

# Marin County Housing Element 2015 – 2023

***Adopted by the Marin County Board of Supervisors***

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# 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 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, 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 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 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 planning period is January 31, 2015.

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 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 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).

**Default Density.** On September 30, 2014, Governor Jerry Brown signed Assembly Bill 1537, effectively lowering the County's default density for lower income housing from 30 units per acre to 20 units per acre for the Housing Element planning period of 2015 through 2023. The statute also requires the County to report to the State on its progress in developing low- and very low income housing during the planning period (2015-2023). At their hearing of December 9, 2014, the Marin County Board of Supervisors directed staff to initiate proceedings in 2015 to rezone properties within the Affordable Housing Combining District from 30 units per acre to 20 units per acre as allowed by Assembly Bill 1537.

## 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 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**

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 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 process. 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 nonprofits 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 introducing the Housing Element process and community workshops were e-mailed to over 2,400 recipients.
- Press releases were sent to local news outlets, including Marin Independent Journal, West Marin Citizen, The Tiburon Ark, Point Reyes Light, Pacific Sun, 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, SF Chronicle, TV Marin 26 Public Access, TV ABC7, TV CMCM, TV KPIX, TV KQED, TV KRON, TV KTVU, TV NBC Bay Area stories.

- Notices for Public Workshops, three Planning Commission hearings, and the Board of Supervisors hearing were e-mailed to over 2,400 recipients. Hard copy notices were mailed to approximately 2,558 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.
- Notice of website additions and Workshop reminders were e-mailed to 1,600 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 50 local nonprofit, 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.

The County's outreach also included an experts meeting of nonprofit housing providers, 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 hands-on community workshops were held, three on weekends and two evening meetings. In addition, three publicly noticed Planning Commission Hearings are scheduled and will include opportunities for 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.

In addition to the outreach conducted previously, the following opportunities for additional public participation were provided. 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.

- Five workshops were held on weekends and evenings in a variety of locations, including Marin City and the Canal neighborhood of San Rafael.
- The Planning Commission held three public hearings (including one evening hearing) to receive public comment on the Draft Housing Element and recommend adoption to the Board of Supervisors.
- The Board of Supervisors held a public hearing to review and adopt the Draft Housing Element and environmental review document (the Addendum to the 2013 Supplemental Environmental Impact Report).

## 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. To maintain internal consistency, any proposed amendments to other elements of the general plan and to the development code are reviewed for consistency with the housing element in advance of adoption by the Board of Supervisors. If a proposed amendment is not consistent with the Housing Element, then the proposed amendment is revised or expanded as needed to maintain consistency.

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. Section V: Goals, Policies, and Programs includes a program to update the definitions of transitional and supportive housing in the Development Code.

There are 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  
Bolinas 1975

Muir Beach 1972  
Nicasio Valley 1997

Bolinas Gridded Mesa 1984  
Dillon Beach 1989  
East Shore (Tomales Bay) 1987  
Indian Valley 2003  
Inverness Ridge 1983  
Kentfield/Greenbrae 1987  
Marin City 1992

Point Reyes Station 2001  
San Geronimo Valley 1997  
Stinson Beach 1985  
Strawberry 1982  
Tamalpais Valley 1992  
Tomales 1997

## **2007-2014 Housing Element Policy and Program Accomplishments**

The County's 2007-2014 Housing Element was adopted by the Board of Supervisors on September 24, 2013, and certified by HCD on December 30, 2013. The goals, objectives, policies, and programs in the 2007-2014 Housing Element have been successful. 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 2007-2014 Housing Element. 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 2007-2014 Housing Element Programs. Overall, the 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 Housing Element has carefully considered the effectiveness of the 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 252,409<sup>1</sup> permanent residents. Most of the population lives along the County's urban east side, primarily in the County's 11 incorporated cities and towns. The City of San Rafael is the County seat.

Marin County's population is affluent, well-educated, and relatively homogenous. The 2014 median household income is \$97,100, 1.4 times the median household income for California as a whole.<sup>2</sup> Marin County has one of the highest median household incomes among California's 58 counties.<sup>3</sup> While Marin is a wealthy county overall, it is also home to populations impacted by the high cost of living. In the years following the 2007 downturn in the economy, 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, and continued rising costs of basic necessities, has resulted in the inability of many working families to meet their basic housing, food, and childcare needs.<sup>4</sup>

### Regional Housing Need Allocation

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

**Figure II-1: Housing Need by Income Category, Unincorporated Marin County**

| Extremely Low<br>(0-30%<br>HAMFI <sup>5</sup> ) | Very Low<br>(30-50%<br>HAMFI) | Low<br>(51-80%<br>HAMFI) | Moderate<br>(81-120%<br>HAMFI) | Above Moderate<br>(121%+<br>HAMFI) | 2014-2022<br>Total<br>RHNA <sup>6</sup> | 2007-2014<br>Total<br>RHNA | 2000-2007<br>Total<br>RHNA |
|---|-------------------------------|--------------------------|--------------------------------|------------------------------------|---|----------------------------|----------------------------|
| 27  | 28                            | 32                       | 37                             | 61                                 | 185                                     | 773                        | 521                        |

Source: [http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22\\_RHNA\\_Plan.pdf](http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22_RHNA_Plan.pdf); and Marin County Community Development Agency

## Population and Employment

### Population Trends

Marin County's total population is 252,409, of which 67,427 live in the unincorporated area of the County.<sup>7</sup> The total population of Marin grew by 5,120 between 2000 and 2010 and is expected to increase by another 8,691 persons by 2020. Between 2010 and 2040, the overall growth rate is

<sup>1</sup> 2010 Census, U.S. Census Bureau

<sup>2</sup> 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](http://www.huduser.org/portal/datasets/il/il14/Medians2014_v2.pdf))

<sup>3</sup> California Department of Housing and Community Development (HCD)

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

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

<sup>6</sup> 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")

<sup>7</sup> 2010 Census, U.S. Census Bureau

projected to steadily increase from .3% a year up to .5% a year.<sup>8</sup> 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, Unincorporated County**

| Year | Population | Change |         | Average Annual Growth Rate |
|------|------------|--------|---------|----------------------------|
|      |            | Number | Percent |                            |
| 2000 | 68,735     | n/a    | n/a     | n/a                        |
| 2010 | 67,427     | -1,308 | -1.9%   | -0.2% or -131              |
| 2020 | 69,600     | 2,173  | 3.2%    | 0.3% or 217                |
| 2030 | 72,700     | 3,100  | 4.5%    | 0.5% or 310                |
| 2040 | 76,600     | 3,900  | 5.4%    | 0.5% or 390                |

Source: ABAG Projections 2013

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**

| Jurisdiction Name           | 2000   | 2010   | Change |         |
|-----------------------------|--------|--------|--------|---------|
|                             |        |        | Number | Percent |
| Unincorporated Marin County | 68,735 | 67,427 | -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

The proportion of population by age groups is similar to that of the State, but with a slightly higher percentage of people 45 years old and over.<sup>9</sup> According to the 2010 U.S. Census, 16.7% of all households in Marin County are age 65 or older. The median age in Marin County is 44.5 years, compared to 35.2 years for the State as a whole. The greatest increase in population within age groupings over the next 40 years is expected to be in elderly and young adult households, which tend to have the lowest income levels.

<sup>8</sup> ABAG Projections 2013

<sup>9</sup> 2010 US Census



**Figure II-4: Population by Age, Unincorporated County**

| Age Group    | 2000          |             | 2010          |             |
|--------------|---------------|-------------|---------------|-------------|
|              | Number        | Percent     | Number        | Percent     |
| 0-9 years    | 7,184         | 10%         | 7,105         | 11%         |
| 10-19 years  | 7,436         | 11%         | 7,179         | 11%         |
| 20-24 years  | 2,484         | 4%          | 2,447         | 4%          |
| 25-34 years  | 8,445         | 12%         | 5,725         | 8%          |
| 35-44 years  | 12,946        | 19%         | 9,663         | 14%         |
| 45-54 years  | 13,924        | 20%         | 12,142        | 18%         |
| 55-59 years  | 4,907         | 7%          | 6,242         | 9%          |
| 60-64 years  | 3,183         | 5%          | 5,728         | 8%          |
| 65-74 years  | 4,495         | 7%          | 6,705         | 10%         |
| 75-84 years  | 2,906         | 4%          | 3,121         | 5%          |
| 85+ years    | 825           | 1%          | 1,370         | 2%          |
| <b>Total</b> | <b>68,735</b> | <b>100%</b> | <b>67,427</b> | <b>100%</b> |

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

## Employment Trends

The Marin County resident workforce is predominantly white collar. Over 92% of the County's residents age 25 or older have at least a high school diploma, compared with about 81% 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 7.5%, compared with 15.3% statewide.<sup>10</sup> The County's largest employers include the County government, State Corrections Department, Marin General Hospital, Kaiser Permanente, Fireman's Fund Insurance, Lucas Licensing, Fair Isaac Corporation, and College of Marin.<sup>11</sup> 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, Unincorporated County**

| Industry Types  | 2007-2011     |             |
|---|---------------|-------------|
|   | Number        | Percent     |
| Agriculture, forestry, fishing and hunting, mining  | 408           | 1.3%        |
| Construction, manufacturing, wholesale trades, transportation and warehousing, utilities  | 4,898         | 15.5%       |
| Retail trade  | 2,605         | 8.2%        |
| Finance, insurance, real estate, rental and leasing, information, and professional, scientific, management, administrative, and waste management services | 10,563        | 33.4%       |
| Health, educational, social, arts, entertainment, recreation, accommodation, and food services  | 10,591        | 33.5%       |
| Public administration   | 1,108         | 3.5%        |
| Other services  | 1,457         | 4.6%        |
| <b>Total</b>  | <b>31,630</b> | <b>100%</b> |

Source: 2007-2011 American Community Survey (5-year estimates), US Census Bureau

<sup>10</sup> 2012 American Community Survey, U.S. Census Bureau

<sup>11</sup> California Employment Development Department, 2014

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 U.S. Bureau of Labor Statistics, the average wage earned at a Marin-based job as of June 2014 was \$59,400 a year.<sup>12</sup> Contrast this with the median income of a single person household in Marin of \$68,000<sup>13</sup> or the median home sale price of a single-family home of \$882,400 or of a condominium of \$435,000.<sup>14</sup> 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. As of 2010, there are 26,193 households in unincorporated Marin County, an increase of only 759 from the 2000 level of 25,434. Of these, 69% own the home they live in and 31% rent. This ownership percentage has decreased by two points since 2000, which may be related to the increased rate of foreclosures since 2007.

**Figure II-6: Households by Tenure, Unincorporated County**

| Tenure       | 2000          |             | 2010          |             |
|--------------|---------------|-------------|---------------|-------------|
|              | Number        | Percent     | Number        | Percent     |
| Owner        | 18,033        | 71%         | 18,026        | 69%         |
| Renter       | 7,401         | 29%         | 8,167         | 31%         |
| <b>Total</b> | <b>25,434</b> | <b>100%</b> | <b>26,193</b> | <b>100%</b> |

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

More than 60% of Marin County's households consist of married-couple families with or without children. Approximately 30% of households are occupied by people living alone.<sup>15</sup> This percentage was significantly higher than the overall State figure of 23% for single-person households.<sup>16</sup> 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 \$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

<sup>12</sup> Quarterly Census of Employment and Wages, U.S. Department of Labor, June 2014

<sup>13</sup> U.S. Department of Housing and Urban Development, 2014

<sup>14</sup> County of Marin Assessor, 2013

<sup>15</sup> 2011 American Community Survey, U.S. Census Bureau

<sup>16</sup> 2010 U.S. Census

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 that may address the needs of Marin's workforce.

## Annual Household Growth

According to the 2010 Census, the average household size in Marin County is 2.34 persons. 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 (2.20 persons per household in 2010) are smaller than owner households (2.42 persons per household in 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 – 2040, Unincorporated County**

| Year | Households | Numerical Change | Percent Change |
|------|------------|------------------|----------------|
| 2000 | 25,434     | n/a              | n/a            |
| 2010 | 26,193     | 759              | 2.9%           |
| 2020 | 26,650     | 457              | 1.7%           |
| 2030 | 27,110     | 460              | 1.7%           |
| 2040 | 27,590     | 480              | 1.8%           |

Source: ABAG Projections 2013

## Housing Stock Characteristics

### Housing Units by Type and Production

Based on 2010 data from the California Department of Finance, the unincorporated area of Marin has 24,615 single-family homes (constituting 83% of the total housing stock), 4,399 multi-family homes (15% of all housing), and 567 mobile homes, for a total of 29,581 homes. Single-family homes are slightly less dominant Countywide, and comprise just over 70% 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          |             | 2013          |             | Change       |           |
|-------------------------------------|---------------|-------------|---------------|-------------|--------------|-----------|
|                                     | Number        | Percent     | Number        | Percent     | Number       | Percent   |
| Single-family (detached & attached) | 22,469        | 82.7%       | 24,615        | 83.2%       | 2,146        | 9.5%      |
| 2-4 units                           | 1,564         | 5.8%        | 1,406         | 4.8%        | -158         | -10.1%    |
| 5+ units                            | 2,873         | 10.6%       | 2,993         | 10.1%       | 120          | 4.2%      |
| Mobile homes                        | 241           | 0.9%        | 567           | 1.9%        | 326          | 135%      |
| <b>Total</b>                        | <b>27,147</b> | <b>100%</b> | <b>29,581</b> | <b>100%</b> | <b>2,434</b> | <b>9%</b> |

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           |             | 2013           |             | Change       |             |
|-------------------------------------|----------------|-------------|----------------|-------------|--------------|-------------|
|                                     | Number         | Percent     | Number         | Percent     | Number       | Percent     |
| Single-family (detached & attached) | 72,118         | 69.0%       | 79,639         | 71.4%       | 7,521        | 10.4%       |
| 2-4 units                           | 9,349          | 9.0%        | 8,222          | 7.4%        | -1,127       | -12.1%      |
| 5+ units                            | 21,400         | 20.5%       | 21,704         | 19.5%       | 304          | 1.4%        |
| Mobile homes                        | 1,581          | 1.5%        | 1,974          | 1.7%        | 393          | 24.8%       |
| <b>Total</b>                        | <b>104,448</b> | <b>100%</b> | <b>111,539</b> | <b>100%</b> | <b>7,091</b> | <b>6.7%</b> |

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 \$650,000 to \$882,400 between 2001 and 2013.<sup>17</sup> This 36% jump occurred while median household income increased by only 0.8%, meaning home values increased significantly more than area incomes. In 2000, the market was already tight, with only 11% of homes valued at less than \$300,000. By 2013, the median home value in unincorporated Marin County was \$966,000 for a single-family home. Condominiums and townhomes were more affordable with a median home value of \$485,000. While many areas throughout the State experienced 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.

In spring of 2014, Community Development Agency staff surveyed all affordable housing providers throughout the County, which together supply 2,783 units at nonprofit rental properties, 274 inclusionary rental units, 734 Below Market Rate ownership units, 577 units of public housing, and 2,145 Section 8 vouchers. There are more than 6,600 households that benefit from affordable housing in Marin; however, this represents only 17% of the 37,393 low income households in Marin.<sup>18</sup> Approximately 25% 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, Countywide**

| Type                                    | Number             |
|---|--------------------|
| Privately Managed Affordable Rental     | 2,783 units        |
| Inclusionary Rentals                    | 274 units          |
| Below Market Rate Ownership             | 734 units          |
| Public Housing                          | 496 units          |
| Marin Housing Authority Managed Rentals | 81 units           |
| Section 8 Voucher Program               | 2,145 units        |
| <b>Total</b>                            | <b>6,513 units</b> |

Source: Marin County Affordable Housing Inventory (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

<sup>17</sup> County of Marin Assessor, 2013

<sup>18</sup> 2010 American Community Survey, U.S. Census Bureau

Section 8 waiting list for one week in September 2008, for the first time in several years, and received 11,200 applications of which 235 were from households in unincorporated Marin. As of June 2014, MHA has processed 2,639 of those applications, leaving 8,561 applicants still on the waiting list.

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

- 3,189 households submitted applications
- 1,148 (or 36%) currently live in Marin County (however, data was not collected on whether applicants currently work in Marin County)
- 66% of the applications were from families, and 34% were from senior or disabled households
- 38% of the applications were from Caucasian families, 43% from African American families, and 4% from Asian families

MHA operates 200 units of public housing in five separate complexes within Marin for the elderly and disabled as well as 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 75 rental subsidies linked with supportive services to individuals and families who are homeless and living with a mental health disability. There are 26 rental subsidies for people 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 Marin County is more than 30 years old. Approximately 78% of the existing homes throughout the County were built prior to 1980, as demonstrated by Figure II-11.

**Figure II-11: Year Structure Built**

| Year Structure Built  | Number (countywide) | Percentage (countywide) | Number (unincorporated) | Percentage (unincorporated) |
|-----------------------|---------------------|-------------------------|-------------------------|-----------------------------|
| Built 2000 to 2010    | 5,549               | 5.0%                    | 1,083                   | 3.8%                        |
| Built 1990 to 1999    | 7,942               | 7.2%                    | 2,272                   | 8.0%                        |
| Built 1980 to 1989    | 11,228              | 10.1%                   | 2,860                   | 10.1%                       |
| Built 1970 to 1979    | 20,129              | 18.1%                   | 4,624                   | 16.3%                       |
| Built 1960 to 1969    | 23,037              | 20.8%                   | 5,363                   | 18.9%                       |
| Built 1950 to 1959    | 21,142              | 19.1%                   | 6,618                   | 23.4%                       |
| Built 1940 to 1949    | 7,902               | 7.1%                    | 2,151                   | 7.6%                        |
| Built 1939 or earlier | 14,008              | 12.6%                   | 3,366                   | 11.9%                       |
| <b>Total</b>          | <b>110,937</b>      | <b>100%</b>             | <b>28,337</b>           | <b>100%</b>                 |

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

The 2011 American Community Survey provides data about the condition of the existing housing stock countywide and in the unincorporated County. In general, the condition of the housing stock in Marin 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 problem, 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.

**Figure II-12: Housing Conditions: Potential Housing Problems**

| Potential Housing Problem            | Countywide<br>(out of 110,937 total housing units;<br>102,832 occupied units) |                                |                |                                   | Unincorporated County<br>(26,598 total housing units;<br>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%                              |
| <b>Total</b>                         | <b>1,923</b>  | <b>1.7%</b>                    | <b>1,874</b>   | <b>1.8%</b>                       | <b>773</b>  | <b>2.9%</b>                    | <b>284</b>     | <b>1.2%</b>                       |

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<br>(family of 4)                   | Countywide    |                  | Unincorporated County |              |
|   | Number        | Percent of total | Number                | Percent      |
| ≤30% HAMFI<br>(Extremely Low Income)            | 3,099         | 6.9%             | 439                   | 4.9%         |
| 30 to 50%<br>(Very Low Income)                  | 3,455         | 7.7%             | 655                   | 7.3%         |
| 50 to 80%<br>(Low Income)                       | 4,463         | 10.0%            | 1,078                 | 12.0%        |
| 80 to 100%<br>(Moderate Income)                 | 2,730         | 6.1%             | 410                   | 4.5%         |
| >100%<br>(Moderate to<br>Above Moderate Income) | 11,495        | 25.6%            | 2,750                 | 30.5%        |
| <b>Owner Subtotal</b>                           | <b>25,242</b> | <b>56.3%</b>     | <b>5,332</b>          | <b>59.2%</b> |
| 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%         |
| <b>Renter Subtotal</b>                          | <b>19,591</b> | <b>43.7%</b>     | <b>3,673</b>          | <b>40.8%</b> |
| <b>Total (Owner + Renter)</b>                   | <b>44,833</b> | <b>100%</b>      | <b>9,005</b>          | <b>100%</b>  |

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 2013/2014, 55% of the new residential construction permits issued were for single-family homes. The average size of these homes was 3,056 square feet, which reflects the predominant development pattern in unincorporated Marin County of large, custom-built, single-family homes.<sup>19</sup> Smaller units, which are usually more affordable, have a higher price per square foot than do larger homes because of land prices<sup>20</sup>. This may act as a disincentive to construct smaller, more modest homes.

The existing construction trends contribute to the increasing imbalance between the wages earned in Marin and the housing costs of new and existing homes. Due to the high cost of land and limited available stock, these trends were not significantly impacted by the recent economic downturn. Housing

<sup>19</sup> Marin County Community Development Agency, July 2014

<sup>20</sup> Inclusionary Zoning In-Lieu Fee Analysis, March 2008 by Vernazza Wolf Associates



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 increased since 2000, when the U.S. Census recorded a vacancy rate of 4.1%. In 2010, the total vacancy rate was recorded at 7.1%. The 7.1% vacancy rate is indicative of a fairly tight rental housing market, in which demand for units exceeds the available supply. Figure II-14 below shows that vacant long-term rental properties are scarce 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-14: Vacancy Rates by Tenure, Unincorporated County**

| Vacancy Status  | Ownership Housing Units |                        | Renter Housing Units |                         | Totals |         |
|-----------------|-------------------------|------------------------|----------------------|-------------------------|--------|---------|
|                 | Number                  | Percent of Owner Units | Number               | Percent of Renter Units | Number | Percent |
| <b>Occupied</b> | 18,026                  | 98.7%                  | 8,167                | 94.8%                   | 26,193 | 97%     |
| <b>Vacant</b>   | 232                     | 1.3%                   | 450                  | 5.2%                    | 682    | 3%      |
| <b>Total</b>    | 18,258                  | 100%                   | 8,617                | 100%                    | 26,875 | 100%    |

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 2000s 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 1,100 inquiries a year, of which about 300, or almost 30 percent, are discrimination complaints that are fully investigated, where clients are helped to file administrative and legal complaints (this is a decrease of 8% since 2009).<sup>21</sup> 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.

<sup>21</sup> Fair Housing of Marin, June 2014



# 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 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 is an even greater proportion of very low and low income households among renters. It was estimated in 2010 that 57% of all renters in Marin County were in the extremely low, very low, and low income categories.<sup>22</sup>

In Marin County, the median income as of 2014 for a family of four is \$97,100. A household income less than \$33,200 is considered extremely low income.<sup>23</sup> As of 2010, more than 11,000 households countywide, or 12% of total households, were extremely low income. In the unincorporated County, it is estimated that there are approximately 2,098 extremely low income households.<sup>24</sup>

Information on household income by household size is maintained by the U.S. Department of Housing and Urban Development (HUD) for each county and is updated annually. Income categories are defined as percentages of HUD Area Median 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-15: FY 2014 Marin County Income Limits (HUD)**

| Household size | Extremely low (<30% of HAMFI) | Very Low | Low     | Median  | Moderate |
|----------------|-------------------------------|----------|---------|---------|----------|
| 1              | 23,250                        | 38,750   | 62,050  | 68,000  | 81,600   |
| 2              | 26,600                        | 44,300   | 70,900  | 77,700  | 93,250   |
| 3              | 29,900                        | 49,850   | 79,750  | 87,400  | 104,900  |
| 4              | 33,200                        | 55,350   | 88,600  | 97,100  | 116,500  |
| 5              | 35,900                        | 59,800   | 95,700  | 104,900 | 125,900  |
| 6              | 38,550                        | 64,250   | 102,800 | 112,650 | 135,200  |
| 7              | 41,200                        | 68,650   | 109,900 | 120,400 | 144,500  |
| 8              | 43,850                        | 73,100   | 117,000 | 128,200 | 153,850  |

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 12/18/2013. The “Median Income” schedule shown above is based on the FY2014 median family income for Marin County, CA of \$97,100 for a four-person household, issued by HUD effective 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, see the HUD website at [www.huduser.org/datasets/il.html](http://www.huduser.org/datasets/il.html).

