

# Housing Element, CWP / Zoning Amendments

Marin County Planning Commission

December 12, 2022



# Agenda

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- **Housing Element**
  - Overview
  - Public Engagement & Outreach
  - Needs, Constraints, and Resources
  - Affirmatively Furthering Fair Housing (AFFH)
  - Goals and Implementing Programs
- **Countywide Plan (CWP) Amendments**
- **Rezoning**



# Overview



# Updating the Housing Element

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- **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

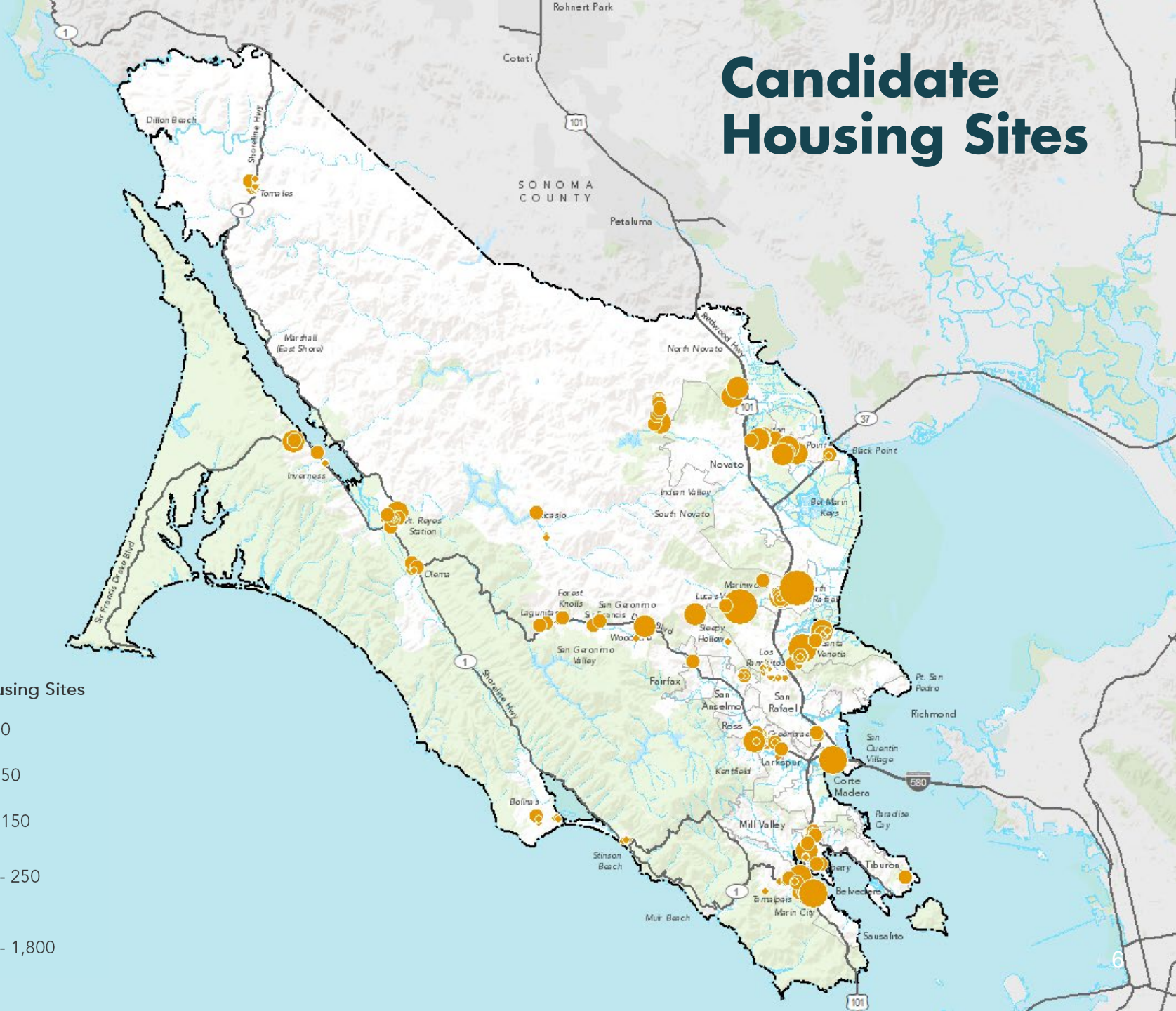
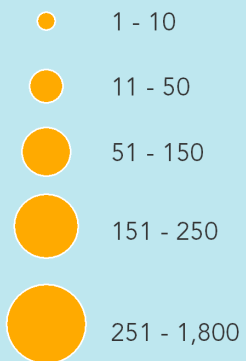
- Sites for very low, low, moderate income and market rate housing

