



MEMORANDUM

DATE: July 26, 2010

TO: Housing Element Committee (HEC)

FROM: Lilly Schinsing, Associate Planner 

SUBJECT: Marin County Planner's Meeting

On July 14, 2010 an informal meeting was held in San Rafael with planners who are working (or recently completed) Housing Elements in Marin County. The purpose of the meeting was to discuss challenges, successes, and issues associated with the Housing Element Updates in the County.

Out of the twelve jurisdictions (eleven cities and Marin County), only Belvedere has an adopted Housing Element which has been certified by the California State Department of Housing and Community Development (HCD). Four jurisdictions (Corte Madera, Ross, Larkspur and Marin County) submitted draft housing elements to HCD earlier this year and which were found to be out of compliance with State housing law (i.e., revisions to the elements are required by the State). San Rafael recently submitted a draft housing element to HCD and is currently awaiting a response. Six jurisdictions (Fairfax, Mill Valley, Novato, San Anselmo, Tiburon and Sausalito) have not submitted draft elements to HCD, and are currently working with their respective communities to draft updated elements.

Highlights from the meeting are as follows (in note form):

- One of the most common challenges expressed at the meeting were last minute comment letters from affordable housing advocacy groups to HCD regarding the jurisdiction's housing element, which seemed (to the jurisdiction) to create additional comments from HCD in their response letter.
- Corte Madera experienced was that Corte Madera's Emergency Shelter (SB2)-driven policy was found to be out of compliance even though they used the same policy language regarding emergency shelters as Belvedere (whose element was found to be in compliance and certified).
- Several planners indicated that there may be a 25% cap on crediting accessory units towards the RHNA.*
- Several planners indicated that there may be a 25% per-income category cap on crediting conversion units towards the RHNA. For example, if a jurisdiction's RHNA for lower-income units is 100 units and the jurisdiction creates a policy and funding program to allow for the conversion of market-rate apartment units to rental units affordable to lower-income families, the jurisdiction would only be able to take credit for up to 25 of the 100 lower-income units. The remainder (75) of the lower income units would need to be accommodated in some other way. However, the jurisdiction would be able to apply the conversion program similarly to 25% of the very-low and moderate income RHNA units.*
- Marin County and Ross indicated that a feasibility study regarding affordability would be required by the State during the site inventory and analysis portion of the updated element if the potential sites did not meet the minimum "baseline density" as prescribed by HCD. I gathered that from the State's perspective, sites are identify at or above the "default density," there is an assumption that a certain percentage of the units will be affordable. If sites are identified which have a density below the default, the feasibility study would be required to demonstrate that a certain number of affordable units could be accommodated.*

*An email was sent to Sausalito's HCD contact on 7/20/10 to set up a time from Staff and HCD to discuss these issues and for HCD to provide additional clarification on these requirements. As information is received, it will be provided to the HEC.

Item 8a