</sup>. Coordinate with other regulatory agencies and special districts to facilitate and streamline the development of affordable and special needs housing. Pursue fee waivers and expedited review.
- a. Pursue fee waivers and expedited review for affordable and special needs housing.
  - b. Coordinate with pertinent departments in their efforts to amend the Safety and Conservation Elements of the Countywide Plan to include analysis and policies regarding flood hazard and flood management information.
- 3.f. **Promote Countywide Collaboration on Housing**<sup>32</sup>. Work with Marin cities and towns to address regional planning and housing issues.
- 3.g. **Preserve Existing Housing Stock**<sup>33</sup>. Strive to protect existing housing stock that offers a range of housing choice and affordability.
- a. Work with residents, property owners, agencies, and non-profit groups to seek ways to assist in the long-term protection of rental and low cost housing, including mobile homes, mobile home parks, and manufactured housing.
  - b. Consider an ordinance to require developers to provide relocation assistance for current residents when units are converted to other uses.
  - c. Conduct a comprehensive analysis of legal non-conforming multi-family properties to establish the extent to which the County's existing rental stock may be compromised by the underlying zoning. If determined appropriate, institute a program whereby legal non-conforming properties with existing multi-family housing may maintain the existing residential intensity on the property, and encourage income restrictions for affordable housing through incentives (CD-2.o).
  - d. Identify funding and other resources to preserve affordable units at risk of conversion to market rate.
- 3.h. **Monitor Inclusionary Housing Programs**<sup>34</sup>. Regularly evaluate the progress and effectiveness of the inclusionary housing programs in the Development Code.
- a. Monitor the residential inclusionary programs in Development Code Chapter 22.22 for their effectiveness, including the number of units constructed and amount of fees collected and deposited in the Affordable Housing Trust Fund.
  - b. Update on a regular basis the in-lieu fees for residential development (Development Code Section 22.22.080.C).
  - c. Continue to monitor the Jobs/Housing Linkage Ordinance (Development Code Section 22.22.095), and ensure that commercial and industrial

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<sup>31</sup> Currently implementing

<sup>32</sup> Currently implementing

<sup>33</sup> Currently implementing. Fireside preserved in 2011 (50 units of affordable housing)

<sup>34</sup> Currently implementing and additional proposed changes with 2013 Development Code amendments

projects provide either on-site employee housing or fees to develop housing.

- d. Update on a regular basis the in-lieu participation fees for commercial and industrial development.

- 3.i. **Undertake Housing Element Monitoring, Evaluation, and Revisions<sup>35</sup>.** The County will establish a regular monitoring and annual update process to assess housing needs and achievements and to provide a process for modifying policies, programs, and resource allocations as needed in response to changing conditions.

- a. Undertake housing element updates as required, in accordance to State law.
  - b. Conduct an annual housing element review.

- 3.j. **Provide and Participate in Local Affordable Housing Training and Education<sup>36</sup>.** Continue to encourage and participate in training sessions with local groups, decision makers, and staff to review potential constraints on and opportunities for creating affordable housing. Issues may include housing needs, financing, density, developmental delays, and management.

- 3.k. **Update Affordable Housing Trust Fund Operating Procedures<sup>37</sup>.** Update Trust Fund operating procedures.

- a. Publish application and funding guidelines on the County website. Specify that monies paid into the fund will be used to develop or rehabilitate units affordable to very low and low income households.
  - b. Periodically report Affordable Housing Trust Fund activities and status to the Director. Include total amount of funds available, recent use of funds, and details of deed restrictions that ensure that housing costs are affordable to lower income persons.

- 3.l. **Provide Leadership to the Marin Workforce Housing Trust<sup>38</sup>.** Participate on the Board of the Marin Workforce Housing Trust. Continue to ensure that housing for extremely low income and special needs populations is prioritized in funding.

- 3.m. **Assist with Local Funding for Affordable Housing<sup>39</sup>.** Continue to seek ways to reduce housing costs for lower income workers and people with special needs by continuing to utilize local, State, and Federal assistance to the fullest extent possible to achieve housing goals and by increasing ongoing local resources. This would include efforts to:

- a. Provide technical and financial resources to support development of affordable housing in the community, especially housing that meets the needs of the local workforce, people with special housing needs, and people with extremely low incomes.

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<sup>35</sup> On-going, housing element under revision

<sup>36</sup> Currently implementing

<sup>37</sup> Completed 10/2009. Procedures and applications materials on web site

<sup>38</sup> Currently implementing

<sup>39</sup> Currently implementing

- b. Partner with philanthropic organizations to help finance affordable housing developments and continue to participate in other rental assistance programs.
- 3.n. **Raise Funds from a Variety of Sources<sup>40</sup>.** Maintain and monitor existing and seek additional streams of financing to add to or match Housing Trust funds. Work with community and elected leaders to identify potential revenue sources, considering the following:
- In-lieu fee payments under inclusionary requirements (residential and non-residential developments).
  - Transient Occupancy Tax increase.
  - Affordable Housing Impact Fee on single-family homes.
  - Document Transfer Fee.
  - Transfer Tax increase.
- 3.o. **Coordinate Among Project Funders<sup>41</sup>.** Continue to ensure access to, and the most effective use of, available funding in Marin County by providing a mechanism for coordination among local affordable housing funders. Include regular meetings of local funders such as:
- Marin Community Foundation
  - Federal Grants
  - Marin Workforce Housing Trust
  - Marin County Housing Trust
  - Transportation Authority of Marin
- 3.p. **Utilize Federal Grants Division Funding<sup>42</sup>.** Continue funding activities through the Federal Grants Division for affordable housing purposes throughout eligible Marin jurisdictions.
- a. Fund the Rehabilitation Loan Program that allows low and very low income homeowners to access forgivable loans to upgrade their homes.
  - b. Fund affordable housing projects through the CDBG and HOME programs.
  - c. Administer the Housing Opportunities for Persons with Aids Program (HOPWA) to provide ongoing deep rental subsidies for individuals and families throughout the County.

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<sup>40</sup> On-going. Affordable Housing Impact Fee established 10/2008.

<sup>41</sup> Currently implementing through Funders Collaborative

<sup>42</sup> Currently implementing

# APPENDIX A: EVALUATION OF 2003 REGIONAL HOUSING NEEDS ALLOCATION

Units Built and Approved – 1999 to 2006

	Very Low Income	Low Income	Moderate Income	Subtotal Affordable Units	Above Moderate Income	Total
<b>Miscellaneous Housing Element Programs</b>						
Second Units	30	73	20	123	4	127
Attached and Detached Single Family Homes	0	0	26	26	603	629
Market Rate Rentals (Multi-Family)	0	0	26	26	9	35
<i>Subtotal from Miscellaneous Housing Programs</i>	30	73	72	175	616	791
<b>Housing from Identified Sites</b>						
Gates Cooperative	30	4	4	38	0	38
Gibson House (Bakery)	7	1	0	8	0	8
Oakview	7	14	30	51	52	103
Marin City Church	0	0	0	0	6	6
Fireside Motel	50	0	0	50	0	50
Point Reyes Affordable	10	16	8	34	0	34
Toussin Senior Housing (Ross Hospital)	4	9	0	13	0	13
Bolinas Gas Station (BoGas)	8	0	0	8	0	8
Strawberry Shopping Center	0	4	1	5	0	5
Sand Castle	0	1	3	4	0	4
CLAM	0	2	0	2	0	2
<b>Total Units</b>	<b>146</b>	<b>124</b>	<b>118</b>	<b>388</b>	<b>674</b>	<b>1062</b>
Regional 'Fair Share' Housing Need 1999-2007	85	48	96	229	292	521
<b>Percent of RHNA Met</b>	<b>172%</b>	<b>258%</b>	<b>123%</b>	<b>169%</b>	<b>231%</b>	<b>204%</b>



# APPENDIX B: EVALUATION OF 2003 HOUSING ELEMENT PROGRAMS

Policy/Program Title <i>Ref. # and brief description</i>	Objective <i>quantified where applicable or narrative</i>	Achievements / Results <i>quantified if possible</i>	Evaluation / Barriers to Implementation <i>Was it successful? reasons why it was or was not implemented or able to meet its objectives</i>	Recommendations for the Housing Element Update <i>carry forward as is / carry forward with modifications (specify) / or delete</i>
HS-1.a Coordinate Neighborhood Meetings. Strongly encourage developers to have neighborhood meetings with residents and staff early as part of any major development pre-application process.	Greater community support for affordable housing	Neighborhood meetings have been encouraged for all major projects, such as the Marinwood Village development, which has included two phases of facilitated community planning, the Point Reyes Affordable Housing which involved extensive community outreach and local meetings. Toussin Senior Housing convened two public meetings in the project design phase. The County will continue to work with developers to encourage them to engage the community (including neighbors, advocates and other stakeholders) as early as possible.	Developers of all major recent affordable housing projects have participated in public outreach at various stages through the planning process.	The intent of this program is carried forward in 1.b Conduct a Comprehensive Affordable Housing Sites Inventory. This program is also carried forward in 3.c. Provide and Promote Opportunities for Community Participation in Housing Issues (see subprogram a. Coordinate community meetings).
HS-1.b Conduct Community Outreach Activities. Provide ongoing outreach and a forum for discussion of housing issues through presentations and increased citizen awareness of housing programs.	Better coordination and collaboration of effort, input and education	This program is also achieved through the County's Design Review Boards specific to planning areas. Board meetings provide an opportunity for the community to provide feedback on projects prior to any decision hearings. During the Countywide Plan process, the County conducted numerous stakeholder meetings in order to receive feedback on housing-related and other issues. Housing staff continue to attend regular meetings and make presentations on housing issues to groups including the Planning Directors monthly luncheon, San Rafael Chamber of Commerce, the Workforce Housing Trust, the Environmental Forum of Marin, the Mill Valley Housing Fair, Novato Housing Coalition, the Housing Leadership Alliance, the Marin Continuum of Housing and Services and the West Marin Latino Service Providers.	The program was successfully implemented. The lack of affordable housing for lower income households in Marin is now widely accepted, the annual survey conducted by the County of Marin's Administrator's office has found that the lack of affordable housing has ranked in the public's top 5 concerns every year in the past 4 years (2005-2008).	This program is carried forward as 3.c. Provide and Promote Opportunities for Community Participation in Housing Issues (see subprogram b. Conduct Community Outreach Activities).

Policy/Program Title Ref. # and brief description	Objective quantified where applicable or narrative	Achievements / Results quantified if possible	Evaluation / Barriers to Implementation Was it successful? reasons why it was or was not implemented or able to meet its objectives	Recommendations for the Housing Element Update carry forward as is / carry forward with modifications (specify) / or delete
<b>HS-1.c</b> Prepare and Update Public Information Materials. Coordinate with local businesses, housing advocacy groups, neighborhood groups, and chambers of commerce, and participate in the Marin Consortium for Workforce Housing in building public understanding and support for workforce and special needs housing. Using materials from the Marin Housing Workbook and Marin County Housing Element, provide information to improve awareness of housing needs, issues, and programs.	Handouts, County website, presentation material, library to increase knowledge regarding housing	<p>The Marin Workforce Housing Trust, a public-private collaboration to provide funds for the development of workforce and special needs housing, has two County representatives on the 7 member board, including a member of the elected board of supervisors and staff from the Housing Program.</p> <p>County staff regularly presents PowerPoint presentations about housing issues to a variety of community groups.</p> <p>The County's Affordable Housing website is updated regularly and is a clearinghouse for affordable housing policies and information, <a href="http://www.co.marin.ca.us/depts/CD/Marin/housing/index.cfm">http://www.co.marin.ca.us/depts/CD/Marin/housing/index.cfm</a></p> <p>County staff authored the Marin Housing Inventory 2008, providing a comprehensive picture of income-restricted housing across all 12 Marin jurisdictions.</p> <p>An array of public information materials are available at the front counter of the Planning Department related to housing policies such as the Affordable Housing Impact Fee.</p>	<p>This program was successfully implemented and exists as one of the core values of the Marin County Community Development Agency.</p>	<p>This program is carried forward in 3 c Provide and Promote Opportunities for Community Participation in Housing Issues (see subprogram c. Provide public information).</p>

Policy/Program Title <i>Ref. # and brief description</i>	Objective <i>quantified where applicable or narrative</i>	Achievements / Results <i>quantified if possible</i>	Evaluation / Barriers to Implementation <i>Was it successful? reasons why it was or was not implemented or able to meet its objectives</i>	Recommendations for the Housing Element Update <i>carry forward as is / carry forward with modifications (specify) / or delete</i>
HS-1.d Collaborate to Implement an Inter-Jurisdictional Strategic Action Plan for Housing. The Strategic Action Plan for Housing in Marin that will be considered with each jurisdiction's housing element should be reviewed by each jurisdiction and adopted by the Countywide Planning Agency. The Strategic Action Plan program should be coordinated by the Marin County Affordable Housing Strategist and be available to assist participating cities and towns.	Better coordination and collaboration of effort, increased housing production	This program was not implemented due to lack of support from the local jurisdictions.	An Inter-Jurisdictional Strategic Action Plan was not implemented due to lack of interest, funding and resources by local jurisdictions.	The intent of this program is carried forward in 3.b Advance Organizational Effectiveness and 3.e Promote Countywide Collaboration on Housing.
HS-1.e Undertake Coordinated Lobbying Efforts. Identify and lobby for possible changes to State law (such as allowances for the County and cities and towns to voluntarily collaborate in funding and sharing allocations for housing developments in cities and towns) or other legislation that helps to most effectively implement local housing solutions and achieve housing goals.	Improved coordination and prioritizing of development throughout the County	Housing Staff regularly reviews the County of Marin's general lobbying platform and provides comment and recommendation on housing related issues. Staff participated in the RHNA process coordinated by ABAG and actively advocated for a larger share of low-income units.	Barriers to implementation include lack of resources, staff time, and political will.	The concept behind this program is carried forward in 3.f Promote Countywide Collaboration on Housing.
HS-1.f Require Nondiscrimination Clauses. Continue to provide nondiscrimination clauses in rental agreements and deed restrictions for housing constructed either with County participation or with Development Disposition Agreements and Owner Participant Agreements when Redevelopment Agency participation occurs.	Reduce discrimination	Staff has worked closely with Fair Housing of Marin to integrate non-discriminatory clauses in rental agreements and deed restrictions. Nondiscrimination policies are integrated into all publicly funded housing projects through state and federal law.	This program was successfully implemented. Nondiscrimination clauses have been integrated into all legal agreements.	This program is carried forward as 2.h Require Non-discrimination Clauses.

Policy/Program Title Ref. # and brief description	Objective quantified where applicable or narrative	Achievements / Results quantified if possible	Evaluation / Barriers to Implementation <i>Was it successful? reasons why it was or was not implemented or able to meet its objectives</i>	Recommendations for the Housing Element Update <i>carry forward as is / carry forward with modifications (specify) / or delete</i>
<b>HS-1.g</b> Respond to Complaints. Refer discrimination complaints to the appropriate legal service, County agency, or State agency, or to Fair Housing of Marin. Participate in activities available in the community to broaden knowledge of fair housing laws, including Fair Housing in-service training, press releases, direct contact with interest groups, and posting of fair housing laws, contacts, and phone numbers.	Respond to discrimination complaints and public education	<p>All discrimination complaints are referred to Fair Housing of Marin. From July 1, 1999 to June 30, 2008, 8,725 complaints were filed.</p> <p>In addition, Fair Housing of Marin handles all community outreach activities, including annual trainings, press releases, outreach events and community presentations and legal and other Fair Housing seminars.</p>	<p>This program was successfully implemented. Due to limited staff time and resources at the County, Fair Housing of Marin will continue outreach activities.</p>	<p>This program was slightly revised to reflect the County's common practice with regard to discrimination complaints and its established partnership with Fair Housing of Marin with regard to public outreach activities. With these revisions, this program is carried forward as 2./</p> <p><i>Deter Housing Discrimination.</i> Carry forward with modification to refer complaints to Fair Housing of Marin.</p>

Policy/Program Title Ref. # and brief description	Objective quantified where applicable or narrative	Achievements / Results quantified if possible	Evaluation / Barriers to Implementation <i>Was it successful? reasons why it was or was not implemented or able to meet its objectives</i>	Recommendations for the Housing Element Update <i>carry forward as is / carry forward with modifications (specify) / or delete</i>
HS-2.a Exceed Title 24 Requirements and Establish "Green" Building Standards and Processes. Exceed Title 24 energy conservation requirements, and require structural and landscaping design to make use of natural heating and cooling where financially feasible. Institute the BEST Program applying "Green Building Standards and Processes." Encourage the use of green building materials and energy conservation.	Energy efficiency and education	<p>Adopted numerous green building principles in the 2007 Countywide Plan (see Section 3.6 Energy and Green Building) and Development Code.</p> <p>The County adopted the Single Family Dwelling Energy Efficiency Ordinance, requiring all new and remodeled homes larger than 1,500 square feet to exceed State energy efficiency requirements by a minimum of 15% depending on the building area. Since 2006, an average of 25 projects have exceeded the County's minimum Title 24 requirements annually.</p> <p>The Construction and Demolition Reuse and Recycling Ordinance that requires all construction projects to recycle or reuse 50% of their project materials. 75,000 tons of diverted waste reduces GHG emissions by 150,000 tons annually.</p> <p>The Residential Green Building Guidelines and Rating System program requires all residential projects subject to discretionary planning permit review to meet minimum points thresholds on the County Green Building Residential Certification Checklist.</p>	<p>This program was successful because it partnered with other County planning efforts and dovetails with implementation of other elements of the Countywide Plan, namely the Energy and Green Building Element.</p> <p><i>Continued from Results:</i> The Solar Energy Rebate program that awarded \$75,000 in rebates to 156 residents that installed photovoltaic systems, solar pool heaters, or solar domestic hot water heaters. As a result of the program and free County provided technical assistance, in 2008 Marin County had the highest number of solar energy systems per capita among the nine Bay Area counties, averaging 4.3 solar systems per 1,000 residents.</p> <p>The Woodstove Smoke Ordinance that banned the operation and installation of non-EPA certified woodstoves and inserts. A rebate program to promote the proper removal of these appliances will remove 158 non-EPA certified stoves and inserts by providing residents with \$50,000 in rebates.</p>	<p>This program was reviewed for successes and updated to reflect the related Countywide Plan programs, current initiatives and work program of the County's Sustainability Team. With these updates, this program is carried forward as 1.n Promote Energy Conservation.</p>

Policy/Program Title Ref. # and brief description	Objective quantified where applicable or narrative	Achievements / Results quantified if possible	Evaluation / Barriers to Implementation Was it successful? reasons why it was or was not implemented or able to meet its objectives	Recommendations for the Housing Element Update carry forward as is / carry forward with modifications (specify) / or delete
HS-2.b Clarify and Adopt Criteria for Use in Residential Design Review Process. Adopt "design guidelines" or more general "design principles" that will establish consistent development review criteria for use by applicants, the community, staff, and decision makers.	Procedures for neighborhood meetings adopted	Single Family Residential Design Guidelines were established in July 2005. A fact sheet on the updated guidelines is available on the Community Development Agency's website and at the front counter of the Agency.  Ord. 3491, effective August 4, 2008: a) included clarification and expansion of streamlining procedures for small to modest scale Design Review, b) established Chapter 22.42.025 Exemptions from Design Review and 22.42.055 Project Review Procedures, and c) enabled ministerial review for minor design review.	This program was successfully implemented through the amendment to the Development Code to streamline review process for smaller projects.	It is not carried forward at this time because it was completed. However, to carry forth efforts to provide clear and comprehensive design recommendations and compatibility with neighborhood character, a program was designed to focus on multi-family design (1.f Develop Multi-Family Design Guidelines).
HS-2.c Link Code Enforcement with Public Information Programs. Implement housing, building and fire code enforcement to ensure compliance with basic health and safety building standards and provide information about rehabilitation loan programs and subsidized housing programs for use by qualifying property owners who are cited and tenants in need.	Secure affordable safe housing and improve the safety and quality of existing housing stock.	Code Enforcement staff are members of Customer Service Team. Continue to coordinate complaint resolution among departments to ensure public safety. Provide clients contact info to Rehab Loan program when appropriate.	This is an ongoing work program for Code Enforcement, and is implemented with success.	This program is carried forward as 2.s Link Code Enforcement with Public Information Programs.

