

**STAFF REPORT TO THE PLANNING COMMISSION
MARIN COUNTY HOUSING ELEMENT UPDATE HEARING #2**

Item No: 4
Workshop Date: August 25, 2014
Planner: Leelee Thomas, Principal Planner
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- RECOMMENDATION:**
1. Conduct public hearing
 2. Provide feedback to staff on selected issues
 3. Recommend submittal of the Draft Housing Element to the State Dept. of Housing and Community Development (HCD)

Workshop Purpose and Schedule

The August 25, 2014 hearing on the Marin County Housing Element update is the second of three scheduled Planning Commission hearings on this project. The purpose of this hearing is to continue review of Draft Housing Element for 2015-2023 and make a recommendation for submittal to the State Department of Housing and Community Development (HCD). This initial review by HCD does not preclude the Planning Commission or Board of Supervisors from making further changes to the Draft Housing Element. The Draft Housing Element will be reviewed again by HCD after its adoption by the Board of Supervisors.

At the first Planning Commission hearing on July 28, 2014, the Commission reviewed the Available Land Inventory (sites list) and draft policies and programs. The Commission recommended ten sites to accommodate housing at various income levels and five new programs to include in the Draft Housing Element.

The August 25th hearing will focus on issues carried over from July 28, 2014, an overview of housing element requirements, changes to state law governing housing element content, and consideration of a feasibility analysis to establish that lower income housing can be developed at lower densities.

A third hearing on the Draft Housing Element scheduled for November 17, 2014 will enable the Planning Commission to review and consider making recommendations to the Board of Supervisors to adopt the Draft Housing Element and the accompanying environmental review document. The schedule for completing the Housing Element Update is as follows:

Event	Date/Timeframe
Initiate work on Housing Element	February
Board of Supervisors approve Work Plan	March 18
Stakeholder Meetings (2)	February – March
Meetings with Design Review Boards / Community Service Districts (4)	February – March
Meetings with other community organizations (4)	February – May
Community Workshops (5)	April - May
Housing Survey (online)	March – June
Affordable housing experts meeting	June
Planning Commission Hearing #1	July 28
Planning Commission Hearing #2	August 25
State review of draft Housing Element	September – November
Planning Commission Hearing #3	November 17

Board of Supervisors Hearing	December – January 2015 (tentative)
Submit Housing Element to State for certification	January 31, 2015

PROJECT BACKGROUND

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

Marin County has prepared a Draft Housing Element for the planning period of 2015 through 2023. The County has a long history of meeting State housing regulations while upholding the policies of the Countywide Plan and local community plans. The County has adopted five Housing Elements in 1971, 1984, 1994, 2003, and most recently in December 2013. The Draft Housing Element if adopted will be an amendment to the Countywide Plan.

Issues from July 28, 2013

The Planning Commission recommended the addition of five new programs and requested staff to draft two additional programs for consideration. The two new programs are discussed in Attachment 1 as well as existing programs from the certified Housing Element which have been revised and deleted.

Housing Element Overview

The purpose of the Housing Element is to achieve an adequate supply of decent, safe, and affordable housing for Marin’s residents, particularly the local workforce, seniors and other special needs populations. The Housing Element evaluates housing needs for all income levels and establishes a program to meet those needs. Housing affordability in Marin County and in the Bay Area as a whole has become increasingly important as climate change issues are addressed. 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 principles of sustainability (Environment, Economy and Equity). This approach also helps meet the County’s long-standing General Plan goals of preserving agricultural land, open space, sensitive resource areas and existing single family neighborhoods. The overall goal of the Housing Element is to present goals, objectives, policies, and programs to facilitate housing for existing and future needs in a balanced way that retains these attributes.

The Draft Housing Element for 2015-2023 is not substantially changed from the certified 2007-2014 Housing Element. Background and demographic data have been updated. The analysis of housing needs was revised to reflect more recent conditions. Minor revisions were made to the Constraints and Opportunities Section. The Site Inventory Analysis was updated to reflect direction from the Planning Commission at the July 28, 2014 hearing. The Goals, Policies and Programs section of the Housing Element was revised to reflect current status of program implementation and revisions to State law.

Finally, the feasibility analysis prepared for the 2009 Draft Housing Element has also been revised. The analysis is intended to demonstrate that affordable housing projects can be developed at densities lower than the 30 unit per acre default zoning prescribed by State law. Currently, no zoning changes are being proposed to satisfy the default density standard for the Draft Housing Element. However, the feasibility analysis, if accepted by HCD, would provide the Board of Supervisors with the option of using a density below 30 units per acre to satisfy part or all of the County's RHNA for low income housing should the Levine Bill (AB 1537)¹ not be signed into law.

The Available Land Inventory (Draft Housing Element, Figure IV-6) contains 10 sites, as selected by the Planning Commission, to accommodate the 2015-2023 Regional Housing Needs Allocation. The sites have been brought forward from the certified 2007-2014 Housing Element since none of them were developed, received planning entitlements, and/or were counted in previous Housing Element status reports to the State of California.

The Goals, Policies and Programs section of the 2007-2014 Housing Element was revised for inclusion in the 2015-2023 Housing Element. The revised programmatic approach retains the following goals:

Goal 1 - Use Land Efficiently: Use Marin County'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 five sections of the Draft Housing Element are outlined below:

Section I: Introduction

This section provides an overview of the Housing Element's sections and goals, and outlines the purpose of the Housing Element to comply with state law and to demonstrate consistency with the Marin Countywide Plan (CWP). It also discusses the preparation and public outreach process for the Housing Element. Finally, this section includes an evaluation of the accomplishments of the prior planning period.

Section II: Housing Needs Analysis

This section includes an assessment of existing and projected housing needs, with an emphasis on the following topics:

- Population and Employment Trends
- Household Characteristics
- Housing Stock Characteristics

¹ Assembly Bill 1537 would allow Marin County and its cities with a population over 50,000 to have their default density classifications changed from metropolitan to suburban. If signed into law, this bill would reduce the default density for the 2015-2023 housing element from 30 units per acre to 20 for these jurisdictions.

- Housing Costs, Household Income and the Ability to Pay for Housing
- Special Needs Housing

The Housing Needs Analysis provides demographic and housing data as a foundation for the goals, policies and programs that are responsive to housing needs in the County. Findings from the analysis indicate that the Housing Element should help to promote and facilitate:

- The importance of housing options, in addition to housing affordability
- Housing and services to meet the needs of Marin's aging population
- The need for workforce housing as a result of the County's housing/jobs imbalance
- The need for rehabilitation and new development of agricultural worker housing

Section III: Constraints

Housing element law requires that jurisdictions analyze governmental and non-governmental constraints to the development of housing. The local land use, zoning, permit procedures and discretionary review procedures are analyzed to identify constraints which can be mitigated through housing element program implementation.

Section IV: Sites Analysis

A list of sites selected during the July 28, 2014 hearing to satisfy Marin County's housing needs and RHNA are identified in this section. The analysis includes an evaluation of site availability, a review of environmental constraints, the availability of infrastructure and the realistic development capacity of sites to accommodate the jurisdiction's share of the RHNA by income level.

Section V: Goals, Policies and Programs

The goals, policies and programs section of the Draft Housing Element outlines the programmatic means by which Marin County can work toward alleviating housing needs and achieve its housing objectives. This section has been revised from the 2007-2014 Housing Element to reflect programs that have been successfully implemented or should be revised to reflect changed circumstances.

There are 49 programs proposed in the Draft Housing Element, the bulk of which were carried forward or revised from the 2007-2014 Housing Element. Many of the 2007-2014 Housing Element programs were deleted, because they have been successfully implemented.

Changes to Housing Element Law

The California Legislature states that a primary housing goal for the State is ensuring every resident has a decent home and suitable living environment. In response to changing State law pertinent to housing elements, this updated Housing Element addresses recent changes to the State housing element law that are intended to facilitate and expedite the construction of affordable housing:

Housing Element changes from SB 375. The *Sustainable Communities and Climate Protection Act* of 2008, Senate Bill (SB) 375, extends the housing element planning period from five years to eight years in order to link the timing and coordination of the Regional Transportation Plan (RTP) update process with the Regional Housing Needs Allocation (RHNA) and housing element process. Once a jurisdiction receives its RHNA objectives, it has 18 months to prepare its housing element and submit it to the State Department of Housing and Community Development (HCD). Local governments on an 8-year housing element planning period that do not adopt the housing element within 120 calendar days of the statutory due date must revise and adopt the housing element every four years until at least two consecutive revisions have been adopted by the applicable due date. However, to maintain funding eligibility for One Bay Area Grant (OBAG) transportation funds

administered by the Metropolitan Transportation Commission, jurisdictions must adopt housing elements by the statutory deadline of January 31, 2015 (MTC Resolution No. 4035, May 17, 2012).

Streamlined Review. To streamline both the preparation of housing elements as well as review by the State Department of Housing and Community Development (HCD), jurisdictions with a certified housing element in the fourth cycle may opt to use the Streamlined Update. Jurisdictions use a template and checklist to illustrate where changes were made in the previously certified housing element. The purpose is to reduce subsequent submittals of draft housing elements by providing a guide for local governments to ensure the updated elements include all statutory components and to reduce the timeline for HCD's initial 60 day review.

Transitional and Supportive Housing. Senate Bill (SB) 745, which took effect January 1, 2014, amends the definitions of supportive and transitional housing in Government Code Section 65582 by, among other provisions, removing the time limits of occupancy. In 2007, SB 2 amended housing element law to require that transitional and supportive housing be permitted as a residential use, subject only to restrictions applicable to other residential dwellings. The County complied with the provisions of SB 2 through the 2012 Development Code amendments.

Disadvantaged Communities. Senate Bill (SB) 244 requires counties to review and update the land use element of the general plan to identify and describe any disadvantaged unincorporated communities. If disadvantaged communities are present, an analysis of water, wastewater, stormwater drainage, and structural fire protection needs or deficits must be identified. Finally, an analysis of funding mechanism that could make extension of services financially feasible to these communities must be completed.

RECOMMENDATION:

The Planning Commission is requested to provide feedback on the Draft Housing Element. Staff recommends that the hearing be conducted as follows:

- Staff presentation, including a discussion of new information in the Draft Housing Element, new, revised and deleted programs, and consideration of a revised feasibility analysis.
- Open time for public comment.
- Direct staff to submit the 2015-2023 Draft Housing Element to the State Department of Housing and Community Development (HCD) for initial review.

Attachments:

1. Marin County Draft Housing Element
2. Administrative Record (comments received)
3. New and revised programs
4. Feasibility analysis

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DRAFT

Marin County

Housing Element

(2015 – 2023)

Proposed changes to the 2007-2014 Housing Element are shown in underline and ~~strikethrough~~ format.

Adopted by the Marin County Board of Supervisors

, 2014

Kathrin Sears, President, District 3
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Certified by the California State Department of Housing and Community Development

, 2015



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DRAFT Marin County Housing Element 2015 – 2023

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Section I: 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 and updated in September 2013.

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 principles 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 affordability levels, 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 principles 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-four to eight~~ 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 ~~2015-2023 2007-2014~~ planning period ~~is was June 30, 2007 January 31, 2015. 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~~ planning 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~~2007-2014 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.

Transitional and Supportive Housing. SB 745, which took effect January 1, 2014, amends the definitions of supportive and transitional housing in Government Code (GC) Section 65582 by, among other provisions, removing the time limits of occupancy. In 2007, SB 2 amended housing element law to require that transitional and supportive housing be permitted as a residential use, subject only to restrictions applicable to other residential dwellings. The County complied with the provisions of SB 2 during the 2012 Development Code amendments.

Housing Element changes from SB 375. The *Sustainable Communities and Climate Protection Act of 2008*, Senate Bill 375, known as SB 375, extends the housing element planning period from five years to eight years in order to link the Regional Transportation Plan (RTP) process with the Regional Housing Needs Allocation (RHNA) and housing element process. Once a jurisdiction receives its RHNA objectives, it has 18 months to prepare its housing element and submit it to the Department of Housing and Community Development (HCD). For those jurisdictions who meet statutory deadlines for adopting their housing elements, this will have the effect of changing the housing element planning period to an eight year cycle.

Streamlined Review. To streamline both the preparation of housing elements as well as review by the State Department of Housing and Community Development (HCD), jurisdictions with a certified housing element in the fourth cycle may opt to use the Streamlined Update. Jurisdictions use a template and checklist to illustrate where changes were made in the previously certified housing element. The purpose is to reduce subsequent submittals of draft housing elements by providing a guide for local governments to ensure the updated elements include all statutory components and to reduce the timeline for HCD's initial 60 day review.

New State Law Addressing Disadvantaged Communities. SB 244 (Wolk, 2011) requires cities and counties to identify the infrastructure and service needs of unincorporated legacy communities in their general plans at the time of the next Housing Element update. SB 244 defines an unincorporated legacy community as a place that meets the following criteria:

- Contains 10 or more dwelling units in close proximity to one another;
- Is either within a city Sphere of Influence (SOI), is an island within a city boundary, or is geographically isolated and has existed for more than 50 years; and
- Has a median household income that is 80 percent or less than the statewide median household income.

Accordingly, this Element includes the required analysis of legacy communities in the Housing Element Needs Analysis (Section II).

~~*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 10-11 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 in order to coordinate assistance to people with special needs.

Policy 2.2 Housing Choice

~~Promote~~ 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.

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 Housing Element 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 the update 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, the Planning Commission and the Local Coastal Program update. Below are some examples of outreach and noticing conducted as part of the Housing Element update.

- Housing Element update announcements ~~Newsletter~~ introducing the Housing Element process and community ~~public workshops~~ workshop, were e-mailed ~~via US Postal Service~~ to over ~~2,300~~ 554 recipients.
- Press releases were sent to local news outlets, including Marin Independent Journal, West Marin Citizen, The Tiburon Ark, Point- Reyes Light, ~~Coastal Post~~, Pacific Sun, ~~Novato Advance~~, the Marinscope papers, Marin magazine, Marin County Post (Marin City), Bay City News, Patch, El Impulso (Spanish language), La Voz (Spanish language), Avance (Spanish language), Univision TV (Spanish language), Telemundo TV (Spanish language), KWMR West Marin radio, CMCM public access TV, NPAT public access TV, CalCountyNews, Radio KCBS, Radio KGO,

Radio KQED, Radio KWMP, SF Chronicle, TV Marin 26 Public Access, TV ABC7, TV CMCN, TV KPIX, TV KQED, TV KRON, TV KTVU, TV NBC Bay Area stories.

- ~~Housing Element workshops announced on local radio station KWMP.~~
- Notices for Public Workshops and three Planning Commission workshops were e-mailed to over 4,02,300 recipients. Hard copy notices were mailed to approximately 4,1462,558 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 were e-mailed to 1,600840 Housing Element website subscribers.
- Workshop reminders were e-mailed or web-posted by each of the five district Supervisors to community contacts.
- Housing Element Workshop information was e-mailed to over 540 local non-profit, housing advocacy, and service organizations who serve lower income community members.
- Staff presentations were provided at a variety of community forums including; Marin Partnership to End Homelessness, and -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 providers, 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. Two stakeholders meetings were held to gather input on outreach methods, one with advocates for lower income communities. Five~~Three~~ hands-on community public workshops were held, three ~~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 Hearings~~Workshops~~ are~~were~~ scheduled ~~held~~ and will include~~ed~~ opportunities for 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.⁴ 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~~

⁴ ~~The 2009 Marin Countywide Housing Element Workbook can be accessed at www.marinhousingworkbook.org.~~

~~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.~~
- Five wWorkshops were held on weekends and evenings in a variety of locations, including Marin City in August and the Canal neighborhood of 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~~
- The Planning Commission will hold threefour public hearings (including one evening hearing) 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 document.

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 includes~~contains~~ a program to update~~add~~ these definitions of transitional and supportive housing ~~into~~ the Development Code.

There are ~~46~~17 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	Muir Beach 1972
Bolinas 1975	Nicasio Valley 1997
Bolinas Gridded Mesa 1984	Point Reyes Station 2001
Dillon Beach 1989	San Geronimo Valley 1997
East Shore (Tomales Bay) 1987	Stinson Beach 1985
Indian Valley 2003	Strawberry 1982
Inverness Ridge 1983	Tamalpais Valley 1992
Kentfield/Greenbrae 1987	Tomales 1997
Marin City 1992	

20032007-2014 Housing Element Policy and Program Accomplishments

The County's current Housing Element was adopted by the Board of Supervisors on ~~June 3~~ September 24, 20032013, and certified by HCD on ~~July 24~~ December 30, 20032013. The goals, objectives, policies, and programs in the 20032007-2014 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~~ 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 20032007-2014 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 20032007-2014 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~~2007-2014 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~~2007-2014 programs and has incorporated, amended, or removed programs based on their likelihood to support the goals and policies identified for this Housing Element.

Section II: 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 252,409¹ 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 ~~2012-2014~~ median household income is ~~103,000~~ \$97,100, 1.81.4 times the median household income for California as a whole.² In 2010, Marin County had one of the highest median household incomes among California's 58 counties.³ While Marin is a wealthy county overall, it is also home to populations impacted by the high cost of living. ~~Since in the years following the 2007, there has been a significant downturn in the economy, and with this there are an increasing~~ the number of families and individuals struggling to make ends meet began to rise. 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.⁴

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, Unincorporated Marin County

Extremely Low (0-30% HAMFI ⁵)	Very Low (30-50% HAMFI)	Low (51-80% HAMFI)	Moderate (81-120% HAMFI)	Above Moderate (121%+ HAMFI)	<u>2014- 2022 Total RHNA⁶</u>	2007- 2014 Total RHNA	2000- 2007 Total RHNA
<u>9427</u>	<u>9228</u>	<u>13732</u>	<u>16937</u>	<u>28461</u>	<u>185</u>	773	521

Source: http://www.abag.ca.gov/planning/housingneeds/pdfs/Final_RHNA.pdf

http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22_RHNA_Plan.pdf; and Marin County Community Development Agency

¹ 2010 US-Census, 2010, U.S. Census Bureau

² U.S. Department of Housing and Urban Development (HUD). Median household income for US is \$63,900; California is \$68,100 (HUD 2013: http://www.huduser.org/portal/datasets/il/il14/Medians2014_v2.pdf)

³ Federal Bureau of Economic Analysis, 2010 California Department of Housing and Community Development (HCD)

⁴ Insight: Center for Community Economic Development, 2008; How much is enough in Marin County?

⁵ HAMFI is the HUD Area Median Family Income (HUD: U.S. Department of Housing and Urban Development)

⁶ The 2014-2022 Regional Housing Needs Allocation (RHNA) applies to the Housing Element planning period of January 31, 2015 to January 31, 2023 ("2015-2023")

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.⁷ The total population of Marin grew by 5,120 between 2000 and 2010 ~~but~~ and the overall rate is slowing ~~expected to increase by another 8,691 persons by 2020. 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. Between 2010 and 2040, the overall growth rate is projected to steadily increase from .3% a year up to .5% a year.~~⁸ In the unincorporated area of the County, the population actually decreased by nearly 2% between 2000 and 2010; however, it is projected to grow steadily over the next thirty years, consistent with projections for the rest of the County.

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

Year	Population	Change		Average Annual Growth Rate
		Number	Percent	
2000	68,735	n/a	n/a	n/a
2005 2010	69,000 67,427	265 -1,308	0.4% -1.9%	0.1% or -53 -0.2% or -131
2010 2020	70,800 69,600	1,800 2,173	2.5% 3.2%	0.5% or -360 0.3% or 217
2015 2030	71,200 72,700	400 3,100	0.5% 4.5%	0.1% or -80 0.5% or 310
2020 2040	71,700 76,600	500 3,900	0.7% 5.4%	0.14% or -100 0.5% or 390

Source: ABAG Projections 2009~~2013~~

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
Unincorporated Marin County	68,695 68,735	67,427	-1,268 -1,308	-1.9%
City of San Rafael	56,063	57,713	1,650	2.9%
City of Novato	47,630	51,904	4,274	9.0%

Source: 2000 and 2010 US Census~~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.⁹ 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.

⁷ 2010 Census, 2010, U.S. Census Bureau

⁸ ABAG Projections 2009~~2013~~

⁹ 2010 US Census 2010

Figure II-4: Population by Age, Unincorporated County

Age Group	2000		2010	
	Number	Percent	Number	Percent
0-9 years	7,184	11%	6,683	11%
10-19 years	7,436	11%	8,232	12%
20-24 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%
Totals	68,735	100%	67,427	100%

Source: U.S. Census 2000 and 2010, U.S. Census Bureau; Claritas 2008

Employment Trends

The Marin County resident workforce is predominantly white collar. Over 94% of the County's residents age 25 or older have at least a high school diploma, compared with about 50% statewide; over 54% 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.¹⁰ The County's largest employers include the County government, State Corrections Department, Marin General Hospital, Kaiser Permanente, Autodesk Software, and Fireman's Fund Insurance, Lucas Licensing, Fair Isaac Corporation, and College of Marin.¹¹ 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	2007-2011	
	Number	Percent
Agriculture, forestry, fishing and hunting, mining	540	4.7%
Construction, manufacturing, wholesale trades, transportation and warehousing, utilities	1,120	10.3%
Retail sector/trade	970	8.9%
Finance, insurance, real estate, rental and leasing, information, and professional, scientific, management, administrative, and waste management services	2,460	22.6%
Health, educational, social, arts, entertainment, recreation, accommodation, and food services and recreational services	3,540	32.5%
Public administration	1,108	3.5%
Other services	2,300	21.4%

¹⁰ 2012 American Community Survey, U.S. Census Bureau

¹¹ California Employment Development Department, 2014

TOTAL	10,90031,630	100-1%
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Source: *ABAG Projections 2007-2007-2011 American Community Survey (5-year estimates), US Census Bureau*

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 U.S. Bureau of Labor Statistics, the average wage earned at a Marin-based job in as of 2008 June 2014 was \$37,00059,400 a year.¹² Contrast this with the median income of a single family person household in Marin of \$67,75068,000¹³ or the median home sale price of a single-family home of \$914,000882,400 or of a condominium of \$767,000435,000.¹⁴ 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 As of 20052010, there were are 25,75026,193 households in unincorporated Marin County, an increase of only 346-759 from the 2000 level of 25,434. Of these, 7269% owned the home they live in and 2831% rented. This ownership percentage has decreased by one two points since 2000, which may be related to the recent increased rate of foreclosures since 2007. 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

Tenure	1990		2000		Current†2010	
	Number	Percent	Number	Percent	Number	Percent
Owner	16,584	65%	18,05318,033	6671%	12,45618,026	7269%
Renter	7,364	29%	7,3847,401	2729%	4,8338,167	2831%
Vacant ‡	1,891	7%	1,974	7%	N/A	N/A
TOTAL	25,836	~100%	27,40525,434	100%	17,28926,193	100%

Source: *1990 and 2000 data from 2003 Housing Element, 2008 Claritas2000 and 2010 U.S. Census, U.S. Census Bureau*

† 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.

¹² Quarterly Census of Employment and Wages, U.S. Department of Labor, June 2014

¹³ U.S. Department of Housing and Urban Development, 2014

¹⁴ County of Marin Assessor, 2013

~~‡ Vacancy rates shown above are inconsistent with the <5% vacancy data available from the Department of Finance. Fewer~~ More than half 60% of Marin County's households consist of married-couple families with or without children. Approximately 30% of households ~~were~~ are occupied by people living alone.¹⁵ This percentage was significantly higher than the overall State figure of 23% for single-person households.¹⁶ 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~~ \$56,000 a year, is often multi-family 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~~ that may address the ~~increasing demands~~ needs of Marin's workforce.

Annual Household Growth

According to the ~~2000~~ 2010 Census, the average household size in Marin County ~~was~~ is ~~2.40~~ 2.34 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 (~~2.24~~ 2.10 persons per household in ~~2000~~ 2010) are smaller than owner households (2.42 persons per household in ~~2000~~ 2010). 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~~ 2040, Unincorporated County

Year	Households	Numerical Change	Annual Percent Change
2000	25,434	n/a	n/a
2005 <u>2010</u>	25,750 <u>26,193</u>	316 <u>759</u>	1.22 <u>2.9</u> %
2010 <u>2020</u>	26,460 <u>26,650</u>	710 <u>457</u>	2.68 <u>1.7</u> %
2015 <u>2030</u>	26,700 <u>27,110</u>	240 <u>460</u>	0.90 <u>1.7</u> %
2020 <u>2040</u>	27,090 <u>27,590</u>	390 <u>480</u>	1.44 <u>1.8</u> %

Source: ABAG Projections ~~2009~~ 2013

¹⁵ 2011 American Community Survey, U.S. Census Bureau

¹⁶ 2010 U.S. Census

Housing Stock Characteristics

Housing Units by Type and Production

Based on ~~2008~~2010 data from the California Department of Finance, the unincorporated area of Marin has ~~23,038~~24,615 single-family homes (constituting 83% of the total housing stock), 4,474,399 multi-family homes (4615% of all housing), and 444,567 mobile homes, for a total of ~~27,923~~29,581 homes. Single-family homes are slightly less dominant Countywide, and comprise just over 6070% 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		20082013		Change	
	Number	Percent	Number	Percent	Number	Percent
Single-family (detached and attached)	22,543 22,469	82.382.7%	23,038 24,615	82.583.2%	4952,146	2.29.5%
2-4 units	1,569 1,564	5.75.8%	1,589 1,406	5.74.8%	20-158	1.3-10.1%
5+ units	2,882 2,873	10.510.6%	2,882 2,993	10.310.1%	-9120	0.04.2%
Mobile homes & other	412 241	1.50.9%	414 567	1.51.9%	2326	0.5135%
Totals	27,406 27,147	100.0%	27,923 29,581	100%	-5172,434	1.99%

Source: 2000 US Census; Department of Finance E-5 County/State Population and Housing Estimates

Figure II-9: Housing Units by Type, Countywide

Unit Type	2000		20082013		Change	
	Number	Percent	Number	Percent	Number	Percent
Single-family (detached & attached)	72,144 72,118	68.769.0%	74,417 79,639	68.671.4%	2,2767,521	3.210.4%
2-4 units	9,343 9,349	8.99.0%	9,791 8,222	9.07.4%	-448-1,127	4.8-12.1%
5+ units	21,383 21,400	20.420.5%	22,199 21,704	20.519.5%	-816304	3.81.4%
Mobile homes & other	2,123 1,581	2.01.5%	2,131 1,974	1.91.7%	8393	0.424.8%
Totals	104,990 104,448	100%	108,538 111,539	100%	3,5487,091	3.46.7%

Source: 2000 US Census; Department of Finance E-5 County/State Population and Housing Estimates

The median home sales price across the County increased from ~~\$544,600~~650,000 to ~~\$901,900~~882,400 between ~~1999~~2001 and ~~2006~~2013.¹⁷ This 7536% jump occurred while median household income increased by only 450.8%, meaning home values increased five times as much as significantly more than area incomes. In 2000, the market was already tight, with only 11% of homes valued at less than \$300,000. By ~~2011~~2013, the median home value in unincorporated Marin County was ~~\$800,000~~966,000 for a single-family home. Condominiums and townhomes were more affordable with a median home value of ~~\$356,500~~485,000. While many areas throughout the State experienced

¹⁷ County of Marin Assessor, 2013

decreasing values in the real estate market over the past decade, 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 In spring of 2014, Community Development Agency staff in the fall of 2007, the inventory surveyed all affordable housing providers throughout the County, which together supply 2,6162,783 units at non-profit rental properties, 274 inclusionary rental units, 758-734 Below Market Rate ownership units, 573-577 units of public housing, and 2,2692,145 Section 8 vouchers. There are approximately more than 6,600 6,500 households that benefit from affordable housing in Marin, Marin; representing 6.4% of the population however, this represents only 17% of the 37,393 low income households in Marin.¹⁸ Approximately 2025% of Marin's existing 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, Countywide

Affordable Housing Units by Type	Number
Privately Managed Affordable Rental	<u>2,6162,783</u> units
Inclusionary Rentals	274 units
Below Market Rate Ownership	<u>758-734</u> units
Public Housing and Marin Housing Authority Managed Rentals	<u>573-496</u> units
Marin Housing Authority Managed Rentals	81 units
Section 8 Voucher Program	<u>2,2692,145</u> units
TOTAL	<u>6,5136,490</u> units

Source: ~~Marin County Affordable Housing Inventory, 2008 (updated 2014); Marin Housing Authority, Hello Housing, July 2014~~

The Marin Housing Authority (MHA) administers the Section 8 voucher program that provides housing opportunities for approximately 2,200 households. MHA also operates nearly 500 units of Public Housing in Marin. The waiting lists for both the Section 8 voucher program and for Public Housing are a widely accepted indicator of need for affordable housing. The Marin Housing Authority opened its Section 8 waiting list for one week in March 2009 September 2008, for the first time in 7 several years, with the following results: and received 11,200 applications of which 235 were from households in unincorporated Marin. As of June 2014, MHA has processed 4,200 2,639 of those applications, leaving 8,561 7,000 applicants still on the waiting list.

In February 2014, MHA opened the Public Housing waiting list for one week with the following results:

- 11,200 3,189 households submitted applications;
- 2,831 1,148 (or 25 36%) 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 66% of the applications were from families, and 22 34% were from senior or disabled individuals households, 9% from elderly households, and 24% were homeless individuals or families; and

¹⁸ 2010 American Community Survey, U.S. Census Bureau

- ~~3238%~~ of the applications were from ~~non-Hispanic/Caucasian~~ families, ~~6143%~~ from African American families, and ~~74%~~ from ~~Hispanic-Asian~~ families.

MHA operates 200 units of public housing in five separate complexes within Marin for the elderly and disabled as well as ~~292-296~~ 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 8075~~ rental subsidies linked with supportive services to individuals and families who are homeless and living with a mental health disability. There are ~~35-26~~ rental subsidies for people ~~living with HIV/AIDS~~ living 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

~~Most of the housing stock in the unincorporated Marin County is older than the County's stock as a whole more than 30 years old. About two-thirds~~ Approximately 78% of the existing homes throughout Marin the County were built prior to 1980, as demonstrated by Figure II-11, 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 (countywide)	Percentage (countywide)	Number (unincorporated)	Percentage (unincorporated)
Built 1999-2000 to March 2000 <u>Built 2000-2010</u>	<u>2895,549</u>	<u>4.15.0%</u>	<u>1,083</u>	<u>3.8%</u>
Built 1995 to 1998	<u>1,106</u>	<u>4.0%</u>		
Built 1990 to 1994 <u>Built 1994-1999</u>	<u>8537,942</u>	<u>3.47.2%</u>	<u>2,272</u>	<u>8.0%</u>
Built 1980 to 1989	<u>2,46011,228</u>	<u>9.010.1%</u>	<u>2,860</u>	<u>10.1%</u>
Built 1970 to 1979	<u>4,89920,129</u>	<u>17.918.1%</u>	<u>4,624</u>	<u>16.3%</u>
Built 1960 to 1969	<u>5,85623,037</u>	<u>21.420.8%</u>	<u>5,363</u>	<u>18.9%</u>
Built 1950 to 1959	<u>6,37521,142</u>	<u>23.319.1%</u>	<u>6,618</u>	<u>23.4%</u>
Built 1940 to 1949	<u>2,3457,902</u>	<u>8.67.1%</u>	<u>2,151</u>	<u>7.6%</u>
Built 1939 or earlier	<u>3,13414,008</u>	<u>11.512.6%</u>	<u>3,366</u>	<u>11.9%</u>
Total	<u>27,317110,937</u>	<u>100%</u>	<u>28,337</u>	<u>100%</u>

Source: ~~Census 2000 Summary File 3 (SF 3) H34. Year structure built~~ 2011 American Community Survey, U.S. Census Bureau

~~To estimate~~ The 2011 American Community Survey provides data about the condition of the existing housing stock countywide and in the unincorporated County, 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, with only 1.8% of occupied housing units having one or more potential housing problems. In the unincorporated County, 2.9% of the total housing stock has one or more potential housing problems, which is slightly higher than the countywide percentage of 1.7%. However, the unincorporated area has a lower percentage of occupied units with potential housing problems at 1.2%. 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.

Figure II-12: Housing Conditions: Potential Housing Problems

Potential Housing Problem	Countywide (out of 110,937 total housing units; 102,832 occupied units)				Unincorporated County (26,598 total housing units; 23,200 occupied units)			
	Housing Units		Occupied Units		Housing Units		Occupied Units	
	Number	Percent of Total Housing Units	Number	Percent of Occupied Housing Units	Number	Percent of Total Housing Units	Number	Percent of Occupied Housing Units
Lacking Complete Plumbing Facilities	500	0.5%	244	0.2%	316	1.2%	116	0.5%
Lacking Complete Kitchen Facilities	1,423	1.3%	686	0.7%	457	1.7%	27	0.1%
No Telephone Service Available	n/a	n/a	944	0.9%	n/a	n/a	141	0.6%
Total	1,923	1.7%	1,874	1.8%	773	2.9%	284	1.2%

Source: 2011 American Community Survey, U.S. Census Bureau

Figure II-13: Households with Potential Housing Problems by Income Category (lacks kitchen or plumbing, more than 1 person per room, or cost burden greater than 30%)

Owner Occupied Households				
Income Level (family of 4)	Countywide		Unincorporated County	
	Number	Percent of total	Number	Percent
≤30% HAMFI (Extremely Low Income)	3,099	6.9%	439	4.9%
30 to 50% (Very Low Income)	3,455	7.7%	655	7.3%
50 to 80% (Low Income)	4,463	10.0%	1,078	12.0%
80 to 100% (Moderate Income)	2,730	6.1%	410	4.5%
>100% (Moderate to Above Moderate Income)	11,495	25.6%	2,750	30.5%
Owner Subtotal	25,242	56.3%	5,332	59.2%

Renter Occupied Households				
Income Level	Countywide		Unincorporated County	
	Number	Percent	Number	Percent
≤30% HAMFI	6,854	15.3%	1,314	14.6%
30 to 50%	5,394	12.0%	805	8.9%
50 to 80%	4,533	10.1%	829	9.2%
80 to 100%	1,280	2.9%	275	3.1%
>100%	1,530	3.4%	450	5.0%
Renter Subtotal	19,591	43.7%	3,673	40.8%
TOTAL (Owner + Renter)	44,833	100%	9,005	100%

Source: 2010 American Community Survey, U.S. Census Bureau

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 Fiscal Year 2007/2013/2014, 94.55% of the new residential construction permits issued were for single-family units/homes, which marked a seven-year high in the proportion of single-family unit construction permits issued. The average size of these homes was 3,800.3,056 square feet, which reflects the predominant development pattern in unincorporated Marin County of large, custom-built, single-family homes.¹⁹ Smaller units, which are usually more affordable, have a higher price per square foot than do larger homes because of land prices²⁰. 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 Due to the high cost of land and limited available stock, it is unlikely that existing these trends will be were not significantly impacted by the recent economic downturn. Housing costs continue to rise in Marin, making it increasingly difficult for those at lower and moderate income levels to find affordable housing options.

Vacancy Rate Trends

Vacancy rates for housing in unincorporated Marin have ~~decreased~~ increased since 1990/2000, when the U.S. Census recorded a vacancy rate of 4.74.1%. In 2000/2010, the total vacancy rate was recorded at 4.7.1%; in 2008, it was 2.7%²⁴ and in 2010 it was 3.5%. The 3.57.1% vacancy rate is indicative of a very fairly tight rental housing market, in which demand for units exceeds the available supply. Figure II-12-14 below shows that vacant long-term rental properties are far scarcer than units available as vacation, seasonal, or recreational housing in unincorporated Marin, as reflected by the 5.2% rental vacancy rate. This highlights the need for housing that is affordable to very low and low income households.

Figure II-12-14: Vacancy Rates by Tenure, Unincorporated County

Vacancy Status	Ownership Housing Units	Renter Housing Units	Totals
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¹⁹ Marin County Community Development Agency, July 2014

²⁰ Inclusionary Zoning In-Lieu Fee Analysis, March 2008 by Vernazza Wolf Associates

²⁴ US Census, American Fact Finder and Real Facts

	<u>Number</u>	<u>Percent of Owner Units</u>	<u>Number</u>	<u>Percent of Renter Units</u>	<u>Number</u>	<u>Percent</u>
Occupied	<u>18,026</u>	<u>98.7%</u>	<u>8,167</u>	<u>94.8%</u>	<u>26,193</u>	<u>97%</u>
Vacant	<u>232</u>	<u>1.3%</u>	<u>450</u>	<u>5.2%</u>	<u>682</u>	<u>3%</u>
Totals	<u>18,258</u>	<u>100%</u>	<u>8,617</u>	<u>100%</u>	<u>26,875</u>	<u>100%</u>

~~Source: Census 2000 Summary File 3 (SF 3) H6 Occupancy status, H8 Vacancy status~~
Source: 2010 U.S. Census

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 minimum 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 multi-family housing construction during the 1990s and through the 2000s, which has also contributed to low vacancy rates and rising rents. The past two years have seen a rapid rise in housing prices, as both ownership and rents have increased to pre-recession levels.

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 4,200, 1,100 inquiries a year, of which about 350, 300, 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~~ decrease of 8% since ~~2003~~ 2009).²² 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, 38% 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~~ is an even greater proportion of very low and low income households among renters. It was estimated in ~~2000~~ 2010 that 53, 57% of all renters in Marin County were in the extremely low, very low, and low income categories.²³

²² Fair Housing of Marin, June 2014

²³ 2010 American Community Survey, U.S. Census Bureau

In Marin County, the median income in ~~as of 2012~~ 2014 for a family of four ~~was is~~ \$103,30097,100. A household income less than ~~\$33,300~~33,200 is considered extremely low income.²⁴ Using 2000 population data ~~As of 2010, a little over~~ more than 40,00011,000 households countywide, or ~~40~~12% of total households, were extremely low income.²⁵ ~~In general, the unincorporated County reflects the income distribution of the County as a whole. Therefore, In the unincorporated County, it is estimated that there were~~ are approximately ~~2,540~~2,098 extremely low income households.²⁶ ~~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.~~²⁷

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 ~~a~~ percentages of HUD Area Median Household Family Income (HAMFI) 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).

Figure II-4315: FY ~~2012~~2014 Marin County Income Limits (HUD)

Household size	Extremely low (<30% of HAMFI)	Very Low	Low	Median	Moderate
1	23,350 <u>23,250</u>	38,850 <u>38,750</u>	62,200 <u>62,050</u>	72,100 <u>68,000</u>	86,500 <u>81,600</u>
2	26,652 <u>26,600</u>	44,400 <u>44,300</u>	71,050 <u>70,900</u>	82,400 <u>77,700</u>	98,900 <u>93,250</u>
3	30,000 <u>29,900</u>	49,950 <u>49,850</u>	79,950 <u>79,750</u>	92,700 <u>87,400</u>	111,250 <u>104,900</u>
4	33,300 <u>33,200</u>	55,500 <u>55,350</u>	88,800 <u>88,600</u>	103,000 <u>97,100</u>	123,600 <u>116,500</u>
5	36,000 <u>35,900</u>	59,950 <u>59,800</u>	95,950 <u>95,700</u>	111,250 <u>104,900</u>	133,500 <u>125,900</u>
6	38,650 <u>38,550</u>	64,400 <u>64,250</u>	103,050 <u>102,800</u>	119,500 <u>112,650</u>	143,400 <u>135,200</u>
7	41,300 <u>41,200</u>	68,850 <u>68,650</u>	110,150 <u>109,900</u>	127,700 <u>120,400</u>	153,250 <u>144,500</u>
8	44,000 <u>43,850</u>	73,300 <u>73,100</u>	117,250 <u>117,000</u>	135,950 <u>128,200</u>	163,150 <u>153,850</u>

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 ~~4/4/12~~12/18/2013. The “Median Income” schedule shown above is based on the ~~FY2012-FY2014~~ median family income for ~~the San Francisco HMF~~Marin County, CA of ~~\$103,000~~97,100 for a four-person household, issued by HUD effective ~~4/4/12~~12/18/2013, with adjustments for smaller and larger household sizes. The “Moderate Income” schedule shown above represents 120% of median income. For additional information, ~~you can consult~~ see the HUD website at 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~~33,200 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~~2,981 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

²⁴ U.S. Department of Housing and Urban Development, effective 12/18/2013

²⁵ 2010 American Community Survey, U.S. Census Bureau

²⁶ 2010 American Community Survey, U.S. Census Bureau

²⁷ ABAG Projections 2007

these units are rented to households making moderate or above-moderate incomes.²⁸ 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 ~~549-475~~ units of supportive housing ~~across 15 properties~~ countywide,²⁹ 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 that~~ promote housing for extremely low income households include programs ~~which that~~ will increase the supply of multifamily housing and promote second units, ~~Single-Room Occupancy units (SRO) units~~ 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.h 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~~).

