



Staff Report

Date: December 8, 2022

To: Mayor Kuhl and Council Members

From: Rebecca Markwick, Planning and Building Director

Subject: Draft 2023-31 Housing Element

Recommendation

It is recommended that the Town Council discuss a summary of public comments on the Draft 2023-31 Housing Element submitted during the 30-day review period and provide direction to staff to send the Draft Housing Element to the State of California Department of Housing and Community Development to start the department's legally required 90-day review.

Background

Like other communities in the Bay Area, the Town of Ross is required to update the Housing Element of the General Plan to address local housing needs and new State laws. Amid the ongoing housing shortage in California, Ross is required by law to plan for 111 new housing units over the next eight years. The Town of Ross has been working with the consulting firm Dyett and Bhatia who has prepared a memo that introduces the Draft Housing Element. The memo has been prepared to introduce the Draft 2023-31 Housing Element and to provide a summary of the legal requirements for the housing element, the process by which it has been prepared, the content included, and the comments received during the public review period.

Under State law, the California Department of Housing and Community Development (HCD) must review the Town's Housing Element and certify it as complete. There are penalties for jurisdictions that fail to adopt a certified Housing Element, including suspension of local authority to issue building permits or grant zoning changes, variances, or subdivision map approvals; potentially significant court-imposed fines or receivership, whereby a court-appointed agent is empowered to remedy identified Housing Element deficiencies and bring the Housing Element into substantial compliance with State law. In Southern California, housing activists have recently sued several cities to compel compliance with State Housing Element law.

Attachments

- Memorandum: Town Council Review of the Draft 2023-31 Housing Element

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M E M O R A N D U M

To: Rebecca Markwick, Planning and Building Director, Town of Ross
From: Andrew Hill, Principal
Re: Town Council Review of Draft 2023-31 Housing Element
Date: November 28, 2022 (revised Dec.1)

The Town of Ross has prepared an update to the Housing Element of the General Plan to comply with the legal requirements for the Sixth Housing Element Cycle, which runs from 2023 to 2031. The memo has been prepared to introduce the Draft 2023-31 Housing Element and to provide a summary of the legal requirements for the housing element, the process by which it has been prepared, the content included, and the comments received during the public review period.

BACKGROUND

Under State law, each city and county in California must plan to accommodate its share of the regional housing need - called the Regional Housing Needs Allocation (RHNA) - for the coming 8-year planning period. The State determines the estimated need for new housing in each region of California, based on population projections and other factors including rates of vacancy, overcrowding, and cost-burden. The various regional planning agencies then allocate a target to each city or town within their jurisdiction, considering factors such as access to jobs, good schools, and healthy environmental conditions. RHNA is split into four categories representing different levels of affordability, based on median income level in the county. The affordability categories are as follows:

- Very Low Income - Households making less than 50 percent of the average median income (AMI)
- Low Income - Households making 50-80 percent of AMI
- Moderate Income - Households making 80-120 percent of AMI
- Above Moderate Income - Households making more than 120 percent of AMI

Amid the ongoing housing crisis in California, Ross is required to plan for at least 111 new housing units between 2023 and 2031, including 34 Very Low Income units, 20 Low Income units, 16 Moderate income units, and 41 Above Moderate units.

Under State law, the California Department of Housing and Community Development (HCD) must review the Town's Housing Element and certify it as complete. There are penalties for jurisdictions that fail to adopt a certified Housing Element, including suspension of local authority to issue building permits or grant zoning changes, variances, or subdivision map approvals; potentially significant court-imposed fines; or receivership, whereby a court-appointed agent is empowered to remedy identified Housing Element deficiencies and bring the Housing Element into substantial compliance with State law. In Southern California, housing activists have recently sued several cities to compel compliance with State Housing Element law.

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PROCESS RECAP

The Town initiated the Project in March 2022 and conducted a range of community engagement activities to solicit input from Ross residents. These activities included townwide mailers sent to all residents to raise awareness of the process and opportunities for input; focus group discussions with property owners, developers, and architects; presentations to stakeholder groups including the Ross Property Owners' Association, the Age Friendly Task Force, and the Advisory Design Review Group; and presentations before the Town Council. Additionally, a community workshop attended by over 50 residents was held in July, and the Town conducted an online survey to gather feedback from Ross residents. Input from all these outreach activities has informed development of the Draft Housing Element.

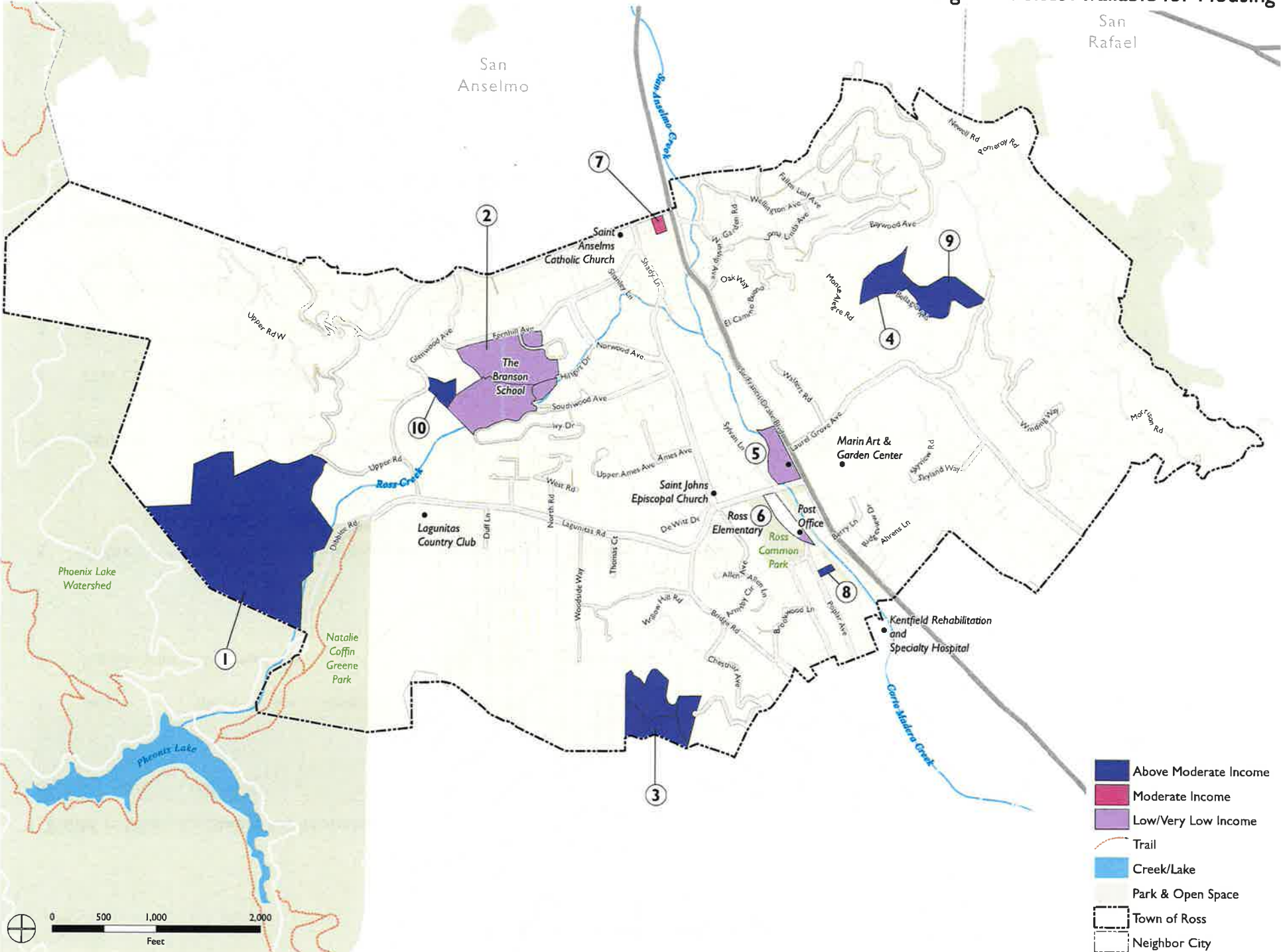
The Draft Housing Element was posted on the Town's website on October 18, 2022 and made available for public review for a period of 30 days, consistent with State law. A second open house meeting was held on November 7 to introduce the Draft to the community and receive comments. A mailer was also sent to every address in town, providing a link to the Draft and inviting written comments. The Draft Housing Element is included in Attachment 1.

SUMMARY OF DRAFT HOUSING ELEMENT CONTENT

As required by State law, the Draft Housing Element includes a map of sites available for housing and an inventory of realistic capacity for residential development on them, based on a consideration of past performance in Ross and the surrounding area and on environmental constraints and market factors. The inventory (Table 1) demonstrates a total capacity of up to 148 new housing units, which is sufficient to meet the Town's RHNA obligations at all income levels with a buffer. The buffer is required to ensure that there is sufficient capacity to meet RHNA obligations at all times during the planning period, in the event that some sites on the inventory develop at lower densities than envisioned. Implementation of the Draft Housing Element would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites.

Of the total capacity on the inventory, 41 units would be accommodated on the 10 sites with current zoning that allows for housing (See Map 1). These are vacant and underutilized sites or sites where the property owner has expressed interest in housing. They include the Ross Civic Center, the Branson School, the Post Office, and several vacant residentially zoned properties. Additionally, the inventory projects development of 80 accessory dwelling units (ADUs) on existing single-family lots in established neighborhoods, based on past production trends in Ross and a suite of programs proposed to facilitate and incentivize production over the planning period. Given their small size and lower rents and sales prices, ADUs would offer affordable housing options for seniors, live-in caregivers, teachers, public servants, and other who work in Ross. A further 22 units are projected on existing single-family lots pursuant to Senate Bill 9 (SB9), 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

Figure 1: Sites Available for Housing



Source: FEMA 2019, CAH 1982, 1987, Perry Map 1952, Open & Street 2017

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Table 1: 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	53.00	R-I_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-I_B-A	10	10		
3	I IWH	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-I_B-5A	2			2
4	Pomeroy	North of 14 Bellagio Rd and South of 78 Baywood Ave	072-031-01	Vacant	2.82	R-I_B-5A	1			1
5	Civic Center	33 Sir Francis Drake Blvd	073-191-16	Public	2.40	C-D	6	6		
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-I_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

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Table 1: Sites Available for Housing

No.	Site Name	Address	APN	Existing Use	Acres	Zoning	Capacity			
							Total Units	Low/ Very Low	Moderate	Above Moderate
10	Siebel	Between 36 Glenwood Ave and 81 Fernhill Ave	073-072-07	Vacant	1.07	0.0%	1			1
SUBTOTAL							41	22	3	16
Accessory dwelling units (@ 10/year)							80	48	24	8
Existing units at Branson to deed restrict							5	5		
SB9 Housing ¹							22			22
TOTAL							148	75	27	46
RHNA							111	54	16	41
BUFFER							37	21	11	5

¹ The inventory projects development of 22 SB9 units over the planning period, based on the assumption that 15 percent of the total capacity on SB9 candidate sites is developed.

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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 shown on Map 2, 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. The inventory projects up to 22 new units on some combination of the SB9 sites will be developed by 2031, representing 15 percent of the total capacity of the 48 sites.

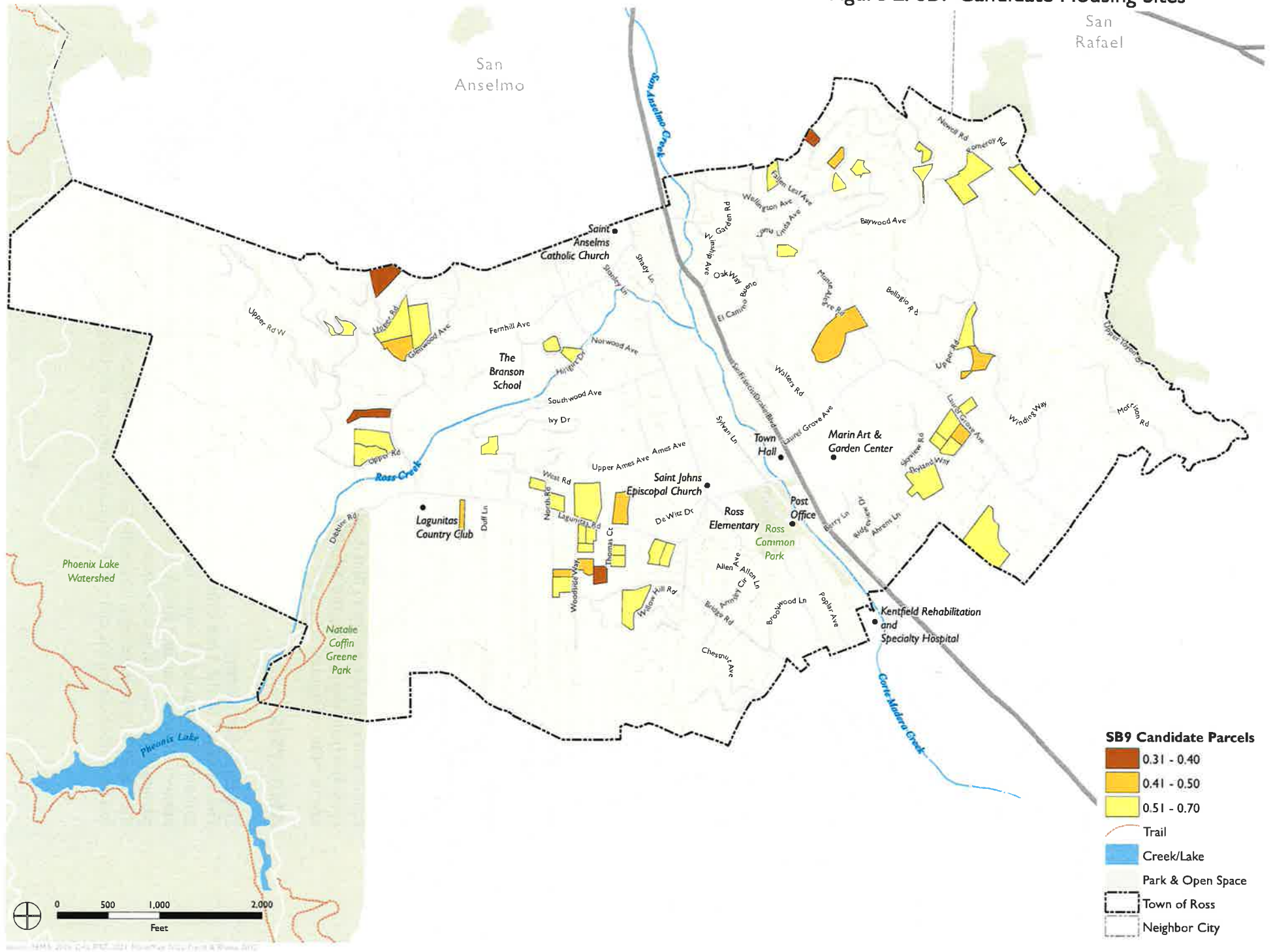
The Draft Housing Element also includes an Action Plan, organized around five housing goals. Each goal is supported by policies and implementing programs that describe actions the Town will take to help meet its RHNA obligations. The goals and policies have been carried over from the 2015-23 Housing Element, along with several implementing programs. Additionally, new programs have been added to address the housing needs and constraints identified for the upcoming housing element cycle and to ensure the Town remains in compliance with State housing law. Specifically, new programs have been added to:

- Promote the production of market rate housing for Above Moderate Income households by streamlining the design review process (Program 2-A); promoting and incentivizing SB9 housing (Program 2-B); facilitating development on adjacent single-family lots under common ownership (Program 2-C).
- Promote the production of workforce housing affordable to households making less than 80 percent of the area median income for Marin County by developing housing on the Civic Center site (Program 3-A); partnering with a non-profit housing developer to facilitate housing on a southern portion of the Post Office Parking lot (Program 3-B); reducing parking requirements for multifamily and caretaker housing projects (Program 3-C); working with the Branson School to facilitate on-site construction of housing for teachers and staff (Program 3-K).
- Promoting the production of ADUs by creating an amnesty program for existing unpermitted ADUs (Program 3-E); offering pre-approved ADUs plans (Program 3-F); providing technical assistance and informational resources for homeowners interested in building ADUs (Program 3-G); forming an ad hoc committee of residents to research and share best practices for ADUs (Program 3-H); offering a discount on ADU fees for homeowners who rent restrict their units for members of the local workforce.

SUMMARY OF PUBLIC COMMENTS

The public comment period of the Draft Housing Element ran from October 18 through November 18, 2022. A total of 53 written comments were received during the comment period. These are included in Attachment 2, organized alphabetically by surname of the commenter. One of the comments was from a non-profit housing advocacy group, the Campaign for Fair Housing Elements. All other comments were from Ross residents. Overall, there was generally support for promoting the development of ADUs throughout Ross as a way to satisfy the Town's RHNA obligations at all income levels. A small number of commenters (less than 10 percent) objected to new housing and to updating the Housing

Figure 2: SB9 Candidate Housing Sites



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Element at all. Other commenters suggested the following revisions to the Draft Housing Element:

Post Office/Downtown

By far the most common suggestion was that the Post Office site be removed from the inventory and map of sites. In total, 31 of the 53 comment letters objected to promoting new housing on the southern portion of this site or in the Downtown area. The primary concern cited by these commenters was that new housing in the downtown area would adversely alter the character of the community, while other concerns cited had to do with flood risk, liquefaction risk, and parking availability. Several of these commenters suggested that more housing could be built on the Civic Center site to offset for the removal of the Post Office site. One commenter suggested that 6 Redwood Drive, which was formerly the residence of the Town's police/fire official, could again be a location for workforce housing to help offset the removal of the Post Office site.

ADR Streamlining

Two commenters, both ADR Group members, suggested revisions Program 2-A, which proposes various options for streamlining the design review process to reduce time and cost for applicants while still maintaining the value of the process. Specifically, both commenters felt that a requirement for an onsite meeting prior to ADR would not achieve the desired end and suggest that it be removed, perhaps replacing it with a requirement to share plans with neighbors prior to an ADR meeting. It was also suggested that capping the number of ADR meetings would have unintended negative consequences and should be removed from consideration.

Pre-Approved ADU Plans

One commenter questioned the practicality of this program, given the varied topography and unique site conditions in Ross.

Advocacy Group Letter

The Campaign for Fair Housing Elements comment letter urges the Town to up-zone unspecified areas of Ross and allow for higher density multifamily housing as a way to meet RHNA obligations and overcome financial feasibility constraints for housing projects. The letter alleges deficiencies with the Draft Housing Element but generally does not cite specific sections of the Statute or HCD guidance in support. The letter also recommends that Ross implement a rental registry so that it can track whether rental properties are being added or removed from the market, and also to track whether new permits are rented to low or very low income residents.

ANALYSIS

Post Office/Downtown

The removal of the Post Office site is at the discretion of the Town Council. As several commenters suggest, it would be possible to remove it from the inventory and offset the number of lower income RHNA units assumed for the southern portion of the Post Office parking lot by increasing the number of units planned at the Civic Center, with no net loss in the capacity of the inventory. Under the General Plan and current zoning, multifamily housing is a permitted use on the civic center site and, through the Civic Center Master plan process,

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It may be possible to design the 2.4-acre Civic Center site to accommodate 6 additional units shifted from the Post Office if that site is removed. The Civic Center Master Plan consultant is working to confirm this, in consideration of space needed for Town facilities and associated parking and drive alleys. This approach would require that the Town pay the cost of constructing and maintaining all 12 units, whereas under the proposal in the Draft Housing Element the Town would only be responsible for the cost of 6 units and the units on the southern portion of the Post Office parking lot would be constructed and maintained by a non-profit housing group selected by the Town.

It is worth noting, however, that whether or not any site in the downtown area is included on the Housing Element Inventory, under current zoning any downtown property owner still retains the right to build multifamily housing in a mixed use format with commercial uses on the ground floor. Further, downtown is the most walkable area of Ross and from the State's perspective it would appear to be a good location for workforce housing, since it would afford teachers, retail employees, postal workers, police staff and others the opportunity to walk to work, thereby reducing vehicle miles traveled and greenhouse gas emissions in line with State mandates in SB 375 and SB 743. While zoning that allows for housing downtown has been in place for years, no new housing has been built in downtown Ross recently, and therefore the State will expect the Town to take action to promote downtown housing in some way as part of the Housing Element Update. Actions the State might deem appropriate for this could include offering incentives for lot consolidation to facilitate housing, allowing 100 percent residential projects, or allowing multifamily housing by right with no discretionary review.

In addition to this type of regulatory lever, as a land holder in the downtown area, the Town also has the option of making land available for the development of workforce housing through a partnership with a non-profit housing developer as proposed in the Draft Housing Element. This would be a clear action on the part of the Town to promote workforce housing in the downtown area, and, in comparison to the other options, it is an approach that allows the Town to retain maximum control of the conditions under which the housing is built. The Town owns the Post Office site and, as such, is in a position to decide the timing of the project, the non-profit developer with whom to partner, and whether the project is subject to design review.

ADR Streamlining

Recognizing that the design review process can add time and cost to the development process, Program 2-A proposes that the Town explore options for streamlining and expediting design review, and outlines five possible options to consider. The program does not commit the Town to implementing any of the five options at this time, but only to study them in the course of implementing the Housing Element after adoption. However, it is at the discretion of the Council to remove any of the items from future consideration if there is consensus they are not worth pursuing at this time.

Pre-Approved ADU Plans

Pre-approved ADU plans have been used with success to promote ADU production in a number of California communities. Notably, the City of Los Angeles has seen a significant jump in ADU production over the last two years as a result of a similar program. However, as the commenter notes, the steep topography and the unique features of the landscape in Ross

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may limit the applicability of standard ADUs plans. It may be possible to design the plans to fit common site design challenges, such as the need to raise the building out of the base flood elevation. Having pre-approved plans to choose from may still help many interested homeowners save time and cost, even if some level of customization to particular site conditions is required. Additionally, as the pre-approved plans under Program 3-F would be approved by the ADR Group and the Town Council, this program would allow the Town greater input in the design of ADUs built ministerially, which are not otherwise subject to design review.

NEXT STEPS

By law, the State must review and certify the Housing Element. The objective of the December 8 meeting is to review the Draft Housing Element with the Town Council and receive direction to send it, as drafted or with appropriate modifications, to HCD for the legally mandated 90-day review. Following review by the State, the Draft Housing Element will be revised and presented to the Town Council for consideration. Adoption is anticipated in May 2023.

Attachments:

Attachment 1 – Draft 2023-31 Housing Element

Attachment 2 – Comment letters on the Public Review Draft Housing Element

TOWN OF ROSS

2023-31 HOUSING ELEMENT

OCTOBER 2022

PUBLIC REVIEW DRAFT





TABLE OF CONTENTS

01	Introduction.....	1-1
	Purpose and Objectives	1-2
	Legal Requirements	1-3
	Process for Updating the Housing Element ...	1-5
	Organization of the Housing Element.....	1-8

02	Community Profile	2-1
	Location and Context	2-2
	Population Characteristics	2-4
	Housing Market Characteristics	2-8
	Recent Development Trends	2-10

03	Housing Resources	3-1
	Land Resources.....	3-2
	Administrative and Financial Resources....	3-14

04	Housing Action Plan	4-1
	Housing Policies and Implementing Programs	4-2

LIST OF FIGURES

Map 2-1: Location and Context	2-3
Map 3-1: Vacant Land and Environmental Constraints	3-4
Map 3-2: Senate Bill 9 Candidate Housing Sites	3-10
Map 3-3: Sites Available for Housing	3-13

LIST OF TABLES AND CHARTS

Table 1-1: Ross Regional Housing Needs Assessment, 2023-2031	1-4
Chart 2-1 Existing Land Use (Acres)	2-4
Chart 2-2: Population Growth by Region, 1990-2020	2-4
Chart 2-3: Age Distribution in Ross	2-5
Chart 2-4: Educational Attainment Among Those Age 25 Years and Over, 2019	2-6
Chart 2-5: Housing Stock in Ross	2-8
Chart 2-6: Age of Ross Housing Stock	2-8
Table 2-1: Household Tenure by Region, 2000-2019	2-9
Chart 2-7: Housing Affordability and Cost Burden in Ross	2-9
Table 2-2: Housing Type in Ross (2010-2020)	2-10
Table 3-1: Ross Regional Housing Needs Assessment, 2023-2031	3-3
Table 3-2: ADU Permit Trends in Ross, 2018-2021	3-8
Table 3-3: ADU Building Permits Issued in Other Marin County Jurisdictions, 2018-2021	3-9
Table 3-4: Sites Available for Housing	3-11

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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.

CHANGES TO STATE HOUSING LAW

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 will be 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 early 2023.

Process for Updating the Housing Element

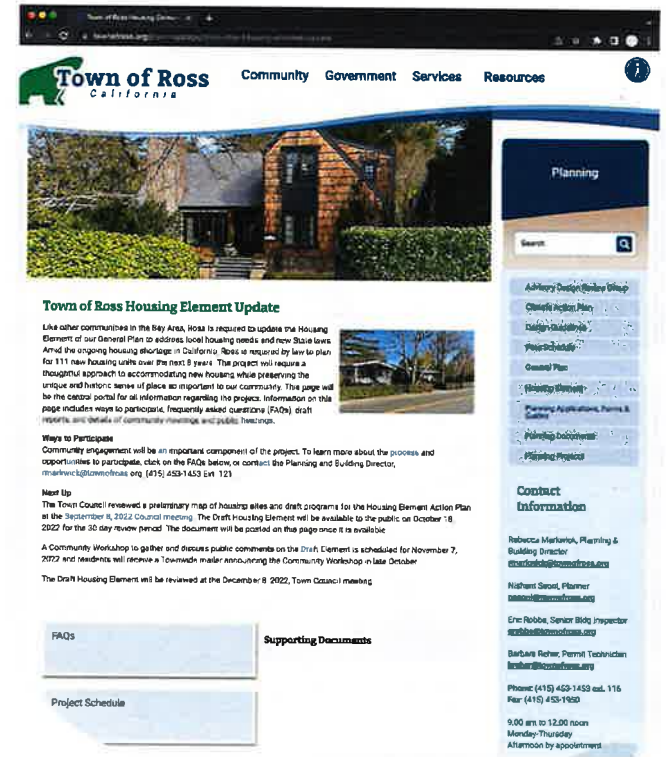
The 2023-31 Housing Element is a comprehensive update to the Housing Element of the General Plan, undertaken to accommodate the Town's share of the regional housing need and address new State law. Amid the ongoing housing shortage in

California, Ross is required by law to plan for 111 new housing units over the next 8 years. As a largely built out community with 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** - To be held within the 30-day public comment period on the Draft Housing Element, this will be hosted in a format that allows participants to review and share input on the content of the Draft Element. An introductory presentation will be followed by

time for questions and answers. The meeting will also serve as the scoping meeting for the EIR, and community members will have an opportunity to comment on the scope and content of environmental issues that will need to be considered.

- **Open House #3** - To 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



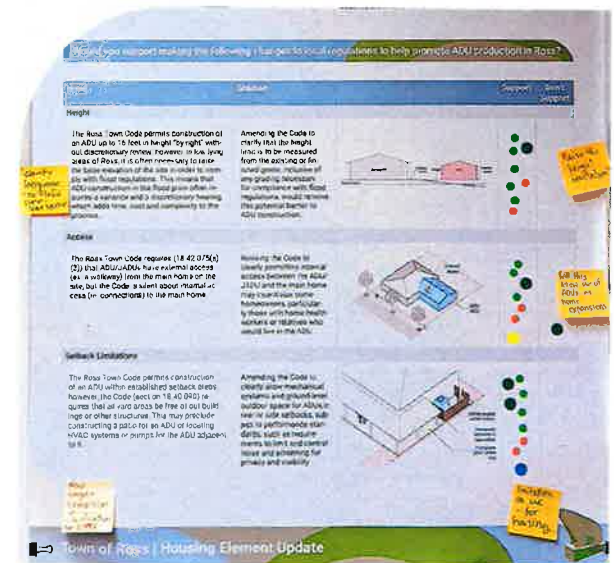
hearing. This meeting be structured as an open house with stations staffed by Town and Consultant team members so as to maximize opportunities for community questions and comments.

- **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 will be conducted in November 2022. The date and time will be 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

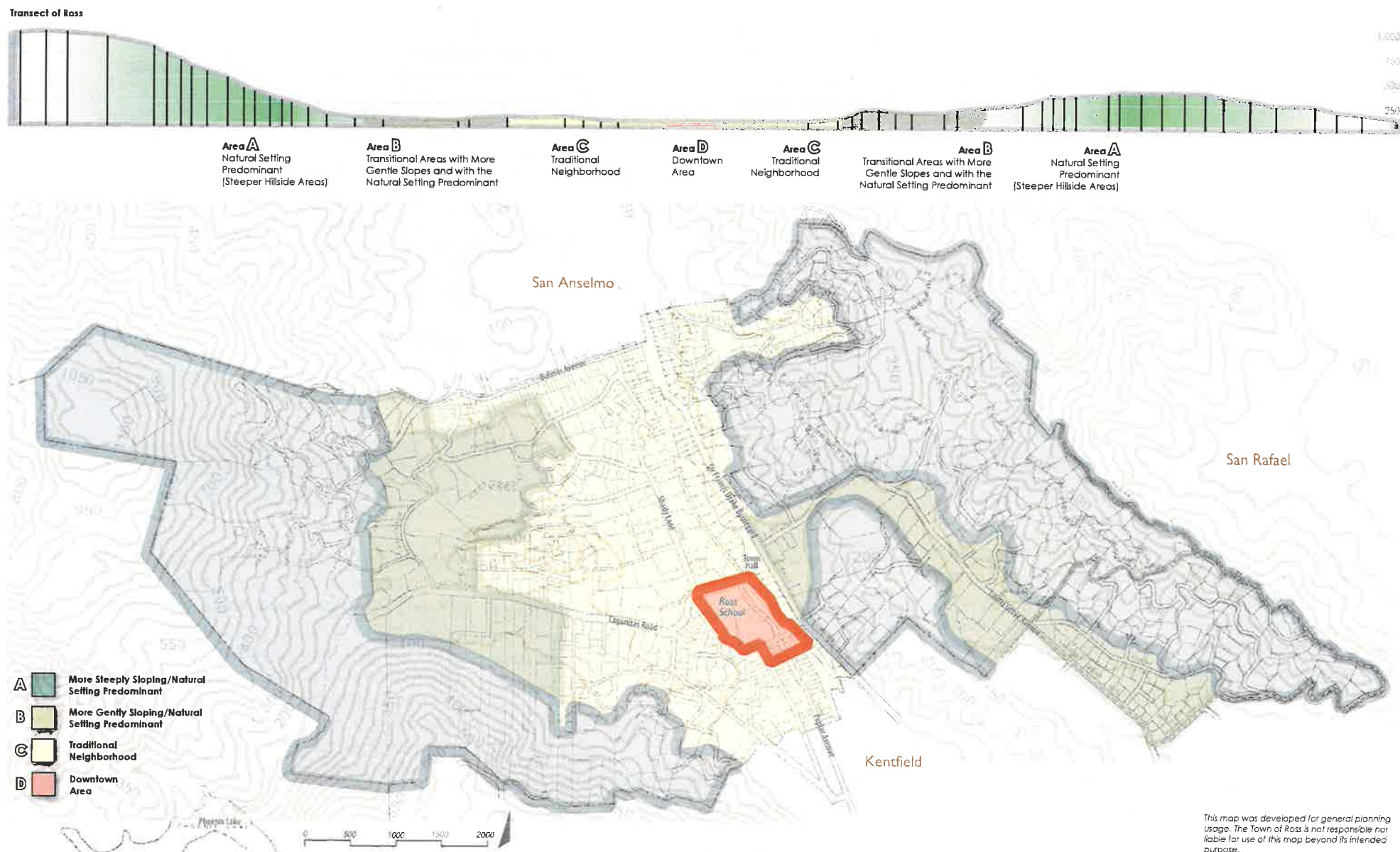
LOCATION AND ACCESS

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.



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.¹

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**.

¹ 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)

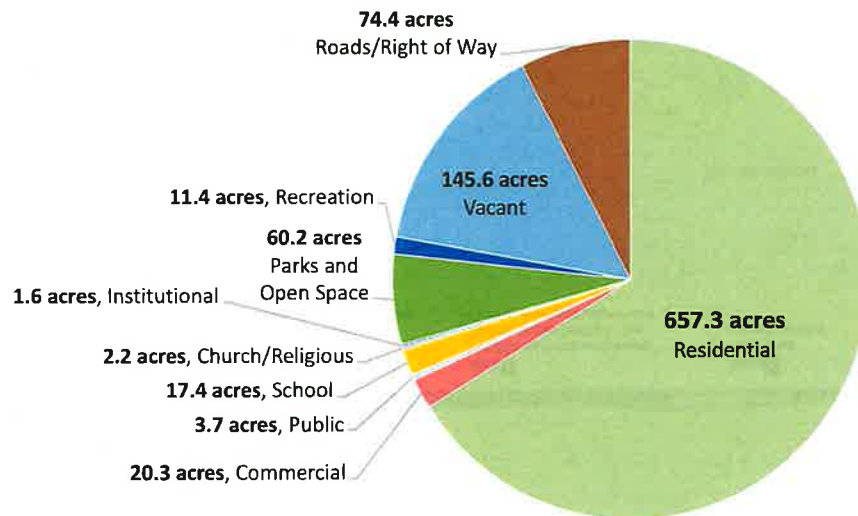
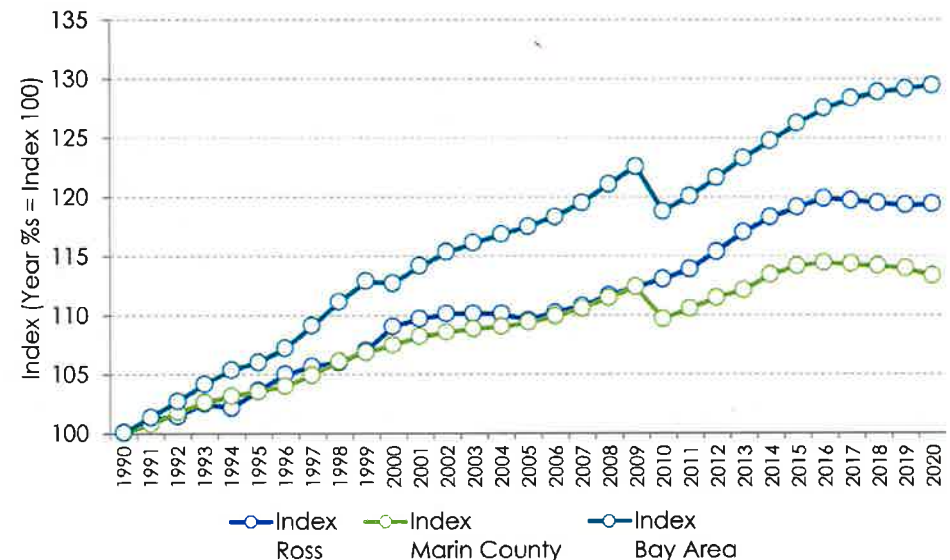


Chart 2-2: Population Growth by Region, 1990-2020



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

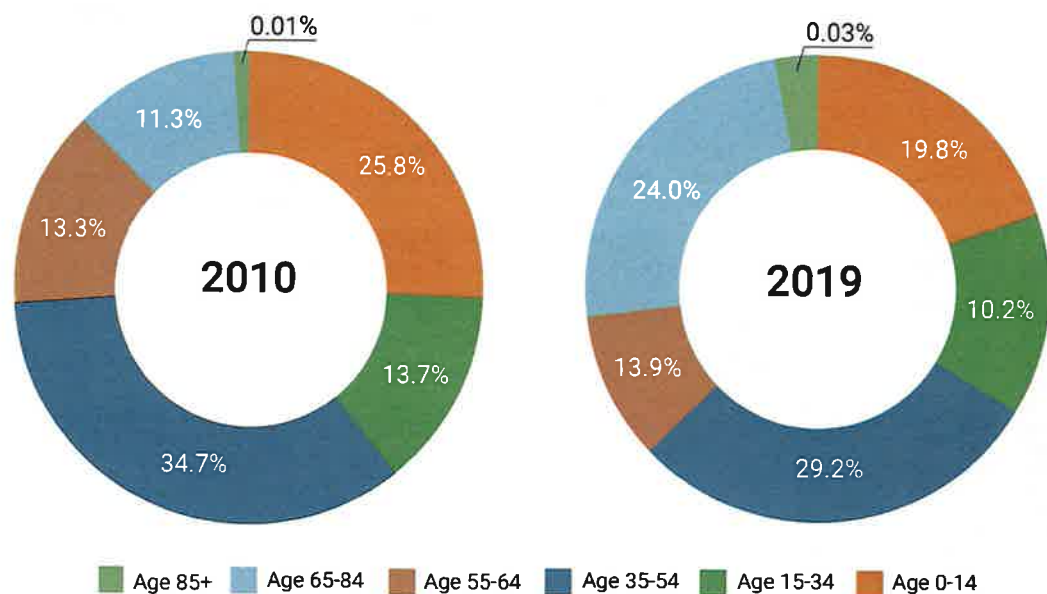
Current and future housing needs are typically determined in part by the age characteristics of a community's residents. Each age group has distinct lifestyles, family type and size, incomes, and housing preferences. Consequently, evaluating the age characteristics of a community is important in determining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

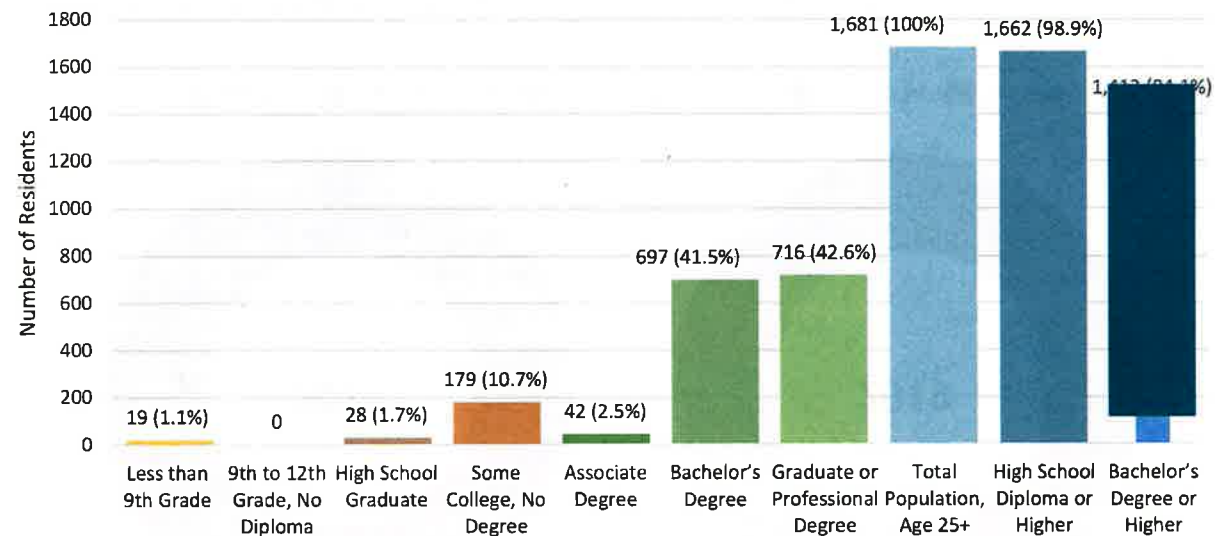
- **Extremely-low-income:** 30 percent of AMI and below (\$0 to \$54,800)
- **Very-low-income:** 31 to 50 percent of AMI (\$54,801 to \$91,350)
- **Low-income:** 51 to 80 percent of AMI (\$91,351 to \$158,100)
- **Moderate-income:** 81 to 120 percent of AMI (\$158,101 to \$179,500)
- **Above-moderate-income:**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

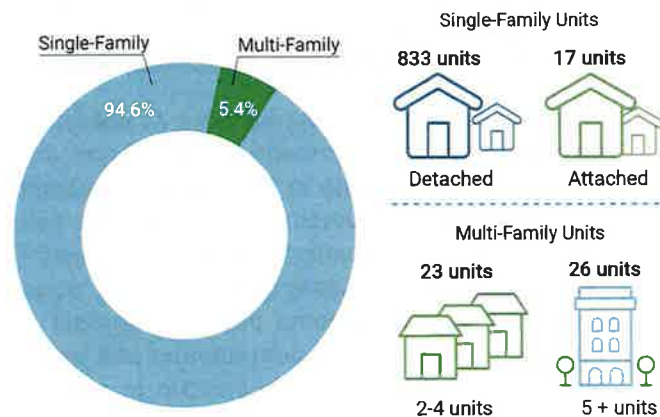
A high proportion of older buildings, especially those built more than 30 years ago, can indicate a higher likelihood of substantial health and safety housing conditions in a community's housing stock. In Ross, however, there is a weaker correlation between the age of housing stock and the presence of 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

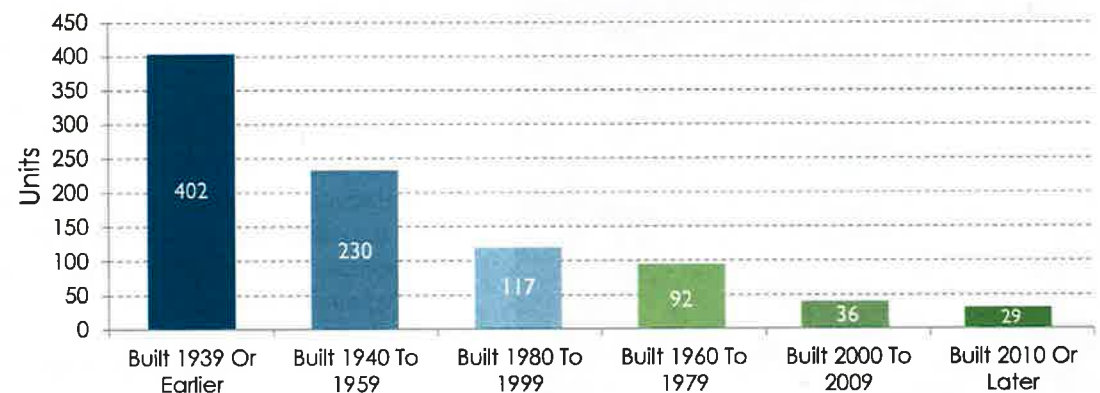
In 2020, a majority of homes in Ross were single family



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

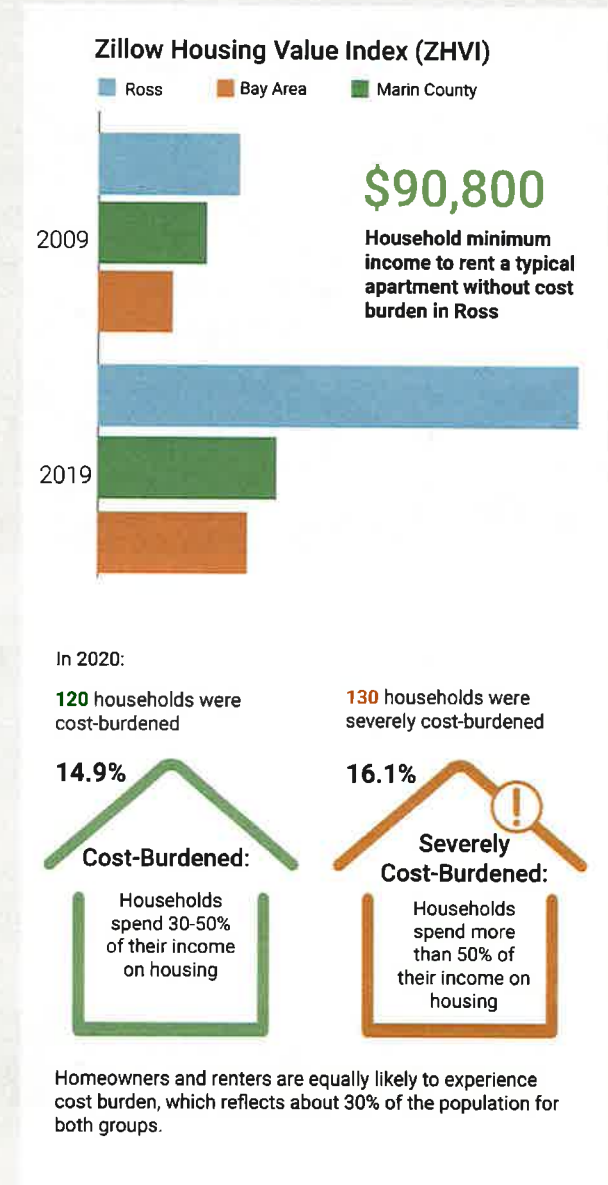
AFFORDABILITY

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**, 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%
Totals	884	100%	899	100%	1.7%

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, 2023 – December 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.