### Programs and Policies

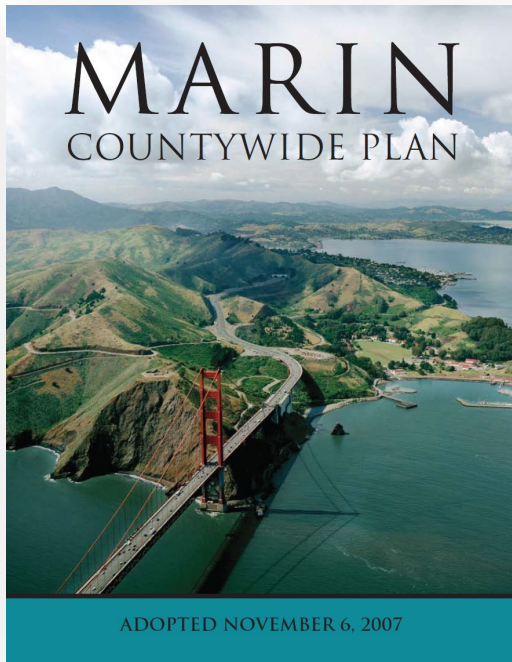
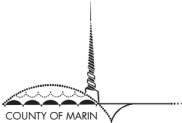
- Increase Availability of Existing Units
- AFFH
- Special Populations
- Market

# Candidate Housing Sites

## Candidate Housing Sites

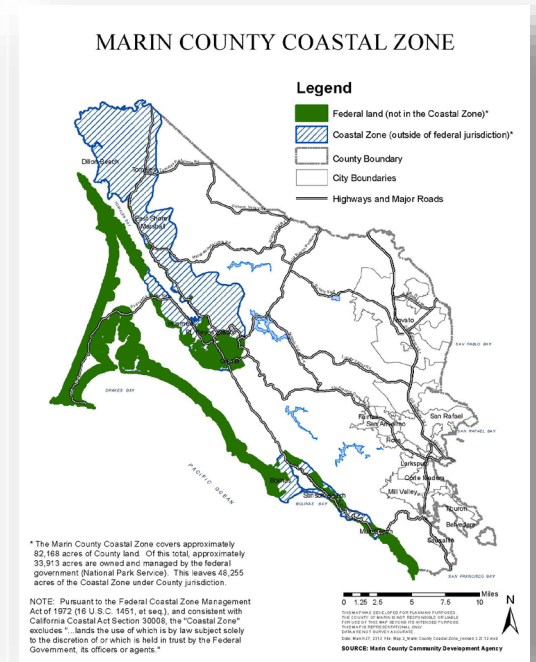


# Planning Context – CWP, DC, CCA

**Marin County Code  
Title 22  
DEVELOPMENT CODE**

Adopted June 24, 2003  
 Amended September 16, 2003 (Ordinance 3380)  
 Amended October 28, 2003 (Ordinance 3393)  
 Amended June 13, 2006 (Ordinance 3451)  
 Amended May 6, 2008 (Ordinance 3488) – Map Only  
 Amended June 3, 2008 (Ordinance 3491)  
 Amended June 3, 2008 (Ordinance 3492)  
 Amended August 12, 2008 (Ordinance 3497)  
 Amended October 7, 2008 (Ordinance 3499) – Map Only  
 Amended June 9, 2009 (Ordinance 3520) – Map Only  
 Amended May 4, 2010 (Ordinance 3539)  
 Amended May 4, 2010 (Ordinance 3540)  
 Amended August 10, 2010 (Ordinance 3549)  
 Amended July 19, 2011 (Ordinance 3565) – Map Only  
 Amended January 24, 2012 (Ordinance 3577)  
 Amended September 24, 2013 (Ordinance 3602)  
 Amended July 21, 2015 (Ordinance 3634)  
 Amended March 14, 2017 (Ordinance 3666)  
 Amended January 19, 2018 (Ordinance 3682)  
 Amended March 12, 2019 (Ordinance 3706)





# Public Outreach & Engagement

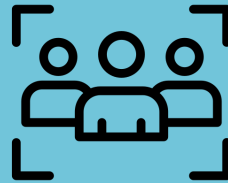


# Outreach & Engagement Methods

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**Surveys**



**Focus  
Groups**



**Community  
Workshops**



**Road  
Shows**



**Atlas &  
Balancing Act**

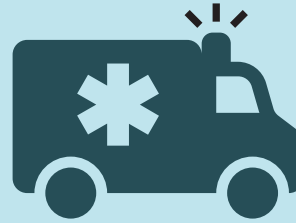


**Email/  
Voicemail**

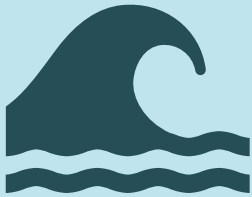
# Key Themes



Traffic  
congestion



Fire risk/limited  
access for  
emergency  
services



Threat of sea  
level rise/current  
flooding



Impacts on  
natural  
resources



Limited water  
supply



Infrastructure  
limitations



# Needs, Constraints, and Resources



# Needs Assessment

<b>Limited Housing Options:</b>	83% single-family homes
<b>Aging Population:</b>	22% residents 65+
<b>Limited Vacancy (rent/sale):</b>	57% of vacant units are for seasonal uses
<b>Cost-Burdened:</b>	20% of households
<b>Severely Cost-Burdened:</b>	17% of households
<b>Overcrowded:</b>	13.4% renter-households 0.9% owner-households