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% HAFMI). This Housing Element contains a program ~~which that~~ addresses the County's role to monitor and insure that these provisions are maintained (~~3.k Provide Leadership to the Marin Workforce Housing Trust~~).

Sales Prices and Rents

The median price for a single-family detached home in Marin County in 2013 was \$882,400, requiring an income over \$200,000 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 \$435,000 in 2013.³⁰ The required income to afford the median townhome or condominium rose from \$84,000 to over \$140,000. 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 2008-2013 was \$914,000-882,400, requiring an income over \$216,000-200,000 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 \$415,000-435,000 in 2008-2013.³¹ The required income to afford the median townhome or condominium rose from \$84,000 to over \$90,000-140,000.~~

According to rental data compiled by realtor Michael Burke of Frank Howard Allen Coldwell Banker, rental prices increased approximately 48% for one-bedroom units and 13% for two-bedroom units between ~~1999-2004~~ and ~~2007-2013~~. In 2013, rents were highest during 2000 and 2001 during the dot-com boom; the highest they've been since 2001 when the average rent in Marin was \$2,261 (2014 dollars adjusted for inflation).³² However, with inflation as a factor, rental prices have remained steady

²⁸ Marin County Affordable Housing Inventory, ~~2008~~ updated in 2014

²⁹ ~~Marin Housing Workbook, 2009~~ Marin County 2013 Point in Time Count

³⁰ County of Marin Assessor, 2013

³¹ County of Marin Assessor, 2013

³² Actual average rent in 2001 was \$1,688, adjusted for inflation (33.9%) = \$2,261 in 2014 dollars.

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-1416: Forecast of Average Rental Prices (2-Bedroom Apartments), 2004-2012/2013, Countywide

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Average annual rent (studio to 3 bed)	\$1,483	\$1,478	\$1,537	\$1,620	\$1,695	\$1,673	\$1,667	\$1,777	\$1,920	\$2,066
Cost adjusted for inflation (2014 dollars)	\$1,861	\$1,794	\$1,807	\$1,852	\$1,866	\$1,849	\$1,812	\$1,873	\$1,983	\$2,102
	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	\$1,844	\$1,777	\$1,667	\$1,673	\$1,695	\$1,620	\$1,537	\$1,478	\$1,483	
Cost adjusted for inflation	\$1,726	\$1,704	\$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 of Coldwell Banker, 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 \$1,667.³³ In spite of the economic downturn, rental prices continued to rise in 2011 to an average of \$1,777 for a two-bedroom apartment in 2011 and to \$2,014 in 2012.³⁴ 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 at 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.

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. In 2010, approximately 44.56% of renters in unincorporated Marin were estimated in 2000 to be overpaying for housing costs, while approximately one-third (37%) of owners were overpaying for housing. Data show that for Marin County Of unincorporated Marin residents who earn 80% or less of the area median income (HAMEI), 83% of renters and 54.59% of homeowners pay more than 30% of

³³ Burke Apartment Data

³⁴ Real Facts, 2009 Marin County Rental Statistics 2004-2013, Michael Burke, Coldwell Banker

household income for housing costs.³⁵ 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-15-17 and II-16-18 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	0-20% of HH Income	20-29% of HH Income	Overpaying 30-34% of HH Income 35+% of HH Income
\$0-10,000	417	-	2	-
\$20,000-34,999	1,282	388	168	44
\$35,000-49,999	1,333	510	186	57
\$50,000+	12,555	6,301	3,117	1,038
Subtotal	16,189	7,207	3,625	1,150
Renter-Occupied Units				
\$0-10,000	692	5	69	26
\$20,000-34,999	1,091	98	137	83
\$35,000-49,999	1,106	180	284	157
\$50,000+	3,332	1,758	1,088	189
Subtotal	7,001	2,130	1,643	520
TOTAL	23,190	9,337	5,268	1,670

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

Figure II-17: Housing Cost as Percentage of Household Income, Unincorporated County

Owner-Occupied Units				
Income Level (family of 4)	Total Households	0-29% of HH Income	30-50% of HH Income [overpaying]	50% or more of HH Income [overpaying]
Extremely/Very Low Income (≤50% HAMFI ³⁶)	1,772	687	374	711
Low Income (50 to 80%)	1,910	840	258	812
Moderate Income (80 to 120%)	1,998	1,024	588	386
Above Moderate Income (120% or more)	8,368	6,233	1,720	415
Owner Subtotal	14,048	8,784	2,940	2,324

³⁵ CHAS, 2000; Marin County Community Development Agency 2010 American Community Survey, U.S. Census Bureau

³⁶ HAMFI is the Area Median Family Income established by the US Dept. of Housing and Urban Development

Renter-Occupied Units				
Income Level	Total Households	0-29% of HH Income	30-50% of HH Income [overpaying]	50% or more of HH Income [overpaying]
Extremely/Very Low Income	2,423	394	695	1,334
Low Income	1,033	211	705	117
Moderate Income	1,242	687	555	0
Above Moderate Income	1,636	1,481	155	0
Renter Subtotal	6,334	2,773	2,110	1,451
TOTAL	20,382	11,557	5,050	3,775

Source: 2010 American Community Survey, U.S. Census Bureau

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-4618: Bay Area Wages and Affordable Rents†

Very Low Income – Less than 50% of Median	Hourly Wage	Annual Income	Affordable Rent + Utilities	Median Rent Gap‡
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
Low Income – 50%-80% of Median	Hourly Wage	Annual Income	Affordable Rent + Utilities	Median Rent Gap
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
Moderate Income – 80%-100% of Median	Hourly Wage	Annual Income	Affordable Rent + Utilities	Median Rent Gap
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

Very Low Income: Less than 50% of Median³⁷	Average Hourly Wage³⁸	Average Annual Income³⁹	Affordable Rent and Utilities	Average Rent Gap⁴⁰
Dishwashers	\$10.87	\$22,610	\$565.24	(-\$1,177.76)
Retail Salespersons	\$13.67	\$28,434	\$710.84	(-\$1,032.16)
Grounds Maintenance Workers	\$15.83	\$32,926	\$823.16	(-\$919.84)
Couriers and Messengers	\$16.89	\$35,131	\$878.28	(-\$864.72)
Medical Assistants	\$20.38	\$42,390	\$1,059.76	(-\$683.24)
Low Income: 50%-80% of Median	Hourly Wage	Annual Income	Affordable Rent + Utilities	Average Rent Gap
Construction Laborers	\$22.99	\$47,819	\$1,195.48	(-\$547.52)
Child, Family, and School Social Workers	\$24.23	\$50,398	\$1,259.96	(-\$483.04)
Landscaping/Grounds-keeping Supervisors	\$28.18	\$58,614	\$1,465.36	(-\$277.64)
Carpenters	\$30.12	\$62,650	\$1,566.24	(-\$176.76)
Legal Secretaries	\$32.30	\$67,184	\$1,679.60	(-\$63.40)
Moderate Income: 80%-100% of Median	Hourly Wage	Annual Income	Affordable Rent + Utilities	Average Rent Gap
Civil Engineering Technicians	\$35.05	\$72,904	\$1,822.60	\$79.60
Electricians	\$39.04	\$81,203	\$2,030.08	\$287.08
Microbiologists	\$41.63	\$86,590	\$2,164.76	\$421.76
Firefighters	\$44.21	\$91,957	\$2,298.92	\$555.92

Source: California Employment Development Department 2013 (Q1) Occupation Profiles

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

³⁷ Income categories based on HUD 2014 Income Limits for 2-person household with one wage earner

³⁸ 2013 California Occupation Statistics for San Francisco-San Mateo-Redwood City Metro Division, California Employment Development Department

³⁹ Based on full-time employment status: 40 hours a week, 52 weeks a year

⁴⁰ Based on 2013 average rent of \$1,743 for 1-bedroom apartment, provided by Michael Burke apartment data

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~~2010, as shown in the Figure II-47-19 below, the incidence of overcrowding in Marin County was ~~one percent~~ 0.7% for owner-occupied units, and ~~6.57.0%~~ 6.57.0% for rental units. However, it is likely that these 2000-2010 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-47-19: Overcrowded Households, Countywide

Countywide						
Persons per Room	Owner-occupied units		Renter-occupied units		Total Overcrowded units (owner + renter)	
	Households	Percent	Households	Percent	Households	Percent
0.50 or less	44,126	52.371%	4,430	24.010%	48,556	76.381%
0.51 to 1.0	3,687	11.804%	2,403	11.871%	6,090	23.675%
1.01 to 1.500	447	3.01%	239	1.626%	386	1.927%
1.51 to 2.00	30	7.8%	49	0.870%	22	0.948%
2.01 or more	7	3.4%	45	1.87%	52	2.21%
TOTAL	17,997	64.588%	7,307	38.564%	25,304	103.152%
% Total Overcrowded by Tenure	484	4.13%	474	2.683%	658	1.169%

Unincorporated County						
Persons per room	Owner-occupied units		Renter-occupied units		Total units (owner + renter)	
	Households	Percent	Households	Percent	Households	Percent
1.0 or less	17,892	99.3%	8,013	98.1%	25,905	98.9%
1.01 to 1.5	119	0.6%	100	1.2%	219	0.8%
1.51 or more	15	0.1%	54	0.7%	69	0.3%
Total	18,026	100%	8,167	100%	26,193	100%
Total Overcrowded	134	0.7%	154	1.9%	288	1.1%

Source: 2000 U.S. Census of Population and Housing, Summary Tape File 3A - H20 Tenure by Occupants per Room; 2012 American Community Survey, U.S. Census Bureau; 2010 U.S. Census; 2010 American Community Survey, U.S. Census Bureau. Note: 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 studies⁴¹ show that overcrowding results in negative public health indicators, including increased transmission of tuberculosis and hepatitis. In addition, studies⁴² 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 1, 2008, California had the nation's second-highest foreclosure rate, with 1 in every 148 homes in foreclosure.⁴³ However, the foreclosure crisis has had a relatively smaller impact on Marin County, where 1 in every 528 homes was in foreclosure 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.~~

Since that time, foreclosure rates have dropped significantly throughout the Bay Area and statewide, as demonstrated in Figure II-20. As of April 2014, Marin still has the second lowest rate in the Bay Area at 0.02%, which is well below the State and national rate of 0.09%. In Marin, only 1 in every 3,993 homes is now in foreclosure, compared to 1 in every 1,059 homes statewide. While the foreclosure crisis had a significant impact on the local housing market, the price of housing was still not affordable to lower income households and those that work in Marin-based industries. With the recent recovery of the housing market, that affordability gap has only widened.

~~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~~

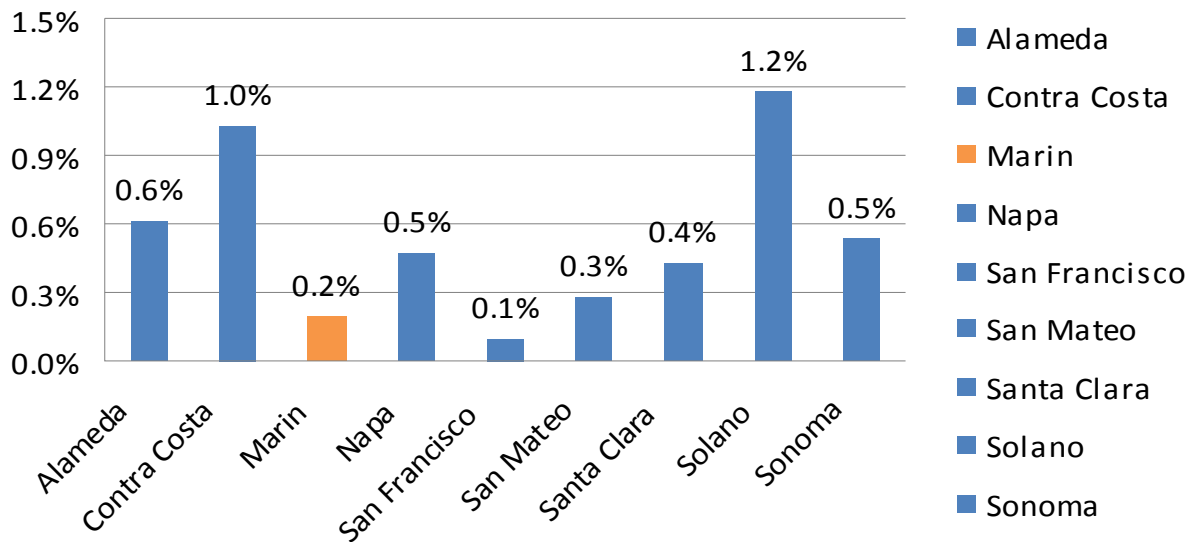
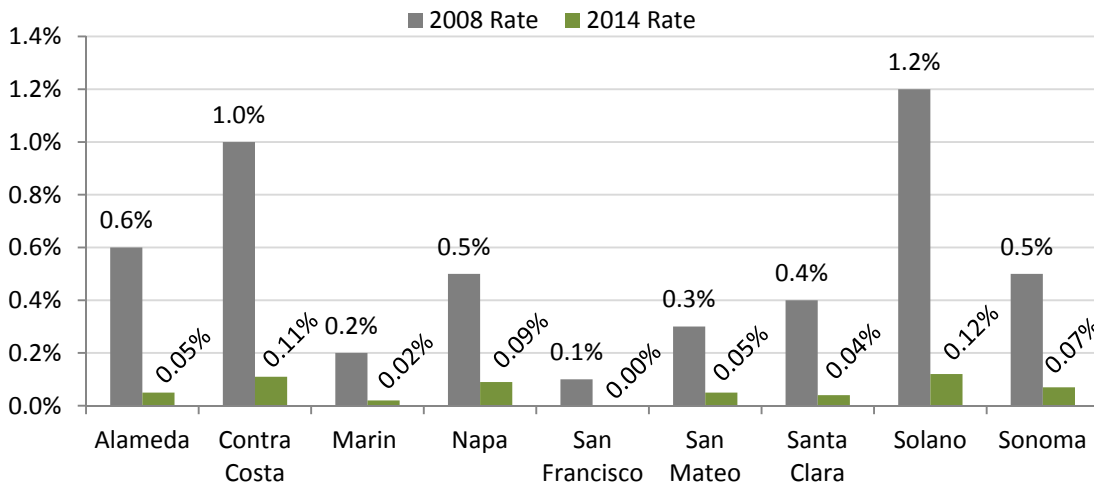
⁴¹ Lubell, Jeffrey, Rosalyn Crain, and Rebecca Cohen. 2007. *The Positive Impacts of Affordable Housing on Health: A Research Summary*. Washington, DC: Center for Housing Policy and Enterprise Community Partners. Available for download at <http://www.nhc.org/publications/Housing-and-Health.html>.

⁴² Bashir, Samiya A. 2009. *Home Is Where the Harm Is: Inadequate Housing as a Public Health Crisis*

⁴³ RealtyTrac.com

lowest foreclosure rates in the State, Marin is not eligible for funds such as the Neighborhood Stabilization Program (NSP) through HUD.

Figure II-4820: Bay Area County Foreclosure Rates, December 2008 and April 2014



Source: Marin Housing Workbook, 2009

Source: 2009 Marin Housing Workbook; RealtyTrac, April 2014

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.

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 needs 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 shelters. 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~~ 77% of County seniors are homeowners, and the majority of the existing housing stock is homes ~~over with more than~~ two bedrooms.⁴⁴ 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.⁴⁵ 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 to face distinct difficulties in finding appropriate and affordable housing for their needs.

According to the ~~American Community Survey in 2007~~ 2010 Census, there were ~~99,627~~ 103,210 households in Marin County, of which ~~27,642~~ 28,253 or ~~28~~ 27% ~~had a householder~~ were persons aged 65 or older. Of these households, ~~1,846~~ or 4.76.5%, ~~or 1,299~~, had incomes below the poverty line.⁴⁶ ~~According to 2000 Census data in the unincorporated County, there were 5,610~~ 26,193 households, of which 7,354 households or 28% in the unincorporated area of Marin County were headed by a person age 65 or older.⁴⁷ ~~Of those, 458 or 6.2% had incomes below the poverty line.~~⁴⁸ ~~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.

⁴⁴ ~~Claritas Senior Life Report, 2008~~ 2010 U.S. Census; 2012 American Community Survey, U.S. Census Bureau

⁴⁵ Elder Economic Security Standard by County 2007, Center for Community and Economic Development

⁴⁶ 2011 American Community Survey, U.S. Census Bureau

⁴⁷ 2010 U.S. Census

⁴⁸ 2011 American Community Survey, U.S. Census Bureau

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-19-21 below provides a summary of senior services available throughout Marin County.

Figure II-19-21: Countywide Services Offered for Seniors

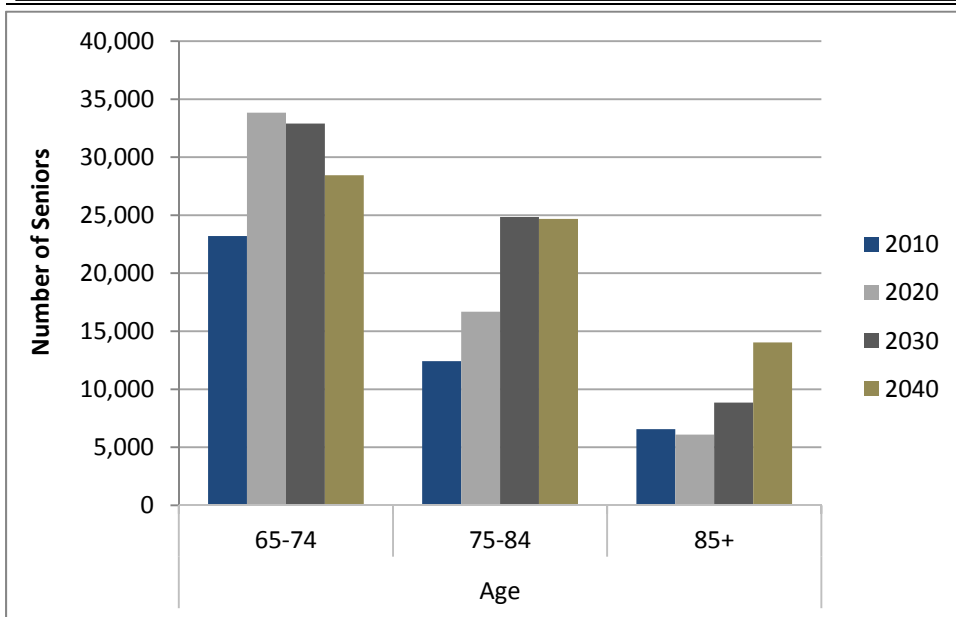
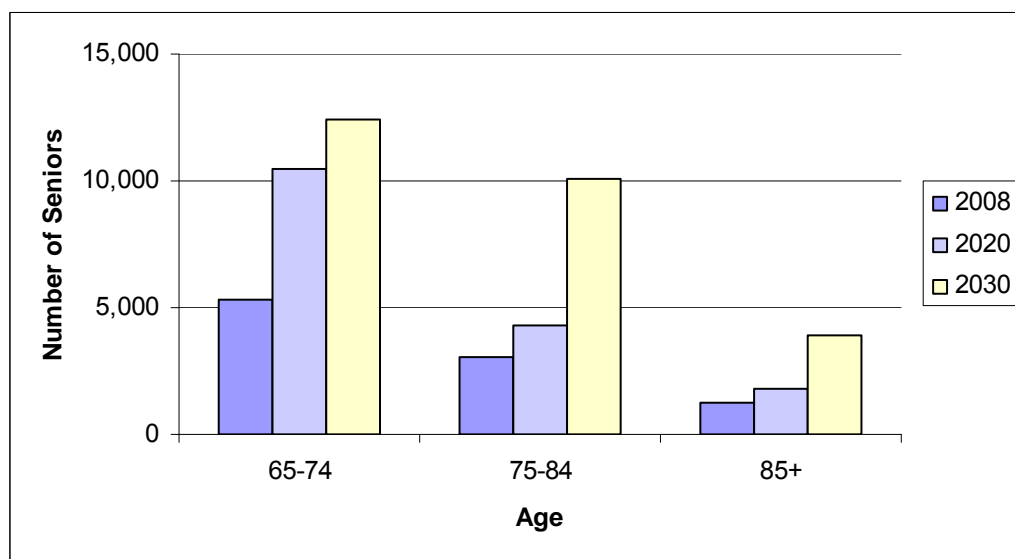
Service	Description
Adult Day Healthcare	Day care services for older adults with health care needs.
Alzheimer's Day Care Resource Center	Day care services for persons with Alzheimer's and other dementias.
Case Management	Coordination and monitoring of services for older persons and persons with disabilities 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.
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	Educational, creative, and fun activities, including trips that enhance both

Service	Description
Services	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: Marin County Division on Aging

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 47-59% between 2008-2010 and 2020-2040. 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-2022: Senior Population Projections



Source: ~~Marin Housing Workbook~~, 2009-2010 U.S. Census; 2010 Dept. of Finance Population Projections

The increasing number of seniors and increasing 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.⁴⁹

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-most room and board facilities in the County is currently cost between \$3,500-3,200 to \$4,000-5,000 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

⁴⁹ Strategic Plan Data Focus Report 2004-2014, Division of Aging, Marin Health and Human Services

independently if affordable units are available. Different types of housing that can serve these populations include: (1) single-room occupancy units (SROs) units, (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.

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 multi-family 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-2423: Persons with Disabilities by Disability Type, Countywide

<u>Civilian Non-Institutionalized Population</u>	<u>Number</u>	<u>Percent of County Population</u>
Total population	252,409	100%
Total population with a Disabilities disability	13,86421,216	4008.4%
Population under 5 years with a disability	18	0.01%
Total Disabilities for Population Ages 5-64 with a disability	9,17410,246	66.14.1%
Sensory disability With a hearing difficulty	5642,058	4.10.8%
Physical disability With a vision difficulty	1,4521,146	10.40.5%
Mental disability With a cognitive difficulty	1,3784,577	9.91.8%
With an ambulatory difficulty	4,418	1.7%
With a S self-care disability difficulty	5892,239	4.20.9%
Go outside home disabilityWith an independent living difficulty	1,5922,992	11.51.2%
Employment disability	3,596	25.9%
Total Disabilities for Population Ages 65 and O ver with a disability	4,69310,952	33.94.3%
Sensory disability With a hearing difficulty	8034,672	5.81.9%
Physical disability With a vision difficulty	1,6321,460	11.80.6%
Mental disability With a cognitive difficulty	5672,780	4.11.1%
With an ambulatory difficulty	6,213	2.5%
With a S self-care disability difficulty	5512,488	4.01.0%
Go outside home disabilityWith an independent living difficulty	1,1404,652	8.21.8%

Source: 2000 Census SF 3; P442012 American Community Survey, U.S. Census Bureau

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 973-715 people with all types of disabilities (including older adults) in 2008-2014 throughout Marin County; of these, over 2060% were facing a lack of affordable accessible housing. Most of their clients live under the poverty level, and their average client earns about \$8,70010,500 annually.

- Marin County's Mental Health Services served 3,853,716 unduplicated clients in 2008 fiscal year 2012/2013, of which 2,721 were adults age 18 and older, and provided Community-based housing and shelter was provided to for 445,553 of their adult clients, or 41.5% of their total caseload. Housing support in the form of emergency housing and rent assistance was provided for another 43 of their clients. Anecdotally, caseworkers managers say report that the demand far exceeds the limited available supply of housing and services, and cost of housing continues to increase well in excess of the income of public mental health clients. Affordable housing is a major issue for their clients.

Figure II-224: Persons with Disability by Employment Status, Countywide

Population	Number	Percent of County Population
Total County Population	252,409	100%
Age 5-15, Persons with a Disability	375	0.15%
Total population age 18 - 64	152,337	60.4%
Age 16-64, Employed Persons with a Disability	3,590	148.8%
Total in the labor force	123,265	48.8%
Total in labor force with a disability	4,402	1.7%
Age 16-64, Not Employed Persons with a Disability	1,769	3.015%
Persons Age 65 Plus with a Disability	2,461	2.02%
Unemployed	1559	0.62%
Total Persons with a Disability, Age 5 Plus	8,195	3.25%
Total not in labor force	29,072	11.5%
Total not in labor force with a disability	4,755	1.9%

Source: Census Bureau (2000 Census SF 3: P42) 2012 American Community Survey, U.S. Census Bureau

Senate Bill 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.

As of March 2014, according to the State Council on Developmental Disabilities Board-Area Board 5, which serves Marin, there are 4,165-1,098 individuals with developmental disabilities in Marin County. The Area 5 Board projects estimates that a minimum 380 of these individuals are in need of housing, of which 3835, or 10%, are dually diagnosed with a mental health issue, and an additional 5771, or 4520%, require accessible housing. In March 2011, the State Council on Developmental Disabilities approved a 5-year strategic State Plan that is intended to help address the needs and priorities of the developmentally disabled population for the period of 2012-2016. This includes goals and strategies to improve access to affordable and accessible housing options.

Figure II-25: Population with Developmental Disability, Countywide

Population	Number	Percent of Population with Developmental Disability
Total County Population	252,409	---
Total persons with a developmental disability	1,098	100%
Living at home with parent or guardian	505	46%
Living at community care facility	257	23%
Living independently	270	25%
Living at an Intermediate Care Facility (ICF)	53	5%

<u>Living at a Skilled Nursing Facility (SNF)</u>	<u>5</u>	<u>0.4%</u>
<u>Other</u>	<u>8</u>	<u>0.6%</u>

Source: "Quarterly Consumer Characteristics Report Index by County of Physical Presence for the end of March 2014," California Department of Developmental Services

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 units is very limited. Even when larger units are available, the cost is generally higher than low income families can afford.

The ~~2000-2010~~ 2010 Census data ~~shows~~ reflect that 7% of ~~greater~~ Marin's households meet the definition of a large family (five ~~people~~ people or more people), and that over half (60%) of large-family households in the County live in owner-occupied units homes. In the unincorporated area of the County, there are 1,642,619 large-family households, which comprise 76% of all households. Of these households, 8472% are owner-occupied households and 1938% are renters.

Figure II-2326: Number of Large-Family Households (households with 5 or more persons) by Tenure

Area	Owner-Occupied Households		Renter-Occupied Households		All Total Large Family Households		Total Households
	Number	Percent	Number	Percent	Number	Percent	Number
<u>Unincorporated Marin</u>	<u>1,334,174</u>	<u>8472%</u>	<u>308,445</u>	<u>1938%</u>	<u>1,642,619</u>	<u>1006%</u>	<u>26,193</u>
<u>Marin County all</u>	<u>3,913,994</u>	<u>6054%</u>	<u>2,591,390</u>	<u>4046%</u>	<u>6,504,384</u>	<u>1007%</u>	<u>103,210</u>

Source: 2000 CHAS 2010 U.S. Census, U.S. Census Bureau

As Figure II-2427 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-2427: Existing Housing Stock Number of Bedrooms by Tenure, Countywide

Bedroom Type	Owner Households		Renter Households		All-Total Households	
	Number	Percent	Number	Percent	Number	Percent
0 BR	99,162	0.40.1%	774,125	3.02.1%	870,287	3.42.2%
1 BR	686,046	2.72.0%	2,207,145	8.711.1%	2,893,191	11.413.1%
2 BR	2,846,127	11.212.3%	2,454,124	9.714.8%	5,300,251	20.927.1%
3 BR	8,070,121	31.927.3%	1,483,797	5.97.5%	9,553,918	37.834.8%
4 BR	5,027,120	19.916.7%	311,631	1.21.6%	5,338,751	21.118.3%
5+ BR	1,269,352	5.04.2%	81,309	0.3%	1,350,661	5.34.5%
Total	17,997,588	71.162.6%	7,307,564	28.937.4%	25,304,152	100%

Source: 2000 Census, SF 3: H42 2012 American Community Survey, U.S. Census Bureau

Female-Headed and Single-Parent Households

Female-headed households fall into one of three primary groups in Marin:— single professional women, 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 an affordable housing situation, 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 to 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 25,398,261 households in the unincorporated area of the County, of which 2,402,201, or 8.38.4%, are female-headed households. Moreover, 4,262,130 or 5% of the total, are female-headed households with children under the age of 18, while 842,892 or 3.33.4%, are female-headed households without children under 18. The percentage that is female-headed households living in poverty is 22.2%, which is actually significantly lower than the 45.5% of households overall in the County that are living in poverty.

Figure II-2528: Female-Headed Households, Unincorporated County

Household Type	Number	Percent
Total Households	25,398	100%
Total Female-Headed Householders	2,104	8.38.4%
Female-Headed with Children under 18	1,262	5.0%
Female-Headed without Children under 18	842	3.33.4%
Total Families	16,525	100%
Total Families Under the Poverty Level	653	4.05.5%
Female-Headed Households Under the Poverty Level	325	2.02.2%

Source: Census Bureau (2000 Census SF 3: P10 and P90) 2010 U.S. Census; 2012 American Community Survey, U.S. Census Bureau

In addition to the female-headed households with children, there are an estimated 454,969 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

As with other special needs groups, large families and single-parent households would benefit from multi-family 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 shall 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.g Review and Update Parking Standards, and 1.mj 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 United States Department of Agriculture (USDA), Marin County farms and ranches encompass approximately 167,000-170,876 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 276-323 agricultural operations in Marin, 86% the majority are third- to fifth-generation family-owned, and are not large by California standards, with an average size of 588-529 acres. The total population of West Marin, consisting of the Inland Rural and Coastal Corridors, is estimated to be around 12,000 people. There are an estimated 1,072 Agricultural workers are impacted by at the high cost of living, especially housing costs that are impacted influenced 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.⁵⁰

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~~The 2012 USDA Census in 2002 identified ~~491~~1,072 agricultural workers in the County, which accounts for approximately 0.8% of Marin's workforce.⁵¹ ~~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. However,~~ Agricultural workers are historically undercounted, and it is commonly believed that the number of agricultural workers is higher than any of these available 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.

- ~~The majority~~ 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.⁵² 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.
- 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.

The U~~un~~met 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

⁵⁰ 2012 USDA Census: UCCE Facts About Marin County Agriculture. July 2012

⁵¹ 2012 American Community Survey, U.S. Census Bureau

⁵² Evaluation of the Need for Ranch Worker Housing in Marin County, California, California Human Development Corporation, July 2008

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 median salary of less than \$2,400 per month, most agricultural workers fall within extremely low-income groups.⁵³ 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 2007-2014 wages and average rental prices, a Marin County household would have to earn a minimum of \$19.90 per hour in full-time employment to rent a studio apartment and not exceed the 30% affordability standard. Likewise, a 2007 renter household 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~~ is estimated to 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, Overall, the rate of overcrowding in the unincorporated County totals 2.61% of households are overcrowded, with a higher prevalence of overcrowding in renter households, in the amount of at 6.51%.~~
- ~~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.⁵⁴ 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 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 California Human Development (CHD) 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. A pilot project is underway with six participating ranches. CHD is coordinating the program, providing predevelopment funds granted by the County, and working with the United

⁵³ 2012 American Community Survey, U.S. Census Bureau

⁵⁴ California Human Development Institute for Rural Housing, 1997-2008.

~~States Department of Agriculture to provide affordable financing. 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~~Since 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~~56 agricultural producers have 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~~The Marin County 2009-2013 Point In Time Count of Homeless Persons was conducted on January 24, 2013 and surveyed homeless and precariously housed individuals.
~~According to this survey, in January 2013 there are~~were 4,770~~933~~ persons in the County who meet the Marin County Health and Human Services definition of homeless ~~in January 2013, of which 195 were children.~~⁵⁵ 4,077~~693~~ of these homeless individuals meet the HUD definition of unsheltered and in immediate need of housing.⁵⁶ An additional 4,388 persons were found to be at risk of homelessness and counted as precariously housed.⁵⁷ A total of 4,798~~More than an estimated 1,100~~⁵⁸ children and youth individuals meet the broader definitions of homeless ~~used for~~established by the McKinney Vento

⁵⁵ For the purposes of the ~~2009-2013~~ 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 meant for human habitation, such as a car, park, sidewalk, open space or on the street. ~~As part of the~~ "unsheltered" population ~~included were~~ individuals living on a boat or in a home lacking electricity or plumbing, in jail or an institution who would not ~~a~~ have a permanent address after release, who stayed temporarily with family or friends the night before the county 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 an emergency shelter.

⁵⁶ HUD McKinney Vento supportive housing programs define homelessness as individuals who are living on the streets, in shelters, or in public spaces.

⁵⁷ A person is considered precariously housed and at risk of homelessness if they are about to lose housing and have no other place to live, or are housed but living temporarily with friends or family because they lack the resources and/or support networks to retain or obtain permanent housing and/or are housed but have moved frequently due to economic reasons and/or are living in severely overcrowded housing.

⁵⁸ Marin County Office of Education, Report to the Marin County Board of Education, March 2014

~~Act 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.⁵⁹ Approximately 0.50.4% of Marin’s population is homeless, similar to which aligns with the proportion of homeless people in California as a whole. Statewide, the homeless population is estimated at approximately 159,732136,826, or 0.4% of the State’s total population.⁶⁰~~

~~To estimate the unmet need for shelter beds and to document the existing resources for homeless families and individuals, tThe County used information from the SB2 Policy and Technical Paper for Marin County Jurisdictions2013 Point in Time Count and the 2008-2014 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-2629 below provides a summary of the emergency shelter beds and transitional and supportive housing units for homeless people that are located throughout the 42 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-2629: Existing Shelter Beds and Transitional and Supportive Housing Units, Countywide~~†~~

Emergency Shelter Beds	Transitional Housing Units	Supportive Housing Units
179223 (163 year-round; 60 seasonal)	446316	476521

~~† All Marin County Jurisdictions~~ *Source: Marin County Health and Human Services Department, June 2014*

Marin County is committed to expanding the resources for homeless individuals in our the 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. During fiscal year 2012/2013, tThe County, primarily though the Department of Health and Human Services (HHS), provides \$13,639,63915,252,662 in funds targeted to homeless populations during fiscal year 2012/2013. Recently the Department of Health and Human Services (H&HS)HHS has taken a more active role in homeless services. H&HS coordinates the One DayPoint in Time Count of homeless people and the Continuum of Care application which brought almost two million dollars help to preserve over \$2.6 million in annual federal funding into the County for housing and services for homeless people in Marin County. H&HS also has also hired a full-time staff person who will act serves 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, 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.

⁵⁹ 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. Homeless children and youth means individuals who lack a fixed, regular, and adequate nighttime residence, as further defined by Section 725 of the McKinney-Vento Act.

⁶⁰ National Alliance to End Homelessness, 20072013 Annual Homeless Assessment Report (AHAR) to Congress, U.S. Department of Housing and Urban Development

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 the Marin County 2013 Point in Time Count, 60.58% of the County homeless population is was male and, 33.30% are was female, 40.3% was transgender, and the remaining 61.2% 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 20.26% of the homeless surveyed are were families with children under 18, 6% were transition age and unaccompanied youth,⁶¹ 47% were adults without children, and the remaining 40.21% declined to state or had another living arrangement. These estimates were drawn from the 2009 2013 Marin Homeless Point in Time Count, which was conducted on January 29, 2013 and surveyed homeless and precariously housed individuals.

The 2009-2013 methodology did not include an overall breakdown of the homeless population by jurisdiction, so estimates are based on the unincorporated County's share of the total Marin population. Since Because 27% of the total County population of the county lives in the unincorporated areas of Marin, it is estimated that 27% of the 351-414 unsheltered homeless population or 96-111 individuals are estimated to reside in the unincorporated area.

Figure II-2730 provides a breakdown of the percentage of subpopulations of homeless people in Marin County, including identification of specific service needs.

Figure II-2730: Homeless Persons by Subpopulations and Service Needs, Countywide

Subpopulations and Special Needs	Number of persons	Percentage of homeless population
Chronically Homeless	89	32.10%
Mentally ill	223	32.24%
Physical Disability	223	24%
Developmental Disability	46	5%
HIV/AIDS	27	3%
Chronic Substance Abuse Substance use	363	43.9%
Chronic health condition	65	7%
At least one health issue	485	52%
Co-occurring conditions (mental health and substance)	149	16%
Veterans		41%
HIV/AIDS		0%
Domestic Violence	242	30.26%
Veterans	69	7%
Families with children under age 18	99	11%
Unaccompanied Youth children (under age 18)	1	120.1%
Transitional age youth (age 18-24)	53	6%
Senior (65 Age 62 or older)	74	0.8%
Physical Disability		53%
Emotional Disability		0%

Source: SB2 Policy and Technical Paper for Marin County Jurisdictions, included in the Marin Housing Workbook, 2009. Marin County 2013 Point in Time Count Comprehensive Report Findings

⁶¹ Unaccompanied children are those experiencing homelessness who are under the age of 18; Transition Age Youth are those experiencing homelessness between the ages of 18 and 24.

This data demonstrates that homeless people in Marin County are likely to have at least one disability, with ~~over 32~~24% reporting a mental illness, ~~and/or 39%~~ a substance abuse issue and ~~53~~24% reporting a physical disability. The survey found that ~~32~~10% 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~~140 year-round emergency shelter beds are needed to meet the needs of the ~~96~~171 unsheltered homeless people in our community.⁶²

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~~2014 application to HUD for Continuum of Care funding estimates that the ~~e~~County has an unmet need for ~~15 transitional housing units and 551 supportive housing units~~940 beds across jurisdictions in emergency shelters, transitional housing, safe havens, and permanent housing. There is no breakdown of this unmet need estimate by jurisdiction. However, Marin County has estimated the needed ~~units~~beds 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 eCounty are estimated to residing reside~~ in unincorporated areas of Marin, the estimated unmet need for ~~transitional housing units is 4 and supportive housing units~~beds is 148~~254~~.

Strategies and Programmatic Responses to Meet Projected Needs

Specific recommendations and SB2 compliance are discussed in the SB2 section under Section IV: Sites Inventory and 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~~July 2014, there are ~~4,221~~4,368 deed restricted affordable housing units in Marin County.⁶³ 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~~three developments with an aggregate total of 152 units deemed at risk of conversion in the unincorporated area of Marin County. ~~Only one~~Additionally, there are 10 developments with an aggregate total of 156 units within the entire

⁶² Marin County 2013 Point in Time Count, HHS Summary

⁶³ Marin County Affordable Housing Inventory, ~~2008~~updated 2014

incorporated cities of the County was that are identified as at risk of conversion; it is in the Town of Tiburon primarily in Novato and San Rafael.

The Marin Housing Authority manages 326 Below Market Rate (BMR) home ownership units throughout Marin County has 91 Below Market Rate (BMR) home ownership units that are preserved by deed-restriction, of which 90 units are in the unincorporated County. The Marin Housing Authority processes all resales and monitors the affordability range for all Marin County these BMR units.⁶⁴ There are an additional 408 BMR units in the City of Novato that are managed by Hello Housing. From 2008 to July 2014, the total number of BMR units countywide decreased from 758 units to 734 units, primarily due to foreclosures as a result of the recent economic downturn.⁶⁵

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

- 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).

Disadvantaged Communities

New State Law Addressing Disadvantaged Communities SB 244 (Wolk, 2011) requires cities and counties to identify the infrastructure and service needs of unincorporated legacy communities in their general plans at the time of the next Housing Element update. SB 244 defines an unincorporated legacy community as a place that meets the following criteria:

- Contains 10 or more dwelling units in close proximity to one another;
- Is either within a city Sphere of Influence (SOI), is an island within a city boundary, or is geographically isolated and has existed for more than 50 years; and
- Has a median household income that is 80 percent or less than the statewide median household income.

No disadvantaged unincorporated communities are located within the unincorporated area of the County. The Department of Water Resources⁶⁶ identified one disadvantaged community in Nicasio. However, further analysis using data from the U.S. Census Bureau 2012 American Community Survey established that the median household income of Nicasio exceeded 80% of the statewide median income, and therefore the community not qualify as a disadvantaged community.

