



Staff Report

Date: October 3, 2014
To: Mayor Elizabeth Brekhus and Councilmembers
From: Elise Semonian, Senior Planner
Subject: Council study session on 2015-2022 General Plan Housing Element Update

Recommendation

Review the housing element programs and policies and authorize staff to refer the draft housing element to the State for preliminary review and to outside agencies for the required 45-day comment period.

Background and Discussion

The town is required to update its housing element by January 31, 2015. The update is also necessary for the Town to receive transportation funding through the OneBayArea Grant (OBAG) program through the Transportation Authority of Marin (TAM) and the Metropolitan Transportation Commission (MTC). The town must adopt the housing element within 120 days from the due date or it must be revised every four years, instead of every eight years.

The current housing element is available for review at:

http://www.townofross.org/pdf/resource_center/housing-element-adopted-november-2010.pdf

The town has completed several programs and modified zoning regulations to comply with the current housing element. The town approved 14 new housing units in the current cycle and ten were constructed (the Town's Regional Housing Needs Allocation (RHNA) was 27 units). The Town's share of the 2015-2022 RHNA will be 18 units.

Since only one vacant lot was developed, staff recommends no changes to the Available Land Inventory except as noted below.

The town held a workshop on the housing element at the September Advisory Design Review Group (ADR) meeting. Draft workshop minutes are attached. Three issues were raised:

Eliminate Bald Hill Sites from Inventory. Staff recommended removing the three units identified for Bald Hill (APNs 073-011-01, 30). This site is environmentally sensitive and a priority for open space. The site would remain zoned for low density development.

Plan for Branson Site. Branson School is considering a new location outside of town. The public was interested in considering small senior housing at the Branson School site if the school relocates. Staff believes the existing housing element program H3.2 provides the council with the ability to consider this in the future, if desired, when there is adequate time for public outreach, input and environmental review.

H3.2 High Potential Housing Opportunity Areas and Programs. 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.

Revise Policy for 37 Sir Francis Drake, Program H3B. Council has been considering options for the north area of the Town Hall site (i.e., the corporation yard site), where up to four workforce housing units are currently proposed. The Council has directed staff to engage Economic and Planning Systems (EPS) to complete an economic and fiscal analysis of the site which may influence future Council policy actions related to this site. A member of the public believed the current program should be pursued and expanded.

Council has the option to maintain, modify or eliminate Program H3B, since there are other sites that may be identified for feasible affordable housing development. The Town Hall site is zoned for “public purposes ... including multifamily housing” and elimination of the program would not preclude development of units at the site. However, if the Council may eliminate the program, staff recommends including this change with the draft submitted to Housing and Community Development (HCD) for review for compliance with State housing element law. Modification of the program could be discussed at the next public hearing, after public notice.

Next Steps

Following the study session, staff will continue to update the data in the housing element and, if directed by the Council, send a draft to the State HCD for preliminary review, and circulate the draft to outside agencies. Staff would schedule consideration of the complete draft housing element for a public hearing before the end of the year.

Fiscal, resource and timeline impacts

Failure to adopt the housing element by January 31, 2015, will disqualify the town from OBAG grant funding. Adoption of the housing element update will have no immediate fiscal impact other than the cost of staff time to prepare and present the staff reports and published notice of the public hearing in the Marin IJ.

Alternative actions

None recommended.

Environmental review (if applicable)

To be determined. If the existing programs are continued, the housing element would be considered exempt under 15061(b)(3) of the CEQA Guidelines, which is a general exemption for projects with no potential for a significant effect on the environment.

Attachments

1. Marin Regional Housing Needs Allocation for 2015-2022
2. Updated Table 33 Available Land Inventory
3. Proposed amendments to Housing Element "A Framework for Action and Housing Policies and Implementation Programs"
4. Evaluation of 2009-2014 programs and policies

Marin County

	Very Low	Low	Moderate	Above Moderate	Total
Belvedere	4	3	4	5	16
Corte Madera	22	13	13	24	72
Fairfax	16	11	11	23	61
Larkspur	40	20	21	51	132
Mill Valley	41	24	26	38	129
Novato	111	65	72	167	415
Ross	6	4	4	4	18
San Anselmo	33	17	19	37	106
San Rafael	240	148	181	438	1,007
Sausalito	26	14	16	23	79
Tiburon	24	16	19	19	78
Unincorporated	55	32	37	61	185
Marin Total	618	367	423	890	2,298

Units developed in 2009-2010 Housing Cycle*

Address	Description	Year Approved	Year Completed
8 Sylvan Lane	442 sq. ft. attached 2 nd unit	2006	2008
47 Sir Francis Drake	Legalization of attached 2 nd unit	2009	2009
24 Walnut Avenue	1,640 square foot second unit	2009	2009
17 Madrona	714 sq. ft. single family residence	2008	2010
8 Sir Francis Drake	Attached 102 sq. ft. 2 nd unit	2008	2010
36 Glenwood	1,080 sq. ft. detached 2 nd unit	2008	2011
19 Brookwood	698 sq. ft. attached 2 nd unit	2009	2012
21 Fernhill	613 sq. ft. attached 2 nd unit	2009	not constructed
2 Glenwood	996 sq. ft. detached guest house	2010	2012
90 Glenwood	582 sq. ft. attached 2 nd unit	2010	2011
33 Spring Road	1,187 sq. ft. 2nd unit	2011	not constructed due to HOA restrictions
81 Glenwood	416 sq. ft detached 2 nd unit	2013	Under construction
12 Norwood	897 sq. ft. detached 2 nd unit	2012	2014
3 El Camino Bueno	443 sq. ft. detached 2 nd unit, restricted for very low income household	2014	Building permit not yet issued

*includes units built between base year of the RHNA period and the beginning of the new planning period

Map ID	Assessor Parcel Number	Address	Zone	Allowable Density (Units/Acre)* Min./Max.	GP Designation	Acres	Realistic Unit Capacity	Existing Use	Infrastructure Capacity	On-site Constraints
Multi-family Housign Sites										
1	073-191-16	35 Sir Francis Drake Boulevard	C-D	n/a	Public Service	0.25	4	Leased to Kentifeld Fire Dept. for te	Yes	Flood plain
	073-141-03;	39 Fernhill	R-1:B-A	2**	Quasi- Public/Private Service Specia	14.98	3	The Branson School	Yes	None
	073-082-01;									
	073-082-12;									
2	073-151-05									
3	072-231-23	30 Sir Francis Drake	C-C	4***	Recreational/ Cultural	10.1	3	Art & Garden Center	Yes	None
Single Family										
	012-081-07, 072-031-49, 012-121-33, 012-121-03	End of Upper Toyon	R-1:B-5A	0.4	Very Low Density	9.23	2	Vacant	Yes	Hillside lot
	072-031-01	End of Pomeroy	R-1:B-5A	0.4	Very Low Density	2.82	1	Vacant	Yes	Hillside lot
	072-031-33	End of Pomeroy	R-1:B-5A	0.4	Very Low Density	14	1	Single family residence	Yes	Hillside lot
	072-031-04	Above Bellagio	R-1:B-5A	0.4	Very Low Density	3.78	1	Vacant	Yes	Hillside lot
	072-031-40	1 Bellagio	R-1:B-5A	0.4	Very Low Density	1.74	1	Vacant	Yes	Hillside lot
	073-011-01, 30	Bald Hill, end of Upper Road West	R-1:B-10A	0.2	Very Low Density	57.67	3	Vacant	Yes	Access, water for firefighting, topography
	073-011-26	Between 7 and 25 Upper Road	R-1:B-10A	0.2	Very Low Density	36.54	3	Vacant	Yes	Hillside lot
	073-071-07	South of 40 Upper Road	R-1:B-A	2	Very Low Density	1	1	Developed with small cottage	Yes	Hillside lot
	073-072-07	north of 36 Glenwood	R-1:B-A	2	Very Low Density	1.15	1	Vacant	Yes	None
	073-122-15	206 Lagunitas Road	R-1:B-A	2	Very Low Density	1.03	1	Vacant	Yes	Creek and mature redwood trees
	073-291-13	End of Willow Hill Road	R-1:B-5A	0.4	Very Low Density	5.16	1	Vacant	Yes	Access, water for firefighting, topography
	073-291-14	End of Willow Hill Road	R-1:B-5A	0.4	Very Low Density	2.9	1	Vacant	Yes	Access, water for firefighting, topography
	073-291-29	200 Hillside, above 98 Chestnut	R-1:B-5A	0.4	Very Low Density	3.76	1	Vacant	Yes	Access, water for firefighting, topography
Mixed-Use										
4	073-272-15	7 Redwood	C-L	n/a	Local Service Commercial	0.15	3	One-story commercial	Yes	Flood plain
5	073-273-12	13-19 Ross Common	C-L	n/a	Local Service Commercial	0.11	4	One-story commercial	Yes	Flood plain
6	073-272-09	16 Ross Common	C-L	n/a	Local Service Commercial	0.1	4	One-story commercial with 1 living u	Yes	Flood plain
7	073-272-10	20-22 Ross Common	C-L	n/a	Local Service Commercial	0.09	3	One-story commercial	Yes	Flood plain
8	073-273-10	23 Ross Common	C-L	n/a	Local Service Commercial	0.22	4	Two-story commercial	Yes	Flood plain
Secondary Dwellings										
Second Units	R-1			.4-17.4	Residential	Varies	20	Developed & Vacant	Yes	Varies
Caretaker Units/G	R-1			.4-17.4	Residential	Varies	15	Developed & Vacant	Yes	Varies

* Density includes second unit potential on lots zoned for single-family use.