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HS-2.d Assist in Maximizing Use of Rehabilitation Programs. Publicize low income homeowners' assistance for housing rehabilitation and the availability of other funding mechanisms to help with home upkeep and maintenance, such as reverse mortgages for seniors on fixed incomes. Utilize federal Community Development Block Grant (CDBG) funds, administered by the Marin Housing Authority, that are available for this purpose, or other sources to the extent possible, given program-funding criteria and local need. Facilitate greater participation in the program by increased advertising and encouragement of resident participation.	Education and preservation of existing units	Rehab program fully utilized – advertised on Housing Authority website Code Enforcement staff advise clients as appropriate of program.  From July 1, 2003 to June 30, 2008, the Residential Rehabilitation Loan Program funded 59 loans for a total amount of \$1,464,000.	The program has achieved substantial exposure at mobile- home parks and social service agencies, and the program have also received ample applications. As a result, little ongoing outreach is necessary.  One constraint is the amount available for loans each year, due to the structure of the program (money is available for loan once loans are paid off). Another constraint is the availability of contractors who will do repairs at an inexpensive rate.  There is no HUD-approved counseling agency in the County to fulfill the legally required counseling sessions on reverse mortgages for seniors.	This program is carried forward as 2.t Assist in Maximizing Use of Rehabilitation Programs and the need for credit counseling is addressed in program 2.r Continue First-Time Homebuyer Programs.
HS-2.e Monitor "At Risk" Units and Acquire Existing Affordable Rental Housing. Work with nonprofit sponsors seeking to acquire and rehabilitate affordable rental housing units in order to maintain ongoing affordability of the units. This will include, but not be limited to, the following: (1) support necessary to obtain funding commitments from governmental programs and nongovernmental grants; (2) assistance in permit processing; (3) possible waiver of fees; and (4) use of local funds if available.	Housing stock preservation	An at-risk report was completed. California Housing Partnership reported only one at-risk property, located in the Town of Tiburon.  BMR units are restricted by RRAs recorded against the property, generally in perpetuity.	The County relies on monitoring by third parties, such as the California Housing Partnership.  This program was revised to separate monitoring and acquisition activities. As a result, this program is carried forward as 2.u Monitor Rental Housing Stock and 3.g Preserve Existing Housing Stock.	

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<p><b>HS-2.f</b> Remedy Constraints on the Development, Maintenance, and Improvement of Housing for Persons with Disabilities. Analyze and determine whether there are constraints on the development, maintenance, and improvement of housing intended for persons with disabilities, consistent with Senate Bill 520, enacted January 1, 2002. The analysis will include an evaluation of existing land use controls, permit and processing procedures, and building codes. If any constraints are found in these areas, the County will initiate actions to address these constraints to provide reasonable accommodation for housing intended for persons with disabilities.</p> <p><b>HS-3.a</b> Complete a Nonresidential Job/Housing Linkage Study. In coordination with Marin County and the cities of San Rafael and Novato, complete the Nexus Study (already in draft form) to determine appropriate and possible contributions for affordable housing from nonresidential uses, and to document the relationship between job growth and affordable housing needs of various types of development.</p>	<p>Remove constraints to develop and preserve housing for disabled persons</p>	<p>Analysis of possible constraints completed and barriers identified, and the updated program reflects these constraints and barriers: a) the need for exceptions in zoning and land use for housing for persons with disabilities, b) the need for access ramps in setback areas, and c) encourage and integrate the principles of universal design into the Development Code.</p>	<p>As part of outreach for the Countywide Plan and Housing Element updates, members of the community and advocates for persons with disabilities provided important feedback on constraints and barriers to the development, maintenance and improvement of housing for persons with disabilities. The County also reviewed applicable policies from other jurisdictions in the development of the updated program.</p>	<p>This program is carried forward with an attempt to include more actionable measures that address constraints and barriers in 2.g <i>Ensure Reasonable Accommodation</i>.</p>
	<p>Legally justifiable nexus analysis</p>	<p>A Nonresidential Job/Housing Linkage Study was completed in 2002.</p>	<p>This program was successfully completed. Nexus study led to the adoption of a Job/Housing Fee in 2006.</p>	<p>This program is not carried forward because the objective was achieved.</p>

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HS-3.b Adopt a Job/Housing Linkage Ordinance. Continue to apply the Jobs/Housing Linkage Ordinance, which sets requirements on new development for construction of affordable dwelling units and/or payment of in-lieu fees to the Housing Trust Fund.	Provision of housing with new non-residential development	<p>As part of extensive updates to Title 22.22, the section of the County's Development Code related to Affordable Housing Regulations, the County adopted a Job/Housing Linkage Ordinance (3393) in 2003, requiring that any proposed commercial or industrial development, including light industrial, office/research and development, warehouse, hotel, and retail uses, to provide affordable inclusionary residential units. Twenty-five percent of the total number of housing units for very low, low, and moderate income households that are generated by the development must be provided within the development. The ordinance also provides for the construction of units off site as necessary, the dedication of real property in lieu of inclusionary units, and the payment of in-lieu housing fees according to development type. Employee residential units were constructed as a demonstration project at Strawberry Shopping Center prior to the ordinance adoption: 4 affordable to very low income households, one unrestricted in affordability.</p>	<p>This program was successfully implemented. Most new commercial development is in the cities and towns. There is minimal commercial development in the unincorporated jurisdiction, so there are limited opportunities to apply the policy. No funds have been collected to date.</p>	<p>This program is not carried forward because the ordinance was successfully adopted. However, it is important to continue to monitor and assess the linkage fee, including appropriate fee adjustment and ensure the requirement of employee housing, preferably on-site. As a result, 3 h <i>Monitor Inclusionary Housing Programs (subprogram c. Continue to monitor the Jobs/Housing Linkage Ordinance) builds on the successes of this program.</i></p>

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<b>HS-3.c</b> Identify Existing Employee Housing Opportunities. Work with local school districts, public agencies, and existing businesses to seek opportunities for helping their employees find needed housing, such as purchasing or leasing of larger facilities to provide local housing opportunities, mortgage buy-downs or subsidies, and rent subsidies. Seek the commitment of other organizations, such as the Marin Board of Realtors, to have their members encourage employers to address employee-housing opportunities.	<p>Housing close to jobs and a reduction in commuting</p>	<p>The County was instrumental in establishing and providing technical support to the Marin Workforce Housing Trust Fund, a public/private partnership of major Marin businesses and public agencies. The County has committed one million dollars to the Marin Workforce Housing Trust to leverage an additional two million for new affordable workforce housing development. The MWHT reached its goal of \$3 million in funding in 2008 and intends to make the first funding cycle available in 2009.</p> <p>In partnership with the City and Chamber of San Rafael a First Time Homebuyers Fair was held in October of 2007. As a result of three Brown Bag events and paycheck notices to county employees, 58 new households became first time homebuyers in Marin County.</p>	<p>This program was successfully implemented. In addition to the Marin Workforce Housing Trust, a number of organizations are active in pursuing employee housing programs, including the Marin Board of Realtors and the local Chambers of Commerce.</p>	<p>This program is not carried forward because a sufficient foundation has been laid to assist employees with opportunities. As a part of those efforts, the County's role in providing resources and forums for First Time Homebuyers will continue, as illustrated in 2r  <i>Continue First-Time Homebuyer Programs.</i></p>

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<p><b>HS-3.d</b> Establish Zoning for Live/Work Opportunities. Review home occupation, employee, and caretaker provisions in the Development Code to ensure reasonable standards for home occupations and to create the possibility for live/work projects. Identify locations in Marin County suitable for live/work units, and include performance standards relating to noise, odor, and type of uses permitted, and standards for parking, fencing, and related performance standards.</p>	<p>Housing close to jobs and a reduction in commuting</p>	<p>A 2003 update to the Development Code (Section 22.32.100) expanded the definition of home occupation to allow employees at home-based businesses.</p> <p>In 2006, employee housing regulations were amended (through Ordinance 3451). Employee housing is permitted in commercial districts (CP, AP, RCR and PF) where the housing is secondary to the commercial use. Housing units must be located above the first floor or at the rear of the building and have a separate entrance. Units are limited to 750 sq. ft. with no more than 25% of the gross floor area dedicated to housing. At least one employee must occupy the unit. Parking standards may be relaxed due to shared parking opportunities.</p> <p>Home occupations are permitted uses in the Village Commercial Residential district and permitted in the Residential Commercial Multiple Planned districts when authorized by the master plan. Home occupations must be secondary to the residential use. No signs or visible home occupation activity are permitted. Home occupations may not cause noise, dust, odors, light, or other nuisances.</p>	<p>Allowing live/work opportunities does not directly facilitate the increase of this type of use.</p> <p><i>Continued from Achievements / Results:</i> During the Countywide Plan process, a Housing Overlay Designation was established to identify possible sites for affordable housing. In addition, the HOD provided zoning designations and development criteria which for mixed use housing and live/work opportunities (see Countywide Plan CD-2.3, 2.d, 2.i, 2.m, 2.n).</p>	<p>This program is not carried forward because the current zoning is sufficient to enable live-work opportunities.</p>

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<b>HS-3.e</b> Apply CEQA Exemptions and Expedited Review. Consistent with CEQA Section 15332 ("Infill Development Projects"), seek opportunities for infill development within urbanized areas consistent with local general plan and zoning requirements that can be categorically exempt from CEQA review. In instances where CEQA Section 15332 would not apply, the County will consider an area-wide Environmental Assessment or Program EIR assessing area wide infrastructure and other potential off-site impacts to expedite the processing of subsequent affordable housing development proposals.	Improve efficiency of environmental review process	In the Countywide Plan update, the County identified development opportunities for infill development along the urbanized 101 corridor. All 11 named sites were included in the Housing Overlay Designation, a program to promote higher density and a higher level of affordability.	While the program references CEQA Section 15332, the County is not eligible for this exemption, as it stipulates that the proposed development must occur "within city limits" to receive this exemption.  A possible barrier to expedited review is neighborhood opposition that can result in lengthy approval processes.	This program was revised to account for barriers to implementation and to increase the consideration of an area-wide Environmental Assessment or Program EIR (2.g Consider CEQA Expedited Review).
<b>HS-3.f</b> Modify Multi-Family Sites Zoning. Review and amend multi-family residential standards and procedures in order to ensure protection and efficient development of multi-family infill housing sites that are consistent with the Marin Countywide Plan and Development Code to be developed for affordable and workforce housing. Amendments to be addressed include the following: see Housing Element	Increase capacity for affordable housing development	Development Code land use table changes clarified multi-family housing as a principally permitted use.  Additionally, many of these principles were integrated into the County's HOD (established within the update to the Countywide Plan, approved in 2007), which allows high density, flexibility in design standards in exchange for a higher level of affordability. Also, minimum densities were adopted to 30 units per acre within the HOD and in general and office commercial.	Fireside was rezoned to 12.5du/ac, the midpoint of that GP land use of 1 to 20 du/ac, Pt Reyes Affordable Homes was granted General Plan and zoning amendment to allow for increased residential density; SF to MF 1-4du/ac (2002) and changed to planned district (CRMP) land use.  Countywide Plan HOD policy was adopted in 11/6/2007. Results are not yet evident.	A revised form of this program is carried forward in 1.d Streamline the Review of Affordable Housing to advance the efforts of this program.

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<p><b>HS-3.g</b> Seek Increased Multi-Family Housing Opportunities. When undertaking general plan amendments, specific plans, rezoning, or a community visioning process, the County will strive to identify sites for multi-family affordable workforce and special needs housing where opportunities are available. The following kinds of sites and opportunities may be included or considered: See Housing Element</p>	<p>Increase capacity for multifamily housing development</p>	<p>The Housing Overlay Designation in the recent Countywide Plan Update provided relaxed development standards for multi-family affordable housing as well as higher densities and other incentives on in-fill sites near public transportation, employment and services.</p> <p>CWP program CD-2.a Utilize all available methods to create affordable housing, including redevelopment of commercial areas for mixed use, air rights over parking areas for housing, residential duets on corner lots, upper-story housing over one-story commercial buildings, and Transfer of Development Rights (TDR) programs. (See CD-2.d, CD-5.b, DES-2.a, DES-3.a, DES-2.c, HS-3.n through HS-3.t, and TR-3.e.)</p> <p>In addition, the Local Coastal Plan update currently underway is also engaged in implementing this program. Ordinance 3492, adopted in June 2008, introduced snack bar definition which allows a secondary food preparation area which does not count against residential density. The purpose of this is to establish flexibility in home sharing. Residential care facilities are also exempt from density calculations due to food preparation areas where meals are also provided at least 2 times per day.</p>	<p>Policies with potential increased multi-family housing were integrated into the HOD policy in the Countywide Plan update, the second unit amnesty program and the density bonus program.</p>	<p>The idea behind this program is carried forward in 1.c Establish an affordable housing combined zoning district; and 1.f Develop Multi-Family Design Guidelines.</p>
<p><b>HS-3.h</b> Zone and Provide Appropriate Standards for SRO Units and Efficiency Apartments. Establish opportunities for development of single room occupancy units (SROs) and efficiency apartments in appropriate locations as lower-cost rental alternatives for single person households. Review and revise zoning regulations to encourage additional SRO units and efficiency apartments in multi family and mixed use areas. This review should include the following: see Housing Element</p>	<p>Offer financially viable housing options for single individual adopted</p>	<p>Single Room Occupancy developments are often possible through the conversion of old hotels, and seldom a product of new construction.</p> <p>A model of small-scale SRO housing is more viable and feasible in Marin, such as the 7 SRO units at the Gibson House in Bolinas.</p>	<p>This program is carried forward as 1.j Zone and Provide Appropriate Standards for SRO Units.</p>	

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<b>HS-3.i Encourage Cohousing, Cooperatives, and Similar Collaborative Housing Development.</b> Encourage housing development that are based on cohousing and similar approaches that feature housing units clustered around a common area and shared kitchen, dining, laundry, and day care facilities, and make zoning revisions that could assist "shared housing," such as allowing a small meal preparation area in addition to a kitchen in order to facilitate home sharing opportunities, particularly in underutilized, large homes occupied by only one or two people.	Offer housing options and variety	<p>A Cohousing report was completed November 2006. Marin barriers are land availability, affordability and land use. Unit affordability would require subsidies, scarcely available for small unit projects. Seniors would be key market for cohousing.</p> <p>Snack bar definition created in Chapter 22.130 in June 2008 allows for small food prep appliances, accessory to the primary food prep facility; not treated as a separate unit for counting density or units. Facilitates home sharing without creating second unit.</p> <p>Promoting second units through second unit policies including the amnesty program.</p> <p>The County funded refurbishment of Gibson House into seven SRO units in Bolinas, completed in 2005.</p> <p>Additionally, the County Affordable Housing Program convened a meeting with staff from its Planning and Environmental Health departments and community members including the Community Land Trust Association of West Marin in April (2004) to explore cohousing opportunities in West Marin and engage the local community to assess cohousing feasibility in their community.</p>	<p>The Cohousing Report found that cohousing or cooperative living is often not an affordable option and requires capital in the early stages.</p> <p>Snack bar should alleviate compliance problem for units unable to comply with second unit standards, as it allows relatively independent living for separate households within one home.</p>	<p>This program is not carried forward because adequate zoning and code provisions allow this housing type, and the Cohousing report found this was not a viable option for affordable housing and additional market rate opportunities are not a high priority on the Agency's Work Program at this time.</p>

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HS-3.j Evaluate Government Property for Housing Potential. Actively work with school districts, government agencies, and neighborhood groups to develop surplus or underdeveloped property for affordable housing for teachers and government personnel. Establish an equitable selection process if the agency or district puts up land and therefore has an equity interest in the housing development.	Identification of additional suitable housing sites	A study was completed in 2004. A total of 14 sites were evaluated and no appropriate developable sites were identified. No school sites were evaluated in the study.  During the CWP update, underutilized school sites were evaluated and 3 schools were named as HOD sites.	This program was implemented.  One barrier to the development of school sites as housing is the increase in school age populations over the past five years. As a result, many underutilized portions of school properties are being used to accommodate this need.	This intent of this program is carried forward in the Section IV: Sites Analysis as well as 1.b Conduct a Comprehensive Affordable Housing Sites Inventory.
HS-3.k Encourage Transfer of Development Rights (TDR). Consider actions to encourage Transfer of Development Rights (TDR) if it will result in the development of workforce or special needs affordable housing in appropriate locations.	Community building	Considered during Countywide Plan update. From the CWP: CD-5.g Consider Transfer of Development Rights. In concert with city and town governments, consider creating a program that would enable transfer of development rights from bayfront or ridge and upland greenbelt areas to medium- and higher-intensity centers in existing communities, in compliance with site-specific development and design standards tailored to parcels designated for receiving increases in density (see Program AG-1.f).  Program CD-2.g in the Countywide Plan encourages the utilization of mixed use sites along the city center and 101 corridor as receiver sites for TDR away from environmentally sensitive lands.	Rather than a formal TDR, Countywide Plan concentrated development along the city center corridor away from environmentally sensitive lands.  This program is not carried forward because an evaluation of TDR during the Countywide Plan update found that focusing development along the 101 corridor is a more viable way to facilitate housing.	

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<b>HS-3.1 Review and Update Parking Standards.</b> Review and update parking standards based on the most up-to-date empirical studies to allow for more flexible parking requirements to help facilitate infill, transit-oriented, and mixed-use development. Consider the following: see Housing Element	Increase ability to utilize more land for housing development	Parking requirements in HOD policy outlined in the Countywide Plan may be adjusted on a case-by-case basis using criteria established in the URBEMIS model to encourage transit-oriented development.  Also, the County updated its density bonus ordinance in August 2008. Among the list of concessions or incentives for affordable housing is a reduction in parking requirements. Specifically, the applicant can request a relaxation of onsite parking standards (1 onsite parking space for zero to one bedroom; 2 onsite parking spaces for two to three bedrooms and 2.5 onsite parking spaces for four or more bedrooms) and onsite parking can include tandem and uncovered parking. The Countywide Plan: a) establishes an Affordable Housing Overlay Designation zoning district that requires qualifying sites to be located within one-half mile of public transit and one mile of community services. HOD sites are permitted densities of at least 30 units per acre on most sites (at least 25 units per acre in the Neighborhood Commercial/Mixed use zone). b) allows parking requirements to be adjusted on a case-by-case basis using criteria established in the URBEMIS model to encourage transit-oriented development. c) allows projects to be entitled to development standard adjustments, such as parking, floor area ratio, height and fee reductions, etc.  Initiated density bonus zoning changes in 2007 and adopted ordinance 3497 in August 2008.	Staff time and resources are one barrier to implementation. However, programs and policies in the Planning Department have helped to update and make improvements to parking standards where possible.	This program was revised to reflect achievements and the consideration of new goals and proposed policy and code changes (1.i Review and Update Parking Standards).
<b>HS-3.m Establish Transit-Oriented Development (TOD) Zoning Standards.</b> Establish standards and procedures in the Development Code to promote Transit-Oriented Development (TOD), including (1) a density bonus (up to an additional 25% in excess of the General Plan maximum); (2) parking standards to be established on a case-by-case basis, depending upon the location and characteristics of the development; and (3) height limit bonuses on parts of TOD sites as appropriate if the design fits with other nearby uses and within the neighborhood context.	Maximize housing opportunity sites and decrease transportation congestion		With Marin's limited transit network, TOD sites are limited in the County.	While this program is not carried forward, efforts around TOD continue through 1.i Review and Update Parking Standards, 1.m Codify Affordable Housing Incentives Identified in the Community Development Element, and 3.d Perform Regional Transportation and Housing Activities.