⁶⁴ Marin Housing Authority, July 2014

⁶⁵ Marin Housing Authority and Hello Housing, July 2014

⁶⁶ Department of Water Resources mapping tool <http://www.water.ca.gov/irwm/grants/resourceslinks.cfm>

Section III: 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.¹

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 of the State. Another factor affecting costs is the use of prevailing wage labor. In 2008~~2013~~, construction costs for a typical apartment complex in the region (45 units per acre, structured parking, 800 square foot units), ~~are were~~ around ~~\$200,000~~~~240,000~~ a unit for prevailing wage labor and \$175,000² a unit and prevailing wage requirements increased costs from between 10% and 37% a unit.³ ~~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~~land sale records for fiscal year 2013/2014, the typical land value for a ~~single-family residential~~ lot ranges from approximately \$3100,000 to \$9700,000 in a jurisdiction such as ~~Novato~~the unincorporated County, to \$1 million to \$53 million in a jurisdiction ~~cities~~ such as Tiburon and San Rafael.⁴ In the unincorporated area of Marin ~~Throughout the~~ 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 \$460-300 per square foot, according to a study commissioned in 2008 by the Marin County Community Development Agency.⁵ Using these figures, developing a 2,000 square foot dwelling can cost up to \$920,000~~600,000~~.

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

¹ 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.

² CA Construction Academy, 2014

³ The Effects of Prevailing Wage Requirements on the Cost of Low-Income Housing. S. Dunn, J. Quigley, and L. Rosenthal, Cornell 2010.

⁴ DataQuick Report, July 2014

⁵ DataQuick Report, July 2014; CHF-CIRB Report, June 2014

unit, but can run as high as \$75,000 in some locations.⁶ 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.⁷

~~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

~~The mortgage industry has been volatile since 2005, with a housing boom during 2005-2007, followed by the crash that led to the economic downturn of 2008. Until mid-Prior to 2008, home mortgage financing was readily available at attractive rates throughout Marin County and California. Rates varied, but ranged from around 6.25% to 7% between 2006 and 2008 for a 30-year fixed rate loan. While rates have since dropped significantly to a state and national average of 4.4% as of March 2014, terms and requirements have become ~~se~~more stringent that they, effectively preventing many low income and first-time households from becoming homebuyers.~~

~~The decline in the housing market and economic downturn has 2008 recession 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 more difficult to qualify for a home purchase loan, but even though the average interest rate fell to around 5% in early 2009 and then fell further to 3.8% as of May 2012 began to decline dramatically, dropping to a low of 3.4% as of December 2012 before beginning a steady increase to the current rate of 4.4%. 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 have been charged higher interest rates. In addition, most lenders are now requiring a 20% down payment, which poses a difficulty for moderate and lower income households and first-time homebuyers, especially in an market as expensive market such as Marin County. Small changes in the interest rate for home purchases dramatically affect affordability. A 30-year fixed-rate home loan for \$400,000-500,000 at a 54.4% interest rate requires monthly payments of roughly \$2,150-2,500. A similar home loan at a 7% interest rate has payments of roughly 2433% more, or \$2,660-3,330.~~

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, m~~Many builders are finding it difficult to get obtain construction loans for residential property. Complicated projects, such as mixed-use developments, are often the hardest-most difficult to finance. Non-profit developers may find it especially difficult-challenging 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

⁶ Marin County Housing Element Workbook, 2009.

⁷ Vernazza Wolfe, 2008.

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~~ however, few potential sites in the unincorporated County qualify for such credits. 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) ~~that~~ new developments ~~will~~ may cause increased traffic; 2) about long-term sustainability of the local water supply; 3) about potential impacts on schools and other local infrastructure; and 4) that valuable open space ~~will~~ could be lost. Additionally, ~~community character issues related to~~ community character are often raised, such as how density may adversely affect the visual cohesiveness of the neighborhood, how affordable housing may impact property values, ~~and or~~ 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 the following:

- Housing staff will continue to provide presentations and facts sheets about affordable housing. Concerns to be 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.~~
- Housing staff will continue to ~~C~~coordinate with local non-profit developers on how to effectively work with community groups, County staff, and elected officials.
- ~~Programs in this~~ This Housing Element includes programs 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~~ 3.a Consider Methods for Improving County's Outreach with Respect to Affordable Housing and 3.c Provide and Promote Opportunities for Community Participation in Housing Issues).

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, extending from the Golden Gate Bridge in the south through the City-Center Corridor to the Sonoma County border at the north end of Novato, and Sir Francis Drake Boulevard is the primary east-to west thoroughfare in Marin, extending from Interstate 580 in the east, crossing under Highway 101 and connecting to Highway 1 in the community of Olema. Highway 1 also connects southern Marin to the coastal communities. In ~~2007~~2009, Marin County ranked seventh ~~third~~ among the Bay Area counties in daily vehicle hours of delay.⁸ However, as the impacts of the 2008 recession have improved, traffic has increased significantly. As a result of limited circulation routes, the County is impacted by severe traffic conditions. These were addressed in the Countywide 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~~ five proposed SMART stations in the cities of San Rafael, Larkspur, 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, and encompasses 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~~600,000 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

⁸ <http://www.dot.ca.gov/hq/traffops/sysmgmt/MPR/pdfs/mpr2009.pdf>. Mobility Performance Report. Caltrans 2011. ~~Annual Data Compilation, State Highway Congestion Monitoring Program, CalTrans, 2008.~~

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.⁹

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 County's current 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 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 historically 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 that~~ has been in effect since 1971. The environmental review conducted for the Marin Countywide Plan in 2007 determined that development to the point of buildout¹⁰ would have significant and unavoidable impacts with respect to water supply. However, the County's RHNA allocation of ~~185,773~~ units for this planning cycle and projected development into the future do not approach the 4,476 additional housing units calculated as future buildout for unincorporated Marin. 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. In August 2009, 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. However, in 2010, that plan was put on hold in favor of implementing conservation measures to meet demand.

In recent years, 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 have included reservoir expansion, a recycled water distribution system, and conservation programs. These measures worked well to conserve local water supplies until late 2013, when record low precipitation levels led to severe drought conditions throughout California, forcing the Governor to declare a statewide drought emergency as of January 2014. Due to these recently changed conditions, MMWD's Board is now reconsidering the district's options to supplement the current water supply and reduce drought vulnerability, including desalination, new conservation initiatives, expanding use of recycled water, and emergency interties with other Bay Area water agencies.¹¹ 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, however due to recent drought conditions the NMWD Board of Directors adopted Emergency Water Conservation Ordinances for its

⁹ 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.

¹⁰ 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.

¹¹ Marin Municipal Water District (MMWD), May/June 2014 Newsletter

service areas in West Marin and Novato on April 1, 2014.¹² Effective July 1, 2014, the Ordinances will temporarily suspend new water connections to the District's water system and will prohibit any non-essential use of water. However, NMWD allows connections to applicants who are willing to enter into a deferral agreement on landscape installation. NMWD has also implemented a water rate increase averaging 5% for residential customers to encourage conservation. The smaller water agencies serving other parts of West Marin are addressing reduced supply by encouraging their customers to participate in voluntary reduction of water use and other conservation programs. Taken together, these long-term planning efforts and approaches to water delivery and conservation should alleviate concerns about water supply in areas served by public water.

There are no anticipated overdraft issues for areas using groundwater (wells). Water supply may constrain development in unserved areas may also be constrained by limited water supply; 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.

¹² North Marin Water District Ordinances No. 28 (Novato) and 29 (West Marin):
<http://www.nmwd.com/pdfs/WM%20Emergency%20Ordinance032814.pdf>

Figure III-1: Water Capacity for New Development

Water Service Area	Communities Served	Existing Units	Sites 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^	20,422	830 494	2,859	23,281	No	Current water sources are sufficient for the development of the units proposed in the Sites 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	408	262	3,116	No	<u>On 4/1/2014 NMWD adopted limitation on new water connections; however new connections can still proceed with a deferral agreement on landscape installation, so there is sufficient capacity to accommodate the 8 units in the Sites Inventory. Sufficient water capacity for existing units and to accommodate the number of units proposed in the Site Inventory.</u>
NMWD-West Marin	Point Reyes Station, Olema, Bear Valley, Inverness Park, Paradise Ranch Estates	790	20	472	1,262	N/A	<u>Current water sources are sufficient for development of the units proposed in the Site Inventory. Sufficient water capacity at present.</u> Additionally, the district is pursuing alternative water sources and measures such as conservation, and will continue to allow new development. <u>No new development proposed in the Sites Inventory.</u>
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 Sites Inventory.

IPUD	Inverness	623	<u>240</u>		647	No <u>N/A</u>	Sufficient water capacity for existing units and to accommodate units in the inventory at present. No new development proposed in the Sites 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.
Unserviced Areas	Fallon, Inverness Park, Marshall, Nicasio, Tomales, Valley Ford*	356	0	853	1,209	No <u>N/A</u>	Water capacity dependent on availability of alternative sources, such as on individual groundwater wells, surface water, or small spring-based systems.
TOTAL	Unincorporated Marin	27,323	<u>863502</u>	4,476	31,799	- <u>N/A</u>	<u>N/A</u>

Source: Marin Countywide Plan FEIR (2007) Exhibits 3.0-14, 5.0-17 and Section 4.9, NMWD 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 (HOD) and Affordable Housing Combining District (AH) 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 (downtown)	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 Countywide Plan 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 functioning of the system for extended periods. Because ~~the standard~~ systems are expected to operate properly with property 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~~ because these are based on newer technologies, ongoing inspections are required to ensure proper operation. County Environmental Health Services ~~tries~~ strives to respond to requests 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
Site Review (and soil profiles)	\$970	\$970
Percolation Test (pre-soak and test)	\$1,296	\$1,296
Pre-Application Fee	\$752854	\$752854
New System or Upgrade or Repair (contractor installed), 1 to 3 bedroom	\$2,3312,913/\$1,760	\$4,271/\$8,538/\$3,845
New System of 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 Operating Permit, Residential	\$389495	-\$495
Construction Inspection – additional inspection	\$163467	\$171623

Source: Septic Program Fee Schedule (EHS); FAQs about Septic Systems (EHS) 2010; Septic System Permits & Fees effective 7/1/2011, Marin County Environmental Health Services

Development setbacks and the preservation of riparian vegetation can minimize the adverse effects of wastewater discharge. The County maintains information on it's the Septic Matters website (www.septicmatters.org) to disseminate information to for community members about septic systems, and maintains a database to help improve the management of septic systems throughout the County.

Flood Control and Management

Government Code 65302 requires all cities and counties to assess their flood hazard and to 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 Emergency 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 that~~ promote opportunities for reuse of underutilized commercial centers, support mixed-use development, and encourage more dense development along transit routes. Marin County also encourages residential development in more 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~~ village limit boundaries (CEBs/VLBs) in effect in ~~four the nine Coastal Zone communities in the Coastal Zone including of~~ Muir Beach, Stinson Beach, Bolinas, Olema, Point Reyes Station, Inverness Ridge, Marshall, Tomales, and Dillon Beach. The CEBs/VLBs were established to preserve agricultural lands for agricultural use while at the same time allowing for reasonable growth within urban-village areas in accordance with the Coastal Act.

There are two fundamental types of zoning districts 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 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 more urbanized areas. Zoning is consistent with ~~General~~ Countywide Plan land use designations as adopted on November 7, 2007.

Figures ~~III-7, III-8, and III-9~~ 1, 2, and 3 in Appendix IX 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~~ 4, 5, and 6 in Appendix IX 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’s 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 in relation to development standards is provided in ~~Figure III-82 of Appendix I: Development Standards, Planned Districts.~~ The principally permitted uses in conventional and planned residential districts 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.¹³

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 single-phase multi-family developments ~~which are single phase~~ are eligible for a master plan waiver; ~~M~~ 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

¹³ 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.

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 ~~includes an~~ has been amended to exemption for 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 Residential Design Guidelines that were adopted in 2012/2013. ~~(1.f Develop Multi-family Design Guidelines).~~ (Marin County's Single-Family Residential Design Guidelines have ~~made~~ had a demonstrable impact in the design review process. They assist applicants in planning site and architectural design, increase design certainty, and help minimize design revisions.) ~~Establishing similar~~ The 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 ~~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 Section 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-lots~~ larger than 2 acres, at least 50% of the new floor area must be developed with new housing. For ~~parcels-lots~~ 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>Height Limits. Conventional Zoning Districts: 25 feet in the Coastal Zone and 35 feet in the interior. Single family residences may reach a height of 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. <u>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 1.i Adjust Height limits for Multi-family Residential Buildings).</u> The County's development of Multi-Family Residential Design Guidelines adopted in 2012-2013 and subsequent Development Code amendments may help establish appropriate multi-family residential height standards provide further guidance for height and design of multi-family development. (see program 1.f Develop Multi-family Design Guidelines). <u>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 1.p Adjust Height limits for Multi-family Residential Buildings).</u></p>
<p>Parking Requirements. Conventional Zoning Districts and Planned Zoning Districts: 1.2 spaces per studio unit; 1.5 spaces per one bedroom unit; 2.0 spaces per two bedroom unit, 2.5 spaces per unit over two bedrooms.</p>	<p>These parking requirements are not significantly different from other Marin jurisdictions. Additionally, parking requirements are reduced if a development is eligible for a density bonus. A broader analysis of parking standards is provided earlier <u>later</u> in this chapter.</p>
<p>Minimum Lot Area. Conventional Zoning Districts: 7,500 sq ft for RA, RR, RE, R1, R2; n/a for RSP, RMP; not including applicable to floating homes or mobile home parks. 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>	<p>The discretionary nature of subdivisions increases the uncertainty for developers seeking approval, and therefore raises the costs of investment.</p>
<p>Setbacks. Conventional Zoning Districts: 25 feet front, 6 feet on sides, 10 feet on street sides, 20% of lot depth to 25-foot maximum for RA, RR, RE, R1, R2 districts; n/a not applicable for RSP, RMP; not including applicable to floating homes or mobile home parks. 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 Simplify Review of Residential Development Projects in Planned Districts).</p>
<p>Density. Zoning districts determine density, which can range from 1 unit/60 acres in the Agricultural, Residential Planned (ARP) zoning district to 45 units per acre in the Residential, Multiple Planned (RMP) district. In addition, the County 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>	<p>The lower density permitted in many zoning districts may pose a constraint to multi-family housing. A number of p 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.e Establish an Affordable Housing Combining District, 1.k Simplify Review of Residential Development Projects in Planned Districts, and 1.p Adjust Height Limits for Multi-family Residential Buildings). <u>In 2013, the Affordable Housing Combined Zoning District (AH) was created and applied to three sites in the unincorporated County to permit affordable housing at increased densities.</u></p>

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 increases 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* ~~would~~ prohibits the approval of development on sites identified in the Housing Element with fewer units than shown in the Sites Inventory and 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 would 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~~ as reflected by the recent amendment to the County's Local Coastal Program (LCP), which added agricultural worker housing as a principally permitted use in coastal agricultural zones.¹⁴ Agricultural worker housing was already a permitted use in the inland agricultural/open space zones of A2, A3 to A60, ARP, and OA.¹⁵ ~~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-12.6 in Appendix I 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 agricultural zoning districts allow agricultural worker housing as a principally 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~~

¹⁴ Marin County Local Coastal Program, Land Use Plan Amendment, Certified by Coastal Commission 5/14/14

¹⁵ Marin County Development Code Section 22.32.023

~~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~~ sixty acres, except in the Suburban Agricultural and Limited Agriculture Districts ~~which that~~ 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, t~~The County's Development Code is also 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 programs 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, and to clarify Development Code provisions related to the density calculations for 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 State 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 the C-APZ district, 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 California International Building Standards Code (Title 24, CCR) and Uniform subsidiary codes that establishes minimum standards for building construction. The County

has amended two specific provisions contained in the ~~model~~ State codes which can impose additional costs on residential development: 1) Fire sprinklers are required in ~~all new residential structures and any~~ residential addition or substantial remodel that exceeds 50% of the area 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 firefighters, those occupying the structures and the general public.

The County also enforces local provisions of the ~~California Building Standards Code (Title 24)~~, specifically ~~those provisions~~ related to energy conservation and green building 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 and lower greenhouse gas production resulting from the construction process. 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~~ have 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 the Marin Center for Independent Living for accessibility re-habilitation needs, ~~or~~ and 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. Figures 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.g/ 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

<u>Size of Dwelling Unit</u>	<u>Minimum Parking Spaces Required per Section 24.04.340</u>	<u>Reduced Parking Requirements with Density Bonus, per Section 22.24.030</u>
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

Source: Marin County Code, Sections 24.04.340 and 22.42.030

In preparation for this housing element, staff ~~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.gi Review and Update Parking Standards*).

Figure III-6: Parking Comparison – Marin Jurisdictions

City/ County	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	<u>33.25</u>	0	<u>01.25</u>	<u>1.25</u>	1.2	<u>1.25</u>	1.2	<u>2</u>	2	<u>2</u>	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	<u>42</u>	4	1	<u>21</u>	1	2	1	2	1	2	1	<u>02</u>
Larkspur	<u>40</u>	<u>42</u>	<u>20</u>	<u>74</u>	<u>40</u>	<u>53</u>	0	1	0	1	0	<u>1.52</u>	0	<u>22.5</u>	0	<u>22.5</u>
Mill Valley	0	<u>32</u>	0	<u>64</u>	0	3	0	<u>32</u>	0	<u>32</u>	0	<u>32</u>	0	<u>32</u>	0	<u>32</u>
Novato	1	2	2	4	1	<u>33.5</u>	<u>1.20</u>	1.2	<u>40</u>	1.5	<u>40</u>	2	<u>40</u>	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	<u>21.5</u>	0	2	0	2
San Rafael	2	2	2	<u>43</u>	2	3	<u>01</u>	1	<u>01</u>	<u>1.5</u>	<u>01</u>	<u>1.52</u>	1	2	1	2
Tiburon	0	2	0	3	0	3	0	<u>1.52</u>	0	<u>1.52</u>	0	2	0	<u>2.52</u>	0	<u>2.52</u>
County of Marin	0	2	0	24	0	34	0	1.2	0	1.5	0	2	0	2.5	0	2.5

Source: ~~Marin Countywide Housing Workbook~~ 2014 Survey of local jurisdiction parking requirements; Marin County Code Section 22.04.340

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 driveway widths and grades in the County's Development Code are on par with the requirements set forth in Novato's 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: Sites Inventory and 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, although a program in this housing element will study opportunities for permitting larger second units. The ~~2008~~2014 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 (pProgram XXX1.fg).~~

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~~ and a revision to this provision is being considered as part of pProgram XXX1.fg.

Parking standards for second units require one space for a studio or one bedroom, and two spaces for ~~a units with two or more bedrooms~~ 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.fg Undertake Adjustments to Second Unit Development Standards*, subprogram *1.fg(cd) 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 ^{2,3} LOT AREA	MINIMUM SETBACKS ^{4,5,6}			MAXIMUM ^{7,8} HEIGHT (Main building)	MAXIMUM ^{9,10} FAR (Floor Area Ratio)
			(Front)	(Side)	(Rear)		
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.	20% of lot depth/ 25 ft. maximum	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.			
	• 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.	20% of lot depth/ 25 ft. maximum	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.	20% of lot depth/ 25 ft. maximum	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 22.12.030, 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.).

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	RMPG Residential Commercial Multiple Planned	C+ 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

RESIDENTIAL USES	A2	A3 to A60	ARP	G-ARP	OA	G-OA	G-APZ
	Agriculture Limited	Agriculture and Conservation	Agriculture Residential Planned	Coastal, Agriculture Residential Planned	Open Area Zoning/ Combining District	Coastal, Open Area District	Agriculture Production Zone
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 lowest end of the applicable range on sites with sensitive habitat ~~or, on sites within the Ridge and Upland Greenbelt or the Baylands Corridor, or properties lacking public water or sewer systems except for multi-family parcels identified in certified housing elements.~~ Densities higher than the lowest end of the applicable density range may be considered on a case-by-case basis for new housing units affordable to very low and low income households that are capable of providing adequate water or sewer services, as long as the development complies with the California Environmental Quality Act and all other applicable policies in the Countywide Plan including, but not limited to, those governing environmental protection.*

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~~ County policy exempts affordable housing from underlying zoning in favor of the high end of the General Plan density range¹⁶. 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 (GCP), Neighborhood Commercial (NC), Office Commercial (OC), Recreational Commercial (RC), ~~or and~~ Public Facilities (PF). The HOD policy ~~names identifies~~ 11 specific sites which that 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

¹⁶ Marin County Development Code, Chapter 22.24.020.A Density for Affordable Housing Projects.

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 825 units of housing, including affordable and market rate rental units housing is was deemed complete in XXX as of 9/26/13 and is currently undergoing environmental review expected in late 2012. Two other sites, California 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 un-named, voluntary sites that qualify for the designation. A program in this housing element considers whether revisions to the HOD policy may be made to improve the effectiveness of the program (1.d Evaluate the Housing Overlay 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 with 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 environmental impact report (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. Furthermore, 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. The single-family residential design guidelines have been instrumental in curtailing the impacts of design review on a project's cost and timeline. A program in the previous Housing Element implemented calls for the development of multi-family residential design guidelines, which are 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 or 30 feet in height, 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 and multi-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-46-10 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, which are mandated by State law, and require that the property is be 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 ~~are~~ typically required. Public hearings before the Deputy Zoning Administrator are required for ~~S~~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 ~~e~~Coastal Development Permit, which is a discretionary permit that is subject to standards certified by the California Coastal Commission in Marin County's Local Coastal Plan Program (LCP). 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 ~~e~~Coastal Zone. Risks ~~and~~ costs and delays associated with the coastal permit process are further increased because ~~most~~ coastal permit approvals ~~is~~ are appealable to the California Coastal Commission, leading to ~~additional costs and delays~~ except for principally permitted uses outside of a geographic appeal jurisdiction. Affordable housing projects are not exempt from coastal permit requirements; ~~however, proposed LCP amendments would establish affordable housing as a principally permitted use in coastal residential and commercial/mixed-use districts. This means a coastal permit approval for an affordable housing project in one of these districts would only be appealed if proposed within the Coastal Commission's geographic appeal area. Marin County's Local Coastal Plan is undergoing review and amendment as of July 2012. The amendments to the LCP are expected to be certified by the Coastal Commission in December 2014.~~ Consistency between the Housing Element and the ~~Local Coastal Program~~ LCP are required by law. Programs in this Housing Element that relate to the Coastal Zone have been developed collaboratively with staff working on the ~~Local Coastal plan update~~ LCP Amendment.

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 ~~County~~ 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

~~A~~ Master plans ~~establish~~ sets standards for future development ~~on~~ use of a particular property, ~~which serve as~~ and establishes site specific zoning standards for future development. Master plans are required ~~in~~ for projects in a planned zoning district that 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~~ See the discussion of multi-family housing and master plan requirements above for further details.

In 2012, the County amended the Development Code to exempt affordable housing projects from master plan and precise development plan requirements, except where an applicable

Community Plan or Community based visioning plan approved by the Board of Supervisors contains policies that directly require master plans for development on specific properties.¹⁷ ~~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~~ reviewed by the Planning Commission, and ~~then~~ recommended to the Board of Supervisors for adoption. Generally, final action is taken by the Board of Supervisors within 60 days from the date that 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. ~~These include:~~ These including:

- ~~Consistency with the Countywide Plan and any applicable Community Plan.~~ Consistency with the Countywide Plan and any applicable Community Plan.
- ~~Not detrimental to the public interest, health, safety, convenience or welfare of the County.~~ Not detrimental to the public interest, health, safety, convenience or welfare of the County.
- ~~Site is environmentally and physically suitable for of the development.~~ Site is environmentally and physically suitable for of 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 ~~s~~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~~ 5 to 10 weeks after the completed application has been submitted. Figure III-43 ~~7~~ displays application processing times which account for staff's review time, exclusive of applicant response time to ~~incompleteness items~~ notices. Many of these processes overlap or occur concurrently. Total processing times for a general plan amendment, assuming an EIR is needed, is approximately ~~65~~ 58 weeks. If an EIR is not required, the timing would be significantly reduced. Other discretionary permits have immediate processing times of 7 to 12 weeks. An initial study, depending on the complexity, could add up to ~~24~~ 21 weeks.

Figure III-437: Median Processing Times by Planning Permit Type

Type of Approval or Permit	Average Processing Times	Median Processing
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¹⁷ ~~Marin County Development Code Section 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.~~

	Unincorporated County (weeks)	Times Countywide Average (weeks)*
Ministerial Review	95	3-5
Conditional Use Permit	427	7-12
Zone Change	6558	20-24
General Plan Amendment	6558	20-24
Site Plan Review	N/A	2-3
Development Discretionary Review with public hearing	426	8-12
Tentative Maps	4211	12-18
Subdivisions	12	12-36
Initial Environmental Study (additional time)	2421	12-38
Environmental Impact Report	52104	48
Variance	425	7-12

Source: Marin County Community Development Agency, July 2014; 2009 Marin Housing Workbook

*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 Fiscal Year 2012/2013, the Planning Division issued decisions for 8479% of the discretionary permits that do not require environmental review within the designated 48-day timeframe. The average number of days to issue a decision (as measured from the date the application was found determined to be complete) was 30.534 days for the 32 decisions that were issued during the first quarter 2012/2013. Below is a comparison of Planning Division performance during the same period in prior fiscal years.

Figure III-448: Discretionary Permit Performance Comparisons for Expedited Timeframes

	Fiscal Year 2008- 2009	FY 09-10	FY 10-11	FY 11-12	FY 12-13
Average number days to process discretionary permits exempt from environmental review	42	43	33	38	34
Percentage of discretionary permits processed within 48 days from a complete application (only project exempt from environmental review)	5671%	8962%	8479%	75%	79%
# Projects	32	35	32		

Source: Marin County Community Development Agency, 2014

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 is also has created a project review committee considering expanding its pre-application service to offer applicants the opportunity to schedule a collaborative review of proposed development with a group comprised of Community Development Agency staff from the current planning, environmental review, environmental health services and, affordable housing program, and building and safety programs, as well as with representatives from other departments such as including the Department of Public Works, and the Fire Marshal. This group meets to discuss major or controversial projects in order would help 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 review~~ regulations that promote, preserve, and enhance the public welfare. ~~Most~~ Many residential projects are exempt from environmental review either as an ~~action application~~ that is either ministerial in nature, and thus not subject to the California Environmental Quality Act (CEQA), or statutorily or categorically exempt ~~under~~ from CEQA pursuant to ~~s~~State CEQA ~~g~~Guidelines.

~~Some~~ 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~~ is determined through preparation of an initial study ~~to have no significant impacts or that mitigates impacts to less than significant normally takes an additional~~ typically can add six months to a year to accomplish the project's approval timeline, depending whether the project receives a negative declaration or is subject to an EIR ~~resulting in a negative declaration or a mitigated negative declaration.~~

If the residential development project 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~~ will most likely take longer and could require preparation of an environmental impact report (EIR), 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 ~~for both 2007-2014 and 2015-2023~~ 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 ~~M~~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-437) 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.~~ In 2012, the Board of Supervisors directed Community Development Agency staff to form a citizen advisory group to evaluate strategies and opportunities for improvements to the County's development review process. As of July 2014, this group, referred to as the Regulatory Improvements Advisory Committee (RIAC), has completed a report with its findings to help inform the County's future efforts to improve its development review process, which will be reviewed by the public and the Board of Supervisors prior to implementation.

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.k Simplify Review of Residential Development Projects in Planned Districts
- 1.l 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 eCountywide 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, setbacks, 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~~ in 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 community engagement and 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.kl Provide Leadership to the Marin Workforce Housing Trust

- 3.m] Assist with Local Funding for Affordable Housing
- 3.e] Coordinate Among Project Funders:

Affordable Housing Combining District

During the previous housing element cycle, The eCounty Program 1.e established an affordable housing combining zoning district. This district will allow affordable housing development at 30 units per acre and offers 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-159. These properties are also identified in the Sites 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-159: 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	MF-2	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

Source: Marin County Community Development Agency, 2014

Fees and Exactions

Permit Fees – County Agencies

Local fees add to the cost of development. Figure III-46-10 illustrates the increased cost to two development scenarios incurred from fees assessed by Marin County in 2008/2014. 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, two-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-1610: Permit and Impact Fees Assessed by Marin County (2009-2012)

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	4,405,670	50,145,670
Building Permit	3,513,751	47,017,261,149
Plan Check/Review	2,441,690	41,579,481,110
Plan Storage	0	0
Title 24 Energy Fee	703	3,408
BSC "Green" Tax	20	160
Seismic Tax	950	0,400
Affordable Housing Impact Fee	2,000	0
Technology Fee	520	1,030
Engineering Plan Check	1,200	1,200
Engineering Site Inspection	0	0
Site Encroachment Fee	895	895
Planning Plan Check/Zoning Review	705,169	705,16,950
Plumbing/Gas Permit	344	824
Electrical Permit	144	624
Mechanical (incl. fire sprinklers/alarms) Permit	144	624
Crime Prevention	0	0
General Plan Surcharge	644,106	3,492,430
Residential Development Tax	0	0
Construction Permits	0	0
Other	237,285	430,180
Roads	3,708,000	48,000,40,000
County Development Fees - Example	\$18,188,303,386	\$108,048,206,684 (\$10,805,206,668 per unit)

Source: Marin County Community Development Agency, 2014

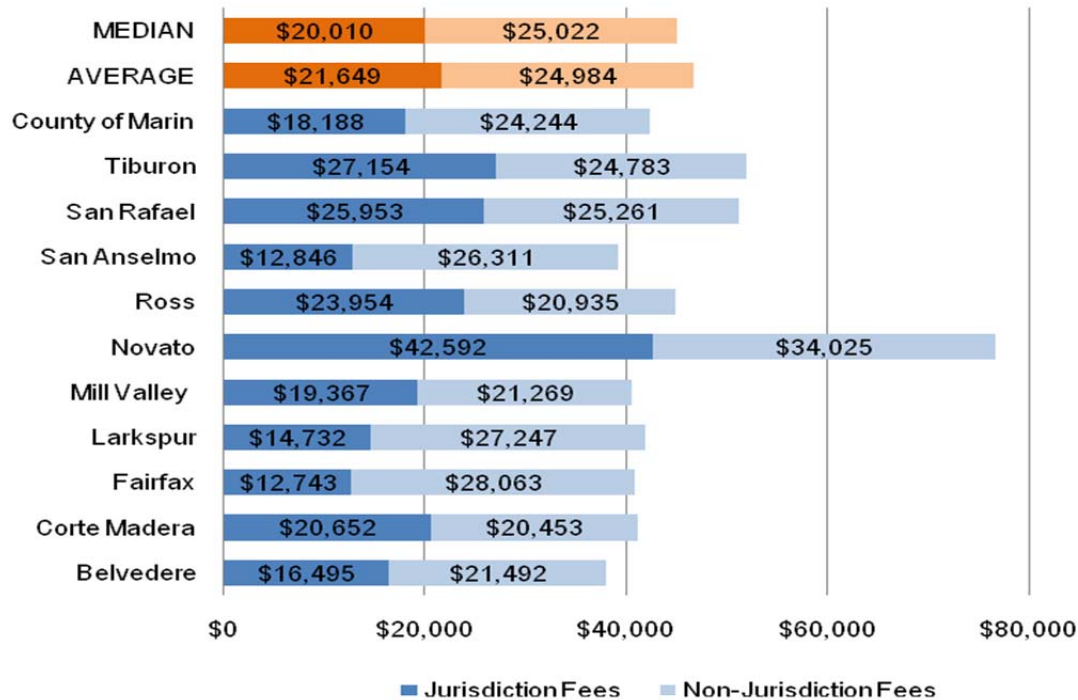
The County provides partial or full fee waivers for projects that incorporate affordable units. The Agency Director can waive or transfer from the County In-Lieu Housing Trust Fund up to 100% of the planning, building, and environmental health services fees for projects that include below market rate 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 2009-2014 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-47-11 and Figure III-48-12) 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 not 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 both the single-family home (Figure III-47-11) and the multi-family development (Figure II-12), the County of Marin's fees were close to the median, including \$18,188 in jurisdiction fees and \$24,244 for non-jurisdiction fees for all County jurisdictions.

Figure III-47-11: Comparison of Total Development Fees, Single Family Home



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

Jurisdiction:	Fees for Single-Family Home:				
	<u>Design Review</u>	<u>Building Permit</u>	<u>Planning/Zoning Review</u>	<u>Environmental Review (deposit)</u>	<u>Rezoning</u>
<u>Unincorporated Marin</u>	<u>5,670</u>	<u>3,751</u>	<u>1,695</u>	<u>14,500</u>	<u>39,765</u>
<u>Belvedere</u>	<u>3,200</u>	<u>3,234</u>	<u>2,102</u>	<u>3,606</u>	<u>n/a</u>
<u>Corte Madera</u>	<u>2,000</u>	<u>2,790</u>	<u>2,600</u>	<u>2,500</u>	<u>2,500</u>
<u>Fairfax</u>	<u>781</u>	<u>5,200</u>	<u>282</u>	<u>2,500</u>	<u>3,000</u>
<u>Larkspur</u>	<u>1,100</u>	<u>4,509</u>	<u>500</u>	<u>1,000</u>	<u>2,000</u>
<u>Mill Valley</u>	<u>1,775</u>	<u>3,969</u>	<u>990</u>	<u>535</u>	<u>1,075</u>
<u>Novato</u>	<u>5,526</u>	<u>3,531</u>	<u>2,295</u>	<u>9,543</u>	<u>6,518</u>
<u>Ross</u>	<u>448</u>	<u>5,808</u>	<u>1,329</u>	<u>3,727</u>	<u>5,212</u>

<u>San Anselmo</u>	<u>1,200</u>	<u>3,536</u>	<u>1,200</u>	<u>1,920</u>	<u>1,200</u>
<u>San Rafael</u>	<u>1,167</u>	<u>4,079</u>	<u>2,651</u>	<u>10,346</u>	<u>7,176</u>
<u>Tiburon</u>	<u>2,825</u>	<u>4,718</u>	<u>3,067</u>	<u>50 to 1,600</u>	<u>3,500</u>

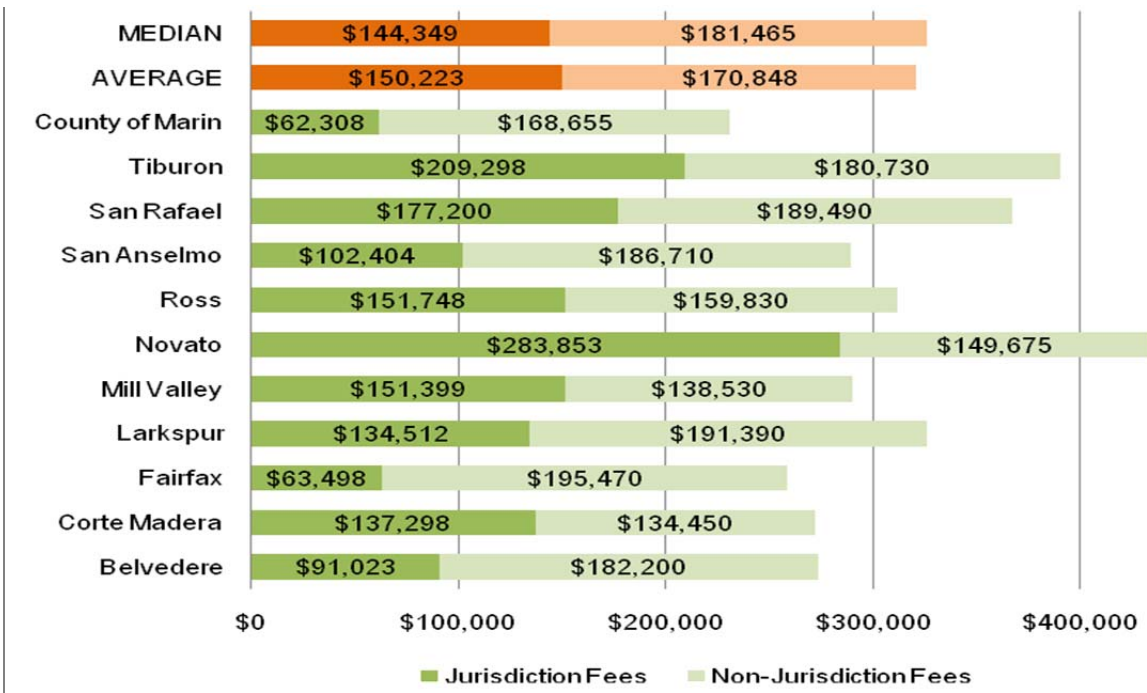
Source: 2014 Marin County Community Development Agency survey of local jurisdiction permit fees

The same comparison for the multi-family development (Figure III-1812) 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-4812: Comparison of Total Development Fees, 10-unit Condo

<u>Jurisdiction:</u>	Fees for Multi-Family Development:				
	<u>Design Review (per unit cost)</u>	<u>Building Permit (per unit cost)</u>	<u>Planning/Zoning Review (per unit cost)</u>	<u>Environmental Review (deposit)</u>	<u>Rezoning</u>
<u>Unincorporated Marin</u>	<u>5,670</u>	<u>2,615</u>	<u>1,695</u>	<u>14,500</u>	<u>39,765</u>
<u>Belvedere</u>	<u>3,200</u>	<u>26,738</u>	<u>17,380</u>	<u>3,606</u>	<u>5,000 deposit</u>
<u>Corte Madera</u>	<u>2,000</u>	<u>3,940</u>	<u>3,525</u>	<u>2,500</u>	<u>2,500</u>
<u>Fairfax</u>	<u>4,851</u>	<u>5,200</u>	<u>282</u>	<u>2,500</u>	<u>3,000</u>
<u>Larkspur</u>	<u>1,100</u>	<u>3,733</u>	<u>500</u>	<u>1,000</u>	<u>2,000</u>
<u>Mill Valley</u>	<u>1,890</u>	<u>32,690</u>	<u>990</u>	<u>535</u>	<u>1,075</u>
<u>Novato</u>	<u>184</u>	<u>663</u>	<u>431</u>	<u>9,543</u>	<u>6,518</u>
<u>Ross</u>	<u>448</u>	<u>4,808</u>	<u>1,329</u>	<u>3,727</u>	<u>5,212</u>
<u>San Anselmo</u>	<u>1,200</u>	<u>2,921</u>	<u>1,200</u>	<u>1,920</u>	<u>1,200</u>
<u>San Rafael</u>	<u>1,167</u>	<u>3,379</u>	<u>2,196</u>	<u>10,346</u>	<u>7,176</u>
<u>Tiburon</u>	<u>2,825</u>	<u>15,059</u>	<u>9,788</u>	<u>50 to 1,600</u>	<u>3,500</u>

Source: 2014 Marin County Community Development Agency survey of local jurisdiction permit fees



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

Inclusionary Housing

Marin County has had an inclusionary housing requirement since 1980. Section 22.22.090 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 demonstrates 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 2009-2014 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 has 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 in 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~~that 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-49-13 below:

Figure III-4913: Affordable Housing Impact Fee

Example Home Size	Fee Per Square Foot	Housing Impact Fee (\$5 and \$10 per sq ft ²)	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

Source: Marin County Ordinance No. 3500, adopted 10/14/2008

From its inception in January 2009 through ~~May 2012~~June 2014, the Affordable Housing Trust Fund collected ~~\$747,390~~\$1,548,121 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~~May 2014, the Community Development Agency informed all districts of the ~~2009-2014~~ 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-20-14 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.

Recognizing that water connection fees may serve as an constraint to affordable housing development, the Marin Municipal Water District (MMWD) offers a 50% fee reduction for qualified affordable housing projects (affordable to low and moderate income households for at least 30 years, with at least 50% of the project affordable to low income households), as well as to second units deed-restricted to rents affordable to lower-income households for a minimum of 10 years.