**The zoning code does not limit the number of housing units dedicated to staff and faculty housing permitted on the Branson School site.

***Multi-family housing development in the C-C District is limited to 2,100 sq. ft. of living area. The zoning code does not limit the number of units permitted.

A Framework for Action

Housing Goals

The Town of Ross is committed to meeting the housing needs of all economic segments of the Town's population. It is also important to ensure a fit of new housing with Ross's long-standing commitment to maintain and enhance the high quality of its residential and commercial neighborhoods. The Housing Element strives to achieve the following goals:

ENSURE THE TOWN'S COMMITMENT TO MEETING HOUSING NEEDS.

Establish and monitor goals, policies, and programs to address the Town's housing needs; encourage public participation in all housing policy matters; provide incentives for affordable housing; and promote equal housing opportunities.

PROTECT AND ENHANCE EXISTING HOUSING, COMMUNITY CHARACTER, AND RESOURCES. Maintain the high quality of existing housing and community character, and assure energy efficiency in new and existing housing.

PROVIDE NEW HOUSING AND ADDRESS AFFORDABLE HOUSING AND OTHER SPECIAL NEEDS HOUSING. Ensure excellence in architecture and site planning in all new projects; provide a variety of housing types and tenure; meet the Town's fair share of very low, low, and moderate income housing needs; and meet the housing needs of special groups, including the elderly, handicapped, small and large families, single parents and local workers.

Quantified Housing Objectives

State law requires the Housing Element to include quantified objectives for the maximum number of units that can be rehabilitated, conserved, or constructed. It is anticipated that the Town of Ross can meet its fair share of housing needs by ~~June 30, 2014~~January 31, 2023, with the sites described in the available land inventory and the program actions identified in this section.

The table below summarizes the number of new units anticipated in Ross between ~~2007 and 2014~~2015 and 2022 by income category. While additional capacity was indicated in the available land inventory discussed earlier in this housing element, this analysis conservatively estimates realistic development over the housing period, given current economic and development trends. The summary indicates there is sufficient capacity overall to meet the Town's regional housing needs requirements.

Since it is the Town's goal to preserve all existing housing units through ongoing enforcement of the existing Demolition Ordinance, the Town expects to conserve all of the units identified in the 2000 U.S. Census and all of the units built since then. The distribution of units among income categories is based upon household income data as indicated by the U.S. Census and CHAS data. The number of units to be rehabilitated is based on the historical building activity reported by the Town of Ross Building Department. With

approximately 10 to 15 building permits issued each year for major rehabilitation and repair, the Town expects a total of 80 units to be rehabilitated during the planning period. The Town expects most of the financing for future rehabilitation to be provided by the private sector, although public financing is available for lower-income households through the Marin Housing Authority residential rehabilitation loan program.

Table 43: Quantified Objectives of Housing Element Programs

	Extremely Low- Income	Very Low Income	Low Income	Moderate Income	Above Moderate income	Total units
Regional Housing Needs Allocation	4	46	64	54	84	2718
Housing Units Built or Under Construction (2014-2007 September 2010)	4	1	31	40	0	62
Remaining Need (2010-2014 2015-2022)	3	35	3	4	84	2416
Second Units	0	48	2	2	0	812
Caretaker Units and Guesthouses	2	2	0	0	0	42
Mixed Use/SRO's	4	0	2	2	0	84
Housing from High Potential Housing Sites	0	40	2	40	0	42
Single Family Homes	0	0	0	0	85	85
Total New Units Anticipated	7	810	96	64	85	3825
Regional Housing Need	4	46	64	54	84	2718
Percent of RHNA Expected to be Met	150%	200%	167%	140%	100%	144%
Units to be Rehabilitated	2	3	6	10	54	7573
Units to be Conserved	26	2652	58	107	556	773

Source: Town of Ross Planning Department

Housing Policies and Implementing Programs

Policies and programs establish the strategies to achieve the quantified objectives described above. The Town's housing policies and implementing programs are grouped in five categories. 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.

1.0 WORK TOGETHER TO ACHIEVE THE TOWN'S HOUSING GOALS

- H1.1 Local Government Leadership.** 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.
- H1.2 Community Participation in Housing and Land Use Plans.** 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.
- H1.3 Inter-Jurisdictional Strategic Planning for Housing.** The Town will coordinate housing development strategies and planning with other jurisdictions in Marin County, as appropriate, to meet the Town's housing needs.
- H1.4 Equal Housing Opportunity.** 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.

Implementing Programs

- H1.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 (second units, rental assistance, rental mediation, rehabilitation loans, etc.).

Responsibility: Planning Department; Town Council.
Financing: Staff time.
Objectives: Handouts, Town website, and presentation material.
Timeframe: Ongoing.

□ **H1.B Collaborate in Inter-Jurisdictional Planning for Housing.** Work toward implementing, whenever possible, agreed-upon best practices, shared responsibilities and common regulations to efficiently and effectively respond to housing needs within a countywide framework.

Responsibility: Planning Department; Town Council.
Financing: Staff time.
Objectives: Coordination with other jurisdictions on housing matters.
Timeframe: Ongoing.

□ **H1.C Disseminate Fair Housing Information.** The Planning Director 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 Planning Director 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: Planning Department.
Financing: Staff time.
Objectives: Provide information on fair housing and assure effective implementation and enforcement of anti-discrimination policies.
Timeframe: Ongoing.

□ **H1.D Respond to Fair Housing Complaints.** The Planning Director will investigate and deal appropriately with fair housing complaints. The Town 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: Planning Department.
Financing: Staff time.
Objectives: Respond to discrimination complaints.
Timeframe: As needed.

2.0 MAINTAIN AND ENHANCE EXISTING HOUSING AND BLEND WELL-DESIGNED NEW HOUSING INTO EXISTING NEIGHBORHOODS

H2.1 Housing Design Process. 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.

H2.2 Preservation of Residential Units. 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.

H2.3 Maintenance of Quality Housing and Neighborhoods. 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 supply of very low to moderate income housing.

Implementing Programs

□ **H2.A Housing Design Review.** The Town will continue to implement the housing design review process, including voluntary advisory design review, and the criteria set forth in Chapter 18.41 of the Ross Zoning Code.

Responsibility: Planning Department, Town Council.
Financing: Staff time.
Objectives: Protection of existing housing.
Timeframe: Ongoing.

□ **H2.B 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 design review process. The Town will continue to implement the hillside ordinance (Chapter 18.39 of the Ross Zoning Code) in facilitating the orderly development of hillside lots. The Town will also continue to require homes to comply with the Building Code through implementation of the Residential Building Record Report program.

Responsibility: Planning Department, Town Council.
Financing: Staff time.
Objectives: Protection of existing housing.
Timeframe: Ongoing.

□ **H2.C Implement Rehabilitation Loan Programs.** Provide handouts and refer people to the Marin Housing Authority 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.

Responsibility: Planning Department; Marin Housing Authority.

Financing: *Staff time.*
Objectives: *Loans provided to rehabilitate housing for very low income households (3 new loans in total).*
Timeframe: *Ongoing.*

□ **H2.D Review Hillside Lot Ordinance.** The Town Council will undertake a comprehensive review of the Hillside Lot Ordinance ~~and amend the ordinance to clarify development guidelines and to include specific~~ methods to determine slope calculations.

Responsibility: *Planning Department and Town Council.*
Financing: *Staff time.*
Objective: ~~Revise~~ *Hillside Lot Ordinance Slope Calculation.*
Timeframe: *By July ~~2010~~2016.*

3.1 USE OUR LAND EFFICIENTLY TO INCREASE THE RANGE OF HOUSING OPTIONS AND TO MEET HOUSING NEEDS FOR ALL ECONOMIC SEGMENTS OF THE COMMUNITY.