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HS-3.n Identify and Designate TOD Sites. Identify and map potential TOD sites, and undertake general plan, rezoning, and environmental review as necessary to facilitate their development.	Increase available housing opportunities	The County developed the Housing Overlay Designation in the Countywide Plan as a way to permit, encourage and incentivize TOD. The County identified potential sites for the Countywide Plan as HOD sites (see maps 3-2a-c of the Countywide Plan).	Final HOD criteria was significantly limited by community concern for medium density development in areas of environmental sensitivity or areas impacted by heavy traffic.	While this program is not carried forward, efforts around TOD continue through 1.j Review and Update Parking Standards, 1mo Codify Affordable Housing Incentives Identified in the Community Development Element, and 3.d Perform Regional Transportation and Housing Activities.
HS-3.o Conduct a Survey of Potential Mixed Use Sites. Conduct a survey of nonresidential sites to identify sites that have the potential for mixed use development or redevelopment, as follows: See Housing Element	Determine potential for new housing opportunity	Criteria for identification within the HOD included location within: "the City-Centered Corridor, one-half mile of a transit node or route with daily, regularly scheduled service, and one mile of a medical facility, library, post office, or commercial center (See CD-2.3)." Included within the HOD sites identified in the 2007 Countywide Plan (see maps 3-2a-c) is a minimum of 5 mixed-use opportunities with one of the sites recently developed (commercial space with four affordable housing units and one market rate unit).  Additionally, the Countywide Plan establishes criteria for site identification (CD-2.3) and to assist in determining development feasibility and standards (See CD-8.7). Sites that meet the criteria may be eligible for incentives such as excess Floor Area Ratio (FAR) (See HS-3.q).  There is a program in the Countywide Plan (CD2.g) to "Identify and Plan Mixed Use Sites," to continue this effort.	The research was successful in that a thorough evaluation of potential sites was conducted. Barriers to future development on these sites was one outcome of the research, including significant constraints due issues such as, but not limited to, flooding, sea-level rise, and significant traffic impacts.	The principals of this program are carried forward in 1.b Conduct a Comprehensive Affordable Housing Sites Inventory and 1.c Establish an Affordable Housing Combined Zoning District

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<b>HS-3.p</b> Prepare a White Paper on Mixed-Use Housing Development Feasibility. Investigate financing, market, management, and development feasibility issues related to mixed-use development. Identify ways in which government actions can make mixed use affordable and workforce housing more feasible.	Increase feasibility of successful rezoning	This program was not implemented due to lack of staff resources, and turnover with regard to the staff and volunteers assigned to this program.	The County has little commercial development opportunities, as most is concentrated within the city limits. In addition, mixed-use opportunities are extremely different (from small villages in the coastal area to strip mall rehabilitation along the 101 corridor) and no comprehensive feasibility could apply across all or even most mixed use areas.	This program is not carried forward because mixed-use policies were adopted into the Countywide Plan which made individual site feasibility unnecessary.
<b>HS-3.q</b> Establish Mixed-Use Development Standards and Incentives. Assess impediments and create incentives for mixed-use housing development, including changes to zoning and Development Code standards to make possible affordable housing development in mixed use zones. Consider the following: See Housing Element	Increase housing opportunity sites and revitalize underutilized non-residential areas	In 2007, the County adopted a Housing Overlay Designation in the Countywide Plan that applies to mixed-use sites, including shopping centers and other underutilized sites, and establishes density bonuses for affordable housing. Projects may be entitled to development standard adjustments, such as parking, floor area ratio, and height and fee reductions. Parking requirements may be adjusted using criteria established in the URBEMIS model to encourage transit-oriented development. See Program HS-3.v for more details.  In 2006, the County adopted a Job/Housing Linkage Ordinance that requires any proposed commercial or industrial development, including light industrial, office/research and development, warehouse, hotel, and retail uses, to provide affordable inclusionary residential units. See Program HS-3.b for details.  The CWP allow affordable housing to exceed the commercial FAR for low and very low income housing.	The County has little commercial development opportunities, as most is concentrated within the city limits. Similarly, any housing with commercial uses will likely be developed by market developers.  In 2006, the Development Code was amended to permit employee housing in commercial districts (CP, AP, RCR and PF) where the housing is secondary to the commercial use. See Program HS-3.d for details.  In 2008, the adoption of a density bonus ordinance also provided incentives and concessions to help remove impediments and facilitate affordable housing development.	The aim of this program is carried forward in 1.e Study Ministerial Review for Affordable Housing and 1.e Develop Multi-Family Design Guidelines.

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<b>HS-3.r</b> Link to Funding Resources. Establish specific uses of housing funds and/or land donations generated through the inclusionary housing program. As appropriate, designate specific sites where affordable housing will be required through zoning, and provide incentives and other means to make that development happen.	Maximize effectiveness of housing funds	The update to the inclusionary housing program and the enactment of the HOD designates additional sites for affordable housing and provides incentives such as density bonuses	One barrier to the designation of specific sites where affordable housing will be required through zoning is community resistance to affordable housing. Extensive planning processes engaging residents can be effective in overcoming this barrier, but require significant resources and commitment on behalf of multiple parties.	The goal of this program is carried forward in 1.b <i>Conduct a Comprehensive Affordable Housing Sites Inventory and 3.o Coordinate Among Project Funders.</i>
<b>HS-3.s</b> Conduct a Detailed Affordable Housing Sites Feasibility Study. Initiate a Housing Sites study, which, in part, shall review whether any surplus or potentially surplus public or quasi-public lands are appropriate for residential and mixed-use development, especially for people who are homeless and at risk of homelessness. Work with community groups to evaluate properties for their fitness as sites for affordable housing. Issues to be investigated include the following: See Housing Element	Identification of additional suitable housing sites	During the Countywide Plan process, a Housing Overlay Designation was established to identify possible sites for affordable housing.	No financial analysis was performed for the sites named within the Housing Overlay Designation, resulting in a lack of knowledge of the realistic development capacity and feasibility of the sites.	In addition to the sites analysis conducted for this Housing Element update, this program is carried forward in 1.b <i>Conduct a Comprehensive Affordable Housing Sites Inventory</i> , initiating the sites identification process two years prior to the end of the planning period for the next two planning periods.
<b>HS-3.t</b> Enact Density Bonus Zoning and Other Incentives. Amend the Development Code to encourage an increase in the supply of well-designed housing for very low, low, and moderate income households.	Create incentives to create more affordable housing opportunities	The County adopted a Density Bonus and Other Incentives ordinance in August 2008. Key provisions of the ordinance included resale restrictions for affordable units, increase in bonus for very low, low and moderate income and senior households, and incentives of height, setback, coverage, floor area and/or parking requirements given the percentage of affordable units within the development.	This program was successfully implemented through the adoption of the ordinance.	This program is not carried forward because the ordinance with successfully adopted.

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<b>HS-3.u</b> Prepare a White Paper on Ways to Facilitate Smaller Affordable Housing Projects. Prepare a study of options and opportunities for the development of smaller affordable housing projects, such as mixed use or small infill site development. Work with nonprofits in exploring management best practices, funding, and other feasibility issues for smaller developments.	Analyze opportunities and constraints on small-scale projects	This program was not implemented due to lack of staff resources, and turnover with regard to the staff and volunteers assigned to this program.	This program was not implemented due to lack of staff resources, and turnover with regard to the staff and volunteers assigned to this program.	This program is not carried forward because mixed-use policies were adopted into the Countywide Plan which made individual site feasibility unnecessary.
<b>HS-3.v</b> Evaluate the Feasibility of an "Affordable Housing Overlay Designation" Zoning Designation. Evaluate the feasibility of establishing an affordable housing overlay zoning ordinance that lists particular sites on which residential densities will be substantially increased if a specified level of affordability is achieved.	Create new opportunities for affordable housing opportunities	An Affordable Housing Overlay Designation was adopted in the 2007 Countywide Plan update. HOD allows for higher density on sites in exchange for higher level of affordability. The Countywide Plan identifies HOD sites and establishes densities of at least 30 units per acre on most sites (at least 25 units per acre in the Neighborhood Commercial/Mixed use zone). Sites are located within one-half mile of public transit and within 1 mile of community services. At least 49% of units must be affordable to households earning up to 60% AMI; ownership developments have the option of providing at least 60% of units affordable to households earning up to 80% AMI. Up to 658 units may be developed in the HOD zone.	This program was successfully implemented.  Although no HOD projects have been developed to date, a local developer is in contract with the current property owner of the Marinwood Village site, a designated HOD site. The site has gone through an extensive community-based planning effort and has resulted in a plan for a mixed use project including 50-100 units of housing, including 50% of the homes affordable to low and moderate income households.	This program is not carried forward because the HOD was adopted into the Countywide Plan update in 2007.

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HS-3.w Work with the Marin Housing Authority. Continue the agreement with the Marin Housing Authority (MHA) for management of the affordable housing stock in order to ensure permanent affordability, implement resale and rental regulations for low and moderate income units, and ensure that these units remain at an affordable price level.	Housing preservation	<p>The County currently has a MOU with the Marin Housing Authority (MHA) to manage 91 affordable homeownership inclusionary units. MHA has produced an informational homeowner newsletter, and monitors for program compliance.</p> <p>The goal of this program was codified in the Development Code through the Density Bonus and Other Incentives ordinance, adopted in 2008, reiterating the County's ongoing partnership with MHA and other agencies.</p>	<p>Program has been successful, but plagued by the recent credit crisis, specific to issues with unit foreclosures and over-encumbrances. Ongoing funding may be an issue for this project.</p>	<p>The County's partnership with MHA and support of the BMR program is integrated into many other programs, including 2.n Apply Long-Term Affordability Controls, 2.r Continue Homebuyer Programs, and 3.b Advance Organizational Effectiveness.</p>
HS-3.x Revise the Inclusionary Housing Regulations. Update the existing Inclusionary Housing Ordinance to include requirements for residential projects, including development of specific income targets and in-lieu fee formula.	<p>Maximize opportunities and create incentives to build housing versus pay fees</p>	<p>Inclusionary housing policies have been updated to reflect four of the five sub-programs. Revisions to the Development Code were made in 2003 and 2006. Developments of 2 or more units must provide 20% inclusionary units affordable to households earning up to 50% AMI in the case of rental developments, and up to 60% in the case of ownership developments. In-lieu fees are calculated as the difference between what a household earning the target income level can afford and the estimated cost of a market unit of appropriate size, as determined by the County.</p> <p>Assisted living units are covered under jobs/housing linkage, clarified in Development Code update 2008.</p>	<p>Due to the limited amount of subdivision developments, it is difficult to assess achievements. 146 affordable units were leveraged with the help of in-lieu fees. Since 1988, the Trust Fund has expended \$14,560,458 in support of 887 units of affordable housing development.</p>	<p>This program was codified in 2008, and efforts continue with regard to inclusionary housing in 3.h Monitor Inclusionary Housing Programs.</p>

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<b>HS-3.y</b> Modify Second Unit Development Standards and Permit Process. Continue to allow second units and modify the following second-unit development requirements consistent with SB 1866: See Housing Element	Increase neighborhood acceptance of affordable housing and offer more options for homeowners to qualify for ownership opportunities	Development standards were adopted in 2003. The ordinance permits second units in all single family residential zones where there is adequate water, sanitary service, parking, and emergency access. Applications are reviewed and approved ministerially. In Stinson Beach, units are permitted only on lots of one acre or more. All new units are limited to 750 sq. ft. in size. One off-street parking space is required for studios and one-bedroom units, and two spaces are required for two or more bedroom units. 127 second units were permitted between 1999 and 2006 and 150 applications received in 2007 and 2008.	This program was successfully implemented.	This program is carried forward as <i>1.g Undertake Adjustments to Second Unit Development Standards</i> .
<b>HS-3.z</b> Establish an Amnesty Program for Nonpermitted Second Units. Establish an amnesty program for nonpermitted second units in order to increase the legal housing stock when assurances are made of continued affordability of the unit as low income housing, such as agreement to accept Section 8 vouchers or other mechanisms to ensure affordability to a low income household. A specific period of time will be allowed for owners of illegal units to register their units and make them legal without incurring fines, along with assurances of long-term affordability of the unit.	Improve housing standards and affordable opportunities	Second unit amnesty program adopted 1/1/07 and extended through 12/31/08.  The County reduced planning and building fees by 50% for all newly legalized units and negotiated a 50% reduction of Marin Municipal Water District connection fees for documented low-income units. Units were required to pass a health and safety inspection based on the Uniform Housing Code (new units must meet the Uniform Building Code). The county prepared numerous press release and handouts publicizing the program, made information available on the County's website, and conducted workshops.	This program was very successful. Took in approximately 150 second unit applications. Permitted approximately 60 existing second units as of December 2008. Facilitated approximately 25 code enforcement resolutions.	This program is not carried forward, but <i>1.g Undertake Adjustments to Second Unit Development Standards</i> seeks to build upon its successes by proposing codification of many of its elements, such as increased unit size, flexible parking standards, and septic standards adjustments.

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<p><b>HS-4.a House Government Employees.</b> Work closely with agencies supplying vital public services to help them realize affordable housing located in the county for emergency after-hours and standby personnel. Identify opportunities to build housing for emergency and standby personnel. Steps the County could take include fast tracking processing of housing proposals, coordinating funding, and consideration of density bonuses and other incentives to increase housing affordability. Identify opportunities for local government employees to find housing locally through such efforts as construction of workforce housing at public facilities or parking lots, or subsidizing mortgages or rents.</p> <p><b>HS-4.b Offer First-Time Homebuyer Programs.</b> Operate and expand first time homebuyer programs as funding is available, and combine such programs with housing counseling programs.</p>	<p>Provision of housing for government employees</p>	<p>The County completed an Employee Housing Options Report in 2002 that identified affordability issues for government employees and strategies for meeting those needs.</p> <p>As a result of three Brown Bag events and paycheck notices to county employees in, 58 new households became first time homebuyers in Marin County. In partnership with the City and Chamber of San Rafael a First Time Homebuyers Fair was held in October of 2007.</p>	<p>Because of Fair Housing considerations related to preference and set-asides, the County has not pursued funding for employee housing, although there has been an effort to educate and provide all available resources so that employees could available themselves of existing resources. Announcements of housing opportunities are forwarded via email to employees.</p>	<p>This program is not carried forward because a sufficient foundation has been laid to assist employees with opportunities. As a part of those efforts, the County's role in providing resources and forums for First Time Homebuyers will continue, as illustrated in 2r <i>Continue First-Time Homebuyer Programs.</i></p>
<p><b>HS-4.b Offer First-Time Homebuyer Programs.</b> Operate and expand first time homebuyer programs as funding is available, and combine such programs with housing counseling programs.</p>	<p>Continue to implement and expand program</p>	<p>County financially supports BMR Program administration, and works to protect affordability of the 91 homes.</p> <p>Marin Housing Authority (MHA) operates Mortgage Credit Certificate program, and American Dream Downpayment Assistance (ADDI) program as funds available.</p> <p>Housing resource fair for first time homebuyers, invited lenders and first time homebuyer programs (credit counseling).</p> <p>As a result of three Brown Bag events and paycheck notices to county employees in, 58 new households became first time homebuyers in Marin County. In partnership with the City and Chamber of San Rafael a First Time Homebuyers Fair was held in October of 2007.</p>	<p>The County coordinates with MHA to offer first time homebuyer opportunities through the Below Market Rate Homeownership Program.</p>	<p>This program is carried forward as 2r <i>Continue First-Time Homebuyer Programs.</i></p>

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<b>HS-4.c</b> Coordinate Efforts in the Effective Use of Available Rental Assistance Programs. Develop and implement measures to make full use of available rental assistance programs.	Implement and make effective use of rental assistance programs	<p>MHA currently administers 2,109 Section 8 vouchers, 53 Shelter Plus Care housing subsidies and 35 HOPWA subsidies monthly. In FY 08/09, MHA assisted 93 extremely low income and low income households with emergency homeless prevention rental assistance.</p> <p>MHA also owns and manages 200 public housing units for seniors with people with disabilities, 292 public housing units in the unincorporated County (Marin City) and 80 units of affordable housing. All of these units are targeted for low income households.</p> <p>In Sept. 2008, the Section 8 Wait list was opened for the first time in seven years. In one week, over 11,200 applications were received. Approximately 235 of these households are from the unincorporated County. While not all applicants were served with vouchers, MHA systematically refers households seeking housing subsidies to a list of over 2,500 subsidized rentals in the County.</p>	<p>MHA has taken the lead on coordinating use of rental assistance. They have received CDBG funds to hire a housing search specialist to assist special needs and 'hard to house' populations to utilize their housing assistance vouchers. Hard to house includes disabled, homeless, senior, and households with three or more minors.</p> <p>While the need is great, the level of resources is unable to match the need in large part, due to the lack of funding. This reality has not improved over the planning period. Due to lack of funding, MHA has halted its Housing Assist phone line, the Rebate for Marin Renters Program and the Rental Deposit Guarantee Program.</p>	This program has been eliminated to recognize the County's role in funding and not direct coordination.

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HS-4.d Engage in a Countywide Effort to Address Homeless Needs. Actively engage with other jurisdictions in Marin to provide additional housing and other options for the homeless. Support and implement Continuum of Care actions in response to the needs of homeless families and individuals.	Respond to homeless needs	<p>In 2006, the County adopted a 10 Year Plan to End Homelessness. The Plan was developed over a 15-month period in collaboration with homeless services providers, local jurisdictions, and various County agencies. The County and other agencies are sponsoring Project Homeless Connect events to provide health screenings, dental treatment, legal assistance, employment counseling, California IDs, and help with county public assistance and veterans programs. The first Project Homeless Connect was held in December of 2007. 32 service organizations and agencies participated in the event, which drew 200 homeless people. A second event was held in May 2008 in Novato with approximately 60 homeless people attending. A third was held in Sausalito in November 2008.</p> <p>The CWP provided another opportunity for the CDA to renew its commitment to addressing homeless needs. The following Countywide Plan programs refer directly to this Housing Element program: CD-2.i Conduct a 10-Year Countywide Homeless Plan and CD-2.j Allow Temporary Emergency Homeless Shelters.</p>	<p>The County has provided staffing through the Department of Health &amp; Human Services (HHS) to coordinate the efforts of the Project Homeless Connect and the Continuum of Care application on an ongoing basis.</p> <p>The County opened its facilities to provide overnight shelter to homeless individuals in 2008-09. The County continues to work with local non-profits to consider whether a permanent emergency shelters in Marin is the best use of resources. The groups working on the Project Homeless Connect identified the need of a winter shelter as a primary goal. Funding remains the primary barrier to efforts to address and alleviate homelessness in the County. Currently, HHS is renewing strategic planning efforts through a contract with HomeBase.</p>	<p>This program is carried forward as 2.f Engage in a Countywide Effort to Address Homeless Needs, and the Community Development Agency's efforts around homelessness are expanded through 2.d Foster Linkages to Health and Human Services Programs and 2.e Support Efforts to House the Homeless.</p>

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<b>HS-5.a</b> Update Housing Trust Fund Ordinance and Operating Procedures. Adopt a Housing Trust Fund Ordinance, specifying that monies paid into the fund will be used to develop or rehabilitate units affordable to very low and low income households. Explore other streams of financing to add to or match these funds, and establish administrative guidelines for land acquisition for affordable housing, capital improvements for affordable housing developments, and other implementation actions. Staff will work with community and elected leaders to identify potential revenue sources.	Adopt procedures for use of Housing Trust Fund	Staff identified a new funding source for affordable housing, and adopted an affordable housing impact fee that applies to all new single-family homes over 2,000 square feet and tear-downs and remodels that result in more than 500 square feet of new space, for a total of 2,000 square feet or more. Builders of homes between 2,000 and 3,000 square feet are charged \$5 per square foot for every square foot over 2,000; builders of homes 3,000 square feet and larger are charged \$10 per square foot for every square foot over 2,000.	The proceeds of the Affordable Housing Impact Fee Ordinance adopted contribute to the Fund. The impact fee is expected to generate \$400,000 per year to be collected in the Housing Trust Fund. Success will be determined at the conclusion of the 2009-2014 planning period.	This program is carried forward in 3.k Update Affordable Housing Trust Fund Operating Procedures with a focus on more actionable measures through the subprograms.
<b>HS-5.b</b> Coordinate Funding Among Development Proposals. Participate in efforts to establish administrative procedures to ensure that there is adequate coordination between jurisdictions and development proposals on their various housing activities and funding proposals, that local projects are competitive for outside funding sources, and that resources are used in the most effective manner possible.	Efficient use of available and minimized competition among projects	As of December 2007, the In-Lieu Housing Trust Fund contained \$1,246,395. The County, including the affordable housing program and federal grants, has held bi-annual meetings with the Marin Community Foundation (MCF), a primary local funder of Affordable Housing development. However, due to staff turnovers at the Foundation, these meetings have not been consistently held. The Marin Workforce Housing Trust, the other local source of countywide funding, has not issued any loans to date due to lack of staffing and delays in fund raising.	The Housing Assistance Team (HAT) was the intended coordinator of this effort; therefore this program has been implemented with limited success.	This program is revised as 3.o Coordinate Among Project Funders.
<b>HS-5.c</b> Support Establishment of a Countywide Housing Data Clearinghouse. Support the establishment of a central housing data clearinghouse, under the Housing Strategist position, with up-to-date information on housing conditions in the county by jurisdiction, best practices, State law, funding opportunities, and related housing information.	Up-to-date data to monitor housing conditions and to support grant and other funding requests	The Marin Housing Element Workbook was completed in 2009, a collaboration of all the jurisdictions and coordinated by the County to collect information necessary for housing element updates.	This program was intended to be implemented as part of HAT. Without the political support and financial resources necessary, this program was partially implemented through the Workbook at the end of the planning period.	The aim of this program is carried forward in 3.b Advance Organizational Effectiveness and 3.ii Provide and Participate in Local Affordable Housing Training and Education.

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HS-5.d Continue to Retain Permanent County Affordable Housing Strategist Position. Continue to retain a full-time, permanent County Housing Strategist position with adequate support staffing to work with the County in creating affordable housing opportunities. The role of the Affordable Housing Strategist and supporting staff will be to implement Housing Element policies and programs, and coordinate the housing assistance team as described below.	Maintain sufficient staffing levels	The Affordable Housing Strategist was funded 100% through the County's general fund. In 2006 an additional staff position, Affordable Housing Planner was added to support the Strategist.	In 2007 the Affordable Housing Strategist position was reclassified to Principal Planner and staffing the Redevelopment Agency was added to the job description. The funding was also reallocated so that the position is now funded partly by redevelopment. The HAT and inter-jurisdictional role was never implemented due to lack of funding and political support from the other local jurisdictions.	This program is not carried forward because the County's Affordable Housing Program benefits from a strong foundation and a program is not needed to ensure its status at this time.
HS-5.e Conduct an Annual Housing Element Review. Develop a process for the assessment of Housing Element implementation through annual review by the Marin County Planning Commission and Board of Supervisors. Provide opportunities for public input and discussion, in conjunction with State requirements for a written review by July 1 of each year (per Government Code Section 65583(3)). Based on the review, establish annual work priorities for staff.	Annual review of accomplishments; modifications as needed	All annual reports have been submitted to the Marin County Board of Supervisors and the State Department of Housing and Community Development.	This program was implemented.	This program is carried forward in 3.i Undertake Housing Element Monitoring, Evaluation, and Revisions.