<sup>22</sup> 2010 American Community Survey, U.S. Census Bureau

<sup>23</sup> U.S. Department of Housing and Urban Development, effective 12/18/2013

<sup>24</sup> 2010 American Community Survey, U.S. Census Bureau

### ***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 \$33,200 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 2,981 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 these units are rented to households making moderate or above-moderate incomes.<sup>25</sup> In Marin County, there are five single-room occupancy (SRO) properties, which provide single bedrooms for individuals who share restrooms and kitchens. One of these properties, Bolinas Garage, is owned and operated by the Bolinas Community Land Trust, providing SRO and live/work units in West Marin. In addition, there are 475 units of supportive housing countywide,<sup>26</sup> providing services to a variety of special needs populations ranging from the homeless to seniors to people with disabilities, to name a few.

Programs in this Housing Element that promote housing for extremely low income households include programs that will increase the supply of multifamily housing and promote second units, single-room occupancy (SRO) units and agricultural worker housing (*1.a Establish Minimum Densities on Housing Element Sites, 1.d Study Ministerial Review for Affordable Housing, 1.e Undertake Adjustments to Second Unit Development Standards, 1.f Review and Update Parking Standards, 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% HAMFI). This Housing Element contains a program 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.<sup>27</sup> 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.

According to rental data compiled by realtor Michael Burke of Coldwell Banker, rental prices increased approximately 13% between 2004 and 2013. In 2013, rents were the highest they've been since 2001 when the average rent in Marin was \$2,261 (2014 dollars adjusted for inflation).<sup>28</sup>

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<sup>25</sup> Marin County Affordable Housing Inventory, updated in 2014

<sup>26</sup> Marin County 2013 Point in Time Count

<sup>27</sup> County of Marin Assessor, 2013

<sup>28</sup> Actual average rent in 2001 was \$1,688, adjusted for inflation (33.9%) = \$2,261 in 2014 dollars.

**Figure: II-16: Average Rental Prices 2004-2013, 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 |

Source: Michael Burke of Coldwell Banker

In 2010, the average rental price for a two-bedroom apartment in Marin County was \$1,667. In spite of the economic downturn, rental prices continued to rise to an average of \$1,777 for a two-bedroom apartment in 2011 and to \$2,014 in 2012.<sup>29</sup> In spite of economic turmoil, the sustained increase in rental prices, paired with rental occupancy rates 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 56% of renters in unincorporated Marin were estimated to be overpaying for housing costs, while approximately 37% of owners were overpaying for housing. Of unincorporated Marin residents who earn 80% or less of the area median income (HAMFI), 83% of renters and 59% of homeowners pay more than 30% of household income for housing costs.<sup>30</sup> This data illustrates that low-income households have more pronounced financial burden with regard to housing.

Given the household income trends and housing cost trends discussed previously, it is reasonable to conclude that the incidence of overpayment for very low, low, and moderate-income households may increase in the future. Overpaying households are shown in the Figures II-17 and II-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.

<sup>29</sup> Marin County Rental Statistics 2004-2013, Michael Burke, Coldwell Banker

<sup>30</sup> 2010 American Community Survey, U.S. Census Bureau

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

| Owner-Occupied Units  |                     |                       |                                     |  |
|---|---------------------|-----------------------|-------------------------------------|--|
| Income Level<br>(family of 4)                               | Total<br>Households | 0-29% of HH<br>Income | 30-50% of HH Income<br>[overpaying] | 50% or more of HH Income<br>[overpaying] |
| Extremely/Very Low<br>Income<br>(≤50% HAMFI <sup>31</sup> ) | 1,772               | 687                   | 374                                 | 711                                      |
| Low Income<br>(50 to 80%)                                   | 1,910               | 840                   | 258                                 | 812                                      |
| Moderate Income<br>(80 to 120%)                             | 1,998               | 1,024                 | 588                                 | 386                                      |
| Above Moderate<br>Income<br>(120% or more)                  | 8,368               | 6,233                 | 1,720                               | 415                                      |
| <b>Owner Subtotal</b>                                       | 14,048              | 8,784                 | 2,940                               | 2,324                                    |

| Renter-Occupied Units        |                     |                       |                                     |  |
|------------------------------|---------------------|-----------------------|-------------------------------------|--|
| Income Level                 | Total<br>Households | 0-29% of HH<br>Income | 30-50% of HH Income<br>[overpaying] | 50% or more of HH Income<br>[overpaying] |
| Extremely/Very Low<br>Income | 2,423               | 394                   | 695                                 | 1,334                                    |
| Low Income                   | 1,033               | 211                   | 705                                 | 117                                      |
| Moderate Income              | 1,242               | 687                   | 555                                 | 0  |
| Above Moderate<br>Income     | 1,636               | 1,481                 | 155                                 | 0  |
| <b>Renter Subtotal</b>       | 6,334               | 2,773                 | 2,110                               | 1,451                                    |
| <b>Total</b>                 | 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.

<sup>31</sup> HAMFI is the Area Median Family Income established by the US Dept. of Housing and Urban Development

**Figure II-18: Bay Area Wages and Affordable Rents**

| <b>Very Low Income:<br/>Less than 50% of Median<sup>32</sup></b> | <b>Average<br/>Hourly<br/>Wage<sup>33</sup></b> | <b>Average<br/>Annual<br/>Income<sup>34</sup></b> | <b>Affordable<br/>Rent and<br/>Utilities</b> | <b>Average Rent<br/>Gap<sup>35</sup></b> |
|--|---|---|--|--|
| Dishwashers  | \$10.87   | \$22,610  | \$565.24                                     | (-<br>\$1,177.76)                        |
| Retail Salespersons  | \$13.67   | \$28,434  | \$710.84                                     | (-<br>\$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)                             |
| <b>Low Income:<br/>50%-80% of Median</b>                         | <b>Hourly<br/>Wage</b>                          | <b>Annual<br/>Income</b>                          | <b>Affordable<br/>Rent + Utilities</b>       | <b>Average Rent<br/>Gap</b>              |
| 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)                              |
| <b>Moderate Income:<br/>80%-100% of Median</b>                   | <b>Hourly<br/>Wage</b>                          | <b>Annual<br/>Income</b>                          | <b>Affordable<br/>Rent + Utilities</b>       | <b>Average Rent<br/>Gap</b>              |
| 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. 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.

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 characteristic 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,

<sup>32</sup> Income categories based on HUD 2014 Income Limits for 2-person household with one wage earner

<sup>33</sup> 2013 California Occupation Statistics for San Francisco-San Mateo-Redwood City Metro Division, California Employment Development Department

<sup>34</sup> Based on full-time employment status: 40 hours a week, 52 weeks a year

<sup>35</sup> Based on 2013 average rent of \$1,743 for 1-bedroom apartment, provided by Michael Burke apartment data

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

## Overcrowding

Overcrowded housing is defined by the U.S. Census as units with more than one inhabitant per room, excluding kitchens and bathrooms. In 2010, as shown in Figure II-19 below, the incidence of overcrowding in Marin County was 0.7% for owner-occupied units, and 7.0% for rental units. However, it is likely that these 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-19: Overcrowded Households, Countywide**

| Countywide               |                      |         |                       |         |                              |         |
|--------------------------|----------------------|---------|-----------------------|---------|------------------------------|---------|
| Persons per Room         | Owner-occupied units |         | Renter-occupied units |         | Total units (owner + renter) |         |
|                          | Households           | Percent | Households            | Percent | Households                   | Percent |
| 0.50 or less             | 52,371               | 81.1%   | 24,010                | 62.3%   | 76,381                       | 74.0%   |
| 0.51 to 1.0              | 11,804               | 18.2%   | 11,871                | 30.7%   | 23,675                       | 23.0%   |
| 1.01 to 1.500            | 301                  | 0.5%    | 1,626                 | 4.2%    | 1,927                        | 1.9%    |
| 1.51 to 2.00             | 78                   | 0.1%    | 870                   | 2.3%    | 948                          | 0.9%    |
| 2.01 or more             | 34                   | 0.1%    | 187                   | 0.5%    | 221                          | 0.2%    |
| <b>Total</b>             | 64,588               | 100%    | 38,564                | 100%    | 103,152                      | 100%    |
| <b>Total Overcrowded</b> | 413                  | 0.7%    | 2,683                 | 7.0%    | 1,169                        | 1.1%    |

| 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%    |
| <b>Total</b>             | 18,026               | 100%    | 8,167                 | 100%    | 26,193                       | 100%    |
| <b>Total Overcrowded</b> | 134                  | 0.7%    | 154                   | 1.9%    | 288                          | 1.1%    |

Source: 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 studies<sup>36</sup> show that overcrowding results in negative public health indicators, including increased transmission of tuberculosis and hepatitis. In addition, studies<sup>37</sup> show

<sup>36</sup> 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>.

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.

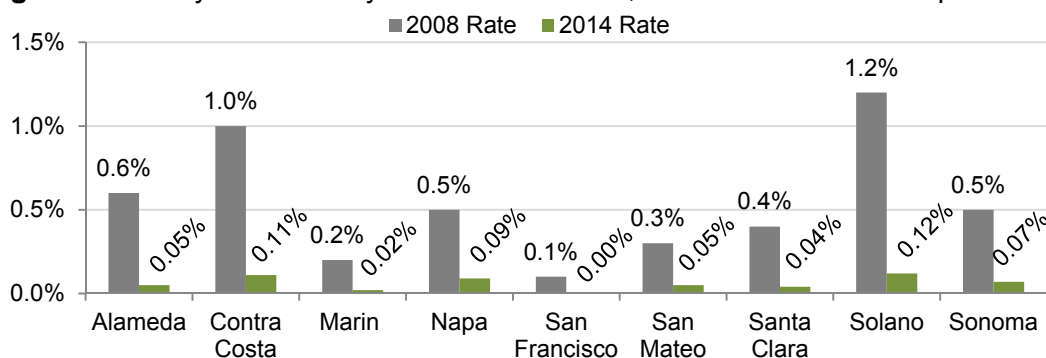
Managers of income-restricted affordable units, whether private or the Marin Housing Authority, ensure that the unit is an appropriate size given the household size. For those households participating in the Section 8 program, the Marin Housing Authority provides search assistance for the difficult to 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

In 2008, California had the nation's second-highest foreclosure rate, with 1 in every 148 homes in foreclosure.<sup>38</sup> The foreclosure crisis had a relatively smaller impact on Marin County, where 1 in every 528 homes was in foreclosure. On January 7, 2009, the Marin Independent Journal reported, "Marin foreclosures more than tripled in 2008." 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.

**Figure II-20: Bay Area County Foreclosure Rates, December 2008 and April 2014**



Source: 2009 Marin Housing Workbook; RealtyTrac, April 2014

<sup>37</sup> Bashir, Samiya A. 2009. *Home Is Where the Harm Is: Inadequate Housing as a Public Health Crisis*

<sup>38</sup> RealtyTrac.com



# Special Needs Housing

## Overview

In addition to overall housing needs, the County plans for housing for special needs groups. To meet the community's special needs housing, 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, 77% of County seniors are homeowners, and the majority of the existing housing stock is homes with more than two bedrooms.<sup>39</sup> However, those figures alone do not account for the types of accommodations necessary to provide for the elderly population. Given that senior income drops precipitously as seniors age and Marin is one of the most expensive places for seniors to live, particular needs include smaller and more efficient housing, barrier-free and accessible housing, and a wide variety of housing with health care and/or personal services provided.<sup>40</sup> In addition, a continuum of care is needed as elderly households develop health care needs. As the data below indicates, seniors are more likely to be lower income than the population in general and to face distinct difficulties in finding appropriate and affordable housing for their needs.

According to the 2010 Census, there were 103,210 households in Marin County, of which 28,253 or 27% had a householder aged 65 or older. Of these households, 1,846 or 6.5% had incomes below the poverty line.<sup>41</sup> In the unincorporated County, there were 26,193 households, of which 7,354 or 28% were headed by a person age 65 or older.<sup>42</sup> Of those, 458 or 6.2% had incomes below the poverty line.<sup>43</sup>

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.

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

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<sup>39</sup> 2010 U.S. Census; 2012 American Community Survey, U.S. Census Bureau

<sup>40</sup> Elder Economic Security Standard by County 2007, Center for Community and Economic Development

<sup>41</sup> 2011 American Community Survey, U.S. Census Bureau

<sup>42</sup> 2010 U.S. Census

<sup>43</sup> 2011 American Community Survey, U.S. Census Bureau



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 nonprofit organizations and governmental agencies throughout Marin County. Figure II-21 below provides a summary of senior services available.

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

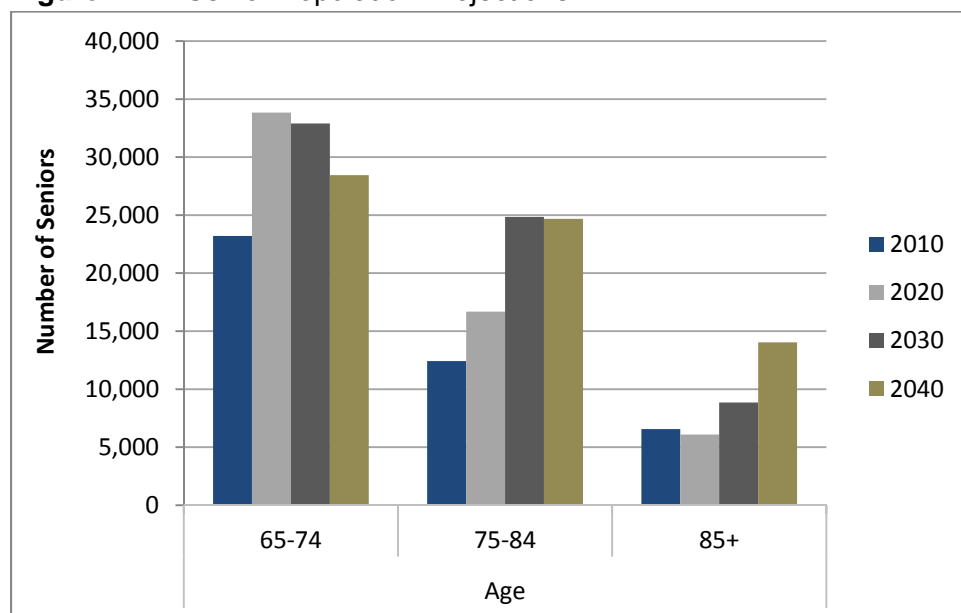
| Service   | Description  |
|---|--|
| Adult Day Healthcare  | Day care services for older adults with health care needs.   |
| Alzheimer's Day Care Resource Center  | Day care services for persons with Alzheimer's and other dementias.  |
| Case Management   | Coordination and monitoring of services 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 Services   | Educational, creative, and fun activities, including trips that enhance both health and well-being.  |
| Transportation Services   | Transportation to assist older persons in obtaining services.  |

| Service            | Description  |
|--------------------|--|
| 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 59% between 2010 and 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-22: Senior Population Projections**



Source: 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.<sup>44</sup>

<sup>44</sup> Strategic Plan Data Focus Report 2004-2014, Division of Aging, Marin Health and Human Services

Low- and very low-income seniors often cannot afford the cost of licensed facilities in Marin. According to the Marin County Division of Aging, most room and board facilities in the County currently cost between \$3,200 to \$5,000 per month for a single bed (room, bathroom, and three meals a day).

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 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.e Undertake Adjustments to Second Unit Development Standards*, *2.g Ensure Reasonable Accommodations*, and *3.o Utilize Federal Grants Division Funding*).

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

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

Some people with disabilities can live most successfully in housing that provides a semi-independent living state, such as clustered group housing or other group-living quarters; others are capable of living independently if affordable units are available. Different types of housing that can serve these populations include: (1) single-room occupancy (SRO) 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-23: Persons with Disabilities by Disability Type, Countywide**

| Civilian Non-Institutionalized Population    | Number  | Percent of County Population |
|--|---------|------------------------------|
| Total population                             | 252,409 | 100%                         |
| Total population with a disability           | 21,216  | 8.4%                         |
| Population under 5 years with a disability   | 18      | 0.01%                        |
| Population age 5-64 with a disability        | 10,246  | 4.1%                         |
| With a hearing difficulty                    | 2,058   | 0.8%                         |
| With a vision difficulty                     | 1,146   | 0.5%                         |
| With a cognitive difficulty                  | 4,577   | 1.8%                         |
| With an ambulatory difficulty                | 4,418   | 1.7%                         |
| With a self-care difficulty                  | 2,239   | 0.9%                         |
| With an independent living difficulty        | 2,992   | 1.2%                         |
| Population age 65 and over with a disability | 10,952  | 4.3%                         |
| With a hearing difficulty                    | 4,672   | 1.9%                         |
| With a vision difficulty                     | 1,460   | 0.6%                         |
| With a cognitive difficulty                  | 2,780   | 1.1%                         |
| With an ambulatory difficulty                | 6,213   | 2.5%                         |
| With a self-care difficulty                  | 2,488   | 1.0%                         |
| With an independent living difficulty        | 4,652   | 1.8%                         |

Source: 2012 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 715 people with all types of disabilities (including older adults) in 2014 throughout Marin County; of these, over 60% were facing a lack of affordable accessible housing. Most of their clients live under the poverty level, and their average client earns about \$10,500 annually.
- Marin County's Mental Health Services served 3,716 unduplicated clients in fiscal year 2012/2013, of which 2,721 were adults age 18 and older. Community-based housing and shelter was provided for 553 of their adult clients, or 15% of their total caseload. Housing support in the form of emergency housing and rent assistance was provided for another 43 of their clients. Anecdotally, case managers 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-24: Persons with Disability by Employment Status, Countywide**

| Population                                 | Number  | Percent of County Population |
|--|---------|------------------------------|
| Total County Population                    | 252,409 | 100%                         |
| Total population age 18 - 64               | 152,337 | 60.4%                        |
| Total in the labor force                   | 123,265 | 48.8%                        |
| Total in labor force with a disability     | 4,402   | 1.7%                         |
| Employed                                   | 3,843   | 1.5%                         |
| Unemployed                                 | 559     | 0.2%                         |
| Total not in labor force                   | 29,072  | 11.5%                        |
| Total not in labor force with a disability | 4,755   | 1.9%                         |

Source: 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 Area Board 5, which serves Marin, there are 1,098 individuals with developmental disabilities in Marin County. The Area 5 Board estimates that a minimum 380 of these individuals are in need of housing, of which 35, or 10%, are dually diagnosed with a mental health issue, and an additional 71, or 20%, 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%  |
| Living at a Skilled Nursing Facility (SNF)    | 5       | 0.4%  |
| Other   | 8       | 0.6%  |

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. Nonprofit 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 2010 Census data reflect that 7% of Marin's households meet the definition of a large family (five or more people), and that over half (60%) of large-family households in the County live in owner-occupied homes. In the unincorporated area of the County, there are 1,619 large-family households, which comprise 6% of all households. Of these households, 72% are owner-occupied households and 38% are renters.

**Figure II-26: Number of Large-Family Households (5 or more persons) by Tenure**

| Area                 | Owner-Occupied Households |         | Renter-Occupied Households |         | Total Large Family Households |         | Total Households |
|----------------------|---------------------------|---------|----------------------------|---------|-------------------------------|---------|------------------|
|                      | Number                    | Percent | Number                     | Percent | Number                        | Percent | Number           |
| Unincorporated Marin | 1,174                     | 72%     | 445                        | 38%     | 1,619                         | 6%      | 26,193           |
| Marin County all     | 3,994                     | 54%     | 3,390                      | 46%     | 7,384                         | 7%      | 103,210          |

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

As Figure II-27 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-27: Existing Housing Stock Number of Bedrooms by Tenure, Countywide**

| Bedroom Type | Owner Households |              | Renter Households |              | Total Households |             |
|--------------|------------------|--------------|-------------------|--------------|------------------|-------------|
|              | Number           | Percent      | Number            | Percent      | Number           | Percent     |
| 0 BR         | 162              | 0.1%         | 2,125             | 2.1%         | 2,287            | 2.2%        |
| 1 BR         | 2,046            | 2.0%         | 11,456            | 11.1%        | 13,502           | 13.1%       |
| 2 BR         | 12,701           | 12.3%        | 15,246            | 14.8%        | 27,947           | 27.1%       |
| 3 BR         | 28,121           | 27.3%        | 7,797             | 7.5%         | 35,918           | 34.8%       |
| 4 BR         | 17,206           | 16.7%        | 1,631             | 1.6%         | 18,837           | 18.3%       |
| 5+ BR        | 4,352            | 4.2%         | 309               | 0.3%         | 4,661            | 4.5%        |
| <b>Total</b> | <b>64,588</b>    | <b>62.6%</b> | <b>38,564</b>     | <b>37.4%</b> | <b>103,152</b>   | <b>100%</b> |

Source: 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 26,193 households in the unincorporated area of the County, of which 2,201 or 8.4% are female-headed households. Moreover, 1,309 or 5% of the total are female-headed households with children under the age of 18, while 892 or 3.4%, are female-headed households without children under 18. The percentage that is female-headed households living in poverty is 2.2%, which is actually significantly lower than the 5.5% of households overall that are living in poverty.

**Figure II-28: Female-Headed Households, Unincorporated County**

| Household Type                                   | Number | Percent |
|--|--------|---------|
| Total households                                 | 26,193 | 100%    |
| Total female-headed households                   | 2,201  | 8.4%    |
| Female-headed with children under 18             | 1,309  | 5.0%    |
| Female-headed without children under 18          | 892    | 3.4%    |
| Total Families                                   | 16,614 | 100%    |
| Total families under the poverty level           | 914    | 5.5%    |
| Female-headed households under the poverty level | 370    | 2.2%    |

Source: 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 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.d Study Ministerial Review for Affordable Housing, 1.f Review and Update Parking Standards, and 1.g 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 United States Department of Agriculture (USDA), Marin County farms and ranches encompass approximately 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 323 agricultural operations in Marin, the majority are third- to fifth-generation family-owned, and are not large by California standards, with an average size of 529 acres. There are an estimated 1,072 agricultural workers impacted by the high cost of living, especially housing costs that are 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.<sup>45</sup>

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. The 2012 USDA Census identified 1,072 agricultural workers in the County, which accounts for approximately 0.8% of Marin's workforce.<sup>46</sup> However, agricultural workers are historically undercounted, and it is commonly believed that the number of agricultural workers is higher than any available estimate.

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 of agricultural worker housing units, both for permanent and seasonal workers, are provided on-site by the employer-ranchers.

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<sup>45</sup> 2012 USDA Census; UCCE Facts About Marin County Agriculture, July 2012

<sup>46</sup> 2012 American Community Survey, U.S. Census Bureau



- As a largely permanent workforce, agricultural workers live in multi-person households, often with spouses and children.<sup>47</sup> Agricultural workers' spouses are often employed in non-agricultural jobs, such as visitor-serving businesses in West Marin.

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

- Ensuring that the workforce and their families are being housed in safe and healthy conditions is a major priority.
- 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 unmet housing need for seasonal agricultural workers is not known, and is especially difficult to estimate, given the presumption that temporary housing is provided by the employer-rancher. However, limited space, septic capacity, and high building costs often make it difficult to house migrant workers, presenting disincentives for employer-ranchers to provide more than basic shelter with minimal amenities. Common challenges faced by agricultural worker households include:

- **Limited Income:** With a median salary of less than \$2,000 per month, most agricultural workers fall within extremely low-income groups.<sup>48</sup>
- **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 2014 wages and average rental prices, a Marin County household would have to earn a minimum of \$28.65 an hour in full-time employment to rent a studio apartment and not exceed the 30% affordability standard. A household would need to make \$39.27, \$48.95, or \$65.00 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 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. Overall, 1.1% of households are overcrowded, with a higher prevalence of overcrowding in renter households at 1.9%.
- **Substandard Housing Conditions:** Many agricultural workers occupy substandard housing, such as informal shacks, illegal garages, barns or storage units, trailers, and other structures

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<sup>47</sup> Evaluation of the Need for Ranch Worker Housing in Marin County, California, California Human Development Corporation, July 2008

<sup>48</sup> 2012 American Community Survey, U.S. Census Bureau

generally unsuitable for occupancy.<sup>49</sup> The County's Code Enforcement staff investigates complaints against property owners for code violations, but does not actively monitor agricultural worker housing units for code 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) 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 States Department of Agriculture to provide affordable financing.
- 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. 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, 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.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.