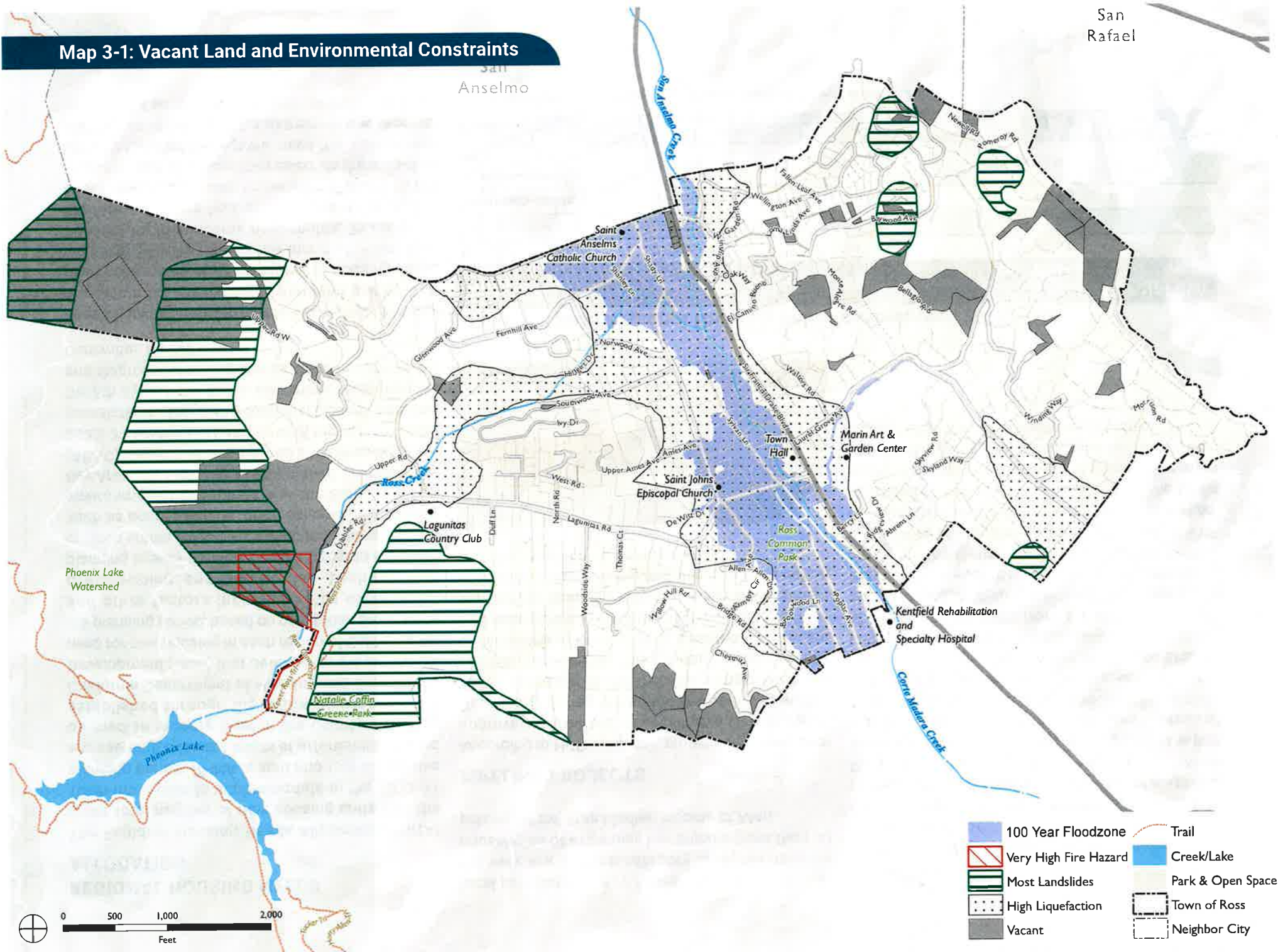
Table 3-1: Ross Regional Housing Needs Assessment, 2023-2031

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

San Rafael



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 2.43 acres. The southern portion of the property contains a surface parking lot adjacent to downtown commercial development, which could be redeveloped with workforce housing in a format that preserves public parking on-site for use of Post Office patrons. The Housing Action Plan contains Program x-x, through which the Town would seek to partner with a non-profit developer for the construction of housing 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 9 so far in 2022.

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

ADDRESS	PROJECT NUMBER	APPLICATION DATE	APPROVAL	BLDG PERMIT ISSUED
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
56 Shady Lane		8/18/20	Withdrawn	
210 Lagunitas Road	ADU21-0002	3/15/21	11/4/21	
58 Shady Lane	DRP21-0013	11/1/21	3/10/22	
2 North Road	ADU22-0001	2/24/22	In review	
1 Hillgirt Drive	ADU-22-0003	3/4/22	3/4/22	
10 Fernhill Ave	ADU22-0002	3/4/22	7/12/22	
196 Lagunitas Road		9/7/22	In review	
2 De Witt Dr			In review	
40 Madrona Ave			In review	
8 North Road			In review	
5 Ames Avenue			In review	
YEAR	APPLICATIONS	APPROVALS	PERMITS	
2018	0	0	0	
2019	0	0	0	
2020	4	4	1	
2021	12	11	3	
2022	4	4	9	

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

	2018	2019	2020	2021
Mill Valley		16	16	29
Tiburon	4	5	5	11

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.

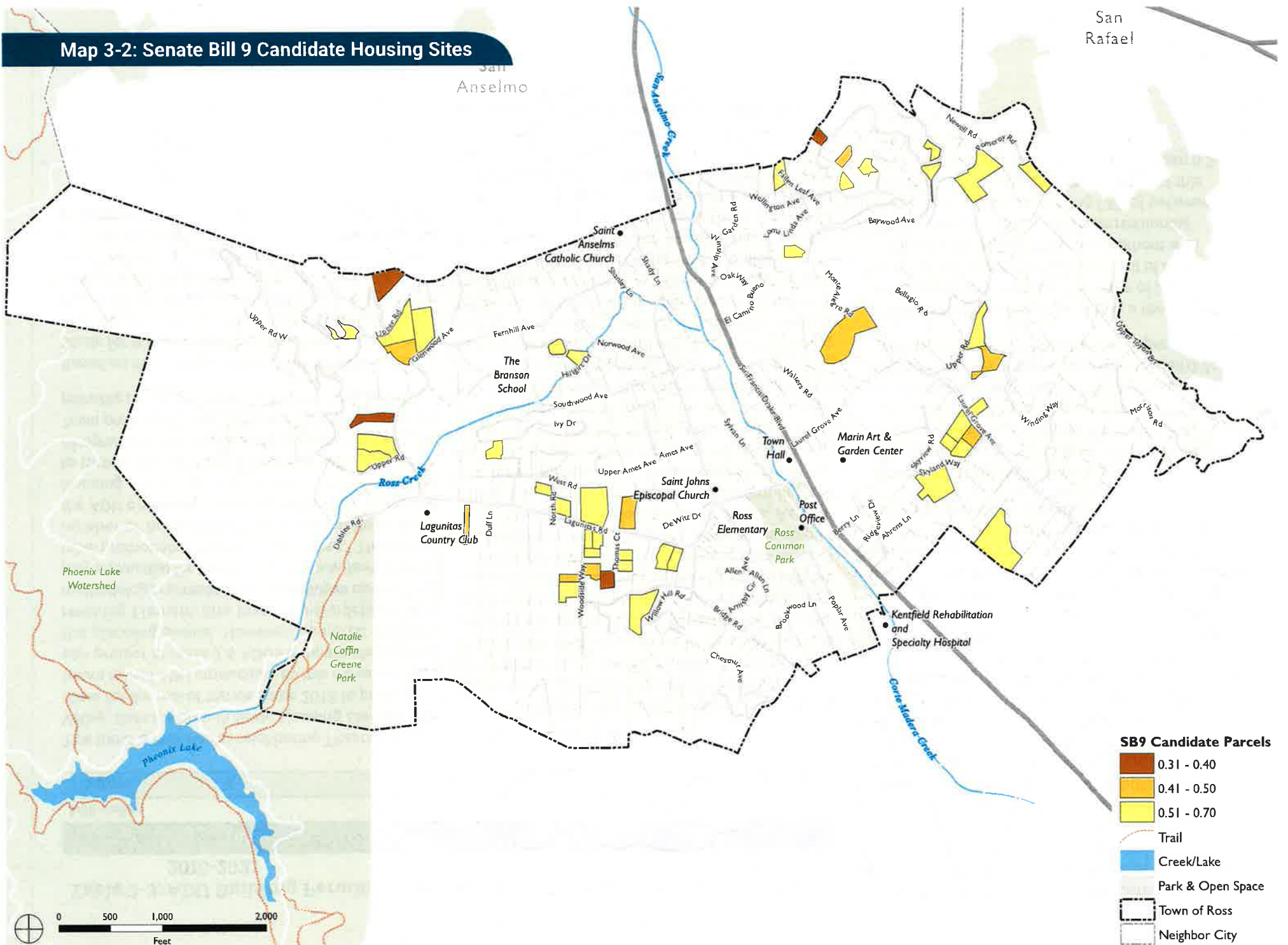
SENATE BILL 9 HOUSING

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.
- **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.

Map 3-2: Senate Bill 9 Candidate Housing Sites



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.

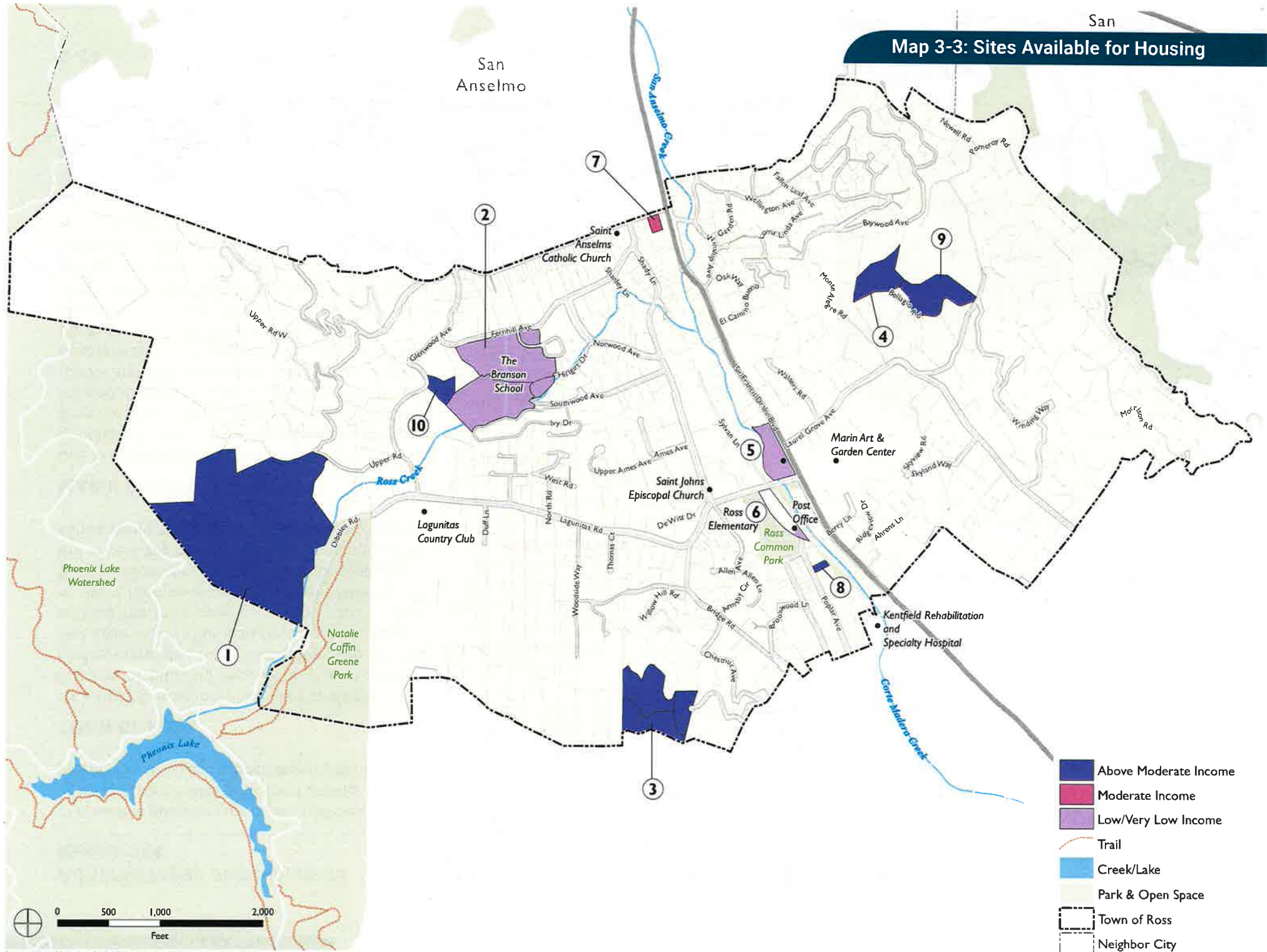
Table 3-4: Sites Available for Housing

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	53.00	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
SUBTOTAL							43	22	3	18
Accessory dwelling units (@ 10/year)							80	48	24	8
Existing units at Branson to deed restrict							5	5		
SB9 Housing							18			18
TOTAL							146	75	27	44
RHNA							111	54	16	41
BUFFER							35	21	15	3





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 (CDBG) 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.



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.

- **In II 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;

- Increasing the frequency of ADR Group meetings from once a month to twice month;
- Capping the number of ADR meetings on a single project; and
- Instituting a requirement for an on-site meeting with the neighbors 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.

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.



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 2.43-acre property owned by the Town. The southern portion of the property contains a surface parking lot adjacent to downtown commercial development. This portion of the property could 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 would 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

TOWN OF ROSS

2023-2031 HOUSING ELEMENT

OCTOBER 2022

**PUBLIC REVIEW DRAFT
APPENDICES**



APPENDICES TABLE OF CONTENTS

A	Sites Inventory.....	A-1
B	Housing Needs Assessment	B-1
C	Constraints Analysis.....	C-1
D	Fair Housing Assessment	D-1
E	Accomplishments of the 2015-2023 Ross Housing Element	E-1

APPENDIX A

Sites Inventory

Jurisdiction Name	Site Address/Intersection	5 Digit ZIP Code	Assessor Parcel Number	Consolidated Sites	General Plan Designation (Current)	Zoning Designation (Current)	Minimum Density Allowed (units/acre)	Max Density Allowed (units/acre)	Parcel Size (Acres)	Existing Use/Vacancy	Infrastructure	Publicly-Owned	Site Status	Identified in Last/Last Two Planning Cycle(s)	Lower Income Capacity	Moderate Income Capacity	Above Moderate Income Capacity	Total Capacity
Town of Ross	At the end of unnamed road west of Chestnut Ave and Hillside Ave intersection, south of 24 Chestnut Ave	96957	073-291-13	Yes	Very Low Density	R-1_B-5A	n/a	0.2	3.57	Vacant	Yes		Available	Yes	0	0	1	1
Town of Ross	At the end of unnamed road west of Chestnut Ave and Hillside Ave intersection, south of 24 Chestnut Ave	96957	073-291-14	Yes	Very Low Density	R-1_B-5A	n/a	0.2	2.90	Vacant	Yes		Available	Yes	0	0	1	1
Town of Ross	At the end of unnamed road west of Chestnut Ave and Hillside Ave intersection, south of 24 Chestnut Ave	96957	073-291-15	Yes	Very Low Density	R-1_B-5A	n/a	0.2	1.46	Vacant	Yes		Available	Yes	0	0	1	1
Town of Ross	20 ROSS COMMON	96957	073-272-10		Local Service Commercial	C-L	n/a	27.2	0.08	Commercial	Yes		Available	Yes	0	0	0	0
Town of Ross	Between 36 Glenwood Ave and 81 Fernhill Ave	96957	073-072-07		Very Low Density	R-1_B-A	n/a	1	1.07	Vacant	Yes		Available	Yes	0	0	1	1
Town of Ross	33 SIR FRANCIS DRAKE BLVD	96957	073-191-16		Public Service	C-D	n/a	21.8	2.40	Public	Yes	Yes	Available	Yes	3	0	0	3
Town of Ross	North of 14 Bellagio Rd and South of 78 Baywood Ave	96957	072-031-01		Very Low Density	R-1_B-5A	n/a	0.2	2.82	Vacant	Yes		Available	Yes	0	0	1	1
Town of Ross	0 Bellagio Road (at the intersection of Bellagio Rd and Canyon Rd)	96957	072-031-04		Very Low Density	R-1_B-5A	n/a	0.2	3.87	Vacant	Yes		Available	Yes	0	0	2	2
Town of Ross	39 FERNHILL AVE	96957	073-151-05	Yes	Low Density	R-1_B-20	n/a	2.2	0.68	School	Yes		Available	Yes	3	0	0	3
Town of Ross	39 FERNHILL AVE	96957	073-082-01	Yes	Very Low Density	R-1_B-A	n/a	1	0.59	School	Yes		Available	Yes	3	0	0	3
Town of Ross	39 FERNHILL AVE	96957	073-082-12	Yes	Limited Quasi-Public/Private Service	R-1_B-A	n/a	1	6.94	School	Yes		Available	Yes	3	0	0	3
Town of Ross	39 FERNHILL AVE	96957	073-141-03	Yes	Limited Quasi-Public/Private Service	R-1_B-A	n/a	1	6.52	School	Yes		Available	Yes	3	0	0	3
Town of Ross	1 Ross Common	96957	073-242-05		Public Service	C-D	n/a	21.7	1.56	Parks and Open Space	Yes	Yes	Available	Yes	5	0	0	5
Town of Ross	Southwest corner of Bolinas Ave and Sir Francis Drake Blvd	96957	073-052-25		Medium Density	R-1	n/a	8.7	0.39	Church/Religious	Yes		Available	Yes	0	0	3	3
Town of Ross	27 ROSS COMMON	96957	073-273-09		Local Service Commercial	C-L	n/a	39.2	0.22	Commercial	Yes		Available	Yes	0	0	4	4
Town of Ross	Between 7 and 25 Upper Rd	96957	073-011-26		Very Low Density	R-1_B-10A	n/a	0.1	39.98	Vacant	Yes		Available	Yes	0	0	8	8

APPENDIX B

Housing Needs Assessment

Table of Contents

Housing Needs Assessment.....	4
Community Profile	4
Population Trends	4
Population by Age.....	5
Race and Ethnicity.....	6
Employment Characteristics	8
Household Characteristics	11
Household Size.....	11
Household Types.....	12
Household Income	12
Household Tenure	14
Cost Burden 17	
Overcrowding	18
Special Needs Groups.....	20
Extremely-Low-Income Residents	20
Senior Residents	21
Persons with Disabilities	23
Large Families	26
Female-Headed Households	27
Persons Experiencing Homelessness	28
Farmworkers	30
Housing Characteristics	32
Housing Type.....	32
Housing Vacancy	32
Permitted Housing.....	33
Housing Conditions.....	33
Housing Costs and Affordability.....	35
Housing Affordability by Household Income	35
Ownership Costs.....	37
Renter Costs.....	40
Assisted Housing at Risk of Conversion	43
Energy Conservation.....	44
Key Findings	45

List of Charts

Chart B-1: Population Growth by Region, 1990-2020	5
Chart B-2: Population by Race	7
Chart B-3: Senior and Youth Population by Race	8
Chart B-4: Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence	9
Chart B-5: Jobs in Ross, 2002-2018	10
Chart B-6: Ross Household Tenure by Year Moved to Current Residence	15
Chart B-7: Ross Household Tenure by Resident Age	16
Chart B-8: Cost Burden by Income Group	18
Chart B-9: Overcrowding by Income Level	19
Chart B-10: Household Size by Household Income Level	27
Chart B-11: Farm Labor in Marin County, 2002-2017	31
Chart B-12: Age of Ross Housing Stock	34
Chart B-13: ZHVI By Region 2001-2020	37
Chart B-14: Home Values of Owner-Occupied Units	38
Chart B-15: Ownership Affordability Gap for the Average Household	39
Chart B-16: Contract Rents for Renter-Occupied Units	41
Chart B-17: Rental Affordability Gap for the Average Household	42

List of Tables

Table B-1: Population Growth Trends, 2000-2020	4
Table B-2: Ross Population by Age, 2000-2019	6
Table B-3: Population by Race, 2000-2019	7
Table B-4: Employment by Industry by Region, 2019	11
Table B-5: Households by Household Size by Region, 2019	11
Table B-6: Household Types by Region, 2019	12
Table B-7: HCD Income Levels by Household Size in Marin County, 2021	13
Table B-8: Ross and Surrounding Area Households by Household Income Level	14
Table B-9: Household Tenure by Region, 2000-2019	14
Table B-10: Household Tenure by Race of Household	16
Table B-11: Household Tenure by Income Level	17
Table B-12: Household Tenure by Housing Type	17
Table B-13: Overcrowding by Tenure	19
Table B-14: Ross Household Income Level by Race	21

Table B-15: Senior Households ¹ by Income and Tenure	22
Table B-16: Cost-Burdened Senior Households by Income Level.....	22
Table B-17: Seniors with Disabilities.....	23
Table B-18: Disability by Type.....	24
Table B-19: Ross Population with Developmental Disabilities by Residence ¹	25
Table B-20: Ross Household Size by Tenure.....	26
Table B-21: Cost Burden by Household Size.....	27
Table B-22: Household Type by Tenure.....	28
Table B-23: Female-Headed Households by Poverty Status ¹	28
Table B-24: Total Homeless Count Population Over Time, by Jurisdiction and Shelter Status.....	29
Table B-25: Homelessness by Household Type and Shelter Status	29
Table B-26: Racial Group Share of General and Homeless Populations	30
Table B-27: Migrant Worker Student Population.....	31
Table B-28: Ross Housing Types, 2010-2020	32
Table B-29: Housing Vacancies by Type and Region.....	33
Table B-30: Housing Permits	33
Table B-31: Housing Issues by Tenure	34
Table B-32: Housing Affordability by Household Income.....	Error! Bookmark not defined.
Table B-33: Ross Zillow Home Value Index (ZHVI), 2010-2020.....	39
Table B-34: Ross and Regional Area Rents ¹ , 2009 – 2019	40
Table B-35: Ross Monthly Gross Rents, 2019	41
Table B-36: Assisted Units at Risk of Conversion	43

Housing Needs Assessment

This Housing Needs Assessment outlines the population, housing, and employment characteristics of Ross and identifies those characteristics that may have significant impacts on housing needs in the community, including anticipated population and household growth. This assessment is essential for developing a successful strategy to meet a variety of housing needs in the Town. Both local and regional changes since the previous Housing Element are assessed to provide the full scope of housing needs. Analysis in each of the sections below informs the housing programs and policies provided in the element.

The Association of Bay Area Governments-Metropolitan Transportation Commission (ABAG-MTC) has produced Local Housing Needs Data packets for jurisdictions in the ABAG-MTC region that have been pre-approved by the State Department of Housing and Community Development (HCD). These data packets largely rely on 2015-2019 five-year American Community Survey (ACS) and 2013-2017 Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS) estimates, among other sources. Though 2020 ACS data is more recent than the 2015-2019 estimates, the ABAG-MTC data provide a more fine-grained level of detail than is currently available from the 2020 ACS data and has been pre-certified by HCD to account for margins of errors. Where the ABAG-MTC data packet does not provide sufficient information, alternate data sources—including local data—are used.

Community Profile

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 for Marin County (5.4 percent) but below that of the Bay Area (14.8 percent). Table B-1 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.¹

Table B-1: Population Growth Trends, 2000-2020

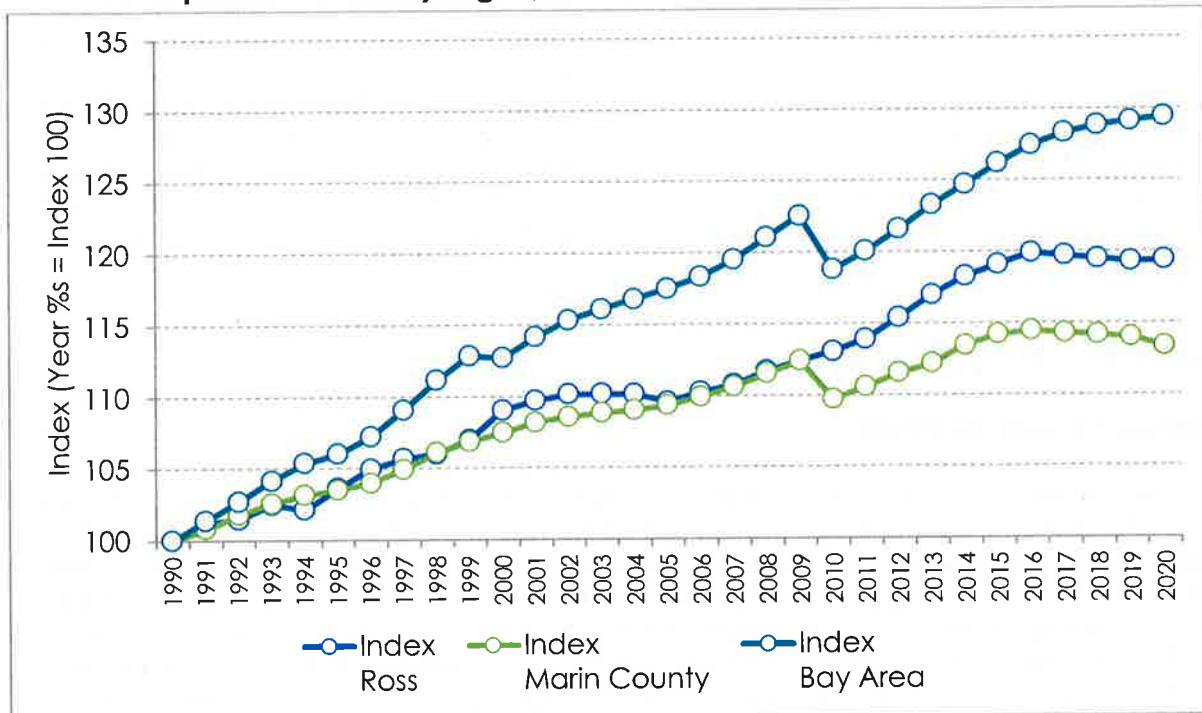
<i>Geography</i>	<i>2000</i>	<i>2005</i>	<i>2010</i>	<i>2015</i>	<i>2020</i>	<i>Absolute Change 2000- 2020</i>	<i>Percent Change 2000-2020</i>
Ross	2,329	2,341	2,415	2,544	2,550	+221	9.5%
Marin County	247,289	251,634	252,409	262,743	260,831	+13,542	5.4%
Bay Area	6,784,348	7,073,912	7,150,739	7,595,694	7,790,537	+1,006,189	14.8%

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

Source: California Department of Finance, E-5 series

As shown in Chart B-1 below, the rate of population growth rate of Ross has plateaued since 2015, similar to Marin County. This pattern differs from the general Bay Area, which has seen much higher rates of population growth that have only continued to increase since 2015. DOF predicts a slow decline in population for the county over the coming decade, with a total projected population of 257,024 by 2030.² It should also be noted that following the “dot-com bubble” of the late 1990s and early 2000s the Town experienced a bump in population growth higher than seen in the county. Further, unlike the county or the Bay Area, the Town did not experience a sharp decline in population growth following the 2008 financial collapse.

Chart B-1: Population Growth by Region, 1990-2020



Notes: The data shown on the graph represents population for the jurisdiction, county, and region indexed to the population in the year 1990. The data points represent the relative population growth in each of these geographies relative to their populations in 1990. For some jurisdictions, a break may appear between 2009 (estimated data) and 2010 (census count data). DOF uses the decennial census to benchmark subsequent population estimates.

Source: California Department of Finance, E-5 series

POPULATION BY 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.

² California Department of Finance. Demographic Research Unit. Report P-2A: Total Population Projections, California Counties, 2010-2060 (Baseline 2019 Population Projections; Vintage 2020 Release). Sacramento: California. July 2021.

According to the 2019 ACS five-year estimates, the Town's median age is 48, which is consistent with Marin County's median age of 47. Both the Ross and Marin County median ages are higher than the State median age of 36.5. The data in Table B-2 show that in Ross, the population of those 14 years old and younger, 25-34, and 35-44 have all decreased since 2010. The population share of young adults aged 15-24 increased between 2000, 2010, and 2019, however, the total population of residents younger than 25 years old has decreased by 126 residents since 2010. In Ross, 12.3 percent of the population was age 65 and over in 2000 compared to 26.9 percent in 2019. Between 2000 and 2019, the population of residents aged 85 and over nearly tripled. Meanwhile, 25.8 percent of the population was age 14 and under in 2000 compared to 19.8 percent in 2019. This data from ABAG-MTC is based on the U.S. Census and ACS five-year data.

An increase in the older population may indicate a developing need for more senior housing options. An increase in older households may indicate a need for more smaller or "missing middle" housing that is appropriately sized for empty-nesters or downsizing households, multifamily units with amenities on site, and housing that is accessible to persons with disabilities.

Table B-2: Ross Population by Age, 2000-2019

Age Group	2000	2010	2019	Percent Change 2000-2019
Age 0-4	169	145	90	-46.7%
Age 5-14	432	456	363	-16.0%
Age 15-24	182	238	260	+42.9%
Age 25-34	130	68	59	-54.6%
Age 35-44	365	294	259	-29.0%
Age 45-54	444	437	410	-7.7%
Age 55-64	319	364	233	-27.0%
Age 65-74	158	252	353	+123.4%
Age 75-84	106	105	197	+85.8%
Age 85+	24	56	66	+175.0%
Totals	2,329	2,415	2,290	-1.7%

Source: U.S. Census Bureau, Census 2000 SFI, Table P12; U.S. Census Bureau, Census 2010 SFI, Table P12; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001

RACE AND ETHNICITY

Understanding the racial makeup of the Town and region can be important for designing and implementing effective housing policies and programs. These patterns are shaped by both market factors and government actions, such as exclusionary zoning, discriminatory lending practices and displacement that has occurred over time and continues to impact communities of color today.

Table B-2 presents the racial and ethnic composition of the Town of Ross' population in 2000, 2010, and 2019, as reported in the ABAG-MTC data sets, which are based on the U.S. Census (for 2000 and 2010) and on ACS five-year data (for 2019). As seen in Table B-2, a large majority of the population identifies as white, although the community has become more ethnically diverse over the last 20 years. The percentage of residents in Ross identifying as white has decreased from 95.8 percent in 2000 to 89.1 percent in 2019, and the percentage of all other races and ethnicities has increased correspondingly. Since 2000, Ross' Asian/API and African American/Black populations have increased dramatically (150 percent and 2200 percent, respectively).

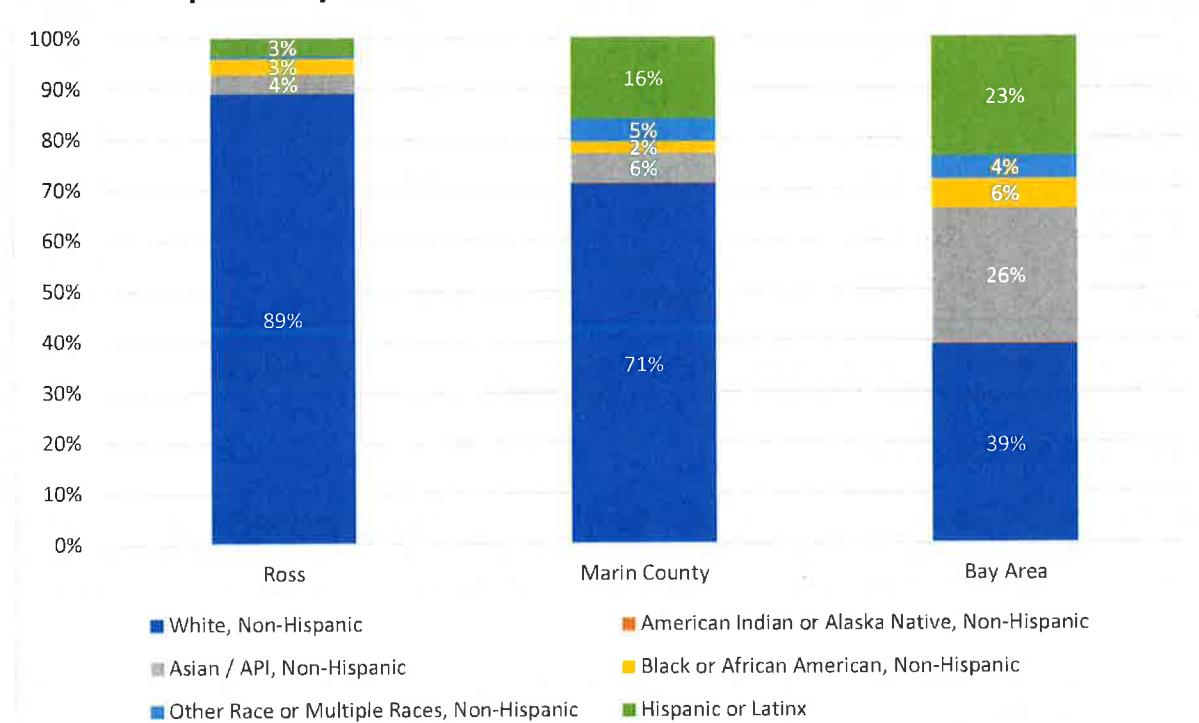
Table B-3: Population by Race, 2000-2019

Year	American Indian or Alaska Native, Non-Hispanic	Asian / API, Non-Hispanic	Black or African American, Non-Hispanic	White, Non-Hispanic	Other Race or Multiple Races, Non-Hispanic	Hispanic or Latinx
2000	1	35	3	2,194	4	54
2010	0	48	6	2,196	71	94
2019	0	88	69	2,041	12	80

Notes: Data for 2019 represents 2015-2019 ACS estimates. The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the “Hispanic or Latinx” racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002

Ross has a significantly higher non-Hispanic white population (89 percent) than when compared to the county (71 percent) and the Bay Area (39 percent). Additionally, the percentage of Hispanic/Latinx residents is notably lower in Ross (3.5 percent) than the county (15.8 percent) and the wider Bay Area (23.3 percent). Both Ross and Marin County have a much smaller Asian/Asian Pacific Islander population, at 4 percent and 6 percent respectively, than the Bay Area, where 27 percent of residents identify as Asian/Asian Pacific Islander.

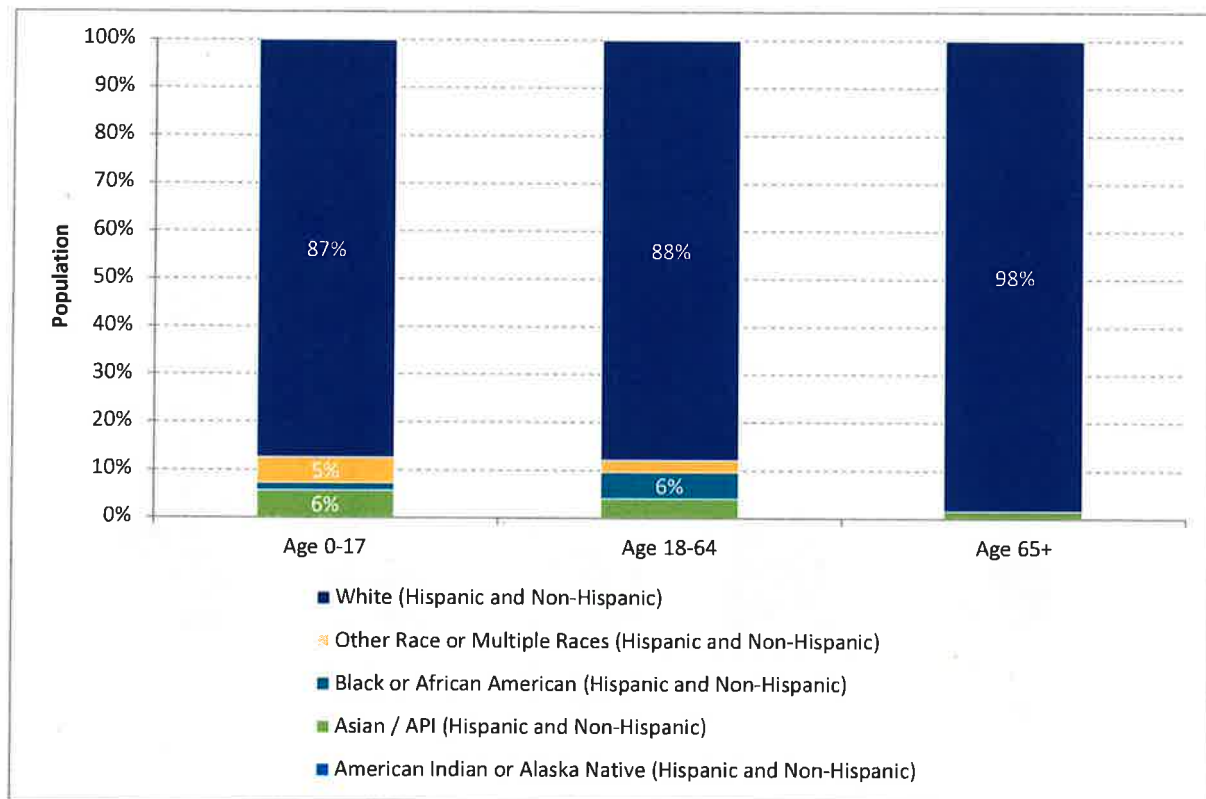
Chart B-2: Population by Race

Notes: Data for 2019 represents 2015-2019 ACS estimates. The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the “Hispanic or Latinx” racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002

In many California communities it is useful to compare race to age demographics, as families and seniors of color are more likely to experience challenges finding affordable housing. As shown in Chart B-3, in Ross, 98.4 percent of residents aged 65 and over are white. People of color (POC, defined in the ABAG-MTC data packet as all non-white racial groups) comprise 12.6 percent of youth under 18; the POC youth population is primarily comprised of persons who identify as Asian/Asian Pacific Islander (API) and Multiracial/Other. The majority of Ross' Black/African American residents are aged 18-64, whereas Asian/API and Multiracial/Other POC populations are more evenly split between adults and youth, suggesting that these are family households.

Chart B-3: Senior and Youth Population by Race



Notes: In the sources for this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity, and an overlapping category of Hispanic / non-Hispanic groups has not been shown to avoid double counting in the stacked bar chart.
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-G)

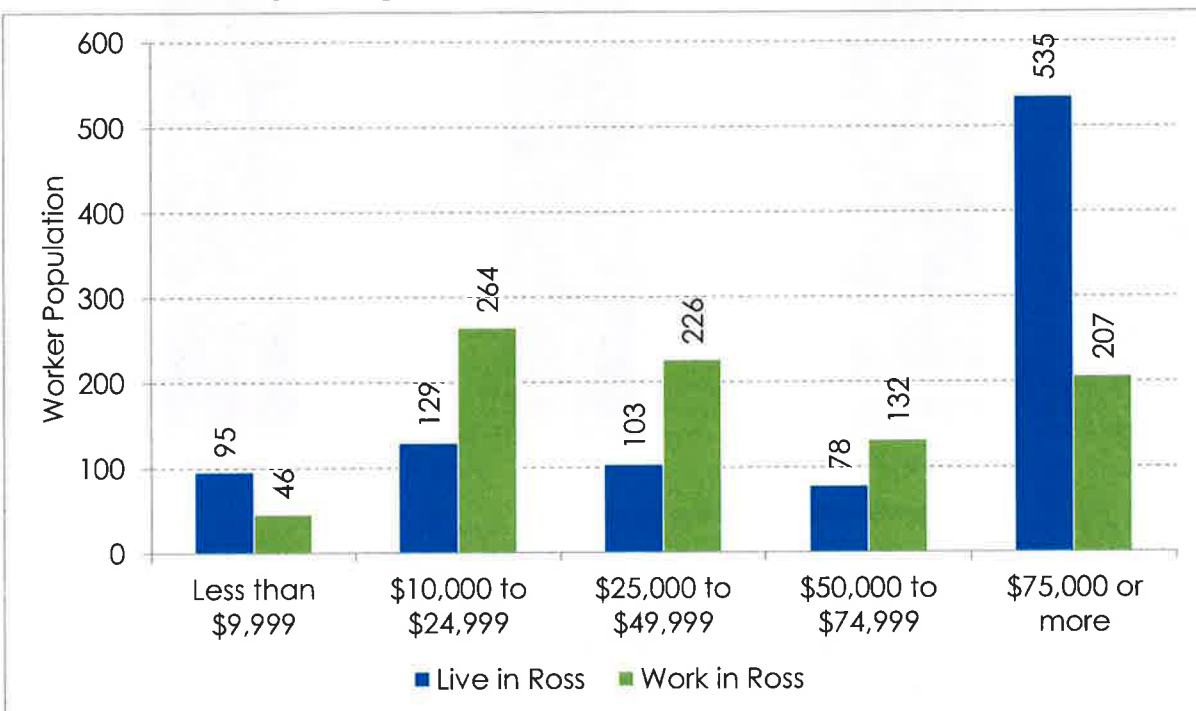
EMPLOYMENT CHARACTERISTICS

Employment has an important impact on housing needs and the demand for various types of housing. Smaller residential jurisdictions such as Ross typically have more employed residents than local jobs, and residents typically commute to jobs in other communities. By contrast, larger cities tend to have a surplus of jobs and attract workers from the surrounding region. While more Ross residents are likely to work from home during and after the pandemic, there will still be a need for service workers and teachers to commute from other places. Providing for these workers' needs locally would help to achieve a better balance of jobs to housing in the community.