# Constraints

<b>Governmental:</b>	<ul style="list-style-type: none"><li>▪ Limited land designated for residential uses</li><li>▪ Development standards (height, density, parking) limit multi-unit housing</li><li>▪ Lengthy and uncertain process</li></ul>
<b>Market:</b>	<ul style="list-style-type: none"><li>▪ Shortage of construction labor</li><li>▪ High land costs</li></ul>
<b>Environmental:</b>	<ul style="list-style-type: none"><li>▪ High fires</li><li>▪ Sea level rise</li></ul>
<b>Infrastructure and Services:</b>	<ul style="list-style-type: none"><li>▪ Water and sewer capacity</li></ul>



# Resources – Strategy for RHNA

	Extremely/ Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA</b>	<b>1,100</b>	<b>634</b>	<b>512</b>	<b>1,323</b>	<b>3,569</b>
Approved/ Entitled	39	184	115	87	425
Projected ADUs	84	84	84	28	280
Available Sites	324		44	160	528
Rezoning Required	1,331		358	988	2,677



# Affirmatively Furthering Fair Housing (AFFH)



# Trends and Issues

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- Housing shortage leads to **displacement** risks
- Tight housing market conducive to **discriminatory** practices
- **Concentration** of low-income housing in Marin City
- Lack of new housing opportunities in **high resource areas**
- Lack of **affordable housing**
- **Rent increases** and **fears of eviction** lead to housing insecurity





# Meaningful Actions Overview

Fair Housing Theme	Actions
<p><b>Outreach and Enforcement</b></p>	<ul style="list-style-type: none"> <li>▪ Expand outreach to housing professionals, housing providers, individual property owners</li> </ul>
<p><b>Housing Mobility</b></p>	<ul style="list-style-type: none"> <li>▪ Expand housing choices and increase number of accessible units</li> </ul>
<p><b>New Opportunities in High Resource Areas</b></p>	<ul style="list-style-type: none"> <li>▪ Inclusionary housing, and affordable housing in lower density neighborhoods</li> </ul>
<p><b>Place-Based Strategies for Neighborhood Improvements</b></p>	<ul style="list-style-type: none"> <li>▪ Consistent off-site improvements in rural areas</li> <li>▪ Septic for multi-unit housing</li> <li>▪ Community land trust (East Marin)</li> </ul>
<p><b>Tenant Protection and Displacement</b></p>	<ul style="list-style-type: none"> <li>▪ Develop short-term rental policies</li> <li>▪ Expand tenant protections</li> </ul>



# Goals and Implementing Programs



# Programs Aligned with State Law

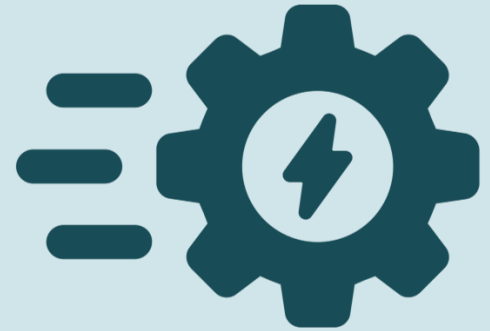
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By-Right Zoning  
Policy



Incentivize Affordable  
Housing Production



Streamlining  
County  
development  
timelines

# Implementing Programs

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- Housing Supply
- Special Needs Housing
- Preservation of Housing
- Housing Affordability
- Affirmatively Furthering Fair Housing (AFFH)

# CWP Amendments



# Key Adjustments

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**Elimination** of  
Existing CWP  
Policies

Policies Specific  
to **Regional  
Sites**

Policies Related  
to **Community  
Plans**

Changes to  
**CWP Land Use**  
Designations for  
Housing Sites



# Elimination of Existing CWP Policies

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Remove policies:

## 1. 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

## 2. 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

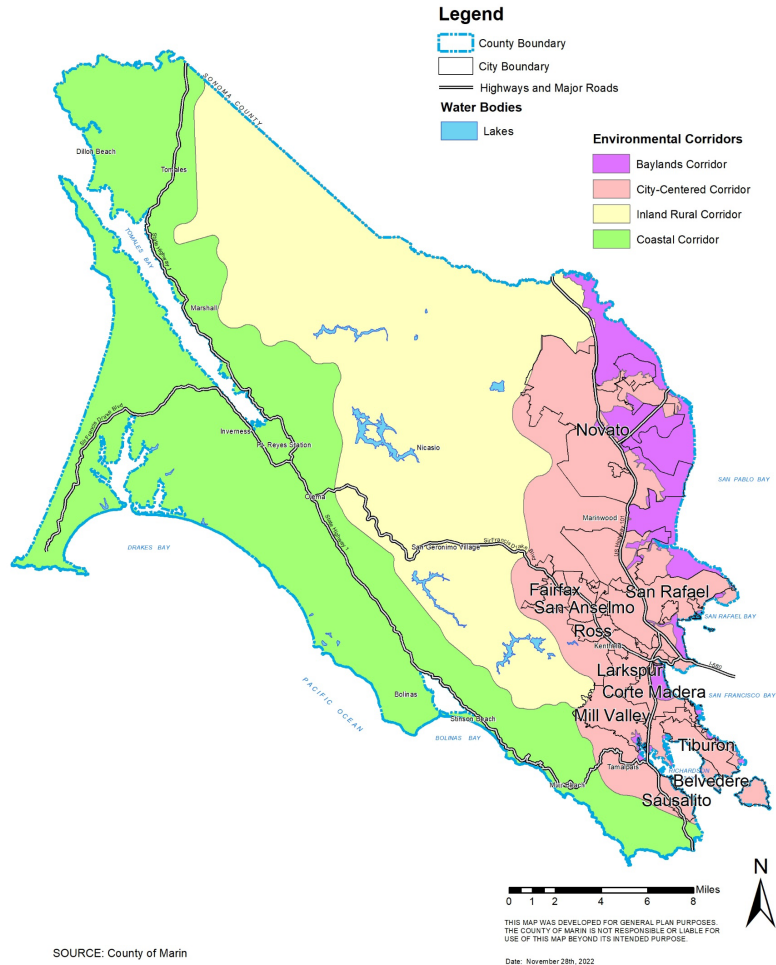
## St. Vincent's/Silveira Site

- Focus development on app. 40 acres outside of resources & hazards

## Buck Center Site

- Adjust City Center / Inland Rural Corridor boundary to accommodate Buck Center

MAP 1-2  
ENVIRONMENTAL CORRIDORS



# CWP Policies Related to Community Plans

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- Community Plans set forth Goals, Objectives, Policies, and Programs for Specific Communities
- **Some** aspects of Community Plans are **inconsistent with State law** and have the effect of **limiting multi-unit housing**.
- Establish the **CWP as prevailing** in regulations for **density, FAR, setback, and heights**, with exceptions for sites subject to Development Agreements



# HOD Designation

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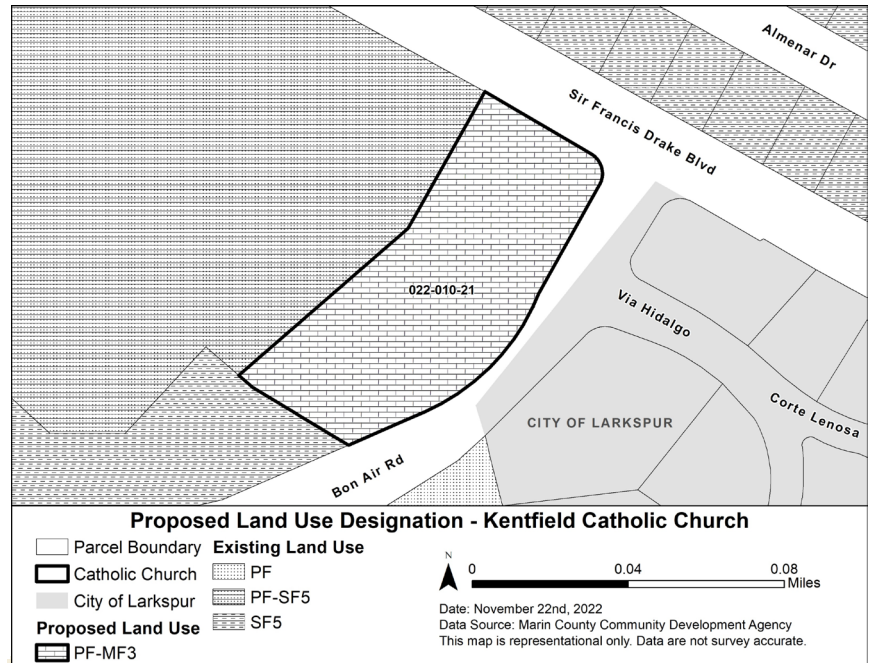
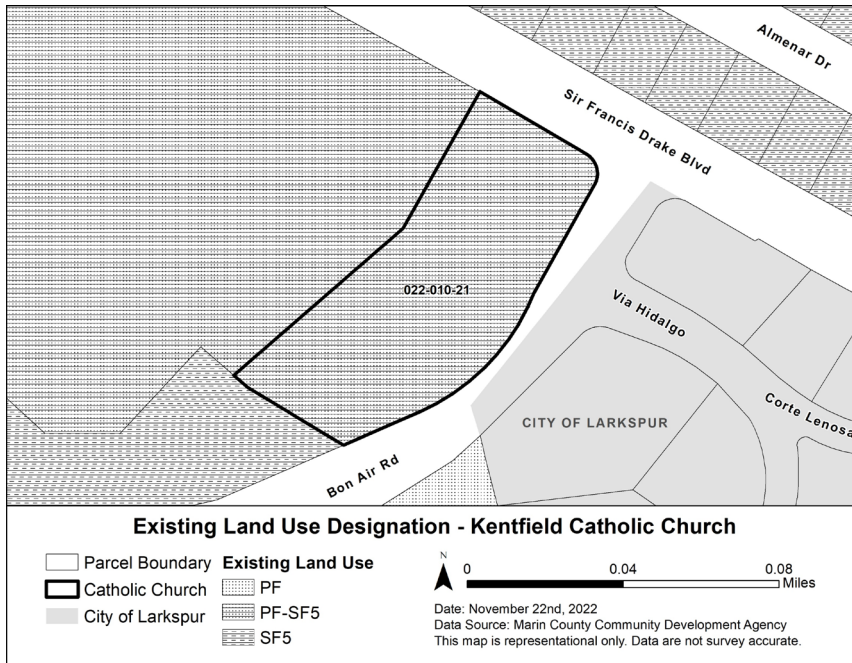
- Changes to the Housing Overlay Designation and Countywide Plan Land Use designations in order to **encourage housing and accommodate increased density.**
  - HOD Sites include housing **affordability targets** that are necessary to comply with the County's obligations related to satisfying the RHNA.