The Marin County 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 were 933 persons in the County who met the Marin County Health and Human Services definition of homeless, of which 195 were children.<sup>50</sup> 693 of these homeless individuals met the HUD definition of

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<sup>49</sup> California Human Development, 2008

<sup>50</sup> For the purposes of the 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. The "unsheltered" population

unsheltered and in immediate need of housing.<sup>51</sup> An additional 4,388 persons were found to be at risk of homelessness and counted as precariously housed.<sup>52</sup> More than an estimated 1,100<sup>53</sup> children and youth meet the broader definition of homeless established by the McKinney Vento Act.<sup>54</sup> Approximately 0.4% of Marin's population is homeless, which aligns with the proportion of homeless people in California as a whole. Statewide, the homeless population is estimated at approximately 136,826 or 0.4% of the State's total population.<sup>55</sup>

To estimate the unmet need for shelter beds and to document the existing resources for homeless families and individuals, the County used information from the 2013 Point in Time Count and the 2014 Marin County Continuum of Care funding application submitted to the U.S. Department of Housing and Urban Development. Figure II-29 below provides a summary of the emergency shelter beds and transitional and supportive housing units for homeless people that are located throughout 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-29: Existing Shelter Beds and Transitional and Supportive Housing Units, Countywide**

| Emergency Shelter Beds               | Transitional Housing Units | Supportive Housing Units |
|--------------------------------------|----------------------------|--------------------------|
| 223<br>(163 year-round; 60 seasonal) | 316                        | 521                      |

Source: Marin County Health and Human Services Department, June 2014

Marin County is committed to expanding the resources for homeless individuals in 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, the County, primarily through the Department of Health and Human Services (HHS), provided \$15,252,662 in funds targeted to homeless populations. Recently HHS has taken a more active role in homeless services. HHS coordinates the Point in Time Count of homeless people and the Continuum of Care application which help to preserve over \$2.6 million in annual federal funding for housing and services for homeless people in Marin County. HHS also has a full-time staff person who 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.

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included individuals living on a boat or in a home lacking electricity or plumbing, in jail or an institution who would not have a permanent address after release, who stayed temporarily with family or friends the night before the count and identified themselves as homeless on the day of the count. Sheltered refers to individuals residing in an emergency shelter or transitional housing program for homeless persons who originally came from the streets or an emergency shelter.

<sup>51</sup> HUD McKinney Vento supportive housing programs define homelessness as individuals who are living on the streets, in shelters, or in public spaces.

<sup>52</sup> 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.

<sup>53</sup> Marin County Office of Education, Report to the Marin County Board of Education, March 2014

<sup>54</sup> 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.

<sup>55</sup> 2013 Annual Homeless Assessment Report (AHAR) to Congress, U.S. Department of Housing and Urban Development

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

Based on the Marin County 2013 Point in Time Count, 58% of the County homeless population was male, 30% was female, 0.3% was transgender, and the remaining 12% declined to state. Countywide, 26% of the homeless surveyed were families with children under 18, 6% were transition age and unaccompanied youth,<sup>56</sup> 47% were adults without children, and the remaining 21% declined to state or had another living arrangement. These estimates were drawn from the 2013 Marin Homeless Point in Time Count, which was conducted on January 24, 2013 and surveyed homeless and precariously housed individuals.

The 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. Because 27% of the total County population lives in the unincorporated areas of Marin, it is estimated that 27% of the 414 unsheltered homeless population or 111 individuals reside in the unincorporated area.

Figure II-30 provides a breakdown of subpopulations of homeless people in Marin County, including identification of specific service needs.

**Figure II-30: Homeless Persons by Subpopulations and Service Needs, Countywide**

| Subpopulations and Special Needs                      | Number of persons | Percentage of homeless population |
|---|-------------------|-----------------------------------|
| Chronically homeless                                  | 89                | 10%                               |
| Mentally ill  | 223               | 24%                               |
| Physical Disability                                   | 223               | 24%                               |
| Developmental Disability                              | 46                | 5%                                |
| HIV/AIDS  | 27                | 3%                                |
| Substance use   | 363               | 39%                               |
| Chronic health condition                              | 65                | 7%                                |
| At least one health issue                             | 485               | 52%                               |
| Co-occurring conditions (mental health and substance) | 149               | 16%                               |
| Domestic violence                                     | 242               | 26%                               |
| Veterans  | 69                | 7%                                |
| Families with children under age 18                   | 99                | 11%                               |
| Unaccompanied children (under age 18)                 | 1                 | 0.1%                              |
| Transitional age youth (age 18-24)                    | 53                | 6%                                |
| Age 62 or older                                       | 74                | 8%                                |

Source: Marin County 2013 Point in Time Count Comprehensive Report Findings

This data demonstrates that homeless people in Marin County are likely to have at least one disability, with 24% reporting a mental illness, 39% a substance abuse issue and 24% reporting a physical disability. The survey found that 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.

<sup>56</sup> 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.

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

Marin County estimates that a total of 140 year-round emergency shelter beds are needed to meet the needs of the 171 unsheltered homeless people in our community.<sup>57</sup>

### ***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 2014 application to HUD for Continuum of Care funding estimates that the County has an unmet need for 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 beds based on the percentage of the total number of unsheltered homeless people living in the community. Given that 27% of the total unsheltered homeless people in the County are estimated to reside in unincorporated areas of Marin, the estimated unmet need for supportive housing beds is 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***<sup>58</sup>

As of July 2014, there are 4,368 deed restricted affordable housing units in Marin County.<sup>59</sup> Government Code Section 65583 requires each city and county to conduct an analysis and identify programs for preserving assisted housing developments. The analysis is required to identify any low-income units that are at risk of losing deed-restricted subsidies in the next 10 years. According to the California Housing Partnership Corporation, there are three developments with an aggregate total of 152 units deemed at risk of conversion in the unincorporated area of Marin County; these developments are described in Figure II-31. Additionally, there are 10 developments with an aggregate total of 156 units within the incorporated cities of the County that are identified as at risk of conversion, primarily in Novato and San Rafael.

The Marin Housing Authority manages 326 Below Market Rate (BMR) home ownership units throughout Marin County 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 these BMR units.<sup>60</sup> 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

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<sup>57</sup> Marin County 2013 Point in Time Count, HHS Summary

<sup>58</sup> The section on At Risk Units was updated after the Planning Commission recommendation on August 25, 2014, and will be included in their review on November 17, 2014.

<sup>59</sup> Marin County Affordable Housing Inventory, updated 2014

<sup>60</sup> Marin Housing Authority, July 2014

decreased from 758 units to 734 units, primarily due to foreclosures as a result of the recent economic downturn.<sup>61</sup>

**Figure II-31: Summary of At-Risk Units**

| Project Name      | Address                           | # of Units | Subsidy         | Non-Elderly units | Elderly units | Current Owner             | Earliest Date of Expiration | At-Risk                |
|-------------------|-----------------------------------|------------|-----------------|-------------------|---------------|---------------------------|-----------------------------|------------------------|
| Walnut Place      | 600 A Street, Point Reyes Station | 24         | HUD Section 202 | 1                 | 23            | EAH Housing               | 6/30/2014                   | Restriction expiration |
| Ponderosa Estates | 913 Drake Ave., Marin City        | 56         | HUD Section 8   | 45                | 11            | Ponderosa Estates         | 6/30/2023<br>6/30/2044      | Restriction expiration |
| Parnow House      | 134 N. San Pedro Road, San Rafael | 72         | HUD Section 202 | 3                 | 69            | Center Interfaith Housing | 7/31/2024                   | Restriction expiration |

Sources: 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, California Housing Partnership Corporation.

### **Conversion Risk**

The units considered at-risk of conversion in the unincorporated County are all at risk based on the expiration of restrictions for low income use through various financing sources. However, while the units described in Figure II-31 may meet the definition of at risk of conversion as described in Government Code Section 65583, the risk of conversion is low because they are all owned by non-profits with a mission of providing long term affordable housing. The existing owners all intend to maintain the affordability of the units. There are limited costs associated with rehabilitation as based on regular monitoring and inspections, all of the complexes are in good condition.

### **Preservation Resources**

In order to retain affordable housing, the County must be able to draw upon two basic types of preservation resources: organizational and financial. Qualified, non-profit entities will be notified of any future possibilities of units becoming at risk. A list of qualified entities<sup>62</sup> to acquire and manage at-risk units is available through HCD's website and will be relied upon to provide notification of units at risk. Funding is available to facilitate preservation through the County's Affordable Housing Trust Fund, HOME and CDBG funds. Preservation is one of the County's priorities for use of these funds. The Marin Community Foundation also assists with preservation of existing affordable housing, through both grants and loans. A recent example of local preservation is Isabel Cook Homes, an 18 unit family complex in San Anselmo. The restrictions were expiring earlier this year when the outstanding loan from HCD came due and there was some deferred maintenance. Local resources were utilized to preserve the property, including financing from the Marin Community Foundation and project based Section 8 vouchers from the Marin Housing Authority. No families were displaced and resources were allocated to insure on-going long term affordability.

<sup>61</sup> Marin Housing Authority and Hello Housing, July 2014

<sup>62</sup> The current list of qualified entities in Marin includes: the Affordable Housing Foundation, Canal Community Alliance, the Housing Authority of the County of Marin and the Northern California Land Trust, INC.

### **Costs of Replacement versus Preservation for Units At-Risk During the Planning Period**

According to the California Housing Partnership Corporation website, there is one development at risk of conversion during the planning period, Ponderosa Estates in Marin City which has 56 units funded through HUD's Section 8 program. However, additional research found that Ponderosa Estates renewed their agreement with HUD in 2004 for an additional 40 years and the current restrictions do not expire until 2044. The property is part of HUD's Property Disposition Program which provides financial assistance for HUD owned housing projects to maintain their affordability. Assistance is provided to existing projects in need of repair as well as projects already in decent, safe, and sanitary conditions. By providing funding for these projects, HUD helps preserve decent, safe, housing affordable for low-income families and minimizes displacement.

Based on the limited supply of developable land, high cost of construction and lengthy approval process, rehabilitation of existing units instead of new construction is the most economical way of providing housing. Total development costs for a subsidized multi-family development are \$490 per square foot, for a total of \$392,000 for an 800 square foot apartment. However, the cost of preservation is significantly less. For example, the Parnow House, with 72 units has an outstanding mortgage of only \$3 million. The restrictions are through 2024, it is assumed that in ten years the mortgage will be less as regular principle and interest payments are made. Assuming the whole outstanding balance of \$3 million was paid, the cost would be only \$42,000 per unit, based on estimates from the Marin Community Foundation's Loan Fund, an additional \$28,000 per unit would be needed for rehabilitation and financing costs for a total of \$4,464,000. In contrast, new construction of this complex would cost approximately \$28,224,000.

**Figure II-32: Estimated Rehabilitation Costs**

| Fee/Cost Type                        | Cost Per Unit   |
|--------------------------------------|-----------------|
| Acquisition                          | \$44,000        |
| Rehabilitation                       | \$10,000        |
| Financing/other                      | \$8,000         |
| <b>Total estimated cost per unit</b> | <b>\$62,000</b> |

Sources: Marin Community Foundation Loan Fund, Isabel Cook financial projections.

**Figure II-33: Estimated New Construction/Replacement Costs**

| Fee/Cost Type                        | Cost Per Unit    |
|--------------------------------------|------------------|
| Land acquisition                     | \$65,000         |
| Construction                         | \$192,500        |
| Financing/other                      | \$134,500        |
| <b>Total estimated cost per unit</b> | <b>\$392,000</b> |

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

Program actions to preserve at-risk units include working with the property owners and 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 Resources<sup>63</sup> 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 does not qualify as a disadvantaged community.

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<sup>63</sup> 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.<sup>1</sup>

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

Construction costs are higher in the Bay Area than many other regions of the State. Another factor affecting costs is the use of prevailing wage labor. In 2013, construction costs for a typical apartment complex in the region (45 units per acre, structured parking, 800 square foot units), were around \$175,000<sup>2</sup> a unit and prevailing wage requirements increased costs from between 10% and 37% a unit.<sup>3</sup> Projects receiving public subsidies, such as affordable housing developments, often must pay prevailing wages to comply with funding criteria.

#### Single-family Homes

According to land sale records for fiscal year 2013/2014, the typical land value for a residential lot ranges from approximately \$100,000 to \$700,000 in the unincorporated County, to \$1 million to \$3 million in cities such as Tiburon and San Rafael.<sup>4</sup> 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 \$300 per square foot.<sup>5</sup> Using these figures, developing a 2,000 square foot dwelling can cost up to \$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 unit, but can run as high as \$75,000 in some locations.<sup>6</sup> Total development costs for a subsidized multi-

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

<sup>2</sup> CA Construction Academy, 2014

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

<sup>4</sup> DataQuick Report, July 2014

<sup>5</sup> DataQuick Report, July 2014; CHF-CIRB Report, June 2014

<sup>6</sup> Marin County Housing Element Workbook, 2009.

family development are even higher at \$490 per square foot. A 10-unit multi-family development of 1,200 square-foot units would cost about \$5.8 million.<sup>7</sup>

## 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. 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 more stringent, effectively preventing many low income and first-time households from becoming homebuyers.

The 2008 recession had a major impact on the availability of financing for individual homeowners and for housing developers. Starting in late 2008, it became more difficult to qualify for a home purchase loan, even though the average interest rate 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 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 a market as expensive as Marin County. Small changes in the interest rate for home purchases dramatically affect affordability. A 30-year fixed-rate home loan for \$500,000 at a 4.4% interest rate requires monthly payments of roughly \$2,500. A similar home loan at a 7% interest rate has payments of roughly 33% more, or \$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.

Many builders find it difficult to obtain construction loans for residential property. Complicated projects, such as mixed-use developments, are often the most difficult to finance. Nonprofit developers may find it especially 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, because the higher per unit costs result in a sale or rental price that is above the affordability levels set for many programs. Additionally, smaller projects often require significant investments of time by developers. But because the overall budget is smaller and a developer's operating income is based on a percentage of total costs, the projects are often not feasible, without special incentives or significant local funding. These conclusions were compiled through research done for the 2009 Marin Housing Element Workbook process. Despite these barriers, smaller projects have been successfully built and managed in Marin County by several local community based organizations.

Affordable rental developments tend to be easier to finance than for-sale developments, as there are more sources of funding available. However, recent cuts in public spending statewide have put pressure on these sources. Tax credits are a valuable source of revenue for low-income housing developers; 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

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<sup>7</sup> Vernazza Wolfe, 2008.

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 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 could be lost. Additionally, 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, or how affordable housing should be distributed more evenly throughout the County. At times, there is 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.
- Housing staff will continue to coordinate with local nonprofit developers on how to effectively work with community groups, County staff, and elected officials.
- This Housing Element includes programs intended to encourage and facilitate early community planning of major developments in order to identify and address opposition at an early stage (*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. 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 2009, Marin County ranked seventh among the Bay Area counties in daily vehicle hours of delay.<sup>8</sup> 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

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<sup>8</sup> <http://www.dot.ca.gov/hq/traffops/sysmgtp/MPR/pdfs/mpr2009.pdf>. Mobility Performance Report, Caltrans 2011.

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 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 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 District (BCPUD), Stinson Beach County Water District (SBCWD), Inverness Public Utility District (IPUD), and Muir Beach Community Services District (MBCSD). The community of Dillon Beach is served by two small independent water companies: the California Water Service Company (CWSC) and the Estero Mutual Water System (EMWS). SBCWD, MBCSD, and the Dillon Beach area primarily use groundwater for their water supplies, while IPUD and BCPUD rely mainly on surface water. Locales beyond the current municipal and community water service areas rely on individual groundwater wells, surface water, or small spring-based systems.<sup>9</sup>

### ***Analysis:***

The Marin Countywide Plan, updated in 2007, supports a land use pattern intended to shift future dwelling units from environmentally sensitive lands, which are often on septic and/or use well water, to locations within the City-Centered Corridor where public water and sewer systems are provided. Accordingly, the Sites Inventory 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 20 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.

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<sup>9</sup> See Exhibit 2 of the Hydrology and Water Quality Background Report, prepared as part of the environmental review documentation for the Marin Countywide Plan, adopted in 2007.

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 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 buildout<sup>10</sup> would have significant and unavoidable impacts with respect to water supply. However, the County's RHNA allocation of 185 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, 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, 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 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.<sup>11</sup> The West Marin water agencies generally have sufficient water on an average annual basis, however due to recent drought conditions the NMWD Board of Directors adopted Emergency Water Conservation Ordinances for its service areas in West Marin and Novato on April 1, 2014.<sup>12</sup> 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). 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.

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<sup>10</sup> Buildout figures represent development to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations in the 2007 Countywide Plan and projects to the year 2030.

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

<sup>12</sup> North Marin Water District Ordinances No. 28 (Novato) and 29 (West Marin):  
<http://www.nmwd.com/pdfs/MMWD%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  | Inventory Sites  |
|--------------------|---|----------------|-----------------------|------------------------|--------------------------|-------------------------------|---|--|
| MMWD               | All cities and towns along the City-Centered Corridor from the Golden Gate Bridge to the southern border of Novato^ | 20,422         | 328                   | 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. | <ul style="list-style-type: none"> <li>• St. Vincent's/Silveira</li> <li>• Marinwood</li> <li>• Marin City CDC</li> <li>• Oak Manor</li> </ul> |
| NMWD-Novato        | Novato  | 2,854          | 8                     | 262                    | 3,116                    | No                            | 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.                       | <ul style="list-style-type: none"> <li>• Indian Valley</li> <li>• Tamarin Lane</li> </ul>  |
| NMWD-West Marin    | Point Reyes Station, Olema, Bear Valley, Inverness Park, Paradise Ranch Estates                                     | 790            | 2                     | 472                    | 1,262                    | N/A                           | Sufficient water capacity at present. Additionally, the district is pursuing alternative water sources and measures such as conservation, and will continue to allow new development. No new development proposed in the Sites Inventory.                             | <ul style="list-style-type: none"> <li>• Grandi Building</li> </ul>  |
| 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.  | N/A  |
| SBCWD              | Stinson Beach   | 825            | 0                     | 60                     | 885                      | N/A                           | Sufficient water capacity at present. No new development proposed in the  | N/A  |

|                |  |        |     |       |        |     | Sites Inventory.  |     |
|----------------|--|--------|-----|-------|--------|-----|---|-----|
| IPUD           | Inverness  | 623    | 0   |       | 647    | N/A | Sufficient water capacity at present. No new development proposed in the Sites Inventory.   | N/A |
| MBCSD          | Muir Beach   | 143    | 0   | 10    | 153    | N/A | Sufficient water capacity for existing units and to accommodate remaining number of units before buildout.  | N/A |
| CSWS           | Dillon Beach   | 273    | 0   | 3     | 276    | N/A | Sufficient water capacity for existing units and to accommodate remaining number of units before buildout.  | N/A |
| EMWS           | Dillon Beach   | 133    | 0   | 40    | 173    | N/A | Sufficient water capacity for existing units and to accommodate remaining number of units before buildout.  | N/A |
| Unserved Areas | Fallon, Inverness Park, Marshall, Nicasio, Tomales, Valley Ford* | 356    | 0   | 853   | 1,209  | N/A | Water capacity dependent on availability of alternative sources, such as on individual groundwater wells, surface water, or small spring-based systems. | N/A |
| TOTAL          | Unincorporated Marin   | 27,323 | 338 | 4,476 | 31,799 | N/A | N/A   | N/A |

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 | Inventory Sites                         |
|---|---|--------------------------------|-----------------------------|--------------------|---|
| Sausalito / Marin City Community Service District | Sausalito, Marin City, Tamalpais Valley, Marin Headlands, Muir Woods and surrounding areas  | 0.50                           | 0.292                       | +0.208             | • Marin City CDC                        |
| Sewage Agency of Southern Marin                   | Mill Valley, Tamalpais Valley, Almonte, Alto, Homestead Valley and surrounding areas  | 1.10                           | 0.236                       | +0.864             | N/A                                     |
| Sanitary District #5                              | Tiburon, Belvedere and surrounding areas  | 0.21                           | 0.001                       | +0.209             | N/A                                     |
| 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             | • Oak Manor                             |
| 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             | • St. Vincent's/Silveira<br>• Marinwood |
| Novato Sanitary District                          | Novato and surrounding areas  | 1.35                           | 0.002                       | +1.348             | • Indian Valley<br>• Tamarin Lane       |
| Bolinas Community Public Utility District+        | Bolinas (downtown)  | n/a                            | 0.059                       | n/a                | N/A                                     |
| N/A: on-site wastewater treatment                 | Point Reyes Station   | n/a                            | n/a                         | n/a                | • Grandi Building                       |

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 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 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, because these are based on newer technologies, ongoing inspections are required to ensure proper operation. County Environmental Health Services 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                             | \$854                  | \$854                     |
| New System, Upgrade or Repair                   | \$2,913/\$1,760        | \$4,271/\$8,538/\$3,845   |
| Operating Permit, Residential                   | \$495                  | \$495                     |
| Construction Inspection – additional inspection | \$467                  | \$623                     |

*Source: 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 its [website](#) 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.

### **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 parkland, 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 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 village limit boundaries (VLBs) in effect in the nine Coastal Zone communities of Muir Beach, Stinson Beach, Bolinas, Olema, Point Reyes Station, Inverness Ridge, Marshall, Tomales, and Dillon Beach. The VLBs were established to preserve agricultural lands for agricultural use while at the same time allowing for reasonable growth within village areas in accordance with the Coastal Act.

There are two fundamental types of zoning districts in unincorporated Marin: conventional and planned. 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 Countywide Plan land use designations as adopted on November 7, 2007.

Figures 1, 2, and 3 in Appendix I summarize residential development standards. The figures indicate (where applicable) minimum lot size, minimum setbacks, height, and floor area ratios (FAR). Figures 4, 5, and 6 in Appendix I 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 in relation to development standards is provided in Figure 2 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.<sup>13</sup>

### ***Multi-family Development***

Multi-family housing, including duplexes, triplexes, fourplexes, and apartments, is permitted in the Residential, Multiple Planned District (RMP), and the Residential/Commercial Multiple Planned District (RMPC). Duplexes are a permitted use in the Residential, Two-Family District (R2), and require 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 are eligible for a master plan waiver; multi-phase projects require a master plan.

The majority of multi-family housing developed recently in Marin has been affordable housing, likely due to limited multi-family zoning, high demand for single family dwellings, and incentives

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<sup>13</sup> Development Code 22.24.020.A – Density for Affordable Housing Projects. For affordable housing located in all districts that allow residential uses, allowable density will be established by the maximum Marin Countywide Plan density range, subject to all applicable Countywide Plan policies.

offered for affordable housing. Multi-family housing development often faces regulatory challenges. Consequent delays can affect the financial feasibility of these projects. In an effort to increase certainty for multi-family development, the Development Code includes an exemption for affordable housing from the master plan and precise development plan processes.

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 2013. (Marin County's Single-Family Residential Design Guidelines have 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.) 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. 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.j 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). 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 lots larger than 2 acres, at least 50% of the new floor area must be developed with new housing. For 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><b>Height Limits.</b> Conventional Zoning Districts: 25 feet in the Coastal Zone and 35 feet in the interior. Single family residences may reach a height 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. Subsequent code amendments may allow multi-family development to reach similar height limits as single family residences that meet 15-foot side yard setbacks. (See program <i>1.j Adjust Height limits for Multi-family Residential Buildings</i>). The County's Multi-Family Residential Design Guidelines adopted in 2013 provide further guidance for height and design of multi-family development.</p> |
| <p><b>Parking Requirements.</b> 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 later in this chapter.</p>  |
| <p><b>Minimum Lot Area.</b> Conventional Zoning Districts: 7,500 sq ft for RA, RR, RE, R1, R2; n/a for RSP, RMP; not 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><b>Setbacks.</b> 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; not applicable for RSP, RMP; not 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 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 <i>1.i Simplify Review of Residential Development Projects in Planned Districts</i>).</p>   |
| <p><b>Density.</b> 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. Programs in this element are intended to address this (See programs <i>1.i Simplify Review of Residential Development Projects in Planned Districts</i>, and <i>1.j Adjust Height Limits for Multi-family Residential Buildings</i>). 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.</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 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 prohibit approval of development on sites identified in the Housing Element with fewer units than shown in the Sites Inventory and Analysis.
- *1.j Adjust Height Limits for Multi-family Residential Buildings* 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, 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.<sup>14</sup> Agricultural worker housing was already a permitted use in the inland agricultural/open space zones of A2, A3 to A60, ARP, and OA.<sup>15</sup>

Figure 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 All 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 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 sixty acres, except in the Suburban Agricultural and Limited Agriculture Districts 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. The County's Development Code is also consistent with provisions of Health and Safety Code 17021.5.