According to ACS 2019 five-year estimates, there are 940 employed residents and 875 jobs in the Town of Ross.³ The ratio of jobs to resident workers is 0.93, signifying that Ross is a net exporter of workers. The jobs-household ratio in Ross, meanwhile, has increased from 0.08 jobs per household in 2002 to 0.79 jobs per household in 2018. As a predominantly residential community, Ross has a lower jobs-household ratio than the county (1.09) and the Bay Area (1.47).

Chart B-4 shows the balance of jobs to workers, broken down by different wage groups. Ross has more low-wage jobs than low-wage-earning residents (where low-wage refers to jobs paying less than \$25,000), and more high-wage-earning residents than high-wage jobs (where high-wage refers to jobs paying more than \$75,000). This means that low-wage workers are likely commuting into Ross from other communities, given that there are relatively few housing options for these workers in Ross.

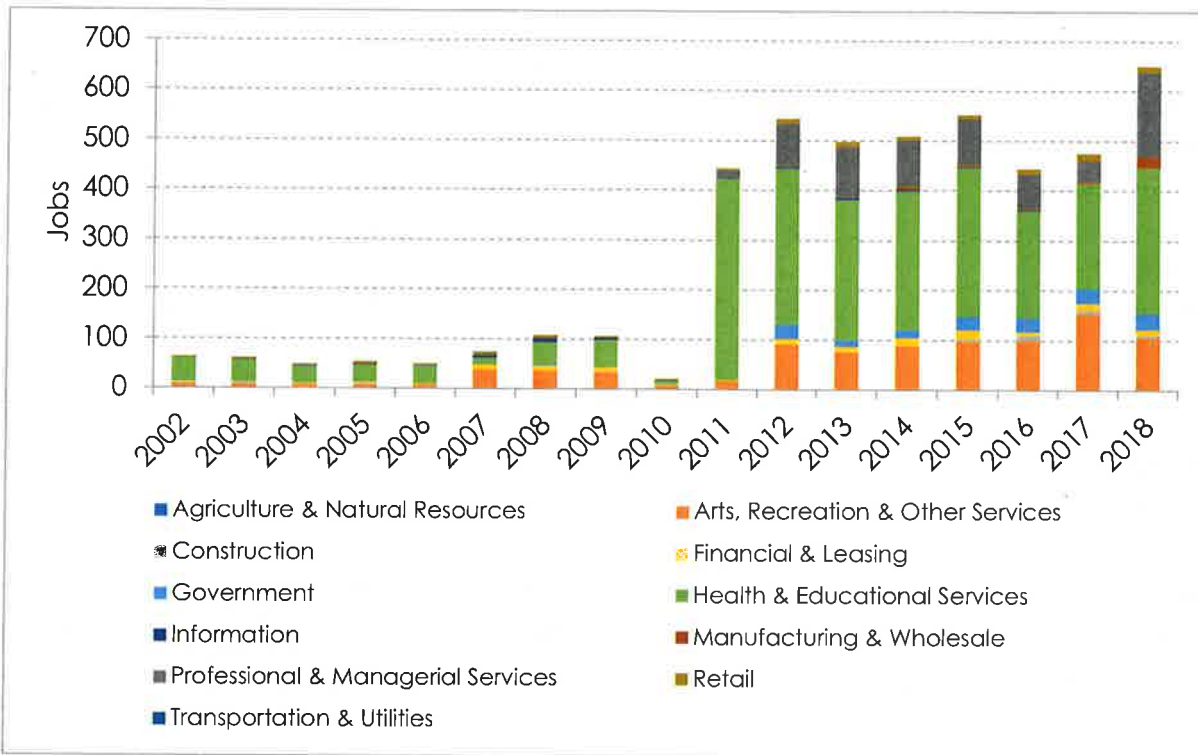
Chart B-4: Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence



Source: U.S. Census Bureau, American Community Survey 5-Year Data 2015-2019, B08119, B08519

As shown in Chart B-5, between 2002 and 2018, the number of jobs in Ross increased by 917.2 percent, with the most dramatic change occurring between 2010 and 2012. Since 2012, the number of jobs in the community has fluctuated but overall increased by 2018. Growth was primarily in the Professional and Managerial Services, Health and Educational Services, and Retail sectors. These sectors include low- and high-skill jobs, so housing in the Town will need to accommodate a range of housing types at prices affordable to the range of household incomes.

³ Employed residents in a jurisdiction is counted by place of residence (they may work elsewhere) while jobs in a jurisdiction are counted by place of work (they may live elsewhere).

Chart B-5: Jobs in Ross, 2002-2018

Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized. Industry groupings are as follows: NAICS 11, 21->Agriculture & Natural Resources; 71, 72, 81->Arts, Recreation & Other Services; 23->Construction; 52, 53->Financial & Leasing; 92->Government; 61, 62->Health & Educational Services; 51->Information; 31-33, 42->Manufacturing & Wholesale; 54, 55, 56->Professional & Managerial Services; 44-45->Retail; 22, 48-49->Transportation & Utilities

Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 2002-2018

As seen in Table B-4, Ross residents are employed in a variety of industries, with the majority working in the Financial and Professional Services sector (42.9 percent). Ross has a higher distribution of the share of workers in this industry than in Marin County (30.9 percent) and the Bay Area (25.8 percent). Ross residents were less likely to be employed in the Health & Educational Services sector (18.3 percent) than the county (30.2 percent) and the Bay Area (29.7 percent), and in the Construction industry (2.9 percent) compared to 5.8 percent in the county and 5.6 percent in the Bay Area). The share of Ross residents employed in other industry sectors is relatively similar in Ross, Marin County, and the Bay Area, although Ross has a slightly higher percentage of residents employed in the retail sector (12.6 percent) than the county (9.1 percent) and Bay Area (9.3 percent).

Table B-4: Employment by Industry by Region, 2019

	<i>Ross</i>		<i>Marin County</i>		<i>Bay Area</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
Agriculture & Natural Resources	0	0.0%	930	0.7%	30,159	0.8%
Construction	28	2.9%	7,555	5.8%	226,029	5.6%
Financial & Professional Services	408	42.9%	40,359	30.9%	1,039,526	25.8%
Health & Educational Services	174	18.3%	39,520	30.2%	1,195,343	29.7%
Information	29	3.0%	4,872	3.7%	160,226	4.0%
Manufacturing, Wholesale, & Transportation	115	12.1%	13,472	10.3%	670,251	16.7%
Retail	120	12.6%	11,961	9.1%	373,083	9.3%
Other	78	8.2%	12,078	9.2%	329,480	8.2%
Total	952	100%	130,747	100%	4,024,097	100%

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24030

Household Characteristics

HOUSEHOLD SIZE

According to ACS five-year estimates data, the average household size in Ross in 2019 was 2.8, a slight decrease from 2.96 in 2010. Average household size is higher in Ross than for Marin County (2.41), and the Bay Area (2.67). As seen in Table B-3, the share of Ross' population in 2019 living in a one-person household (19.7 percent) was smaller than that of Marin County (29.9 percent) and the Bay Area as a whole (24.7 percent). Additionally, Ross has a greater share of households of three to four persons (34.7 percent) than either the county (27.9 percent) or the Bay Area (32.6 percent), and five or more person households (11.8 percent) than the county (7.2 percent) or the Bay Area (10.8 percent). This disparity could be due to higher proportional share of larger single-family homes as a share of the overall housing stock in Ross.

Table B-5: Households by Household Size by Region, 2019

<i>Household Size</i>	<i>Ross</i>		<i>Marin County</i>		<i>Bay Area</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
1-Person Household	160	19.7%	31,548	29.9%	674,587	24.7%
2-Person Household	274	33.7%	36,883	35.0%	871,002	31.9%
3-4-Person Household	282	34.7%	29,440	27.9%	891,588	32.6%
5-Person or More Household	96	11.8%	7,561	7.2%	294,257	10.8%
Total	812	100%	105,432	100%	2,731,434	100%

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11016

HOUSEHOLD TYPES

A summary of household types in the Town of Ross, Marin County, and the Bay Area is provided in Table B-6. According to the ACS data (2015-2019) as analyzed by ABAG-MTC, the greatest share (67.7 percent) of households in Ross are married-couple family households⁴ followed by single-person households (19.7 percent). Overall, family households account for 77.6 percent of households in Ross, which is much higher than Marin County (62.6 percent) as well as the Bay Area (66.4 percent). This again could be due to Ross' housing stock of primarily larger single-family homes.

Table B-6: Household Types by Region, 2019

<i>Household Types</i>	<i>Ross</i>		<i>Marin County</i>		<i>Bay Area</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
Female-Headed Family Households	53	6.5%	8,102	7.7%	283,770	10.4%
Male-headed Family Households	27	3.3%	3,776	3.6%	131,105	4.8%
Married-couple Family Households	550	67.7%	54,174	51.4%	1,399,714	51.2%
Other Non-Family Households	22	2.7%	7,832	7.4%	242,258	8.9%
Single-person Households	160	19.7%	31,548	29.9%	674,587	24.7%
Total	812	100%	105,432	100%	2,731,434	100%

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11001

HOUSEHOLD 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)

⁴ The census categorizes households by *family* and *non-family* status; a family household consists of two or more people residing together and related by birth, marriage, or adoption, whereas a non-family household consists of a householder living alone (a one-person household) or where the householder shares the home exclusively with people to whom they are not related.

Table B-7 shows the HCD definitions for Marin County's maximum annual income level for each income group, adjusted by household size. This data is used when determining a household's eligibility for federal, State, or local housing assistance and used when calculating the maximum affordable housing payment for renters and buyers.

Table B-7: HCD Income Levels by Household Size in Marin County, 2021

<i>Household Size</i>	<i>Maximum Income Level</i>					
	<i>Extremely Low</i>	<i>Very Low</i>	<i>Low</i>	<i>Area Median Income</i>	<i>Moderate</i>	<i>Above Moderate</i>
1 Person	\$38,400	\$63,960	\$102,450	\$104,700	\$125,650	≥ \$125,651
2 Persons	\$43,850	\$73,100	\$117,100	\$119,700	\$143,600	≥ \$143,601
3 Persons	\$49,350	\$82,250	\$131,750	\$134,650	\$161,550	≥ \$161,551
4 Persons	\$54,800	\$91,350	\$146,350	\$149,600	\$179,500	≥ \$179,501
5 Persons	\$59,200	\$98,700	\$158,100	\$161,550	\$193,850	≥ \$193,851
6 Persons	\$63,600	\$106,000	\$169,800	\$173,550	\$208,200	≥ \$208,201
7 Persons	\$68,000	\$113,300	\$181,500	\$185,500	\$222,600	≥ \$222,601
8 Persons	\$73,350	\$120,600	\$193,200	\$197,450	\$236,950	≥ \$236,951

Notes: The "Extremely Low," "Very Low Income" and "Low Income" schedules shown above were published by the U.S. Dept. of Housing and Urban Development (HUD), effective 4/1/2021. The "Median Income" schedule shown above is based on the FY2021 median family income for the San Francisco HMFA of \$149,600 for a four-person household, issued by HUD effective 4/1/2021, with adjustments for smaller and larger household sizes. The "Moderate Income" schedule shown above represents 120% of median income. For additional information, you may consult the HUD website at www.huduser.org/datasets/il.html.

Source: Marin Housing Authority, FY2021 Marin County Income Limits for Housing Choice Voucher Program

The ABAG-MTC Housing Needs Data Workbook for 2021 divides Ross' population by HCD income levels. The Data Workbook relies on data from the HUD Comprehensive Housing Affordability Strategy 2013-2017 release. This income data is based on the ACS 2013-2017 estimates, and thus does not align exactly with categories assigned to the 2021 HUD established income levels. Table B-8 provides this data.

In Ross, 63.8 percent of households make more than 100 percent of the AMI, compared to 6.2 percent making less than 30 percent of the AMI, which is considered extremely-low-income. While Marin County and the Bay Area overall have relatively similar distributions of households at each income level, Ross has a greater share of households that made more than 100 percent of AMI (68.3 percent) than either the county (50.6 percent) or the Bay Area (52.3 percent). Ross has fewer extremely-low-income households (6.2 percent) than the county (14.9 percent) or the Bay Area as a whole (14.7 percent).

Table B-8: Ross and Surrounding Area Households by Household Income Level

	<i>Ross</i>		<i>Marin County</i>		<i>Bay Area</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
0%-30% of AMI	50	6.2%	15,613	14.9%	396,952	14.7%
31%-50% of AMI	54	6.7%	11,749	11.2%	294,189	10.9%
51%-80% of AMI	108	13.4%	15,100	14.4%	350,599	13.0%
81%-100% of AMI	43	5.3%	9,385	9.0%	245,810	9.1%
>100% of AMI	550	68.3%	53,004	50.6%	1,413,483	52.3%
Total	812	100%	105,432	100%	2,701,033	100%

Source: ABAG-MTC Housing Needs Data Workbook, 2021

HOUSEHOLD TENURE

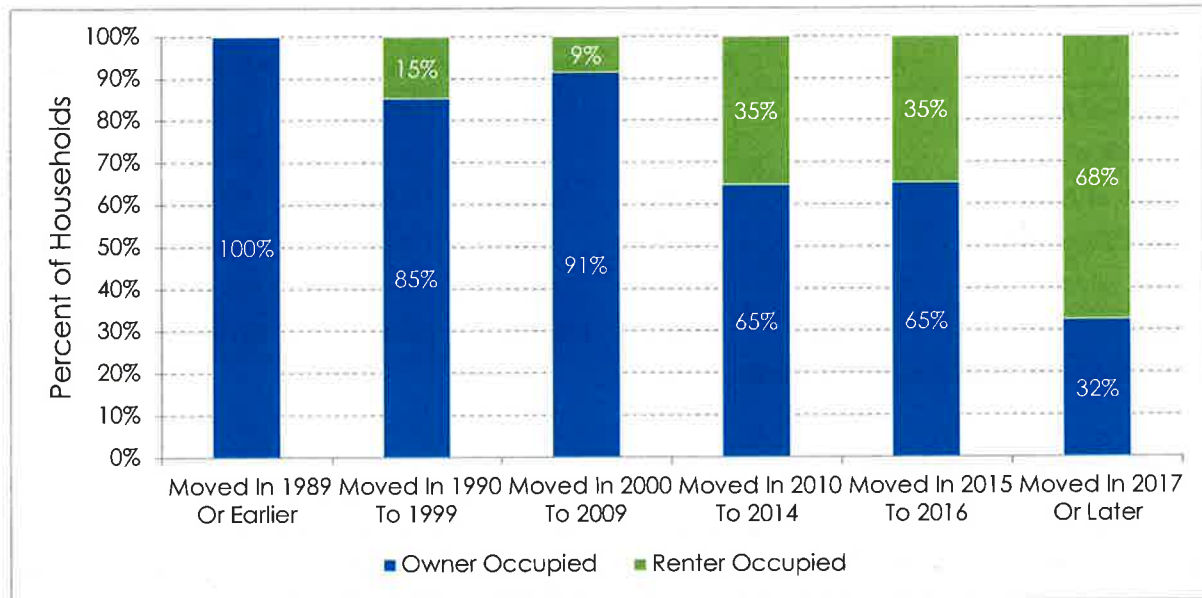
Tenure refers to whether a house is rented or owned. The rate of homeownership in Ross is substantially higher and the rate of renting substantially lower than in Marin County or the Bay Area as a whole. In Ross, the number of owner-occupied housing units increased from 663 in 2000 to 686 in 2010, and then decreased to 670 in 2019. The number of renter-occupied housing units remained at 98 between 2000 and 2010, and then increased to 142 in 2019. The percentage of renter-occupied households in Ross increased modestly from 14 percent to 17.5 percent between 2010 and 2019.

Table B-9: Household Tenure by Region, 2000-2019

<i>Geography</i>	<i>2000</i>		<i>2010</i>		<i>2019</i>	
	<i>Owner Occupied</i>	<i>Renter Occupied</i>	<i>Owner Occupied</i>	<i>Renter Occupied</i>	<i>Owner Occupied</i>	<i>Renter Occupied</i>
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

Interestingly, ownership rates vary depending on the year the resident has moved into their current residence. As shown in Chart B-6, most residents who have moved to their current residence since 2017 are renters, and the share of renters has increased over time since 2000. Residents who have lived in their housing units for a longer period (i.e., since before 2000) are overwhelming owners. While tenure remains predominantly owner-occupied in Ross, this indicates a need for additional rental stock to accommodate this population, as increasing numbers of renters seek housing in the Town.

Chart B-6: Ross Household Tenure by Year Moved to Current Residence

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25038

Recent changes to State law require local jurisdictions to examine the dynamics of race and housing tenure, as well as other fair housing issues when updating their Housing Elements. Some racial and ethnic disparities in tenure exist in Ross, shown in Table B-10; however, given the relatively small sample size the patterns do not suggest a disproportionate disadvantage for any particular ethnic groups. All Black/African American, Hispanic/Latinx, and Multiracial/Other households were owner-occupied. Seven (25 percent) of Ross' 28 Asian/API households were renter-occupied. Of the 142 renter-occupied households in Ross, 95 percent (135) identified as white, while the remaining 5 percent (7 households) identified as Asian/API.

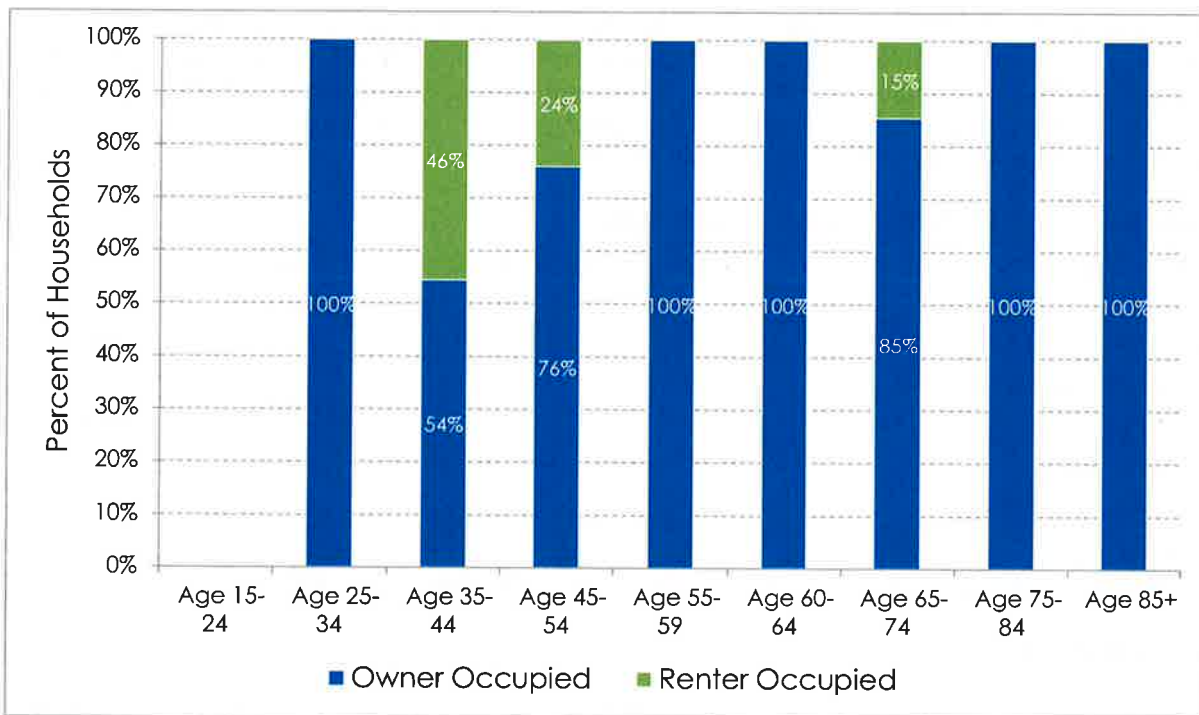
The age of residents who rent or own their home can also signal the housing challenges a community is experiencing. Younger households tend to rent and may struggle to buy a first home in the Bay Area due to high housing costs. At the same time, senior homeowners seeking to downsize may have limited options in an expensive housing market. This does not seem to be the case in Ross, where the majority of residents in all age cohorts are homeowners. The highest percentage of renters are those aged 35-44 (46 percent, or 56 households), followed by residents aged 45-54 (24 percent, or 55 households), and residents aged 65-74 (15 percent, or 31 households). Resident households aged 25-34, 55-59, 60-64, 75-84, and 85 and older were all entirely owner-occupied. According to the 2019 ACS, about 21.8 percent of renters between the age of 35 and 64 experience cost burden (26 households), compared to 24.8 percent of all renters (37 households). Further, all homeowners between 25 and 34 experience cost burden (6 households) and 30.9 percent of homeowners between the age of 35 and 64 experience cost burden (102 households), compared to 36.1 percent of all homeowners (254 households). *Cost burden*, discussed in more detail in the following section, is defined as paying more than 30 percent of one's gross income on housing.

Table B-10: Household Tenure by Race of Household

<i>Racial / Ethnic Group</i>	<i>Owner Occupied</i>	<i>Percent</i>	<i>Renter Occupied</i>	<i>Percent</i>
American Indian or Alaska Native (Hispanic and Non-Hispanic)	0	0.0%	0	0.0%
Asian / API (Hispanic and Non-Hispanic)	21	75.0%	7	25%
Black or African American (Hispanic and Non-Hispanic)	19	100.0%	0	0%
Hispanic or Latinx	18	100.0%	0	0%
Other Race or Multiple Races (Hispanic and Non-Hispanic)	17	100.0%	0	0%
White (Hispanic and Non-Hispanic)	613	82.0%	135	18%
White, Non-Hispanic	600	81.6%	135	18%

Notes: For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.

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

Chart B-7: Ross Household Tenure by Resident Age

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25007

As ownership typically requires more upfront capital costs than renting, lower-income households are often renters. In Ross, no income group is majority renter. Low-income residents—those making less than 80

percent of AMI—have the highest percentage of renters (16.7 percent), followed by residents who make more than 100 percent of the AMI.

Table B-11: Household Tenure by Income Level

<i>Group</i>	<i>Owner Occupied</i>	<i>Percent</i>	<i>Renter Occupied</i>	<i>Percent</i>
0%-30% of AMI	50	100.0%	0	0.0%
31%-50% of AMI	54	100.0%	0	0.0%
51%-80% of AMI	90	83.3%	18	16.7%
81%-100% of AMI	43	100.0%	0	0.0%
Greater than 100% of AMI	475	86.4%	75	13.6%
Totals	712	-	93	-

Notes: Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), *Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release*

In many jurisdictions, homeownership rates for households in single-family homes are substantially higher than the rates for households in multifamily housing. In Ross, 84.7 percent of households in detached single-family homes are homeowners, while 0.0 percent of households in multifamily housing are homeowners. However, it should be noted that the housing stock in Ross is overwhelmingly single-family detached and there are only 49 multi-family units in the town.

Table B-12: Household Tenure by Housing Type

<i>Building Type</i>	<i>Owner Occupied</i>	<i>Percent</i>	<i>Renter Occupied</i>	<i>Percent</i>
Detached Single-Family Homes	652	84.7%	118	15.3%
Attached Single-Family Homes	18	100.0%	0	0.0%
Multi-Family Housing	0	0.0%	24	100.0%
Mobile Homes	0	0.0%	0	0.0%
Boat, RV, Van, or Other	0	0.0%	0	0.0%
Totals	670	-	142	-

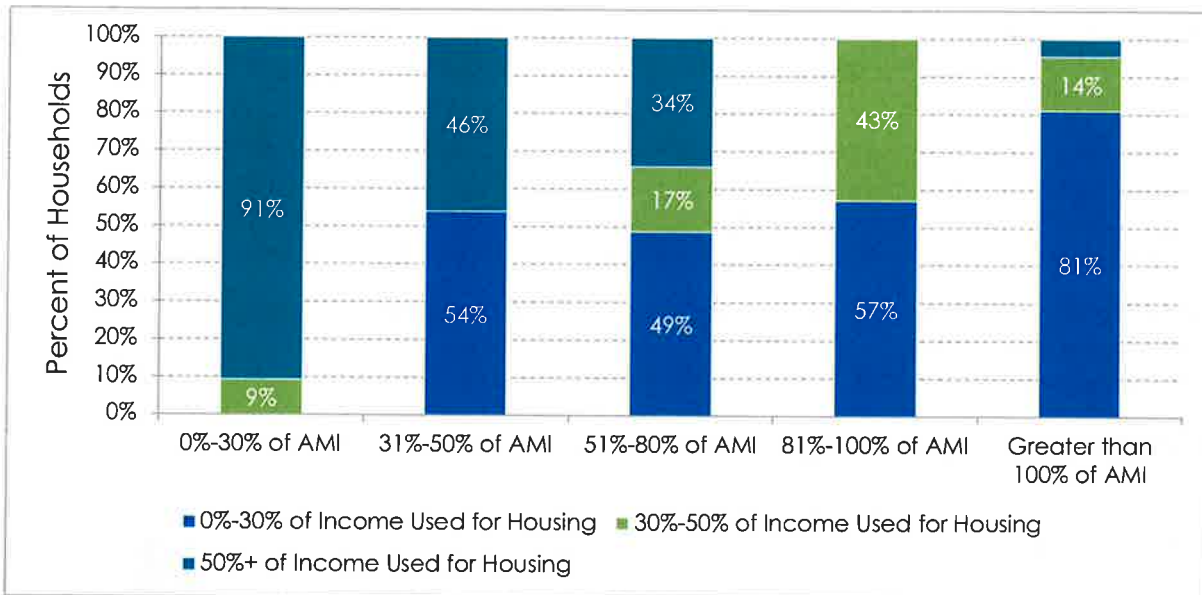
Source: U.S. Census Bureau, *American Community Survey 5-Year Data (2015-2019), Table B25032*

COST BURDEN

Cost burden, or overpayment, is defined as monthly shelter costs in excess of 30 percent of a household's income. Severe cost burden is defined as paying over 50 percent of household income for shelter costs. Shelter cost is defined as the monthly owner costs (mortgages, deed of trust, contracts to purchase or similar debts on the property and taxes, insurance on the property, and utilities) or the gross rent (contract rent plus the estimated monthly cost of utilities).

As described in Table B-8, 26 percent of households in Ross are either extremely-low-income (6 percent, or 50 households), very-low-income (7 percent, or 54 households), or low-income (13 percent, or 108 households). In Ross, lower-income (80 percent AMI or lower) households are most likely to be severely cost burdened. About 91 percent of extremely-low-income households experience severe cost burden, as do 46 percent of very-low-income households.

Chart B-8: Cost Burden by Income Group



Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI).

Source: U.S. Department of Housing and Urban Development (HUD), *Comprehensive Housing Affordability Strategy (CHAS)* ACS tabulation, 2013-2017 release

OVERCROWDING

Overcrowding, as defined by the U.S. Census, occurs where there is more than 1.01 persons per room (excluding bathrooms and kitchens) in an occupied housing unit and severe overcrowding occurs when there is more than 1.5 persons per room. Overcrowding is typically a consequence of an inadequate supply of housing affordable to the various income demographics in the community. Studies have found overcrowding to be related to negative outcomes in health, education, childhood growth and development, and housing conditions.⁵ In Ross, no households are considered severely overcrowded (including both renter-occupied and owner-occupied households). However, about 6.3 percent of renters experience moderate overcrowding (1 to 1.5 occupants per room), compared to 0.0 percent for those own.

⁵ The United Kingdom Office of the Deputy Prime Minister, "The Impact of Overcrowding on Health & Education: A Review of Evidence and Literature," Office of the Deputy Prime Minister Publications (2004). Note: this report is one of the primary sources used by HUD in the department's "Measuring Overcrowding in Housing" report (accessed here: https://www.census.gov/programs-surveys/ahs/research/publications/Measuring_Overcrowding_in_Hsg.html)

Table B-13: Overcrowding by Tenure

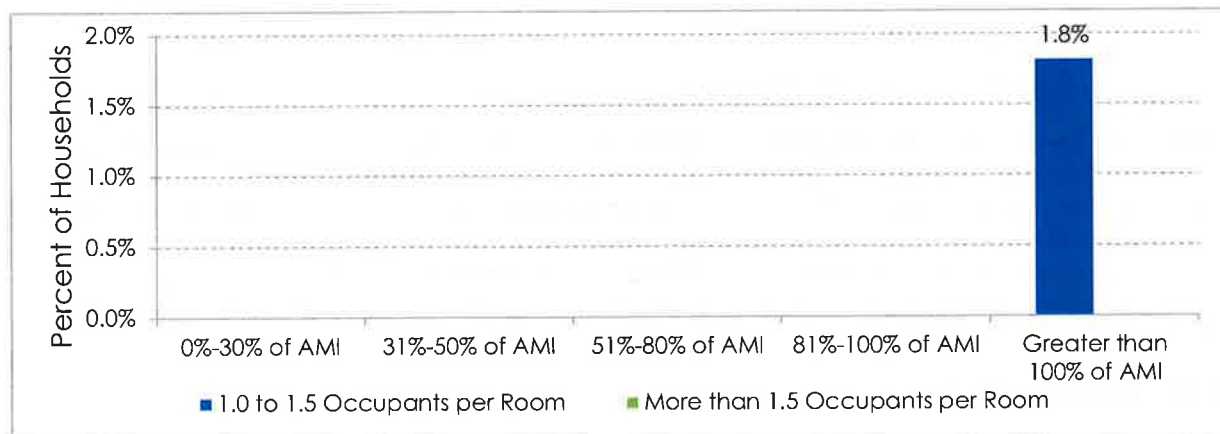
<i>Tenure</i>	<i>1.0 to 1.5 Occupants per Room</i>	<i>More than 1.5 Occupants per Room</i>
Owner Occupied	0.0%	0.0%
Renter Occupied	6.3%	0.0%

Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded.

Source: U.S. Department of Housing and Urban Development (HUD), *Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release*

Overcrowding often disproportionately impacts low-income households. However, in Ross, no low-, very-low-, and extremely-low-income households (26.3 percent, or 212 households in total) experience moderate or severe overcrowding. The number of overcrowded households in Ross is small and likely caused by the high price of housing and family choice to live in small, but typically high quality, housing units.

About 1.8 percent of households that make more than 100 percent of the AMI experience moderate overcrowding; all households experiencing overcrowding are above-moderate-income earners, meaning that even some wealthier households cannot afford to rent a suitably sized unit.

Chart B-9: Overcrowding by Income Level

Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. Income groups are based on HUD calculations for Area Median Income (AMI).

Source: U.S. Department of Housing and Urban Development (HUD), *Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release*

Regionally, people of color tend to experience overcrowding at higher rates than white residents. However, the racial/ethnic group with the largest—and only—overcrowding rate in Ross is non-Hispanic white.⁶

⁶ U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014

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 this Element include:

- Extremely-low-income households
- Elderly households
- Persons with disabilities, including developmental disabilities
- Large households
- Female-headed households
- Persons experiencing homelessness
- Farmworkers

EXTREMELY-LOW-INCOME RESIDENTS

State housing law requires local governments to address the needs of “Extremely-Low-Income” populations, which refers to households with incomes below 30 percent of the AMI for the community. As seen in Table B-14, 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.

In addition to those families making less than 30 percent of AMI, the Federal Poverty Level (FPL) is a threshold established by the federal government that remains constant throughout the country (and thus does not correspond to AMI). Federal statistics can also help the Town quantify the extent of the extremely-low-income population. The federal government defines poverty as a minimum level of income (adjusted for household size and composition) necessary to meet basic food, shelter, and clothing needs. For 2021, the FPL for a family of four is \$26,500, which is less than the \$41,100 threshold for 30 percent of AMI. This means that some households that qualify as extremely low-income in Ross are not considered as living below the FPL. This is indicative of the higher cost of living in Ross and the Bay Area overall as compared to other areas of the country. While the ACS does provide estimates of Ross residents living below the FPL, Ross is such a small community that the margin of error for these estimates is relatively high. For this reason, the data in Table B-14, which comes from HUD’s Comprehensive Housing Affordability Strategy (CHAS) tabulation and is more likely to account for the margin of error, is more reliable when looking at race and poverty in Ross.

Table B-14: Ross Household Income Level by Race

<i>Racial / Ethnic Group</i>	<i>0%-30% of AMI</i>	<i>31%-50% of AMI</i>	<i>51%-80% of AMI</i>	<i>81%-100% of AMI</i>	<i>Greater than 100% of AMI</i>	<i>Total</i>
American Indian or Alaska Native, Non-Hispanic ¹	0.0%	0.0%	0.0%	0.0%	0.0%	0%
Asian / API, Non-Hispanic	41.7% ²	0.0%	16.7%	0.0%	41.7%	100%
Black or African American, Non-Hispanic	0.0%	0.0%	0.0%	100.0%	0.0%	100%
White, Non-Hispanic	5.3%	6.7%	13.9%	3.3%	70.8%	100%
Other Race or Multiple Races, Non-Hispanic	0.0%	50.0%	0.0%	50.0%	0.0%	100%
Hispanic or Latinx	0.0%	0.0%	0.0%	28.6%	71.4%	100%
All Households	6.2%	6.7%	13.4%	5.3%	68.3%	100%

Notes:

¹ There are no households that identify as American Indian or Alaska Native, Non-Hispanic

² Although Asian/API households have the highest proportional representation of extremely-low-income levels, there are only 24 households that identify as Asian/API in Ross, of whom 10 are extremely-low-income. In contrast, there are 40 extremely-low-income white households (of 749 total).

Income groups are based on HUD calculations for Area Median Income (AMI).

For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

SENIOR RESIDENTS

Older adults are considered a special needs population by the State because they often face unique housing challenges including chronic health conditions, reduced mobility, and fixed-incomes. Throughout California, senior households often spend a disproportionate amount of their income ensuring their homes remain accessible and safe and are sometimes subject to discrimination based on their specific needs or circumstances. 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 the county;⁷ however, the number and share of lower income older adult households in Ross is lower than in Marin County and the wider Bay Area.

As shown in Chart B-3 earlier in the chapter, the vast majority of seniors in Ross identify as white (98.4 percent), which is greater than the proportion of residents who identify as white among younger age groups (87.9 percent of residents younger than 65). In Ross, 2.2 percent of residents aged 62 and over have an income below 30 percent of AMI, which is lower than the rate of 6.2 percent found among the overall population in Ross. As seen in Table B-15, senior renters are most likely to fall into the over 100 percent of AMI category, although as a share of the total population, older adult renters represent about 2 percent of all households.

⁷ 2020 American Community Survey 5-Year Estimates

Table B-15: Senior Households¹ by Income and Tenure

<i>Income Group</i>	<i>Owner Occupied</i>		<i>Renter Occupied</i>		<i>Total</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
0%-30% of AMI	8	2.3%	0	0.0%	8	2.2%
31%-50% of AMI	55	15.7%	0	0.0%	55	14.9%
51%-80% of AMI	49	14.0%	4	21.1%	53	14.3%
81%-100% of AMI	20	5.7%	0	0.0%	20	5.4%
Greater than 100% of AMI	219	62.4%	15	78.9%	234	63.2%
Totals	351	100%	19	100%	370	100%

Notes: For the purposes of this table, ABAG-MTC considers senior households to be those with a householder who is aged 62 or older.

Source: U.S. Department of Housing and Urban Development (HUD), *Comprehensive Housing Affordability Strategy (CHAS)* ACS tabulation, 2013-2017 release

Senior households considered low-income (making between 31 to 50 percent AMI) are the group most likely to be spending more than 50 percent of their overall household income on housing costs at 45.5 percent.

Table B-16: Cost-Burdened Senior Households by Income Level

<i>Income Group</i>	<i>0%-30% of Income Used for Housing</i>	<i>31%-50% of Income Used for Housing</i>	<i>51%+ of Income Used for Housing</i>	<i>Total</i>	<i>Total Senior Population</i>
0%-30% of AMI	0.0%	50.0%	50.0%	100.0%	8
31%-50% of AMI	54.5%	0.0%	45.5%	100.0%	55
51%-80% of AMI	56.6%	7.5%	35.8%	100.0%	53
81%-100% of AMI	50.0%	50.0%	0.0%	100.0%	20
Greater than 100% of AMI	83.3%	12.4%	4.3%	100.0%	234

Notes: For the purposes of this table, ABAG-MTC considers senior households to be those with a householder who is aged 62 or older.

Source: U.S. Department of Housing and Urban Development (HUD), *Comprehensive Housing Affordability Strategy (CHAS)* ACS tabulation, 2013-2017 release

Potential senior housing needs that may require a specific governmental response include:

- **Assisted living facilities.** Assisted living facilities provide senior residents with the opportunity to maintain an independent housing unit while receiving needed medical services and social support.
- **Relocation assistance.** Some senior residents need assistance in relocating to a dwelling that better suits their space and income needs.
- **Mobility impairment.** Mobility-impaired senior residents may require special accessibility features in the design and construction of their homes, subject to the Americans with Disabilities Act standards for accessible design.

Table B-17 shows the prevalence of different types of disabilities among seniors over age 65 in Ross. The most prevalent type of disability is ambulatory difficulty, experienced by 7 percent of Ross seniors. An ambulatory difficulty refers to a mobility impairment that causes significant difficulty walking or climbing stairs.

Table B-17: Seniors with Disabilities

<i>Disability</i>	<i>Percentage of Seniors</i>
With an ambulatory difficulty ¹	7.0%
With an independent living difficulty ²	5.5%
With a hearing difficulty ³	5.0%
With a self-care difficulty ⁴	4.7%
With a cognitive difficulty ⁵	4.4%
With a vision difficulty ⁶	2.8%

Notes:

1. Ambulatory difficulty refers to having serious difficulty walking or climbing stairs.
2. Independent living difficulty refers to having difficulty doing errands alone due to a physical, mental, or emotional problem.
3. Hearing difficulty refers to those who are deaf or have serious difficulty hearing.
4. Self-care difficulty refers to having difficulty bathing or dressing.
5. Cognitive difficulty refers to having difficulty remembering, concentrating or making decisions due to a physical, mental, or emotional problem.
6. Vision difficulty refers to those who are blind or have serious difficulty seeing.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107.

Senior Housing

Currently, there are no senior housing facilities in Ross; however, there are more than 15 senior housing facilities located within a 3.5-mile radius of the Town in Marin County. However, many senior households may prefer to stay in their existing residences and live independently well into retirement. The ability to have in-home assistance can help seniors in Ross remain in their homes longer. Senior housing is typically most desired by residents who are 85 years and older, and the existing facilities in the surrounding area may be adequate for local population in that cohort.

PERSONS WITH DISABILITIES

Persons with disabilities have physical or mental impairments that require special housing designed for self-sufficiency. According to 2019 ACS estimates compiled by ABAG, 164 persons (7.2 percent of the non-institutionalized population) in Ross had a disability. This proportion is slightly less than Marin County (9.1 percent) and the Bay Area (9.6 percent).

Disability can further be broken down into six categories. The Census Bureau provides the following definitions for these disability types:

- Hearing difficulty: deaf or has serious difficulty hearing.
- Vision difficulty: blind or has serious difficulty seeing even with glasses.
- Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions.
- Ambulatory difficulty: has serious difficulty walking or climbing stairs.
- Self-care difficulty: has difficulty dressing or bathing.
- Independent living difficulty: has difficulty doing errands alone such as visiting a doctor's office or shopping.

These disability types are counted separately and are not mutually exclusive, as an individual may report more than one disability; thus, these counts should not be summed. Table B-18 provides a breakdown of

Ross' adult population by disability type. The most prevalent disability was cognitive difficulty at 3.4 percent.

Table B-18: Disability by Type

<i>Disability</i>	<i>Percentage of the Civilian Non-Institutionalized Population Aged 18 and Over</i>
With a cognitive difficulty ¹	3.4%
With an independent living difficulty ²	3.2%
With an ambulatory difficulty ³	2.1%
With a self-care difficulty ⁴	1.9%
With a hearing difficulty ⁵	1.4%
With a vision difficulty ⁶	1.0%

Notes:

1. Cognitive difficulty refers to having difficulty remembering, concentrating or making decisions due to a physical, mental, or emotional problem.
2. Independent living difficulty refers to having difficulty doing errands alone due to a physical, mental, or emotional problem.
3. Ambulatory difficulty refers to having serious difficulty walking or climbing stairs.
4. Self-care difficulty refers to having difficulty bathing or dressing.
5. Hearing difficulty refers to those who are deaf or have serious difficulty hearing.
6. Vision difficulty refers to those who are blind or have serious difficulty seeing.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107.

Further, residents with disabilities may have more difficulty in finding employment. In Ross, however, according to 2019 ACS estimates compiled by ABAG, 0.0 percent of the civilian noninstitutionalized population 18 years to 64 years in the labor force with a disability were unemployed.

Given the barriers faced by persons with disabilities, the provision of affordable and barrier-free housing is essential to meet their housing needs. There are two approaches to housing design for residents with disabilities: adaptability and accessibility. Adaptable housing is a design concept in which a dwelling unit contains design features that allow for accessibility and use by mobility-impaired individuals with only minor modifications. An accessible unit has the actual special features installed in the house (grab bars, special cabinetry). To address these needs, the State requires design or accessibility modifications, such as access ramps, wider doorways, assist bars in bathrooms, lower cabinets, elevators, and the acceptance of service animals.

Developmental Disabilities

Since January 2011, per SB 812 as codified in Section 65583, housing elements are required to address the housing needs of individuals with a developmental disability within the community. According to Section 4512 of the Welfare and Institutions Code a "developmental disability" means a disability that originates before an individual attains age 18 years, continues—or can be expected to continue—indeinitely, and constitutes a substantial disability for that individual, which includes intellectual disability, cerebral palsy, epilepsy, and autism. This term also includes disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with an intellectual disability, but not includes other disabling conditions that are solely physical in nature.

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

In Ross, the vast majority of residents with a developmental disability (82.2 percent) live in a community care facility. The Cedars of Marin (Cedars) is a notable community care facility that houses approximately 100 individuals with developmental disabilities at its Generoso Pope, Jr. Ross residential campus. Cedars residents live in group home settings with either single or shared rooms, a dining room, common areas, and computer access. Residents are supported with health and wellness coordination, activities, arts education, and volunteer opportunities in the community. In Ross, approximately 14.5 percent (7 persons) of the population that has a developmental disability is under the age of 18, while the remaining 85.4 percent (41 persons) is over 18 years old.

Table B-19: Ross Population with Developmental Disabilities by Residence¹

<i>Residence Type</i>	<i>Number</i>	<i>Percent</i>
Community Care Facility	38	80.9%
Home of Parent /Family /Guardian	8	17.0%
Independent /Supported Living	1	2.1%
Foster /Family Home	0	0.0%
Intermediate Care Facility	0	0.0%
Other	0	0.0%
Total	47	100%

1. The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions.

2. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Source: ABAG-MTC Housing Needs Data Workbook (California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type, 2020)

Housing types that may be appropriate for people living with a developmental disability include rent subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 homes⁸. The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving the needs of this group. To the extent that multifamily housing is constructed in Ross, incorporating 'barrier-free' design in all new multifamily developments (as required by California and Federal Fair Housing laws) is important to

⁸ Senate Bill (SB) 962 (2005) established the Adult Residential Facility for Persons with Special Health Care Needs Pilot Project.

SB 962 homes are community-based care facilities specifically for persons with developmental disabilities that are licensed and regulated by the State.

provide the widest range of choices for disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income.

