



HOUSING ELEMENT UPDATE 2015-2023

Preliminary Draft March 2014



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Section I

Introduction

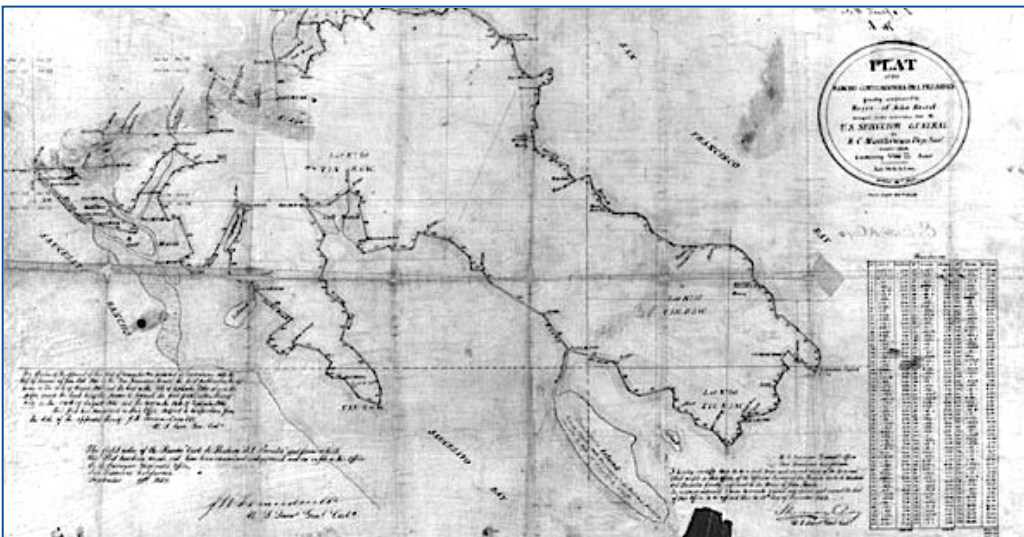
A Overview



The Town of Tiburon is a community of approximately 8,900 residents located on a relatively narrow four square mile peninsula extending into San Francisco Bay. The peninsula rises quickly from the Bay reaching a central spine known as the Tiburon Ridge. This ridge is prominent from widespread locations in the San Francisco Bay Area. Most of the peninsula is sloping land. Neighborhoods vary in age from the 1890's to the present. Over 95 percent of the Town's land area is comprised of residential

neighborhoods, public parks, and secured open space.

Tiburon is a community of neighborhoods covering a wide range of construction dates, housing types, architectural styles, and neighborhood design characteristics. At one end of the range is Old Tiburon, an 1890's-vintage subdivision of small lots on generally steep slopes with a variety of housing types and styles. At the other end of the range are newer multi-million dollar homes located on larger parcels in thoroughly modern estate-style subdivisions that were common in the 1980's and 1990's. In between are numerous subdivisions from the post-war boom of the late 1940's up through the 1950's and 1960's and into the 1970's. Neighborhoods and homes in Tiburon are quite well maintained and are desirable and attractive places to live.



B Purpose of the Housing Element



All California cities and counties are required to have a Housing Element included in their General Plan which establishes housing objectives, policies and programs in response to community housing conditions and needs. This Housing Element has been prepared to respond to current and near-term future housing needs in Tiburon. It contains updated information and strategic directions (policies and specific actions) that the Town is committed to undertaking to address its housing needs.

Even with the ~~recent~~ downturn in the economy beginning in the last part of 2008, housing affordability in Marin County and in the Bay Area as a whole is an important issue. Tiburon's housing conditions are reflective of many area-wide and even nation-wide trends. Over the past thirty years housing costs have skyrocketed out of proportion to many people's ability to pay; and interest rates, construction costs and high land costs all increase the ultimate cost of housing. This has a number of implications as it becomes more difficult to fill vacant jobs; roadways are clogged with workers traveling longer distances; and many young families, longtime residents, and other community members relocate because they can no longer afford to live in the community.

This Housing Element builds upon the goals, policies and implementing programs contained in the Town's ~~2005-2007-2014~~ Housing Element, which was adopted ~~in February 2012 as part of a comprehensive update of the Town's General Plan~~ and certified by the California Department of Housing and Community Development (HCD). As with the ~~2005-2007-2014~~ Housing Element, this element recognizes there are limitations as to what the Town can do about these problems due to the limited availability of developable land. The Town is currently at just about total build-out. With the exception of infill and mixed-use areas, most other available residential sites are limited to small or steep sites with limitations due to access problems, soil stability, drainage, parking, etc.

However, there are opportunities that exist on a limited number of relatively flat sites located near bus transit and shopping. In particular as it relates to potential sites for housing, the primary challenge of Tiburon's Housing Element is to properly address local housing needs while ensuring that new housing will fit with the existing and planned character, quality, environmental constraints and resources of the community. Questions include:

- **What Kind of Housing Do We Need?** What kind of housing (size, type, location and price) best fits with our workforce housing needs, household characteristics, and ability to pay for housing?

- **Where Can We Appropriately Put New Housing?** Where in our community can additional residential units be accommodated, especially for very low, low, and moderate income households?
- **How Can We Effectively Work Together?** What can the Town do — in collaboration with community organizations, other agencies, non-profits, and for-profit developers — to encourage the construction of needed workforce and special needs housing?
- **How Can We Effectively Help Special Needs Groups?** What can be done to assist those households with special needs including, but not limited to the elderly, homeless, people living with physical or emotional disabilities?

C State Law Requirements for Housing Elements

State law requires each city and county in California to adopt a General Plan containing at least seven elements including a Housing Element. Regulations regarding Housing Elements are found in the California Government Code Sections 65580-65589. Although the Housing Element must follow State law it is by nature a local document. The focus of the Tiburon Housing Element is on the needs, desires and vision of Tiburon residents as it relates to housing in the community. Within these parameters, the intent of the element is also to comply with State law requirements.



Unlike the other mandatory General Plan elements, the Housing Element is required to be updated every ~~five~~^{eight} years and is subject to detailed statutory requirements and mandatory review by the State of California Department of Housing and Community Development — ~~(HCD)~~. According to State law, the Housing Element must:

- Provide goals, policies, quantified objectives and scheduled programs to preserve, improve and develop housing
- Identify and analyze existing and projected housing needs for all economic segments of the community.

- Identify adequate sites that will be zoned and available (prior to Housing Element adoption) within the ~~7-58~~ year housing cycle to meet the Town’s fair share of regional housing needs at all income levels
- Be internally consistent with other parts of the General Plan
- Be submitted to the State Department of Housing and Community Development (HCD) to determine if HCD “certifies” the Housing Element is in compliance with state law.

State Law establishes detailed content requirements for Housing Elements and requires a regional “fair share” approach to distributing housing needs. State Housing Element law recognizes that in order for the private sector to address housing needs and demand, local governments must adopt land-use plans and implementing regulations that provide opportunities for, and do not unduly constrain, housing development.

In accordance with State law, the Housing Element must be consistent and compatible with other General Plan elements. Additionally, the Housing Element should provide clear policy and direction for making decisions pertaining to zoning, subdivision approval, housing allocations, and capital improvements. The housing action program must also identify adequate residential sites available for a variety of housing types for all income levels; assist in developing adequate housing to meet the needs of low and moderate income households; address governmental constraints to housing maintenance, improvement, and development; conserve and improve the condition of the existing affordable housing stock; and promote housing opportunities for all persons.

D Definitions of Key Housing Terms

In the context of Housing Elements, “Affordable Housing” generally focuses on housing for extremely low, very low, low and moderate income households, but may also address housing for above moderate income households. Generally, housing that costs no more than 30% of household income is considered affordable. This is especially true for lower income families. So *how much* do extremely low, very low, low and moderate income households earn and who are they? The definitions below are used throughout this Housing Element.

- **Above Moderate Income Households:** Defined as households earning over 120% of the median household income. As of ~~May 2014~~February 2013, a family of four earning more than ~~\$421,999~~123,600 per year per year was considered above moderate income.
- **Accessible Housing:** Units accessible and adaptable to the needs of the physically disabled.

- o **Emergency Shelter.** Emergency shelter means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.
- o **Extremely Low Income Households:** Government Code Section 65583(a) now requires local Housing Elements to provide “documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households (GC 65583 (a)(1)).” Extremely low income is a subset of the very low-income regional housing need and is defined as households earning less than 30% of the median household income – which, for family of four as of ~~May 2014~~February 2013, would be to earn less than ~~\$32,050~~\$33,950/year.
- o **Housing Affordability:** The generally accepted measure for determining whether a person can afford housing means spending no more than 30% of one's gross household income on housing costs, including utilities, principal and interest. For example, a teacher earning \$50,000 per year can afford \$1,250 per month for housing. A police officer or fire fighter earning \$60,000 can afford up to \$1,500 per month.
- o **Housing Density:** The number of dwelling units per acre of land. Gross density includes all the land within the boundaries of a particular area and excludes nothing. Net density excludes certain areas such as streets, open spaces, easements, water areas, etc.
- o **Income Limits:** ~~Each year, the California Department of Housing and Community Development publishes income limits for households according to income categories and household sizes. With a median income of \$103,000 in 2013, Marin County has one of the highest median household incomes in the state (Santa Clara County leads the state with \$105,500 in median income). Income limits, adjusted according to family size, are shown below. HCD's state income limits are based on federal income limits published by the U.S. Department of Housing and Urban Development. For additional information, see the HCD website at <http://www.hcd.ca.gov/hpd/hrc/rep/state/incNote.html>. Income limits are updated annually by the U.S. Department of Housing and Urban Development (HUD) for Marin County. The “30% of Median,” “Very Low Income” and “Low Income” schedules were published by the U.S. Department of Housing and Urban Development (HUD), effective May 31, 2011. For additional information, see the HUD website at www.huduser.org/datasets/il.html and the Marin County Housing Authority website at <http://www.marinhousing.org/>. For many State and local programs, HCD income eligibility limits are used. HCD income limits regulations are similar to those used by HUD.~~

Marin County FY 2013 Median Household Income Schedule

Family Size	Extremely Low 30%	Very Low 50%	Low 80%	Median 100%	Moderate 120%	Above Moderate
1	\$23,750	\$39,600	\$63,350	\$72,100	\$86,500	>\$86,500
2	\$27,150	\$45,250	\$72,400	\$82,400	\$98,900	>\$98,900

3	\$30,550	\$50,900	\$81,450	\$92,700	\$111,250	>\$111,250
4	\$33,950	\$56,550	\$90,500	\$103,000	\$123,600	>\$123,600
5	\$36,650	\$61,050	\$97,700	\$111,250	\$133,500	>\$133,500
6	\$39,400	\$65,600	\$104,950	\$119,500	\$143,400	>\$143,400

Source: California State Department of Housing and Community Development, effective February 25, 2013

~~The “Median Income” schedule shown is based on the FY2010 median family income for the San Francisco HMFA (Fair Market Rent Area) of \$99,400 for a four-person household, with adjustments for smaller and larger household sizes. The “Moderate Income” schedule shown above represents up to 120% of median income.~~

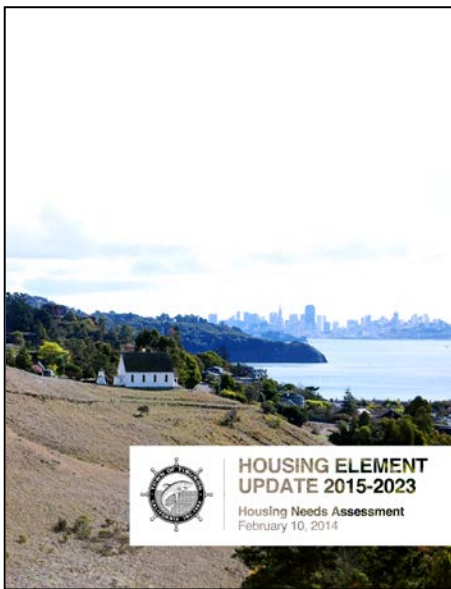
- o **Jobs/Housing Balance:** The relationship of the number and types of jobs in a community with the amount and affordability of housing. An appropriate balance is commonly thought to be 1.5 jobs for every 1 housing unit. ~~The graphic below illustrates some current salaries of a few local occupations that fit in the various income categories described above.~~
- o **Low Income Households:** California Health and Safety Code Section 50079.5 provides that the low-income limits established by HUD are the state limit for low-income households. Low-income households earn 50-80% of the median household income, adjusted for family size, with some adjustment for areas with unusually high or low incomes relative to housing costs. As of ~~May 2011~~February 2013, a family of four earning between ~~\$53,400~~\$56,550 and ~~\$85,450~~\$90,500 per year was considered low income according to HCD’s state income limits.
- o **Median Household Income:** The middle point at which half of the Town’s households earn more and half earn less. ~~Income limits are updated annually by the U.S. Department of Housing and Urban Development (HUD) for Marin County. For many State and local programs, State Department of Housing and Community Development (HCD) income eligibility limits are used. HCD income limits regulations are similar to those used by HUD.~~ In ~~2011~~2013, the ~~HUD-HCD~~ median household income for a family of four in Marin County as used for Tiburon was ~~\$101,600~~103,000.
- o **Moderate Income Households:** Defined by Section 50093 of the California Health and Safety Code as households earning 80-120% of the median household income. As of ~~May 2011~~February 2013, a family of four earning between ~~\$85,450~~\$90,500 and ~~\$121,900~~\$123,600 per year was considered moderate income according to HCD’s state income limits.
- o **Persons per Household:** Average number of persons in each household.
- o **Senior Housing.** Defined by California Housing Element law as projects developed for, and put to use as, housing for senior citizens. Seniors are persons at least 62 years of age.
- o **Supportive Housing.** Supportive housing is permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives. This type of housing has no limit on length of stay, is occupied by the target population (such as low-income

persons with disabilities and certain other disabled persons) and 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.

- o **Transitional Housing.** Transitional housing and transitional housing development mean rental housing 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. Transitional housing is a type of supportive housing used to facilitate the movement of homeless individuals and families to permanent housing. A homeless person may live in a transitional apartment for up to two-years while receiving supportive services that enable independent living.
- o **Very Low Income Households:** California Health and Safety Code Section 50105 provides that HUD very-low income limits are used, which are households earning less than 50% of the median household income (adjusted as described for low-income households above). As of ~~May 2014~~February 2013, a family of four earning less than ~~\$53,400~~\$56,550 per year was considered very low income according to HCD's state income limits.
- o **Workforce Affordable Housing:** Housing that is affordable to the workforce in the community.

E Process for Preparing the Housing Element

The Tiburon Housing Element update process began with a community workshop held on February 25, 2014, to solicit comments from the community on directions for the Housing Element. This input helped identify key issues and strategic directions to pursue in the Housing Element update.



The overall intent of the community workshop was to solicit ideas for the update of the Town of Tiburon Housing Element. Specific purposes of the community workshop were to (1) share information on demographic trends, housing needs, existing housing conditions; (2) review progress made to date in implementing the housing element and provide a forum to hear from community members about how the Town can improve housing policies and programs, (3) identify possible housing strategies to consider in the Town of Tiburon Housing Element Update, (4) share perspectives on barriers and opportunities for the development of affordable housing in Tiburon, and (5) identify/refine possible affordable housing opportunity sites to include in the Town's Housing Element Update.

Noticing for the community workshop included outreach on the Town's website, contact with affordable housing advocates and providers, notice in the locally published newspaper, and notices mailed to all property owners' associations in Tiburon. A Housing Needs Assessment document, containing much of the introductory and background material contained in this element, was prepared and provided on the Town's website. Copies were also distributed to workshop participants.

Among the items identified in the community outreach effort that are addressed in the updated Housing Element through current, modified and/or new policies or programs include:

- (1) Improve housing options for seniors.
- (2) Encourage the development of second units, recognizing that these can provide an important source of income for lower-income seniors who want to age in place, as well as affordable housing for caretakers and other lower-income service providers.
- (3) Consider commercial sites that can accommodate mixed use housing. Provide incentives to encourage property owners to build mixed-use developments.
- (4) Look at underutilized sites with aging and/or functionally obsolete buildings for potential affordable housing sites.
- (5) Pursue a housing impact fee for larger new homes.
- (6) Rezone the Beach Road parking lot and the Shark's Deli site as Affordable Housing Overlay sites in order to accommodate the Town's RHNA for lower-income households.

Other community outreach includes public work sessions on the Preliminary Draft Housing Element with the Tiburon Planning Commission and Town Council, review of the Draft Housing Element by the public and the California Department of Housing and Community Development (HCD) as required by State law, and then public hearings on the Draft Housing Element with the Planning Commission and Town Council.



Section II

Background Overview and Key Findings

A Summary of Housing Conditions and Trends



The “housing crisis” in the Bay Area has been an evolving phenomenon over the past ~~30-35~~ years as high demand (and need) has continually exceeded supply and affordability. There has been a substantial movement in the Bay Area, intensified by concerns about climate change, to find ways to grow sustainably. That is, to encourage regional development patterns that are more compact, transit-oriented, pedestrian-oriented, attractively designed, and highly livable. A central focus of this movement — the very foundation for achieving a more sustainable and livable Bay Area — is rethinking the way in which we plan, design, rehabilitate, preserve and manage housing in conjunction with transportation systems, jobs and services.

Below are key findings of the housing needs analysis that summarize important trends and considerations for the Housing Element:

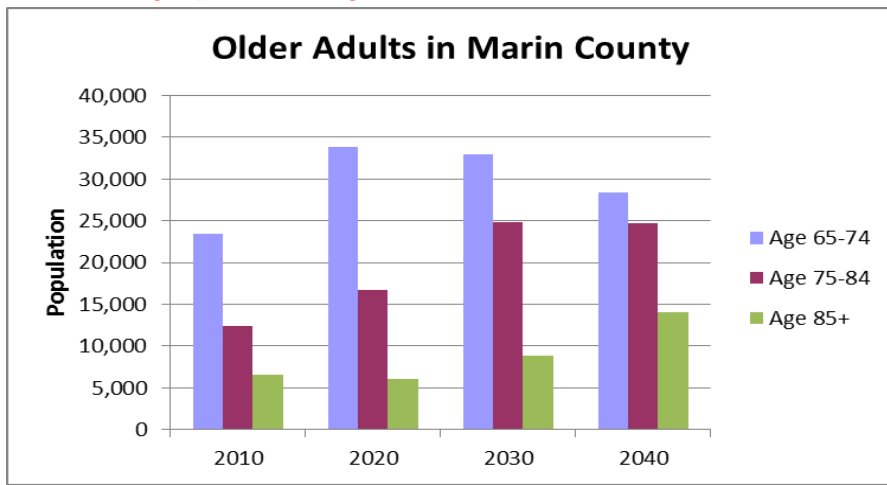
- o **Population and housing units in Tiburon has risen only slightly over the past ~~nine~~ ~~years~~decade.** Between ~~January~~ 2000 and ~~January 2009~~2010 the population in Tiburon ~~has risen~~increased by ~~275-296~~ people (population of ~~8-9418,962~~ in ~~2009~~2010), and the number of housing units ~~has risen~~increased by ~~67-132~~ (~~3,960-4,025~~ housing units in ~~2009~~2010). ~~As of January 2009~~In 2010, there were ~~2-332.39~~ persons per household in Tiburon, which is slightly ~~below~~above the County average household size of ~~2-382.36~~ persons per household. Approximately ~~2-57.3~~ percent of the housing units were vacant, ~~similar to the countywide vacancy rate~~ (compared to just over four percent countywide). (Houses can be vacant for many reasons, including being for sale.)
- o **Minimal amount of future growth.** The amount of growth projected for Tiburon is minimal, ~~even in relation to the extremely low growth rate projected for Marin County as a whole.~~ Tiburon will always predominantly have single family detached homes, which currently account for over 60% of the housing units in Tiburon.

- **About 20-30 percent of the Town's Households Are Considered Lower Income.** The exact income category of a household is dependent upon the size and overall income of the household. In a general way, about seven-fifteen percent of the households in Tiburon are estimated to be extremely low income, four-seven percent are estimated to be very low income, nine-and eight percent are estimated to be low income.
- **Market Rate Ownership Housing Continues to be Affordable Only to Above Moderate Income Households.** Even with the downturn in the housing market reduced prices recently, market rate for sale housing is only affordable to above moderate income households. The median price for a detached single family home in Tiburon in 2008-2012 was \$2,000,000\$1,600,000.
- **Market Rate Rental Housing is Generally Affordable to Moderate Income Households.** While rents in Tiburon are generally high for various size units, some market rate rental housing is affordable to moderate income households. Market rate ownership housing continues to be affordable only to above moderate income households. About 30% of the Town's households are considered lower income (earning less than 80% of median income).
- **Tiburon has a mix of housing types.** In 2010, the Census estimated that there were 3,9604,025 housing units in Tiburon. About 64-64 percent of the housing in Tiburon are single-family detached homes. Of the remaining housing, there is a mix of housing types, with six-ten percent single family attached homes, twelve-ten percent in structures of two to four units, and 21-16 percent in structures with five or more units. In coming years, over one-third of the new households in Marin County are expected to be single-person households — persons living alone.



Natural population increase (births minus deaths) continues to drive the need for new housing. Approximately 2,700 children are born to Marin parents every year (ABAG Projections 2007) and 1,850 deaths occur every year (based on rates published by the Department of Health and Human Services). This means that every year there is a need to house several hundred new people in Marin. Because Marin County as a whole produced fewer than 200 housing units in 2008, most of the housing need was exported to surrounding counties.

- o **Many of Marin’s employees cannot find housing in the county.** The average salary weekly wage in Marin is \$18-1,124 an hour (American Community Survey U.S. Bureau of Labor Statistics) and an employee making this wage can get a mortgage for approximately \$170,000-\$290,000. In other words, they cannot buy in Marin Tiburon. Consequently, Marin County has approximately 13,000 more jobs than employed residents (ABAG Projections 2007).
- o **The senior population in Marin County Tiburon (age 60-65+) is projected to increase by 75-57 percent from 2000 to 2020 2010 to 2030.** The senior population in Marin County (age 65+) is projected to more than double peak by 2035-2040 and then gradually decrease as the baby boom generation ages and declines in number population of those over 85 will triple according to the Association of Bay Area Governments (ABAG) and other sources California Department of Finance. Most seniors, 93 percent in some surveys, prefer to age in place (stay in their homes as they age) or stay in their community. It is anticipated that over one-third of the new households projected for Marin County in the next several decades will be a single person living alone.

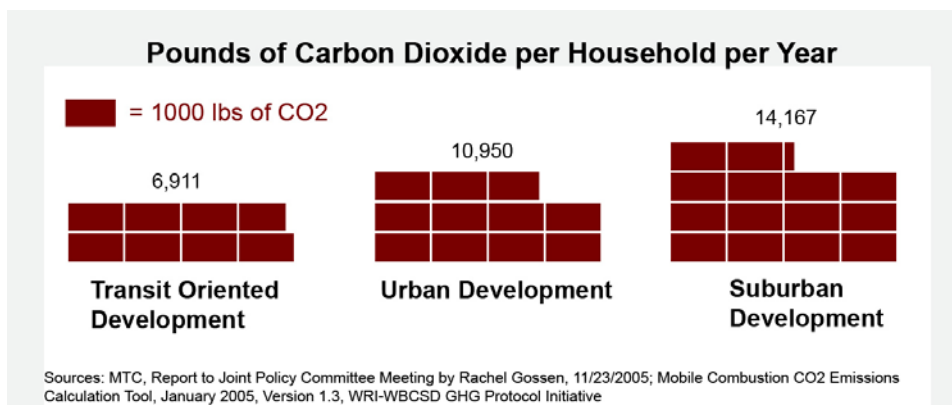


- o **Rental housing is more affordable than owner occupied housing.** The average two bedroom apartment rented for \$1,793 \$1,789 in 2007 2012 in Marin County, which is affordable to some low income residents (Burke Rental Survey RealFacts). The median priced home, approximately \$2-1.6 million for a single family home and around \$929,000 \$853,000 for a condo or townhome in Tiburon, is out of reach of most employees (Marin County Assessor). There has had been a 14 percent drop year-over-year increase in median home value from July 2008 to July 2009 by the end of 2012 (Zillow).
- o **Need for special needs housing and facilities for the homeless.** There are approximately 1,800 924 homeless people in Marin County (one day count conducted in

February, 2009 January 2013). Approximately one-third 20 percent of the homeless live in shelters are unsheltered (184 people). Other housing needs include single parent households, persons living with disabilities, and the provision of transitional housing for the homeless.

- o **Housing affects sustainability in multiple ways.** Sustainability generally means living in a way that does not compromise the ability of future generations to enjoy the same quality of life. Housing affects sustainability in many ways including water quality, air quality, use of resources and climate change. Housing has both direct effects (heating, cooling and powering homes) and indirect effects (transportation patterns). Promoting walk-able, transit-oriented neighborhoods is the single greatest thing that a community can do to promote sustainability in its land use planning. ~~Houses take energy to heat, cool and power, and the energy production to climate change. Additionally, housing patterns affect how often and how far people have to drive. Since vehicles contribute almost 50 percent of climate change gases in the Bay Area, finding ways to allow people to drive fewer miles is important.~~
- o **The type and location of housing affects climate change.** Climate change, caused in part by the release of carbon dioxide and other greenhouse gases, is an important issue in California and in Marin County. Major concerns include potential for rising sea levels and decreased water supplies due to smaller snow packs. Additionally, change of temperature and rain patterns may hurt agricultural parts of the county. Based on maps that assume one meter (a little over three feet) of sea level rise this century, which is expected, Marin County is likely to suffer flooding from the Bay and the Ocean.

Housing affects climate change in two ways. The houses themselves take energy to heat, cool and power, and the energy production contributes to climate change. Additionally, housing patterns affect how often and how far people have to drive. Since vehicles contribute over 40 percent of climate change greenhouse gases in California Tiburon, and over 50 percent in the Bay Area, finding ways to allow people to drive fewer miles is important. A critical question facing the Town is: Where in our community should additional residential units be accommodated, especially those that can meet future housing needs?



B Review of the 2007-2014 Housing Element



The most recent update of the Tiburon Housing Element was adopted in February 2012. On April 18, 2012, the California Housing & Community Development Department (HCD) certified the Town's Housing Element pursuant to California Government Code Section 65585.

The implementation of the Housing Element programs, as well as the Town's continued engagement with the property owners who control virtually all of the potential affordable housing sites identified in the Housing Element, is contributing to a positive environment for provision of housing.

Each year since adoption the Town has conducted an annual review of the current Housing Element and the General Plan as a whole. This section highlights some of the key accomplishments during the previous Housing Element cycle from 2007 to date, with the intent of building upon the successes of the current Housing Element, and modifying or adding policies or programs where appropriate. Staff's preliminary review of the goals, policies and programs contained in the 2007-2014 Tiburon Housing Element has determined that many remain viable and current as the Town moves forward during the next planning period (2015-2023).

Accomplishments of the 2007-2014 Housing Element

The Town of Tiburon's 2005 General Plan identifies several large undeveloped parcels, mostly located on the Town's scenic ridgelines and steep hillsides, as containing the majority of the Town's future low-density housing development. The General Plan goals and policies that constrain the development of additional medium and high density housing on these sites acknowledge that underlying physical conditions effectively prevent their development with affordable housing. These physical conditions include the following:

- (1) Approximately 90% of the large undeveloped parcels in the Tiburon Housing Element Area have slopes over 30 percent, which significantly increases the cost of land development. Much of the remaining area under 30 percent in slope lies at the top of the

Town's significant ridgelines, the protection of which is critical to preserving Tiburon's visual character.

- (2) Nearly all of the parcels contain unstable areas and multiple landslides that would require expensive remediation or repair, and specialized foundations for buildings and retaining walls, dramatically increasing the cost of development.
- (3) The remaining large undeveloped parcels comprise the majority of Tiburon's remaining open space and habitat areas.
- (4) Paradise Drive, the solitary access to the Paradise Drive Unincorporated Area where the majority of new housing units on large undeveloped parcels would be located, is a winding, narrow, two-lane road with very limited opportunities for improvement. This substandard road is considered a major constraint to development of additional housing units in this area, as the cost of making frontage improvements to serve housing developments, including the provision of safe and adequate sight distances, would be prohibitive.
- (5) Virtually all of the large undeveloped parcels lack basic infrastructure, including streets, water supply, sanitary sewer lines, gas and electricity. This total lack of infrastructure greatly increases the development costs.

Accepting these financial realities, the Town identified alternative sites for high-density affordable housing in the Housing Element adopted in 2012. These sites are:

- 1555 Tiburon Boulevard, a 1-acre parking lot next to Chase Bank, with capacity for 20 housing units.
- Cove Shopping Center, a .6 acre portion of the site to the east of the shopping center and parking lot, with capacity for 12 units.
- Reed Elementary School, a 1.8 acre site with capacity for 35 units.

Due to increasing enrollment, the Reed Union School District subsequently determined that the Reed Elementary School site needed to be reserved for potential future expansion of school facilities and requested that the Town remove the site from its inventory of affordable housing sites. As a result, the Town identified two new high-density, affordable housing opportunity sites to replace the loss of the Reed School site. These sites are:

- 1601 Tiburon Boulevard, a 1.06-acre parking lot adjacent to Bank of America, with a capacity of 21 housing units.
- 1600 Tiburon Boulevard, a 0.4 acre underutilized site, with a capacity of 8 units.

These two sites, providing a total development potential of 29 units, were rezoned for the Affordable Housing Overlay (AHO) designation. Together with the remaining affordable housing opportunity sites, the Town had AHO sites available to accommodate 61 lower-income units, exceeding the Town's RHNA requirement for 57 units affordable to lower-income households for the 2007-2014 housing element period.

New housing development was relatively slow in Tiburon between 2007-2014, primarily due to the foreclosure crisis and subsequent recession. Eight new single family homes and five second units were approved. These second units were determined to provide affordable housing for three lower income and two moderate income households.

Although no new deed-restricted affordable housing was produced during the 2007-2014 period, the Town has achieved success in providing and maintaining housing developments containing affordable units, such as Hilarita Apartments (91 affordable units out of a total of 102 units), Tiburon Hill Estates (16 affordable units out of 164 total units), Point Tiburon Marsh (20 affordable units out of 34 total units), Cecilia Place (16 affordable units), Bradley House (15 affordable units), and most recently, Chandler's Gate (4 affordable units out of 25 total units). These developments provide 104 very low-income, 38 low-income, and 20 moderate-income housing units, for a total of 162 affordable housing units for both families and seniors. In addition, the approximately 35 legal secondary dwelling units in the Town are nearly all affordable units based upon the findings of the Town's rental survey.

Review of the Programs Contained in the 2007-2014 Housing Element

In 2012, the Town adopted an ordinance which implemented all of the zoning code amendments identified in the 2007-2014 Housing Element. These amendments include procedures to review and approve requests for reasonable accommodation from zoning requirements. More flexible parking standards and higher densities for smaller studio and one-bedroom units were established for the Affordable Housing Overlay zone. In addition, the Town modified the inclusionary zoning requirements to include a minimum of 25% affordable housing units for market-rate housing projects and a minimum 20% affordable units for projects located on smaller sites within the Affordable Housing Overlay zone that would yield ten or fewer units.

A review of specific programs is contained in the following table. The overall conclusion of the review of the 2007-2014 Housing Element is to continue most of the existing programs, and to either delete or modify programs that include actions that were completed during the housing element period.