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<p><b>HS-5.f</b> Support Establishment of a Countywide Housing Assistance Team (HAT). Support the establishment of a housing technical assistance team who can advise and assist staff in implementing housing programs and facilitating development of partnerships with affordable housing developers for specific projects. The Housing Assistance Team (HAT) can consist of a pool of specialists with the following specialties: a local architect, an individual with knowledge about the underwriting of housing financing, and available funding sources, and a local community representative who is knowledgeable about the local issues.</p> <p><b>HS-5.g</b> Conduct Staff Training. Conduct training sessions with local staff to review potential constraints and opportunities to create affordable housing, including housing needs, finance, issues such as delay and density, and management.</p>	<p>Establishment of a technical assistance team to assist in Housing Element implementation</p>	<p>This program was not implemented due to lack of staff resources, lack of interest on a Countywide basis and turnover with regard to the staff and volunteers assigned to this program.</p>	<p>Significant barriers to implementation of this program included lack of political will and financial resources.</p>	<p>This focus of this program is carried forward in many programs, including 1.b Conduct a Comprehensive Affordable Housing Sites Inventory, 3.b Advance Organizational Effectiveness, 3.f Promote Countywide Collaboration on Housing, and 3.j Provide and Participate in Local Affordable Housing Training and Education.</p>
<p>Increased knowledge of staff regarding affordable housing development</p>	<p>CDA Affordable Housing Staff conducted trainings for County planning staff on housing element and CWP exceptions for affordable housing. Participated in a design and density panel in Mill Valley. Presented affordable housing policy ideas to Fairfax and San Anselmo planning commissions. Provided affordable housing and second unit amnesty sample code text to several local jurisdictions' planning staff. Housing element update in process with anticipated adoption of 2010.</p>	<p>This program was successfully implemented.</p>	<p>This goal of this program is carried forward in 3.b Advance Organizational Effectiveness, 3.c Provide and Promote Opportunities for Community Participation in Housing Issues and 3.ji Provide and Participate in Local Affordable Housing Training and Education.</p>	<p>This program is carried forward as 3.i Undertake Housing Element Monitoring, Evaluation, and Revisions.</p>
<p><b>HS-5.h</b> Update the Housing Element Regularly. Undertake Housing Element updates as needed, in accordance with State law requirements.</p>	<p>Assure consistency with State law</p>	<p>This program is successfully implemented through this update process.</p>	<p>This program is carried forward as 3.i Undertake Housing Element Monitoring, Evaluation, and Revisions.</p>	<p>This program is carried forward as 3.i Undertake Housing Element Monitoring, Evaluation, and Revisions.</p>

## APPENDIX C: SUMMARY OF PUBLIC MEETINGS

Marin County Community Development Agency hosted a series of public information workshops held in various locations throughout the County.

Affordable Housing Advocates Meeting	February 3, 2009	Marin Housing Authority Offices
Affordable Housing Experts Meeting	February 25, 2009	Marin County Health & Wellness Campus
Community Workshop 1	March 7, 2009	Marin County Health & Wellness Campus
Community Workshop 2	March 11, 2009	San Geronimo Valley Community Center
Community Workshop 3	April 28, 2009	Marin County Civic Center
Planning Commission 1	April 13, 2009	Marin County Civic Center
Planning Commission 2	August 10, 2009	Marin County Civic Center
Planning Commission 3	October 12, 2009	Marin County Civic Center
EIR Scoping Session	August 2, 2012	Marin County Civic Center
Community Workshop 4	August 29, 2012	Marin City Senior Center
Community Workshop 5	September 29, 2012	Maria B. Freitas, San Rafael
Planning Commission 4	October 12, 2012	Marin County Civic Center
Planning Commission SEIR Hearing 1	January 14, 2013	Marin County Civic Center
Planning Commission 5	February 11, 2013	Marin County Civic Center

While summaries of key comments and themes can be found below, full meeting summaries of the Advocates and Experts Meetings and Community Workshops can be found at the Housing Element Update website - [http://www.co.marin.ca.us/depts/CD/main/housing/2009\\_update.cfm](http://www.co.marin.ca.us/depts/CD/main/housing/2009_update.cfm). Planning Commission minutes are available at [http://www.co.marin.ca.us/depts/CD/main/plngcom\\_video.cfm](http://www.co.marin.ca.us/depts/CD/main/plngcom_video.cfm)



### ***Affordable Housing Advocates Meeting Summary***

Tuesday, February 3, 2009, 2-4pm  
Marin Housing Authority Offices, San Rafael

#### **Participants**

Participants were invited from various organizations based on their experience in advocating for affordable housing and working with special needs groups in Marin County. Participants included: Dave Coury, Housing Leadership Alliance; Joanna Beck, MCHAI Co-Coordinator/NPH; Joe Hegedus, Marin Continuum of Housing and Services; David Brigode, West Bay Housing; Josie Sanchez, Marin Center for Independent Living; Makini Hassan, Marin

City Community Development Corporation; Nancy Kenyon, Fair Housing of Marin; Susan Scott, CLAM; Steve Boyer, St. Vincent de Paul Society; Ericka Erickson, Grassroots Leadership Network; Lesa Kraemer, Bolinas Community Land Trust (BCLT).

Staff and consultants in attendance included: Leelee Thomas, Stacey Laumann, and Alea Gage of Marin County Affordable Housing Program staff; Linda Jackson of San Rafael, Tim Wong of Novato, Nancy Kaufman of Larkspur, Christine O'Rourke of Ross, and Jeffery Baird of Baird + Driskell Community Planning.

### **Summary of Key Comments and Ideas**

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- Allow more development at higher density – use good design to accommodate density.
- Assure access to transit, parks, and public facilities (healthy and sustainable).
- Address the critical need of extremely low income households and the types of units needed – match area median income (AMI) requirements to actual need.
- Encourage Single Room Occupancy units (SRO).
- Provide land instead of money or units for inclusionary requirements.
- Rezone many sites in each jurisdiction to multi-family (R3). This would entail a comprehensive site by site evaluation of each parcel in each jurisdiction including single- family zoned sites, publicly owned and controlled sites, commercial sites, industrial sites, school sites, and all others.
- Use the CEQA statutory exemption for affordable housing and categorical exemptions for infill whenever possible.

#### ***Development Experts Meeting Summary***

Wednesday, February 25, 2009, 2-4pm

Marin County Health and Wellness Campus, San Rafael

### **Participants**

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Participants were invited from various organizations based on their experience in planning and in developing affordable housing. Participants included: Andy Blauvelt, EAH Housing; David Levin, Bay Area Legal Aide; Charles W. Carson, Home Builders Association; Marc Rand, Marin Community Foundation; Roy Bateman, Marin County Community Development Agency; Marge Macris, Marin Environmental Housing Collaborative; Dan Nackerman, Marin Housing Authority; Michael Rex, Michael Rex Associates Architects; Clark Blasdel, Northbay Family Homes; Mary Stompe, PEP Housing; Betty Pagett.

Staff and consultants in attendance included: Leelee Thomas, Stacey Laumann, and Alea Gage of Marin County Affordable Housing Program staff; Jeffery Baird, Joshua Abrams and Gerald Ingraham of Baird + Driskell Community Planning.

### **Summary of Key Comments and Ideas**

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- Local money is needed in order to act fast and flexibly when properties come on the market.

- Establish programs appropriate to various Marin locations (urban vs. rural) and be responsive to the local community.
- Involve the community early on in the process and make sure there is a give-and-take dialogue that addresses community values.
- Provide clear development standards and incentives for affordable housing developments to minimize risk to funders and developers.
- Minimize discretionary review; Streamline the permitting process.

### ***Public Workshop #1***

Saturday, March 7, 2009, 10am-12pm  
Marin County Health and Wellness Campus, San Rafael

### **Summary of Key Comments and Themes**

- Determine ways to develop sustainable eco-friendly housing.
- Improve community based planning techniques.
- Marin in 2030 is the same kind of beautiful place it is today — not over-built or over-populated.
- Protect good sites for lower cost housing and reevaluate the Marinwood Shopping Center, St. Vincent's property and the Silveira property for their housing and retail potential.
- Focus on the design of housing.
- Older adults should be able to age in place, use transit and have nearby shopping and recreation.



### ***Public Workshop #2***

Wednesday, March 11, 2009, 7-9pm  
San Geronimo Valley Community Center, San Geronimo

#### **Summary of Key Comments and Themes**

- Follow local community plans in achieving housing goals (such as avoidance of ridgetops, etc.).
- Improve the process of community planning to insure that the community's collective wishes as it pertains to meeting housing needs are respected.
- Identify ways to encourage modest affordable housing in West Marin.
- Identify housing solutions that can fit in each community and provide a checklist of housing types options that can be considered for each community.
- Link housing with resources capacity (sewer, water, etc.).



### ***Public Workshop #3***

Tuesday, April 28, 2009, 6:30-8:30pm  
Marin County Health and Wellness Campus, San Rafael

#### **Summary of Key Comments and Themes**

- Create communities with a mix of housing.
- Encourage sustainable strategies for integrating more affordable units into the existing neighborhood fabric through transit-oriented and infill development, mixed use and second units.
- Focus on creating incentives for affordable housing development – rezoning is not enough. Consider constraints and opportunities associated with funding, parking, density, design, permitting and environmental review, but also new strategies to make affordable housing feasible to the extent that it can meet community housing needs.
- Incorporate rental and public housing and tenants of these housing types into conversations around affordability and sustainability.

***Public Workshop #4***

Wednesday, August 29, 2012, 6:00-8:00pm  
Marguerita C. Johnson Senior Center, Marin City

**Summary of Key Comments and Themes**

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- Focus on community outreach, concerns that streamlining may reduce opportunities for public comment.
- Concern with loss of tax basis in communities where affordable housing is developed.
- Height exceptions are needed to make affordable housing development feasible.
- Consider a range of housing needs and options for seniors.

***Public Workshop #5***

Saturday, September 29, 2012, 9:00-10:30am  
Maria B. Fraites Senior Center, San Rafael

**Summary of Key Comments and Themes**

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- Desire to understand the Regional Housing Need Allocation (RHNA)
- Concern with how sites were selected to be included on the sites list.
- Encourage smaller scale senior housing opportunities.



## APPENDIX D: INVENTORY OF HOMELESS HOUSING RESOURCES

Housing Elements must include an inventory of the homeless housing resources available within the community, including emergency shelters, transitional housing and supportive housing. The best source of housing inventory data is Marin County's annual application to the Department of Housing and Urban Development (HUD) for Continuum of Care (CoC) funding for homeless housing and services. HUD requires each community to maintain an inventory of emergency shelter, transitional housing and supportive housing and to update this inventory annually. The following chart provides inventory data as of January 2011, broken down by jurisdiction. Scattered site refers to programs that do not have permanent locations. Throughout the year, the scattered site programs may change locations.

Jurisdiction	Facility/Program Name	Provider Name	Number of Beds		
			Emergency Shelter	Transitional Housing	Supportive Housing
<b>Corte Madera</b>	San Clemente Place	EAH	0	0	13
	<b>Subtotal Corte Madera</b>		<b>0</b>	<b>0</b>	<b>13</b>
<b>Novato</b>	Gilead House	Gilead House	0	18	0
	Hamilton Meadows	Hamilton Continuum Partners	0	109	0
	Transition to Wellness/Medical Respite	Homeward Bound of Marin		6	
	New Beginnings Center	Homeward Bound of Marin	64	0	0
	New Beginnings Center (beds for Vets)	Homeward Bound of Marin	16	0	0
	Next Key	Homeward Bound of Marin	0	37	0
	<b>Subtotal Novato</b>		<b>80</b>	<b>170</b>	<b>0</b>
<b>San Rafael</b>	Reilly House	Center Point, Inc.	0	12	0
	THP Mary Street	Center Point, Inc.	0	15	0
	Nine Grove Lane	Huckleberry Youth Programs	4	0	0
	Family Emergency Center	Homeward Bound of Marin	49	0	0
<b>San Rafael (cont.)</b>	Mill Street Center	Homeward Bound of Marin	49	0	0
	Family Park	Homeward Bound of Marin	0	39	0
	Family Resource Center	Homeward Bound of Marin	0	25	0
	Voyager	Homeward Bound of Marin	0	10	0
	4 <sup>th</sup> Street	Homeward Bound of Marin	0	0	20
	Carmel	Homeward Bound of Marin	0	0	26

Jurisdiction	Facility/Program Name	Provider Name	Number of Beds		
			Emergency Shelter	Transitional Housing	Supportive Housing
	Palm Court	Homeward Bound of Marin	0	0	22
	Palm Court II	Homeward Bound of Marin	0	0	3
	Palm Court III	Homeward Bound of Marin	0	0	1
	Second Step TH	Center for Domestic Peace	0	32	0
	Short-Term TH	Center for Domestic Peace	0	20	0
	Marin Emergency Winter Shelter Program	St. Vincent DePaul Society	66	0	0
	Apartments Above Dining Room	St. Vincent DePaul Society	0	0	9
	<b>Subtotal San Rafael</b>		<b>168</b>	<b>153</b>	<b>73</b>
Scattered Site Programs	Transition Age Youth TH	Bucklew Programs	0	8	0
	Residential Support Services (RSS)	Bucklew Programs	0	0	64
	Supported Housing	Bucklew Programs	0	0	66
	Assisted Independent Living (AIL)	Bucklew Programs	0	0	63
	THP Scattered Sites	Center Point, Inc.	0	38	0
	Homelink	Center Point, Inc.	0	1	0
	Emergency Housing	Center Point, Inc.	1	0	0
Scattered Site Programs (cont.)	Housing First	Ritter Center	0	0	12
	Formerly SHIA and Odyssey (Section 8)	Housing Authority of the County of Marin	0	0	20
	VASH (Section 8)	Housing Authority of the County of Marin	0	0	35
	Shelter Plus Care	Housing Authority of the County of Marin	0	0	65
	Shelter Plus Care 3	Housing Authority of the County of Marin	0	0	4
	<b>Subtotal Scattered Site Programs</b>		<b>1</b>	<b>47</b>	<b>329</b>
Unincorporated County	Fireside Affordable Apts.	Eden Housing	0	0	43
	<b>Subtotal Unincorporated County</b>		<b>0</b>	<b>0</b>	<b>43</b>

## APPENDIX E: FEE SCHEDULE

### MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY — PLANNING DIVISION FEES

(ORDINANCE 3579)

*Effective April 9, 2012*

Permit/Service Type	Fees	See Note(s)	Permit/Service Type	Fees	See Note(s)
<b>1. COASTAL PERMITS</b>			<b>10. PLAN AMENDMENTS</b>		
a. Coastal Permit – Administrative	5,425	L	a. <i>Countywide Plan/Community Plan Amendment</i>	36,645	C, L
b. <i>Coastal Permit – Public Hearing</i>	7,200	C, L	b. <i>Local Coastal Program Amendment</i>	36,645	C, L
c. Coastal Permit Amendment – Administrative	1,450	L	<b>11. PLANNING REVIEW FEE – BUILDING PERMITS</b>		
d. <i>Coastal Permit Amendment – Public Hearing</i>	5,505	C, L	a. Major Plan Check	845	L
e. Coastal Permit Exclusion	120		b. Minor Plan Check	340	
<b>2. DESIGN REVIEW</b>			c. New Residence Plan Check	1,695	L
a. Design Review –			d. Partial Demolition	85	
i. Accessory Structure/Design Review	1,440	L	e. Solar Panels, Air Conditioners, Arbors, etc.	85	
ii. Addition/Accessory Structure/Minor	1,440	L	f. Structural Plan Check (Under 300 square feet)	170	
iii. <i>New Residence/Large Addition/Other</i>	5,670	C, L	<b>12. PRECISE DEVELOPMENT PLAN</b>		
iv. <i>Non-residential (Large Scale)</i>	18,825	C, L	a. <i>Precise Development Plan</i>	11,615	C, L
v. Non-residential (Small Scale)	4,840	L	b. <i>Precise Development Plan Amendment</i>	4,650	C, L
b. <i>Design Review Amendment (Major)</i>	1,420	C, L	<b>13. REZONING</b>	39,765	C, L
c. Design Review Amendment (Minor)	1,135	L	<b>14. SECOND UNIT PERMIT</b>	1,135	
d. Design Review Exemption	340		<b>15. SIGNS</b>		
<b>3. ENVIRONMENTAL REVIEW</b>			a. Sign Permit	515	
a. Environmental Impact Review Overhead	30%	O	b. Sign Review	2,425	
b. Environmental Review – Exemption	370	O	<b>16. SUBDIVISION MAP ACT</b>		
c. <i>Initial Study (Deposit)</i>	14,500	C, O	a. Certification of Compliance	2,940	
<b>4. EXTENSIONS</b>			b. Lot Line Adjustment	1,765	
a. Extension to Vest – Administrative	845		c. Merger	260	
b. Extension to Vest – Master Plan	840		d. <i>Plan Check – Maps/Improvement Plans (Deposit)</i>	1,400	C
c. Extension to Vest – Public Hearing	1,385		e. <i>Tentative Map (Major)</i>	22,800	C, L
<b>5. FIRE REVIEW</b>			f. Tentative Map (Minor)	11,400	L
(Fire fees collected pursuant to Ordinance 3550)			g. <i>Tentative Map Amendment (Major)</i>	6,465	C, L
a. Fire Department Review for Discretionary Projects	310		h. Tentative Map Amendment (Minor)	2,160	L
b. Vegetation Management Plan Review	354		i. Tentative Map – Extension to Vest	817	
c. Tentative Map Review	708		j. Tentative Map Waiver	1,730	
d. General Review and Consultation - per hour	177		<b>17. TIDELANDS PERMITS</b>		
e. CDA Administrative Fee - per project	32		a. Tidelands Permit	5,025	
<b>6. FLOATING HOMES</b>			b. Tidelands Permit Amendment	1,905	
a. Floating Home – Adjustment	1,770		<b>18. TREE REMOVAL PERMIT</b>	150	
b. Floating Home – Architectural Deviation	1,770		<b>19. USE PERMITS</b>		
<b>7. LONG RANGE PLANNING SURCHARGE</b>	10.5%		a. <i>Use Permit (Major)</i>	7,000	C, L
<b>8. MASTER PLANS</b>			b. Use Permit (Minor)	4,290	L
a. <i>Master Plan</i>	31,040	C, L	c. Use Permit – Child Day-Care Center	500	
b. <i>Master Plan Amendment</i>	24,940	C, L	d. Use Permit – Large Family Day-Care Home	500	
<b>9. OTHER SERVICES</b>			e. Use Permit – Temporary	510	
a. Appeals			f. <i>Use Permit Amendment (Major)</i>	5,335	C, L
i. Appeal to the Board of Supervisors	770		g. Use Permit Amendment (Minor)	2,280	L
ii. Appeal to the Planning Commission	600		h. <i>Use Permit Renewal</i>	1,450	C, L
b. Change In Address Initiated by Property Owner	440		<b>20. VARIANCES</b>		
c. General Staff Consultation/Prefiling Conference	290		a. Variance	4,360	
d. Planning Information Packet	128		b. Variance Amendment	2,140	
e. <i>Preapplication Review (Deposit)</i>	3,700	C, M			
f. <i>Property Status Determination/Research</i>	2,100	C			
g. Public Convenience and Necessity (ABC License)	790				
h. Street Name Change	3,220				

NOTE: Permits/Services identified in bold and italics are charged on a deposit/at-cost basis. See Note C on page 2.