Figure III-2014: Average Water Fees

Service Area	Water District	Single-family Home	10-Unit Condo Development
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	\$23,275,32,580	\$76,175 (\$7,618 per unit) \$151,800 (\$15,180 per unit)

Source: ~~2009 Marin Countywide Housing Element Workbook~~ Marin Municipal Water District and North Marin Water District, 2014

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-21-15 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-21-15: 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)	\$6,7478,340	\$6,7478,340	\$67,47083,400 (\$6,7478,340 per unit)
Fairfax	Ross Valley Sanitary District No 1.	\$6,79410,304	\$6,59410,304	\$56,940103,040
Larkspur* †				(\$5,69410,304 per unit)
Ross				
San Anselmo				
Mill Valley	Jurisdiction's Mill Valley Department of Public Works	\$4,0006,125	\$4,0006,125	\$40,00061,250 (\$4,0006,125 per unit)
Novato	Novato Sanitary District	\$7,39010,440	\$7,39010,440	\$73,900104,400 (\$7390_10,440 per unit)
San Rafael	Las Gallinas Sanitary District	\$6,2008,025	\$6,2008,025	\$62,00080,250 (\$6,2008,025 per unit)

Source: Survey of Marin County sanitary districts, 2014

*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 has an ordinance to allow reasonable accommodations.¹⁸ ~~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*).~~

¹⁸ Marin County Ordinance 3609, adopted 12/3/2013

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~~2013 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~~2013 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~~are ~~required~~required ~~necessary~~ 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's 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.

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Section IV: 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 taxable¹. Nearly 84% of the County consists of open space, watersheds, tidelands, parks, and agricultural lands.² 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.

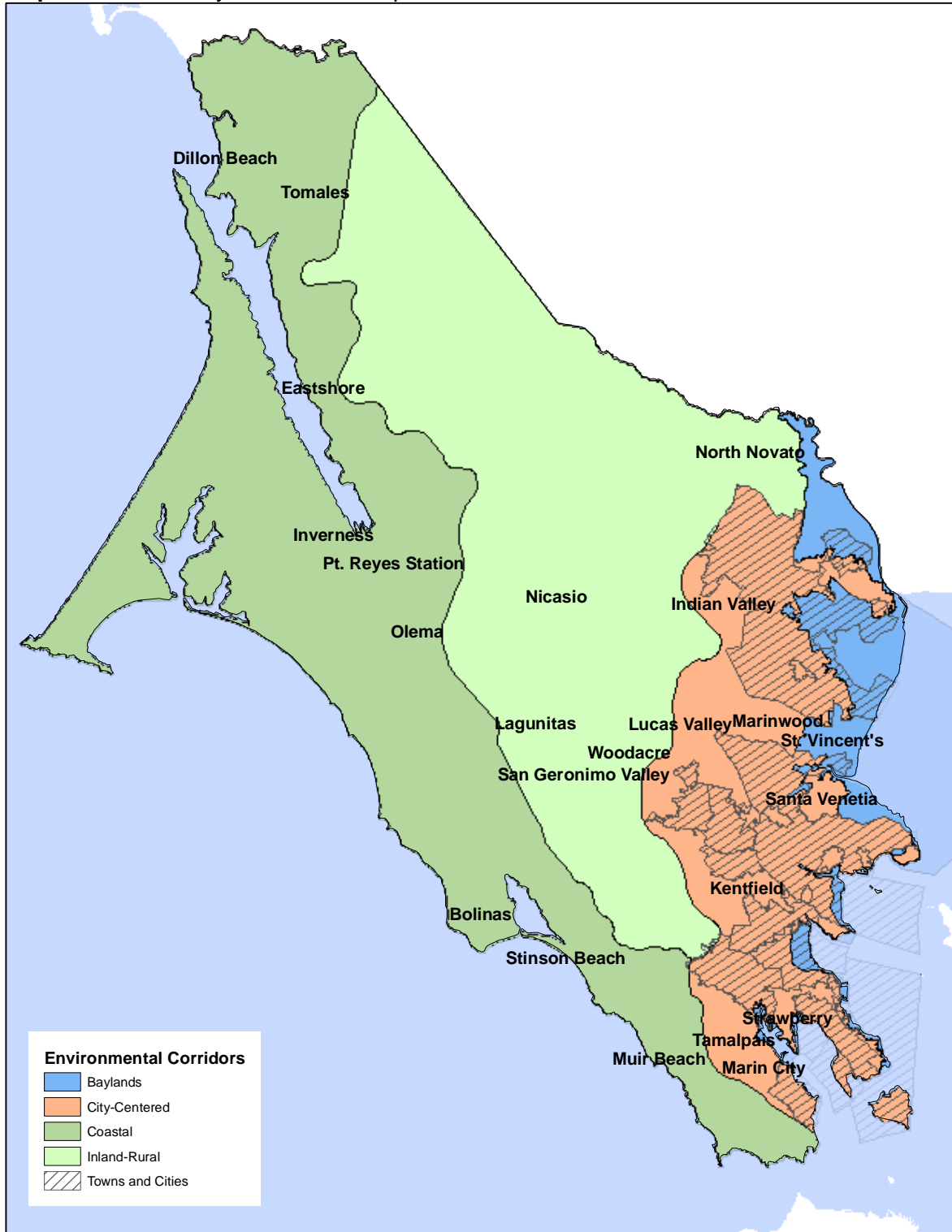
The Coastal Corridor is adjacent to the Pacific Ocean and is designated primarily for agriculture, Federal parklands, recreational uses, and the preservation of existing small coastal communities. Approximately 2% of Marin County residents live in the Coastal Corridor.³

¹ Marin County Assessor-Recorder's Office, June 2008

² Marin Countywide Plan, Built Environment Element, page 3-10.

³ General Demographic Characteristics for Marin County California Cities and Places, Marin County Community Development Agency

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 d~~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~~2014, there were approximately 6,560 households benefiting from deed restricted affordable housing throughout Marin County's 12 jurisdictions.⁴ The income-restricted housing stock includes 6,657,490 units comprised of:

- over 101 privately managed rental properties with ~~3,0572,890~~ units;
- 274 inclusionary rental units;
- 758 below-market ownership homes;
- 9 public housing properties;
- 2 State funded properties comprising 573 units; and
- ~~2,121269~~ Section 8 vouchers.

~~770-839~~ 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 (20082014)

	Very Low 0 – 50%	Low 50-80%	Moderate 80-120%	TOTAL
Restricted rentals	325373	4762	13	385448
BMR ownership	0	3534	56	9490
Public housing	296	0	0	294296
TOTAL	649669	8296	69	770834

Source: Marin County Community Development Agency, as provided to ABAG Marin Housing Authority, 2014

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 adjusts 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.

⁴ Marin County Affordable Housing Inventory (updated 2014), 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 existing and 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 ~~July~~January 18, ~~2007-2013~~2015-2023, the Executive Board of the Association of Bay Area Governments adopted the ~~2007-2014~~2015-2023 Regional Housing Need Allocation Plan for the San Francisco 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.⁵ The allocation methodology relied on two primary components: sustainability, to promote growth in sustainable locations, and fair share intended to achieve the requirement that all cities and counties in California work to provide a fair share proportion of the region's total housing need for households at all income levels~~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 significant decrease in the 2007-2014 2014-2022 RHNA allocation from the ~~1999-2007-2014~~ 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, ~~2007-2015-2014~~2015-2023 Planning Period

<u>Jurisdiction</u>	<u>RHNA Units Needed By Income Category</u>				<u>2015-2023 Total</u>	<u>2007-2014 Total</u>
	<u>Very Low (0-50% HAMFI)†</u>	<u>Low (51-80% HAMFI)</u>	<u>Moderate (81-120% HAMFI)</u>	<u>Above Moderate (120%+ HAMFI)</u>		
<u>Belvedere</u>	<u>4</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>16</u>	<u>17</u>
<u>Corte Madera</u>	<u>22</u>	<u>13</u>	<u>13</u>	<u>24</u>	<u>72</u>	<u>244</u>
<u>Fairfax</u>	<u>16</u>	<u>11</u>	<u>11</u>	<u>23</u>	<u>61</u>	<u>108</u>
<u>Larkspur</u>	<u>40</u>	<u>20</u>	<u>21</u>	<u>51</u>	<u>132</u>	<u>382</u>
<u>Mill Valley</u>	<u>41</u>	<u>24</u>	<u>26</u>	<u>38</u>	<u>129</u>	<u>292</u>
<u>Novato</u>	<u>111</u>	<u>65</u>	<u>72</u>	<u>167</u>	<u>415</u>	<u>1,241</u>
<u>Ross</u>	<u>6</u>	<u>4</u>	<u>4</u>	<u>4</u>	<u>18</u>	<u>27</u>
<u>San Anselmo</u>	<u>33</u>	<u>17</u>	<u>19</u>	<u>37</u>	<u>106</u>	<u>113</u>
<u>San Rafael</u>	<u>240</u>	<u>148</u>	<u>181</u>	<u>438</u>	<u>1,007</u>	<u>1,403</u>
<u>Sausalito</u>	<u>26</u>	<u>14</u>	<u>16</u>	<u>23</u>	<u>79</u>	<u>165</u>
<u>Tiburon</u>	<u>24</u>	<u>16</u>	<u>19</u>	<u>19</u>	<u>78</u>	<u>117</u>
<u>Unincorporated</u>	<u>55</u>	<u>32</u>	<u>37</u>	<u>61</u>	<u>185</u>	<u>773</u>

⁵ The 2014-2022 Regional Housing Needs Allocation (RHNA) applies to the Housing Element planning period of January 31, 2015 to January 31, 2023 ("2015-2023").

TOTAL	618	367	423	890	2,298	4,882
NEW CONSTRUCTION NEEDED BY INCOME CATEGORY						
City	Very Low (0-50% AMI)†	Low (51-80% AMI)	Moderate (81-120% AMI)	Above Moderate (120%+ AMI)	2007-2014 Total	2000-2007 Total
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
Unincorporated	183	137	169	284	773	521
	91 ELI, 92 VL					
Total Marin County	1,095	754	977	2,056	4,882	6,515

Source: http://www.abag.ca.gov/planning/housingneeds/pdfs/Final_RHNA.pdf;

http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22_RHNA_Plan.pdf and Marin County Community Development Agency

† Extremely Low Income (ELI) units are assumed to be 50% of the Very Low (VL) income RHNA figure, or 9127 units, for the unincorporated County.

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 to accommodate 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 is an - Evaluation of 2003-2007-2014 Regional Housing Needs Allocation and the County's progress in permitting residential development during the last planning period).~~

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 a combination of new construction, rehabilitation, and conservation/preservation of market-rate to affordable units. As an example, conversion and rehabilitation will significantly support lower income housing objectives, with the rehabilitation and conversion of 20153 housing units at the Ridgeway Apartments Forest Knolls Trailer Court, and of single family homes through the federally funded Rehab Loan Program. The Marin Agricultural Housing program also aims to rehabilitate up to 40200 agricultural worker housing units in the next 5 years, 1545 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
Extremely Low				<u>13040</u>
Permits issued or projects pending	<u>40025</u> ⁶			
Rehab Loan Program		<u>15</u>		
Marin Agricultural Housing Program		<u>15</u>	<u>15</u>	
Very Low				<u>144171</u>
Permits issued or projects pending	<u>40435</u>			
Rehab Loan Program		<u>96</u>	<u>40</u>	
Marin Agricultural Housing Program		<u>3030</u>		
<u>Gates Coop Houseboat Community</u>		<u>10</u>		
Low				<u>38224</u>
Permits issued or projects pending	<u>40512</u>			
<u>Ridgeway Rehab and Forest Knolls Trailer Court Conversion</u>		<u>119</u>	<u>20</u>	
<u>Gates Coop Houseboat Community</u>		<u>6</u>		
Moderate				<u>7575</u>
Permits issued or projects pending	<u>75</u>			
Above Moderate (Market Rate)				<u>19241</u>
Permits issued or projects pending	<u>19241</u>			

⁶ Marinwood Plaza (Inventory assumptions are 25 ELI, 35 VL and 12 L)

TOTAL	<u>166625</u>	<u>157164</u>	<u>2025</u>	<u>343814</u>
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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 Housing Element planning period of January 2007 to December 2014 January 31, 2023.

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 (January 1, 2014), and December 2014 the beginning of the Housing Element planning period (January 31, 2015). 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 in July 2014.

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 planning period of this Housing Element (2007-2014) (2015-2023).

Residential Development Permitted ~~Between January 2007 and December 2014~~ During the RHNA Period

A jurisdiction may utilize units constructed or under construction between the base year of the RHNA period (January 1, 2014) and the beginning of the new Housing Element planning period (January 31, 2015) 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 2014 January 1, 2014 to July 31, 2014, showing progress in meeting the 2007-2014 2014-2022 regional housing needs.

Figure IV-4: Unit Development Inventory: Building permits issued between January 2007 and December 2012 (updated 1/17/13) January through July 2014

Type of Building Permits Issued <u>1/1/14 – 7/31/14</u>	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	48820	00	00	98	47912	8 Moderate, rentsales price worker units. No subsidy.
Multi-family building	0	0	0	0	0	n/a
Houseboats and Mobile home permits issued	400	0	0	400	0	Moderate, no subsidy.n/a
New second units permitted	983	400	481	301	401	Rent price. See Second Unit Survey 2008-2014 discussion below.
Ridgeway Apartments - converting to low income (60% AMI)	34	0	34	0	0	Rent price. RDA set-aside funded conversion of market units.
Total units under construction or rehabilitation permits issued	33023	400	821	499	18913	n/a
RHNA 2007--20142014-2022	77318	4835	4373	469	2846	RHNA 2007--20142014-2022
	5	5	2	37	1	
Remaining need	44316	4735	5531	420	9548	Remaining need
	2	5	28	28		

Source: Marin County Community Development Agency, July 2014

†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 for the previous housing element 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 series of community workshops, ~~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 the 16 sites included in the 2007-2014 Housing Element (see Figure IV-5), which was the result of a review of 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.~~

Figure IV-5: 2007-2014 Housing Element Sites

Site Address
<u>100 Marinwood Ave, San Rafael</u>
<u>2400 Sir Francis Drake Blvd, Fairfax</u>
<u>Woodland Ave at Auburn Street, San Rafael</u>
<u>204 Flamingo Road, Mill Valley</u>
<u>St. Vincent's Drive, San Rafael</u>
<u>Paradise Drive, Tiburon</u>
<u>12 Tamarin Lane, Novato</u>
<u>1970 Indian Valley Road, Novato</u>
<u>150 Shoreline Highway, Mill Valley</u>
<u>11101 State Route 1, Point Reyes Station</u>
<u>Seminary Drive, Mill Valley</u>
<u>441 Drake Ave, Sausalito</u>
<u>217 Shoreline Highway, Mill Valley</u>
<u>Lucas Valley Road, San Rafael</u>

30 Roosevelt Street, San Rafael
650 North San Pedro Road, San Rafael

Development Projections by Income Category

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

- A. ~~Affordable housing~~ Lower income sites – 30 units per acre, or Countywide Plan policy
- B. ~~Moderate Income sites – Likely to produce smaller units~~ Entitled projects, not yet submitted building permits, rentals and condominiums
- C. ~~Additional potential~~ Above moderate income sites (market rate) – sites with current development capacity

Marin County's Regional Housing Need Allocation is satisfied with the identification of sites in these three first two income categories, second units, 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) columns. 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)⁷, ~~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. ~~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.

⁷ 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).

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	M/AM	Notes
A: Affordable housing sites—30 units per acre, or Countywide Plan policy						-	-			
#1	Marinwood Plaza 100 Marinwood Ave	164-471-64	0.449	4.75	HOD/ GG 30 units/acre	CP 30 units/acre	8572		010	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/ GG 30 units/acre	C1 30 units/acre	10	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/ MF2 30 units/acre	RSP-4 4 units/acre	5040		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							

Site #	Site Name & Address	Property APN	Parcel Acres	Total Acres	CWP Land Use	Zoning	ELI, VL, L	M	M/AM	Notes
		018-086-14	0.271							PC Attachment #1
		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 & Silvaire St. Vincent's Dr., Silvaire Parkway	155-011-08	250.26	1,110	PD- Agriculture and Env Resource	A2	100	50	1271	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	M/AM	Notes
B: Existing projects, not yet submitted building permits						-	-			
#6	Easton Point Paradise Drive	059-251-05	110	110	PR, SF 6 47 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	5.984 3.201 1.117 0.727 5.272	16.3	SF 4 1-2 units/acre	RE-B3 20,000sft min lot area	0	10		Entitled 2012 for 10 units.

		180-231-09 180-291-04									
-	Second Units Projected — 520 second units projected per year (Jan 20152 — Dec July 201423)						1821	$\frac{1}{0}$	129		
-	A+B: Affordable housing and entitled projects Inventory						274		193		
-	Unit Development Inventory Jan '07-Dec 2011 (Fig. IV 4)						92		238		
-	Subtotal Available Land Inventory A+B and Building Permits to date (Fig. IV 4)						366		431		
-	Regional Housing Need Allocation (2007-2014) 773 units						320		453		
C: Additional potential sites											
#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.	
	<i>[Moved up to B: Existing Projects]</i>										
#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	2520	$\frac{20}{20}$	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/ AH Combining District	15		0	Non-profit owner working with housing partner	
#14	Armstrong Nursery 217 & 221	052-061-17	0.056	1.77	NC 20 units/acre	RMPC-6	0		10	20 units/acre 2007 general plan for affordable housing per development code incentive	

	Shoreline Hwy	052-061-19	0.957							PC Attachment #1
#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	

Site Address	Property APN(s)	Parcel Acres	Total Acres	CWP Land Use	Zoning	Lower Income	Moderate Income	Above Moderate Income	TOTAL
St. Vincent's Drive, San Rafael <i>(St. Vincent's / Silveira)</i>	<u>155-011-08</u>	<u>244.768</u>	55 developable	PD: Agriculture and Environmental Resource Planned Designation	A2: AH	100	50	71	221
	<u>155-011-28</u>	<u>72.66</u>							
	<u>155-011-29</u>	<u>20.22</u>							
	<u>155-011-30</u>	<u>221.71</u>							
	<u>155-121-16</u>	<u>2.82</u>							
100 Marinwood Ave, San Rafael <i>(Marinwood Plaza)</i>	<u>164-471-64</u>	<u>0.45</u>	5	HOD/GC (30 units/acre)	CP (30 units/acre)	72	0	10	82
	<u>164-471-65</u>	<u>1.9</u>							
	<u>164-471-69</u>	<u>1.05</u>							
	<u>164-471-70</u>	<u>1.6</u>							
Woodland Ave at Auburn St, San Rafael <i>(California Park)</i>	<u>018-075-12</u>	<u>0.34</u>	1.77	HOD/MF2 (30 units/acre)	RSP-4 (4 units/acre)	40	0	0	40
	<u>018-075-14</u>	<u>0.07</u>							
	<u>018-075-15</u>	<u>0.04</u>							
	<u>018-075-17</u>	<u>0.05</u>							
	<u>018-075-18</u>	<u>0.05</u>							
	<u>018-075-19</u>	<u>0.18</u>							
	<u>018-075-20</u>	<u>0.05</u>							
	<u>018-075-21</u>	<u>0.05</u>							
	<u>018-075-22</u>	<u>0.05</u>							
	<u>018-075-27</u>	<u>0.06</u>							
	<u>018-086-10</u>	<u>0.18</u>							
<u>018-086-13</u>	<u>0.05</u>								

								PC Attachment #1	
	<u>018-086-14</u>	<u>0.28</u>							
	<u>018-086-15</u>	<u>0.05</u>							
	<u>018-086-16</u>	<u>0.05</u>							
	<u>018-086-17</u>	<u>0.22</u>							
<u>Seminary Drive, Mill Valley</u> <i>(Seminary)</i>	<u>043-261-25</u>	<u>50</u>	<u>73.61</u>	<u>MF2 (1-4 units/acre)</u>	<u>RMP-2.47</u>	<u>20</u>	<u>20</u>	<u>0</u>	<u>40</u>
	<u>043-261-26</u>	<u>23.61</u>							
<u>441 Drake Ave, Sausalito</u> <i>(Marin City CDC)</i>	<u>052-140-36</u>	<u>4.06</u>	<u>4.06</u>	<u>MF2 (1-4 units/acre)</u>	<u>RMP-4.2</u>	<u>15</u>	<u>0</u>	<u>0</u>	<u>15</u>
<u>150 Shoreline Hwy, Mill Valley</u> <i>(Manzanita Mixed-Use)</i>	<u>052-371-03</u>	<u>0.59</u>	<u>0.59</u>	<u>GC (30 units/acre)</u>	<u>CP (30 units/acre)</u>	<u>1</u>	<u>2</u>	<u>0</u>	<u>3</u>
<u>2400 Sir Francis Drake Blvd, Fairfax</u> <i>(Oak Manor)</i>	<u>174-011-36</u>	<u>0.54</u>	<u>1.59</u>	<u>HOD/GC (30 units/acre)</u>	<u>C1 (30 units/acre)</u>	<u>0</u>	<u>10</u>	<u>0</u>	<u>10</u>
	<u>174-011-33</u>	<u>1.05</u>							
<u>Paradise Drive, Tiburon</u> <i>(Easton Point)</i>	<u>059-251-05</u>	<u>110</u>	<u>110</u>	<u>PR, SF6 (4-7 units/acre)</u>	<u>RMP-0.2; R-1</u>	<u>0</u>	<u>0</u>	<u>43</u>	<u>43</u>
<u>1970 Indian Valley Rd, Novato</u> <i>(Indian Valley)</i>	<u>146-261-21</u>	<u>1.9</u>	<u>8.27</u>	<u>SF3 (1 unit/1-5 acres)</u>	<u>A2-B4 (1 ac lot min)</u>	<u>0</u>	<u>0</u>	<u>5</u>	<u>5</u>
	<u>146-261-28</u>	<u>6.37</u>							
<u>12 Tamarin Lane, Novato</u> <i>(Tamarin Lane)</i>	<u>143-190-12</u>	<u>6.34</u>	<u>6.34</u>	<u>SF3 (1 unit/1-5 acres)</u>	<u>ARP-2</u>	<u>0</u>	<u>0</u>	<u>3</u>	<u>3</u>
<u>Second Units Projected: 5 second units projected per year of planning period (Jan 2015 - Jan 2023)</u>						<u>21</u>	<u>10</u>	<u>9</u>	<u>40</u>
<u>Total Units Allocated</u>						<u>269</u>	<u>92</u>	<u>141</u>	<u>502</u>
<u>Regional Housing Need Allocation (2014-2022)</u>						<u>87</u>	<u>37</u>	<u>61</u>	<u>185</u>
<u>Units allocated above RHNA (2014-2022)</u>						<u>182</u>	<u>55</u>	<u>80</u>	<u>317</u>

Description of Affordable Housing Opportunity Sites

The housing opportunity sites below are discussed below, and funding opportunities 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 also described in Appendix F: Site Inventory Profiles.

Affordable housing sites (#1 through #5)

St. Vincent's Drive, San Rafael (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, 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 rate units and 100 affordable units. The Countywide Plan land use is Planned District, Agricultural and Environmental Resource areas. An Affordable Housing Combining District was applied to allow the 100 affordable units to develop at 30 dwelling units an acre. The Countywide Plan requires a master plan for this site (Policies SV-2.2 and 2.5), which will require analysis and public vetting. 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.⁸ 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 would support the financial feasibility of a project and be consistent with the Plan.

Development and Funding opportunities and Incentives

In 2008, a senior project including different levels of care from independent living to assisted living, complemented 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. The Affordable Housing Combining District allows up to 30 units per acre, fee waivers, and development standards adjustments. The site may be competitive for a HUD 202 project, and eligible for local funding sources including CDBG, HOME and Housing Trust.

Site #1 — 100 Marinwood Avenue, San Rafael (Marinwood Plaza)

⁸ 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

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 was deemed complete 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 94% 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 is 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 — Woodland Avenue at Auburn Street, San Rafael (California Park)

This vacant 4.821.77 acre site is comprised of 168 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 (RSP-4). 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. An evaluation has indicated that this site would be competitive for 9% tax credits, a critical source of funding for lower income housing. 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 consider grant funds from the Housing Trust when an affordable housing developer is identified.~~

Seminary Drive (Golden Gate Seminary)

~~This 73.5773.61-acre portion of an 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 units per acre) and there is an approved master plan with an 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 and the zoning is RMP-2.74: AH (Residential Multiple Planned, 2.74 units per acre, Affordable Housing Combined District). The AH district allows up to 60 units of affordable housing development on 2 acres of the 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 — 441 Drake Avenue (Marin City Community Development)

~~This 3.874.06-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 interested currently talking with local non-profits to explore opportunities for in adding housing to the site.~~

~~The Countywide Plan land use designation is Multi-Family 2 (1-4 units per acre), and zoning is Residential Multiple-Family Planned, (4.2 units per acre) and Affordable Housing Combining District. Because of the existing uses and environmental site constraints, it could accommodate approximately 150 units of affordable housing. Development of a rental project on the perimeter of this site would require further site analysis and design review.~~

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 and 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 unit 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.

150 Shoreline Highway (Manzanita)

This 0.59-acre vacant site has current entitlements for 3 units and a deli. The residential units include 1 lower income unit. The site is located near the freeway and has access to transit. The general plan land use designation is General Commercial and the zoning is Commercial Planned.

2400 Sir Francis Drake Blvd (Oak Manor)

This 1.59-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, which allows 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. However, this Housing Element includes a program to study the efficacy of the HOD program and affordability levels may be reconsidered (1.d Evaluate the Housing Overlay Designation). 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.

Paradise Drive (Easton Point)

This 110-acre site has a stipulated judgment which allows entitlement for 43 single-family residential lots. This site is designated for above moderate income (market rate) housing.

1970 Indian Valley Road (Indian Valley)

This 8.27-acre site has an approved subdivision for five residential parcels. This site is designated for above moderate income (market rate) housing.

12 Tamarin Lane (Tamarin Lane)

This 6.34-acre site has an approved subdivision for 3 developable lots, two of which would have second units. This site is designated for above moderate income (market rate) housing.

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 a net density of 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 County⁹ revealed that the desired density range of is between 22 and 28¹⁰ 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-127: 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
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
TOTAL			118	24	13	155	-	-

Note: The Gates Cooperative has received entitlements but and some 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 Association, in addition to others operating in the incorporated areas of the County.

⁹ 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;

¹⁰ Smaller local housing providers operate on a much smaller scale.

~~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 housing¹¹ 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.A.¹² ~~The program completed in 2012, *4-d Streamline the Review of Affordable Housing*, applies and 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 located in the unincorporated County ~~which that~~ 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~~ twenty 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~~4~~, the Fund's balance is ~~\$5,550,553~~ \$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.

¹¹ See a discussion of codified incentives in Section III: Constraints and Opportunities for Housing Development.

¹² 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.

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~~ Two areas within the unincorporated county, 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. During 2012 and 2013, the number decreased to 5 second unit building permits per year.

~~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 ~~September 2012~~~~August 2008~~, and updated in July 2014. 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 mid 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 2057 surveys were sent out to owners. Completed surveys were returned with an overall response rate of 37%, ~~down slightly from 40.5% in 2008~~. The survey revealed that 8064% of second units are being rented (in comparison to 6477% in 2008; units not yet built were not included), with rents ranging from \$0 to \$4,2502,750. ~~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 \$1,4111,634 compared to ~~, versus \$1,244 in 2012~~04. Average occupancy was 1.3955 persons per unit, ~~a slight decrease from 2008~~.

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:

- 4.60% of the units qualified as extremely low income (~~not calculated in 2004~~),
- 86% as very low income (vs. 824% in 20048),
- 5150% as low income (vs. 5851% in 20048),
- 229% as moderate income (vs. 4629% in 20048), and
- 229% as above moderate income or more (vs. 29% in 20048).

The survey revealed that up to ~~5661%~~ of second units in unincorporated Marin County are affordable to households at 80% AMI and below.¹³ Approximately ~~922%~~ of the units reported no or reduced rent charged because a relative, friend, or employee lives in the unit. Overall, there was an increase in rental ~~prices~~ 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 ~~205~~ second units will be permitted on an annual basis from ~~January 2012 through July 2014~~ January 2023 (~~5040~~ 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 2014 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, 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

¹³ 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.

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, to encourage and consistent with the program 1.1.e 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-138: 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.h Enable Update definitions of 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 is has collaborated with the Marin Community Foundation, the Marin Workforce Housing Trust and California Human Development Corporation (CHD) 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 40200 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 the 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~~2010~~, 143~~158~~ new residential units were constructed within the Coastal Zone. ~~All the majority of which 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 ~~multi-family 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 that, 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, which provides 26 low-income rentals and 8 moderate-income homeownership units; and
- Walnut Place, which 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 was recently completed currently underway.

Loss of Affordable Housing through Demolitions and Conversions

Between 1999 and ~~2008~~2014, approximately 40-59 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%~~ if the proposed conversion would reduce the countywide rental vacancy rate below five percent based on the most recent U.S. Census or estimate by HUD; or if it would reduce the ratio of multi-family rental units to less than 25% of the total number of dwelling units in the County, with no replacement rental housing being provided.¹⁴ The vacancy rate has been at or less than 5.0% since adoption of the ordinance. ~~For~~ According to 2010 Census data, rental vacancies were estimated at 3.5.2% in unincorporated Marin.¹⁵

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 (MCEarin Clean 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:

¹⁴ Marin County Code Section 22.88.030

¹⁵ 2010 American Community Survey 1-Year Estimates, DP04, Selected Housing Characteristics Census, U.S. Census Bureau

- ~~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.
- MCE Clean Energy offers multi-family properties free walk-through energy assessments to identify potential energy and cost savings opportunities and no-cost direct install measures for tenants such as incandescent bulb exchanges.
- The County's California Youth Energy Services Program offers homeowners and renters Green House Calls, which can include the exchange of incandescent bulbs, installation of water saving fixtures and clotheslines at no -cost to the resident.

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 (Program 1.n.1.j Promote Resource Conservation).

Section V: 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.

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.

~~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 Policies are organized around 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 carried through incorporated into the Housing Element update. For example, in direct response to input received from the development community and the housing advocacy community programs are included to build support for moderate and lower income housing, 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. An evaluation and status update of programs from the 2007-2014 Housing Element is included in Appendix B.

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 Sites Inventory and 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 Sites Inventory and 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 Inventory¹.** 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, and geographic areas. The Taskforce should undertake a detailed planning exercise.~~

¹ Completed by Housing Element Task Force and through Housing Element update.

- ~~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.b Evaluate Multi-family Land Use Designations. Conduct a comprehensive analysis of multi-family land use to evaluate whether multi-family zoning is appropriately located. Possible outcomes of this analysis could include:

- a. Adjust zoning maps as appropriate and redistribute multi-family zoning to locations suitable for multi-family development.
- b. Avoid designating or rezoning multi-family residential land for other uses or to lower densities without rezoning equivalent land for higher density multi-family development.
- c. Identify sites for multi-family, mixed-use, affordable workforce, and special needs housing, when undertaking community planning and zoning processes.

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.c Study Residential Density Equivalents. Evaluate options for calculating density through adjusted density equivalents based on bedrooms count or square footage rather than total number of units. Such an amendment to the Development Code would encourage development of smaller units, which corresponds to the demographic trend of increasing numbers of small households.

- a. Conduct an analysis to determine the feasibility of a density equivalent program. Identify appropriate density equivalent strategies for implementation and determine the fiscal impacts.
- b. Analyze how such a program might interact with inclusionary requirements, parking standards, and density bonuses.
- c. If it is determined feasible and appropriate, consider amending the Development Code to calculate density through density equivalents.

1.d Streamline the Review of Affordable Housing². 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.~~

~~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.~~

² Completed with 2012 Development Code amendments.

1.d Evaluate the Housing Overlay Designation. Analyze the Housing Overlay Designation (HOD) policy in the Countywide plan for its effectiveness in encouraging the construction of housing for lower income workforce and special needs populations. Amend the Countywide Plan if it is determined that changes are necessary to make the program more effective.

- a. Amend Countywide Plan Policy CD-2.3 to remove the requirement that HOD sites shall not comply with the mixed-use criteria.

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 residential 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 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.gf Undertake Adjustments to Second Unit Development Standards³. 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 amending Development Code Section 22.56.050.I to 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. Consider deed restrictions on units larger than 750 square feet to preserve affordability.
- 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.c. _____ 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.d. _____ 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~~

³ Partially completed with 2012 Development Code amendments.

~~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.~~

~~e. Consider amending Development Code Section 22.56.050.A to remove the owner occupancy requirement.~~

~~**1.h — Allow Rental of Detached Accessory Structures⁴.** 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.ig 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;
- 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.~~

~~a. 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 Shelters⁵.** 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.ih Enable Update Definitions of Transitional and Supportive Housing⁶. Consistent with AB 745, update the 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.

⁴ Completed with 2012 Development Code amendments

⁵ Completed with 2012 Development Code amendments

⁶ Completed with 2012 Development Code amendments

1.mj Codify Affordable Housing Incentives Identified in the Community Development Element⁷. Amend County Code to implement the provisions of the Countywide Plan by codifying certain affordable housing incentives. These should include:

- ~~a. 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)~~
- ~~b.a. Adjust parking requirements for senior and affordable housing using criteria established in the URBEMIS model to encourage transit-oriented development. (CD-2.d.8)~~
- ~~c.b. Exempt affordable housing projects and second units from paying the full cost of impact fees. (CD-5.j)~~
- ~~d. 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)~~
- ~~e.c. 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.nj Promote Resource Conservation⁸. (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.

⁷ Partially implemented with 2012 Development Code amendments

⁸ Currently implementing

1.ek 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.

1.pl 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 Households⁹. 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.

⁹ Currently implementing

- 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 Facilities¹⁰. Continue to comply with State and Federal law by allowing group homes with special living requirements consistent with the County's land use regulations.

2.c Make Provisions for Multi-family Housing Amenities¹¹. 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 Programs¹². 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 Homeless¹³. 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 Needs¹⁴. 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 Accommodation¹⁵. 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 Clauses¹⁶. Continue to provide nondiscrimination clauses in rental agreements and deed restrictions for housing constructed with County participation.

¹⁰ Currently implementing

¹¹ Currently implementing

¹² Currently implementing

¹³ Currently implementing

¹⁴ Currently implementing

¹⁵ Currently implementing

2.i Increase Tenants Protections. Explore providing rental protections, such as:

- Noticing of rental increases
- Relocation costs
- Just-cause eviction
- Rent stabilization
- Rent control

2.j Promote the Development of Agricultural Worker Units¹⁷. 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.~~ Amend the Development Code to clarify provisions for agricultural worker housing.

2.k Promote and Ensure Equal Housing Opportunity¹⁸. 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 Discrimination¹⁹. 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 Policy²⁰.** Continue to implement Development Code Section 22.22 regarding inclusionary housing for low income households in order to increase affordable housing construction, as follows:¹⁶ ~~Currently implementing~~¹⁷ ~~Partially implemented~~¹⁸ ~~Currently implementing~~¹⁹ ~~Currently implementing~~²⁰ ~~Currently implementing~~

- a. Apply flexibility to allow for maximum affordable housing outcomes (either units or funds).
- 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 Controls²¹. 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 Projects²². 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.q Study Best Practices for Housing Choice Voucher Acceptance. Support Marin Housing Authority in their efforts to maximize voucher utilization and ensure that low income renters are able to rent in place. Consider the following:

- Outreach to property owners and managers, possibly through a landlord liaison position
- Explore tax incentives for renting to low income renters
- Conduct coaching sessions for low income renters

2.r Encourage First-Time Homebuyer Programs²³. 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 Programs²⁴. 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.

²¹ Currently implementing

²² Currently implementing

²³ Currently implementing

²⁴ Currently implementing

2.t Assist in Maximizing Use of Rehabilitation Programs²⁵. 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 Stock²⁶. Ensure that existing ~~subsidized~~ housing is conserved as part of the County's affordable housing stock, including State, Federal, and locally-assisted ~~subsidized~~ 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~~ Coast Guard residential facility in Point Reyes Station to facilitate conversion of 153 units of market rate rental ~~existing~~ housing to long-term deed restricted units affordable to low and moderate 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.~~
- ed. Ensure that all units receiving committed assistance from the County for conversion from market rate to affordable carry affordability restrictions of 55 years, or the maximum allowed under the State or Federal funding source, 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.~~

2.v Study Housing Needs and Constraints Specific to West Marin. Identify housing needs and constraints specific to rural and coastal areas of the County. Work with communities on solutions to address needs and constraints identified.

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.

²⁵ Currently implementing

²⁶ Currently implementing

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

~~Aggressively~~ Actively 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**²⁷. 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.a Consider Methods for Improving County's Outreach with Respect to Affordable Housing. Address community opposition to homes for moderate and lower income families through education and outreach. Consider:

- Providing more information in planning documents about standards for affordable housing
- Using visual simulations and imagery from comparable projects
- Conducting interactive public workshops
- Coordinating housing providers and supporters
- Co-sponsoring an event for affordable housing week, such as a tour of existing affordable homes

3.b Advance Organizational Effectiveness²⁸. 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.
- Initiateing regular dialogue with Marin jurisdictions related to affordable housing policies, practices, and development updates.
- When requested, provideing 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 Issues²⁹. 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.

²⁷ ~~Complete. Reviewed but not recommended by Housing Element Task Force and Planning Commission~~

²⁸ ~~Currently implementing~~

²⁹ ~~Currently implementing~~

- 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 Activities³⁰. 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 Commission to facilitate transit-oriented housing development by using the incentives and other means provided through regional transportation plans.

3.e Coordinate with Other Agencies³¹. 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 Housing³². Work with Marin cities and towns to address regional planning and housing issues.

3.g Preserve Existing Housing Stock³³. 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 Programs³⁴. 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.

³⁰ ~~Currently implementing~~

³¹ ~~Currently implementing~~

³² ~~Currently implementing~~

³³ ~~Currently implementing. Fireside preserved in 2011 (50 units of affordable housing)~~

³⁴ ~~Currently implementing and additional proposed changes with 2013 Development Code amendments~~

- 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 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 Revisions³⁵. ~~The County will~~ ~~e~~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 ~~h~~Housing ~~e~~Element updates as required, in accordance ~~to~~ with State law.
- b. Conduct an annual ~~h~~Housing ~~e~~Element review.

3.j Provide and Participate in Local Affordable Housing Training and Education³⁶.

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 Procedures³⁷. ~~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.lk Provide Leadership to the Marin Workforce Housing Trust³⁸. 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.mj Assist with Local Funding for Affordable Housing³⁹. 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.
- b. Partner with philanthropic organizations to help finance affordable housing developments and continue to participate in other rental assistance programs.

³⁵ ~~On going, housing element under revision~~

³⁶ ~~Currently implementing~~

³⁷ ~~Completed 10/2009. Procedures and applications materials on web site~~

³⁸ ~~Currently implementing~~

³⁹ ~~Currently implementing~~

3.nm Raise Funds from a Variety of Sources⁴⁰. 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.ou Coordinate Among Project Funders⁴¹. 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.pq Utilize Federal Grants Division Funding⁴². 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) program to provide ongoing deep rental subsidies for individuals and families throughout the County.

⁴⁰ On going. Affordable Housing Impact Fee established 10/2008.