Evaluation of 2007-2014 Housing Element Programs

Program Title	Objective	Achievements/Evaluation	Continue, Modify or Delete
<p>H-a Focus Town Resources on Key Housing Sites. Focus Town-controlled resources toward the design, approval, financing, and construction of housing, especially affordable housing, on key sites identified in the Tiburon Housing Element. This would include all actions described in Housing Element Programs H-g, H-h, H-l, H-j, H-y, H-z, and H-aa.</p>	<p>Construction of housing on one or more of the key housing sites.</p>	<p>In the limited time (less than 18 months) since adoption of the Town’s most recent Housing Element, there has been limited progress in advancing the development of a new affordable housing project. The Town’s available funding resources (in-lieu fees and set-aside funds) are in place and available for use. As of June 2013, the Low & Moderate Income Housing Fund had an estimated balance of \$1.07 million, and approximately \$862,000 was available in set-aside funds. Efforts to induce property owners to advance their sites for affordable housing projects have not been fruitful to date, perhaps as a result of a struggling economy.</p>	<p>Continue based on sites list from 2015-2023 Element.</p>
<p>H-b Improve Community Awareness of Housing Needs, Issues, and Programs. The Town will promote the availability of Marin County programs for housing construction, homebuyer assistance, rental assistance, Marin Housing Authority information, code enforcement, information about affordable housing, fair housing and housing rehabilitation through the following means:</p> <ul style="list-style-type: none"> (a) Create a link on the Town’s website that describes housing programs and provides direct links to County agencies that administer the programs. (b) Include contact information on County programs in Town newsletters and other general communications that are sent to 	<p>Obtain and distribute materials; coordinate with other organizations.</p>	<p>A link to the Marin Housing Authority website has been created; informational housing-related handouts are kept at the public counter; selected Town staff has been trained to provide referral information; on-going collaboration with County Housing Authority and EAH on potential housing projects; housing-related materials distributed at annual homeowner association summit.</p>	<p>Continue</p>

<p>residents.</p> <ul style="list-style-type: none"> (c) Maintain information and handouts at the Town's public counter. (d) Train selected Town staff to provide referrals. (e) Distribute information on programs at public locations (library, schools). (f) Collaborate with other agencies (County of Marin, Tiburon Ecumenical Association, Marin Housing Authority, Rotary, Chamber of Commerce, Ecumenical Association for Housing, Housing Council) to prepare presentations and distribute informational materials to improve awareness of housing needs, issues and available housing programs. (g) Distribute materials to neighborhood groups, homeowner associations, religious institutions, businesses, and other interested groups (Rotary, Chamber of Commerce, etc.) in the Tiburon area. 			
<p>H-c. Community Outreach When Implementing Housing Element Programs. Coordinate with local businesses, housing advocacy groups, neighborhood groups, and the Chamber of Commerce and participate in the Marin Consortium for Workforce Housing in building public understanding and support for workforce, special needs housing and other issues related to housing, including the community benefits of affordable housing, mixed use and pedestrian-oriented development. The Town will notify a broad representation of the community when housing programs are discussed by the Planning</p>	<p>Undertake outreach annually and for each Housing Element program per the schedule for the implementing programs contained in the Housing Element.</p>	<p>The Town conducted public hearings, published notices in the local paper, posted notices at Town Hall and on the Town's website, and sent notices to all interested parties when considering and adopting Ordinance 541, which implemented several housing element programs.</p> <p>In 2012, the Town prepared an updated informational guide on the second unit application form and approval process. The guide is available on the website.</p>	<p>Continue</p>

<p>Commission or Town Council. Specific actions should be linked to the preparation and distribution of materials as identified in Program H-b. Specific outreach activities include:</p> <ul style="list-style-type: none"> (a) Maintain the Housing Element mailing list and send public hearing notices to all interested public, non-profit agencies and affected property owners. (b) Post notices at Town Hall, the library, and the post office. (c) Publish notices in the local newspaper. (d) Post information on the Town's website. (e) Conduct outreach (workshops, neighborhood meetings) to the community as Housing Element programs are implemented. (f) Provide an informational guide to homeowners explaining the benefits, "best practices" and procedures for adding or legalizing a secondary dwelling unit. 			
<p>H-d Foster Meaningful Assistance from Other Agencies. Town staff will meet and work with other public agencies and special districts (water, fire, schools, sanitary districts, etc.) to promote affordable housing through the provision of fee waivers, fee reductions, development of property, or other assistance for affordable housing projects. In addition, participate in ongoing regional planning activities related to housing and the Sustainable Communities initiative.</p>	<p>Assistance and incentives for affordable housing.</p>	<p>Town staff continues to work with special districts to streamline processing and reduce fees for secondary dwelling units.</p> <p>Staff participated in the regional and Marin County-based efforts related to the SCS process.</p>	<p>Continue</p>
<p>H-e Review the Housing Element Annually. As required by State law, the Town will review the status of Housing Element programs by April of each year, beginning April 2012.</p>	<p>Annual review of Housing Element implementation progress; submittal of</p>	<p>The Town Council annually reviews the Housing Element programs and submits the report to HCD and the Office of Planning & Research as required by law.</p>	<p>Continue</p>

	approved form to HCD.		
H-f Update the Housing Element. In coordination with other jurisdictions in Marin County, update the Tiburon Housing Element to be consistent with State law requirements by 2014.	Consistency with SB375 and Housing Element law.	Housing Element for 2015-2023 planning period will be submitted to HCD prior to the due date of January 31, 2015.	Continue. Delete "In coordination with other jurisdictions in Marin County", as this is not applicable.
H-g Redevelopment Agency (Town of Tiburon as Successor Agency). In addition to expending Housing Set Aside Funds for meritorious affordable housing projects, the Town, in conjunction with the Marin Housing Authority, will use Redevelopment funding where possible for affordable housing.	Affordable housing projects on sites within the Redevelopment Area	The Town continues to hold an Agreement with the Marin Housing Authority to expend remaining set-aside funds on meritorious affordable housing projects.	Continue.
H-h Apply for State Funds for Affordable Housing. Apply for State affordable housing funds including, but not limited to, the Multifamily Housing Program, the Cal-Home Program, and the Homebuyer's Down-payment Assistance Program. Commit these funds to one or more projects located on designated housing sites as shown in the Town's Housing Element. Apply for funding every two years.	Accumulation of funds for affordable housing.	This action was not undertaken due to the lack of specific affordable housing projects for which to target grant funds. Past experience has shown that affordable housing projects in Tiburon are often less competitive for many of these types of grants.	Continue. Delete reference to applying for funding every two years.
H-i Apply for and Utilize Local Funds for Affordable Housing. Potential sources of funds could include, but would not be limited to: (a) Marin Workforce Housing Trust (b) Marin Community Foundation (c) Federal Grants (d) Transportation Authority of Marin (e) Voluntary donations (such as bequeaths, trusts, donations of land and buildings, etc.). (f) Affordable Housing Impact Fee on larger	Accumulation of funds for affordable housing.	This action was not undertaken due to the lack of specific affordable housing projects for which to solicit donations and target such funds. The affordable housing impact fee and inter-jurisdictional housing trust fund were not pursued due to staff availability and work-load.	Continue

<p>single-family homes. (Size to be determined — for example, Marin County has a sliding scale housing impact fee on homes over 2,000 square feet in size).</p> <p>(g) Inter-Jurisdictional Housing Trust Fund (with Belvedere and Marin County) that could include housing impact fees, in-lieu fees, co-funding one nexus study for a housing impact, and the accumulation of any other housing-related monies for use in a mutually beneficial way to meet each jurisdiction's RHNA through a combination of contributions to the Fund and units created.</p>			
<p>H-j Work with Non-Profits on Housing. The Town will work with non-profits to assist in achieving the Town's housing goals and implementing programs. Coordination should occur on an ongoing basis, and as special opportunities arise related to specific housing sites and as the Housing Element is implemented.</p>	<p>Ongoing working relationship with non-profit housing sponsors.</p>	<p>The Town worked with the Ecumenical Association for Housing (EAH) on a potential housing project in 2012; the property owner subsequently withdrew from negotiations.</p>	<p>Continue</p>
<p>H-k Work with the Marin Housing Authority. Continue to implement the agreement with the Marin Housing Authority (MHA) for management of the affordable housing stock in order to ensure permanent affordability, and implement resale and rental regulations for very low, low and moderate income units, and assure that these units remain at an affordable price level.</p>	<p>Implement agreements to maintain affordability.</p>	<p>The Town recently renewed its Agreement for BMR Portfolio Management with the Marin Housing Authority.</p>	<p>Continue</p>
<p>H-l Staff Training. Conduct a training session for Town employees regarding the receipt, documentation, and proper referral of housing discrimination complaints and other information related to housing programs.</p>	<p>Conduct training sessions linked to Housing Element implementation programs.</p>	<p>Housing discrimination complaints are handled by select Town staff members who are aware of the proper referrals related to housing programs.</p>	<p>Continue</p>

<p>H-m Housing Discrimination Complaints. Refer discrimination complaints to the appropriate legal service, county, or state agency or Fair Housing of Marin. The Community Development Director is the designated person in Tiburon with responsibility to investigate and deal appropriately with complaints. Discrimination complaints will be referred to Fair Housing of Marin, the Marin Housing Authority, Legal Aid, HUD, or the California Department of Fair Employment and Housing, as appropriate. Information regarding the housing discrimination complaint referral process will be posted on the Town's website and available consistent with Program H-1c above.</p>	<p>Implementation of Fair Housing laws.</p>	<p>Housing discrimination complaints are handled by select Town staff members who are aware of the proper referrals related to housing programs.</p>	<p>Continue</p>
<p>H-n Provision of Affordable Housing for Special Needs Households. The Town will continue to facilitate programs and projects which meet federal, state and local requirements to provide accessibility for seniors, persons with disabilities, large families, and single-person and single parent households. In addition, the Town will apply current inclusionary housing provisions to 10% of new units required to meet the special housing needs in the categories listed. Specific types of housing include:</p> <ul style="list-style-type: none"> (a) Smaller, affordable residential units, especially for lower income single-person and single parent households. (b) Affordable senior housing to meet the burgeoning needs of an aging population, including assisted housing and board and care (licensed facilities). (c) Affordable units with three or more bedrooms for large family households. (d) Affordable housing that is built for, or can easily and inexpensively be adapted for, use 	<p>Construction of housing for people living with special needs.</p>	<p>Inclusionary zoning is in place; lack of new affordable projects being proposed has limited the ability to implement this program.</p>	<p>Continue</p>

by people with disabilities (specific standards are established in California Title 24 Accessibility Regulations for new and rehabilitation projects, augmented by Americans with Disabilities Act guidelines).			
H-o Adopt Procedures for Reasonable Accommodation. Establish internal review procedures or ordinance to provide a process for individuals with disabilities to make requests for relief from the various land use, zoning, or building laws, rules, policies, practices and/or procedures of the Town that may be necessary to ensure equal access to housing.	Zoning Ordinance amendment or administrative procedures approved.	Ordinance 541, adopted on August 15, 2012, implemented this program by adding Title IX to the Municipal Code. The ordinance established procedures for requesting reasonable accommodation when a zoning law or building regulation acts as a barrier to fair housing opportunities.	Completed. Delete.
H-p Modify the Definition of “Family” in the Zoning Ordinance. Revise the definition of family contained in the Zoning Ordinance to ensure the definition cannot distinguish between related and unrelated persons, and does not impose numerical limitations on the number of persons that constitute a family.	Zoning Ordinance amendment.	The definition for “Family” is one or more persons occupying a dwelling and living as a single, domestic housekeeping unit, as distinguished from a group occupying a hotel or motel, club, fraternity or sorority house. A definition for “Domestic housekeeping unit” was added to the Municipal Code and is defined as one person or two or more individuals living together sharing household responsibilities which may include sharing expenses, chores and sharing meals together. (Ord. 541, 8/15/12)	Completed. Delete.
H-q Emergency Housing Assistance. Participate and allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related counseling services.	Respond to County requests for assistance.	Certain local places of worship have participated in the Rotating Emergency Shelter Program, sponsored by the St. Vincent de Paul Society of Marin. In Tiburon, the program provides shelter for 40 men and runs for approximately 20 weeks, from November 15 – April 15. The Town contributes approximately \$8,850 annually to this program.	Continue

<p>H-r Develop and Adopt an Employee Housing Assistance Policy and Program. Identify opportunities for local government employees (especially public safety personnel) to find housing locally through such efforts as construction of workforce housing at public facilities or parking lots or subsidizing mortgages or rents.</p>	<p>Action program for providing employee housing assistance.</p>	<p>There is currently no balance remaining in this fund; hence no recent activity.</p>	<p>Continue</p>
<p>H-s Rehabilitation Loan Programs. In cooperation with the Marin Housing Authority (MHA), and in coordination with Housing Element Programs H-b, H-c, H-d, H-k, H-t, H-x, the Town shall improve citizen awareness and will continue to support rehabilitation loan subsidy programs.</p>	<p>Provide residential rehabilitation loans to 3 low income units.</p>	<p>One new loan was made in 2010.</p>	<p>Continue</p>
<p>H-t Conduct Residential Building Report Inspections. The Town will continue to inspect and report on all residential units prior to resale, with the intent to maintain and upgrade the safety of housing within the town consistent with adopted Uniform Building and Housing Codes, which provide standards for safe dwelling units. In addition to the health and safety concerns, the residential building report discloses the authorized use, occupancy and zoning of the property and an itemization of deficiencies in the dwelling unit.</p>	<p>75 Residential Building Reports per year</p>	<p>Over 160 Residential Building Report Inspections were performed in 2012 and 195 inspections were completed in 2013.</p>	<p>Continue</p>
<p>H-u Acquisition of Rental Housing. Contact potential non-profits (such as Tiburon Ecumenical Association, Ecumenical Association for Housing, Citizens Housing, BRIDGE Housing, etc.) who may be seeking to acquire and rehabilitate rental housing units in order to maintain ongoing affordability of the units. Provide assistance that will include, but not be limited to: (1) support necessary to obtain funding commitments from governmental programs and non-governmental grants; (2) assistance in permit</p>	<p>Acquisition and rehabilitation of existing affordable rental housing.</p>	<p>This action was not undertaken due to staff availability and workload, and opportunities for acquisition of rental housing. The Town has funding available to subsidize additional affordable housing in Tiburon, and expects to augment funds through continued application of its "In-Lieu" Housing Fee.</p>	<p>Continue</p>

processing; (3) waiver or subsidy of fees; and (4) use of local funds if available.			
H-v Use of Rental Assistance Programs. Continue to publicize and participate in rental assistance programs such as Section 8, Project Independence, Marin Renters Rebate, and other available rental programs.	Publicity and increased use of Section 8 vouchers (2 additional, 21 total).	As of August 2013, there were 27 Section 8 vouchers currently in use in Tiburon, an increase of 8 vouchers over the prior planning period. The Section 8 waiting list has been closed since 2008, and the Marin Housing Authority reports that until further notice, no additional vouchers are expected to become available in the future.	Continue
H-w Condominium Conversions. Preserve rental housing by enforcement through the Town's condominium conversion ordinance and Housing Element policy.	Protection of the Town's rental housing stock and the availability of rental housing during periods of low rental housing vacancies.	Due in part to the Town's policies and ordinances, no multi-family units have been allowed to be converted to condominiums in at least the past 15 years.	Continue
H-x Link Code Enforcement with Public Information Programs on Town Standards, Rehabilitation and Energy Loan Programs. Implement housing, building and fire code enforcement to ensure compliance with basic health and safety building standards and provide information about rehabilitation loan programs for use by qualifying property owners who are cited. Specific actions include: (a) Coordinate with the Marin Housing Authority and PG&E to make available loan programs to eligible owner and renter-occupied housing. (b) Provide public information on alternative energy technologies for residential developers, contractors and property owners. (c) Publicize tenant assistance and energy conservation programs and weatherization	Upgrades to the Town's housing stock and compliance with codes.	In partnership with Marin County Energy Watch, the Town publicized energy efficiency programs available through Energy Upgrade California and the California Youth Energy Services (CYES). Three Tiburon homeowners participated in Energy Upgrade California, improving their homes' energy efficiency by an average of 33 percent. CYES served 29 households, saving 18,000 kWh of electricity annually. The Town's Residential Resale Inspection process, continuously implemented over the past 40 years, has greatly aided the condition of the Town's housing stock by requiring mandatory corrections.	Continue

<p>services that are available to provide subsidized or at cost inspection and corrective action.</p> <p>(d) Contact owners of structures that appear to be in declining or substandard condition, offer inspection services, and advertise and promote programs that will assist in funding needed work.</p> <p>(e) Provide an informational guide to homeowners explaining the benefits, “best practices” and procedures for adding or legalizing a secondary dwelling unit.</p>			
<p>H-y Facilitate Development at Key Housing Opportunity Sites. Implement actions to encourage and facilitate development at key housing opportunity sites within the Town. Key housing opportunity sites include: Downtown parcels, Reed School parcel, and The Cove Shopping Center parcel. The Town will establish additional development incentives for key housing opportunity sites based on the most up-to-date empirical studies to allow exceptions and incentives on infill housing sites that are of sufficient size and are located close to transit and services. The following items will be undertaken in 2012:</p> <p>(a) Variable Density Standards. Establish unit densities for studio and one-bedroom units based on “density unit equivalents” or the size of the unit.</p> <p>(b) Reduced Parking Standards for Senior and Affordable Housing. Provide reduced parking standards to support affordable and senior housing development.</p>	<p>Review progress annually as part of Program H-e and encourage development of one or more key housing sites by 2014.</p>	<p>(a) The Town established variable densities in the AHO zone as follows: Densities toward the top of the range may be appropriate where units are significantly smaller and would have fewer impacts than the market norm. For purposes of calculating densities, the number of studio dwelling units counted toward the total number of dwelling units allowed at a 1.5:1 ratio provided that each studio unit does not exceed six hundred 600 square feet in floor area. The number of one bedroom units are counted 1.25:1 ratio provided that each one bedroom unit does not exceed eight hundred 800 square feet in floor area. (Ord. 541, adopted 8/15/12)</p> <p>(b) and (c) The Town implemented reduced and flexible parking standards depending on project characteristics and availability of on street parking. Flexible parking standards may include shared parking joint use parking, off-site parking, allowances for reduced standards depending on location (such as near transit), and modified parking stall dimensions and tandem parking.</p>	<p>Completed. Delete.</p>

<p>(c) Flexible Parking Strategies. Provide flexible parking requirements that help to facilitate infill, affordable, transit-oriented and mixed use development, while at the same time avoiding off-site parking impacts. Examples include joint use parking, off-site parking (currently allowed), allowances for reduced standards depending upon location (such as near transit), parking stall dimensions, “grandfathering” non-compliant buildings and uses, etc.</p> <p>(d) Other Incentives and Contributions. Financial contributions for the construction of utilities, public road improvements and other traffic improvements; soils remediation; plan preparation and development; construction subsidies for the affordable units; and, assistance and support in securing public financing, such as bonds or tax credits. Examples of programs include Mortgage Revenue Bonds, Mortgage Credit Certificates and Redevelopment Agency Tax Increment Financing, including subsidies for extremely low income, very low income, and low income housing, by providing technical assistance on available programs and supporting data, structuring development agreements and other requirements to match program funding criteria, as appropriate and possible, and leveraging tax increment financing when possible.</p> <p>(e) Reed School District Site. The Town will</p>		<p>(Ord. 541, adopted 8/15/12)</p> <p>(d) The Town amended the municipal code to provide financial contributions toward the construction of utilities, public road improvements and other traffic improvements; soils remediation; plan preparation and development; construction subsidies for the affordable units; and, assistance and support in securing public financing such as bonds or tax credits. (Ord. 541, adopted 8/15/12)</p> <p>(e) Following extended discussions with the Reed Union School District, RUSD sent a letter informing the Town that due to continued increasing enrollments, it would not consider its site for an affordable housing project at this time. As a result, the Town rezoned two downtown sites on Tiburon Boulevard for the Affordable Housing Overlay zone that provide capacity for 28 lower-income housing units. Together with the remaining affordable housing opportunity sites, the Town had AHO site available to accommodate 61 lower-income units, exceeding the Town’s RHNA requirement for 57 units affordable to lower-income households for the 2007-2014 housing element period.</p>	
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<p>actively work with the Reed Union School District (RUSD) and will undertake the following specific steps to encourage residential development: (1) conduct a meeting with the RUSD Superintendent in 2011; (2) provide background material in support of the RUSD discussion of the issue in 2011; (3) conduct a meeting with the RUSD Board of Directors to discuss residential development of the property in 2012; and (4) undertake follow-up actions based on discussions to implement the incentives. In the event that RUSD opts not to declare the site surplus or there is no progress toward development of the site for housing in 2012, then the Town commits to identify an alternate site or sites by 2013.</p>			
<p>H-z Work with Non-Profits and Property Owners on Housing Opportunity Sites. In coordination with actions to be undertaken as part of Housing Element Program H-y, encourage cooperative and joint ventures between owners, developers and non-profit groups in the provision of below market rate housing. Work with non-profits and property owners to seek opportunities for an affordable housing development on one of the key housing opportunity sites. Undertake the following actions to encourage development of multi-family, affordable housing:</p> <ul style="list-style-type: none"> (a) Meet with non-profit housing developers (EAH, MHA, others) and property owners to identify housing development opportunities, issues and needs during 2012. 	<p>Review progress annually as part of Program H-e and encourage development of one or more key housing sites by 2014.</p>	<p>During the past 18 months, Town staff worked with EAH toward development of one of the identified affordable housing sites. The property owner subsequently withdrew from negotiations.</p>	<p>Continue</p>

- (b) Select the most viable site during 2012.
- (c) Undertake community outreach in coordination with the potential developer and property owner during 2012.
- (d) Complete site planning studies, continued community outreach, and regulatory approvals in coordination with the development application.
- (e) Facilitate development through regulatory incentives, reducing or waiving fees, fast track processing, and assistance in development review.
- (f) Develop ongoing and annual outreach and coordination with non-profit housing developers and affordable housing advocates to assist in the development of housing for extremely low-income households.
- (g) Facilitate development of housing for extremely low-income households by allowing housing as a use by-right as part of the "Affordable Housing Overlay Zone."
- (h) Review funding options as part of the annual Housing Element review and apply for funding or support funding applications as opportunities are available, and will undertake other actions (such as modifications to parking requirements and granting concessions and incentives) to assist in the development of housing for extremely low income households.

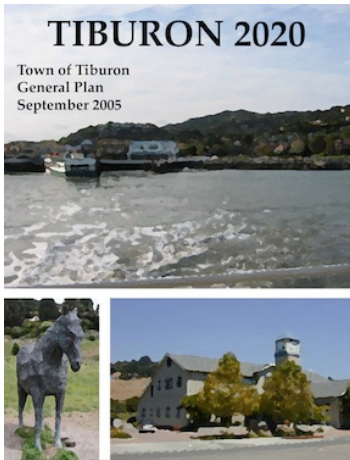
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<p>H-aa Modify and Implement “Affordable Housing Overlay Zone” Zoning for Affordable Projects. Annually monitor the effectiveness of the “Affordable Housing Overlay Zone” as part of the annual Housing Element review (see Program (H-e), and implement the affordable housing overlay zone where residential densities will be increased up to 100% if a specified level of affordability is achieved. As part of the annual review there will be a review as to whether the program has been effective in encouraging very low and low income housing. The program will be revised if it is found to be ineffective. Initially, this zone shall be modified so that proposals must include a minimum of 15 percent very low and low and 10 percent moderate income housing units (25% of the project shall be dedicated to very low, low and moderate income units). Facilitate development of housing for extremely low-income households by allowing housing as a use by-right as part of the Affordable Housing Overlay Zone.</p>	<p>Modification to the AHO Zoning by 2012 and review progress annually as part of Program H-e to encourage development of one or more key housing sites by 2014.</p>	<p>Municipal Code Section 16-23.030 D modified to include a minimum of 5% very low, 10% low and 10% moderate income units. Moderate income units must be 90% of median income. (Ord. 541, adopted 8/15/12.) On smaller sites that would yield 10 or fewer total units at minimum density, the minimum affordable component was established at 20% of total units, with at least 50% required to be affordable to very low or low income households.</p>	<p>Modification complete; continue with implementation</p>
<p>H-bb Bonuses for Affordable Housing Projects Consistent with State Density Bonus Law. The Town will offer density bonuses consistent with the State Density Bonus Law.</p>	<p>Application of State Density Bonus law.</p>	<p>The Town continues to offer these bonus provisions.</p>	<p>Continue</p>
<p>H-cc Implement Sustainable Design Practices for Multi-Family Housing. The Town will continue to conduct design review to assure excellence of design in new development. The Town will also implement building height exceptions criteria linked with encouraging affordable housing near transit, and standards to encourage shared common spaces in order to reduce the size of individual living units and increase community interaction (such as co-</p>	<p>Additional design criteria and direction for multi-family projects.</p>	<p>The Town amended architectural design standards to encourage shared common spaces in order to reduce the size of individual living units and increase community interaction. Examples include co-housing, live-work housing opportunities, or other types of housing that create shared spaces. (Ord. 541, adopted 8/15/12.) The Affordable Housing Overlay zone allows heights up to three stories or 38 feet</p>	<p>Modification complete; continue with implementation</p>

housing, live-work housing opportunities, or other types of housing that create shared spaces). These items are covered under Housing Element Programs H-y and H-aa.		(whichever is less); the height limit in all other residential zones is 30 feet.	
H-dd Housing Impact Fee for Larger Homes. Consider an affordable housing impact fee on larger single-family homes.	Additional funding for affordable housing based on impacts of larger homes.	This action was not undertaken due to staff availability and workload.	Continue
H-ee Implement Second Dwelling Unit Development Standards and Permit Process. Continue to allow second dwelling units.	4 new low income second units by 2014	The Town has approved five secondary dwelling units between January 1, 2007, and December 31, 2013.	Continue
H-ff Jobs/Housing Fee. Adopt a Jobs/Housing Linkage Fee Ordinance that includes the following or similar exaction requirements: <ul style="list-style-type: none"> (a) Exaction requirements for dwelling units and/or in-lieu fees should be set according to empirically based evidence and must comply with all other legal tests. (b) The inclusion of affordable housing units within developments of hotels, offices, or other commercial buildings if feasible (options may include housing on-site, off-site, subsidizing mortgages or rents, or paying an in-lieu fee for housing production), or (c) Payment into the Housing Fund of in-lieu fees based on a dollar amount per square foot of office, commercial, and industrial building development. (d) In-lieu fees would be waived in projects containing significant affordable housing components 	Additional funding for affordable housing from commercial development	This action was not undertaken due to staff availability and workload, a total lack of new commercial development in the past several years, and low potential for substantive new commercial development in the future.	Consider for deletion

<p>H-gg Encouraging Residential on Mixed Use Sites. Encourage residential development on key housing sites that are designated for mixed use. Incentives are identified in the Affordable Housing Overlay zone, which would be supplemented by the following additional incentives to encourage residential use:</p> <ul style="list-style-type: none"> (a) Allowances for shared parking. (b) Streamlined review. (c) Reduced fees. (d) Use of Redevelopment funds. 	<p>Residential development on mixed use sites.</p>	<p>The Town amended Municipal Code Section 16-23.050 to implement allowances for shared parking, streamlined review, reduced fees, and other incentives and financial contributions in the Neighborhood Commercial/Affordable Housing Overlay zone. (Ord. 541 adopted 8/15/12.) These provisions remain in place but no affordable housing projects have occurred to report progress in their use.</p>	<p>Modification complete; continue with implementation</p>
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C Consistency with the Tiburon General Plan



The Tiburon General Plan serves as the ‘constitution’ for development in the Town of Tiburon. It is a long-range policy document that describes goals, policies and programs to guide decision-making. Once the General Plan is adopted, all development-related decisions in the Town must be consistent with the Plan. If a development proposal is not consistent with the Plan, it must be revised or the Plan itself must be amended. 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.

The Town adopted its most recent General Plan in September of 2005. The 2005 General Plan emphasizes, among other policy choices, the Town’s desire to maintain a low-density residential character while providing adequate sites for high-density affordable housing, maintain adequate traffic service levels, protect sensitive resource areas, restrict development on hazardous areas and provide substantial open space areas. Goals, policies and programs contained in the 2005 General Plan attempt to strike a balance between resource protection, quality of life and the demand for additional housing.



Since the entire General Plan, including the Housing Element, was adopted together in 2005, all the elements of the General Plan were found consistent with one another. In October 2007 the Governor signed AB 162 which requires cities and counties to address flood-related matters in the land use, conservation, safety, and Housing Elements of their General Plans. The entire Tiburon General Plan addresses flooding issues consistent with this requirement.

Land Use Element. The 2005 Land Use Element includes density standards ranging from 0.1 dwelling unit per acre to 18.4 dwelling units per acre. Allowable densities and corresponding categories are as follows:

Land Use Designations and Allowable Density

L (Low Density Residential)	Up to 0.5 du/acre
PD-R (Planned Development - Residential)	Up to 1.0 du/acre
ML (Medium Low Density Residential)	Up to 1.1 du/acre
M (Medium Density Residential)	Up to 3.0 du/acre
MH (Medium High Density Residential)	Up to 4.4 du/acre
H (High Density Residential)	Up to 11.6 du/acre
VH (Very High Density Residential)	Up to 12.4 du/acre
VH/AHO (Very High/Affordable Housing Overlay)	Up to 18.4 du/acre (24.8 w/density bonus)
NC/AHO Neighborhood Commercial/ Affordable Housing Overlay	Up to 15.3 du/acre (20.7 w/density bonus, Residential component only)

These densities are generally considered to be low, and this constrains the development of affordable housing, although land values are high enough in Tiburon that these low densities do not significantly constrain development of market-rate housing, as evidenced by the Town's ability to exceed its 1999-2007 needs for market-rate housing. Densities were increased substantially in 2005 with the creation of the Affordable Housing Overlay to facilitate the development of affordable housing. This overlay zone applies to all affordable housing sites identified in ~~the 2005~~this Housing Element. ~~This Element proposes a series of programs to up-zone selected properties, provide a wider range of density bonuses, provide flexibility in development standards, and other mechanisms to remove or reduce these constraints.~~

Open Space and Safety Elements. A number of Open Space Element and Safety Element policies may be considered to constrain the Town's ability to provide additional housing. Examples of these policies, which would have an impact primarily on the large undeveloped properties, include the following:

- (1) Policy OSC-5, which establishes the goal of protecting 50% of large vacant parcels in open space.
- (2) Policies OSC-9, 10, 11, and 12, which call for development to be located well below ridgelines due to the overriding visual significance to the Town of such ridges.
- (3) Policy OSC-22, which requires open space buffers along riparian corridors.
- (4) Policy OSC-27, which discourages development on slopes exceeding 40% wherever possible.

- (5) Policy SE-2, which requires new development, to the extent feasible, to be located in areas where there are no geologic or non-geologic hazards.
- (6) Policy SE-5, which requires physical improvements to landslides and to potential landslide areas in instances where avoidance is not feasible or appropriate.

As with the low permitted densities, these policies reflect the highly constrained physical conditions of the large undeveloped properties in the Tiburon Housing Element area. Accepting the reality that these large undeveloped parcels have limited development potential and are not efficient ways to provide affordable housing, the Town has developed the list of housing development opportunity sites that avoids these constraints. The large undeveloped parcels serve as sources of substantial affordable housing in-lieu fees that will be more effectively expended on flat, less-constrained sites.



Circulation Element. The Circulation Element contains policies establishing desired traffic service levels, and requires the payment of a pro rata share of the costs of needed traffic improvements to maintain the desired level of service. These policies could potentially constrain the development of additional housing. However, the Town has adopted and routinely implements traffic impact fee waivers for all affordable housing units. Therefore, these policies do not act as actual constraints to the development of affordable housing.

Parks & Recreation Element. The Parks & Recreation Element requires the payment of park in-lieu fees for residential development, and this could act as a constraint to affordable housing. The Town waives these fees for affordable housing units, thereby eliminating the constraint.

Section III

Current Housing Conditions and Trends

A Population, Housing and Jobs Trends



The population of Marin County continues to grow, but the rate of growth is slowing. In ~~2008~~2010, the population was ~~252,413~~252,409 (~~Claritas 2008~~U.S. Census 2010), up 2.1 percent from the 2000 figure of 247,289 (~~ABAG 2007~~U.S. Census 2000). ~~In~~Over the next two decades, the growth rate ~~will begin~~ is projected to increase 3.4 percent between 2010 and 2020 and 4.2 percent between 2020 and 2030, ~~and is projected to continue to do so until 2025, when it will level off at just 0.3 percent per year~~ (ABAG ~~2007~~2013). Tiburon's population grew 3.4

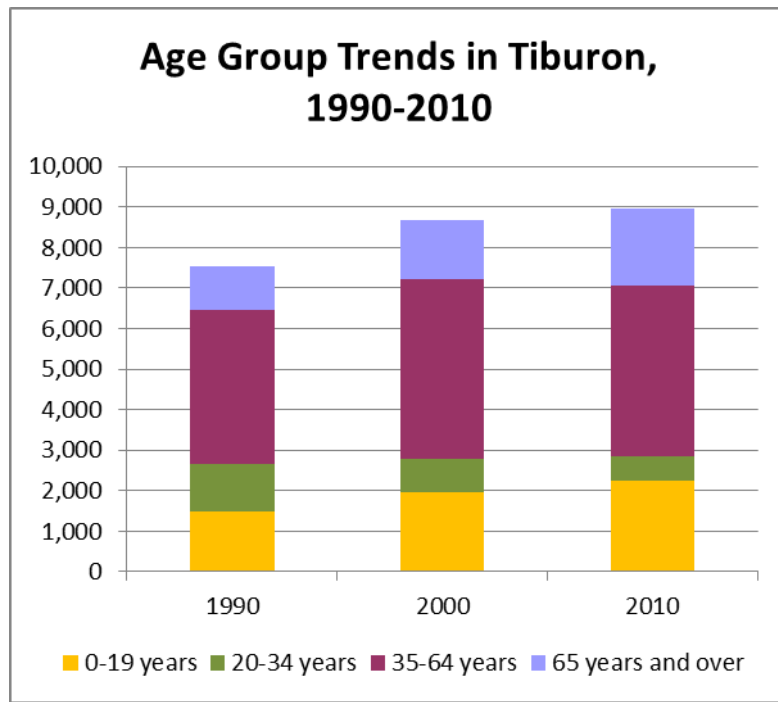
percent between 2000 and 2010. Population projections below are ~~for the Town of Tiburon~~ through the year ~~2035~~2030. Tiburon's population is expected to increase 2.7 percent between 2010 and 2020, and by another 3.3 percent by 2030.

City and County Growth Rates

	2000	2010	Growth Rate 2000-2010	2020	2030
Belvedere	2,125	2,068	-2.7%	2,100	2,200
Corte Madera	9,100	9,253	1.7%	9,500	9,800
Fairfax	7,319	7,441	1.7%	7,600	7,900
Larkspur	12,014	11,926	-0.7%	12,400	12,900
Mill Valley	13,600	13,903	2.2%	14,000	14,800
Novato	47,630	51,904	9.0%	53,200	54,700
Ross	2,329	2,415	3.7%	2,500	2,600
San Anselmo	12,378	12,336	3.7%	12,600	13,000
San Rafael	56,063	57,713	-0.3%	60,800	64,400
Sausalito	7,330	7,061	2.9%	7,300	7,600
Tiburon	8,666	8,962	3.4%	9,200	9,500
Unincorporated County	68,735	67,427	-1.9%	69,600	72,700
Countywide	247,289	252,409	2.1%	261,100	272,100

Source: 2000 Census (SF1:P1); 2010 Census (SF1:QT-P1); ABAG Plan Bay Area Projections 2013

In Marin County Tiburon, population trends by age group show a dramatic increase in the number of seniors 65 years of age and older over the past twenty years, and a significant increase in the number of children under 20 years. The proportion of seniors has risen from 14 percent of the Tiburon population in 1980 to 21 percent of the population in 2010, while the number of children has increased from 20 percent to 25 percent of the population. Age groups between 20 and 54 years have all decreased in size, with the largest decline occurring in the 25 to 34 age group, which fell from 12 percent to 5 percent of the population. The data suggests that while Tiburon's population is aging, an increasing number of families with young children are moving into the area. Young adults are choosing not to live Tiburon, perhaps because they have been priced out of the real estate market, seek other types and location of housing based on lifestyle preferences, or a combination of these factors. The balance of population age groups is similar to that of the state, but with a slightly higher proportion of people 45 years old and over (Claritas, Inc. 2008). Currently the senior population makes up 15 percent of the total but this is projected to rise dramatically. The population growth projections vary throughout the county from below 0.1 percent a year to almost one percent a year. However, there is no jurisdiction that is predicted to grow as fast as the region as a whole (ABAG 2007).

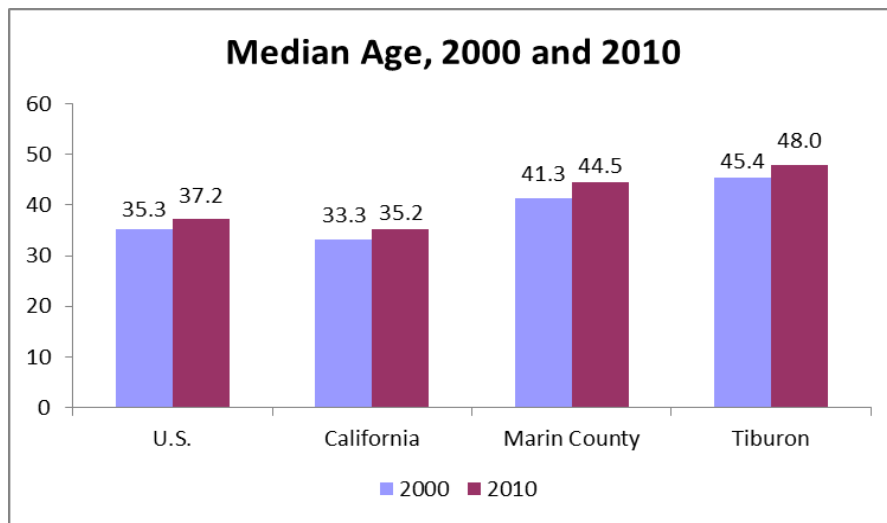


Age Groups, 1990-2010

Age Group	1990		2000		2010	
	Number	Percent	Number	Percent	Number	Percent
0 to 9 years	726	10%	1,083	12%	1,170	13%
10 to 19 years	760	10%	893	10%	1,089	12%
20 to 24 years	293	4%	164	2%	186	2%
25 to 34 years	874	12%	655	8%	410	5%
35 to 44 years	1,431	19%	1,461	17%	1,172	13%
45 to 54 years	1,424	19%	1,696	20%	1,497	17%
55 to 64 years	958	13%	1,280	15%	1,540	17%
65 to 74 years	686	9%	790	9%	1,085	12%
75 to 84 years	299	4%	486	6%	599	7%
85 years and over	81	1%	158	2%	214	2%

Source: 1990 Census (STF 1:P011), 2000 Census (SF1:P12; 2010 Census (SF1: QT:P1)

The aging population has lifted the median age of Tiburon residents from 45.4 years in 2000 to 48 years in 2010. Tiburon's median age is higher than the Marin County median and more than ten years higher than the California and national median age.



The Marin County economy is predominantly white collar – over half the working population is employed in professional, management, or financial business occupations. Biomedical and software engineering companies have a strong presence. The County's five largest private-sector employers include Kaiser Permanente, Marin General Hospital, the County government, Autodesk Inc, a software design company, and Bio-Marine Pharmaceutical Inc, and Fireman's Fund Insurance (North Bay Business Journal). In the wider region, some of the fastest job growth is seen in occupations such as biochemical engineers, biophysicists, and biochemists (CA Employment Development Department). However, the typical business is small. While there are approximately 25 businesses with over 250 employees in Marin County, there are over 8,600 payroll businesses with less than 20 employees, representing over 90 percent of all payroll business. Marin County is also home to another 35,000 self-employed or home-based businesses that have fewer than four employees (Marin Economic Forum).

Tiburon residents are employed in a variety of industries, with the majority working in professional, management and financial services. Approximately 20 percent of the employed residents are self-employed (American Community Survey, 2011).