LARGE FAMILIES

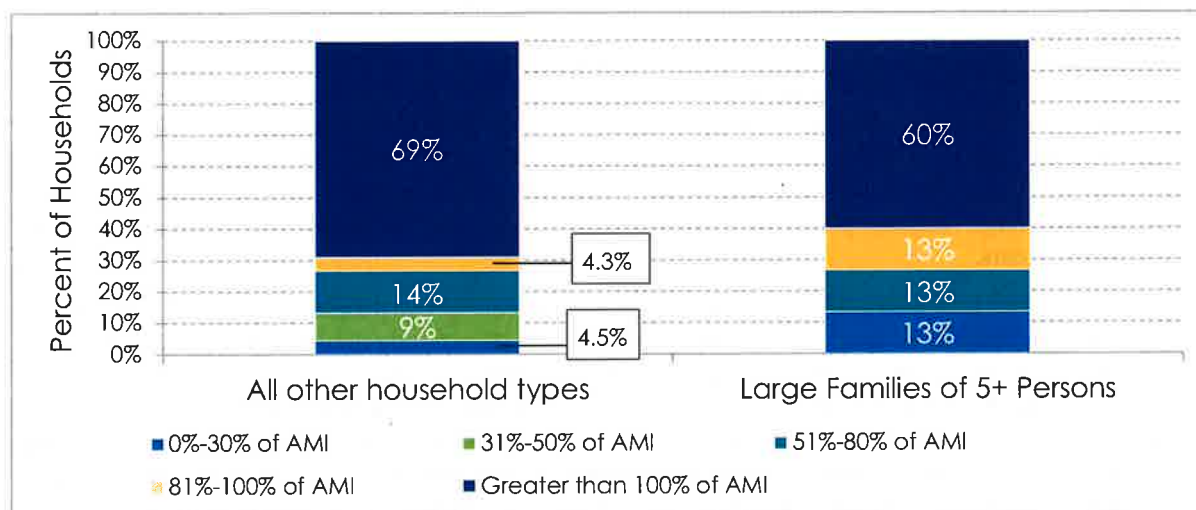
Large families, defined as households of five or more related individuals, are a special need category under State law because they are at higher risk for overcrowding if the jurisdiction's housing stock doesn't have sufficient larger units with an adequate number of bedrooms. Additionally, in communities throughout California many large families, particularly renters, often do not have sufficient income to afford larger homes or apartments.

In Ross, most of the households (53.4 percent) are occupied by one or two people. However, in comparison to surrounding jurisdictions, Ross has a higher proportion of large family households. Twelve percent of households (96) in Ross are considered large households, while 7.2 percent in Marin County and 10.8 percent in the Bay Area are. 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. Although the absolute number (10) of extremely-low-income large families is relatively low, the proportion is higher than the proportion of extremely-low-income earners in other household size categories (4.5 percent), as shown in Chart B-10.

Table B-20: Ross Household Size by Tenure

<i>Housing Type</i>	<i>Owner-Occupied</i>		<i>Renter-Occupied</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
1 Person Household	133	19.9%	27	19.0%
2 Person Household	237	35.4%	37	26.1%
3 Person Household	100	14.9%	6	4.2%
4 Person Household	138	20.6%	38	26.8%
5 Or More Person Household	62	9.3%	34	23.9%
Total	670	100.0%	142	100.0%

Source: ABAG-MTC Housing Needs Data Workbook (U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25009)

Chart B-10: Household Size by Household Income Level

Source: ABAG-MTC Housing Needs Data Workbook (U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release)

As shown in Table B-21, approximately 26.7 percent (20 households) of large families experience severe cost burden, compared to 15 percent (110 households) of all other household size categories. Large families in Ross are less likely than all other household types to experience moderate cost burden.

Table B-21: Cost Burden by Household Size

Income Category	Large Family (5+ Persons)		All Other Household Size Categories	
	Number	Percent	Number	Percent
No Cost Burden	55	73.3%	501	68.5%
Cost Burden	0	0.0%	120	16.4%
Severe Cost Burden	20	26.7%	110	15.0%
Total	75	100%	731	100%

Source: ABAG-MTC Housing Needs Data Workbook (U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release)

FEMALE-HEADED HOUSEHOLDS

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 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; however, 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. No female-headed households with or without children in Ross are at or below the federal poverty level.

Table B-22: Household Type by Tenure

<i>Household Type¹</i>	<i>Owner-Occupied</i>		<i>Renter-Occupied</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
Married-Couple Family Households	465	69.4%	85	59.9%
Householders Living Alone	133	19.9%	27	19.0%
Female-Headed Family Households	47	7.0%	6	4.2%
Male-Headed Family Households	18	2.7%	9	6.3%
Other Non-Family Household	7	1.0%	15	10.6%

1. For data from the Census Bureau, a “family household” is a household where two or more people are related by birth, marriage, or adoption. “Non-family households” are households of one person living alone, as well as households where none of the people are related to each other.

Source: ABAG-MTC Housing Needs Data Workbook (U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25011)

Table B-23: Female-Headed Households by Poverty Status¹

<i>Poverty Level</i>	<i>Households With Children</i>		<i>Households Without Children</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
Above Poverty Level	25	100%	28	100%
Below Poverty Level	0	0%	0	0%

1. The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income.

Source: ABAG-MTC Housing Needs Data Workbook (U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012)

PERSONS EXPERIENCING HOMELESSNESS

Individuals and families who are homeless have perhaps the most immediate housing need of any group. They also have one of the most difficult sets of housing needs to meet, due to both the diversity and complexity of the factors that lead to homelessness, and to community opposition to the siting of housing that serves homeless clients. Homelessness is a countywide issue that demands a strategic, countywide approach that pools resources and services. The best source of data for estimating the number of homeless people is the 2019 Marin Homeless Point in Time (PIT) Count, which was conducted by the Marin Health and Human Services on January 28, 2019. One-day counts offer only a snapshot of the number of people experiencing homelessness and often underestimate the extent of homelessness in a community. However, they provide a useful benchmark to compare changes in homelessness over time. The PIT count follows the HUD approved methodology for counting sheltered and unsheltered homeless populations. The data was gathered by volunteers, outreach teams, interns, and staff from various community agencies as part of the biennial county-wide Community Count that included a count of both unsheltered homeless individuals (those living on the streets) and those who were sheltered (living in emergency shelters and transitional housing) on the night of the count.

The Marin County PIT count found a total of 1,034 people experiencing homelessness in the county, of whom 708 were unsheltered and 326 were sheltered.

Table B-24: Total Homeless Count Population Over Time, by Jurisdiction and Shelter Status

<i>Status</i>	<i>2015</i>	<i>2017</i>	<i>2019</i>	<i>Percent Change 2017-2019</i>
Marin County				
Sheltered	474	409	326	-20%
Unsheltered	835	708	708	0%
Total	1,309	1,117	1,034	-7%
Central Marin¹				
Sheltered	94	85	94	11%
Unsheltered	388	304	277	-9%
Total	482	389	371	-5%

¹ Central Marin encompasses the communities of San Rafael, San Anselmo, Corte Madera, Larkspur, and Mill Valley, as well as nearby unincorporated county. Jurisdiction-specific counts for Ross were not provided in the 2019 Marin County Homeless PIT Count.

Source: 2019 Marin County Homeless Point-in-Time Count & Survey, Figure 2 and Figure 4

The most common type of household experiencing homelessness is those without children in their care. Among households experiencing homelessness that do not have children, 77.7 percent are unsheltered. Of homeless households with children, most are sheltered in traditional housing.

Table B-25: Homelessness by Household Type and Shelter Status

<i>Status</i>	<i>People in Households Composed Solely of Children Under 18</i>	<i>People in Households with Adults and Children</i>	<i>People in Households without Children Under 18</i>
Sheltered - Emergency Shelter	0	32	140
Sheltered - Transitional Housing	0	98	56
Unsheltered	8	17	683

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019)

Due to the COVID-19 pandemic, the 2019 PIT count is the most recent comprehensive count of persons experiencing homelessness in Marin County. However, a team of law enforcement, homeless outreach staff, and volunteers canvassed Marin County on February 25, 2021 to conduct a homeless vehicle count of persons experiencing homelessness in vehicles (cars and RVs). The vehicle count found 486 persons living in vehicles in Marin County, a 91 percent increase from 2019. Of these 486 persons, 166 individuals were living in Central Marin.

The PIT Count can be further divided by race or ethnicity, which can illuminate whether homelessness has a disproportionate racial impact within a community. The data from HUD on Hispanic/Latinx ethnicity for individuals experiencing homelessness does not specify racial group identity. Accordingly, individuals in either ethnic group identity category (Hispanic/Latinx or non-Hispanic/Latinx) could be of any racial background.

Table B-26: Racial Group Share of General and Homeless Populations

<i>Racial / Ethnic Group</i>	<i>Share of Homeless Population</i>	<i>Share of Overall Population</i>
American Indian or Alaska Native (Hispanic and Non-Hispanic)	3.5%	0.4%
Asian / API (Hispanic and Non-Hispanic)	3.1%	6.1%
Black or African American (Hispanic and Non-Hispanic)	16.7%	2.2%
White (Hispanic and Non-Hispanic)	66.2%	77.8%
Other Race or Multiple Races (Hispanic and Non-Hispanic)	10.5%	13.5%
Hispanic/Latinx	18.8%	15.9%
Non-Hispanic/Latinx	81.2%	84.1%

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

The racial/ethnic breakdown of Marin County's homeless population is shown in Table B-26. Notably, those who identify as Black or African American (Hispanic and non-Hispanic) represent 16.7 percent of the unhoused population in the county, but only 2.2 percent of the overall population. Additionally, those who identify as American Indian or Alaska Native (Hispanic and non-Hispanic) are also represented disproportionately among the unhoused population, as they make up 3.5 percent of homeless Marin County residents but only 0.4 percent of its overall population. Asian/API, white, and those who identify as some other race or multiple races are all underrepresented among the homeless population compared to their share of the overall population. Further, those who identify as Hispanic/Latinx are also overrepresented among the unhoused countywide.

Per HCD's requirements, jurisdictions also need to supplement county-level data with local estimates of people experiencing homelessness. According to the California Department of Education, in Ross, there were no reported students experiencing homeless in the 2019-20 school year.⁹ By comparison, Marin County has seen a 29.9 percent increase in the population of students experiencing homelessness since the 2016-17 school year (1,268 students in the 2019-20 school year), and the Bay Area population of students experiencing homelessness decreased by 8.5 percent. During the 2019-20 school year, there were 13,718 students experiencing homelessness throughout the region.¹⁰ There are currently no emergency or transitional shelters in Ross, though the Town Council stated in a 2018 staff report that it is actively looking for opportunities to create new affordable housing within the Town or in participation with nearby jurisdictions.¹¹

FARMWORKERS

Across the state, housing for farmworkers has long been recognized as an important and unique concern. Farmworkers generally receive wages that are considerably lower than other jobs and may have temporary housing needs. Finding decent and affordable housing can be challenging, particularly in the current

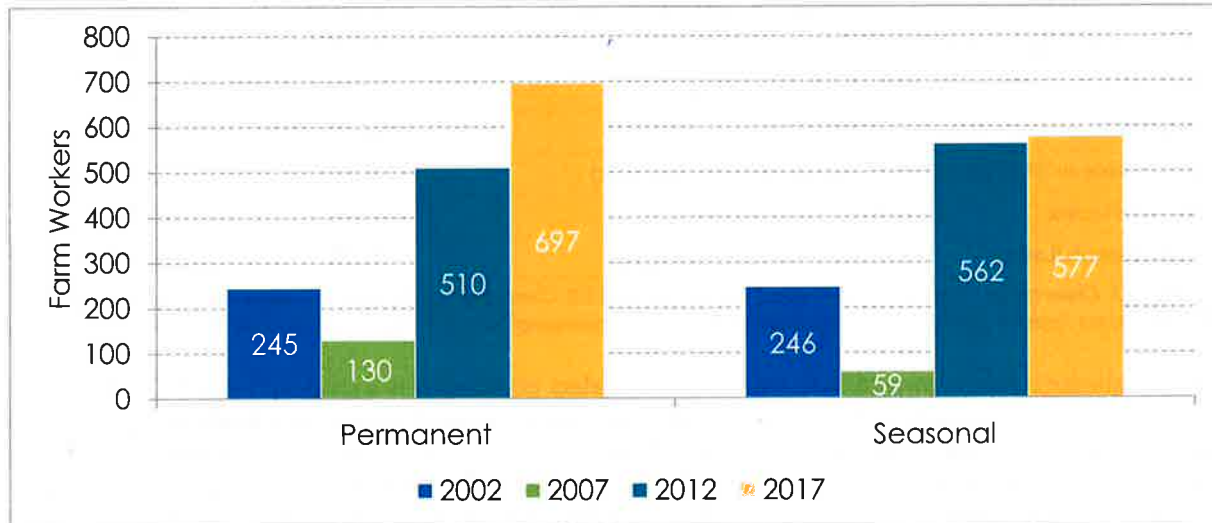
⁹ California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)

¹⁰ Ibid.

¹¹ Town of Ross, "Response to Marin County Civil Grand Jury Report: Homelessness in Marin: A Progress Report Response to Grand Jury," memo, July 12, 2018. Available at: https://www.townofross.org/sites/default/files/fileattachments/town_council/meeting/1871/11b._grand_jury_response-_homelessness.pdf

housing market. According to the U.S. Department of Agriculture Census of Farmworkers, the number of permanent farm workers in Marin County has increased since 2002, totaling 697 in 2017, while the number of seasonal farm workers has increased, totaling 577 in 2017.

Chart B-11: Farm Labor in Marin County, 2002-2017



Notes: Farm workers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days are considered to be permanent workers for that farm.

Source: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor

In the local setting, estimating the size of the agricultural labor force can be problematic due to undercounts and inconsistent definitions across government agencies. Determining the breakdown by seasonal and permanent workers can be even more difficult. One data source that is available comes from the California Department of Education, which provides a local estimate by tracking the student population of migrant workers in the public education system at any grade level, available in Table B-27. 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. The trend for the region for the past few years has been a decline of 2.4 percent in the number of migrant worker students since the 2016-17 school year.

Table B-27: Migrant Worker Student Population

Academic Year	Ross	Marin County	Bay Area
2016-17	0	0	4630
2017-18	0	0	4607
2018-19	0	11	4075
2019-20	0	0	3976

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)

Housing Characteristics

HOUSING TYPE

The vast majority (92.7 percent) of housing in Ross are detached single-family homes. Of the remaining housing stock, 1.9 percent is single family attached homes, 2.6 percent is multifamily homes with 2 to 4 units, 2.9 percent is multifamily homes with 5 or more units. There are no mobile homes in Ross. The housing type that experienced the most growth between 2010 and 2020 was detached single-family homes; the Town also permitted XX ADUs during the 5th Cycle Housing Element period (2015-2021). 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, but still requires an additional three units to meet its above-moderate-income housing need. Overall, the Town has met about 83.3 percent of its RHNA at all income levels.

Table B-28: Ross Housing Types, 2010-2020

<i>Building Type</i>	<i>2010</i>		<i>2020</i>		<i>Percent Change</i>
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	
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%
Totals	884	100%	899	100%	1.7%

Source: California Department of Finance, E-5 series

HOUSING VACANCY

Housing vacancy rates provide one metric to assess the balance between the supply and demand of housing. Low vacancy rates occur when demand outpaces the supply of housing, while high vacancy rates may indicate an oversupply of housing. Housing costs also tend to be higher with low vacancy rates. The Census Bureau classifies a unit as vacant if no one is occupying it when census interviewers are conducting the American Community Survey or Decennial Census. Vacant units classified as “for recreational or occasional use” are those that are held for short-term periods of use throughout the year. Accordingly, vacation rentals and short-term rentals like AirBnB are likely to fall in this category. The Census Bureau classifies units as “other vacant” if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration. In a region with a thriving economy and housing market like the Bay Area, units being renovated/repared and prepared for rental or sale are likely to represent a large portion of the “other vacant” category.

Estimates from the 2015-2019 ACS compiled by ABAG-MTC indicate that 94 (10.4 percent) out of the 906 housing units in Ross were vacant, which is higher than in the county (6.8 percent) and the entire Bay Area (5.9 percent), as shown in Table B-29. In the last decade, Ross has had similarly high vacancy levels overall, though the number of seasonal/recreational/other occasional use units has decreased since 2010, from 55 to 29 vacant units.¹²

¹² 2010: ACS 5-year estimates, Table B25004

Table B-29: Housing Vacancies by Type and Region

<i>Vacant Housing Type</i>	<i>Ross</i>	<i>Marin County</i>	<i>Bay Area</i>
For Rent	0	1089	41117
For Sale	7	349	10057
For Seasonal, Recreational, Or Occasional Use	29	2531	37301
Other Vacant	58	3106	61722
Rented, Not Occupied	0	322	10647
Sold, Not Occupied	0	255	11816
Total Vacant Housing Units	94 (10.4%)	7652 (6.8%)	172660 (5.9%)

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25004

PERMITTED HOUSING

There has been little housing development in Ross during the previous housing element cycle. Using data provided in the Town's 2021 Annual Progress Report, the number of building permits issued from 2015 to 2021 is available by income group. Most of the very-low-, low-, and moderate-income income units permitted have been ADUs, some of which are deed restricted to be rented at affordable prices for lower-income households. All permitted households during the 5th Cycle Housing Element period were considered infill units.

Table B-30: Housing Permits

<i>Income Group</i>	<i>Permits Issued</i>	<i>Percent of 5th Cycle RHNA</i>
Very-Low-Income Permits	6	100%
Low-Income Permits	4	100%
Moderate-Income Permits	5	120%
Above-Moderate-Income Permits	1	25%
Totals	16	89%

Source: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (2021)

HOUSING CONDITIONS

Assessing the condition of the housing stock, including the age of buildings and substandard conditions, is critical to address housing quality and safety needs in the Town. Insufficient housing supply and high housing costs create a higher risk that some households may live in *substandard* conditions. Housing is considered *substandard* when physical conditions are determined to be below the minimum standards of living, as defined by Government Code Section 17920.3. A building is considered substandard if any of the following conditions exist:

- Inadequate sanitation
- Structural hazards
- Nuisances
- Faulty weather protection
- Fire, safety or health hazards
- Inadequate building materials

- Inadequate maintenance
- Inadequate exit facilities
- Hazardous wiring, plumbing or mechanical equipment
- Improper occupation for living, sleeping, cooking, or dining purposes
- Inadequate structural resistance to horizontal forces
- Any building not in compliance with Government Code Section 13143.2

Any household living in substandard conditions is considered in need of assistance, even if they are not actively seeking alternative housing arrangements. Estimating the number of substandard units can be difficult, but the lack of certain infrastructure and utilities can often be an indicator of substandard conditions. According to 2019 ACS estimates compiled by ABAG-MTC, as shown in Table B-31, about 0.7 percent of owners lack complete kitchen facilities while 0.0 percent of renters do. Further, approximately 0.7 percent of owners lack complete plumbing facilities while 0.0 percent of renters do.

Table B-31: Housing Issues by Tenure

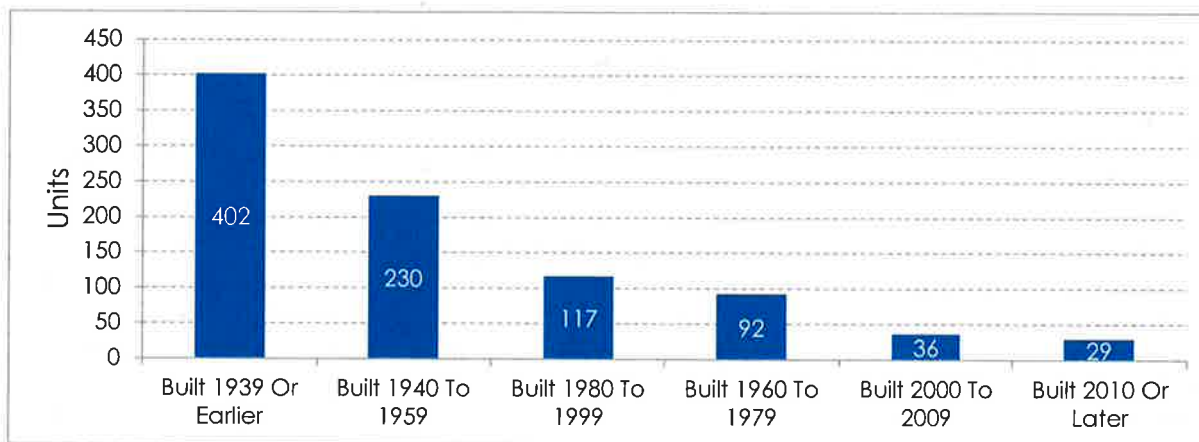
<i>Building Amenity</i>	<i>Owner</i>	<i>Renter</i>
Kitchen	0.7%	0.0%
Plumbing	0.7%	0.0%

Notes: Per HCD guidance, this data should be supplemented by local estimates of units needing to be rehabilitated or replaced based on recent windshield surveys, local building department data, knowledgeable builders/developers in the community, or nonprofit housing developers or organizations.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25053, Table B25043, Table B25049

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 B-12, in Ross, the largest proportion of the total housing stock was built in 1939 or earlier (44 percent), with 402 units constructed during this period. Only 3.2 percent of the current housing stock—29 units—has been built since 2010.

Chart B-12: Age of Ross Housing Stock



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

Housing Costs and Affordability

This section summarizes housing costs in Ross and assesses the extent to which housing is affordable for residents of the Town. Housing in Ross is expensive for moderate to low income households seeking to rent or purchase homes at current market prices. Both rental and sale housing in Ross is almost exclusively affordable to above moderate-income households. Home ownership in Ross is often out of reach for lower income households, including teachers, service workers, and those employed at Town jobs. While rental units are more affordable, there are fewer of them, and low vacancies.

HOUSING AFFORDABILITY BY HOUSEHOLD INCOME

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.

Table B-32: Housing Affordability by Household Income

Household Size	AMI Limits	Affordable Payment		Housing Costs			Maximum Affordable Price	
				Utilities		Taxes & Insurance		
		Renter	Owner	Renter	Owner	Owner	Monthly Rent	Purchase Price
Extremely-Low-Income (<30% AMI)								
1 Person (Studio)	\$38,400	\$960	\$960	\$110	\$110	\$336	\$850	\$135,547
2 Person (1 Bedroom)	\$43,850	\$1,096	\$1,096	\$110	\$110	\$384	\$986	\$158,832
3 Person (2 Bedroom)	\$49,350	\$1,234	\$1,234	\$131	\$131	\$432	\$1,103	\$177,051
4 Person (3 Bedroom)	\$54,800	\$1,370	\$1,370	\$157	\$157	\$480	\$1,213	\$193,403
5 Person (4 Bedroom)	\$59,200	\$1,480	\$1,480	\$185	\$185	\$518	\$1,295	\$205,012
Average							\$1,089	\$173,969
Very-Low-Income (31%-50% AMI)								
1 Person (Studio)	\$63,950	\$1,599	\$1,599	\$110	\$110	\$560	\$1,488	\$244,979
2 Person (1 Bedroom)	\$73,100	\$1,828	\$1,828	\$110	\$110	\$640	\$1,717	\$284,227
3 Person (2 Bedroom)	\$82,250	\$2,056	\$2,056	\$131	\$131	\$720	\$1,926	\$318,079
4 Person (3 Bedroom)	\$91,350	\$2,284	\$2,284	\$157	\$157	\$799	\$2,127	\$350,328
5 Person (4 Bedroom)	\$98,700	\$2,468	\$2,468	\$185	\$185	\$864	\$2,283	\$374,273
Average							\$1,908	\$314,377

Table B-32: Housing Affordability by Household Income

Household Size	AMI Limits	Affordable Payment		Housing Costs			Maximum Affordable Price	
				Utilities		Taxes & Insurance		
		Renter	Owner	Renter	Owner	Owner	Monthly Rent	Purchase Price
Low-Income (51%-80% AMI)								
1 Person (Studio)	\$102,450	\$2,561	\$2,561	\$110	\$110	\$896	\$2,451	\$410,282
2 Person (1 Bedroom)	\$117,100	\$2,928	\$2,928	\$110	\$110	\$1,025	\$2,817	\$472,880
3 Person (2 Bedroom)	\$131,750	\$3,294	\$3,294	\$131	\$131	\$1,153	\$3,163	\$530,347
4 Person (3 Bedroom)	\$146,350	\$3,659	\$3,659	\$157	\$157	\$1,281	\$3,502	\$585,947
5 Person (4 Bedroom)	\$158,100	\$3,953	\$3,953	\$185	\$185	\$1,383	\$3,768	\$629,153
Average							\$3,140	\$525,722
Moderate-Income (81%-120% AMI)								
1 Person (Studio)	\$125,650	\$3,141	\$3,665	\$110	\$110	\$1,283	\$3,031	\$599,342
2 Person (1 Bedroom)	\$143,600	\$3,590	\$4,188	\$110	\$110	\$1,466	\$3,480	\$689,194
3 Person (2 Bedroom)	\$161,550	\$4,039	\$4,712	\$131	\$131	\$1,649	\$3,908	\$773,651
4 Person (3 Bedroom)	\$179,500	\$4,488	\$5,235	\$157	\$157	\$1,832	\$4,331	\$856,570
5 Person (4 Bedroom)	\$193,850	\$4,846	\$5,654	\$185	\$185	\$1,979	\$4,661	\$920,829
Average							\$3,882	\$767,917

AMI limits based on 2021 HCD Income Limits, interest rate assumptions derived from 30-Year Fixed Rate Zillow estimates for California (as of October 4, 2021). Down payment derived from 2019 median down payment for first-time buyers per the National Association of Realtors Research Group Down payment Expectations & Hurdles to Homeownership April 2020 report.

Assumptions:

1. Affordable monthly payment for renters and owners is assumed to be one-twelfth of 30% of median income applicable for the number of bedrooms. The exception is moderate-income owners, whose affordable payment is assumed to be one-twelfth of 35% of median income applicable for the number of bedrooms as specified by HCD, pursuant to HSC 50052.5(b)(4)
2. Utilities are estimated according to the 2021 Marin County Housing Authority Utility Allowance Schedule. Estimates are based on the combined average cost of gas and electric cooking, space heating (standard), and hot water, as well as lighting (standard), water, garbage, stove, refrigerator, water/sewage collection, and tenant supplied appliances (i.e., microwaves) across all unit types (i.e., apartments and houses).
3. Taxes and insurance are assumed to be 35% of monthly affordable housing costs
4. Assumed 30-year amortization, 2.82% interest rate, 6.0% down payment and closing costs equal to 2% of the sale price.

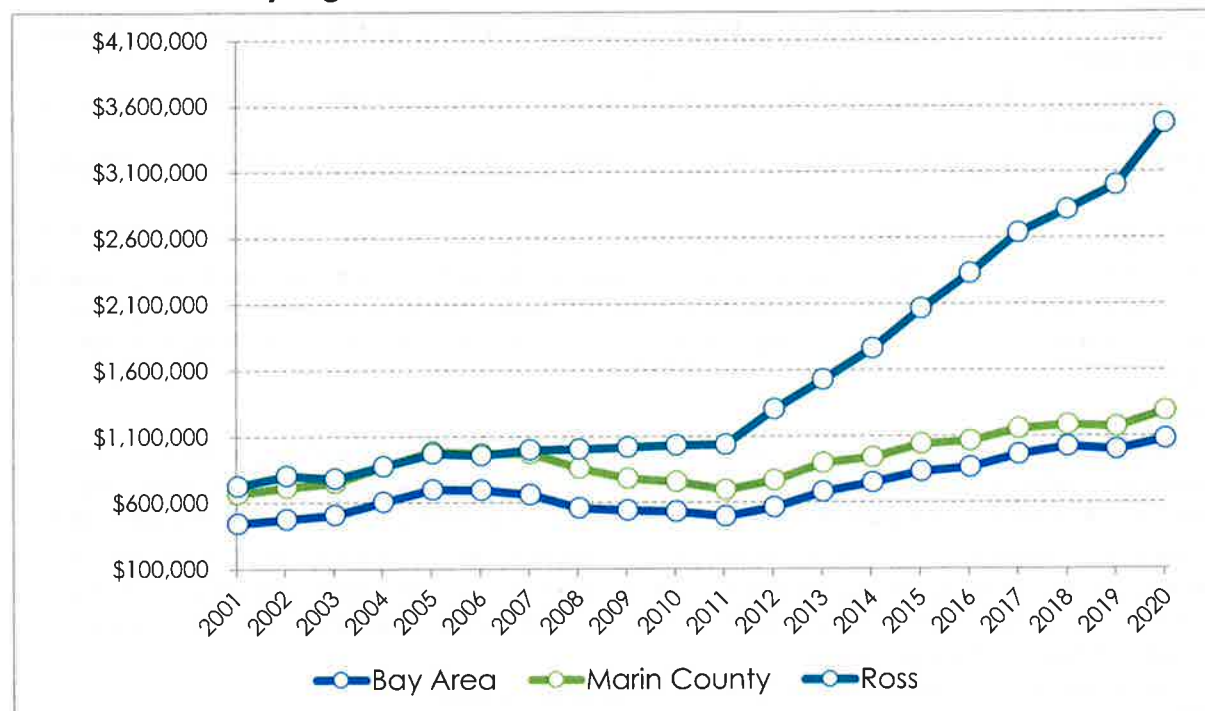
Source: HCD State Income Limits, 2021; Marin Housing Authority Utility Allowance Schedules, 2021; Zillow Mortgage Rates, October 2021; National Association of Realtors Research Group, Down payment Expectations & Hurdles to Homeownership, April 2020; Dyett & Bhatia, 2022

Housing affordability in Ross can be estimated by comparing the cost of renting or owning a home with the maximum affordable housing costs to households at different income levels. *Maximum affordable price* refers to the maximum amount that households can pay for rental or ownership without paying more than 30 percent of their gross income towards housing. The maximum affordable home and rental prices for residents of Ross are shown in Table B-32. For renters, maximum affordable price refers to the highest monthly rent they can afford. For homeowners, maximum affordable price is the purchase price of a home, and is derived from affordable monthly mortgage costs. The *maximum affordable payment* for both renters and owners refers to maximum affordable price plus the cost of utilities.

OWNERSHIP COSTS

While home values have climbed throughout California over the last 20 years, home values in Ross have risen dramatically over the last decade. Home values are tracked using the Zillow Home Value Index (ZHVI) as compiled by ABAG-MTC, which is a smoothed, seasonally adjusted measure of the typical value for homes in the 35th to 65th percentile range. The regional ZHVI estimate is a household-weighted average of county-level ZHVI files, where household counts are yearly estimates from DOF's E-5 series. As demonstrated in Chart B-13, home values did not decline in Ross as they did in Marin County and the Bay Area following the 2008 financial collapse, and in fact values largely plateaued between 2008 and 2011 before rising significantly in the decade following. Between 2011 and 2020 home values rose by approximately \$2,431,000, reaching a high of \$3,467,435 in 2020, well above the typical home values for the county (\$1,288,807) and the Bay Area (\$1,077,233). As of December 2021, the Ross ZHVI was approximately \$4,090,000.

Chart B-13: ZHVI By Region 2001-2020

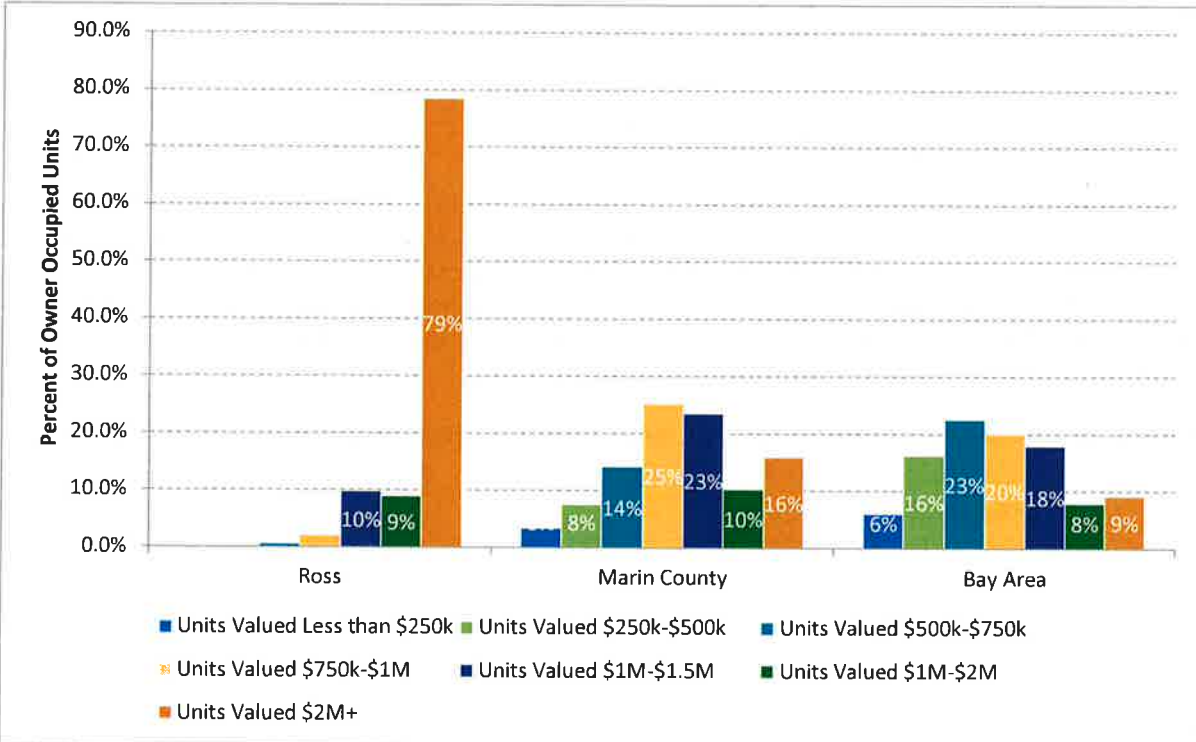


Notes: The regional estimate is a household-weighted average of county-level ZHVI files, where household counts are yearly estimates from DOF's E-5 series

Source: Zillow, Zillow Home Value Index (ZHVI)

In addition to the ZHVI, the 2019 ACS provides estimates of home values for owner-occupied units. Shown in Chart B-14, this data confirms the disparity in home value across region as indicated by the ZHVI. The ZHVI estimates that in 2020 the typical household was valued at \$3,467,435; the ACS affirms this, indicating that most units (about 78.5 percent) are valued above \$2,000,000. This is a significantly different distribution than is seen in the county or Bay Area, both of which have more even distributions by unit value. Marin County skews towards higher unit values while the wider Bay Area has higher percentages of lower unit values. Given that housing costs have only risen since the 2019 ACS, the 2020 ZHVI will be used to estimate housing value in Ross.

Chart B-14: Home Values of Owner-Occupied Units



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25075

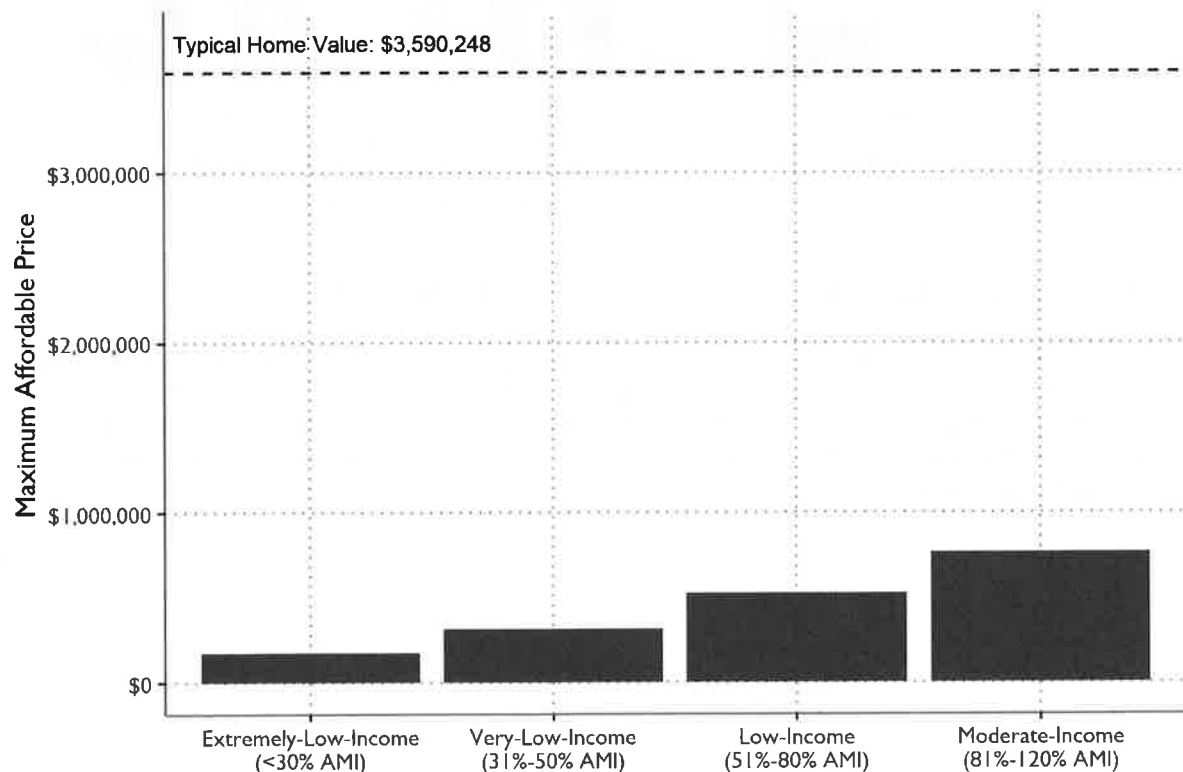
The ZHVI tracks a variety of types of owner-occupied housing units, including both single-family homes and condominiums. Table B-33 provides a breakdown of the ZHVI by housing type and size between 2010 and 2020, though not all housing types have available data. In total, housing value has increased by about 66.6 percent between 2010 and 2020. As of 2020, the housing type with the highest value in Ross is the single-family home, valued at \$3,590,180 on average.

Table B-33: Ross Zillow Home Value Index (ZHVI), 2010-2020

<i>Housing Type</i>	<i>December 2010 ZHVI</i>	<i>December 2020 ZHVI</i>	<i>Percent Change (2010 – 2020)</i>
Total	\$2,155,484	\$3,590,248	66.6%
Single-Family	\$2,154,926	\$3,590,180	66.6%
Condo	-	-	-
1 Bedroom	-	-	-
2 Bedroom	\$747,943	\$1,478,028	97.6%
3 Bedroom	-	-	-
4 Bedroom	-	-	-
5+ Bedrooms	-	-	-

Source: Zillow, Zillow Home Value Index (ZHVI)

Given the ZHVI estimates provided in Table B-33 and housing affordability levels from Table B-32 it is apparent that no moderate- or lower-income household can afford a home in Ross. This analysis shows that housing in Ross is only generally affordable to households earning much more than the AMI. Lower- and moderate-income households would need to rely on significant subsidies or loans in order to purchase a home in Ross. Chart B-15 visualizes the affordability gap for the average household by comparing average affordable purchase prices to the typical home value per the ZHVI.

Chart B-15: Ownership Affordability Gap for the Average Household

Note: Typical home value refers to the ZHVI of all housing units.

Source: Zillow Home Value Index, December 31, 2020; Dyett & Bhatia, 2022

The 1978 People's Initiative to Limit Property Taxation, known as "Proposition 13," limited assessed property values at their 1975 value and restricts annual increases of assessed value to an inflation factor, not to exceed 2 percent per year. According to County Assessor data, 237 units in Ross, or approximately 26.3 percent of the housing, is assessed at less than \$500,000; many of these units were constructed in the early to mid-20th century. The median assessed home value is approximately \$800,350. Paid off housing units subject to Proposition 13 may provide housing affordable to senior residents, or children of Ross residents who have lower incomes, since the only costs associated with the units may be annual property taxes (which range from \$776 for \$70,000 value to \$5,540 for \$500,000 value), utility costs, maintenance, and insurance expenses.

RENTER COSTS

In 2019, according to ACS estimates provided by ABAG-MTC, the median contract rent in Ross was \$2,270. Contract rent is the monthly rent agreed upon regardless of any furnishings, utilities or services that may be included. Data regarding contract rent excludes units for which no cash rent is paid. Table B-34 illustrates that rent in Ross is higher than in the county and in the Bay Area. Rents in Ross increased by about 8.7 percent between the 2009 and 2015 period, similar to rents in the county, which increased by 10.5 percent. This differs from the Bay Area, which saw median contract rent increase by 20.4 percent. However, between 2015 and 2019 rent costs were relatively stable in Ross—increasing by about 4.3 percent—while the county and Bay Area saw more dramatic increases, 24.7 percent and 28.4 percent respectively.

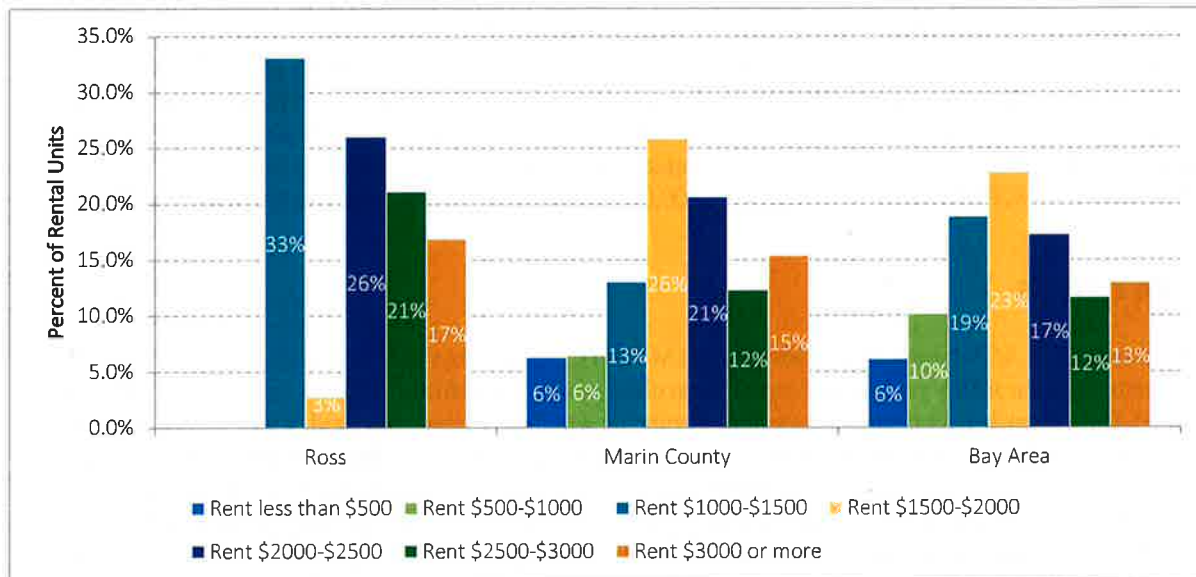
Table B-34: Ross and Regional Area Rents¹, 2009 – 2019

<i>Jurisdiction</i>	<i>2009 Median Contract Rent</i>	<i>2015 Median Contract Rent</i>	<i>2019 Median Contract Rent</i>
Ross	\$2,001	\$2,176	\$2,270
Marin County	\$1,423	\$1,573	\$1,961
Bay Area	\$1,196	\$1,440	\$1,849

I. County and regional counts are weighted averages of jurisdiction median using rental unit counts from the relevant year.