Recognizing agriculture's role as a primary industry and substantial contributor to Marin County's economic vitality, the Housing Element includes programs 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*).

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

<sup>15</sup> Marin County Development Code Section 22.32.023

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

In accordance with 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.

### ***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 Building Standards Code (Title 24, CCR) that establishes minimum standards for building construction. The County has amended two specific provisions contained in the State codes which can impose additional costs on residential development: 1) Fire sprinklers are required in 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 related to energy conservation and green building. 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 have been trained on available resources and make 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 rehabilitation needs, 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 use 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 III-6 below outline 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.f 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

| Size of Dwelling Unit | Minimum Parking Spaces Required per Section 24.04.340 | Reduced Parking Requirements with Density Bonus per Section 22.24.030 |
|-----------------------|---|---|
| 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 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.f Review and Update Parking Standards*).

**Figure III-6: Parking Comparison – Marin Jurisdictions**

| City/<br>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                                   | 3.25     | 0                | 1.25       | 0               | 1.25       | 0               | 1.25     | 0                 | 2          | 0                | 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        | 2                                   | 4        | 1                | 1          | 1               | 2          | 1               | 2        | 1                 | 2          | 1                | 2          |
| Larkspur               | 0                  | 2        | 0                         | 4        | 0                                   | 3        | 0                | 1          | 0               | 1          | 0               | 2        | 0                 | 2.5        | 0                | 2.5        |
| Mill Valley            | 0                  | 2        | 0                         | 4        | 0                                   | 3        | 0                | 2          | 0               | 2          | 0               | 2        | 0                 | 2          | 0                | 2          |
| Novato                 | 1                  | 2        | 2                         | 4        | 1                                   | 3.5      | 0                | 1.2        | 0               | 1.5        | 0               | 2        | 0                 | 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               | 1.5      | 0                 | 2          | 0                | 2          |
| San Rafael             | 2                  | 2        | 2                         | 3        | 2                                   | 3        | 1                | 1          | 1               | 1.5        | 1               | 2        | 1                 | 2          | 1                | 2          |
| Tiburon                | 0                  | 2        | 0                         | 3        | 0                                   | 3        | 0                | 2          | 0               | 2          | 0               | 2        | 0                 | 2          | 0                | 2          |
| <b>County of Marin</b> | <b>0</b>           | <b>2</b> | <b>0</b>                  | <b>4</b> | <b>0</b>                            | <b>4</b> | <b>0</b>         | <b>1.2</b> | <b>0</b>        | <b>1.5</b> | <b>0</b>        | <b>2</b> | <b>0</b>          | <b>2.5</b> | <b>0</b>         | <b>2.5</b> |

Source: 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. 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.

### ***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 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 (*Program 1.e*).

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, and a revision to this provision is being considered as part of Program 1.e.

Parking standards for second units require one space for a studio or one bedroom, and two spaces for units with two or more bedrooms. 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.e Undertake Adjustments to Second Unit Development Standards, subprogram 1.e(c) Develop standards to allow flexibility of second unit parking requirements, etc.*).

### ***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, on sites within the Ridge and Upland Greenbelt or the Baylands Corridor, or properties lacking public water or sewer systems. 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, County policy exempts affordable housing from underlying zoning in favor of the high end of the General Plan density range.<sup>16</sup> Another program will study the implications and opportunities of a ministerial review process for affordable housing, which would seek to limit lengthy and expensive delays and hurdles in the pre-development process while ensuring that environmental protection measures consistent with the Countywide Plan are incorporated (*1.d 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 (GC), Neighborhood Commercial (NC), Office Commercial (OC), Recreational Commercial (RC), and Public Facilities (PF). The HOD policy identifies 11 specific sites 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 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 82 units of housing, including affordable and market rate units, was deemed complete as of 9/26/13 and is currently undergoing environmental review. 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.c Evaluate the Housing Overlay Designation*).

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<sup>16</sup> Marin County Development Code, Chapter 22.24.020.A Density for Affordable Housing Projects.

## 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 project cost and timeline. A program in the previous Housing Element implemented the development of multi-family residential design guidelines, which are intended to increase development 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, 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-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, require that the property 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 subdivisions. Subdivisions typically require a negative declaration, but larger subdivisions may require an EIR.

#### *Coastal Permits*

Most development, subdivisions, and intensification of use within the Coastal Zone is subject to a 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 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 Coastal Zone. Risks, costs and delays associated with the coastal permit process are further increased because most coastal permit approvals are appealable to the California Coastal Commission, 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. The amendments to the LCP are expected to be certified by the Coastal Commission in December 2014. Consistency between the Housing Element and the 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 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 plan sets standards for future use of a particular property and establishes site specific zoning standards for future development. Master plans are required 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. 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.<sup>17</sup> 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 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:

- Consistency with the Countywide Plan and any applicable community plan.
- No detriment to the public interest, health, safety, convenience or welfare of the County.
- Environmental and physical suitability of the development.

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<sup>17</sup> Marin County Development Code Section 22.44.035

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

### **Timing for Permit Processing**

Time requirements for review of the merits of a project are contingent on project complexity and environmental impacts. If a house design meets County standards and Uniform Building Code requirements in a conventionally zoned agricultural or urban zoning district, a building permit can be granted without further review. Processing times are usually between 5 to 10 weeks after the completed application has been submitted. Figure III-7 displays application processing times which account for staff's review time, exclusive of applicant response time to incompleteness notices. Many of these processes overlap or occur concurrently. Total processing times for a general plan amendment, assuming an EIR is needed, is approximately 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 21 weeks.

**Figure III-7: Median Processing Times by Planning Permit Type**

| Type of Approval or Permit                       | Average Processing Times<br>Unincorporated County<br>(weeks) | Median Processing Times<br>Countywide Average<br>(weeks)* |
|--|--|---|
| Ministerial Review                               | 5  | 3-5   |
| Conditional Use Permit                           | 7  | 7-12  |
| Zone Change                                      | 58   | 20-24   |
| General Plan Amendment                           | 58   | 20-24   |
| Site Plan Review                                 | N/A  | 2-3   |
| Discretionary Review                             | 6  | 8-12  |
| Tentative Maps                                   | 11   | 12-18   |
| Subdivisions                                     | 12   | 12-36   |
| Initial Environmental Study<br>(additional time) | 21   | 12-38   |
| Environmental Impact<br>Report                   | 104  | 48  |
| Variance   | 5  | 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 Fiscal Year 2012/2013, the Planning Division issued decisions for 79% 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 determined to be complete) was 34 days for decisions that were issued during 2012/2013. Below is a comparison of Planning Division performance during the same period in prior fiscal years.



**Figure III-8: Discretionary Permit Performance Comparisons for Expedited Timeframes**

|  | Fiscal<br>Year<br>2008-<br>2009 | FY<br>09-10 | FY<br>10-11 | FY<br>11-12 | FY<br>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) | 71%                             | 62%         | 79%         | 75%         | 79%         |

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-scale applications.

The County is also 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, affordable housing, and building and safety programs, as well as representatives from other departments including the Department of Public Works and the Fire Marshal. This group would help to identify potential challenges and to convey the potential problem considerations to the applicant early in the process.

### **Environmental Review**

Marin County reviews residential development projects for compliance with State and local environmental review regulations that promote, preserve, and enhance the public welfare. Many residential projects are exempt from environmental review as an application that is either ministerial in nature, and thus not subject to the California Environmental Quality Act (CEQA), or statutorily or categorically exempt from CEQA pursuant to State CEQA Guidelines.

Some projects subject to 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 is determined through preparation of an initial study to have no significant impacts or that mitigates impacts to less than significant typically can add six months to a year to the project's approval timeline, 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 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 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-7) 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. 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 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.i Simplify Review of Residential Development Projects in Planned Districts*
- *1.j Adjust Height Limits for Multi-family Residential Buildings*

### **Incentives for Affordable Housing**

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

- Density for affordable housing projects. For affordable housing located in all districts that allow residential uses, allowable density will be established by the maximum Marin Countywide Plan density range, subject to all applicable Countywide Plan policies.
- County density bonus. An increase in density of up to 10% of the number of dwelling units normally allowed by the applicable zoning district in a proposed residential development or subdivision.
- Interior design. The applicant may have the option of reducing the interior amenity level and the square footage of inclusionary units below that of large market-rate units. The County strongly encourages the use of green building principles, such as the use of environmentally preferable interior finishes and flooring, as well as the installation of water and energy efficient hardware, wherever feasible.

- Unit types. In a residential project that contains single-family detached homes, inclusionary units may be attached living units rather than detached homes or may be constructed on smaller lots.
- On-site inclusionary housing for commercial and industrial development. As an inducement to include on-site inclusionary housing in a commercial or industrial development, the County may grant a reduction in the Development Code's site development standards or in architectural design requirements that exceed the minimum building standards approved by the State Building Standards Commission in compliance with State law (Health and Safety Code Sections 18901 et seq.), including, but not limited to, 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 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 exercises. This Housing Element contains a number of programs to continue this practice:

- *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 Provide Leadership to the Marin Workforce Housing Trust
- 3.l Assist with Local Funding for Affordable Housing
- 3.n Coordinate Among Project Funders

### *Affordable Housing Combining District*

During the previous housing element cycle, the County established an affordable housing combining zoning district. This district allows affordable housing development at 30 units per acre<sup>18</sup> 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. Sites are identified in Figure III-9. The first two properties listed are also identified in the Sites Inventory (Figure IV-6).

**Figure III-9: Affordable Housing Combining District Sites**

| Site Name                              | Acres by Parcel                             | Acres Total       | Countywide Plan 2007                      | Zoning 2014     | AH-Combining District*                       |
|--|---|-------------------|---|-----------------|--|
| St. Vincent's /<br>Silveira            | 244.768<br>221.71<br>72.66<br>20.22<br>2.82 | 55<br>developable | PD-<br>Agriculture<br>and Env<br>Resource | A2:AH           | AH zone - limited<br>to 3.5 acres at 30 duac |
| Marin City<br>Community<br>Development | 4.06  | 4.06              | MF-2                                      | RMP-<br>4.2:AH  | AH zone - limited<br>to 0.5 acres at 30 duac |
| Golden Gate<br>Seminary                | 50.00<br>23.61                              | 73.61             | MF-2                                      | RMP-<br>2.47:AH | AH zone - limited<br>to 2 acres at 30 duac   |

Source: Marin County Community Development Agency, 2014

\* As allowed by Assembly Bill 1537, sites within the Affordable Housing Combining District will be proposed for rezoning from 30 dwelling units per acre to 20 dwelling units per acre in 2015.

## **Fees and Exactions**

### **Permit Fees – County Agencies**

Local fees add to the cost of development. Figure III-10 illustrates the cost of two development scenarios incurred from fees assessed by Marin County in 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 10 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

<sup>18</sup> As allowed by Assembly Bill 1537, sites within the Affordable Housing Combining District will be proposed for rezoning from 30 dwelling units per acre to 20 dwelling units per acre in 2015.

Appendix E. Fees have increased since 2008/09 to respond to the lack of permit revenue resulting from the decline in the housing market.

Fees collected by outside agencies, such as water, sewer, fire and school impact fees, are also included in Figure III-10. Typically, school and fire impact fees are set by the school and fire districts respectively, although not all districts charge a fee. 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.

**Figure III-10: Permit and Impact Fees Assessed by Marin County (2012)**

| Permit Type / Impact Fee                  | Scenario A:<br>Single-family house,<br>2400 sq ft, 3 bedrooms.<br>10,000 sq ft lot, 4 units/acre.<br>Construction \$500,000/unit.<br>Sale \$800,000/unit. | Scenario B:<br>10-unit condo development,<br>1,200 sq ft, 2 bedrooms.<br>0.5 acre lot, 20 units/acre.<br>Construction \$400,000/unit.<br>Sale \$500,000/unit. |
|---|---|---|
| Design Review                             | 5,670   | 56,700  |
| Building Permit                           | 3,751   | 26,149  |
| Plan Review                               | 6,900   | 48,110  |
| Title 24 Energy Fee                       | 703   | 3,408   |
| BSC "Green" Tax                           | 20  | 160   |
| Seismic Tax                               | 50  | 400   |
| Affordable Housing Impact Fee             | 2,000   | 0   |
| Technology Fee                            | 520   | 1,030   |
| Engineering Plan Check                    | 1,200   | 1,200   |
| Site Encroachment Fee                     | 895   | 895   |
| Planning Zoning Review                    | 1,695   | 16,950  |
| Plumbing/Gas Permit                       | 344   | 824   |
| Electrical Permit                         | 144   | 624   |
| Mechanical Permit                         | 144   | 624   |
| General Plan Surcharge                    | 1,065   | 7,430   |
| Other                                     | 285   | 2,180   |
| Roads                                     | 5,000   | 40,000  |
| In-Lieu Park Dedication Fee*              | n/a   | *   |
| <b>SUBTOTAL COUNTY FEES</b>               | <b>\$30,386</b>   | <b>\$206,684</b><br>((\$20,668 per unit))   |
| <i>Estimated Fees of Other Districts:</i> |   |   |
| Water                                     | \$14,141  | \$102,890   |
| Sewer                                     | \$8,267   | \$78,907  |
| Fire                                      | \$1,003   | \$2,242   |
| Schools                                   | \$8,568   | \$42,840  |
| <b>SUBTOTAL DISTRICT FEES</b>             | <b>\$31,979</b>   | <b>\$226,879</b><br>((\$22,688 per unit))   |
| <b>TOTAL FEES</b>                         | <b>\$62,365</b>   | <b>\$433,563</b><br>((\$43,356 per unit))   |

Source: Marin County Community Development Agency, 2014

\*The in-lieu park dedication fee applies when you subdivide property and is calculated by multiplying the number of dwelling units by the number of acres of parkland required per dwelling unit multiplied by the fair market value per

buildable acre by 1.20. This fee is paid at the time a Parcel or Final Map is recorded. Please refer to Section 22.98.040 of the Marin County Development Code\* for more information.

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 2014 review of other localities in Marin found that the County's fees are generally comparable to those of the neighboring cities and towns. Jurisdictions provided development fees for the two hypothetical scenarios discussed above. The following two figures (Figure III-11 and Figure III-12) compare the primary planning and building fees charged by each local jurisdiction.

In the comparison for both the single-family home (Figure III-11) and the multi-family development (Figure II-12), the County of Marin's fees were close to the median for all County jurisdictions.

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

| Jurisdiction:   | Fees for Single-Family Home: |                        |                               |                                       |                 |
|---|------------------------------|------------------------|-------------------------------|---------------------------------------|-----------------|
|   | <i>Design Review</i>         | <i>Building Permit</i> | <i>Planning/Zoning Review</i> | <i>Environmental Review (deposit)</i> | <i>Rezoning</i> |
| Unincorporated Marin  | 5,670                        | 3,751                  | 1,695                         | 14,500                                | 39,765          |
| Belvedere   | 3,200                        | 3,234                  | 2,102                         | 3,606                                 | n/a             |
| Corte Madera  | 2,000                        | 2,790                  | 2,600                         | 2,500                                 | 2,500           |
| Fairfax   | 781                          | 5,200                  | 282                           | 2,500                                 | 3,000           |
| Larkspur  | 1,100                        | 4,509                  | 500                           | 1,000                                 | 2,000           |
| Mill Valley   | 1,775                        | 3,969                  | 990                           | 535                                   | 1,075           |
| Novato  | 5,526                        | 3,531                  | 2,295                         | 9,543                                 | 6,518           |
| Ross  | 448                          | 5,808                  | 1,329                         | 3,727                                 | 5,212           |
| San Anselmo   | 1,200                        | 3,536                  | 1,200                         | 1,920                                 | 1,200           |
| San Rafael  | 1,167                        | 4,079                  | 2,651                         | 10,346                                | 7,176           |
| Tiburon   | 2,825                        | 4,718                  | 3,067                         | 50 to 1,600                           | 3,500           |
| Source: 2014 Marin County Community Development Agency survey of local jurisdiction permit fees |                              |                        |                               |                                       |                 |

**Figure III-12: Comparison of Total Development Fees, 10-unit Condo**

| Jurisdiction:  | Fees for Multi-Family Development:   |  |   |                                       |                 |
|--|--------------------------------------|--|---|---------------------------------------|-----------------|
|  | <i>Design Review (per unit cost)</i> | <i>Building Permit (per unit cost)</i> | <i>Planning/Zoning Review (per unit cost)</i> | <i>Environmental Review (deposit)</i> | <i>Rezoning</i> |
| Unincorporated Marin   | 5,670                                | 2,615                                  | 1,695   | 14,500                                | 39,765          |
| Belvedere  | 3,200                                | 26,738                                 | 17,380  | 3,606                                 | 5,000 deposit   |
| Corte Madera   | 2,000                                | 3,940                                  | 3,525   | 2,500                                 | 2,500           |
| Fairfax  | 4,851                                | 5,200                                  | 282   | 2,500                                 | 3,000           |
| Larkspur   | 1,100                                | 3,733                                  | 500   | 1,000                                 | 2,000           |
| Mill Valley  | 1,890                                | 32,690                                 | 990   | 535                                   | 1,075           |
| Novato   | 184                                  | 663                                    | 431   | 9,543                                 | 6,518           |
| Ross   | 448                                  | 4,808                                  | 1,329   | 3,727                                 | 5,212           |
| San Anselmo  | 1,200                                | 2,921                                  | 1,200   | 1,920                                 | 1,200           |
| San Rafael   | 1,167                                | 3,379                                  | 2,196   | 10,346                                | 7,176           |
| Tiburon  | 2,825                                | 15,059                                 | 9,788   | 50 to 1,600                           | 3,500           |
| <i>Source: 2014 Marin County Community Development Agency survey of local jurisdiction permit fees</i> |                                      |  |   |                                       |                 |

### ***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 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 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 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 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-13 below:

**Figure III-13: Affordable Housing Impact Fee**

| Example Home Size | Fee Per Square Foot | Housing Impact Fee (\$5 and \$10 per sq ft) | 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 June 2014, the Affordable Housing Trust Fund collected \$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 May 2014, the Community Development Agency informed all districts of the 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-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-14: Average Water Fees**

| Service Area   | Water District                 | Single-family Home | 10-Unit Condo Development        |
|----------------|--------------------------------|--------------------|----------------------------------|
| Belvedere      | Marin Municipal Water District | \$14,141           | \$102,890<br>(\$10,289 per unit) |
| Corte Madera   |                                |                    |                                  |
| Fairfax        |                                |                    |                                  |
| Larkspur       |                                |                    |                                  |
| Mill Valley    |                                |                    |                                  |
| Ross/Kentfield |                                |                    |                                  |
| Tiburon        |                                |                    |                                  |
| San Anselmo    |                                |                    |                                  |
| San Rafael     |                                |                    |                                  |
| Novato         | North Marin Water District     | \$32,580           | \$151,800<br>(\$15,180 per unit) |

Source: 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-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-15: Average Sanitary Fees**

| Service Area | Sanitary District                         | Single Family Home | 1-Unit Condo | 10-Unit Condo                    |
|--------------|---|--------------------|--------------|----------------------------------|
| Belvedere    | Sanitary District No. 5                   | \$7,351            | \$6,083      | \$60,290<br>(\$6,029 per unit)   |
| Tiburon      |   | \$7,282            | \$6,026      | \$59,720<br>(\$5,972 per unit)   |
| Corte Madera | Sanitary District No. 2<br>(Jurisdiction) | \$8,340            | \$8,340      | \$83,400<br>(\$8,340 per unit)   |
| Fairfax      | Ross Valley Sanitary District No 1.       | \$10,304           | \$10,304     | \$103,040<br>(\$10,304 per unit) |
| Larkspur*    |   |                    |              |                                  |
| Ross         |   |                    |              |                                  |
| San Anselmo  |   |                    |              |                                  |
| Mill Valley  | Mill Valley Department of Public Works    | \$6,125            | \$6,125      | \$61,250<br>(\$6,125 per unit)   |
| Novato       | Novato Sanitary District                  | \$10,440           | \$10,440     | \$104,400<br>(\$10,440 per unit) |
| San Rafael   | Las Gallinas Sanitary District            | \$8,025            | \$8,025      | \$80,250<br>(\$8,025 per unit)   |

Source: Survey of Marin County sanitary districts, 2014

\*Jurisdiction calculated slightly lower fees than sanitary district.

## 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.<sup>19</sup>

### ***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 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*).

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<sup>19</sup> Marin County Ordinance 3609, adopted 12/3/2013

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

Marin County implements and enforces Chapters 11 A & B, 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 are 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 participate in the Fair Housing Task Force with staff from Fair Housing of Marin, the District Attorney's office, and interested community members.

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

The Marin Countywide Plan recognizes four separate environmental corridors present in the County, based on specific geographic 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 designated primarily for agriculture and compatible uses, as well as for preservation of existing small communities. Less than 2% of Marin County's population lives in the Inland Rural Corridor.

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

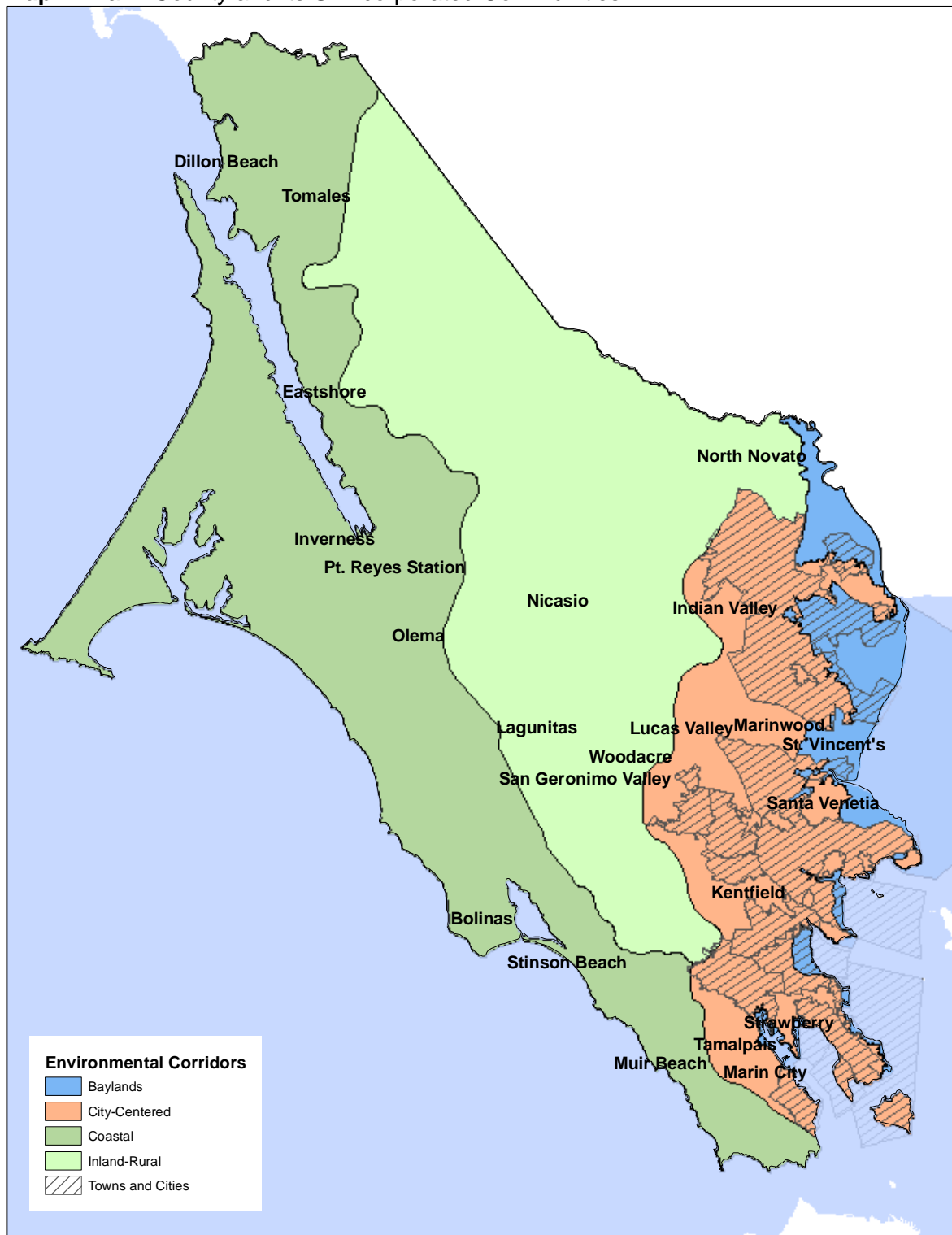
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<sup>1</sup> Marin County Assessor-Recorder's Office, June 2008

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

<sup>3</sup> General Demographic Characteristics for Marin County California Cities and Places, Marin County Community Development Agency

**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. 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 2014, there were approximately 6,600 households benefiting from deed restricted affordable housing throughout Marin County's 12 jurisdictions.<sup>4</sup> The income-restricted housing stock includes 6,657 units comprised of:

- over 101 privately managed rental properties with 3,057 units;
- 274 inclusionary rental units;
- 758 below-market ownership homes;
- 9 public housing properties;
- 2 State funded properties comprising 573 units; and
- 2,121 Section 8 vouchers.