Employment by Industry

Industry	Number	Percent
Agriculture, forestry, fishing and hunting, and mining	0	0%
Construction	107	3%
Manufacturing	94	3%
Wholesale trade	117	3%
Retail trade	256	7%
Transportation and warehousing, and utilities	84	2%
Information	153	4%
Finance, insurance, and real estate	708	20%
Professional, scientific, management, and administration	933	27%
Education, health care and social services	572	16%
Arts, entertainment, recreation, and accommodation and food services	248	7%
Other services	151	4%
Public administration	56	2%

Source: 2011 American Community Survey 5-year estimates (DP03)

Employment by Occupation

Occupation	Number	Percent
Management, business, science, and arts occupations	2,075	60%
Service occupations	286	8%
Sales and office occupations	891	26%
Natural resources, construction, and maintenance occupations	125	4%
Production, transportation, and material moving occupations	102	3%

Source: 2011 American Community Survey 5-year estimates (DP03)

Tiburon is expected to add 240 jobs to its employment base between 2010 and 2030, an increase of 10 percent (ABAG Plan Bay Area Projections 2013). This is slightly lower than the countywide job growth projection of 12 percent.

Example Salaries and Affordable Monthly Housing Costs

	Annual Salary	Affordable Monthly Housing Cost
SINGLE WAGE EARNER		
Senior of Social Security	\$15,000	\$375
Retail Salesperson	\$28,421	\$711
Postal Service Clerk	\$53,833	\$1,346
Middle School Teacher	\$69,498	\$1,737
Physician Assistant	\$89,956	\$2,249
Computer Programmer	\$98,896	\$2,472
Civil Engineer	\$106,293	\$2,657
Lawyer	\$177,407	\$4,435
TWO WAGE EARNER HOUSEHOLDS		
Retail Salesperson and Graphic Designer	\$98,508	\$2,463
Accountant and Middle School Teacher	\$156,711	\$3,918

Source: California Economic Development Department, Occupational Employment Statistics, 2012 - 1st Quarter. Affordable housing costs are 30% of monthly salary.

The economic impacts of inadequate workforce housing on businesses include: (1) the cost of recruitment and retention of employees; (2) loss of experienced personnel; (3) lost investment in staff training; and (4) money earned locally being spent elsewhere. The economic vitality of smaller businesses and very low wage jobs may also be disproportionately impacted. Public agencies, school districts, social services, and child and elder care will continue to have a difficult time attracting people to work in Tiburon as affordable housing becomes more difficult to find.

While the median countywide household income was ~~\$85,779~~103,000 in ~~2008-2010~~ (all Marin households, ~~Claritas~~HCD), the median household income in Tiburon was \$136,250 in 2011 (American Community Survey). ~~the median salary is less, according to Department of Finance figures, the annual salary of a job based in Marin was \$37,000 in 2007. This is because many low and moderate income workers employed in Marin, live outside the county. Anything less than \$33,950 would be considered an extremely low income.~~ The tables below show incomes for

Tiburon households, and the commute methods and times for Tiburon residents.

Tiburon Household Income

	2000		2011	
	Number	Percent	Number	Percent
Under \$25,000	347	9%	534	15%
\$25,000 to \$34,999	98	3%	158	4%
\$35,000 to \$49,999	362	10%	256	7%
\$50,000 to \$74,999	571	15%	286	8%
\$75,000 to \$99,999	393	10%	180	5%
\$100,000 to \$149,999	542	14%	489	14%
\$150,000 to \$199,999	301	8%	432	12%
\$200,000 or more	1,137	30%	1,273	35%

Source: U.S. Census 2000, American Community Survey 2011 5-year estimates.

Commute Method for Tiburon Residents

	Number	Percent
Drive Alone	2,080	61%
Carpool	391	11%
Public Transportation	385	11%
Worked from home	439	13%
Walked	55	2%
Other	59	2%

Source: American Community Survey 2011 5-year estimates.

Travel Time to Work for Tiburon Residents

	Number	Percent
Less than 15 minutes	490	16%
15-29 minutes	841	28%
30 to 44 minutes	1,006	34%
45 to 59 minutes	416	14%
60+ minutes	217	7%

Source: American Community Survey 2011 5-year estimates.

In ~~2008~~2010, there were approximately ~~400~~103,000 households in Marin County. Of these, 63 percent owned the home they lived in. ~~This has decreased one percentage point since 2000. The owner-occupant rate in Tiburon is higher, at 68 percent.~~

Tiburon Households by Tenure

	1990		2000		2010	
	Number	Percent	Number	Percent	Number	Percent
Owner	2,166	66%	2,591	70%	2,530	68%
Renter	1,107	34%	1,121	30%	1,199	32%
Total	3,273	100%	3,712	100%	3,729	100%

Source: U.S. Census 1990, 2000 and 2010

Just under half of the households in Marin County consisted of married couple families with or without children. It should be noted that 28 percent of all households in Tiburon are comprised of people living alone. This was significantly higher than the overall State figure of 23 percent. The types of households in Tiburon are shown in the table below.

Tiburon Households by Type

	2010	
	Number	Percent
Family without kids	1,359	36%
Family with kids	1,123	30%
Single person	1,029	28%
Nonfamily multi-person household	218	6%

Source: U.S. Census 2010

~~In Marin County, new housing construction is increasing the already high proportion of single family units, relative to other unit types. In 2007, 94 percent of construction permits issued were for single family units. As shown above, in Marin County 61 percent of existing residential buildings are single family detached units. This 2007 figure of 94 percent marks a seven year high in the proportion of single family unit construction permits issued, but the greatest number of permits in a year is consistently issued to this type of permit.~~

Most Tiburon residents live in single family homes. Detached single family homes comprised 64 percent of the housing stock in 2011, while multi-family units comprised 26 percent.

Tiburon Housing Units by Type

Unit Type	2011	
	Number	Percent
Single Family (detached)	2,571	64%
Single Family (attached)	394	10%
2-4 units	380	10%
5+ units	638	16%
Mobile Home & Other	12	<1%
Total	3,995	100%

2011 American Community Survey 5-year estimates

Countywide in 2008, 4.17.2 percent of all housing units were vacant in 2010, and As housing prices have risen, rental unit vacancy rates have fallen (RealFacts). In 2008, 2.75.2 percent of rental units in Marin County were vacant. According to the Department of Finance Census estimates, Tiburon had a total vacancy rate of 2.595.0% percent in 20092010. Real estate economists generally consider a vacancy rate of 5.0 percent as a sign of a “balanced” market that allows adequate rents for landlords and mobility for tenants. Low vacancy rates often stimulate higher rental rates, which puts rents out of reach for lower income households.

A little over 10,000 households, or ten percent of total households, had an extremely low income (CHAS 2000). In many cases, the most appropriate housing choice for extremely low income households is rental. Many individuals with incomes below \$33,950 will have trouble saving for a down payment or emergency repairs. For individuals, single room occupancy units are often an affordable solution. However, extremely low income individuals may also have trouble affording market rents in Marin County. In 2008the fourth quarter of 2012, the average rental price for a studio apartment was \$1,261 in Marin County; a one bedroom, one bath apartment was \$1,784; and a two bedroom apartment, one bath apartment in Marin County was \$1,789 (RealFacts)1,662. The percentage of Tiburon’s low income population with high housing cost burdens is show in the table below.

There is a gap between affordable housing costs and actual housing costs for all low income groups in Marin County. The table below shows average rental rates in Marin County and affordability levels for various unit sizes. In general, apartments are only affordable to low income households earnings earning at least 50% of the median income. In Tiburon, where house

~~prices are significantly higher than the countywide average, apartment rental rates are affordable only to some moderate income households. Lower income households are priced out of the housing market. Households on an extremely low income can afford less than 20 percent of the median sales price of a single family home.~~

The median sale price for ~~a single family home~~market-rate housing in ~~Marin County~~Tiburon is affordable only to households earning considerably more than a moderate income in ~~the Marin County~~. In 2012, the median sales price was \$1.6 million for a single family home and \$853,000 for a condo or townhome (Marin County Assessor).

Rental Rates and Affordability Levels

	Studio	1 BR/1BA	2BR/1BA	3BR
Marin County Average Rent	\$1,261	\$1,784	\$1,789	\$2,937
Annual Income Required for Rent to be Affordable	\$50,440	\$71,360	\$71,560	\$117,480
Affordable to Extremely Low Income Households?	No	No	No	No
Affordable to Very Low Income Households?	No	No	No	No
Affordable to Low Income Households?	Some	Some	Some	No
Affordable to Moderate Income Households?	Yes	Yes	Yes	Yes

Source: RealFacts, Q3 2012. Affordability levels assume one person per studio, two people per one-bedroom unit, three people per two-bedroom unit, and four people per three-bedroom unit, per Health and Safety Code 50052.5(h).

~~Programs like Section 8 or units built with affordability controls can help meet the needs of low income households. To meet this need it may be important to provide deeper levels of subsidy or housing with supportive services.~~

Around 65,500 37 percent of Tiburon households spend 30 percent or more of their household income on housing. It is estimated there are 330 lower income owner-occupied households and 275 lower income renter households overpaying for housing in Tiburon, for a total of 605 households. Of the lower income owner-occupied households about 91 percent, or 300 households, spend more than half their income on housing. Approximately 76 percent lower income renter households, or 210 households, spend more than half their income on housing (CHAS, 2006-2010).

~~households in Marin County earn less than 80 percent of the median family income. Of these households, 20 percent are paying more than 30 percent of their income for housing and four percent are paying more than half their income. In Marin County, tenure makes a significant difference to the housing cost burden of lower income households. Among renters in this category, 13 percent are paying more than 30 percent of their income for housing and one percent are paying more than more than half. Among owner-occupied households, 23 percent are paying more than 30 percent and five percent are paying more than half their income.~~

Tiburon Households Overpaying for Housing

Income Category	Renter-Occupied Units		Owner-Occupied Units	
	Number	% Overpaying	Number	% Overpaying
Extremely Low	115	53%	155	72%
Very Low	75	71%	90	56%
Low	85	85%	85	50%
Moderate and Above	75	12%	620	31%
Total	350	33%	950	38%

Source: CHAS, 2006-2010

Programs like Section 8 or units built with affordability controls can help meet the needs of low income households. To meet this need it may be important to provide deeper levels of subsidy or housing with supportive services.

Extremely low income households are households with income under 30 percent of the area median income level. There are an estimated 215 extremely low income owner households and 215 extremely low income households in Tiburon, for a total of 430 households (CHAS, 2006-2010). In many cases, the most appropriate housing choice for extremely low income households is rental. Many individuals with extremely low incomes will have trouble saving for a down payment or emergency repairs. Extremely low income households typically require targeted programs to provide affordable housing solutions, including deeper income targeting for subsidies, housing with supportive services, single room occupancy units, shared housing, and rent subsidies.

The State defines an overcrowded unit as one occupied by more than 1.01 people per room excluding bathrooms and kitchens. A unit with more than 1.5 people per room is severely overcrowded. In Marin County, ~~1.20.7~~ percent of owner occupied households are over-crowded, ~~of these, and 0.4 0.2~~ percent are severely overcrowded. Overcrowding is much more prevalent in rental housing. In rented units in Marin County, ~~10 6.3~~ percent of households are overcrowded and ~~of these, 6.72.7~~ percent are severely overcrowded. The Census Bureau reports that there are no overcrowded housing units in Tiburon (American Community Survey, 2011).

~~The 2000 Census indicates that overcrowding in Tiburon is a very rare occurrence with 7 owner-occupied units and 19 renter-occupied units being overcrowded. The total overcrowded housing in Tiburon is less than one percent. This is a very slight decrease from 1990-2000 when 20.5% of rental units and 0.2% of owner units were overcrowded, with a combined 1990 percentage of 1% for Tiburon. The table below shows overcrowding in Tiburon in 2000.~~

Most of Tiburon’s housing units, ~~60.5%58 percent~~, were built more than 40 years ago and ~~39.5%34 percent~~ of Tiburon’s housing stock was constructed from 1970 to 2000. ~~A much higher percentage of Marin County’s housing stock is older than 40 years, about two-thirds.~~ The age of housing from the 2000 U.S. Census is shown in the table below.

Age of the Housing Stock in Tiburon

Year Built	Number	Percent
2005 or later	9	<1%
2000 to 2004	271	7%
1990 to 1999	325	8%
1980 to 1989	418	10%
1970 to 1979	635	16%
1960 to 1969	1,115	28%
1950 to 1959	870	22%
1940 to 1949	128	3%
1939 or earlier	224	6%
Total	3,995	100%

Source: 2011 American Community Survey 5-year estimates

In general, the condition of Tiburon’s housing stock is excellent. According to Town Building staff there are a small number of units that suffer from lack of maintenance. Approximately 20 units in the Town need significant rehabilitation. There are fewer than five units in Tiburon in need of replacement. The Town continues to participate in the CDBG Rehabilitation Loan Program that has served 2-three residences, with the most recent loan made in 2010, in 1999 and 2 residences in 2000. Specific programs include single-family home repair loans, emergency repair and accessibility grants, exterior enhancement rebates, weatherization and home security grants for seniors, and a multi-family rehabilitation loan program.

B Special Housing Needs



In addition to overall housing needs, cities and counties must plan for the special housing needs of certain groups. State law (65583(a)(6)) requires that several populations with special needs be addressed — homeless people, seniors, people with disabilities, large families, and female-headed households. The Housing Element should take into account any local factors that create an extraordinary need for housing, and should quantify those needs as well as possible. Farmworker housing is also required by State law to be addressed in local Housing Elements if it is a local

need. In Marin County, less than one percent of the population is employed in farming, fishing and forestry combined (~~Claritas 2008~~American Community Survey 2011). While there is a need for farmworker housing in Marin County (primarily West Marin) there is no need for farmworker housing in Tiburon so it is not included in this analysis.

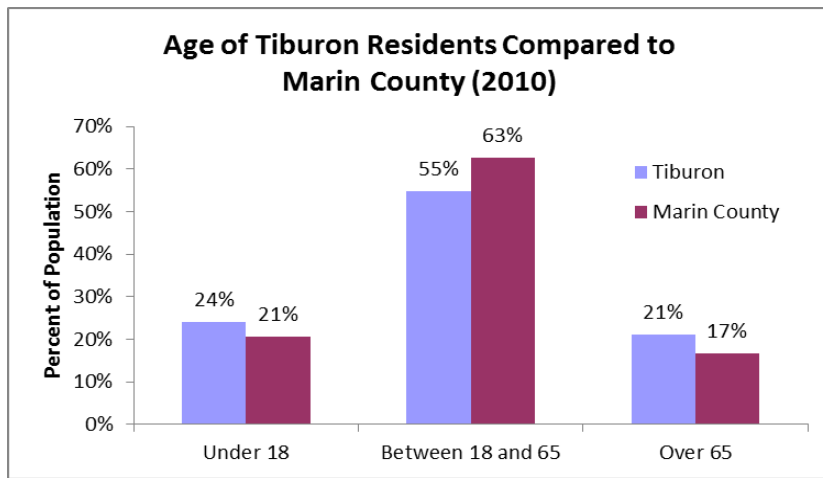
“Special Needs” groups include many persons in the community, from the homeless and those with substance abuse or domestic violence problems to lower income families who face economic challenges in finding housing. While many persons in this broad group need permanent low income housing, others require more supportive environments and assistance.

Seniors

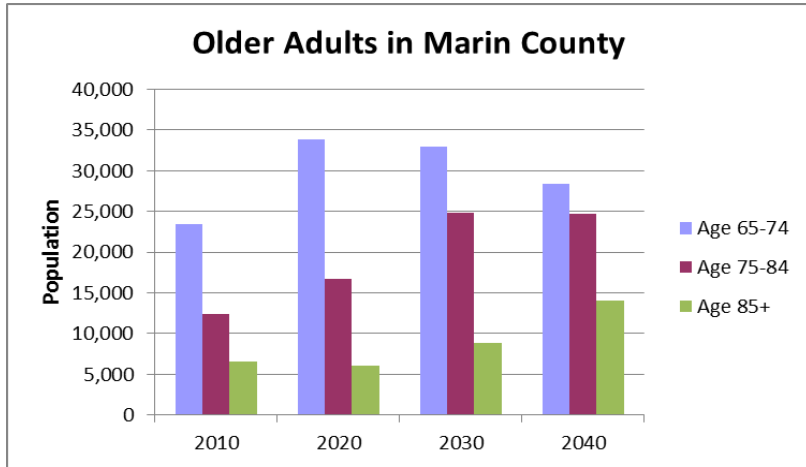
Senior households can be defined, in part, by the age distribution and demographic projections of a community’s population. This identifies the maximum need for senior housing. Particular needs, such as the need for smaller and more efficient housing, for barrier-free and accessible housing, and for a wide variety of housing with health care and/or personal services should be

addressed, as should providing a continuum of care as elderly households become less self-reliant. In ~~2008~~2010, there were approximately ~~38,500~~42,192 people aged 65 or over in Marin County – ~~15-17~~ percent of the total population (~~Claritas 2008~~U.S. Census 2010). In Tiburon, seniors aged 65 or over represented 21 percent of the population in 2010, up from 17 percent in 2000. Eighty percent of seniors in Tiburon own their own home, and 20 percent are renters.

~~The senior population is growing steadily. By 2020, 25 percent of the Marin County population will be seniors (ABAG 2007 Projections). Between now and 2030, the median age of the senior population will also rise.~~



The senior population is growing steadily. The Department of Finance predicts significant increases in Marin’s elderly population as the baby boom generation ages. While the total population is expected to increase 13 percent between 2010 and 2040, the number of seniors 65 years and over is projected to increase 59 percent. Many of these older residents will choose to “age in place,” increasing demand for home supportive services. The aging population is also expected to increase demand for assisted living and senior residential facilities.



~~The best indicator of the future population of seniors is people in their fifties. Most of these people will stay in their homes as they age. (In a national AARP study in 2004, 86 percent of pre-retirees said they would continue to live in their homes once they retired.) Some have speculated that foreign born residents may retire to in the home country, but research does not support this conclusion. Jurisdictions that have many foreign born residents in their fifties will likely have many foreign born seniors in a few years.~~

High among concerns for seniors is their ability to pay for necessities. ~~In fact, in a recent study of Marin senior homeowners, 17 percent reported experiencing difficulty with affording home repairs over the past year three of the top five concerns had to do with having enough money to live on (Marin County Older Adult Community Survey Aging Area Plan, 2012-2016, 2004). Affording home repairs was most difficult for those who have been in their homes for more than 30 years, illustrating Marin seniors' predicament of being "house rich but cash poor." While most seniors prefer to stay in their homes, many find that the costs associated with the upkeep of their properties make that impossible.~~

It costs approximately ~~\$26,780~~\$27,095 a year for an elderly couple to live in Marin if they own their home ~~without a mortgage~~ and ~~\$48,348~~\$35,454 if they rent (based on a one bedroom apartment, Center for Community ~~and~~ Economic Development, Elder Economic Security Standard ~~Index~~ by County, ~~2007~~2009). ~~(Most seniors own their homes.)~~ Social security payments average only ~~\$23,993~~\$20,146 for couples, meaning that some seniors will have to leave the county because of housing costs. Renters, women, older seniors and those with low income are most at risk for displacement.

~~In Tiburon, there are an estimated 465 lower-income senior households who own their own home. About 48 percent of these households have unaffordable housing costs, defined as paying 30 percent or more of household income on housing costs. Senior households also make~~

up about 68 percent of all lower income owner-occupied households overpaying for housing in Tiburon. Approximately 195 senior households who own their own homes pay more than 50 percent of their income on housing (CHAS, 2006-2010).

There are an estimated 185 lower-income senior households who rent their home in Tiburon. Approximately 70 percent of these households have unaffordable housing costs. Senior households also comprise about 47 percent of all lower income renter households overpaying for housing. About 100 senior renter households spend more than half of their income on housing (CHAS, 2006-2010).

~~Senior homeowners tend to be house rich and cash poor, meaning they have a lot of accumulated wealth, but it is inaccessible. The majority of seniors prefer to stay in their homes and will be looking for programs that allow them to do so. Some seniors, particularly those from cultures with close extended family ties.~~

Persons Living with Disabilities

There are around ~~60,000~~21,000 people with disabilities in Marin County (American Community Survey, 2011). Many of these people have special housing needs. The type of housing need depends on the type of disability. For example, 24-35 percent of this group identified as having an “go-outside-the-home/independent living” disability. This means that they have difficulty leaving their home unassisted, for example to shop or to visit a doctor’s office. This figure rises to 24-43 percent among the disabled population aged 65 and over.



People with disabilities often have trouble finding housing. Relatively small physical obstacles, like a shower that requires a step, may make a house unusable for an individual with a disability. Many seniors have to move from their houses because of barriers like these. There are a number of policies that jurisdictions have pursued to make houses more accessible. Ideas include:

- Allow reasonable accommodations for disabilities – Develop simple procedures for individuals to get permission to alter their house to make it accessible (for instance by adding a ramp).
- Information and enforcement - Designate a staff person as the primary contact for disability issues. This person can disseminate information and investigate allegations of discrimination.
- Promote universal design – Universal design refers to building in a way that makes it accessible to everyone. For instance, levels instead of knobs on doors make them easier to

open.

- Provide low interest loans to retrofit houses to increase their accessibility.

Persons Living with Disabilities

	Percent in Marin County	Estimated Number in Tiburon
Age under 18 years with a disability	2%	46
Age 18-64, with a disability	6%	290
Person age 65 and older with a disability	26%	502
Total persons with a disability	9%	769

Source: 2011 American Community Survey 3-year estimates; 2010 Census

Persons with Disabilities by Disability Type

	Percent in Marin County	Estimated Number in Tiburon
<i>Population 18 to 64 years</i>		
With a hearing difficulty	6%	290
With a vision difficulty	1%	37
With a cognitive difficulty	2%	116
With an ambulatory difficulty	3%	135
With a self-care difficulty	1%	60
With an independent living difficulty	2%	84
<i>Population 65 years and over</i>		
With a hearing difficulty	11%	204
With a vision difficulty	3%	62
With a cognitive difficulty	7%	137
With an ambulatory difficulty	15%	283
With a self-care difficulty	6%	116
With an independent living difficulty	11%	218

Source: 2011 American Community Survey 3-year estimates; 2010 Census

Persons Living with Developmental Disabilities

A person with a developmental disability has a substantial disability that originates during childhood and can be expected to continue through adulthood. Developmental disabilities include mental retardation, cerebral palsy, epilepsy, and autism.

Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

The State Department of Developmental Services currently provides community-based services to approximately 243,000 persons with developmental disabilities through a statewide system of facilities. The Golden Gate Regional Center (GGRC) provides point of entry to services for people with developmental disabilities in Marin, San Francisco and San Mateo counties. The center is a private, non-profit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families. The GGRC reports that there are 8 children aged 14 years and under, 2 persons aged 15 to 22 years, and 3 adults aged 23 years and over living in Tiburon.

There are a number of housing types appropriate for people living with a development disability: rent subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 homes. The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving this need group. Incorporating 'barrier-free' design in all, new multifamily housing (as required by California and Federal Fair Housing laws) is especially important to provide the widest range of choices for disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income.

Large Families

Large families often have trouble finding housing that meets their needs. In particular, it is often especially challenging for renters. In many markets, it is more profitable to build smaller units and without government intervention, this is what happens. A lack of large units can lead to overcrowding, as families take apartments that are too small for their needs.

About 7 percent of households in ~~Marin County Tiburon~~ have five or more members (2010 U.S. Census). The incidence of large households is higher among owner-occupied households; 8 percent of owner-occupied households were large families, while 5 percent of renter-occupied

households were large families. It is estimated that there are four low-income, large family households paying more than 50 percent of their income housing costs; all of these families own their homes (CHAS, 2006-2010). Other incidences of overpaying among large family households are all among households earning more than the median income. There are approximately 220 owner and 40 renter large family households paying more than 30 percent of their income on housing costs (CHAS, 2006-2010). Anecdotal evidence suggests some large families opt to pay more for housing in order to have their children attend Tiburon schools. Of these large households, 20 percent earn less than half of the median family income and eight percent earn less than 30 percent of the median income. Among large households of all income limits, 40 percent live in rented units (CHAS 2008). In Marin County, seven percent of owner occupied units have 5 bedrooms or more. The forty percent of large families who live in rented accommodation are less well served: rented accommodation units with 5 bedrooms or more make up less than 1 percent of the total stock. Households by size and housing by number of bedrooms in Tiburon (2000 U.S. Census data) are shown in the tables below.

Household Size By Tenure

	Owner Households		Renter Households		Total	
	Number	Percent	Number	Percent	Number	Percent
1-4 Persons	2,331	92%	1,140	95%	3,471	93%
5+ Person	199	8%	59	5%	258	7%
TOTAL	2,530	100%	1,199	100%	3,729	100%

Source: 2010 Census (SF 1: QT-H2)

In Tiburon, there is an ample supply of houses with four or more bedrooms to accommodate large families. Thirty-two percent of homes have four or more bedrooms, while only 7 percent of Tiburon households have five or more persons.

Number of Bedrooms in Tiburon Housing Units

Number of Bedrooms	Number	Percent
0 BR	49	1%
1 BR	414	10%
2 BR	798	20%
3 BR	1,482	37%
4 BR	742	19%
5+ BR	510	13%
Total	3,995	100%

Female-Headed Households

Single parents with children are more likely to have lower incomes than two-parent households. ~~Since s~~Single parent households are predominantly female-headed households, their needs are a particular concern of the Housing Element. In ~~Marin County Tiburon~~, the ~~2000-2010~~ Census identified ~~8,580~~280 female-headed households in which no husband was present. Around ~~60%~~57 percent of these households included children 18 years and younger. ~~In contrast, the Census identified 3,390 male-headed family households in which no wife was present. Of these households, fifty percent included children 18 years and younger. Reflecting the high cost of purchasing in the county, many single women with children rent their homes. In 2008 in Marin County, 13~~Fourteen percent of female-headed family households (no husband present) were below the poverty level, compared to just ~~four~~2 percent of ~~total-all family~~ households. Of these households, ~~nearly 89~~51 percent included related children aged under 18 and younger years (~~Claritas 2008~~American Community Survey 2011).

C Homeless Needs

Tiburon estimates that there is an average of ~~42-7~~ unsheltered homeless people in the community. This estimate is drawn from the ~~2009-2013~~ Marin Homeless Point-in-Time Count, which counted a total of ~~354-184~~ unsheltered homeless people throughout Marin County on January ~~29, 2009~~ 24, 2013. The count does not include a breakdown of the homeless population by jurisdiction, so the estimated number is based on Tiburon's share of the total Marin population.

The chart below provides a breakdown of Marin's homeless population into sub-populations, which is ~~also~~ drawn from the ~~2009-2011~~ Marin Homeless Point in Time Count.

Homeless by Subpopulation

Subpopulation/Special Needs	Percent
Homeless for 1 year or more	47%
Homeless for 10 years or more	10%
Mental Illness	18%
Alcohol Use	19%
Drug Use	18%
Chronic Health Condition	16%
Physical Disability	18%
Developmental Disability	3%
Veterans	8%
HIV/AIDS	1%
Multiple Disabilities	11%
Domestic Violence	14%
Children (under age 18)	20%
Senior (62 or older)	5%

Source: 2011 Marin County Point in Time Count

According to the Point in Time Count of Persons Experiencing Homelessness report, 56 percent of adults counted reported having at least one type of disabling condition such as a physical or developmental disability, chronic illness or substance abuse problem. The survey found that 47 percent of those counted were homeless for one year or more; 19 percent reported having experienced homelessness four or more times. 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. Consistent with what has been found nationally, Marin's homeless people also includes a significant number of veterans (8 percent) and people with domestic violence issues (14 percent).

Emergency shelters are a permitted use in all commercial zones in Tiburon (Zoning Ordinance adopted April 16, 2010) and thus are permitted without discretionary review consistent with SB 2. These sites are highly suitable for emergency shelters location in comparison with other portions areas of Tiburon, which are largely hillside single-family residential zones. Unlike the vast majority of properties in Tiburon, the commercially-zoned areas are level, have direct or easy access to the main thoroughfare (Tiburon Boulevard), and are on or are close to bus lines, ferry service, health services (medical and dental), drug stores and grocery stores.

In addition, there are sufficient available sites (see available land inventory) to demonstrate sufficient capacity to accommodate the need for emergency shelters in commercial zones, either in existing buildings or on vacant sites. Since 3.5-6 percent of the total population of the county lives in Tiburon, it is estimated that 3.5-6 percent of the homeless population, or 42-7 unsheltered homeless individuals, are located in Tiburon. It is estimated that a site of less than one-quarter acre (about 8,000-10,000 square feet) could accommodate 42-7 beds (the parcel size may vary as it does for facilities located in Marin County — Mill Street in San Rafael houses 4940 beds on 0.33 acres, the Family Emergency Center in San Rafael houses 4952 beds on 0.25 acres, and the Next Key/New Beginnings Center in Novato houses 117446 beds on 2.5 acres).

~~This data demonstrate that homeless people in Marin County are likely to have at least one disability, with over 32 percent reporting a mental illness and/or a substance abuse issue and 53 percent reporting a physical disability. The survey found that 91 percent 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. Consistent with what has been found nationally, Marin's homeless people also includes a significant number of veterans (41 percent) and people with domestic violence issues (39 percent).~~

There are 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 FebruaryMarch). The biannual homeless count always takes place in the last week of January, which is a period when demand for shelter typically is at its highest. Since the year-round need described above is based on that biannual count, we therefore believe that the seasonal need for emergency shelter is no greater than the year-round need.

~~The Marin County Health and Human Service's most recent 2013 Continuum of Care application inventory of emergency shelters and transitional and supportive housing shows that there are 245 emergency shelter beds, 362 transitional housing beds, and 501 supportive housing beds in Marin County. Eighty-eight percent of these beds were occupied on the day of the 2013 Point in Time Count. to HUD for Continuum of Care funding estimates that the county has an unmet need for 15 transitional housing units and 551 supportive housing units. There is no breakdown of this unmet need estimate by jurisdiction. However, Tiburon's estimated share of the needed units, based on the percentage of the total number of unsheltered homeless people living in the community, is estimated at an unmet need for transitional housing units of zero to one and a supportive housing units need of 19.~~

Currently, there are no permanent emergency, transitional or supportive shelters in Tiburon. However, three local churches have participated in the St. Vincent De Paul Society's rotating emergency shelter program, which provides shelter for 40 homeless men for approximately 20 weeks during the winter months. Tiburon is committed to expanding the resources for homeless individuals in the community, particularly the supply of permanent supportive housing. The table below shows facilities located in Marin County.

Further evidence of need is based on the waiting list for Section 8 housing vouchers. When the Marin Housing Authority opened the waiting list for a week in September 2008, approximately 11,200 households applied. Of those, 25 percent (2,831 applicants) were from Marin County cities. This number shows that there is demand for affordable housing from all Marin jurisdictions.

Waiting List for Section 8 Vouchers by Marin County Cities (2008)

Jurisdiction	Number	Percent
Corte Madera	92	3.3%
Fairfax	131	4.7%
Larkspur	67	2.4%
Mill Valley	181	6.5%
Novato	897	32.3%
San Anselmo	124	4.5%
San Rafael	1,124	40.4%
Sausalito	113	4.1%
Tiburon	52	1.9%
Total for Marin Cities	2,781	100.0%

Source: Marin County Housing Authority

Facility/Program Name	Provider Name	Number of Beds		
		Emergency Shelter	Transitional Housing	Supportive Housing
Corte Madera				
San Clemente Place	EAH	0	0	13
Subtotal Corte Madera		0	0	13
Novato				
Gilead House	Gilead House	0	18	0
Hamilton Meadows	Hamilton Continuum Partners	0	85	0
Meadow Park	Homeward Bound of Marin	0	25	0
Transition to Wellness/Medical Respite	Homeward Bound of Marin	6	0	0
New Beginnings Center	Homeward Bound of Marin	64	0	0
New Beginnings Center (beds for Vets)	Homeward Bound of Marin	0	16	0
The Next Key	Homeward Bound of Marin	0	37	0
Subtotal Novato		70	181	0
San Rafael				
812 D Street	Center Point, Inc.	0	12	0
Charlotte House	Center Point, Inc.	0	15	0
Homelink	Center Point, Inc.	0	0	1
Emergency Housing	Center Point, Inc.	1	0	0
Family Emergency Center	Homeward Bound of Marin	49	0	0
Mill Street Center	Homeward Bound of Marin	49	0	0
Family Park	Homeward Bound of Marin	0	39	0
Family Resource Center	Homeward Bound of Marin	0	25	0
Voyager	Homeward Bound of Marin	10	0	0
4 th Street	Homeward Bound of Marin	0	0	20
Carmel	Homeward Bound of Marin	0	0	26
Palm Court	Homeward Bound of Marin	0	0	25
Apartments	St. Vincent DePaul Society	0	0	11
Subtotal San Rafael		109	91	83
Scattered Site/Confidential Programs				
Residential Support Services (RSS)	Bucklew Programs	0	0	64
Supported Housing	Bucklew Programs	0	0	89
Assisted Independent Living (AIL)	Bucklew Programs	0	0	54
THP Scattered Sites	Center Point, Inc.	0	30	0
Housing First	Ritter Center	0	0	24
The Manor	Center Point, Inc.	0	8	0
Second Step TH	Center for Domestic Peace	0	32	0
Short-Term TH	Center for Domestic Peace	0	20	0
Formerly SHIA and Odyssey (Section 8)	Housing Authority of the County of Marin	0	0	17
Shelter Plus Care	Housing Authority of the County of Marin	0	0	76
Shelter Plus Care 3	Housing Authority of the County of Marin	0	0	3
VASH	Housing Authority of the County of Marin	0	0	35
Winter Shelter Program	St. Vincent DePaul Society	66	0	0
Subtotal Scattered Site/Confidential Programs		66	90	362
Unincorporated County				
Fireside Affordable Hsg.	Eden Housing Corp.	0	0	43
Subtotal Unincorporated County		0	0	43
TOTAL		245	362	501

D Assisted Rental Housing “At Risk” of Conversion



Government Code Section 65583 requires each Town and county to conduct an analysis and identify programs for preserving assisted housing developments. The analysis is required to identify any low income units which are at risk of losing subsidies over the next 10 years (2009-2019). The termination of Federal mortgage and or rent subsidies to housing developments built by the private sector is a potential threat to affordable housing throughout the country. Communities with low income housing supported by

Federally subsidized Housing Element to address the needs of residents who may become displaced.

The Tiburon Housing Element Area has a total of ~~156~~ 162 below market rate units within existing housing developments. The table below lists these affordable housing developments and indicates the timeframe for which the affordability of the units is protected.

This table includes all housing units in the Tiburon Housing Element Area that were financed with state, federal, or local funding sources. One of the notable achievements of the Town’s housing programs was the preservation of the 102-unit Hilarita Apartments as affordable housing. This complex was a federal HUD “Section 236 project”, and was eligible for conversion to market rate housing in 1994 based on the Section 236 framework. In the early 1990’s, the Tiburon Ecumenical Association, a local non-profit whose primary purpose is to support affordable housing, was able to secure a loan from HUD that was used to “buy out” the limited partnership that owned a controlling interest in the project. The Town of Tiburon contributed financial assistance that enabled the Hilarita facilities to be physically upgraded to a condition that met federal standards for approving the loan.

Affordable Housing in Tiburon

Project	No. Very Low Income Units	No. Low Income Units	No. Moderate Income Units	Conserved Until
Chandlers Gate	4	0	0	2057
Hilarita Apartments ^a	84	7	0	Perpetuity
Tiburon Hill Estates	0	16	0	Perpetuity
Point Tiburon Marsh	0	0	20	>2017 ^b
Cecilia Place	16	0	0	2092

Bradley House	0	15	0	Perpetuity
Total No. Affordable Units	104	38	20	

^a The John Stewart Company, manager of the Hilarita Apartments, reported affordability levels for the 91 income-restricted units as follows: 70 units occupied by extremely low income households earning up to 30% of the area median income, and 14 units occupied by very low households earning up to 50% of the area median income; and 3 affordable to low income households. Four units were vacant, which are conservatively counted here as low income units. In addition to the income-restricted units, there are 10 market rate units with the following rents as of January 2014: \$1,450 for a 1 bedroom unit; \$1,650 for a 2 bedroom unit, \$2,350 for a 3 bedroom unit; and \$2,483 for a 4 bedroom unit. These are generally affordable to low income households, but since they are not deed-restricted, they are not recorded as below market rate units. An additional unit provides housing for a staff person.