Source: U.S. Census Bureau, American Community Survey 5-Year Data releases, starting with 2005-2009 through 2015-2019, B25058, B25056 (for unincorporated areas).

As demonstrated in Chart B-16, while median contract rents in Ross are higher than in the county and Bay Area, one third (33 percent) of the renter-occupied households in Ross have contract rents below \$1,500, which is higher than in the county (25.8 percent) and similar to the Bay Area (35.2 percent). Unlike the county or the Bay Area, no renters in Ross have contract rents less than \$1,000. Ross has a significantly higher percentage of households with contract rents of \$2,000 or more (64.1 percent) than the county (48.3 percent) or the Bay Area (42 percent). Thus, while rents have risen at a slower pace in the Town than in the surrounding region, Ross remains a relatively unaffordable option for renters compared to the county or the Bay Area. Further, the existing supply of rental units is very limited (142), and the vacancy rate of 0 percent provides evidence that demand is high for rental units in the community.

Chart B-16: Contract Rents for Renter-Occupied Units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25056

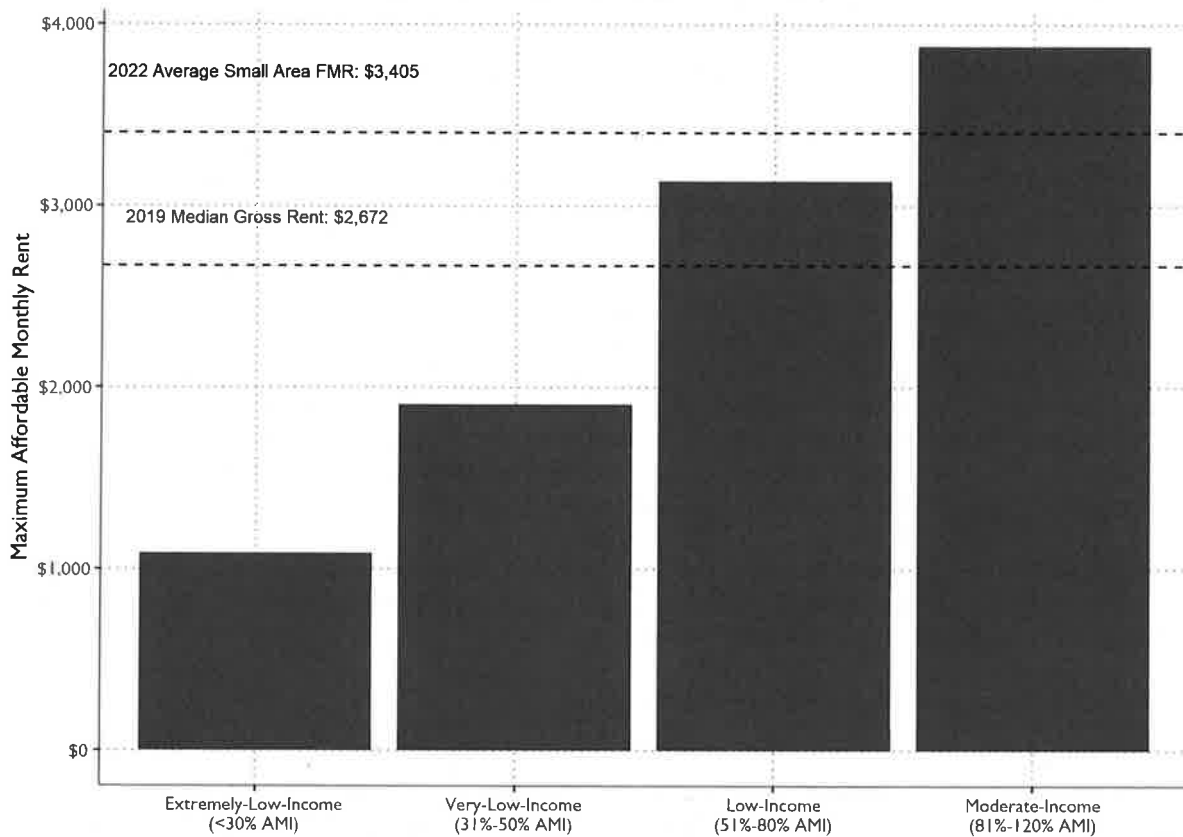
As rents have risen in the Town, it is likely that lower-income households have been less able to afford units at a suitable size. U.S. Census provides estimated median monthly gross rents by the number of bedrooms. Unlike contract rent, gross rent includes additional costs for utilities and fuels.

Table B-35: Ross Monthly Gross Rents, 2019

<i>Bedrooms</i>	<i>Monthly Gross Rent</i>	<i>Margin of Error</i>
Average	2,672	±226
No bedroom	-	-
1 bedroom	-	-
2 bedrooms	-	-
3 bedrooms	2,960	±246
4 bedrooms	-	-
5 or more bedrooms	-	-

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25031

Given the monthly and contract rent estimates provided in Chart B-17 and Table B-34, respectively, and housing affordability levels from Table B-32, analysis shows that rental housing is unaffordable to low-, very-low- and extremely-low-income households in Ross. Further, as rent prices continue to increase, moderate-income renters are also likely to be priced out of Ross in the near future as well. Increased housing production for a range of housing types would help to increase affordability. Chart B-17 visualizes the affordability gap for the average renter-occupied household.

Chart B-17: Rental Affordability Gap for the Average Household

Note: Median gross rent includes all monthly housing costs for renters, per the ACS.
 Small Area Fair Market Rents (FMR) are determined by HUD and averaged across the 94957, 94960, and 94904 zipcodes.

Source: American Community Survey 5-Year Data (2015-2019); HUD, Small Area Fair Market Rent, 2022; Dyett & Bhatia, 2022

In Ross, second units, guesthouses, and ADUs serve as important supply of smaller, more affordable workforce housing within existing residential neighborhoods and provide independent living units for family members, students, local employees, the elderly, in-home health and childcare providers, and single adults, among others. Per the Town's Municipal Code, ADUs and junior accessory dwelling units (JADU, a 500 square foot maximum ADU that must be located within an existing dwelling or accessory structure such as a garage, and may share a bathroom or kitchen with the primary dwelling) may be constructed on any residentially zoned parcel with an existing single family or multifamily unit, provided the ADU or JADU meets general requirements and development standards. ADUs may be rented but not sold independently of the primary dwelling unit on the parcel. The town council may grant exceptions to allow nonconforming floor area or building coverage of an ADU to exceed the maximum size if an ADU is to be rent restricted for a very-low-income household. Owners of rent restricted ADUs must submit a signed Declaration of Rent Restrictions before or concurrently with a permit application, and must submit an ADU Affordable Rent Certification to the Town annually thereafter. Rent-Restricted ADU permits last a minimum of 20 years as a condition of permit approval.

Since 2015, the Town has permitted XX ADUs, of which four were deed restricted in some way.

Assisted Housing at Risk of Conversion

State law requires that communities identify the status of assisted low-income rental units that are “at risk” of conversion to market rent status within ten years of the statutory mandated update of the Housing Element (from January 2023 to January 2031). The Town does not have any multifamily rental housing that receive governmental assistance under federal programs, assisted housing developments, or multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus, and therefore none at risk of conversion. Of Marin County’s 2,441 assisted units at risk of conversion, 97 percent are at low risk of conversion. The data in Table B-36 reflects information from California Housing Partnership’s (CHP) Preservation Database, which is the State’s most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing. This database shows no units at risk of conversion in Ross. This database does not include all deed-restricted affordable units in the state, however. Per Chapter 18.42 of the Ross Municipal Code, rent restricted ADUs can qualify for greater floor area or building coverage variances. Covenants for rent restrictions last a minimum of 20 years and require annual submissions of an ADU Affordable Rent Certification. There are an estimated four deed-restricted ADUs in the Town.

Per HCD guidance, local jurisdictions must also list the specific affordable housing developments at risk of converting to market rate uses to supplement the aggregate numbers provided in B-36. Given that there are no units at risk of conversion in Ross, there are none to list.

Table B-36: Assisted Units at Risk of Conversion

<i>Risk Level¹</i>	<i>Number</i>	<i>Ross</i>	<i>Marin County</i>		<i>Bay Area</i>	
		<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
Low	0	0%	2,368	97.01%	110,177	94.60%
Moderate	0	0%	0	0.00%	3,375	2.90%
High	0	0%	56	2.29%	1,854	1.60%
Very High	0	0%	17	0.70%	1,053	0.90%

1. California Housing Partnership uses the following categories for assisted housing developments in its database:

- Low Risk: affordable homes that are at-risk of converting to market rate in 10+ years and/or are owned by a large/stable non-profit, mission-driven developer.
- Moderate Risk: affordable homes that are at-risk of converting to market rate in the next 5-10 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.
- High Risk: affordable homes that are at-risk of converting to market rate in the next 1-5 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.
- Very-High Risk: affordable homes that are at-risk of converting to market rate within the next year that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.

Source: ABAG-MTC Housing Needs Data Workbook (California Housing Partnership, Preservation Database, 2020)

Energy Conservation

Household energy consumption constitutes a significant proportion of total energy use in Ross and contributes to housing cost. A 2016 inventory of greenhouse gas (GHG) emissions in the town indicates that residential emissions account for the largest share of GHGs in the community, representing a full 53 percent of total emissions. This includes emissions generated from the use of electricity, natural gas, and propane in homes, including the electricity used to power electric vehicles at home. Transportation emissions accounted for 35 percent of total 2016 emissions in Ross, including tailpipe emissions from passenger vehicle trips originating and ending in Ross, as well as a share of tailpipe emissions generated by medium and heavy-duty vehicles and buses traveling on Marin County roads.

Electricity-related GHG emissions have decreased by 45 percent in the residential sector since 2005, primarily due to the lower carbon intensity of electricity. MCE Clean Energy (MCE) is a not-for-profit, Community Choice Aggregation (CCA) electricity provider that gives customers affordable “green” electricity choices in partnership with PG&E. MCE began providing electricity to Ross customers in 2012, and carries about 75 percent of the electricity load in Ross. The Light Green plan is sourced from at least 50 percent renewable resources. Deep Green, which relies on 100 percent clean energy, is also available at a higher cost to residents.

New construction in Ross is required to comply with the energy conservation standards in the California Building Standards Code, Title 24 of the California Code of Regulations. Title 24 establishes energy budgets or maximum energy use levels for dwelling units that align with California’s goals to require new residential buildings to be zero net energy after 2020. However, new construction accounts for only a relatively small portion of the total homes in Ross and efforts will need to focus on the retrofit of existing homes to ensure that lower income households are not unduly burdened and to support community and State-wide climate action goals.

The Town General Plan 2007-2025 includes a number of sustainable building and community policies to reduce resource consumption and improve energy efficiency, including:

1. Requiring large houses to limit the energy usage to that of a more moderately-sized house as established in design guidelines.
2. Encouraging affordable workforce housing and a development pattern that encourages people to walk.
3. Using green materials and resources.
4. Conserving water, especially in landscaping.
5. Encouraging transportation alternatives to the private automobile.
6. Increasing the use of renewable energy sources, including solar energy.
7. Recycling building materials.
8. Reducing building footprints.

The Town has worked to achieve these goals by adopting land-use policies that create a walkable community, promoting alternative transportation options and energy use, increasing energy efficiency and recycling efforts, and encouraging sustainable building practices. The Town has adopted various incentives to encourage solar energy installation, included amended zoning laws to allow solar energy panels within side and rear setbacks on existing rooftops and to exempt panels from lot coverage calculations; these changes enable more homeowners to apply for solar energy system permits without the time and cost of requesting a variance. The General Plan also includes programs for encouraging solar design for development and establishing specific development regulations that require building and substantial remodels to be built using green building techniques, including recycling of building materials, and to conform to an industry approved certification or rating such as Leadership in Energy and Environmental Design (LEED) Green Building Rating System or Build It Green.

A variety of additional resources for residential energy conservation are available to Ross residents. MCE offers a number of energy efficiency and home upgrade programs aimed at both single- and multifamily households throughout the county, including the Home Energy Savings Program, Low Income Families and Tenants (LIFT) Program, and Multifamily Energy Savings Program. They also provide rebates for both single- and multifamily solar installation. PG&E similarly offers several rebates available to Ross residents, including for appliances such as smart thermostats and high-efficiency electric heat pumps. Marin Municipal Water District (Marin Water) also offers free water-efficient fixtures and phone consultations to help residents find conservation programs and rebates. Rebates offered by Marin Water include Flume Smart Home Water Monitors, high-efficiency toilet rebates, clothes washer rebates, and Cash for Grass (Lawn Replacement Rebate). Through the County of Marin, the Electrify Marin program also offers rebates to single-family property owners for the replacement of natural gas appliances with efficient all-electric units.

Key Findings

- **Special Needs Groups:**

- **Extremely-Low-Income Residents.** 6.2 percent of Ross residents make less than 30 percent of area median income (AMI), which is lower than the county (14.9 percent) and the Bay Area (14.7 percent). In Marin County, 30 percent AMI is equivalent to an annual income of \$54,800 for a family of four. The racial/ethnic groups most like to be extremely-low-income residents are White, Non-Hispanic residents (80 percent) and Asian/Asian Pacific Islander, Non-Hispanic (20 percent). No renter occupied households were considered extremely low-income.
- **Senior Residents.** Ross has a significantly larger senior population of 65 and older (26.9 percent) than the county (16.8 percent). Since 2010, the share of residents aged 65 and older has doubled and the share of residents aged 85 and older has nearly tripled. Senior residents are considered a special needs housing group because senior residents 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.
- **Persons with Disabilities.** In the Town there is a similar, though slightly smaller, proportion of persons with a disability (7.2 percent) to the county (9.1 percent) and region (9.6 percent). Most residents with a developmental disability live in a community care facility and are over 18 years old.

- **Large Families.** Ross has a higher proportion of large family households (12 percent) than the county (7.2 percent) or the Bay Area (10.8 percent). Large family households are those households with five or more members. These households tend to be less cost-burdened and there is a higher percentage of extremely-low-income large family households (13 percent) and moderate-income households (13 percent) than all other household types (4.5 percent and 4.4 percent, respectively).
- **Female-Headed Households.** In Ross, female-headed households, which make up 6.5 percent of all households, tend to be owner-occupied. Approximately half of female-headed households have children (47 percent), and none live below the poverty line. The proportion of female-headed households is slightly lower in the Town than in the county (7.7 percent).
- **Persons Experiencing Homelessness.** Recent point in time counts indicate a homeless population of 1,034 persons in the county, of whom 708 were unsheltered and 326 were sheltered. There were no students in Ross public schools experiencing homelessness in the 2019-2020 school year. Since there are no shelters available in the Town, all individuals experiencing homelessness in Ross would be considered unsheltered.
- **Farmworkers.** Ross has very few to no farmworker residents. Zero percent of residents work in the agriculture and natural resources industry, and there are no students considered migrant workers in the Town.
- **Demographics.** The population of Ross increased by 5.6 percent from 2010 to 2020. During this same period, the proportion of White Non-Hispanic residents declined from 91 percent to 89 percent, while the percentage of African American, Asian, and Latinx residents increased correspondingly, although racial demographics differ among age groups. Black/African American Ross residents are most likely to be age 18-64, while residents of color who are younger than 18 years old are most likely to be Asian/API or Mixed-race/other. Nevertheless, Ross is racially and ethnically distinct from the county and region, in that compared to both the county and the region, the Town has a significantly higher share of White Non-Hispanic residents. Compared to the county and the region, a higher proportion of Town residents work in the financial and professional services industry.
- **Local Employment and Housing Need.** Ross is a predominantly residential community and residents tend to have jobs in other communities; however, more than 40 percent residents work in financial and professional services and may have greater opportunities to work from home than others. Given the growing share of seniors in the community - and particularly the increasing share of people over 85 years old - there is likely to be increased demand for home health workers and other types of employment that support the ability of older adults to continue to live independently. This suggests the need for local housing affordable to people employed in these occupations.
- **Income.** 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.
- **Housing Stock.** 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)]. Most housing (44 percent) was built before 1939, with very few housing units built in the last decade. Older housing stock is generally very well maintained.

- **Housing Production.** The number of new homes has increased by 1.7 percent from 2010 to 2020, which is above the growth rate for Marin County, but below the growth rate of the Bay Area.¹³ In Ross, the largest proportion of the housing stock was built in 1939 or earlier (44 percent), with 402 units constructed during this period. Only 3.2 percent of the current housing stock—29 units—has been built since 2010. Between 2010 and 2020, four new 2-4 unit apartments were built in Ross, and nine new single family homes were built.
- **ADU Production Trends.** ADUs are allowed by right pursuant to an ADU ordinance adopted into the Town Municipal Code in 2016. The majority of the Town’s very-low, low-, and moderate-income units permitted since the last Housing Element cycle are ADUs, although most of these are considered affordable due to market rate/size rather than deed restrictions.
- **Housing Vacancy.** 10.4 percent out of the 906 housing units in Ross were vacant, which is higher than in the county (6.8 percent) and the entire Bay Area (5.9 percent). However, more than half of the vacancies in Ross are classified as “other, vacant;” the Census Bureau classifies units as “other vacant” if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration. Only seven of the 94 vacant units in Ross were for sale, and zero were for rent.
- **Housing Affordability.** 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.
- **Housing Tenure.** A distinct pattern is evident in housing tenure trends: 100 percent of households who moved to Ross in 1989 or earlier own their home, while 68 percent of households that moved to Ross in 2017 or later are renters. This suggests a relative increase in the share of rental units in the community in recent years.
- **Cost Burden.** 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.

¹³ ABAG-MTC Data Packet

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APPENDIX C

Constraints Analysis

Appendix C – Housing Constraints

State law requires housing elements to identify and evaluate potential and actual governmental and non-governmental constraints that affect a jurisdiction's ability to maintain and improve existing housing and develop housing to meet its housing needs. Governmental constraints can include land use regulations, fees and exactions, and processing and permitting times, among others. Non-governmental constraints can be infrastructural, environmental, or market based. The purpose of this evaluation is to identify any approaches the Town could employ to reduce or overcome these constraints and improve its ability to meet its housing needs.

C.I Governmental Constraints

The Town of Ross regulates the use and development of land through the General Plan, Zoning Ordinance, Subdivision Ordinance, and a variety of building and site development standards. These requirements are intended to protect the health, safety and general welfare of the community but such regulations, associated procedures and processing fees can, however, also reduce the Town's ability to meet its housing objectives by increasing the feasibility and cost of developing housing.

LAND USE AND HOUSING POLICIES

Ross's existing housing stock is predominantly comprised of single-family detached homes on relatively large lots with a small commercial and civic area at the heart of the community. The Town is essentially built out, with almost all the remaining vacant land located in steeply sloped hillside areas with limited residential development potential. There are very few vacant lots located in the flatter portions of the Town where most of the development is concentrated.

More than 70 percent of the Town's housing stock was built before 1960. Only 16 units were permitted and 12 units built during the Housing Element planning period from 2015 to 2020.¹ The primary factors limiting housing development in Ross are the limited availability of land, the very high cost of land acquisition, and the high cost of labor and materials prevalent

¹ Housing Element Annual Progress Report for 2019, Staff Report to Town of Ross Mayor and Councilmembers, February 13, 2020.

throughout the Bay area; however, strict planning regulations, comparatively high fees, and development approval procedures have likely also contributed.

General Plan

The Town of Ross General Plan 2007-2025, which guides long-range physical development in the Town, was adopted June 14, 2007. The Plan emphasizes the Town's relationship with its natural environment, design excellence, and protection of community health and safety. Natural resources--trees, hillsides, ridgelines, and creeks--have shaped the Town's growth and define its highly valued character. These resources also contribute to the high cost of housing in Ross, both because of their attractiveness and the significant constraints they impose on development as discussed below.

The General Plan is relatively brief (just under 80 pages excluding the separately adopted Housing Element) but addresses the range of issues required by State law. The Plan does not include an Environmental Justice Element, which would be optional pursuant to Government Code Section 65302 (h), enacted by the passage of SB 1000 in 2016, based on available data regarding income levels, unemployment, pollution, and other measures used to identify disadvantaged communities.

The General Plan establishes the foundation for land use regulations in the Town, which are implemented by the Zoning Ordinance. Density and intensity standards established in the General Plan provide the framework under which both residential and non-residential development can occur as shown in Table C-1. The Plan also sets forth proposals for several key programs affecting housing development including:

- Establish Advisory Design Review (ADR) of local design professionals to provide design review assistance to staff;
- Develop detailed design guidelines to be applied during the application review process; and,
- Prepare a Plan for the Downtown area addressing potential uses, design guidelines, parking and other key issues.

As discussed below, the Town Council adopted detailed Design Guidelines in June 2019. The Council also established and appointed five residents to the Advisory Design Review Group in 2008. The Town Council approved a Tree Infill Plan for the Downtown in 2012 but has not yet prepared a more comprehensive plan for this area as the General Plan proposed.

Zoning Ordinance

Land uses within Ross are regulated by the Town's Zoning Ordinance, Title 18 of the Ross Municipal Code. The Zoning Ordinance was adopted in 1977 and has been amended incrementally since then. On September 8, 2022 Title 18 was updated to implement Senate Bill 9 (SB9), a new 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. Code amendments are needed to fully

Table C-1: Permitted Housing Types by Zoning District

Use Type	Zoning District					Additional Regulations
	R-1	C-L	C-D	CC	PF	
Accessory Dwelling Units	P	P	P	P	P	See Chapter 18.42, Accessory Dwelling Units
Caretaker Unit	UP	UP	UP	UP		See Section 18.12.092 and 18.16.030 (b)
Multi-Family	X	P ¹	P	P ²	U	With conditionally permitted non-residential uses per Sections 18.20.025(a) and 18.24.040 (b)
Dwellings, Single-Family Detached	P	UP	UP	P ²	X	See Chapter 18.16, Single Family Residence District, Chapter 18.39, Hillside Lot Regulations; Sections 18.20.030(7) and 18.24.035
Emergency Shelter	X	X	P	X	X	
Residential Care Facilities	UP	UP	X	X	X	See Sections 18.12.275, 18.16.030 (b); and 18.20.030(11)
Single-Room Occupancy	X	UP	X	X	X	See Sections 18.12.310 and 18.20.030 (12)
Accessory School Staff Residence	UP	X	X	X	X	See Section 18.16.030 (b)
Supportive Housing	P	X	X	X	X	See Sections 18.12.382 and 18.24.030 (a)
Transitional Housing	P	X	P	X	X	See Sections 18.12.387, 18.24.030 (a), and 18.24.040 (b)
P Permitted subject to zoning compliance determination MUP Minor Use Permit approved by Town Planner UP Conditional Use Permit approved by Town Council X Not permitted 1. Section 18.20.030(10) requires Use Permit to allow in first floor space fronting street in a building with conditionally permitted retail commercial, local service and professional uses. 2. Per Section 18.28.030 (d), single family, duplex and triplex residential are permitted when ancillary to permitted cultural uses in sub-section (a). Individual units shall not exceed 700 square feet and total residential development shall not exceed 2100 square feet. Projects with three or more units must include at least one affordable to very low income households per Section 18.28.100.						

Town of Ross Municipal Code, Title 18, Zoning

address other recent laws, including SB 330 (Housing Crisis Act of 2019) setting forth requirements for subjective design standards and limiting the ability to downzone property; SB 35 (streamlined approval for affordable housing development); and others. The Zoning Ordinance establishes seven General (i.e. Base) districts and four Combining districts. See Table C-2: Development Standards by Land Use Classification and Zoning District, which lists the General Plan's Land Use Classifications and the corresponding Zoning Districts.

Subdivision Ordinance

The Subdivision Ordinance Title 17 of the Ross Municipal Code, establishes the Town's procedures for approving and amending subdivisions in compliance with the State Subdivision Map Act (California Government Code, Section 66410 *et seq.*). In addition to design standards for subdivisions and requirements for street and highway design (Chapter 17.20), the Subdivision Ordinance also sets forth requirements for park land dedication and in-lieu park fees. (Chapter 17.44). As described above, Title 17 was amended on September 8, 2022 to establish provide procedures necessary for the implementation of SB9 pertaining to urban lot splits.

DEVELOPMENT STANDARDS AND REGULATIONS

Residential development standards and use regulations can constrain residential development if they unduly increase the cost of development and the time required to obtain development approval or if they unduly restrict the type of housing that can be built in the community and its location.

Use Regulations

Most of Ross's housing stock consists of single-family detached housing, a pattern that the Town's subdivision and zoning regulations have maintained over the decades. More recently, the Town has amended the zoning ordinance to allow a wider range of residential development types in additional districts as shown in Table C-1, Permitted Housing Types by Zoning District.

Site Development Standards

In addition to identifying allowable uses, the Zoning Ordinance establishes standards for key building features including minimum lot size, maximum residential density and floor area ratio, building coverage, building height, and minimum setbacks. Table C-2: Development Standards and Land Use Classifications lists standards for residential development by district and land use classification. In addition to the requirements in Chapter 18, Section 17.20.100 of the Town's subdivision regulations requires a minimum 100-foot depth for all residential lots and lot width requirements that vary from 50 to 300 feet.

Table C-2: Development Standards by Land Use Classification and Zoning District

Zoning District	Land Use Classification	Minimum Lot Size	Maximum FAR (%)	Maximum Coverage %	Minimum Lot Width/Depth (ft.)	Maximum Building Height (ft.)	Required Setbacks (ft.)		
							Front	Side	Rear
R-1	Medium Density	5000 sq. ft.	20	20	50/100	30 ¹	25	15	40
R-1: B-6	Medium Density	6000 sq. ft.	20	20	50/100	30 ¹	25	15	40
R-1: B-7.5	Medium Low Density	7500 sq. ft.	20	20	70/100	30 ¹	25	15	40
R-1: B-10	Medium Low Density	10,000 sq. ft.	20	20	85/100	30 ¹	25	15	40
R-1: B-15	Low Density	15,000 sq. ft.	15	20	100/100	30 ¹	25	18	40
R-1: B-20	Low Density	20,000 sq. ft.	15	20	120/100	30 ¹	25	20	40
R-1: B-A	Very Low Density	1 acre	15	20	150/100	30 ¹	25	25	40
R-1: B-5A	Very Low Density	5 acres	10	20	300/100	30 ¹	25	45	70
R-1: B-10A	Very Low Density	10 acres	10	20	300/100	30 ¹	35	50	70
Hillside Lot*									
Bldg area up to 3500 sq. ft.	Same as underlying Zoning District		See ** below.	Same as underlying Zoning District		Same as underlying Zoning District	25	25	40
Bldg area >3500 sq. ft.							25	45	70
C-L	Local Service Commercial	7500	130 ²	100 ²	0 ³	30 ²	0 ³		0 ³
C-D	Public Service	7500	50 ²	50 ²	0	30 ²			
C-C	Community Cultural	43,560		25					

Source: Town of Ross Municipal Code, Title 18 <https://www.townofross.org/administration/page/municipal-code>. Summary of Residential Zoning Regulations, 7/16/21

* Hillside Lot is any lot with a 30% or greater slope that is wholly or partially within Slope Stability Hazard Zone 3 or 4. In the case of a Hillside Lot, the more restrictive regulations of the Zoning District and/or the Hillside Lot Ordinance are applicable. *Ross Municipal Code Chapter 18.39.*

** For a lot with 30% slope or greater, use following formula:

Maximum floor area = $(0.15 - 0.002S)A - 0.005 (A^2/43,560)$; A = lot area in square feet, up to a maximum of 3 acres; S = lot slope, up to a maximum of 55%.

1. Up to two stories with a mezzanine.
2. Only applicable to multifamily and/or transitional housing.
3. Following only applicable to single-family detached:
 - a. Minimum lot width 85 feet
 - b. Minimum side yard 15 feet
 - c. Minimum front yard 25 feet
 - d. Minimum rear yard 40 feet
 - e. Maximum height 30 feet
 - f. Maximum coverage and floor area 2

Parking Standards

Required parking can significantly add to project development costs and reduce the feasibility of residential development. Section 18.16.080 of the Zoning Ordinance requires two to four spaces on R-1 lots depending on lot size; half of required parking must be in a permanent, roofed structure. Town Council may require additional parking spaces as a use permit condition. Table C-3: Ross Parking Requirements for Residential Units summarizes the off-street parking standards for a variety of residential uses. ADU parking standards are discussed separately below.

Table C-3: Ross Parking Requirements for Residential Units

<i>Zoning District</i>	<i>Land Use Classification</i>	<i>Minimum Lot Size</i>	<i>Required Parking</i>
R-1	Medium Density	5000 sq. ft.	2 (1 covered)*
R-1: B-6	Medium Density	6000 sq. ft.	2 (1 covered)*
R-1: B-7.5	Medium Low Density	7500 sq. ft.	2 (1 covered)*
R-1: B-10	Medium Low Density	10,000 sq. ft.	3 (1 covered)*
R-1: B-15	Low Density	15,000 sq. ft.	3 (1 covered)*
R-1: B-20	Low Density	20,000 sq. ft.	3 (1 covered)*
R-1: B-A	Very Low Density	1 acre	4 (2 covered)*
R-1: B-5A	Very Low Density	5 acres	4 (2 covered)*
R-1: B-10A	Very Low Density	10 acres	4 (2 covered)*
C-L	Local Service Commercial	None	1/unit plus 1/250 sq. ft. of net rentable area for multi-family and single room occupancy **
C-D	Civic	None	1/unit plus any additional required by use permit
C-C	Community Cultural	1 acre	1/unit***

* One or more additional spaces may be required for caretaker units and guesthouses by use permit conditions

** At least three for single-family detached

*** Parking for residential projects may be reduced or waived based on availability of shared parking on the site.
(Municipal Code Section 18.28.070, Parking)

The requirement for two covered parking spaces applicable to three of the nine R-1 districts are typical for many of the Bay area's suburban communities, but parking regulations for the remaining districts are more restrictive when compared to other Marin County communities with narrow streets and hilly topography. San Anselmo, for example, requires two spaces for single family attached or detached residential and allows one of the two spaces to be in tandem and/located within a required front or side setback if the lot's average width is 52

feet or less. Single-family units above 150 mean sea level elevation must provide three spaces but one of the spaces may be tandem and may be located with the front setback.²

The Town's parking requirements for multi-family projects in non-residential districts (see Table C-4: Ross Residential Off-Street Parking Requirements by Use Type) are somewhat less restrictive than those imposed in other Marin jurisdictions. The ordinance requires two spaces for a 500 square foot unit in the C-L District and at least one space in the C-D District but only one in the C-C District where parking requirements may be reduced or waived based on the availability of shared parking. Mill Valley, for example, requires two spaces per unit for all multi-family dwellings plus an additional .25 guest parking spaces when on-street parking is not available.³

The Town's parking requirements along with other requirements for the lowest density R-1 districts have probably limited the possibility of conventional subdivision under the Map Act but would not likely be an obstacle to implementation of the recently adopted State provisions for urban lot splits and the addition of residential units under SB 9, which do not allow local agencies to require more than one parking space per unit and completely waive requirements for properties within one half mile of public transit.

The Housing Action Plan proposes review and revision of the Town's parking standards, to provide more flexibility for meeting parking demand as in peer jurisdictions while taking topographic conditions, availability of on-street parking, and access for public safety vehicles into consideration. The Plan also proposes to allow reduced parking for all multi-family development within a half mile of public transit.

² San Anselmo Zoning Code, Parking Standards Table 5A
https://library.municode.com/ca/san_anselmo/codes/code_of_ordinances?nodeId=TIT10PLZO_CH3ZO_ART5PALORE_10-3.505MIUSPARE

³ Appendices to Mill Valley 2023-2031 Housing Element, p. F-19.

Table C-4: Ross Residential Off-Street Parking Requirements by Use Type

<i>Residential Use</i>	<i>Parking Requirements</i>
Caretaker Residence	Two covered spaces are required for a caretaker residence.
Dwellings, Multiple-Family	One covered space for each dwelling unit plus one additional space for each 250 sq. ft. of rentable floor area. One uncovered parking space for dwelling unit in Community Cultural District.
Dwellings, Single-Family	Two spaces for primary residential unit, one of which is enclosed in permanent, roofed structure, plus any additional spaces required by use permit. Units in B-10 to B-20 (minimum 10,000 to 20,000 sq. ft. lots) require three plus one covered; B-A to B 10-A (minimum 1 to 10-acre sq. ft. lots) require four spaces including two covered. Units in Local Service Commercial District require three spaces. Units in Civic District require one space.
Single Room Occupancy Housing	One covered space for each dwelling unit plus one additional space for each 250 sq. ft. of rentable floor area.
Transitional or Supportive Housing	Same as required for development type in the district where located. No off-street parking required for supportive housing located within one-half mile of a public transit stop per State law. Parking may be uncovered and shall use the multiple-family site planning criteria for parking lots in the Residential Design Guidelines.
Residential Care Facilities	Two covered spaces plus one space, covered or uncovered, for each employee are required for a residential care facility.
Accessory Dwelling Units	One space, which may be tandem parking in a driveway except no space required within .5 mile of public transit or in other situations per State law and Section 18.42.055 (f).

Source: Town of Ross Municipal Code Town of Ross, Title 18

Subdivision Standards

Because the Town is almost completely built out few subdivision applications are processed. Some existing homes, however, such as those within the Kent Woodlands Subdivision, are subject to Covenants, Codes, and Restrictions (CC&Rs) implemented by a homeowners' association. The Town does not enforce CC&Rs, but property owners' associations have the legal right to enforce their own rules, which may include architectural review conducted in addition to design review conducted under Chapter 18.41 of the Zoning Ordinance.

Section 17.24.060 of the Town's Subdivision Ordinance lists the improvements the subdivider or property owner is required to construct except as stipulated in an agreement with the Town or as outlined in any ordinance regarding street improvements. The subdivider or owner is required to post a bond or provide a letter of credit or other security to ensure that the following improvements are completed and maintained for 12 months after they are accepted by the Town. The design and construction of improvements is subject to review and approval by the Town Engineer and/or the Town Council.

1. The grading and paving of streets to official grades from curb to curb;
2. The construction of concrete curbs and sidewalks at locations that conform to those in contiguous areas as far as practicable;
3. Drainage pipes, facilities and structures for the drainage of the subdivision as deemed necessary by the Town Council; placed to such grades and of such design as to meet the
4. Sanitary sewers connected with the existing sanitary system and extended to each lot, according to grades, sizes and standards as approved by the Town Council or any sanitary district responsible for provide sewage disposal in the area within which the subdivision is located. No septic tanks or cesspools will be allowed within the town limits;
5. Storm water sewers or such methods of storm water disposal as may be required by the Town Council in accordance with approved standards and constructed to approved grades and design;
6. Water mains and hydrants, with necessary valves and connections to the existing water supply that meet the standards for design and construction of the Town and/or such water district or utility company supplies water in the area within which the subdivision is located;
7. Railroad crossings, where included in any subdivision and needed for proper access and/or circulation, constructed in accordance with the approved standards of the State Public Utilities Commission, to which body the subdivider shall submit all documents incident to the application;
8. Street trees and/or street lighting, if either is required by the Town Council and installed subject to the Town Council's approval.
9. The required improvements are typical of those required by other Marin County jurisdictions. Although it is somewhat unusual for the legislative body to review and approve the design and construction of such facilities, the Town Council serves as Ross's planning commission and the advisory agency for actions regulated by the State Subdivision Map Act. As such, the Town Council conducts all public hearings and reviews and takes action on all proposed subdivision maps and plans.

While the improvements Ross requires are not unusually onerous, the subdivision fees are notably higher than those charged by nearby communities. The required deposit for tentative and parcel maps for a minor subdivision in Ross, for example is \$18,842⁴ compared with \$9,000 in Larkspur⁵ and \$7,978 in San Anselmo. If the subdivision will require environmental review and preparation of an initial study, the Town requires a deposit equivalent to 25 percent of the cost charged by a consultant to prepare the environmental documents. Larkspur requires a \$5,000 deposit and San Anselmo charges \$6,120 for the first 16 hours of staff time.⁶ Mill Valley's fee for Tentative and Parcel Maps for four lots or less is \$4,174 plus \$203 per hour for staff time after the first hour.⁷ These fees will affect the economic feasibility of single-family lot splits under SB 9, which might otherwise be a way to provide additional housing in Ross. Actions the Town will take to reduce or mitigate the cost of subdivisions are included in the Housing Action Plan.

Subdivision Maps

Chapter 17.12 of the Ross Municipal Code requires approval of a Tentative Map to create any new lots or to adjust the lot lines of more than four separate lots. After a Tentative Map is approved, a subsequent Final Map or Parcel Map is required for the final approval and recordation of the subdivision with the Marin County Recorder's office. The primary difference between a Final Map and a Parcel Map is that a Final Map is required for all subdivisions creating five or more lots, while a Parcel Map is required for four or fewer lots.

Parcel and Final Maps must be approved by the Town Council in accordance with Chapters 17.16 and 18.34 of the Ross Municipal Code and the State Subdivision Map Act. Before an application for a Parcel Map or Final Map can be accepted by the Public Works Director/Town Engineer, the Planning Division reviews the Tentative Map to determine whether the Map conforms to all applicable requirements and any conditions the Town Council imposed. Plan check applications are not referred to other public agencies and no public notice is provided. The Public Works Director/Town Engineer gives final approval to Parcel and Final Maps unless the Town Council conditioned the map to require final review by the Council before map approval.

No public notice is provided for the approval of either a Parcel or Final Map.

⁴ Town of Ross Fee Schedule, Effective January 1, 2022.

⁵ City of Larkspur , Planning Department Fees and Deposits, Effective July 1, 2022
<https://www.cityoflarkspur.org/DocumentCenter/View/14081/Planning-Department-Fees?bidId=>

⁶ Town of San Anselmo, Schedule of User Fees, Effective July 1, 2021.
<https://www.townofsananselmo.org/DocumentCenter/View/25944/Fee-Schedule---2021-PDF?bidId=>

⁷ Town of Mill Valley, Planning Division Fee Schedule, Effective July 1, 2022.
<https://www.cityofmillvalley.org/DocumentCenter/View/2973/Planning-Department-Fees-Effective-July-1-2022?bidId=>

Certificates of Compliance

Certificate of Compliance applications are used to determine whether a particular unit of real property is a legal lot of record. If a unit of real property is not a legal lot of record, a conditional Certificate of Compliance will specify conditions that must be met before a property can become a legal lot of record. Section 17.04.070 of the Town Code states that applications will be processed in compliance with the Government Code Section 66499.36. (Subdivision Map Act). Because decisions are ministerial, no public notice is provided and Staff's decision is not appealable to the Town Council.

Lot Line Adjustments

As provided by Section 66412 (d) of the State Subdivision Map Act, the process for relocating lot lines between four or fewer existing adjoining parcels is a ministerial and no public notice is required. However, the Town Planner typically mails a courtesy notice of the intent to adjacent property owners at least 10 days prior to the decision. When a lot line adjustment is part of a project that requires one or more discretionary planning entitlements, the lot line adjustment is reviewed as part of the discretionary planning application.

Town Staff reviews Lot Line Adjustment applications to ensure that the proposed adjustment conforms to the General Plan and Building Code as well as zoning standards for features such as minimum lot size, setbacks and access. Staff may refer applications to other public agencies. Town staff will typically take action on the Lot Line Adjustment after public notice and the Staff decision is subject to appeal to the Town Council. When a lot line adjustment is part of a project, final action on the lot line adjustment will be conducted by the Town Council at a publicly noticed meeting.

Mergers

A Merger is a discretionary planning permit that is processed in accordance with Chapter 17.05 of the Ross Municipal Code and the State Subdivision Map Act. Merger. Chapter 17.05 establishes procedures for the consolidation of contiguous parcels held in common ownership, which were created prior to modern subdivision requirements and are substandard with respect to current Town's standards.

A Merger may be initiated by the Town or a property owner. An owner may submit a Merger Determination Application if the owner's name is identical on all relevant deeds, and there will be only one primary structure on the final merged lot. Once an application has been received, the Public Works Director or Town Council takes action on the merger.

Tree Protection Ordinance

The Town's Tree Protection Ordinance (Chapter 12.24 of the Ross Municipal Code) establishes requirements for planting, alteration, removal, and maintenance of trees on both public and private property. These requirements were established to protect and maintain the Town's urban forest, which is a significant feature defining the community's character, and are also important to protecting the natural environment. At the same time, the requirements contribute to the cost of residential construction and maintaining housing.

The Ordinance requires a Tree Alteration or Removal Permit for “altering “ or removing any tree six inches or more in diameter on an unimproved parcel and for “altering “ or removing a protected or significant tree on an improved parcel. Section 12.24.020 defines “protected tree,” as any tree with a diameter of six inches or more located within 25 feet of the front or side yard property line or within 40 feet of the rear yard property line of any parcel or any tree planted in a required setback area to replace a tree removed pursuant to the Ordinance as shown in a landscape plan approved by the Town Council.

The Ordinance also requires preparation and approval of a Tree Protection Plan with any application that needs a Hillside Lot Permit or Hazard Zone Use Permit. Tree protection plans may be required for Subdivision, Variances, Demolition Permits, Design Review, Grading and/or Building Permit reviews at the discretion of the Public Works Director or Town Council.

Tree Alteration or Removal Permits require public notice and discretionary review by the Public Works Director and decisions are subject to appeal to the Town Council in the same manner as Use Permits.

Building Code and Enforcement

The Town of Ross has adopted the 2019 California Building Code with amendments (Ross Municipal Code, Chapter 15.05), Residential Code (Ross Municipal Code, Chapter 15.06), and other construction requirements (Ross Municipal Code Chapters 15.07 through 15.14). Chapter 15.06 includes additional restrictions for construction in any Fire Hazard Severity Zone.

Building Permit Plan Check services are currently provided by both the Town of Ross Planning and Building Department and by CSG, Inc. Building Permit Plan Check services include performing residential and other plan checks for structural, electrical, mechanical, plumbing, Title-24 energy, Title-24 disabled access, and pertinent municipal code and State regulations governing the design and construction of buildings and other structures.

It generally takes four to six weeks to get a building permit, excluding time that may be required for review and/or approval by other responsible agencies such as the Bay Area Air Quality Management District, Marin County Environmental Health Services, Marin Municipal Water District, PG&E (for energy efficiency), the Ross Valley Fire Department (RVFD), and the Ross Valley Sanitary District (RVSD).

Ross does not permit construction at any time on Saturday and Sunday or on nine designated holidays except for interior work, work performed by the owner on Saturdays from 10 am to 4 pm, or work subject to use permit requirements.

Residents are required to complete a Resale Inspection Application Form prior to listing any residential building for sale or exchange. The inspection covers all the information listed on the Report of Residential Building Record and is valid for up to 6 months subject to extension for six months per Ross Municipal Code, Section 15.32. The report should be disclosed to property purchasers.

Density Bonus Provisions and Other Incentives

The Town of Ross has implemented the State density bonus law (California Government Code Section 65915) by amending its Code to reference the State requirements. Section 18.40.200, which the Town enacted in 2012, simply states that an applicant seeking a density bonus shall file an application with the planning department and the Town Council shall consider the request concurrently with its review of the underlying development application. Consistent with the State law, sub-section 1840.200 directs the Town Council to grant the requested concession or incentive unless it makes written findings, based upon substantial evidence, as the State law requires. The Town does not offer any additional incentives.