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, Unincorporated County (2014)**

|                    | <b>Very Low<br/>0 – 50%</b> | <b>Low<br/>50-80%</b> | <b>Moderate<br/>80-120%</b> | <b>TOTAL</b> |
|--------------------|-----------------------------|-----------------------|-----------------------------|--------------|
| Restricted rentals | 373                         | 62                    | 13                          | 448          |
| BMR ownership      | 0                           | 34                    | 56                          | 90           |
| Public housing     | 296                         | 0                     | 0                           | 296          |
| <b>TOTAL</b>       | <b>669</b>                  | <b>96</b>             | <b>69</b>                   | <b>834</b>   |

Source: Marin County Community Development Agency, 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.

<sup>4</sup> 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 18, 2013, the Executive Board of the Association of Bay Area Governments adopted the 2014-2022 Regional Housing Need Allocation Plan for the San Francisco Bay Area, which included a formula for distributing the regional housing need across all the jurisdictions in the nine-county Bay Area.<sup>5</sup> 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. Figure IV-2 summarizes the Regional Housing Needs Allocation for all jurisdictions in Marin County.

Marin jurisdictions saw a significant decrease in the 2014-2022 RHNA allocation from the 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.

**Figure IV-2: Regional Needs Housing Allocation, 2015-2023 Planning Period**

| Jurisdiction   | RHNA Units Needed By Income Category |                          |                                |                                       | 2015-2023<br>Total | 2007-2014<br>Total |
|----------------|--------------------------------------|--------------------------|--------------------------------|---------------------------------------|--------------------|--------------------|
|                | Very Low<br>(0-50%<br>HAMFI)†        | Low<br>(51-80%<br>HAMFI) | Moderate<br>(81-120%<br>HAMFI) | Above<br>Moderate<br>(120%+<br>HAMFI) |                    |                    |
| Belvedere      | 4                                    | 3                        | 4                              | 5                                     | 16                 | 17                 |
| Corte Madera   | 22                                   | 13                       | 13                             | 24                                    | 72                 | 244                |
| Fairfax        | 16                                   | 11                       | 11                             | 23                                    | 61                 | 108                |
| Larkspur       | 40                                   | 20                       | 21                             | 51                                    | 132                | 382                |
| Mill Valley    | 41                                   | 24                       | 26                             | 38                                    | 129                | 292                |
| Novato         | 111                                  | 65                       | 72                             | 167                                   | 415                | 1,241              |
| Ross           | 6                                    | 4                        | 4                              | 4                                     | 18                 | 27                 |
| San Anselmo    | 33                                   | 17                       | 19                             | 37                                    | 106                | 113                |
| San Rafael     | 240                                  | 148                      | 181                            | 438                                   | 1,007              | 1,403              |
| Sausalito      | 26                                   | 14                       | 16                             | 23                                    | 79                 | 165                |
| Tiburon        | 24                                   | 16                       | 19                             | 19                                    | 78                 | 117                |
| Unincorporated | 55                                   | 32                       | 37                             | 61                                    | 185                | 773                |
| <b>TOTAL</b>   | <b>618</b>                           | <b>367</b>               | <b>423</b>                     | <b>890</b>                            | <b>2,298</b>       | <b>4,882</b>       |

Source: [http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22\\_RHNA\\_Plan.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 27 units, for the unincorporated County.

<sup>5</sup> 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").

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 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 20 units per acre.

Appendix A is an evaluation of 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, 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.

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 conversion of 20 housing units at the 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 40 agricultural worker housing units in the next five years, 15 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 Sites Inventory in Figure IV-6. Development trends have historically shown that moderate and above moderate income housing objectives will be met through new construction of single-family homes and second units. Figure IV-3 below outlines how these three strategies can achieve the County's quantified objectives over the planning period.

**Figure IV-3: Quantified Objectives by Income Category**

|  | New Construction | Rehabilitation | Conservation/ Preservation | TOTAL      |
|--|------------------|----------------|----------------------------|------------|
| <b>Extremely Low</b>                   |                  |                |                            | <b>89</b>  |
| Permits issued or projects pending     | 25 <sup>6</sup>  |                |                            |            |
| Rehab Loan Program                     |                  |                |                            |            |
| Marin Agricultural Housing Program     |                  | 15             |                            |            |
| Inventory Sites                        | 41               |                |                            |            |
| Second Units                           | 8                |                |                            |            |
| <b>Very Low</b>                        |                  |                |                            | <b>238</b> |
| Permits issued or projects pending     | 35               |                |                            |            |
| Rehab Loan Program                     |                  | 96             |                            |            |
| Marin Agricultural Housing Program     |                  | 30             |                            |            |
| Gates Coop Houseboat Community         |                  | 10             |                            |            |
| Inventory Sites                        | 57               |                |                            |            |
| Second Units                           | 10               |                |                            |            |
| <b>Low</b>                             |                  |                |                            | <b>60</b>  |
| Permits issued or projects pending     | 12               |                |                            |            |
| Forest Knolls Trailer Court Conversion |                  |                | 20                         |            |
| Gates Coop Houseboat Community         |                  | 6              |                            |            |
| Inventory Sites                        | 19               |                |                            |            |
| Second Units                           | 3                |                |                            |            |
| <b>Moderate</b>                        |                  |                |                            | <b>145</b> |
| Permits issued or projects pending     | 75               |                |                            |            |
| Inventory Sites                        | 60               |                |                            |            |
| Second Units                           | 10               |                |                            |            |
| <b>Above Moderate (Market Rate)</b>    |                  |                |                            | <b>107</b> |
| Permits issued or projects pending     | 19               |                |                            |            |
| Inventory Sites                        | 79               |                |                            |            |
| Second Units                           | 9                |                |                            |            |
| <b>TOTAL</b>                           | <b>462</b>       | <b>157</b>     | <b>20</b>                  | <b>639</b> |

## Sites Inventory and Analysis

This section of the Housing Element addresses the requirements of Government Code Sections 65583 and 65583.2, which require the County to provide an inventory of sites suitable for housing development that can accommodate Marin County's short-term housing development objectives, as determined by the Regional Housing Needs Allocation for the Housing Element planning period of January 31, 2015 to 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.

<sup>6</sup> Marinwood Plaza units are included under "Permits issued or projects pending" category, not under "Inventory Sites" category (Inventory assumptions are 25 ELI, 35 VL and 12 L)

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 the beginning of the Regional Housing Needs Allocation (RHNA) period (January 1, 2014) and the beginning of the Housing Element planning period (January 31, 2015). Figure IV-4 provides a summary of building permits issued or units converted 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 planning period of this Housing Element (2015-2023).

### Residential Development Permitted 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 1, 2014 to July 31, 2014, showing progress in meeting the 2014-2022 regional housing needs.

**Figure IV-4: Unit Development Inventory: Building permits issued January through July 2014**

| Type of Building Permits Issued<br>1/1/14 – 7/31/14 | Units by Income Level |           |           |           |           | Method of Affordability:<br>(1) Sales price<br>(2) Rent price<br>(3) Type of Subsidy |
|---|-----------------------|-----------|-----------|-----------|-----------|--|
|   | Total Units           | VL        | L         | M         | AM†       |  |
| Single-family building permits                      | 20                    | 0         | 0         | 8         | 12        | 8 Moderate rent price worker units. No subsidy.                                      |
| Multi-family building                               | 0                     | 0         | 0         | 0         | 0         | n/a  |
| Houseboats and Mobile home permits issued           | 0                     | 0         | 0         | 0         | 0         | n/a  |
| New second units permitted                          | 3                     | 0         | 1         | 1         | 1         | Rent price. See Second Unit Survey 2014 discussion below.                            |
| <b>Total permits issued</b>                         | <b>23</b>             | <b>0</b>  | <b>1</b>  | <b>9</b>  | <b>13</b> | <b>n/a</b>   |
| <i>RHNA –2014-2022</i>                              | <i>185</i>            | <i>55</i> | <i>32</i> | <i>37</i> | <i>61</i> | <i>RHNA –2014-2022</i>   |
| <i>Remaining need</i>                               | <i>162</i>            | <i>55</i> | <i>31</i> | <i>28</i> | <i>48</i> | <i>Remaining need</i>  |

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*.

## 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 analyzed through direct community input, a series of community workshops, 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 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.

**Figure IV-5: 2007-2014 Housing Element Sites**

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

- A.** Lower income sites – default density, or Countywide Plan policy
- B.** Moderate Income sites – Likely to produce smaller units, rentals and condominiums
- C.** 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 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 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).<sup>7</sup> Sites with a pending project application were assigned a unit capacity in the range of the project.

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, with the exception of the property at St. Vincent's Drive.

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<sup>7</sup> Except for sites with a general plan land use designation of Neighborhood Commercial, where at least 25 units per acre applies (CD-2.d.5).

**Figure IV-6: Available Land Inventory Summary**

| Site Address   | Property APN(s) | Parcel Acres | Total Acres       | CWP Land Use  | Zoning               | Lower Income (EL, VL, L) | Moderate Income | Above Moderate Income | TOTAL      |
|--|-----------------|--------------|-------------------|---|----------------------|--------------------------|-----------------|-----------------------|------------|
| St. Vincent's Drive, San Rafael<br>( <i>St. Vincent's / Silveira</i> )                             | 155-011-08      | 244.768      | 55<br>developable | PD: Agriculture and Environmental Resource<br>Planned Designation | A2: AH               | 100                      | 50              | 71                    | 221*       |
|  | 155-011-28      | 72.66        |                   |   |                      |                          |                 |                       |            |
|  | 155-011-29      | 20.22        |                   |   |                      |                          |                 |                       |            |
|  | 155-011-30      | 221.71       |                   |   |                      |                          |                 |                       |            |
|  | 155-121-16      | 2.82         |                   |   |                      |                          |                 |                       |            |
| 100 Marinwood Ave, San Rafael<br>( <i>Marinwood Plaza</i> )  | 164-471-64      | 0.45         | 5                 | HOD/GC (30 units/acre)  | CP (30 units/acre)   | 72                       | 0               | 10                    | 82         |
|  | 164-471-65      | 1.9          |                   |   |                      |                          |                 |                       |            |
|  | 164-471-69      | 1.05         |                   |   |                      |                          |                 |                       |            |
|  | 164-471-70      | 1.6          |                   |   |                      |                          |                 |                       |            |
| 441 Drake Ave, Sausalito<br>( <i>Marin City CDC</i> )  | 052-140-36      | 4.06         | 4.06              | MF2 (1-4 units/acre)  | RMP-4.2: AH          | 15                       | 0               | 0                     | 15         |
| 11101 State Route 1, Point Reyes Station<br>( <i>Grandi Building</i> )                             | 119-234-01      | 2.5          | 2.5               | C-NC (20 units/acre)  | C-VCR-B2             | 2                        | 0               | 0                     | 2          |
| 2400 Sir Francis Drake Blvd, Fairfax<br>( <i>Oak Manor</i> )                                       | 174-011-36      | 0.54         | 1.59              | HOD/GC (30 units/acre)  | C1 (30 units/acre)   | 0                        | 10              | 0                     | 10         |
|  | 174-011-33      | 1.05         |                   |   |                      |                          |                 |                       |            |
| 1970 Indian Valley Rd, Novato<br>( <i>Indian Valley</i> )  | 146-261-21      | 1.9          | 8.27              | SF3 (1 unit/1-5 acres)  | A2-B4 (1 ac lot min) | 0                        | 0               | 5                     | 5          |
|  | 146-261-28      | 6.37         |                   |   |                      |                          |                 |                       |            |
| 12 Tamarin Lane, Novato<br>( <i>Tamarin Lane</i> )   | 143-190-12      | 6.34         | 6.34              | SF3 (1 unit/1-5 acres)  | ARP-2                | 0                        | 0               | 3                     | 3          |
| Second Units Projected: 5 second units projected per year of planning period (Jan 2015 – Jan 2023) |                 |              |                   |   |                      | 21                       | 10              | 9                     | 40         |
| <b>Total Units Allocated</b>   |                 |              |                   |   |                      | <b>210</b>               | <b>70</b>       | <b>98</b>             | <b>378</b> |
| Regional Housing Need Allocation (2014-2022)   |                 |              |                   |   |                      | 87                       | 37              | 61                    | 185        |
| Units allocated above RHNA (2014-2022)   |                 |              |                   |   |                      | 123                      | 33              | 37                    | 193        |

\*Countywide Plan policies established a total of 221 units inclusive of any density bonus units

## Description of Housing Opportunity Sites

The housing opportunity sites are discussed below, and funding opportunities are discussed specifically to highlight their capacity for affordable housing. Sites are also described in Appendix F: Site Inventory Profiles.

### **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, nonprofit 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 (as allowed by Assembly Bill 1537, this will be proposed for rezoning to 20 dwelling units per acre in 2015). 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 concurrently with, the construction of the primary project, unless the review authority approves a different schedule. A subdivision map and precise development plan would be required.

Residential development opportunity at St. Vincent's / Silveira has been in place since the development of the 2007 Countywide Plan. It is considered an affordable housing site in this Housing Element because affordable and workforce housing are a primary component of the general plan objectives and policies specific to the properties.<sup>8</sup> A project without a significant affordable component would be inconsistent with the Countywide Plan and likely unfavorable to the Board of Supervisors. One hundred affordable housing units would support the financial feasibility of a project and be consistent with the Plan.

### *Development and Funding Opportunities and Incentives*

In 2008, a seniors 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<sup>9</sup>, 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.

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<sup>8</sup> Marin Countywide Plan, Built Environment Chapter, Policy SV-2.3 Allow for a Mix of Uses. Residential development should emphasize workforce and senior housing, especially for very low or low income households, and special needs housing, rather than large estates. Also see Policies SV-2.4, 2.5 and 5.1.

[http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP\\_CD2.pdf](http://www.co.marin.ca.us/depts/CD/main/fm/cwpdocs/CWP_CD2.pdf)

<sup>9</sup> As allowed by Assembly Bill 1537, sites within the Affordable Housing Combining District will be proposed for rezoning from 30 dwelling units per acre to 20 dwelling units per acre in 2015.



### **100 Marinwood Avenue, San Rafael (*Marinwood Plaza*)**

This 5-acre infill site is an under-utilized commercial center with a recently revitalized grocery store. A large regional nonprofit housing provider is in contract to develop primarily affordable housing, and an application has been deemed complete. 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 0.1 to 0.4), 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 that was accepted by the Board of Supervisors in 2007, and that 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 9% 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 proximity to 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.

### **441 Drake Avenue (Marin City Community Development)**

This 4.06-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 nonprofit Community Development Corporation that uses the existing historic home, carriage house, and driveway accesses for their offices and service areas. They are interested 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 Planned (4.2 units per acre) and Affordable Housing Combining District<sup>10</sup>. Because of the existing uses and environmental site constraints, it could accommodate 15 units of 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.

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<sup>10</sup> As allowed by Assembly Bill 1537, sites within the Affordable Housing Combining District will be proposed for rezoning from 30 dwelling units per acre to 20 dwelling units per acre in 2015.

### **11101 State Route 1 (*Grandi Building*)**

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

### **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, thus requiring 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.c 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 coin-operated laundry 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.

### **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 has 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 County<sup>11</sup> revealed that the desired density range is between 22 and 28<sup>12</sup> units per acre. In many instances, lot size and zoning were less of a factor than net land costs and total unit potential.

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<sup>11</sup> EAH Housing, 9/17/09; Eden Housing 9/14/09; Falcone Development Services 9/15/09; HART Marin (for-profit developer of market and affordable housing) 9/15/09; PEP Housing 9/14/09.

<sup>12</sup> Smaller local housing providers operate on a much smaller scale.

**Figure IV-12: Affordable Housing Units Developed**

| Project Name  | CWP 2007    | Zoning 2009    | Very Low Income | Low Income | Moderate Income | Total | Parcel Acreage      | Units per Acre           |
|---|-------------|----------------|-----------------|------------|-----------------|-------|---------------------|--------------------------|
| Gibson House  | C-SF5, C-NC | C-RA-B2, C-VCR | 7               | 0          | 0               | 7     | 0.4                 | <b>17.5</b>              |
| Bolinas Gas Station (BoGas)                                     | C-NC        | C-VCR          | 8               | 0          | 0               | 8     | 0.29                | <b>27.6</b>              |
| Fireside Affordable   | RS          | RMPC-12.7      | 50              | 0          | 0               | 50    | 3.95                | <b>12.7</b>              |
| Toussin Senior Housing  | MF4         | RMP-20         | 13              | 0          | 0               | 13    | 0.38                | <b>34</b>                |
| Point Reyes Affordable  | C-MF2       | C-RMP-4.3      | 10              | 16         | 8               | 34    | 6.52                | <b>5.2</b>               |
| 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                      |
| <b>Total</b>  | -           | -              | 118             | 24         | 13              | 155   | -                   | -                        |

*Note: The Gates Cooperative has received entitlements and some 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.

Marin County offers density incentives for affordable housing<sup>13</sup> that have been applied effectively to small-lot development. Affordable housing is currently allowed to the maximum density of the applicable Countywide Plan Land Use designation through Development Code Section 22.24.020.A.<sup>14</sup> A program completed in 2012, *Streamline the Review of Affordable Housing*, applies the maximum Countywide Plan land use rather than the zoning density to all housing projects affordable to low and very low income households. Additionally, Development Code Section 22.32.150.E allows the floor-area ratio to be exceeded for deed-restricted units that are affordable to very low or low income households in commercial/mixed-use and industrial land use categories, subject to any limitations in the Countywide Plan consistent with 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

<sup>13</sup> See a discussion of codified incentives in Section III: Constraints and Opportunities for Housing Development.

<sup>14</sup> 22.24.020.A Density for Affordable Housing Projects. For affordable housing located in all districts that allow residential uses, allowable density will be established by the maximum Marin Countywide Plan density range, subject to all applicable Countywide Plan policies.

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 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 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, 2014, the Fund's balance is \$5,550,553.

### **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. Using revolving loan funds, the Trust provides low interest rate loans to nonprofit and for-profit developers who are constructing homes affordable to lower income families, as well as special needs populations. The Workforce Housing Trust intends loans to fill critical gaps in existing affordable housing finance – as first-in money to purchase land, secure sites, and fund pre-development work, and as last-in money to close the funding gap for developments that otherwise would not be able to be built. Once construction is complete, the loans are to be repaid and reinvested in other workforce housing developments. In this way, the Marin Workforce Housing Trust provides a self-replenishing vehicle for affordable housing investment.

### **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 Fund may be used solely for the purposes of residential development or preservation for low and moderate income households. Eligible projects shall include ones that 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). Two areas within the unincorporated county, within one-half 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 to promote compact land use patterns. Funding is available periodically 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.

### **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, 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

Surveys were mailed to all owners who had been approved for a second unit building permit since the mid-1990s. The survey was anonymous and included initials to track the community plan area. A total of 257 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 80% of second units are being rented (in comparison to 64% in 2008; units not yet built were not included), with rents ranging from \$0 to \$4,250. By excluding the 9% of survey respondents not charging any rent (to reduce skew), rents averaged \$1,634 compared to \$1,244 in 2012. Average occupancy was 1.39 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:

- 0% of the units qualified as extremely low income,
- 6% as very low income (vs. 8% in 2008),
- 50% as low income (vs. 51% in 2008),
- 22% as moderate income (vs. 29% in 2008), and
- 22% as above moderate income or more (vs. 9% in 2008).

The survey revealed that up to 56% of second units in unincorporated Marin County are affordable to households at 80% AMI and below.<sup>15</sup> Approximately 22% 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 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 5 second units will be permitted on an annual basis through January 2023 (40 units total). This assumption is reflected in Figure IV-6: Available Land Inventory Summary – Remaining Units. 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 contains language specific to the development of SROs. SROs are treated as any other residential use by the Development Code.

### **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, regulate zoning for these facilities, and broaden 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.

### **Zoning for Emergency Shelters**

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

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<sup>15</sup> Tenants of second units for which no rent is charged are not necessarily very-low, low, or moderate income households. It was beyond the scope of the survey conducted among property owners to inquire into the household incomes of second unit tenants. Zero rents were not included in the distribution of housing costs.

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 existing practice, clarifications in the zoning code have been made to encourage and 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-13.

**Figure IV-13: 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 Study Ministerial Review for Affordable Housing*, and *2.e Support Efforts to House the Homeless*.

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

The County is collaborating with the Marin Community Foundation and the California Human Development Corporation (CHD) 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 that proposes rehabilitation, replacement, or adding new units for up to 40 total homes over the next 5 years. Wherever feasible, the project will utilize green building principles, such as orientation for maximum solar gain, photovoltaic 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.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 2010, 158 new residential units were constructed within the Coastal Zone, the majority of which were single-family homes. Second units are permitted in the Coastal Zone area.

Marin County policies direct multi-family 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.

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

Between 1999 and 2014, approximately 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 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.<sup>16</sup> The vacancy rate has been at or less than 5% since adoption of the ordinance. According to 2010 Census data, rental vacancies were estimated at 5.2% in unincorporated Marin.<sup>17</sup>

## **Opportunities for Energy Conservation**

Housing elements are required to identify opportunities for energy conservation. Since the deregulation of energy companies in 1998, the price of energy has skyrocketed. With such an increase in prices, energy costs can account for a substantial portion of housing costs. There are a number of programs offered locally, through the local energy distributor (PG&E), Marin's own clean energy provider (Marin Clean Energy, or MCE 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 is encouraging energy conservation in new and existing housing:

- 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.

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<sup>16</sup> Marin County Code Section 22.88.030

<sup>17</sup> 2010 Census, U.S. Census Bureau

- Marin 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.h 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, 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.

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 in 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.

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 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 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.d 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, consider either permitting affordable housing projects ministerially or through a streamlined process of discretionary design review.

**1.e Consider 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 permit 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. 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.
- d. Consider adjustments in septic standards for second units.
- e. Consider amending Development Code Section 22.56.050.A to remove the owner occupancy requirement.

**1.f Review and Consider Updating 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, consider amending 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;
- Establishment of parking standards for mixed-use developments such as shared parking.
- Ensure that parking impacts are not created in adjacent neighborhoods.

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

- 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)
- b. Exempt affordable housing projects and second units from paying the full cost of impact fees. (CD-5.j)
- c. Identify incentives to strongly encourage residential and mixed-use development in commercial zoning districts. (DES-2.c)

**1.h Promote Resource Conservation.** (EN-1.b-f, EN-3.a, EN-3.e-i and EN-3.k) Continue to promote development and construction standards for new and rehabilitated dwellings that

encourage resource conservation through materials selection, water conservation, community design, energy efficiency, and the use of renewable energy through the following:

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

**1.i Consider Simplifying 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.j Consider Adjusting Height Limits for Multi-family Residential Buildings.** Consider amending the Development Code to increase the allowable height for multi-family residential development, while preserving the essential design characteristics that define the qualities and livability of adjacent communities.