⁴¹ Currently implementing through Funders Collaborative

⁴² Currently implementing

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APPENDICES:

- A: Evaluation of 2007-2014 Regional Housing Needs Allocation**
- B: Evaluation of 2007-2014 Housing Element Programs**
- C: Summary of Public Outreach**
- D: Inventory of Homeless Housing Resources**
- E: Fee Schedule**
- F: Site Inventory Profiles**
- G: Housing Element Program Implementation 2015-2023**
- H: Summary of Requirements for On- and Off-site Improvements**
- I: Development Standards and Permit Requirements**
- J: Flood Management (§65302)**
- K: Environmental Review of Housing Projects**

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APPENDIX A: EVALUATION OF ~~2003~~2007-2014 REGIONAL HOUSING NEEDS ALLOCATION
Units Built and Approved ~~1999 to 2006~~ 2007 to 2014¹

	<u>Extremely Low Income</u>	Very Low Income	Low Income	Moderate Income	<i>Subtotal Affordable Units</i>	Above Moderate Income	Total
Miscellaneous Housing Element Programs							
Second Units	<u>1</u>	30 <u>10</u>	73 <u>50</u>	20 <u>51</u>	423 <u>112</u>	4	427 <u>112</u>
Attached and Detached Single Family Homes		0	0	26	26	603 <u>208</u>	629 <u>208</u>
Market Rate Rentals (Multi-Family)		0	0	26	26	9	350
<i>Subtotal from Miscellaneous Housing Programs</i>	<u>1</u>	30 <u>10</u>	73 <u>50</u>	72 <u>51</u>	475 <u>112</u>	616 <u>208</u>	794 <u>320</u>
Housing from Identified Sites							
Gates Cooperative ²		30 <u>15</u>	48	4	38 <u>23</u>	0	38 <u>23</u>
Gibson House (Bakery)		7	4	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	4	3	4	0	4
CLAM		0	2	0	2	0	2
Total Units	<u>1</u>	146 <u>25</u>	124 <u>58</u>	118 <u>51</u>	388 <u>135</u>	674 <u>208</u>	1062 <u>343</u>
Regional 'Fair Share' Housing Need 1999-2007 2007-2014	<u>91</u>	859 <u>2</u>	481 <u>37</u>	961 <u>69</u>	2294 <u>89</u>	292 <u>284</u>	521 <u>773</u>
Percent of RHNA Met	<u>>1%</u>	17 <u>27%</u>	258 <u>36%</u>	123 <u>30%</u>	169 <u>27%</u>	234 <u>73%</u>	204 <u>44%</u>

¹ Units built and approved January 1, 2007 – June 30, 2014

² Site identified in the 2003 Housing Element

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Appendix B: Evaluation of 2007-2014 Housing Element Programs

2007-2014 Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Achievements/ Results <i>quantified if possible</i>	Evaluation of Barriers to Implementation <i>Was it successful? Reasons why it was or was not implemented or not 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>
Goal 1	Use Land Efficiently	On-going		Carry forward as is
Policy 1.1	Land Use			Carry forward as is
Policy 1.2	Housing Sites			Carry forward as is
Policy 1.3	Development Certainty			Carry forward as is
Policy 1.4	Design, Sustainability and Flexibility			Carry forward as is
Program 1.a	Establish Minimum Densities on Housing Element Sites	Complete	Successfully implemented	Carry forward as is
1.b	Conduct a Comprehensive Affordable Housing Sites Inventory	Completed through the community Housing Element Taskforce. Over 35 sites evaluated for the multifamily housing at increased densities	Successfully implemented	Delete; successfully completed.
1.c	Establish an Affordable Housing Combined Zoning District	Complete. New AH coming district added to the CWP and Dev Code and 3 new sites rezoned.	Successfully implemented	Delete; successfully completed.
1.d	Streamline the Review of Affordable Housing	Complete. Changes made to the Dev Code in 2010 and 2012	Successfully implemented	Delete because it was successfully completed.
1.e	Study Ministerial Review for Affordable Housing	Not yet implemented	Not implemented due to staffing resources because of delay in completing the Housing Element	Carry forward as is

2007-2014 Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Achievements/ Results quantified if possible	Evaluation of Barriers to Implementation <i>Was it successful? Reasons why it was or was not implemented or not 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>
1.f	Develop Multi-family Design Guidelines	Complete. Adopted by the BOS December 2013	Successfully implemented	Delete because it was successfully completed.
1.g	Undertake Adjustments to Second Unit Development Standards	Partially completed with the 2012 Dev Code changes	Partially implemented. Time and resources prevented completion	Carry forward with modifications to delete subprograms c and g because they are complete, and subprogram f because it was considered by the PC and not implemented.
1.h	Allow Rental of Detached Accessory Structures	Completed with 2012 Dev Code Amendments	Successfully implemented	Delete; successfully completed.
1.i	Review and Update Parking Standards	Not yet implemented	Not implemented due to staffing resources because of delay in completing the Housing Element	Carry forward as is
1.j	Zone and Provide Appropriate Standards for SRO Units	Complete with 2013 Dev Code Amendments	Successfully implemented	Delete; successfully completed.
1.k	Zone and Provide Appropriate Standards for Homeless Shelters	Complete with 2012 Dev Code Amendments	Successfully implemented	Delete; successfully completed.
1.l	Enable Transitional and Supportive Housing	Complete with 2012 Dev Code Amendments	Successfully implemented	Revise; program implemented and new legislation changes definition of transitional housing, Dev Code must be updated to reflect this change.
1.m	Codify Affordable Housing Incentives Identified in the Community Development Element	Partially completed with the 2012 Dev Code changes	Partially implemented with 2012 Dev Code changes, included in 22.24.020. Time and resources prevented completion	Carry forward with modifications. Delete subprograms "a" and "d" they were completed.
1.n	Promote Resource Conservation	Currently implementing	On-going	Carry forward as is

2007-2014 Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Achievements/ Results quantified if possible	Evaluation of Barriers to Implementation <i>Was it successful? Reasons why it was or was not implemented or not 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>
1.o	Simplify Review of Residential Development Project in Planned Districts	Not yet implemented	Delay in implementation due to staffing and resources. Scheduled for implementation in FY 15/16.	Carry forward as is
1.p	Adjust Height Limits for Multi-family Residential Buildings	Partially implemented. Height limits established in conventional districts but not planned zoning districts.	Implementation in Planned Zoning Districts will be part of an extensive package of Development Code amendments.	Carry forward as is
1.q	Clarify Applicability of State Density Bonus	In process	Scheduled for implementation in 2014	Delete after it is successfully completed.
Goal 2	Meet Housing Needs Through a Variety of Housing Choices			Carry forward as is
Policy 2.1	Special Needs Groups			Carry forward as is
Policy 2.2	Housing Choice			Carry forward as is
Policy 2.3	Incentives for Affordable Housing			Carry forward as is
Policy 2.4	Protect Existing Housing			Carry forward as is
Program 2.a	Encourage Housing for Special Needs Households	Currently implementing	On-going	Carry forward as is
2.b	Enable Group Residential Care Facilities	Currently implementing	On-going	Carry forward as is
2.c	Make Provisions for Multi-Family Housing Amenities	Currently implementing	On-going	Carry forward as is
2.d	Foster Linkages to Health and Human Services Programs	Currently implementing	On-going	Carry forward as is

2007-2014 Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Achievements/ Results <i>quantified if possible</i>	Evaluation of Barriers to Implementation <i>Was it successful? Reasons why it was or was not implemented or not 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>
2.e	Support Efforts to House the Homeless	Currently implementing	On-going	Carry forward as is
2.f	Engage in a Countywide Effort to Address Homeless Needs	Currently implementing	On-going	Carry forward as is
2.g	Ensure Reasonable Accommodation	Currently implementing	On-going	Carry forward as is
2.h	Require Non-discrimination Clauses	Currently implementing	On-going	Carry forward as is
2.i	Modify Development Code to Reflect Williamson Act	Complete	Complete with the 2014 Dev Code changes	Delete; successfully completed.
2.j	Promote the Development of Agricultural Worker Units in Agricultural Zones	Partially completed and on-going	Partially implemented with 2012 Dev Code changes and Marin Ag Housing Program to fund housing. Time and resources prevented completion of other programs.	Carry forward with modifications. Delete subprogram "e"; successfully completed
2.k	Promote and Ensure Equal Housing Opportunity	Currently implementing.	On-going	Carry forward as is
2.l	Deter Housing Discrimination	Currently implementing	County partners w/ local nonprofits and advocacy groups on diversity and equal opportunity issues and works w/ CDBG Priority Setting Committee	Carry forward as is
2.m	Implement the Inclusionary Housing Policy	Currently implementing	On-going	Carry forward as is
2.n	Apply Long-Term Housing Affordability Controls	Currently implementing	On-going. The County requires long-term affordability restrictions on all inclusionary and funded units	Carry forward as is
2.o	Encourage Land Acquisition and Land Banking	Currently implementing	Limited success because of lack of available funding and limited developable land	Carry forward as is

2007-2014 Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Achievements/ Results quantified if possible	Evaluation of Barriers to Implementation <i>Was it successful? Reasons why it was or was not implemented or not 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>
2.p	Expedite Permit Processing of Affordable and Special Needs Housing Projects	Currently implementing	Limited success because of lack of affordable housing developments seeking permits	Carry forward as is
2.q	Consider CEQA Expedited Review	Currently implementing	Complete with the Housing Element SEIR	Delete as it was successfully completed.
2.r	Continue First Time Homebuyer Programs	Currently implementing	Limited success because of lack of available funding and limited developable land	Carry forward as is
2.s	Link Code Enforcement with Public Information Programs	Currently implementing	on-going	Carry forward as is
2.t	Assist in Maximizing Use of Rehabilitation Programs	Currently implementing	On-going. The County used Rehab funds for the Gates project which is bringing 38 households for lower income households up to code.	Carry forward as is
2.u	Monitor Rental Housing Stock	Currently implementing	Ridgeway Apartments successfully converted to 100% affordable housing and all requirements met.	Carry forward with revision. Delete subprograms "c" and "d" and omit references to Ridgeway Apartments as the conversion had been finalized.
Goal 3	Ensure Leadership and Institutional Capacity			Carry forward as is
Policy 3.1	Coordination			Carry forward as is
Policy 3.2	Research, Monitoring and Evaluation			Carry forward as is
Policy 3.3	Funding			Carry forward as is
Program 3.a	Explore Housing at the Civic Center	Complete.	Housing proposed by staff and considered and rejected by the Planning Commission.	Delete. Planning Commission opted not to pursue housing on the Civic Center campus.

2007-2014 Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Achievements/ Results quantified if possible	Evaluation of Barriers to Implementation <i>Was it successful? Reasons why it was or was not implemented or not 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>
3.b	Advance Organizational Effectiveness	Currently implementing	On-going. Staff has worked with other local governments and staff to address barriers to providing affordable homes in Marin	Carry forward as is
3.c	Provide and Promote Opportunities for Community Participation in Housing Issues	Currently implementing	On-going. Staff conducted an intensive outreach process to update the housing element, including hands-on interactive community workshops.	Carry forward as is
3.d	Perform Regional Transportation and Housing Activities	Currently implementing	On-going. Staff worked closely with Transportation Authority of Marin and will continue to look for opportunities to coordinate with regional transportation agencies.	Carry forward as is
3.e	Coordinate with Other Agencies	Partially implemented	No progress on subprogram "a" because of limited affordable developments. Subprogram b has been completed.	Carry forward with revisions, delete subprogram "b" because it was implemented.
3.f	Promote Countywide Collaboration on Housing	Not yet implemented	Not completed because of limited resources and delay in completing the 2007-2014 housing element.	Carry forward as is and explore having BOS take the initial lead on engaging with other local jurisdictions.
3.g	Preserve Existing Housing Stock	Partially implemented	Subprograms a currently being implemented and staff is working on preserving a mobile home park which is at risk of conversion. Subprograms b, c and d not yet implemented.	Carry forward as is
3.h	Monitor Inclusionary Housing Programs	Currently implementing	On-going.	Carry forward as is

2007-2014 Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Achievements/ Results <i>quantified if possible</i>	Evaluation of Barriers to Implementation <i>Was it successful? Reasons why it was or was not implemented or not 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>
3.i	Undertake Housing Element Monitoring, Evaluation and Revisions	Complete and on-going	Housing Element certified in December 2013. Annual reports have been submitted annually. Update in progress	Carry forward as is
3.j	Provide and Participate in Local Affordable Housing Training and Education	On-going	Staff regularly speaks about housing with community groups and stakeholders	Carry forward as is
3.k	Update Affordable Housing Trust Fund Operating Procedures	Complete	Housing Trust fund operating procedures updated in 2009.	Delete as it was successfully completed in 2009 with update.
3.l	Provide Leadership to the Marin Workforce Housing Trust	On-going	Staff have represented the County on the Board and currently hold the position of Secretary of the Board	Carry forward as is
3.m	Assist with Local Funding for Affordable Housing	On-going	Staff regular coordinates with funders and continues to work with affordable housing providers, especially small local organizations in west Marin.	Carry forward as is
3.n	Raise Funds from a Variety of Sources	Partially implemented	Staff continues to monitor and collect inclusionary, impact and commercial impact fees but additional sources have not been explored.	Carry forward as is
3.o	Coordinate Among Project Funders	Complete and on-going	Regular funders collaborative meetings held	Carry forward as is
3.p	Utilize Federal Grants Division Funding	Complete and on-going	Regular funding NOFAS issued and funds allocated	Carry forward as is

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APPENDIX C: SUMMARY OF PUBLIC MEETINGS

Executive Summary

Five community workshops were held during evenings and weekends in different parts of the County to provide an update on the Housing Element and to discuss locations for future housing growth in the unincorporated area of Marin. The format of the workshops was intended to provide a hands-on method for the community to be actively involved in the process of selecting sites for the next Housing Element. It allowed community members the opportunity to share meaningful input about the specific sites being considered.

A major focus of the community workshops was to provide a venue for community members to share different perspectives on housing. From this perspective the workshops were extremely successful. Overwhelmingly, participants agreed that their small group discussions facilitated by a volunteer were engaging, constructive and civil. Many groups found that they could have respectful conversations even when there was a range of diverse opinions.

However, as discussed in more detail below, many participants felt that they did not have enough information about the specific sites and potential impacts to make an informed recommendation, and some distrusted the process.

Background

The State of California requires each county, city and town to adopt a General Plan containing at least seven chapters, or elements, including one on housing. Because housing availability is a critical issue with statewide implications, the law requires that housing elements be regularly updated. State policy acknowledges that most critical housing decisions occur at the local level. However, State law calls for housing elements, unlike other sections of the general plan, to be reviewed and certified by the State. Failure to receive State certification makes local governments ineligible to receive important sources of grant funding, and may expose the County to potential litigation.

State law requires that the Housing Element contain the following information:

- A quantified housing needs assessment, including current demographic, economic and housing information for the locality.
- Analysis of the constraints to providing housing for all income levels.
- Proposed housing goals, policies and programs.
- An inventory of residential land including suitable sites for housing, homeless shelters and transitional housing.
- A description of diligent efforts towards participation by all economic groups in the update process.

Housing issues affect the entire community, including residents, employers, employees and the public and private sectors. The public participation requirement of housing element law¹ presents an opportunity to engage constituents in a dialogue. Successful public participation is important because a diverse cross section of the population can be engaged in defining the housing problem and in crafting community sensitive solutions.

¹ Government Code 65583(c)(7) "The local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort."

The County initiated public engagement in February of 2014 with stakeholders meetings to gather advice on effective outreach, and followed this with a range of methods to involve the public, as described below. A Board of Supervisors Hearing was held in March to review the work plan for completing the Housing Element and to provide an overview of the public outreach plan.

1. **Stakeholders Meetings:** Two meetings were held with members of the public who had been very engaged in the previous housing element to seek input on ways to engage the public. Recommendations from these meetings helped guide the County's outreach and structure the community workshops. Many of their ideas were included, for example it was suggested that the County seek advice from the community, hold evening and weekend meetings, advertise in the Marin Independent Journal, and share stories from the community about housing in Marin.
2. **Design Review Boards, Community Service Districts and Community Organizations:** The Stakeholder meetings were followed by a series of meetings with local design review boards, community service districts and community organizations, where staff shared information on the housing element update, timeline and schedule and gathered suggestions on reaching residents of specific communities.
3. **Surveys:** The County launched the 2014 Marin Housing Survey online from late February through June 1. The Survey asked participants about their personal housing situation and needs, and what type of housing they would like to see in unincorporated Marin in the future. There were 579 community members that participated in the Survey and shared their perspectives.
4. **Experts Meeting:** Staff held a meeting with invited housing experts and providers to discuss barriers, challenges, and solutions to constraints that provide affordable homes for lower income households.
5. **Community Workshops:** The County held five community workshops during evenings and weekends in various locations throughout the County which are described in detail below.
6. **Planning Commission Hearings:** Following the workshops, staff began work on the draft housing element, which will be reviewed by the Planning Commission at hearings later this summer. The public has the opportunity to provide feedback, comments and address concerns during the hearings, both in person or in writing.
7. **Board of Supervisors Hearings:** The Board of Supervisors will review the draft Housing Element at hearings in the winter of 2014-2015. These hearings will have the same format as the Planning Commission, where the public will have the opportunity to provide feedback, comments and address concerns during the hearings, both in person or in writing.

Community Workshop Overview

The Community Workshops were a different kind of public meeting than those typically held by the County; they were structured to have community members play active roles. The goals for the workshop were for participants to:

- Sit in the seat of a County decision-maker.
- Listen and share perspectives on housing, including discussing possible housing site.
- Receive an update about the Housing Element.

Staff began with an overview of the housing element and a short video on the need for housing, which was produced by the County to illustrate local needs for housing from the perspective of different community members. Following this, participants asked clarifying questions and then worked in small groups to share their ideas about housing. Participants were asked to be part of a creative process to identify sites where they thought future housing should be located. There were strong feelings on both sides of the issue, and the exercise gave participants a place to share those perspectives with fellow community members in the context of discussing the future of housing in unincorporated Marin.

Planning Exercise

The purpose of the exercise was twofold: for community members to share different perspectives about housing in Marin; and to collaborate in identifying locations for at least 185 homes in unincorporated Marin County. As part of the design of the exercise, staff held 4 test runs, which resulted in refining, improving, and simplifying based on feedback received. Volunteers who had received professional facilitation training helped guide the process during the exercise. These small group facilitators were there to encourage the dialogue and to insure everyone had a voice.

Materials

Workshop materials included:

- An instruction sheet explaining the exercise.
- A scenario card to record the group's recommendation on locating housing.
- A large table-sized map with the locations of the 15 sites under consideration.
- Location fact sheets (a one page description of key elements of each site).
- A sheet with information on the housing requirement for each city and town in Marin.
- Information on income levels in Marin.
- A sheet with sample photos of housing at different income levels in Marin.

Methodology

The planning exercise asked participants to use their collective knowledge to identify, among 15 sites evaluated in the previous housing element, which are best suited to accommodate our community's need for a minimum of 185 homes for this planning period. The participants nominated a Recorder to take notes and record the group's discussion and takeaways. Another participant used a Scenario Card to keep a running tally of the homes that were placed on the map. The groups had approximately 45 minutes for the planning exercise, followed by 15 minutes to debrief with their table. Finally, the Recorders shared their small group's takeaways with all the workshop participants, and staff typed these up on a screen so that participants could see their comments recorded.

Community Workshop Outcomes

Approximately 180 people attended the five Workshops. Although extensive outreach was done, attendance was much less than anticipated. The attendance ranged from the smallest at the Marin City Senior Center of about 20, to the largest of about 60 at the Mill Valley Community Center. A core group of about 5-8 attended multiple workshops.

There were a collective total of 32 small table groups at all five Workshops, ranging in size from one to eight members each. Of all groups, 14 groups (44% of the total) completed and turned in Scenario Cards to reflect their recommendations for placing homes. Three of these groups intentionally placed no homes, while the remaining 11 recommended a diverse range of housing types and locations.

Of the groups that made recommendations, the following sites were most frequently recommended for future housing: Marinwood Plaza, Oak Manor, California Park, St. Vincent's/Silveira, Easton Point, Golden Gate Seminary, and Marin City CDC.

However, the specific recommendations for the number of homes in each income category that should be placed at each site were inconsistent among the groups. This limited and varied input makes it difficult to draw definitive conclusions about the broader community's perspectives on future housing locations, types and numbers.

Feedback from Community Workshop participants

Participants were offered a variety of ways to provide feedback, including a debrief to the large group, notes from the small groups, and an evaluation form. This information is all available on the County's website at www.marincounty.org/housingelement. To summarize the input received, the themes within the feedback have been identified here.

At the first workshop held at the Marin City Senior Center, groups worked effectively together and felt that they had constructive and fruitful conversations about housing issues. Others had engaging conversations, learned about perspectives and histories, and talked about possibilities. By focusing on issues, the group was able to reach consensus and make progress through the exercise. Some participants felt that the County had not adequately represented the actual need for housing in Marin, especially for extremely low income households. They were concerned that the 185 homes required by the State was not sufficient to address the real needs of lower income residents and the local workforce. In addition, there was some frustration because participants wanted to see how and when homes would be built on the possible sites rather than simply planned for as required by State law. There was a common misunderstanding among participants who expected that the workshop would only focus on housing in Marin City.

The second workshop was held at the Unitarian Universalist Congregation of Marin in San Rafael. There was a diverse range of opinions and positions represented in the small groups. One group focused on logic and was able to compromise. Many groups were able to reach consensus, and people felt heard, even when participants disagreed. Some participants found the video portraying some of the needs for housing in Marin off-putting and subjective. Many felt that more information was needed on the sites and that there should be coordination between the County, cities and towns to consider holistic impacts of housing plans.

At the third workshop at Albert J. Boro (Pickleweed) Community Center in San Rafael, some participants found the exercise helped them understand why it is hard to make decisions about housing issues, and they needed more time to build trust and consensus in their groups. All felt that there was a variety of opinions and views shared. Some found it confusing and felt they were not informed enough to make recommendations. The dialogue was inspiring for some and challenging for others.

The fourth workshop was held at the Mill Valley Community Center. Overall the groups shared that they had active engaging conversations, strong-willed exchanges, and lively back and forth discussions. Overall, people listened to the varied perspectives at the table. One group felt the process was excellent and everyone had a lot to contribute. However, some group members shared that their opinions were not included in the large group debrief because they disagreed with the Reporter for their

group. Many participants expressed that the sites in Tam Valley should be removed from consideration and felt that there was not enough information on the other sites to make recommendations. They shared that the process was disingenuous and they felt pressured to make recommendations.

The fifth and final workshop was held at the Westminster Presbyterian Church in Tiburon. Groups felt that they had exciting; exhilarating conversations and that they really respected and listened to each other carefully. Many felt that they had civil discussions and that they agreed on most things, as most participants shared similar opinions. Some participants felt that there was not enough information on the sites to make recommendations and that it was not appropriate to comment on sites that are not in one's own community. Some participants thought alternatives to planning for housing should be explored and that an analysis should be conducted on the costs to communities if housing is developed on housing element sites.

Overall, participants in all workshops reported that they appreciated the opportunity to sit down and discuss their perspectives with fellow community members. Small group dialogs were considered worthwhile, informative, and even enjoyable in many cases. While many participants did not agree with the particulars of the planning exercise, it did not impede the crucial goal of eliciting thoughtful feedback from the community about the future of housing in unincorporated Marin.

2014 Marin Housing Survey

The 2014 Marin Housing Survey was open for public participation from late February through June 1. A total of 579 responses were received, of which 569 were submitted online through Open Marin (the County's online civic engagement forum) and 10 were received in the mail. The Survey asked participants to answer 13 questions about their own housing situation and needs, and about the housing needs of the greater community of unincorporated Marin.

The majority of responses indicate that housing costs and a lack of affordable housing opportunities are the most significant housing concern in Marin. Participants indicated that more affordable housing in the form of rentals, single-family homes for sale, and senior housing is the most needed type of housing. Over half of all participants reported that they are currently paying more than 30% of their income toward housing costs. However, more than 60% of respondents stated they have no plans to move from their current residence. Of those who do have plans to move, 28% said their reason for moving is the cost of their rent or house payment, and 37% stated they will be looking for a new home outside of Marin County.

While the majority of respondents agreed on the need for affordable housing options, there was less consensus about where such housing should be located and what form it should take. The majority stood at 35%, who said that they would prefer either multi-family housing in centralized locations or mixed-use housing in specific areas of unincorporated Marin. This was followed by 27% who preferred that single-family homes be built on vacant and under-utilized land.

Background Materials:

The following additional background materials are available online at

www.marincounty.org/housingelement

- Stakeholders meetings, Design Review Boards, Community meetings.
- Housing Element Frequently Asked Questions
- Workshop materials
- Large group debriefs
- Evaluations and feedback
- Summary of public outreach
- 2014 Housing Survey and summary of results

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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 September 2013, 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.

All Year-Round Beds					
Jurisdiction	Overall Total per Jurisdiction	% of County Total	Permanent Supportive Housing	Transitional Housing	Emergency Shelter
San Rafael	394	40.5%	247	57	90
Novato	448	46.1%	175	203	70
Larkspur	24	2.5%	20	4	
Marin City	5	0.5%	5		
Corte Madera	24	2.5%	24		
Greenbrae	1	0.1%	1		
San Anselmo	15	1.5%	15		
Fairfax	9	0.9%	9		
Mill Valley	45	4.6%	45		
Forest Knolls	1	0.1%	1		
Kentfield	3	0.3%	3		
Bolinas	1	0.1%	1		
Sausalito	1	0.1%	1		
Unincorporated Marin	1	0.1%	1		
Totals	972	100.0%	548	264	160

NOTE: This data is a snapshot of the locations of homeless housing in September 2013. Many of the programs included in this summary rent market rate housing from private landlords so the distribution of units will definitely change over time. In addition, vacant units at these types of programs were not counted in this summary so these numbers are slightly lower than our overall capacity.

Permanent Supportive Housing

Jurisdiction	Total	% of County Total	Marin Housing Authority			Bucklew Programs	Homeward Bound				Eden Housing	EAH	Center Point	Ritter Center	St. Vincent
			S+C 1 and 3	Section 8 households receiving S+C services because they came up under SHIA or AB2034	VASH	All PSH programs (AIL; RSS; SHP - HUD; SHP - non-HUD)	Palm Court	4th Street	Carmel	Warner Creek	Fireside	San Clemente	HomeLink	Housing First	Apartments
San Rafael	247	45.1%	44	9	11	103	10	20	26				3	12	9
Novato	175	31.9%	37	3	12	44	15			60				4	
Larkspur	20	3.6%	1		3	16									
Marin City	5	0.9%	3		2										
Corte Madera	24	4.4%	1		3	4					16				
Greenbrae	1	0.2%			1										
San Anselmo	15	2.7%		2	1	12									
Fairfax	9	1.6%	1	1	1	4								2	
Mill Valley	45	8.2%	1		1					43					
Forest Knolls	1	0.2%	1												
Kentfield	3	0.5%	1	1										1	
Bolinas	1	0.2%		1											
Sausalito	1	0.2%												1	
Unincorporated Marin	1	0.2%												1	
Totals	548	100%	90	17	35	183	25	20	26		43	16	3	21	9

Transitional Housing

Jurisdiction	Total	% of County Total	Marin Partnership to End Homelessness					Homeward Bound			Gilead House	Center Point		
			Hamilton Meadows - C4DP	Hamilton Meadows - Marin Aids Project	Hamilton Meadows - HBOM	Hamilton Meadows - Ritter	Center Point	Family Park	Next Key	New Beginnings TH	Gilead House	Charlotte House	Scattered Sites	VA Services
San Rafael	57	21.6%						6				15	34	2
Novato	203	76.9%	43	10	25	12	9	33	37	16	18			
Larkspur	4	1.5%												
Marin City	0	0.0%												
Corte Madera	0	0.0%												
Greenbrae	0	0.0%												
San Anselmo	0	0.0%												
Fairfax	0	0.0%												
Mill Valley	0	0.0%												
Forest Knolls	0	0.0%												
Kentfield	0	0.0%												
Bolinas	0	0.0%												
Sausalito	0	0.0%												
Unincorporated Marin	0	0.0%												
Totals	264	100.0%	43	10	25	12	9	39	37	16	18	15	38	2

Emergency Shelter

Jurisdiction	Total	% of County Total	Homeward Bound				
			Mill Street	Family Center	New Beginnings	Transition to Wellness	Voyager
San Rafael	90	56.3%	55	25			10
Novato	70	43.8%			64	6	
Larkspur	0	0.0%					
Marin City	0	0.0%					
Corte Madera	0	0.0%					
Greenbrae	0	0.0%					
San Anselmo	0	0.0%					
Fairfax	0	0.0%					
Mill Valley	0	0.0%					
Forest Knolls	0	0.0%					
Kentfield	0	0.0%					
Bolinas	0	0.0%					
Sausalito	0	0.0%					
Unincorporated Marin	0	0.0%					
Totals	160	100.0%	55	25	64	6	10

MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY — PLANNING DIVISION FEES Resolution #1

(ORDINANCE 3579)

Effective April 9, 2012

Permit/Service Type	Fees	See Note(s)	Permit/Service Type	Fees	See Note(s)
1. COASTAL PERMITS			10. PLAN AMENDMENTS		
a. Coastal Permit – Administrative	5,425	L	a. Countywide Plan/Community Plan Amendment	36,645	C, L
b. Coastal Permit – Public Hearing	7,200	C, L	b. Local Coastal Program Amendment	36,645	C, L
c. Coastal Permit Amendment – Administrative	1,450	L	11. PLANNING REVIEW FEE – BUILDING PERMITS		
d. Coastal Permit Amendment – Public Hearing	5,505	C, L	a. Major Plan Check	845	L
e. Coastal Permit Exclusion	120		b. Minor Plan Check	340	
2. DESIGN REVIEW			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. New Residence/Large Addition/Other	5,670	C, L	12. PRECISE DEVELOPMENT PLAN		
iv. Non-residential (Large Scale)	18,825	C, L	a. Precise Development Plan	11,615	C, L
v. Non-residential (Small Scale)	4,840	L	b. Precise Development Plan Amendment	4,650	C, L
b. Design Review Amendment (Major)	1,420	C, L	13. REZONING	39,765	C, L
c. Design Review Amendment (Minor)	1,135	L	14. SECOND UNIT PERMIT	1,135	
d. Design Review Exemption	340		15. SIGNS		
3. ENVIRONMENTAL REVIEW			a. Sign Permit	515	
a. Environmental Impact Review Overhead	30%	O	b. Sign Review	2,425	
b. Environmental Review – Exemption	370	O	16. SUBDIVISION MAP ACT		
c. Initial Study (Deposit)	14,500	C, O	a. Certification of Compliance	2,940	
4. EXTENSIONS			b. Lot Line Adjustment	1,765	
a. Extension to Vest – Administrative	845		c. Merger	260	
b. Extension to Vest – Master Plan	840		d. Plan Check – Maps/Improvement Plans (Deposit)	1,400	C
c. Extension to Vest – Public Hearing	1,385		e. Tentative Map (Major)	22,800	C, L
5. FIRE REVIEW			f. Tentative Map (Minor)	11,400	L
(Fire fees collected pursuant to Ordinance 3550)			g. Tentative Map Amendment (Major)	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		17. TIDELANDS PERMITS		
e. CDA Administrative Fee - per project	32		a. Tidelands Permit	5,025	
6. FLOATING HOMES			b. Tidelands Permit Amendment	1,905	
a. Floating Home – Adjustment	1,770		18. TREE REMOVAL PERMIT	150	
b. Floating Home – Architectural Deviation	1,770		19. USE PERMITS		
7. LONG RANGE PLANNING SURCHARGE	10.5%		a. Use Permit (Major)	7,000	C, L
8. MASTER PLANS			b. Use Permit (Minor)	4,290	L
a. Master Plan	31,040	C, L	c. Use Permit – Child Day-Care Center	500	
b. Master Plan Amendment	24,940	C, L	d. Use Permit – Large Family Day-Care Home	500	
9. OTHER SERVICES			e. Use Permit – Temporary	510	
a. Appeals			f. Use Permit Amendment (Major)	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. Use Permit Renewal	1,450	C, L
b. Change In Address Initiated by Property Owner	440		20. VARIANCES		
c. General Staff Consultation/Prefiling Conference	290		a. Variance	4,360	
d. Planning Information Packet	128		b. Variance Amendment	2,140	
e. Preapplication Review (Deposit)	3,700	C, M			
f. Property Status Determination/Research	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.

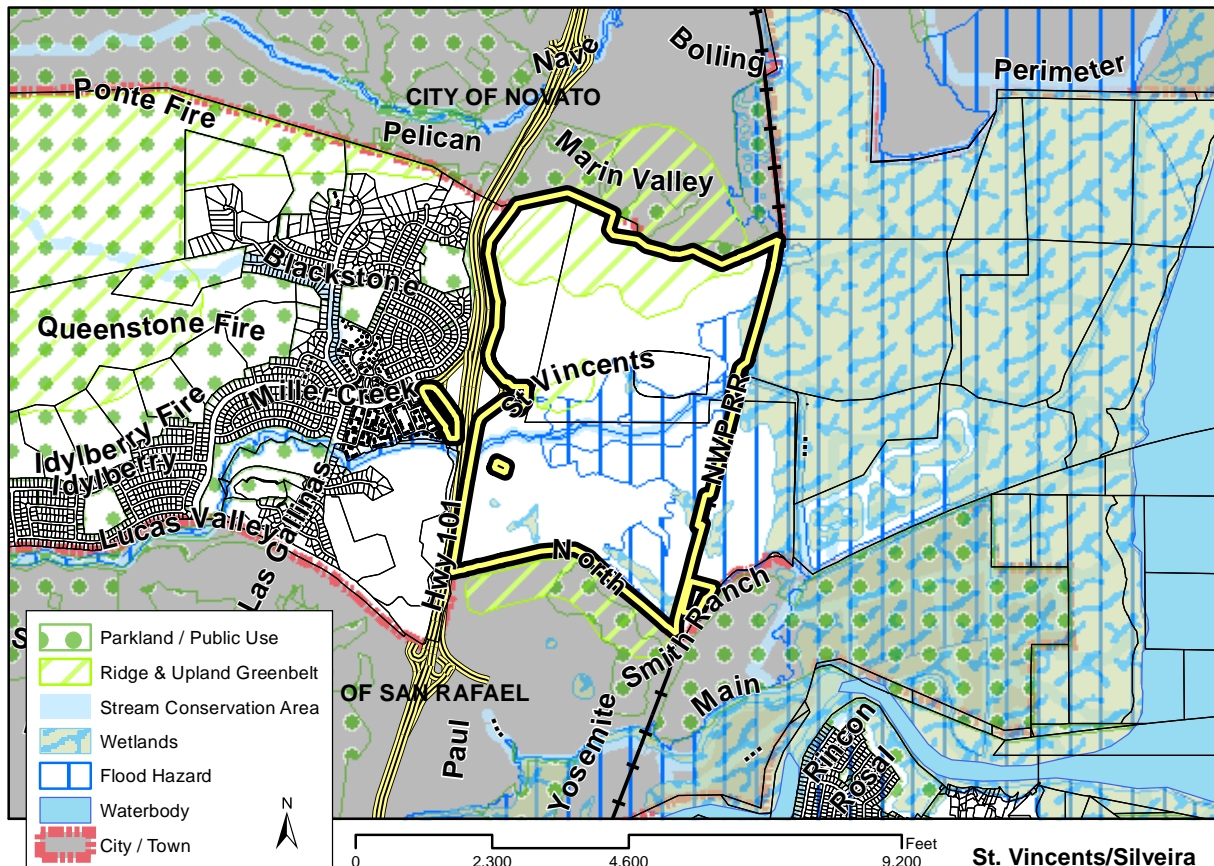
NOTES TO FEE SCHEDULE:

The following notes apply to the entire fee schedule and as specified to individual permits.

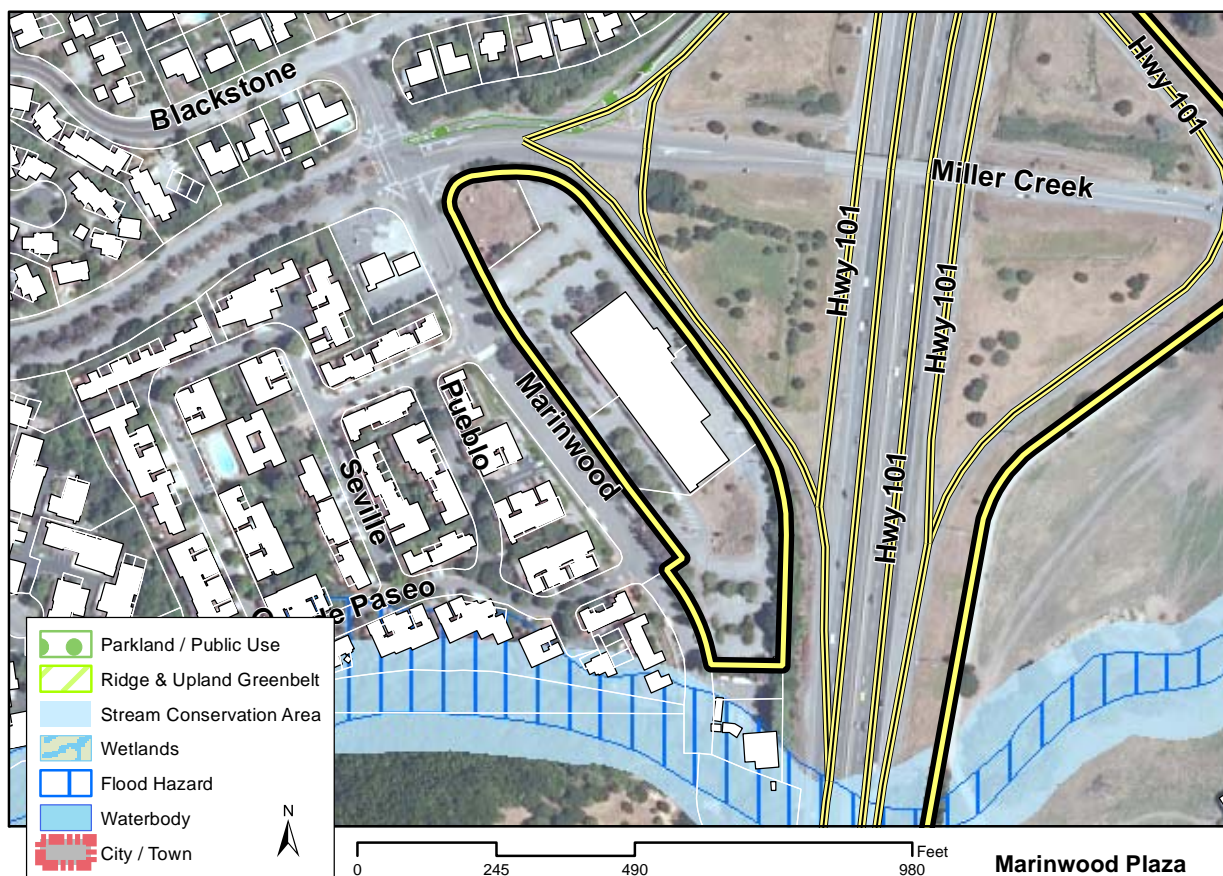
- A. Fees shall be submitted in full at the time of application submittal to the County. Where a project requires more than one permit, the full fee shall be collected for each and every permit required.
- B. Pursuant to a written request, the Board of Supervisors may waive or reduce fees upon a finding 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 \$2,181.25 and EIR fee of \$3,029.75 are required pursuant to California Fish and Wildlife Code.**
- 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

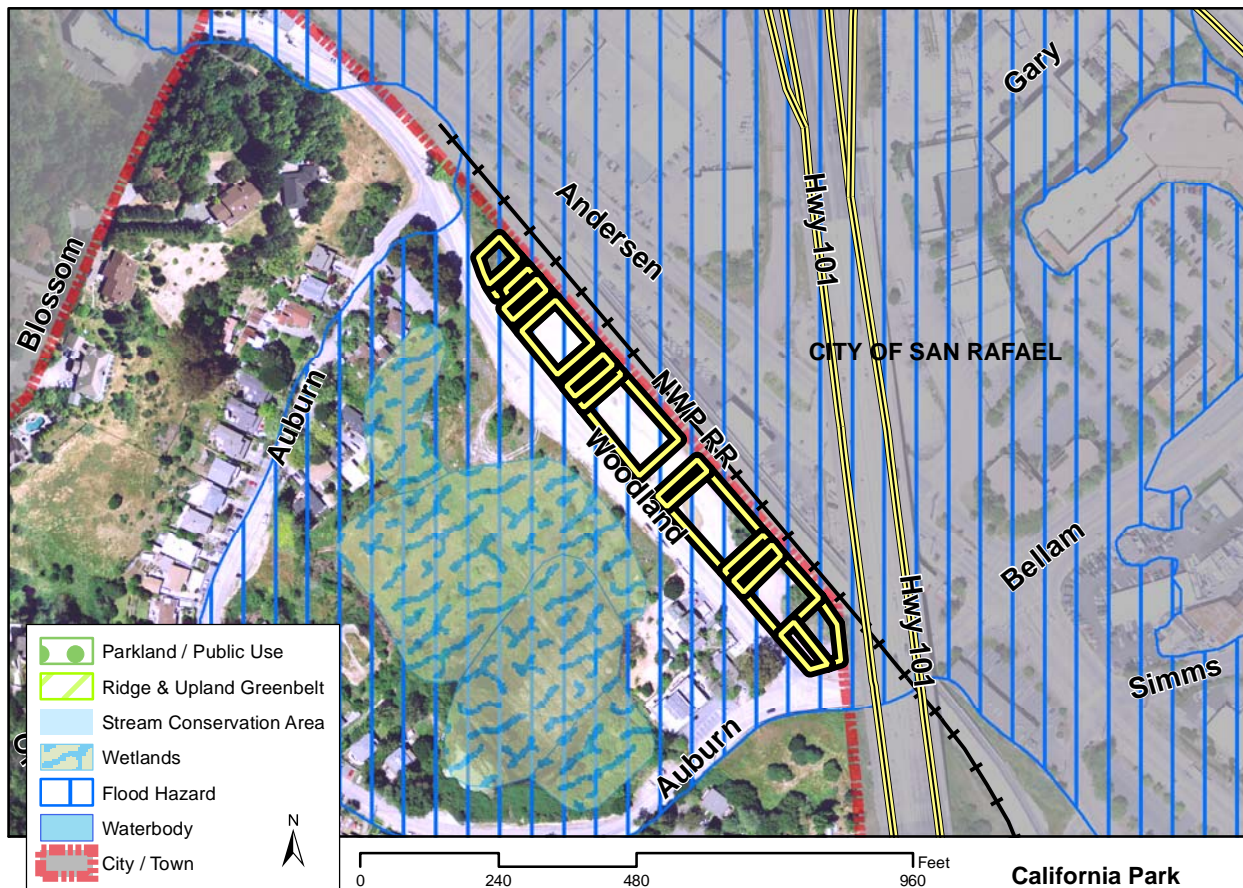
Site # 5 St. Vincent's/Silveira St. Vincent's Drive, San Rafael <i>(St. Vincent's / Silveira)</i>		
APNs / Acreage	155-011-08 155-011-28 155-011-29 155-011-30 155-121-16	250.26 (55 acres developable) 244.768 73.4972.66 20.2420.22 220.67221.71 3.772.82 (55 total developable acres)
Community	St. Vincent's	
General Plan	221 units	PD — (Planned Designation - Ag & Env resource area)
Zoning	A-2: AH: Limited Agriculture, 2 acre min lot area; Affordable Housing Combined District allows up to 100 units of affordable housing development on 3.5 acres of the site	
Inventory Assumption	Lower Income: 100 units Moderate Income: 50 units Above Moderate Income: 121-71 units	
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.	