# HE Sites on Land Use Maps

- Revise maps to identify HE sites with new designations

*Example: Kentfield Catholic Church, existing (left) and proposed (right)*



# Rezoning Considerations

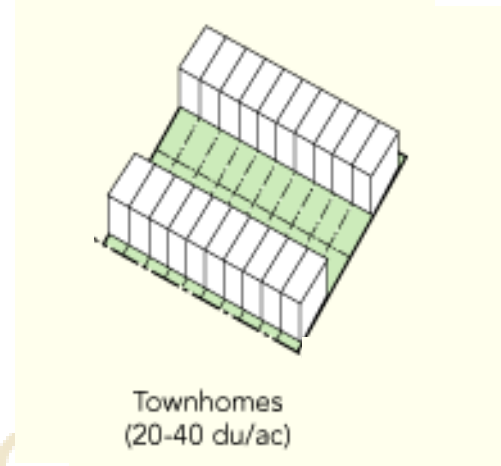
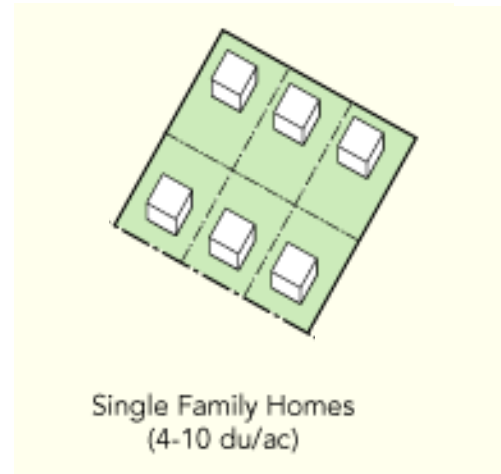




# Default Density

- **Density:** The number of units in a specified area of land, commonly measured as dwelling units per acre (du/ac).
- **HCD requires “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



# “By-Right” for Previously Used Sites



- 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.

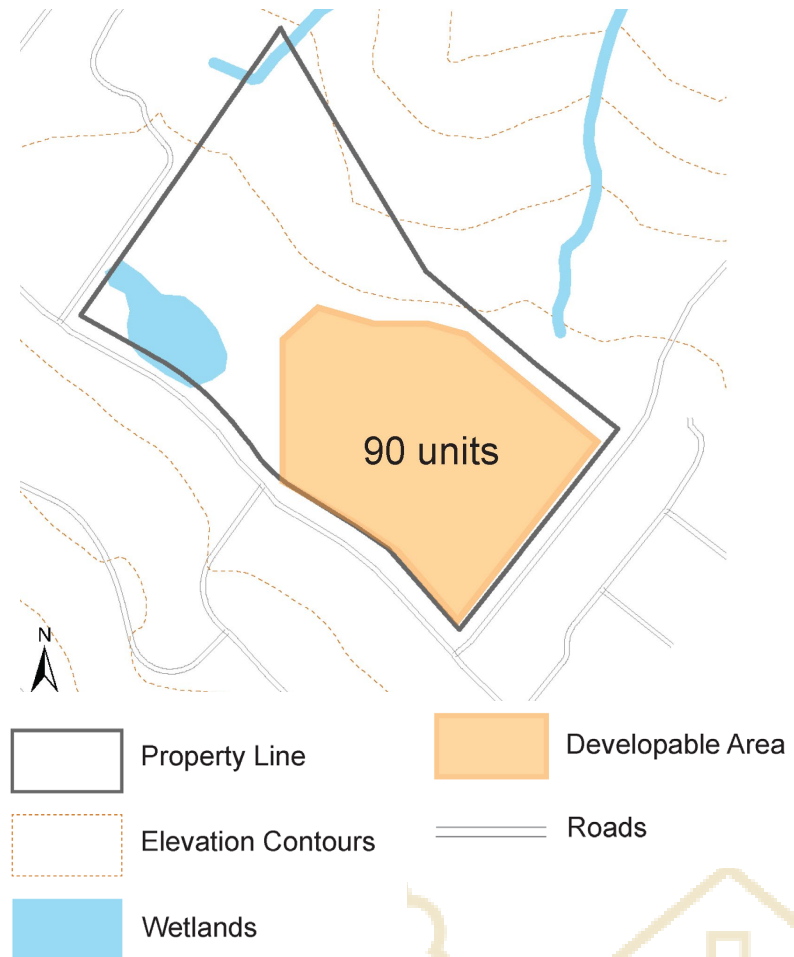
# Rezoning Concept

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- **Rezone portions of sites and allow streamlined review of affordable housing**
  - A portion or the whole site will be rezoned in order to achieve the RHNA number associated with the site
  - Ministerial (by-right) review

