

TOWN OF ROSS

# 2023-31 HOUSING ELEMENT

DECEMBER 2022

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HCD REVIEW DRAFT



# Acknowledgments

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# INTRODUCTION

# 1

- Purpose and Objectives
- Legal Requirements
- Process for Updating the Housing Element
- Organization of the Housing Element

# 1 Introduction

## Purpose and Objectives

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 the Town of Ross and provide a framework for the community's longer-term approach to addressing its housing needs.

The Housing Element contains goals, updated information and strategic directions (policies and implementing actions) that the Town is committed to undertaking. Housing affordability in Marin County and in the Bay Area as a whole is a critical issue. Over the past thirty years, housing costs have ballooned, driven by rising construction costs and land values, and homeownership in Ross and throughout Marin County has become an ever more distant dream for many people. The typical home value in June 2022 was more than \$4.7 million, an increase of 25.1 percent over the previous year. The double-edged sword of steep home prices is apparent as subsequent generations are priced out of the local housing market. Similarly, people who work in Ross are often forced to live far away where housing is more affordable and high housing costs have become a significant obstacle to hiring teacher, first responders, others essential to the community.

This Housing Element touches many aspects of community life. It builds upon the goals, policies

and implementing programs contained in the City's 2015-2023 Housing Element and other Town policies and practices to address housing needs in the community. The overall focus of the Housing Element is to preserve and enhance community life, character, and serenity through the provision of adequate housing opportunities for people at all income levels, while being sensitive to the unique and historic character of Ross that residents know and love.



The following are some of the specific purposes of the Housing Element update:

1. **Maintain Quality of Life.** Maintain the high quality of life, small town charm and historic character of Ross, which make it distinctive and enjoyable to its residents.
2. **Assure Diversity of Population.** Assess housing needs and provide a vision for housing within the Town to satisfy the needs of a diverse population.
3. **Provide a Variety of Housing Opportunities.** Provide a variety of housing opportunities proportionally by income to accommodate the needs of people who currently live in Ross, such as elderly residents and large families.
4. **Address Regional Housing Needs Allocation (RHNA).** Ensure capacity for the development of new housing to meet the Regional Housing Need Allocation at all income levels for the 2023-2031 planning period.
5. **Assure a Fit with the Look and Feel of the Community.** Ensure that housing developments at all income levels are sensitive to and fit with adjacent neighborhoods.
6. **Maintain Existing Housing.** Maintain the existing housing stock to assure high quality maintenance, safety, and habitability of existing housing resources.



**7. Address Affordable Housing Needs.**

Continue existing and develop new programs and policies to meet the projected affordable housing need of extremely low, very low, low and moderate-income households.

**8. Address the Housing Needs of Special Need Groups.**

Continue existing and develop new programs and policies to meet the projected housing needs of persons living with disabilities, elderly residents, and other special needs households in the community.

**9. Remove Potential Constraints to Housing.**

Evaluate potential constraints to housing development and encourage new housing in locations supported by existing or planned infrastructure, while maintaining existing neighborhood character. Develop design directions to help eliminate barriers to the development of housing for all income levels.

**10. Provide for Special Needs Groups.**

Provide for emergency shelter, transitional and supportive housing opportunities.

**11. Provide Adequate Housing Sites.**

Identify appropriate housing sites, within specified areas proximate to transportation, shopping and schools, and the accompanying zoning required to accommodate housing development.

## Legal Requirements

State law requires each city, town 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 its nature a local document. The focus of the Ross Housing Element is on the needs and desires of Ross residents and workers as they relate 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 requires periodic updating 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 within the Housing Element planning period – between 2023 and 2031 – to meet the City's share of regional housing needs at all income levels.
- Be submitted to 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 establishes a regional "fair share" approach to distributing housing needs throughout all communities in the Bay Area. The law recognizes that in order for the private sector and non-profit housing sponsors 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.

## REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

Ross' Housing Element was last updated in 2015 to plan for the years 2015-2023. This Housing Element update reflects the Regional Housing Needs Assessment (RHNA) as determined by the Association of Bay Area Governments (ABAG) for the Sixth Cycle Housing Element update, covering the years 2023-2031. The RHNA is a State-mandated process intended to ensure every city, town, and county plans for enough housing production to accommodate future growth. The State of California Housing and Community Development Department (HCD) assigns each region of the state an overall RHNA allocation. For the nine-county Bay Area

region, ABAG then distributes a “fair share” portion of that allocation to each local jurisdiction. Each city and county must then identify adequate sites with a realistic capacity for development sufficient to meet this RHNA.

For the 2023-2031 period, Ross must identify sites sufficient to accommodate 111 new housing units between 2023 and 2031, with a specific number of units designated as affordable to each income category, as shown in Table 1-1. The RHNA does not specifically break down the need for extremely-low-income households. As provided by State law, the housing needs of extremely-low-income households, or those making less than 30 percent of area median income (AMI), is estimated as 50 percent of the very-low-income housing need. More detail on the RHNA allocation process is described in Chapter 3 as well as in Appendix C.

HOUSING ELEMENT LAW: STATE CHANGES

Various amendments have been made to Housing Element law since adoption of the 2015-23 Housing

Element, especially since 2017. Some of the key changes for 6th cycle RHNA and Housing Element update include:

- **Assembly Bill (AB) 72 (2017)** provides additional authority to State HCD to scrutinize housing elements and enforce housing element noncompliance and other violations of state housing laws.
- **AB 879 (2017) and AB 1397 (2017)** require additional analysis and justification of sites listed on a local government’s housing sites inventory, additional explanation of the realistic capacity of those listed sites, and further scrutiny of governmental and nongovernmental constraints that limit the production of housing.
- **AB 686 (2018)** requires local governments to Affirmatively Further Fair Housing (AFFH) by including in revised housing elements (1) an assessment of fair housing; (2) equitable distribution of housing to meet the needs of households at all income levels and dismantle segregated living patterns with integrated and balanced living patterns; (3) policies and

programs that address fair housing barriers and promote fair housing patterns; and (4) a comprehensive, collaborative, accessible, inclusive, and equity-driven public engagement approach.

• **AB 215 (2021)** extends the housing element compliance review process by requiring local governments to make draft housing elements available for public review prior to submittal to State HCD rather than conducting concurrent review. The draft must be made publicly available for at least 30 days, and the local government must consider and incorporate public comment for at least 10 business days, before sending the draft to State HCD. AB 215 also increased State HCD’s review period of the first draft element submittal from 60 to 90 days and within 60 days of its receipt for a subsequent draft amendment or adoption. However, the January 31, 2023, statutory deadline remains the same, even as these new requirements have significantly added to the time a city needs to complete the overall housing element update process.

• **AB 1398 (2021)** revises the consequences for local governments that do not meet the deadline for housing element adoption. Local governments must complete rezoning no later than one year from the statutory deadline for adoption of the housing element if that jurisdiction fails to adopt a housing element that State HCD has found to be in substantial compliance with state law within 120 days of the statutory deadline. The Town retains the three-year rezoning period if the housing element is adopted within 120 days of the statutory deadline.

Table 1-1: Ross Regional Housing Needs Assessment, 2023-2031

INCOME LEVEL	AMI	NEEDED UNITS	PERCENT OF NEEDED UNITS
Very-Low-Income	0-50%	34	30.6%
Low-Income	51-80%	20	18.0%
Moderate-Income	81-120%	16	14.4%
Above-Moderate-Income	(>120%	41	36.9%
Total		111	100.0%

Source: HCD State Income Limits, 2021; Town of Ross, 2022; Dyett & Bhatia, 2022



- **AB 1304 (2021)** clarifies that a public agency has a mandatory duty to comply with existing Housing Element Affirmatively Furthering Fair Housing (AFFH) requirements. AB 1304 revises the items to be included in AFFH analysis and requires that analysis to be done in a specified manner. In addition, the housing inventory must analyze the relationship of the sites identified in the inventory to the city's duty to affirmatively further fair housing.

The contents of this Housing Element comply with these amendments and all other requirements of Housing Element law.

## ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) will be prepared to identify and mitigate any significant adverse environmental effects that could result from implementation of the 2023-31 Town of Ross Housing Element. Consistent with the requirements of the California Environmental Quality Act (CEQA), an initial study was prepared and circulated with a Notice of Preparation of an EIR to invite comments from public agencies and interested community members as to the scope and content of issues and alternatives that should be considered in the EIR. A public review Draft EIR will be released in Spring 2023.

## Process for Updating the Housing Element

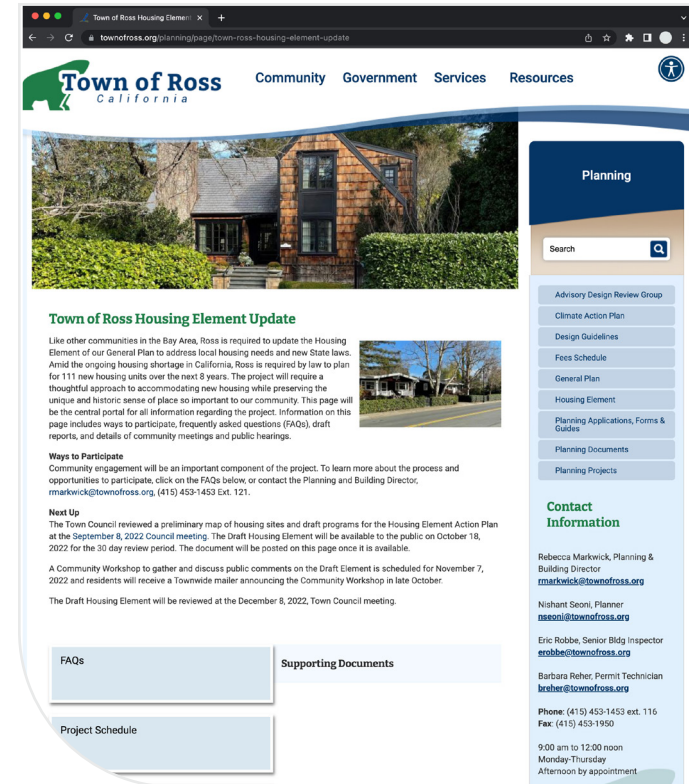
The 2023-31 Housing Element is a comprehensive update to the Housing Element of the General Plan, undertaken to accommodate the Town's share of the regional housing need and address new State law. Amid the ongoing housing shortage in California,

Ross is required by law to plan for 111 new housing units over the next 8 years. As a community with few vacant lots, steep topography, and significant areas of flood, wildfire, and liquefaction risk, accommodating new housing will require a thoughtful approach that integrates new homes to serve local needs while preserving the unique and historic sense of place so important to our community.

## COMMUNITY INVOLVEMENT

Community involvement is an integral component of the Housing Element process. The Town of Ross employed a range of public outreach and engagement strategies to solicit meaningful community input that has informed the 2023-2031 Housing Element. These strategies included community open housing meetings, an online survey, focus group discussions, presentations to community groups, and pop-up outreach at popular locations around town as well as ongoing communication with the community. A summary of these engagement activities is described below:

- **Web and Social Media** – At the outset of the process, a webpage was created on the Town website to serve as a one-stop information portal for the Housing Element Update. The webpage provided contextual information on legal requirements and key concepts and housed draft documents for public review. Updated content was posted to the Town website and on social media regularly to keep the community informed of progress.
- **Townwide Mailers** - The Town sent postcards to every household in Ross at three key points in the process to help to raise awareness of the



project and the process and keep community members informed of status and key dates. The mailers announced the dates/times of community open house meetings and invited participation in the online survey.

- **Presentations to Community Groups** - At key points in the process, the project team made presentations before community groups to introduce the project and the process, highlight opportunities for participation, and solicit input on housing strategies. Presentations were made at regularly scheduled meetings of the Ross Property Owners Association, the Ross Age-Friendly Task Force, and the Advisory Design Review Group. Additionally, a presentation was made at the September 20 town wide age-friendly brunch. Presentations were followed by time for questions, answers, and discussion.
- **Focus Group Discussions** - The Town hosted a series of focus group discussions with property owners, community group representatives, local architects, and others to gather information on housing needs and preferences, as well as opportunities and constraints to residential development in Ross. In total, 15 stakeholder interviews were held. Participants included representatives from Ross Property Owners Association, Branson School, Marin Art & Garden, Lagunitas Country Club, downtown property owners, architects who have designed/built ADUs in Ross, and workforce housing residents. Participant feedback from these groups helped inform a program of actions in the Housing Element.
- **Housing Forum** - State law requires that

communities reach out to groups most affected by housing supply and cost. To help comply with this requirement, the Town held an in-person lunch meeting with members of the local workforce on October 18 to discuss their housing needs and desires, and to gather information regarding actions the Town can take to help provide housing opportunities locally.

- **Community Open House Meetings** - The Town hosted a series of community meetings over the course of the project, structured in an open house format with stations so that participants can circulate, review information, and provide input on a variety of topics. Maps, charts, and illustrations were used to present concepts in way that are engaging and easy to understand. Summaries of each event summaries were prepared and may be posted to the Town website. Timing and objectives as follows:
  - **Open House #1** - held on July 12, 2022, this event well-attended event featured stations providing background information on legal requirements, local conditions, and community needs and presenting potential opportunity sites and strategies to facilitate housing to meet local needs for public comment. Input from this event informed development of the sites inventory and key strategies for the Housing Element Update.
  - **Open House #2** - held on November 7, 2022 within the 30-day public comment period on the Draft Housing Element, this event was provided community members with an opportunity to review and share input on the content of the Draft Element. An

introductory presentation was followed by time for questions and answers. The meeting also provided community members with an opportunity to comment on the scope and content of environmental issues that will need to be considered in the environmental impact report (EIR).

- **Open House #3** – will be held after HCD review of the Draft Element is complete and at least 2 weeks prior to the final Town Council adoption hearing, the purpose of this community meeting will be present any revisions to the Draft Element requested





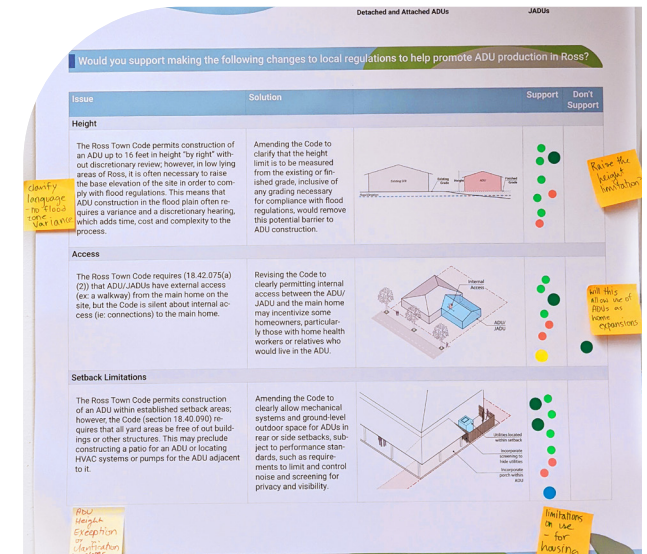
by HCD to the community and allow for questions before the formal adoption hearing. This meeting be structured as an open house with stations staffed by Town and Consultant team members so as to maximize opportunities for community questions and comments.

- **Online Survey** – In order to gather community input to inform updates to the Housing Element, an online survey was conducted from July 13, 2022 to August 18, 2022. The survey provided residents with an opportunity to help identify and evaluate strategies for accommodating and encouraging new housing to serve local needs to help the Town meet the legal requirements for the Housing Element. The survey was also promoted via the Town’s website and email blasts to community members, from the Town and RPOA. In total, 119 respondents participated in the survey.