**1.k Clarify applicability of State Density Bonus.** Evaluate policies in the Countywide Plan and Development Code for housing opportunity sites to ensure consistency with Government Code § 65915-65918. 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, individuals with developmental disabilities, single-parent families, large families, extremely low income households, and other persons identified as having special housing needs in Marin County. Link housing to programs of the Department of Health and Human Services in order to coordinate assistance to people with special needs.

## **Policy 2.2 Housing Choice**

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

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

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

## **Policy 2.4 Protect Existing Housing**

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

### ***Implementing Programs***

**2.a Encourage Housing for Special Needs Households.** 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, including individuals with developmental disabilities and extremely low income households. Specific types of housing include:

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

**2.b Enable Group Residential Care Facilities.** 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 Amenities.** Continue to ensure that adequate provisions are made in new developments for families with children, including consideration of amenities such as tot lots, play yards, and childcare.

**2.d Foster Linkages to Health and Human Services Programs.** Continue to seek ways to link services for lower income people to provide the most effective response to homeless or at-risk individuals.

**2.e Support Efforts to House the Homeless.** 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 nonprofit programs providing emergency shelter and related support services.

**2.f Engage in a Countywide Effort to Address Homeless Needs.** Continue to actively engage with other jurisdictions in Marin to provide additional housing and other options for the homeless, supporting and implementing *Continuum of Care* actions in response to the needs of homeless families and individuals.

- 2.g Ensure Reasonable Accommodation.** Consistent with SB 520 enacted January 1, 2002, reduce barriers in housing for individuals with disabilities through the following actions:
- a. Develop guidelines encouraging the principles of universal design. Evaluate possible incentives to developers who incorporate principles of universal design and advance visitability.
  - b. Consider allowing up to 50% reduction in parking requirements for disabled housing, as allowed for senior housing.
- 2.h Require Non-discrimination Clauses.** Continue to provide nondiscrimination clauses in rental agreements and deed restrictions for housing constructed with County participation.
- 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 Units.** 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 clarify provisions for agricultural worker housing.
- 2.k Promote and Ensure Equal Housing Opportunity.** 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 throughout the County 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. Seek to implement recommendations from the work plan of the Analysis of Impediments.
- 2.l Deter Housing Discrimination.** Continue to refer discrimination complaints to Fair Housing of Marin or other appropriate legal services, County or State agencies.



**2.m Implement the Inclusionary Housing Policy.** Continue to implement Development Code Section 22.22 regarding inclusionary housing for low income households in order to increase affordable housing construction, as follows:

- a. Apply flexibility to allow for maximum affordable housing outcomes (either units or funds).
- b. Maintain targets for very low income rental units and low income ownership units, such as 30% to 60% AMI for rental units, and 50% to 80% AMI for ownership units.
- c. Inclusionary units shall be deed-restricted to maintain affordability on resale to the maximum extent possible (preserve existing policy of in-perpetuity or at least 55 years).
- d. Update Section 22.22 to reflect the 2009 California Court of Appeal decisions commonly referred to as Palmer and Patterson.

**2.n Apply Long-Term Housing Affordability Controls.** 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. Study best practices and research potential funding sources. As opportunities arise and feasible properties come available, work with local housing providers to preserve them for affordable housing.

**2.p Expedite Permit Processing of Affordable and Special Needs Housing Projects.** 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 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 Programs.** Continue to support first-time homebuyer programs for low and moderate income households, as funding is available, and combine such programs with housing counseling programs whenever possible.

**2.s Link Code Enforcement with Public Information Programs.** 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.

**2.t Assist in Maximizing Use of Rehabilitation Programs.** Continue to promote use of low-income homeowners' assistance for housing rehabilitation. Utilize Federal Community Development Block Grant (CDBG) funds, administered by the Marin Housing Authority, that are

available for this purpose, or other sources to the extent possible, given program funding criteria and local need.

**2.u Monitor Rental Housing Stock.** Ensure that existing housing is conserved as part of the County's affordable housing stock, including State, Federal, and locally-assisted subsidized developments.

- a. Identify and monitor affordable properties at risk of conversion to market rate. Ensure that tenants receive appropriate noticing, education and relocation assistance where appropriate.
- b. Continue to work with and provide technical assistance to property owners and nonprofit 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 to purchaser of the Coast Guard residential facility in Point Reyes Station to facilitate conversion of existing housing to long-term deed restricted units affordable to low and moderate income households.
- d. 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.

**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.

#### **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.

### **Implementing Programs**

**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 Effectiveness.** 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.
- Initiating regular dialogue with Marin jurisdictions related to affordable housing policies, practices, and development updates.
- When requested, providing technical assistance related to housing development and funding to local Marin jurisdictions.
- Enhancing relationships and partnerships with nonprofit service providers.

**3.c Provide and Promote Opportunities for Community Participation in Housing Issues.** Continue to undertake effective and informed public participation from all economic segments and special needs communities in the formulation and review of housing issues. Include the following:

- a. Coordinate community meetings. Strongly encourage developers to hold community meetings with stakeholders and County staff as part of any major development pre-application process.

- b. Conduct community outreach activities. Provide ongoing outreach and a forum for discussion of housing issues through presentations and increased awareness of housing programs.
- c. Provide public information to improve awareness of housing needs, issues, and programs through websites, fact sheets, and presentations.
- d. Coordinate with interested groups including local businesses, housing advocacy groups, and neighborhood groups to build public understanding and support for workforce and special needs housing.

**3.d Coordinate with Regional Transportation and Housing Activities.** 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 Agencies.** 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 for affordable and special needs housing.

**3.f Promote Countywide Collaboration on Housing.** Work with Marin cities and towns to address regional planning and housing issues.

**3.g Preserve Existing Housing Stock.** Strive to protect existing housing stock that offers a range of housing choice and affordability.

- a. Work with residents, property owners, agencies, and non-profit groups to seek ways to assist in the long-term protection of rental and low cost housing, including mobile homes, mobile home parks, and manufactured housing.
- b. Consider an ordinance to require developers to provide relocation assistance for current residents when units are converted to other uses.
- c. Conduct a comprehensive analysis of legal non-conforming multi-family properties to establish the extent to which the County's existing rental stock may be compromised by the underlying zoning. If determined appropriate, institute a program whereby legal non-conforming properties with existing multi-family housing may maintain the existing residential intensity on the property, and encourage income restrictions for affordable housing through incentives (CD-2.o).
- d. Identify funding and other resources to preserve affordable units at risk of conversion to market rate.

**3.h Monitor Inclusionary Housing Programs.** Regularly evaluate the progress and effectiveness of the inclusionary housing programs in the Development Code.

- a. Monitor the residential inclusionary programs in Development Code Chapter 22.22 for their effectiveness, including the number of units constructed and amount of fees collected and deposited in the Affordable Housing Trust Fund.
- b. Update on a regular basis the in-lieu fees for residential development (Development Code Section 22.22.080.C).
- c. Continue to monitor the Jobs/Housing Linkage Ordinance (Development Code Section 22.22.095), and ensure that commercial and industrial projects provide either on-site employee housing or fees to develop housing.
- d. Update on a regular basis the in-lieu participation fees for commercial and industrial development.

**3.i Undertake Housing Element Monitoring, Evaluation, and Revisions.** Establish a regular monitoring and annual update process to assess housing needs and achievements and to provide a process for modifying policies, programs, and resource allocations as needed in response to changing conditions.

- a. Undertake Housing Element updates as required, in accordance with State law.
- b. Conduct an annual Housing Element review.

**3.j Provide and Participate in Local Affordable Housing Training and Education.**

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 Provide Leadership to the Marin Workforce Housing Trust.** 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.l Assist with Local Funding for Affordable Housing.** 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.

**3.m Raise Funds from a Variety of Sources.** 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.n Coordinate Among Project Funders.** 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.o Utilize Federal Grants Division Funding.** 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 (HOPWA) program to provide ongoing deep rental subsidies for individuals and families throughout the County.

## **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**

**APPENDIX A: EVALUATION OF 2007-2014 REGIONAL HOUSING NEEDS ALLOCATION**  
Units Built and Approved 2007 to 2014<sup>1</sup>

|   | Extremely Low Income | Very Low Income | Low Income | Moderate Income | Subtotal Affordable Units | Above Moderate Income | Total      |
|---|----------------------|-----------------|------------|-----------------|---------------------------|-----------------------|------------|
| <b>Miscellaneous Housing Element Programs</b>       |                      |                 |            |                 |                           |                       |            |
| Second Units  | 1                    | 10              | 50         | 51              | 112                       |                       | 112        |
| Attached and Detached Single Family Homes           |                      |                 |            |                 |                           | 208                   | 208        |
| Market Rate Rentals (Multi-Family)                  |                      |                 |            |                 |                           |                       | 0          |
| <i>Subtotal from Miscellaneous Housing Programs</i> | <i>1</i>             | <i>10</i>       | <i>50</i>  | <i>51</i>       | <i>112</i>                | <i>208</i>            | <i>320</i> |
| <b>Housing from Identified Sites</b>                |                      |                 |            |                 |                           |                       |            |
| Gates Cooperative <sup>2</sup>                      |                      | 15              | 8          |                 | 23                        |                       | 23         |
| <b>Total Units</b>                                  | <b>1</b>             | <b>25</b>       | <b>58</b>  | <b>51</b>       | <b>135</b>                | <b>208</b>            | <b>343</b> |
| Regional 'Fair Share' Housing Need 2007-2014        | 91                   | 92              | 137        | 169             | 489                       | 284                   | 773        |
| <b>Percent of RHNA Met</b>                          | <b>&gt;1%</b>        | <b>27%</b>      | <b>36%</b> | <b>30%</b>      | <b>27%</b>                | <b>73%</b>            | <b>44%</b> |

<sup>1</sup> Units built and approved January 1, 2007 – June 30, 2014

<sup>2</sup> Site identified in the 2003 Housing Element



## Appendix B: Evaluation of 2007-2014 Housing Element Programs

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

| <b>2007-2014<br/>Housing<br/>Element Goal,<br/>Policy, or<br/>Program</b> | <b>Goal, Policy or Program Title</b>   | <b>Achievements/ Results<br/><i>quantified if possible</i></b> | <b>Evaluation of Barriers to<br/>Implementation<br/><i>Was it successful? Reasons why it<br/>was or was not implemented or not<br/>able to meet its objectives</i></b> | <b>Recommendations for the<br/>Housing Element Update<br/><i>Carry forward as is/ carry forward<br/>with modifications (specify) or<br/>delete</i></b>              |
|---|--|--|--|---|
| 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                                 | Completed with 2013 Dev Code Amendments                        | Successfully implemented   | Delete; successfully completed.   |
| 1.k   | Zone and Provide Appropriate Standards for Homeless Shelters                         | Completed with 2012 Dev Code Amendments                        | Successfully implemented   | Delete; successfully completed.   |
| 1.l   | Enable Transitional and Supportive Housing   | Completed with 2012 Dev Code Amendments                        | Successfully implemented   | Delete; successfully completed.   |
| 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   |

| <b>2007-2014<br/>Housing<br/>Element Goal,<br/>Policy, or<br/>Program</b> | <b>Goal, Policy or Program Title</b>                                    | <b>Achievements/ Results<br/><i>quantified if possible</i></b>   | <b>Evaluation of Barriers to<br/>Implementation<br/><i>Was it successful? Reasons why it<br/>was or was not implemented or not<br/>able to meet its objectives</i></b> | <b>Recommendations for the<br/>Housing Element Update<br/><i>Carry forward as is/ carry forward<br/>with modifications (specify) or<br/>delete</i></b> |
|---|---|--|--|--|
| 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   | Delay in implementation due to need for further analysis   | Carry forward as is  |
| <b>Goal 2</b>   | <b>Meet Housing Needs Through a Variety of Housing Choices</b>          |  |  | Carry forward as is  |
| <b>Policy 2.1</b>   | <b>Special Needs Groups</b>   |  |  | Carry forward as is  |
| <b>Policy 2.2</b>   | <b>Housing Choice</b>   |  |  | Carry forward as is  |
| <b>Policy 2.3</b>   | <b>Incentives for Affordable Housing</b>                                |  |  | Carry forward as is  |
| <b>Policy 2.4</b>   | <b>Protect Existing Housing</b>   |  |  | 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  |

| <b>2007-2014<br/>Housing<br/>Element Goal,<br/>Policy, or<br/>Program</b> | <b>Goal, Policy or Program Title</b>   | <b>Achievements/ Results<br/><i>quantified if possible</i></b> | <b>Evaluation of Barriers to<br/>Implementation<br/><i>Was it successful? Reasons why it<br/>was or was not implemented or not<br/>able to meet its objectives</i></b> | <b>Recommendations for the<br/>Housing Element Update<br/><i>Carry forward as is/ carry forward<br/>with modifications (specify) or<br/>delete</i></b> |
|---|--|--|--|--|
| 2.e   | Support Efforts to House the Homeless  | Currently implementing   | On-going   | Carry forward as is  |
| 2.f   | Engage in a Countywide Effort to<br>Address Homeless Needs                       | Currently implementing   | On-going   | Carry forward as is  |
| 2.g   | Ensure Reasonable Accommodation  | Partially completed  | Partially implemented with adoption<br>of Reasonable Accommodation<br>Ordinance, December 2013.  | Carry forward with modifications.<br>Delete subprograms "a" and "b";<br>successfully completed.  |
| 2.h   | Require Non-discrimination Clauses   | Currently implementing   | On-going   | Carry forward as is  |
| 2.i   | Modify Development Code to Reflect<br>Williamson Act                             | Complete   | Complete with the 2014 Dev Code<br>changes   | Delete; successfully completed.  |
| 2.j   | Promote the Development of<br>Agricultural Worker Units in Agricultural<br>Zones | Partially completed and<br>on-going                            | Partially implemented with 2012<br>Dev Code changes and Marin Ag<br>Housing Program to fund housing.<br>Time and resources prevented<br>completion of other programs.  | Carry forward with modifications.<br>Delete subprogram "e";<br>successfully completed  |
| 2.k   | Promote and Ensure Equal Housing<br>Opportunity                                  | Currently implementing.  | On-going   | Carry forward as is  |
| 2.l   | Deter Housing Discrimination   | Currently implementing   | County partners w/ local nonprofits<br>and advocacy groups on diversity<br>and equal opportunity issues and<br>works w/ CDBG Priority Setting<br>Committee             | Carry forward as is  |
| 2.m   | Implement the Inclusionary Housing<br>Policy                                     | Currently implementing   | On-going   | Carry forward as is  |
| 2.n   | Apply Long-Term Housing Affordability<br>Controls                                | Currently implementing   | On-going. The County requires<br>long-term affordability restrictions on<br>all inclusionary and funded units  | Carry forward as is  |
| 2.o   | Encourage Land Acquisition and Land<br>Banking                                   | Currently implementing   | Limited success because of lack of<br>available funding and limited<br>developable land  | Carry forward as is  |

| <b>2007-2014<br/>Housing<br/>Element Goal,<br/>Policy, or<br/>Program</b> | <b>Goal, Policy or Program Title</b>  | <b>Achievements/ Results<br/><i>quantified if possible</i></b> | <b>Evaluation of Barriers to<br/>Implementation<br/><i>Was it successful? Reasons why it<br/>was or was not implemented or not<br/>able to meet its objectives</i></b> | <b>Recommendations for the<br/>Housing Element Update<br/><i>Carry forward as is/ carry forward<br/>with modifications (specify) or<br/>delete</i></b> |
|---|---|--|--|--|
| 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 houseboats 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.           |
| <b>Goal 3</b>   | <b>Ensure Leadership and Institutional Capacity</b>                         |  |  | Carry forward as is  |
| <b>Policy 3.1</b>   | <b>Coordination</b>   |  |  | Carry forward as is  |
| <b>Policy 3.2</b>   | <b>Research, Monitoring and Evaluation</b>                                  |  |  | Carry forward as is  |
| <b>Policy 3.3</b>   | <b>Funding</b>  |  |  | 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<br>Housing<br>Element Goal,<br>Policy, or<br>Program | Goal, Policy or Program Title   | Achievements/ Results<br><i>quantified if possible</i> | Evaluation of Barriers to<br>Implementation<br><i>Was it successful? Reasons why it<br/>was or was not implemented or not<br/>able to meet its objectives</i>               | Recommendations for the<br>Housing Element Update<br><i>Carry forward as is/ carry forward<br/>with modifications (specify) or<br/>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 with revised title: <i><u>"Coordinate with Regional Transportation and Housing Activities"</u></i>                              |
| 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   |

| <b>2007-2014<br/>Housing<br/>Element Goal,<br/>Policy, or<br/>Program</b> | <b>Goal, Policy or Program Title</b>                                       | <b>Achievements/ Results<br/><i>quantified if possible</i></b> | <b>Evaluation of Barriers to<br/>Implementation<br/><i>Was it successful? Reasons why it<br/>was or was not implemented or not<br/>able to meet its objectives</i></b> | <b>Recommendations for the<br/>Housing Element Update<br/><i>Carry forward as is/ carry forward<br/>with modifications (specify) or<br/>delete</i></b> |
|---|--|--|--|--|
| 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  |

## 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 law<sup>1</sup> 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.

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<sup>1</sup> 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](http://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](http://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

## 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                            |                      |                   |
| <b>Totals</b>        | <b>972</b>                     | <b>100.0%</b>     | <b>548</b>                   | <b>264</b>           | <b>160</b>        |

*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 |   |           | Buckelew 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             |             |
| <b>Totals</b>        | <b>548</b> | <b>100%</b>       | <b>90</b>               | <b>17</b>   | <b>35</b> | <b>183</b>  | <b>25</b>      | <b>20</b>  | <b>26</b> |              | <b>43</b>    | <b>16</b>    | <b>3</b>     | <b>21</b>     | <b>9</b>    |

## 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%              |                                       |                                       |                         |                           |              |                |           |                   |              |                 |                 |             |
| <b>Totals</b>        | <b>264</b> | <b>100.0%</b>     | <b>43</b>                             | <b>10</b>                             | <b>25</b>               | <b>12</b>                 | <b>9</b>     | <b>39</b>      | <b>37</b> | <b>16</b>         | <b>18</b>    | <b>15</b>       | <b>38</b>       | <b>2</b>    |

| 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%              |                |               |                |                        |           |
| <b>Totals</b>        | <b>160</b> | <b>100.0%</b>     | <b>55</b>      | <b>25</b>     | <b>64</b>      | <b>6</b>               | <b>10</b> |



**MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY — PLANNING DIVISION FEES**

(ORDINANCE 3579)

*Effective April 9, 2012*

| Permit/Service Type                                  | Fees          | See Note(s) | Permit/Service Type                                     | Fees          | See Note(s) |
|--|---------------|-------------|---|---------------|-------------|
| <b>1. COASTAL PERMITS</b>                            |               |             | <b>10. PLAN AMENDMENTS</b>                              |               |             |
| a. Coastal Permit – Administrative                   | 5,425         | L           | <b>a. Countywide Plan/Community Plan Amendment</b>      | <b>36,645</b> | C, L        |
| <b>b. Coastal Permit – Public Hearing</b>            | <b>7,200</b>  | C, L        | <b>b. Local Coastal Program Amendment</b>               | <b>36,645</b> | C, L        |
| c. Coastal Permit Amendment – Administrative         | 1,450         | L           | <b>11. PLANNING REVIEW FEE – BUILDING PERMITS</b>       |               |             |
| <b>d. Coastal Permit Amendment – Public Hearing</b>  | <b>5,505</b>  | C, L        | a. Major Plan Check                                     | 845           | L           |
| e. Coastal Permit Exclusion                          | 120           |             | b. Minor Plan Check                                     | 340           |             |
| <b>2. DESIGN REVIEW</b>                              |               |             | c. New Residence Plan Check                             | 1,695         | L           |
| a. Design Review –                                   |               |             | d. Partial Demolition                                   | 85            |             |
| i. Accessory Structure/Design Review                 | 1,440         | L           | e. Solar Panels, Air Conditioners, Arbors, etc.         | 85            |             |
| ii. Addition/Accessory Structure/Minor               | 1,440         | L           | f. Structural Plan Check (Under 300 square feet)        | 170           |             |
| <b>iii. New Residence/Large Addition/Other</b>       | <b>5,670</b>  | C, L        | <b>12. PRECISE DEVELOPMENT PLAN</b>                     |               |             |
| <b>iv. Non-residential (Large Scale)</b>             | <b>18,825</b> | C, L        | <b>a. Precise Development Plan</b>                      | <b>11,615</b> | C, L        |
| v. Non-residential (Small Scale)                     | 4,840         | L           | <b>b. Precise Development Plan Amendment</b>            | <b>4,650</b>  | C, L        |
| <b>b. Design Review Amendment (Major)</b>            | <b>1,420</b>  | C, L        | <b>13. REZONING</b>                                     | <b>39,765</b> | C, L        |
| c. Design Review Amendment (Minor)                   | 1,135         | L           | <b>14. SECOND UNIT PERMIT</b>                           | <b>1,135</b>  |             |
| d. Design Review Exemption                           | 340           |             | <b>15. SIGNS</b>  |               |             |
| <b>3. ENVIRONMENTAL REVIEW</b>                       |               |             | a. Sign Permit  | 515           |             |
| a. Environmental Impact Review Overhead              | 30%           | O           | b. Sign Review  | 2,425         |             |
| b. Environmental Review – Exemption                  | 370           | O           | <b>16. SUBDIVISION MAP ACT</b>                          |               |             |
| <b>c. Initial Study (Deposit)</b>                    | <b>14,500</b> | C, O        | a. Certification of Compliance                          | 2,940         |             |
| <b>4. EXTENSIONS</b>                                 |               |             | b. Lot Line Adjustment                                  | 1,765         |             |
| a. Extension to Vest – Administrative                | 845           |             | c. Merger   | 260           |             |
| b. Extension to Vest – Master Plan                   | 840           |             | <b>d. Plan Check – Maps/Improvement Plans (Deposit)</b> | <b>1,400</b>  | C           |
| c. Extension to Vest – Public Hearing                | 1,385         |             | <b>e. Tentative Map (Major)</b>                         | <b>22,800</b> | C, L        |
| <b>5. FIRE REVIEW</b>                                |               |             | f. Tentative Map (Minor)                                | 11,400        | L           |
| (Fire fees collected pursuant to Ordinance 3550)     |               |             | <b>g. Tentative Map Amendment (Major)</b>               | <b>6,465</b>  | C, L        |
| a. Fire Department Review for Discretionary Projects | 310           |             | h. Tentative Map Amendment (Minor)                      | 2,160         | L           |
| b. Vegetation Management Plan Review                 | 354           |             | i. Tentative Map – Extension to Vest                    | 817           |             |
| c. Tentative Map Review                              | 708           |             | j. Tentative Map Waiver                                 | 1,730         |             |
| d. General Review and Consultation - per hour        | 177           |             | <b>17. TIDELANDS PERMITS</b>                            |               |             |
| e. CDA Administrative Fee - per project              | 32            |             | a. Tidelands Permit                                     | 5,025         |             |
| <b>6. FLOATING HOMES</b>                             |               |             | b. Tidelands Permit Amendment                           | 1,905         |             |
| a. Floating Home – Adjustment                        | 1,770         |             | <b>18. TREE REMOVAL PERMIT</b>                          | <b>150</b>    |             |
| b. Floating Home – Architectural Deviation           | 1,770         |             | <b>19. USE PERMITS</b>                                  |               |             |
| <b>7. LONG RANGE PLANNING SURCHARGE</b>              | <b>10.5%</b>  |             | <b>a. Use Permit (Major)</b>                            | <b>7,000</b>  | C, L        |
| <b>8. MASTER PLANS</b>                               |               |             | b. Use Permit (Minor)                                   | 4,290         | L           |
| <b>a. Master Plan</b>                                | <b>31,040</b> | C, L        | c. Use Permit – Child Day-Care Center                   | 500           |             |
| <b>b. Master Plan Amendment</b>                      | <b>24,940</b> | C, L        | d. Use Permit – Large Family Day-Care Home              | 500           |             |
| <b>9. OTHER SERVICES</b>                             |               |             | e. Use Permit – Temporary                               | 510           |             |
| a. Appeals   |               |             | <b>f. Use Permit Amendment (Major)</b>                  | <b>5,335</b>  | 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           |             | <b>h. Use Permit Renewal</b>                            | <b>1,450</b>  | C, L        |
| b. Change In Address Initiated by Property Owner     | 440           |             | <b>20. VARIANCES</b>                                    |               |             |
| c. General Staff Consultation/Prefiling Conference   | 290           |             | a. Variance   | 4,360         |             |
| d. Planning Information Packet                       | 128           |             | b. Variance Amendment                                   | 2,140         |             |
| <b>e. Preapplication Review (Deposit)</b>            | <b>3,700</b>  | C, M        |   |               |             |
| <b>f. Property Status Determination/Research</b>     | <b>2,100</b>  | 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:

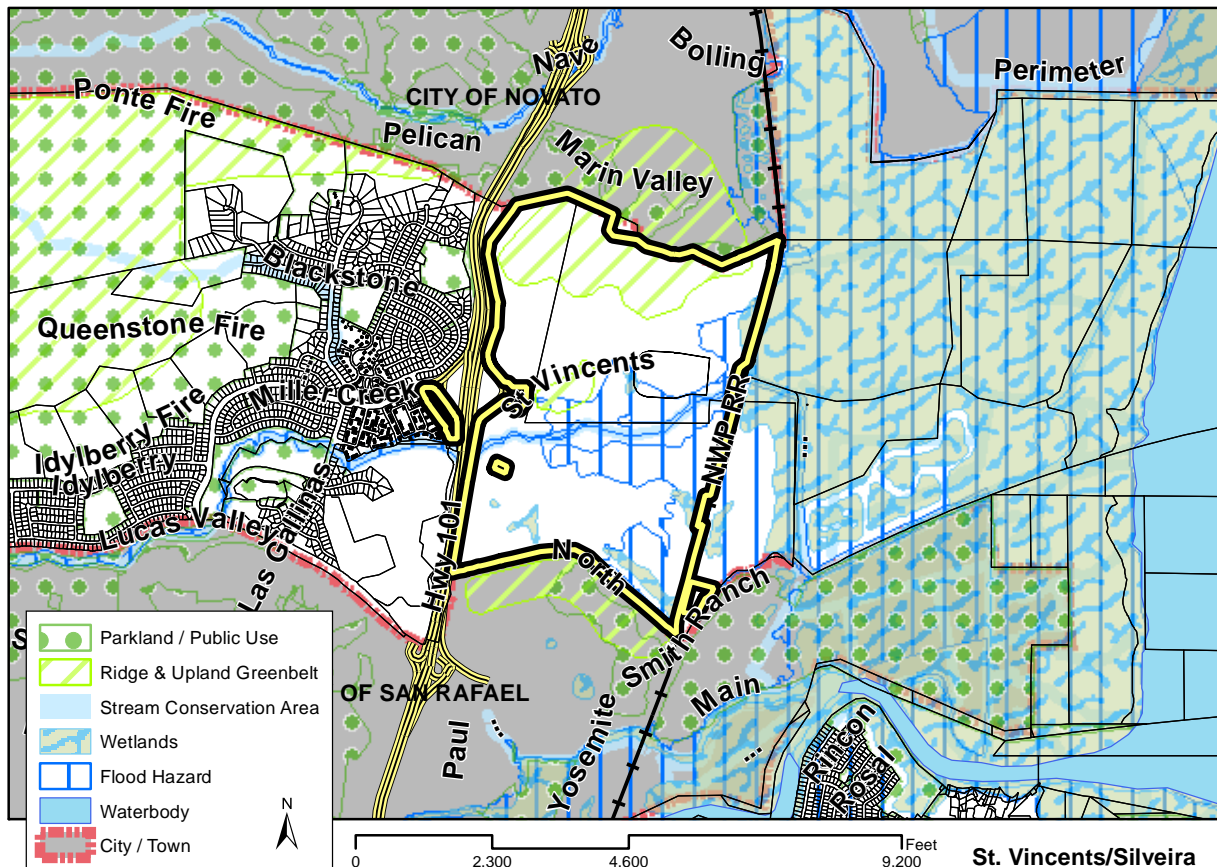
*The following notes apply to the entire fee schedule and as specified to individual permits.*

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- 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.

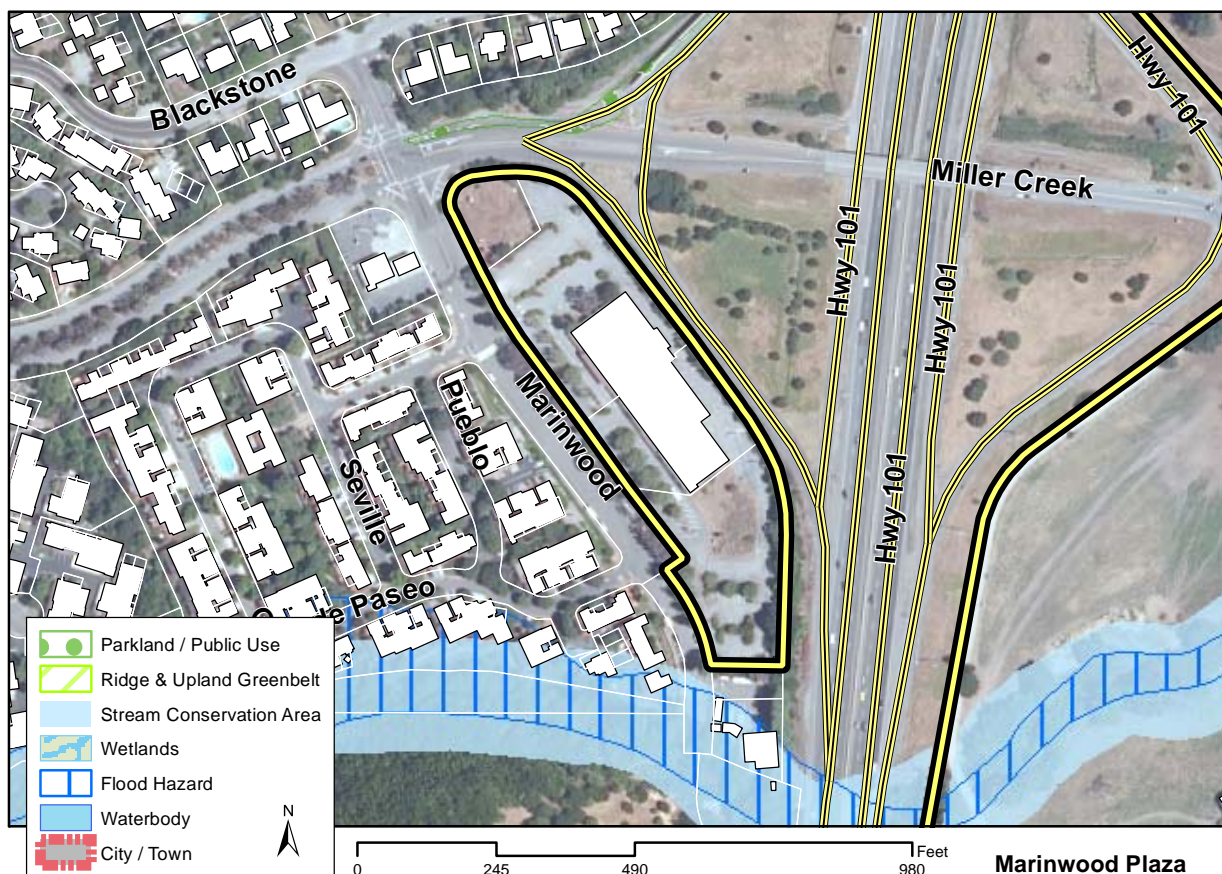
## APPENDIX F: SITE INVENTORY PROFILES

| St. Vincent's Drive, San Rafael<br>(St. Vincent's / Silveira) |   |   |
|---|---|---|
| APNs / Acreage  | 155-011-08<br>155-011-28<br>155-011-29<br>155-011-30<br>155-121-16  | 244.768<br>72.66<br>20.22<br>221.71<br>2.82<br>(55 total developable acres) |
| 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  | <b>Lower Income: 100 units</b><br><b>Moderate Income: 50 units</b><br><b>Above Moderate Income: 71 units</b>  |   |
| Affordability   | CWP policy requires 45% of the total residential development capacity to be for low income housing.   |   |
| Infrastructure  | Yes   |   |
| Proximity to bus route  | 0.1 miles   |   |
| Environmental considerations                                  | Agricultural sensitivity and within the Baylands corridor. Some areas subject to RUG policies.  |   |
| Opportunities   | Countywide Plan allows up to 221 clustered units within total site, including 121 market units and 100 additional lower income units. Residential development allowed on 5% of total acreage. |   |
| Site status   | Vacant – Public Facility / Agricultural. St. Vincent's school for boys and church operate on a portion of the site.   |   |





| 100 Marinwood Avenue, San Rafael<br>(Marinwood Plaza) |   |   |
|---|---|---|
| APNs / Acreage  | 164-471-64<br>164-471-65<br>164-471-69<br>164-471-70  | 0.45 acres<br>1.90 acres<br>1.05 acres<br>1.60 acres<br>(5 total acres)                       |
| General Plan  | 100 units   | HOD (Housing Overlay Designation, min 30 units/acre)<br>GC (General Commercial, FAR .1 to .4) |
| Zoning  | n/a due to HOD  | CP (Planned Commercial, 30 units/acre)  |
| Inventory Assumption                                  | <b>Lower Income: 72 units;<br/>Above Moderate Income: 10 units</b>  |   |
| Affordability   | 30 units/acre under HOD policy<br>Affordable housing developer proposing 82 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<br>Strip mall with grocery. Affordable housing developer in contract.  |   |



| 441 Drake Ave, Sausalito<br>(Marin City CDC) |  |  |
|--|--|--|
| APN / Acreage                                | 052-140-36   | 4.06 acres   |
| General Plan                                 | 15 units   | MF-2 (Multi-Family 1-4 units/acre)   |
| Zoning                                       | 15 units   | RMP-4.2: AH<br>Residential, Multiple Planned, 4.2 units/acre;<br>Affordable Housing Combined District allows up to 15<br>units of affordable housing development on 0.5 acres of<br>the site |
| <b>Inventory Assumption</b>                  | <b>Lower Income: 15 units</b>  |  |
| Affordability                                | Marin City Community Development Corporation is interested in adding<br>housing to existing uses.  |  |
| Infrastructure                               | Yes.   |  |
| Proximity to bus route                       | 0.2 miles  |  |
| Environmental<br>considerations              | Potential stream conservation area, large trees.   |  |
| Opportunities                                | Site is adjacent to established neighborhood, close to community center and<br>retail services. Large lot with small existing footprint. |  |
| Site status                                  | Offices of Marin City Community Development Corporation.   |  |

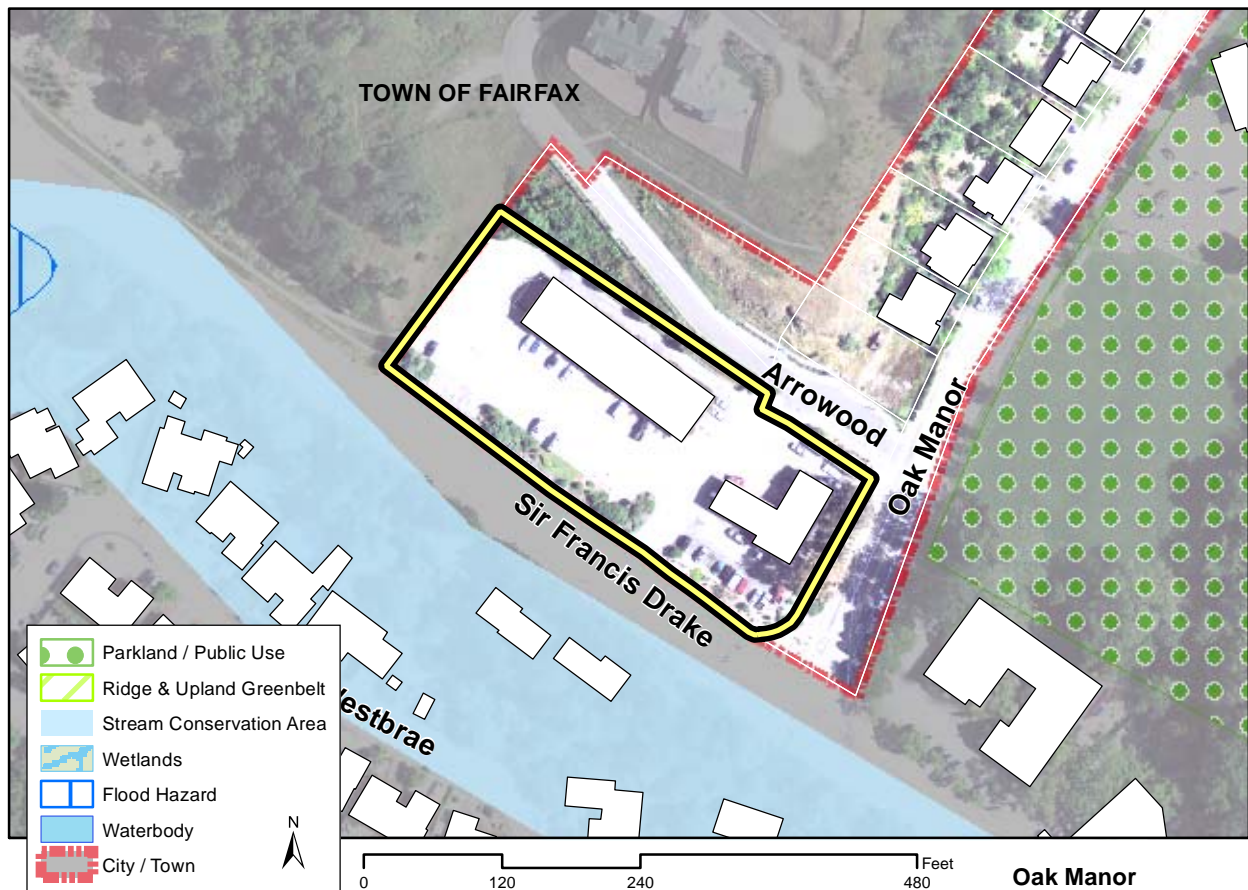




| 11101 State Route 1, Point Reyes Station<br>(Grandi Building) |  |   |
|---|--|---|
| APN / Acreage   | 119-234-01   | 2.5 acres   |
| General Plan  | Entitlements for 2 units (expired)   | C-NC (Coastal Neighborhood Commercial/Mixed Use, 1 to 20 units per acre, FAR of .3 to .5)           |
| Zoning  | n/a  | C-VCR:B-2 (Coastal, Village, Commercial, Residential District, 10,000 square feet minimum lot size) |
| <b>Inventory Assumption</b>                                   | <b>Lower Income: 2 units</b>   |   |
| Affordability   | Entitled for 2 low income employee units on-site   |   |
| Infrastructure  | Yes, water. Septic system required.  |   |
| Proximity to bus route  | 0.1 miles  |   |
| Environmental considerations                                  | Septic concerns  |   |
| Opportunities   | Project had received entitlements for 2 employee units on-site in addition to the rehabilitation of this old landmark hotel; however, the entitlements have expired. |   |
| Site status   | Underutilized commercial site; derelict historic hotel shell.  |   |

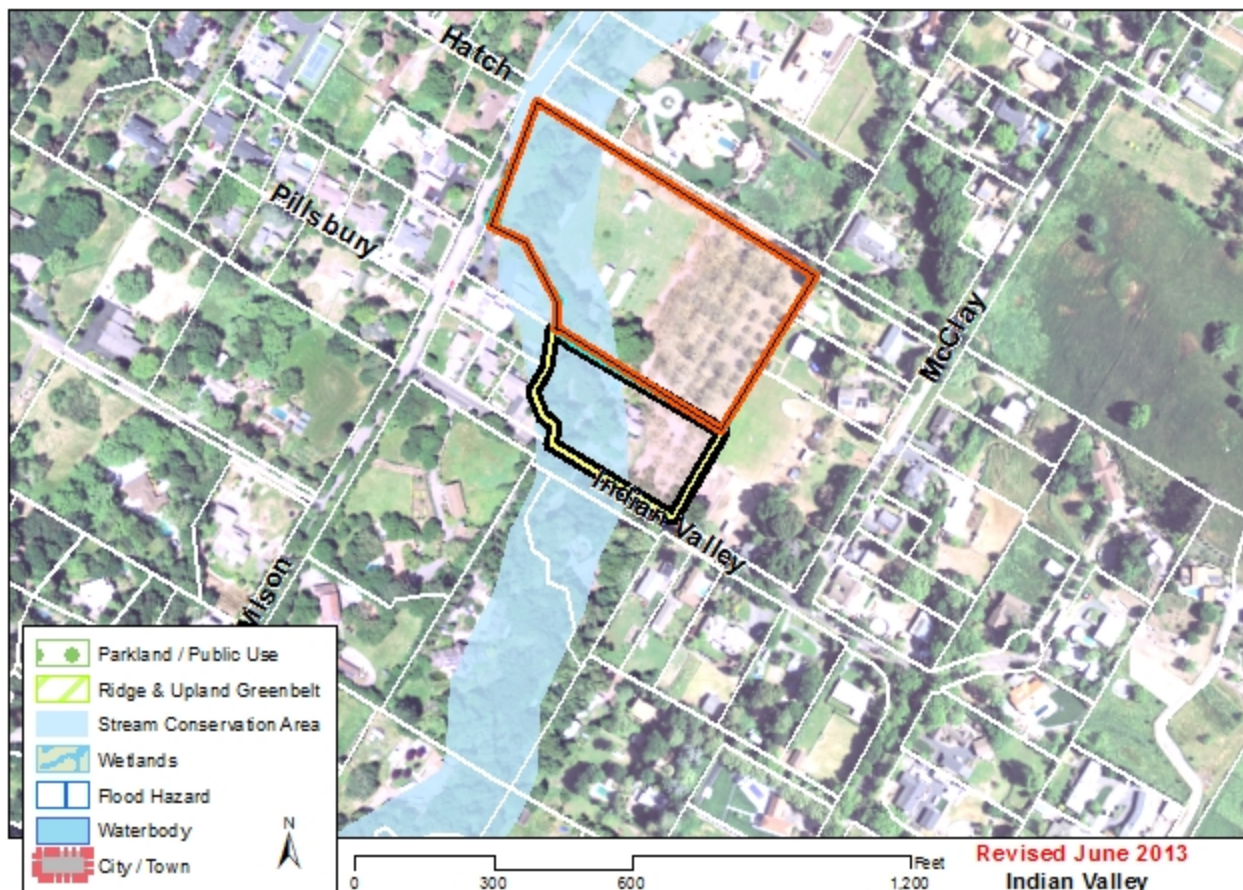


| 2400 Sir Francis Drake Blvd, Fairfax<br>(Oak Manor) |  |   |
|---|--|---|
| APNs / Acreage                                      | 174-011-36<br>174-011-33   | 0.54 acres<br>1.05 acres<br>(1.59 total acres)  |
| General Plan  | 10 units (HOD)   | GC (General Commercial, FAR .05 to .15)<br>HOD (Housing Overlay Designation, min 30 units/acre) |
| Zoning  | C1 (Retail Business)   |   |
| Inventory Assumption                                | <b>Moderate income: 10 units</b>   |   |
| Affordability                                       | 30 units/acre under HOD policy   |   |
| 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<br>Commercial complex with a Laundromat, pizza restaurant, 7/11, and vacant storefronts. Large underutilized surface parking area with an active car repair shop on the corner. |   |



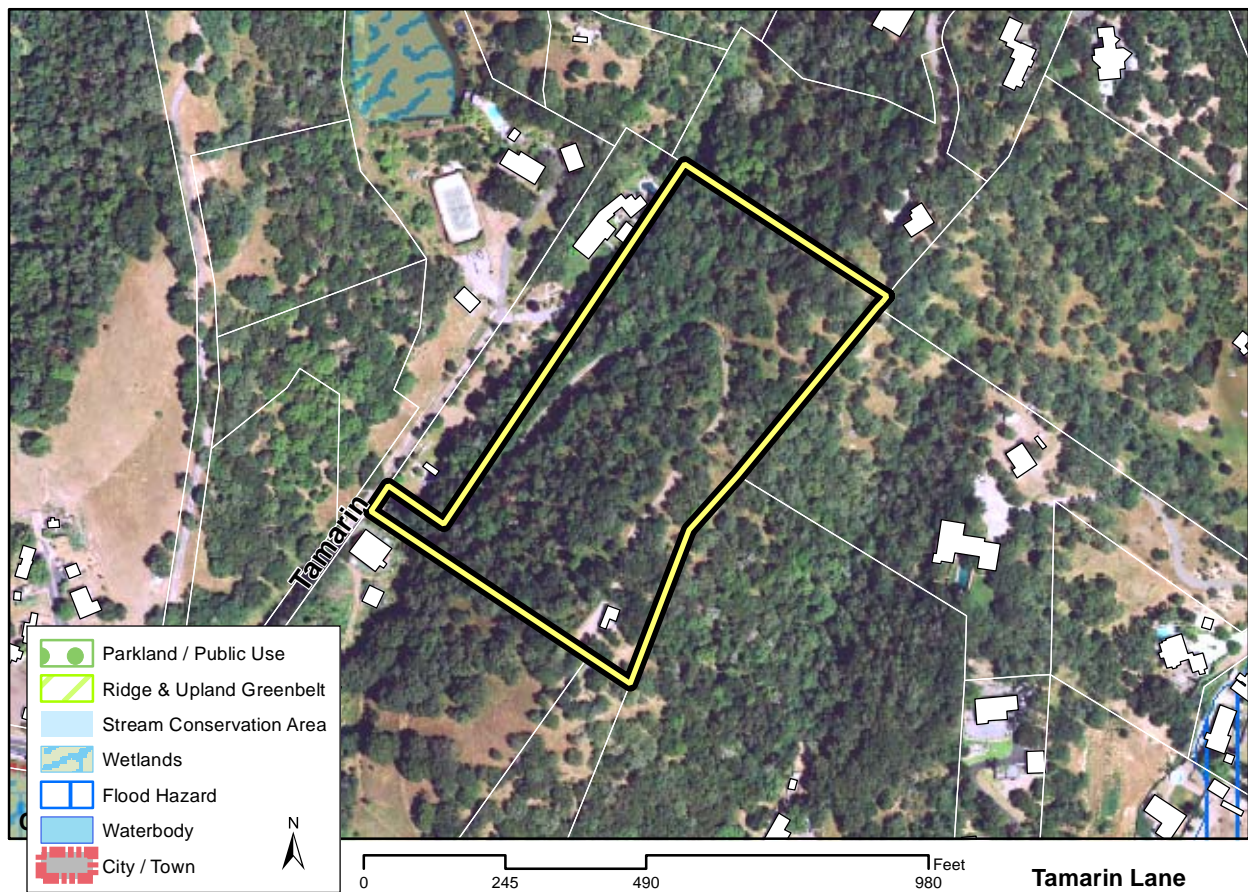


| 1970 Indian Valley Rd, Novato<br>(Indian Valley) |   |  |
|--|---|--|
| APNs / Acreage                                   | 146-261-21<br>146-261-28  | 1.90 acres<br>6.37 acres<br>(8.27 total acres)   |
| General Plan                                     | 7 units   | SF3 (Single Family, 1 unit/1-5 acres)            |
| Zoning   | 7 units   | A2-B4 (Limited Agriculture, 1 acre min lot size) |
| <b>Inventory Assumption</b>                      | <b>Above Moderate Income: 5 units</b>   |  |
| Affordability                                    | Minimal   |  |
| Infrastructure                                   | Yes, water. Septic found to be feasible.  |  |
| Proximity to bus route                           | 1+ miles  |  |
| Environmental considerations                     | Negative Declaration of Environmental Impacts was granted.  |  |
| Opportunities                                    | 5 new residential lots available for development. Entitlements granted in 2009 for 6-lot subdivision.           |  |
| Site status                                      | Underutilized – Residential<br>One unit existing, subdivision did not include residential development proposal. |  |





| 12 Tamarin Lane, Novato<br>(Tamarin Lane) |   |   |
|---|---|---|
| APN / Acreage                             | 143-190-12  | 6.34 acres  |
| General Plan                              | 6 units   | SF3 (Single-Family, 1 unit/1-5 acres)                     |
| Zoning                                    | 3 units   | ARP-2 (Agricultural, Residential Planned, 1 unit/2 acres) |
| <b>Inventory Assumption</b>               | <b>Above Moderate Income: 3 units</b>   |   |
| Affordability                             | Minimal   |   |
| Infrastructure                            | Yes, water. Sanitary septic required.   |   |
| Proximity to bus route                    | 1+ miles  |   |
| Environmental considerations              | Minimal   |   |
| Opportunities                             | Subdivision approved in 2007 for 3 developable lots, two of which must have second units, per conditions of approval. |   |
| Site status                               | Vacant – Residential  |   |