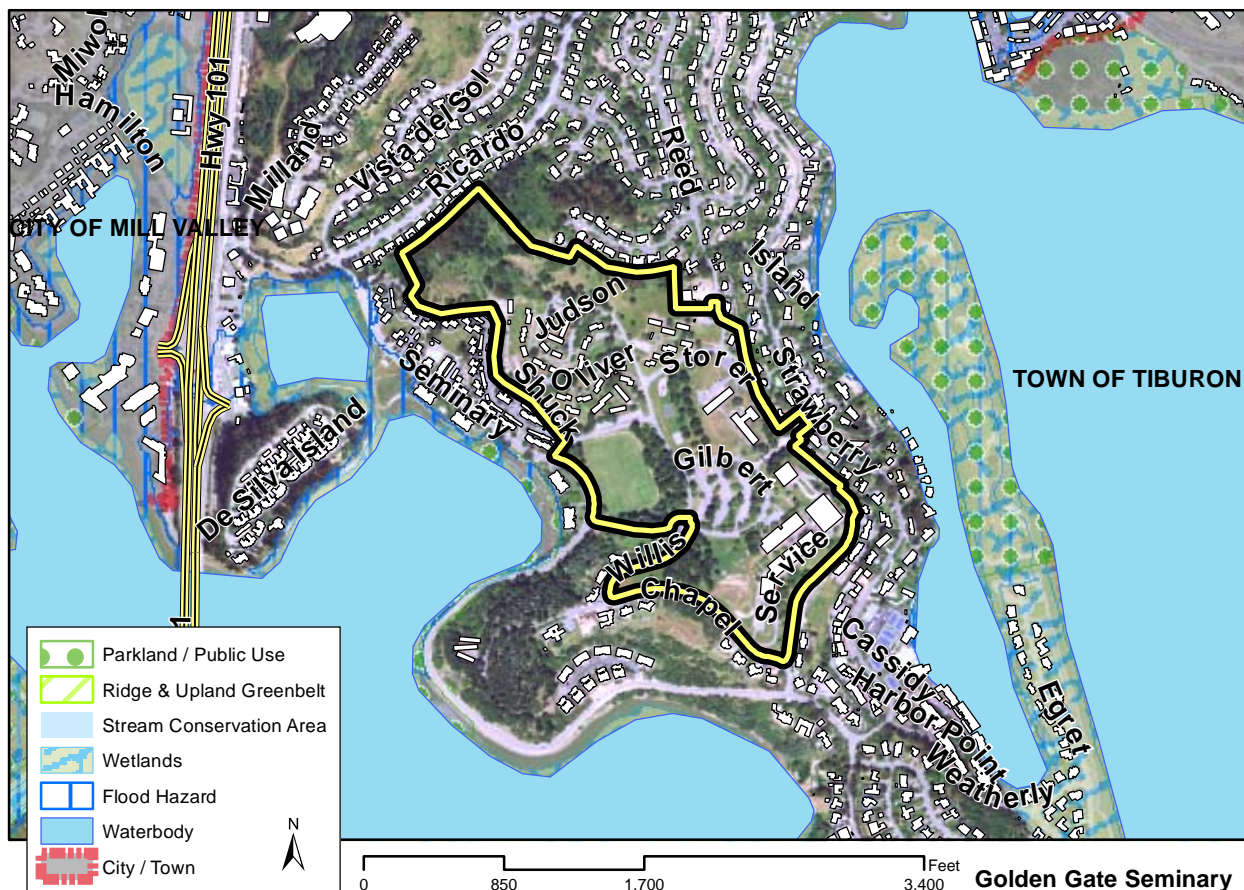
Site #1 Marinwood Plaza 100 Marinwood Avenue, San Rafael <i>(Marinwood Plaza)</i>		
APNs / Acreage	164-471-64 164-471-65 164-471-69 164-471-70	0.45 acres 1.93 <u>1.90</u> acres 0.80 <u>1.05</u> acres 1.56 1.60 acres (4.75 <u>5</u> ± total acres)
Community	Marinwood	
General Plan	100 units	HOD (Housing Overlay Designation, min 30 units/acre) GC (General Commercial, FAR .1 to .4)
Zoning	n/a due to HOD	CP (Planned Commercial) (1 30 units/acre)
Inventory Assumption	Lower Income: 8572 units; Above Moderate Income: -10- units	
Affordability	30 units/acre under HOD policy HOD policy requires 30 units/acre. -Affordable housing developer proposing 8582 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.	



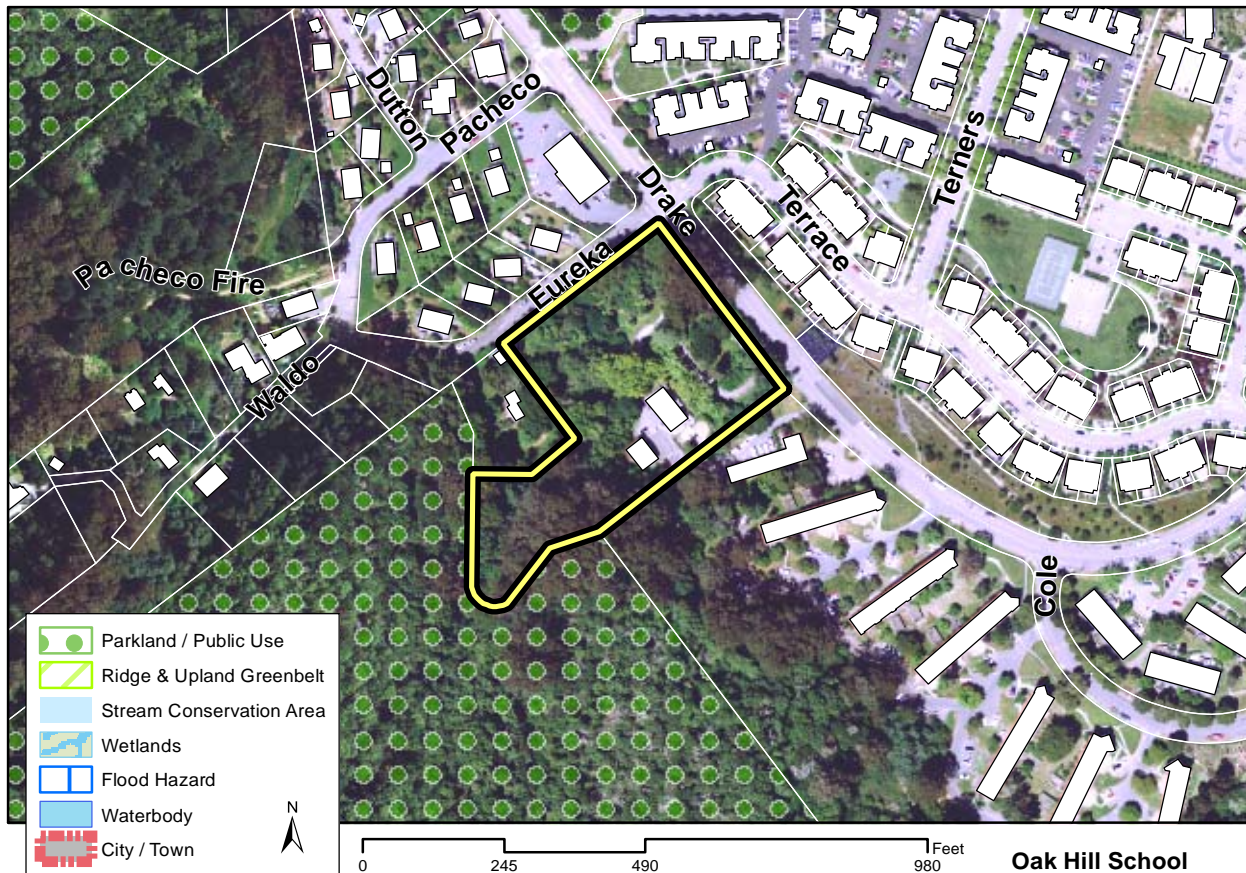
Site # 3 California Park Woodland Avenue at Auburn Street, San Rafael <i>(California Park)</i>		
APNs / Acreage	018-075-12 etc. 18-16 contiguous parcels, see Figure IV-6 for details	1.82 acres total 1.77 total acres
Community	San Rafael	
General Plan	50 units (HOD)	MF2 (Multi-Family, .01 to .3 FAR) / HOD (Housing Overlay Designation, min 30 units/acre)
Zoning	n/a RSP-4 (Residential, Single-Family Planned: 4 units/acre)	
Inventory Assumption	Lower income: 50-40 units Moderate income: 0 units	
Affordability	30 units/acre under HOD policy requires 30 units/acre.	
Infrastructure	Yes	
Proximity to bus route	0.2 miles	
Environmental considerations	Limited No-impacts 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.	



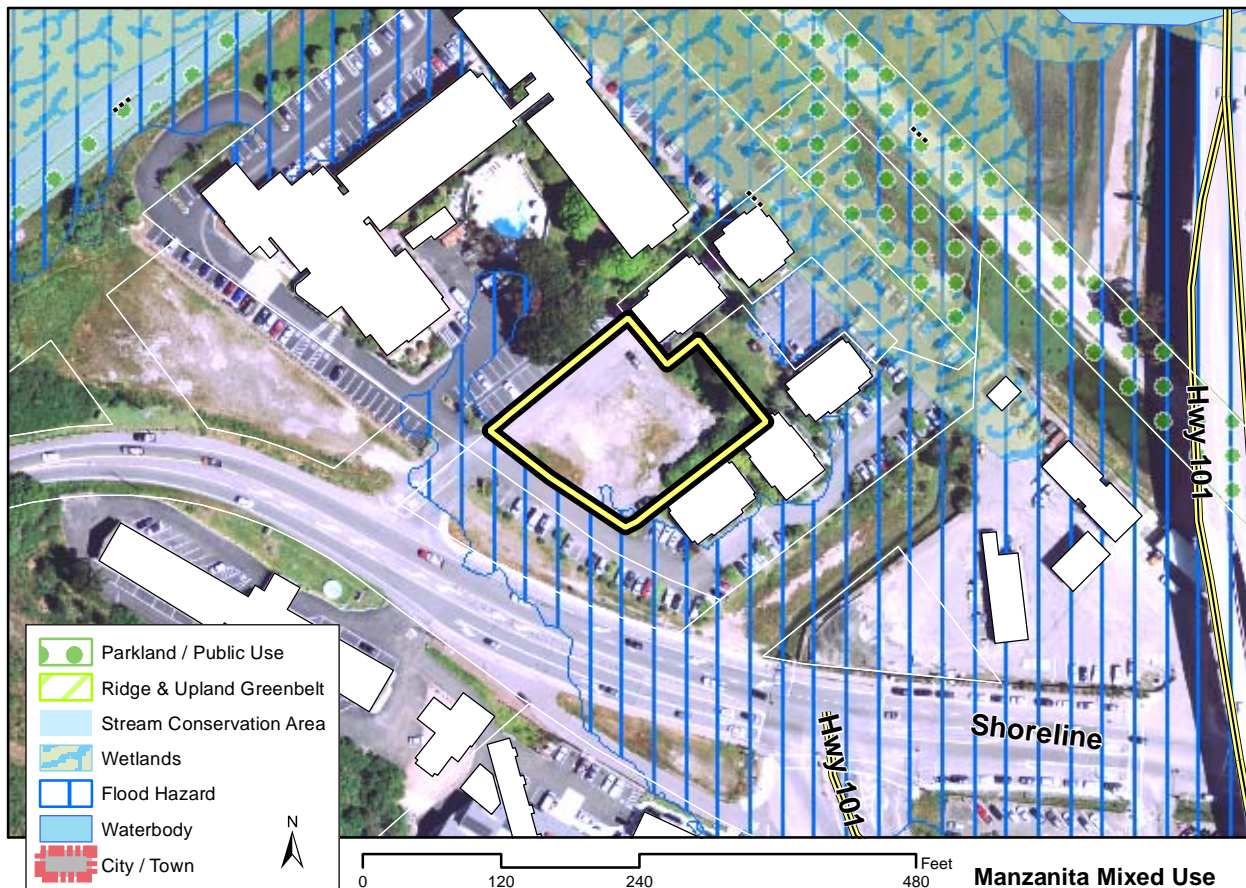
Site # 12 Golden Gate Seminary Seminary Drive, Mill Valley <i>(Golden Gate Seminary)</i>		
APNs / Acreage	043-261-25 043-261-26	48.4550.0 acres -(partially developed) <u>25.1223.61</u> acres (73.61 total acres; portion of larger site)
Community	Tiburon	
General Plan	n/a MF-2 (Multi-Family, 1-4 units/acre)	
Zoning	RMP-2.47: AH Residential, Multiple Planned District 2.47 units per acre; Affordable Housing Combined District allows up to 60 units of affordable housing development on 2 acres of the site	
Inventory Assumption	Lower income:-25 40 units Above Mod. income:- 20 units	
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. Property recently sold and owner is exploring development options. Golden Gate Baptist Seminary operating educational and residential uses.	



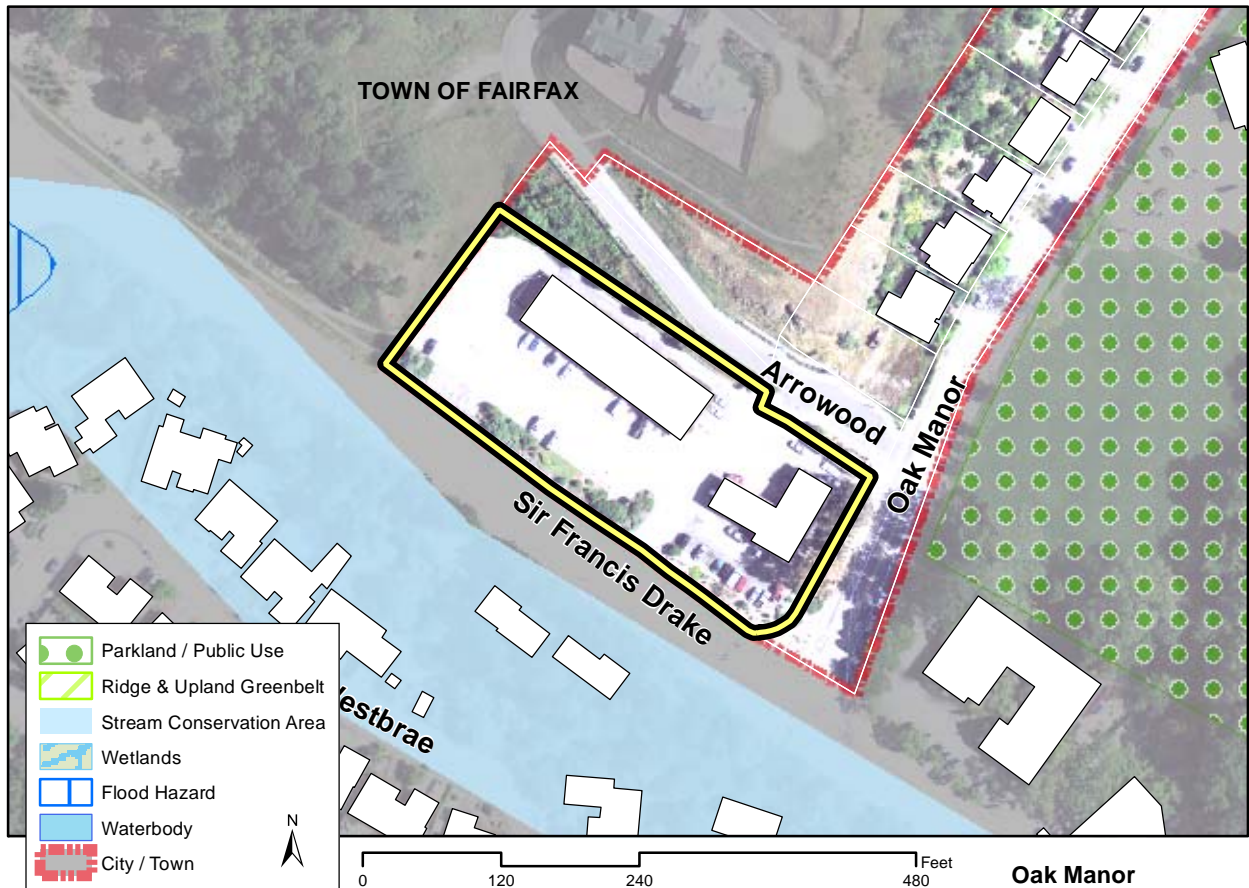
Site # 13 Marin City Community Development 441 Drake Ave., Sausalito <i>(Marin City CDC)</i>		
APN / Acreage	052-140-36	3.874.06 acres total
Community	Marin City	
General Plan	15 units	MF-2 (Multi-Family 1-4 units/acre)
Zoning	15 units	RMP-4.2: AH Residential, Multiple F Planned, 4.2 units/acre; <u>Affordable Housing Combined District allows up to 15 units of affordable housing development on 0.5 acres of the site</u>
Inventory Assumption	Lower Income: 15 units Moderate income: 0 units	
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.	



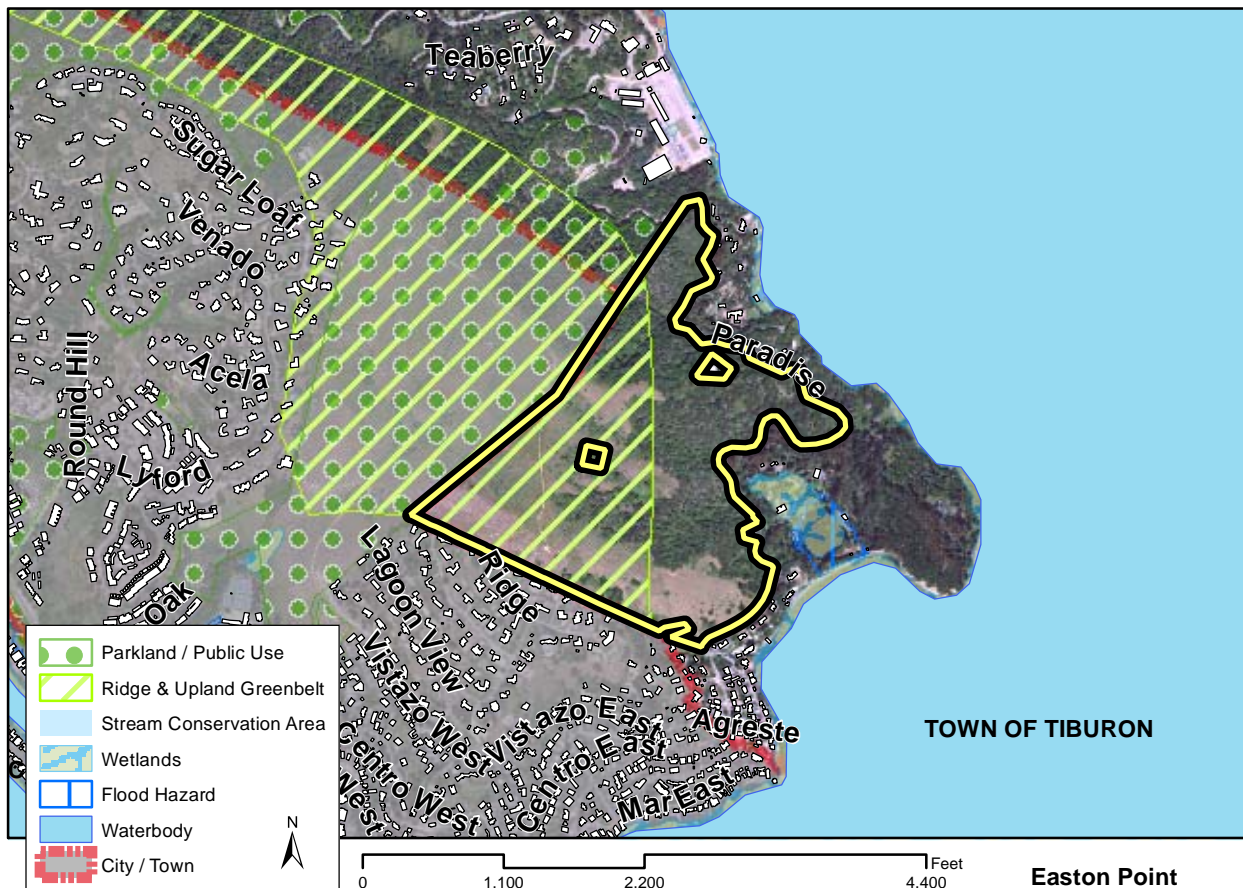
Site # 9	Manzanita 150 Shoreline Hwy, Mill Valley (Manzanita)	
APN / Acreage	052-371-03	0.560.59 acres
Community	Almonte	
General Plan	1,210 – 8,530 sq ft max	GC (General Commercial, 0.05 to 0.35 FAR)
Zoning	n/a CP (Commercial Planned)	
Inventory Assumption	Lower income: 1 unit Moderate income: 2-3 units	
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.	



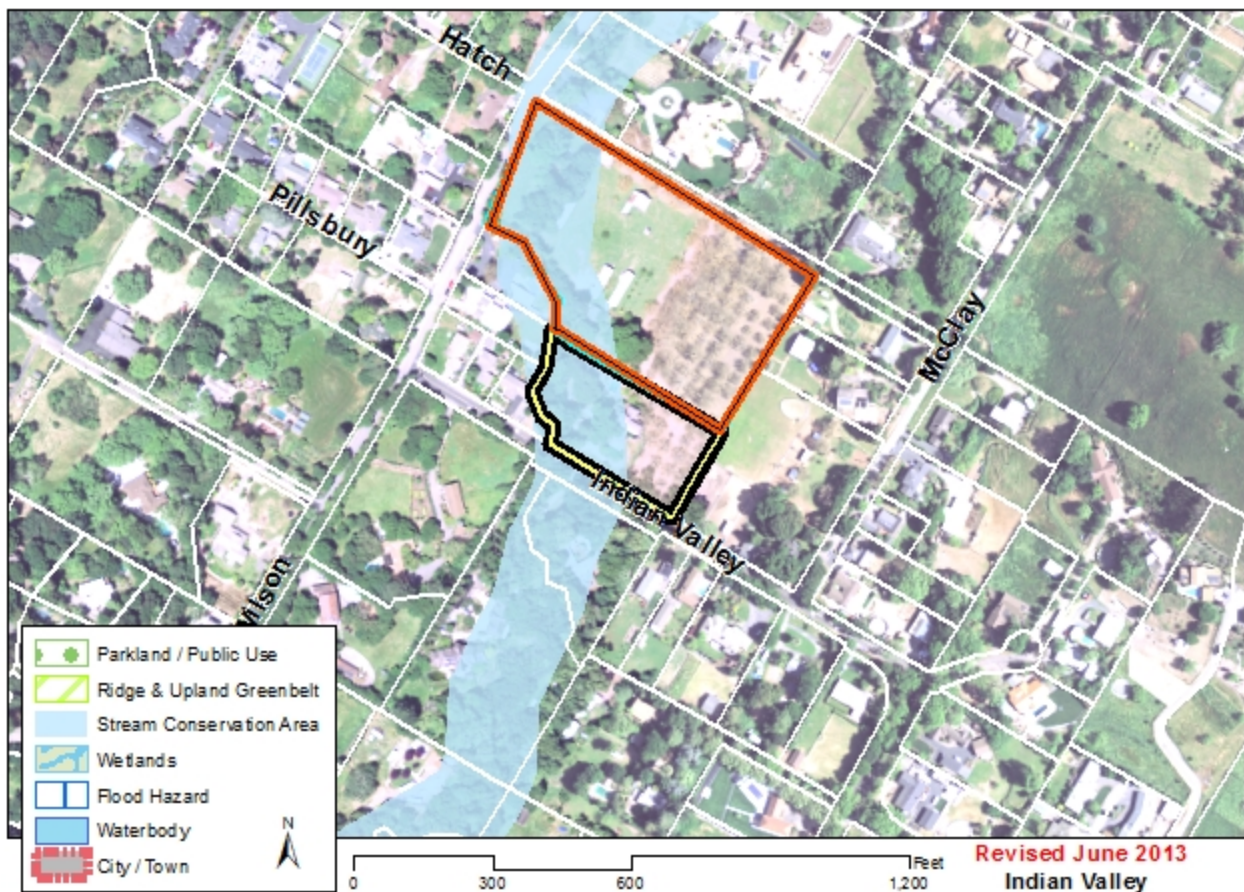
Site # 2 Oak Manor 2400 Sir Francis Drake Blvd., Fairfax <i>(Oak Manor)</i>		
APNs / Acreage	174-011-326 174-011-33	0.520.54 acres (1.58 total) 1.05 acres (1.59 total acres)
Community	Fairfax	
General Plan	10 units (HOD)	GC (General Commercial, FAR .05 to .15) / HOD (Housing Overlay Designation, min 30 units/acre)
Zoning	n/a C-1 (Retail Business) -H	
Inventory Assumption	Lower income: 10 units Moderate income: 10 units	
Affordability	30 units/acre under HOD policy 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 <u>1</u> laundromat, <u>1</u> pizza restaurant, <u>1</u> Curves gym, 7/11, and <u>2</u> vacant storefronts. Large underutilized surface parking area with an active car repair shop on the corner.	



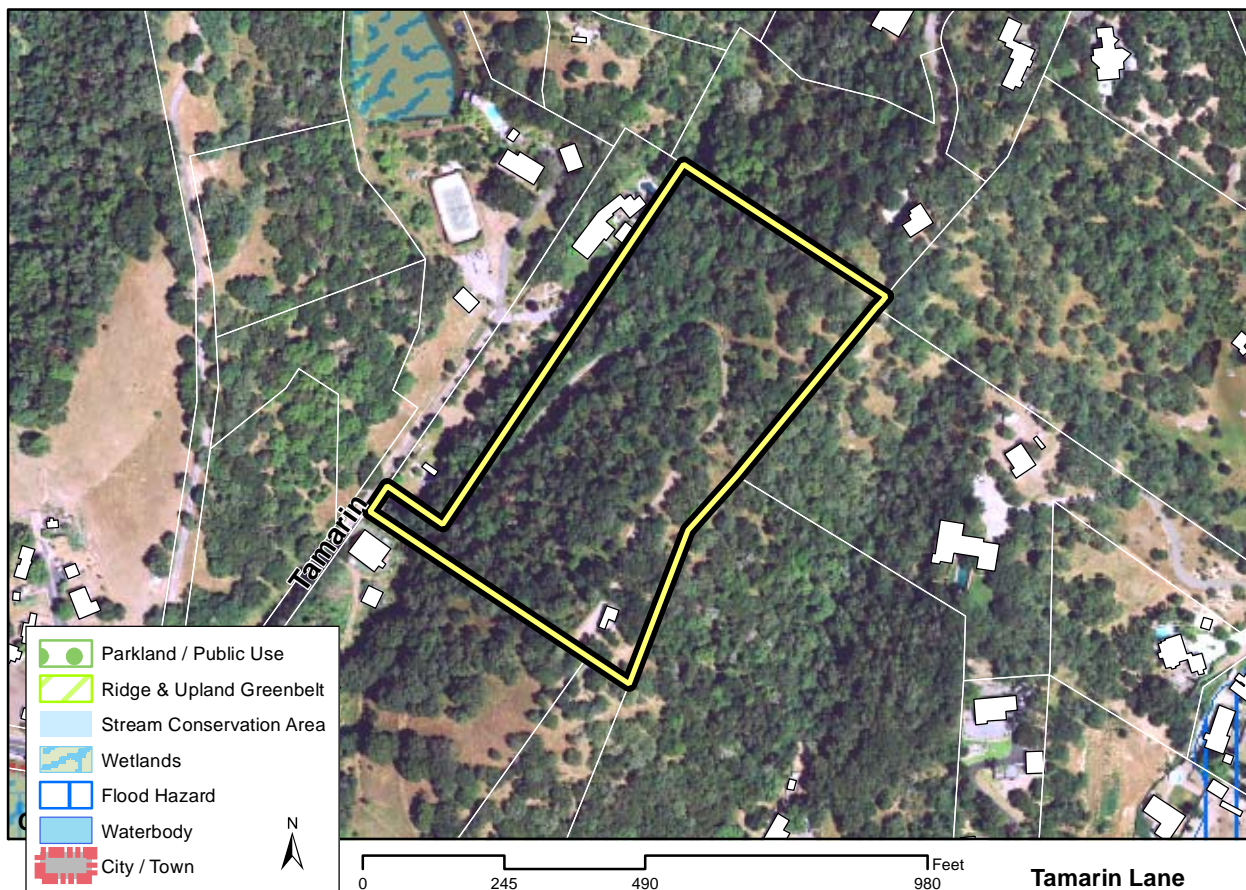
Site # 6 Easton Point Paradise Drive, Tiburon <i>(Easton Point)</i>		
APN / Acreage	059-251-05	110 acres
Community	Tiburon	
General Plan	n/a PR (Planned Residential, 1 unit/1-10 acres); -SF-6 (Single-Family, 4-7 units/acre)	
Zoning	n/a RMP--0.2 (Res-idential, SFMultiple Planned, 1 unit / .5acres); R-1 (Single-Family Res-idential, 7,500 sq ft min lot area)	
Inventory Assumption	Lower income: 0 units Above Moderate income: 43 units	
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	



Site # 8 Indian Valley 1970 Indian Valley Rd., Novato <i>(Indian Valley)</i>		
APNs / Acreage	146-261-21 146-261-28	1.90 acres (7.7 total) 5.666.37 acres (7.78.27 total acres)
Community	Indian Valley	
General Plan	7 units	SF-3 (Single Family, 1 unit/1-5 acres)
Zoning	7 units	A2-B4 (Limited Agriculture, 1 acre min lot size)
Inventory Assumption	Lower income: 0 units Moderate income: 2 units Above Mod. Income: 3-5 units	
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.	



Site # 7 Tamarin Lane 12 Tamarin Lane, Novato (Tamarin Lane)		
APN / Acreage	143-190-12	6.54-6.34 acres
Community	Blackpoint	
General Plan	6 units	SF3 (Single-Ffamily, 1 unit/1-5 acres)
Zoning	3 -units	ARP-2 (Agricultural, Residential Planned, 1 unit/2 acres)
Inventory Assumption	Lower income: 0 units Moderate income: 2 units Above Moderate Income: 3 units	
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	



APPENDIX G: HOUSING ELEMENT PROGRAM IMPLEMENTATION**2015-2023 Draft Housing Element**

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.

2014 Draft Housing Element Goal, Policy, or 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					
Program 1.a	Establish Minimum Densities on Housing Element Sites	CDA	Local resources	2015	High	Preserve the development capacity for sites included on the Site Inventory list
1.b	Evaluate Multi-family Land Use Designations	CDA	Local resources	2016	Medium	Increase capacity for affordable and multi-family housing development; zone lands appropriately; implement Countywide Plan
1.c	Study Residential Density Equivalents	CDA	Local resources	2018	Low	Encourage smaller units or and more efficient use of land
1.d	Evaluate the Housing Overlay Designation	CDA	Local resources	2016	Medium	Improve opportunities for multifamily, workforce housing.
1.e	Study Ministerial Review for Affordable Housing	CDA	Local resources	2020	Low	Facilitate the development of affordable housing.
1.f	Undertake Adjustments to Second Unit Development Standards	CDA	Local resources	2016	Medium	Expand and improve housing choice and stock, especially for smaller households and local workforce
1.g	Review and Update Parking Standards	CDA and DPW	Local resources	2016	High	Increase utilization of land for housing development; seek efficient parking standards based on housing type and location

2014 Draft Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
1.h	Update definitions of Transitional and Supportive Housing	CDA	Local resources	2015	Medium	Provide regulatory measures to facilitate housing provision and options for all segments of the community, including homeless and special needs populations
1.i	Codify Affordable Housing Incentives Identified in the Community Development Element	CDA	Local resources	2016	High	Implement the CWP; support the development of affordable housing
1.j	Promote Resource Conservation	CDA	Local resources	On-going	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.k	Simplify Review of Residential Development Project in Planned Districts	CDA	Local resources	2016	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.l	Adjust Height Limits for Multi-family Residential Buildings	CDA	Local resources	2018	Medium	Amend the Dev Code to increase the allowable height for multi-family residential development.
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					
Program 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

2014 Draft Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
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 community, including special needs populations
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 comprehensive services
2.g	Ensure Reasonable Accommodation	Fair Housing of Marin and CDA	Local resources	On-going	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	Increase Tenants Protections	CDA	Local resources	2015	Medium	Protect renters from significant rental increases and reduce displacement
2.j	Promote the Development of Agricultural Worker Units in Agricultural Zones	CDA	Local resources	2016	Medium	Provide 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

2014 Draft Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
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	2015	High	Reduce constraints for affordable and special needs developments
2.q	Study best practices for Housing Choice voucher acceptance	CDA, Marin Housing Authority	TBD	2015	High	Preserve affordable housing opportunities
2.r	Encourage 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
2.v	Study Housing Needs and Constraints Specific to West Marin	CDA	Local resources and seek grants	2018	Medium	Consider ways to maximize housing opportunities in West Marin, increase affordable housing options for low and moderate income households.
Goal 3	Ensure Leadership and Institutional Capacity					
Policy 3.1	Coordination					
Policy 3.2	Research, Monitoring and Evaluation					

2014 Draft Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
Policy 3.3	Funding					
Program 3.a	Consider Methods for Improving County's Outreach with Respect to Affordable Housing	CDA, Facilities	Local resources	2017	Medium	Conduct outreach and education to encourage and facilitate affordable housing.
3.b	Advance Organizational Effectiveness	CDA	Local resources	On-going	Low	Promote shared resources and coordination towards the achievement of common goals
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	On-going	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

2014 Draft Housing Element Goal, Policy, or Program	Goal, Policy or Program Title	Responsibility	Potential Funding	Time Frame	Priority	Objective
3.k	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.l	Assist with Local Funding for Affordable Housing	CDA	Local resources/ Housing Trust Funds	On-going	High	Pursue and leverage funding for affordable housing
3.m	Raise Funds from a Variety of Sources	CDA, CAO		On-going	Low	Pursue and collect funding for affordable housing
3.n	Coordinate Among Project Funders	CDA, MCF, MHA and MWHT	Local resources	On-going	Medium	Serve as a coordinator among local funders
3.o	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
<p>24.04.110 23.08.015 23.08.025 24.04.120</p>	<p><u>Streets/Roads</u></p>	<p><u>The following sets forth the minimum widths for the improved section measured from face of curb to face of curb. Where no curb or berm is proposed, the paved width shall be one foot greater than that listed to allow for edge striping and pavement edge raveling.</u></p> <p><u>Street Minimum Paved Width:</u> Limited residential road, 20' with shoulders, 24' with curbs Minor residential road, 28' Residential road 36' 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 <u>as deemed appropriate by the agency.</u></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>24.04.250 24.04.260 24.04.265 24.04.280</p>	<p>Driveways</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. 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. 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. <u>The minimum improved width of a driveway serving nonresidential uses shall be eighteen feet.</u></p> <p><u>Retaining Walls:</u> The following standards and restrictions shall apply to all driveways:</p> <ul style="list-style-type: none"> (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). (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). (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. (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. (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><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>

<p>22.26.030 22.26.040</p>	<p>Landscaping</p>	<p><u>Landscaping Plan Procedures:</u></p> <ul style="list-style-type: none"> 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; B. After approval of the development application, a final landscaping plan shall be prepared and submitted concurrent with the Building Permit application; and C. Landscaping plans should be prepared by a landscape professional. <p><u>Landscaping Objectives:</u> Proposed landscaping should be designed and installed to achieve the following objectives:</p> <ul style="list-style-type: none"> A. Provide visual amenities B. Provide environmental benefits C. Conserve water D. Screen incompatible land uses E. Improve safety F. Preserve the character and integrity of neighborhoods G. Preserve native plant species H. Preserve the number of trees in the County (for every tree removed, two must replace it) <p>Provide for fire safe landscaping</p>
<p>24.05.010 24.05.040 24.05.080 24.05.090</p>	<p>Easements</p>	<p><u>General:</u> 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> 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> 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> 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>
<p>24.04.560</p>	<p>Drainage</p>	<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 top of the near embankment, whichever is greater.</p>

<p>22.98.040</p>	<p>Parkland Dedications and Fees</p>	<p><u>C. 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><u>G. 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><u>H. 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> <ol style="list-style-type: none"> 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. 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. <p>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>
<p>18.06.050</p>	<p>Sewage Disposal*</p>	<p><u>Connection to public sewer system and alternatives:</u> 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>
<p>22.100.020</p>	<p>Sewer and Water</p>	<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"> 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. 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. 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. <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,</p>

		<p style="text-align: right;">PC Attachment #1</p> <p>in compliance with Title 7 (Health and Sanitation) of the County Code, and as follows.</p> <ol style="list-style-type: none"> 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. 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. 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.
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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.*

Figure I-1: Development Standards, Conventional Zoning Districts

ZONING DISTRICT ¹	EXAMPLES OF PERMITTED USES (Without Use Permit)	MINIMUM LOT AREA ^{2,3}	MINIMUM SETBACKS ^{4,5,6}			MAXIMUM HEIGHT (Main building) ^{7,8}	MAXIMUM FAR (Floor Area Ratio) ^{9,10}
			Front	Side	Rear		
R-1		7,500 sq. ft.	25 ft.	6 ft.			
R-1:B-1	<ul style="list-style-type: none"> Single-family dwelling Accessory buildings and uses Home occupations Public parks and playgrounds Crop and tree farming Nursery and greenhouses 	6,000 sq. ft.	25 ft.	5 ft.	20% of lot depth/ 25 ft. maximum	30 ft. maximum	30%
R-1:B-2		10,000 sq. ft.	25 ft.	10 ft.			
R-1:B-3		20,000 sq. ft.	30 ft.	15 ft.			
R-1:B-4		1 acre	30 ft.	20 ft.			
R-A		7,500 sq. ft.	25 ft.	6 ft.			
R-A:B-1	<ul style="list-style-type: none"> All uses permitted in R-1 Limited livestock uses (see Section 22.32.030, M.C.C.) Dairy on five acres or more 	6,000 sq. ft.	25 ft.	5 ft.	20% of lot depth/ 25 ft. maximum	30 ft. maximum	30%
R-A:B-2		10,000 sq. ft.	25 ft.	10 ft.			
R-A:B-3		20,000 sq. ft.	30 ft.	15 ft.			
R-A:B-4		1 acre	30 ft.	20 ft.			
A-2		2 acres	25 ft.	6 ft.			
A-2:B-1	<ul style="list-style-type: none"> All uses permitted in R-1 Limited agricultural uses Horse stables and riding academies Dog kennels having six or less dogs 	6,000 sq. ft.	25 ft.	5 ft.	20% of lot depth/ 25 ft. maximum	30 ft. maximum	30%
A-2:B-2		10,000 sq. ft.	25 ft.	10 ft.			
A-2:B-3		20,000 sq. ft.	30 ft.	15 ft.			
A-2:B-4		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 I-2: Development Standards, Planned Districts

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

FOOTNOTES:

1. For information regarding other zoning districts, please contact the Marin County Community Development Agency, Planning Division.
2. 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.
3. 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 I-3: 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	7,500 sq.ft.	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	35 ft.	15 ft.	Not applicable
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		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			
CP	Not applicable	1 unit per 1,450 sq. ft. of lot area	Not applicable			30 ft.	15 ft.	Not applicable
IP		Not permitted						
RCR		Affordable Housing per CWP						
OP		Not permitted in OP; See Zoning Map for RMPC						
RMPC								

FOOTNOTES:

1. Minimum lot area and setback standards may change, as follows:
 - a. 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).
 - b. 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).
 - c. 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.
2. Except for affordable housing, dwellings are not permitted in RCR districts. Where dwellings are permitted, the following standards apply:
 - a. 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.
 - b. In C1 districts, dwellings are allowed only on above the first floor. The first floor shall be reserved for non-residential use.
3. 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 I-4: 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 I-5: 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 Professiona I	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 I-6: Permit Requirements by District, Agricultural Districts

RESIDENTIAL USES	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
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.)	