- **Pop-Up Outreach** - Using a “go to them” strategy to raise awareness of the project and provide community members with additional in-person opportunities for input, the Town conducted pop up events in May and July 2022 at locations where community members gather, such as the Town Post Office. The events were structured as “chalk board chats” that provided community members with opportunities to learn about the project and share quick feedback. The events were also an opportunity to hand out postcards advertising the upcoming community open house and survey.
- **Public Review Period** - The Draft Housing Element was released for a 30-day public review period on October 18, 2022. To provide the community with an opportunity to ask questions and comment on the public review Draft during the public comment period, a community open house was held on November 7, 2022. The

date and time was noticed with a direct mailer to every household in Ross, an email blast to the community, and an announcement on the Town’s website.

- **Decision-Maker Review** – A series of study sessions before the Town Council were held as the components of the Housing Element were developed and refined, to provide additional opportunity for public input and decision-maker review. Upon close of the public review period, the Draft Housing Element and public comments received will be present to the Town Council. Following review of the Draft by the California Department of Housing and Community Development (HCD), public hearings will be scheduled for review and adoption of the Housing Element.





## Organization of the Housing Element

The Housing Element is an integrated part of the General Plan, published under separate cover. It is an eight-year plan that is updated more frequently than other General Plan elements to ensure its relevancy and accuracy. The Housing Element consists of the following major components organized as described below:

- **Chapter 1** - Introduction: An introduction to the purpose of the document and the legal requirements for a Housing Element, together with an overview of the community and the community involvement process.
  - **Chapter 2** – Community Profile: Documents population characteristics, housing characteristics, and current development trends to inform the current housing state of Ross and to identify community needs.
  - **Chapter 3** – Adequate Sites for Housing: An inventory of adequate sites suitable for construction of new housing sufficient to meet needs at all economic levels.
  - **Chapter 4** - Housing Action Plan: Articulates housing goals, policies, and programs to address the Town's identified housing needs, including those of special needs groups and the findings of an analysis of fair housing issues in the community. This Housing Element identifies a foundational framework of five overarching goals to comprehensively address the housing needs of Ross residents and workers.
- **Appendix A** – Sites Inventory: Summarizes the Town's ability to accommodate the RHNA on available land, and the selection of sites in light of Affirmatively Furthering Fair Housing (AFFH) requirements.
  - **Appendix B** – Housing Needs Assessment: Presents community demographic information, including both population and household data, to identify Ross's housing needs.
  - **Appendix C** – Constraints Analysis: Includes an analysis of constraints to housing production and maintenance in Ross. Constraints include potential market, governmental, and environmental limitations to meeting the Town's identified housing needs. In addition, an assessment of impediments to fair housing is included, with a fuller analysis of actions needed to affirmatively further fair housing included in a separate appendix.
  - **Appendix D** – Accomplishments of the 2015-2023 Ross Housing Element: Summarizes the Town's achievements in implementing goals, policies, and actions under the previous Housing Element.
  - **Appendix E** – Fair Housing Assessment: Identifies fair housing issues and solutions to meet Ross's AFFH mandate.





# COMMUNITY PROFILE

## 2

- Location and Context
- Population Characteristics
- Housing Market Characteristics
- Recent Development Trends



## 2

## Community Profile

Located in the scenic Ross Valley amid wooded hillsides and meandering creeks, the Town of Ross is a quiet residential community that takes pride in its historic character, small-town charm, tree-lined streets, and excellent school system. Existing residential development in Ross numbers approximately 880 homes. These are predominantly single-family residences, with some guest houses and accessory dwelling units on single-family properties, and some apartment units located above retail in the downtown commercial area. The beauty of the natural landscape helps define the character of the community, but it also presents risk of natural hazards that limit the potential for new housing, including steep topography and areas of landslide hazard in the hills and risk of flooding and liquefaction on much of the valley floor.

This community profile documents population characteristics, housing characteristics, and current development trends to identify community housing needs as well as issues and opportunities related to housing production.

### Location and Context

#### LOCATION AND ACCESS

Approximately 18 miles north of San Francisco and centrally located in Marin County, Ross is bounded by the Town of San Anselmo to the north, the City of San Rafael to the east, and the unincorporated community of Kentfield to the south, with undeveloped open space administered by the Marin Municipal Water District in the hills to the west (see Map 2-1). Sir Francis Drake Boulevard bisects Ross in a north-south direction, providing the principal access route to and from the region. Marin Transit operates bus service along Sir Francis Drake, connecting Ross with San Rafael, Larkspur, Fairfax and the wider Bay Area. The Corte Madeira Creek runs roughly parallel to Sir Francis Drake Boulevard and Ross Creek drains from Phoenix Lake in the western hills to the Ross Valley floor.

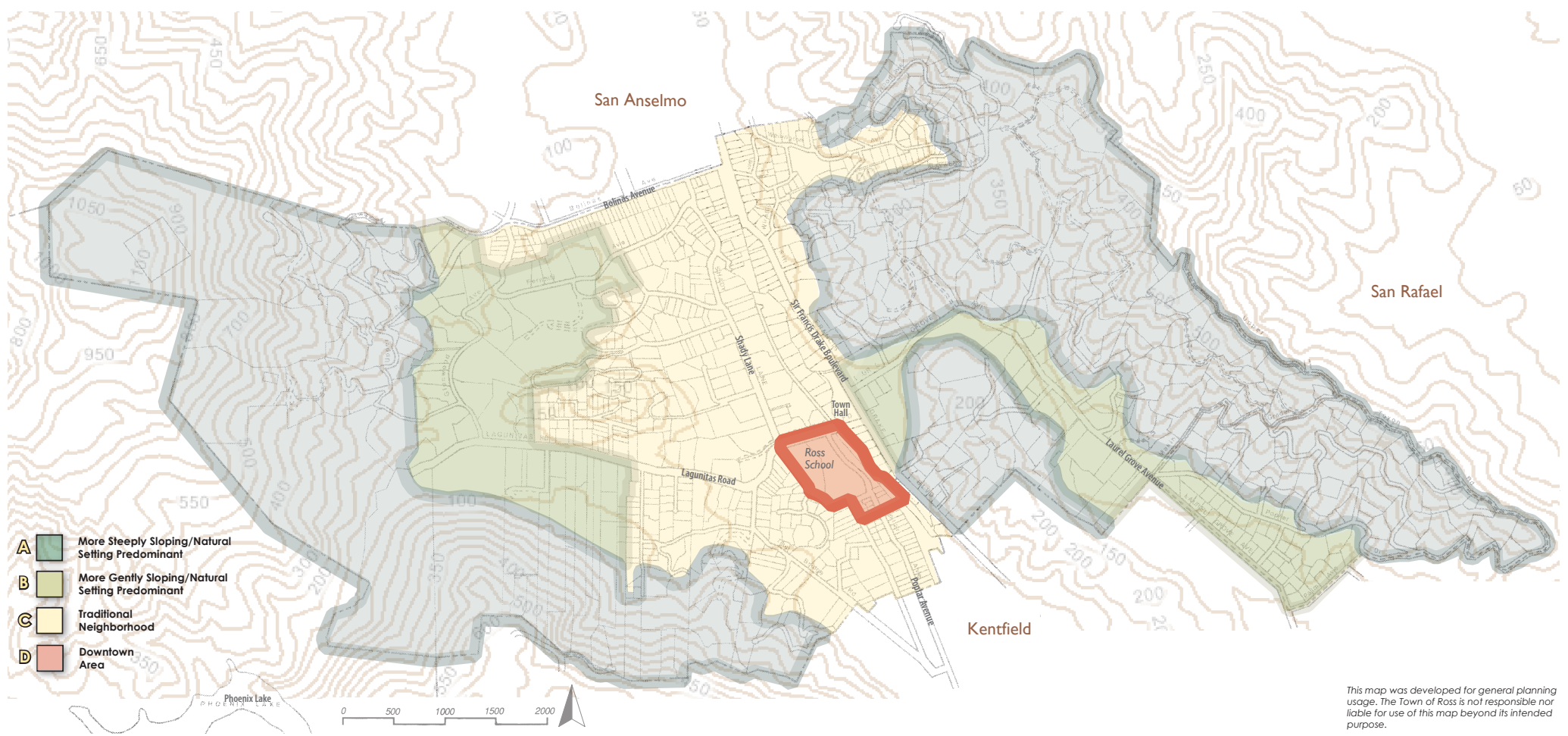
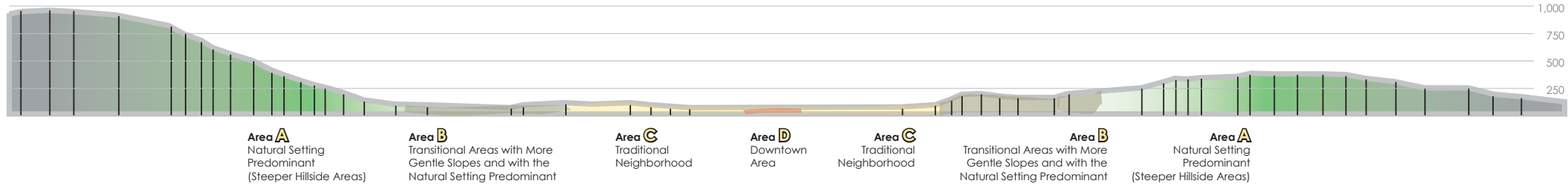
#### EXISTING DEVELOPMENT PATTERN

Home to 2,453 residents, the Town of Ross is the second smallest jurisdiction in Marin County, encompassing just 1.6 square miles. The town is largely developed with single-family homes with no

vacant parcels on the valley floor. At the heart of the community is the Ross Common, located just west of Sir Francis Drake Boulevard and flanked by the Ross Post Office, the Ross School, and the downtown commercial area. The Ross Civic Center, comprised of the Town Hall and Public Safety Building, is located just north of the Post Office on the west side of Sir Francis Drake, while on the opposite side street is the Marin Art and Garden Center, an 11-acre site that features gardens and historic buildings, added to the National Register of Historic Places in 2022. Other notable land uses in Ross include the Branson School, the Lagunitas Country Club, and Saint Anselms Church. Much of the rest of the community is made up of single-family neighborhoods with a dense tree canopy. The lots on the flat land of the valley floor tend to be smaller, with large lots in the hilly terrain further away from the center of the community. Overall, as shown in Chart 2-1, residential uses account for 657.3 acres, commercial uses occupy 20.3 acres, and institutional uses occupy 1.6 acres. Vacant land accounts for 145.6 acres; however, this is predominantly located in areas of steep terrain.

## Map 2-1: Location and Context

Transect of Ross



This map was developed for general planning usage. The Town of Ross is not responsible nor liable for use of this map beyond its intended purpose.



## Population Characteristics

### POPULATION TRENDS

According to the U.S. Census, Ross' population increased by 9.5 percent between 2000 and 2020, rising from 2,341 in 2000 to 2,550 in 2020, which is a rate higher than Marin County (5.4 percent).

**Chart 2-2** shows Ross' population estimate data from the California Department of Finance (DOF), compiled by ABAG-MTC. In the most recent decade, the population of Ross increased by 5.6 percent. The DOF estimates that in 2022, the Town of Ross had a population of 2,301 residents. This decline in

population is consistent with DOF projections for Marin County, the population of which is estimated to decline by more than 20,000 people between 2022 and 2060 due to an aging population and decrease in birth rates.<sup>1</sup>

### ETHNICITY

Understanding the racial and ethnic makeup of Ross and the region can be important for designing and implementing effective housing policies and programs. Throughout the U.S., past practices

- including exclusionary zoning, discriminatory lending practices, and urban renewal projects - have historically impeded fair access to housing for certain ethnic groups and the legacy of these actions continues to impact communities of color today.

While Ross remains a predominantly White community, it is becoming more diverse. Between 2000 and 2019, the share of non-White residents grew markedly. Over the period, the percentage of residents in Ross identifying as White decreased from 95.8 percent in 2000 to 89.1 percent in 2019, and the percentage of all other races and ethnicities increased correspondingly, as shown on **Chart 2-3**.

<sup>1</sup> California Department of Finance, Table P-2A Total Population for California and Counties, 2019. Available at: <https://dof.ca.gov/forecasting/demographics/projections/>

Chart 2-1 Existing Land Use (Acres)

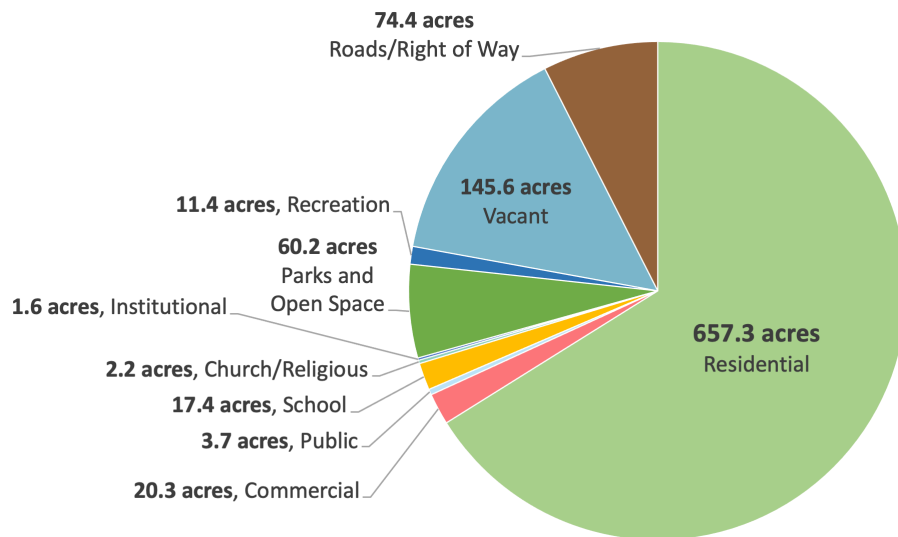
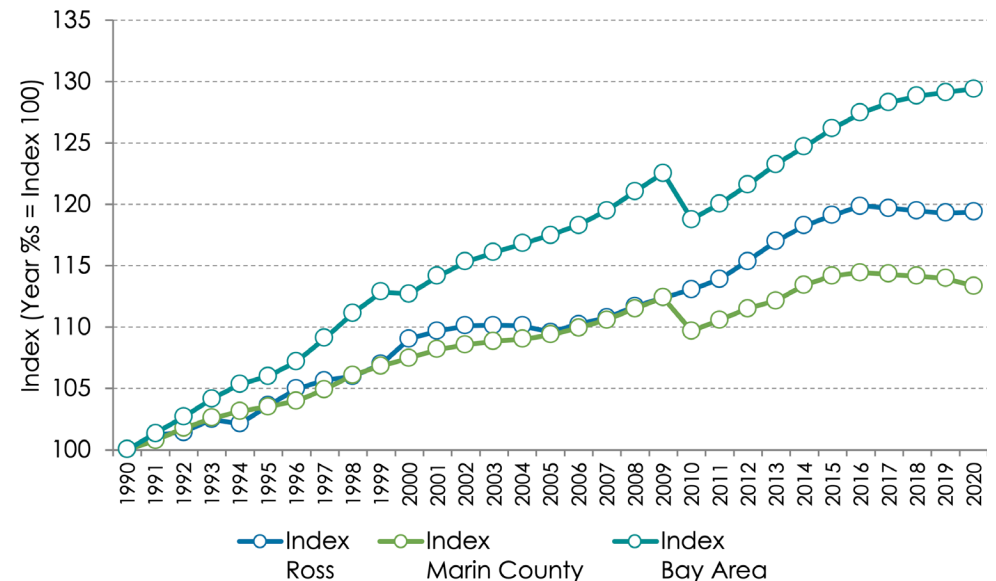


Chart 2-2: Population Growth by Region, 1990-2020



Notes: The data points on the graph represent the relative population growth in each of these geographies relative to their populations in 1990.