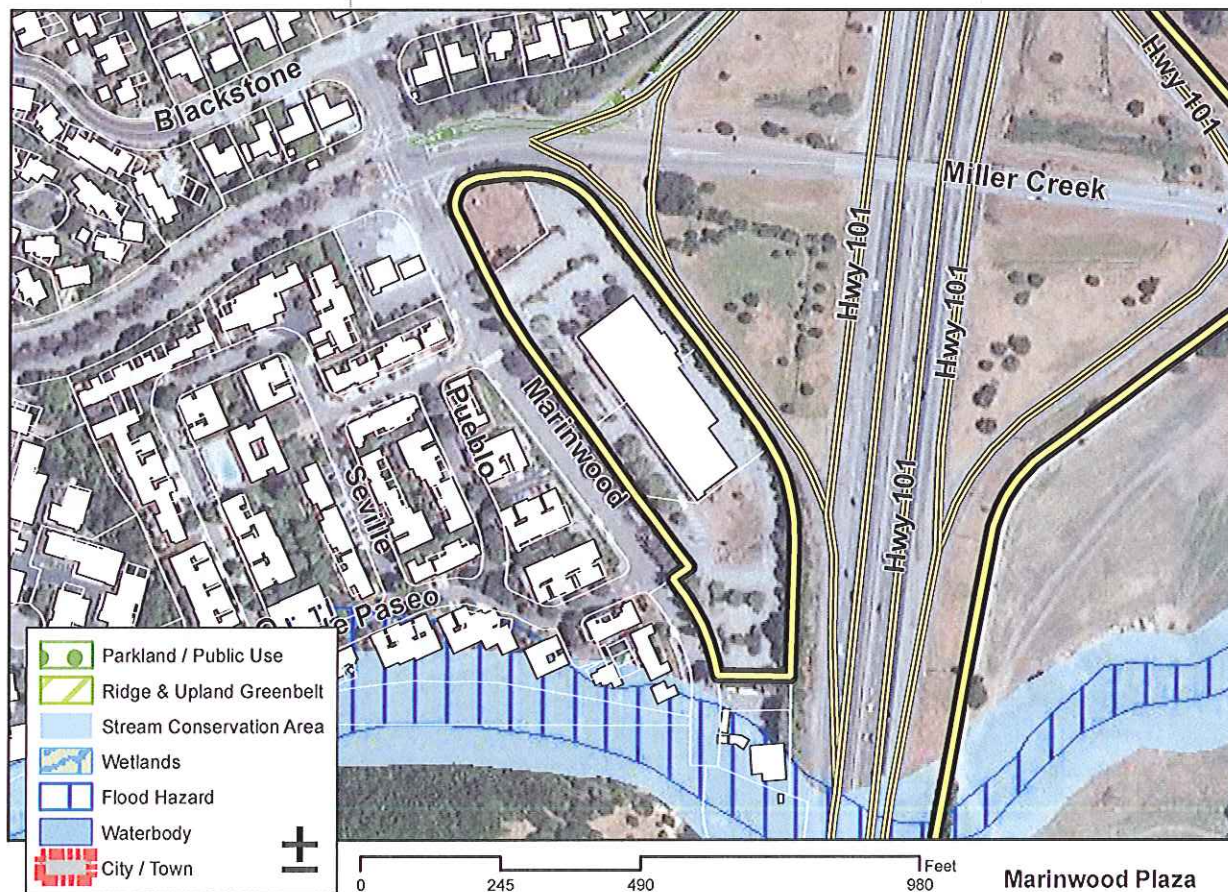
## NOTES TO FEE SCHEDULE:

*The following notes apply to the entire fee schedule and as specified to individual permits.*

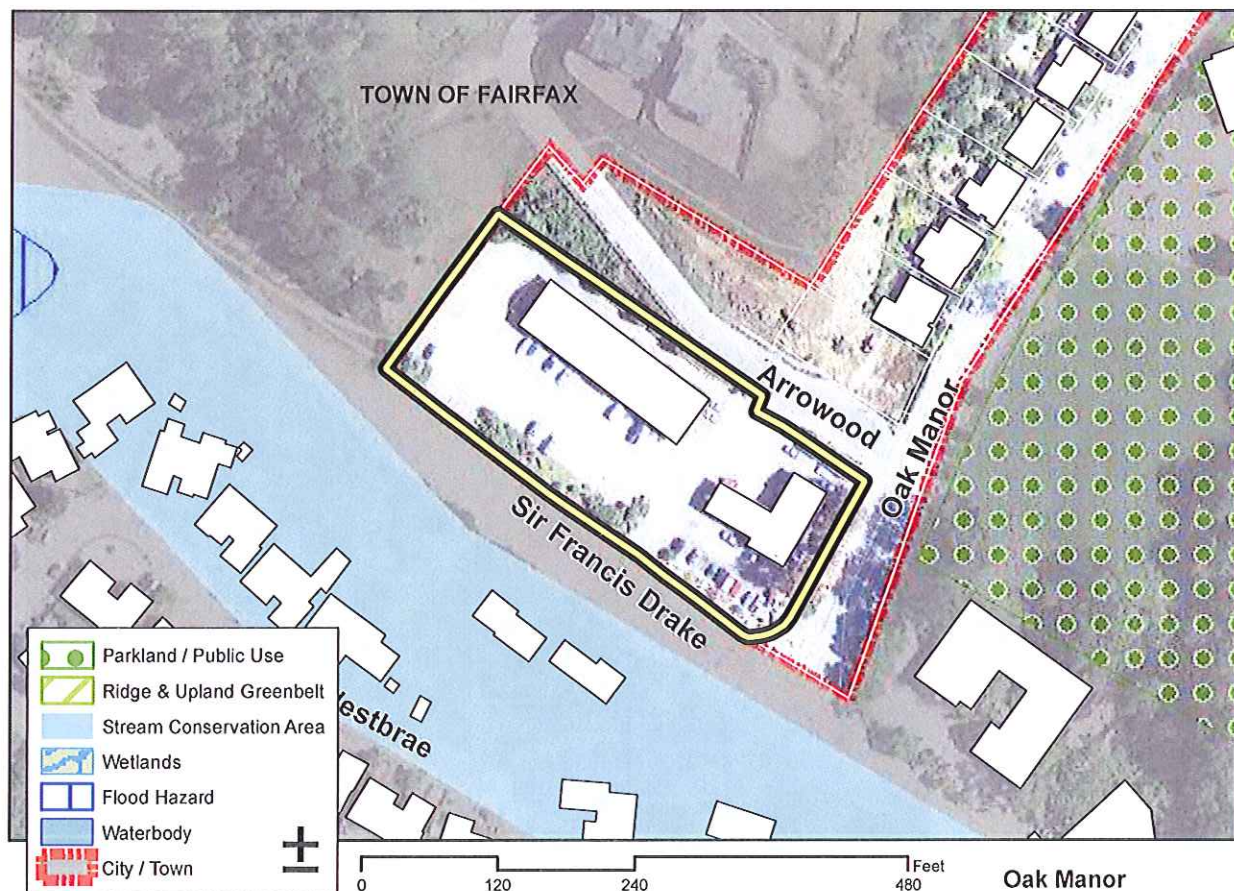
- A. Fees shall be submitted in full at the time of application submittal to the County. Where a project requires more than one permit, the full fee shall be collected for each and every permit required.
- B. Pursuant to a written request, the Board of Supervisors may waive or reduce fees upon a finding that such waiver or reduction is in the public interest and that the applicant or appellant is unable to afford such fees.
- C. **Fees for specified applications are charged on a deposit/at cost basis. The fees noted in the fee schedule are minimum fees to be paid at the time of application filing to cover the average County cost of review. A signed agreement for payment of application processing fees between the County and the applicant shall be required at the time of application filing. Should actual costs exceed the amount of the fee, the applicant will be billed for additional costs. The Agency Director shall have the ability to refund part of the fee deposit if the actual processing costs are substantially less than the original fee deposit. Services are charged at a rate of \$128/hour.**
- D. The Agency reserves the right to charge actual cost (at a rate of \$128/hour) on large, complex, unusual, and/or time consuming projects in order to ensure that the fee will cover the actual cost of service.
- E. Portions of fees may be refunded upon withdrawal of the application; the amount of refund shall be determined by the Agency Director, based upon the amount of work done by the County prior to withdrawal.
- F. Full fee credits may be granted toward resubmittal of applications if applications are withdrawn and resubmitted within 60 days from the date of withdrawal with the prior written authorization of the Agency Director.
- G. Other development-related fees which may be required include, but are not necessarily limited to, the following fees: building, grading, well, septic, creek, encroachment, fire review, improvement plan review, transportation facilities, road impact, housing impact, inclusionary housing, park mitigation, and school fees.
- H. In the event that any work has been undertaken or use made of the property without legal authority prior to completing the requisite procedures necessary to authorize such work or use, the applicant shall pay two times to four times the specified amount, based on the criteria set forth in Marin County Code, Section 1.05.050 D, that is hereby incorporated by reference as is fully set forth herein, unless waived by the Agency Director based on a finding that such a waiver is in the public interest and that the applicant is expeditiously correcting the violation.
- I. The Agency Director shall have the ability to waive or transfer from the In-Lieu Housing Trust Fund up to 100% of the planning fees for projects which include below market rate housing units subject to the requirement that the project meet the eligibility standards for state or federal housing funding. The amount of fees waived to be determined based on the proportion of the project, which is below market rate housing, and the permanency of the housing subsidy.
- J. The Agency Director is authorized to waive up to 35% of the planning fees for projects undertaken by community-based non-profit agencies or organizations which provide services resulting in public benefits.
- K. The Agency Director is authorized to waive up to 100% of the Design Review, Coastal Permit, and the Community Development Agency's environmental review exemption fees for solar photovoltaic projects that are consistent with applicable codes and guidelines.
- L. **The Long Range Community Planning Surcharge applies to Planning Permits 1.a-d, 2.a.i-v, 2.b-c, 8.a-b, 10.a-b, 11.a, 11.c, 12.a-b, 13, 16.e-h, 19.a-b, 19.f-h, and Building Permits.**
- M. **50% of pre-application fees shall be applied as a credit toward a Master Plan, Major Tentative Map (Subdivision), Plan Amendment, or Rezoning if application is submitted within one year.**
- N. The charge for returned checks is \$35 (which includes a \$10 Central Collections fee).
- O. **Per Senate Bill 1535, County Clerk filing fee of \$50 is collected for exemption (included with Fee #3b above) and Fish and Game Negative Declaration/ Environmental Impact Report (EIR) filings. Additional Fish and Game Negative Declaration fee of \$2,101.50 and EIR fee of \$2,919 are required pursuant to California Fish and Game Code Section 711.4.**
- P. An hourly rate of \$128 shall be charged for other services, including but not limited to, performance/professional services agreement administration, planning information packet, affordable housing monitoring/administration, mitigation monitoring and condition compliance review, and zoning enforcement expenses.

## APPENDIX F: SITE INVENTORY PROFILES

<b>Site # 1</b>	<b>Marinwood Plaza</b>	100 Marinwood Avenue
APN	164-471-64 164-471-65 164-471-69 164-471-70	0.45 acres (4.75 Total) 1.93 acres 0.80 acres 1.56 acres
Community	Marinwood	
General Plan	100 units	HOD (min 30 units/acre) GC (FAR .1 to .4)
Zoning	n/a due to HOD	CP (Planned Commercial) (30 units/acre)
<b>Inventory Assumption</b>	<b>Lower income: 85 units</b>	<b>Moderate Income: 0 units</b>
Affordability	HOD policy requires 30 units/acre. Affordable housing developer proposing 85 units.	
Infrastructure	Yes	
Proximity to bus route	0.1 miles	
Environmental considerations	Highway noise. Remediation from dry cleaner currently in process.	
Opportunities	Identified HOD site. Community process has adopted guiding principles for mixed use site, up to 100 residential units with at least 49% affordable.	
Site status	Underutilized - Commercial Strip mall with grocery. Affordable housing developer in contract.	

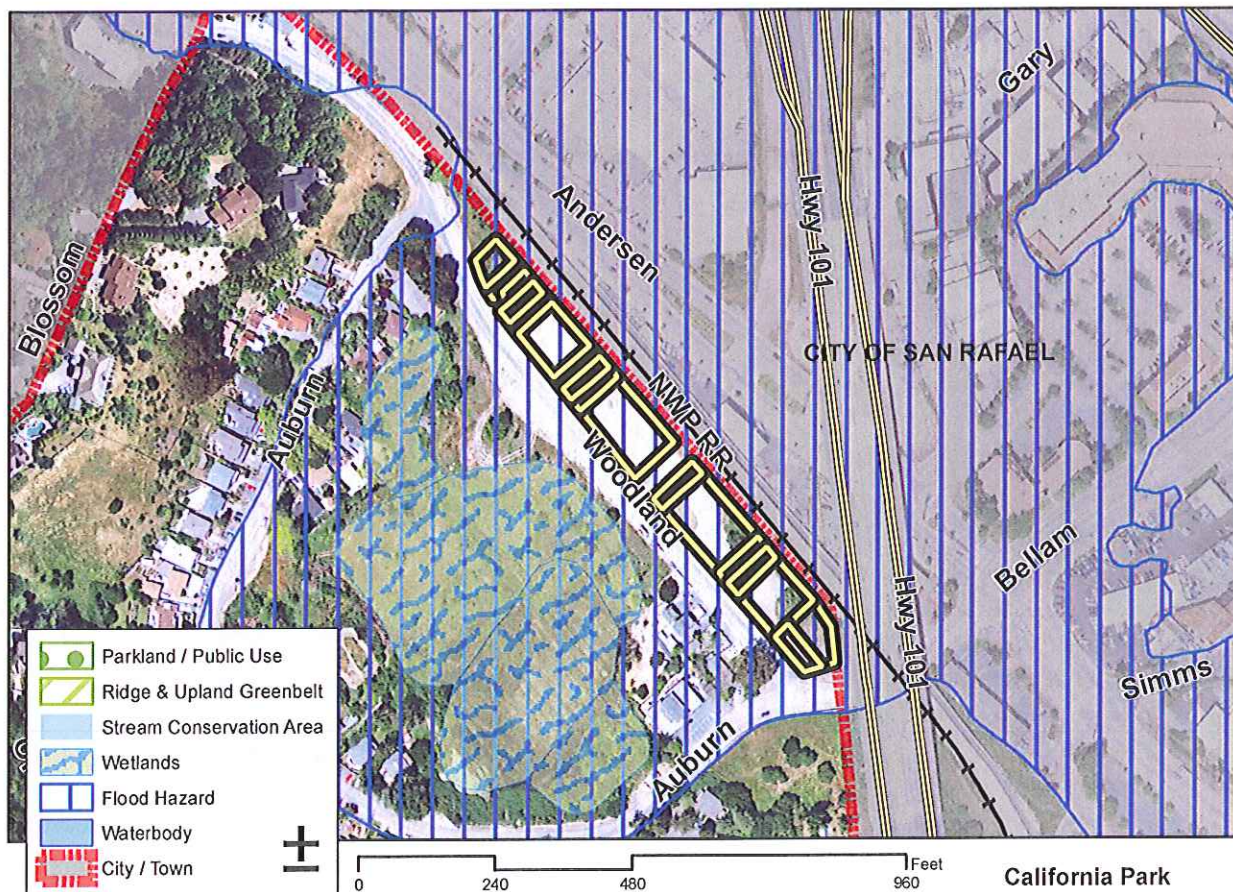


<b>Site # 2</b>	<b>Oak Manor</b>	2400 Sir Francis Drake Blvd.
APN	174-011-32 174-011-33	0.52 acres (1.58 total) 1.05 acres
Community	Fairfax	
General Plan	10 units (HOD)	GC (FAR .05 to .15) / HOD (min 30 units/acre)
Zoning	n/a	C-1-H
<b>Inventory Assumption</b>	<b>Lower income: 10 units</b>	<b>Moderate income: 0 units</b>
Affordability	HOD policy requires 30 units/acre.	
Infrastructure	Yes	
Proximity to bus route	0.01 miles	
Environmental considerations	Minimal.	
Opportunities	Underutilized commercial property on Sir Francis Drake Blvd. HOD site appropriate for mixed use redevelopment up to 10 units. Residential single family development in progress on parcels behind site.	
Site status	Underutilized - Commercial Commercial complex with a laundromat, Curves gym, 7/11, and 2 vacant storefronts. Large underutilized surface parking area with an active car repair shop on the corner.	



<b>Site # 3</b>	<b>California Park</b>	Woodland Avenue
APN	1018-075-12 etc. 18 contiguous parcels, see Figure IV-6 for details	1.82 acres total
Community	San Rafael	
General Plan	50 units (HOD)	MF2 / HOD (min 30 units/acre)
Zoning	n/a	RSP-4
<b>Inventory Assumption</b>	<b>Lower income: 50 units</b>	<b>Moderate income: 0 units</b>
Affordability	HOD policy requires 30 units/acre.	
Infrastructure	Yes	
Proximity to bus route	0.2 miles	
Environmental considerations	No impact due to site disturbance. On SMART right of way, noise and vibration considerations for residents.	
Opportunities	Vacant lot close to downtown San Rafael, near services and regional bus. HOD site identified for up to 50 units. Good roadway access.	
Site status	Vacant lot. Single owner. Functions as one space.	

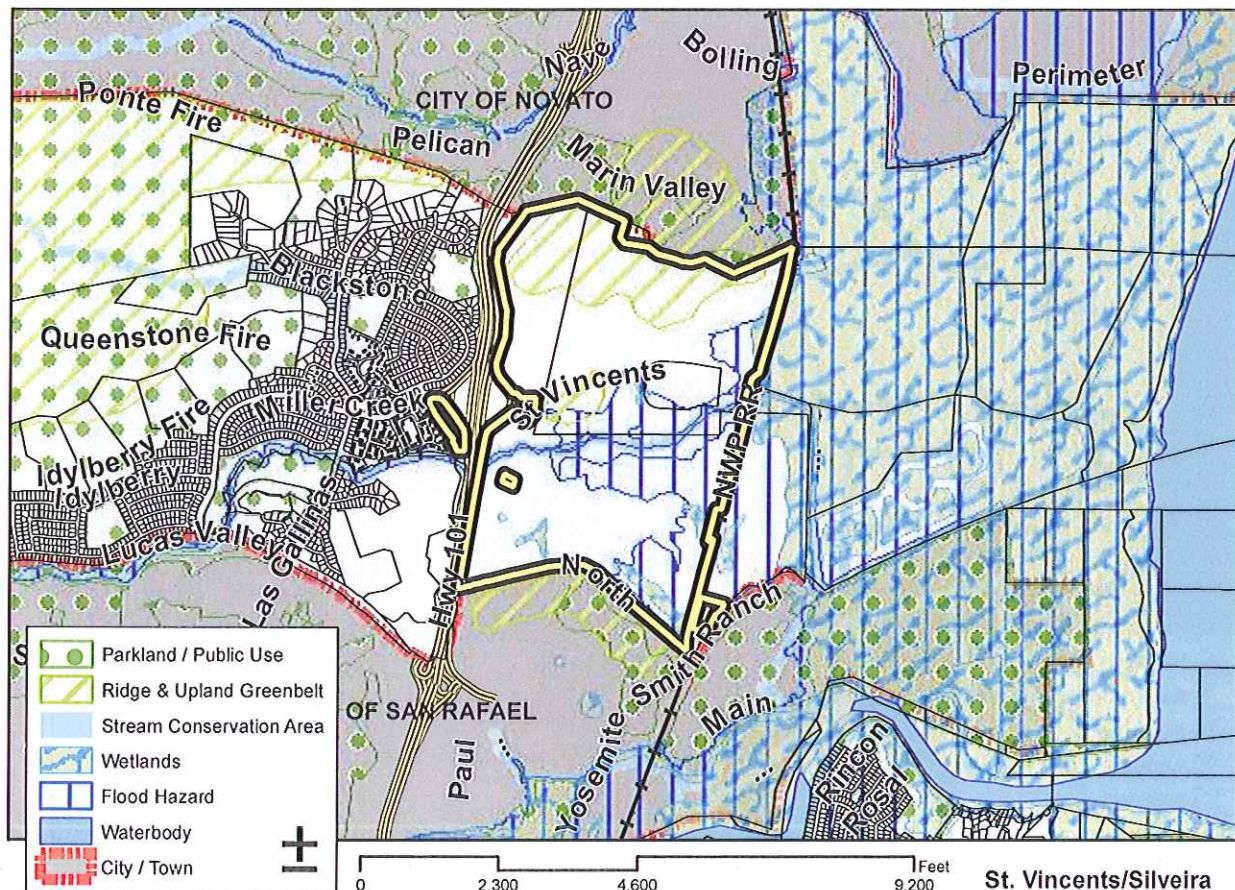
[map revised 2/25/13]