^b Each owner is locked into a 30-year affordability period. This 30-year period starts over with each new owner. Unless a unit is held by the same owner for 30 years or more, the affordability will be in perpetuity. The initial 30-year term was established in 1987.

As indicated by this table, conservation of existing affordable units is not a problem for the near future. The California Housing Partnership Corporation confirms that there are no government-subsidized multi-family housing projects at risk for conversion to market rate units in Tiburon. Housing Element policies address the need to preserve affordability of new affordable units for at least 50 years.

Town Ownership and Management of Affordable Units

The Town of Tiburon owns 7 moderate-income units in the Point Tiburon Marsh condominium project. These units are rented at affordable rates to a variety of local government employees, including public safety personnel, elementary school teachers, and so forth. The Housing Authority of the County of Marin manages the affordability component of these units, while the Town physically maintains the interior of the units. The exterior of each unit is usually maintained by the Homeowners Association.



Management of affordable units in the Tiburon Housing Element Area is performed by a variety of entities. For example, [the Bradley House](#), Point Tiburon Marsh, Chandlers Gate, and Central Court affordable units are managed by Marin Housing Authority. The [Bradley House](#), Cecilia Place and Tiburon Hill Estates affordable units are managed by the Ecumenical Association for Housing, and the Hilarita is [managed-owned](#) by the Tiburon Ecumenical Association for Housing [and managed by the John Stewart Company](#).

E Available Housing Programs and Funding



The overview below focuses primarily on those programs implemented by the Marin Housing Authority, Marin County, Federal Programs, State Programs, and other local programs to address housing needs in Tiburon, especially the needs of extremely low, very low, and low income persons and families. In addition, there is an overview of the Town’s Housing set-aside fund.

Tiburon In-Lieu Housing Fund

The Town has established an “in-lieu” housing fund for the provision of affordable housing in Tiburon. The Town’s inclusionary housing regulations require residential projects of two or more new lots or dwelling units to pay an in-lieu housing fee or develop a minimum number of inclusionary units affordable to very low, low or moderate income households. Developments of three to six units pay an in-lieu fee based on 15 percent of the units being affordable. Larger developments may also pay in-lieu fees rather than build required inclusionary units if the Town determines that there exist physical and/or governmental constraints to the development of on-site inclusionary units that make the payment of fees more effective in support of affordable housing projects being constructed in less constrained locations. In 2013, the fund balance was \$1,056,000.

Tiburon Redevelopment Agency Funding

As part of the 2011 Budget Act, the State Legislature approved the dissolution of the state’s 400 plus Redevelopment Agencies (RDAs). After a period of litigation, RDAs were officially dissolved as of February 1, 2012. In 2011, the Tiburon Redevelopment Agency entered into a cooperation agreement with the Marin Housing Authority (MHA) and transferred its housing set-aside funds to that agency on the condition that the funds must be used to meet the Agency’s remaining affordable housing obligations and, once those are met, to expend the funds solely for the provision of affordable housing in Tiburon consistent with the Tiburon General Plan. In 2013, the fund balance for this set-aside account was \$862,000 in cash and \$663,000 in assets in the form of a note on the Cecilia Place senior housing project. The Town of Tiburon, as successor agency to the Tiburon Redevelopment Agency, will therefore benefit from the additional staff, resources, and expertise of the MHA and work in concert with that agency to create affordable housing within Tiburon using the set-aside funds.

Community Development Block Grant Program (CDBG)

The Community Development Block Grant (CDBG) Program is a federal program of grants to local governments, administered by the U.S. Department of Housing and Urban Development (HUD). The Housing and Community Development Act of 1974 established CDBG as a replacement for a variety of federal urban renewal, housing, and neighborhood development programs. CDBG was the first of the federal block grant programs.

In Marin County, all eleven cities have signed cooperation agreements to participate with the County government in a single joint CDBG program. This qualifies Marin County as an "urban county," giving us an annual grant allocation established by formula. Marin County administers the CDBG program for all eleven cities, as well as the unincorporated parts of the County. Both government agencies and nonprofit organizations are eligible for funding.

Eligible housing activities include housing rehabilitation, acquisition of existing housing, acquisition of sites for housing construction, off-site improvements needed for housing development, fair housing services, and housing planning and predevelopment costs. While CDBG funds can support housing development by paying for property acquisition, off-site improvements, or pre-development expenses, CDBG funds cannot ordinarily be used directly for new housing construction costs or predevelopment expenses. Types of housing projects previously funded include low-cost rental and ownership housing, senior housing, group homes, housing for people with physical and mental disabilities, homeless shelters, owner-built housing, and shared housing.

Housing Stability Program (formerly Rebate for Marin Renters)

The Marin Housing Authority provides one year rental assistance to very low income seniors and disabled persons.

HUD Section 8 Housing Choice Voucher Program

The Housing Choice Voucher Program (HCV) is HUD's major program for assisting very low income families, the elderly, and the disabled to locate decent, safe, sanitary, and affordable rental housing throughout Marin County. As the public housing agency responsible for administering the HCV program locally, the goal of MHA's Supportive Housing Division is to assist low and moderate-income residents of Marin County to secure and maintain high quality affordable housing. Section 8 Housing Choice Voucher subsidies are an integral part of this program. In 2013, there were 27 Section 8 vouchers in use in Tiburon, and 2,123 vouchers in use in Marin County. The waiting list for vouchers was closed in 2008. As of 2013, there were 7,932 applicants on the waiting list, and the availability of tenant-based vouchers in the future is unclear.

Housing Opportunities for People With AIDS Program (HOPWA)

HOPWA provides rental assistance to individuals and families where a family member is HIV+ or has AIDS. HOPWA program participants lease privately owned apartments and receive a rental subsidy based on their income level and family composition. MHA has designed this program to be flexible and highly client-friendly, with particular attention given to preserving the confidentiality of the participants. Program participants are also directed to community case management resources.

Shelter Plus Care Program

Shelter Plus Care provides rental assistance and supportive services on a long-term basis for homeless individuals and families where the head of household has a serious mental illness (and may also have other disabilities). Shelter Plus Care participants lease privately owned apartments and pay 30percent of their income towards rent. MHA pays the remainder of the rent up to the maximum allowed by federal guidelines. Participants also receive intensive support from MHA caseworkers and from a coalition of community-based service providers to assist them in remaining successfully housed. This program is made possible through close collaboration with Marin County Community Mental Health Services.

Residential Rehabilitation Loan Program

Administered by MHA, the Residential Rehabilitation Loan program provides low-interest property improvement loans and technical assistance to qualified very-low-income homeowners to make basic repairs and improvements, correct substandard conditions, and eliminate health and safety hazards. The maximum loan amount is \$35,000. In cases of financial hardship, no monthly payments are required and repayment of the loan is deferred, either for a specified period, or until the property is sold or title to the property is transferred (interest accrues at 6% per year, simple interest). To be eligible for the Residential Rehabilitation Loan Program, a person must be the legal owner of the property in need of repair, reside in the property as their principal residence, and be within the income limits for very low income.

Below Market Rate Home Ownership Program (BMR)

The BMR Home Ownership program offers low and moderate-income, first-time homebuyers the opportunity to purchase specified condominium units in Marin County at less than market value. MHA administers the sale of newly constructed units as well as previously owned units being offered for resale. There are approximately 300 homes in the program located throughout Marin County.

Marin Workforce Housing Trust

The Marin Workforce Housing Trust (the Housing Trust), is a unique public/private partnership that has been created to meet the challenges of housing affordability for workers throughout Marin County. The major partners include the County of Marin, the Marin Community

Foundation, and a group of major employers. Using revolving loan funds, the Trust provides low interest rate loans to nonprofit and for-profit developers who are constructing, rehabilitating, and preserving homes affordable to lower income families, as well as special needs populations. The 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 repaid and reinvested in other workforce housing developments. In this way, the Housing Trust provides a self-replenishing vehicle for affordable housing investment. Every dollar that is contributed to the Housing Trust is matched by both the Marin Community Foundation and the County of Marin, thereby tripling the value of each donation.

Infill Infrastructure Grant Program (IIG)

The IIG program provides funds for infrastructure improvements necessary to facilitate new infill housing development. To be eligible for funding, projects must be located in a locality which has an adopted housing element that has been found by HCD to be in substantial compliance as of the due date for applications, pursuant to the Notice of Funding Availability (NOFA) issued by HCD.

Infrastructure State Revolving Fund Program (ISRF) — California Infrastructure and Economic Development Bank (I-Bank)

The ISRF Program provides low-cost financing to public agencies for a wide variety of infrastructure projects. Eligible project categories include city streets, county highways, state highways, drainage, water supply and flood control, educational facilities, environmental mitigation measures, parks and recreational facilities, port facilities, public transit, sewage collection and treatment, solid waste collection and disposal, water treatment and distribution, defense conversion, public safety facilities, and power and communications facilities. Points will be granted for jurisdictions or applicants located within a jurisdiction with an HCD-approved housing element.

Housing Enabled by Local Partnerships Program (HELP), California Housing Finance Agency

The HELP Program and the Residential Development Loan Program (RDLP) offer reduced rate loans to local government entities for locally determined affordable housing activities and priorities (acquisition, construction, rehabilitation, single-family homeownership, or preservation of multifamily and special needs units). Proposals must include documented housing plans that demonstrate that the proposed housing activity described in the application has been identified as a local housing priority. Eligible documented housing plans include the housing elements, consolidated plans, redevelopment plans, or other general housing plans that the locality's

governing board has ratified. Applications must also include evidence that a plan has been approved.

Local Housing Trust Fund Program (LHTF)

The LHTF program helps finance local housing trust funds dedicated to the creation or preservation of affordable housing. The program provides matching grants (dollar-for-dollar) to LHTFs that are funded on an ongoing basis from private contributions or public sources that are not otherwise restricted in use for housing programs. Approved activities include loans for construction of rental housing projects with units restricted for at least 55 years to households earning less than 60 percent of area median income, and for down payment assistance to qualified first-time homebuyers. To be eligible for funding, cities and counties must have adopted housing elements that HCD has found in compliance with state housing element law.

Housing Related Parks Program (HRP)

The HRP program creates incentives and rewards for cities and counties with documented housing starts for newly constructed units affordable to very low or low-income households, in the form of grant funds which can be used to create new parks, or rehabilitate or improve existing parks. To be eligible for funding cities and counties must have an adopted housing element that HCD has found to be in substantial compliance with state housing element law by the end of the designated program year.

Home Investment Partnership Program (HOME)

The HOME program provides HUD grants to cities, counties, and state-certified non-profit community housing development organizations for housing rehabilitation, new construction, and acquisition and rehabilitation of both single family and multifamily housing projects serving lower income renters and owners. Points are granted for jurisdictions with an adopted housing element found in substantial compliance with state housing element law.

CalHome Program

The purpose of CalHome is to enable low- and very low-income households to become or remain homeowners. The program provides grants and/or loans to local public agencies and nonprofit organizations for costs associated with predevelopment, site development, and site acquisition for development projects, rehabilitation, and acquisition and rehabilitation, of site-built housing, and rehabilitation, repair, and replacement of manufactured homes.

Emergency Solutions Grant Program (ESG)

HCD distributes federal ESG funds to eligible nonprofit organizations or local public agencies located in or serving eligible areas that do not receive ESG funds directly from HUD. The purpose of this program is to fund projects that serve homeless individuals and families with supportive services, emergency shelter/transitional housing, assisting persons at risk of

becoming homeless with homelessness prevention assistance, and providing permanent housing to the homeless population. The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 places new emphasis on assisting people to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness.

Multifamily Housing Program (MHP)

The purpose of the MHP is to assist the new construction, rehabilitation and preservation, or acquisition and rehabilitation of permanent and transitional rental housing, and the conversion of nonresidential structures to rental housing, for lower income households. Projects are not eligible if construction has commenced as of the application date, or if they are receiving 9 percent federal low income housing tax credits. Eligible applicants (including local public agencies, nonprofit organizations, and individuals) must have successfully developed at least one affordable housing project.

Predevelopment Loan Program (PDLP)

The PDLP provides predevelopment capital to finance the start of low income housing projects, including costs to construct, rehabilitate, convert or preserve assisted housing, including manufactured housing and mobilehome parks. Eligible costs include site preparation and control, site acquisition for future low-income housing development, engineering studies, architectural plans, and permits. Priority is given to developments which are rural, located in the public transit corridors, or which preserve and acquire existing government-assisted rental housing at risk of conversion to market rents.

Transit Oriented Development Housing Program (TOD)

Under TOD, low-interest loans are available as gap-financing for rental housing developments that include affordable units, and as mortgage assistance for homeownership developments. In addition, grants are available to cities, counties, and transit agencies for infrastructure improvements necessary for the development of specified housing developments, or to facilitate connections between these developments and the transit station. Eligible projects include the construction of housing development projects and the provision of infrastructure necessary for the development of higher density uses, within one-quarter mile of a transit station.

Section IV

Future Housing Needs and Opportunities

A Regional Housing Needs Allocation (RHNA)

The Association of Bay Area Governments (ABAG) develops a Regional Housing Need Allocation (RHNA) to distribute the region's share of the statewide need to the cities and counties within the region. The RHNA is for the ~~2007—2014~~2014-2022 time period, and is broken into overall need and, within the overall need, housing needs for various income levels in the Town. The RHNA is a state-mandated process which determines the quantity and affordability of housing for which a community must plan. The California Department of Housing and Community Development assigned the Bay Area a housing needs allocation of ~~214,500~~187,990 units for the ~~2007-2014~~2015-2023 planning period. Of this figure, ~~4,882,298~~ units were allocated to Marin County for the planning period (roughly ~~690-290~~ a year) through a distribution formula developed by the Association of Bay Area Governments. Approximately 43 percent ~~Just over a third~~ of these units must be affordable to lower income households.

In developing the method for distributing the latest regional housing needs, ABAG concentrated new development in Priority Development Areas, sites that were identified voluntarily by cities or counties as areas for future growth. gave increased weight to areas along major transit corridors and where there are a high number of existing jobs as well as employment growth. The new method helps reduce development pressure on open space, rural areas and small towns. is intended to allocate fewer units to outlying areas to reduce development pressures on agricultural lands and areas further from job centers. Benefits of this approach include reduced vehicle miles traveled and ~~reduced~~ green-house gas emissions. This new approach has resulted in a lower "fair share" housing need for Tiburon than the previous planning period, as shown below.

Tiburon Regional Housing Needs Allocation (2007-2014 and 2014-2022)

Income Level	2007-2014		2014-2022	
	Units	Percent	Units	Percent
Very Low	36	31%	24	31%
Low	21	18%	16	21%
Moderate	27	23%	19	24%
Above Moderate	33	28%	19	24%
TOTAL	117	100%	78	100%

Source: Association of Bay Area Governments (ABAG)

It is estimated that 50% of the Town’s Very Low Income housing need for the ~~2007-2014~~2014-2022 time period will be for households earning less than 30% of median income (considered “Extremely Low Income”). Thus, the number of Extremely Low Income households needing housing for the ~~2007-2014~~2015-2023 planning-period is estimated at ~~18-12~~ units (one-half of the ~~36-24~~ Very Low Income units). Housing types available and suitable for extremely low income households include Single Room Occupancy units (SRO), smaller apartments, emergency shelters, housing with Section 8 vouchers, supportive housing and transitional housing. The Housing Element includes several programs to address extremely low income housing needs — from rental assistance programs, permanent supportive/transitional housing, and appropriate zoning for emergency shelters. Below is the RHNA breakdown for all Marin jurisdictions.

Tiburon’s Regional Housing Needs Allocation Compared to Other Marin County Jurisdictions (2014-2022)

Jurisdiction	<i>Extremely Low Income*</i>	<i>Very Low Income</i>	<i>Low Income</i>	<i>Lower Income Subtotal**</i>	<i>Moderate Income</i>	<i>Above Moderate Income</i>	<i>Total Units</i>	<i>Default Density Required**</i>
Belvedere	2	4	3	7	4	5	16	20 units/acre
Corte Madera	11	22	13	35	13	24	72	20 units/acre
Fairfax	8	16	11	27	11	23	61	20 units/acre
Larkspur	20	40	20	60	21	51	132	20 units/acre
Mill Valley	21	41	24	65	26	38	129	20 units/acre
Novato	56	111	65	176	72	167	415	30 units/acre
Ross	3	6	4	10	4	4	18	20 units/acre
San Anselmo	17	33	17	50	19	37	106	20 units/acre
San Rafael	120	240	148	388	181	438	1,007	30 units/acre
Sausalito	13	26	14	40	16	23	79	20 units/acre
Tiburon	12	24	16	40	19	19	78	20 units/acre
Unincorporated	28	55	32	87	37	61	185	30 units/acre
Total	309	618	367	985	423	890	2,298	
Percent	13%	27%	16%	43%	18%	39%	100%	

*Extremely Low Income (ELI) need equals 50% of Very Low Income Need

**Required per AB 2348 -- Default density on sites appropriate for Lower Income Unit Need (see Lower Income Subtotal above)

Source: Association of Bay Area Governments

B Available Land for Housing

Housing Element law requires that the Town inventory vacant and underdeveloped sites, as well as sites with known potential for redevelopment that are available for housing development. The Town has an obligation to identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to encourage the development of housing consistent with Town's "fair share" regional need numbers. The Housing Element's approach for achieving adequate sites, as expressed in the Housing Element, has a number of interrelated components:

- (1) Identify high potential sites, either ready for development and/or serving the strongly perceived community need for re-development.
- (2) Look to second units (new and existing) and small mixed use housing developments as potential sources of housing, and encourage second units when new homes are built.
- (3) Commit time and resources to identify opportunities for the development of affordable housing, especially in the downtown or on larger sites.
- ~~(4) Where possible, modify development standards, such as those for mixed use housing, to create incentives for this type of development to happen.~~
- (4) Require in-lieu fee payments for all new housing creating more than one new lot or dwelling unit.
- (5) Provide flexibility in how development standards, funding incentives, and other incentives are applied in certain instances.
- (6) Use of RDA set-aside funds and/or in-lieu funds to assist in development of key higher density housing sites.

Sites for housing can be vacant or underused (for example, a single family house on a multi-family site or sites where second story residential is allowed). In reviewing remaining sites, the available land supply remains adequate to meet needs for Above Moderate Income and Moderate Income households. To provide local governments with greater certainty and clarity in evaluating and determining what densities facilitate the development of housing that is affordable to lower-income households (Very Low and Low Income together), the statute provides two options. The Town can either: (1) conduct an analysis of market demand and trends, financial feasibility, and residential project experience to demonstrate the densities facilitate lower income housing development; or, (2) apply Government Code Section 65583.2(c)(3)(B), which allows local governments to utilize "default" density standards deemed adequate to meet the "appropriate zoning" test, which in Tiburon's case are sites designated at 20 units per acre or

more. Using the second approach and applying the default density standard of 20 units/acre, the Housing Element must identify sites for at least ~~57~~40 units at this density.

Town policies encourage housing sites to be located near transit, shopping and services where people can have easy access to nearby amenities. The Town has long supported the approach that increased activity in appropriate locations creates a vibrancy and vitality in these areas. Generally, there is higher intensity of activities toward the center of Town and lower intensity of land use in outlying neighborhoods and steeper sloping sites. Based on the review of sites (see Appendix A), the Town has sufficient sites currently planned and zoned at adequate densities to meet its RHNA for the ~~2007~~2015-2014~~2023~~ planning period. ~~The Town has including sufficient~~ sites currently planned and zoned at 20 units per acre to meet the Town's lower income need of ~~57~~40 units. The table on the next page shows there are adequate sites at 20 units per acre with a realistic development capacity of ~~67~~61 units.

Based upon the Town's recent development history of one second unit per year, the Town expects to develop 8 second units during the planning period. The Town's second unit survey, conducted in 2013, found that affordability levels for second units are 13% very low income, 50% low income, and 38% moderate income. Therefore, five of the projected eight new second units are expected to be affordable to lower-income households.

Summary of Site Inventory and Relationship to the Town's RHNA

Location	Zoning	General Plan Designation	Acres	Density	Range of Units Possible	Realistic Capacity (2014-2022)	Existing Uses	Infrastructure Capacity	On-site Constraints
1555 Tiburon Blvd. 058-171-96	NC/AHO	Neighborhood Commercial/Affordable Housing Overlay (up to 0.31 FAR and 15.3 units/gross acre; 20.7 units/gross acre with density bonus)	1	12.9-20.7	13 to 20	20	Vacant Parking Lot	Yes	None
Chase Bank 1535 Tiburon Blvd. 058-171-43	NC/AHO	Neighborhood Commercial/Affordable Housing Overlay (up to 0.31 FAR and 15.3 units/gross acre; 20.7 units/gross acre with density bonus)	0.73	12.9-20.7	9 to 15	0	Existing Bank (not available)	Yes	Existing Building and Use
Bank of America 1601 Tiburon Blvd. 058-171-47	NC/AHO	Neighborhood Commercial/Affordable Housing Overlay (up to 0.31 FAR and 15.3 units/gross acre; 20.7 units/gross acre with density bonus)	0.57	12.9-20.7	7 to 11	0	Existing Bank (not available)	Yes	Existing Building and Use
1601 Tiburon Blvd. 058-171-86	NC/AHO	Neighborhood Commercial/Affordable Housing Overlay (up to 0.31 FAR and 15.3 units/gross acre; 20.7 units/gross acre with density bonus)	1.06	12.9-20.7	14 to 21	21	Vacant Parking Lot	Yes	None
1600 Tiburon Blvd. 059-101-01	NC/AHO	Neighborhood Commercial/Affordable Housing Overlay (up to 0.31 FAR and 15.3 units/gross acre; 20.7 units/gross acre with density bonus)	0.4	12.9-20.7	5 to 8	8	Deli	Yes	None
Cove Shopping Center 1 Blackfield Drive (portion)	NC/AHO	Neighborhood Commercial/Affordable Housing Overlay (up to 0.31 FAR and 15.3 units/gross acre; 20.7 units/gross acre with density bonus)	0.6	12.9-20.7	8 to 12	12	Vacant Parking Lot	Yes	Drainage Channel (can be mitigated)
Reed School 1199 Tiburon Blvd.	RMP/AHO	Very High Density Residential/Affordable Housing Overlay (up to 18.4 du/acre, 24.8 du/acre with density bonus)	1.8	12.4 - 24.8	12 to 37	0	Vacant	Yes	Slope 1 – 1 ½ acres are developable.
SUBTOTAL FOR SITES OVER 20 UNITS PER ACRE						68 to 124	61		
Second Units	Various	Residential	Varies	Varies	100+ *	8	Developed/ Vacant	Yes	Varies
Single Family	Various	Residential	Varies	Varies	85	40	Vacant	Yes	Varies
TOTAL CAPACITY						253 to 309	109		

* This is a conservative estimate of the number of potential second units. There are approximately 2,500 detached single family homes in Tiburon, many of which have potential to create a second unit, either within the existing structure or as a new attached or detached structure.

Feasibility of Identified Mixed Use Development Sites

As part of the site inventory, the Town staff visited the sites and reviewed information regarding existing conditions, potential constraints, and other factors related to site feasibility. In general, sites or areas that can be redeveloped were categorized as follows:

Immediately Available — Sites in this category are typically vacant, are occupied by obsolete buildings (e.g. have buildings that are aged and thus are not able to command market rents), or are substantially underutilized (occupied by a building that is well below the permitted development intensity for the site), lack any significant development constraints, and have active marketing efforts or redevelopment proposals underway.

Conditionally Available — Sites in this category are occupied by obsolete buildings or are underutilized and lack any significant development constraints but require some development decision by public or private owners to make them available during the current planning period ~~(before 2014)~~.

Limited by Constraint Conditions — Sites in this category are typically underutilized and have constraint conditions or existing use circumstances that require coordinated public and private investment to overcome but that appear economically feasible in the current planning period.

Existing Use/Known Feasibility Constraints — Sites in this category are sized and well-located for mixed use development but have economically viable existing uses or constraints that establish site value and/or development costs above that affordable by the potential mixed use development, or environmental constraints that make development extremely difficult in the near term. These sites were excluded during the initial selection process and are not listed.

The availability of developable sites does not assure development; market conditions will in most cases dictate when any particular development will commence. ~~Only the Reed School site is publicly owned, although not by the Town of Tiburon.~~ From a market feasibility standpoint, in practice, housing is increasingly part of mixed use development in California suburban settings such as Tiburon. The reason is that housing has tended to generate considerably higher value per square foot of developed building than office or retail uses. Given the relatively high cost of land and construction of mixed use buildings, the housing component is often essential to achieve a financially feasible development. Even when not absolutely necessary, rent-seeking investors will tend to maximize value and a housing component can help achieve this objective.

Experience with financial analysis of mixed use buildings has repeatedly demonstrated this point. A simple reference to the marketplace also underscores this point – a common prototypical vertical mixed use building, with hundreds of examples having been built recently in California, involves a retail/office ground-floor “podium” with two or more floors of residential flats located

above. Alternative “side-by-side” projects also exist. Of course there will always be circumstances that lead site owners to variations in the mixed use prototype including single-use buildings and those involving no residential development, changing market dynamics, cost/risk factors, and business objectives. However, most mixed use sites in the Town of Tiburon as a part of the Housing Element were so selected because of their potential for housing development in the context of prior infill planning and Town policies. Accordingly it is very likely that many of the selected sites will incorporate a housing component, including affordable housing.

The Cove Shopping Center Housing Site



The entire 4.23-acre site is developed with an approximately 42,000 square foot neighborhood shopping center containing a grocery store, ~~video rental outlet~~ bank, restaurant, and ~~numerous several~~ smaller retail and service establishments. ~~Currently, both the grocery store space and the video rental space are vacant.~~ Housing can be located on a vacant part of the shopping center site (0.23 acres) that is space formerly occupied by a plant nursery. In addition, adjacent

to the former nursery there is ~~an a larger~~ undeveloped section of land at the east end of the property that could be used if a drainage channel is bridged or otherwise crossed or independent of the 0.23-acre portion. Together, this part of the property borders multi-family residential development on Circle Drive and single-family residences that are part of the Bel Aire neighborhood and comprises 1.1 acres. The 0.23-acre portion of the site is a candidate for improvement and redevelopment. It is partially developed with a paved parking lot. occupied by a small building shell that has been vacant for several years.—It is adjacent to residential uses, has good access through the shopping center, has no known physical development constraints, and is compatible with the intensity of development in the shopping center. A total of 12 units could be built on this portion of the property (0.23 acres at 20 units per acre). The Town would also help facilitate a lot split if needed and provide other incentives to ensure the economic feasibility of exclusively residential development on this portion of the parcel.

Address: 1 Blackfield Drive
Site Size: 1.1 Acres (0.23 acres on the west side of the drainage channel and 0.25 acres on the east side of the drainage channel are considered developable for the purposes of the Housing Element)

General Plan

Designation: Neighborhood Commercial/Affordable Housing Overlay (up to 0.31 FAR and 15.3 units/gross acre; 20.7 units/gross acre with density bonus)

Zoning Designation: NC/AHO Neighborhood Commercial/Affordable Housing Overlay

Potential Housing Units: 8 - 12 units

Infrastructure: No constraints; access through shopping center.

On-Site Constraints: Drainage channel splits the area and steep slope on part of the eastern portion of the site (cost and design considerations for future development of the entire 1.1 acres). However, 12 units could be clustered on a 0.23-acre portion of the site that is flat and adjacent to the existing shopping center. In that case, crossing the drainage channel would not be needed. Alternatively, the 0.87-acre eastern side of the site could also be developed independently with 6 units and parking, put would require more grading and retaining of the slope than the smaller, western portion of the site.

Existing Use: ~~Vacant building~~Parking lot adjacent to commercial area; remainder of the site is vacant.

Realistic Development

Capacity: 12 units

Special Policy Considerations and Site Incentives:

- (1) Linkage with shopping center uses and shared parking opportunities (additional units could

- be added to the active shopping area of the center above the existing commercial uses).
- (2) Use gross acreage for determining total number of units and net acreage for determining density of development.
 - (3) ~~Modify-Apply~~ General Plan and Zoning requirements ~~to-for~~ 25% affordable units ~~for the provision of affordable units~~ in the NC/AHO zone.
 - (4) Allow incentives for smaller units in consideration of lesser impacts than an average size unit in Tiburon.
 - (1) Town assistance in obtaining grants.
 - (2) Encourage residential development through use of ~~former~~ RDA set-aside funds and/or in-lieu funds to assist in site development, fee reductions and permit streamlining.
 - (3) Facilitate lot split ~~for 0.23-acre portion~~ from remainder of shopping center if needed.

~~Reed School Housing Site~~

~~This 1.8-acre underdeveloped site is a rectangular-shaped, somewhat sloping property adjacent to the school's parking lot. It is located adjacent to existing residential uses, open space, and a public street. The elementary school is located across the parking lot from the undeveloped portion of the site. Physical features such as slope may limit the developable portion to approximately 1-1.5 acres. The property is located within the Tiburon Redevelopment Agency Project Area.~~

~~Address: 1199 Tiburon Boulevard~~

~~Site Size: 1.80 Acres~~

~~General Plan~~

~~Designation: Very High Density Residential/Affordable Housing Overlay ((up to 18.4 du/acre, 24.8 du/acre with density bonus)~~

~~Zoning Designation: RMP/AHO Residential Multiple Planned/Affordable Housing Overlay~~

~~Potential Housing Units: 12 - 37 units~~

~~Infrastructure: No constraints.~~

~~On-Site Constraints: 1-1.5 acres developable.~~

~~Existing Use: Vacant.~~

~~Realistic Development~~

~~Capacity: 35 units~~

~~Special Policy Considerations and Site Incentives:~~

- ~~(1) Work with the Reed Union School District. The Town will undertake the following specific steps to encourage residential development: (1) conduct a meeting with the Reed Union School District Superintendent; (2) provide background material in support of the School District discussion of the issue; (3) conduct a meeting with the Reed School District Board to discuss residential development of the property; and (4) undertake follow-up actions based on discussions to implement the incentives listed below. Similar to privately-owned sites in Tiburon, the decision to develop this site rests with the property owner (in this case the Reed Union School District) and whether the market timing is right. The provision of School District personnel housing and revenues to the School District could be factors in the decision as well.~~
- ~~(2) Use gross acreage for determining total number of units and net acreage for determining density of development.~~
- ~~(3) Modify General Plan and Zoning requirements to 25% affordable units for the provision of affordable units in the RMP/AHO zone.~~
- ~~(4) Allow incentives for smaller units in consideration of lesser impacts than an average size unit in Tiburon.~~
- ~~(5) Town assistance in obtaining grants.~~
- ~~(6) Use of RDA set-aside funds and/or in-lieu funds to assist in site development.~~

Downtown Housing Sites

~~**Vacant Market Building (1599 Tiburon Boulevard):** This double frontage site, adjacent to 1555 Tiburon Boulevard, has an approximately 20,000 square foot commercial building built in the early 1960's, and a surrounding parking lot. When in use, the facility was over-parked by modern standards. The property is located within the Tiburon Redevelopment Agency Project Area. The building is located toward the rear of the site. The site is flat and approximately 1.6 acres in area, with infrastructure and utilities in place. This is an ideal site for a mixed-use project, possibly in conjunction with the site at 1555 Tiburon Boulevard, which is under the same ownership. A long-term lease agreement has recently been signed to establish a CVS Pharmacy in this location. The site is no longer available as a housing site within the planning period.~~

1. Chase Bank (1535 Tiburon Boulevard): This 0.73-acre site contains a 7,990 square foot bank building with approximately 30 parking spaces and extensive walkways and landscaped areas. The building, which is one-story with a partial mezzanine level, was constructed in the 1970's, and has a very low intensity of use. This lot is flat and is located close to services and transit with utilities, access, and other infrastructure in place. This is a possible site for a mixed-use project or a senior housing facility. ~~The parcel is located within the Tiburon Redevelopment Project Area.~~ The site is owned by Metropolitan Life and is leased by Chase Bank. The site is

adjacent to 1555 Tiburon Boulevard. A change of use or possible redevelopment of the site is possible, but the site should be considered as a longer-term housing site.

2. Vacant Parking Lot (1555 Tiburon Boulevard): This site is a paved private parking lot adjacent to ~~1559 Tiburon Boulevard and under the same ownership a CVS Pharmacy~~. This flat site is approximately 1 acre in area and is located close to services and transit with utilities, access, and other infrastructure available. ~~The parcel is located within the Tiburon Redevelopment Project Area. A deed restriction for public use dating from the 1970's would need to be removed from the rear half-acre by the Town of Tiburon. In addition, the issue of parking for Angel Island State Park will need to be addressed.~~ A deed restriction for non-development (held by the Town of Tiburon) dating from 1977 ~~would-might~~ need to be removed from the rear half-acre by the Town, depending on the location of building.


3. Bank of America (1601 Tiburon Boulevard): This site contains an existing 6,900 square foot, two-story bank building constructed in the early 1970's on a roughly half-acre leasehold. The building is currently occupied by Bank of America and is considered to be an antiquated facility by modern banking standards, likely to see a change in use or possible redevelopment of the site in the fairly-near-term future. ~~The property is located within the Tiburon Redevelopment Agency Project Area.~~ This is a flat site with few constraints and proximity to services and transit. This site shares the same excellent redevelopment potential as the Chase Bank site but should be considered as a longer-term housing site.

4. Vacant Parking Lot (2 Beach Road, APN 058-171-86): This site is a paved private parking lot adjacent to Bank of America. The 1.06 acre site is flat and is located close to services and transit with utilities and infrastructure in place. The parcel is located within the Tiburon Redevelopment Project Area. A deed restriction for non-development (held by the Town of Tiburon) at the rear of the site might need to be removed by the Town, depending on the location of building.

5. Shark's Deli (1600 Tiburon Boulevard, APN 059-101-01): This site contains a small deli in a building built in the 1940's and originally utilized as a gas station. The site is underutilized with the outdated, one-story structure occupying approximately 10 percent of the parcel. The 0.4 acre site is flat and has access on both Tiburon Boulevard and Beach Road, with services and transit close by and existing utilities and infrastructure.

Special Policy Considerations and Area Incentives:

- (1) Shared parking opportunities.
- (2) Use gross acreage for determining total number of units and net acreage for determining density of development.

- 
- (3) ~~Modify~~ Apply General Plan and Zoning requirements ~~to for~~ 25 percent affordable units ~~for the provision of affordable units~~ in the NC/AHO zone and 20 percent affordable units for smaller sites that have a capacity of 10 or fewer units at minimum densities.
 - (4) Allow incentives for smaller units in consideration of lesser impacts than an average size unit in Tiburon.
 - (5) Town assistance in obtaining grants.
 - (6) Use of former RDA set-aside funds and/or in-lieu funds to assist in site development.

Downtown Housing Sites

Zoning Designations

NC Neighborhood Commercial	NC/AHO Neighborhood Commercial/ Affordable Housing Overlay
VC Village Commercial	P Public/Quasi-Public
RMP Residential Multiple Planned	OS Open Space
P&R Parks & Recreation	R-2 Two-Family Residential

Note: The Zoning Map has not yet been revised to reflect the inclusion of Sites 4 and 5 in the NC/AHO zone.

C Potential Non-Governmental Constraints to Housing

State law requires that the Housing Element include a discussion of the factors that present barriers to the production of housing, including government actions and market forces (non-governmental constraints). Identification of these constraints helps the Town to implement measures that address these concerns and reduce their impacts on the production of housing.