Source: California Department of Finance, E-5 series

## AGE

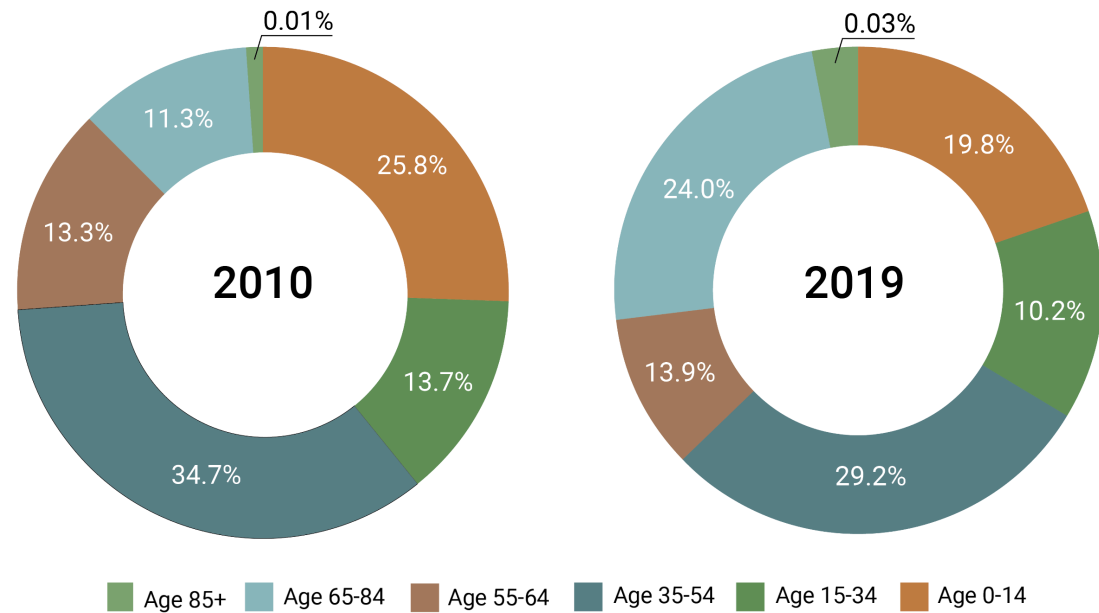
Current and future housing needs are typically determined in part by the age characteristics of a community's residents. Each age group has distinct lifestyles, family type and size, incomes, and housing preferences. Consequently, evaluating the age characteristics of a community is important in determining its housing needs.

As a community, Ross is aging. In 2019, the median age in Ross was 48, consistent with the median age in Marin County, but significantly older than the State median age of 36.5. Between 2010 and 2019, the share of children 14 years and young and the share of adults aged 25 to 64 years decreased noticeably. Over the same period, the share of residents aged 65 and older doubled and the share of residents aged 85 and older nearly tripled. Older adult residents are considered a special needs housing group because they tend to live on fixed incomes and have requirements for aging in place. In Ross, however, these households tend to be less cost-burdened and have relatively higher incomes than other Ross households. A full 95 percent of senior households are owner-occupied, compared to 82.5 percent of all Ross residents. Over 63 percent of Ross residents aged 62 and older earn more than 100 percent of AMI, of whom 62.4 percent are homeowners and 78.9 are renters.

## GENDER

In 2020, there were 2,453 residents in Ross, of whom 46.6 percent are males and 53.4 percent are females. Female-headed families, including those with children, are identified as a special needs group in State law because they are more likely to be supporting a household with one income, increasing

**Chart 2-3: Age Distribution in Ross**



the probability the household is low-income and housing cost-burdened. In Ross, married-couple family households are the predominant household type in Ross, comprising 69.4 percent of the population. In Ross, there are approximately twice as many female-headed households (53) as there are male-headed households (27). Female-headed households represented about 7.0 percent of owner-occupied households and 4.2 percent of renter-occupied households. Approximately 47 percent of female-headed households have children.

## INCOME

Household income is one of the most significant factors affecting housing choice and opportunity.

Income largely determines a household's ability to purchase or rent housing. While higher-income households have more discretionary income to spend on housing, lower- and moderate-income households are limited in the range of housing they can afford. Typically, as household income decreases, cost burdens and overcrowding increase. For the purpose of evaluating housing affordability, housing need, and eligibility for housing assistance, income levels are defined by guidelines adopted each year by the California State Department of Housing and Community Development (HCD). HCD utilizes the income limits determined by the United States Department of Housing and Urban Development (HUD) for Section 8 and Public Housing, and adjusts

them to reflect area income and housing costs. For Marin County, HCD has determined the applicable annual Area Median Income (AMI) for a family of four was \$149,600 in 2021, the most recent year for which data is available. This is an increase of 45.2 percent from the 2014 median income of \$103,000, which was used as the baseline AMI in the Town's 5th Cycle Housing Element.

HCD has defined the following income categories for Marin County, based on the median income for a household of four persons for 2021:

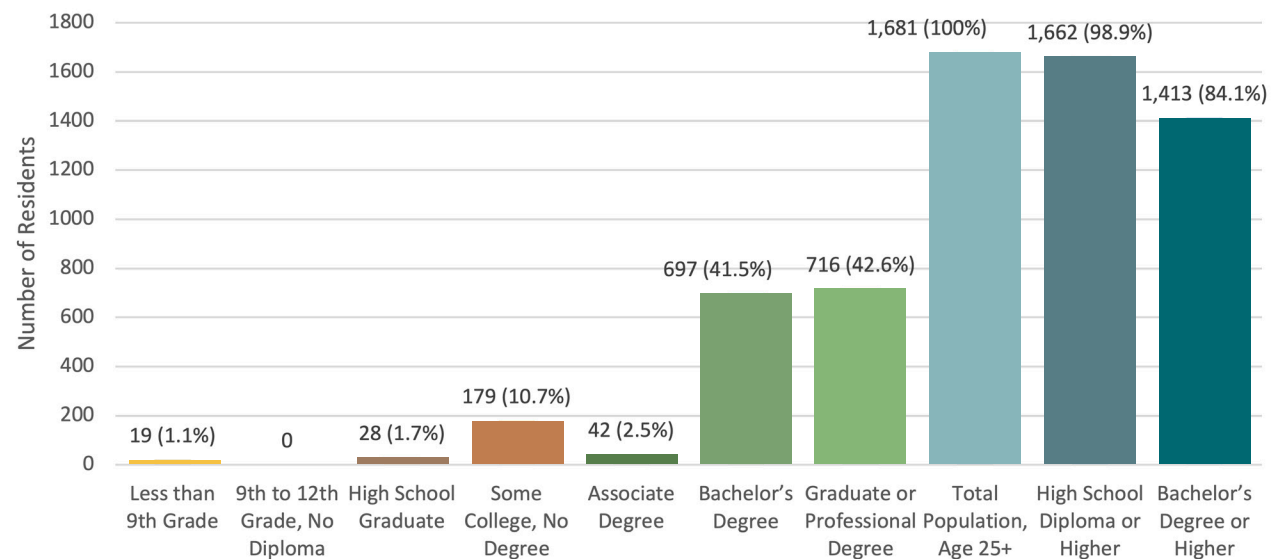
- **Extremely-low-income:** 30 percent of AMI and below (\$0 to \$54,800)
- **Very-low-income:** 31 to 50 percent of AMI (\$54,801 to \$91,350)
- **Low-income:** 51 to 80 percent of AMI (\$91,351 to \$158,100)
- **Moderate-income:** 81 to 120 percent of AMI (\$158,101 to \$179,500)
- **Above-moderate-income:** 120 percent or more of AMI (\$179,501 or more)

Proportionate to population, Ross has a larger number of residents who earn more than 100 percent of the area median income (68.3 percent) compared to Marin County (50.6 percent) and the Bay Area overall (52.3 percent). In Marin County, AMI is equivalent to an annual income of \$149,600 for a family of four.

## EDUCATIONAL ATTAINMENT

In 2019, the share of the population age 25 and over in Ross who held a high school diploma or higher was 98.9 percent. About 84.1 percent of the population in Ross holds a bachelor's degree or higher. The share of the population with a bachelor's degree or higher has grown steadily in Ross, from 80.1 percent in 2010 to 84.1 percent in 2019.

**Chart 2-4: Educational Attainment Among Those Age 25 Years and Over, 2019**



Source: US Census Bureau American Community Survey, 2010 and 2019; Dyett & Bhatia, 2022



## SPECIAL NEEDS GROUPS

Certain groups have greater difficulty in finding suitable affordable housing due to their special needs and circumstances. This may be a result of employment and income, family characteristics, disability, or household characteristics. Consequently, certain residents in the Town of Ross may experience more instances of housing cost burdens, overcrowding, or other housing problems. The categories of special needs that must be addressed by law in the Housing Element include:

- **Extremely-Low-Income Households.** About 6.2 percent of Ross residents fall below 30 percent of AMI. Of these households, 80 percent identify as White. About two-fifths of Asian American (41.7 percent) households in Ross are most likely to fall below 30 percent of AMI, although this group constitutes only 4 percent of the total population and the number of individuals in this income category is 10. Black or African American, Hispanic or Latinx, and some other race or multiple races have the lowest prevalence of extremely-low-income households.
- **Elderly Households.** Ross has a higher share of older adult households than many other Bay Area communities, with 27 percent of the Town population aged 65 years or older, compared to 22.3 percent in Marin County.
- **Persons with Disabilities.** In Ross, there is a smaller proportion of persons with a disability compared to the county and region. The most prevalent disability among civilian population aged 18 and over was cognitive difficulty at 3.4 percent..
- **Large Households.** In comparison to surrounding jurisdictions, Ross has a higher proportion of large family households (12 percent). Although approximately twice as many large families own rather than rent their homes, large families comprise 23.9 percent of all renter-occupied homes in Ross, and approximately 13 percent of large families in Ross are considered extremely-low-income.
- **Female-headed Households.** There are approximately twice as many female-headed households (53) as there are male-headed households (27). Female-headed households represented about 7.0 percent of owner-occupied households and 4.2 percent of renter-occupied households. In Ross, approximately 47 percent of female-headed households have children.
- **Persons Experiencing Homelessness.** The Marin County point in time count in 2019 found a total of 1,034 people experiencing homelessness in the county, of whom 708 were unsheltered and 326 were sheltered.
- **Farmworkers.** In Ross, there were no reported students of migrant workers in the 2019-20 school year, a typical indicator. Marin County saw an increase of 11 migrant student workers in the 2018-19 academic year, but these numbers have decreased since.



## Housing Market Characteristics

### EXISTING TYPOLOGIES

The existing housing stock in Ross is predominantly single-family homes. In 2020, 94.6 percent of homes were single family (833 single family detached units, 17 percent single family attached units) and 5.4 percent were multifamily [23 small multifamily units (2-4 units) and 26 medium or large multifamily units (5 or more units)]. There has been no multi-family development since 2015; however, the Town has seen marked interest in accessory dwelling units in recent years.

### AGE OF HOUSING STOCK

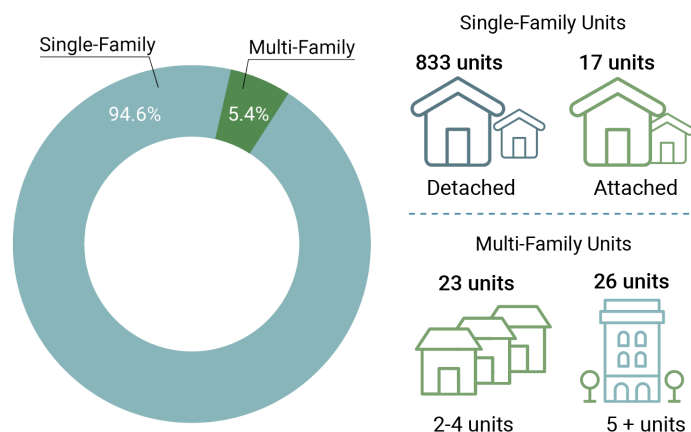
A high proportion of older buildings, especially those built more than 30 years ago, can indicate a higher likelihood of substantial health and safety housing conditions in a community's housing stock. In Ross, however, there is a weaker correlation between the age of housing stock and the presence of housing issues, as much of the community's housing stock is comprised of well-maintained older single-family homes. As shown in Chart 2-6, in Ross, the largest proportion of the total housing stock was built in 1939 or earlier (44 percent), with very few new housing units —29 units— built in the last decade. Older housing stock is generally very well maintained.

### TENURE

Tenure refers to whether a house is rented or owned. The rate of homeownership in Ross is substantially higher and the rate of renting substantially lower than in Marin County or the Bay Area as a whole. In Ross, the number of owner-occupied housing units slightly decreased from 87.1 percent in 2000 to 86 percent in 2010, and then decreased further to 82.5 percent in 2019. The number of renter-occupied housing units increased as a result, from 13 percent in 2000 to 14 percent in 2010, then 17.5 percent in 2019.