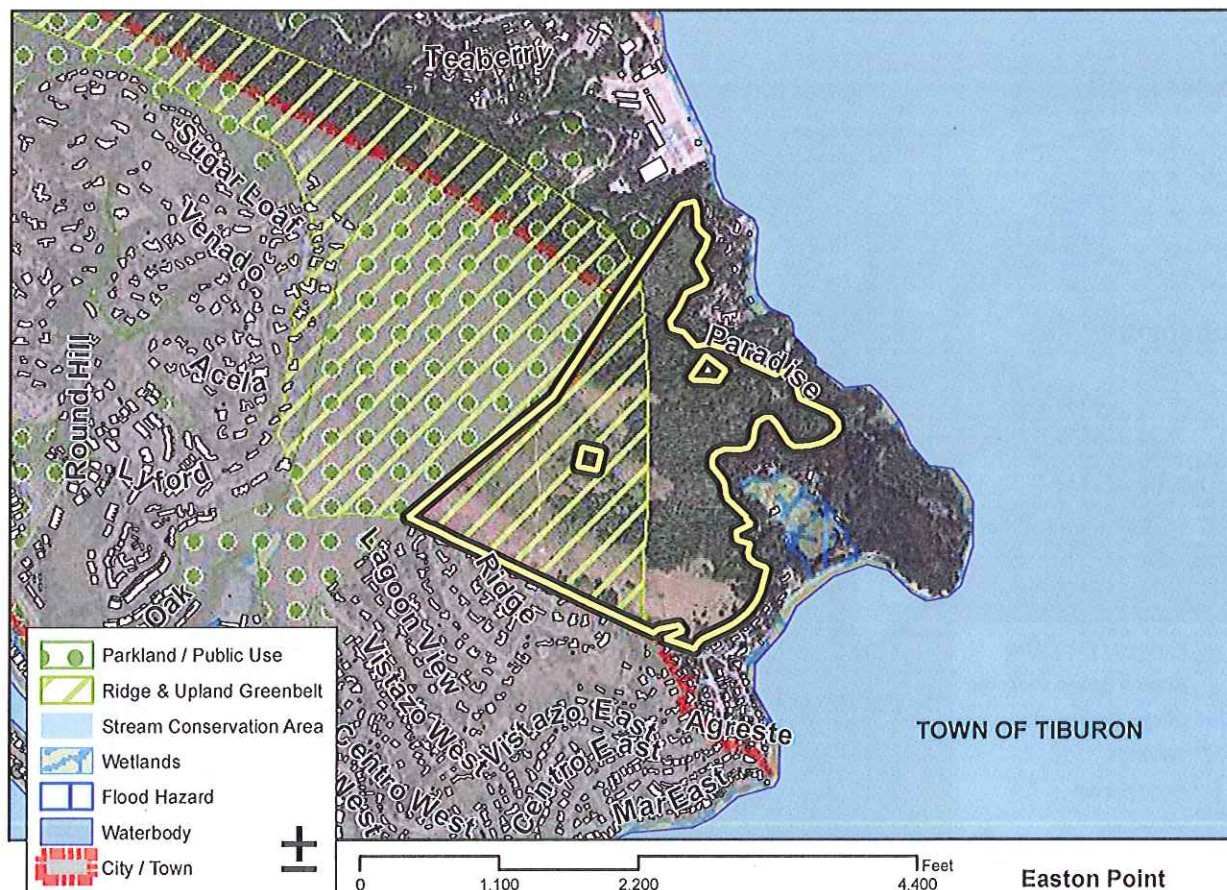
<b>Site # 4</b>	<b>Old Chevron Station</b>	204 Flamingo Rd.
APN	052-041-41 (Chevron - north)	0.79 acres
Community	Almonte	
General Plan	1,700 – 10,000 sq ft max	GC (FAR .05 to .3)
Zoning	21 units	CP
<b>Inventory Assumption</b>	<b>Lower income: 10 units</b>	<b>Moderate income: 0 units</b>
Affordability	CP district allows 30 units per acre. Affordable housing can exceed the Floor Area Ratio.	
Infrastructure	Yes	
Proximity to bus route	0.1 miles	
Environmental considerations	Traffic impacts on Hwy 1. Potential flood hazard area. Soil contamination remediation would be necessary because of former gas station. Maximum 30 ft height.	
Opportunities	Flat vacant lot on Shoreline Highway (HWY 1). Good location for small units. Affordable housing allowed at the high end of the CWP density range. Could be scattered development with Site #14.	
Site status	Vacant - Commercial	



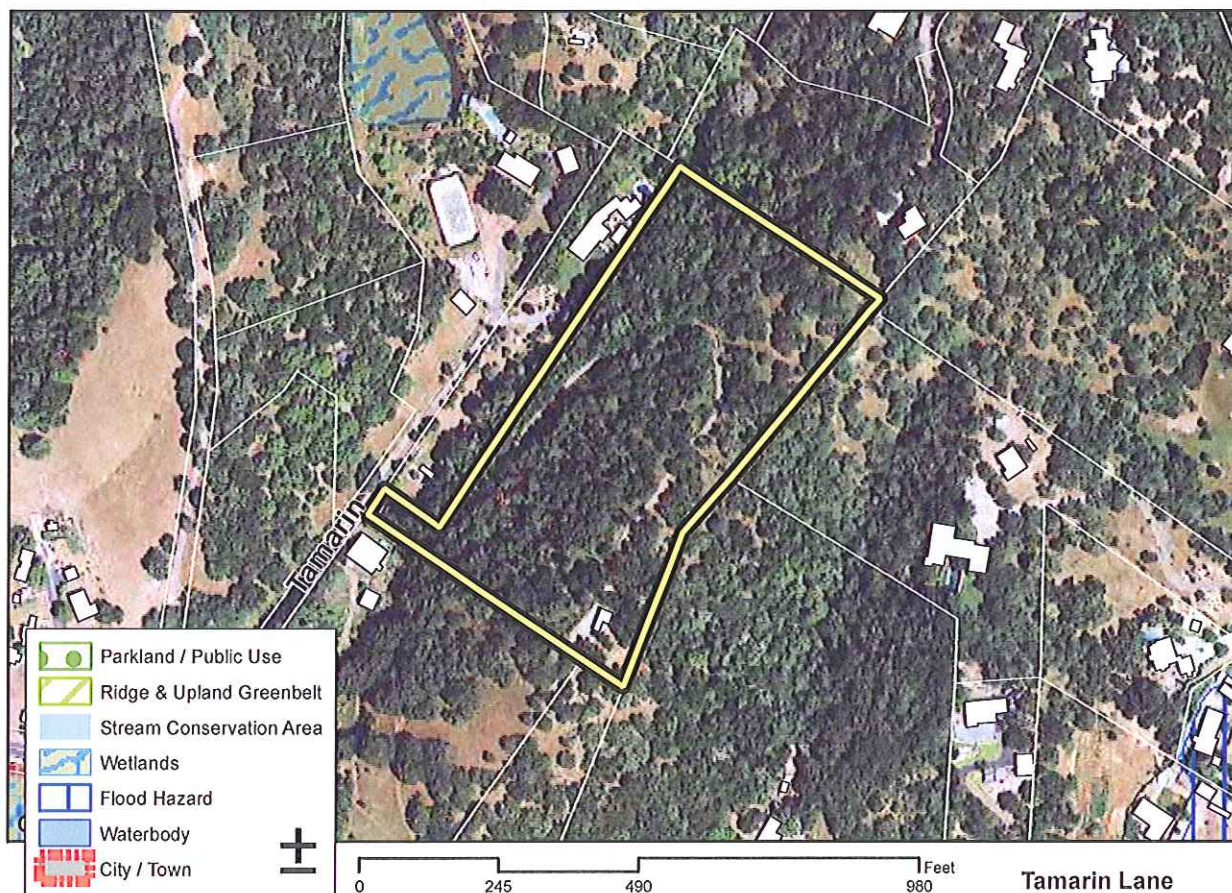
<b>Site # 5</b>	<b>St. Vincent's/Silveira</b>	St. Vincent's Dr.
APN	155-011-08 155-011-28 155-011-29 155-011-30 155-121-16	250.26 (55 acres developable) 73.49 20.21 220.67 3.77
Community	St. Vincent's	
General Plan	221 units	PD – Ag & Env resource area
Zoning	n/a	A-2 (Limited Ag., 2acre min lot area)
<b>Inventory Assumption</b>	<b>Lower income: 100 units</b>	<b>Above Mod Income: 121 units</b>
Affordability	CWP policy requires 45% of the total residential development capacity to be for low income housing.	
Infrastructure	Yes	
Proximity to bus route	0.1 miles	
Environmental considerations	Agricultural sensitivity and within the baylands corridor. Some areas subject to RUG policies.	
Opportunities	Countywide Plan allows up to 221 clustered units within total site, including 121 market units and 100 additional lower income units. Residential development allowed on 5% of total acreage.	
Site status	Vacant – Public Facility / Agricultural St. Vincent's school for boys and church operate on a portion of the site.	



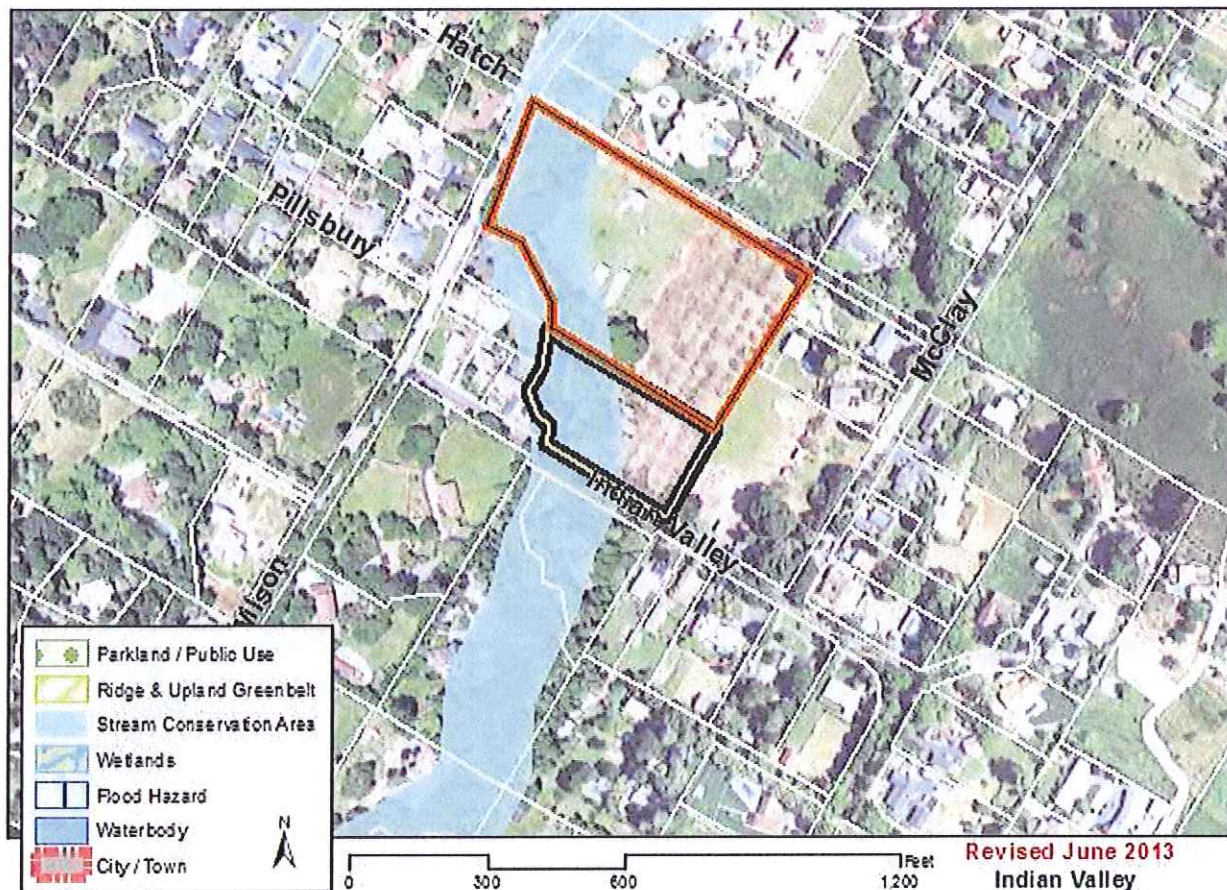
<b>Site # 6</b>	<b>Easton Point</b>	Paradise Drive, Tiburon
APN	059-251-05	110 acres
Community	Tiburon	
General Plan	n/a	PR (1 unit/1-10 acres), SF-6 (4-7 units/acre)
Zoning	n/a	RMP- 0.2 (Res., SF Planned, 1u/5ac), R- 1 (SF Res., 7,500 sq ft min lot area)
<b>Inventory Assumption</b>	<b>Lower income: 0 units</b>	<b>Above Mod income: 43 units</b>
Affordability	None	
Infrastructure	Yes, water. Will need to annex sewer.	
Proximity to bus route	1+ miles	
Environmental considerations	Partially in ridge and upland greenbelt (RUG). Slope instability and landslides. Rare plants Average slope 38%.	
Opportunities	Stipulated judgment allows entitlement for 43 single-family residential lots, inclusionary policy will not apply. Proposed guidelines would provide for future home sizes of 5,500 to 8,750 square feet each. Proposed open space and public access improvements include the creation of 59.7 acres of dedicated public open space, a 0.32 acre open space lot, and pedestrian access easements through the site to proposed and existing public open space areas. Undergoing EIR	
Site status	Vacant – Residential	



<b>Site # 7</b>	<b>Tamarin Lane</b>	12 Tamarin Lane
APN	143-190-12	6.54 acres
Community	Blackpoint	
General Plan	6 units	SF3 (Single-family, 1 unit/1-5 acres)
Zoning	3 units	ARP-2 (1 unit/2 acres)
<b>Inventory Assumption</b>	<b>Lower income: 0 units</b>	<b>Moderate income: 2 units</b> <b>Above Mod. Income: 3 units</b>
Affordability	Minimal	
Infrastructure	Yes, water. Sanitary septic required.	
Proximity to bus route	1+ miles	
Environmental considerations	Minimal	
Opportunities	Subdivision approved in 2007 for 3 developable lots, two of which must have second units, per conditions of approval.	
Site status	Vacant – Residential	



<b>Site # 8</b>	<b>Indian Valley</b>	1970 Indian Valley Rd.
APN	146-261-21 146-261-28	1.90 acres (7.7 total) 5.66 acres
Community	Indian Valley	
General Plan	7 units	SF-3 (Single Family, 1 unit/1-5 acres)
Zoning	7 units	A2-B4 (Limited Ag, 1 acre min lot size)
<b>Inventory Assumption</b>	<b>Lower income: 0 units</b>	<b>Moderate income: 2 units</b> <b>Above Mod. Income: 3 units</b>
Affordability	Minimal	
Infrastructure	Yes, water. Septic found to be feasible.	
Proximity to bus route	1+ miles	
Environmental considerations	Negative Declaration of Environmental Impacts was granted.	
Opportunities	5 new residential lots available for development. Entitlements granted in 2009 for 6-lot subdivision.	
Site status	Underutilized – Residential One unit existing, subdivision did not include residential development proposal.	



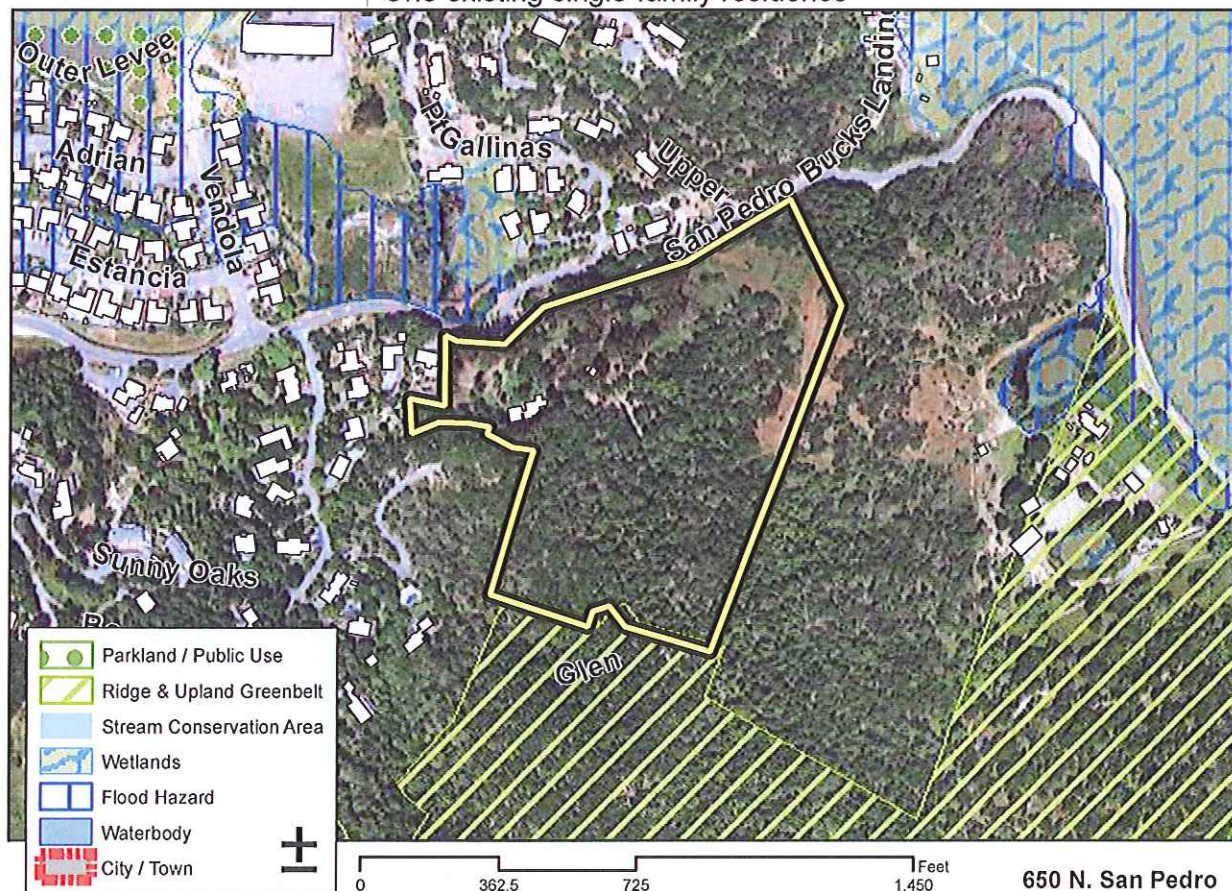
<b>Site # 9</b>	<b>Manzanita</b>	150 Shoreline Hwy
APN	052-371-03	0.56 acres
Community	Almonte	
General Plan	1,210 – 8,530 sq ft max	GC (0.05 to 0.35 FAR)
Zoning	n/a	CP (Commercial Planned)
<b>Inventory Assumption</b>	<b>Lower income: 1 unit</b>	<b>Moderate income: 2 units</b>
Affordability	Entitled for 1 affordable unit.	
Infrastructure	Yes	
Proximity to bus route	0.1 miles	
Environmental considerations	Highway noise and portion of property in a flood hazard area.	
Opportunities	Vacant site close to 101.	
Site status	Vacant – Commercial. Precise development plan for Deli and 3 units approved.	



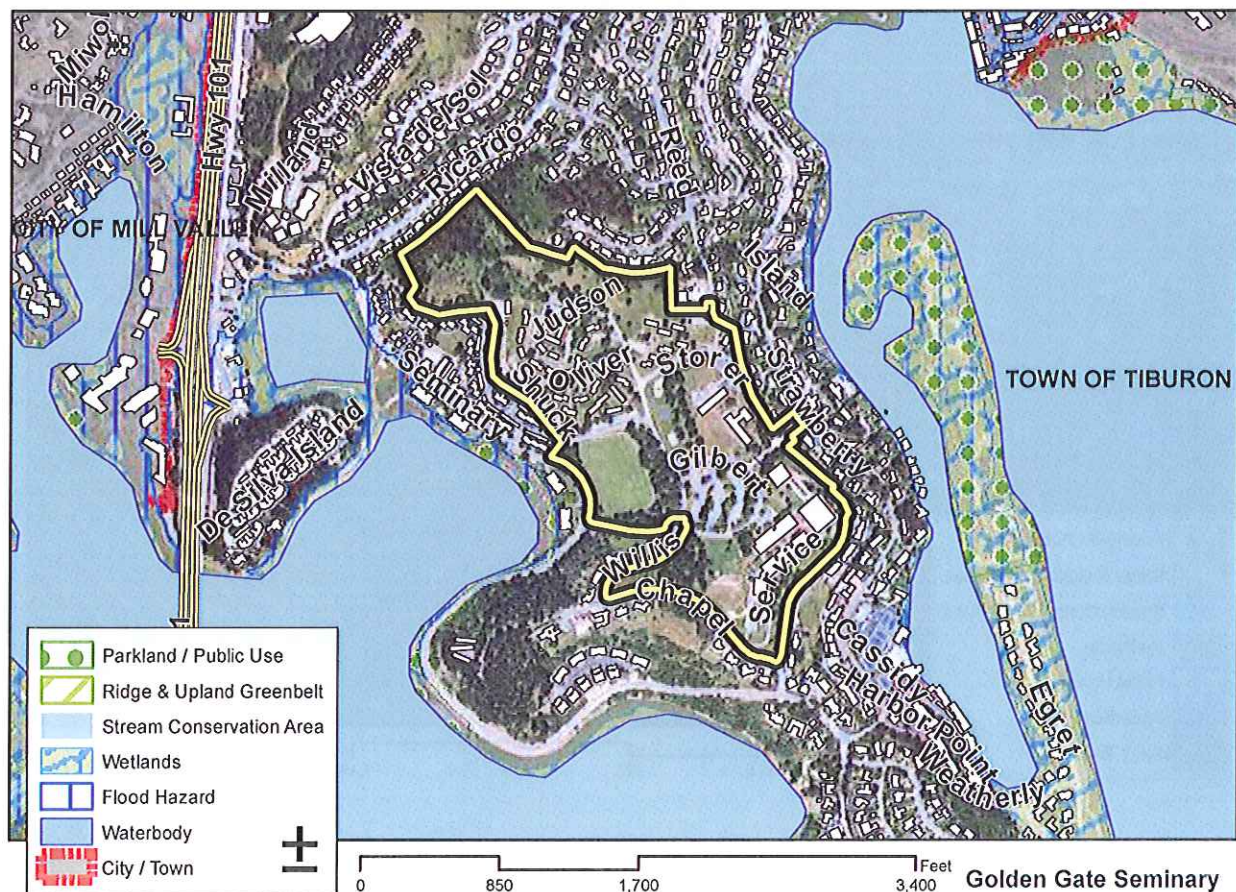
<b>Site # 10</b>	<b>Grandi Building</b>	11101 State Route 1
APN	119-234-01	2.5 acres
Community	Pt. Reyes Station	
General Plan	(has received entitlements)	C-NC (Coastal Neighborhood Commercial/Mixed Use, 1 to 20 units per acre, FAR of .3 to .5)
Zoning	n/a	C-VCR:B-2 (Coastal, Village, Commercial, Residential District, 10,000 sq ft mini lot size)
<b>Inventory Assumption</b>	<b>Lower income: 2 units</b>	<b>Moderate income: 0 units</b>
Affordability	Entitled for 2 low income employee units on-site.	
Infrastructure	Yes, water. Septic system required.	
Proximity to bus route	0.1 miles	
Environmental considerations	Septic concerns	
Opportunities	Project had received entitlements for 2 employee units on-site in addition to the rehabilitation of this old landmark hotel; however entitlements expired.	
Site status	Underutilized – Commercial Derelict historic hotel shell.	