H3.1 Diversity of Population. 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.

H3.2 High Potential Housing Opportunity Areas and Programs. 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 to public transportation as needed by the prospective residents.
- 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.
- H3.3 **Housing Opportunities in the Commercial District.** 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.
- H3.4 **Secondary Dwelling Development.** The Town encourages well-designed legal second units, guesthouses, and caretaker units in all residential neighborhoods as an important way to provide workforce and special needs housing. The Town will create incentives and remove constraints to encourage a greater rate of development of secondary dwellings and to legalize existing illegal units.

Implementing Programs

- H2.A **Facilitate Development at High Potential Housing Opportunity Sites.** Undertake implementing actions to facilitate the construction of affordable housing at multi-family housing sites identified in the Town’s Available Land Inventory at The Branson School and the Marin Art & Garden Center.
 - a. Provide flexibility in applying development standards (e.g., parking, floor area, setback, height), subject to the type of housing, size and unit mix, location and overall design.
 - b. Provide fast-track processing and ensure that affordable housing developments receive the highest priority. Efforts will be made by the Town’s staff and Council to: 1. provide technical assistance to potential affordable housing developers in processing requirements, including community involvement; 2. consider project funding and timing needs in the processing and review of the application; and 3. provide the fastest turnaround time possible in determining application completeness.
 - c. Waive or reduce fees on a sliding scale related to the levels of affordability; possibly including a rebate of planning and building fees for units intended to be affordable to very low income households.
 - d. Amend the municipal code to allow residential development as a permitted use in the Community Cultural District where such development is ancillary to permitted uses enumerated in Municipal Code Section 18.28.030. Such residential development will not require a conditional use permit.

Responsibility: Planning Department; Town Council.
Financing: Staff time.

Objectives: Encourage development of six affordable units, one affordable to very low income households and three affordable to low income households.

Timeframe: Municipal code amendments within one year of housing element adoption. Housing development by June 2014.

□ H3.B Implement Actions for Town-owned property at 37 Sir Francis Drake Boulevard. Develop up to 4 additional affordable units on this Town-owned property. The Town will take the following actions to promote the development of affordable housing on the site by 2014:

- a. Seek funding through local, state and federal programs and community foundations.
- b. Consider implementation of an affordable housing impact fee to provide a portion of the project's funding. Any proposed affordable housing impact fee must take into consideration the burden of total building and planning permit fees on potential development.
- c. Maintain the units as affordable rental housing for low and very low income households, utilizing income eligibility requirements and affordability standards as published annually by HCD.
- d. Seek a partnership with a non-profit organization by December 2011 to develop and maintain the units.
- e. In concert with a non-profit partner, retain an architect to develop plans for up to 4 additional affordable units on the site by June 2012.
- f. Town Council to act on non-profit partner's development proposal by December 2012.

Responsibility: Planning Department; Town Council.

Financing: Staff time.

Objectives: Strive to achieve 2 units affordable to very low and 2 units affordable to low income households.

Timeframe: By June 2014.

□ H3.C ~~Amend the Municipal Code to Encourage Development of Multi Family Housing in the Commercial and Civic Districts.~~ Encourage mixed uses and development of housing in the Commercial District when applications for redevelopment are proposed.

- ~~a. Amend the municipal code to allow multi-family housing in the Civic District and residential units mixed with commercial development in the Commercial District as permitted uses that do not require a conditional use permit.~~

- ~~b. Establish development standards in the C-L District that will facilitate the development of multi-family housing, such as: one parking space per unit; a building height of 30 feet; lot coverage of 100%; and, a floor area ratio of 1.3.~~
- ~~c.a. Establish development standards in the C-D District that will facilitate the development of multi-family housing, such as: one parking space per unit; a building height of 30 feet; lot coverage of 50%; and, a floor area ratio of 0.5.~~

~~Responsibility: Planning Department; Town Council.
 Financing: Staff time.
 Objectives: Modify parking requirements, establish development standards, and remove use permit requirements. Encourage creation of four housing units.
 Timeframe: Four new units by 2022. Municipal code amendments within one year of housing element adoption.~~

~~□ H3.D Amend the Municipal Code to Allow Single Room Occupancy Units in the Commercial District. In order to provide housing for extremely low income households, the Town will amend the municipal code to specifically allow single room occupancy units in the commercial district as a conditional use.~~

~~Responsibility: Planning Department; Town Council.
 Financing: Staff time.
 Objectives: Amend zoning ordinance. Provide housing for four extremely low income households.
 Timeframe: Within one year of adoption of the housing element.~~

~~□ H3.E Amend the Municipal Code to Permit Transitional and Supportive Housing. To encourage transitional and supportive housing, especially for extremely low income households, the Town will amend the municipal code governing all residential zoning districts to permit transitional and supportive housing as a residential use, subject only to those regulations that apply to other residential dwellings of the same type in those zones. Add definition for Supportive Housing □ to the municipal code.~~

~~Responsibility: Planning Department; Town Council.
 Financing: Staff time.~~

~~Objectives: Amend municipal code. Provide housing for four extremely low income households.~~

~~Timeframe: Municipal code amendments within one year of housing element adoption.~~

H3.DF ~~Modify Continue to Encourage~~ Second Dwelling Unit Development Standards and Permitting Process. ~~Modify the second unit ordinance to encourage larger units affordable to moderate income households and to encourage a greater rate of second unit development.~~

~~a. Establish a discretionary review process to allow design review of second units that do not meet development standards for ministerial review and approval. Adopt development standards that allow unit size up to 1,200 square feet and allow units to be newly constructed on second stories, subject to design review approval.~~

~~b. Require no more than one screened, off-street parking space for a unit between 700 and 1,200 square feet in size.~~

~~e.a. Provide information about the new second unit ordinance through ongoing communications, including Town meetings, email notices, the town newsletter, and the Town website, as well as through the local newspaper and the Ross Property Owners Association’s newsletter upon adoption of new ordinances.~~

~~e.b. Encourage second unit development through the advisory design review process and through Town publications and planning materials.~~

~~e.c. Advise owners of Marin Municipal Water District’s fee reduction program for deed-restricted low income second units.~~

~~e.d. Waiving or reduce the second unit permit fee for units developed by nonprofit agencies.~~

Responsibility: Planning Department.

Financing: Staff time.

Objectives: Adoption of procedures and requirements for discretionary review of second units; ~~8-12~~ additional second units.

Timeframe: Ordinance adoption within one year of housing element adoption; ~~±~~Second unit development by ~~2023~~June 2014.

H3.E Encourage Legalization of Existing Illegal Units. Require property owners to legalize existing second units through more rigorous application of code enforcement procedures. Consider waiving second unit permit fees for legalized units. Advise owners of Marin Municipal Water District’s fee reduction program for deed-restricted low income second units.

Responsibility: Building Department.
Financing: Staff time.
Objectives: Legalization of two illegal second units.
Timeframe: By ~~June 2014~~2015.

H3.F Require Secondary Dwellings to Be Permitted as a Second Unit, Guesthouse or Caretaker Unit. The Town will require all secondary dwellings with a

No.	Policy/Program and Objective (quantified/qualified)	Timeline in Original Plan	Completed	In Progress	Not Completed/Deferred	Result	Evaluation	Continue/Modify/Delete
Goal 10 Provision of Affordable Housing Opportunities								
H.E. 1.)	Housing Element							
H1.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 (second units, rental assistance, rental mediation, rehabilitation loans, etc.).	Ongoing		X		Due to limited staff resources (one planning department employee), the Town has not conducted any special public presentations on housing issues. Town staff informs residents of housing programs, such as the second unit program, as opportunities arise.	Mostly successful. Town staff provided written material and verbally informed residents of housing programs, particularly the second unit program. Several second units were developed in the housing period.	The Town will continue this program.
H1.B	Collaborate in Inter-Jurisdictional Planning for Housing. Work toward implementing, whenever possible, agreed-upon best practices, shared responsibilities and common regulations to efficiently and effectively respond to housing needs within a countywide framework.	Ongoing		X		Ongoing.	Town involved with One Bay Area regional transportation and planning effort in 2011-2013.	Continue.
H1.C	Disseminate Fair Housing Information. The Planning Director 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 Planning Director will provide information to real estate professionals, property owners and tenants on their rights, responsibilities, and the resources available to address fair housing issues.	Ongoing		X		Currently implementing.	Ongoing.	Continue.