Chart 2-5: Housing Stock in Ross

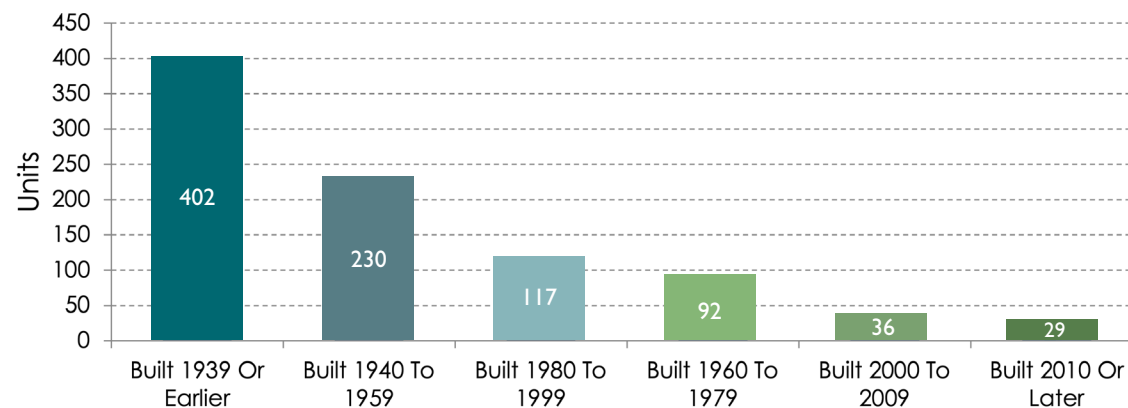
In 2020, a majority of homes in Ross were single family



Source: Association of Bay Area Governments (ABAG), 2020

Chart 2-6: Age of Ross Housing Stock

- 44 percent of housing units were built before 1939
- Only 29 units have been built in the last decade



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25034



**Table 2-1: Household Tenure by Region, 2000-2019**

Geography	2000		2010		2019	
	Owner Occupied	Renter Occupied	Owner Occupied	Renter Occupied	Owner Occupied	Renter Occupied
Ross	87.1%	12.9%	86.0%	14.0%	82.5%	17.5%
Marin County	63.6%	36.4%	62.6%	37.4%	63.7%	36.3%
Bay Area	57.7%	42.4%	56.2%	43.8%	56.1%	43.9%

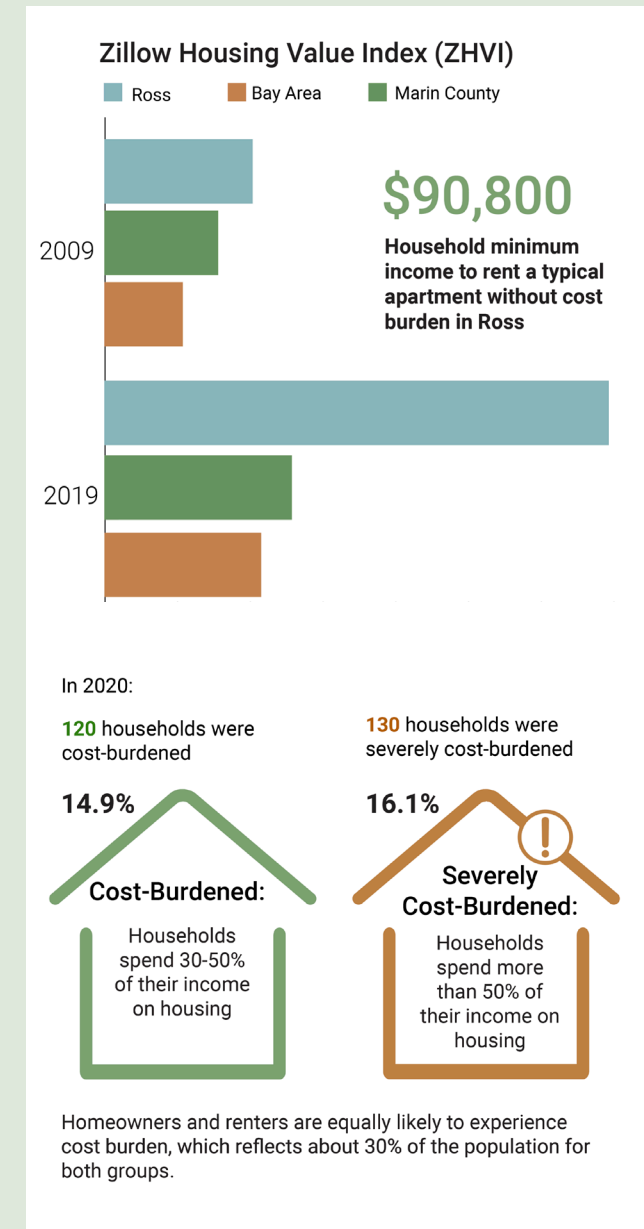
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003

## AFFORDABILITY

The most commonly used definition of affordable housing comes from the federal Department of Housing and Urban Development (HUD). According to HUD, affordable housing means housing for which the occupants are paying no more than 30 percent of their income for gross housing costs, including utilities. Ross has seen a dramatic increase in housing costs in recent years. Home values in the Town increased by 66.6 percent between 2010 and 2020, while rental prices increased by 13.9 percent between 2009 and 2019. Housing costs are significantly higher in the Town than in the county and Bay Area. Given the prevailing rent and home sales prices in the Town, home ownership is exclusive to all income groups earning moderate-income and below. To rent a typical apartment

without cost burden, a household would need to make \$90,800 per year.

In Ross, 14.9 percent of households (120 households in total) are cost burdened (meaning they spend 30 to 50 percent of their income on housing-related costs), while 16.1 percent (130 households in total) are severely cost burdened (spend more than 50 percent of their income on housing). Homeowners and renters are equally likely to experience cost burden, with 30 percent and 29 percent, respectively, experiencing some form of cost burden. 100 percent of extremely-low-income households experience cost burden, as do roughly half of very-low-, low-, and moderate-income groups, compared to 19 percent of residents who earn above median income..

**Chart 2-7: Housing Affordability and Cost Burden in Ross**



## Recent Development Trends

According to the 2021 Annual Progress Report, as of December 31, 2021, the Town has met its RHNA at the moderate- and lower-income levels and is on track to meet its above-moderate-income housing need by the end of the 2015-23 planning period. As shown on **Table 2-2** below, in total, 15 units at all income levels were permitted between 2015 and 2020, plus several ADUs.

**Table 2-2: Housing Type in Ross (2010-2020)**

Building Type	2010		2020		Percent Change
	Number	Percent	Number	Percent	
Single-Family Home: Attached	14	1.6%	17	1.9%	21.4%
Single-Family Home: Detached	825	93.3%	833	92.7%	1.0%
Multifamily Housing: Two to Four Units	19	2.1%	23	2.6%	21.1%
Multifamily Housing: Five-plus Units	26	2.9%	26	2.9%	0.0%
Mobile Homes	0	0.0%	0	0.0%	0.0%
<b>Totals</b>	<b>884</b>	<b>100%</b>	<b>899</b>	<b>100%</b>	<b>1.7%</b>

Source: ABAG-MTC Housing Needs Data Workbook (California Department of Finance, E-5 series)



# HOUSING RESOURCES

3

- Land Resources
- Administrative and Financial Resources



# 3 Housing Resources

The Housing Element is a component of the General Plan which guides planning for housing to meet the current and projected needs of all households in the community. This section summarizes the various resources available for the preservation, improvement, and development of housing in Ross. The analysis includes an evaluation of the availability of land resources available to accommodate the Town's share of the region's future housing needs, as well as the administrative resources available to assist in implementing the Town's housing programs and policies, and the financial resources available to support housing activities.

## Land Resources

Government Code (GC) Section 65583(a)(3) requires local governments to prepare an inventory of land suitable for residential development, including vacant sites and sites with the potential for redevelopment. The inventory must identify specific parcels that are available for residential development and be accompanied by an analysis of public facilities and services capacity to serve the identified sites. Further, the inventory must have sufficient capacity to accommodate the jurisdiction's share of the regional housing need, as determined by applicable the metropolitan planning organization.

This section presents Town's inventory, identifying sites available for residential development and their realistic capacity for housing. It identifies planned

and recently approved residential projects in Ross and it details the process for identifying suitable sites, the methodology for calculating capacity, and the availability of public facilities and services available to serve new housing

## LEGAL REQUIREMENTS FOR INVENTORY AND SITES

State law requires that a community identify an adequate number of sites to accommodate and facilitate production of the Town's regional share of housing. To determine whether the Town has sufficient land to accommodate its share of regional housing needs for all income groups, the Town must identify "adequate sites." Land considered suitable for residential development includes the following:

- Vacant sites zoned for residential use.
- Vacant sites zoned for nonresidential use that allow residential development.
- Residentially zoned sites that are capable of being developed at a higher density (non-vacant sites, including underutilized sites).
- Sites owned or leased by a city, town, or county
- Sites zoned for nonresidential use that can be redeveloped for residential use and a program is included in the Housing Element to rezone the site to permit residential use within three years of adoption.

Further, State law stipulates criteria for the adequacy of sites included on the inventory, including that they be zoned to accommodate housing, have appropriate development standards, and be served by public facilities as needed to facilitate the development of a variety of housing products suitable for all income levels. Vacant sites included on prior inventories in two or more consecutive planning periods and non-vacant sites included on the prior period inventory cannot be carried forward to the current planning period to satisfy the need for housing affordable to lower income households unless they are rezoned to allow residential use by right at the default density for the jurisdiction, which in Ross' case is 20 dwelling units per acre.



REGIONAL HOUSING NEEDS  
ALLOCATION

The Regional Housing Needs Allocation (RHNA) is the total number of new housing units that the Town must plan to accommodate in the 2023-31 planning period. RHNA is split into four categories representing different levels of affordability, based on median income level in the county. RHNA is established through the following process: the California Department of Housing and Community Development (HCD) first determines the estimated need for new housing in each region of California for the planning period, based on population projections and other factors including rates of vacancy, overcrowding, and cost-burden. Each regional planning agency then allocates a target to each city or town within its jurisdiction, considering factors such as access to jobs, good schools, and healthy environmental conditions. For the San Francisco Bay Area, the Bay Area Association of Governments (ABAG) developed and refined a methodology for 2023-31 RHNA allocations with input from local jurisdictions. The ABAG Regional Council adopted the 6th Cycle Final RHNA Allocation, Methodology, and Regional Housing Needs Determinations on December 16, 2021.

Ross’s Regional Housing Needs Assessment (RHNA) allocation for the 2023-31 planning period has been determined by ABAG to be 111 housing units, including 34 units for very low-income households, 20 units for low-income households, 16 units for moderate-income households, and 41 units for above moderate-income households (**Table 3-1**). AB 2634 mandates that localities calculate the subset of the very low-income regional need that constitutes the communities need for extremely low income housing. As an alternative to calculating the subset,

local jurisdictions may assume that 50 percent of the very low income category is represented by households of extremely low income (less than 30 percent of the Area Median Income or AMI).

PIPELINE PROJECTS

According to HCD Guidance, projects that have been approved, permitted, or received a Certificate of Occupancy during the projection period (June 30, 2022 – January 15, 2031) can be counted toward the 2023-31 cycle RHNA. There is one project currently under review in Ross (Site 9). Located on a vacant 2.63-acre parcel at the intersection of Bellagio Road and Canyon Road, the project involves development of one single-family home and an accessory dwelling unit on a legal non-conforming lot.



VACANT LAND

As shown on **Map 3-1**, apart from three parcels used for stormwater control at the southwest corner of Bolinas Avenue and Sir Francis Drake Boulevard, there are no vacant parcels in the central portion of Ross where the topography is relatively flat. While there is a total of 145 acres of vacant land within the Town limit, much of this is located in areas of steep topography and on land with high landslide and liquefaction risk. Additionally, several of the vacant parcels in the hills are small, odd-shaped lots, which further adds to the cost and complexity of development. Data from a variety of sources was reviewed to identify vacant parcels that could feasibly be developed with housing, including data from the Marin County Assessor, the Federal Emergency Management Agency (FEMA), the US Geological Survey (USGS), the California Department of Forestry and Fire Protection (CalFire), and Marin Maps. A windshield survey and community input collected during public outreach activities also helped refine the list of viable vacant sites.

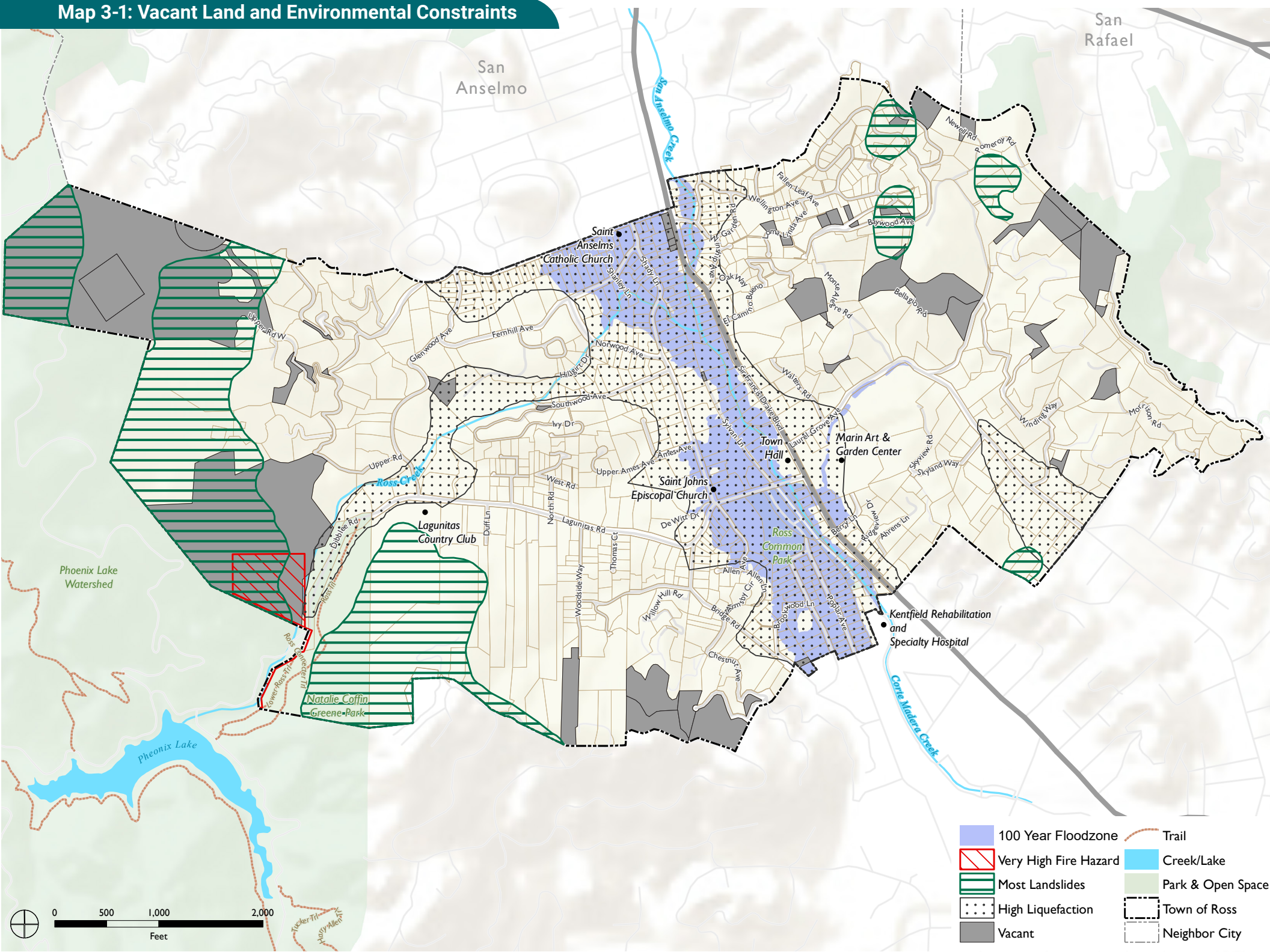
Table 3-1: Ross Regional Housing Needs Assessment, 2023-2031

INCOME LEVEL	AMI	NEEDED UNITS	PERCENT OF NEEDED UNITS
Very-Low-Income	0-50%	34	30.6%
Low-Income	51-80%	20	18.0%
Moderate-Income	81-120%	16	14.4%
Above-Moderate-Income	(>120%	41	36.9%
Total		111	100.0%

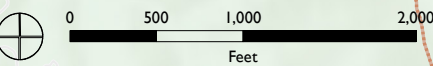
Source: HCD State Income Limits, 2021; Town of Ross, 2022; Dyett & Bhatia, 2022



Map 3-1: Vacant Land and Environmental Constraints



- |  |                       |  |                   |
|--|-----------------------|--|-------------------|
|  | 100 Year Floodzone    |  | Trail             |
|  | Very High Fire Hazard |  | Creek/Lake        |
|  | Most Landslides       |  | Park & Open Space |
|  | High Liquefaction     |  | Town of Ross      |
|  | Vacant                |  | Neighbor City     |





Based on this screening, the inventory includes four vacant sites that can feasibly accommodate housing within the planning period:

- **Berg Site (Site 1)** - this 39.98-acre lot is currently zoned R-1\_B-10A, which allows for one dwelling unit per 10 acres. The property owner has expressed interest in developing the site with single-family housing. Assuming subdivision and development pursuant to SB9, the site can accommodate 6 units under current base zoning. Program 2-C, which involves amending the Hillside Lot Regulations to permit allowable floor area ratio (FAR) to be calculated on the basis of total site area rather than per parcel, has been added to the Housing Action Plan to facilitate development on this site while still ensuring compliance with engineering standards, best practices, and regulatory requirements for hillside construction. The property owner/developer would be responsible for the provision of the necessary roadway and utility infrastructure onsite to support development.
- **11WH Site (Site 3)** - this site is comprised of three adjacent parcels under common ownership located at the end of an unnamed road west of Chestnut Ave and Hillside Ave intersection. Together the three parcels have a total site area of 7.93 acres. All three parcels are currently zoned R-1\_B-5A, which allows for one dwelling unit per 5 acres. Assuming lot merger and development pursuant to SB9, the site can accommodate 2 units under current base zoning, and through Program 2-C, the Hillside Lot Regulations would be amended to permit allowable floor area ratio (FAR) to be calculated on the basis of total site area rather than per parcel, while still ensuring compliance with engineering standards, best practices, and regulatory requirements for hillside construction. The property owner/developer would be responsible for the provision of the necessary roadway and utility infrastructure onsite to support development.
- **Pommeroy Site (Site 4)** - this 2.82-acre lot is currently zoned R-1\_B-5A, which allows for one dwelling unit per 5 acres. The site is a legal non-conforming lot and as such, the inventory assumes development of one new home on the property. The property owner/developer would be responsible for the provision of the necessary roadway and utility infrastructure onsite to support development.
- **Siebel Site (Site 10)** - this 1.07-acre lot is currently zoned R-1\_B-A, which allows for one dwelling unit per acre. The inventory assumes development of one new home on the property, consistent with the current zoning. The site is centrally located in an area of Ross with existing roadway and utility infrastructure.