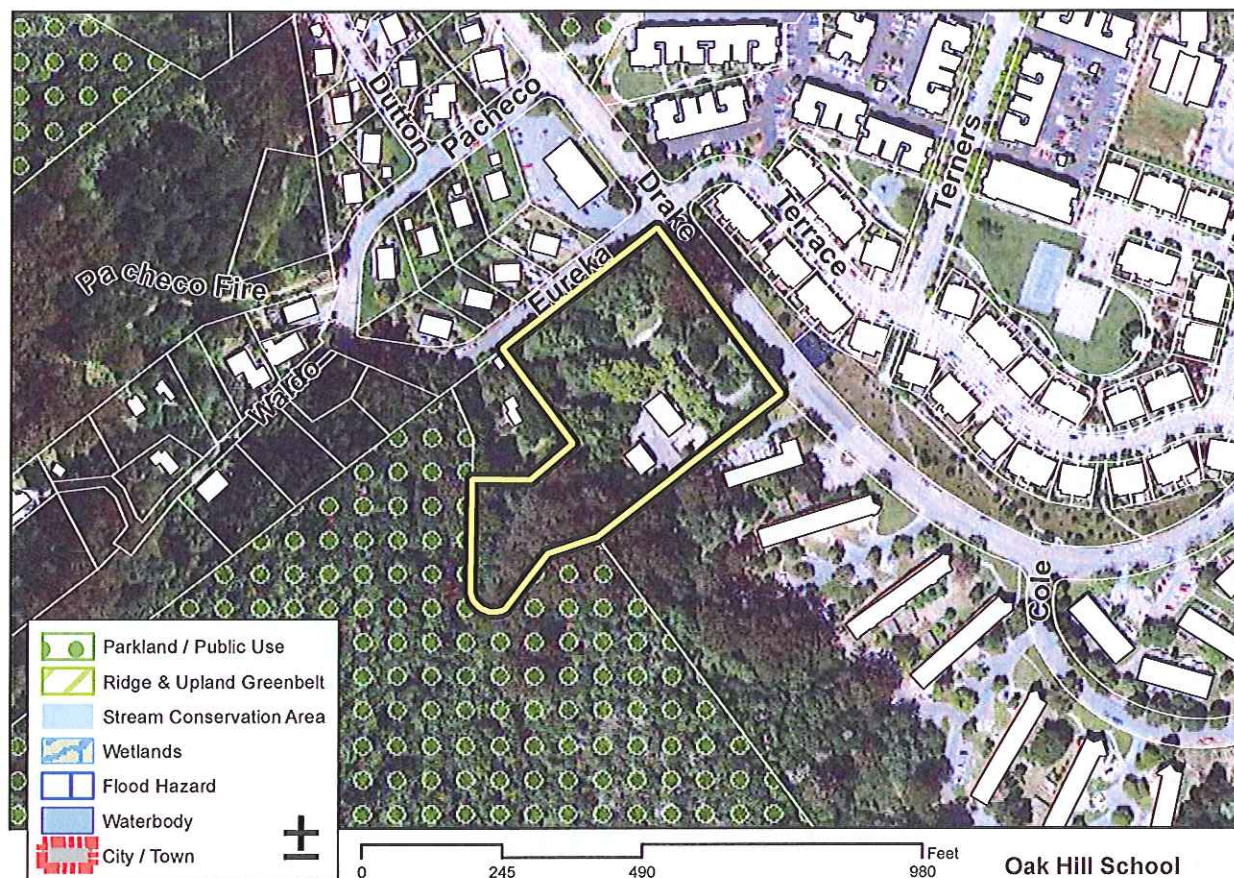
<b>Site # 11</b>	<b>650 N. San Pedro</b>	650 N. San Pedro Rd.
APN	180-231-05 180-231-06 180-231-07 180-231-09 180-291-04	5.984 (14.8 acres total) 3.201 1.117 0.727 5.272
Community	Santa Venetia	
General Plan	31 units	SF4 (Single Family 1-2 units/acre)
Zoning	15	R-E:B-3 (Res. Estate, 20,000 sq ft min lot size)
Inventory Assumption	Lower income: 0 units	Above Mod. income: 10 units
Affordability	Minimal.	
Infrastructure	Yes	
Proximity to bus route	0.2 miles	
Environmental considerations	Wetlands, steep slopes, tree removal, visual impacts, traffic, drainage, community compatibility, and biological resources.	
Opportunities	A subdivision was approved with 10 units in 2012.	
Site status	Underutilized – Residential One existing single-family residence	



<b>Site # 12</b>	<b>Golden Gate Seminary</b>	Seminary Drive
APN	043-261-25 043-261-26	48.45 acres (partially developed) 25.12 acres
Community	Tiburon	
General Plan	n/a	MF-2 (1-4 units/acre)
Zoning	n/a	RMP-2.47 (Multiple planned, 2.47 units/acre)
<b>Inventory Assumption</b>	<b>Lower income: 25 units</b>	<b>Above Mod. income: 20 units</b>
Affordability	Developer contemplating 'employee directed housing'	
Infrastructure	Yes	
Proximity to bus route	1+ mile	
Environmental considerations	Traffic and visual impacts.	
Opportunities	93 un-extinguished student/faculty units under existing master plan. Owner revising an application for master plan amendment and development proposal.	
Site status	Underutilized – Residential Partially developed site with 103 existing units. Golden Gate Baptist Seminary operating educational and residential uses.	



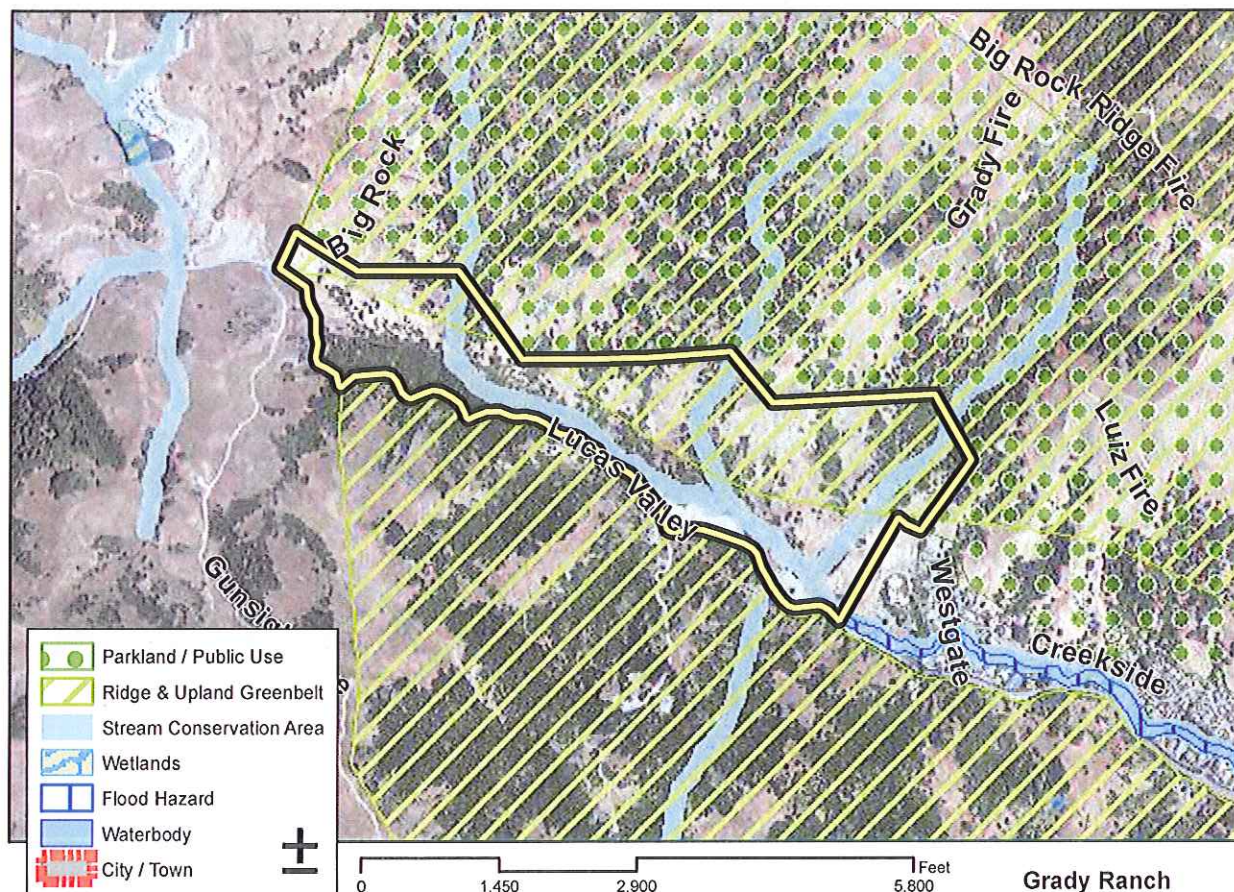
<b>Site # 13</b>	<b>Marin City Community Development</b>	441 Drake Ave.
APN	052-140-36	3.87 acres total
Community	Marin City	
General Plan	15 units	MF-2 (Multi-Family 1-4 units/acre)
Zoning	15 units	RMP-4.2 (Res. MF Planned, 4.2 units/acre)
<b>Inventory Assumption</b>	<b>Lower income: 15 units</b>	<b>Moderate income: 0 units</b>
Affordability	Likely as property owner, Marin City Community Development Corporation, is interested in adding housing to existing uses.	
Infrastructure	Yes.	
Proximity to bus route	0.2 miles	
Environmental considerations	Potential stream conservation area, large trees.	
Opportunities	Site is adjacent to established neighborhood, close to community center and retail services. Large lot with small existing footprint.	
Site status	Offices of Marin City Community Development Corporation.	



<b>Site # 14</b>	<b>Armstrong Nursery</b>	217& 221 Shoreline Hwy.
APN	052-016-17 052-016-18 052-016-19	0.05 acres (1.77 Total) 0.77 acres 0.95 acres
Community	Almonte	
General Plan	35 units if affordable housing 10 units if moderate or above	NC (1-20 units/acre, .05-.4 FAR)
Zoning	10.6 units	RMPC-6 (6 units/acre)
<b>Inventory Assumption</b>	<b>Lower income: 0 units</b>	<b>Moderate income: 30 units</b>
Affordability	Likely. General plan land use for affordable housing is 20 units per acre. 35 affordable units feasible per land use.	
Infrastructure	Yes	
Proximity to bus route	0.2 miles	
Environmental considerations	Traffic Impacts on Hwy 1. Stream Conservation Area - Coyote Creek. Potential flood hazard area.	
Opportunities	Underutilized, large surface lot and small retail on Shoreline Highway (HWY 1). Affordable housing allowed at the high end of the general plan density. Affordable housing providers have expressed interest in the site. Locate development within the existing footprint to minimize impacts.	
Site status	Vacant/Underutilized– Commercial	



<b>Site # 16</b>	<b>Grady Ranch</b>	Lucas Valley Road
APN	164-310-15 164-310-17 164-310-19	86.7 acres (240 total*) 38.0 acres 105.1 acres *Acreage by Assessor's Map totals 229, however not necessarily accurate. 240 acres reflects property owner's recent site plan.
Community	Lucas Valley	
General Plan	240 units	PR 1 unit/1-10 acres
Zoning	43 units	RMP 0.031 and 0.379
<b>Inventory Assumption</b>	<b>Lower income: 240 units</b>	<b>Moderate income: 0 units</b>
Affordability	Being proposed.	
Infrastructure	No	
Proximity to bus route	4 miles	
Environmental considerations	Road access intersects creek. Lack of water and sewer connections, and local services. Sloped. Stream conservation area.	
Opportunities	Property owner has announced intent to study affordable housing development potential on site. Moderate to steep slopes	
Site status	Vacant.	



<b>Site # 17</b>	<b>Roosevelt</b>	30 Roosevelt St.
APN	179-124-08	0.18 acres
Community	Santa Venetia	
General Plan	1 unit	SF-6 (Single Family, 4-7 units/acre)
Zoning	1 unit	R-A:B-1 (Residential, 6,000 sq. ft. min lot area)
<b>Inventory Assumption</b>	<b>Lower income: 2 units</b>	<b>Moderate income: 0 units</b>
Affordability	Most likely, due to public ownership	
Infrastructure	Yes	
Proximity to bus route	0.2 miles	
Environmental considerations	Minimal	
Opportunities	County owned property; flat lot in residential neighborhood.	
Site status	Vacant - Residential	



# APPENDIX G: HOUSING ELEMENT PROGRAM IMPLEMENTATION

2012 Draft Housing Element Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
Goal 1	Use Land Efficiently					
Policy 1.1	Land Use					
Policy 1.2	Housing Sites					
Policy 1.3	Development Certainty					
Policy 1.4	Design, Sustainability and Flexibility					
1.a	Establish Minimum Densities on Housing Element Sites	CDA	Local resources	2013	High	Preserve the development capacity for sites included on the Site Inventory list.
1.b	Conduct a Comprehensive Affordable Housing Sites Inventory	CDA	Local resources	2011	Medium	Identify affordable housing sites through long-range planning and foster support of affordable housing through community engagement.
1.c	Establish an Affordable Housing Combined Zoning District	CDA	Local resources	2013	Medium	Increase capacity for affordable and multi-family housing development; zone lands appropriately
1.d	Streamline the Review of Affordable Housing	CDA	Local resources	2012	High	Increase development capacity of affordable housing by clarifying permitted density and making the review process more efficient.
1.e	Study Ministerial Review for Affordable Housing	CDA	Local resources	2014	Medium	Facilitate the development of affordable housing.
1.f	Develop Multi-family Design Guidelines	CDA	TBD	2013	Medium	Streamline the permitting process; promote attractive design
1.g	Undertake Adjustments to Second Unit Development Standards	CDA	Local resources	2012	Medium	Expand and improve housing choice and stock, especially for smaller households and local workforce
1.h	Allow Rental of Detached Accessory Structures	CDA	Local resources	2013	Medium	Use land efficiently; offer an additional housing choice for small households, low income households and the local workforce
1.i	Review and Update Parking Standards	CDA and DPW	Local resources	2013	High	Increase utilization of land for housing development; seek efficient parking standards
1.j	Zone and Provide Appropriate Standards for SRO Units	CDA	Local resources	2012	Low	Offer financially viable housing options for single individuals
1.k	Zone and Provide Appropriate Standards for Homeless Shelters	CDA	Local resources	2012	High	Comply with SB2; provide regulatory measures to meet needs of homeless residents
1.l	Enable Transitional and Supportive Housing	CDA	Local resources	2012	High	Provide regulatory measures to facilitate housing provision and options for all segments of the community, including homeless and special needs populations.
1.m	Codify Affordable Housing Incentives Identified in the Community Development Element	CDA	Local resources	2012	High	Implement the CWP; support the development of affordable housing

2012 Draft Housing Element Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
1.n	Promote Resource Conservation	CDA	Local resources	2011	Low	Promote energy efficiency, resulting in reduced costs over time which supports long-term housing affordability; provide education to households at a range of income levels on energy efficiency and resource conservation
1.o	Simplify Review of Residential Development Project in Planned Districts	CDA	Local resources	2014	Medium	Consider amending the Dev Code to establish ministerial review in planned zoning districts. Consider allowing Master Plans to establish site criteria for ministerial review
1.p	Adjust Height Limits for Multi-family Residential Buildings	CDA	Local resources	2014	High	Amend the Dev Code to increase the allowable height for multi-family residential development.
1.q	Clarify Applicability of State Density Bonus	CDA	Local resources	2013	Medium	Evaluate Policies in the CWP and Dev Code and amend as appropriate to ensure consistency with Gov. Code Section 65915
1.r	Rezoning Land to Multi-family Zoning	CDA	Local resources	2013	Medium	Identify and rezone land to 30 DUA to provide sites for future RHNA cycle

*Note: Many factors beyond Marin County government control, including adequate funding and staff resources, may affect the estimated time frame for achieving targets and program implementation.*

2012 Draft Housing Element Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
Goal 2	Meet Housing Needs Through a Variety of Housing Choices					
Policy 2.1	Special Needs Groups					
Policy 2.2	Housing Choice					
Policy 2.3	Incentives for Affordable Housing					
Policy 2.4	Protect Existing Housing					
2.a	Encourage Housing for Special Needs Households	CDA	Local resources	On-going	Medium	Promote a mix of housing types appropriate to the housing needs of the community, including extremely low income and special needs households
2.b	Enable Group Residential Care Facilities	CDA	Local resources	On-going	Medium	Provide regulatory measures to facilitate housing provision and options for all segments of the
2.c	Make Provisions for Multi-Family Housing Amenities	CDA	Local resources	On-going	Low	Make appropriate considerations for families with children and larger households
2.d	Foster Linkages to Health and Human Services Programs	HHS and CDA	TBD	On-going	Medium	Respond to special needs through comprehensive services
2.e	Support Efforts to House the Homeless	HHS and CDA	TBD	On-going	Medium	Respond to homeless needs through comprehensive services
2.f	Engage in a Countywide Effort to Address Homeless Needs	HHS and CDA	TBD	On-going	High	Respond to homeless needs through
2.g	Ensure Reasonable Accommodation	Fair Housing of Marin and CDA	TBD	2012	Medium	Reduce barriers in housing for individuals with disabilities
2.h	Require Non-discrimination Clauses	CDA	Local resources	On-going	Low	Reduce discrimination
2.i	Modify Development Code to Reflect Williamson Act	CDA	Local resources	2013	Medium	Facilitate the development and provision of additional agricultural worker housing
2.j	Promote the Development of Agricultural Worker Units in Agricultural Zones	CDA	Local resources	2013	Medium	Provide of affordable and accessible, local housing for Agricultural workers
2.k	Promote and Ensure Equal Housing Opportunity	CDA/ Fair Housing of Marin	Local resources	On-going	High	Reduce discrimination
2.l	Deter Housing Discrimination	CDA	Local resources	On-going	High	Demonstrate responsiveness to discrimination complaints; promote the principles of fair housing
2.m	Implement the Inclusionary Housing Policy	CDA	Local resources	On-going	High	Maximize opportunities for affordable housing, particularly with long-term affordability controls and for households at the deepest levels of affordability
2.n	Apply Long-Term Housing Affordability Controls	CDA	Local resources	On-going	High	Pursue controls which will preserve the affordable housing stock in perpetuity
2.o	Encourage Land Acquisition and Land Banking	CDA	Local resources	On-going	Low	Use land efficiently and allocate land for affordable and special needs development
2.p	Expedite Permit Processing of Affordable and Special Needs Housing Projects	CDA	Local resources	2011	High	Reduce constraints for affordable and special needs developments

2012 Draft Housing Element Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
2.g	Consider CEQA Expedited Review	CDA	TBD	2014	Low	Improve the efficiency of the environmental review process in order to streamline the development process and promote development certainty