Accessory Dwelling Units (ADUs)

Chapter 18.42, Accessory Dwelling Units, of the Ross Zoning Ordinance was adopted in December 2020. As State law requires, ADUs are processed ministerially if the ADU or Junior ADU (JADU) complies with all applicable location requirements, development standards, all applicable building standards, and all applicable sanitary sewer, water, and stormwater regulations. ADUs are the most common type of housing developed in the Town since 2008 and are also the most affordable. Programs to facilitate the development of ADUs and caretaker units are also a key component of the Housing Element Program.⁸

Stakeholder interviews with architects familiar with the Town's requirements as well as those of other Marin County jurisdictions identified several opportunities for improvement related to the development standards and regulations that may be a constraint to ADU development. Some of these, such as construction costs, are not unique to Ross, while others are associated with the same topographic and hydrological conditions that create obstacles for all types of development and, in particular, residential construction. Constraints that are more unique to Ross include the cost of permits, zoning requirements, and fees that are high compared with other Marin County jurisdictions. The following list summarizes potential constraints related to ADU requirements in the Zoning Code based on input from stakeholders and analysis of the Town's requirements.

- **16-foot height limit.** Attached or detached ADUs may not exceed 16 feet in height unless the Town Council approves an exception. While this height restriction is itself not unique, it can be a burden on projects in flood hazard zones, which apply to much of the Town's developed area, given the need to raise the ground floor above base flood elevation levels. The constraint has to do with a lack of clarity about how the height limit is calculated, which is also true for development in steeply sloped areas subject to the requirements of Chapter 18.39, Hillside Lot Regulations. The Town Council may grant an exception to allow an increase to two stories and 30 feet measured from either existing or finished grade, whichever is lower.
- **1,000 square foot limit on floor area.** ADUs with one bedroom or less are limited to a maximum of 850 square feet or 50 percent of the floor area of the primary

⁸ Town of Ross Housing Element, 2015-2023, pp. 32, 92, Table 52 *et al.*

dwelling, whichever is less. ADUs with more than one bedroom may be no larger than 1,000 square feet or 50 percent of the existing primary dwelling. Town Council approval is required to increase the maximum floor area to 1,200 square feet if the ADU will be rent-restricted for a very low-income household. While the size limits are consistent with State law, permitting larger units ministerially under certain conditions could potentially incentivize ADU production.

- **20 percent maximum FAR requires variance approval.** Town Council approval of a variance is required to allow an ADU to be constructed as an addition to an existing dwelling or in a new detached structure if the construction would increase the site's building coverage or FAR to more than 20 percent, the maximum allowed in all R-1 districts.
- **Prohibition on structures in setback areas affecting location of mechanical systems and/or patios or decks for ADU.** A variance is required to allow patios, decks, or mechanical equipment, such as a heat pump, in any required setback.
- **High permit fees.** In comparison to other Marin County jurisdictions, Ross has higher fees for ADUs and for most other residential construction. If Planning Commission review is needed to allow an exception to ADU standards, Ross charges \$8,798, whereas Larkspur requires a \$500 deposit for outside review but waives City planning and administrative fees, and San Anselmo charges \$1,500. Mill Valley imposes a flat \$1,061 fee to cover Planning Division review of ADU applications.⁹

Table C-5: ADU Building Permit Fee Comparison (\$500,000 est. value)

<i>Town</i>	<i>Fee</i>
Fairfax	391
Larkspur	500 ¹
Unincorporated Marin County	515
San Anselmo	1500 ²
Mill Valley	6768
San Rafael	7500
ROSS	8798 plus \$13.85 for each \$1,000 in value above \$500,000 ³

1. \$71 if constructed with new primary dwelling.

2. Up to \$10,000 in fees waived with 55-year affordability restriction. See

<https://www.marincounty.org/depts/cd/divisions/housing/accessory-dwelling-units>

3. Includes \$1,150 for administrative review and \$5,328 deposit if Town Council review required to modify standards.

- **Requirements for stormwater BMPs increase design and construction costs.** The standard stormwater management practices (BMPs) applicable Countywide typically need to be customized for Ross due to hydrologic conditions associated with flood hazards. This usually requires hiring an engineer qualified to review site conditions and prepare recommendations for design and construction of drainage

⁹ City of Mill Valley, Planning Division Fee Schedule, Effective July 1, 2022. <https://www.cityofmillvalley.org/DocumentCenter/View/2973/Planning-Department-Fees-Effective-July-1-2022?bidId=>

and runoff systems to ensure that construction of the ADU will not result in increases in the volume and velocity of runoff from the site. Designing and constructing site-specific drainage systems will increase design and construction costs.

Stakeholders also said that the Town would not allow internal access between an ADU constructed within an existing residential dwelling or an addition. This may, however, be a misunderstanding because while Chapter 18.42 does require an ADU or JADU to have external access neither the Ross Code nor State law prohibit an internal connection between the primary and additional units.

Interestingly, parking requirements have not proven to be a limiting factor for ADU production in Ross, as most homes on smaller lots, where providing additional parking is usually difficult, are within a half mile of public transit on Sir Francis Drake Boulevard and, therefore, exempt from the parking requirement. Lots farther from public transit are usually larger and space for parking is not as constrained. Some comments were received at the first Housing Element community open house about the method the Town was using to calculate the required distance. Because Government Code Section 65852.2(d) states that the waiver of the parking requirement applies when an ADU is located “within one-half mile *walking* (emphasis added) distance of public transit,” it is understood that the term means that the measurement applies to the distance measured along the public right-of-way. It may be advisable for the Town to clarify this point in any handouts it provides listing ADU requirements.

Despite the obstacles they identified, the architects interviewed reported that almost every residential project they undertake in Marin County, including in Ross, involves an ADU. Although the potential for additional income is not as important as it is in some other communities, property owners have other reasons for wanting to build additional living space including accommodations for household employees (including au pairs, in-home caregivers, etc.), and family guests. Although the ADUs may not be initially built as rental units, they will eventually become part of the County and the Town’s much needed supply of more affordable housing.

As noted in Table C-5, ADUs are permitted by right in all residential and non-residential zoning districts. Although revisions to Chapter 18.42, Accessory Dwelling Units, may be warranted to clarify some requirements, the ADU regulations generally comply with State law. Between 2018 and 2022, the Town issued building permits for 13 ADUs. The number has risen sharply since the Town adopted an ADU ordinance in December 2020. Whereas one building permit was issued in 2020, three were issued in 2019, and nine have been issued so far in 2022.

The Marin Municipal Water District (MMWD) offers a 50 percent fee reduction for qualified affordable housing projects (affordable to low- and moderate-income households for at least 30 years, with at least 50 percent of the project affordable to low-income households), as well as to deed-restricted ADUs with rents affordable to lower income households for a minimum of 10 years.

Another approach that participants in the June 2022 Housing Element Open House supported was to expand the fee waivers available for ADUs. Marin County, for example, waives up to \$10,000 in fees for ADUs rented at rates affordable to households at or below 80 percent of the Area Median Income (AMI), up to \$5,000 for ADUs rented to moderate-income households (80 to 120 percent of AMI), and up to \$2,500 for ADU's rented at market-rate.

The Housing Action Plan proposes a number of actions that would help to encourage additional ADU development including zoning revisions to clarify some requirements and approaches to reducing fees.

Housing for Persons with Disabilities

Census data indicate that 7.2 percent of the Town's residents have one or more disabilities; the most common type of disability reported was cognitive difficulties affecting the respondents' ability to live independently. Data from the State Department of Development Services reported that there were 41 persons aged 18 and older and seven under 18 in the Town.¹⁰ As of the end of 2021, there were more than 36 persons residing within Census Tract that includes most of the Town's area were living in a community care facility; fewer than 11 were in the home of a parent, family member or other guardian.¹¹

Developmental disabilities are defined as severe, chronic, and due to a mental or physical impairment that begin before a person turns 18 years old. These can include Down's Syndrome, autism, epilepsy, cerebral palsy, and mild to severe mental retardation. Some people with developmental disabilities are unable to work, rely on Supplemental Security Income, and live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them.¹² Persons with developmental disabilities have special housing needs relative to other groups, requiring ease of access to transportation, employment, retail services and medical care. To meet the unique needs of those with disabilities, the State and federal governments have enacted a variety of requirements applicable to California jurisdictions. In addition to requiring that new housing development must comply with California building standards (Title 24 of the California Code of Regulations) and federal (Americans with Disabilities Act) requirements for accessibility, the State has imposed a variety of other regulations that preempt local zoning controls.

Residential Care Facilities

Residential Community Care Facilities (CCFs) are licensed by the Community Care Licensing Division of the State Department of Social Services to provide 24-hour non-medical residential care to children and adults with developmental disabilities who need personal services, supervision, and/or assistance essential for self-protection or sustaining the

¹⁰ ABAG-MTC Housing Needs Data Report, 2021, pp. 51-53.

¹¹ State of California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type Regional Center and Early Start Consumers For the End of December 2021.

¹² Ibid., ABAG-MTC Housing Needs Data Report, 2021.

activities of daily living. The California Health and Safety Code requires that any licensed residential facility serving six or fewer persons must be treated like a single-family home. This means that such facilities 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. This mandate applies to virtually all licensed group homes including, but not limited to facilities for persons with disabilities, residential care facilities for the elderly, and facilities for alcohol and drug treatment.

Data from the State Department of Social Services indicate that The Cedars of Marin is the only residential care facility in Ross. The facility is currently licensed by the State as an adult residential facility for 55 residents. The Cedars provides single rooms and shared suites with mini-kitchens and private bathrooms. All four of the residence halls have a main kitchen and dining room, living room, and facilities for computer access and entertainment. The current use permit, which was approved in 2002, allows for a maximum of 60 residents with some double-occupancy rooms or 48 residents if all rooms are single occupancy.

In November 2001, the Town received demolition, design review and use permit applications from The Cedars of Marin, to allow site modifications, including the demolition of two buildings and the construction a new 14,180 square foot building. The applications were considered complete within three months and found to be categorically exempt from CEQA. The proposed project was reviewed during four consecutive, regular monthly Town meetings and one Special Council meeting between February and May of 2002 with considerable public input and expert testimony. The applications were approved in May 2002, approximately six months after initial submittal.¹³

A licensed small-residential care facility serving six individuals began operation in a four-bedroom home in the R-1 zone in 2009 but the facility closed in 2014 and the property was subsequently sold. The current ordinance defines residential care as “a family dwelling unit licensed or supervised by any federal, State, or local health/welfare agency which provides twenty-four-hour nonmedical care of unrelated persons who are handicapped and in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment”.¹⁴ The code states that residential care facilities are allowed subject to approval of a conditional use permit in the R-1 residential zones and the C-P district. (See Table C-1: Permitted Housing Types by Zoning District).

The ordinance does not distinguish facilities according to the number of persons served and should 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. Residential care facilities should be identified as a permitted use in the R-1 residential zones as well as the C-L, C-D and C-C districts.

¹³ Town of Ross Housing Element, 2015-2023, adopted March 12, 2015, p. 77.

¹⁴ Town of Ross Zoning Ordinance, Section 18.12.275.

The ordinance does not include any specific objective standards applicable to residential care facilities but does list a series of subjective findings the Town Council must make before approving any conditional use permit:

1. The use permit is consistent with the public welfare;
2. The proposed use will not be detrimental to or change the character of adjacent or neighboring properties in the area the use is proposed to be located;
3. The property on which the proposed use is to be located is suitable for the proposed use;
4. The traffic-generating potential and/or the operation of the proposed use will not place an unreasonable demand or burden on existing municipal improvements, utilities or services;
5. Adequate consideration has been given to assure protection of the environment;
6. The proposed use is consistent with applicable zoning provisions and the objectives of the general plan; and
7. Adequate consideration has been given to assure conservation of property values, the suitability of the particular area for the proposed use and the harmony of the proposed use with the planned development and future land use of the general area.¹⁵

Transitional Housing and Supportive Housing

The current Ross Zoning Ordinance permits supportive housing and transitional housing by right within all Single Family (R-1) zones and permits Transitional housing in the C-D district. The Ordinance includes a definition for Transitional housing that generally conforms to State law (Section 18.12.387) but limits supportive housing to rental housing receiving assistance the State's Multifamily Housing Program (Section 18.12.382). This is a more restrictive definition than the Government Code establishes in Section 65582 (h).

Supportive housing is generally defined as permanent, affordable housing with on-site or off-site services that help residents who fall within the "target population" under State law improve health status, and maximize their ability to live and, when possible, work in the community. Services may include case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.

Transitional housing is defined as "residential units operated under program requirements that call for (1) the termination of any assistance to an existing program recipient and (2) the subsequent recirculation of the assisted residential unit to another eligible program recipient at some predetermined future point in time, which point in time shall be no less than six months into the future."

Supportive housing is defined as "housing with no limit on length of stay and that is occupied by a target population as defined in the Government Code and subdivision (d) of Section 53260 of the California Health and Safety Code, that provides, directly or indirectly, a

¹⁵ Town of Ross Zoning Ordinance, Section 18.20.030.

significant level of on-site or off-site services to help residents retain housing, improve their health status, and maximize their ability to live and, when possible, work in the residents' community.

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. This housing can take several 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. For example, if the transitional housing is a multi-family use proposed in a multi-family zone, then zoning should treat the transitional housing the same as other multifamily uses in the proposed zone.

State law added additional provisions that jurisdictions must address in their regulation of supportive housing. These include:

- Allowing supportive housing as a use by-right in all zones where multi-family and mixed-uses are permitted, including non-residential zones permitting multi-family uses, if the proposed development meets specified criteria in state law;
- Approval of an application for supportive housing that meets these criteria within specified periods; and
- Eliminating parking requirements for supportive housing located within ½ mile of public transit.

As noted above, the Ross Zoning Ordinance does not identify supportive or transitional housing as a permitted use in some of the zoning districts where residential uses are otherwise allowed and includes a definition that is more restrictive than the one the State has established. The Housing Program proposes to revise the Zoning Ordinance to correct these conflicts with State law.

Reasonable Accommodation

Ross has enacted procedures for processing requests for reasonable accommodation pursuant to the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. 3601–3619) and the California Fair Employment and Housing Act (California Government Code, Title 2, Division 3, Part 2.8) Chapter 18.54, Requests for Reasonable Accommodation Under the Fair Housing Acts, authorizes the Town Planner to grant or deny requests for reasonable accommodation subject to appeal to the Town Council. The Planner may impose conditions to ensure the accommodation would comply with the applicable laws and may condition the approval or conditional approval to provide for rescission or automatic expiration under appropriate circumstances.

Requests for a reasonable accommodation must be made to the Town Planner. Requests must include documentation of disability status, the specific accommodation request, and the necessity of the accommodation to ensure equal opportunity to use and enjoy the residence. The Town Planner shall approve the reasonable accommodation if it is consistent with the federal and State laws based on the following:

1. The housing, which is the subject of the request, will be used by an individual disabled under the Acts.
2. The requested reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.
3. The requested accommodation would not impose an undue financial or administrative burden on the Town.
4. The requested accommodation would not require a fundamental alteration in the nature of the Town's land use and zoning program.
5. The requested reasonable accommodation would not adversely impact surrounding properties or uses.
6. There are no reasonable alternatives that would provide an equivalent level of benefit without requiring a modification or exception to the Town's applicable rules, standards and practices.
7. The accommodation would not alter the significance of a historic structure.¹⁶

Emergency Shelters

Homelessness in Marin rose from 1,034 people in 2019, to 1,121 people as of February 17, 2022, when the County conducted its federally mandated homeless census.

The State requires the Housing Element to address planning and approval requirements for emergency shelters. Jurisdictions with an unmet need for emergency shelters for persons experiencing homelessness are required to identify a zone(s) where emergency shelters will be allowed as a permitted use without a conditional use permit or other discretionary permit. The identified zone must have sufficient capacity to accommodate the shelter need, and at a minimum provide capacity for at least one year-round shelter. Permit processing, development and management standards for emergency shelters must be objective and facilitate the development of, or conversion to, emergency shelters.

The Ross Zoning Ordinance allows emergency shelters by right in the Civic (C-D) District, which comprises about 40 acres and includes the Ross Commons, the Town administrative offices, the fire house and a post office. The C-D district regulations permit "public purpose uses", including Town Hall, libraries, museums, fire and police stations, emergency and transitional housing, multi-family housing, auditoriums, schools, and park and recreational uses. (Section 18.24.030)

There are no special development standards for emergency shelters, which are subject only to the same provisions applicable to other development in the C-D District.

In 2019, the State enacted Assembly Bill 101, which amended the Government Code Section 65660 to require municipalities to permit a Low Barrier Navigation Center (LNBC) to be permitted by right in mixed-use districts and nonresidential zones that permit multifamily development. A LNBC is defined as a "housing-first, low-barrier, temporary, services-enriched

¹⁶https://www.townofross.org/sites/default/files/fileattachments/building/page/2741/request_for_reasonable_accommodation_application.pdf

shelter focused on helping homeless individuals and families to quickly obtain permanent housing.” The Town has not amended the Municipal Code to include a definition or standards for the approval of LBNCs and no such facilities have been established to date in Ross.

The Town amended the Municipal Code in 2018 to prohibit parking recreational vehicles (RVs) on any street, alley, or other public right-of-way in the Town at any time and to impose requirements on RVs when parked or stored on private property including a prohibition on using them for living quarters for more than two years without approval of a use permit under Chapter 18.44. Vehicles parked or stored on private property must be parked on the driveway at least 15 feet from the edge of the roadway but may not be parked for more than three days unless screened by a fence or similar screening. Such screening is subject to design review and must meet other applicable zoning requirements.

The Housing Action Plan proposes to revise 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. The Housing Action Plan will also include a proposal to amend the Zoning Ordinance to permit Low Barrier Navigation Centers pursuant to State law.

Single-Room Occupancy (SRO) Units

Single-room occupancy (SRO) units are small, one-room units occupied by a single individual or couple that may have either shared or private bathroom and kitchen facilities. This type of housing is an alternative housing that is affordable to extremely-low-income households. The Ross Ordinance defines SRO housing as multi-unit housing that consists of single room dwelling units rented for at least thirty days in which all living activities occur within a single room. (Section 18.12.310).

The Ordinance allows SROs in the C-L (Local Service Commercial) District subject to approval of a CUP and in compliance with the following standards:

1. SRO units shall be a minimum of 150 square feet and a maximum of 350 square feet;
2. SRO units shall be occupied by no more than two persons;
3. All units shall provide a full bathroom consisting of a tub and shower combination or shower, sink, and toilet facilities. Bathrooms shall be separated from the main living space;
4. Each unit shall provide a private kitchen area with a minimum two burner stove, sink with garbage disposal, a refrigerator with a minimum size of 14 cubic feet, and dining table/counter;
5. A minimum of one auto parking space per dwelling unit, in addition to one space for every 250 square feet of net rentable floor area when a building is constructed or substantially altered;
6. No outdoor storage shall be permitted unless within an enclosed area not visible from off-site;
7. All projects shall comply with the California Building Standards Code;

The Town Council may impose any other requirements for the protection of “public welfare and property or improvements.” (Section 18.20.030.12)

There are no SRO housing units in Ross. Given that the standards, except for the parking requirement, are very similar to those in other ordinances, the primary constraint is probably the availability and cost of either an existing building or site suitable for developing such a use and the cost of construction.

Manufactured Homes and Mobile Homes

Mobile homes (also referred to as manufactured homes) are considered single-family homes and are treated as such, given that they are certified under the National Mobile Home Construction and Safety Standards Act of 1974, which are installed on a permanent foundation approved by the Town. There are no mobile home parks in Ross and the Zoning Ordinance does not identify mobile home parks as a permitted use in any district.

Live-Work Facilities and Shopkeeper Units

Live-work facilities are typically defined as a commercial space that includes space used incidentally as the primary residence of a resident who operates a commercial or manufacturing activity within the unit. Live-work units were originally conceived as a way to provide affordable housing and working space for artists but are more recently being developed for residents engaged in a wider range of commercial uses that are permitted in the zone. Shopkeeper units are similar but include a completely separate dwelling unit adjacent to a ground-floor commercial space reserved for a business operated by the occupant of the dwelling unit. The existing Ross zoning ordinance does not include any provisions applicable to either of these uses, which may be appropriate in several of the Town’s non-residential districts. The Housing Action Plan proposes a study, which may be led by an ad-hoc advisory committee, to consider whether either of these use types would be a viable means of providing additional affordable housing.

Employee and Farmworker Housing

According to State law, housing elements must ensure that local zoning, development standards, and permitting processes comply with Health and Safety Code Sections 17021.5 and 17021.6. This generally requires employee housing for six or fewer persons to be treated as a single-family structure and residential use. There is no commercial agriculture in Ross and, therefore, there is little or no need for housing specific to farmworkers.

PERMITS AND PROCESSING PROCEDURES

Generally, the time taken to review and approve a proposal is directly proportional to the magnitude and complexity of the project. Most residential development in Ross requires design review, which is a “discretionary” review process conducted by the Advisory Design Review (ADR) Group and the Town Council. Accessory Dwelling Units (ADUs) often require discretionary review as well, if the property owner requests a variance. The following section assesses the typical timelines for residential projects to obtain entitlement and begin development in Ross, including the timelines for common planning approvals.

The Ross Zoning Ordinance was comprehensively updated in 1977 and has been revised incrementally since then to implement the 2005 General Plan and various State planning mandates. The Ordinance is “based upon and consistent with the adopted general plan of the town.” The Ordinance is relatively brief compared with zoning codes adopted by larger municipalities with a more diverse mixture of land uses. Nevertheless, outreach has indicated that this brevity can be a complicating factor in some cases, such as where rules of measurement are not clear.

Many residential structures in the Town do not conform to the requirements of the Zoning Code because they were constructed before the adoption of zoning or before residential floor area limits were established in 1967. About half of the existing housing units in Ross were built in 1939 or earlier; about 30 units (3.2 percent of the entire housing stock) was built since 2010 requiring many requests for variances to allow residents to retain existing nonconformities when proposing alterations. In 2014, the Town Council adopted nonconforming structure regulations to allow certain nonconformities to be retained when structures are improved where the design is appropriate and where they create the same or fewer impacts than strict conformance with zoning regulations.

Existing land is built out and few vacant lots remain for development. Vacant lots are typically odd shaped and located in areas of steep terrain, which limits development potential. Existing land use and zoning designations permit further subdivision of many residential sites; however, as discussed above, the market demand for large single-family residences on large lots is a non-governmental control on their subdivision. The Town permits new second units (ie ADUs) in single-family zoning districts and relaxed land use standards have encouraged their development.

Hillside Lot Regulations

Chapter 18.39, Hillside Lot Regulations, applies to the review of land divisions and construction on parcels that have a slope of 30 percent or more or are located within areas with the potential for slope instability identified as Hazard Zones 3 and 4 on the Town’s slope stability map. In addition to the submittal requirements for any underlying permits, hillside lot applications shall include a proposed Erosion Control Plan and may also require plans for Stormwater Control and Stormwater Facilities Operation and Maintenance per Chapter 12.28 of the Town regulations.

The purpose of hillside lot review is to: ensure development does not increase fire, flood, slide and other safety risks; limit development consistent with available public services and road access that can reasonably be provided to the parcel; protect open space, native vegetation and wildlife; and preserve natural features, such as watersheds, watercourses, canyons, and ridgelines. Section 18.39.090 includes a formula for calculating maximum floor area tied to the lot area and slope as well as setback standards tied to the size of the building and specific standards limiting graded slopes to a maximum of 2:1 and restricting the height and other features of retaining walls. Section 18.39.090 also establishes guidelines regarding architectural design, landscaping, views, geology, hydrology, and circulation. Several of the guidelines are prescriptive but many are subjective such as the guidelines requiring design to complement the form of the natural landscape, materials and colors etc.

The guidelines state that the Town Council may limit floor area “to account for tall wall heights and other volumes that exaggerate the height, bulk and mass of a building” and may also limit the size of decks and patios “based on considerations of aesthetics, potential for noise, bulk and mass, privacy of adjacent sites, and visibility.” Because most of the available vacant sites for single family development are on hillside lots, the hillside lot regulations, and, in particular, the floor area ratio guidelines, can constrain house sizes on these sites. Given that slope calculations are a determining factor in the building floor area, the review process sometimes results in debate over the appropriate method to measure the slope. To provide more certainty in the review process and to control costs associated with review periods, the guidelines for hillside development should be reviewed to identify opportunities to add clarity and objectives standards (such as by translating content from the guidelines into objective standards) that can streamline the approval process while ensuring public safety and development that preserves and enhances the unique and historic character of Ross.

Table C-6: Permit Processing Timelines, Approval and Appeal Authorities

<i>Approval Type</i>	<i>Typical Processing Time</i>	<i>Approval Authority</i>	<i>Appeal Authority</i>
Minor Use Permit	2-4 weeks	Staff	Town Council
Conditional Use Permit	4-8 weeks	Town Council	Superior Court
Variance	8-12 weeks	Town Council	Superior Court
Minor Design Review	8-12 weeks	Staff	Town Council
Major Design Review	12-20 weeks	Town Council	Superior Court
Tentative Map	8-16 weeks	Town Council	Superior Court
Parcel Map	8-12 weeks	Staff	Town Council
Final Map	8-12 weeks	Town Council	Superior Court
Negative Declaration	8-12 weeks	Staff/Town Council	Town Council/Superior Court
Environmental Impact Report	6 -12 months	Town Council	Superior Court
Zoning Amendment	12-20 weeks	Town Council	Superior Court
General Plan Amendment	12-20 weeks	Town Council	Superior Court

Source: Town of Ross, 2022.

Conditional Use Permit (CUP)

Based on Table C-1: Permitted Housing Types by Zoning District, a variety of housing types including single-family detached dwellings in residential districts, multi-family housing in the Local Service Commercial (C-L), Civic (C-D), and Community Cultural (C-C) districts appear to be permitted by right. However, in some cases development requires a use permit because of the project’s characteristics or the site where it is located, such as for single-family development in Hillside Zones and for multi-family development in the C-D District or in the C-L district when ground floor residential is proposed facing the street. Before granting any use permit, Section 18.44.030 requires the Town Council to find that “the establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.” These highly

subjective determinations are in addition to any findings that that may be required before granting approval under other ordinances and regulations such as design review, hillside lot regulations, tree protection ordinance, etc. A program has been added to the Housing Action Plan to address this.

Design Review

The Town has adopted residential design review guidelines, which include specific design objectives that serve as standards by which staff and the Town Council evaluates residential development. Design review is required for new buildings and for additions of more than 200 square feet in floor area. The town planner may administratively approve any minor alteration; the Town Council considers all other design proposals at a public hearing. The Town Council considers design review requests concurrently with other development requests, such as variances, conditional use permits, demolition permits, and hillside use permits. Design review typically takes 4-8 weeks for a single-family project. The small scale multi-family projects expected with buildout of the sites inventory will most likely take 4-12 weeks for design review and other planning approvals.

The intent of the design review guidelines is to preserve existing site conditions, minimize project bulk and mass, utilize building materials and colors that harmonize with the natural environment, and provide appropriate access, lighting, fences, screening, and landscaping. Staff work closely with applicants and their architects to ensure designs conform to existing guidelines. In 2008, the Town Council adopted a voluntary advisory design review process to enable applicants to get feedback on their proposals from local design professionals and neighbors before the Town Council hears the application. The Advisory Design Review Group, appointed by the Town Council is composed of members with professional design backgrounds in architecture, landscape design or comparable fields. Professional design suggestions and solutions are provided in an informal setting conducive to dialogue and collaborative problem-solving. Advisory design review has provided an important forum for resolving neighborhood concerns since inception. Projects that receive advisory design review assistance generally bypass the need for multiple design review hearings by the Town Council.

Design Review is the most common type of discretionary planning permit reviewed by the Town Council and is intended to ensure that development is attractive and located in an appropriate area on a site. Design review guidelines provide objective standards that clarify and facilitate the review process and promote development certainty. According to planning department staff, design review process is not a significant constraint to housing development.

The criteria and standards used for design review are contained in Section 18.41.100 of the Ross Town Code. Additionally, in June 2019, the Town Council adopted a set of design guidelines to implement a directive in the Ross General Plan 2007-2025 by providing “supplemental material to assist in applying those criteria and standards.”¹⁷ Although the

¹⁷ Town of Ross, Design Guidelines, Adopted June 13, 2019, p. 3

Design Guidelines are more detailed and somewhat more objective than the standards and criteria in Section 18.41.100, most are worded as recommendations (“should”) rather than standards (“shall”). To streamline the design review process and provide objective standards consistent with State law, elements of the guidelines should be translated into objective standards and incorporated in to the Town Code. Further, recognizing that the design review process can add time and cost to the development process, particularly for ADUs that require a variance, the Town will explore options for clarifying and expediting design review. A program has been added to Action Plan to this effect.

Environmental Review

Most projects in Ross are “categorically exempt” from environmental review because of their size or nature, or because there is no reasonable possibility that they will significantly affect the environment. Pursuant to Article 19 of the CEQA Guidelines the types of projects that are normally exempt include replacement or rehabilitation of existing facilities, construction or conversion of small structures, and minor alterations to existing land. Additionally, certain residential projects providing affordable urban, agriculture, or urban infill housing that meets specified acreage and unit criteria are also exempt from CEQA. The CEQA exemption for certain types of affordable housing was introduced by SB 1925 (2002, Sher) to amend Section 21080.10 of, to add Sections 21061.0.5, 21064.3, 21065.3, 21071, and 21072 to the Public Resource Code.

Projects funded with HOME, CDBG or other sources of federal funding, the Town or Marin County (depending on the administration of the funding source) additionally follow procedures set forth in the National Environmental Policy Act (NEPA). There are few such projects proposed in Ross. State Clearinghouse records indicate that fewer than ten projects processed by the Town since 1988 required some level of environmental review. These include the General Plan, the Monte Bello, Ross Valley Estates and Upper Road subdivisions, and three single family residences.¹⁸

FEES AND EXACTIONS

As shown on Table C-7, the cost of planning and building fees for constructing a new 2,400 square foot custom home with hard construction costs of \$1,440,000 without any variances on a site that does not require a Hillside Lot or Tree Removal Permit is estimated to be at least \$119,558, up from an estimated \$75,547 in 2015.¹⁹ By contrast, as shown on Table F-8, the average cost of a building permit for building a new home in all of Marin County was \$532,900 down from \$813,200 in 2017. The median size of homes in the County at the end of 2019 was 2,136 square feet. As of this writing, the median size had dropped to 1,883²⁰ but given the high cost of land in Ross, the size of new homes is very likely to be larger and the construction

¹⁸ <https://ceqanet.opr.ca.gov/Search?City=Ross>

¹⁹ Town of Ross Housing Element, 2015-2023, p. 79

²⁰ Federal Reserve Bank of St. Louis, <https://fred.stlouisfed.org/series/MEDSQUFEE6041>

more expensive. Because of the extent to which the Town's fees are based on construction value, permit costs tend to be higher, especially for homes intended to be owner-occupied.

Following is a list of the types of impact fees that may apply to a project in Ross:

1. **Drainage Fee.** This fee is applied at the issuance of a building permit. The current fee is 1.0% of the valuation of the project.
2. **Road Impact Fee.** This fee is applied at the issuance of a building permit. The current fee is 1.0% of the valuation of the project, plus \$3 per cubic yard of import/export for demolition activity, earthwork, and site work.
3. **General Plan Fee.** This fee is applied at the issuance of a building permit. The current fee is 0.35% of the valuation of the project.
4. **In-Lieu Park Dedication Fee.** This fee is applied prior to recordation of a Parcel or Final Map. The fee is calculated based on a formula derived from Section 17.44.025 of the Ross Municipal Code.

Table C-7: Planning, Building and Impact Fees for New 2,400 sq. ft. Residence (Valuation \$1,440,000)

<i>Fee Type</i>	<i>Cost</i>
Building Permit	\$19,162
Plan Review Deposit	\$13,413
Electrical, Mechanical and Plumbing	\$240/hour
Building Permit	\$36,176
Encroachment	\$1,796 minimum deposit
Excavation, grading and fill (over 20 cubic yards)	\$5,237 minimum deposit
Technology Surcharge	\$1590
Major Design Review	\$7,878 minimum deposit
CEQA Categorical Exemption	\$226
Impact Fees:	
Drainage @ 1.0% of value	\$14,400
General Plan @ 0.35% of value	\$5,040
Road @ 1.0% of value + \$3/cubic yard	\$14,400

Source: Town of Ross, Town Fee Schedule, Effective January 1, 2022

Table C-8: Comparison of Selected Marin Jurisdiction Fees²¹

<i>Jurisdiction</i>	<i>Building Permit</i>	<i>Design Review</i>
Unincorporated Marin ¹	\$6,100	\$4,643
Fairfax	\$6,020	\$1,107
Larkspur	\$9,710 Base Fee + \$6.30 for each additional \$1,000 - or fraction thereof - above \$1,000,000	\$4,000
Mill Valley	\$12,262 Base Fee + \$5 for each additional \$1,000 - or fraction thereof - above \$1,000,000	\$7,102
Ross	\$14,780 Base Fee + \$9.96 for each additional \$1,000 - or fraction thereof - above \$1,000,000	\$7,878
San Anselmo	\$6,834 Base Fee + \$4.60 for each additional \$1,000 - or fraction thereof - above \$1,000,000	\$955
San Rafael	\$5,237 minimum deposit	NA ²

Notes:

1. 2400 sq. ft. home w. \$850,000 construction value.
2. New single-family residences in non-hillside areas not subject to design review except for roof modifications to Eichler and Alliance homes.

TRANSPARENCY IN DEVELOPMENT REGULATIONS

Under State Government Code Section 65940.1, the Town is obligated to provide transparency in publicizing land use controls and fees. Ross provides a variety of resources on the planning process on their website²² – including the Master Fee Schedule, building permit information, planning applications, and the Zoning Map. Additional information on ADUs and Senate Bill (SB) 9 is also available. Contact information for the Planning and Building staff and links to adopted plans, design guidelines, planning applications, the fee schedule are also provided on this webpage. A lengthy list of frequently requested document and forms can also be downloaded from the Town website.²³

²¹ Marin County Community Development Agency, County of Marin HCD Draft Housing Element 2023-2031;

²² Town of Ross, Master Fee Schedule, January 1, 2022
https://www.townofross.org/sites/default/files/fileattachments/building/page/227/master_fee_schedule_1.1.22.pdf

²³ See <https://www.townofross.org/planning/custom-contact-page/planning-contact-information> and https://www.townofross.org/documentsandforms?field_microsite_tid=21

C.2 Non-Governmental Constraints

Non-governmental constraints range from environmental conditions to broader economic forces that can hamper residential development potential. In the Bay Area particularly, high land and construction costs can significantly increase the overall cost of housing development. While local governments have little or no control over non-governmental constraints, they can help offset the impacts of these constraints to a minimum through

ENVIRONMENTAL CONSTRAINTS

Environmental factors such as flooding, wildfires, seismic hazards, and topography are constraints to housing development. Ross General Plan 2025 takes these factors into account in establishing policies for residential development in the Land Use Element. Where development is planned, the constraints can be mitigated through appropriate design and environmental planning.

In 2018, Marin County and its partners published a Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP) to assess risks posed by natural hazards and to develop a mitigation strategy for reducing the County's risks. The County prepared the LHMP in accordance with the requirements of the Disaster Mitigation Act of 2000 (DMA 2000). The LHMP replaced the County LHMP that was approved by FEMA on August 29, 2013 and serves as the current LHMP for all participating jurisdictions. Some participating jurisdictions also have existing single-jurisdiction plans in place that are effective until their expiration date. All LHMP partners are included in an ongoing LHMP plan review process to facilitate the 2023 plan update process. Additionally, the Marin Wildfire Prevention Authority (MWPA) is leading preparation of a multi-jurisdictional emergency evacuation study as well as an Evacuation Ingress/Egress Risk Assessment that will inform emergency preparedness and response actions needed to protect life and property in Ross.

The impacts of these local hazards and other environmental conditions on housing development are summarized below:

- Geology/Seismicity.** There are no active faults within Ross designated under the Alquist- Priolo Earthquake Fault Zoning Act; however, because of its proximity to the San Andreas fault system, the Town is subject to moderate to high levels of ground shaking, which could cause significant damage and disruption to critical facilities, residences, businesses, and infrastructure. Aging infrastructure, such as bridges and pipelines, may suffer damage and result in local transportation, water, and sanitation disruptions. Creekside and hillside areas, which comprise the majority of the built environment in Ross, are most vulnerable to damage caused by ground failure. Creekside development on alluvial deposits can experience differential settlement caused by liquefaction. Most land on the Ross Valley floor within the Town limit is located in areas of high liquefaction risk. Hillside construction is also vulnerable to earthquake-induced landslides. This vulnerability is increased during periods of intense or prolonged rainfall when soils become saturated.

Most vacant lots in the Town of Ross are on steep slopes that are susceptible to landslides. Risk to new development can be minimized by conducting thorough geotechnical investigations, incorporating findings into the design and construction, and strict compliance with current building codes. To mitigate these environmental impacts, the Town has adopted specific geotechnical review procedures including the Ross Municipal Code Chapter 18.38 (Special Hazard District) and Chapter 18.39 (Special Hillside Lot Regulations). The Special Hazard District designation is an overlay zone that is applied together with applicable base district regulations and requires a special use permit requiring additional review and conditions necessary to adequately assess and mitigate hazards related to land slope, erosion, soil stability, seismic action, wildfire, periodic inundation and other such features. These regulations create additional constraints and costs for development, but they are considered necessary for the protection of residents' health and safety.

- **Wildfires.** The Fire Department enforces its vegetation management regulations through a "Resale Inspection" program. Resale Inspections occur whenever a property is (re)sold in the town of Ross and other communities in the Ross Valley. Fire inspectors visit properties listed for sale to conduct vegetation hazard inspections prior to sale. Current vegetation management standards and codes are included with property sale disclosures, and the vegetation hazard and mitigation requirements become part of the listed "disclosures" during the sale of the property. Mitigation actions and cost are shared by the seller and buyer and must be completed as outlined in the related fire and municipal codes. The Hillside Lot Ordinance (Ross Municipal Code, Chapter 18.39) also establishes a variety of requirements to reduce the threat of wildfires including the clearance of brush and vegetative growth from structures and driveways and the creation of defensible spaces around each building and structure as prescribed by the California Fire Code and the State Public Resources Code.
- **Flooding.** Throughout recorded history there has been widespread flooding in low-lying areas of Ross near Corte Madera and Ross Creek. The 100-year storms in 1982, 1986 and 2006 were particularly severe but even less severe storms can create local flooding problems. The floods affected a large number of properties near Corte Madera and Ross Creeks. The Ross Valley Watershed and Flood Protection Program was initiated after the 2005 New Year's Eve flood in partnership with Ross Valley's four cities and towns as well as environmental, business and community organizations. The program has a 10 Year Work Plan that will create a 25-Year-Flood level of flood protection. This is the first phase of a 20-year program to achieve a 100-Year-Flood level of protection. The program is funded through the Ross Valley Watershed Storm Drainage fee assessed on property owners throughout the watershed. This locally generated funding source provides the local match necessary to leverage state and federal agency grants, which are needed to fully fund the program. The overall cost of the program is currently estimated at \$130 million. In addition to structural solutions, the Town enacted Municipal Code Chapter 15.36, Flood Damage Prevention, which applies to all areas with special flood hazards

identified and mapped by the Federal Emergency Management Agency's Flood Insurance Study. These programs impose development restrictions on properties susceptible to flooding and required owners to purchase flood insurance for the acquisition and/or construction of buildings in the Special Flood Hazard Area.

- **Air and noise quality.** The Town of Ross enjoys relatively little exposure to some harmful pollutants (according to CalEnviroScreen 4.0) but has a moderate level of exposure from pollutants produced by exhaust from cars, trucks, buses, and other environmental impacts from traffic passing through or near the Town along the Sir Francis Drake corridor.²⁴ Environmental assessment of significant development proposals in Ross and along the corridor that may affect traffic operation and impacts on air quality contribute to a reduction in such effects. General Plan policies opposing the widening of Sir Francis Drake to accommodate additional vehicular traffic and minimizing the diversion of traffic from the corridor onto local streets help to reduce emissions affecting air quality and traffic noise. The General Plan prioritizes keeping streets and walkways safe for pedestrians and cyclists and includes proposals to support bicycle and pedestrian movement and encourage carpooling and public transit.
- **Open Space, Creeks, and Wildlife.** Protection of Ross's natural resources including trees, hillsides, ridgelines and creeks is a major emphasis of the General Plan that is reflected in many of its goals and policies. The Town's location in a valley between open hillsides provides a natural environment with an abundance of green from tree-lined streets, parks and open space to creeks and the watershed. This setting also provides natural habitat for wildlife and birds. Riparian forests along the Town's creeks provide habitat and movement corridors for flora and fauna. Residential development is limited in and near these resources to preserve existing biodiversity, including required setbacks along the creeks.

MARKET CONSTRAINTS

Regional demand has a direct impact on the cost of land. A local government can either limit or provide an adequate supply of entitled land for development in order to meet the regional demand. Construction cost is affected by a variety of factors, including the national demand for materials and commodities, and the supply of local construction labor. The availability of financing is affected by factors that the local government cannot control, including capital levels of banks and investors, credit worthiness of borrowers, and the willingness of investors to supply capital for real estate.

²⁴ CalEnviroScreen 4.0 Indicator Maps
https://experience.arcgis.com/experience/ed5953d89038431dbf4f22ab9abfe40d/page/Indicators/?data_id=dataSource_27-17c3d786fe4-layer-2%3A2873&views=Traffic-Impacts

Land and Construction Costs

Land costs are often difficult to estimate, and there is no single publicly available database that records urban land prices. A recent study conducted by researchers from the Federal Housing Finance Agency (FHFA) have estimated the price of residential land based on appraisals of single-family parcels conducted between 2012 and 2019. From this assessment they have made available land prices for all census tracts and zip codes in the country. No data are shown for Ross but the median value for Marin County was estimated at \$2,576,600 compared with \$2,047,500 for the entire Bay Area.²⁵ Median land values in Ross are likely to be significantly higher based on home values, which Zillow estimates at \$4,617,177, up by 23.5 percent over the past year.²⁶

Construction costs, including both hard cost (i.e. labor and materials) and soft cost (i.e. development fees, architectural and engineering services, and insurance) are high throughout the San Francisco Bay Area. According to a report published by the Turner Center at UC Berkeley, trends in the prices of both labor and materials have likely contributed to hard cost increases over the 2009 to 2018 period. Costs in the Bay Area hovered between \$150 per square foot to \$280 per square foot from 2009 to 2017, and then climbed to the highest point in 2018, closing in at \$380 per square foot.²⁷ The Bay Area region was identified as the most expensive region in the state, where average hard costs were \$81 more expensive per square foot than in other parts of the state. The estimated “hard cost” of building the least expensive custom home in the Bay Area, including anything related to the physical building and labor costs, is currently estimated at \$500 to \$700 per square foot. Construction costs have also risen over the course of the COVID-19 pandemic, due in part to supply chain disruptions. The lasting impacts of this trend are not yet known, but it is likely to increase the cost of housing in at least the short to medium term.