## DOWNTOWN

The downtown commercial area consists of 10 contiguous parcels located immediately south of Ross Common and the Post Office, located within easy walking distance of transit service on Sir Francis Drake Boulevard. The area is currently developed with two- and three-story buildings that are home to an eclectic variety of retail stores, restaurants, professional offices, and upper story apartment units, giving the area a timeless “country village” appeal. All 10 parcels are within the Local Service Commercial (C-L) zoning district, which permits multi-family residential development in a mixed use format with a maximum FAR of 1.3 and a maximum building height of 30 feet. Current zoning allows for densities of between 27 and 39 dwelling units per acre, depending on parcel and unit size. Today, there are six studio apartments located on the second floor of a commercial building downtown that rent at market rate for approximately \$2,000 per month. Given that the parcels range from 0.07 to 0.28 acres in size and all are located within both the 100-year flood zone and an area designated as high liquefaction risk, no parcel downtown meets the suitability criteria established by the State for lower income housing sites.

The inventory includes one downtown site:

- **27 Ross Common (Site 8)** - At 0.22 acres, this property is one of the larger parcels downtown. It currently houses a three-story shingled building with commercial office space and contains a relatively large surface parking lot at the rear, with access to the multi-use trail that runs adjacent to Corte Madera Creek. It has one of the lowest as built floor area ratios of any downtown property and offers

potential for redevelopment with apartments or condominiums in a mixed use format, perhaps for older adult residents of Ross who wish to remain in the community as they age out of a single-family home. The inventory assumes development of 6 new units on the property that would be affordable to above moderate households, which is comparable to the number of existing units at 3 Ross Common.

Conversations with downtown property owners indicate that the single-biggest obstacle to housing development is return on investment. To make redevelopment financially feasible, the residual value of the land after subtracting all development expenses, including profit, from the total development cost must be net positive. However, Downtown Ross is generally home to thriving businesses, and the combination of small parcel size and high redevelopment cost (exacerbated by the need to employ construction technique to build safely in areas of environmental hazard) poses a significant challenge. Program 3-D, which involves developing a Downtown Area Plan to integrate new moderate income and workforce housing along with street design improvements, pedestrian and bicycle access, parking and design standards and identifying funding and financing options to facilitate redevelopment, has been added to the Housing Action Plan to address this.

### CIVIC DISTRICT

The Town owns two properties in the Civic District: the Ross Post Office and the Civic Center Complex at 33 Sir Francis Drake Boulevard. Residential development is permitted in the Civic District subject to a use permit, with the following standards applicable to multi-family development: maximum

building height 35 feet; maximum lot coverage of 50 percent; maximum floor area ratio of 0.5. Through programs in the Housing Action Plan, the Town commits to redeveloping portions of these sites with housing to suit the needs of the local workforce and to making the units available for lower income households through deed restrictions or other appropriate instruments.

- **Civic Center (Site 5)** - The Town is preparing a Master Plan for the modernization of the Ross Civic Center complex, which includes the Town Hall and Public Safety Building. Originally constructed in 1927, the Public Safety Building is now physically and functionally obsolete and must be reconstructed to address extensive structural deficiencies and ensure compliance with Essential Service Act (ESA) requirements for public safety buildings. As part of the Civic Center redevelopment, the Town will pursue construction of six workforce housing units on the site. The Town released request for proposals (RFP) for the Civic Center Master Plan and awarded a contract in October 2022. Design is anticipated for completion in 2023 and completion of construction is anticipated in 2025.
- **Ross Post Office (Site 6)** - The total site area is 1.56 acres. The Post Office building is located at the center of the oblong shaped parcel, with surface parking and green space surrounding it. The building is aging and in need of repair. As part of a future renovation, the Post Office building could be redeveloped to incorporate workforce housing along with a refurbished Post Office. The Housing Action Plan contains Program 3-B, through which the Town would seek to partner with a non-profit developer for the construction of six housing units on the

site to meet the needs of the local workforce, targeting completion of construction by 2029.

These units have been counted toward the Town's lower income RHNA obligation.

### THE BRANSON SCHOOL

Located at 39 Fernhill Road in Ross, the Branson School (Site 2) is a co-educational college-preparatory high school for students in grades 9–12. The campus is comprised of four parcels on approximately 15 acres. The school has a staff of 80 full time equivalent (FTE) employees, including 55 teaching staff and 25 non-teaching or hybrid staff. Additionally, the School has between 20 and 25 coaches, guest artists, and other non-FTE employees. Janitorial and kitchen staff are outsourced. The high cost of housing in Marin County is the single-most significant obstacle to recruitment for the School. To address this constraint, the School currently provides subsidized housing for its staff, including:

- Five 1- and 2-bedroom apartments in mixed use buildings on campus
- Three single-family residences for staff on campus
- One head of school house on campus
- Two single-family homes within walking distance of campus on Circle Drive
- Five subsidized off-campus market rate apartments leased through the Redlands Seminary in San Anselmo.

The School has expressed a strong interest in developing new housing on-campus in the near-term



to help with its staff recruitment efforts. The need is pressing as the School is planning for the retirement of several long-tenured teachers in the coming years. All four parcels are currently zoned R-1\_B-A, which allows for single-family homes and accessory residences for school faculty and staff at a density of one dwelling unit per acre. Program 3-K has been added to the Housing Action Plan to facilitate this objective. Additionally, the School has expressed its willingness to explore deed-restricting the five existing multi-family units on the campus so that they remain available and affordable members of the local workforce over the long term. Program 2-F has been added to the Housing Action Plan to support this objective.

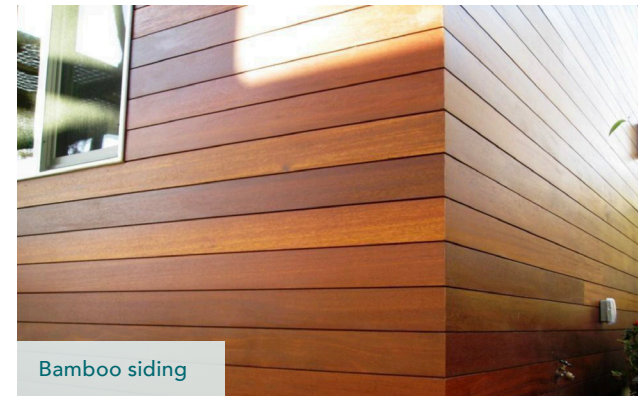
Based on the FY2021 Marin County Income Limits (see Table B-7 in Appendix B) and conversations with the Branson School, entry level teachers, fellows, and most mid-career teachers at the School would fall within the income range established for lower income households. Accordingly, the inventory assumes creation of 15 workforce housing units on the Branson School site that would be affordable to people making less than 80 percent of AMI, including the construction of 10 new housing units and the deed-restriction of 5 existing housing units on campus.



## ACCESSORY DWELLING UNITS

The physical development pattern of Ross provides ample opportunity for the development of accessory dwelling units (ADUs), while demographic trends in the community signal a growing need for this type of housing. As discussed in Chapter 2, the town is predominantly comprised of single-family homes, many of them built on large lots that can easily accommodate ADUs. At the same time, older adults make up a growing share of the local population: between 2010 and 2019 the share of residents aged 65 and over more than doubled and the population aged 85 and over nearly tripled. ADUs can be an important resource that allow older adult residents to “age in place,” helping them to stay in their homes longer by providing housing opportunities for live-in caregivers, who may be professional home health aides or family members. A sizable share of the local population is also made up of families, many with the financial means to hire nannies, au pairs, and live-in housekeepers. ADUs can provide a valuable source of housing for these groups as well as for students at the nearby College of Marin, teachers at Ross Elementary and the Branson School, public servants, and others who work in the area. In 2022, students at the Branson School did a research project on ADUs that involved a survey of school staff, the findings of which indicated a strong interest among staff in ADUs of 800 to 1,000 square feet in size that could provide affordable housing options for them in Ross, so long as the ADUs were designed to provide sufficient privacy.

The Town Code has long permitted development of guest houses and caretaker units on single-family lots in Ross; however, in December 2020, the Town adopted an ADU Ordinance that allows for ministerial



Branson students also recommended sustainable building materials and design features for new ADUs.



Source: Branson School students listed on slide 1

approval of ADUs that comply with established objective standards. Since the adoption of the ADU Ordinance, the Town has seen a rapid rise both in the number of ADU applications and in the number of building permits issued. **Table 3-2** summarizes building permits issued for ADUs in Ross since 2018, while **Table 3-3** summarizes trends in other similar Marin County communities. As shown, Ross has seen the number of building permits issued grow from one in 2020, to 3 in 2021, to 10 so far in 2022.



**Table 3-2: ADU Permit Trends in Ross, 2018-2021**

ADDRESS	PROJECT NUMBER	APPLICATION DATE	APPROVAL	BLDG PERMIT ISSUED
191 Lagunitas Avenue	B1908-05	8/26/22	9/26/22	9/26/22
36 Glenwood Avenue	DRP22-0001	12/16/21	2/10/22	6/20/22
70 Wellington Ave	ADU21-0007	8/25/21	11/19/21	6/8/22
3 Newell Road	DRP21-0008	4/13/21	10/14/21	5/31/22
21 Fernhill Ave	ADU21-0009	12/9/21	2/10/22	5/16/22
47 Sir Francis Drake Blvd	ADU20-0003	8/18/20	9/1/21	5/5/22
11 Morrison Road	DRP21-0002	1/21/21	5/13/21	3/14/22
24 Allen Ave	ADU21-0005	7/28/21	11/19/21	3/11/22
4 Allen Ave	ADU21-0004	5/13/21	10/15/21	1/5/22
5 Makin Grade	ADU21-0006	8/12/21	12/6/21	1/4/22
7 Upper Ames Ave	ADU21-0003	4/12/21	6/10/21	8/13/21
3 Allen Lane	ADU20-0005	8/27/20	1/14/21	6/17/21
24 El Camino Bueno	ADU21-0001	3/10/21	3/15/21	4/29/21
49 Glenwood Avenue	ADU20-0002	6/5/20	8/4/20	8/18/20
210 Lagunitas Road	ADU21-0002	3/15/21	11/4/21	In process
58 Shady Lane	DRP21-0013	11/1/21	3/10/22	In process
10 Fernhill Ave	ADU22-0002	3/4/22	7/12/22	In process
2 De Witt Dr	DRP22-0013	7/5/22	9/8/22	In process
40 Madrona Ave	DRP22-0015	8/22/22	11/10/22	In process
8 North Road	DRP22-0010	2/8/22	12/8/22	In process
5 Ames Avenue	DRP22-0003	12/28/22	8/11/22	In process
118 Winding Way	DRP22-0009	9/20/22	12/8/11	In process
71 Shady Lane	ADU22-0010	9/22/22	10/24/22	In process
51 Poplar	ADU22-007	7/29/22	9/30/22	In process
3 Fernhill Avenue	ADU22-0004	2/17/22	6/3/22	In process
21 Loma Linda	ADU22-0006	6/14/22	11/10/22	In process
2 North Road	ADU22-0001	2/24/22		In process
0 Bellagio	ADU22-0013	11/21/22		In process
78 Shady Lane	ADU22-0008	8/8/22		In process
28 Walnut Ave	DRP22-032	11/15/22		In process
45 Laurel Grove Avenue	ADU22-0014	12/5/22		In process

**Table 3-2: ADU Permit Trends in Ross, 2018-2021**

YEAR	APPLICATIONS	APPROVALS	PERMITS
2018	0	0	0
2019	0	0	0
2020	3	1	1
2021	12	11	3
2022	16	13	10

**Table 3-3: ADU Building Permits Issued in Other Marin County Jurisdictions, 2018-2021**

	2018	2019	2020	2021
Mill Valley	0	16	16	29
Tiburon	4	5	5	11
Fairfax	14	6	11	12

This trend is mirrored in neighboring Tiburon and Mill Valley. Safe harbors in State Housing Element law allow for the use of trends since 2018 to project the future rate of ADU production. By this measure, Ross can project at least 2.6 ADUs annually throughout the planning period. However, as noted in HCD's Housing Element Site Inventory Guidebook, this methodology represents "a conservative option [that] only account[s] for the effect of the new laws without local promotional efforts or incentives." The annual number of building permits issued in Ross since the ADU ordinance came into effect is 6.5, and the Housing Action Plan contains numerous strategies to further facilitate and incentivize ADU production (Programs 3-E through 3-J and 5-C). On this basis, the Town projects 10 new ADUs annually throughout the planning period for a total of 80 new ADUs by 2031.

Based on the findings of the ABAG ADU Affordability Study for the San Francisco Bay Area, it is assumed that 60 percent of these units (48 units total) would be affordable to low and very low-income households, 30 percent of these units (24 units total) would be affordable to moderate-income

households, and 10 percent (8 units total) would be affordable for above moderate income households.

### SENATE BILL 9 HOUSING

Senate Bill 9 (SB9), also called the California Housing Opportunity and More Efficiency ("HOME") Act, is a California state law that enables homeowners to split their single-family residential lot into two separate lots and/or build additional residential units on their property without the need for discretionary review or public hearing. The law gives qualifying property owners the right to a maximum total of four units across the two lots, whether as single-family dwellings, duplexes, and/or ADUs. As with ADUs, the prevailing development pattern in Ross and local demographic trends suggest potential for development of new housing pursuant to SB9. More than 85 percent of residents who have lived in Ross more than 20 years own their own homes, and the share of the population aged 60 and over is rising rapidly, suggesting that there is a growing number of local homeowners who may be "aging out" of their existing large lot single-family homes.