2012 Draft Housing Element Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
2.r	Continue First Time Homebuyer Programs	MHA	Mortgage Credit Certificates, CDBG funds, Local resources,	On-going	Medium	Continue to provide housing opportunities to households with low incomes; seek opportunities for expansion and coordination with other assistance programs
2.s	Link Code Enforcement with Public Information Programs	CDA, Marin Housing Authority	Local resources	On-going	Medium	Secure affordable safe housing; improve the safety and quality of existing housing stock
2.t	Assist in Maximizing Use of Rehabilitation Programs	CDA, Marin Housing Authority	Annual CDBG funds	On-going	Medium	Preserve the existing housing stock through rehabilitation; increase awareness of programs in the community
2.u	Monitor Rental Housing Stock	CDA	Local resources	On-going	Medium	Preserve the existing stock of rental housing as well as rental housing as a housing choice

2012 Draft Housing Element Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
Goal 3	Ensure Leadership and Institutional Capacity					
Policy 3.1	Coordination					
Policy 3.2	Research, Monitoring and Evaluation					
Policy 3.3	Funding					
3.a	Explore Housing at the Civic Center	CDA, Facilities	Local resources	2012	Medium	Explore opportunities for workforce housing within the Civic Center campus. Coordinate with Promote shared resources and coordination towards the achievement of common goals
3.b	Advance Organizational Effectiveness	CDA	Local resources	On-going	Low	
3.c	Provide and Promote Opportunities for Community Participation in Housing Issues	CDA	Local resources	On-going	Medium	Foster community support for affordable housing; engage the community in housing issues
3.d	Perform Regional Transportation and Housing Activities	CDA	Local resources	On-going	Medium	Maximize housing opportunity sites; decrease transportation congestion; participate in regional planning exercises
3.e	Coordinate with Other Agencies	CDA	Local resources	On-going	Medium	Streamline the development process and reduce constraints to the development of affordable and special needs housing.
3.f	Promote Countywide Collaboration on Housing	CDA; Countywide Planning Agency	Local resources	2012	Medium	Collaborate with Marin Cities and Towns to address regional planning and housing issues
3.g	Preserve Existing Housing Stock	CDA	Local resources	2013	Medium	Offer a range of housing choices and affordability through existing housing stock
3.h	Monitor Inclusionary Housing Programs	CDA	Local resources	On-going	High	Evaluate the program for ways to increase its effectiveness; collect funding to leverage for affordable housing
3.i	Undertake Housing Element Monitoring, Evaluation and Revisions	CDA	Local resources	On-going	High	Evaluate progress, review accomplishments and modify as needed
3.j	Provide and Participate in Local Affordable Housing Training and Education	CDA	Local resources	On-going	Medium	Serve as a resource to the community; seek to expand staff knowledge related to affordable housing
3.k	Update Affordable Housing Trust Fund Operating Procedures	CDA	Local resources	2009	High	Adopt operating procedures for the Affordable Housing Trust Fund
3.l	Provide Leadership to the Marin Workforce Housing Trust	CDA	Local resources	On-going	Medium	Prioritize funding for extremely low income and special needs populations
3.m	Assist with Local Funding for Affordable Housing	CDA	Local resources/Housing Trust Funds	On-going	High	Pursue and leverage funding for affordable housing
3.n	Raise Funds from a Variety of Sources	CDA, CAO		On-going	Low	Pursue and collect funding for affordable housing
3.o	Coordinate Among Project Funders	CDA, MCF, MHA and MWHT	Local resources	On-going	Medium	Serve as a coordinator among local funders

2012 Draft Housing Element Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
3.p	Utilize Federal Grants Division Funding	CDA	CDBG and HOME	On-going	Medium	Pursue and leverage funding for affordable housing



## APPENDIX H: SUMMARY OF REQUIREMENTS FOR ON AND OFF SITE IMPROVEMENTS

Code Section	Improvement	Code Provision
24.04.110	Streets	<p><u>Street Width:</u> Limited residential road, 20' with shoulders, 24' with curbs</p> <p>Minor residential road, 28'</p> <p>Residential road 36'</p> <p>Collector road, 40'</p> <p><u>Shoulders:</u> Shoulders shall be provided on each side of all roads. Shoulders shall normally be four feet wide although wider shoulders may be required.</p> <p><u>Grading:</u> Grades shall not exceed six percent on arterial, industrial/commercial and collector roads, twelve percent on residential roads, or eighteen percent on minor and limited residential roads. Continuous steep grades shall be avoided.</p> <p><u>Minimum Length:</u> A minimum driveway length of twenty feet should be provided from the front of the garage or parking structure to the back of sidewalk or to the edge of pavement where no sidewalk exists. A lesser length may be approved for constrained sites.</p> <p><u>Width:</u> The minimum improved width of a driveway serving a single dwelling is twelve feet.</p> <p>The minimum improved width of a driveway serving two to six dwelling units is sixteen feet. Subject to the review and approval of the agency, this may be reduced to a minimum of twelve feet along all or part of its length.</p> <p>A driveway which serves or may be extended to serve more than six dwelling units shall be considered equivalent to a private road and designed accordingly.</p> <p><u>Retaining Walls:</u> The following standards and restrictions shall apply to all driveways:</p> <p>(a) For driveways serving one single-family residence, pressure treated timber walls are acceptable on both uphill and downhill sides of the driveway but shall not exceed three feet in height (measured from the driveway surface).</p> <p>(b) For common driveways, timber walls shall not be allowed on the downhill side of the road. On the uphill side of the road, pressure treated timber walls may be acceptable depending on conditions, as determined by the agency, but shall not exceed three feet in height (measured from the driveway surface).</p> <p>(c) If the use of timber walls is allowed, pressure treated timbers shall be used and shall conform to the requirements of the standard specifications of the cities and county of Marin.</p> <p>(d) Notwithstanding the criteria contained herein regarding the use of timber walls, the agency may disallow such use where it determines that the designated location for a proposed timber wall would present inordinately difficult problems for future repair and/or replacement.</p> <p>(e) Walls visible from the roadway and/or adjacent property may be required to incorporate aesthetic treatment measures to mitigate the visual impact including, but not limited to, surface texturing, coloring and landscaping.</p> <p><u>Grades:</u> Maximum gradient measured along the centerline should not be steeper than eighteen percent and shall not be steeper than twenty-five percent. Where a segment of a driveway has a grade exceeding eighteen percent, the length of that segment shall not exceed three hundred feet. Any two driveway segments with a grade greater than eighteen percent shall be joined by a flatter segment not exceeding fifteen percent grade and at least one hundred fifty feet in length. When the grade of any segment of a proposed driveway is to exceed sixteen percent, the appropriate fire department or protection district shall be consulted for comment, advice and mitigation suggestions. When a portion of a driveway is to be used to accommodate parking as required by this title, that portion must conform to the slope requirements of Section 24.04:400 of this title.</p>
23.08.015		
23.08.025		
24.04.250	Driveways	
24.04.260		
24.04.265		
24.04.280		

22.26.030	Landscaping	<p><u>Landscaping Plan Procedures:</u></p> <ul style="list-style-type: none"> <li>A. A preliminary landscaping plan shall be submitted as part of the development application, and be reviewed by the Agency concurrent with the land use permit application;</li> <li>B. After approval of the development application, a final landscaping plan shall be prepared and submitted concurrent with the Building Permit application; and</li> <li>C. Landscaping plans should be prepared by a landscape professional.</li> </ul> <p><u>Landscaping Objectives:</u></p> <p>Proposed landscaping should be designed and installed to achieve the following objectives:</p> <ul style="list-style-type: none"> <li>A. Provide visual amenities</li> <li>B. Provide environmental benefits</li> <li>C. Conserve water</li> <li>D. Screen incompatible land uses</li> <li>E. Improve safety</li> <li>F. Preserve the character and integrity of neighborhoods</li> <li>G. Preserve native plant species</li> <li>H. Preserve the number of trees in the County (for every tree removed, two must replace it)</li> <li>I. Provide for fire safe landscaping</li> </ul>
22.26.040		
24.05.010	Easements	<p><u>General:</u></p> <p>Offers of dedication of easements and rights-of-way shall be made to the county or other appropriate governing bodies and utility companies for all parcels of land intended and/or designated to be used for public purposes.</p> <p><u>Drainage and drainage access easements:</u></p> <p>Drainage and drainage access easements shall conform substantially with the line or plan lines of any natural or artificial watercourse, channel, stream or creek that traverses the property.</p> <p>Sufficient easements shall be required for underground conduits for disposal of surface and storm waters, together with sufficient easements for overflow and ponding and vehicular access necessary to provide for the proper operation and maintenance of drainage facilities. All such easements shall be of sufficient width for the purpose intended, as determined by the agency, and should not be less than fifteen feet in width. Lesser widths may be allowed where it can be demonstrated that the lesser width would not diminish the ability to access, protect or maintain the easement or the facilities therein.</p> <p><u>Public utility easements:</u></p> <p>Public utility easements may be required along the rear and sides of lots and in other locations for the accommodation of public utilities and/or sanitary sewer facilities.</p> <p>All such easements shall be of sufficient width for the purpose intended, as determined by the agency and/or the utility company, and should not be less than ten feet in width. Lesser widths may be allowed where it can be demonstrated that the lesser width would not diminish the ability to access, protect or maintain the easement or the facilities therein.</p> <p><u>Emergency access easements:</u></p> <p>Emergency access easements may be required to connect non-connecting roads or in other cases where alternate emergency routes may be required as deemed appropriate by the agency.</p>
24.05.040		
24.05.080		
24.05.090		

24.04.560	Drainage	<p><u>Drainage Setbacks</u> All structures shall be set back from creeks, channels or other major waterways at least twenty feet from the top of bank or twenty feet plus twice the channel depth measured from the toe of the near embankment, whichever is greater.</p> <p>C. <u>Amount of parkland required.</u> In compliance with Map Act Section 66477.b, three acres of land for each one thousand persons residing within the County shall be devoted to neighborhood and community park and recreational purposes.</p> <p>G. <u>Fees in lieu of dedication:</u> The subdivider shall pay fees in lieu of dedication where there is no park or recreation facility designated in the Marin Countywide Plan, Local Coastal Plan, or applicable Community or Specific Plan to be located within or partly within the proposed subdivision, or the subdivision proposes fifty or fewer parcels. The required fee shall be as determined by the formula in Subsection G.1 (Formula for Fees).</p> <p>3. Dedication in subdivisions of fifty or fewer parcels: Nothing in this Section shall prohibit the dedication and acceptance of parkland in subdivisions of fifty or fewer parcels, where the subdivider proposes the dedication voluntarily and the land is acceptable to the County.</p> <p>H. <u>Requirement for dedication and fees:</u> In subdivisions of over fifty parcels, the subdivider shall both dedicate land and pay a fee, as follows.</p> <p>1. When a portion of the land to be subdivided is proposed in the Marin Countywide Plan, Local Coastal Plan or Community Plan or Specific Plan as the site for a park or recreation facility, that portion shall be dedicated for local park purposes. The land to be dedicated shall be subject to the improvement requirements of Subsection F above (Improvements Required for Dedicated Lands). If additional land would have been required for dedication by Subsection D above (Dedication Requirement), a fee, computed in compliance with Subsection G above (Fees In-lieu of Dedication), shall also be paid for the value of any additional land, plus twenty percent toward the costs of off-site improvements.</p> <p>2. When a major part of the local park or recreation site has already been acquired by the County or other local agency, and only a portion of the land is needed from the subdivision to complete the park site, the remaining portion shall be dedicated for local park purposes. The subdivider shall also pay a fee in compliance with Subsection G above (Fees In-lieu of Dedication), in an amount equal to the value of the land, plus an additional twenty percent of the value of the land toward the costs of the off-site improvements that would otherwise have been required by Subsection F above (Improvements Required for Dedicated Lands) if the land had been dedicated. The County shall use the fees to improve the existing park and recreation facility, or to improve other local parks and recreation facilities in the area serving the subdivision.</p>
22.98.040	Parkland Dedications and Fees	
18.06.050	Sewage Disposal*	<p>Connection to public sewer system and alternatives: Sewage disposal shall be by means of a connection to a public sewer system if the nearest sewer is within four hundred lineal feet of the parcel in which the structure generating the sewage is to be constructed. This requirement may be waived by the health officer if he finds connection to a public sewer is legally or physically impossible. If the health officer determines that connection to a public sewer is unfeasible, an application may be filed for a permit for an alternative method of sewage disposal, utilizing an individual sewage disposal system.</p>

22.100.020	Sewer and Water	<p><u>B. Sewage disposal.</u> Provisions shall be made for adequate sewage disposal in compliance with Title 18 (Sewers) of the County Code, and as follows.</p> <ol style="list-style-type: none"> <li>1. Sanitary sewer. Where sewage disposal is to be by sanitary sewer, the subdivider shall install improvements and facilities as required by the governing board of the sewer system.</li> <li>2. On-site disposal. Where sewage disposal is to be by individual on-site sewage disposal systems, the subdivider shall submit sufficient evidence with the subdivision application for review by the Health Officer, as to the ability of the lots to accommodate the systems, in compliance with Title 18 (Sewers) of the County Code.</li> <li>3. Community system. Where sewage disposal is to be by a community waste disposal system, the subdivider shall submit detailed plans to the Health Officer. In addition, an intention to use a community disposal system shall be filed with the Regional Water Quality Control Board. The subdivider shall install the community waste disposal system, including provisions for future maintenance, following review and comment by the Regional Water Quality Control Board and approval by the Health Officer.</li> </ol> <p><u>C. Water supply.</u> Provisions shall be made for domestic water supply as may be necessary to protect public health, including water service to each lot and fire protection facilities. Water may be supplied by connection to a public utility, establishment of a mutual water system (except as provided in Title 7, Section 7.28.025 (Prohibition) of the County Code), or by wells, springs or other approved sources of water, in compliance with Title 7 (Health and Sanitation) of the County Code, and as follows.</p> <ol style="list-style-type: none"> <li>1. Public utility. Where water is to be supplied by connection to a public utility, the subdivider shall install improvements and facilities as required by both the utility and the Fire Chief having jurisdiction.</li> <li>2. Mutual water company. Where water is to be supplied by a mutual water company, the subdivider shall submit sufficient evidence, substantiated by adequate tests and/or engineering data, as to the quantity, quality and safety of the proposed water supply. After approval by the Environmental Health Director, the subdivider shall install an adequate and safe system that will provide water connections for each lot and for fire protection as approved by the Health Officer, and the Fire Chief having jurisdiction.</li> <li>3. Wells or other sources. Where water is to be supplied by wells, springs or other sources, the purchasers of the properties shall be informed of the water supply in writing. The subdivider shall submit sufficient evidence substantiated by adequate tests and/or engineering data to ensure that adequate water can be obtained for each lot and for fire protection as approved by the Health Officer, and the Fire Chief having jurisdiction. The information provided shall be certified by a professional engineer or geologist.</li> </ol>
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\* Water and sanitary districts, not the County, assess required improvements related to water and sewer. Sewage disposal is addressed in greater length in the discussion of infrastructure in the Constraints section.

## **APPENDIX I: RIDGEWAY APARTMENTS**

Marin County is eligible to utilize the provisions of the alternate adequate sites program, set forth in Government Code Section 65583.1(c).

Section 65583.1(c)(7) requires that staff submit a written report to the Board of Supervisors and the California Department of Housing and Community Development that demonstrates compliance with the above provisions and identifies the specific units for which committed assistance has been provided or which have been made available to low- and very low-income households in compliance with the above provisions. The Marin County Board of Supervisors is scheduled to approve the attached staff report on July 10, 2012; once approved and submitted to HCD, it will satisfy this provision.

## APPENDIX J: FLOOD MANAGEMENT (§65302)

### INTER-OFFICE MEMORANDUM MARIN COUNTY DEPARTMENT OF PUBLIC WORKS

**DATE:** July 2, 1012  
**TO:** Berenice Davidson  
**FROM:** Dave Nicholson  
**RE:** Marin County Floodplain Code §23.09 as it Pertains to AB-162 and CPW Updating

The following is a narrative outlining Marin County compliance with AB-162 Code Section 65302 as it specifically pertains to flood hazard avoidance (see the section language on attached sheet). Note that Marin County Code (MCC)§23.09.010 addresses statutory authorization for the enforcement of Government Code Section 65302 (Ord. 3293§1, 1999).

#### §65302.d.3

Water resources are in Section 2.5 of the Countywide Plan (CWP) and Map 2-7 show watersheds, creeks and water bodies. Also in the CWP, flood corridors are shown on Map 2-12 and riparian habitats are addressed in the CWP BIO-4, Stream Conservation Area beginning on Page 2-28. There are no known groundwater recharge systems within Marin County and stormwater management is addressed in CWP BIO-4.20, Page 2-35 and under CWP WR-2.6, Page 2-60.

#### §65302.g.2

: (A) Flood hazards are defined on FEMA Flood Insurance Rate Maps (FIRMs). Marin County Code (MCC)§23.09.011(4) adopts FEMA FIRMs and all subsequent FIRM amendments to identify and delineate flood hazard areas within the county. Additionally, pursuant to (A)(xi), special flood districts in flood-prone areas within the county have been established and flood control improvements are administered by the Marin County Flood Control Division. See also CWP Map 2-12, Flooding. No changes to the status of dams throughout the county have occurred to date. As a result, Map 2-12 in the CWP showing dam failure inundation is current.

: (B) MCC§23.09, Floodplain Management establishes adopted policies and codes that regulate development and redevelopment within flood-prone areas in Marin County. Under MCC§23.09.011, Findings of Fact, the Floodplain Management regulations are based on large known floods to have occurred and on FEMA-established flood boundary maps. Also see CWP Goal EH-3, Page 2-77.

: (C) Implementation and enforcement of the flood hazards regulations are conducted by DPW engineer staff and managers. Through the discretionary review and building permit plan-checking process, DPW engineers review development and re-development projects, identify those that may be affected by flood hazards, and implement the requirements spelled out in MCC§23.09 to ensure compliance with the code requirements by ensuring that development plans meet the minimum regulations and by conducting site inspections.

#### §65302.g.3

No revisions were found to be necessary for the safety element with respect to flood hazards.

#### §65302.g.4

Marin County has established a floodplain ordinance [MCC§23.09] that is based on and approved by FEMA and substantially complies with this section. See Goal EH-3 on Page 2-77 and subsequent Implementing Programs on Page 2-78.

H:\Housing Element\2007-2014 Element\AB 162 Flood Mgmt\AB-162.doc; CWP Addressing Flood Hazards.doc

## **Appendix K: Master Response 3- Environmental Review of Housing Projects**

The following response addresses the relationship of this SEIR to evaluation of future individual housing sites.

The proposed project evaluated in this SEIR is the *2012 Draft Housing Element* of the *Marin Countywide Plan (Countywide Plan)*. This SEIR evaluates proposed changes in the Housing Element since certification of the *2007 Countywide Plan EIR* and approval of the *2007 Countywide Plan* (including the current Housing Element, which was incorporated into the *Countywide Plan* and adopted by the Board of Supervisors in November 2007) (see page 2 of the Draft SEIR). The *2007 Countywide Plan EIR* evaluated a range of total housing units that could be built in the unincorporated area of Marin County under the various *Countywide Plan* policies that encourage housing (see page 9 of the Draft SEIR). Like the *2007 Countywide Plan EIR*, this SEIR is a program EIR prepared pursuant to *State CEQA Guidelines* section 15168(a)(3) (as discussed on page 4 of the Draft SEIR a program EIR is appropriate for rules, regulations, plans, and other general criteria to govern the conduct of continuing programs).\

The potential for development of housing on 49 sites in the 2007-2014 and 2014-2022 Housing Element time frames, are analyzed in every resource category and in the cumulative context. The SEIR discloses new or substantially more severe significant impacts in the following three resource areas: Air Quality; Hydrology, Water Quality and Flooding Hazard; and Noise. As described on pages 41 to 44 of the Draft SEIR and in *Master Response 1 – Sea Level Rise*, five new mitigation measures and one revised mitigation measure have been identified, which would reduce the new or substantially more severe significant impacts to a less-than-significant level. When development projects are proposed for the identified housing sites, site-specific review based on the project applications will determine the form of additional environmental review required.

While the SEIR provides an in-depth program-level review of the proposed housing sites, each individual housing site will separately and subsequently receive additional review if and when individual development applications are received by Marin County. This SEIR will help facilitate future, tiered environmental review, as appropriate, because it provides program level information and data about each housing site, which identifies potentially significant environmental impacts and associated mitigation measures that may be used in analyzing future site-specific development projects. This approach should not reduce the ability of citizens to participate in the County review process for individual housing sites.

It is acknowledged that any future environmental review would be subject to the CEQA requirements applicable at that time, which may have been amended to address new environmental data, changes to regulatory settings, judicial decisions, and other information used to evaluate environmental change, mitigating factors, and impact thresholds.