CWP / Zoning Amendments
Housing/Safety Element Update

Marin County Board of Supervisors & Planning Commission

August 9, 2022
Presenters and Facilitators

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Jillian Zeiger  
Tom Lai

**Consultant Team**
Tricia Stevens  
Scott Davidson
Agenda

• Present Countywide Plan (CWP) Amendments
• Discuss Development Code Amendments Framework
• Review Next Steps
Overview
Planning Context – CWP, DC, CCA
Updating the Safety Element

- Focus on planning for wildfires, sea level rise, and resiliency planning
- Plan emphasizes equity & needs of vulnerable communities
Updating the Housing Element

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

Housing Plan

Needs Assessment
- Demographic Trends
- Housing Market Trends
- Special Needs Groups

Affirmatively Furthering Fair Housing
- Five Categories of Analysis
- Distribution of RHNA Sites
- Meaningful Actions

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

Programs and Policies
- Increase Availability of Existing Units
- AFFH
- Special Populations
- Market
Programs Aligned with State Law

- **By-Right Zoning Policy**
- **Incentivize Affordable Housing Production**
- **Streamlining County development timelines**
Candidate Housing Sites

- 1 - 10
- 11 - 50
- 51 - 150
- 151 - 250
- 251 - 1,800
CWP Amendments
Key Adjustments

- Elimination of Existing CWP Policies
- Policies Specific to Regional Sites
- Policies Related to Community Plans
- HE Sites on CWP Land Use Maps
Elimination of Existing CWP Policies

Remove policies limiting development to lowest end of density range

- Consistent with Multi-Family Land Use Policy and Zoning Study
- Examples affected: Baylands Corridor; Septic and Wells; Environmental Resources
Elimination of Existing CWP Policies

Remove policy limiting development to lowest end of density range in urbanized areas

- Eliminate Program CD-6.a *Consider Annexation of Urbanized Areas*

- Eliminate program due to proximity of sites to transportation and other local services
Policies Specific to Regional Sites

St. Vincent’s/Silveira Site

- Focus development on app. 60 acres outside of resources & hazards
- Exceptions to policies for housing to implement HE
Policies Specific to Regional Sites

Buck Center Site

- Adjust City Center / Inland Rural Corridor boundary to accommodate Buck Center
Policies Related to Community Plans

Community Plans set forth Goals, Objectives, Policies, and Programs for Specific Communities

- Establish the CWP as prevailing in regulations for density, FAR, setback, and heights, with exceptions for sites subject to Development Agreements
HE Sites on Land Use Maps

• Revise maps to identify HE sites with new designations
• Eliminate HOD Overlay and establish new HE designation
Rezoning Considerations
HCD Requirements

• **Default Density**
  • In the County, lower income sites (low and very low income) must be zoned to allow *at least 20 dwelling units per acre*
  • Example: If the default density is 20 units per acre, and the zoning allows for a range, such as between 20 to 30 units per acre, the zoning is considered appropriate to accommodate the RHNA for lower income households.
HCD Requirements

- By-right for Sites Used in Previous Planning Periods

  Housing Elements

  - To include sites used in previous housing element cycles (that were not developed) to meet the current RHNA, County must **take actions to make sites viable**

    - Must allow by-right approval if a project provides at least 20 percent affordable units and requires no subdivision, the project is exempt from CEQA, and only design review based on objective standards may be required
HCD Requirements

• No Net Loss
  • Requires **adequate sites to be available at all times** throughout the planning period to meet the County’s remaining unmet housing needs for each income category
  • If a site develops with fewer units than identified in the Housing Element, the County must add additional sites to its inventory to accommodate its remaining housing need for each income category
**HCD Requirements**

- **Buffer**
  - To ensure that sufficient capacity exists in the housing element to meet the RHNA throughout the planning period, HCD recommends the County create a buffer in the inventory of **at least 15 to 30 percent more units than required**, especially for the lower income RHNA.
    - Add additional sites to meet the buffer, or
    - Create a buffer by using a minimum density to ensure sites develop consistent with the number of units in the site inventory.
Rezoning Options Explored

• Update Affordable Housing Overlay (AH)
  • Change existing AH overlay to accommodate units on the site list
  • Underlying zoning would not change
  • Would require a significant augmentation of the Affordable Housing Trust to demonstrate feasibility

• Would not comply with HCD requirements for underlying zoning to meet default density
Rezoning Options Explored

• **Rezoning Affordable Housing Sites with the Minimum Default Density**
  • Rezone the RHNA sites that accommodate lower income units to a minimum density of 20 units per acre

  • *Demonstrates feasibility for affordable housing*
  • *May allow more housing units on sites than contemplated in the sites list*
Recommended Rezoning

- Rezone portions of sites and allow streamlined review of affordable housing
  - A portion or the whole site will be rezoned with a maximum and/or minimum density in order to achieve the RHNA number associated with the site
  - Ministerial (by-right) review
  - Include a Housing Element program that allows a ministerial or streamlined process for subdivision of the lot
Recommended Rezoning