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APPENDIX J: FLOOD MANAGEMENT (§65302)**INTER-OFFICE MEMORANDUM
MARIN COUNTY DEPARTMENT OF PUBLIC WORKS**

DATE: July 23¹, 40422014
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.

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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 timeframes, 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.

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**Attachment 2:
Administrative Record (comments received)**

From: Jean Gallagher
Sent: Tuesday, July 29, 2014 12:41 PM
To: PlanningCommission
Subject: LVEHOA Comment letter on Housing Element Draft Update

Dear Planning Commission,
As a resident of Lucas Valley Estates, I support all points made in the LVEHOA Comment Letter dated July 26, 2014 regarding the Marin County Draft Housing Element Update 2015-2023.

Jean Gallagher
Silver Pine Terrace

From: Alan Scotch
Sent: Tuesday, July 29, 2014 3:48 PM
To: PlanningCommission
Subject: FW: Housing Element County vs SR

I have to admire the meticulous detail the [County Planners](#) went into discussing the RHNA HOUSING ELEMENT on July 28th 2014.

San Rafael's Planners (who had 1,007 housing units to find compared to 185) summed up their **brief meeting** with "Well it's in our General Plan, we have the housing identified already -- that's all folks, goodnight".

It's just a matter of showing ABAG that we got their (illogical) numbers covered.
- Development on these sites may or may not happen, regardless, and as you know, no "DEVELOPMENT nor ReZoning is required by ABAG".

San Rafael's Planning Commission Meeting on their HOUSING ELEMENT:
http://cityofsanrafael.granicus.com/MediaPlayer.php?view_id=2&clip_id=575&meta_id=46992

Alan

PS What might have helped at last night's meeting:
http://marininfo.org/Housing/2014_housing_elements.htm

From: Karen Tuttle
Sent: Wednesday, July 30, 2014 3:54 PM
To: PlanningCommission
Subject: Tam Junction Sites

Thank you for removing the Tam Junction Sites from the 2015 to 2023 DRAFT of Marin County Housing Element's Available Land Inventory. Congestion is awful already. Thanks for listening.

Karen Tuttle
Tam Valley Resident

From: Stephanie Vandrick
Sent: Wednesday, July 30, 2014 10:09 AM
To: PlanningCommission
Subject: removal of Tam Junction sites

Dear members of the Planning Commission,

I write to thank you very much for removing the Tam Junction Sites from the 2015 to 2023 DRAFT Marin County Housing Element's Available Land Inventory. For the many reasons you heard, ranging from road-choking traffic to environmental reasons, housing in those locations would be untenable. I write as a resident of Tam Valley.

Stephanie Vandrick

--

Stephanie Vandrick
Professor
Department of Rhetoric and Language
University of San Francisco, KA-204
2130 Fulton Street
San Francisco, CA 94117
415-422-2407
vandricks@usfca.edu

Visit my blog on books at <http://stephanievandrickreads.blogspot.com/>

From: Otto von Franque
Sent: Wednesday, July 30, 2014 9:21 AM
To: PlanningCommission
Subject: Thank You

Good Morning:

I understand that the Planning Commission likely will remove the Old Chevron Site and the Armstrong Nursery Site in Tam Valley from the County Housing Element's Available Land Inventory. I would like to thank the Commission very much for that intended action.

Having lived in and near Tam Valley for nearly 20 years, I have noticed a tremendous increase in congestion at Tam Junction just over the last couple years. It takes me longer to get TO the freeway many mornings (1.5 miles) than the rest of my commute to San Rafael ON the freeway. Feels like a mini LA right at Tam Junction
So Thank You very much for not potentially/likely worsening this congestion with additional housing

Sincerely,

Otto von Franque, MD
(Northern Ave)

From: Art Yow
Sent: Wednesday, July 30, 2014 9:46 AM
To: PlanningCommission
Cc: sharon@tamalmonite.org
Subject: Tam Junction

Honorable Planning Commissioners:

I am a 40 year resident of Tam Valley and have witnessed many changes in the area during that time.

I wish to thank you for your recent vote to remove the Chevron and Armstrong sites (Tam Junction) from the County Housing Element's Available Land Inventory.

It is with no exaggeration that Tam Junction / Shoreline Highway traffic, even at its current level, is terribly congested.

In addition, to imagine a "Wincup"- like monstrosity at Tam Junction would be totally contrary to everything Marin!

For a County which prides itself in the Frank Lloyd Wright designed Civic Center, it is absolutely incredible for it to have permitted the monstrosity at Wincup; especially with such an "in your face" location!

Much is at stake here, we all have seen the handiwork of "developers".

Please don't let this happen at Tam Junction/Almonite; the gateway to beautiful Mt. Tamalpais, Muir Woods, Stinson Beach and West Marin.

With my regards,
Art Yow AIA

From: Ann Burke
Sent: Thursday, July 31, 2014 7:08 PM
To: PlanningCommission
Subject: July 28th Planning Meeting

Dear Planning Commissioners:

Thank you so much for caring about current and future residents of Marin County. The sites that were identified in the Housing Element in Tam Valley would create grave concerns for those currently living in the Valley and potential new residents. Development in this area that has so many constraints and burdens such as sea level rise and the never ending traffic make it an area totally inappropriate to identify as a place to target for building of residences.

I also want to thank you for your patience and willingness to give so much of your time and attention at the July 28th meeting to the public and the issues.

Sincerely,

Ann Burke

334 Jean Street, Mill Valley, CA. 94941

From: Dorothy McQuown
Sent: Thursday, July 31, 2014 9:43 PM
To: PlanningCommission
Subject: Monday's meeting

Dear Commissioners, I want to thank you profusely for removing two of the Tam Junction Sites from the 2015 to 2023 DRAFT Marin County Housing Element's Available Land Inventory. I came to the meeting regarding this issue, as I am a 32 year Tam Valley resident who is shocked and extremely troubled by the recent blockages in traffic patterns and ever-increasing flooding on our nearby roadways. Your willingness to hear our concerns and make adjustments to prevent further deterioration of the area is gratifying. Thank you. Dorothy McQuown, Ph.D.

From: Peta Penson
Sent: Thursday, July 31, 2014 3:52 PM
To: PlanningCommission
Subject: Thank you for removing Tam Junction sites

Folks,

We are very appreciative of your removing two of the Tam Junction Sites from the county housing element inventory, and are confident that you will find alternatives that don't further clog up the current traffic congestion at our end of Mill Valley. It's a relief to see that you are listening to the public on the situation and are considering all the input you are getting.

Kudos to you,

Peta Penson and Peter Banys
268 Greene St (Tam-Almonte area)
Mill Valley, 94941

MARGARET KETTUNEN ZEGART

118 HIGHLAND LANE, MILL VALLEY, CA 94941 CITY, CA 95531 415-383-2771

Marin County Planning Commission
Civic Center Drive, Room 308
San Rafael, CA 94941

July 31, 2014

RE: July 28 Housing Element Workshop / Affordable Housing

Dear Commissioners:

Thank you for your careful consideration and responses to various issues brought before you last Tuesday regarding the Draft Housing Element.

A letter that I thought had reached you at 2:00 pm on July 28 was undelivered on e-mail, I found out and was unable to re-send it today. Apparently, I am blocked from e-mails being sent to you, so shall enclose that with this additional comment letter and request that both will be added to the correspondence file.

I hope that you will delete, also, in August a third Southern Marin Manzanita parcel if the permit for a mini-deli store and two market rate and one employee rental units has expired at **150 Shoreline**. This site, also, is adversely impacted by traffic, by flooded road access at king tides and at motionless movement traffic congestion. Of course, this congestion is way beyond level of service (LOS F) which has been waived as a special consideration for Shoreline Highway and Sir Frances Drake Boulevard in a Title 22 adjusted Developer Incentive. You may wish to review this exemption and also Affordable Housing reduced setbacks for creeks and roadways that the *County Wide Plan* provided for market rate development. A priority is restored / increased setbacks in order to provide (a) habitat and swale buffer for future drainage or necessary increased water passage space as sea level rise and storm surge flooding increase with Climate Change and as (b) trees / plantings aid in lessening the extra-ordinary increased green house gas emissions' adverse impact on air quality. [The *County Wide Plan's* peak hour base line for air quality assessment did not include weekend traffic on 101 nor recorded data as traffic accesses onto or from Shoreline Highway 1.]

Thank you,

Margaret Kettunen Zegart

AOL Note: bcrawford@marincounty.org (<bcrawford@marincounty.org>
<lthomas@marincounty.org>) does not appear to be a valid email address. Verify the address and try again.

From: Margaret Kettunen Zegart
Sent: Sunday, August 03, 2014 10:56 PM
To: Crawford, Brian
Cc: PlanningCommission
Subject: Comments as you work on Housing Element

Margaret Kettunen Zegart

118HIGHLAND LANE, MILL VALLEY, CA 94941 City, CA 95531 415-383-2771

August 4, 2014

Brian Crawford, Community Development Agency Director

Housing Element staff and Planning Commissioners
3501 Civic Center Drive, room 308
San Rafael, CA 94904

RE: Equitable and Sustainable Housing Goals in Proposed Recommendation for Housing Element

Dear Housing staff and Planning Commissioners:

A reminder that any Housing Element document you submit to the Board of Supervisors for the approval cannot affirm sustainable (1) and equitable (2) goals for low low, low income households and by State definition, moderate income households in Marin.

“The purpose of the Housing Element, a required chapter of the general plan, 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 will be adopted as an [amendment](#) to and incorporated into the *Countywide Plan (CWP)*. Housing Elements ~~may~~ shall require environmental analysis under spirit of the California Environmental Quality Act (CEQA).” Despite extensive community workshops, correspondence and hearings input and excessive expenditures of money, staff time, and an EIR which noted 42 significant adverse impacts which cannot be mitigated on housing sites; your EIR responses and current Housing Element suggested questionable sites or densities. Possible site study / mitigations is deferred to future evaluation. This may be limited or evaded by an accelerated review and administrative streamlining permit process adopted by Marin County. Sustainable Housing cannot be built on seismic and forecasted inundation from Rising Tides, etc. Section 15151 of the *State California Environmental Quality Act (CEQA) Guidelines* states that the EIR “should be prepared with a sufficient degree of analysis to provide decision-makers with information that enables them to make a decision which intelligently takes account of environmental consequences .”

(A) BCDC Bay Area Amendments Climate Change Guidelines developed through regional consensus applicable for development along Richardson Bay, streams and San Pablo Bay

g. San Francisco Bay Conservation and Development Commission (BCDC) Bay Plan Amendment of July 29, 20119G) regarding Climate Change. “In the context of Climate Change, mitigation refers to actions taken to reduce greenhouse gas emissions, and adaption refers to actions taken to address potential or experienced impacts of climate change that reduce risks. Adaption actions that protect existing development and infrastructure include protecting shorelines, promoting appropriate infill developments and designing new construction to be resilient to sea level rise. Another option is

relocating structures out of flood and inundation zones. Some actions can integrate adaption, mitigation, and flood protection strategies and may be cost-effective: when implemented before sea level rise ...”

“n. Some Bay Area Communities, particularly those whose residents have low incomes, disabilities or are elderly, may lack the resources or capacity to respond effectively to the impacts of sea level rise and storm activity. Financial and other assistance is needed to achieve regional equity goals and help everyone be part of resilient shoreline communities.

“r. In some cases, the regional goals of encouraging infill development, remediating environmentally degraded land, redeveloping closed military bases and concentrating housing and job density near transit may conflict with the goal of minimizing flood risk by avoiding development in low-lying areas on a portion of the property to reduce the area that must be protected; formulating an adaption strategy for dealing with rising sea level and shoreline flooding with definitive goals and an adaptive management plan for addressing key uncertainties for the life of the project, incorporating measures that will enhance project resilience and sustainability and developing a project based financial strategy and / of public financing strategy , as appropriate, to fund future flood protection for the project which may also protect existing nearby development. Reconciling these different worthy goals and taking appropriate actions requires weighing competing policy considerations and would be best accomplished through a collaborative process involving diverse stakeholders, similar to that being undertaken by the joint Policy Committee to develop the Sustainable Communities Strategy.”

(B) Examples of County inequality rulings for Affordable Housing

County Title 22 Amendments exempt affordable housing from market rate protections – including setbacks and the maximum residential density standards on Ridge and Upland Greenbelt and Bayland Corridors, properties that lack sufficient water or sewer systems, or that remove permit procedure for affordable housing on RCR zoning and roadside business sites. (e.g Policy CD 1.3, Programs CF-1c, CD5.4, CF6.a CWC section 4.4e). Rightfully remove these, violating *CWP* ‘s social justice or environmental criteria.

(C) Distance and increased site costs

Even IF a SMART stop is added to be within the .5 mile, transit, inclusive connections should be clarified and route portions adversely affected by future inundation or slide prone hill slopes should be evaluated as well as traffic commute congestion. Any mitigation by SMART should add transfer time and added mileage costs / taxi fees. School shuttles, shopping services, mini parks / open space and community infrastructure shall be included if there are Priority Development Area (PDA) or Priority Conservation, and Baylands zoning for St. Vincent / Silveira . Exemptions to encourage dense (30 unit + 5% density) recommended by you and approved by the Supervisors in changes from the Countywide Plan by Title 22 amendments should be reconsidered. This site’s FEMA insurance rate mapped areas will have high cost home flood and seismic insurance and habitat renewal would be a part of the Internationally recognized Bay coastline. Fortunately, you have prepared a 182 “slip list allowance”. However, 42 units still are needed here if the assigned housing units numbers continue for Strawberry’s recently purchased Baptist Seminary and future flooding 150-6 Shoreline’s 3 units are removed.

(D) Compliance with Master Plan

This planning process is a necessary and legal concept and should be followed.

Sincerely,
Margaret Kettunen Zegart

Margaret Kettunen Zegart
kettz@aol.com
118 Highland Lane
Mill Valley, CA 94941

From: Lisa Barnes
Sent: Wednesday, August 06, 2014 2:43 PM
To: PlanningCommission
Subject: Thank You

Dear Planning Commissioner:

Thank you for removing the Old Chevron Site and the Armstrong Nursery Site from the 2015 to 2023 DRAFT Marin County Housing Element's Available Land Inventory. My family was very excited to hear about the straw vote and hope this course continues.

Cheers

The Barnes Family
604 Eucalyptus Way
Mill Valley

From: Sheilah Glover
Sent: Thursday, August 07, 2014 12:57 PM
To: PlanningCommission
Subject: thank you

Dear Marin County Planning Commission

Thank you for removing the Tam Junction sites from the 2015 - 2023 Draft Marin County Housing Element's Available Land Inventory. There is such a crush of cars already, I am very grateful we're not looking at a lot of new housing.

Sincerely,
Sheilah

Sheilah Glover
www.sheilahglover.com
www.ngwmusic.com
415/888-8410

**SUSTAINABLE TAMALMONTE
215 JULIA AVENUE
MILL VALLEY, CA 94941**

August 9, 2014

Marin County Planning Commission
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903

Dear Marin County Planning Commission,

Thank you so very much for your straw vote to remove two Tam Junction Sites from the 2015 to 2023 Marin County Housing Element Site Inventory.

As demonstrated previously, the Tam Junction Sites are located in areas laden with environmental constraints and hazards. Development at these sites would exacerbate the existing dangerous conditions and add new significant adverse environmental impacts. Moreover, implementation of the National Park Service's proposed GGNRA General Management Plan and Muir Woods Visitor Access Plan would potentially increase annual visitation to Muir Woods by up to ½ million more visitors and further clog congested Hwy 1. These factors make the sites unsuitable for housing. Furthermore, high-density housing at the Tam Junction Sites would be incongruous with the semi-rural character of the surrounding neighborhoods.

If the sites were to remain in the Housing Element's Inventory, then they would be targeted for housing. As currently written, the Housing Element states that sites that are listed in the Site Inventory are "zoned, available, and suitable for affordable housing". Moreover, per Program 1.a "Establish Minimum Densities on Housing Element Sites", if a Housing Element Site is developed, it must be developed with no fewer dwelling units than those shown in the Site Inventory Analysis (Appendix "F"). In addition, Leelee Thomas stated that the zoning of a site included in the Housing Element Inventory is locked in place for the term of the Housing Element.

Provided the Tam Junction Sites remain excluded from the Site Inventory when the 2015 to 2023 Housing Element is adopted, the sites would no longer be targeted for housing and our communities would then be able to pursue lowering the allowable density and build out in the hazardous Tam Junction area to a level that is appropriate, safe and sustainable.

Therefore, removing the Tam Junction Sites from the Housing Element's Site Inventory is a tremendous step in the right direction to protect public health and safety, preserve the environment, improve quality of life and maintain the neighborhood character in the Tam Valley and Almonte communities.

Thank you again for your sound judgment regarding this important matter.

With abundant gratitude,

/s/

Sharon Rushton

Chairperson

Sustainable TamAlmonte

**SUSTAINABLE TAMALMONTE
215 JULIA AVENUE
MILL VALLEY, CA 94941**

August 10, 2014

Marin County Planning Commission
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903

Re: 2015 to 2023 DRAFT Marin County
Housing Element's NEW Programs

Dear Marin County Planning Commission,

Sustainable TamAlmonte has the following comments and recommendations regarding the 2015 to 2023 DRAFT Marin County Housing Element's proposed new policies and programs:

1. Program: Evaluate Multi-family Land Use Designation.

a. Adjust zoning maps as appropriate and redistribute multi-family zoning to locations suitable for multi-family development.

b. Avoid designating or rezoning multi-family residential land for other uses or to lower densities without rezoning equivalent land for higher density multi-family development.

Discussion:

Excerpt from the "Discussion" of this program: "...*The location of multi-family zoning is often on sites with sloped topography, sensitive habitat or species, and other development constraints...*"

The above excerpt from the "Discussion" is an acknowledgement that current multi-family land use designations/ zoning are often not in areas appropriate for such continued development planning.

Furthermore, according to the Marin Countywide Plan's EIR, implementation of the Marin Countywide Plan would result in 42 significant UNAVOIDABLE adverse impacts. Therefore, the Marin Countywide Plan allows more build-out than is safe and sustainable. This should be rectified and this program could help move Unincorporated Marin in the right direction by reducing the potential build-out of dwelling units to a level that is sustainable.

For example, in the Tamalpais Area Community Plan area, besides the dwelling units allowed in the commercial/mixed use areas, there are hundreds of additional units allowed in the residential areas, which have not yet been built. This is too much allowable build-out for what the community can sustain. If multifamily zoning in the hazardous commercial/mixed use areas were moved into safer nearby residential areas, some potential adverse impacts from development would be avoided but many adverse impacts, such as those associated with hazardous traffic congestion, water, public infrastructure, and public services (E.g. overcrowded schools), would remain the same. All roads in our area lead to highly congested, gridlocked Hwy 1. So, more development in the residential areas would also exacerbate the dangerous conditions on Hwy 1. Moreover, high-density multifamily development (E.g. 20 units/acre or greater allowed at some of the commercial/mixed use sites) is incompatible anywhere in our semi-rural community and would be especially inappropriate in the residential areas.

Designate or rezone current multi-family residential land use for other uses or to lower densities or eliminate current multifamily residential land use when appropriate but do not redistribute multi-family land use designations/ zoning to other locations:

We agree that it is important to conduct a comprehensive evaluation of multi-family land use designations/ zoning to determine if they are suitably designated. However, if the analysis proves that a current multi-family land use designation/ zoning is inappropriate, then designate or rezone the current multi-family residential land use for other uses or to lower densities or else eliminate the current multi-family residential land use but do NOT redistribute the multi-family designation/ zoning to another location. By reducing the number of areas designated/ zoned for multi-family use, the potential build-out of dwelling units would be reduced. This would lower the number of potential significant UNAVOIDABLE adverse impacts from allowable development and head Unincorporated Marin toward a more sustainable future.

Definition of a “Suitable Location”

A “suitable location” should be defined as a location that can accommodate the designation/zoning’s number of allowable units and FAR without harming the environment; jeopardizing public health and safety; overburdening public services, infrastructure, and/or utilities; increasing traffic, or clashing with the character of the neighborhood.

RECOMMENDATION:

Replace the Program “Evaluate Multi-family Land Use Designation” with the following:

A. Conduct a comprehensive analysis of multi-family land use to evaluate whether multi-family land use designation/ zoning is suitably located.

B. If the current multi-family land use designation/ zoning is inappropriate (or unsuitable), then designate or rezone current multi-family residential land use for other uses or to lower densities or else eliminate current multifamily residential land use but do not redistribute multi-family land use designations/ zoning to other locations.

C. Define “Suitable Location” as a location that can accommodate the designation/zoning’s number of allowable dwelling units and FAR without harming the environment; jeopardizing public health and safety; overburdening public services, infrastructure, and/or utilities; increasing traffic, or clashing with the character of the neighborhood.

2. Require Multifamily Residential Development in Multifamily Zones. -

Require multifamily development in multifamily zones, including R2, RMP, and RMPC. Prohibit the development of single-family dwellings in multi-family zones unless the Director finds that multifamily development is infeasible or impractical based on physical site constraints, environmental constraints or in the case of the loss of an existing home due to emergency or natural disaster.

Multi-family homes should be required to be consonant with existing neighborhood and building standards and designs (E.g. a duplex instead of a four story apartment building). R2, RMP and RMPC zoning were designed to allow flexibility in planning decisions. Requiring multifamily development in these zones would take away this flexibility.

RECOMMENDATION:

Eliminate this program, as directed by the Planning Commission’s straw vote at the July 28th public hearing.

3. Study Residential Density Equivalents. – Evaluate options for calculating density through adjusted density equivalents based on bedrooms count or square footage rather than total number of units. Such an amendment to the Development Code would encourage development of smaller units, which corresponds to the demographic trend of increasing numbers of small households.

a. Conduct an analysis to determine the feasibility of a density equivalent program.

Future housing for families should not focus on creating small units that make multigenerational living more difficult as this trend is increasing and has historically provided the social safety net and cultural survival model for low-income families, including senior support systems.

Calculating studios and one-bedroom units as fractions of units would essentially up-zone parcels zoned for multifamily units by allowing more units per acre than currently allowed. This would increase the intensity of development and therefore would most likely result in more adverse impacts. Greater intensity of development would also probably not fit in with the neighborhood character. Greater densification would not be congruous with suburban and semi rural areas.

RECOMMENDATION:

Eliminate the Program “Study Residential Density Equivalents” from the Housing Element programs.

b. Analyze how such a program might interact with inclusionary requirements, parking standards, and density bonuses.

We have already observed the inequity of inclusionary being a percentage of total units without consideration of disproportionate size of small units as the 'affordable' and much larger units for moderate and above while all of which are treated as if they were equivalents (“...equity issues of smaller versus larger units”). This results in reduction of square footage available for lower income residents.

RECOMMENDATION:

Developers should not be allowed to profit from building a token percentage of tiny affordable units in exchange for incentives including parking, height, density, financial subsidies, and environmental shortcuts while profiting from many more larger market-rate units. Inclusionary units should be equitable.

4. Program: Expand the Scope of Project Review. Consider requiring a socioeconomic analysis (SEA) for larger developments of more than 10 units to assess the costs and benefits of different potential development scenarios to support rational, transparent and consistent decisions regarding land use.

We support this Program. However, unless there is an economic analysis of 'cradle to grave' costs of depletion of resources in recognition of limits to growth, then the review will not reflect the actual costs vs. benefits but rather continue to support short-term objectives while ignoring long-range adverse unintended consequences. It erroneously presumes continued growth (especially large development) is sustainable.

RECOMMENDATION: Include a “cradle to grave” cost analysis in the socioeconomic analysis (SEA).

5. Build Support for Affordable Housing.

Excerpt from the “Discussion” of this program: *“...one of the most predominant barriers identified was the lack of community support for providing homes for moderate and lower income families.”*

The discussion related to this program restates the false information circulated by 'housing providers and supporters' that denigrates communities by accusing them of lack of support for affordable housing. In fact, communities have consistently acknowledged the need for, supported provision of and proposed suggestions for affordable housing. What they have opposed is the tokenism and the high-density over-developments, which the developers and policy-makers have proposed. They have asked for integration without application of the double standards that increase profitability while compromising the environment, public health and safety and livability for current and future residents. This program is unnecessary and diverts attention from the real concerns.

RECOMMENDATION: As there is already broad support for affordable housing, this program “Build Support for Affordable Housing” is unnecessary.

6. Establish a Housing Equity Commission – Consider adding a Housing Equity Commission whose role would be to advise on how to respond to the broad range of housing needs in Marin County by supporting a mix of housing types, densities, prices and designs. The Commission would ... take action to develop support for housing for low and moderate income households in Marin.

Excerpt from the “Discussion” of this program: *“The Commission could also encourage public and private partnerships in promoting housing preservation and production.”*

There seems to have been ample advice given by communities, organizations, developers and funding agencies. There have also been publicly funded community development department employees and an economic forum promoting housing production.

The County has already existing commissions and councils offering relevant advice such as the Human Rights Commission, Commission of Aging, Children and Families Commission, the Disaster Council, Fish and Wildlife Commission, Health Council, Planning Commission, Workforce Investment Board and all the Design Review Boards. The challenge is for the planning department to respond to equitable solutions proposed which are consonant with environmental and social needs as well as local public input.

RECOMMENDATION: A Housing Equity Commission is unnecessary. We agree with the Planning Commission’s straw vote to eliminate this program.

7. Conduct Site Assessments on Housing Element Sites – The County will consider conducting a detailed biological site assessment of sites in the Housing Element.

Excerpt from the “Discussion” of this program: *“This program is intended to provide additional information which could be used to identify any existing constraints on a site. The analysis could be used to reduce up front predevelopment costs and determine development feasibility for lower income housing.”*

For the sake of the environment and current and future residents there is a need to eliminate Housing Element Sites such as in the Tam Valley area, which are well known to have significant multiple constraints. A biological analysis should prevent sites like those in Tam Valley from being selected as Housing Element Sites.

Unfortunately the current tier policies allow for superficial programmatic review, which then obviates or streamlines thorough CEQA review at the project level. There should be no reduction of development costs entailed in full CEQA review. This is the responsibility of the developer.

There should be no incentives for reduction of standards (social injustice) based on low income of future residents or the financial feasibility required for the profitability of the developer.

RECOMMENDATION:

Biological Analysis should be used to eliminate constrained sites from development potential but the analysis should not be used to streamline environmental review or as a substitute for the full CEQA process. As we recommended during the Countywide Plan hearings in 2007, a biologist should be added to the Planning Staff in order to carry out this preliminary analysis.

NEW PROGRAMS ADDED BY PLANNING COMMISSIONERS ON JULY 28TH:

8. Study Housing Needs and Solutions in West Marin:

We agree that housing needs in West Marin should be addressed and Housing Element Sites should be identified in West Marin. East Marin is mostly built-out and West Marin includes low-income workers in agriculture, recreation and service industries whose housing needs should be addressed. This would help to achieve geographic equity and housing diversity.

RECOMMENDATION:

Until we see the exact wording of this proposed program, we withhold judgment. However, we agree with the concept of this program, provided it does not change Ag-60 Zoning.

9. Find Ways to Increase Housing That Accepts Section 8 Vouchers:

Provided this program doesn't encourage new development but rather focuses on encouraging more of Unincorporated Marin's existing residential development to accept Section 8 vouchers, we support this program. Such a program could provide direct support for those who most need it.

RECOMMENDATION:

Until we see the exact wording of this proposed program, we withhold judgment. However, we agree with the concept of this program.

Thank you for your conscientious consideration.

Very truly yours,

/s/

Sharon Rushton, Chairperson

Sustainable TamAlmonte

**SUSTAINABLE TAMALMONTE
215 JULIA AVENUE
MILL VALLEY, CA 94941**

August 11, 2014

Marin County Planning Commission
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903

Re: 2015 to 2023 Draft Marin County Housing Element Policies & Programs Carried
Over from the Previous Housing Element

Dear Marin County Planning Commission:

Sustainable TamAlmonte has the following comments and recommendations regarding the 2015 to 2023 Draft Marin County Housing Element's policies and programs that are carried over from the previous Housing Element (2007 to 2014 cycle):

Regarding Program 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”:

Program 1.a “Establish Minimum Densities on Housing Element Sites” refers to Housing Element law. However, there are additional sections of the law that allow greater flexibility in regard to being able to change the density at a site identified in a Housing Element's Site Inventory. This greater flexibility should be added to this program.

RECOMMENDATION:

Re-write Program 1.a to allow for greater flexibility and the ability to lower the residential density at sites identified in the Housing Element's Site Inventory.

**Regarding Housing Goal 1 – Use Land Efficiently –
Policy 1.3 Promote development certainty and minimize discretionary review for affordable and special needs housing through amendments to the Development Code; Program 1.e Study Ministerial Review for Affordable Housing; & Program 1.o Simplify Review of Residential Development Projects in Planned Districts:
AND**

**Housing Goal 2 – Meet Housing Needs Through a Variety of Housing Choices -
Program 2.p. Expedite Permit Processing of Affordable and Special Needs Housing Projects:**

Permitting affordable housing projects and special needs housing projects through a streamlined and expedited process should NOT be allowed. Moreover, ministerial review should NOT be allowed for affordable housing, for residential development projects in planned districts, or for review of subsequent development projects, consistent with a Master Plan.

We see no problem with establishing specific criteria in order to minimize the level of code interpretation required by decision makers. However, we are opposed to any streamlining or expediting of the permit review process or any ministerial review process. Streamlining and fast-tracking permit review (with specific timelines) and ministerial review would hinder thorough and accurate review, constrain public input on planning decisions and reduce transparency. This is in direct opposition to looking out for the best interests of Marin residents and the environment.

Time and time again, the planning department has demonstrated a lack of knowledge of the Tam Valley and Almonte communities, where environmental constraints and hazards abound. Only with local input, did the department become aware of crucial information. Careful and thorough review is necessary to ensure protection of Marin’s environment and public health & safety. For best planning decisions, ample input from the local residents should be encouraged, rather than denied.

Moreover, treating the review of affordable housing projects and special needs housing projects differently and with less careful scrutiny than market rate housing projects could pave the way for lower income households to live in conditions substandard to those of higher income households. This is a form of social injustice.

RECOMMENDATION:

Revise Program 2.p. and eliminate all streamlining or expediting of the permit review process or any ministerial review process for Affordable and Special Needs Housing Projects.

**Regarding Housing Goal 1 – Land Use Efficiently -
1.o Simplify Review of Residential Development Projects in Planned Districts. b.
“Consider amendments that would allow Master Plans to establish site specific criteria for ministerial review of subsequent development projects subjects”:**

Regarding ministerial review of development projects subject to a Master Plan, many factors may change in the years following the establishment of a Master Plan, such that site specific criteria set by a Master Plan may no longer be appropriate once the subsequent project is applying for a permit. (For instance, it is now known that sea level rise will come sooner and higher than previously known at the time that the CWP was

adopted.) Therefore, development projects that are subsequent to Master Plans should be thoroughly reviewed and not allowed permitting through ministerial review.

RECOMMENDATION:

- Establish specific criteria of affordable housing, planned districts, and special needs housing projects in order to minimize the level of code interpretation required by decision makers. However, do NOT allow any streamlining of permit review or ministerial review.
- Do NOT allow the density of affordable housing developments to be established by the maximum CWP density range. Rather, require affordable housing densities to follow the density limits of the land use category and zoning of the specific site in which the housing is located.

**Regarding Housing Goal 1 – Use Land Efficiently –
Program 1.g Undertake Adjustments to Second Unit Development Standards - c. Development standards to allow flexibility of second unit parking requirements;
Program 1.i Review and Update Parking Standards & Program 1.m Codify Affordable Housing Incentives Identified in the Community Development Element – b. Adjust parking requirements:**

Rather than reduce parking standards, parking standards should be maintained and enforced. Public transit is severely lacking and inconvenient in Marin County, resulting in all residents needing the use of cars on a daily basis and the use of easy access parking spaces. To reduce parking standards for the less fortunate is a form of social injustice.

Many streets throughout Marin are narrow with little or no room for off-street parking. In times of emergency ingress and egress, this is a safety issue. There have been instances when emergency vehicles have not had room to pass by parked cars on narrow streets.

There is often a shortage of parking spaces at our park and ride locations. Retail stores need ample parking to ensure patronage. Public parking is needed for the public and should not be relied on for regular private usage.

RECOMMENDATION:

- Do NOT reduce but rather maintain on-site vehicular ratios for multi-family housing.
- Do NOT allow off site parking, such as on-street parking and the use of public parking, to satisfy the parking needs for new housing units.
- Eliminate **Program 1.g – c.** and **Program 1.i – b.**

**Regarding Housing Goal 1 – Use Land Efficiently –
Program 1.p Adjust Height Limits for Multi-family Residential Buildings:**

A height of 45 feet should NOT be exceeded. One of the treasured aspects of Marin is the small town and rural character of its communities. This feature would be lost if multi-family residential buildings were allowed heights greater than 45 feet. A height greater than 45 feet would not blend with Unincorporated Marin's neighborhoods and definitely not with neighborhoods in the Tamalpais Community Plan area. Furthermore, existing height restrictions were created to protect neighbors' views, sunlight, and privacy. As

such, raising height limits would potentially lower the quality and value of neighboring properties.

RECOMMENDATION:

- Eliminate Program 1.p and do NOT adjust height limits for Multi-family Residential Buildings; and
- Do NOT amend the Development Code to increase the allowable height for multi-family residential development.

Thank you for your conscientious consideration.

Very truly yours,
/s/

Sharon Rushton
Chairperson
SUSTAINABLE TAMALMONTE

Cc: Marin County Board of Supervisors

August 14, 2014

County of Marin
Planning Commission
c/o Alisa Stevenson, Planner
3501 Civic Center, Suite 308
San Rafael, California 94903

SUBJECT: Draft Housing Element Update for 2015-2023

Honorable Planning Commissioners:

This letter provides general comments on behalf of the Marin Local Agency Formation Commission (LAFCO) regarding the update to the County of Marin's Housing Element currently under consideration by the Planning Commission. The comments herein are tied to LAFCO's interest as prescribed by the Legislature to assist local governmental agencies in advantageously planning for the current and future needs of local communities by appropriately matching development with services. Relevant objectives include providing housing for persons and families of all incomes necessary for the social and fiscal well-being of the state (Government Code Section 56001).

The County's Draft Housing Element Update for the 2015-2023 cycle as of July 28th identifies 10 recommended sites to accommodate – among others – the 185 unit regional housing needs assignment for the unincorporated area as determined by the Association of Bay Area Governments. LAFCO has reviewed these 10 sites for purposes of identifying related policy considerations and marked by the relationship with city or special district spheres of influence. Markedly, spheres are the State's version of urban growth boundaries and represent the current and probable future jurisdictional boundaries and service areas of the affected agencies as determined by LAFCOs. All annexations and outside service extensions must be consistent with the affected spheres with limited exceptions (Sections 56375.5 and 56133(c)).

The succeeding table provides a listing of the applicable spheres for the 10 sites recommended in the Draft Housing Element Update specific to wastewater, water, and fire services given their direct importance in facilitating/supporting development. It is pertinent to note three of the sites lie in city spheres and mark a standing expectation the affected lands be ultimately developed/served by these municipalities. LAFCO encourages the County to work with the subject cities to help ensure any future development plans for the affected lands are compatible and ultimately transferable to the municipalities less any unique local circumstances that merit otherwise. It is also encouraged the County work with the subject districts listed in the following table whose spheres include the sites but remain outside their jurisdictional boundaries.

Chairperson: Jeffrey Blanchfield / *Vice Chairperson:* Dennis J. Rodoni
Regulars: Susan Adams, Judy Arnold, Carla Condon, Craig K. Murray, Gary Phillips
Alternates: Jack Baker, Christopher Burdick, Kathrin Sears, Herb Weiner
Executive Officer: Keene Simonds

Marin Local Agency Formation Commission

555 Northgate Drive, Suite 230 ● San Rafael, California 94903
Telephone (415) 446-4409 ● Facsimile (415) 446-4410 ● General E-Mail: staff@marinlafco.org
www.marinlafco.org

Recommended Sites for County's 2015-2023 Housing Element: Relationship with Existing District and City Spheres			
Site Location	District Sphere	City Sphere	Units
Easton Point (Martha Property)	Sanitary No. 5 Marin Municipal Water (annexed) Tiburon Fire Protection (annexed)	Tiburon	43
Tamarin Lane (12 Tamarin Lane)	Novato Sanitary North Marin Water (annexed) Novato Fire Protection (annexed)	-none-	3
Indian Valley (1970 Indian Valley Rd)	Novato Sanitary North Marin Water (annexed) Novato Fire Protection (annexed)	-none-	5
Manzanita (150 Shoreline Hwy)	Sausalito-Marín City Sanitary (annexed) Marin Municipal Water (annexed) Southern Marin Fire Protection (annexed)	-none-	3
St. Vincent (St. Vincent/Silveira)	Las Gallinas Sanitary (annexed) Marin Municipal Water (annexed) * Marinwood Community Services /fire	-none-	221
Oak Manor (2400 Sir Francis Drake)	Ross Valley Sanitary (annexed) Marin Municipal Water (annexed) * Ross Valley Fire Protection	Fairfax	10
Marin City CDC (441 Drave Ave)	Sausalito-Marín City Sanitary (annexed) Marin Municipal Water (annexed) County Service Area 31 / fire (annexed)	-none-	15
Golden Gate Seminary (Seminary Drive)	Richardson Bay Sanitary (annexed) Marin Municipal Water (annexed) Southern Marin Fire Protection (annexed)	-none-	40
Marinwood Village (100 Marinwood Ave)	Las Gallinas Sanitary (annexed) Marin Municipal Water (annexed) Marinwood Community Services /fire (annexed)	-none-	82
California Park (Woodland/Auburn)	San Rafael Sanitation (annexed) Marin Municipal Water (annexed) County Service Area 19 / fire (annexed)	San Rafael	40

* All unincorporated lands in Marin County not in an existing fire district or city that provides fire service are placed in County Service Area No. 31 and are expected to be detached in the future upon annexation to another fire service provider. In some limited cases, like Marin City, CSA 31 is the designated long-term provider of fire protection.

Thank you for your consideration of the preceding comments and information; I hope it serves the Planning Commission and Board of Supervisors well in its decision-making. Should you have any questions, please contact me by telephone at (415) 446-4409 or by e-mail at ksimonds@marinlafco.org.

Sincerely,

Keene Simonds
 Executive Officer

Attachments: none

cc: Commissioners

Community Venture Partners, Inc.