No.	Policy/Program and Objective (quantified/qualified)	Timeline in Original Plan	Completed	In Progress	Not Completed/Deferred	Result	Evaluation	Continue/Modify/Delete
H1.D	Respond to Fair Housing Complaints. The Planning Director will investigate and deal appropriately with fair housing complaints. The Town 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.	As needed		X		Ongoing.	No complaints have been received since Housing Element was adopted.	Continue.
H.E. 2.0	Maintain and enhance existing housing and blend well-designed new housing into existing neighborhoods			X				
H2.A	Housing Design Review. The Town will continue to implement the housing design review process, including voluntary advisory design review, and the criteria set forth in Chapter 18.41 of the Ross Zoning Code.	Ongoing		X		Currently implementing.	Ongoing.	Continue.
H2.B	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 design review process. The Town will continue to implement the hillside ordinance (Chapter 18.39 of the Ross Zoning Code) in facilitating the orderly development of hillside lots. The Town will also continue to require homes to comply with the Building Code through implementation of the Residential Building Record Report program.	Ongoing		X		Currently implementing.	Ongoing.	Continue.
H2.C	Implement Rehabilitation Loan Programs. Provide handouts and refer people to the Marin Housing Authority 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. Objective: Loans provided to rehabilitate housing for very low income households (3 new loans in total)	Ongoing		X		Currently implementing.	Ongoing.	Continue.

No.	Policy/Program and Objective (quantified/qualified)	Timeline in Original Plan	Completed	In Progress	Not Completed/Deferred	Result	Evaluation	Continue/Modify/Delete
H2.D	Review Hillside Lot Ordinance. The Town Council will undertake a comprehensive review of the Hillside Lot Ordinance and amend the ordinance to clarify development guidelines and to include specific methods to determine slope calculations.	July 2010	X			Hillside Lot Ordinance reviewed and updated by Ordinance 620, adopted September 2009.	Partially completed. However, the calculation of slope continues to be problematic.	Modify to address slope calculation issue.
H.E. 3.0	Use our Land Efficiently To Increase the Range of Housing Options and to Meet Housing Needs For All Economic Segments Of The Community							
H3.A	Facilitate Development at High Potential Housing Opportunity Sites. Undertake implementing actions to facilitate the construction of affordable housing at multi-family housing sites identified in the Town's Available Land Inventory at The Branson School and the Marin Art & Garden Center. Objectives and timeframe: Encourage development of six affordable units, one affordable to very low income households and three affordable to low income households.	June 2014				No units developed.	No applications received.	Continue.
a.	Provide flexibility in applying development standards (e.g., parking, floor area, setback, height), subject to the type of housing, size and unit mix, location and overall design.	Nov. 2011	X			Completed by Ordinance 614 (2009) and Ordinance 631 (2012)		Delete. Successfully completed.
b.	Provide fast-track processing and ensure that affordable housing developments receive the highest priority. Efforts will be made by the Town's staff and Council to: 1. provide technical assistance to potential affordable housing developers in processing requirements, including community involvement; 2. consider project funding and timing needs in the processing and review of the application; and 3. provide the fastest turnaround time possible in determining application completeness.	Ongoing		X		No affordable housing development projects have been received for the high potential housing opportunity sites.		Continue.
c.	Waive or reduce fees on a sliding scale related to the levels of affordability; possibly including a rebate of planning and building fees for units intended to be affordable to very low income households.	Nov. 2011		X		No requests for fee reduction have been requested.	Ongoing.	Continue.

No.	Policy/Program and Objective (quantified/qualified)	Timeline in Original Plan	Completed	In Progress	Not Completed/Deferred	Result	Evaluation	Continue/Modify/Delete
d.	Amend the municipal code to allow residential development as a permitted use in the Community Cultural District where such development is ancillary to permitted uses enumerated in Municipal Code Section 18.28.030. Such residential development will not require a conditional use permit.	Nov. 2011	X			Completed by Ordinance 631 (2012).		Delete. Successfully completed.
H3.B	Implement Actions for Town-owned property at 37 Sir Francis Drake Boulevard. Develop up to 4 additional affordable units on this Town-owned property. The Town will take the following actions to promote the development of affordable housing on the site by 2014:				X	Site has been zoned for public multifamily housing development. No units developed.	The town has not pursued development of the units. The Town Council is conducting a fiscal analysis for the site.	
a.	Seek funding through local, state and federal programs and community foundations.				X	No funding sought for unit development.		
b.	Consider implementation of an affordable housing impact fee to provide a portion of the project's funding. Any proposed affordable housing impact fee must take into consideration the burden of total building and planning permit fees on potential development.				X	No impact fee established.		
c.	Maintain the units as affordable rental housing for low and very low income households, utilizing income eligibility requirements and affordability standards as published annually by HCD.				X	Units were not constructed.		
d.	Seek a partnership with a non-profit organization to develop and maintain the units.	December 2011			X	No partnership sought.		
e.	In concert with a non-profit partner, retain an architect to develop plans for up to 4 additional affordable units on the site	June 2012			X	February 2006, Town Council considered programmatic design for development.		
f.	Town Council to act on non-profit partner's development proposal.	December 2012			X	No partnership sought.		
	Objective: to achieve 2 units affordable to very low and 2 units affordable to low income households.	June 2014			X	No units developed.		
H3.C	Amend the Municipal Code to Encourage Development of Multi Family Housing in the Commercial and Civic Districts.							

No.	Policy/Program and Objective (quantified/qualified)	Timeline in Original Plan	Completed	In Progress	Not Completed/Deferred	Result	Evaluation	Continue/Modify/Delete
a.	Amend the municipal code to allow multi-family housing in the Civic District and residential units mixed with commercial development in the Commercial District as permitted uses that do not require a conditional use permit.	Nov. 2011	X			Completed by Ordinance 631 (2012)		Delete. Successfully completed.
b.	Establish development standards in the C-L District that will facilitate the development of multi-family housing, such as: one parking space per unit; a building height of 30 feet; lot coverage of 100%; and, a floor area ratio of 1.3.	Nov. 2011	X			Completed by Ordinance 631 (2012)		Delete. Successfully completed.
c.	Establish development standards in the C-D District that will facilitate the development of multi-family housing, such as: one parking space per unit; a building height of 30 feet; lot coverage of 50%; and, a floor area ratio of 0.5.	Nov. 2011	X			Completed by Ordinance 631 (2012)		Delete. Successfully completed.
H3.D	Amend the Municipal Code to Allow Single Room Occupancy Units in the Commercial District. In order to provide housing for extremely low income households, the Town will amend the municipal code to specifically allow single-room occupancy units in the commercial district as a conditional use. Amend zoning ordinance. Provide housing for four extremely low income households	Nov. 2011	X			Completed by Ordinance 631 (2012)		Delete. Successfully completed.
H3.E	Amend the Municipal Code to Permit Transitional and Supportive Housing. To encourage transitional and supportive housing, especially for extremely low income households, the Town will amend the municipal code governing all residential zoning districts to permit transitional and supportive housing as a residential use, subject only to those regulations that apply to other residential dwellings of the same type in those zones. Add definition for —Supportive Housing to the municipal code. Goal: Housing for 4 extremely low income households	Nov. 2011	X			Completed by Ordinance 631 (2012)		Delete. Successfully completed.
H3.F	Modify Second Dwelling Unit Development Standards and Permitting Process. Modify the second unit ordinance to encourage larger units affordable to moderate income households and to encourage a greater rate of second unit development. Objective: 8 additional second units by 2014.							

No.	Policy/Program and Objective (quantified/qualified)	Timeline in Original Plan	Completed	In Progress	Not Completed/Deferred	Result	Evaluation	Continue/Modify/Delete
a.	Establish a discretionary review process to allow design review of second units that do not meet development standards for ministerial review and approval. Adopt development standards that allow unit size up to 1,200 square feet and allow units to be newly constructed on <u>second stories, subject to design review approval.</u>	Nov. 2011	X			Completed by Ordinance 625, Adopted October 2011		Delete. Successfully completed.
b.	Require no more than one screened, off-street parking space for a unit between 700 and 1,200 square feet in size.	Nov. 2011	X			Completed by Ordinance 625, Adopted October 2011		Delete. Successfully completed.
c.	Provide information about the new second unit ordinance through ongoing communications, including Town meetings, email notices, the town newsletter, and the Town website, as well as through the local newspaper and the Ross Property Owners Association's newsletter upon <u>adoption of new ordinances.</u>	Ongoing		X		Continuing program.	Successful. Many new second units developed.	Continue.
d.	Encourage second unit development through the advisory design review process and through Town publications and <u>planning materials.</u>	Ongoing		X		Continuing program.	Ongoing.	Continue.
e.	Advise owners of Marin Municipal Water District's fee reduction program for deed-restricted low income second units.	Ongoing		X		Ongoing	Few deed restricted second units developed.	Continue.
f.	Waiving or reduce the second unit permit fee.	Nov. 2011	X			Completed by Resolution 1754, October 2010. Fee increased by Town Council resolution in December 2012, January 2013 and will increase automatically annually.	The waiver of second unit fees is an encouragement to legalization of nonpermitted housing units, but was not a deterrent to development of <u>new 2nds</u>	Modify.
H3.G	Encourage Legalization of Existing Illegal Units. Require property owners to legalize existing second units through more rigorous application of code enforcement procedures. Consider waiving second unit permit fees for legalized units. Advise owners of Marin Municipal Water District's fee reduction program for deed-restricted low income second units. Objective: legalization of 2 units by <u>June 2014.</u>	June 2014		X		Code enforcement is ongoing but no illegal units have been discovered. One units was legalized during the housing element period.	The town's code enforcement process may result in the legalization of future units.	Continue.