# Rezoning Concept – Portion of Site

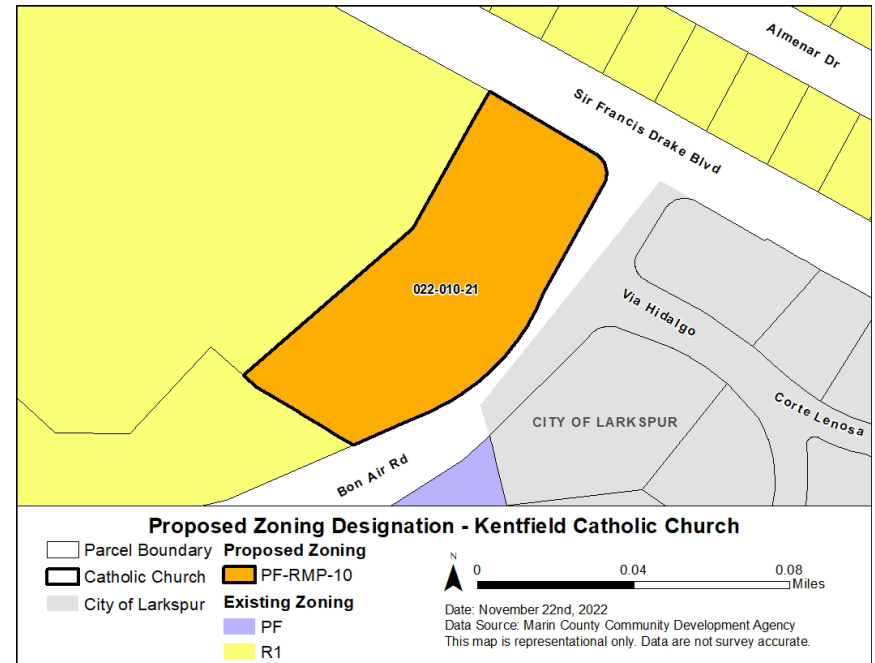
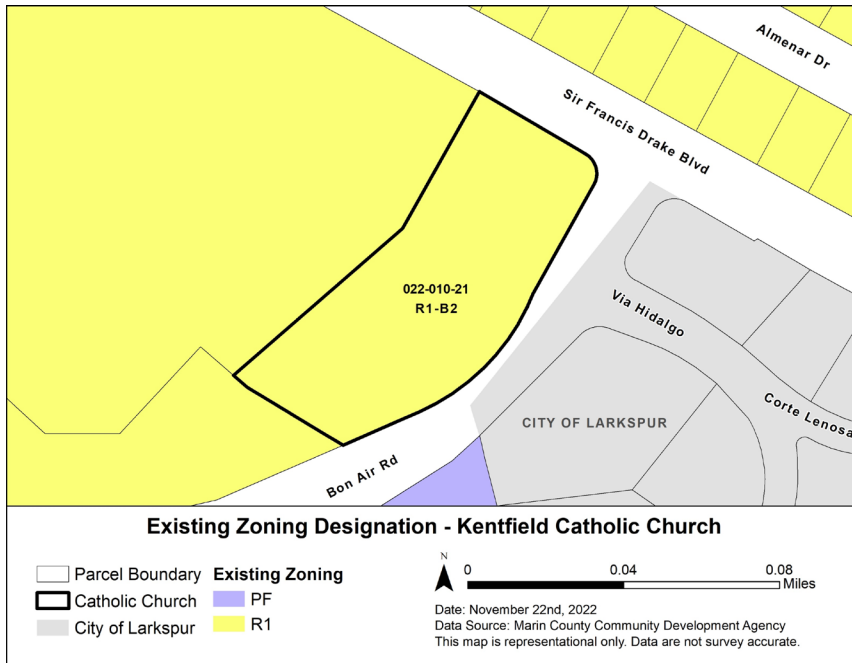
- Example\* 10-acre site
- **Developable Site Area = 4.5 acres**
- **Density = 20 units/acre**
- Units that can be produced:
  - **90 units** allowed on the developable site area (4.5 acres x 20 dwelling units/acre)