Cost of Land

Many factors determine the price of land in the Town, including allowable density and type of residential development, the availability of public services and utilities and the quality of nearby existing development. Two major factors contribute to the high land costs in Marin County specifically: (1) Marin County is considered a desirable place to live and, (2) available land is in short supply, especially for larger sites.¹ These costs vary both between and within jurisdictions based on factors such as the desirability of the location and the permitted density. The typical land value for a single family home lot runs between \$300,000 and ~~\$900,700~~,000 in a jurisdiction like Novato, or \$1.0 million and \$5.0 million in a jurisdiction like Tiburon. Based on a typical multifamily construction in Marin County, land costs add \$50,000-\$65,000 per unit, but can run upwards of \$75,000 in some locations.

For Marin County, land costs average around 15-20 percent of construction costs for multifamily developments. Even though land costs for single family homes vary widely throughout the county, the costs (as a percentage) are significantly higher than for multifamily developments.

Construction Costs

Multifamily Developments

~~According to local developers, hard construction costs for a typical two or three-story multi-family development average \$175 to \$195 per square foot. Thus, a 30-unit development with a gross building area of 25,200 square feet would have hard construction costs of approximately \$4.9 million, or about \$164,000 per unit. Soft costs typically add 45 to 50 percent to this base cost, yielding a per unit total construction cost of approximately \$240,000. Construction costs include both hard costs, such as labor and materials, and soft costs, such as architectural and engineering services, development fees and insurance. For multifamily homes in Marin County, hard costs account for 60-70 percent of the building cost and soft costs average around 15-20 percent (the remaining 15-20 percent is land costs). Based on recent multifamily developments~~

¹ According to the Marin Economic Commission's Marin Profile 1999: A Survey of Economic, Social and Environmental Indicators, 84 percent of land area in Marin is designated for agriculture, park lands and open space and watershed. Of the remaining land, 11 percent is developed and five percent is listed as potentially developable development.

in the county, hard costs are currently between \$250 and \$400 per square foot for a multifamily unit (EAH).

With all construction costs and land costs ~~are~~ included, total multifamily unit development costs rise to over \$300,000 per unit. Luxury developments can cost substantially more, \$300 to \$500 per square foot, or between \$400,000 and \$500,000 per unit. These high costs reflect the high cost of land and the expensive finishes that are typical in Marin County.

Single Family Homes

According to local contractors and realtors, construction costs vary between \$200 and \$250 per square foot for average construction and can go up to \$500 per square foot for a high-end, custom-built single family house. Soft costs (including architectural and engineering fees, property taxes during construction, city and utility fees, and construction loan interest and fees) typically increase these costs by approximately 35 to 40 percent. Construction costs can be higher if lots require substantial site work due to steep slopes, unstable soils, waterways, and other environmental concerns. For single family homes, hard costs often are roughly 40 percent of the total construction cost, soft costs are 20 percent and land is the remainder. In the region, single family homes cost roughly \$125 per square foot for a two-story house and \$160 for a three story home.

~~According to the Association of Bay Area Governments, wood frame construction at 20-30 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.~~

~~One factor affecting costs is the use of prevailing wage labor. Construction costs for a typical apartment complex in the region (45 units per acre, structured parking, 800 square units), are around \$200,000 a unit for prevailing wage labor and \$175,000 a unit for non-prevailing wage labor. Projects receiving public subsidies, such as affordable housing developments, often must pay prevailing wages.~~

~~Costs can change dramatically over time. From 2000-2007 construction costs were rising faster than inflation. In late 2007 they leveled off and have since been declining (EAH). In late 2008 and early 2009, construction costs dropped roughly ten percent.~~

Financing

~~Until mid-2008, home mortgage financing was readily available at attractive rates throughout Marin County and California. Rates vary, but ranged from around 6.25 percent to seven percent between 2006 and 2008 for a 30-year fixed rate loan (HSH Associates Financial Publishers). However, rates have been as high as ten or 12 percent in the last decade.~~

~~Starting in late 2008, it became harder to get a home purchase loan, but the average interest rate has fallen to around five percent. Over the past year, mortgage rates for conventional 30-year fixed rate loans have ranged between 3.25 and 3.75 percent. These loans are generally available to home buyers with good credit histories and adequate down payments. Interest rates on jumbo loans for amounts over \$729,750 are about one-half percentage point higher and are more difficult to secure. Tighter lending standards have made it harder to get a home loan, especially for people with poor credit scores and/or undocumented income. In particular, people with short credit history, lower incomes or self-employment incomes, or those with other unusual circumstances, have had trouble qualifying for a loan or were charged higher rates.~~

**Mortgage Payments for a 30-Year Fixed Rate
Loan of \$500,000**

Interest Rate	Monthly Payment (excluding taxes and insurance)
3%	\$2,108
4%	\$2,387
5%	\$2,684
6%	\$2,998
7%	\$3,327

Small changes in the interest rate for home purchases dramatically affect affordability. A 30-year home loan for \$400,000 at ~~five-four~~ percent interest has monthly payments of roughly ~~\$2,150~~1,910. A similar home loan at ~~seven-six~~ percent interest has payments of roughly 20 percent more, or ~~\$2,660~~2,340.

Construction loans for new housing are difficult to secure in the current market. In past years, lenders would provide up to 80 percent of the cost of new construction (loan to value ratio). In recent years, due to market conditions and government regulations, banks require larger investments by the builder.

Many builders are finding it nearly impossible to get construction loans for residential property at the current time, with the exception of limited funding available through local banks, and must rely on private funds or seller carry-back loans. Banks that are underwriting construction loans are requiring 25 to 35 percent cash equity; interest rates range from 5 to 6 percent. Loans for land acquisition are extremely difficult to secure, and lenders will typically provide financing for

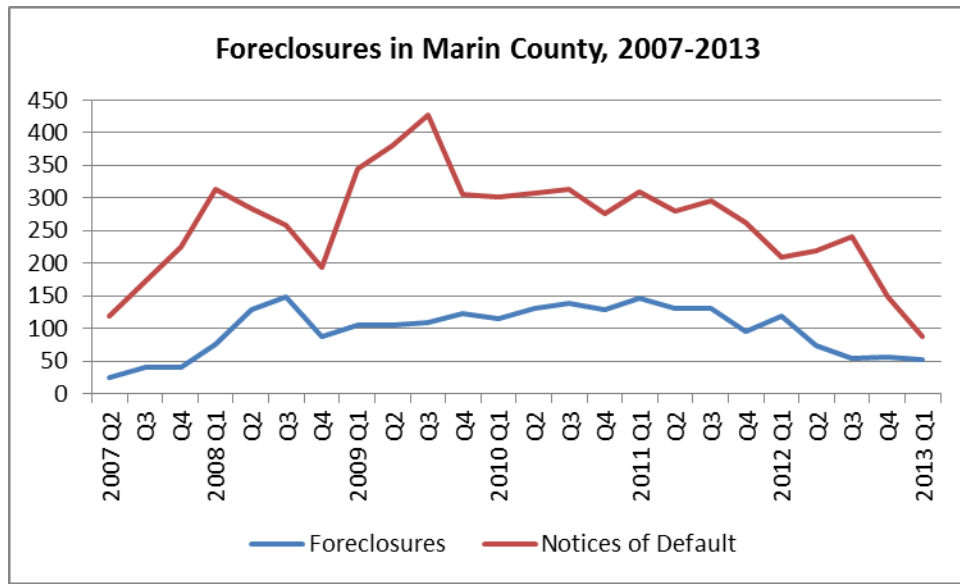
~~only 50 to 65 percent of the land value, at an interest rate of approximately 7.5 percent, for projects that are permit-ready. Complicated projects, like mixed-use developments, are often the hardest to finance. Non-profit developers may find it especially difficult to secure funding from the private sector.~~

Affordable housing developments face additional constraints in financing. Though 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 with higher per unit costs are among the hardest to make financially feasible. This is because the higher costs result in a sales price that is above the affordability levels set for many programs. Additionally, smaller projects often require significant inputs of time by developers, but because the overall budget is smaller and fees are based on a percentage of total costs, the projects are often not feasible (Marin Environmental Housing Collaborative).

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. For example, though tax credits used to be a valuable source of revenue for low-income housing developers, programs have been cut and the tax credit resale market has softened. ~~Though construction costs have been falling for all builders, the potential for tax credit revenue has been falling at an even greater rate, meaning that developers of low-income property are suffering disproportionately~~ (EAH).

Foreclosures

~~While the incidence of foreclosures was considered a constraint to housing during the last housing element period, the number of foreclosures in California has decreased significantly due to rising home values, a strengthening economy and government efforts to reduce foreclosures. DataQuick, a real estate information service, reports that the number of California homeowners entering the foreclosure process dropped to the lowest level in more than seven years during the first quarter of 2013. In Marin County, 87 homeowners entered the foreclosure process during the first quarter of 2013, a 58 percent year-over-year decline. The number of homes foreclosed on experienced similar year-over-year declines; 52 Marin County homes were foreclosed on during the first quarter of 2013, a 56 percent year-over-year decline.~~



DataQuick reports that 303 single family houses and condos were foreclosed on in 2012. Five of these homes were located in Tiburon (Marin Independent Journal home foreclosure database).

According to DataQuick, most of the California loans going into default are from the 2005-2007 period, indicating that weak underwriting standards peaked at that time. Tighter lending standards have reduced the chance that the California housing market will experience another wave of high foreclosure rates in the near future.

Across the United States, the proportion of houses in foreclosure is at a historic high. California has one of the highest foreclosure rates in the country (Realtytrac.com). Though Marin County has not been hit as hard as other parts of the state, it has by no means escaped the trend. On January 7 of 2009 the Marin Independent Journal reported that “Marin foreclosures more than tripled in 2008”. Quoting Andrew LePage of the real estate tracking firm Dataquick, the Journal observed, “while Marin has unique circumstances of being a high-end market compared to inland areas where the bulk of foreclosure activity took place, ‘it’s not immune to global forces.’” In December 2008, 1 in 148 housing units in California were in foreclosure. In Marin County 1 in 528 housing units were in foreclosure. This figure is a little below the state average. There were 205 foreclosure notices in Marin County in December. The distribution of these foreclosures is shown in following chart. Data is not available for all jurisdictions. Another useful indicator of foreclosure trends is the proportion of housing stock “under water”. A home is termed “under water” when it is worth less than the amount the owner still owes on the original mortgage. The Bay Area median is approximately 12 percent.

Community Resistance to New Housing

Another common constraint to housing production in Marin County is community resistance to new developments. There are a number of concerns that are often expressed at meetings, including: 1) new developments will cause increased traffic, 2) additional housing or density will adversely affect the community character, 3) affordable housing will impact property values, and 4) valuable open space will be lost. Regardless of the factual basis of the concern, vociferous opposition can slow or stop development.

Additionally, at times there is a tension between the desire to provide certain individuals (such as nurses, teachers, law enforcement, etc.) preferential access to affordable housing and Fair Housing Law. 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.

Potential opposition to affordable housing exists in many communities throughout the Bay Area. It is important in this regard to identify sites for special needs and affordable housing that fit with community character and have minimum impacts. Design plays a critical role in creating new developments that blend into the existing neighborhood, especially in higher density developments that might otherwise seem out of place. Good design can help ensure that high density developments are not bulky or out-of-scale. Through sensitive design, a building's perceived bulk can be significantly reduced to create a development that blends with the existing character of the neighborhood. Design strategies that the Town has used to minimize the perception of bulk and create a blending with the community do not necessarily increase costs. These include:

- (1) Break-up the building “mass” in its architecture and detailing (e.g., create several smaller buildings instead of one large building).
- (2) Vary the roofline.
- (3) Create a three-dimensional facade (rather than a massive, flat facade).
- (4) Step-back the building height, with the lowest part of the building towards the street and adjacent properties, locating the highest part of the building towards the center of the property.
- (5) Site the building appropriately in relation to surrounding buildings.
- (6) Use architectural design, landscaping, materials and colors that fit with the area.
- (7) Use landscaping to blend the buildings with the natural setting.
- (8) Provide for open space and pathways throughout the development.

The Marin Consortium for Workforce Housing was established to build public understanding and support for workforce housing. The Consortium focuses public concern on potential environmental impacts, quality of design, and the quality of long-term management of the project.

The Housing Element includes a program to work with the Marin Consortium for Workforce Housing to help address this potential constraint. In addition, the Town's environmental and design review procedures assist in achieving project acceptability and allow for neighborhood participation.

Working with Non-Profit Housing Developers

The key to the success of non-profit developers lies in three areas: (1) their ability to draw upon a diversity of funding sources and mechanisms to make their developments work financially; (2) their commitment to working cooperatively and constructively with the local community; and (3), their long-term commitment to ensuring excellence in design, construction and management of their developments, creating assets that are valued by the people who live in the developments as well as their neighbors and others. The Town can work with non-profit developers where there are opportunities, either through public ownership of property or key larger sites (over 1 acre in size) where special opportunities exist with minimal constraints, carrying costs, or costs of processing or construction. Since multiple funding sources are usually used on an affordable project, there are additional burdens placed on non-profit developers to track the information required and report on a timely basis.

There are a wide variety of resources provided through federal, state and local programs to support affordable housing development and related programs and services. Specific programs and sources of funding are summarized earlier in the Housing Element. Local government resources, which have historically played a less important role in supporting housing development, now play a fairly significant role by making local developments more competitive for federal and state financing. There is considerable competition for the program funds that are available, and any one development will need to draw upon multiple resources to be financially feasible. When developments are able to demonstrate a financial commitment and contribution from local sources — especially if coupled with regulatory support through policies such as fast-track processing, fee waivers, and/or density bonuses — they are better able to leverage funding from other 'outside' sources.

The Non-Profit Housing Association of Northern California (NPH) serves as a local networking agency and advocacy group, as well as a resource organization for affordable housing developers in the Bay Area and elsewhere in California. Greenbelt Alliance has also been involved and supportive of affordable housing policies and projects. Some of the other affordable housing developers and housing services providers that have been active in Marin County in recent years include [Ecumenical Association for EAH](#) Housing, North Bay Housing, [Citizens Mercy](#) Housing, [Eden Housing](#), and BRIDGE Housing Corporation.

D Potential Governmental Constraints to Housing

As with other cities, Tiburon's development standards and requirements are intended to protect the long-term health, safety, and welfare of the community. The Town of Tiburon charges fees and has a number of procedures and regulations it requires any developer to follow. There are many locally imposed land use and building requirements that can affect the type, appearance, and cost of housing built in Tiburon. These local requirements include zoning standards, development fees, parking requirements, subdivision design standards, and design review. Other building and design requirements imposed by Tiburon follow State laws, the California Building Code (CBC), Subdivision Map Act, energy conservation requirements, and so forth.

The Town's development standards contained in the Municipal Code (Zoning Ordinance and Subdivision regulations) are the minimum necessary to ensure the protection and preservation of the existing housing stock. By Marin County standards, they are not unduly restrictive and, in general, Tiburon's development standards and requirements are comparable to many other communities in the Bay Area.

Tiburon Zoning Ordinance

The Tiburon Zoning Ordinance closely tracks the General Plan, but in addition provides detailed development standards and processing procedures. The development review process for discretionary permits required by the Zoning Ordinance can act as a constraint to the production of affordable housing. Below is a description and analysis of the current residential development review process in the Town of Tiburon. The analysis addresses properties that allow housing development, both in residential zones and in commercial zones.



Tiburon processes the typical small development in three to four months from application to building permit approval. This is due to the efficiency of a small town government, the lack of an application backlog, and the fact that most public facilities are already in place. Single-family housing development applications generally take less time to review than multi-family proposals. When proposed single family developments are in conformity with the General Plan and existing zoning, it is possible to process the required applications within several months. Some new single-family and all multi-family development proposals are subject to Design Review. Major projects may also require an EIR, multiple public hearings and extensive local review. The total review time for multi-family projects, from the initial developer contact with the

Town to final approval, can take up to a year.

In most of Tiburon’s residential zones (R-1, R-1-B, RO-1, RO-2, R-2 and R-3) zones, a single discretionary permit (Design Review) is required to construct single family and/or multi-family housing, with one exception as described later in this section. The Design Review Board acts on Design Review applications ~~following a~~ public hearings. The Design Review Board reviews any variance applications associated with the site plan and design of the project simultaneously—; other variances are reviewed by the Planning Commission. No additional discretionary review is required to approve housing projects in the above-listed zones. If the decision of the Design Review Board or Planning Commission is appealed to the Town Council, the Town Council will hold a hearing and make the final decision on the application. The Design Review process typically has the following elements and timeline:

Task	Time
<ul style="list-style-type: none"> • Application filed Project sponsor submits completed application forms, drawings, supporting documents and fees 	1 day
<ul style="list-style-type: none"> • Completeness review The application is routed to Town departments to determine whether additional information is required to process the application, and for recommended conditions of approval 	< 30 days
<ul style="list-style-type: none"> • Completeness notice Written notice is sent to the applicant informing them whether the project is complete or incomplete 	1 day
<ul style="list-style-type: none"> • Follow-up submittal If the application is incomplete, the applicant will submit follow-up information as requested. The time to complete this task is determined by the project sponsor, but generally does not exceed 30 days. If the application was complete, this step is skipped 	Varies
<ul style="list-style-type: none"> • Environmental Review The application is reviewed to determine whether the project is exempt from CEQA or if an Initial Study is required. Most projects are found to be exempt from CEQA. If a Negative Declaration is prepared, environmental review may take the full 6 months allowed by law 	1 day-6 months
<ul style="list-style-type: none"> • Staff report 	30 days

A detailed evaluation of the application is conducted by staff and a written report is prepared for public review

- **Public meeting**

10 days

A hearing notice is sent at least 10 days before the meeting to property owners within 300 feet of the property. The Design Review Board conducts a public meeting and takes action on the application

As noted above, there is one exception to the single discretionary permit rule in residential zones. In the Planned Residential Zones (RPD and RMP), two discretionary permits (Precise Development Plan and Design Review) are required.

In Tiburon's commercial zones (Neighborhood Commercial and Village Commercial), current zoning requires two discretionary permits for residential development. The Planning Commission must approve a Conditional Use Permit for the residential use and the Design Review Board must approve a Design Review permit. Each process is separate; processing is sequential. This means that a very similar task/timeline to that shown above is first performed by the Planning Commission and then by the Design Review Board, with only the environmental review portion not being repeated by the Design Review Board.

The Town recognizes that the time required to process a development proposal can be a barrier to housing production if it is lengthy. The Town has streamlined its development review process and adopted a new Zoning Ordinance to make the process more efficient, while still providing adequate opportunity for public review and input. In addition, much of the permit processing time frame is dictated by state-mandated noticing and processing procedures that help assure community review of projects. Processing times for projects in Tiburon are similar to, if not faster than, other jurisdictions in Marin County.

The Town has a maximum of 30 days to conduct an initial review of the project and determine whether it is "complete," or whether additional information is needed to evaluate the project. While this may seem like a long time, it includes time to refer the application to different departments and outside agencies involved in development review; and to receive and consolidate these comments. Staff tries to anticipate analyses that will be needed for environmental review or during the public hearing process (such as any special studies). If the project does not meet various Town standards, it may also need to be revised. In the past several years, the Town has improved submittal checklists and handouts to identify what information is required for an application to be deemed "complete."

Within 30 days of receiving a complete application, the Town must determine whether the project requires a Negative Declaration, Environmental Impact Report or can be categorically exempt. If

not categorically exempt, staff prepares an “Initial study”. If a Negative Declaration is prepared, the state-required public review period is 20 to 30 days, depending on whether a state agency is involved in the review. If an Environmental Impact Report (EIR) is required it can add an additional 6 to 8 months for preparation and review of the Draft EIR, responses to comments, and preparation of the Final EIR. Town records indicate that over the past 20 years, more than 99 percent of design review applications are found to be categorically exempt from CEQA, and the Design Review Board has considered no EIR’s over that period of time and only a handful of Negative Declarations. All such projects have been approved by the Board.

The Town works closely with developers to expedite approval procedures so as not to put any unnecessary timing constraints on development. For a project of scale or a likely controversial project, an initial pre-consultation meeting with the planning department, public works, and the fire district is recommended to discuss the development proposal. Then a description of the project and application must be filed with a site plan, which is first reviewed by the planning division and other agencies such as public works for consistency with Town ordinances and General Plan guidelines. After the project is approved, the building division performs plan checks and issues building permits. Throughout construction, the building division will perform building checks to monitor the progress of the project. This process does not seem to put an undue time constraint on most developments because of the close working relationship between Town staff, developers, and the decision-making bodies (Design Review, Planning Commission, and Town Council). Some projects may include a variance request and those requests are generally considered at the same hearing as the design review permit to avoid delays in processing. A vast majority of Design Review applications are approved at the first hearing. Additionally, appeals of Design Review Board decisions are limited to a single step, directly to the Town Council, to avoid unnecessary delays from intermediate hearing bodies such as the Planning Commission.

The Tiburon zoning ordinance provides the criteria used by decision-makers when reviewing a project for design review approval. The Town also provides illustrations and further details of factors considered in the Town’s Hillside Design Guidelines and the Downtown Tiburon Design Handbook. While design review can be subjective to some extent, these guidelines and Town practices strive to make design review as speedy, objective and fair as possible.

The guiding principles are intended to decrease “uncertainty” for applicants, and as much as possible, provide objective and clear standards, considerations and expectations for new development. The Town also provides separate handbooks for design standards for development in the downtown area and in the hillside areas, which comprise the vast majority of Tiburon’s neighborhoods. These design guideline handbooks provide a series of easy-to-understand examples, using illustrations with written explanations, of acceptable and unacceptable design techniques and practices that are useful to architects, designers,

applicants, staff, the community and decision-makers. These objective tools are used in the review of development applications and act to reduce uncertainty as to whether an application will be favorably received by the Town. Below are the guiding principles for site plan and architectural review.

Guiding Principles for Design Review

- (1) **Site plan adequacy.** Proper relation of a project to its site, including that it promotes orderly development of the community, provides safe and reasonable access, and will not be detrimental to the public health, safety, and general welfare.
- (2) **Site layout in relation to adjoining sites.** The location of proposed improvements on the site in relation to the location of improvements on adjoining sites, with particular attention to view considerations, privacy, location of noise-generating exterior mechanical equipment, adequacy of light and air, and topographic or other constraints on development imposed by particular site conditions.
- (3) **Neighborhood character.** The height, size, and/or bulk of the proposed project bears a reasonable relationship to the character of existing buildings in the vicinity. A good relationship of a building to its surroundings is important. For example, in neighborhoods consisting primarily of one-story homes, second-story additions shall be discouraged, or permitted with increased setbacks or other design features to minimize the intrusion on the neighborhood.
- (4) **Floor area ratio.** The relationship between the size and scale of improvements and the size of the property on which the improvements are proposed. This concept is known as floor area ratio.
- (5) **Grading and tree removal.** The extent to which the site plan reasonably minimizes grading and/or removal of trees, significant vegetation, or other natural features of the site such as rock outcroppings or watercourses.
- (6) **Compatibility of architectural style and exterior finish.** The architectural style and exterior finish are harmonious with existing development in the vicinity and will not be in stark contrast with its surroundings.
- (7) **Landscaping.** Proposed landscaping, insofar as it is used appropriately to prevent erosion; to protect the privacy of adjoining sites; and to mitigate the visual and noise impacts of the proposed project. Applicants are encouraged to use native and drought-resistant landscaping. Proposed landscaping shall be used which will, at maturity, minimize primary view obstruction from other buildings. A cash deposit or other monetary

security may be required to ensure the installation and/or maintenance for a one-year period of any and all landscaping. Projects that are subject to provisions of Title IV, Chapter 13E (Water Efficient Landscape) of the Tiburon Municipal Code shall comply with the Marin Municipal Water District regulations regarding water-efficient landscaping adopted by reference therein.

- (8) **Lighting.** Proposed lighting, insofar as it should not invade the privacy of other properties, or produce glare or light pollution; yet provide adequate illumination for safety and security purposes. All proposed exterior lighting shall be shielded downlighting.
- (9) **Overall property improvement.** In order to allow the gradual upgrading of existing improvements, upgrades may be required to be made to existing buildings and the site as a whole. The review of applications for additions or modifications to existing development may include conditions requiring changes and/or modifications to existing buildings and site improvements for the entire property to the extent that there is a reasonable relationship between the requested project and the changes modifications required.
- (10) **Appropriate use of building envelope.** In planned residential (RPD and RMP) zones, building envelopes are generally intended to provide a larger-than-needed area for flexibility in the appropriate siting of a main structure and its accessory structures. The building envelope should not generally be interpreted as an area intended to be filled by a main structure and its accessory structures.
- (11) **Green building.** ~~For residential covered projects, as set forth in Section 16-90.020 (Covered Projects), t~~he project design includes features that foster renewable energy and/or resource conservation, ~~and the overall project appears to meet or exceed the applicable green building standard for compliance as set forth by resolution of the Town Council.~~
- (12) **Conformance with zoning requirements.** All modifications and site improvements shall conform with the setback, parking, and height requirements established for each zone by Article II (Zones and Allowable Land Uses), and with any special requirements including recycling (see Municipal Code Chapter 16C [Recyclables Collection Area]) and screening guidelines established for specific uses by this Zoning Ordinance.

Town Staff is able to advise and assist applicants in understanding how the guiding principles apply to particular properties, and also regarding the Design Review Board's expectations.

Evaluation: The vast majority of residential applications that have been received in recent years have been for single-family detached dwellings on individual lots. All but one of these applications has been deemed to be categorically exempt from CEQA. Approval times have typically ranged from six weeks to three months, depending on the swiftness of application completeness and the level of conformance with the Town’s guiding principles of design review.

The requirement for two discretionary permit reviews (in lieu of one) for residential projects in commercial areas is an unnecessary regulatory constraint that can be removed if a jurisdiction has concluded that certain commercial sites are appropriate for mixed-use and/or residential development, and establishes affordable residential use by right.

Reduction of Constraints: The Town adopted changes, contained in Zoning Ordinance Section 16-23.030 that establishes “Affordable Housing Overlay Zone” or “Mixed Use Development Incentives,” which include elimination of the conditional use permit requirement for the housing component of a project.

The constraints to affordable housing contained in the General Plan that will be addressed by programs in this Housing Element will apply equally to the zoning ordinance. Specific Zoning Ordinance amendments were made as a result of programs contained in the previous Housing Element.

The following table provides the land use regulations for the residential zones in Tiburon. Tiburon also has two residential zoning districts, the Residential Planned Development Zone and Residential Multiple Planned Zone, for which development regulations are established by Precise Development Plans (PDP) or other similar Zoning permits.

Summary of Tiburon Zoning District Requirements

Zone	Minimum Lot Area	Front Yard	Side Yard	Minimum Rear Yard	Maximum Lot Coverage	Lot Width	FAR
R-1 (Single Family)	10,000 sf	15'	8'	20% to 25'	30%	40'	(see below)
R-1-B-A (Bel Aire Single Family)	10,000 sf	20'	6'	20% to 25'	30%	40'	(see below)
R-1-B-2 (Modified Single Family)	10,000 sf	25'	10'	20% to 25'	30%	40'	(see below)
RO-1 (Residential Open)	40,000 sf	30'	20'	20% to 25'	15%	70'	(see below)
RO-2 (Residential Open)	20,000 sf	30'	15'	20% to 25'	15%	50'	(see below)
R-2 (Two-family)	7,500 sf	15'	8'	20% to 25'	35%	40'	(see below)
R-3 (Multi-family)	10,000 sf (3,500 sf/unit)	15'	8'	8'	30%	40'	0.6
NC (Neighborhood Commercial)	10,000 sf	n/a	n/a	n/a	37%	n/a	0.37

Source: Town of Tiburon Municipal Code, effective April 16, 2010

Floor Area Ratio (FAR): Floor Area Guidelines have been established by the Town. Generally, these are as follows:

- 35% of the property area for lots less than 7,500 square feet in area (up to 600 square feet of garage may be included without being counted)
- For properties between 7,500 and 60,000 square feet, the FAR guideline is 10 percent of the property plus 2,000 square feet (up to 600 square feet of garage may be included without being counted)
- For lots greater than 60,000 square feet, the FAR guideline is 8,000 square feet (up to 750 square feet of garage may be included without being counted)

Building Height: The maximum building height is 30 feet for all residential zones. NC zone allows 38 feet for downtown properties fronting Tiburon Boulevard.

Parking: One-and-a half (1½) parking spaces are required for each dwelling unit in a residential development, with a minimum of two required.

Notes Open Space:

In the R-2 zone, a minimum of 375 square feet of outdoor usable open space with a minimum dimension of 12 feet is required per unit.

In the R-3 zone, the following schedule of outdoor usable open space is required:

- ~~600 square feet for single family or two family dwelling~~
- ~~300-150~~ square feet per efficiency or studio apartment
- ~~400-200~~ square feet per 1 bedroom apartment
- ~~500-250~~ square feet per 2 bedroom apartment
- ~~600-300~~ square feet per 3 or more bedroom apartment.

Affordable Housing Overlay Zones

In 2006, the Town adopted an ordinance creating an affordable housing overlay and development incentives for affordable housing opportunity sites identified in the Tiburon Housing Element in the Neighborhood Commercial and Residential Multiple Planned zones. The ordinance was amended in 2012 in order to provide more flexible parking standards, higher densities for smaller units, and increased financial feasibility. In order to qualify for the numerous benefits of the overlay zone, a residential development project must include a minimum of ~~20%5 percent~~ very low income, ~~20%10 percent~~ low income, and ~~20%10 percent~~ moderate income (defined in the Zoning Code as below 90% of median income) housing units. This requirement was revised in 2014 to reduce the number of required affordable units for smaller projects; on sites that would yield 10 or fewer total units at the minimum allowable density, the affordable component is reduced to 20 percent of total units, of which at least 50 percent must be affordable to lower income households. A percentage of the housing units must also be designed for special needs populations as per section 16-70.030 of the municipal code. Multifamily uses are permitted by right, and maximum densities are 24.8 units per acre in the Residential Multiple Planned/Affordable Housing Overlay (RMP/AHO) zone and 20.7 units per acre, additive to a 0.31 FAR for commercial uses in the Neighborhood Commercial/Affordable Housing Overlay (NC/AHO) zone. Higher densities are permitted when units are significantly smaller and have few impacts than the market norm. Studio dwelling units are counted at a 1.5:1 ratio provided that each unit does not exceed 600 square feet in floor area; one bedroom units are counted at a 1.25:1 ratio provided that each unit does not exceed 800 square feet in floor area. The building height limit is 3 stories or 38 feet, whichever is less. Setbacks and lot coverage standards are intentionally flexible and left to be determined through site plan and architectural review process.

A number of development incentives are available for projects developed in these zones, including higher densities, relaxation and/or flexibility in development standards, reduced parking standards, reduced interior amenity levels, priority processing, fee reductions and waivers, and utility hookup subsidies.

Second Units

A second dwelling unit is a small unit in addition to the main house on a single lot. Second units have the following benefits:

- (1) They provide flexibility for the owner of the main home (they can be used as a home office, an apartment for elderly parents, or a source of income);
- (2) When rented they help make home-ownership affordable for the owner of the home;
- (3) They can provide flexibility for seniors or other homeowners who rent their primary dwelling because they still want to live in the same neighborhood;
- (4) They provide lower cost housing because the units tend to be small and there are no extra land costs;
- (5) They typically provide lower cost housing for younger households (under 34) and seniors (65 years plus), and these are the demographic groups that have been identified as having the most significant low income housing need in Tiburon;
- (6) They are easier to fit into existing neighborhoods since they are small and are often part of the main house.

The Town of Tiburon's second unit ordinance (Chapter 16-52.100) was amended in 2003 to permit second units by right in all single family residential zoning districts on lots of not less than 10,000 square feet. In 2005, the standards were revised in order to permit greater flexibility in approving second units. Size limitations for newly constructed units were increased from 400 to 500 square feet, and a requirement limiting grading to 30 cubic yards was increased to 100 cubic yards. In addition, a regulation prohibiting second unit development on slopes exceeding 30% was deleted.

The Director of Community Development has ministerial review and approval of second units based on the following standards:

- (1) Newly constructed second units not proposed as part of a project which requires a zoning permit may not exceed 500 square feet.
- (2) Second units located within an existing primary unit, or proposed as part of a project which requires a zoning permit, may not exceed 1/3 of the maximum floor area ratio or 1,000 square feet, whichever is less.

- (3) Units must meet all setback, height, lot coverage, and floor area requirements of the underlying zoning district as determined in the Town's zoning ordinance. However, if the second unit is newly constructed, the unit is limited to a single story with a maximum building height of fifteen feet.
- (4) One parking space must be provided for each bedroom of the residential second unit. Parking spaces must be accessed from the same driveway as the primary unit. Tandem parking is not permitted.
- (5) The primary unit or the second unit must be owner-occupied.
- (6) The exterior of the second unit must closely resemble the architectural style, building materials, and building colors of the primary unit.
- (7) Adequate sanitary service must be available to serve the second unit.

~~Six second units were approved or developed between January 1999 and July 2007, and six five second units were approved or developed since then, with two of those approved since the adoption of the new second unit ordinance in 2003.~~ The rate of second unit development has not increased since the second unit standards were revised in 2005. In order to encourage greater production of second units, the Town could relax standards further as follows:

- (1) Reduce the minimum lot size requirement.
- (2) Increase the unit size limitation to 700 square feet for newly constructed units.
- (3) Reduce the parking requirement to one space per unit, regardless of number of bedrooms, and allow tandem parking.

Community Care Facilities

The Lanterman Developmental Disabilities Services Act (Lanterman Act) sets out the rights and responsibilities of persons with developmental disabilities. The Lanterman Act impacts local zoning ordinances by requiring the use of property for the care of six or fewer disabled persons to be classified as a residential use under zoning. More specifically, a State-authorized, certified or licensed family care home, foster home, or a group home serving six or fewer disabled persons or dependent and neglected children on a 24-hour-a-day basis is considered a residential use that is to be permitted in all residential zones. No local agency can impose stricter zoning or building and safety standards on these homes.

The Town of Tiburon presently permits transitional housing and group homes by right in all single-family residential zones. The Zoning Code identifies "intermediate or community care facilities (as defined by state law) or any other residential care facility for the handicapped (as defined by the Fair Housing Act)" as allowed in any single-family dwelling.

The Town does not restrict the siting of group homes nor require a minimum distance between them. Group homes with under seven occupants are permitted by right in single family

residences and the Town does not have any occupancy standards in the zoning code that apply specifically to unrelated adults. New or significantly remodeled group homes are required to go through the design review process, as is any residential development, and obtain Design Review approval.

Supportive and Transitional Housing

Chapter 633 of Statute 2007 (SB 2) requires all cities and towns to treat transitional and supportive housing as a residential use, subject only to those restrictions that apply to other residential uses of the same type in the same zone. Transitional housing is defined in Section 50675.2 of the California Health & Safety Code as rental housing for stays of at least six months but where units are re-circulated to another program recipient after a set period. Transitional housing may be designated for a homeless individual or family transitioning to permanent housing. Supportive housing as defined in Section 50675.14 of the Health & Safety Code has no limit on the length of stay, is linked to onsite or offsite services, and is occupied by a target population, including low income persons with mental disabilities, AIDS, substance abuse or chronic health conditions or persons whose disabilities originated before the person turned 18. Services typically include assistance designed to meet the needs of the target population in retaining housing, living and working in the community, and/or improving health and may include case management, mental health treatment and life skills. According to state law, jurisdictions must explicitly permit transitional and supportive housing as a residential use in their zoning codes. The Tiburon Zoning Ordinance treats transitional and supportive housing as permitted residential uses, and they are subject to the same restrictions as other residential uses in any of the Town's residential zones.