No.	Policy/Program and Objective (quantified/qualified)	Timeline in Original Plan	Completed	In Progress	Not Completed/Deferred	Result	Evaluation	Continue/Modify/Delete
H3.H	Require Secondary Dwellings to Be Permitted as a Second Unit, Guesthouse or Caretaker Unit. The Town will require all secondary dwellings with a kitchen or electrical wiring and/or plumbing for potential use of a kitchen, a full bathroom, and a sleeping area or separate bedroom to be permitted as either a second unit, caretaker unit or guesthouse. The Town will consider allowing properties with two secondary dwellings to permit both as second units. Goal: 4 low income 2nd units, 3 moderate income 2nd units, 4 very low or exceptionally low income guesthouses/caretaker units.	June 2011	X			Ordinance 625, adopted October 2011, allows Council to grant up to two second units on a parcel. One unit created as a guesthouse.	The Town's regulations do not clearly prohibit residents from installing more than one kitchen without a 2nd unit, caretaker unit or guest house. Pool houses often have kitchens and are not counted as living units.	Modify to reflect that property owners are permitted to request up to two second units. Modify regulations to require a use permit to maintain more than one kitchen at a site if it may be used as a housing unit.
H3.I	Incentivize Property Owners to Deed Restrict Second Units to be Affordable to Very Low Income Households. Goal: 4 very low second units.		X					
a.	Relax development standards for property owners that agree to deed- restrict their second unit to be affordable to a very low income household. Consider offering a bonus of up to 500 square feet of additional living area over the square footage allowed under existing development standards.	June 2011	X			Ordinance 625, adopted October 2011, allows Council to grant FAR bonus up to 500 square feet to certain property owners that agree to deed restrict their newly constructed second unit to be affordable to very low income households. One unit has been approved under this program and two are currently under review.	The program has been successful in encouraging the development of second units.	Continue.
b.	Waive or reduce fees when the second dwelling unit is providing documented affordable housing for very low income households.	June 2011			X	No fee waivers are currently permitted in the town fee schedule since the town must cover the cost of providing services.	Due to the high cost of permit fees, fee waivers would eliminate one barrier to the development of new units.	Continue
c.	Determine affordability levels for very low income units using income levels established by HCD.	Ongoing		X		Determined annually when HCD releases income levels.	Ongoing.	Continue.
d.	Require very low income units to be maintained as affordable units for a minimum of 15 years.	June 2011	X			Ordinance 625, adopted October 2011, requires 20 year rent restriction for certain 2nd units		Delete. Successfully completed.

No.	Policy/Program and Objective (quantified/qualified)	Timeline in Original Plan	Completed	In Progress	Not Completed/Deferred	Result	Evaluation	Continue/Modify/Delete
H3.J	Facilitate Development of Housing for Extremely Low Income Households. Undertake implementing actions to facilitate the construction of affordable extremely low income housing, including single room occupancy housing. Goal: 4 extremely low income households.							
a.	Provide flexibility in applying development standards (e.g., parking, floor area, setback, height), subject to the type of housing, size and unit mix, location and overall design.	Ongoing	X			Relaxed development standards adopted through Ordinances 614 (2009), 625 (2011), 631 (2012), and 641 (2013). Three large second units have been developed using the flexible standards.	Changes to municipal code have resulted in new units.	Delete. Successfully completed.
b.	Provide fast-track processing and ensure that affordable housing developments receive the highest priority. Efforts will be made by the Town's staff and Council to: 1. provide technical assistance to potential affordable housing developers in processing requirements, including community involvement; 2. consider project funding and timing needs in the processing and review of the application; and 3. provide the fastest turnaround time possible in determining application completeness.	Ongoing		X		Few affordable housing projects have been proposed.	Limited success because of lack of affordable housing developments seeking permits	Continue.
c.	Waive or reduce fees, possibly including a rebate of planning and building fees for units intended to be affordable to extremely low income households.	Ongoing		X		No fee waiver requests have been received.	The program may result in encouraging the development of affordable housing. The fee schedule should be modified to identify that a waiver of fees may be requested.	Continue.
d.	Prioritize funding from a local affordable housing impact fee or from other local, state and federal sources and community foundations for the development of extremely low income housing.	Ongoing		X		No funding sources have been identified or prioritized.	Offering funding for unit development would be an incentive for extremely low income housing.	Continue.

No.	Policy/Program and Objective (quantified/qualified)	Timeline in Original Plan	Completed	In Progress	Not Completed/Deferred	Result	Evaluation	Continue/Modify/Delete
H3.K	Adopt State-Mandated Density Bonus Ordinance. The Town will adopt a density bonus ordinance in compliance with Government Code Section 65915.	Nov. 2011	X			Completed with adoption of Ordinance 631 (2012).	No density bonuses have been requested, but they are available.	Delete. Program completed.
H4	Provide Housing for Special Needs Populations							
H4.A	Assure Good Neighborhood Relations Involving Emergency Shelters, Residential Care and Other Special Needs Facilities. Encourage positive relations between neighborhoods and providers of emergency shelters, supportive and transitional housing, residential care facilities and other special needs facilities. Providers and sponsors of emergency shelters, transitional housing programs and community care facilities will be encouraged to establish outreach programs with their neighborhoods.	Ongoing		X		No applications were received in the current cycle.		Continue.
H4.B	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 actions 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.	Ongoing		X		Continuous program.	Ongoing.	Continue.
H4.C	Utilize and Support Available Rental Assistance Programs. Develop and implement measures to make full use of available rental assistance programs. The Town will:							
a.	Maintain descriptions of current programs to hand out to interested persons, and refer people to the Marin Housing Authority Assistline for additional information on the Section 8 Program, Shelter Care Plus, Rebate for Marin Renters, and other rental assistance programs.	Ongoing		X		Currently implementing.	Ongoing.	Continue.
b.	Continue to provide annual funding support to the Rebate for Marin Renters program.	Ongoing		X		Town contributed \$600 in 2011 towards Marin Housing Authority Housing Stability Program (formerly Rebate for Marin Renters Program).	Funding has not been continuous.	Modify to permit the Council to budget to support housing programs.

No.	Policy/Program and Objective (quantified/qualified)	Timeline in Original Plan	Completed	In Progress	Not Completed/Deferred	Result	Evaluation	Continue/Modify/Delete
H4.D	Provide Information on Reasonable Accommodation. The Building Official, 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 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.	Ongoing		X		Under California Civil Code 55.53(d)(1-3) the Town is required to retain at least one building inspector who is a certified access specialist to consult with the Town, applicants and public on compliance with state construction-related accessibility standards with respect to inspections, permitting and plan check services of a place of public accommodation. Planning staff is available to provide information on reasonable accommodation.	Ongoing.	Carry forward as is.
H4.E	Adopt a Reasonable Accommodation Ordinance. Adopt an ordinance to provide individuals with disabilities reasonable accommodation to ensure equal access to housing in accordance with fair housing laws. The ordinance will establish a procedure for making requests for reasonable accommodation in land use, zoning and building regulations, policies and procedures. The procedure will be a ministerial process, subject to approval by the Planning Director applying defined criteria.	December 2010	X			Completed by adoption of Ordinance 631 (2012)	No reasonable accommodation applications have been submitted.	Delete. Program completed.
H5.0	Monitor Accomplishments to Effectively Respond to Housing Needs							
H5.A	Conduct an Annual Housing Element 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.	April each year		X		Ongoing	Updated in April 2011 (for 2010), February 2012 (for 2011), February 2013 (for 2012), January 2014 (for 2013)	Continue.
H5.B	Update the Housing Element Regularly. Undertake housing element updates as needed, including an update to occur no later than June 30, 2014, or in accordance with State law requirements.	June 2014		X		Ongoing	Housing Element annually updated	Continue.

that integrated with the existing residence. In addition, the project was not opposed by neighbors.