The high cost of land in Ross is a constraint to the development of lower-income housing. Developers will have to construct multifamily housing at higher densities and smaller unit sizes to generate economies of scale for the development to be profitable or obtain public or private subsidies to offset high land and construction costs.

Availability and Cost of Financing

Home prices and rents in Ross are among the highest in the Bay Area. The typical home value in June 2022 was more than \$4.7 million, an increase of 25.1 percent over the previous year.²⁸ The median listing price in June 2022 was \$3.5 million. According to the National Association

²⁵ William Larson, Jessica Shui, Morris Davis, and Stephen Oliner, “Working Paper 19-01: The Price of Residential Land for Counties, ZIP codes, and Census Tracts in the United States,” *FHFA Staff Working Paper Series* (October, 2020).

²⁶ <https://www.zillow.com/ross-ca/home-values/>

²⁷ Hayley Raetz, Teddy Forscher, Elizabeth Kneebone, and Carolina Reid, “The Hard Costs of Construction: Recent Trends in Labor and Materials Costs for Apartment Buildings in California,” *Turner Center for Housing Innovation*, 2020.

²⁸ Zillow <https://www.zillow.com/ross-ca/home-values/>

of Realtors, the median home price in Marin County in the first quarter of 2022 was \$1,278,850, which was slightly less than San Mateo, Santa Clara, and San Francisco. Due to the relatively small size of the sample, it was not possible to find comparable housing data for Ross; as of this writing, there were three homes for sale in Ross, with a median listing price of \$4 million.²⁹

Even though all the counties of the Bay Area showed gains in home prices in 2022 as compared to last year, Marin County was at the top of the list with an increase of 28.7 percent, just ahead of Napa at 25.2 percent.

One of the most significant factors related to the provision of adequate housing for all segments of the population is the availability of financing – both for real estate development and homeownership. There are several programs that might help to provide more affordable housing in Ross, none of which developers or property owners appear to have used for projects in Ross. The California Housing Finance Agency offers grants and loans for ADUs through a group of private lenders. Marin County homeowners with annual incomes less than \$300,000 are eligible to apply for up to \$40,000 in assistance for pre-development costs including architectural designs, permits, soil and engineering tests and other expenses. Grants may also be used to buy down the interest rate on financing.³⁰

Homeowners are often able to finance the construction of ADUs by refinancing their underlying mortgage or home-equity finance programs. This may not be feasible or desirable for many of the Ross homeowners who may be interested in building ADUs, however, based on feedback from residents who attended the Housing Element open house in July 2022. As shown in Table B-15, Senior Household by Income and Tenure, 32 percent of the Town's senior owner-occupied households (i.e. those with a householder 62 or older) are considered low-income. Although they own their homes, and in some cases have paid off their mortgages, many of these residents are spending more than 50 percent of their overall household income on housing and are not eager to take on additional debt.³¹

The Bay Area Housing Finance Agency (BAHFA), established by the State under AB 1487 (2019, Chiu), is a new resource to support the production and preservation of affordable housing by placing new revenue options on the ballot. Although efforts to obtain the necessary approval of voters has been postponed due to the economic disruption caused by the COVID-19 pandemic, the decision was made not to place a revenue measure on the November 2020 ballot.) Any new revenue source to be placed on the ballot would require voter approval by a two-thirds vote. Possible future options include:

- General obligation bond backed by property tax receipts (also known as a GO bond)
- Parcel tax

²⁹ https://www.realtor.com/realestateandhomes-search/Ross_CA/overview

³⁰ Cal HFA, ADU Grant Program, <https://www.calhfa.ca.gov/adu/index.htm> and <https://www.calhfa.ca.gov/adu/homeowner/adu-steps.pdf>

³¹ See Tables B-15 and B-16.

- Gross receipts tax
- Per-employee corporate “head tax”
- Commercial linkage fee (only authorized after voters approve a GO bond or parcel tax)

A combination of factors, including rising labor and material prices because of inflation, supply-chain problems and worker shortages during the COVID-19, have pushed the cost of building housing affordable to lower-income families now exceeds \$1 million per unit in many Bay Area jurisdictions. Although some of the higher costs for building affordable housing are due to constraints discussed in Section F-1 above that may be within the control of local government, others are caused by exogenous factors such as the costs of material and labor, labor shortages, and the higher cost of hiring general contractors.^{32, 14}

The County’s Housing Choice Voucher Program (formerly Section 8) provides assistance to qualified renters seeking housing in Marin County. Eligibility for a housing voucher is determined by the MHA based on the total annual gross income and family size and is limited to US citizens and specified categories of non-citizens who have eligible immigration status. In general, the family’s income may not exceed 50 percent of the median income for the county or metropolitan area in which the family chooses to live. By law, MHA must provide 75 percent of its voucher to applicants whose incomes do not exceed 30 percent of the area median income. The “Extremely Low,” “Very Low Income” and “Low Income” schedules shown are shown below.³³

Table C-9: FY2021 Marin County Income Limits for Housing Choice Voucher Program

Household Size	Extremely Low	Very-Low	Low
1	\$ 38,400	\$63,950	\$102,450
2	\$ 43,850	\$73,100	\$117,100
3	\$ 49,350	\$82,250	\$131,750
4	\$ 54,800	\$91,350	\$146,350
5	\$ 59,200	\$98,700	\$158,100
6	\$ 63,600	\$106,000	\$169,800
7	\$ 68,000	\$113,300	\$181,500
8	\$72,350	\$120,600	\$193,200

Source: Dept. of Housing and Urban Development (HUD), effective 4/1/2021. The “Median Income” schedule shown above is based on the FY2021 median family income for the San Francisco HMFA of \$149,600 for a four-person household, issued by HUD effective 4/1/2021, with adjustments for smaller and larger household sizes. The “Moderate Income” schedule shown above represents 120% of median income.

³² “Development costs on Bay Area affordable resi tops \$1 million per apartment”, The Real Deal Deal, June 22, 2022 <https://therealdeal.com/sanfrancisco/2022/06/22/development-costs-on-bay-area-affordable-resi-tops-1-million-per-apartment/>

¹⁴ Carolina Reid, “The Costs of Affordable Housing Production: Insights from California’s 9% Low-Income Housing Tax Credit Program”, Turner Center for Housing Innovation, UC Berkeley, March 2020 https://turnercenter.berkeley.edu/wp-content/uploads/pdfs/LIHTC_Construction_Costs_March_2020.pdf

³³ Marin Housing, Participant Resources, Housing Choice Voucher <https://www.marinhousing.org/housing-choice-voucher-participants>

Table F-10: Marin County Voucher Payment Standards (Eff. August 1, 2021)

<i>Unit Size</i>	<i>Payment Standard</i>
SRO	\$1,744
Studio	\$2,326
1 Bedroom	\$2,894
2 Bedroom	\$3,517
3 Bedroom	\$4,522
4 Bedroom	\$4,920
5 Bedroom	\$5,658

As of this writing, the only rentals available in Ross were single-family homes with four or more bedrooms renting for \$8,500 a month and up, clearly exceeding the maximum allowed by the voucher program.

The cost of securing financing to purchase a home also impacts the cost of housing and access to homeownership especially for lower-income households. Since December 2021, mortgage rates have nearly doubled — rising to around 6 percent, the highest they’ve been since 2008 — in response to moves by the Federal Reserve to control inflation. In January, a buyer would have paid around \$2,100 a month in principal and interest for a \$500,000 home loan. Today, that same loan would cost about \$2,900 a month. See Chart F-1 for the change in 30-year fixed rate mortgages from 2015 to 2021.

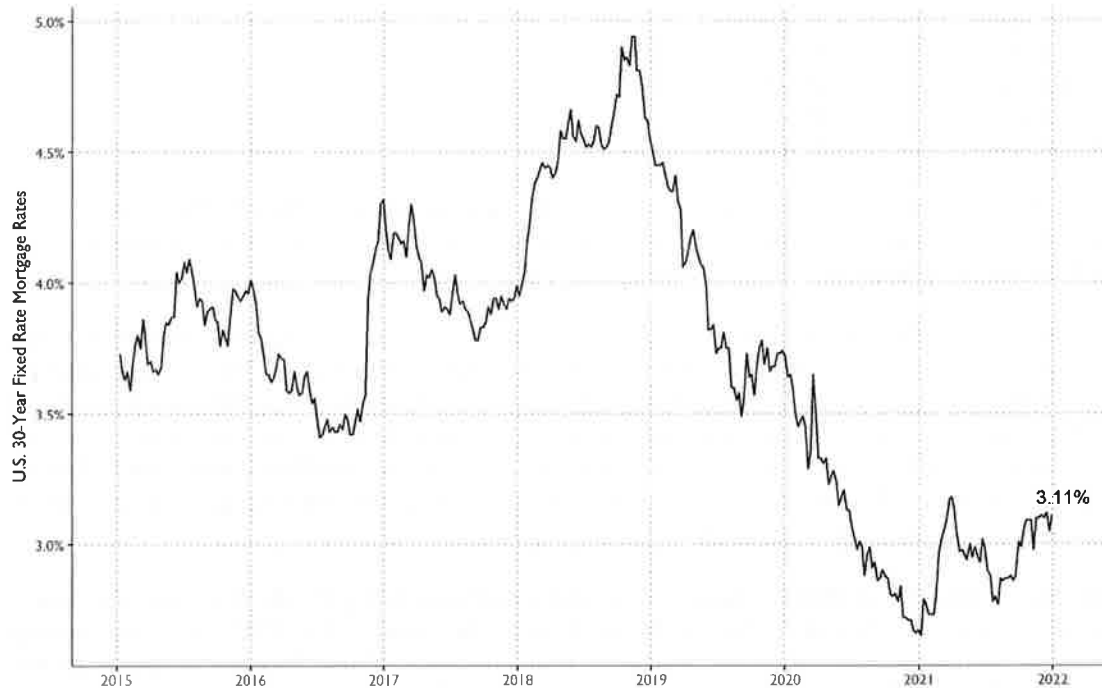
The Marin Housing Authority operates several programs that provide financing for lower income home buyers and renters although funding is limited. The BMR Homeownership Program provides assistance to first-time home buyers whose income is at or below Moderate Income Household Limits based on the HUD Area Median Income (AMI), which is currently \$149,600 for a four-person family. BMR purchasers are selected through a lottery of eligible applicants and the household size must be appropriate for the unit size (i.e. minimum of one person per bedroom). Financing is available through BMR Program Participating Lenders certified by Marin Housing. Each BMR unit requires a recorded resale and refinance agreement in perpetuity and units can only be resold at the restricted resale price that generally appreciates based on the lesser of the consumer price index or the AMI.³⁴

Marin Housing has offered financing to eligible first-time homebuyers through the Marin County Mortgage Credit Certificate Program. As of this writing, there were no funds available from this program for new applicants. A Mortgage Credit Certificate provides a federal income tax credit that reduces the amount of federal income tax a homebuyer pays. This reduction in income taxes provides more available income to homebuyers to qualify for a mortgage loan and to make their monthly mortgage payments. The tax credit can be taken as long as the homebuyer lives in the home as his/her principal residence. Under the Marin MCC program, the tax credit is equal to 20 percent of the annual interest paid on the homebuyer’s first mortgage for selected below market-rate properties administered by Marin Housing. Ross is not among the participating jurisdictions, which are Corte Madera, Fairfax, Larkspur,

³⁴ Marin Housing, BMR Program Summary <https://www.marinhousing.org/summary-of-bmr-program>

Mill Valley, Novato, San Anselmo, San Rafael, Sausalito, Tiburon, and the unincorporated areas of the County of Marin.³⁵

Chart C-1: National 30-Year Fixed Rate Mortgages, 2015-2021



Source: Freddie Mac, *Historical Weekly Mortgage Rates Data, 2015-2021*

INFRASTRUCTURE CONSTRAINTS

Public infrastructure is sufficient to meet projected growth demands. Electric, gas, and telephone services have capacity to meet additional projected need. Water, sewerage, and drainage systems are in place within existing developed areas, and new residences typically need only to supply lateral connections to the water and sanitary sewer mains maintained by the Marin Municipal Water District (MMWD) and Ross Valley Sanitary District No. 1 (RVSD). This housing element does not anticipate any increase in housing development over the prior housing period.

Pursuant to Government Code Section 65589.7, the Town provided the draft Housing Element to MMWD and RVSD in October 2022 to solicit their input. As required by State law, the agencies will also receive a copy of the adopted Housing Element to MMWD and RVSD. They are required by law to grant priority for service allocations to proposed developments that include housing units affordable to lower income households. State law prohibits water and sewer providers from denying or conditioning the approval or reducing the amount of

³⁵ Marin Housing, Mortgage Credit Certificate (MCC) Program <https://www.marinhousing.org/residential-rehab-loan-program#91891d7>

service for an application for development that includes housing affordable to lower-income households, unless specific written findings are made. All of the infill parcels identified in the Housing Element have sufficient infrastructure availability for electricity, water and sewer to allow development an, as such, infrastructure does not pose a constraint to development in Ross.

Water

The Town's water supply is provided by the Marin Municipal Water District (MMWD), which was chartered in 1912 as California's first municipal water district. MMWD provides water service to Ross and nine other towns and cities and unincorporated areas in a 147-square mile area of south and central Marin County. About 75 percent of MMWD's water supply originates from rainfall on our Mt. Tamalpais watershed and in the grassy hills of west Marin, flowing into the District's seven reservoirs. The District also supplements its supply with water from the Sonoma County Water Agency (SCWA), which comes from the Russian River system in Sonoma County. The Russian River water supply originates from rainfall that flows into Lake Sonoma and Lake Mendocino.

Annual rainfall is unpredictable ranging from a low of 19 inches to a high of 112 inches, with an average of 52 inches since record keeping began. Rainfall is measured July 1 to June 30 at Lake Lagunitas. The District's reservoirs have a total capacity of 789,566 acre feet and as of 7/18/2022, were at 82.71 percent of capacity compared with 42.27 percent for this date last year illustrating the extent to which water supply has been fluctuating.³⁶ In January, 2022, the District lifted water use limits and penalties that went into effect in 2021 after its Board of Directors adopted initial drought conservation actions when storage levels dropped to 57 percent of capacity.³⁷

Wastewater

The Town's sewer collection and transportation system is served by the Ross Valley Sanitary District (RVSD). RVSD contracts with the Central Marin Sanitation Agency (CMSA) for wastewater treatment. CMSA owns and operates about 194 miles of sewer collection lines, seven miles of force mains, and 20 pumping stations, which collect and transport an average of approximately five million gallons per day (MGD) of wastewater to Central Marin Sanitation Agency (CMSA) from RVSD along with flows from Marin County Sanitary District No. 2 serving Corte Madera and the San Rafael Sanitation District. CMSA's wastewater treatment plant provides advanced secondary treatment and disposes of the treated wastewater in the central San Francisco Bay via a deep-water outfall pipeline. The CMSA wastewater treatment plant operates in accordance with its San Francisco Bay Regional Water Quality Control Board discharge permit.

³⁶ Marin Water Watch <https://www.marinwater.org/waterwatch>

³⁷ Marin Water declares initial staged of drought and asks customers to conserve, February 17, 2021 https://www.marinwater.org/sites/default/files/2021-02/News%20Release_%20Marin%20Water%20calls%20on%20customers%20to%20conserve%20water%2002-17-2021%20FV.pdf

Almost 90 percent of the gravity system is comprised of 8-inch and smaller diameter sewers, primarily constructed of vitrified clay pipe (VCP). Although the exact age of most of RVSD's collection system is unknown, the majority of the pipes were installed before 1950, and some portions of the system are over 100 years old.³⁸ The agency utilizes development projections contained in the general plans of the cities, towns, and unincorporated areas of Marin County to plan for future growth-related demand. In the unlikely event that significant land use changes occur, capacity at the existing plant could be increased through the permitting process with the Regional Water Quality Board.

Dry Utilities

Pacific Gas & Electric (PG&E) provides electricity to Ross residents and businesses and Marin Sanitary Service (MSS), based in San Rafael provides weekly residential and commercial waste collection, recycling, and organic pick-up services as well as street sweeping. MCE also offers renewable energy services, as well as energy efficiency and rebate programs. The Town Council voted to join MCE in 2014 to reduce climate-changing greenhouse gas (GHG) emissions.

SOCIAL CONSTRAINTS

In addition to physical and market constraints that reduce housing development, there are several social constraints—both external and internal—that may hamper the feasibility of development in Ross. A common internal social constraint in the Bay Area is the prevalence of Not In My Backyard-ism (NIMBYism), where residents seek to curtail any new residential development in their community. Regional discrimination and housing preferences may also significantly influence a developer's choice to work in a particular city.

NIMBYism

Although NIMBYism is prevalent in some Bay Area cities, it does not appear to be a significant constraint in Ross at this time. Residents are generally very accepting of new projects, with little opposition during public meetings. While some groups and residents voiced concern about residential development at the Branson School site and there were objections to that proposal, the Town is generally able to work with the community to move new projects forward.

³⁸ Upper Road Land Division Project, Draft SEIR, p. IV.K-2, April 2014. Downloaded at https://www.townofross.org/documentsandforms?field_microsite_tid=21

APPENDIX D

Fair Housing Assessment

Appendix D: Assessment of Fair Housing

Table of Contents

Appendix D: Assessment of Fair Housing	1
Introduction.....	2
Fair Housing Enforcement and Capacity.....	2
Fair Housing Services.....	2
Fair Housing Complaints.....	4
Segregation and Integration	4
Race and Ethnicity	4
Persons with Disabilities	12
Familial Status	12
Income Level	13
Racially/Ethnically Concentrated Areas of Poverty and Affluence.....	21
Disparities in Access to Opportunity	23
Regional Context.....	23
Local Context.....	25
Disproportionate Housing Needs and Displacement Risk.....	31
Cost Burden	31
Overcrowding	35
Homelessness and Substandard Housing.....	35
Displacement Risk	36
Summary and Conclusions	36

Introduction

California Assembly Bill (AB) 686, passed in 2018, amended California Government Code Section 65583 to require all public agencies to affirmatively further fair housing (AFFH). AB 686 defined “affirmatively further fair housing” to mean “taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity” for individuals who identify as a member of any protected class. Protected classes are legally protected from harassment and discrimination, and include race, gender, and disability status, among others. AB 686 requires an assessment of fair housing in the Housing Element which includes the following components: a summary of fair housing issues and assessment of the Town’s fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities, an assessment of contributing factors, and an identification of fair housing goals and actions.

The Town of Ross was included in the County of Marin Analysis of Impediments to Fair Housing Choice (AI). The 2020 Marin County AI identified impediments to fair housing using a combination of data and community engagement. This appendix includes some of the major findings of this report and provides an analysis of AFFH data from the U.S. Census American Community Survey (ACS), the U.S. Department of Housing and Urban Development (HUD) and the California Department of Housing and Community Development (HCD).

Fair Housing Enforcement and Capacity

FAIR HOUSING SERVICES

Fair housing services are essential to the AFFH mission. They ensure that housing options are accessible to protected groups, including those based on race, color, gender, religion, national origin, familial status, disability, age, marital status, ancestry, source of income, sexual orientation, genetic information, or other arbitrary factors. Fair housing services help Ross residents understand and protect their right to access housing.

Local and Regional Fair Housing Providers

Fair Housing Advocates of Northern California (FHANC), formerly known as Fair Housing of Marin, is the only fair housing agency in Marin County and the only housing counseling agency in Marin County certified by HUD. It offers services to homeowners and renters located in the counties of Marin, Sonoma, and Solano. FHANC provides free, comprehensive fair housing counseling, complaint investigation, and assistance in filing housing discrimination complaints with HUD or the California Department of Fair Employment and Housing (DFEH). Services to their clients are available in both English and Spanish and are at no charge.

In addition to counseling and complaint investigation, FHANC offers a variety of workshops, in both English and Spanish, that educate tenants on their rights and responsibilities under fair housing law and cover other topics such as basics of fair housing law, how to detect discriminatory practices, protections for immigrants, people with disabilities and families with children, occupancy

standards, and differences between fair housing and landlord-tenant laws. FHANC also hosts a Fair Housing conference in Marin during Fair Housing Month in April of each year, and periodically conducts fair housing tests.

Legal Aid of Marin provides eviction defense services to residents of Marin County. They offer legal representation for issues including eviction, habitability complaints, and security deposit recovery, plus they engage in advocacy and education surrounding tenants' rights.

Statewide Fair Housing Providers

Housing and Economic Rights Advocates (HERA) is a statewide non-profit legal service and advocacy organization that provides financial counseling to individuals and community education workshops, and trains service providers and other professionals. Issues they specialize in include abusive mortgage servicing, problems with homeowner associations, foreclosure, escrow, predatory lending, and discriminatory financial services and consumer transactions.

California Department of Fair Employment and Housing (DFEH) is the statewide agency charged with enforcing California's civil rights laws. In particular, DFEH is responsible for enforcing state fair housing laws that make it illegal to discriminate because of a protected characteristic in all aspects of the housing business, including renting or leasing, sales, mortgage lending and insurance, advertising, practices such as restrictive covenants, and new construction. Discrimination complaints are referred from the City to DFEH. DFEH then dual-files fair housing cases with HUD's Office of Fair Housing and Equal Opportunity (FHEO), as part of the Fair Housing Assistance Program.

Marin Housing Authority

The Marin Housing Authority (MHA) is a public corporation authorized to provide decent, safe and sanitary housing for low- and moderate-income people, and their activities include acquiring property, developing housing, issuing tax-exempt bonds, entering into mortgages, trust indentures, leases, condemning property, borrowing money, accepting grants, and managing property.

Capacity

While capacity was identified as an impediment to fair housing in the previous (2011) AI, the County has addressed this and has greatly expanded its capacity to handle fair housing issues. In addition to FHANC and Legal Aid Marin, 18 other nonprofit organizations address fair housing issues in Marin County, many of which have recently joined the cause. The County in 2016 also established a Fair Housing Community Advisory Group and Steering Committee to involve citizens and community organizations in the County's fair housing work.

FAIR HOUSING COMPLAINTS

From 2018 - 2019, FHANC received 211 complaints of discrimination from Marin County residents; however, in Ross specifically, HUD reported zero discrimination complaints between 2013 and 2021.

The most common protected class cited by complainants in Marin County was disability (146 complaints; 69 percent), followed by national origin (30 complaints; 14 percent) and race (18 complaints; 9 percent). During that same time frame HUD and DFEH directly received a combined total of 14 complaints, with 57 percent related to disability, 29 percent related to national origin, and 21 percent related to race.

From 2018-2019, FHANC requested 35 reasonable accommodations on behalf of clients with disabilities in Marin County, of which 33 were granted. A reasonable accommodation is a change to the interior or exterior of a dwelling to allow the qualified tenant with a disability to fully use the dwelling. The 2020 Marin County AI does not state if any of these requests were from Ross. However, Ross adopted a reasonable accommodation ordinance in 2012 to assist persons with disabilities seeking equal access to housing.

Segregation and Integration

Segregation can be defined as the separation across space of one or more groups of people from each other on the basis of their group identity such as race, color, religion, sex, income, familial status, national origin, or having a disability or a particular type of disability. This section explores patterns and trends of segregation based on race and ethnicity, disability, familial status, and income level. These groups are not mutually exclusive, and there may be considerable overlap across each protected class.

RACE AND ETHNICITY

Throughout the US, there has been a long history of housing discrimination through tactics ranging from redlining¹ and discriminatory lending practices that prevented non-White residents from accessing home ownership, to institutionalized support of restrictive covenants designed to exclude residents based on race. Such practices have resulted in continued patterns of segregation across the country. While federal and State regulations have been passed to address many of these discriminatory tactics, the existence of regulations does not guarantee that segregation and other patterns of discrimination have been eliminated.

¹ Redlining refers to the historical practice by banks and lending agencies in the US of designating predominantly Black neighborhoods as high-risk lending zones, severely limiting access to financial support for those areas and for non-White residents.

Race and Ethnicity in Marin County and Ross

To evaluate racial and ethnic segregation and integration in a jurisdiction, it is useful to examine the change in regional and local demographics throughout time. U.S. Census data from 2010 and 2020 for Marin County and Ross are included below. Both Marin County (Table D-1) and Ross (Table D-2) have experienced slight population growth since 2010. Both have majority White populations, 70.9 percent in the County and 87.5 percent in Ross, and both jurisdictions have experienced a decline in this population since 2010. For the most part, Marin County and Ross have had population increases in all non-White groups since 2010, except for the American Indian or Alaska Native group in Ross, which has remained stable at zero, and the other race/multiple races group in Ross, which has declined. The Hispanic or Latinx group is the second most-populous group in both jurisdictions, comprising 17.1 percent of the County population, and 5.5 percent of the Ross population.

Table D-1: Population Growth by Race/Ethnicity, Marin County, 2010 - 2020

Race/Ethnicity	Population		Absolute Change	Percent Change
	2010	2020	2010-2020	2010-2020
American Indian or Alaska Native, alone	555	609	54	9.7%
Asian or Pacific Islander, alone	14,312	15,796	1,484	10.4%
Black or African American, alone	6,797	6,957	160	2.4%
White, alone	184,914	183,580	-1,334	-0.7%
Other or Multiple Races, Non-Hispanic/Latinx	6,905	7,644	739	10.7%
Hispanic or Latinx	39,172	44,370	5,198	13.3%
Total	252,655	258,956	6,301	2.5%

Source: U.S. Census Bureau, Census 2010 (SFI, Table P9); 2020 American Community Survey 5-Year Estimates (Table ID: DP05)

Table D-2: Population Growth by Race/Ethnicity, Ross, 2010 - 2020

Race/Ethnicity	Population		Absolute Change	Percent Change
	2010	2020	2010-2020	2010-2020
American Indian or Alaska Native, alone	0	0	0	No change
Asian or Pacific Islander, alone	48	105	57	118.8%
Black or African American, alone	6	60	54	900.0%
White, alone	2,196	2,146	-50	-2.3%
Other or Multiple Races, alone	71	8	-63	-88.7%
Hispanic or Latinx	94	134	40	42.6%
Total	2,415	2,453	38	1.6%

Source: U.S. Census Bureau, Census 2010 (SF1, Table P9); 2020 American Community Survey 5-Year Estimates (Table ID: DP05)

Comparison to the Bay Area

As noted in Appendix B, the Housing Needs Assessment, Ross had a significantly higher non-Hispanic White population in 2019 (89 percent) than the County (71 percent) and the Bay Area (39 percent). Additionally, the percentage of Hispanic/Latinx residents was notably lower in Ross (3.5 percent) than the County (15.8 percent) and the Bay Area (23.3 percent). Both Ross and Marin County have a much smaller Asian/Pacific Islander population, at 4 percent and 6 percent respectively, than the Bay Area, where 27 percent of residents identify as Asian or Pacific Islander. The percentage of Black or African American residents was 3 percent in Ross, 2 percent in Marin County, and 6 percent in the Bay Area. The ABAG-MTC Segregation Report notes that Ross has the largest percent non-Hispanic White population of all 109 Bay Area jurisdictions, and the smallest percent Black or African American population of all 109 jurisdictions.²

Isolation Index

One method to gauge the extent of segregation in a jurisdiction is the dissimilarity index. According to HUD's Assessment of Fair Housing Tool for Local Governments, the dissimilarity index measures the degree to which two groups are evenly distributed across a geographic area and is a commonly used tool for assessing residential segregation between two groups. However, this tool is not particularly useful when a jurisdiction has population groups that are less than 5 percent of the total population, as is the case in Ross. ABAG/MTC instead recommends using the isolation

² UC Merced Urban Policy Lab and Association of Bay Area Governments/Metropolitan Transportation Commission, "AFFH Segregation Report: Ross." March 6, 2022. Available at: <https://mtcdrive.app.box.com/s/d0kki6p26idiq81h5vxgqf77a5hsisdw/file/927854438845>

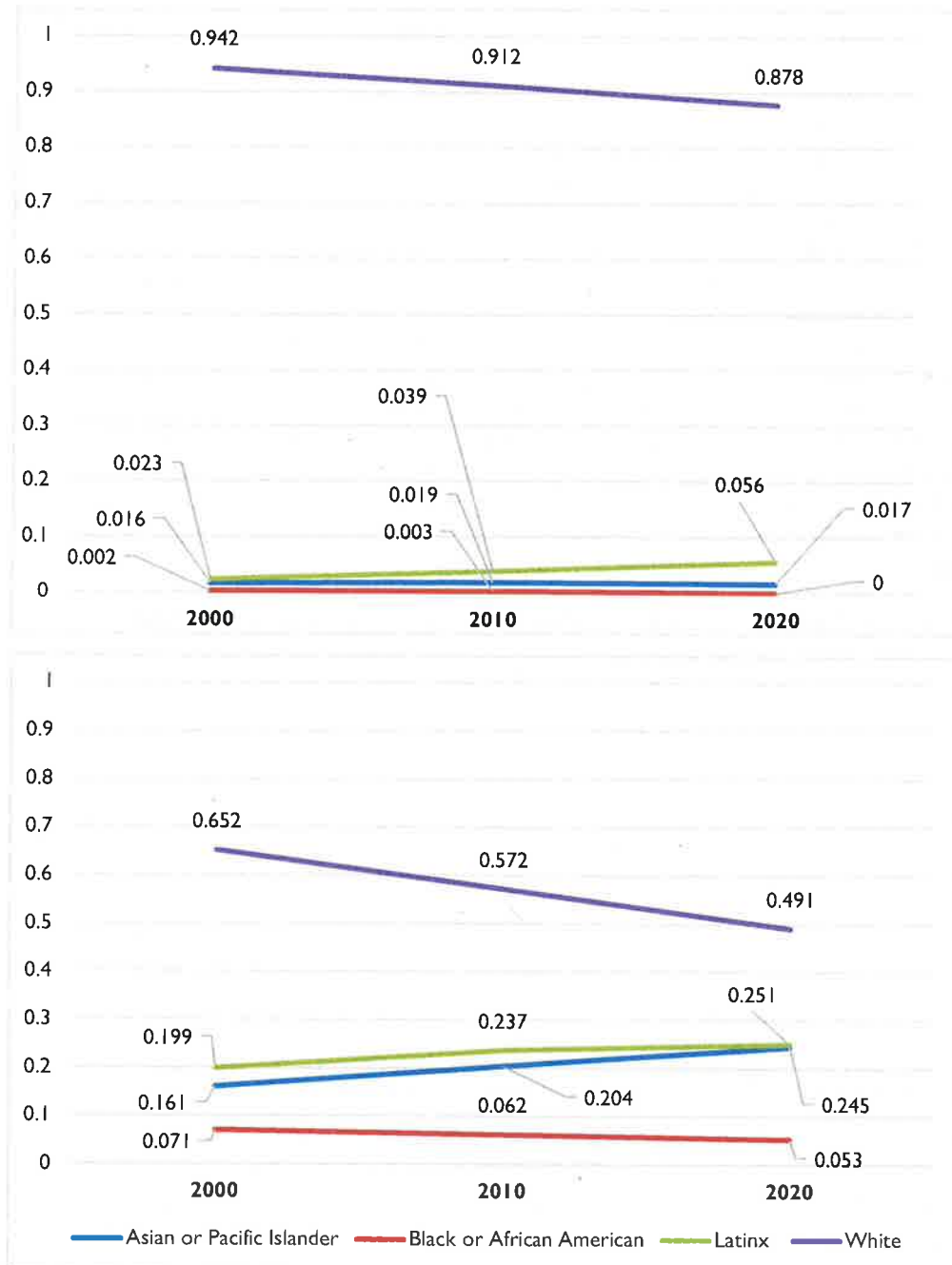
index, a formula applied to U.S. Census data, to provide a more accurate understanding of neighborhood-level racial segregation in a jurisdiction. The data in this section is from the ABAG-MTC Segregation Report for Ross.³

The isolation index compares each neighborhood's composition to the jurisdiction's demographics as a whole, and ranges from 0 to 1. Higher values indicate that a group is more segregated than other groups. As shown in Chart D-1, top, the most isolated racial group in Ross is White residents. Ross's isolation index of 0.878 for White residents means that the average White resident lives in a neighborhood that is 87.8% White. Other racial groups are less isolated, meaning they are less likely to encounter members of the same racial group in their neighborhoods. Decreasing values over time means that the White residents of Ross have become less isolated as the proportion of non-White residents in Ross has increased over time. Chart D-1 shows also the isolation index for the Bay Area. As in Ross, the White population is the most isolated group and is becoming isolated over time; however, it is less isolated than in Ross. Both the Asian/Pacific Islander and the Latinx groups are becoming more isolated over time in the Bay Area; this is not true of the Asian/Pacific Islander group in Ross, though the Latinx group is slightly trending towards more isolated in Ross.

The Urban Displacement Project (UDP) at UC Berkeley has created neighborhood segregation typologies that identify which racial/ethnic groups have more than 10 percent representation within a given census tract. This tool is more useful for capturing patterns of segregation between non-White groups. As shown in Figure D-1, all tracts are Mostly White, as are most surrounding tracts, except within San Rafael, where tracts are Latinx-White. Figure D-2 shows that all census block groups in Ross were classified as Lower Diversity by the 2018 Esri Diversity Index. Overall, while trends indicate that Ross and the County of Marin are becoming more diverse, the relatively high rates of segregation may indicate systemic barriers to housing for non-Whites such as access to capital and financing.

³ Ibid.

Chart D-1: Isolation Index, Ross vs the Bay Area

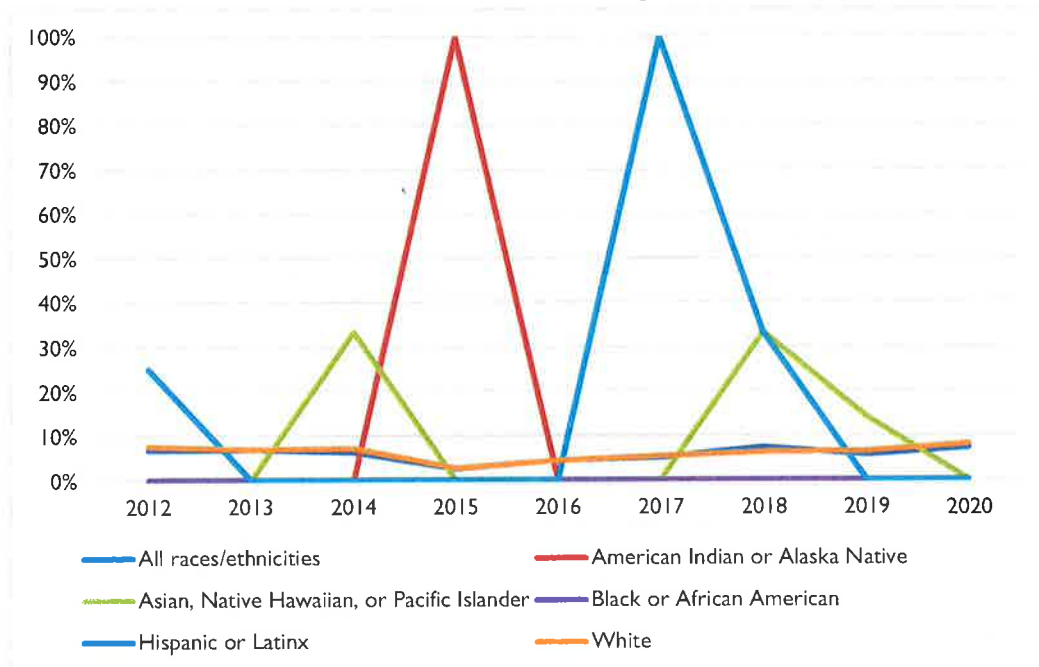


Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. U.S. Census Bureau, Census 2010, Table P4. U.S. Census Bureau, Census 2000, Table P004.

Other Relevant Factors: Loan Denial Rates by Race/Ethnicity

Information on access to mortgage finance services can also illustrate racial or ethnic housing disparities within a jurisdiction. The Federal Home Mortgage Disclosure Act (HMDA) requires both depository and non-depository lenders to collect and publicly disclose information about housing-related applications and loans. This data is available by race, ethnicity, sex, loan amount, and the income of mortgage applicants and borrowers. Chart D-2 traces loan denial rates for home purchases from 2012 to 2020 for all census tracts combined in Ross. Non-White races/ethnicities were underrepresented in the dataset: less than 10 applications/year from each non-White racial/ethnic group versus 89-157 applications/year for the White population. Denial rates have remained relatively stable and generally lower than 10 percent in Ross as a whole, and rates for the White population track closely with the “All races/ethnicities” data as that population comprises the majority of the dataset. The American Indian/Alaska Native and Hispanic/Latinx groups show the most variability in data; the year-over-year application pool for both of these groups was five applications or fewer, likely contributing to this variability, and the 100 percent denial rate data points for both groups represent a year in which a single applicant applied and was denied. The Black or African American population also had a consistently very low sample size of five or fewer applications, but denial rates were 0 percent for all years. The data do not indicate a systemic disadvantage for non-Whites; however, due to the low loan application numbers from all non-White racial and ethnic groups, it is difficult to draw any conclusions from this data.

Chart D-2: Home Purchase Loan Denial Rates by Race/Ethnicity, 2012-2020



Source: Home Mortgage Disclosure Act Data, 2012-2020

Figure D-1: Neighborhood Segregation

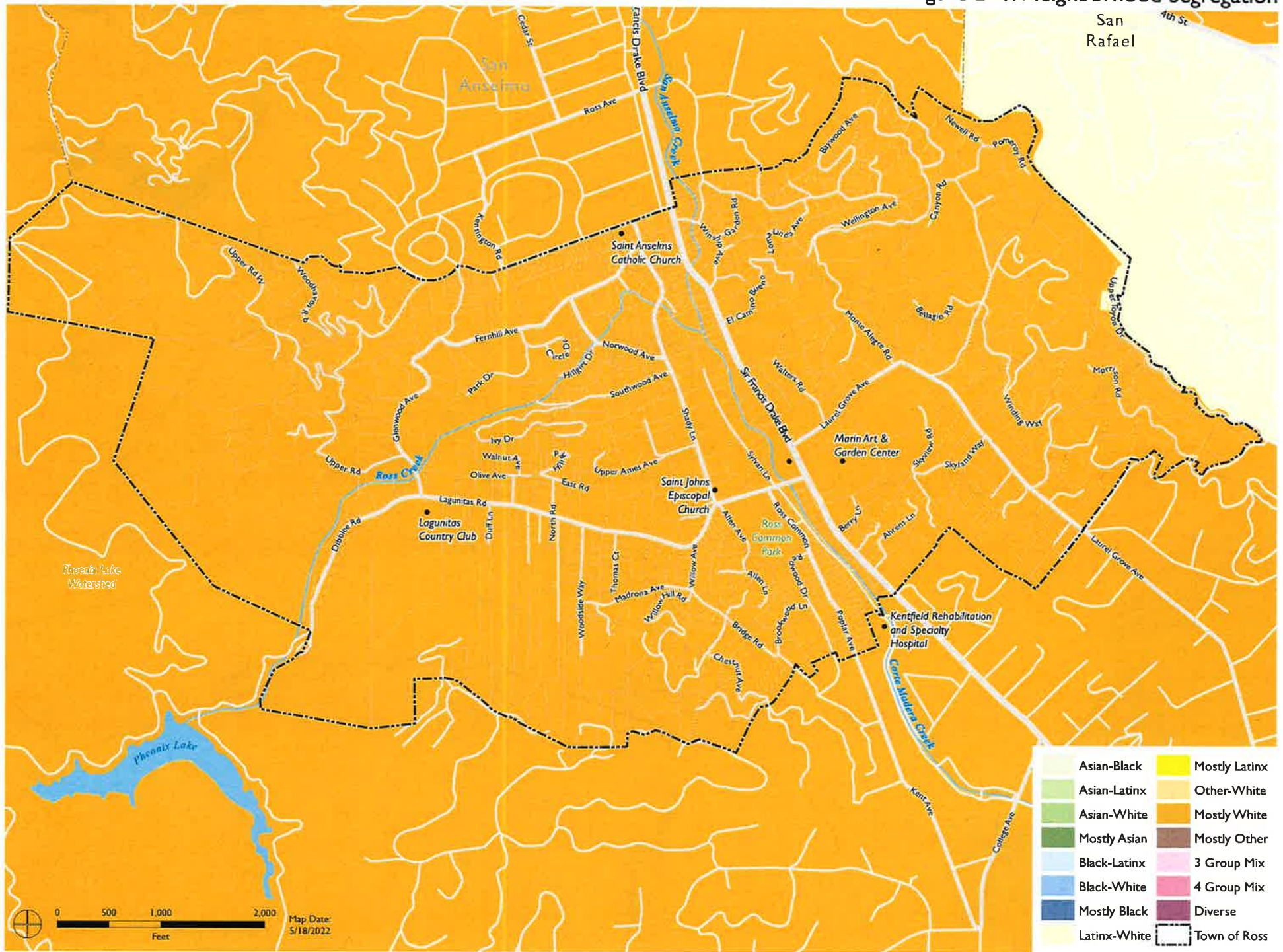
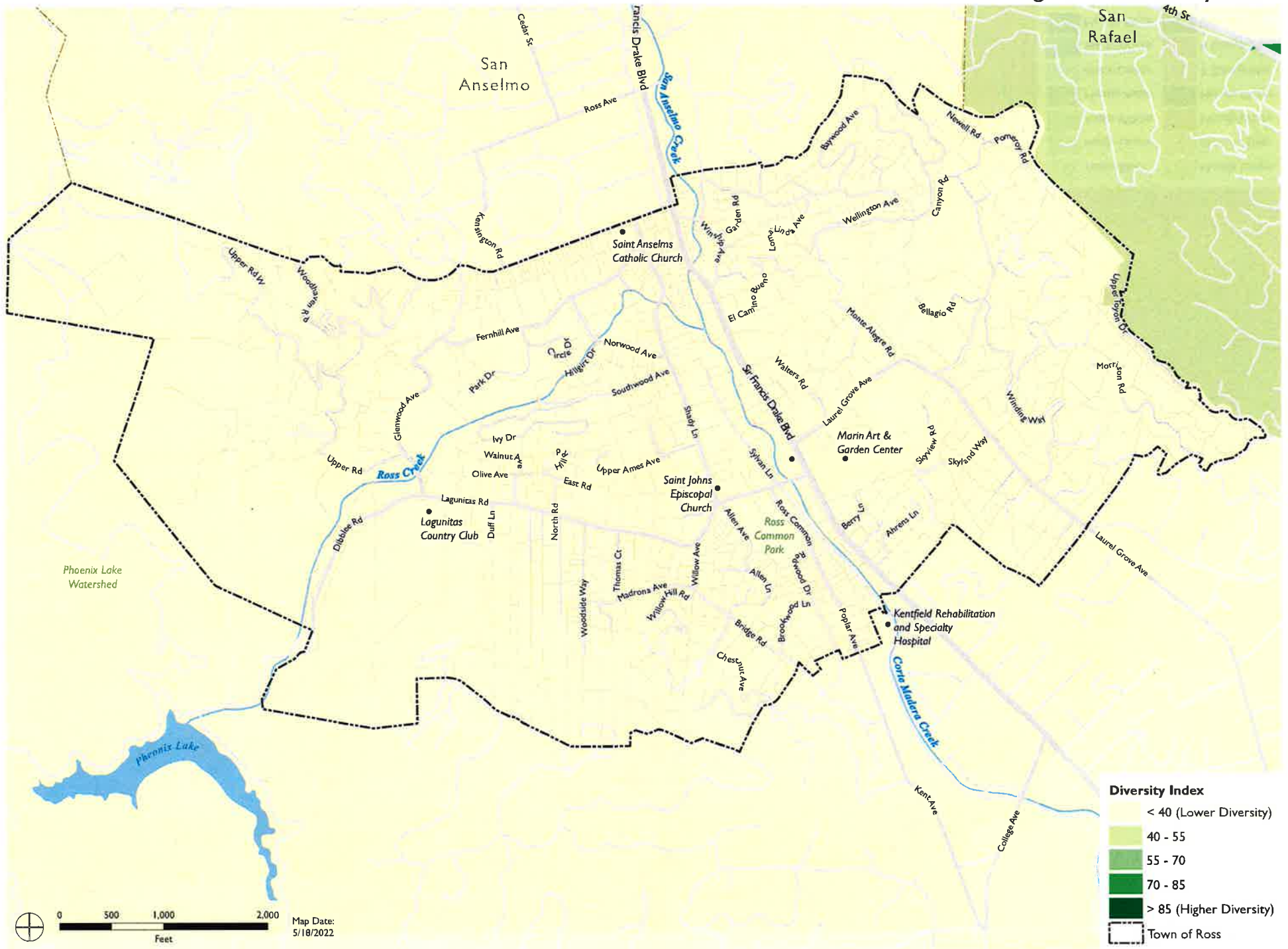


Figure D-2: Diversity Index



PERSONS WITH DISABILITIES

Fair housing choice may be limited for persons with disabilities; additionally, persons with disabilities may be overrepresented in public housing. Therefore, it is imperative to ensure that a geographic concentration of persons with disabilities does not exist within Ross. The U.S. Census Bureau provides six categories of disability: hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, and independent living difficulty. According to 2019 ACS 5-Year Estimates, approximately 164 individuals or nine percent of Ross residents were living with a disability, while a full 29.4 percent of the population aged 65 and older in Ross, or 181 residents, were living with a disability. This is similar to the proportion of residents living with a disability in Marin County, which was approximately 10 percent of the overall population during the same year.