*\*This example is for illustrative purposes only.*

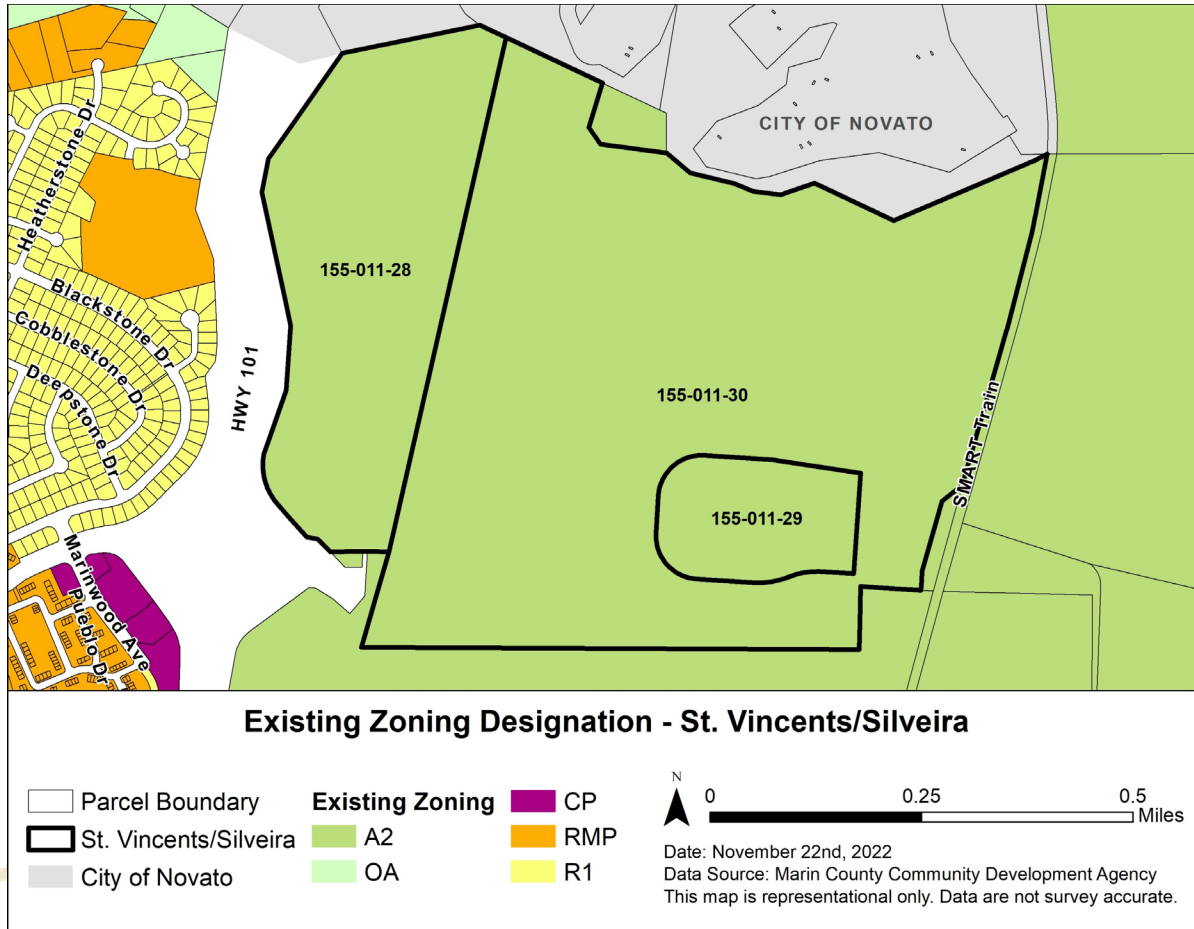
# Rezoning Maps – Example 1

*Example: Kentfield Catholic Church, existing (left) and proposed (right)*



# Rezoning Maps – Example 2

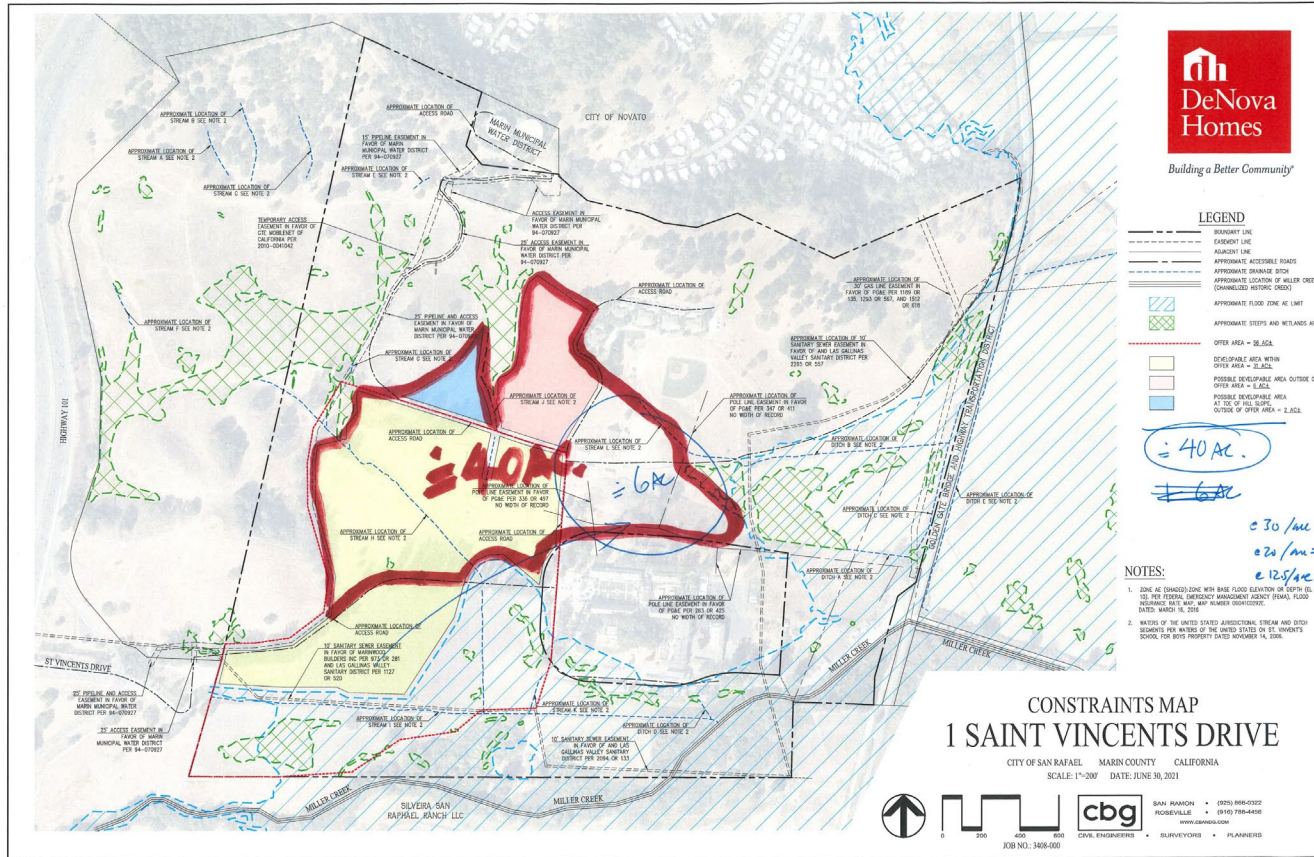
## Example: St. Vincent





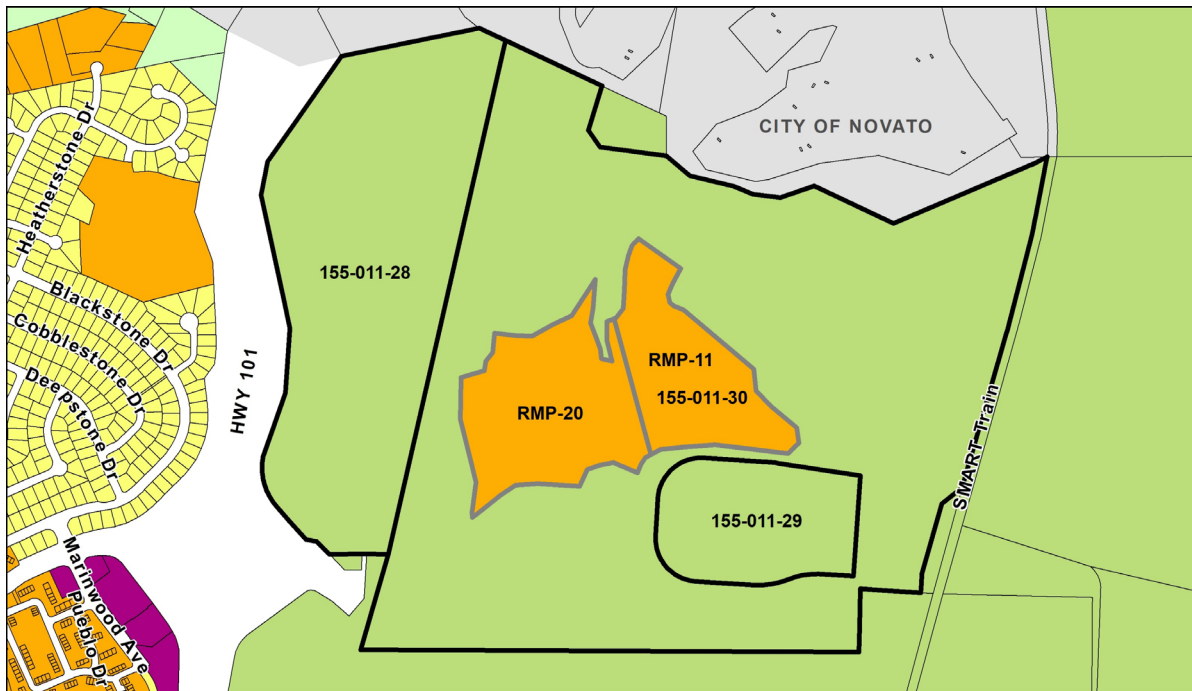
# Rezoning Maps – Example 2

## Example: St. Vincent



# Rezoning Maps – Example 2

## Example: St. Vincent



**Proposed Zoning Designation - St. Vincents/Silveira**

- |                        |                        |     |
|------------------------|------------------------|-----|
| Parcel Boundary        | City of Novato         | CP  |
| St. Vincents/Silveira  | <b>Existing Zoning</b> | RMP |
| <b>Proposed Zoning</b> | A2                     | R1  |
| RMP-20                 | OA                     |     |
| RMP-11                 |                        |     |



Date: November 22nd, 2022  
 Data Source: Marin County Community Development Agency  
 This map is representational only. Data are not survey accurate.



# Next Steps



# Next Steps

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- **January 5:** Planning Commission Recommendation
  - Final Environmental Impact Report
  - Safety Element Countywide Plan Amendments
  - Form Based Code/Development Code Amendments
  - Housing Element Countywide Plan Amendments/Rezoning
- **January 24:** Board of Supervisors Adoption
  - Final Environmental Impact Report
  - Safety Element Countywide Plan Amendments
  - Form Based Code/Development Code Amendments
  - Housing Element Countywide Plan Amendments/Rezoning



# Questions and Comments