The ADR group discussed the design and materials and supported the deck design as proposed based on the location of existing improvements and made the following recommendations regarding the second unit:

- Continue the style, details and materials from the main residence, particularly on the gable
- Add landscaping on the corner to significantly screen the existing garage and new unit from views from the road
- Integrate the stairs to match the character of the building, consider attaching it to the house

7. Community Workshop on the 2015-2023 Town General Plan Housing Element

Community workshop to solicit ideas and input regarding the update of the Town of Ross Housing Element. Specifically, staff is requesting comments and any suggested additions to the current housing element policies and the current available land inventory for new units. The Housing Element will replace the 2009-2014 update, which is available at http://townofross.org/pdf/resource_center/housing-element-adopted-november-2010.pdf. The Housing Element is an element of the Town General Plan to facilitate the improvement and development of housing for all economic segments of the community. The document reviews community goals, policies and programs for housing as well as the economic, environmental, and fiscal factors involved in addressing state housing goals and regional housing needs. The Housing Element identifies potential housing sites for the Town's share of the Regional Housing Need, which is a minimum of 18 housing units at all income levels. The current Housing Element will be updated and revised following the community workshop and will be presented to the Town Council at a public hearing.

The following ideas were brought up at the workshop (not necessarily recommendations of the Advisory Design Review Group):

- Remove the Bald Hill sites from the inventory since it is a priority for open space and has access and water supply issues.
- There has been council discussion about selling off for private development a portion of the Town Hall site that is currently designated for up to 4 affordable units. Since this is a Town-owned site and under Town control, it is the most promising site for development of affordable housing. The Town should maintain the policy and programs regarding 37 Sir Francis Drake and the program to pursue a partner for its development for affordable housing. Consider expanding the zoning to the adjacent single-family residential site to encourage up to eight affordable units to be created. The Town should include redevelopment of the site for affordable housing in the \$8,000 analysis council commissioned to determine the potential economic and fiscal impacts of the area.

- Since the Branson School is considering moving the school out of Town, the Town should consider its future redevelopment. The site is zoned for low density residential and is at the maximum floor area. The Town should consider potential redevelopment of the Branson School and permitting additional density for additional, small, residences for senior housing to allow residents to downsize and remain in the community.

8. Adjournment

Chris Neumann adjourned the meeting.

DRAFT

Site #1 at 37 Sir Francis Drake Blvd. is owned by the Town of Ross and is currently leased to the Kentfield Fire Department while Kentfield's fire house is undergoing remodeling. The vacant site will become available by year end 2009 when Kentfield's construction is expected to be completed. The Town has previously considered several designs for a four-unit development on this site and has determined development is feasible if the project is built above the 100-year flood level. The site is located within ¼ mile of the local bus stop on a major regional transit route and is within ½ mile distance to the Town's commercial district, government services, and public school. Units limited in size will be affordable to low income households at current market rents. Public and/or private subsidies will be required to make units affordable to very low income households.

Site #2 at 39 Fernhill Avenue is currently used as a private high school. The Branson School operates under a conditional use permit that restricts the number of day students to 320. The site currently contains 7 existing residential units, ranging in size and type from a 700 square foot one-bedroom apartment to a 3,000 square foot, 4 bedroom house. New housing units could be produced through the redevelopment of existing campus buildings for residential uses or of existing single-family dwellings for multifamily use. Under the zoning code, new residential development must be occupied by school staff or faculty, most of whom are expected to be low and moderate income households. There is no limit on the number of housing units allowed on the site; however, housing development must occur within the established floor area ratio of 15%. Multifamily housing development in residential districts is subject to the same setbacks, height, and lot coverage standards as single family development, as described in Table 34 on page 63. Since Site #2 is located in the R-1:B-A district, the specific standards are: 150' lot width, 25' front and side setback, 40' rear setback, and 30' building height restriction. These development standards do not pose a constraint on redevelopment, as all existing buildings are in conformance with the development standards. Redevelopment of existing buildings (see Appendix C) for multifamily use is feasible and the development review process, which is likely to include design review and requests for a demolition permit and conditional use permit, is not expected to impose extraordinary costs or take an unusual length of time for approval. Realistic development capacity during the planning period is three additional housing units.

Site #3 at 30 Sir Francis Drake is currently used as a non-profit art and garden center. The site is located adjacent to local bus stops on a major regional transit route, making it an ideal location for transit-oriented development. Current zoning regulations permit up to 2,100 square feet of residential development with a conditional use permit and limit individual unit size to 700 square feet to ensure affordability for lower-income households. The zoning code does not limit the total number of units permitted on the site. If three or more residential units are developed on the site, at least one unit must be affordable to very low-income households. Realistic development capacity is three housing units.

Single Family Houses. There is potential for 13 new single family homes on existing vacant sites. Single family homes provide housing for above moderate income households. Nine single family houses were developed during the prior planning period, and the Town expects to approve at least as many new houses in the current planning period. The regional housing need calls for eight above-moderate units to be developed by June 30, 2014.

Small Site Development

Small sites typically present significant obstacles to affordable housing development, as the smaller number of units that can be built on such sites usually render the project financially infeasible. In Ross, however, land costs are so high (in excess of \$3 million for an acre of suitable land) that even high-density multi-family projects on large sites would not be financially feasible. In light of this, the Town has selected multi-family housing sites that can be developed for on-site employee housing at the Branson School, the Marin Art & Garden Center, and the Town-owned site at 37 Sir Francis Drake Blvd., where land costs are not a factor and the property owners have an economic self-interest in developing affordable housing as a means to recruit and retain employees.

As the pro-forma budget below shows, small-scale housing projects are financially feasible if the property owner already controls the land. The example assumes housing units will be rented at the average market rent of \$1,438. Assuming the entire project is financed, an annual subsidy of approximately \$19,483 would be required. This subsidy of approximately \$5,000 per employee can reasonably be expected to be borne by the organization as a component of the employee's compensation.

Table 35: Pro-forma Budget for 4-unit Affordable Housing Project

Unit	Affordability Level	Monthly Rent	Unit Size (sf)	Construction Cost at \$350 psf	Amount Financed	Annual Loan Payment at 6% Fixed Rate	Annual Operating Expenses	Annual Rent Revenue	Annual Subsidy Required
#1	Low	\$1,438	700	\$245,000	\$245,000	\$17,627	\$4,500	\$17,256	\$4,871
#2	Low	\$1,438	700	\$245,000	\$245,000	\$17,627	\$4,500	\$17,256	\$4,871
#3	Low	\$1,438	700	\$245,000	\$245,000	\$17,627	\$4,500	\$17,256	\$4,871
#4	Low	\$1,438	700	\$245,000	\$245,000	\$17,627	\$4,500	\$17,256	\$4,871
Totals			2,800	\$980,000	\$980,000	\$70,507	\$18,000	\$69,024	\$19,483

At the 37 Sir Francis Drake Blvd. site, the Town could elect to use its general fund to subsidize affordable units for employee housing or, alternatively, rely on revenues from a potential affordable housing impact fee. An impact fee in the range of .25% to .5% would generate revenues between \$40,000 and \$80,000 per year, enough to subsidize a four-unit project with a mix of very low income units. The Town has committed to evaluating a potential affordable housing impact fee as part of the implementing actions of Program H3.B.

In order to facilitate multi-family housing development on the identified Branson School and Marin Art & Garden Center sites, the Town will provide flexibility in applying development standards, fast-track processing, technical assistance, and fee reductions or waivers as detailed in Program H3.A Facilitate Development at High Potential Housing Opportunity sites.

- Organizational Chart & Project Prioritization

Mayor Pro Tempore Strauss provided the Council with an organizational chart and project prioritization that included the following information: flood related, General Plan, workforce housing, underground utilities, downtown parking, parks, consolidation, trees, facilities for town staff. They will create a taskforce to keep this project moving forward. Also, he asked the Council to review the material and make comments in order to finalize the list.

Finance – Jeanne Barr

Council Member Barr would report during Item 9.

Public Works - Council member Durst

Council Member Durst would report during Item 11.

Public Safety - Council member Hunter

Council Member Hunter had no report.

8. Flood Update Report.

Mayor Byrnes had nothing further to add.