Emergency Shelters

Emergency shelters are permitted by right in the neighborhood commercial (NC) and village commercial (VC) zones. Below are performance standards, consistent with State law, established in the Tiburon Zoning Ordinance, for emergency shelters:

An Emergency Shelter shall meet the following development and performance standards:

- (1) On-site management and on-site security shall be provided during hours when the emergency shelter is in operation.
- (2) Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible with the surrounding area.
- (3) The development may provide one or more of the following specific common facilities for the exclusive use of the residents and staff:
 - a. Central cooking and dining room(s).
 - b. Recreation room.
 - c. Counseling center.

- d. Child care facilities.
- e. Other support services.
- (4) Parking and outdoor facilities shall be designed to provide security for residents, visitors, employees and the surrounding area.
- (5) A refuse storage area shall be provided that is completely enclosed with masonry walls not less than five feet high with a solid-gated opening and that is large enough to accommodate a standard-sized trash bin adequate for use on the parcel, or other enclosures as approved by the Review Authority. The refuse enclosure shall be accessible to refuse collection vehicles.
- (6) The agency or organization operating the shelter shall comply with the following requirements:
 - a. Temporary shelter shall be available to residents for no more than six months. No individual or household may be denied emergency shelter because of an inability to pay.
 - b. Staff and services shall be provided to assist residents to obtain permanent shelter and income.
 - c. The provider shall have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to insure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents.
- (7) No emergency shelter shall be located within three hundred feet of another emergency homeless shelter site.
- (8) The facility shall be in, and shall maintain at all times, good standing with Town and/or State licenses, if required by these agencies for the owner(s), operator(s), and/or staff on the proposed facility.
- (9) The maximum number of beds or clients permitted to be served (eating, showering and/or spending the night) nightly shall not exceed ten persons.

Manufactured Housing and Employee Housing

Pursuant to Government Code Section 65852.3, Tiburon allows the installation of manufactured homes on a foundation on lots zoned for conventional single-family dwellings, subject to the same development standards as other new single-family dwellings.

In accordance with Health and Safety Code Section 17021.5, housing providing accommodations for six or fewer employees is considered a residential use of a single family structure. The Town does not require a conditional use permit, variance, or other zoning clearance for employee housing for six or fewer employees that is not required of a family dwelling of the same type in the same zone.

Single Room Occupancy (SRO)

The Town permits hotels and motels, including single room occupancy hotels, in the neighborhood commercial (NC) and village commercial (VC) zones with a conditional use permit. Cecilia Place was approved and constructed to be similar to an SRO, although the units are called “studios.” SRO’s are a permitted use in the affordable housing overlay zone. The zoning code allows higher densities for SRO’s. Studio dwelling units are counted at a 1.5:1 ratio provided that each unit does not exceed 600 square feet in floor area.

Housing for Persons with Disabilities

Chapter 671, Statutes of 2001 (Senate Bill 520) requires localities to analyze potential and actual constraints upon the development, maintenance and improvement of housing for persons with disabilities and to demonstrate local efforts to remove governmental constraints that hinder the locality from meeting the need for housing for persons with disabilities. In addition, as part of the required constraints program, the element must include programs that remove constraints or provide reasonable accommodations for housing designed for persons with disabilities.

The Town adopted a reasonable accommodation ordinance in 2012 (Municipal Code Chapter 16, Article IX) to provide a procedure to request reasonable accommodation for persons with disabilities seeking equal housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act in the application of zoning laws and other land use regulations, policies and procedures. The Director of Community Development reviews and approves a request for reasonable accommodation as long as no other discretionary permit approval is required. ~~has reviewed all of its zoning laws, policies and practices for compliance with fair housing laws and has found them to be in compliance with the Americans with Disabilities Act (ADA). While the Town has not developed formal housing policies or programs for the disabled population, Tiburon provides reasonable accommodation for persons with disabilities with respect to zoning, permit processing and building laws and makes this information available to the public.~~

Most publicly-owned facilities in the Town have been retrofitted so that they are fully accessible to disabled residents. Where accessibility may impede a disabled person’s ability to participate in a public meeting, the Town provides reasonable accommodation with 48 hour notice.

Housing Element programs related to the provision of affordable housing for special needs households will ensure that new affordable housing units for people with disabilities will be created as part of future affordable housing development.

As a small community, the Planning and Building Divisions of the Town are able to provide personalized service to each resident. Requests to modify homes to meet the needs of the disabled are handled on a case-by-case basis, with staff working closely with applicants to

accommodate their needs. The Zoning Ordinance facilitates exterior improvements for physically handicapped residents (e.g., an access ramp) by establishing them as minor permits, approvable by Town staff, and waiving the requirement for a Design Review public hearing. The Town administratively approves building permits for wheelchair lifts and elevators. Wheelchair ramps are not considered to be structures under the Tiburon Zoning Code and are not required to meet setbacks. The ~~Design Review Board~~Town has the authority to modify parking standards to accommodate the needs of the disabled and has demonstrated its willingness to do so in the past.

The Building Division administers Title 24 provisions consistently for all disabilities-related construction and responds to complaints regarding any violations. The Town has not adopted any amendments to the 2007-2013 California Building Code that conflict with the ADA. There are no restrictions on lowered countertops, widened doorways, adjustable showerheads, or other adaptations that meet the needs of the disabled.


~~While the Town has consistently demonstrated its ability and willingness to comply with the ADA and to provide reasonable accommodation for the disabled,~~ The Housing Element contains policies and implementing programs to ensure reasonable accommodation and equal access to housing for people with disabilities in the Town's zoning, permit processing and building codes. In implementation of this policy, the Town has designated an ADA Coordinator to ensure ~~the Town's~~ compliance with the Town's Reasonable Accommodation Ordinance and the provisions of the ADA, and to serve as the primary contact for disabled residents with questions, concerns, and requests regarding reasonable accommodation procedures and practices.

Local Permit Fees

Fees associated with the permit process may often act as a constraint to the development of affordable housing. Fees are related to processing, inspection, installation and plan storage. These fees are limited by California law to the cost to the various agencies to perform these services.

Tiburon charges building permit fees based on the valuation of the project, in accordance with the California Building Code. In addition to the basic permit fee, each permit includes fees for business license, encroachment, street impact, General Plan maintenance and storm water runoff impact. Building permit and impact fees are collected at the time the building permit is issued.

As the Town of Tiburon is not a full-service municipality, numerous agencies and special districts levy fees on new development for the provision of basic urban services. These agencies and special districts include the following:

- 
- (1) Reed Union School District
 - (2) Marin Municipal Water District
 - (3) Sanitary District Number 5 of Marin County
 - (4) Richardson Bay Sanitary District
 - (5) Sanitary District Number 2 of Marin County
 - (6) Tiburon Fire Protection District
 - (7) Southern Marin Fire Protection District

| The table below shows typical planning fees in Tiburon (~~2014~~in 2013). Planning fees are collected at the time the application is submitted.

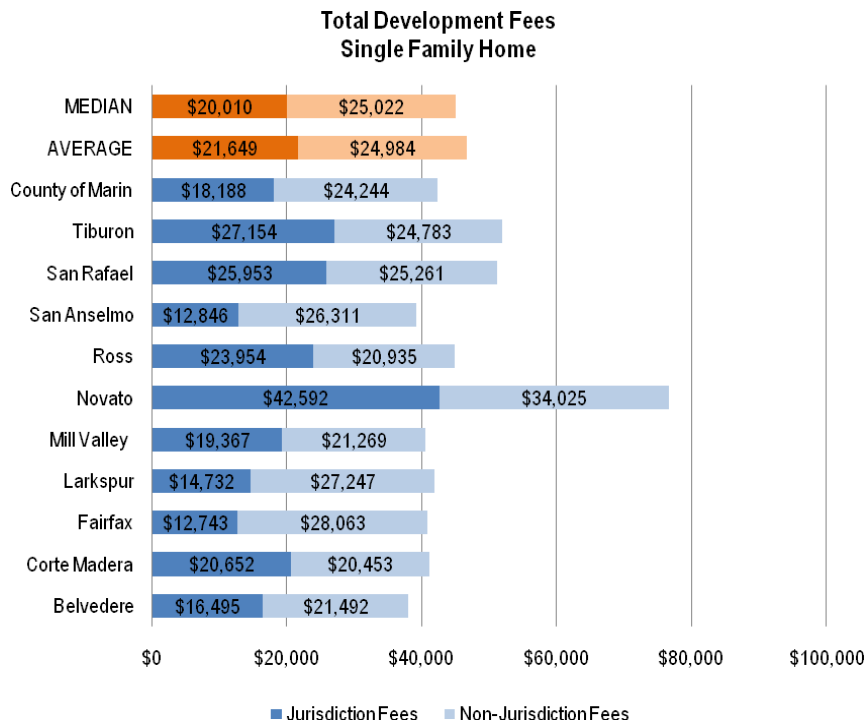
Town of Tiburon Fees (2013)

FEE TYPE / DESCRIPTION	Single Family Residence		10-Unit Condo Project	
	AMOUNT	HIGH AMOUNT	AMOUNT	HIGH AMOUNT
PLAN CHECK	\$ 3,067	\$ 3,067	\$ 9,788	\$ 9,788
BUILDING PERMIT	\$ 4,718	\$ 4,718	\$ 15,059	\$ 15,059
BUSINESS LICENSE	\$ 975	\$ 975	\$ 4,800	\$ 4,800
PLAN STORAGE	\$ 250	\$ 250	\$ 250	\$ 250
CA SEISMIC TAX	\$ 81	\$ 81	\$ 400	\$ 400
PLUMBING	\$ 472	\$ 472	\$ 1,506	\$ 1,506
ELECTRICAL	\$ 944	\$ 944	\$ 3,012	\$ 3,012
MECHANICAL	\$ 425	\$ 425	\$ 1,355	\$ 1,355
GRADING	\$ 75	\$ 75	\$ 125	\$ 125
ENCROACHMENT	\$ 235	\$ 235	\$ 235	\$ 235
STREET IMPACT	\$ 8,125	\$ 8,125	\$ 40,000	\$ 40,000
TRAFFIC MITIGATION	\$ 6,000	\$ 6,000	\$ 42,600	\$ 42,600
D/R COMPLIANCE	\$ 150	\$ 150	\$ 250	\$ 250
GENERAL PLAN MAINTENANCE	\$ 663	\$ 663	\$ 2,106	\$ 2,106
S.WATER RUN OFF IMPV. FEE	\$ 4,875	\$ 4,875	\$ 24,000	\$ 24,000
TECHNOLOGY FEE	\$ 1,597	\$ 1,597	\$ 6,425	\$ 6,425
CA BLDG. STD. AD. FUND	\$ 33	\$ 33	\$ 160	\$ 160
SUB TOTAL	\$ 32,685	\$ 32,685	\$ 152,071	\$ 152,071
DESIGN REVIEW	\$ 2,825	\$ 2,825	\$ 2,825	\$ 2,825
GRADING, FILLING, OR EARTHWORK REQUIRING DESIGN REVIEW APPROVAL	\$ 805	\$ 805	\$ 805	\$ 805
ENVIRONMENTAL REVIEW	\$ 50	\$ 1,600	\$ 50	\$ 1,600
TOWN OF TIBURON SUB TOTAL	\$ 36,365	\$ 37,915	\$ 155,751	\$ 157,301
SCHOOL DISTRICT FEE	\$ 4,557	\$ 4,557	\$ 22,400	\$ 22,400
WATER INSTALLATION FEES	\$ 4,420	\$ 5,290	\$ 44,200	\$ 44,200
WATER CONNECTION FEES (BUY INTO SYSTEM)	\$ 7,022	\$ 24,578	\$ 58,520	\$ 58,520
SEWER HOOKUP SANITARY DISTRICT NO 5	\$ 5,000	\$ 17,000	\$ 35,000	\$ 41,000
FIRE PROTECTION DISTRICT REVIEW FEE	\$ 188	\$ 423	\$ 188	\$ 423
SPECIAL DISTRICT SUB TOTAL	\$ 21,187	\$ 51,848	\$ 160,308	\$ 166,543
GRAND TOTAL	\$ 57,552	\$ 89,763	\$ 316,059	\$ 323,844
ASSUMED DEVELOPMENT IN SQ FT	3,255	3,255	16,000	16,000
ASSUMED CONSTRUCTION COST PER SQ FT	\$ 250	\$ 250	\$ 270	\$ 270
ASSUMED IMPERVIOUS AREA	3,250 X 1.5 = 4,875		16,000 X 1.5 = 24,000	
ESTIMATED CONSTRUCTION COST	\$ 813,750	\$ 813,750	\$ 4,320,000	\$ 4,320,000
ASSUMED LAND VALUE 0.5 ACRE FOR SFR, 0.75 FOR MF PROJECT	\$ 1,100,000	\$ 1,100,000	\$ 5,000,000	\$ 5,000,000
TOTAL DEVELOPMENT COST	\$ 1,971,302	\$ 2,003,513	\$ 9,636,059	\$ 9,643,844
PROPORTION OF FEES/ EXACTIONS VERSUS TOTAL DEVELOPMENT COST	2.92%	4.48%	3.28%	3.36%

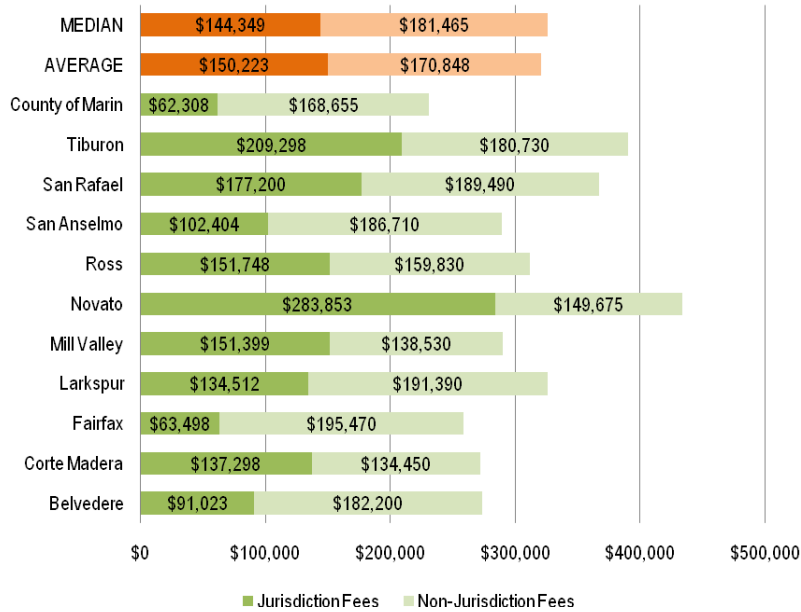
Source: Town of Tiburon, 2013

Town fees are based primarily on the valuation of the construction. The fees charged by other agencies are based upon square feet of construction (school district), on average annual usage in the neighborhood (water district), or the cost of the infrastructure for the site. Therefore, larger projects would have proportionally higher permit fees for each agency. As an example, the Town collected over \$150,000 in permit fees for the 25-unit Chandlers Gate project, which was valued at \$5.5 million at the time of construction, although numerous fees were waived for the below market units within the project.

The following charts show the total development fees that would be charged for the two hypothetical developments in each Marin County jurisdictions. The figures include planning and building fees and impact fees. The charts illustrate the division between jurisdiction fees and non-jurisdiction fees. In Marin County 2011, the sum of development fees for a single family home ranged from \$37,987 to \$76,617, with an average of \$46,633 and a median of \$41,542. The sum of development fees for a ten-unit condo ranged from \$258,968 to \$433,528, with an average of \$321,071 and a median of \$300,754.

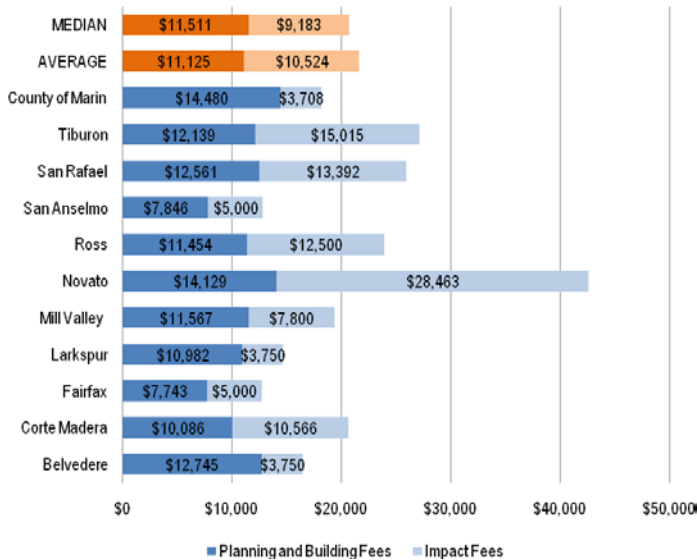


**Total Development Fees
10-Unit Condo**

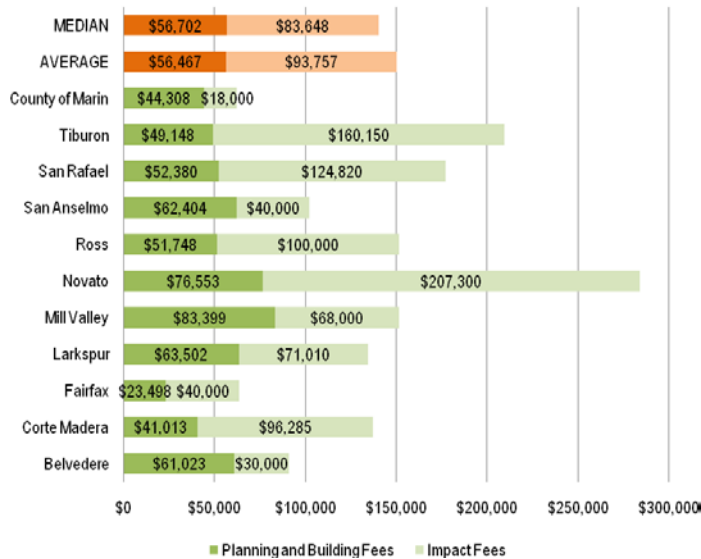


The following charts illustrate the contribution of planning and building fees and impact fees to the total charged by each jurisdiction. It is evident that impact fees are the greater source of variation in development costs between jurisdictions. In Mill Valley and Corte Madera alone, sewer fees are controlled by the jurisdiction rather than by an independent sanitary district. To enable a clearer cross-jurisdiction comparison, these jurisdiction-controlled sewer fees have been excluded from the totals below.

**Jurisdiction-Controlled Planning and Building Fees and Impact Fees
Single Family Home**



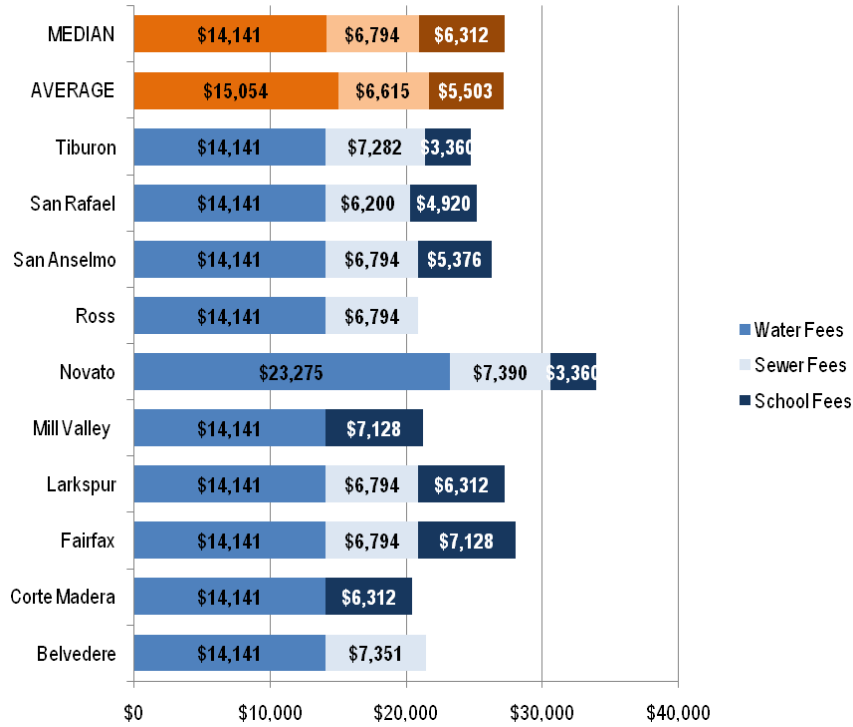
**Jurisdiction-Controlled Planning and Building Fees and Impact Fees
10-Unit Condo**



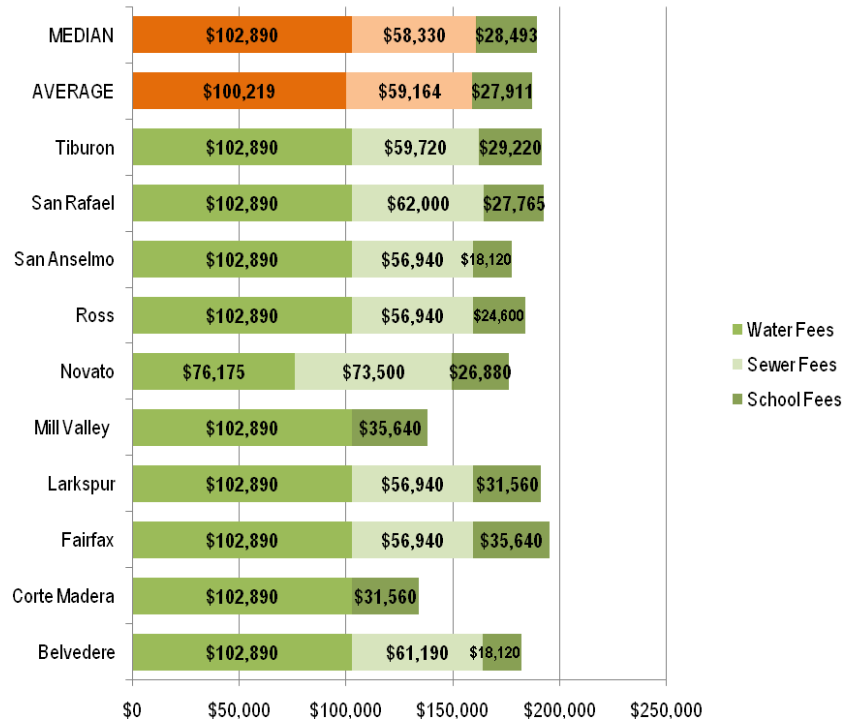
For a single family home, the median sum of planning and building fees is \$11,511, with a range of \$7,743 to \$14,129. By contrast, the median sum of impact fees is \$9,183, but the range is much wider at \$3,750 to \$28,463. For a ten-unit condo, the median sum of planning and building fees is \$56,702, with a range of \$19,993 to \$76,553. The median impact fee is \$83,648, with a very broad range of \$30,000 to \$207,300.

School impact fees are set by the school district, 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 across the surveyed jurisdictions.

Non-Jurisdiction Water, Sewer and School Fees - Single Family Home



Non-Jurisdiction Water, Sewer and School Fees - 10-Unit Condo



~~Design review fees are one of the higher fee categories. For a single family home, fees ranged from \$750 (Fairfax) to \$5,043 (Novato), with a median of \$2,641. Fees for a ten-unit condo were more widely spread, with a low of \$1,100 (Belvedere) and a high of \$6,392 (San Rafael). The relationship between the fee for a single family home and the fee for a ten-unit condo varies — some jurisdictions charge the same as for a single family home and charge two or three times the fee. None of the jurisdictions tie the design review fee to the number of units.~~

~~On average, building permits were the most expensive fee category for both the single family home and the ten-unit condo developments. Median building permit fees for single family unit are \$3,513. Median building permit fees for a ten-unit condo are \$19,702 with a broad range.~~

Parking Standards

Tiburon requires off street parking for all new residential development. For mixed use projects the parking requirement must be satisfied for all uses unless a parking variance is granted. Generally, if a mixed use project cannot provide off-street parking, the Town supports shared parking arrangements. Variances are also granted to reduce the overall parking requirement or to allow tandem parking. Modifications to allow flexible parking through an exception process rather than a variance would make this process easier, yet still provide sufficient Town review. Below is a comparison of the Town’s parking standards to other communities in Marin County.

Parking Space Requirements for Different Types of Housing Development

	Single Family Home		Duplex (2 units 3BR each)		Single family home with a second unit		Studio Apartment		One Bedroom Apartment		Two Bedroom Apartment		Three Bedroom Apartment		Four Bedroom Apartment	
	Covered	Total	Covered	Total	Covered	Total	Covered	Total	Covered	Total	Covered	Total	Covered	Total	Covered	Total
Belvedere	0	2	0	4	0	3	0	0	1.25	1.25	1.25	1.25	2	2	2	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	1	4	1	2	1	2	1	2	1	2	1	0
Larkspur	1	4	2	7	1	5	0	1	0	1	0	1.5	0	2	0	2
Mill Valley	0	3	0	6	0	3	0	3	0	3	0	3	0	3	0	3
Novato	1	2	2	4	1	3	1.2	1.2	1	1.5	1	2	1	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	2	0	2	0	2
San Rafael	2	2	2	4	2	3	0	1	0	1	0	1.5	1	2	1	2
Tiburon	0	2	0	3	0	3	0	1.5	0	1.5	0	2	0	2.5	0	2.5
County of Marin	0	2	0	2	0	3	0	1.2	0	1.5	0	2	0	2.5	0	2.5

Note: Covered parking plus uncovered parking equals total parking.

~~Establishing ways to reasonably apply development requirements and to allow for flexibility in applying other development standards, such as height limits, density, parking, etc., based on the location and design of the development, compatibility with adjacent uses, and the type, size, and~~

~~income levels of the occupants of the housing, is recommended in this Housing Element. In 2012, pursuant to Housing Element Program H-y, the Town implemented reduced and flexible parking standards in the affordable housing overlay zone. Depending on project characteristics and availability of on street parking, flexible parking standards may include shared parking, joint use parking, off-site parking, allowances for reduced standards depending on location (such as near transit), and modified parking stall dimensions and tandem parking. The updated standards is~~ recognized that smaller, more affordable housing near transit and services will generate fewer trips, lesser area-wide impacts and will require less parking.

The Town charges a street impact fee equal to 1% of the project valuation. The street impact fee nexus study was originally completed in April 1999 and updated in October 2004.

The Town also charge a Stormwater Impact Fee based on \$1 per square foot of new impervious project created by the project. The nexus study for the Stormwater Impact Fee was completed in March 2004. The fee has not changed since that time.

The ~~Town's Tiburon Boulevard Improvement Fund fee, more commonly known as the~~ "Traffic Mitigation Fee," is an exaction applied to new development that generates new additional traffic in Tiburon. The fee applies to residential and commercial projects, and requires that the project pay its pro rata share per each new PM peak trip contributing to each intersection where improvements are needed per the General Plan. The Town's traffic engineering consultant completed a comprehensive update of the traffic model and fee structure in 2006.

The impact of this exaction on high density housing is limited for two reasons. First, the peak hour trip generation rate for multi-family housing in Tiburon is less than half of that for single family homes (0.5 trips per unit versus 1.15 trips per unit), so that the fee for high density housing units is only 43% of a single family home. Second, the only multi-family or high density housing projects constructed in Tiburon in recent years are "affordable" projects. The Town has, and will continue to, waive traffic mitigation fees for these units, pursuant to its zoning regulations and its Traffic Mitigation Fee resolution.

The Town has had inclusionary zoning regulations and an affordable housing in-lieu fee since 1988. Updated in May 2006 in accordance with Program H-22 of the previous Housing Element, the Town's inclusionary zoning regulations apply to residential development creating two or more new dwelling units, with two exceptions for 1) construction of a two-family dwelling on an existing lot in the R-2 zone and 2) the subdivision of a lot or parcel into two lots, wherein no more than a combined total of two dwelling units total could be constructed under applicable zoning regulations on the resulting lots. Regulations are as follows:

- (1) Developments of two to six lots or dwelling units must pay an in-lieu fee based on a requirement of fifteen percent of the units being affordable. In-lieu housing fees are calculated on the basis of the difference between the affordable purchase price of a dwelling unit for which a moderate income four-person family earning eighty percent of median income can qualify, and the estimated cost of constructing a market rate unit of appropriate size.
- (2) Developments with seven to twelve units are required to provide fifteen percent of the total number of units as affordable by very low, low, or moderate income households, with a minimum of five percent ~~shall be~~ affordable to very low or low income households. In developments for which only one affordable unit is required, it may be for moderate income households.
- (3) Developments of more than twelve new lots or units must provide twenty percent of the total number as units affordable by very low, low, or moderate income households; a minimum of five percent ~~shall~~ must be affordable to very low or low income households.
- (4) Inclusionary units must have the same exterior appearance, interior amenities, and square footage of non-inclusionary units. Exceptions may be permitted as a concession or incentive under density bonus laws.
- (5) Developments of seven or more units may pay in-lieu fees if the Town determines that physical or non-governmental constraints preclude the development of on-site inclusionary units.
- (6) In calculating inclusionary units needed, any decimal fraction less than one-half is disregarded and any decimal fraction equal to or greater than one-half is construed as requiring one affordable unit. For payment of in-lieu fees, the fee is calculated using exact decimal fractions.
- (7) The in-lieu housing fee calculation is based on the actual cost to produce a modest-sized dwelling affordable to a 4-person household with 80% of the median income. Variables used in the calculation are updated at the time of application, in consultation with the Marin Housing Authority. These variables include: dwelling size, construction costs, land and site development costs, current income limits, and mortgage terms and interest rate. Assuming a 1,500 square foot house, land and site development costs of \$350,000, construction costs of ~~\$250-225~~ per square foot, a household income of ~~\$75,440~~ \$80,950, an interest rate of ~~6.254.5~~%, and a 5% down payment, the in-lieu fee would be ~~\$474,500~~ \$405,000 per unit.

Recognizing that water connection fees may serve as a 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) and second units deed-restricted to rents affordable to lower-income households for a minimum of 10 years.

These fees, some of which are substantial, could act as a constraint to the development of affordable housing. The Town of Tiburon already offers fee waivers or reductions for affordable housing units, but is recommending the additional steps outlined in Program H-~~4C-d~~ to actively promote fee reductions or waivers by other agencies and Program H-~~4B-s~~ to waive or subsidize fees for the acquisition of affordable rental housing. ~~and in Program H-19B to subsidize fees levied by special districts on new construction of affordable housing.~~

Codes and Enforcement

The Town has adopted the ~~2010-2013~~ California Building Code, the ~~2010-2013~~ California Plumbing Code, the ~~2010-2013~~ California Mechanical Code, the ~~2010-2013~~ California Electrical Code, the ~~2010-2013~~ Fire Code, the ~~2010-2013~~ California Energy Code, the ~~2010-2013~~ Residential Code, the ~~2010-2013~~ CALGreen Code, and the 1997 Uniform Housing Code. State law allows local governing bodies to amend the building standards in the new codes as long as they are more restrictive than the state standards and are based on findings that the amendments are necessary due to local climatic, topographic or geological conditions.

The Town has amended the Building Code to require an existing structure with a substandard roof to replace the entire roof with a Class A roof or noncombustible roof when alterations or repairs to the existing roof involves more than fifty percent of the total existing roof area. Other amendments relate to required address markings, a requirement for guards at waterfront bulkheads, fixed piers and gangways, and construction time limits. ~~The Town has amended the Plumbing Code to limit ABS and PVC DWV piping installations to residential construction not more than two stories in height.~~ The Town has adopted certain voluntary measures of the 2013 CALGreen code as mandatory measures for new residential and non-residential construction (not including additions). These are Tier 1 measures related to planning and design, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. In addition, the Town has adopted enhanced energy efficiency standards for large homes (over 3,500 square feet in size) ~~and has expanded the application of CALGreen to residential additions greater than 500 square feet in size, and to commercial additions greater than 3,00 square feet in size.~~ None of the building code amendments pose a special constraint to the production of housing.

The Tiburon Building Division requires a Residential Building Report (RBR) upon the sale of dwelling units to ensure that basic life-safety code violations are identified and corrected before a new owner occupies the building. If these correcting deficiencies pose a hardship to the property owner, residential rehabilitation loans are available for very low income homeowners through the Marin Housing Authority. If illegal units or uses are discovered during the inspection associated with the RBR, the Building Division requires these units to be brought into compliance with the code (legalized) or abated. The impact of this on the number of housing units has been negligible, as few illegal units are discovered. Nevertheless, Program H-~~20B-x~~ calls for the

~~preparation-distribution~~ of a handout explaining the “best practices” and procedures for legalizing an unauthorized secondary dwelling unit.

On- and Off-Site Improvements

On-/off-site improvements (not including basic infrastructure and installation of public utilities) typically include parking, drainage improvements, and streets. These improvements can constitute constraints to the development of affordable housing, although not market-rate housing of the type constructed in Tiburon. Chapter 13-8 of the Tiburon Municipal Code requires new construction on lots fronting unimproved streets to install curbs and gutter as determined by the Town Engineer. With respect to streets, the Town allows narrow streets (18-20 feet) with occasional “parking bays” as opposed to wider streets with parallel parking on one or both sides. This reduces construction costs considerably. Drainage improvements must be adequate to meet standard engineering criteria to prevent damage and flooding. With respect to on-site parking requirements for affordable housing projects, the Zoning Code makes provisions for flexible parking standards and “shared parking” to reduce this constraint. Tiburon also allows off-site parking with long-term leases. This is a common occurrence in Downtown Tiburon.

Infrastructure Availability and Constraints

Water. Marin Municipal Water District (MMWD), a public utility governed by an elected Board, provides water service to Tiburon as well as most of the eastern Marin cities south of Novato. The District serves a population of ~~approximately 190,000-186,000 in the year 2004~~. District facilities include seven area reservoirs, ~~two-three~~ water treatment plants, storage tanks, pump ~~station~~s and lines.

The primary source of water for the District is rainfall stored in area reservoirs. The District also maintains a line inter-tie with the North Marin Water District for Russian River water. Area rainfall water sources are limited by water reservoir storage capacity. The total ~~current-maximum~~ capacity of the MMWD is 79,556 acre-feet. The operational yield of the facilities is 28, ~~800-500~~ acre-feet/per year. An additional ~~7,300~~ 7,400 acre-feet is imported from the Russian River annually on average. Average annual water use is 28,009 acre-feet.

The District estimates that the population it serves will grow to ~~208,974~~ 206,500 in the year ~~2025~~ 2035 (ABAG Projections). This population has a projected annual water demand of ~~34,700~~ 24,486 acre-feet. In 2035, total water use is projected to be 28,381 acre-feet. MMWD has a contract for water from the Russian River, in force until June 30, ~~2034~~ 2040, which provides up to 14,300 acre-feet of water per year. To respond to possible supply deficits, MMWD is continuing its efforts to increase water conservation ~~and is designing and evaluating a possible desalination plant~~ through demand management measures identified in the 2010 Urban Water

Management Plan. The District has concluded that it has sufficient supplies to meet water demands during normal and dry water years.

Tiburon has adequate water supplies for the additional housing anticipated in this Housing Element. In the event of a water shortage resulting in limited supplies for available for new development, MMWD policy is to give preference and priority to any project containing an affordable housing component.

Water systems are in place within existing developed areas, and new residences typically need only to supply lateral connections to the water mains maintained by MMWD. Water extensions are subject to the regulations and permit procedures of the service provider. To be eligible for a new water service connection, a property must front an existing water main capable of providing the degree of service requested while maintaining its ability to adequately serve the area. Should MMWD determine that the property does not have frontage, as defined in the district's code, or that the structure to be served is more than 125 feet from a water main, or that the existing facilities are inadequate to provide the service requested, MMWD will require a pipeline extension or upgrade.