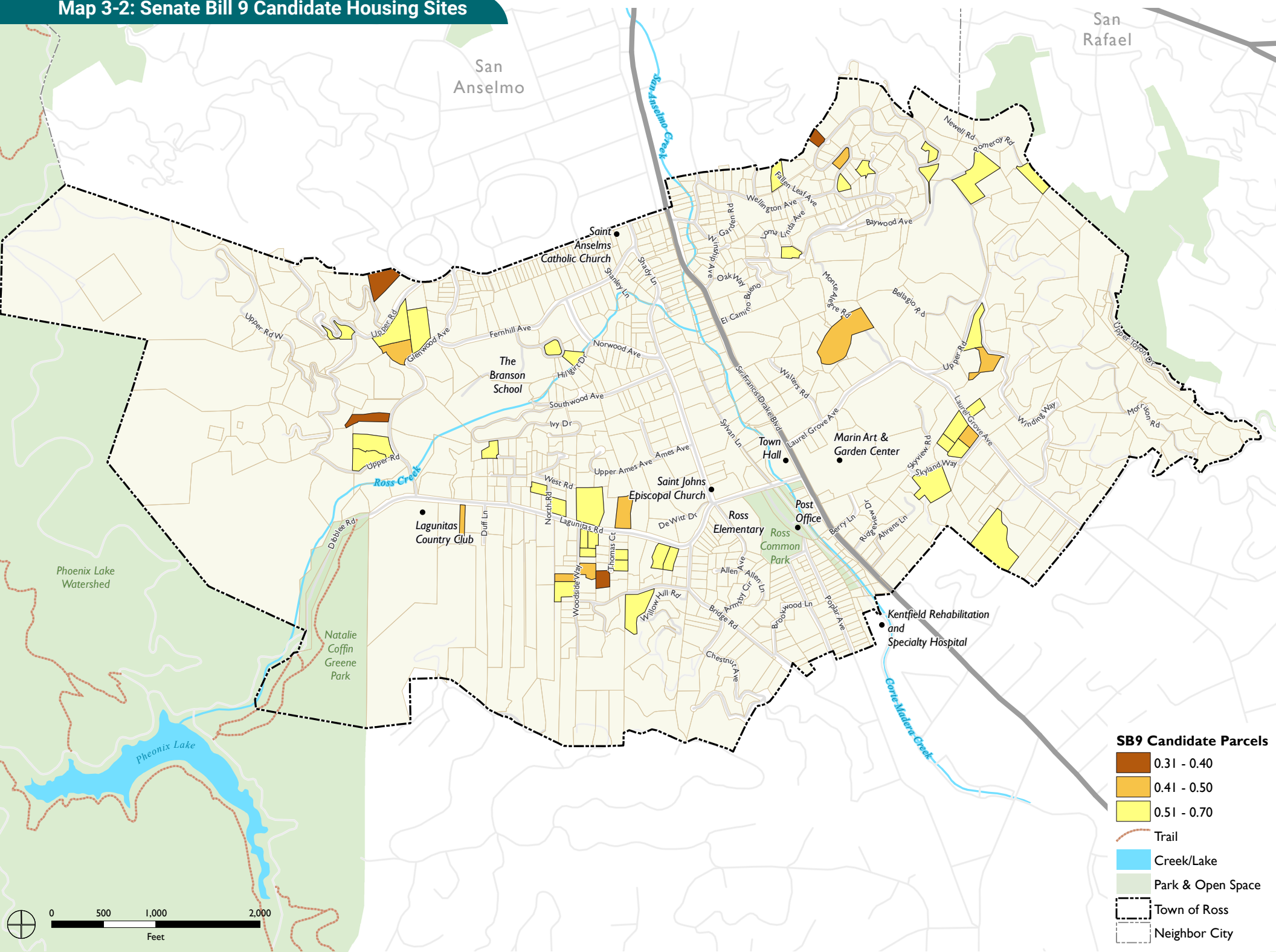
Large lot sizes in Ross provide ample opportunity for older homeowners to take advantage of SB9 to build a new home for their adult children or to generate additional income for retirement. Further, the relatively high average household income in Ross likely means that many have the wherewithal to finance new construction. Since the law came into force, the Town has received inquiries from local residents and in September 2022 adopted an ordinance and objective standards to facilitate the production of SB9 housing in Ross.

A review of 837 single-family zoned parcels in Ross indicates that there are at least 48 of sufficient size, located outside of areas of environmental hazard, and meeting other parameters define in State law that may also be underutilized, based on assessed value (A/V) ratio and as built FAR. A/V ratio considers the relationship between the value of the land and the improvements constructed on it. Where the value of the land is worth substantially more than the value of the structures on it, there is an incentive for the owner to redevelop with new uses that command higher rents or sales prices. Similarly, a low FAR means that the square footage of buildings is small compared to the overall size of the site, indicating the potential for redevelopment with other uses. Identified SB9 candidate parcels are shown on **Map 3-2**. All of the identified parcels met the following criteria and accordingly were deemed feasible candidates for SB9 housing:

- **Assessed Value (A/V) Ratio:** As described above, an AV ratio of less than one (meaning existing buildings/structures on site are worth less than the land) is an indicator of redevelopment potential. For the purpose of this analysis, sites with an AV ratio of less than 0.7 were deemed feasible for SB9 development.



Map 3-2: Senate Bill 9 Candidate Housing Sites



- **Existing FAR:** As described above, a low as-built FAR means that the square footage of buildings is small compared to the overall size of the site, indicating the potential for development with SB9 housing. A typical suburban residential property may have an existing FAR of between 0.4 and 0.5. Therefore, for the purpose of this analysis sites with as-built FAR of less than 0.3 were deemed feasible.

Collectively, if developed with housing pursuant to SB9, these 48 parcels could yield an additional 144 new homes. The inventory assumes that 15 percent of the total new capacity - 22 units - will be developed over the planning period. Program 2-B, under which the Town will take action to promote and incentivize

SB9 housing development, has been added to the Housing Action Plan to facilitate this objective. It is assumed that all of the new SB9 housing created would be affordable to above moderate income households, based on the average home price in Ross.

### SUMMARY OF RHNA UNITS ACCOMMODATED UNDER CURRENT ZONING

**Table 3-4** summarizes the total number of housing units that can be accommodated in the planning period under current zoning, with a breakdown by RHNA category. The location of the sites is shown on **Map 3-3**. No rezoning is needed to accommodate

RHNA; however, programs identifying zoning changes necessary to facilitate development of housing sites and ensure consistency with new State law have been incorporated into the Housing Action Plan (Chapter 4). Based on the assumptions described above, **Table 3-4** also shows projected ADU production at all affordability levels, projected SB9 housing production, and it accounts for the creation of 5 new workforce housing units on the Branson School site through the deed-restriction of existing units. As shown, there is sufficient capacity to meet RHNA obligations at all levels of affordability with a buffer to ensure the Town can navigate the no net loss provisions of State law in the event that sites do not develop as projected.

**Table 3-4: Sites Available for Housing**

NO.	SITE NAME	ADDRESS	APN	EXISTING USE	ACRES	ZONING	CAPACITY			
							Total Units	Low/ Very Low	Moderate	Above Moderate
1	Berg	Between 7 and 25 Upper Rd	073-011-26	Vacant	39.98	R-1_B-10A	6			6
2	Branson School	39 Fernhill Ave	073-151-05; 073-082-01; 073-082-12; 073-141-03	School	14.72	R-1_B-A	10	10		
3	11WH	At the end of unnamed road west of Chestnut Ave and Hillside Ave intersection, south of 24 Chesnut Ave	073-291-13; 073-291-14; 073-291-15	Vacant	7.93	R-1_B-5A	2			2
4	Pomeroy	North of 14 Bellagio Rd and South of 78 Baywood Ave	072-031-01	Vacant	2.82	R-1_B-5A	1			1
5	Civic Center	33 Sir Francis Drake Blvd	073-191-16	Public	2.40	C-D	6	6		

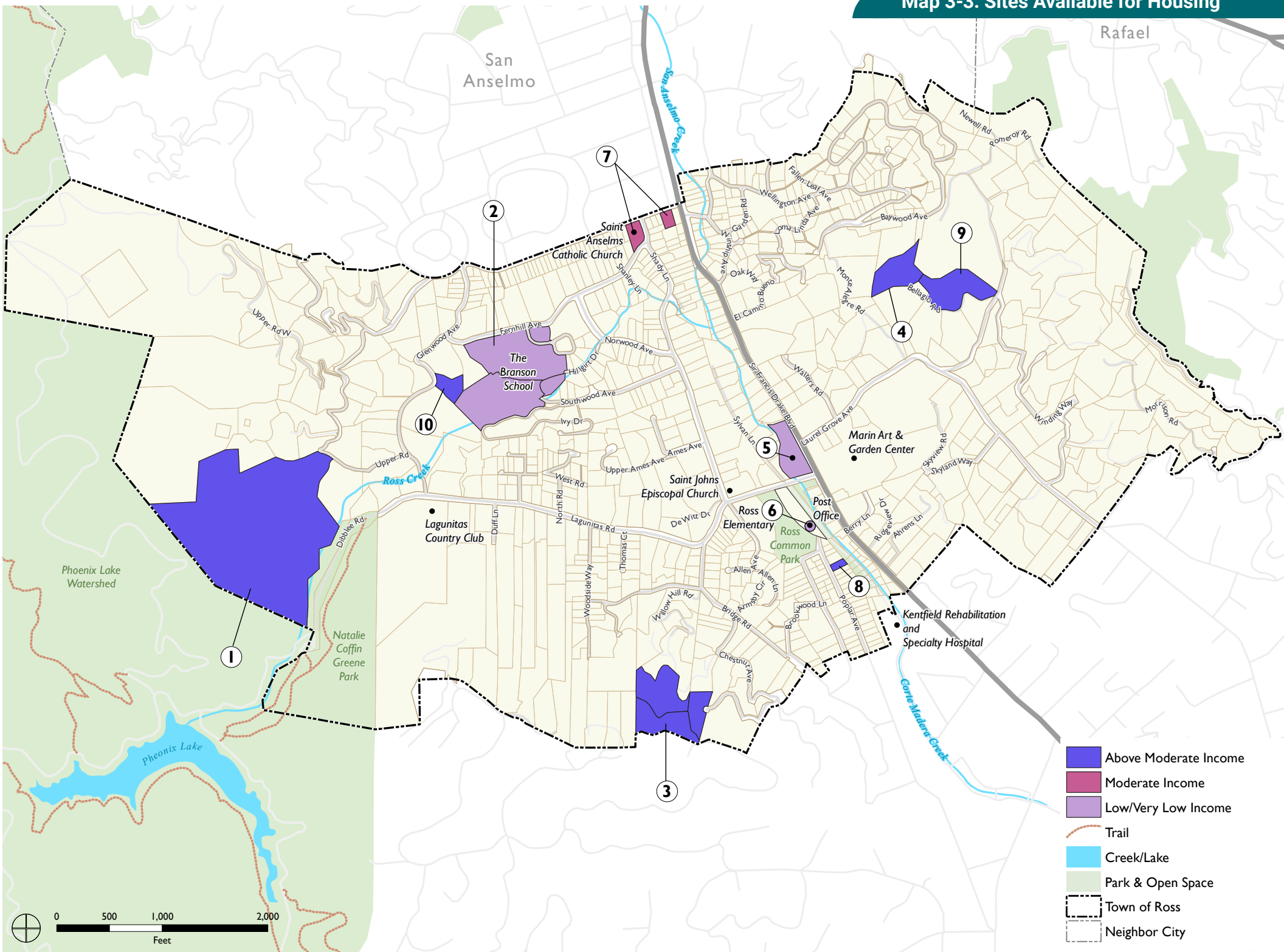


**Table 3-4: Sites Available for Housing**

NO.	SITE NAME	ADDRESS	APN	EXISTING USE	ACRES	ZONING	CAPACITY			
							Total Units	Low/ Very Low	Moderate	Above Moderate
6	Post Office	1 Ross Common	073-242-05	Public	1.56	C-D	6	6		
7	Saint Anselms Parking Lot	Southwest corner of Bolinas Ave and Sir Francis Drake Blvd	073-052-25	Parking lot	0.39	R-1_B-6	3		3	
8	Badalamenti	27 Ross Common	073-273-09	Commercial	0.22	C-L	4			4
9	Bellagio	0 Bellagio Road (at the intersection of Bellagio Rd and Canyon Rd)	072-031-04	Vacant	2.63	35.8%	2			2
10	Siebel	Between 36 Glenwood Ave and 81 Fernhill Ave	073-072-07	Vacant	1.07	0.0%	1			1
<b>SUBTOTAL</b>							<b>41</b>	<b>22</b>	<b>3</b>	<b>16</b>
Accessory dwelling units (@ 10/year)							80	48	24	8
Existing units at Branson to deed restrict							5	5		
SB9 Housing							22			22
<b>TOTAL</b>							<b>148</b>	<b>75</b>	<b>27</b>	<b>46</b>
<b>RHNA</b>							<b>111</b>	<b>54</b>	<b>16</b>	<b>41</b>
<b>BUFFER</b>							<b>37</b>	<b>21</b>	<b>11</b>	<b>5</b>



Map 3-3: Sites Available for Housing



## Administrative and Financial Resources

This section describes the public agencies involved in housing activities and the funding sources potentially available to support development in Ross.

### TOWN OF ROSS

As a small jurisdiction, Ross has a relatively limited number of housing resources and programs. Furthermore, due to its population size and the fact there are no affordable housing developments in Ross, the Town does not receive direct federal or State funding allocations. The Planning and Building Department is responsible for coordinating the review and approval of new housing and for administering housing-related grants and programs.

### MARIN COUNTY

Due to its population size and the fact there are no affordable housing developments in Ross, the Town does not receive direct federal funding allocations; instead, Community Block Development Grants (CBDG) and other federal funds are provided to Marin County by the U.S. Department of Housing and Urban Development (HUD) on an annual formula basis for use within constituent jurisdictions. The County acts as the administrative jurisdiction for these funds that are available to support various services and activities, including housing related activities, that would benefit residents of urbanized areas.

### HUD Community Planning and Development Grants

The County is the lead agency for purposes of receiving HUD Community Planning and Development entitlement grants on behalf of all

jurisdictions within Marin County, including Ross. The County receives approximately \$1.6 million in Community Development Block Grants (CDBG) and \$800,000 in HOME Investment Partnership (HOME) funds for a variety of housing and community development activities annually. The CDBG program provides funds for a range of community development projects that benefit low-to moderate-income people. The program can fund a variety of activities such as: acquisition and/or disposition of real estate or property, public facilities and improvements, public services, relocation, rehabilitation of housing, and homeownership assistance. HOME funds can be used for activities that provide affordable housing opportunities for low to moderate income households, such as development of new affordable units, owner-occupied housing rehabilitation, homebuyer assistance, and tenant-based rental assistance. The County uses HOME funds to gap-finance affordable housing projects throughout the County.

### Permanent Local Housing Allocation (PLHA)

In 2017, Governor Brown signed a 15-bill housing package aimed at addressing the State's housing shortage and high housing costs. Specifically, it included the Building Homes and Jobs Act (SB 2, 2017), which establishes a \$75 recording fee on real estate documents to increase the supply of affordable homes in California. As the number of real estate transactions recorded varies from year to year, the revenues collected will fluctuate. The first year of SB 2 funds are available as planning grants to local jurisdictions. For the second year and onward, 70 percent of the funding will be allocated to local governments for affordable housing purposes. A large portion of year two allocations will be distributed using the same formula used to allocate

federal Community Development Block Grants (CDBG). SB2 PLHA funds can be used to:

- Increase the supply of housing for households at or below 60 percent of AMI
- Increase assistance to affordable owner-occupied workforce housing
- Assist persons experiencing or at risk of homelessness
- Facilitate housing affordability, particularly for lower and moderate income households
- Promote projects and programs to meet the local government's unmet share of regional housing needs allocation

The County anticipates receiving between \$750,000 to \$1,500,000 in PLHA annually and has committed funds to projects for allocations received to date, although no funds have been committed in Ross.