9. Flood Relief Fund Implementation.

Council Member Barr noted that she along with Council Member Hunter met to discuss who would receive money in the Commercial District and they would ask each merchant to list what was lost. Council Member Hunter stated that they would divide out the money on the basis of need. Some will not apply for any and others will have a great need. The Finance Committee will develop suggestions on how to divide the money and the Council will make a determination.

Town Manager Broad announced that if they include the \$50,000 seed money from the Town, the \$5,000 from the County, and the donations that puts them just beyond \$100,000 as of today, which is a terrific outpouring from people of the community and County.

Michael Yandle, architect, asked the Council to figure out a way to provide funds to those that are in desperate need. Council Member Hunter agreed.

10. Report from Ross Property Owners Association.

Frank Doodha, representing, RPOA, noted that the RPOA is pleased to have contributed to the Ross Relief Fund. Also, they sponsored CPR training on Saturday and anyone interested in participating in such training should contact Ms. Rudden to plan another training.

11. Presentation and Request for Council Direction on Programmatic Designs for 37 Sir Francis Drake Workforce Housing by Roberta Wahl of PLUM Architects.

Councilmember Durst asked the Council to provide direction on the number of units deemed practical based on the understanding of the housing element as well as provide direction on the building shape and configuration. After this evening, she along with Council Member Hunter will have enough input to run with this project. She then

provided an image of what this home on Sir Francis Drake should be in order to have a nice family lifestyle in a comfortable circumstance.

Roberta Wahl, representing, PLUM Architects, provided TAM with a presentation on site programming that included the following:

- Overview – Scheme A, B, C & D
- Site Plan
- Scheme A – Version 1
- Scheme B – Version 2
- Scheme A – Ground Floor Plan
- Scheme A – Second Floor Plan
- Scheme B – Version 1
- Scheme B – Ground Floor Plan
- Scheme B – second Floor Plan
- Scheme C- Version 1
- Scheme C- Version 2
- Scheme C – Ground Floor Plan
- Scheme C – Second Floor Plan

Town Manager Broad noted that modifications are needed for parking and access to be on-site at 37 Sir Francis Drake, not through the corporation yard.

Council Member Hunter noted that such parking would change almost everything.

Council Member Durst responded that with the four unit scheme they would have to take out one unit and then parking would be onsite for three cars, so all designs could be tweaked to accommodate parking. A decision is not necessary tonight, and if the Council needed to review that would be acceptable.

Council Member Barr clarified that Ms. Wahl is thinking one car per unit. Ms. Wahl responded in the affirmative.

Town Manager Broad asked Council to provide written comments to staff by the 23rd and then this item could come back at the March meeting.

Mayor Pro Tempore Strauss recommended limiting the units to two-bedrooms and having onsite parking. He also believed screening is necessary and recommended that the structure be as green as possible. Also, any method to elevate space would be great. He further recommended that parking be considered under the building.

Council Member Durst stated that the Housing Element indicated that in order to qualify, the units must accommodate a family of four; not all of them, but two to three units must accommodate a family of four.

The Council agreed to provide written comments to staff before the 23rd.

12. Fiscal Year 2005-2006 Budget Amendment Due to Flood-Related Expenditures.

Gary Broad, Town Manager, summarized the staff report and recommended that the Council approve the Fiscal Year 2005-2006 budget amendment due to flood-related expenditures with the reimbursement for flood related expense up to \$450,000. Also,

3. Workforce Housing/37 Sir Francis Drake: This project is more immediate; the demolition of the house was on the agenda, there are plans to work on the redevelopment of the site and refinancing, with the hope that by the end of 2007, staff could have new workforce housing on the property.

4. Fire consolidation: This is something they have put energy into, are optimistic that by the end of 2006, the town could make a decision as to the feasibility of fire consolidation or to decide not to pursue consolidation.

5. Administrative Facilities Work: We are continuing to work on the new administrative facilities, we have gone as far as looking at trying to do additional financial studies and evaluation of the feasibility for options through the remainder of this year. Construction would be a future item and he was reluctant to talk about a timeframe for construction because much depended on the design phase. He felt it would be great to get it done in 2007.

Council Member Durst felt that as far as combining workforce housing construction and administrative facilities, personnel may already be in place for on-site to do workforce housing construction, and she wondered if some of the project could be combined to move faster on administrative facilities. Mayor Strauss said there was a lot of planning issues and typically Council would hold a meeting to discuss the prioritization of the issues. Mr. Broad felt what is presented was a concept time frame, felt it was useful for the Council and staff to utilize the list for all projects and he felt priorities may shift around if there are efficiencies doing two projects at the same time.

6. Undergrounding: Mr. Broad said this was a long-term project, a fairly detailed process in terms of beginning to develop policies and procedures, having public outreach, and then forming assessment districts and preliminary engineering work, which would take several years to have something physically done in the town.

Council Member Durst indicated that her name should be included as the assigned point person on the list for undergrounding.

7. Public Outreach: Staff is working on rebuilding the website so Linda Lopez would be able to update, change and add content. Town Manager Broad felt it was valuable to be able to internally change and update and post items, make it more interactive and spontaneous and allow people in the community to get new information from it. Within a few months staff should be able to post information on it.

8. General Plan: Mr. Broad said the General Plan was on-going. Staff was in the middle of working with the steering committee on the initial draft, would be holding additional community workshops and a new General Plan should be adopted by the end of the year, which leads into the longer term project with an updated zoning ordinance with changes and potentially a significant rewrite of the rezoning ordinance over the next couple of years. A Downtown Master Plan could come out of the General Plan. The 2007/2008 timeframe might be overly ambitious depending on the scope of the project, but the steering committee has looked at ideas on ways to enhance circulation, aesthetics and parking and the way the Post Office and Ross Common come together.

9. On-going Items: Staff has been looking at ways to build up the Town's risk management and human resources practices. He said over the next eight months, there would be more work done in this area and this is an area where there was no focus until recently.

Mr. Broad said the work plan was a starting point, felt there is need for input from the Council who could talk tonight or take it away and have a follow-up discussion.

Agenda Item No. 14f.

To: Mayor and Ross Town Council
From: Christine O'Rourke, Project Planner
Re: Town of Ross Demolition Permit Application
Date: April 14, 2006

I. Project Summary

Legal Owner: Town of Ross
Location: 37 Sir Francis Drake Boulevard
A.P. Number: 73-191-16, C-D
Zoning: Civic District (CD)
General Plan: Public Service (PS)

II. Project Description

Demolition permit to allow the demolition of an existing approximately 2,000 square foot single story residence with attached 2-car garage. No replacement structure is proposed at this time.

III. Discussion

The Town of Ross requests approval to allow the demolition of the existing residence at 37 Sir Francis Drake Boulevard. This residence is owned by the Town of Ross and has been rented to public safety staff for more than twenty years. The residence is located just to the north of the Town's corporation yard.

The demolition ordinance requires that the Council make five specific findings in order to approve an application for the demolition of a residence. These findings, along with staff's comments on each, follow:

1. The demolition will not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural, or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood, or the community.

The existing residence at 37 Sir Francis Drake Boulevard is a common ranch-style house built in the 1950's. It has no historical, architectural, or cultural value. The building is in poor physical condition, having incurred significant flood damage during the New Year's flood. The garage and understory of the building suffered extensive damage from the flood waters, which also made the interior uninhabitable and led to the tenant vacating the property.

Staff has determined that the residence's demolition will not adversely affect the character or qualities of the property or its vicinity. The adjacent property at 39 Sir Francis Drake Blvd. also suffered extensive flood damage and is

destined for demolition and rebuilding as well. Residences along Corte Madera Creek that are vulnerable to flooding and are rebuilt to accommodate higher flood water will improve the overall quality of the neighborhood.

2. The proposed redevelopment of the site protects the attributes, integrity, historical character and design scale of the neighborhood and preserves the "small town" qualities and feeling of the town.

Because no redevelopment of the property is proposed at this time, this finding is not particularly applicable. However, any future redevelopment of the site will be subject to Council review and approval at a public hearing and will have to be consistent with the Town's design review criteria, which require the protection outlined in the above finding.

3. The project is consistent with the Ross General Plan and Zoning Ordinance.

The demolition of the existing residence at 37 Sir Francis Drake is compliant with the zoning ordinance; no variances are requested. The primary issue this application presents with regard to the General Plan is the reduction in housing stock which would result from the demolition. However, the house is uninhabitable in its present condition. While the demolition will result in an initial reduction in the housing stock, this will be temporary as the Town's Housing Element designates this site for workforce housing prior to 2009.

Staff believes this application is consistent therefore with both the general plan and zoning ordinance.