There is also a severe lack of water pressure in portions of the southern unincorporated Paradise Drive area. The Marin Municipal Water District has no current plans or funding source to upgrade the capacity of the substandard water lines serving this area. Due to the inadequate water pressure, the Tiburon Fire Protection District requires new development to fit the available fire flow in the area, which can limit the square footage of new homes and residential additions in this area. Expanding the capacity of the water pipes serving this area would be very expensive due to the unusually lengthy and winding nature of Paradise Drive within which the existing water pipes are located. The lack of sufficient water pressure and the high cost of an upgrade constitute severe infrastructure constraints to development of housing in the southern unincorporated Paradise Drive area.

Sewer. The southern end of Tiburon is serviced by Sanitary District No. 5 of Marin County. The District currently maintains a main treatment facility just east of downtown Tiburon, a smaller facility on the north-east side of the Tiburon peninsula, as well as 23-24 pumping stations and miles of sewer lines. The District has a ten-year capital improvement plan to rehabilitate or replace aging components of its wastewater treatment infrastructure. In 2008-2009, the District installed two new package wastewater treatment plants at a cost of \$1.2 million at its smaller facility on the eastern peninsula, increasing the District's permitted dry weather treatment capacity from 12,000 to 40,000 gallons per day. A new sewer line serving 63 existing homes along Paradise Drive was also completed, and additional service lines can be added to the expanded system. The treatment plant's current capacity could accommodate approximately 16 new single family units in the Paradise Cove area.

~~In 2012, the District began construction to rehabilitate the main wastewater treatment plant. These improvements involved replacing aging equipment that had reached their useful life, replacing inefficient equipment with energy-efficient equipment, and installing some additional piping to the plant in order to use the plants' off-line tanks to increase wet weather capacity to minimize blending events during the winter period. The treatment plant's permitted capacity of .98 million gallons per day (MGC) remains unchanged. The main treatment plant has capacity to accept future development of the 68 sites located within the service area and identified in the Available Land Inventory. have increased sewer capacity to serve projected development of large undeveloped parcels in the Paradise Drive area south of Trestle Glen Boulevard and to accommodate all future housing units anticipated during the current planning period.~~

The northern end of Tiburon is serviced by the Richardson Bay Sanitary District and by Sanitary District No. 2 of Marin County. The permitted treatment capacity allocation for the Richardson Bay Sanitary District is 6,346.9 Equivalent Dwelling Units (EDU's). Approximately ~~2523%~~ of the system capacity is available for 1,599,472.5 additional housing dwelling units, ~~well in excess of the 117 housing units required during the planning period.~~ Sanitary District No. 2 also has adequate capacity to serve the limited remaining residential development potential in its service area.

Other Utilities. Electric, gas and telephone service are available to new housing development. Such service must be extended in the case of large undeveloped parcels, while it generally exists on reuse or redevelopment sites.

Environmental. Tiburon is located in the seismically active San Francisco Bay region of California. Due to its proximity to the San Andreas fault system, the planning area has been historically subjected to periodic strong damaging earthquakes. Although no active faults are mapped within the Tiburon Planning Area, there are several dormant faults under Richardson Bay and San Francisco Bay. Tiburon also has many areas of steep slopes which are subject to ground failure that includes landslides and mudslides, as well as areas containing bay mud, which is subject to liquefaction.

In order to mitigate these environmental impacts, the Town has adopted several policies in its Safety Element. Policy SE-7 discourages development on slopes exceeding 40%, and Policy SE-8 discourages development below or in the path of gullies which are susceptible to debris flow mudslides. The Town requires detailed geotechnical investigations for development proposals and requires development in areas subject to landsliding to comply with the Town's Landslide Mitigation Policy, which requires adequate repair and improvements to landslides and to potential landslide areas. Section 13-7 of the Tiburon Municipal Code also requires new construction to implement slope stabilization and drainage improvements when, in the judgment

of the building official, site development may result in unstable slopes or water flows that imperil structures, slopes or adjoining properties.

Flooding. In the Tiburon planning area, lands that flood are not common. The areas that flood are found primarily near the shorelines of San Francisco Bay and Richardson Bay. The Federal Emergency Management Agency (FEMA) has mapped ~~two flood zones~~ special flood hazard areas in the Tiburon Planning Area: ~~Zone A, with a flooding probability of once every 100 years and Zone B, which has a flooding probability of between once every 100 to 500 years.~~ Properties in the special flood hazard zones are subject to inundation by the 1% annual chance flood.

Areas of special flood hazards, as identified by FEMA in Flood Insurance Rate Maps, are subject to the flood damage prevention provisions of Chapter 13D of the Tiburon Municipal Code. Generally, new construction and substantial improvements must be designed to elevate the lowest floor, including the basement, at least two feet above the base flood elevation. Structures must also be anchored to prevent floatation, collapse or lateral movement, and be constructed with flood-resistant materials and with construction methods that minimize flood damage.

Noise. The noise element of the Town of Tiburon General Plan 2020 identifies U.S. Highway 101 and Tiburon Boulevard as the primary sources of noise in the planning area. Residential development in areas where exterior noise levels exceed 65 dB may require noise insulation features included in the design. In the Tiburon Housing Element area, only sites fronting Tiburon Boulevard may be subject to this noise level. Where appropriate, the Town requires an acoustical analysis so that noise mitigation measure can be incorporated into the project design.

Conclusion. All identified environmental constraints may be mitigated to a level allowing development on all sites in the inventory to occur within the current planning period.

Other Agencies

State agencies such as the Bay Conservation and Development Commission (BCDC) and federal agencies such as the U.S. Army Corps of Engineers are often a factor in the delay of development in Tiburon due to its bayside location, as both agencies have jurisdiction over areas along the shoreline. The U.S. Army Corps and the State Department of Fish and Game have jurisdiction over wetlands and riparian corridors, among other sensitive resources. Processing of permits from these agencies can take a minimum of 60 to 90 days and typically may not be initiated until local approvals are final. A program of early consultation with such agencies is proposed.

Article 34 Referenda

~~California law (Article 34) requires jurisdictions to place public housing projects on the ballot for~~

local approval prior to construction. The Town of Tiburon held an Article 34 referendum in 1978 for the conversion of the Old Tiburon School to 12 units of housing for the elderly (Bradley House). The referendum passed by a 70% to 30% vote. The voters approved a second Article 34 referendum in 1989 to allow the construction of an additional three units to the Bradley House. These units were approved for construction in 1990 at a cost of approximately \$110,000 per unit. Pursuant to a recent State Supreme Court case, future Article 34 ballot measures need not be site specific or project specific. Thus, housing sponsors may proceed with projects which rely on pre-existing or future Article 34 authority. Since 1991, the Town has been able to avert the need for an Article 34 referendum in all affordable housing projects

Building Code

Tiburon uses the California Building Code (CBC) which sets minimum standards for residential development and all other structures. The standards may add material and labor costs, but are felt to be necessary minimums for the safety of those occupying the structures. Modification of the code in order to reduce the cost of housing would not be appropriate if it affects safety or adversely impacts neighboring properties.

The Town enforces energy conservation standards enacted by the State. The standards may increase initial construction costs, but over time will result in energy savings. Tiburon's Building Code enforcement practices are complaint driven, as are those of 70% of the local governments surveyed by the State Department of Housing and Community Development. As an alternative, the Town could be more alert to early stages of deterioration and direct owners to remedial programs.

Dedications and Fees

Local fees add to the cost of development; however, particularly after Proposition 13, cities are concerned with the need to recover processing costs. A review of other Marin County cities in 2008 concluded that Tiburon's fees are lower than comparable by Marin County standards. 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 are tending toward fees which cover the costs of staff time and materials charged on an hourly basis, consistent with California law.

Much of the remaining developable land is subject to moderate to severe public health and safety constraints, such as steep slopes, underlying bay mud, drainage problems and fire risk. Detailed soils reports, engineering and design studies and associated permits will be required. Many of the remaining developable parcels in Tiburon are smaller in-fill sites within developed areas which are only suitable for single family residential units. Because many of these sites were originally subdivided into lot sizes that are inconsistent with current zoning regulations, development standard variances may be required.

Evaluation of Inclusionary Zoning as a Constraint

In 1994, the California Coalition for Rural Housing (CCRH) conducted the first statewide survey on inclusionary housing and found that 12% of statewide jurisdictions had an inclusionary program. In 2003, CCRH and Non-Profit Housing Association of Northern California (NPH) collaboratively conducted a follow-up survey, which revealed that the number of jurisdictions with inclusionary housing had jumped to 20%. The 2003 survey generated interest in obtaining more precise production data on the types of housing built and the income levels served. In 2006, a new study was launched to determine the growth in inclusionary programs statewide, and provide a detailed snapshot of the housing that is being produced by these programs. Affordable Housing by Choice — Trends in California Inclusionary Programs (NPH, 2007) is the most recent survey of inclusionary ordinances statewide. The study looked at housing produced through inclusionary programs from January 1999 through June 2006 and found that:

- (1) Nearly one-third of California jurisdictions now have Inclusionary Programs.
- (2) More than 80,000 Californians have housing through Inclusionary Programs.
- (3) Most Inclusionary housing is integrated within market-rate developments.
- (4) Inclusionary housing provides shelter for those most in need — Nearly three-quarters of the housing produced through Inclusionary Programs is affordable to people with some of the lowest incomes. These findings shed new light on the popular perception that inclusionary policies create ownership units mostly for moderate-income families.
- (5) Lower-Income Households are best served through partnerships — When market-rate developers work with affordable housing developers to meet their inclusionary requirement, the units are more likely to serve lower-income households. Joint ventures play a particularly important role in developing units for households most in need. One-third of all the housing built through Inclusionary Programs resulted from such partnerships.

The Town's inclusionary housing regulations require residential projects of two or more new lots or dwelling units to pay an in-lieu housing fee or develop a minimum of number of inclusionary units affordable to very low, low or moderate income households. Developments of 3 to 6 units pay an in-lieu fee based on 15 percent of the units being affordable. Developments of 7 to 12 units must include a minimum of 15 percent inclusionary units affordable to very low, low and moderate income households, and development of more than 12 units must provide 20 percent inclusionary units. Five percent of the total units must be affordable to very low or low income households. The in-lieu fee is \$405,000 for each affordable unit that is required but not built.

Inclusionary units must be comparable in size, interior amenity level and exterior design to market rate units. However, the Town may provide an exception to this requirement as an incentive or concession under density bonus law.

The inclusionary requirements were adopted in 1998 and updated in 2006 and 2012. Developers typically choose to pay in-lieu fees, which the Town has used to help construct affordable units. In general, the inclusionary ordinance has not constrained the development of housing in Tiburon. The inclusionary program has been in effect for 25 years and is well known by members of the real estate and development community. As a result, the cost of producing the inclusionary units, or paying the in-lieu fees, is factored into the cost of land.

The Town of Tiburon's inclusionary requirements are similar to those of other jurisdictions in Marin County, as shown below, and do not pose a constraint to residential development. Many communities offer a variety of concessions or incentives for construction of affordable units, including but not limited to, density bonuses or incentives of equal financial value, waiver or modification of development standards, provision of direct financial assistance, and deferral or reduction of payment of fees.

Comparison of Inclusionary Housing Requirements in Marin County

Jurisdiction	Minimum Project Size	Percent Required	Length of Affordability Controls	Incentives
Corte Madera	1 unit	10+ units: 25%	55 years	None unless significant affordability
Larkspur	5 units	5-14 units: 15%; 15+ units: 20%	Permanent	Density bonus, priority processing
Marin County	2 units	20%	Permanent	Permit fees waived, density bonus
Mill Valley	2 units	15%, but typically require at least 20% through review	Permanent, unless owner occupies unit 55+ years	None
Novato	3 units	Dependent on number of units. Max: 20+ units: 20%	Permanent	None
San Anselmo	10 units	15%	Permanent	None unless significant affordability
San Rafael	2 units	2-10 units: 10%; 11-20 units: 15%; 21+ units: 20%	55 years	Density bonus
Sausalito	Condo conversion affecting 5+units	15% of units, and not less than one.	No response	Density bonus, expedited processing
Tiburon	2 lots/units	Less than 12 units: 15%; More than 12 units: 20%	Permanent	None unless significant affordability

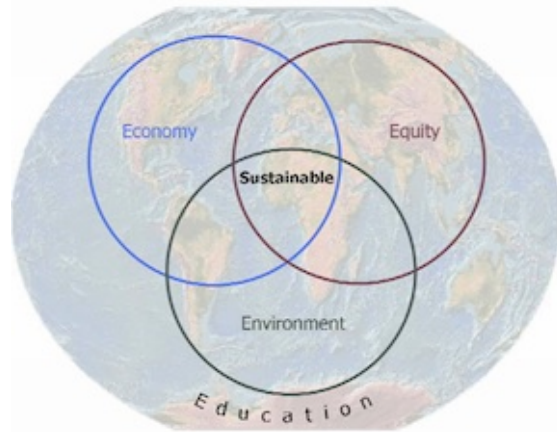
Source: 2008 Marin County Housing Workbook

Environmental Review and Processing

Tiburon processes the typical small development in three to four months from application to building permit approval. This is due to the efficiency of a small town government, the lack of an application backlog, and the fact that most public facilities are already in place. Single-family housing development applications generally take less time to review than multi-family proposals. When proposed single family developments are in conformity with the General Plan and existing zoning, it is possible to process the required applications within several months. Some new single-family and all multi-family development proposals are subject to Design Review. Major projects may also require an EIR, multiple public hearings and extensive local review. The total review time for multi-family projects, from the initial developer contact with the Town to final approval, can take up to a year.

E Sustainability, Climate Change and Energy

Sustainability generally means living in a way that does not compromise the ability of future generations to enjoy the same quality of life. Housing – and the way people choose to live in their homes -- affects sustainability in many ways. Building and maintaining homes uses resources and can negatively impact water and air quality. Homes are also a significant source of greenhouse gas emissions, which contribute to climate change. Energy used to heat, cool and power homes releases carbon dioxide and other greenhouse gases into the atmosphere. Moreover, housing patterns affect how often and how far people have to drive.



Source: Marin Countywide Plan

Providing walk-able, transit-oriented neighborhoods is one way a community can promote sustainability and reduce the community's greenhouse gas emissions. In recent decades, local, state and national attention has been focused on promoting smart growth and transit-oriented development. According to the Environmental Protection Agency (EPA), "Smart growth development practices support national environmental goals by preserving open spaces and parkland and protecting critical habitat; improving transportation choices, including walking, bicycling, and transit, which reduces emissions from automobiles; promoting brown field redevelopment; and reducing impervious cover, which improves water quality."

Transportation and land use development are strongly interrelated. The more suburban the development (i.e., low density housing that causes residents to live further from urban centers), the less viable are mass transit systems and other alternative modes of transportation, such as walking or biking, and the more dependent residents become on the automobile. Studies have shown that people who live near transit drive up to 30% less than suburban residents and that low-density suburban development generates twice as much greenhouse gas emissions per capita than a more dense urban development pattern.² Since vehicles contribute over 40 percent of greenhouse gases in Tiburon, and over 50 percent in the Bay Area, finding ways to encourage people to drive fewer miles is important.

² California Air Pollution Control Officers Association, "Quantifying Greenhouse Gas Mitigation Measures," August 2010.

Local governments can promote the concept of “whole livable neighborhoods” by prioritizing pedestrian and bicycle access, and by encouraging — or seeking to retain or expand — recreation areas, parks, trails, gathering places, and neighborhood services near residences. Examples of programs include: (1) build “complete streets” that provide safe mobility for all users, including motorists, bicyclists, pedestrians and transit riders; (2) allow minor zoning variations to promote sustainable energy or other environmental goals; (3) prioritize review and permitting for projects that meet certain green building standards; and (4) compensate for the increased cost of green building by offering a density bonus for outstanding projects or other incentives.

The two fundamental means for reducing greenhouse gas emissions from electricity and natural gas use in homes are decreasing consumption through efficiency and behavioral change, and switching from fossil fuels to renewable sources. Because the current housing stock will last many decades, it is important to find ways to promote sustainability in existing housing. Examples of programs include: (1) provide free or low-cost energy audits and weatherization for homes; (2) participate in or form a property assessment clean energy program to allow property owners to finance energy efficiency and renewable energy projects for their homes; (3) adopt green building and energy efficiency standards that exceed existing statewide requirements; (4) require energy audits and retrofits before resale of homes; and (5) support programs to rehabilitate substandard residential units for lower income households, including loan programs and code enforcement activity.



Energy Conservation

Housing Elements are required to identify opportunities for energy conservation. Energy costs have increased significantly over the past several decades, and climate change concerns have increased the need and desire for further energy conservation and related “green building” programs. Buildings use significant energy in their design, construction and operation. The use of “green building” techniques and materials can reduce the resources that go into new construction and make buildings operate much more efficiently. One common definition of “green building” is “design and construction practices that significantly

reduce or eliminate the negative impacts of buildings on the environment through energy efficiency and renewable energy, conservation of materials and resources, water efficiency, site planning and indoor environmental quality.”

Title 24 of the California Administrative Code sets forth mandatory energy standards for new development, and requires adoption of an “energy budget.” In turn, the home building industry must comply with these standards while localities are responsible for enforcing the energy conservation regulations. In addition, the State has adopted a Green Building Standards Code (CALGreen) that initially went in to effect in 2011. Revised in 2013, the new CALGreen code regulates new, remodeled and expanded residential and non-residential buildings. In addition, the energy requirements of Title 24 have been made significantly more stringent, with an approximately 25 percent reduced energy budget for new homes, 30 percent reduction for commercial buildings, and 14 percent reduction for multi-family structures. The State’s goal is to increase energy code requirements to achieve net zero energy homes by 2020 and commercial structures by 2030. The Town has adopted certain voluntary measures of the 2013 CALGreen code as mandatory measures for new residential and non-residential construction (not including additions). These are Tier 1 measures related to planning and design, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.

Utility-related costs can directly impact the affordability of housing in Northern California. Constructing new homes with energy-conserving features, in addition to retrofitting existing structures, will result in a reduction in monthly utility costs. There are many ways to determine how energy efficient an existing building is and, if needed, what improvements can be made. Examples of energy conservation opportunities include installation of insulation and/or storm windows and doors, use of natural gas instead of electricity, installation or retrofitting of more efficient appliances and mechanical or solar energy systems, and building design and orientation which incorporates energy conservation considerations.

The following are among the alternative ways to meet California energy standards: (1) the use of passive solar construction techniques that require proper solar orientation, appropriate levels of thermal mass, south facing windows, and moderate insulation levels; (2) the use of higher insulation levels in place of thermal mass or energy conserving window orientation; and (3) the use of active solar water heating in exchange for less insulation and/or energy conserving window treatments.

Site planning techniques, the use of landscaping, and the layout of new developments can also reduce energy consumption associated with residential development through reductions in heating and cooling needs, opportunities to use non-motorized vehicles for transportation, and reductions in energy inputs to the development of housing. Many modern building design methods are used to reduce residential energy consumption and are based on proven techniques. These methods can be categorized in three ways: (1) Building design that keeps natural heat in during the winter and keeps natural heat out during the summer, reducing air conditioning and heating demands; (2) Building orientation that uses natural forces to maintain a

comfortable interior temperature; and (3) Use of landscaping features to moderate interior temperatures.

Pacific Gas & Electric (PG&E) provides a variety of energy conservation services for residents. PG&E also participates in several energy assistance programs for lower income households, which help qualified homeowners and renters, conserve energy and control electricity costs. These programs include the California Alternate Rates for Energy (CARE) Program and the Relief for Energy Assistance through Community Help (REACH) Program. The CARE provides a 15 percent monthly discount on gas and electric rates to income-qualified households, certain non-profit organizations, agricultural employee housing, homeless shelters, hospices, and other qualified non-profit group living facilities.

The REACH Program provides one-time energy assistance to customers who are in jeopardy of losing their energy services due to experiencing an unforeseen or uncontrollable hardship. The intent of REACH is to assist low-income customers, particularly the elderly, disabled, sick, working poor, and the unemployed, who are unable to pay for their necessary energy needs.

The Marin Energy Authority is a public, not-for-profit local electricity provider that also promotes energy conservation and sustainability. The Authority purchases power from clean, renewable sources, including solar, wind, geothermal, and bioenergy, known as Marin Clean Energy, and PG&E delivers it to a person's home or business through the PG&E distribution system and wires. PG&E does the billing and provides repair and maintenance service to customers. The Authority provides an option for its customers to purchase electricity that comes from 100 percent renewable energy sources.

The Town of Tiburon encourages energy conservation in new and existing housing through appropriate land use policies and development standards that reduce energy consumption such as: promoting redevelopment in the downtown area that is close to transit jobs, community facilities and shopping; encouraging infill development; planning and zoning for mixed-use and higher development densities; permitting common wall and cluster development; and promoting passive and active solar design elements and systems in new and rehabilitated housing.

The Town's General Plan 2020 contains the following green building policies and programs:

OSC-61: The Town shall continue to pursue opportunities to improve energy efficiency and reduce resource consumption in Town-owned facilities and operations.

OSC-62: The Town shall apply green building principles to the design, construction, and operation of new Town and Town-sponsored facilities to provide long-term cost savings and to serve as an example for the community.

OSC-63: The Town shall integrate energy efficiency, conservation, and other green building incentives into the zoning permit and building permit processes.

OSC-p: The Town shall develop an ordinance or guidelines for outlining green building principles.

The Town requires all new construction and remodeling projects to comply with Title 24 energy conservation requirements. Building regulations require single family homes over 3,500 square feet to reduce annual and peak energy consumption using adjustment factors described in Chapter 13 of the Tiburon Municipal Code. The Town also encourages new development to incorporate energy saving and renewable energy features through implementation of its design review guidelines.

In 2007, Tiburon joined the County of Marin and the other ten Marin municipalities, the Transportation Authority of Marin and the Marin Municipal Water District to form the Marin Climate and Energy Partnership (MCEP). The agencies work together to reduce greenhouse gas emissions in government operations and throughout the local communities. MCEP has developed greenhouse gas inventories and climate action plans for its member cities and has implemented a wide range of greenhouse gas reduction programs, such as green building regulations, electric vehicle charging stations, LED streetlights, zero waste initiatives, and green purchasing policies.

In April 2011 the Tiburon Town Council approved a Climate Action Plan that lays out a path to achieve greenhouse gas reductions in local government operations and throughout the community. The Tiburon Climate Action Plan utilizes a greenhouse gas reduction target of 15% below 2005 levels by the year 2020, a target that is comparable to the state goal. In 2012, the Town re-inventoried its greenhouse gas emissions and found that community emissions declined nearly 6% between 2005 and 2010. Emissions from government operations fell by nearly 3% during the same time period.

Conservation Rebates

PG&E offers a wide range of rebates for energy efficient equipment and appliances, including furnaces, duct sealing, whole house fans, air handler systems, swimming pool pumps and motors, water heaters, cool roofs, insulation, room air conditioners, clothes washers, dishwashers, computer monitors, energy-efficient lighting, and recycling of refrigerators, freezers and room air conditioners. The Marin Municipal Water District (MMWD) also provides a variety of rebates for high-efficiency toilets, clothes washers, and water-conserving landscape practices. Both organizations do a good job of promoting their rebate programs through customer mailings, company websites, and point-of-sale information.

Rehabilitation Loans

The Marin Housing Authority provides low-interest residential rehabilitation loans to very-low income homeowners to make basic repairs and improvements, correct substandard conditions, and eliminate health and safety hazards. Funds can also be used to include energy efficiency improvements.

Marin County Energy Watch (MCEW) Partnership

The MCEW brings together four elements to provide energy efficiency services and resources to single and multifamily residential; small, medium and large commercial; and public agencies and schools in Marin County as described:



Photo credit: California Energy Commission

- (1) Marin Energy Management Team (MEMT) acts as “energy manager” for public sector agencies including local governments, school districts and special districts, and specifically addresses the difficulty of reaching smaller public sector institutions. Services include audits, technical assistance, engineering, assistance in financing and obtaining incentives, specifying and managing projects, energy accounting and reporting, procurement, peer meetings and training workshops. MEMT also integrates other state, utility, and private energy efficiency programs, filling resource gaps, and addressing specific barriers as needed to provide as comprehensive and seamless a delivery of services as possible.
- (2) Smart Lights is designed to help small businesses become more energy-efficient. The program offers free start-to-finish technical assistance and instant rebates to help defray the cost of upgrading and/or repairing existing equipment. Smart Lights can help with comprehensive lighting retrofits, refrigeration tune-ups, controls, and seals replacement, replacing domestic hot water heaters, and referrals to appropriate HVAC programs.
- (3) California Youth Energy Services (CYES) provides no-cost green house calls to homeowners and renters, regardless of income level. The professionally-trained staff provides energy assessments and installs free energy and water-saving equipment. CYES serves single-family dwellings, 2-4 duplexes, and multifamily units.

Energy Upgrade California is an energy efficiency program that provides rebates and resources to upgrade single family and 2-4 unit multi-family dwellings to save energy and water.

Housing Goals, Policies and Programs

A Housing Goals

Tiburon’s housing goals provide for a variety of housing opportunities for all economic segments of the community through new construction and maintenance of existing housing for an economically and socially diverse population, while preserving the character of the community.

Tiburon’s housing goals are:

- H-A Establish a Town leadership role in providing a mix of housing types that matches the needs of people of all ages and income levels.
- H-B Provide housing for special needs populations that is coordinated with support services.
- H-C Protect and conserve the existing housing stock and mix of unit types.
- H-D Facilitate the development of new infill housing in Downtown Tiburon and on identified underutilized sites throughout the Town that have existing infrastructure and few physical constraints. Focus development of lower density housing on vacant legal lots incapable of further subdivision and on undeveloped parcels where infrastructure constraints, physical constraints, and other non-governmental constraints prevent their development with more affordable housing. Continue to encourage and legalize secondary dwelling units in appropriate locations and use affordable housing in-lieu fees or impact fees on less constrained sites.



B Housing Policies and Implementation Programs

Policy statements and implementing programs help define how the Town's housing goals will be interpreted and implemented. A policy is a specific statement that guides decision making and indicates a commitment of the local legislative body to a particular course of action. Programs define exactly what is to be done to put the policies into practice while working towards the Town's housing goals.

Goal H-A

Establish a Town leadership role in providing a mix of housing types that matches the needs of people of all ages and income levels.

Policies

- H-A1 Local Government Leadership and Commitment of Resources.** Establish affordable housing as an important priority, with local government taking a proactive leadership role in working with community groups, property owners, affordable housing providers, developers, and other jurisdictions, agencies and stakeholders in implementing the Housing Element. Marshal and commit the Town's political leadership, staff, funding sources, and available land resources toward the implementation of the Housing Element's goals, policies and programs.
- H-A2 Redevelopment Agency (Town of Tiburon as Successor Agency).** Maximize the use of housing set-aside monies in support of affordable housing. Tiburon's solitary Redevelopment Project Area includes a portion of the Downtown area where several of the sites listed in the Housing Element are located. The Town will seek projects where it can expend its Housing Set Aside funds in conjunction with the Marin Housing Authority. Those funds will be used toward affordable housing projects in the Tiburon Housing Element area and preferably within the Redevelopment Project Area boundary.
- H-A3 Affordable Housing In-lieu Fee Fund and Other Funding Sources.** The Town will seek ways to reduce housing costs for lower income workers and people with special needs by using ongoing local funding resources (Housing In-Lieu Fund) and continuing to utilize other local, state and federal assistance to the fullest extent. The Town will continue to collect and expend affordable housing in-lieu fees for meritorious affordable housing projects.

H-A4 Collaborate with Housing Providers. Work with private non-profit housing groups, such as the Tiburon Ecumenical Association and EAH, to identify opportunities for, and provide and maintain, affordable housing in Tiburon.

H-A5 Collaborate with Other Marin County Planners. The Town will coordinate housing strategies with other jurisdictions in Marin County as appropriate to meet the Town's housing need. Small municipalities rarely have the staff expertise to maximize assistance to affordable housing developers, especially in the early stages of project formulation and financing. Therefore, the Town supports collaboration of local planners within Marin County to implement Housing Element programs for each jurisdiction.

H-A6 Equal Housing Opportunity. Ensure equal housing opportunities for individuals and families seeking housing in Tiburon. Ensure that housing seekers are not discriminated against, consistent with the Fair Housing Act.

Implementing Programs

H-a Focus Town Resources on Housing Opportunity Sites. Focus Town resources toward the design, approval, financing, and construction of housing, especially affordable housing, on multi-family housing opportunity sites identified in the Tiburon Housing Element.

Responsibility: Town Council, Community Development Department

Financing: General Fund, Redevelopment Funds, other funding (see funding programs).

Objectives: Construction of housing on one or more of the housing opportunity sites

Timeframe: Encourage development of one or more housing opportunity sites by 2022.

H-b Improve Community Awareness of Housing Needs, Issues, and Programs. The Town will promote the availability of Marin County programs for housing construction, homebuyer assistance, rental assistance, Marin Housing Authority information, code enforcement, information about affordable housing, fair housing and housing rehabilitation through the following means:

- (a) Maintain a link on the Town's website that describes housing programs and provides direct links to County agencies that administer the programs.
- (b) Include contact information on County programs in Town newsletters and other general communications that are sent to residents.
- (c) Maintain information and handouts at the Town's public counter.
- (d) Train selected Town staff to provide referrals.
- (e) Distribute information on programs at public locations (library, schools).
- (f) Collaborate with other agencies (County of Marin, Tiburon Ecumenical Association, Marin Housing Authority, Rotary, Chamber of Commerce,

EAH, Housing Council) to prepare presentations and distribute informational materials to improve awareness of housing needs, issues and available housing programs.

- (g) Distribute materials to neighborhood groups, homeowner associations, religious institutions, businesses, and other interested groups (Rotary, Chamber of Commerce, etc.) in the Tiburon area.

Responsibility: Community Development Department

Financing: General Fund.

Objectives: Obtain and distribute materials; coordinate with other organizations.

Timeframe: Ongoing

H-c Community Outreach When Implementing Housing Element Programs.

Coordinate with local businesses, housing advocacy groups, neighborhood groups, and the Chamber of Commerce and participate in the Marin Consortium for Workforce Housing in building public understanding and support for workforce, special needs housing and other issues related to housing, including the community benefits of affordable housing, mixed use and pedestrian-oriented development. The Town will notify a broad representation of the community when housing programs are discussed by the Planning Commission or Town Council. Specific actions should be linked to the preparation and distribution of materials as identified in Program H-b. Specific outreach activities include:

- (a) Maintain the Housing Element mailing list and send public hearing notices to all interested public, non-profit agencies and affected property owners.
- (b) Post notices at Town Hall, the library, and the post office.
- (c) Publish notices in the local newspaper.
- (d) Post information on the Town's website.
- (e) Conduct outreach (workshops, neighborhood meetings) to the community as Housing Element programs are implemented.
- (f) Provide an informational guide to homeowners explaining the benefits, "best practices" and procedures for adding or legalizing a secondary dwelling unit.

Responsibility: Community Development Department.

Financing: General Fund.

Objectives: Undertake outreach for each Housing Element program per the Housing Element implementation schedule

Timeframe: Ongoing

H-d Foster Meaningful Assistance from Other Agencies. Town staff will meet and work with other public agencies and special districts (water, fire, schools, sanitary districts, etc.) to promote affordable housing through the provision of fee waivers,

fee reductions, development of property, or other assistance for affordable housing projects. In addition, participate in ongoing regional planning activities related to housing and the Sustainable Communities initiative.

Responsibility: Town Manager, Community Development Department.

Financing: General Fund, Redevelopment Funds, other funding (see funding programs).

Objectives: Assistance and incentives for affordable housing.

Timeframe: Ongoing

- H-e Review the Housing Element Annually.** As required by State law, the Town will review the status of Housing Element programs and submit a progress report to the State Department of Housing and Community Development and the Governor's Office of Planning and Research by April 1st.

Responsibility: Town Council, Planning Commission, Community Development Department.

Financing: General Fund.

Objectives: Annual review of Housing Element implementation progress.

Timeframe: Annually by April 1st.

- H-f Update the Housing Element.** Update the Tiburon Housing Element consistent with State law requirements.

Responsibility: Town Council, Planning Commission, Community Development Department.

Financing: General Fund.

Objectives: Update and adopt housing element in compliance with State-mandated due date.

Timeframe: 2023

- H-g Redevelopment Funding (Town of Tiburon as Successor Agency).** In conjunction with the Marin Housing Authority, use remaining housing set-aside funds to meet existing affordable housing obligations and, once those are met, expend the funds solely for the provision of affordable housing in Tiburon consistent with the Tiburon General Plan.

Responsibility: Town Council, Planning Commission, Town Manager, Community Development Department.

Financing: Housing set-aside funds

Objectives: Meet existing affordable housing obligations and facilitate the development of additional affordable housing.

Timeframe: Ongoing.

- H-h Apply for State Funds for Affordable Housing.** Apply for State affordable housing funds including, but not limited to, the Multifamily Housing Program, the

Cal-Home Program, and the Homebuyer's Down-payment Assistance Program. Commit these funds to one or more projects located on designated housing sites as shown in the Town's Housing Element.

Responsibility: Town Council, Community Development Department, Town Manager.

Financing: Staff time.

Objectives: Develop funding sources for affordable housing.

Timeframe: Apply for funding as opportunities arise.

H-i Apply for and Utilize Local Funds for Affordable Housing. Potential sources of funds could include, but would not be limited to:

- (a) Marin Workforce Housing Trust
- (b) Marin Community Foundation
- (c) Federal Grants
- (d) Voluntary donations (such as bequeaths, trusts, donations of land and buildings, etc.).
- (e) Affordable Housing Impact Fee on larger single-family homes. (Size to be determined — for example, Marin County has a sliding scale housing impact fee on homes over 2,000 square feet in size).
- (g) Inter-Jurisdictional Housing Trust Fund (with Belvedere and Marin County) that could include housing impact fees, in-lieu fees, co-funding one nexus study for a housing impact, and the accumulation of any other housing-related monies for use in a mutually beneficial way to meet each jurisdiction's RHNA through a combination of contributions to the Fund and units created.

Responsibility: Community Development Department, Town Manager, Town Council.

Financing: Staff time.

Objectives: Accumulation of funds for affordable housing.

Timeframe: Apply for funding as opportunities arise.

H-j Work with Non-Profits on Housing. The Town will work with non-profits to assist in achieving the Town's housing goals and implementing programs. Coordination should occur on an ongoing basis, and as special opportunities arise related to specific housing sites and as the Housing Element is implemented.

Responsibility: Community Development Department.

Financing: Staff time.

Objectives: Ongoing working relationship with non-profit housing sponsors.

Timeframe: Ongoing.

H-k Work with the Marin Housing Authority. Continue to implement the agreement with the Marin Housing Authority (MHA) for management of the affordable housing

stock in order to ensure permanent affordability. Implement resale and rental regulations for very low, low and moderate income units, and assure that these units remain at an affordable price level.

Responsibility: Community Development Department, Town Manager.

Financing: Staff time, General Fund.

Objectives: Implement agreements to maintain affordability.

Timeframe: Ongoing.

H-I Staff Training. Conduct training sessions as needed for Town employees regarding the receipt, documentation, and proper referral of housing discrimination complaints and other information related to housing programs.

Responsibility: Community Development Department, Town Manager.

Financing: General Fund.

Objectives: Conduct training staff sessions.

Timeframe: As needed.

H-m Housing Discrimination Complaints. Refer discrimination complaints to the appropriate legal service, county, or state agency or Fair Housing of Marin. The Community Development Director is the designated person in Tiburon with responsibility to investigate and deal appropriately with complaints. Discrimination complaints will be referred to Fair Housing of Marin, the Marin Housing Authority, Legal Aid, HUD, or the California Department of Fair Employment and Housing, as appropriate. Information regarding the housing discrimination complaint referral process will be posted on the Town's website.

Responsibility: Community Development Department, Town Manager.

Financing: Staff time, General Fund.

Objectives: Implementation of Fair Housing laws.

Timeframe: Ongoing.