## APPENDIX G: HOUSING ELEMENT PROGRAM IMPLEMENTATION

### 2015-2023 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  |
|---|--|----------------|-------------------|------------|----------|--|
| <b>Goal 1</b>                                       | <b>Use Land Efficiently</b>  |                |                   |            |          |  |
| <b>Policy 1.1</b>                                   | <b>Land Use</b>  |                |                   |            |          |  |
| <b>Policy 1.2</b>                                   | <b>Housing Sites</b>   |                |                   |            |          |  |
| <b>Policy 1.3</b>                                   | <b>Development Certainty</b>   |                |                   |            |          |  |
| <b>Policy 1.4</b>                                   | <b>Design, Sustainability and Flexibility</b>  |                |                   |            |          |  |
| 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   | Evaluate the Housing Overlay Designation   | CDA            | Local resources   | 2016       | Medium   | Improve opportunities for multifamily, workforce housing.  |
| 1.d   | Study Ministerial Review for Affordable Housing                                      | CDA            | Local resources   | 2020       | Low      | Facilitate the development of affordable housing.  |
| 1.e   | Consider 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.f   | Review and Consider Updating 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  |
| 1.g   | Codify Affordable Housing Incentives Identified in the Community Development Element | CDA            | Local resources   | 2016       | High     | Implement the CWP; support the development of affordable housing   |

| 2014 Draft Housing Element Goal, Policy, or Program | Goal, Policy or Program Title   | Responsibility | Potential Funding | Time Frame            | Priority | Objective  |
|---|---|----------------|-------------------|-----------------------|----------|--|
| 1.h   | 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.i   | Consider Simplifying 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.j   | Consider Adjusting Height Limits for Multi-family Residential Buildings             | CDA            | Local resources   | 2018                  | Medium   | Consider amending the Dev Code to increase the allowable height for multi-family residential development.  |
| 1.k   | Clarify Applicability of State Density Bonus  | CDA            | Local resources   | 2015                  | High     | Evaluate policies in the CWP and Dev Code and amend as appropriate to ensure consistency with Gov. Code Section 65915  |
| <b>Goal 2</b>                                       | <b>Meet Housing Needs Through a Variety of Housing Choices</b>                      |                |                   |                       |          |  |
| <b>Policy 2.1</b>                                   | <b>Special Needs Groups</b>   |                |                   |                       |          |  |
| <b>Policy 2.2</b>                                   | <b>Housing Choice</b>   |                |                   |                       |          |  |
| <b>Policy 2.3</b>                                   | <b>Incentives for Affordable Housing</b>  |                |                   |                       |          |  |
| <b>Policy 2.4</b>                                   | <b>Protect Existing Housing</b>   |                |                   |                       |          |  |
| Program 2.a   | Encourage Housing for Special Needs Households                                      | CDA            | Local resources   | Annually and on-going | Medium   | Promote a mix of housing types appropriate to the housing needs of the community, including extremely low income and special needs households  |
| 2.b   | Enable Group Residential Care Facilities  | CDA            | Local resources   | On-going              | Medium   | Provide regulatory measures to facilitate housing provision and options for all segments of the community, including special needs populations   |

| 2014 Draft Housing Element Goal, Policy, or Program | Goal, Policy or Program Title  | Responsibility                | Potential Funding | Time Frame                          | Priority | Objective   |
|---|--|-------------------------------|-------------------|-------------------------------------|----------|---|
| 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   | 2016 and 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 and when the AI is updated | 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 as needed | 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 Certificate s, 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.                 |
| <b>Goal 3</b>                                       | <b>Ensure Leadership and Institutional Capacity</b>                         |                              |   |                    |          |  |
| <b>Policy 3.1</b>                                   | <b>Coordination</b>   |                              |   |                    |          |  |
| <b>Policy 3.2</b>                                   | <b>Research, Monitoring and Evaluation</b>                                  |                              |   |                    |          |  |

| 2014 Draft Housing Element Goal, Policy, or Program | Goal, Policy or Program Title   | Responsibility                  | Potential Funding | Time Frame                        | Priority | Objective   |
|---|---|---------------------------------|-------------------|-----------------------------------|----------|---|
| <b>Policy 3.3</b>                                   | <b>Funding</b>  |                                 |                   |                                   |          |   |
| 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   | Coordinate with 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 as projects are proposed | 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   | 2015 and on-going                 | 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  |

| 2014 Draft Housing Element Goal, Policy, or Program | Goal, Policy or Program Title  | Responsibility         | Potential Funding                       | Time Frame            | Priority | Objective  |
|---|--|------------------------|---|-----------------------|----------|--|
| 3.j   | Provide and Participate in Local Affordable Housing Training and Education | CDA                    | Local resources                         | On-going              | Medium   | Serve as a resource to the community; seek to expand staff knowledge related to affordable housing |
| 3.k   | 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/<br>Housing Trust Funds | Annually and on-going | High     | Pursue and leverage funding for affordable housing   |
| 3.m   | Raise Funds from a Variety of Sources                                      | CDA, CAO               |   | Annually and 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                           | Annually and on-going | Medium   | Pursue and leverage funding for affordable housing   |

## APPENDIX H: SUMMARY OF REQUIREMENTS FOR ON AND OFF SITE IMPROVEMENTS

| Code Section                                     | Improvement | Code Provision  |
|--|-------------|---|
| 24.04.110<br>24.04.120                           | Roads       | <p>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.</p> <p><u>Minimum Paved Width:</u><br/>           Limited residential road 20' with shoulders, 24' with curbs<br/>           Minor residential road 28'<br/>           Residential road 36'<br/>           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 as deemed appropriate by the agency.</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>  |
| 24.04.250<br>24.04.260<br>24.04.265<br>24.04.280 | Driveways   | <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.<br/>           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.<br/>           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.<br/>           The minimum improved width of a driveway serving nonresidential uses shall be eighteen feet.</p> <p><u>Retaining Walls:</u> The following standards and restrictions shall apply to all driveways:</p> <ul style="list-style-type: none"> <li>(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).</li> <li>(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).</li> <li>(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.</li> <li>(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.</li> <li>(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.</li> </ul> <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> |



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| <p>22.26.030<br/>22.26.040</p>                             | <p>Landscaping</p> | <p><u>Landscaping Plan Procedures:</u></p> <ul style="list-style-type: none"> <li>A. A preliminary landscaping plan shall be submitted as part of the development application, and be reviewed by the Agency concurrent with the land use permit application;</li> <li>B. After approval of the development application, a final landscaping plan shall be prepared and submitted concurrent with the Building Permit application; and</li> <li>C. Landscaping plans should be prepared by a landscape professional.</li> </ul> <p><u>Landscaping Objectives:</u></p> <p>Proposed landscaping should be designed and installed to achieve the following objectives:</p> <ul style="list-style-type: none"> <li>A. Provide visual amenities</li> <li>B. Provide environmental benefits</li> <li>C. Conserve water</li> <li>D. Screen incompatible land uses</li> <li>E. Improve safety</li> <li>F. Preserve the character and integrity of neighborhoods</li> <li>G. Preserve native plant species</li> <li>H. Preserve the number of trees in the County (for every tree removed, two must replace it)</li> </ul> <p>Provide for fire safe landscaping</p>   |
| <p>24.05.010<br/>24.05.040<br/>24.05.080<br/>24.05.090</p> | <p>Easements</p>   | <p><u>General:</u></p> <p>Offers of dedication of easements and rights-of-way shall be made to the county or other appropriate governing bodies and utility companies for all parcels of land intended and/or designated to be used for public purposes.</p> <p><u>Drainage and drainage access easements:</u></p> <p>Drainage and drainage access easements shall conform substantially with the line or plan lines of any natural or artificial watercourse, channel, stream or creek that traverses the property.</p> <p>Sufficient easements shall be required for underground conduits for disposal of surface and storm waters, together with sufficient easements for overflow and ponding and vehicular access necessary to provide for the proper operation and maintenance of drainage facilities. All such easements shall be of sufficient width for the purpose intended, as determined by the agency, and should not be less than fifteen feet in width. Lesser widths may be allowed where it can be demonstrated that the lesser width would not diminish the ability to access, protect or maintain the easement or the facilities therein.</p> <p><u>Public utility easements:</u></p> <p>Public utility easements may be required along the rear and sides of lots and in other locations for the accommodation of public utilities and/or sanitary sewer facilities.</p> <p>All such easements shall be of sufficient width for the purpose intended, as determined by the agency and/or the utility company, and should not be less than ten feet in width. Lesser widths may be allowed where it can be demonstrated that the lesser width would not diminish the ability to access, protect or maintain the easement or the facilities therein.</p> <p><u>Emergency access easements:</u></p> <p>Emergency access easements may be required to connect non-connecting roads or in other cases where alternate emergency routes may be required as deemed appropriate by the agency.</p> |
| <p>24.04.560</p>   | <p>Drainage</p>    | <p><u>Drainage Setbacks</u></p> <p>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>   |

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| 22.98.040  | Parkland Dedications and Fees | <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><br/>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:<br/>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><br/>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"> <li>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.</li> <li>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.</li> </ol> <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> |
| 18.06.050  | Sewage Disposal*              | <p><u>Connection to public sewer system and alternatives:</u></p> <p>Sewage disposal shall be by means of a connection to a public sewer system if the nearest sewer is within four hundred lineal feet of the parcel in which the structure generating the sewage is to be constructed. This requirement may be waived by the health officer if he finds connection to a public sewer is legally or physically impossible. If the health officer determines that connection to a public sewer is unfeasible, an application may be filed for a permit for an alternative method of sewage disposal, utilizing an individual sewage disposal system.</p>   |
| 22.100.020 | Sewer and Water               | <p><u>B. Sewage disposal.</u> Provisions shall be made for adequate sewage disposal in compliance with Title 18 (Sewers) of the County Code, and as follows.</p> <ol style="list-style-type: none"> <li>1. Sanitary sewer. Where sewage disposal is to be by sanitary sewer, the subdivider shall install improvements and facilities as required by the governing board of the sewer system.</li> <li>2. On-site disposal. Where sewage disposal is to be by individual on-site sewage disposal systems, the subdivider shall submit sufficient evidence with the subdivision application for review by the Health Officer, as to the ability of the lots to accommodate the systems, in compliance with Title 18 (Sewers) of the County Code.</li> <li>3. Community system. Where sewage disposal is to be by a community waste disposal system, the subdivider shall submit detailed plans to the Health Officer. In addition, an intention to use a community disposal system shall be filed with the Regional Water Quality Control Board. The subdivider shall install the community waste disposal system, including provisions for future maintenance, following review and comment by the Regional Water Quality Control Board and approval by the Health Officer.</li> </ol> <p><u>C. Water supply.</u> Provisions shall be made for domestic water supply as may be necessary to protect public health, including water service to each lot and fire protection facilities. Water may be supplied by connection to a public utility, establishment of a mutual water system (except as provided in Title 7, Section 7.28.025 (Prohibition) of the County Code), or by wells, springs or other approved sources of water,</p>  |

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|  |  | <p>in compliance with Title 7 (Health and Sanitation) of the County Code, and as follows.</p> <ol style="list-style-type: none"> <li>1. Public utility. Where water is to be supplied by connection to a public utility, the subdivider shall install improvements and facilities as required by both the utility and the Fire Chief having jurisdiction.</li> <li>2. Mutual water company. Where water is to be supplied by a mutual water company, the subdivider shall submit sufficient evidence, substantiated by adequate tests and/or engineering data, as to the quantity, quality and safety of the proposed water supply. After approval by the Environmental Health Director, the subdivider shall install an adequate and safe system that will provide water connections for each lot and for fire protection as approved by the Health Officer, and the Fire Chief having jurisdiction.</li> <li>3. Wells or other sources. Where water is to be supplied by wells, springs or other sources, the purchasers of the properties shall be informed of the water supply in writing. The subdivider shall submit sufficient evidence substantiated by adequate tests and/or engineering data to ensure that adequate water can be obtained for each lot and for fire protection as approved by the Health Officer, and the Fire Chief having jurisdiction. The information provided shall be certified by a professional engineer or geologist.</li> </ol> |
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*\* Water and sanitary districts, not the County, assess required improvements related to water and sewer. Sewage disposal is addressed in greater length in the discussion of infrastructure in the Constraints section.*

## APPENDIX I: Marin County Development Standards and Permit Requirements by Zoning District

**Figure I-1: Development Standards, Conventional Zoning Districts**

| ZONING DISTRICT <sup>1</sup> | EXAMPLES OF PERMITTED USES<br>(Without Use Permit)          | MINIMUM LOT AREA <sup>2,3</sup> | MINIMUM SETBACKS <sup>4,5,6</sup> |        |                                     | MAXIMUM HEIGHT<br>(Main building) <sup>7,8</sup> | MAXIMUM FAR<br>(Floor Area Ratio) <sup>9,10</sup> |
|------------------------------|---|---------------------------------|-----------------------------------|--------|-------------------------------------|--|---|
|                              |   |                                 | Front                             | Side   | Rear                                |  |   |
| <b>R-1</b>                   |   | 7,500 sq. ft.                   | 25 ft.                            | 6 ft.  |                                     |  |   |
| <b>R-1:B-1</b>               | • Single-family dwelling                                    | 6,000 sq. ft.                   | 25 ft.                            | 5 ft.  |                                     |  |   |
| <b>R-1:B-2</b>               | • Accessory buildings and uses                              |                                 |                                   |        |                                     |  |   |
| <b>R-1:B-3</b>               | • Home occupations  | 10,000 sq. ft.                  | 25 ft.                            | 10 ft. | 20% of lot depth/<br>25 ft. maximum | 30 ft. maximum                                   | 30%   |
| <b>R-1:B-4</b>               | • Public parks and playgrounds                              |                                 |                                   |        |                                     |  |   |
| <b>R-1:B-5</b>               | • Crop and tree farming                                     | 20,000 sq. ft.                  | 30 ft.                            | 15 ft. |                                     |  |   |
| <b>R-1:B-6</b>               | • Nursery and greenhouses                                   |                                 |                                   |        |                                     |  |   |
| <b>R-1:B-7</b>               |   | 1 acre                          | 30 ft.                            | 20 ft. |                                     |  |   |
| <b>R-A</b>                   |   | 7,500 sq. ft.                   | 25 ft.                            | 6 ft.  |                                     |  |   |
| <b>R-A:B-1</b>               | • All uses permitted in R-1                                 | 6,000 sq. ft.                   | 25 ft.                            | 5 ft.  |                                     |  |   |
| <b>R-A:B-2</b>               | • Limited livestock uses<br>(see Section 22.32.030, M.C.C.) | 10,000 sq. ft.                  | 25 ft.                            | 10 ft. | 20% of lot depth/<br>25 ft. maximum | 30 ft. maximum                                   | 30%   |
| <b>R-A:B-3</b>               | • Dairy on five acres or more                               | 20,000 sq. ft.                  | 30 ft.                            | 15 ft. |                                     |  |   |
| <b>R-A:B-4</b>               |   | 1 acre                          | 30 ft.                            | 20 ft. |                                     |  |   |
| <b>A-2</b>                   |   | 2 acres                         | 25 ft.                            | 6 ft.  |                                     |  |   |
| <b>A-2:B-1</b>               | • All uses permitted in R-1                                 | 6,000 sq. ft.                   | 25 ft.                            | 5 ft.  |                                     |  |   |
| <b>A-2:B-2</b>               | • Limited agricultural uses                                 |                                 |                                   |        |                                     |  |   |
| <b>A-2:B-3</b>               | • Horse stables and riding academies                        | 10,000 sq. ft.                  | 25 ft.                            | 10 ft. | 20% of lot depth/<br>25 ft. maximum | 30 ft. maximum                                   | 30%   |
| <b>A-2:B-4</b>               | • Dog kennels having six or less dogs                       | 20,000 sq. ft.                  | 30 ft.                            | 15 ft. |                                     |  |   |
| <b>A-2:B-5</b>               |   | 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<br><sup>1</sup>                    | EXAMPLES OF PERMITTED USES<br>(Without Use Permit)   | EXAMPLES OF DENSITY<br>(Maximum units/acre)   |  | MAXIMUM HEIGHT |           | DEVELOPMENT<br>STANDARDS <sup>2</sup>          |
|--|--|---|--|----------------|-----------|--|
|  |  |   |  | Main           | Accessory |  |
| <b>RSP</b><br>Residential, Single-family Planned   | <ul style="list-style-type: none"> <li>Single-family dwelling</li> <li>Accessory buildings and uses</li> <li>Public parks and playgrounds</li> <li>Crop and tree farming</li> <li>Nurseries and greenhouses (private)</li> <li>Home occupations</li> </ul>                     | RSP-0.25<br>-----<br>RSP-0.5<br>-----<br>RSP-1.0<br>-----<br>RSP-2.0<br>-----<br>RSP-10 | 1 unit/4 acres<br>-----<br>1 unit/2 acres<br>-----<br>1 unit/acre<br>-----<br>2 units/acre<br>-----<br>10 units/acre | 30 ft.         | 15 ft.    | Determined by master plan and/or design review |
| <b>RMP</b><br>Residential, Multiple-family Planned | <ul style="list-style-type: none"> <li>All uses permitted in RSP</li> <li>Two-family and multiple-family dwellings</li> <li>Lodges and organizational houses</li> <li>Schools, libraries, museums, churches, private residential recreational facilities</li> </ul>            | RMP-1.0<br>-----<br>RMP-5.0<br>-----<br>RMP-10<br>-----<br>RMP-30<br>-----<br>RMP-45    | 1 unit/acre<br>-----<br>5 units/acre<br>-----<br>10 units/acre<br>-----<br>30 units/acre<br>-----<br>45 units/acre   | 30 ft.         | 15 ft.    | Determined by master plan and/or design review |
| <b>ARP</b><br>Agricultural, Residential Planned    | <ul style="list-style-type: none"> <li>Single-family dwelling</li> <li>Accessory buildings and uses</li> <li>Agricultural uses: grazing, dairying, crop farming, fish hatchery, poultry, etc.</li> <li>Equestrian uses: grazing, breeding, training, boarding, etc.</li> </ul> | ARP-2.0<br>-----<br>ARP-10<br>-----<br>ARP-30<br>-----<br>ARP-60                        | 1 unit/2 acres<br>-----<br>1 unit/10 acres<br>-----<br>1 unit/30 acres<br>-----<br>1 unit/60 acres                   | 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 <sup>1</sup> | Maximum Residential Density <sup>2</sup>     | Minimum Setback Requirements <sup>3</sup> |  |   | Height Limit <sup>4</sup> |           | Maximum FAR <sup>5</sup> |
|-----------------|-------------------------------|--|---|--|---|---------------------------|-----------|--------------------------|
|                 |                               |  | Front                                     | Sides  | Rear  | Primary                   | Accessory |                          |
| <b>VCR</b>      | 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           |
| <b>AP</b>       |                               | 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.  |                           |           |                          |
| <b>C1</b>       |                               | 1 unit per 1,450 sq. ft. of lot area         | 30 ft.<br>0 ft.                           | 6 ft. adjacent to residential district, none otherwise                         | 12 ft. adjacent to residential district, none otherwise |                           |           |                          |
| <b>CP</b>       | Not applicable                | 1 unit per 1,450 sq. ft. of lot area         | Not applicable                            |  |   | 30 ft.                    | 15 ft.    | Not applicable           |
| <b>IP</b>       |                               | Not permitted                                |   |  |   |                           |           |                          |
| <b>RCR</b>      |                               | Affordable Housing per CWP                   |   |  |   |                           |           |                          |
| <b>OP</b>       |                               | Not permitted in OP; See Zoning Map for RMPC |   |  |   |                           |           |                          |
| <b>RMPC</b>     |                               |  |   |  |   |                           |           |                          |

**FOOTNOTES:**

- Minimum lot area and setback standards may change, as follows:
  - In VCR, AP, H1, and C1 districts, the minimum lot area and setback standards may change when the district is combined with a "-B" district in compliance with provisions of section 22.14.050 (Minimum Lot Size "-B" Combining District).
  - In VCR, AP, H1, and C1 districts, including those combined with "-B" districts, the minimum lot area may change in areas of sloping terrain in compliance with provisions of section 22.82.050 (Hillside Subdivision Design).
  - In CP, IP, RCR, OP, and RMPC districts, minimum lot area is determined through the master plan, precise development plan, or design review process in compliance with chapters 22.44 (Master Plans and Precise Development Plans) or 22.42 (Design Review). Through such process, the review authority will determine whether the lot area is adequate for the proposed land use.
- Except for affordable housing, dwellings are not permitted in RCR districts. Where dwellings are permitted, the following standards apply:
  - In RMPC districts, when determining the maximum residential density allowed, any fraction of a dwelling unit of 0.90 or greater will be counted as a whole unit.
  - In C1 districts, dwellings are allowed only on above the first floor. The first floor shall be reserved for non-residential use.
- See (1) above. See section 22.20.090 (Setback Requirements and Exceptions) for setback measurement, allowed projections into setbacks, and exceptions to required setbacks. In CP, IP, RCR, OP, and RMPC districts, setbacks determined through the master plan, precise development plan, or design review process in compliance with chapters 22.44 (Master Plans and Precise Development Plans) or 22.42 (Design Review).
- 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).
- 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).
- 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.
- 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<br>Residential<br>Single<br>Family | RSP<br>Residential<br>Single<br>Family<br>Planned | RA<br>Residential<br>Agriculture | RR<br>Residential<br>Restricted | RE<br>Residential<br>Estate | R2<br>Residential<br>Two Family | RMP<br>Residential<br>Multiple<br>Planned | RX<br>Residential<br>Mobile<br>Home Park | RF<br>Floating<br>Home<br>Marina | Development<br>Code<br>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<br>Village<br>Commercial<br>Residential | RMPC<br>Residential<br>Commercial<br>Multiple<br>Planned | C1<br>Retail<br>Business | CP<br>Planned<br>Commercial | AP<br>Admin<br>and<br>Professiona<br>I | OP<br>Planned<br>Office | H1<br>Limited<br>Roadside<br>Business | RCR<br>Resort<br>and<br>Commercial<br>Recreation | IP<br>Industrial<br>Planned | Development<br>Code<br>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<br>Agriculture<br>Limited | A3 to A60<br>Agriculture and<br>Conservation | ARP<br>Agriculture<br>Residential<br>Planned | C-ARP<br>Coastal,<br>Agriculture<br>Residential<br>Planned | OA<br>Open Area<br>Zoning/<br>Combining<br>District | C-OA<br>Coastal, Open<br>Area District | C-APZ<br>Agriculture<br>Production<br>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.)            |   |

## **APPENDIX J: FLOOD MANAGEMENT (§65302)**

### **INTER-OFFICE MEMORANDUM MARIN COUNTY DEPARTMENT OF PUBLIC WORKS**

**DATE:** July 31, 2014  
**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.

### **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.