## AFFORDABLE HOUSING TRUST FUND

The County's Affordable Housing Trust Fund was established in 1980 by Resolution 88-53. Projects throughout Marin County, which serve low, very low and extremely low income households, are eligible for funding, but priority is given to rental projects located in the unincorporated County that serve the lowest income levels. Funding is to be used for land and property acquisition, development, construction, or preservation of affordable units. Applications are submitted to the Community Development Agency, and staff makes funding recommendations to the Board of Supervisors as grant requests are received. The Affordable Housing Trust Fund is primarily funded through residential in-lieu fees, commercial linkage fees, and, since 2009, the County's Affordable Housing Impact Fee. In recent years, the Board of Supervisors has allocated \$250,000 annually from the general fund to the Affordable Housing Trust Fund. In the last twenty years, the Housing Trust has been a major funder of every affordable housing development in the unincorporated County. During the Fifth Cycle Housing Element period (2013-2021), \$13,545,980 from the Housing Trust Fund was dispersed and helped develop 120 units and rehabilitate 83 units. As of April 30, 2022, the Fund's balance is \$10,822,352.60.

## STATE OF CALIFORNIA

The State of California has several active funding programs for the planning and construction of new affordable housing development, including several new or recently expanded sources. These funding sources have different criteria and goals, and Ross' competitiveness is therefore likely to vary by program.

- **Affordable Housing and Sustainable Communities (AHSC)** is a competitive state grant program that promotes infill development and the reduction of greenhouse gas emissions. AHSC favors combined investments in affordable housing, transit, and active transportation infrastructure.
- **Multifamily Housing Program (MHP)** provides deferred long-term loans for the construction and acquisition-rehabilitation of permanent and transitional affordable rental housing.
- **No Place Like Home Program (NPLH)** provides funding for the development of permanent supportive housing to assist persons with mental illness and/or experiencing homelessness. This program includes both competitive and noncompetitive allocations to counties.
- **SB 2 (Building Homes and Jobs Act)** imposed a new real estate recording fee of \$75 on selected real estate transactions. In the first year, SB 2 Planning Grants were made available to local governments for planning and technical assistance to streamline housing development. Subsequent phases of the program will include funds for the development or preservation of affordable housing.
- **Infill Infrastructure Grant (IIG) Program and Transit Oriented Development (TOD) Housing Program.** These are recently expanded programs that primarily target the construction of new affordable housing and related infrastructure near transit.

- **Local Early Action Planning (LEAP)** is a one-time planning grant program to support cities and counties as they plan for the upcoming 6th RHNA cycle.

## FEDERAL

Several funding sources are available at the federal level for affordable housing development and preservation.

### Low Income Housing Tax Credits

The LIHTC program is a federal tax subsidy that gives investors a roughly dollar-for-dollar credit on their tax liability in exchange for equity contributions to subsidize affordable housing development projects. LIHTC equity is often the largest source of subsidy for affordable housing production and may also be used for affordable housing preservation. The California Tax Credit Allocation Committee administers and allocates tax credits throughout the State of California.

### Other Federal Sources

Other federal programs include Emergency Solutions Grants (ESG) and the Affordable Housing Program (AHP). Marin County is responsible for administering federal programs including HOME, Community Development Block Grants (CDBG), and Housing Opportunities for People with AIDS (HOPWA).







# HOUSING ACTION PLAN

## 4

- Housing Policies and Implementing Programs



# 4

## Housing Policies and Implementing Programs

The Housing Action Plan describes the specific goals, policies, and programs the Town will undertake to achieve the long-term housing objectives set forth in the Ross Housing Element. These goals, policies, and programs are intended to provide a framework for increasing the range of housing options in the community, removing barriers and constraints to housing construction, ensuring the continued maintenance of existing housing, and providing equal access housing opportunities and services for all who live and work in Ross.

The Town's housing policies and implementing programs are organized around five key goals that correspond to community priorities. Quantified and qualitative objectives are described under each program. Assumptions are based on past program performance, development trends, land availability, realistic capacity, and future program funding.

### Goal 1

Work together to achieve the Town's housing goals.

#### *Local Government Leadership.*

**Policy 1.1** Affordable housing is an important Town priority, and the Town will take a proactive leadership role in working with community groups, other jurisdictions and agencies, non-profit housing sponsors, and the building and real estate industry in undertaking identified Housing Element implementation actions in a timely manner.

#### *Community Participation in Housing and Land Use Plans.*

**Policy 1.2** The Town will foster effective and informed public participation from all economic segments and special needs groups in the community in the formulation and review of housing and land use issues.

#### *Inter-Jurisdictional Strategic Planning for Housing.*

**Policy 1.3** The Town will coordinate housing development strategies and planning with other jurisdictions in Marin County, as appropriate, to meet the Town's housing needs.

#### *Equal Housing Opportunity.*

**Policy 1.4** To the greatest extent possible, the Town will ensure that individuals and families seeking housing in Ross are not discriminated against on the basis of race, color, religion, marital status, disability, age, sex, family status (due to the presence of children), national origin, or other arbitrary factors, consistent with the Fair Housing Act.



## PROGRAMS

### Program 1-A Prepare Information and Conduct Outreach on Housing Issues.

Coordinate with local businesses, housing advocacy groups and neighborhood groups in building public understanding and support for workforce and special needs housing. Through written materials and public presentations, inform residents of housing needs, issues, and programs (accessory dwelling units, rental assistance, rental mediation, rehabilitation loans, etc.).

**Responsibility:** Planning Department; Town Council.

**Financing:** General Fund.

**Objectives:** Handouts, Town website, and presentation material.

**Timeframe:** Ongoing.

**Program 1-B Inter-Jurisdictional Planning for Housing.** The Town will work with other jurisdictions to advocate for State legislation that would provide ongoing funds for nonprofit developers to build affordable housing and related infrastructure improvements, as well as other programs to facilitate a regional approach to housing and associated community support needs in Marin County.

**Responsibility:** Planning Department; Town Council.

**Financing:** General fund (staff time).

**Objectives:** Coordination with other jurisdictions on housing matters.

**Timeframe:** Ongoing.

**Program 1-C Disseminate Fair Housing Information.** The Town Manager or designee is the designated Equal Opportunity Coordinator in Ross and will ensure that written materials regarding fair housing law are provided at various public locations in the town and that information regarding fair housing agencies and phone numbers is posted at Town Hall, the Post Office, and local transit locations where feasible. The Town Manager or designee will provide information to real estate professionals, property owners and tenants on their rights, responsibilities, and the resources available to address fair housing issues.

**Responsibility:** Town Manager or designee

**Financing:** General fund (staff time).

**Objectives:** Provide information on fair housing and assure effective implementation and enforcement of anti-discrimination policies.

**Timeframe:** Ongoing.



**Program 1-D Respond to Fair Housing Complaints.** The Town Manager or designee will refer discrimination complaints to the appropriate legal service, county or state agency, or Fair Housing of Marin. If mediation fails and enforcement is necessary, refer tenants to the State Department of Fair Employment and Housing or HUD, depending on the nature of the complaint.

**Responsibility:** Town Manager or designee

**Financing:** General fund (staff time).

**Objectives:** Respond to discrimination complaints.

**Timeframe:** As needed.



## Goal 2

Maintain and enhance existing housing and blend well-designed new housing into existing neighborhoods.

### *Housing Design Process.*

**Policy 2.1** The Town will review proposed new housing to achieve excellence in development design in an efficient process. The historical, small town feel and the serene, quiet character of Ross's neighborhoods will be maintained through development of new housing. It is the Town's intent that the sense of community and the beauty of the town's natural environment will be preserved and enhanced by designing all new housing to be in harmony with existing development and the surrounding area.

### *Preservation of Residential Units.*

**Policy 2.2** The Town will seek to preserve the existing quality and quantity of housing and will discourage the demolition of residential units that reduce the town's affordable housing stock or adversely affect the Town's ability to meet its total housing requirements at all household income levels.

**Policy 2.3** The Town will monitor and potentially adopt an ordinance to regulate the use of residential units for short term rentals, since a proliferation of short-term rentals could result in the loss of residential units for housing, including affordable rental housing.

### *Maintenance of Quality Housing and Neighborhoods.*

**Policy 2.4** The Town will encourage the long-term maintenance and improvement of existing housing. The Town will encourage programs to rehabilitate viable older housing and to preserve neighborhood character and, where possible, retain the current supply of workforce housing.

## PROGRAMS

**Program 2-A Streamlining the Design Review Process.** Ross is a community that values high quality design and the Town's Advisory Design Review (ADR) Group, formed in 2008, is integral to ensuring that new development contributes to the community's unique and historic sense of place. Recognizing that the design review process can add time and cost to the development process, the Town will explore options for streamlining and expediting design review. Actions to consider will include:

- Translating adopted Design Guidelines into objective design standards incorporated into the Town Code;
- Conducting a review of past project applications to identify the range of issues that are typically of concern due to the type of housing, the project location, property characteristics (such as sub-standard dimensions), and



environmental conditions. Based on the findings of this review, amend the Zoning Ordinance to include objective development standards that address the typical issues; and

- Instituting a requirement that project proponents share plans with the neighbors prior to starting the ADR process in order to provide clarity on the proposed development details up front and reduce the time spent providing such clarification at ADR Group meetings.

**Responsibility:** Planning Department

**Financing:** General fund (staff time).

**Objectives:** Reduction in average time for project approval

**Timeframe:** Identify and implement streamlining options by end of 2024.



**Program 2-B SB-9 Housing.** Senate Bill 9 (SB9) allows homeowners to split their single-family residential lot into two separate lots and/or build additional residential units on their property without the need for discretionary review or public hearing. As a community with large residential lots and a growing population of older adults, there is considerable potential for SB9 housing in Ross. Of 837 single-family zoned parcels in Ross, analysis indicates that there are at least 48 of sufficient size and meeting other parameters defined in the statute that may also be underutilized, based on as built floor area ratio and assessed value ratio. The Town has received inquiries from interested homeowners and has adopted an SB9 ordinance to establish zoning and development standards. Through this program, the Town will further incentivize and promote the creation of SB9 housing to help meet RHNA obligations for above moderate income households by (1) creating fact sheets and posting information to the website, (2) providing technical assistance and referrals to interested property owners, and (3) exploring additional regulatory incentives to stimulate production of SB9 housing in the planning period.

**Responsibility:** Planning Department

**Financing:** General fund

**Objectives:** 22 above moderate income units in the planning period

**Timeframe:** End of 2023

**Program 2-C Single-Family Development on Adjacent Legal Non-Conforming Lots.** Site 3 on the inventory is comprised of multiple adjacent lots that are vacant and zoned for residential use but of substandard size. The site is located in areas of steep topography, which adds complexity and cost to development of the sites. To incentivize the development of this lot with market rate, single-family housing to help meet the Town's RHNA requirements, the Zoning Ordinance will be amended to permit allowable floor area ratio (FAR) to be calculated on the basis of total site area rather than per parcel.

**Responsibility:** Planning Department

**Financing:** General fund

**Objectives:** 2 above moderate income units in the planning period

**Timeframe:** End of 2023

**Program 2-D Enforce Zoning and Building Codes.** The Town will continue to enforce the current zoning code in residential neighborhoods and will discourage demolitions without rebuilding and overbuilding on lots through the demolition permit and design review process. The Town will also continue to require homes to comply with the Building Code through permit processing and implementation of the Residential Building Record Report program.

**Responsibility:** Building Department, Planning Department, Town Council.

**Financing:** General fund (staff time).

**Objectives:** Protection of existing housing.

**Timeframe:** Ongoing.





**Program 2-E Implement Rehabilitation Loan Programs.** Provide handouts and refer people to the Marin Housing Authority (MHA) for available loan programs to eligible owner- and renter-occupied housing. Require fire and code officials to hand out information on MHA loans to appropriate lower-income homeowners when performing routine inspections. Publish information on available loan programs to the Town website.

**Responsibility:** Planning Department; Marin Housing Authority.

**Financing:** General fund (staff time).

**Objectives:** Loans provided to rehabilitate housing for very low income households.

**Timeframe:** Prepare handouts and publish information to website by Q3 2023; Thereafter, referrals will be ongoing with annual reporting through the Housing Element Annual Progress Report to HCD.

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**Program 2-F Deed-Restriction of Existing Apartments at the Branson School.** There are currently five existing 1- and 2-bedroom apartments in two separate buildings on the campus of the Branson School at 39 Fernhill Road offered to staff at a subsidized rate. Through this program, the Town will work with the School to explore the possibility of deed-restricting these five units so that they remain available to members of the local workforce making less than 80 percent of AMI for a period of 55 years.

**Responsibility:** Planning Department; Town Council.

**Financing:** General fund (staff time).

**Objectives:** Preservation of 5 existing lower income units on the Branson School site.

**Timeframe:** Record deed restrictions by end of 2023.

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**Goal 3**

Use our land efficiently to increase the range of housing options and to meet the housing needs for all economic segments of the community.

*Diversity of Population.*

**Policy 3.1** Consistent with the community's housing goals, it is the desire of the Town to maintain a diversity of age, social and economic backgrounds among residents throughout Ross by matching housing size, types, tenure, and affordability to household needs.

*High Potential Housing Opportunity Areas and Programs.*

**Policy 3.2** Given the diminishing availability of developable land, the Town will continue to identify housing opportunity sites and specific program actions to provide affordable workforce and special needs housing. The Town will use the following criteria in selecting Housing Opportunity areas, sites or locations for program actions:

- a. Adequate vehicular and pedestrian access.
- b. Convenient access residents. to public transportation as needed by the prospective
- c. Convenient access to neighborhood services and facilities as needed by the prospective residents.
- d. Convenient access to neighborhood recreation facilities, or designed to provide adequate recreation facilities on site.
- e. Cost effective mitigation of physical site constraints (including geologic hazards, flooding, drainage, soils constraints, etc.).
- f. Cost effective provision of adequate services and utilities to the site.
- g. Ability to meet applicable noise requirements.
- h. Appropriate site size to provide adequate parking; parking requirements should be flexible and based on the needs of the project's prospective residents.

- i. Finding that development of a specific project on the site will not result in significant adverse cumulative effects, unless the Town adopts a statement of overriding considerations.

*Housing Opportunities in the Commercial District.*

**Policy 3.3** Well-designed mixed-use residential/non-residential developments in the Commercial District are highly encouraged by the Town. The Town will encourage and facilitate a variety of housing types in the Commercial District, including mixed-use development and single-room occupancy units.

*Accessory Dwelling Unit Development.*

**Policy 3.4** The Town encourages well-designed legal accessory dwelling units (ADUs), guesthouses, and caretaker units in all residential neighborhoods as an important way to provide workforce and special needs housing. The Town will continue incentives to encourage a greater rate of development of ADUs and to legalize existing unpermitted ADUs.





## PROGRAMS

**Program 3-A Civic Center Master Plan.** The Town is preparing a Master Plan for the modernization of the Ross Civic Center complex, which includes the Town Hall and Public Safety Building. Originally constructed in 1927, the Public Safety Building is now physically and functionally obsolete and must be reconstructed to address extensive structural deficiencies and ensure compliance with Essential Service Act (ESA) requirements for public safety buildings. As part of the Civic Center redevelopment, the Town will pursue construction of six workforce housing units on the site to be made available at rents affordable to households earning less and 80 percent of Marin County AMI. The Town released request for proposals (RFP) for the Civic Center Master Plan and awarded a contract in October 2022. Design is anticipated for completion in 2023 and completion of construction is anticipated in 2025.