- Example* 10-acre site
- **Developable Site Area** = 4.5 acres
- **Density Range** = 20 – 30 units/acre
- Units that can be produced:
  - **90 units** allowed on the developable site area (4.5 acres x 20 dwelling units/acre)

*This example is for illustrative purposes only.
Recommended Rezoning

• Density Options
  • Sites could be zoned to have a higher or lower density range, depending on constraints
    • If rezoned sites have a higher density range, the Housing Element could have a smaller buffer
    • Assigning a lower density range could lead to development of less units per site and the County would need a larger buffer
## Buffer Scenarios

<table>
<thead>
<tr>
<th></th>
<th>Smaller Buffer</th>
<th>Larger Buffer</th>
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</thead>
<tbody>
<tr>
<td><strong>Site Size</strong></td>
<td>4.5 acres</td>
<td>4.5 acres</td>
</tr>
<tr>
<td><strong>Density Range</strong></td>
<td>20-30 units/acre</td>
<td>10-20 units/acre</td>
</tr>
<tr>
<td><strong>Unit Range</strong></td>
<td>90-135 (4.5 x 20)</td>
<td>45-90 (4.5 x 10)</td>
</tr>
<tr>
<td><strong>Buffer Status</strong></td>
<td>No additional buffer needed</td>
<td>Additional buffer needed</td>
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</tbody>
</table>

- **Buffer Scenarios Diagram**: Shows a map with a developable area, property line, elevation contours, and roads. The area contains 90 units and highlights wetlands.

### Key Points
- **Site Size**: Both scenarios have 4.5 acres.
- **Density Range**: Smaller buffer has a range of 20-30 units/acre, while the larger buffer has 10-20 units/acre.
- **Unit Range**: Smaller buffer has 90-135 units (4.5 acres x 20 units), and the larger buffer has 45-90 units (4.5 acres x 10 units).
- **Buffer Status**: Smaller buffer requires no additional buffer, whereas the larger buffer needs an additional buffer.
Next Steps
Next Steps

- Collect comments from HCD & Cal Fire on the Housing and Safety Elements
- Circulate DEIR for public review
- Update the CWP and Code amendments to
  - Reflect input & direction from the BOS and PC
  - Respond to community input
- Finalize CWP and Code amendments for presentation to the BOS/PC
Timeline

Public Input

Meetings, Workshops, and Surveys to Receive Input

- Fall 2021

Identify Potential Housing Sites/Land Use Changes and Identify Hazard Risk Areas/Solutions

- Winter 2021

Environmental Analysis

- Summer/Fall 2022

Draft Housing & Safety Elements and Zoning Amendments

- Spring/Summer/Fall 2022

Public Review, CALFIRE Review and State HCD Review

- Summer/Fall 2022

Planning Commission and Board of Supervisor Consideration

- Winter 2022

Public Input
Questions and Comments
EXTRA SLIDES
Previous and Current RHNA Cycles

<table>
<thead>
<tr>
<th>Income Categories</th>
<th>Previous Cycles (3rd to 5th)</th>
<th>Upcoming 6th Cycle 2023-2031</th>
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<tbody>
<tr>
<td>Very Low (0-50% AMI)</td>
<td>85</td>
<td>183</td>
</tr>
<tr>
<td>Low (50-80% AMI)</td>
<td>48</td>
<td>137</td>
</tr>
<tr>
<td>Moderate (80-120% AMI)</td>
<td>96</td>
<td>169</td>
</tr>
<tr>
<td>Above Moderate (120%+ AMI)</td>
<td>292</td>
<td>284</td>
</tr>
<tr>
<td>Total</td>
<td>521</td>
<td>773</td>
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Note: 1) The 2021 Median Area Income (AMI) for a family of four in Marin County is $149,600.  
### Existing Zoning/General Plan

#### Shortfall in Meeting RHNA for Lower and Moderate-Income Units

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<thead>
<tr>
<th></th>
<th>Lower</th>
<th>Moderate</th>
<th>Above Moderate</th>
<th>Total</th>
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<tbody>
<tr>
<td>ADUs</td>
<td>130</td>
<td>51</td>
<td>30</td>
<td>211</td>
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<tr>
<td>Credit Sites</td>
<td>50</td>
<td>--</td>
<td>329</td>
<td>379</td>
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<tr>
<td>Housing Overlay</td>
<td>400</td>
<td>120</td>
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<td>520</td>
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<tr>
<td>Vacant Residential</td>
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<td>110</td>
<td>1,400</td>
<td>1,510</td>
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<tr>
<td>SB9</td>
<td>TBD</td>
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<tr>
<td><strong>Total</strong></td>
<td>580</td>
<td>281</td>
<td>1,759</td>
<td>2,620</td>
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<tr>
<td><strong>RHNA</strong></td>
<td>1,734</td>
<td>512</td>
<td>1,323</td>
<td>3,569</td>
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<tr>
<td><strong>Over/Short</strong></td>
<td>-1,154</td>
<td>-231</td>
<td>436</td>
<td>-949</td>
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Note: 1) Numbers are approximate.