A Catalyst for Sustainable Solutions

August 12, 2014

Marin County Board of Supervisors
3501 Civic Center Drive, Room 329
San Rafael, CA 94903

Re: REQUEST TO AMEND THE MARIN COUNTY HOUSING ELEMENT & EXTEND
THE PUBLIC REVIEW AND APPROVAL PROCESS

Dear Marin County Supervisors:

On Monday, August 25th, the Draft of the Marin County “Housing Element” (HE) for the 2015-2023 planning cycle will have its final review by the Planning Commission before being sent to the Department of Housing and Community Development (HCD) in Sacramento.

The County Housing Element plan will have significant impacts on all residents of Marin County. It is important that the public and our elected representatives on the Board of Supervisors have adequate time to review and comment on the plan prior to submission to HCD.

For the reasons noted below, we find that the proposed HE and its approval process schedule is unresponsive to community needs and unacceptable. We believe the submission should be HCD delayed and the review process extended to allow for greater public participation and comments by our Marin County Supervisors.

1. **Public Workshops Failed:** The County workshops that were held to solicit public input were biased toward predetermined outcomes. Its participants were not provided with sufficient facts about potential housing project site conditions or impacts to make reasonable, informed decisions.
2. **Site and Density Decisions Lack Sufficient Logic:** The methodologies and criteria used by the County to designate development sites and unit densities are generally inconsistent, inequitable and illogical. No reasonable feasibility analysis has been conducted to evaluate potential negative or unforeseen outcomes.
3. **Fast-Track Schedule is Unnecessary:** The County is fast-tracking the review, submittal and approval of the HE unnecessarily. The County has until May 31st of 2015 to gain final certification of the HE from HCD, without risk of penalty of any kind.
4. **The Fast-Track Schedule Denies Sufficient Public Participation:** The fast-track timetable for submittal of the Draft HE to the Department of Housing and Community Development (HCD) is unreasonable and fails to adequately involve the participation of the general public. The final document has not been made available to the public yet.

Once the Draft HE is sent to HCD, the opportunity for public input is over, for all practical purposes. And many residents are out of town this month, so are unable to either respond to the draft HE or attend the August 25th public hearing.

5. **The Fast-Track Schedule Denies Sufficient Participation by Our Elected Officials:** The fast-track timetable for submittal of the Draft HE to the Department of Housing and Community Development (HCD) fails to adequately provide for preliminary review and comment by our elected representatives on the County Board of Supervisors. Once the Draft HE is sent to HCD, the opportunity for significant input or changes by the BOS is over, for all practical purposes.
6. **Housing Density Far Exceeds Our Legal Requirements:** The HE's site and density designations are in excess of the state mandated Regional Housing Needs Allocation (RHNA) quota requirements (the so-called "buffer") and are unprecedented and potentially damaging to the character and economic and environmental sustainability of our County. The HE and its Alternatives propose to increase the number of mostly market rate housing units to approximately 422 percent of the RHNA requirement (781 units planned for instead of 185 required), and the number of high density affordable units to approximately 242 percent of the RHNA requirement (148 units instead of 61 required). There is no logical reason or legal requirement to do this.
7. **The State Density Bonus Adds 35 Percent More Units But Is Not Considered:** The HE fails to account for additional units that will result from the State Density Bonus law, which can automatically add up to 35 percent more units for projects providing minimal affordable housing. This could potentially increase the overall number of mostly market rate housing units approvable under this HE to approximately 470 percent (870 units planned for instead of 185 required) of the RHNA requirement.
8. **Failure to Ensure Affordable Housing:** Many of the HE policies and programs are untested and unlikely to result in the construction of any truly affordable housing for those most in need in Marin County. More than half the "affordable" units noted in the HE are for families making more than \$97,100 a year.
9. **Significant Community and Environmental Impacts:** The housing locations and densities proposed in the HE will overly impact our local roads, schools, water resources, infrastructure, and public services, and dramatically alter the character of our communities, and require further investigation.

We are strong supporters of realistic affordable housing solutions. However, based on the findings noted above, we hereby respectfully request that the County:

- I. **Delay the submission of the Draft Housing Element to HCD** until such time as the public has had adequate opportunity to review it and comment on it, and until such time as the Board of Supervisors can schedule a public hearing to review it and comment on it prior to submission to HCD.

- II. **Reduce the number of designated building sites and units** that are in excess of our legal requirements (the “buffer”) to a number which more realistically addresses our RHNA obligations under the law, and which is more reasonable and consistent with what other cities and counties have done.

- III. **Refocus on how to create affordable housing** in ways that protect public health and safety, are more equitably distributed throughout the County, and are more appropriate for the small-scale character of our towns and the infill development opportunities in our communities, and that do not place unsustainable burdens on the capacity of our roads, schools, water resources, utilities, infrastructure, and public services.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Silvestri', with a stylized flourish at the end.

Bob Silvestri
President

From: George Collins

Sent: Tuesday, August 12, 2014 9:44 PM

To: Kinsey, Steven; Adams, Susan; Rice, Katie; Arnold, Judy; Sears, Kathrin; Crawford, Brian; Arnold, Judy; Sears, Kathrin

Subject: Please see my request as a 39 year resident of Marin. Thank you. George Collins

[See August 12, 2014 letter from Community Venture Partners, Inc.]

From: Robert Skutch
Sent: Tuesday, August 12, 2014 5:10 PM
To: Crawford, Brian
Cc: Kinsey, Steven; Rice, Katie; Arnold, Judy; Sears, Kathrin; Adams, Susan
Subject: FW: Call to Action: Marin County Housing Element Plan

To the Planning Dept and Marin Board of Supervisors:

I know you have been sent the below message by the Community Venture Partners, but we would like to personally urge you slow down "the process" so that we "just plain" residents and citizens of Marin have a chance to have a "say" in public meetings as to what we believe is in the best interests of the people who live in Marin.

**Robert & Lee Skutch
Mill Valley**

[See August 12, 2014 letter from Community Venture Partners, Inc.]

From: Corinne Swall

Sent: Wednesday, August 13, 2014 3:33 PM

To: Adams, Susan; Kinsey, Steven; Rice, Katie; Arnold, Judy; Sears, Kathrin; Crawford, Brian

Subject: REQUEST TO AMEND THE MARIN COUNTY HOUSING ELEMENT

[See August 12, 2014 letter from Community Venture Partners, Inc.]

From: David King Keller
Sent: Wednesday, August 13, 2014 1:50 PM
To: Crawford, Brian; Kinsey, Steven; Adams, Susan; Arnold, Judy; Sears, Kathrin
Cc: communityventurepartners@comcast.net; marinagainstdensity@gmail.com
Subject: Stop ongoing destruction of Marin, vote for CVP suggestions

Re: Request to amend the Marin County housing element per CVP recommendations & extend the public review and approval process.

Dear Board Members,

It's like climate change; you need to UNDO the damage that has been allowed to date, not allow more damage.

We DO NOT have the infrastructure to support existing residents' needs for water and traffic and sewage and emergency services.

—
Best Regards,
David

David King Keller, PhD
Founder, Keller Business Development Advisory Group
Keynote Speaker, Trainer, Consultant, Facilitator, Coach
Writer: Numerous legal articles in local and national publications
Award winning author of 2 law firm business development books
CLE Instructor: Ethics, Diversity, Bias, Substance Abuse
Member: ABA, BASF, BASF Ethics Committee, LMA, AAJ, SCIP
www.kbdag.com W: (415) 289-0544 Cell: (415) 444-6795
LinkedIn: <http://www.linkedin.com/in/davidkingkeller>

From: Diane Hoffman

Sent: Wednesday, August 13, 2014 12:39 PM

To: Kinsey, Steven; Adams, Susan; Rice, Katie; Arnold, Judy; Sears, Kathrin; Crawford, Brian

Subject: The MARIN COUNTY HOUSING ELEMENT: a request

[See August 12, 2014 letter from Community Venture Partners, Inc.]

Please listen to the people who vote you into office.

Sincerely,

Diane Hoffman

Diane Hoffman

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AND ATTENTION TO DETAIL***

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From: Mimi Willard
Sent: Wednesday, August 13, 2014 2:37 PM
To: Kinsey, Steven; Rice, Katie; Sears, Kathrin; Arnold, Judy; Adams, Susan
Cc: Crawford, Brian; Bob Silvestri; info@marinagainstdensity.org; Justin Kai
Subject: URGENT request for addition of item to 8/19 BOS agenda

REQUEST THAT MARIN COUNTY BOARD OF SUPERVISORS

ADD TO THEIR AUGUST 19TH MEETING AGENDA THE ITEM

“OVERSIGHT OF THE PLANNING COMMISSION’S HOUSING ELEMENT”

I am writing to urge the Board of Supervisors, as our elected representatives on affairs under the county’s jurisdiction, to add to the August 19th meeting agenda a discussion of the need for the public and supervisors to have more time to thoroughly review and potentially amend the county’s draft housing element prior to submission to HCD.

The fast-track schedule designed by County planning staff and commissioners effectively cuts off all meaningful public input after one last hearing on August 25th. As the final draft has not even been released, and it is the dead of August, this schedule denies the proper opportunity for public review and comment, and more important, any chance for Supervisors to suggest amendments to the Draft Plan before it is sent to HCD.

I urge the board of supervisors to consider directing the Planning Commission to:

- Delay the submission of the Draft Housing Element to HCD** until the public has sufficient opportunity to review and comment on it, and the Board of Supervisors can schedule hearings to consider public input and suggest amendments.
- Reduce the number of designated building sites and units**, which in the draft proposal hugely exceed of our legal requirement despite the current water crisis.
- Refocus on how to create affordable housing** in ways that protect public health and safety; are more equitably distributed throughout the County; are more appropriate for the small-scale character of our towns; utilize infill development opportunities in our communities; and do not place unsustainable burdens on the capacity of our roads, schools, water resources, utilities, infrastructure, and public services.

For more specifics as to why you as supervisors should intervene on behalf of your constituents with respect to the draft housing element, I refer you to the August 12th letter sent to you by Community Venture Partners et al.

As our supervisors, you ARE the relevant local control for this issue. We urge you to **extend** the process **and amend** the draft housing element, allowing a democratic process that reflects the will of the majority of your constituents. Please represent us.

Respectfully,

Mimi Willard, Kentfield

August 13, 2014

From: Peter Singleton

Sent: Wednesday, August 13, 2014 1:57 PM

To: Adams, Susan; Arnold, Judy; Rice, Katie; Kinsey, Steven; Sears, Kathrin; Crawford, Brian

Cc: bob silvestri; Mimi Willard; Joan Bennett; Justin Kai

Subject: Request to amend County Housing Element draft and extend public process

Dear Supervisors Adams, Arnold, Kinsey, Rice, and Sears, and Community Development Director Crawford,

I am a resident of Larkspur, as well as a lifelong resident of the Bay Area, and am an active member of several local Marin County citizen groups. I also am co-founder and volunteer executive director of Bay Area Citizens, a nonprofit organization that supports the interests of California citizens in the areas of land use, property rights, local community control, and the environment. Please note that while Bay Area Citizens generally does not take a position on issues before legislative bodies (like the Marin County Housing Element) and I am not speaking here as a representative of Bay Area Citizens, Bay Area Citizens, as well as myself personally, have been actively involved in matters related to the public process and debate around Plan Bay Area.

I am forwarding to you the letter dated August 12, 2014 from Bob Silvestri of Community Venture Partners, Joan Bennett and Mimi Willard of Marin Against Density, and Justin Kai and Raymond Daily of Organized Residents of Marinwood, entitled "Request to Amend the Marin County Housing Element & Extend the Public Review and Approval Process." I know personally four of the signers of this letter, and have the greatest respect for them, and am familiar with and supportive of the work of their fine organizations. More importantly, however, I endorse everything said in this letter, and strenuously urge you to not only consider but AGREE to everything requested therein.

Anyone who attended the [Larkspur Station Area Plan meeting](#) held by the Larkspur Town Council and Planning Commission on May 22, 2014, as I did (I believe the only member of the Board who was there was Supervisor Rice) will realize that when the general public becomes aware of plans like the Housing Element draft under consideration, they are overwhelmingly opposed to these plans, and this kind of planning. You represent the public, not the special interests and other government agencies that are advancing these plans and this kind of planning for their own objectives and agenda, and it is vitally important, in fact essential, that you do as the Larkspur Town Council did shortly that May 22 meeting, and reject the Housing Element draft, and start the process anew with the interests of the citizens of Marin in mind.

Thank you,
Peter Singleton
Larkspur

[See August 12, 2014 letter from Community Venture Partners, Inc.]

From: Sally McDonough
Sent: Wednesday, August 13, 2014 9:52 AM
To: Crawford, Brian
Cc: Kinsey, Steven; Rice, Katie; Adams, Susan; Arnold, Judy; Sears, Kathrin
Subject: Marin County Housing Element Plan

Dear Board of Supervisors and County Planning Department,

I am a Marin County resident for the past 45 years. It is a truly unique and special place.

I wholeheartedly support and adopt the attached letter in every aspect. Please include the letter as my public comment.

Please allow the residents of Marin an opportunity to decide the fate of their homes and extend the time for public input on the Marin County Housing Element.

Sincerely,
Sally McDonough

[See August 12, 2014 letter from Community Venture Partners, Inc.]

From: William Quine

Sent: Wednesday, August 13, 2014 3:51 PM

To: Kinsey, Steven; Adams, Susan; Rice, Katie; Arnold, Judy; Sears, Kathrin; Crawford, Brian

Cc: communityventurepartners@comcast.net; marinagainstdensity@gmail.com

Subject: Marin Co. Housing Element Plan

I would urge you to seriously consider the letter sent to you by Community Venture Partners. As a resident of an unincorporated area of Marin County I am concerned about the process of approving housing plans without adequate vetting by our citizens. The Board of Supervisors needs to slow down the approval process for the Housing Element Plan until there has been an extensive effort to educate as well as solicit feedback from our citizens.

William Quine
101 Diablo Dr.
Kentfield

From: Susan Lewis
Sent: Thursday, August 14, 2014 4:37 PM
To: BOS
Subject: Actions regarding the County Housing Element

Susan Lewis would like information about:

I am writing to support the stated concerns and proposed actions of Community Venture Partners, Inc., Marin Against Density, and Organized Residents of Marinwood as expressed in their letter, copied below. It is critical to extend the the public review and approval process so that affordable housing is more fairly and equitably distributed throughout the county.

Thank you,
--Sue Lewis

[See August 12, 2014 letter from Community Venture Partners, Inc.]

Attachment 3:
New, Revised and Deleted Programs

New Programs Requested by the Planning Commission on July 28, 2014:

2.g Study Best Practices for Housing Choice Voucher Acceptance. Support Marin Housing Authority in their efforts to maximize voucher utilization and ensure that low income renters are able to rent in place. Consider the following:

- Outreach to property owners and managers, possibly through a landlord liaison position
- Explore tax incentives for renting to low income renters
- Conduct coaching sessions for low income renters

Discussion: The Planning Commission requested that staff draft a program to help address the problem facing many low income renters who have Housing Choice Vouchers and are unable to locate rental units. Market rate rents often exceed the rent standards that Marin Housing can pay under the Housing Choice Voucher program. The result is that many low income voucher holders, many of who have waited for years to receive a voucher, are unable to find a rental. They either lose the voucher or are forced to move out of the County.

2.v Study Housing Needs and Constraints Specific to West Marin. Identify housing needs and constraints specific to rural and coastal areas of the County. Work with communities on solutions to address needs and constraints identified.

Discussion: At the July 28, 2014 hearing, the Planning Commission requested that staff draft a program to study housing needs and constraints specific to the rural and coastal areas of the County, i.e. West Marin.

Revised Programs from the 2007 – 2014 Housing Element.

The following programs from the 2007-2014 Housing Element have been revised and will be carried forward to the Draft 2015-2023 Housing Element. Revisions are shown in ~~strikeout~~ and underline format.

1.gf Undertake Adjustments to Second Unit Development Standards. 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 amending Development Code Section 22.56.050.I to 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. Consider deed restrictions on units larger than 750 square feet to preserve affordability.
- 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.c.** 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.d.** 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.~~
- e. Consider amending Development Code Section 22.56.050.A to remove the owner occupancy requirement.

Discussion: Second units offer an important housing choice for affordable housing in the community. Implementing actions (a-g) of this program were developed after close observation of the Second Unit Amnesty program.

The 2012 second unit survey found that smaller second units are not necessarily more affordable than larger ones. Rents are instead reflective of location and unit quality. Additionally, smaller second units are not conducive to providing needed family housing. An increase in allowable square footage would provide more flexibility in development and use of second units. The suggestion of a maximum of 1,000 square feet relates to an allowance from the 2007/2008 Amnesty program. Alternative to the 1000 square foot limit on second unit size (see 1.h.a above), standards could alternatively be tied to other criteria. By way of local comparison, San Rafael Municipal Code Section 14.16.285.C.6 states:

Size Limits. The square footage of a second dwelling unit shall be no greater than forty percent (40%) of the gross square footage of the principal residence; except that any second dwelling unit may be at least five hundred (500) square feet even if that exceeds forty percent (40%) of the principal residence. A second dwelling unit larger than eight hundred (800) square feet in size shall require the issuance of a use permit approved by the planning commission. In no case shall the second dwelling unit exceed one thousand (1,000) square feet in size.

Flexibility in development standards such as off-site parking and roof height over garages are other minor ways to accommodate second units.

Owner occupancy requirements can act as anti-renter policies and obstruct the affordable rentals which are a significant need in the County. Owner occupancy is not currently required in the communities of Bolinas or Inverness, and 2 year waivers may be granted in the Tamalpais Area. There is no restriction on renting single family homes.

1.h Enable Update Definitions of Transitional and Supportive Housing. Consistent with AB 745, update the 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.

Discussion: Transitional and Supportive Housing. Senate Bill (SB) 745, which took effect January 1, 2014, amends the definitions of supportive and transitional housing in Government Code Section 65582 by, among other provisions, removing the time limits of occupancy. In 2007, SB 2 amended housing element law to require that transitional and supportive housing be permitted as a residential use, subject only to restrictions applicable to other residential dwellings. The County complied with the provisions of SB 2 through the 2012 Development Code amendments.

2.j Promote the Development of Agricultural Worker Units¹. Pursue policy changes that promote the development of agricultural worker units.

¹ Partially implemented

- 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.~~
- e. Amend the Development Code to clarify provisions for agricultural worker housing.

Discussion: This program has been revised to remove an implemented subprogram regarding the Health and Safety Code. A new subprogram has been added to clarify Development Code provisions regarding agricultural worker housing, and to ensure consistency with amendments to the Local Coastal Program, expected to be certified in December 2014.

2.u Monitor Rental Housing Stock². Ensure that existing ~~subsidized~~ housing is conserved as part of the County's affordable housing stock, including State, Federal, and locally-assisted subsidized 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~~ Coast Guard residential facility in Point Reyes Station to facilitate conversion of ~~153 units of market rate rental existing~~ housing to long-term deed restricted units affordable to low and moderate income households.
- d. ~~Commit to providing relocation assistance from the County in the event of displacement of to residents of the Ridgeway Apartments as well as any other residents who may be are 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, or the maximum allowed under the State or Federal funding source, including the Ridgeway Apartments.~~
- f.e. ~~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.~~

Discussion: This program has been revised to remove references to the Ridgeway Apartments, because the conversion has been completed. A reference to supporting the possible conversion of the Coast Guard Facility in Point Reyes Station to affordable housing has been added.

² Currently implementing

New Programs Approved by the Planning Commission.

The following programs were proposed by staff and approved by the Planning Commission at the public hearing on July 28, 2014. They will be included in the Draft 2015-2023 Housing Element.

1.b Evaluate Multi-family Land Use Designations. Conduct a comprehensive analysis of multi-family land use to evaluate whether multi-family zoning is appropriately located. Possible outcomes of this analysis could include:

- a. Adjust zoning maps as appropriate and redistribute multi-family zoning to locations suitable for multi-family development.**
- b. Avoid designating or rezoning multi-family residential land for other uses or to lower densities without rezoning equivalent land for higher density multi-family development.**
- c. Identify sites for multi-family, mixed-use, affordable workforce, and special needs housing, when undertaking community planning and zoning processes.**

1.c Study Residential Density Equivalents. Evaluate options for calculating density through adjusted density equivalents based on bedrooms count or square footage rather than total number of units. Such an amendment to the Development Code would encourage development of smaller units, which corresponds to the demographic trend of increasing numbers of small households.

- a. Conduct an analysis to determine the feasibility of a density equivalent program. Identify appropriate density equivalent strategies for implementation and determine the fiscal impacts.**
- b. Analyze how such a program might interact with inclusionary requirements, parking standards, and density bonuses.**
- c. If it is determined feasible and appropriate, consider amending the Development Code to calculate density through density equivalents.**

1.d Evaluate the Housing Overlay Designation. Analyze the Housing Overlay Designation (HOD) policy in the Countywide plan for its effectiveness in encouraging the construction of housing for lower income workforce and special needs populations. Amend the Countywide Plan if it is determined that changes are necessary to make the program more effective.

- a. Amend Countywide Plan Policy CD-2.3 to remove the requirement that HOD sites shall not comply with the mixed-use criteria.**

2.i Increase Tenants Protections. Explore providing rental protections, such as:

- Noticing of rental increases**
- Relocation costs**
- Just cause eviction**
- Rent stabilization**
- Rent control**

3.a Consider Methods for Improving County's Outreach with Respect to Affordable Housing. Address community opposition to homes for moderate and lower income families through education and outreach. Consider:

- Providing more information in planning documents about standards for affordable housing**
- Using visual simulations and imagery from comparable projects**
- Conducting interactive public workshops**
- Coordinating housing providers and supporters**
- Co-sponsoring an event for affordable housing week, such as a tour of existing affordable homes**

Deleted Programs from the 2007 – 2014 Housing Element.

The following programs have been implemented and will therefore not be included in the Draft 2015-2023 Housing Element.

~~1.b Conduct a Comprehensive Affordable Housing Sites Inventory~~³. ~~Involves 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, 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~~⁴. ~~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.~~

~~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.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 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.~~

³ Completed by Housing Element Task Force and through Housing Element update.

⁴ Completed with 2012 Development Code amendments.

- ~~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.h — **Allow Rental of Detached Accessory Structures**⁵. 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.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.~~

- ~~a. 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**⁶. 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.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.~~

~~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.~~

~~3.a **Explore Housing at the Civic Center**⁷. 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.k **Update Affordable Housing Trust Fund Operating Procedures**⁸. 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.~~

⁵ Completed with 2012 Development Code amendments

⁶ Completed with 2012 Development Code amendments

⁷ Complete. Reviewed but not recommended by Housing Element Task Force and Planning Commission

⁸ Completed 10/2009. Procedures and applications materials on web site

Attachment 4:
Housing Element 2015 - 2023
Feasibility Analysis

Density Assumptions: Overview

Government Code Section 65583.2 establishes “default densities¹” that are considered a proxy for affordability for the development of housing for lower-income households. For jurisdictions such as the unincorporated County of Marin that have a population greater than 25,000 and are located within a Metropolitan Statistical Area (MSA) with a population of more than two million, the default density is 30 dwelling units per acre.² In Marin County, the default density of 30 dwelling units per acre applies to the unincorporated County and the two cities of Novato and San Rafael. All other cities within Marin County have been assigned a default density of 20 dwelling units per acre, regardless of the existing housing density of the community or the relative cost of housing.

In general, the default densities have provided clarity for local jurisdictions when identifying sites for lower income housing. However, there are some anomalies in the application of these default densities as codified. In practice, the State standards have resulted in some incongruous assignment of default densities, where jurisdictions that have denser populations and housing units per square mile have lower default densities than the unincorporated Marin County, which is predominantly rural and agricultural. The following examples demonstrate the issues at hand.

Santa Clara County

Even with an aggregate population (unincorporated areas plus cities) of 1.8 million, in the Government Code, Santa Clara County is considered suburban and has a default density of 20 dwelling units an acre. This is because it is included in the two-county San Jose-Sunnyvale-Santa Clara Metropolitan Statistical Area (MSA) that is under 2 million in population. In the Government Code, cities in a suburban county with a population of under 100,000 are also considered suburban and have a default density of 20 dwelling units an acre. Therefore, 12 of the 15 cities in Santa Clara County (the heart of Silicon Valley) are also designated suburban.

Ventura County

Ventura County is contiguous with Los Angeles County, the most populous MSA in the state with nearly 13 million people. Ventura County’s aggregate population is about 832,000 and according to the Government Code is a suburban county with a default density of 20 dwelling units an acre. Also, because Ventura County is considered suburban, its incorporated cities of less than 100,000 population are also suburban and have a default density of 20 dwelling units an acre. Therefore, six of the 10 cities in Ventura County are also suburban. If the metropolitan standard of a population less than 25,000 were applied, only three of these cities would be considered suburban.

¹ Government Code Section 65583

² HCD’s 2012 memo applying the default or “Mullin Densities” with 2010 census data: http://www.hcd.ca.gov/hpd/Default_2010census_update.pdf

Marin County

Marin County is rural and suburban in nature with an aggregate population of about 252,000, is separated from San Francisco by a body of water and more than 82% of its land is preserved by open space and agricultural uses. However, Marin is included in the San Francisco MSA and is considered metropolitan with a default density of 30 dwelling units an acre. In addition, unlike cities in suburban counties that are also considered suburban if fewer than 100,000 people are in the population, cities in metropolitan counties are only considered suburban if there are less than 25,000 people in population. Therefore, Marin County and its cities with a population greater than 25,000 have the same default density as downtown San Francisco, Sacramento or Los Angeles.

Irregular Outcomes

Under the current Government Code default density definitions, the city of Mountain View in the heart of Silicon Valley, with a population of 74,000, is deemed suburban with a default density of 20 dwelling units an acre, while the unincorporated areas of Marin County with population of 67,000 over 520 square miles is considered metropolitan with a default density of 30 dwelling units an acre. These types of outcomes raise significant policy questions and may undermine support for housing element law among the general public and elected officials.

Densities in Unincorporated Marin County

The nine incorporated cities in Marin County with a population of less than 25,000 have a default density of 20 dwelling units an acre; however, the unincorporated areas around these incorporated cities are designated metropolitan with a default density of 30 dwelling units an acre. As shown in Table 1, the unincorporated County has a population density of only 111 persons per square mile and a housing density of 48 housing units per square mile, significantly lower than all other Marin jurisdictions. This suggests that any default density applied to the unincorporated County should theoretically not be higher than the default density assigned to the cities and towns in Marin County. Table 1 describes the characteristics of Marin jurisdictions, including the default density as established by State legislation.

Table 1: Characteristics of Jurisdictions in Marin County

City	Miles from San Francisco City Limits	Land Area (sq. miles)	Population 2010	Population Per Square Mile	Number of Housing Units	Number of Housing Units Per Square Mile	Median Condo Price 2013	Default Density
Belvedere	11.3	0.54	2,068	3,830	1,045	1,935	³	20 du/ac
Corte Madera	9	3.2	9,253	2,892	4,026	1,258	\$583,500	20 du/ac
Fairfax	14.9	2.1	7,441	3,543	3,585	1,707	\$435,000	20 du/ac
Larkspur	9.9	3.13	11,926	3,810	6,376	2,037	\$440,000	20 du/ac
Mill Valley	8.4	4.7	13,903	2,958	6,534	1,390	\$599,500	20 du/ac
Novato	22.6	27.7	51,904	1,874	21,158	764	\$320,500	20 du/ac ⁴
Ross	12.2	1.6	2,415	1,509	884	553	³	20 du/ac
San Anselmo	13.3	2.7	12,336	4,569	5,538	2,051	\$539,000	20 du/ac
San Rafael	12.5	16.6	57,713	3,477	24,001	1,446	\$375,000	30 du/ac
Sausalito	3.7	1.9	7,061	3,716	4,536	2,387	\$625,000	20 du/ac
Tiburon	11.2	4.5	8,962	1,992	4,025	894	\$910,000	20 du/ac
Unincorporated	Varies	520	67,427	485	29,581	48	\$485,000	30 du/ac

Data Sources: MapQuest; City general plans and websites; U.S. Census 2010; Marin County Assessor's Office, annual 2013 data.

Market Demand and Trends

The unincorporated County has very diverse geography; most of the area is open space and agricultural lands. The population is based primarily in small suburban communities in the city centered corridor and to a lesser degree, in the rural villages in west Marin. Housing prices vary significantly from area to area; for example in the rural west Marin village of Tomales the median house price is \$525,000, well below the county as whole, while in Stinson Beach the median price is over \$2 million. Housing prices throughout Marin are high; however on average, housing prices for both detached single-family and condominiums in the unincorporated county are in the lower half compared to other Marin jurisdictions.

³ The housing stock in Belvedere and Ross are almost exclusively single family homes. There were no condominium sales in these cities in 2013. The Belvedere median single family home price was \$2,945,009 in 2013 and the median Ross single family home price was \$2,216,708.

⁴The City of Novato's default density set by legislation is 30 DUA, however, in the 2007-2014 housing element cycle, Novato used a feasibility analysis to establish a density of 20 DUA.

Table 2: Median Housing Prices in Marin County

Jurisdiction	Median Single Family House Price 2013	Median Condo/Townhouse Price 2013
Belvedere	\$2,500,000	n/a
Corte Madera	\$997,500	\$583,500
Fairfax	\$662,500	\$435,000
Larkspur	\$1,341,000	\$440,000
Mill Valley	\$1,325,000	\$599,500
Novato	\$663,500	\$320,500
Ross	\$2,000,000	n/a
San Anselmo	\$840,000	\$539,000
San Rafael	\$820,000	\$375,000
Sausalito	\$1,429,999	\$625,000
Tiburon	\$2,000,000	\$910,000
Unincorporated	\$966,000	\$485,000

Data Source: Marin County Assessor, annual 2013 real estate data.

Financial Feasibility

The history of affordable housing development in Marin has demonstrated that housing is possible at a range of densities, particularly when density standards are set by the Countywide Plan land use designation. In preparation of this housing element, County staff interviewed a range of affordable housing developers and architects with experience in Marin County⁵ to determine if the proposed densities and development standards for key affordable housing sites were financially feasible for the production of multi-family housing affordable to lower income households. These interviews revealed that the desired minimum number of units in a project is approximately 25.⁶

BRIDGE Housing is a large regional nonprofit with more than 21,000 homes in their portfolio and pipeline. BRIDGE currently has eight properties in Marin and another under development. Brad Wiblin, the Senior Vice President of BRIDGE, state that based on his experience, the most important factor in determining feasibility of an affordable housing development is the total number of units, rather than the density per acre. For example, a tax credit project requires a minimum of 50 units to be feasible based on the cost of securing tax credits. The most economical development type for affordable family housing in Marin has a density of approximately 25 units per acre, and would typically consist of 3 story wood frame buildings with tuck-under parking. An increased density above 25 units per acre would normally require steel frame buildings and podium parking. This type of development would usually require a significantly higher density of 50 to 60 units per acre to be economically feasible.

Van Meter William Pollack Architects reported that 90 percent of their work is for affordable housing developments; they are also the architects for a 61-unit affordable senior housing development recently

⁵ 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;

⁶ Smaller local housing providers operate on a much smaller scale.

constructed in Novato. Principal architect Rick Williams stated that most affordable housing developments in suburban locations have historically been between 23 to 28 dwelling units per acre density, and that higher densities are not typically compatible in a suburban context such as the unincorporated County. Higher densities are often less financially feasible because they require the use of very expensive podium or subsurface parking structures.

A feasible family affordable housing development in a suburban location is optimally designed with two to three stories and surface parking capacity of 1.5 to 1.8 parking spaces per unit. According to Mr. Williams, an ideal site size would be 2 to 3 acres and provide opportunity to develop 45 to 75 units, which is an efficient management size. Smaller sites that are less than 2 acres in size are often more challenging to develop and require modified or reduced development standards to plan an economically feasible affordable housing development. Where these constraints are present, the most frequent concessions requested are parking (especially for seniors, but also for family housing), setbacks, height (to allow for 3 story buildings), or open space to allow for surface parking. Mr. Williams has found that these issues are exacerbated on sites under 1.5 acres, and especially difficult on sites under one acre.

The Toussin Affordable Senior Apartments, 13 units of extremely low to very low income senior housing, provides an example of how a development in the RMP-20 (Residential, Multiple Planned, 20 units per acre density) district approved with the utilization of the State's Density Bonus law⁷ is financially feasible. This example also illustrates how increased densities can be reached on small sites using the County's current policies while keeping land costs lower than if they were rezoned at higher densities. The development is located on a 0.38 acre site and borders single family homes. In approving the development, the County provided a density bonus to make the development feasible, as discussed below.

The governing zoning on the Toussin site allowed up to 7 market rate housing units on the 0.38 acre property. However, County Development Code provisions allow affordable housing to be built at the upper end of the density range permitted by the applicable Countywide Plan land use designation. In this case, the applicable 30 unit per acre density of the land use designation would permit 11.4 affordable units on the site. In addition, State housing laws permit an additional density bonus of up to 35 percent for affordable housing projects. The 35 percent density bonus, applied to 11.4 units would allow up to four additional units, for a total potential of 15 affordable units. Accordingly, the approved development of 13 affordable senior housing units on the 0.38 acre site is considered a permitted use under governing County and State zoning and affordable housing laws.

⁷ Senate Bill 1818

Table 3: Toussin Affordable Senior Apartments *(sample development)*

	RMP-20 Zone Standard	As Approved
Density	20 du/ac	34 dwelling units per acre (du/ac)
Front Setback	Determined through Master Plan/Design Review	8 feet
Back setback (south)	Determined through Master Plan/Design Review	10 feet
Side setback (east)	Determined through Master Plan/Design Review	8 feet
Side setback (west)	Determined through Master Plan/Design Review	8 feet
Height	30 feet	24 feet
Parking	50% reduction for senior housing	0.8 parking spaces per unit
FAR (Floor Area Ratio)	35%	56% (not including covered parking areas)

The developer of Toussin, PEP Housing, reports that they have used a variety of local, state and federal funding sources to finance the development and provide affordability levels at 20-50% of the area median income. Funding included local sources from County Housing Trust funds, CDBG, HOME and fee waivers, as well as State funding, including 9% tax credits.

Developments that use podium parking must be developed at significantly higher densities in order to spread the costs over a greater number of units. In support of this observation, Eden Housing provided staff with a list of 72 recently constructed affordable housing developments for seniors, families and disabled people in the Bay Area. Of these, there were 37 developments established at one to three stories with surface and/or tuck-under parking. These developments ranged in size from 11 to 145 units, and from .46 to 6.9 acres. Their median density was 23.3 units per acre. The list also contained 23 developments with podium parking or parking garages. These developments ranged from two and three stories to six stories. The development sizes ranged from 27 to 215 units and from 0.15 to 4.77 acres. Their median density was 58 units per acre. Only four of these developments were at densities between 30 and 39 units per acre. Thus, it appears that podium parking requires much higher densities to make a development feasible, and that an appropriate density and zoning for two and three story development with surface and/or tuck-under parking is 20 units per acre.

In addition to incentives offered through State Density Bonus law, the County offers additional incentives to affordable housing, as outlined in Table 4 below. Together with State Density Bonus law, these incentives serve to assist developers of lower income housing, allowing them to compete for limited available sites.

Table 4: Summary of County Incentives for lower income housing

Incentive	Description
Density	In all districts that allow residential uses, allowable density will be established by the maximum CWP density range, subject to all applicable CWP policies
Where allowed	Affordable housing may be allowed in any zoning district where residential uses are allowed by the applicable Countywide Plan policies
County density bonus	10% for projects not eligible for the State density bonus
Mixed-use sites	Floor-area maybe exceeded for affordable housing
Fee Waivers	The County may waive any applicable County fees for affordable units ⁸
Technical assistance	The County may provide technical assistance for non-profit developers, related to the County's development review process and in securing funding
Priority processing	The County shall priority process housing affordable to lower income households.

Appropriate Densities for Lower-Income Housing

The County of Marin has a long history and a strong record of achieving affordable housing in constrained circumstances. Most land in the unincorporated County is preserved for open space and agricultural uses; however, the unincorporated area has approximately 28 percent of the lower and moderate income housing compared to the County as a whole.

The majority of housing developments affordable to lower income households have been developed in the unincorporated County at or below densities of 20 units per acre, with some exceptions when the site was extremely small. One senior housing development has also utilized allowances for somewhat higher densities through the State density bonus provisions. Examples of these properties are shown in Table 5 and described below.

⁸ The County has waived all or most County fees for all affordable housing developed in the unincorporated area for the past 20 years.

Table 5: Examples of Affordable Housing Units Developed in the Unincorporated County

Development Name	General Plan Land Use Designation	Zoning	Very Low Income	Low Income	Moderate Income	Total	Parcel Acreage	Units per Acre
Fireside Affordable	RS	RMPC-12.7	50	0	0	50	3.95	11.6
Toussin Senior	MF4	RMP-20	13	0	0	13	0.38	34
Bolinas Gas Station (BoGas)	C-NC	C-VCR	8	0	0	8	0.29	27
Gibson House	C-SF5, C-NC	C-RA-B2, C-VCR	7	0	0	7	0.40	20
Point Reyes Affordable	C-MF2	C-RMP-4.3	10	16	8	34	6.84	5.3
Strawberry Shopping Center (Mixed Use)	GC	RMPC	0	4	1	5	8,502 sq.ft. total	678 to 690 sq.ft. units
Gates Cooperative (New floating home berths at existing Marina)	FH	BFC-RF	30	4	4	38	n/a	n/a
Rotary Valley Senior Housing	MF 3.5	RMP 11.6	80	80	0	80	6.8	11.6
TOTALS			118	24	13	155		

Affordable Housing Developments:

Fireside Affordable Apartments, Tamalpais Planning Area. This 50-unit development was developed on the site of a derelict motel and abandoned historic roadside restaurant. The development site is 3.95 acres, yielding a housing density of 12.6 dwelling units per acre. There are 18 two-bedroom apartments, 10 1-bedroom apartments and 22 senior studios. All units are affordable to low, very low and extremely low income households.

Toussin Senior Apartments, Kentfield. This 13-unit development was developed on a parcel donated to the County as part of the inclusionary requirement of a larger market rate development in the neighborhood. The development site is .38 acres, and the housing density is 34 units per acre. The development contains a mix of studio and one bedroom units. All units are affordable to very low and extremely low income seniors coming out of homelessness.

Bolinas Gas Station, Bolinas. This 8-unit housing development was developed as part of mixed-use development in the downtown commercial area of Bolinas, a small coastal community. The parcel is .29 acres, yielding a housing density of 27 units per acre. All units are affordable to very low income households.

Gibson House, Bolinas. Situated on .40 acres, the development's housing density is 17 units per acre. All apartments are one-bedroom units. This 7-unit senior housing development provides rental housing affordable to very low income senior households.

Point Reyes Affordable Homes, Point Reyes Station. This 34-unit development is in rural west Marin and provides housing affordable to very low, low and moderate income households. The site is on 6.4 acres, is on septic and is very low density at 5.3 units per acre.

Rotary Valley Senior Housing, Lucas Valley. This 80-unit housing development serves very low income seniors. The site area is 6.8 acres, and the housing density is 11.6 units per acre. Rotary Valley is one-story senior housing with surface parking, no elevators and the land is owned by the County with a long term lease to the housing provider.

Market Rate Multifamily Developments:

The Ridgeway Apartments, Marin City. This development comprises 226 units on 8.4 acres, yielding a density of 26 units per acre (achievable on a site with a 20 DUA density when combined with the State density bonus). The property was developed as a mixed income development, with 73 units affordable through a HOME regulatory agreement, and the remaining 153 units at market rate. However, in 2009 the development was converted to 100% affordable through 4% tax credit financing.

Summit at Sausalito Apartments, Marin City. This market rate development comprises 198 units sited on 10.3 acres, yielding a density of 19 units per acre.

Summary

Marin County is a predominantly suburban and rural community with a low density development pattern. Requiring affordable housing at higher densities engenders community opposition because it may not be considered consistent with much of current development patterns. The unincorporated County has many examples of successful affordable housing developments at densities closer to 20 dwelling units an acre. According to nonprofit developers and architects with expertise in the area, this is the most feasible density for affordable family housing in a suburban community such as Marin County.