Housing Elements & Beyond: What Happens After Approval?

First 5 Marin

November 17, 2022
Agenda

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

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

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

HCD determines RHNAs for each Council of Governments

RHNA for Bay Area region: 441,176 housing units

RHNA for all of Marin County: 14,210

For Unincorporated Marin County: 3,569 housing units

Marin County has 3.2% of the Bay Area RHNA total. And unincorporated Marin has 25% of Marin County RHNA total.
Components of the Housing Element

Housing Plan

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

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

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

Programs and Policies
- Increase Availability of Existing Units
- AFFH
- Special Populations
- Market
Candidate Housing Sites

1 - 10
11 - 50
51 - 150
151 - 250
251 - 1,800
Housing Element & Fair Housing
Affirmatively Furthering Fair Housing in CA

- To promote inclusive communities
- Further housing choice
- Address racial and economic disparities through government programs, policies, and operations
- Applies to all public agencies in all activities related to housing and community development
All public agencies are required to administer programs and activities relating to housing and community development in a manner to AFFH and take no action that is materially inconsistent with this obligation.
Needs Assessment and Public Input
# Needs Assessment

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
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<tbody>
<tr>
<td>Limited Housing Options:</td>
<td>83% single-unit homes</td>
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<tr>
<td>Aging Population:</td>
<td>22% residents 65+</td>
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<tr>
<td>Limited Vacancy (rent/sale):</td>
<td>57% of vacant units are for seasonal uses</td>
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<tr>
<td>Cost-Burdened:</td>
<td>20% of households</td>
</tr>
<tr>
<td>Severely Cost-Burdened:</td>
<td>17% of households</td>
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<tr>
<td>Overcrowded:</td>
<td>13.4% renter-households 0.9% owner-households</td>
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Outreach Methods

Survey

Focus Groups

Community Workshops
Main Themes

- Limited availability of affordable units
- Lack of information about County programs
- Housing is too expensive
- Discrimination by landlords
- Barriers to develop housing/second units
- More support to attain homeownership
Implementation of the Housing Element: Policies & Programs
Defining Goal, Program, Policy

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

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

**Program:** an action, procedure, program or technique that carries out goals and policies.
## Goals of Policies and Programs

<table>
<thead>
<tr>
<th>Provide opportunities for a variety of housing choices to meet the diverse needs of the County</th>
<th>Facilitate the development of affordable housing, particularly for those with lower income</th>
<th>Remove barriers to creating housing</th>
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<tbody>
<tr>
<td>Improve the condition of existing housing</td>
<td>Preserve existing affordable housing</td>
<td>Affirmatively further fair housing</td>
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Program Topics

A. Increase Availability of Housing Units

B. AFFH (Affirmatively Furthering Fair Housing)

C. Special Needs Housing

D. Programs Aligned with State Law
A. Increase Availability of Housing Units

→ Preserve Existing Housing Stock for Permanent Housing

• **Short-Term Rental Policy (Start: 2024; Goal: Dec 2024)**
  • Prohibit
  • Limit number of days
  • Permit if property is owner’s primary residence
  • Benchmark to specific percentage of rental units
  • Impose license fees and/or TOT

• **Vacant Home Tax (Start 2024; Goal: 2025)**
  • Study the length of vacancy and reasons
  • Establish tax to discourage extended vacancy
A. Increase Availability of Housing Units

→ *Increase Housing Stock*

- **Accessory Dwelling Units (ADU) (Ongoing)**
  - One-stop shop (Goal: Dec 2023)
  - Dedicated staff and time for review (Goal: Dec 2023)
  - Financial assistance in construction (Goal: Dec 2025)

- **SB 9 Mapping Tool (Goal: Dec 2023)**
  - Tool to identify eligible properties
A. Increase Availability of Housing Units

→ *Remove Governmental Constraints*

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

• **Start: 2023; Goal: Dec 2024**

• **Create Local Rent Stabilization Ordinance**
  - Make permanent state rent cap
  - Expand state rent cap to allowable under Costa Hawkins

• **Expand the Just Cause for Eviction Program**
  - Current County ordinance covers only 3+ units

• **Create a Tenant Commission**
  - Provide a tenant’s perspective on policy discussions

• **Establish Right to Purchase and Right to Return Policies**
  - for displaced residents

• **Promote Home Ownership for Renters**
C. Special Needs Housing - Seniors

- Promote Participation in Home Match Program (Start: 2023)
  - Helps seniors find a person to rent a room in their home

- Increase Assisted Living Opportunities (Goal: 2024)