**Responsibility:** Planning and Building; Public Works

**Financing:** General fund

**Objectives:** 6 workforce housing units by 2026

**Timeframe:** By 2026.

**Program 3-B Ross Post Office Site.** The Ross Post Office is located on a 1.56-acre property owned by the Town. The Post Office building is located at the center of the oblong shaped parcel, with surface parking and green space surrounding it. The building is aging and in need of repair. As part of a future renovation, the Post Office building will be redeveloped with workforce housing in a format that preserves public parking on-site for use of Post Office patrons. Through this program, the Town will seek to partner with a non-profit developer for the construction of workforce housing to meet the needs of lower income households in Ross. The Town will prepare and release an RFP by early 2025.

**Responsibility:** Planning and Building; Public Works

**Financing:** Grant funding

**Objectives:** 6 workforce housing units by 2029

**Timeframe:** Release RFP in early 2025.

**Program 3-C Parking Requirements for Multi-family Development and Caretaker Units.** The cost of constructing parking, particularly covered parking, adds considerably to residential development costs. For certain developments that can be designed so that parking is out of public view, covered parking may not be necessary. Therefore, to support the financial feasibility of projects that provide workforce housing in Ross, the Town will amend the Zoning Ordinance as follows:

- **Caretaker Units.** Eliminate the requirement for covered parking spaces to serve caretaker units where parking can be screened from public view (Section 18.16.080).
- **Multi-family Developments.** Revise the requirements for multi-family developments located within 0.5 miles of transit to require 1 space per unit, located behind the building or out of public view (Sections 18.20.025, 18.24.040, and 18.28.070).

**Responsibility:** Planning and Building; Public Works

**Financing:** General fund

**Objectives:** 32 multi-family units in the planning period

**Timeframe:** End of 2023.

**Program 3-D Prepare a Downtown Area Plan.**

The downtown commercial area has two-and three-story buildings that are home to an eclectic variety of retail stores, restaurants, professional offices, and upper story apartment units that together give the area a timeless “country village” appeal. The downtown area is a natural location for smaller scale housing, such as shopkeeper units, live-work units, and apartments that can provide accommodation for the local workforce; however, several key factors constrain housing development, including flood risk, liquefaction hazard, and a combination of small parcel size and high land and construction costs that limit the feasibility of redevelopment. Through this program, the Town will develop a plan for a “Special Planning Area” that includes the

downtown commercial area, the post office site, and Ross Common. The objective would be to plan holistically for the area to integrate new moderate income and workforce housing along with street design improvements, pedestrian and bicycle access, parking and design standards. The plan should identify and incorporate funding and financing options to facilitate redevelopment. General Plan Action 8A will be amended for consistency with this program.

**Responsibility:** Planning Department and Town Council

**Financing:** General fund

**Objectives:** 12 multi-family units constructed in the downtown “Special Planning Area” in the planning period

**Timeframe:** Adopt the plan by Q1 2027

**Program 3-E Amnesty for Unpermitted ADUs.**

There are some properties in Ross with separate living units — either in the home or on the lot — that were constructed without a legal permit. While the units may be perfectly livable, insurance companies will not cover a fire, damages, or injuries relating to an unpermitted unit. To help reduce liability and increase the supply of workforce housing in Ross, the Town will develop and implement an amnesty program that waives penalties and reduces fees for owners who choose to legalize their unpermitted units. The program should include a provision for “fail safe” inspections so that owners understand they will not be cited for violations that do not present an immediate threat to life safety. Additionally, the program should offer additional incentives for owners who provide evidence of a binding commitment to rent-restrict the legalized unit for lower income households for a period of at least 20 years.

**Responsibility:** Planning and Building

**Financing:** General Fund

**Objective:** 20 ADUs in the planning period, 2 rent-restricted affordable ADUs

**Timeframe:** End of 2024



**Program 3-F Pre-Approved ADU Plans.**

Designing an ADU can be a long and complex process. To streamline and simplify things for interested homeowners, the Town will offer a variety of pre-approved ADU building plans designed by qualified architects. Through this program, the Advisory Design Review Group and the Town Council will review and approve multiple design options that accommodate a range of homeowner needs, from small studio ADUs to larger, two-story layouts. The plans will be made available so that interested homeowners can pick from a menu of options knowing their choice is approved and ready to build.

**Responsibility:** Planning and Building

**Financing:** General Fund

**Objective:** 80 new ADUs or JADUs in the planning period

**Timeframe:** Make pre-approved ADU plans available by end of 2026

**Program 3-G Technical Assistance.** The Town already offers homeowners interested in ADUs an array of information and tools through ADU Marin, a partnership between ten Marin County jurisdictions formed to facilitate ADU construction. This includes a step-by-step workbook and interactive website with sample floor plans, a calculator to estimate construction costs, and inspirational stories from Marin residents who have already built an ADU. To complement these resources and promote construction of ADUs and JADUs in Ross, the Town will offer technical assistance to interested homeowners, which may include information on cost-saving building materials and construction techniques; a referrals list of pre-qualified architects, landscape architects, and civil engineers; and consultation with design and permitting professionals.

**Responsibility:** Planning and Building

**Financing:** General Fund

**Objective:** 80 new ADUs or JADUs in the planning period

**Timeframe:** Launch technical assistance program in early 2024

**Program 3-H Best Practices and Innovation for ADU Design and Construction.** Form an ad-hoc advisory committee of local residents and subject matter experts to research and identify best practices and innovations for cost-effective construction of ADUs in Ross. The committee should consider building materials, construction techniques, and civil/geotechnical standards in light of the flooding, wildfire, and liquefaction hazard in Ross. Publicize findings on Town website.

**Responsibility:** Planning and Public Works Departments

**Financing:** General fund and staff time.

**Objectives:** Facilitate construction of 10 ADUs per year throughout the planning period

**Timeframe:** Convene committee by Q3 2023; committee report by Q3 2024; publicize findings by end of 2024.





**Program 3-I Development Fee Discount.** As with any construction project, building an ADU typically involves permit and application fees charged by the Town to cover the cost of services provided. These fees can run on the order of \$245,000 for an ADU. To incentivize construction of ADUs made available for households earning less than 80 percent of the Marin County annual median income, the Town will reduce these fees for any unit that is rent-restricted for a period of 20 years or more. The amount of the reduction will be determined as part of the comprehensive fee study to be completed in 2024. Evidence of a binding commitment to ren-restrict, such as a dee restriction or a signed affidavit, will be required.

**Responsibility:** Planning and Building

**Financing:** General Fund

**Objective:** 48 ADUs for lower income households in the planning period

**Timeframe:** 2023

**Program 3-J ADU Ordinance Update.** The Town will review the ADU ordinance and make amendments as needed to comply with State law, as amended since the ordinance was adopted. Modifications shall include clarification of the terms of measurement and standards for uses permitted in setback areas.

**Responsibility:** Planning and Building

**Financing:** General Fund

**Objective:** 80 new ADU/JADUs in the planning period

**Timeframe:** End of 2023

**Program 3-K Workforce Housing at the Branson School.** Faced with the imminent retirement of several long-tenured teaching staff and the high cost of housing in Marin County which is a significant barrier to its staff recruitment efforts, the Branson School has expressed strong interest in developing new housing on its campus in the near-term. Through this program, the Town will work with the Branson School to facilitate production of new workforce housing on campus.

**Responsibility:** Planning Department; Town Council.

**Financing:** General fund (staff time).

**Objectives:** Construction of 10 new workforce housing units on the Branson School site affordable to those making less than 80 percent of the Marin County AMI.

**Timeframe:** Coordination will be ongoing through established monthly meetings between Town and School staff; target construction completion by 2026.



**Goal 4** Provide housing for special needs populations.

*Special Needs Groups.*

**Policy 4.1** The Town will actively promote development and rehabilitation of housing to meet special needs groups, including the needs of seniors, people living with disabilities, including persons with developmental disabilities, the homeless, single parent families, and large families.

*Housing for the Homeless.*

**Policy 4.2** Recognizing the 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, the Town will work with other jurisdictions, as appropriate, to develop a fully integrated approach for the broader low-income population. The Town will support a coordinated approach to homelessness in the County including countywide programs to provide for a continuum of care for the homeless including emergency shelter, transitional housing, supportive housing and permanent housing.

*Rental Assistance Programs.*

**Policy 4.3** The Town will coordinate with the Marin Housing Authority (MHA) and support rental assistance programs available to low income residents, such as Section 8.

*Reasonable Accommodations for the Disabled.*

**Policy 4.4** Ensure equal access to housing for people with disabilities, including persons with developmental disabilities, and to provide reasonable accommodation for people with disabilities, including persons with developmental disabilities, in the Town's rules, policies, practices and procedures related to zoning, permit processing and building codes.



**PROGRAMS**

**Program 4-A Zoning for Transitional and Supportive Housing.** Transitional and supportive housing can take many forms, including group housing or multi-family units, and typically includes a supportive services component to allow individuals to gain necessary life skills in support of independent living. State law requires that transitional and supportive housing be treated as a residential use and be subject only to those restrictions that apply to other residential uses of the same development type in the same zone. The Ross Zoning Ordinance permits transitional and supportive housing in some but not all zones where housing is allowed (see Appendix C, Table C-1). Additionally, the Ordinance limits supportive housing to rental housing receiving assistance the State's Multifamily Housing Program (Section 18.12.382), which is a more restrictive definition than the Government Code establishes in Section 65582 (h). The Town will amend the Zoning Ordinance for consistency with State law.

**Responsibility:** Planning Department

**Financing:** General fund and staff time.

**Objectives:** Compliance with State law

**Timeframe:** End of 2023.



**Program 4-B Objective Standards for Emergency Shelters.**

Consistent with State law, the Ross Zoning Ordinance allows emergency shelters by right in the Civic (C-D) District, which includes the Ross Commons, the Town administrative offices, the public safety building, and the post office. There currently no special development standards for emergency shelters, which are subject only to the same provisions applicable to other development in the C-D District. There are currently no special development standards for emergency shelters. Therefore, the Town will to amend the Zoning Ordinance to include objective standards to regulate emergency shelters including shelter capacity, parking, lighting, on-site waiting and intake areas, security, and operations as permitted by State law. Additionally, the Zoning Ordinance will be updated to permit the development of Low Barrier Navigation Centers by-right in all nonresidential zones permitting multifamily uses, consistent with AB 101.

**Responsibility:** Planning Department

**Financing:** General fund and staff time.

**Objectives:** Compliance with State law

**Timeframe:** End of 2023.

**Program 4-C Residential Community Care Facilities.**

Residential Community Care Facilities are licensed by the State to provide 24-hour non-medical residential care to children and adults with developmental disabilities. The Cedars of Marin is the only residential care facility in Ross. By law, any licensed residential facility serving six or fewer persons must be a permitted use in all residential zones in which a single-family home is permitted and may only be subject to the same regulations applicable to single-family homes. The Ross Zoning Ordinance does not distinguish facilities according to the number of persons served and it permits residential care facilities in the R-1 residential zones and the C-P district, subject to approval of a conditional use permit. Therefore,

the Ordinance will be revised to clearly state that facilities for six or fewer persons are treated as a single-family use and are permitted by right in all zones where single-family residential uses are allowed; to permit or conditionally permit large residential care facilities in all zones that permit residential uses, as similar uses in the same zone, and to ensure the required conditions for large facilities are objective and provide certainty in outcomes and to identify them as a permitted use in the R-1 residential zones as well as the C-L , C-D and C-C districts as required under State law.

**Responsibility:** Planning Department

**Financing:** General fund and staff time.

**Objectives:** Compliance with State law

**Timeframe:** End of 2023.





**Program 4-D Engage in Countywide Efforts to Address Homeless Needs.** Actively engage with other jurisdictions in Marin to provide additional housing and other options for the homeless, supporting and implementing Continuum of Care applications in response to the needs of homeless families and individuals. Participate and allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related counseling services, including Homeward Bound of Marin.

**Responsibility:** Planning Department; Town Council.

**Financing:** General fund and staff time.

**Objectives:** Assist in addressing the needs of homeless in a comprehensive, countywide manner.

**Timeframe:** Annual participation, as appropriate.

**Program 4-E Utilize and Support Available Rental Assistance Programs.** The Town will train staff to refer people in need of housing assistance to the Marin Housing Authority for additional information on the Section 8 Program, Shelter Plus Care, and other rental assistance programs.

**Responsibility:** Planning Department; Town Council.

**Financing:** General fund (staff time).

**Objectives:** Utilization and financial support of rental housing programs.

**Timeframe:** Ongoing, with annual funding support for Rebate for Marin Renters program.

**Program 4-F Provide Information on Reasonable Accommodation.** The Town's ADA Coordinator, will manage Town compliance with the nondiscrimination requirements of Title IIA of the Americans with Disabilities Act (ADA). Direct questions, concerns, complaints, and requests regarding accessibility for people with disabilities, including persons with developmental disabilities, to the Town's ADA Coordinator. Provide information to the public regarding reasonable accommodations related to zoning, permit processing and building codes on the Town's website and in Town application forms and other publications.

**Responsibility:** Town Manager or designee.

**Financing:** General Fund; Building Permit Fees.

**Objectives:** Provide information and ensure compliance.

**Timeframe:** Ongoing.





**Goal 5**

Monitor program effectiveness and respond to housing needs.

### *Housing Element Monitoring, Evaluation and Revisions.*

**Policy 5.1** The Town will continue a regular monitoring and update process to assess housing needs and achievements and to provide a process for modifying policies, programs and resource allocations as needed in response to changing conditions.

## PROGRAMS

**Program 5-A Annual Review.** Assess Housing Element implementation through annual review by the Ross Planning Department and Town Council. Provide opportunities for public input and discussion, in conjunction with State requirements for a written review by April 1 of each year, as per Government Code Section 65400. Based on the review, establish annual work priorities for the Planning Department and Town Council.

**Responsibility:** Planning Department; Town Council.

**Financing:** General Plan Maintenance Fee; General fund (staff time).

**Objectives:** Annual review of the Housing Element.

**Timeframe:** Annually by April 1 of each year.

### **Program 5-B Ensure Adequate Sites Available to Meet Town's Share of RHNA.**

To ensure adequate sites remain available for residential development to accommodate the Town's Regional Housing Need Allocation (RHNA) for all income categories, the Town shall annually review its Available Land Inventory to ensure the Town can accommodate its share of the RHNA throughout the planning period. As development projects are considered, the Town shall not take action to permit fewer units on a site than projected on the Available Land Inventory unless: 1) the reduction is consistent with the general plan and housing element; and 2) the remaining sites identified in the Available Land Inventory are adequate to accommodate the Town's share of the RHNA. If the remaining sites are not adequate to accommodate the Town's share of the RHNA, the Town will identify (and rezone, if necessary) sufficient additional sites to meet the Town's share of the RHNA.

**Responsibility:** Planning Department and Town Council.

**Financing:** General fund (staff time).

**Objective:** Adequate Sites Available for Town Share of RHNA.

**Timeframe:** Ongoing as development projects are considered.

**Program 5-C ADU and JADU Trends.** The Town will monitor ADU and JADU permitting/construction trends and affordability in Ross, reporting performance in its Housing Element Annual Progress Reports. If actual performance is not in line with projections in December 2025, the Town will review and take action as needed to ensure compliance with "no-net loss" provisions of State law.

**Responsibility:** Planning Department

**Financing:** General Fund

**Objectives:** Track progress toward Sixth Cycle RHNA production goals ensure compliance with State law

**Timeframe:** (a) reporting with annual report to HCD in April 2023; annually by April of each year thereafter (b) December 2025 for corrective action evaluation (if needed)





Town of Ross

## 2023-31 Housing Element

Public Review Draft | October 2022

**DYETT & BHATIA**

Urban and Regional Planners