Goal H-B

Provide housing for special needs populations that is coordinated with support services.

Policies

H-B1 Provision of Affordable Housing for Special Needs Households. Provide opportunities through affordable housing programs for a variety of housing types and affordability levels to be constructed or acquired for special needs groups, including assisted housing and licensed board and care facilities.

H-B2 Health and Human Services Programs Linkages. Support housing that incorporates facilities and services to meet the health care, transit or social service needs of extremely low income households and persons, and persons living with disabilities. As appropriate to its role, the Town will assist service providers to link together services serving special needs populations to provide the most effective response to homelessness or persons at risk of homelessness, youth needs, seniors, persons with mental or physical disabilities, substance abuse problems, HIV/AIDS, physical and developmental disabilities, multiple diagnoses, veterans, victims of domestic violence, and other economically challenged or underemployed workers.

H-B3 Density Bonuses for Special Needs Housing. The Town will use density bonuses to assist in meeting special housing needs, housing for lower income elderly and disabled, consistent with roadway capacity and considering parking needs and neighborhood scale.

H-B4 Countywide Efforts to Address Housing for the Homeless. In recognition that there is a lack of resources to set up completely separate systems of care for different groups of people, including homeless-specific services for the homeless or people “at risk” of becoming homeless, local governments in Marin must coordinate efforts to develop a fully integrated approach for the broader low-income population. The Town will support countywide programs Marin County Continuum of Care³ actions for the homeless including emergency shelter, transitional housing, supportive housing and permanent housing.

H-B5 Emergency Shelter Facilities Located in Tiburon. The Town of Tiburon recognizes the need for and desirability of emergency shelter housing for the homeless and will allow a year-round emergency shelter as a permitted use in commercial zones as established in the Zoning Ordinance.⁴ In addition, the following would apply:

- a. The Town will encourage positive relations between neighborhoods and providers of permanent or temporary emergency shelters. Providers or sponsors of emergency shelters, transitional housing programs and community care facilities shall be encouraged to establish outreach programs within their neighborhoods and, when necessary, work with the Town or a designated agency to resolve disputes.

³ The Department of Housing and Urban Development (HUD) allocates HUD homeless assistance grants to organizations that participate in local homeless assistance program planning networks. Each of these networks is called a Continuum of Care. HUD introduced the concept to encourage and support local organizations in coordinating their efforts to address housing and homeless issues. The Marin County Continuum of Care is operated through the County’s Health and Human Services Agency.

⁴ Standards for Emergency Shelters consistent with SB2 are contained in Municipal Code Section 16-40.060 - Emergency Shelters.

- b. It is recommended that a staff person from the provider agency be designated as a contact person with the community to review questions or comments from the neighborhood.

H-B6 Adaptable/Accessible Units for the Disabled. The Town will ensure that new multi-family housing includes units that are accessible and adaptable for use by disabled persons in conformance with the California Building Code. This will include ways to promote housing design strategies to allow seniors to “age in place.”

H-B7 Transitional and Supportive Housing. The Town of Tiburon recognizes the need for and desirability of transitional and supportive housing and will treat transitional and supportive housing as a residential use that will be subject only to the same restrictions that apply to other residential uses of the same type in the same zone.

H-B8 Emergency Housing Assistance. Participate and allocate funds, as appropriate, for County and non-profit programs providing disaster preparedness and emergency shelter and related counseling services.

Implementing Programs

H-n Provision of Affordable Housing for Special Needs Households. Continue to facilitate programs and projects which meet federal, state and local requirements to provide accessibility for seniors, persons with disabilities, large families, and single-person and single parent households. Apply current inclusionary housing provisions that require 10% of new units to be designed for special needs households. Specific types of housing include:

- (a) Smaller, affordable residential units, especially for lower income single-person and single parent households.
- (b) Affordable senior housing to meet the burgeoning needs of an aging population, including assisted housing and board and care (licensed facilities).
- (c) Affordable units with three or more bedrooms for large family households.
- (d) Affordable housing that is built for, or can easily and inexpensively be adapted for, use by people with disabilities (specific standards are established in California Title 24 Accessibility Regulations for new and rehabilitation projects, augmented by Americans with Disabilities Act guidelines).

Responsibility: Town Council, Community Development Department.

Financing: Staff time.

Objectives: Construction of housing for people with special needs.

Timeframe: Ongoing

H-o Emergency Housing Assistance. Participate and allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related counseling services.

Responsibility: Community Development Department, Town Manager, Town Council.

Financing: Affordable Housing Fund.

Objectives: Respond to requests for assistance.

Timeframe: Ongoing.

H-p Provide Town Employee Housing Assistance. Identify opportunities for local government employees (especially public safety personnel) to find housing locally through such efforts as construction of workforce housing at public facilities or parking lots or subsidizing mortgages or rents.

Responsibility: Town Manager, Town Council.

Financing: Staff time.

Objectives: Provide Town employee housing assistance.

Timeframe: Ongoing.

Goal H-C

Protect and conserve the existing housing stock and mix of unit types.

Policies

H-C1 Support Housing Conservation and Affordability. Pursue funding for conservation and rehabilitation of existing housing to preserve neighborhood character and retain the supply of affordable housing units.

H-C2 Condominium Conversions. Except for limited equity cooperatives and other innovative housing proposals which are affordable to lower income households, the Town will prohibit conversion of existing multi-family rental dwellings to market rate condominium units unless the Town's rental vacancy rate is above 4.5 percent.

H-C3 Protection of Existing Affordable Housing. Ensure that affordable housing provided through governmental subsidy programs, incentives and deed restrictions remains affordable, and intervene when necessary to help preserve such housing.

- H-C4 Preserve “Old Tiburon” Housing.** Limit the loss of housing units in “Old Tiburon” through conversion of existing two-family or multi-family dwellings into single-family dwellings or buildings containing fewer units.⁵
- H-C5 Rental Assistance Programs.** Continue to publicize and create opportunities for using available rental assistance programs for extremely low, very low and low income households, such as project-based Section 8, the Section 8 housing choice voucher programs, and the Housing Stability Program, in coordination with the Marin Housing Authority (MHA). Continue to support the use of Marin Community Foundation funds for affordable housing.
- H-C6 Reconstruction at Existing Densities.** Protect and preserve housing units by granting density bonuses that allow the re-establishment of housing developments containing affordable housing units (regardless of the current General Plan density limit for the site) at the pre-existing density, in the event that such developments are damaged or destroyed by fire, earthquake or similar disaster.
- H-C7 Preserve the Housing Stock.** In order to protect and conserve the housing stock, the Town will, to the extent permitted by law, prohibit the conversion of residential units to other uses and regulate the conversion of rental developments to non-residential uses unless there is a clear public benefit or equivalent housing can be provided.
- H-C8 Maintenance and Management of Quality Housing.** Support good management practices and the long-term maintenance and improvement of existing housing through housing and building code enforcement, rehabilitation programs for viable older housing, and long-term maintenance and improvement of neighborhoods.
- H-C9 Energy and Resource Conservation.** Promote development and construction standards that conserve resources and encourage housing types and designs that use cost-effective energy and resource conservation measures (water, electricity, etc.) and therefore cost less to operate over time, supporting long-term housing affordability for occupants.
- H-C10 Resale Controls to Maintain Affordability.** Continue to impose resale controls and rent and income restrictions to the maximum extent possible (at least 55 years) to ensure that affordable housing, provided through zoning and other government incentives and/or as a condition of development approval, remains affordable over time to the income group for which it is intended. The Town will implement long-term or in-perpetuity agreements

⁵ This modification is contained in the Zoning Ordinance, which requires a conditional use permit for conversion to fewer units.

and/or deed restrictions with owners and/or developers to govern the affordability of such units. This assurance will be provided through recorded agreements and by monitoring their continuing affordability, or other equally effective means.⁶

H-C11 Housing Design. Review proposed new housing in order to achieve excellence in development design and encourage innovative design that creates housing opportunities complementary to the location of the development. It is the Town's intent to enhance neighborhood identity and sense of community by ensuring that all new housing will have a sensitive transition with the surrounding area.

Implementing Programs

H-q Rehabilitation Loan Programs. In cooperation with the Marin Housing Authority (MHA), improve citizen awareness of rehabilitation loan programs.

Responsibility: Community Development Department, MHA.

Financing: MHA.

Objectives: Facilitate rehabilitation loans for 3 low income units.

Timeframe: Ongoing.

H-r Conduct Residential Building Report Inspections. The Town will continue to inspect and report on all residential units prior to resale, with the intent to maintain and upgrade the safety of housing within the town consistent with adopted Building Codes. In addition to health and safety concerns, the residential building report discloses the authorized use, occupancy and zoning of the property and an itemization of deficiencies in the dwelling unit.

Responsibility: Building Division

Financing: General Fund through fee charged for residential building report inspections

Objectives: Complete Residential Building Reports for all housing units prior to resale

Timeframe: Ongoing

H-s Acquisition of Rental Housing. Contact potential non-profits (such as Tiburon Ecumenical Association, EAH, Citizens Housing, BRIDGE Housing, etc.) who may be seeking to acquire and rehabilitate rental housing units in order to maintain ongoing affordability of the units. Provide assistance that will include, but not be limited to: (1) support necessary to obtain funding commitments from governmental programs and non-governmental grants; (2) assistance in permit processing; (3) waiver or subsidy of fees; and (4) use of local funds if available.

⁶ The Marin Housing Authority is the agency designated to administer inclusionary housing programs on behalf of the Town, although the Town has flexibility to designate another agency or entity.

Responsibility: Community Development Department, Town Manager, Town Council
Financing: General Fund and other funding as available
Objectives: Acquisition and rehabilitation of existing affordable rental housing subject to expiration of subsidies
Timeframe: Annually

H-t Use of Rental Assistance Programs. Continue to publicize and participate in rental assistance programs such as Section 8 Housing Choice Vouchers, the Housing Stability Program, and other available rental programs.

Responsibility: Community Development Department, Marin Housing Authority.
Financing: Staff time.
Objectives: Publicity and increased use of Section 8 vouchers.
Timeframe: Ongoing

H-u Condominium Conversions. Preserve rental housing by enforcement through the Town's condominium conversion ordinance and Housing Element policy.⁷

Responsibility: Community Development Department.
Financing: General Fund
Objectives: Protection of the Town's rental housing stock.
Timeframe: Ongoing

H-v Link Code Enforcement with Public Information Programs on Town Standards, Rehabilitation and Energy Loan Programs. Implement housing, building and fire code enforcement to ensure compliance with basic health and safety building standards and provide information about rehabilitation loan programs for use by qualifying property owners who are cited. Specific actions include:

- (a) Coordinate with the Marin Housing Authority and utility providers to make available loan programs to eligible owner and renter-occupied housing.
- (b) Provide public information on alternative energy technologies for residential developers, contractors and property owners.
- (c) Publicize tenant assistance and energy conservation programs that are available to provide subsidized or at-cost inspection and corrective action.
- (d) Contact owners of structures that appear to be in declining or substandard condition, offer inspection services, and advertise and promote programs that will assist in funding needed work.
- (e) Provide an informational guide to homeowners explaining the benefits, "best practices" and procedures for adding or legalizing a secondary dwelling unit.

⁷ See 16-52.050 - Condominium Use Permit

Responsibility: Community Development Department, Marin Housing Authority, PG&E
Financing: General Fund
Objectives: Upgrades to the Town's housing stock and compliance with codes.
Timeframe: Ongoing

Goal H-D

Facilitate the development of new infill housing in Downtown Tiburon and on identified underutilized sites throughout the Town that have existing infrastructure and few physical constraints. Focus development of lower density housing on vacant legal lots incapable of further subdivision and on undeveloped parcels where infrastructure constraints, physical constraints, and other non-governmental constraints prevent their development with more affordable housing. Continue to encourage and legalize secondary dwelling units in appropriate locations and use affordable housing in-lieu fees or impact fees on less constrained sites.

Policies

- H-D1 Variety of Housing Choices.** In response to the broad range of housing needs in Tiburon, the Town will strive to achieve a mix of housing types, densities, affordability levels and designs. This will include an adequate supply and variety of housing opportunities to meet the needs of Tiburon's workforce and their families, striving to match housing types and affordability with household income. The Town will work with developers of non-traditional and innovative housing approaches in financing, design, construction and types of housing that meet local housing needs. Housing opportunities for families with children should not be limited because necessary facilities are not provided on site.
- H-D2 Approach to Affordable Housing Requirements and Incentives.** Establish a two-tiered structure for addressing affordable housing needs in Tiburon, as follows:
- Tier 1:** Contributions and incentives for smaller market rate housing developments and commercial development through inclusionary housing in-lieu fees, construction of affordable units, second units, housing impact fees, etc.
 - Tier 2:** Incentives and requirements for development on key housing opportunity sites (see implementing programs and Affordable Housing Overlay zoning).
- H-D3 New Affordable Housing.** Facilitate the design, approval, and construction of affordable housing projects using a variety of mechanisms, including mixed-use development incentives, density bonus programs, affordable housing overlay zones, General Plan

amendments, pre-zoning and annexation actions, avoidance of Article 34 referenda, and creation of secondary dwelling units.

H-D4 Key Housing Opportunity Sites. Given the diminishing availability of developable land, the Town will identify housing opportunity areas and sites where a special effort will be made to provide workforce and special needs affordable housing. The Town will take specific actions to promote the development of affordable housing units on these sites (identified in the Implementing Programs).⁸

H-D5 Mixed Use Infill Housing. The Town will encourage well-designed mixed use developments (residential mixed with other uses) where residential use is appropriate to the setting and development impacts can be mitigated. The Town will develop incentives to encourage mixed use development in appropriate locations, such as in and near to the downtown that are in proximity to transit and services, and would support downtown businesses.

H-D6 Redevelopment of Commercial Shopping Areas and Sites. The Town will encourage the development of housing in conjunction with the redevelopment of commercial shopping areas and sites when it occurs.

H-D7 Density Bonuses and Other Incentives for Affordable Housing Developments. The Town will use density bonuses and other incentives to help achieve housing goals while ensuring that potential impacts are considered and mitigated. This will include provisions consistent with State Density Bonus Law.⁹

⁸ The Town undertook General Plan Amendments, rezoning, and other implementing actions to reduce governmental constraints on key housing opportunity sites identified in the 2005 Housing Element. The Zoning Ordinance also reflects these changes, including “Affordable Housing Overlay Zone” incentives. Current zoning allows (1) an increased maximum height limit so that second and third stories can be permitted on buildings; (2) flexible development standards (e.g., FAR, lot coverage) based on the location, type, and size of the units and the design of the development; (3) an additive residential component of a mixed use development with a density range of 12.5 to 15.3 units per acre (a yield of 16.9 to 20.7 units per acre after the award of a density bonus), with FAR limits applying only to the commercial portion of the mixed use project; (4) flexible parking standards based on the development’s location and the type and size of the housing units, such as efficiency apartments and senior housing units; (5) waived or reduced fees; and (6) fast-track processing. Adopted standards also allow shared parking for commercial and residential uses, resulting in a lower overall parking requirement, subsidization of hook-up fees or other fees charged by special districts, and elimination of a conditional use permit requirement for the proposed residential component of a mixed use development.

⁹ State density bonus law, Government Code Section 65915, was first enacted in 1979. The law requires local governments to provide density bonuses and other incentives to developers of affordable housing who commit to providing a certain percentage of dwelling units to persons whose incomes do not exceed specific thresholds. Cities also must provide bonuses to certain developers of senior housing developments, and in response to certain donations of land and the inclusion of child care centers in some developments. Essentially, state density bonus law establishes that a residential project of five or more units that provides affordable or senior housing at specific affordability levels may be eligible for a “density bonus” to allow more dwelling units than otherwise allowed on the site by the applicable General Plan Land Use Map and Zoning. The density bonus may be approved only in conjunction with a development permit (i.e., tentative map, parcel map, use permit or design review). Under State law, a

H-D8 Retention and Expansion of Multi-Family Sites at Medium and Higher Density. The Town will strive to protect and expand the supply and availability of multi-family and mixed use infill housing sites for housing. The Town will not re-designate or rezone residential land for other uses or to lower densities without re-designating equivalent land for higher density multi-family development.

H-D9 Secondary Dwelling Units. Encourage the construction of well-designed new second units and the legalization of existing second units as an important way to provide affordable rental housing opportunities, especially for senior households, single persons, single parents, and young households.

H-D10 Market Rate Development. Focus development of market rate units on vacant legal lots incapable of further subdivision and on undeveloped parcels that are too physically and/or non-governmentally constrained to support multi-family, mixed use and affordable housing development.

H-D11 Inclusionary Housing Requirements. Implement the Town's inclusionary housing provisions to generate affordable housing units, in-lieu fees or impact fees that can be effectively used to support affordable housing projects on less constrained housing opportunity sites.

H-D12 Contributions Towards Employee Housing. Require new non-residential development to contribute towards affordable housing created by such development, such as provision of housing on-or off-site, impact fee, or other alternatives.

Implementation Programs

H-w Work with Non-Profits and Property Owners on Housing Opportunity Sites.

Encourage cooperative and joint ventures between owners, developers and non-profit groups in the provision of below market rate housing. Work with non-profits and property owners to seek opportunities for an affordable housing development on one of the key housing opportunity sites. Undertake the following actions to encourage development of multi-family, affordable housing:

- (a) Meet with non-profit housing developers (EAH, MHA, others) and property owners to identify housing development opportunities, issues and needs during 2015.

jurisdiction must provide a density bonus, and concessions and incentives granted at the applicant's request based on specific criteria.

- (b) Select the most viable site during 2015.
- (c) Undertake community outreach in coordination with the potential developer and property owner during 2015.
- (d) Complete site planning studies, continued community outreach, and regulatory approvals in coordination with the development application.
- (e) Facilitate development through regulatory incentives, reducing or waiving fees, fast track processing, and assistance in development review.
- (f) Develop ongoing and annual outreach and coordination with non-profit housing developers and affordable housing advocates to assist in the development of housing for extremely low-income households.
- (g) Facilitate development of housing for extremely low-income households by allowing housing as a use by-right as part of the “Affordable Housing Overlay Zone.”
- (h) Review funding options as part of the annual Housing Element review and apply for funding or support funding applications as opportunities are available, and will undertake other actions (such as modifications to parking requirements and granting concessions and incentives) to assist in the development of housing for extremely low income households.

Responsibility: Community Development Department, Town Manager, Planning Commission, Town Council

Financing: General Fund, Redevelopment Set-Aside, other funding

Objectives: Encourage development of one or more housing opportunity sites.

Timeframe: Specific actions by 2015 and development of housing sites by 2022.

H-x Implement “Affordable Housing Overlay Zone” Zoning for Affordable Projects. Annually monitor the effectiveness of the “Affordable Housing Overlay Zone” as part of the annual Housing Element review (see Program H-e), and implement the affordable housing overlay zone where residential densities will be increased up to 100% if a specified level of affordability is achieved. As part of the annual review there will be a review as to whether the program has been effective in encouraging very low and low income housing. The program will be revised if it is found to be ineffective.

Responsibility: Community Development Department, Town Manager, Planning Commission, Town Council

Financing: General Fund, Redevelopment Set-Aside, Housing Fund, other funding.

Objectives: Development of one or more key housing sites by 2022.

Timeframe: Ongoing.

H-y Bonuses for Affordable Housing Projects Consistent with State Density Bonus Law. Offer density bonuses consistent with the State Density Bonus Law.

Responsibility: Community Development Department

Financing: General Fund

Objectives: Application of State Density Bonus law.

Timeframe: Ongoing

H-z Design of Multi-Family Housing. Conduct design review to assure excellence of design in new multi-family housing development that is compatible with the surrounding area.

Responsibility: Community Development Department

Financing: General Fund.

Objectives: Development of well-designed multi-family housing

Timeframe: Ongoing

H-aa Housing Impact Fee for Larger Homes. Consider an affordable housing impact fee on larger single-family homes.¹⁰

Responsibility: Community Development Department, Town Council.

Financing: General Fund

Objectives: Additional funding for affordable housing based on impacts of larger homes

Timeframe: 2016

H-bb Implement Second Dwelling Unit Development Standards and Permit Process. Continue to allow second dwelling units.

Responsibility: Community Development Department, Planning Commission and Town Council

Financing: General Fund

Objectives: 8 new second units by 2022

Timeframe: Ongoing

H-cc Jobs/Housing Fee. Adopt a Jobs/Housing Linkage Fee Ordinance that includes the following or similar requirements:

- (a) Exaction requirements for dwelling units and/or in-lieu fees should be set according to empirically based evidence and must comply with all other legal tests.
- (b) The inclusion of affordable housing units within developments of hotels, offices, or other commercial buildings if feasible (options may include housing on-site, off-site, subsidizing mortgages or rents, or paying an in-lieu fee for housing production).

¹⁰ For example, consider Marin County's sliding scale housing impact fee required for larger homes over 2,000 square feet in size.

- (c) Payment into the Housing Fund of in-lieu fees based on a dollar amount per square foot of office, commercial, and industrial building development.
- (d) In-lieu fees would be waived for projects containing significant affordable housing components.

Responsibility: Town Attorney, Community Development Department, Planning Commission and Town Council

Financing: General Fund

Objectives: Adopt Jobs/Housing Linkage Fee Ordinance

Timeframe: 2017

- H-dd Encourage Residential Development on Mixed Use Sites.** Encourage residential development on key housing sites that are designated for mixed use. Incentives are identified in the Affordable Housing Overlay zone

Responsibility: Community Development Department, Planning Commission and Town Council

Financing: General Fund

Objectives: Residential development on mixed use sites.

Timeframe: Ongoing

Implementation Timeframe

A Overview

The Tiburon Housing Element is built around preserving and enhancing residential neighborhoods, sustaining the community's character and environmental resources, and fulfilling unmet housing needs. The implementing programs in the Housing Element, as described in the previous section, are intended to address these concerns. In reviewing the list of programs it is important to recognize two other concerns: (1) there are limited staffing and budget resources to undertake all of the programs listed immediately; and (2) some programs require other funding or actions to occur first.

This section covers all of the implementing programs described in the Housing Element, and represents the Town's commitment to take an active leadership role in assuring the implementation of the programs described. It is also the Town's intent to: (1) encourage public review and effective participation in all aspects of the planning process; and (2) assure annual review of the Housing Element in order to periodically revise and update this Action Plan as necessary to keep it effective.

B Implementation Summary Table

Tiburon Housing Element Programs	Time Frame	Objective	Responsible Department or Authority	Source of Funding
H-a Focus Town Resources on Housing Opportunity Sites	Ongoing	Construction of housing on one or more of the housing opportunity sites	TC; CD	GF
H-b Improve Community Awareness of Housing Needs, Issues, and Programs	Ongoing	Obtain and distribute materials; coordinate with other organizations	CD	GF
H-c Community Outreach When Implementing Housing Element Programs	Ongoing	Undertake outreach for each Housing Element program per the implementation schedule	CD	GF
H-d Foster Meaningful Assistance from Other Agencies	Ongoing	Assistance and incentives for affordable housing	TM; CD	GF
H-e Review the Housing Element Annually	Annually by April 1st	Annual review of Housing Element implementation progress	TC; PC; CD	GF
H-f Update the Housing Element	2023	Update and adopt housing element in compliance with State-mandated due date.	TC; PC; CD	GF
H-g Redevelopment Funding (Town of Tiburon as Successor Agency)	Ongoing	Meet existing affordable housing obligations and facilitate the development of additional affordable housing.	TC; PC; TM; CD	S
H-h Apply for State Funds for Affordable Housing	As needed	Develop funding sources for affordable housing	TC; TM; CD	GF
H-i Apply for and Utilize Local Funds for Affordable Housing	As needed	Accumulation of funds for affordable housing	TC; TM; CD	GF
H-j Work with Non-Profits on Housing	Ongoing	Ongoing working relationship with non-profit housing sponsors	CD	GF
H-k Work with the Marin Housing Authority	Ongoing	Implement agreements to maintain affordability	TM; CD	GF

Tiburon Housing Element Programs		Time Frame	Objective	Responsible Department or Authority	Source of Funding
H-l	Staff Training	As needed	Conduct staff training sessions	TM; CD	GF
H-m	Housing Discrimination Complaints	Ongoing	Implementation of Fair Housing laws	TM; CD	GF
H-n	Provision of Affordable Housing for Special Needs Households	Ongoing	Construction of housing for people with special needs	TC; CD	GF
H-o	Emergency Housing Assistance	Ongoing	Respond to requests for assistance	TC; TM; CD	GF
H-p	Develop and Adopt an Employee Housing Assistance Policy and Program	Ongoing	Provide Town employee housing assistance	TC; TM	GF
H-q	Rehabilitation Loan Programs	Ongoing	Facilitate loans for 3 low income units	CD; MHA	GF/MHA
H-r	Conduct Residential Building Report Inspections	Ongoing	Complete Residential Building Reports for all housing units prior to resale	BD	GF
H-s	Acquisition of Rental Housing	Annually	Acquisition and rehabilitation of existing affordable rental housing subject to expiration of subsidies	TC; TM; CD	GF / Other
H-t	Use of Rental Assistance Programs	Ongoing	Publicity and increased use of Section 8 vouchers	CD; MHA	GF / MHA
H-u	Condominium Conversions	Ongoing	Protection of the Town's rental housing stock	CD	GF
H-v	Link Code Enforcement with Public Information Programs on Town Standards, Rehabilitation and Energy Loan Programs	Ongoing	Upgrades to the Town's housing stock and compliance with codes	CD; MHA; OA	GF
H-w	Work with Non-Profits and Property Owners on Housing Opportunity Sites	2015 - 2023	Development of one or more housing opportunity sites	CD; TM; PC; TC	GF
H-x	Implement "Affordable Housing Overlay Zone" Zoning for Affordable Projects	Ongoing	Development of one or more housing opportunity sites	CD; PC; TC	GF

Tiburon Housing Element Programs		Time Frame	Objective	Responsible Department or Authority	Source of Funding
H-y	Bonuses for Affordable Housing Projects Consistent with State Density Bonus Law	Ongoing	Application of State Density Bonus law	CD; PC; TC	GF
H-z	Design of Multi-Family Housing	Ongoing	Development of well-designed multi-family housing.	CD; PC; TC	GF
H-aa	Housing Impact Fee for Larger Homes	2016	Additional funding for affordable housing based on impacts of larger homes	CD; TA; PC; TC	GF
H-bb	Implement Second Dwelling Unit Development Standards and Permit Process	Ongoing	8 new second units by 2022	CD; PC; TC	GF
H-cc	Jobs/Housing Fee	2017	Adopt Jobs/Housing Linkage Fee Ordinance	TA; PC; TC; CD	GF
H-dd	Encourage Residential on Mixed Use Sites	Ongoing	Residential development on mixed use sites	PC; TC; CD	GF

Legend for the Implementation Summary Table

BD	Building Department	PC	Planning Commission
CD	Community Development Department	S	Housing Set-Aside Funds
GF	General Fund	TA	Town Attorney
MHA	Marin Housing Authority	TC	Town Council
OA	Outside Agency or Organization	TM	Town Manager

Quantified Housing Objectives

A Overview



State law requires the Housing Element to include quantified objectives for the maximum number of units that can be constructed, rehabilitated or conserved. Policies and programs establish the strategies to achieve these objectives. The Town's quantified objectives are described under each program, and represent the Town's best effort in implementing each of the programs. Assumptions are based on past program performance and funding availability, construction trends, land

availability, and future programs that will enhance program effectiveness and achieve full implementation of the Town's housing goals.

The new construction objectives shown in the table are based on ABAG Projections, the Town's RHNA for the 2015-2023 planning period for very low, low and moderate income housing, historic trends, and expectations for new second units. Rehabilitation targets are based on specific program targets, including programs such residential rehabilitation loans and code enforcement activities. Conservation targets are based on units at risk for conversion to market rate units due to expiring subsidies or deed restrictions.

B Quantified Objectives Summary Table

The table below summarizes the Town's quantified objectives for housing during the 2015-2023 planning period.

Tiburon Quantified Objectives Summary

Income Category	New Construction	Rehabilitation	Conservation and Preservation
Extremely Low Income	4	0	0
Very Low Income	12	0	0
Low Income	12	3	0
Moderate Income	12	2	10
Above Moderate Income	19	2	0
Total	59	7	20

Appendix

Parcel Listing of Potential Housing Sites

PARCEL NUMBER	Zoning	GP Des.	Lot size	#	ADDRESS (OWNER)	TYPE	EXISTING HOUSING UNITS	POTENTIAL HOUSING UNITS	EXISTING COMM SQ FT
<i>Multifamily Sites</i>									
058-171-96	NCAHO	NCAHO	1.0 ac	1555	TIBURON (1555 Tib. Blvd. Site)	BLVD	0	20	0
058-171-43	NCAHO	NCAHO	.72 ac	1535	TIBURON (Chase Bank Site)	BLVD	0	15	7,500
058-171-47	NCAHO	NCAHO	.57 ac	1601	TIBURON (Bank of America Site)	BLVD	0	11	6,900
058-171-86	NCAHO	NCAHO	1.06 ac	2	BEACH (Parking lot)	RD	0	21	0
034-212-18	NCAHO	NCAHO	1 ac	1	BLACKFIELD (Cove Center Site)	DR	0	12	42,000
059-101-01	NCAHO	NCAHO	.4 ac	1600	TIBURON (Shark's Deli Stie)	BLVD	0	8	1,800
058-151-33	RMPAHO	VHAHO	1.8 ac	1199	TIBURON (Reed School Site)	BLVD	0	37	0
<i>Single and Two-Family Sites</i>									
038-151-09	RO-1	ML	.2 ac	4476	PARADISE	DR	1	1	0
038-171-44	RO-2	M	.3 ac	4200	PARADISE	DR	0	1	0
038-162-44	RO-1	ML	2.5 ac		OLD LANDING	RD	0	2	0
039-161-37	RDP	M	1.3 ac	197	GILMARTIN	DR	0	1	0
039-171-08	RO-1	M	.38 ac	2	GILMARTIN	CT	0	1	0
039-171-23	RPD	M	2.4 ac	210	GILMARTIN	DR	0	1	0
039-290-06	RDP	ML	.82 ac	9	VIA PARAISO WEST		0	1	0
039-290-46	RPD	ML	1.1 ac	12	VIA PARAISO EAST		0	1	0
055-252-09	RPD	M	.64 ac	835	STONY HILL	RD	0	1	0
055-252-12	RPD	M	.8 ac	805	STONY HILL	RD	0	1	0
055-253-30	RPD	M	.63 ac	25	GILMARTIN	DR	0	1	0
055-253-32	RPD	M	.38 ac	21	GILMARTIN	DR	0	1	0
055-253-17	R-1	MH	.39 ac	11	GILMARTIN	DR	0	1	0
055-261-10	RPD	PDR	5.6 ac		STONY HILL (Ling)	RD	0	3	0
039-151-49	RO-1	ML	2.5 ac		ROCK HILL (St. Hilary Site)	RD	0	2	0
039-202-04	RO-2	M	.44 ac	255	ROUND HILL	RD	0	1	0
058-111-24	RO-2	M	1 ac	8	ROLLING HILLS	RD	0	1	0
058-261-19	RO-1	ML	1 ac	96	MT TIBURON	CT	0	1	0
058-261-36	RO-1	ML	1 ac	100	MT TIBURON	CT	0	1	0
058-272-01	RO-2	M	.35 ac	130	LYFORD	DR	0	1	0
058-281-08	RO-2	M	.37 ac	3	HEATHCLIFF	DR	0	1	0
058-301-47	RO-2	M	.5 ac	77	ROUND HILL	RD	0	1	0
058-321-08	RO-2	M	.6 ac	26	VENADO	DR	0	1	0
058-351-05	RO-2	M	.4 ac	7	PLACE MOULIN		0	1	0
058-351-23	RO-1	ML	1.3 ac	107	MT TIBURON	RD	0	1	0
039-021-07	RPD	L	1 ac	3805	PARADISE	DR	0	1	0
039-021-13	RPD	PDR	31 ac	3825	PARADISE (Rabin)	DR	1	6	0
039-301-01	RPD	PDR	21 ac	3875	PARADISE (SODA)	DR	0	7	0
039-241-01	RPD	PDR	26 ac		PARADISE (Tiburon Glen)	DR	0	3	0
059-013-07	RO-2	M	.5 ac	619	RIDGE	RD	0	1	0
059-071-51	RO-2	M	.5 ac	275	DIVISO	ST	0	1	0
059-091-55	RO-2	M	1 ac	2225	VISTAZO EAST	ST	0	1	0
059-091-56	RO-2	M	1 ac	2235	VISTAZO EAST	ST	0	1	0
059-121-07	R-2	H	.14 ac	1894	CENTRO WEST	ST	0	1	0
059-122-34	R-2	H	.14 ac	1911	MAR WEST	ST	0	1	0
059-122-47	R-2	H	.3 ac	2	RESERVA	LN	0	1	0
059-141-07	R-1	MH	.18 ac	2224	VISTAZO EAST	ST	0	1	0
059-142-02	R-1	MH	.5 ac	2220	CENTRO EAST	ST	0	1	0
059-172-47	R-2	H	.2 ac	2010	PARADISE	DR	0	1	0

Parcel Listing of Potential Housing Sites (cont.)

PARCEL NUMBER	Zoning	GP Des.	Lot size	#	ADDRESS (OWNER)	TYPE	EXISTING HOUSING UNITS	POTENTIAL HOUSING UNITS	EXISTING COMM SQ FT
059-181-85	R-2	H		2070	PARADISE	DR	0	1	0
059-195-24	R-2	H	1 ac	2360	MAR EAST	ST	0	2	0
059-201-52	R-2	H	.2 ac	2359	PARADISE	DR	0	1	0
038-041-38	RO-2	M	.5 ac	4944	RANCH	RD	0	1	0
038-053-01	RO-2	M	.6 ac	4850	PARADISE	DR	0	1	0
038-081-06	RO-1	ML	1.7 ac	111	TAYLOR	RD	0	1	0
038-091-29	RO-1	ML	.5 ac	4755	PARADISE	DR	0	1	0
038-091-30	RO-1	ML	.5 ac	4747	PARADISE	DR	0	1	0
038-091-39	RO-1	ML	1.7 ac	70	PARENTE	RD	0	1	0
038-111-04	RPD	PDR	2.1 ac		PARADISE (Pourian)	DR	0	1	0
038-111-05	RPD	PDR	3.5 ac		PARADISE (Pourian)	DR	0	2	0
038-111-16	RPD	PDR	10 ac	150	ANTONETTE (Achuck/Parente)	DR	0	2	0
038-121-03	RO-1	ML	1.2 ac	3	ANTONETTE	DR	0	1	0
038-121-04	RO-1	ML	1 ac	4725	PARADISE	DR	0	1	0
038-141-17	RO-1	ML	1 ac	4565	PARADISE	DR	0	1	0
034-330-01	RPD	M	.5 ac	47	VIA LOS ALTOS		0	1	0
038-311-05	RO-2	M	.4 ac	3	VIA CAPISTRANO		0	1	0
038-410-09	RPD	M	.5 ac	8	VIA ELVERANO		0	1	0
039-012-23	RO-1	ML	1 ac	31	HACIENDA	DR	0	1	0
039-061-80	RPD	PDR	13 ac		TRESTLE GLEN (Tiburon Court)	BLVD	0	3	0
039-061-91	RPD	PDR	14 ac		TRESTLE GLEN (Tr Glen Circle)	BLVD	0	3	0
039-121-15	RO-1	ML	1 ac	5	ACACIA	DR	0	1	0
various					SECOND UNITS		0	100+ *	0
					Single and Two-Family:			85	
					Multifamily/Affordable Housing Overlay:			124	
					Second Units:			100+ *	
<p>* This is a conservative estimate of the number of potential second units. There are approximately 2,500 detached single family homes in Tiburon, many of which have potential to create a second unit, either within the existing structure or as a new attached or detached structure.</p>									