4. The project will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Given the flood-damaged state of the existing residence and damage along the rear creek bank to site walls and fencing, staff believes that detrimental health and safety issues already exist on the property. Demolition will occur while the adjacent neighbors are not living in their house, reducing the unavoidable construction impacts typically experienced by neighbors. Demolition will take place in a manner to protect Corte Madera Creek and to safely remove any hazardous material found in the existing structure or on the site. The site will be left in an attractive and safe condition, with all debris and concrete slabs, foundations, and walkways removed and the land raked clean and level.

5. Projects reducing the number of housing units in the town, whether involving the demolition of a single unit with no replacement unit or

the demolition of multiple units with fewer replacement units, are discouraged; nonetheless, such projects may be approved if the Council makes findings that the project is consistent with the neighborhood and town character and that the project is consistent with the Ross General Plan.

The application currently before the Council proposes the demolition of one housing unit and does not include any immediate proposal to replace that residence.

Given the strong language included in both the zoning code and general plan on the subject of preserving existing housing stock, as a matter of general policy, staff is opposed to any demolition which does not incorporate plans for the immediate redevelopment of the site. However, the property in question is very much a special case for the Town of Ross. The flood of December 31, 2005, resulted in a number of instances in which the Town was required to take emergency, corrective action. The flood-damaged condition of the existing residence and the unprotected condition along the creek bank at the rear of the site present health and safety issues that warrant the structure's immediate removal. In addition, the house is not livable in its current state, so it is not providing housing for the community.

The Town intends to redevelop the site with workforce housing that will result in a net increase in affordable housing units. The Town is exploring possibilities for site redevelopment and believes the property can be redeveloped with replacement housing within a reasonable timeframe.

IV. Recommendation, Findings, & Conditions

Staff recommends approval of this application with the following findings and conditions:

A. Findings:

1. This demolition will not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural, or aesthetic value as discussed above. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood, or the community.
2. The proposed redevelopment of the site protects the attributes, integrity, historical character and design scale of the neighborhood and preserves the "small town" qualities and feeling of the town. No new structures are proposed for the site at this time.
3. As discussed above, this project is consistent with the Ross General Plan and Zoning Ordinance.
4. This project will not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

5. Because of the flood-damaged condition of the existing residence and the property as a whole, the Council finds that the negative impacts of its continuing existence on the general welfare of its neighbors and the town generally outweigh any value it may have as an existing housing unit.
6. This project is categorically exempt from the California Environmental Quality Act review under Section 15301, Existing Facilities.

Conditions

1. **ANY PERSON ENGAGING IN BUSINESS WITHIN THE TOWN OF ROSS MUST FIRST OBTAIN A BUSINESS LICENSE FROM THE TOWN AND PAY THE BUSINESS LICENSE FEE.** Prior to the issuance of a building permit, the owner or general contractor shall submit a complete list of contractors, subcontractors, architects, engineers and any other people providing project services within the Town, including names, addresses and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.
2. Any portable toilets shall be placed off of the street and out of public view.
3. **NO CHANGES FROM THE APPROVED PLANS SHALL BE PERMITTED WITHOUT PRIOR TOWN APPROVAL.** Red-lined plans showing any proposed changes shall be submitted to the Town Planner prior to the issuance of any demolition permit.
4. **FAILURE TO SECURE REQUIRED BUILDING PERMITS AND/OR BEGIN DEMOLITION BY APRIL 17, 2007 WILL CAUSE THE APPROVAL TO LAPSE WITHOUT FURTHER NOTICE.**
5. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All debris, including dirt and mud, shall be cleaned and cleared immediately.
6. The applicant shall continue to pursue plans to redevelop the site to provide replacement units for at least the single family residence being demolished.

c. **Town Council Consideration of Resolution No. 1595 Adopting a Risk Management Program. (Broad)**

d. **Town Council Consideration of Resolution No. 1596 Adopting Paychex Employee Benefit Plan. (Broad)**

e. **Demolition Permit UP No. 333DEM**

The Town of Ross, 37 Sir Francis Drake Boulevard, A.P. No. 73-191-16, C-D (Civic District). Demolition permit to allow the demolition of an existing approximately 2,000 square foot single-story residence with a two-car garage. No replacement structure is proposed at this time.

Conditions

1. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Prior to the issuance of a building permit, the owner or general contractor shall submit a complete list of contractors, subcontractors, architects, engineers and any other people providing project services within the Town, including names, addresses and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.
2. Any portable toilets shall be placed off of the street and out of public view.
3. No changes from the approved plans shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town Planner prior to the issuance of any demolition permit.
4. Failure to secure required building permits and/or begin Demolition by April 17, 2007 will cause the approval to lapse without further notice.
5. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All debris, including dirt and mud, shall be cleaned and cleared immediately.
6. The applicant shall continue to pursue plans to redevelop the site to provide replacement units for at least the single family residence being demolished.
- 7.

f. **Design Review No. 493 and Tree Removal**

The Branson School, 39 Fernhill Avenue, A.P. No. 73-082-12, R-1:B-A (Single Family Residence, One Acre Minimum). Design review to allow the following: 1.) creek bank stabilization at the rear of the Branson gymnasium incorporating a boulder toe, fabric reinforced earth fill, and willow plantings within guideline watercourse setbacks (25 feet recommended, 0 feet proposed); and 2.) creek bank stabilization at the rear of the reading room incorporating a 15 foot tall, 140 linear foot, earth-anchored shot Crete retaining wall within guideline watercourse setbacks (25 feet recommended, 0 feet proposed.) Tree permit approval is additionally requested to allow the associated removal of 6 trees, including 3 live oaks with diameters of 16, 18, and 24 inches, 2 bays with 18 inch diameters, and a 16 inch big leaf maple.

Conditions

1. Prior to the issuance of a building permit, the applicant shall submit a final drainage plan for the review and approval of the Director of Public Works.
2. This project shall comply fully with all requirements of the JARPA review agencies.

- 37 Sir Francis Drake Boulevard Update

Council Member Durst reported that Mayor Pro Tempore Hunter, Town Manager Gary Broad, Christine O'Rourke and she met to discuss plans for 37 Sir Francis Drake. They have determined to go with a 3-4 unit configuration, parking for 5-6 cars with a driveway separate from the one used by the corporation yard for very low income families. If they designate all very low income it makes the Town eligible for about \$300,000 in grants for the building. The building will be environmentally designed and they will go for green building certification with the County. Many thanks to Christine for important insights and helping to bring focus to this project. She then announced that the Town Manager would report on progress with the demolition.

Town Manager Broad clarified that they decided to ask the architect to develop plans for 37 Sir Francis Drake Boulevard and this will still come back to Council for approval with a public hearing. In terms of demolition, they will move ahead with the demolition of 37 Sir Francis Drake Boulevard. They contracted with an individual to do the necessary asbestos inspection tomorrow morning, which is required to get the Bay Area Air Quality Management Permit to demolish this structure. Also, Public Safety will be allowed to conduct some training exercises in the building throughout the month of May. If they have a contract from a demolition contractor they will begin demolition in the beginning of June for removal of that building. Council Member Durst added that the demolition contractor is a certified green building professional.

- Report on Potential Rental of 6 Redwood

Council Member Durst reported on 6 Redwood, which is currently vacant. The heating unit was destroyed in the flood. In order to replace the existing forced air heating system they would have to replace the furnace in the attic and redo the ductwork. They have deemed that an unwise expenditure of funds based on the rent they charge. They offered to install electric wall heat, but the tenant would rather move. Also, she is working with some former teachers from Ross School to use 6 Redwood as a tutoring center. Specifically Krista Poston-Dern and Gail Siegel. She explained that the School Board is evaluating whether or not there should be tutoring on site as an appropriate use of space. Many school districts do not allow after school tutoring of their students on site. Yet many children are tutored. The idea would be to use 6 Redwood as a place where students could go after school, before or after soccer practice. Ms. Poston-Dern is willing to install the wall heat and prepare the building for occupancy in consideration for a reasonable rent. Ms. Poston-Dern will be the tenant and manage the space as a tutoring center. She added that she would let everyone know how it works out.

A Ross resident asked the Council to discuss the long-range plan for 6 Redwood. Council Member Durst had no idea. She explained that at this point they are finishing Sir Francis Drake Boulevard, then the Town will re-evaluate the Housing Element in order to make a decision. She believed the ability to complete that project is late 2007. Mayor Strauss added that they must evaluate housing in Town.

Barbara Call, 8 Redwood, asked the Council why workforce housing is not being considered at this site. Also, why is the house in such poor condition and left to look like a derelict piece of property. She then provided photographs to the Council for their consideration in regard to the condition of 6 Redwood. Mayor Strauss directed staff to investigate.