- Create Smaller Units for Trading Down (Ongoing)
  - Small-lot/townhomes
  - Senior apartments
C. Special Needs Housing - Farmworkers

• **Goal: Dec 2024**

• **Allow Contribution from Farm Employers**
  • Develop program for farm employers to contribute to an affordable housing fund or land trust

• **Set Aside Units for Farmworkers**
  • Establish County policy to set aside a percentage of units at new affordable housing development
C. Special Needs Housing – People with Disabilities

- **Accessibility Improvements (Ongoing)**
  - Loans and grants

- **Reasonable Accommodation (Start: 2023)**
  - Expedited review

- **Incentives for Universal Design (Start: 2024)**
  - Units designed for all abilities
  - Allows aging in place

- **Visitability Requirements for Multi-Family Housing**
  - Current policy covers SF homes that are HUD-funded
C. Special Needs Housing – People Experiencing Homelessness

- **Project HomeKey** (Start: 2023; Ongoing)
  - Provide housing by converting hotels/motels or other buildings into permanent housing

- **Support Rapid Re-Housing Options** (Ongoing)
  - Set aside vouchers
  - Financial assistance for security deposit

- **Provide Alternative Housing Types** (Ongoing)
  - Tiny homes
  - Co-housing
  - Single-room occupancy units
D. Programs Aligned/Required by State Law

- **By-Right Zoning Policy (Goal: Dec 2022)**
  - Reusing sites identified in previous Housing Elements
  - Ministerial review
  - If project includes 20% affordable to lower income

- **Replacement Housing (Goal: Dec 2022)**
  - As project approval condition require the replacement of existing units be deed restricted or occupied by lower income households

- **Incentivize Affordable Housing Production (Ongoing)**
  - Affordable Housing Overlay

- **Streamlining County Development Timelines (Ongoing)**
# Programs Timeline - Beginning 2023

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<tr>
<th>Program Name</th>
<th>Category</th>
<th>Action</th>
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<tr>
<td>Tenant Protection Strategies</td>
<td>AFFH</td>
<td>Begin community outreach.</td>
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<tr>
<td>Water Availability</td>
<td>Housing Supply</td>
<td>Collaborate with water service providers to conduct strategic water supply assessment.</td>
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<tr>
<td>Septic for Multi-Unit Housing</td>
<td>Housing Supply</td>
<td>Initiate study to identify alternative approaches to sewage disposal.</td>
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<tr>
<td>Religious and Institutional Facility Housing Overlay</td>
<td>Housing Supply</td>
<td>Start outreach to religious and institutional facilities.</td>
</tr>
<tr>
<td>Community Plans</td>
<td>Housing Affordability</td>
<td>Initiate Marin City Community Plan.</td>
</tr>
<tr>
<td>Project Homekey</td>
<td>Special Needs</td>
<td>Identify locations and conduct outreach.</td>
</tr>
<tr>
<td>Reasonable Accommodation</td>
<td>Special Needs</td>
<td>Begin offering expedited review and approval.</td>
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<td>Housing for Seniors</td>
<td>Special Needs</td>
<td>Explore expansion of home match services.</td>
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## Programs Timeline - Beginning 2024

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<th>Program Name</th>
<th>Category</th>
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<tr>
<td>Comprehensive Review of Zoning and Planning Policies</td>
<td>AFFH</td>
<td>Conduct comprehensive review of zoning/planning policies to remove discriminatory language/policies.</td>
</tr>
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<td>Below Market Rate (BMR) Homeownership Program</td>
<td>Housing Affordability</td>
<td>Pursue additional funding to expand affordable homeownership opportunities.</td>
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<tr>
<td>Monitoring of Rental Housing</td>
<td>Preservation of Housing</td>
<td>Expand Landlord Registry requirements to cover all units.</td>
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<td>Vacant Home Tax</td>
<td>Preservation of Housing</td>
<td>Study feasibility of vacant home tax.</td>
</tr>
<tr>
<td>Short-Term Rentals</td>
<td>Preservation of Housing</td>
<td>Evaluate and adopt strategies to regulate.</td>
</tr>
<tr>
<td>Universal Design and Visitability</td>
<td>Special Needs</td>
<td>Study policies/incentives to encourage requirements for universal design/visitability.</td>
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<tr>
<td>Housing for Seniors</td>
<td>Special Needs</td>
<td>Develop incentives and development standards to facilitate senior housing options.</td>
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Next Steps
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• Address HCD comments in annotated final draft
• Review changes with HCD
• Finalize Sites List at Board Hearing on December 6
• Prepare Public Draft for Adoption (Hearings in January)
Questions and Comments