Further, Figure D-3 indicates that the percent of the population living with a disability does not exceed 10 percent in any tract within Ross, confirming a relatively equal dispersal of persons with disabilities throughout the city. Neighboring tracts in San Anselmo and the Marin Municipal Water District (MMWD) indicate slightly higher geographic concentrations of persons with disabilities.

FAMILIAL STATUS

The Fair Housing Amendments Act of 1988 prohibits discriminatory housing practices based on familial status. In most instances, according to the United States Department of Justice (DOJ), the Act prohibits a housing provider from refusing to rent or sell to families with children. However, housing may be designated as housing for older persons (55 years + of age). This type of housing, which meets the standards set forth in the Housing for Older Persons Act of 1995, may operate as “senior housing” and exclude families with children.

Specifically, the Fair Housing Amendments Act provides protection from housing discrimination for families with children less than 18 years of age, pregnant women, or families in the process of securing custody of a child under 18 years of age. Prospective renters can be denied access to housing because of prohibited discriminatory practices, while in-place renters can face housing discrimination due to the practices of housing providers.

As indicated in Table D-3, there are 358 households with children under 18 years old living in Ross out of 852 households total. Married-couple families are the most prevalent type of household with children (85.8 percent), followed by male householder, no spouse present (8.4 percent) and female householder, no spouse present (5.9 percent).

Figures D-4 through D-7 present the geographic distribution of family and household types in Ross. Figures D-4 and D-5 show the percent of children by tract living in female-headed and married-couple households, respectively. These figures indicate that there are no concentrations of children living in female-headed households in Ross, and in all census tracts throughout Ross, more than 80 percent of children live in married-couple households. Across all tracts in Ross, fewer than 20 percent of adults live alone and 69 percent of adults live with a spouse (Figure D-6 and D-7).

Table D-3: Children Under 18 Years in Ross Households, 2020

Household Type	Number	Percent
Married-Couple	307	85.8%
Male Householder, No Spouse Present	30	8.4%
Female Householder, No Spouse Present	21	5.9%
Other	0	0.0%
Total	358	100.0%

Note: All households with children are considered family households

Source: U.S. Census Bureau, 2020 American Community Survey 5-Year Estimates (Table ID: S0901)

INCOME LEVEL

In addition to patterns of segregation in race, disability, and familial status, geographic concentrations of households and individuals by income and poverty level are also common throughout California. One metric to identify segregation by income is the concentration of low or moderate income (LMI) individuals. HUD defines a LMI area as a census tract or block group where over 51 percent of the population is LMI – based on the HUD income definition of up to 80 percent of the Area Median Income (AMI). Figure D-8 shows the LMI areas by block group in Ross and surrounding areas. There are no concentrations of LMI individuals in Ross; they are evenly distributed throughout the Town, comprising less than 25 percent of each block group's population.

The geographic concentration of individuals living below the poverty level is another indicator for patterns of income-based segregation within a jurisdiction. However, Figure D-9 shows that there is no concentration of individuals living below the poverty level in Ross. Less than 10 percent of the population in Ross and most of its surrounding communities are living below the poverty level, except in parts of the MMWD, where 10-20 percent of tract populations are living below the poverty line.

Figure D-3: Population with a Disability

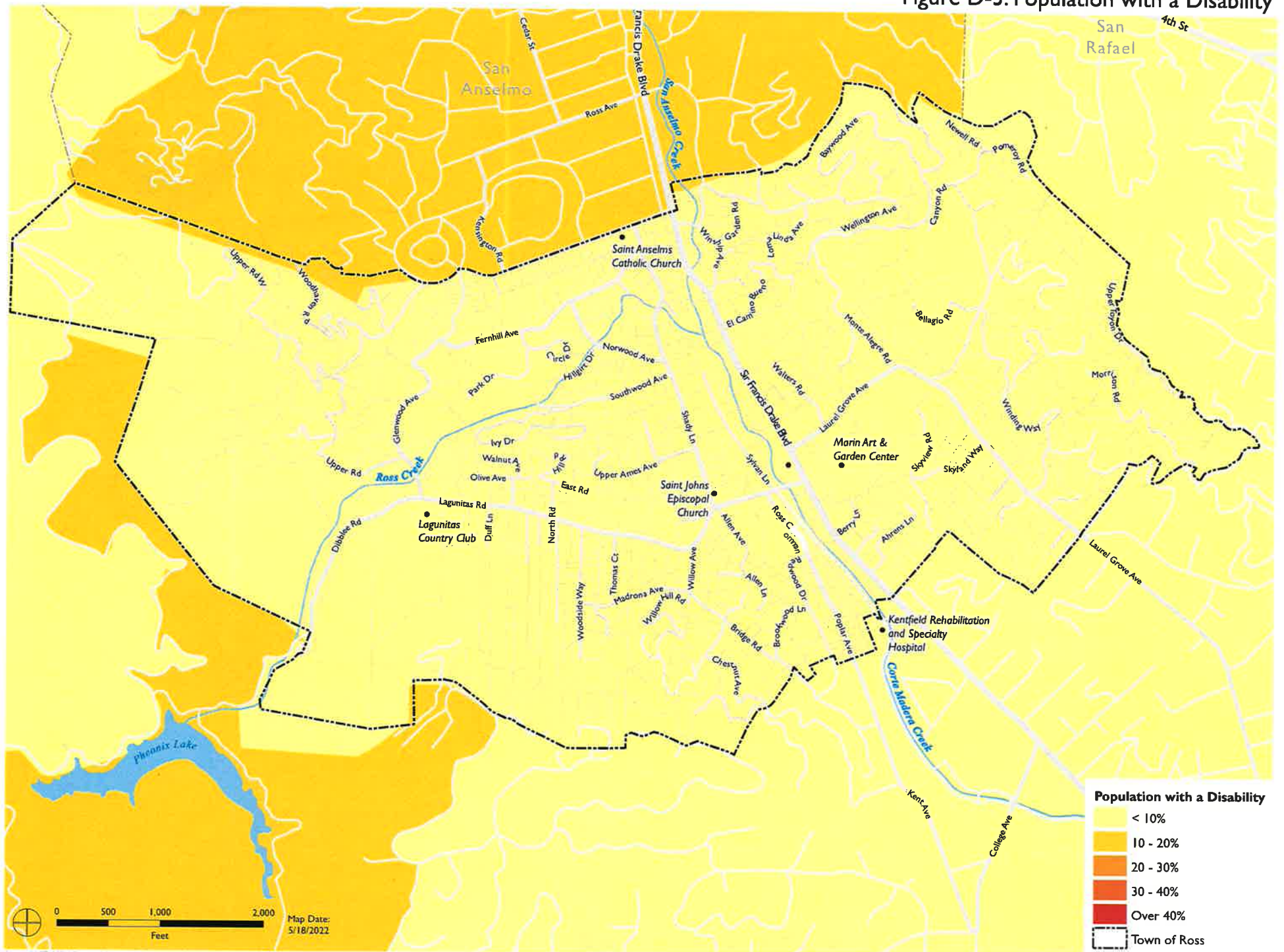


Figure D-4: Percent of Children in Female Householder Households (ACS)

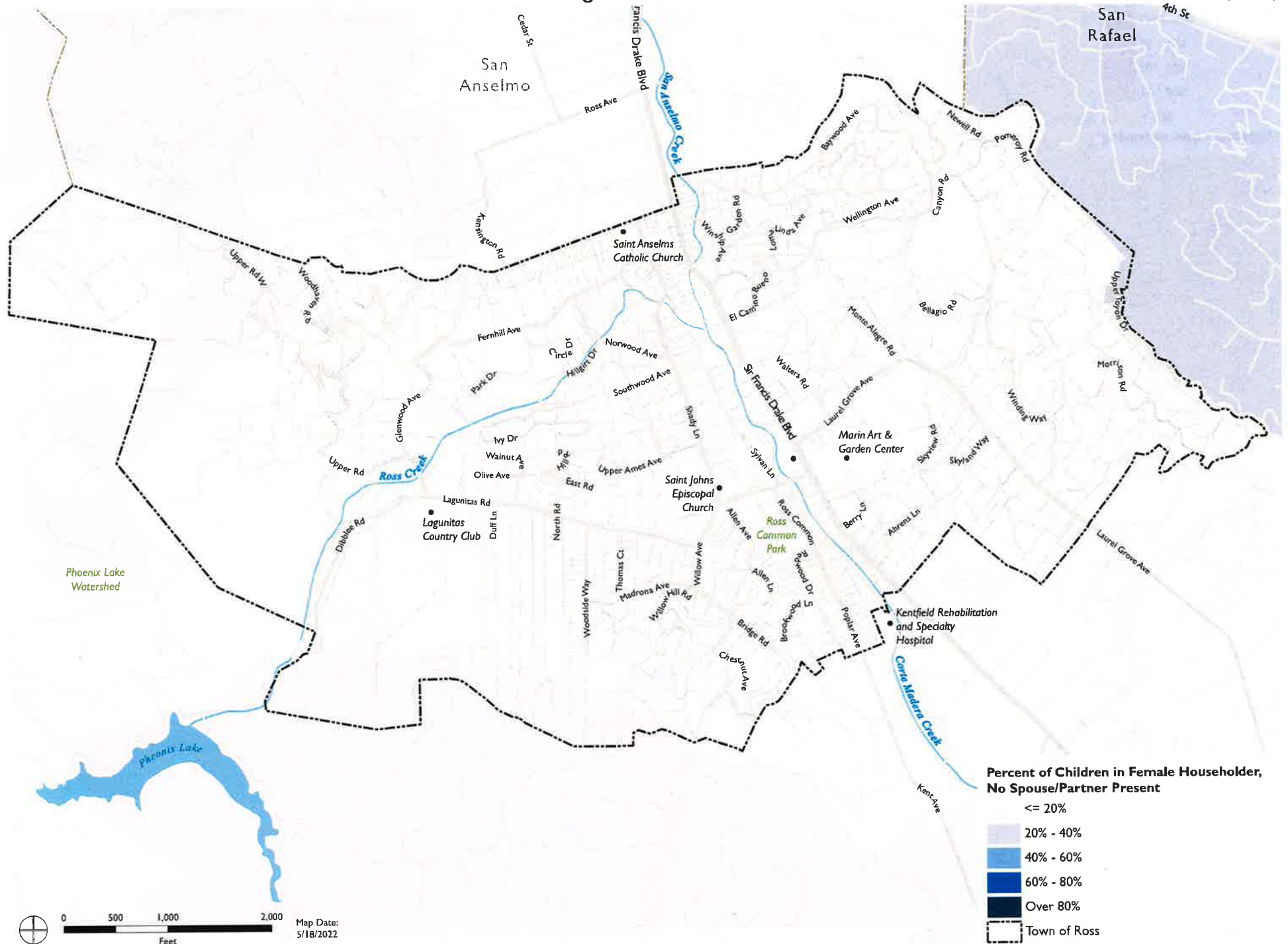


Figure D-5: Percent of Children in Married-Couple Households (ACS)

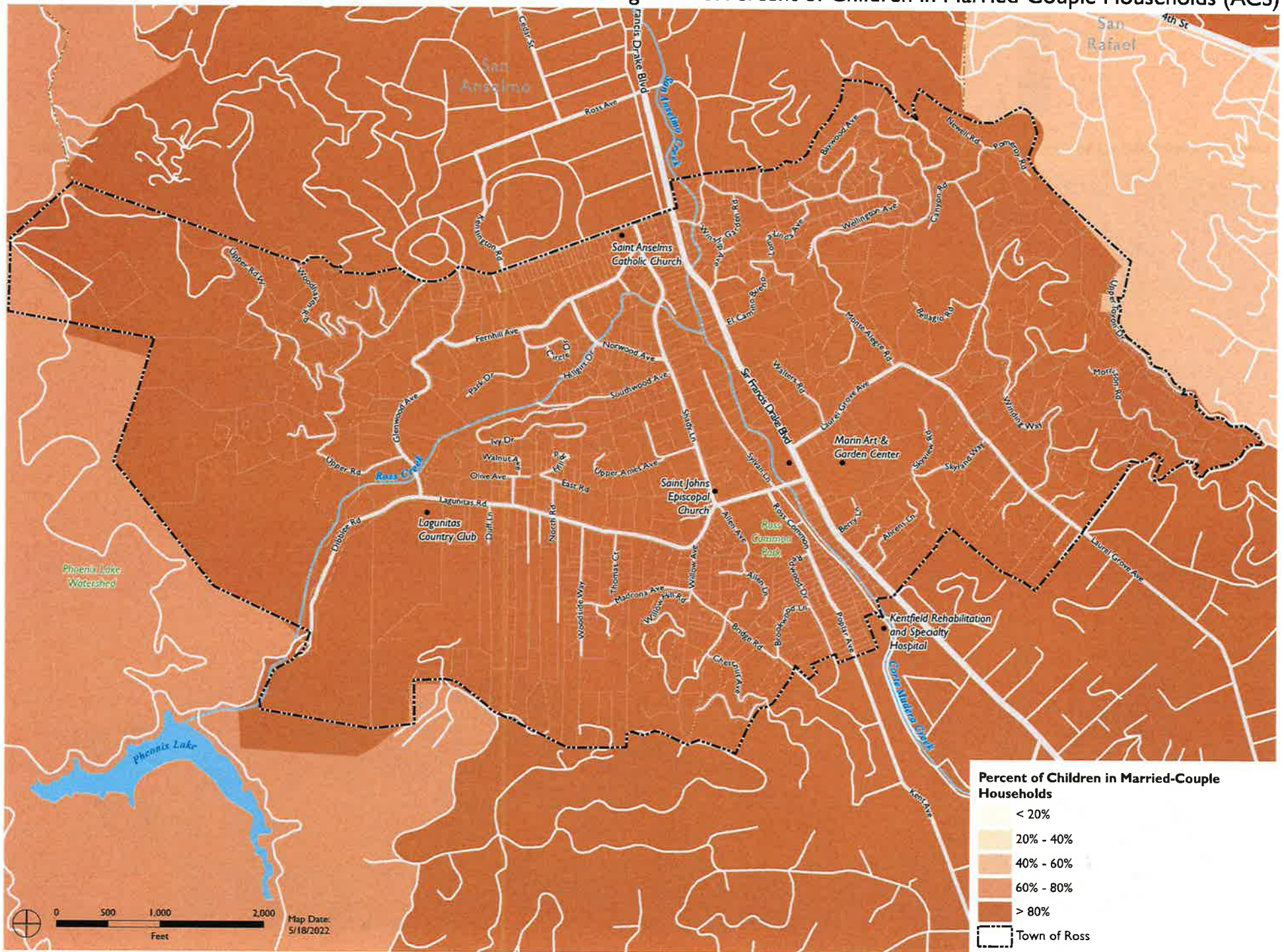


Figure D-6: Percent of Adult Population Living Alone

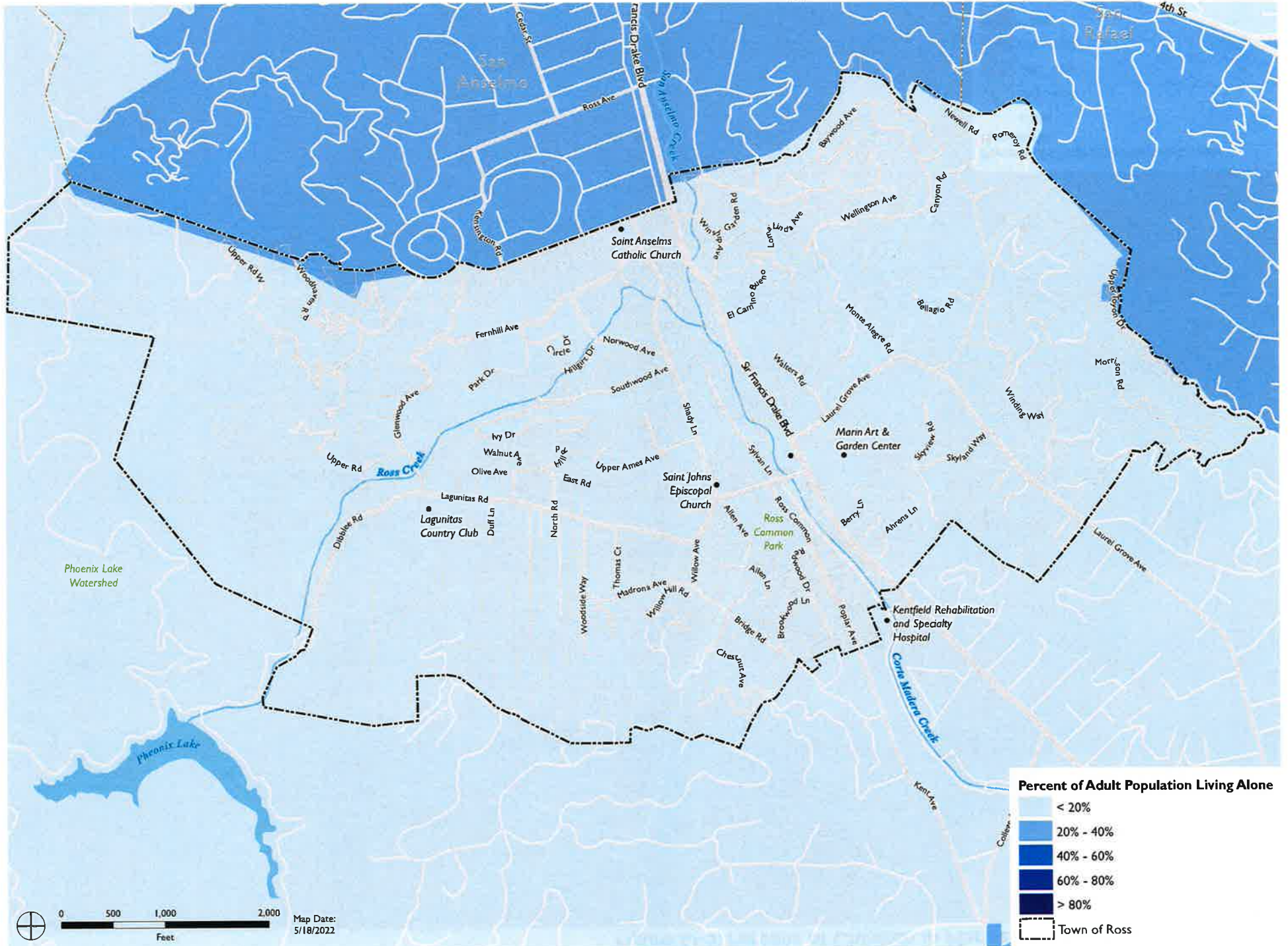


Figure D-7: Percent of Adult Population Living with Spouse

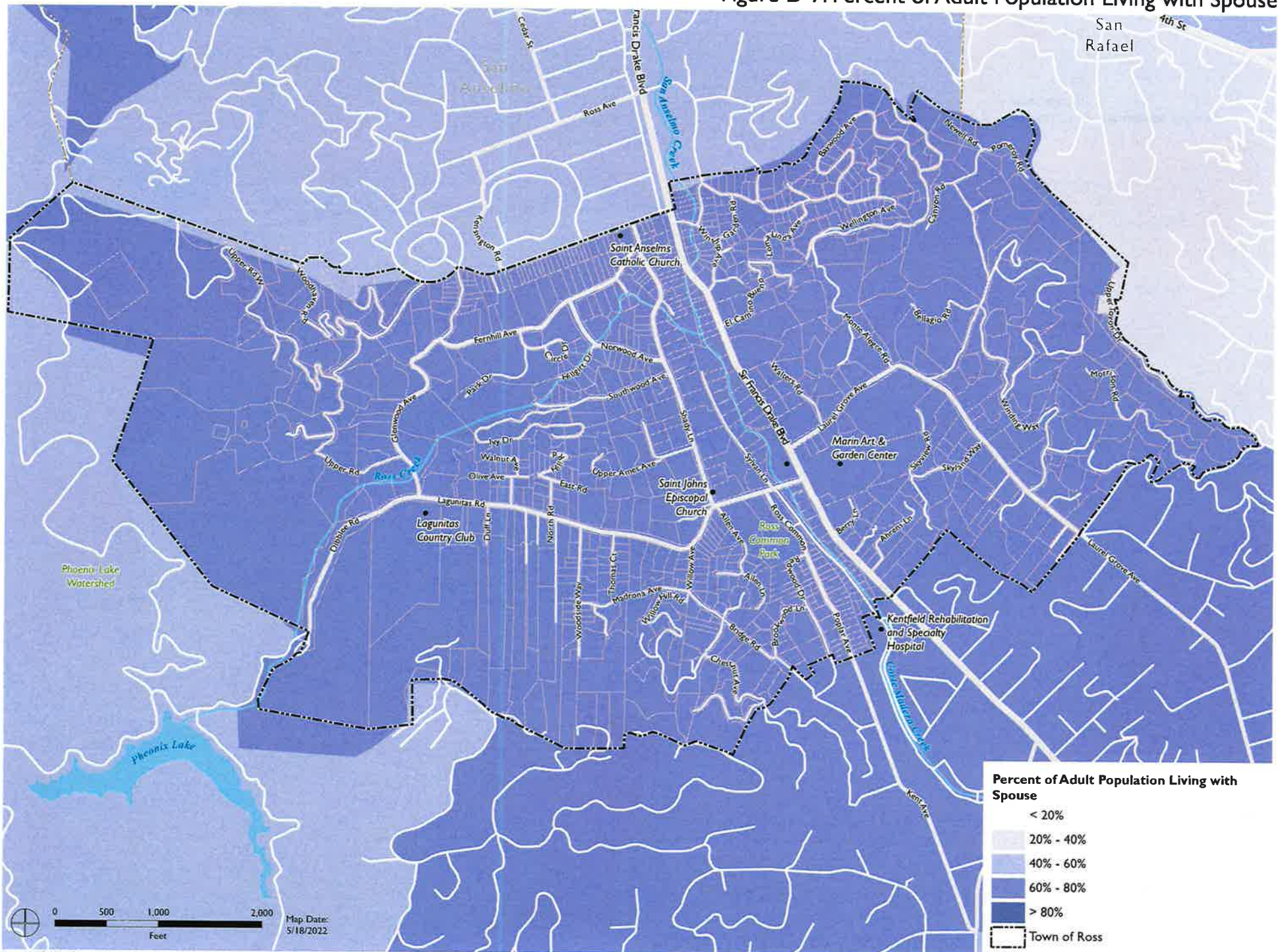
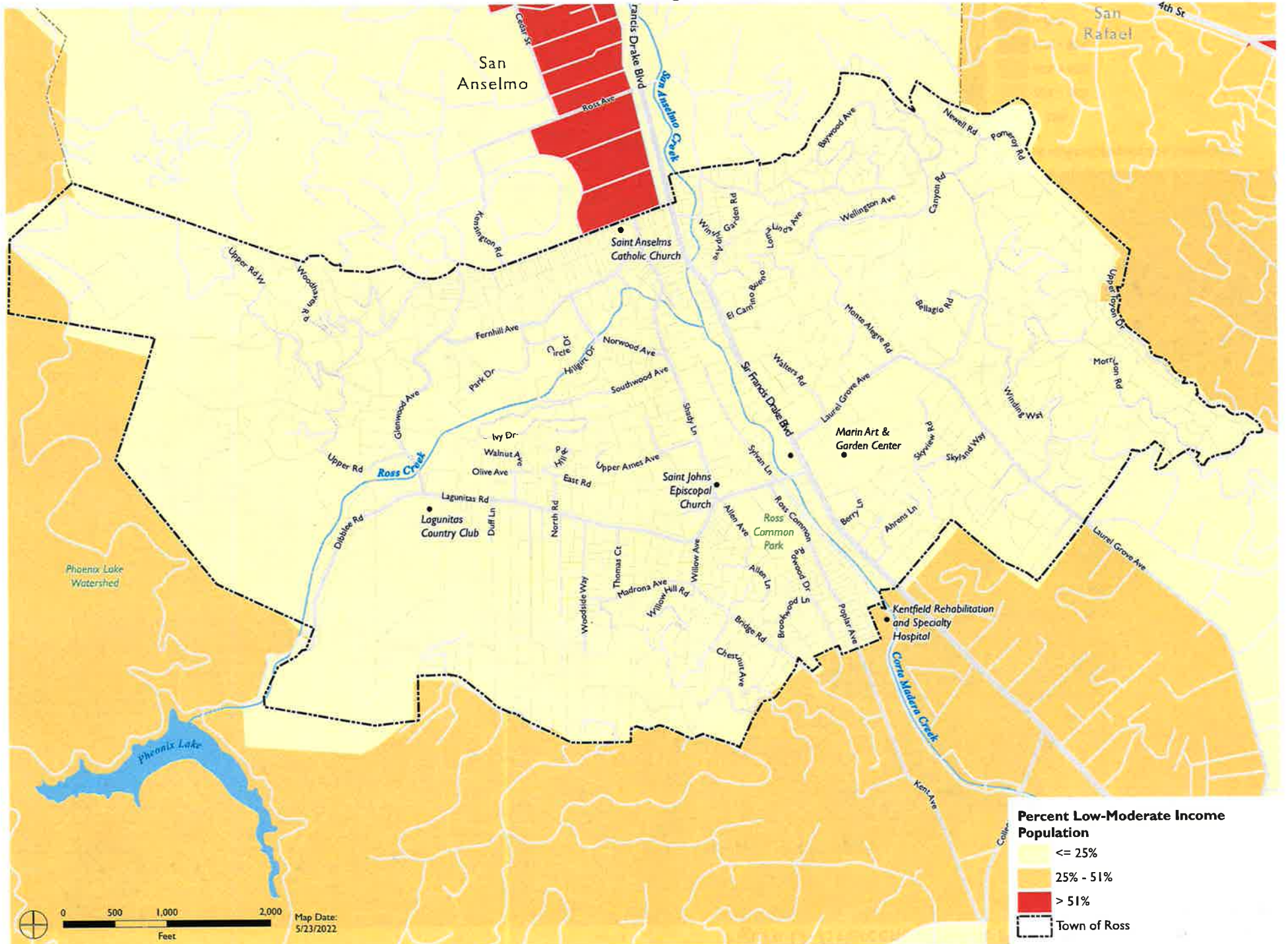
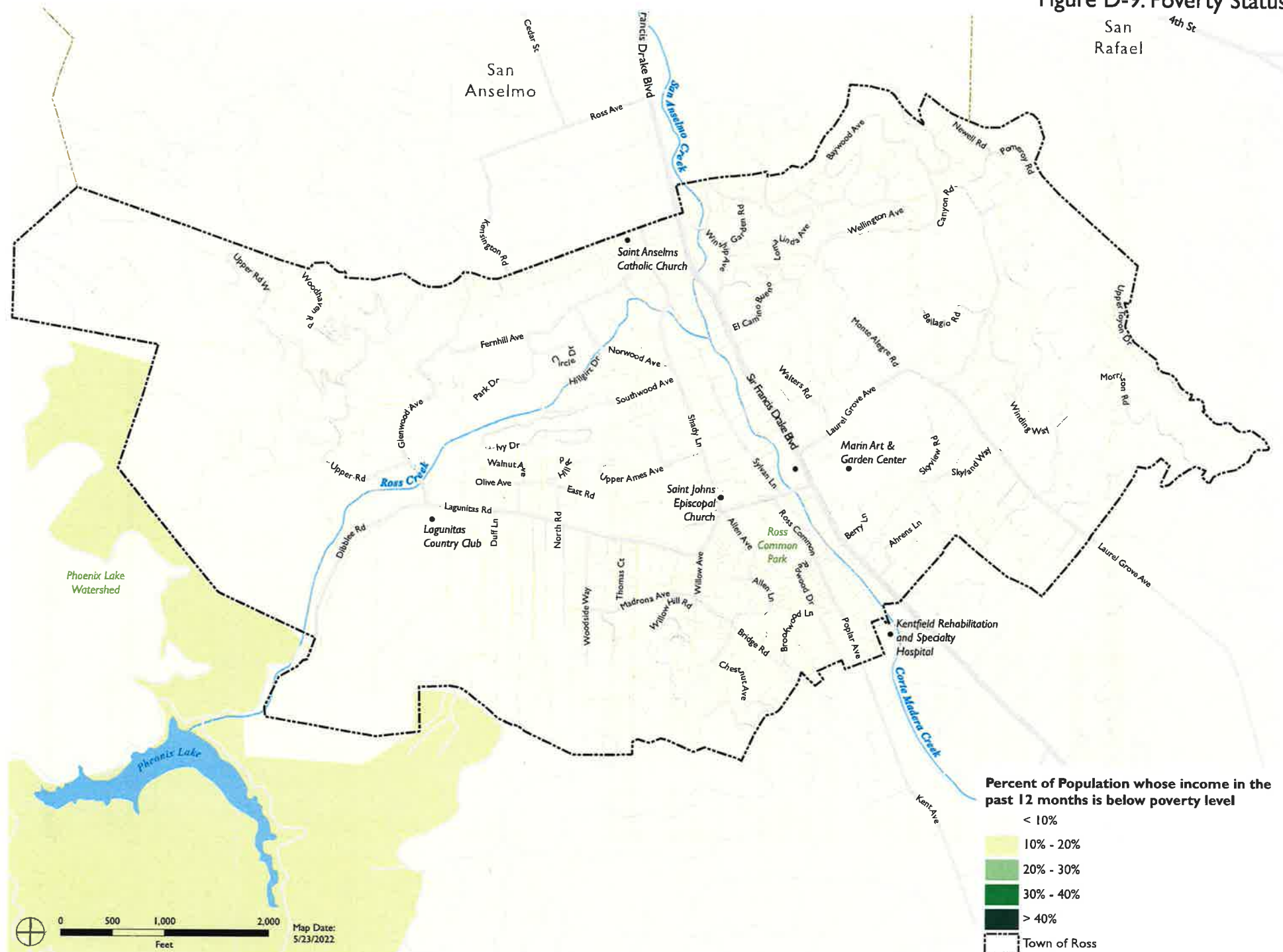


Figure D-8 Low-to-Moderate Income Population by Block Group



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Racially/Ethnically Concentrated Areas of Poverty and Affluence

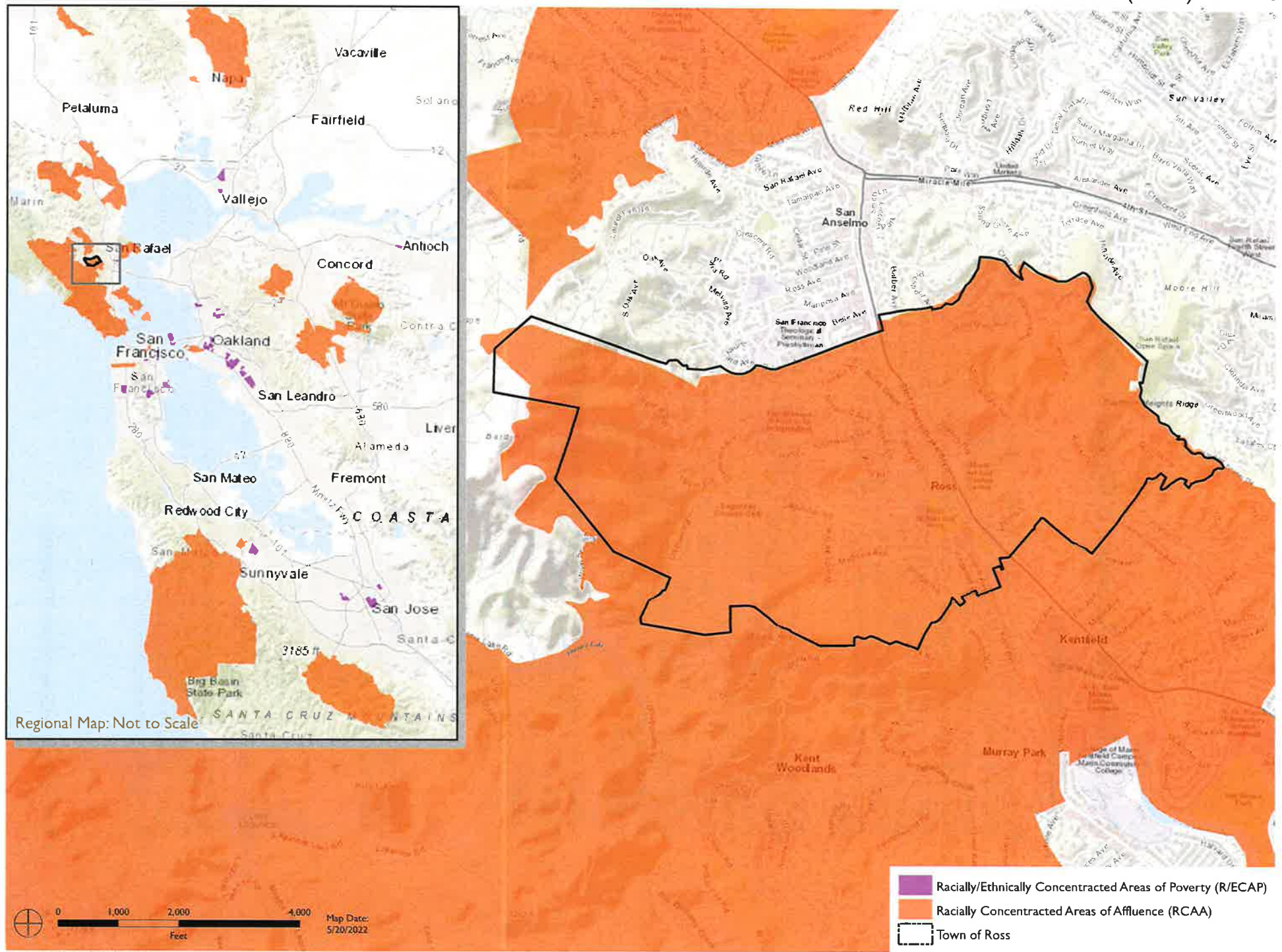
Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs) are defined by HUD as census tracts with a non-White population of 50 percent or more, and a poverty rate that exceeds 40 percent or is three or more times the average tract poverty rate for the metropolitan/micropolitan area, whichever is lower. The R/ECAP designation serves as a measure of neighborhoods that are experiencing both high racial and ethnic concentration as well as high rates of poverty. There are no R/ECAPs located within Ross or surrounding communities (Figure D-10), but there are some R/ECAPs scattered throughout the Bay Area region, primarily in the large metropolitan areas of San Francisco, Oakland, and San Jose.

Racially/Ethnically Concentrated Areas of Affluence (RCAAs) are not formally defined by HUD or State HCD but are generally considered to be areas with high concentrations of wealthy, White residents. Using an informal RCAA definition (at least 80 percent non-Hispanic White with median income greater than or equal to \$125,000) included in both the State HCD AFFH Guidance document and the 2019 Goetz, et. al, paper published by HUD's Office of Policy Development and Research⁴, all tracts in Ross were considered to be RCAAs (Figure D-10). Therefore, it is imperative that Ross includes more opportunities for affordable housing within the Town to increase income diversity, and potentially racial diversity.

Regionally, there are other RCAAs in the Bay Area, including, but not limited to, several tracts in Marin County and some tracts in the City and County of San Francisco.

⁴ Edward G. Goetz, et al. "Racially Concentrated Areas of Affluence: A Preliminary Investigation" (Cityscape, Vol. 21 No. 1, 2019), pp. 99-123.

Figure D-10: Racially/Ethnically Concentrated Areas of Poverty (R/ECAP) and Racially Concentrated Areas of Affluence (RCAA) Locations



Disparities in Access to Opportunity

REGIONAL CONTEXT

Across the nation, affordable housing has been disproportionately developed in minority neighborhoods with high poverty rates, thereby reinforcing the concentration of poverty and racial segregation in low opportunity and low resource areas. Several agencies have developed methodologies to assess and measure geographic access to opportunity in areas throughout California. “Access to opportunity” is measured by access to healthy neighborhoods, education, employment, and transportation. While HUD’s Opportunity Indices are often used as one tool to compare disparities in access to opportunity between the local and regional level, this data is not available for Ross. However, there is similar data prepared by the State available at the local and county level, discussed below.

To quantify access to opportunity at the neighborhood level, HCD and the California Tax Credit Allocation Committee convened to form the California Fair Housing Task Force and develop Opportunity Maps that visualize accessibility of low-income adults and children to resources within jurisdictions throughout the state. Table D-5 below outlines the domains of the resulting Opportunity Maps. The Task Force further aggregated economic, environmental, and education domains to create a composite index. High Resource areas are those that offer the best access to a high-quality education, economic advancement, and good physical and mental health. Highest resource tracts are the top 20 percent of tracts with the highest index scores relative to the region, while high resource tracts are the next 20 percent.

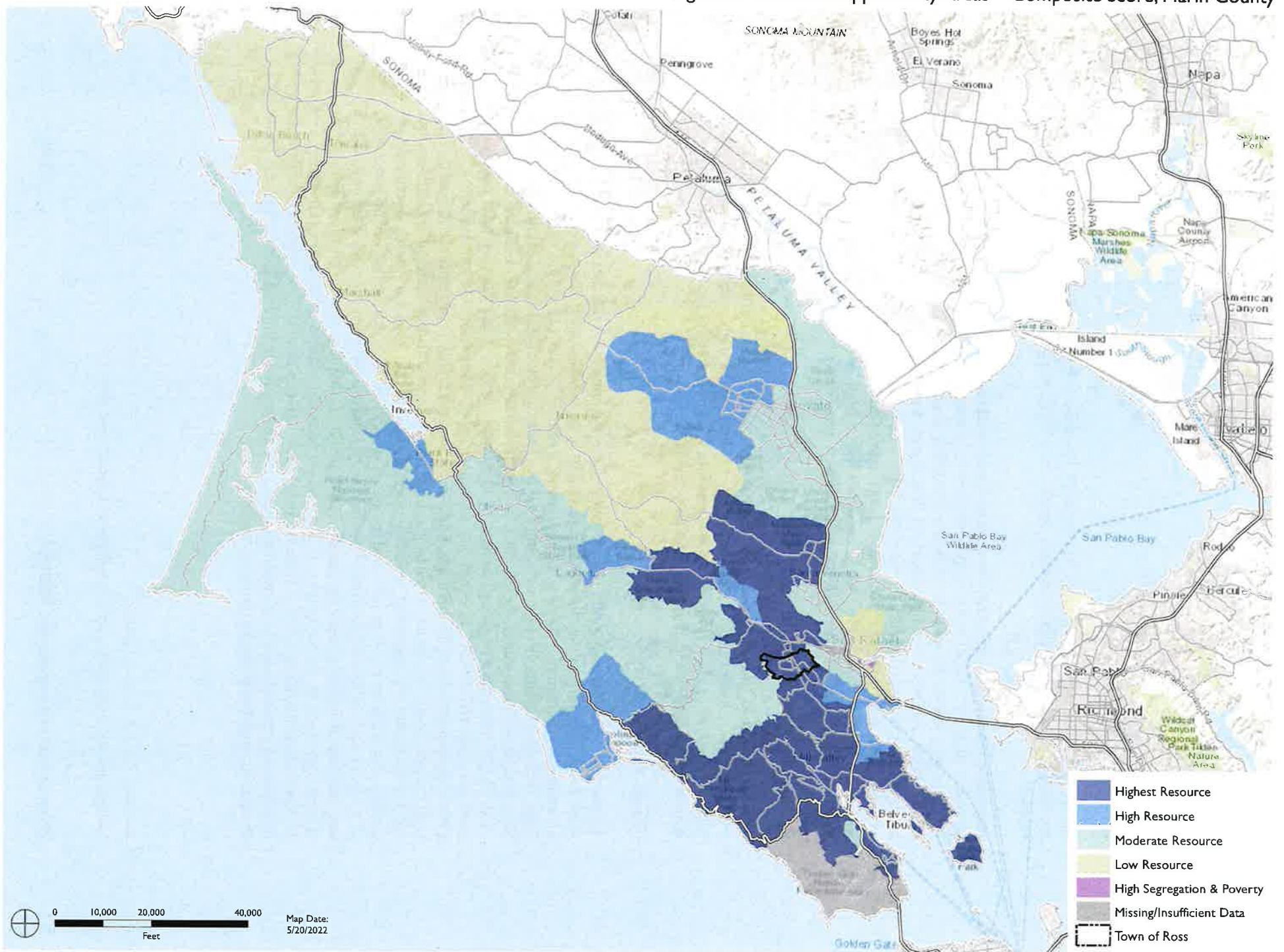
Table D-5: Domain and Indicators for State HCD/TCAC Opportunity Maps, 2020

<i>Domain</i>	<i>Indicator</i>
Economic	Poverty Adult Education Employment Job Proximity Median Home Value
Environmental	CalEnviroScreen 4.0 exposure and environmental effects indicators
Education	Math Proficiency Reading Proficiency High School Graduation Rates Student Poverty Rate
Filter	Poverty and Racial Segregation

Source: California Fair Housing Task Force, Methodology for the 2021 TCAC/HCD Opportunity Map, December 2020

Figure D-11 shows the distribution of TCAC Opportunity Areas throughout Marin County. While much the County ranges from Moderate to Highest Resource, there are substantial portions of the County that are Low Resource in rural northwestern Marin, as well as in the more urban parts San Rafael. There are also pockets of High Segregation and Poverty in San Rafael.

Figure D-II: TCAC Opportunity Areas – Composite Score, Marin County



LOCAL CONTEXT

Figure D-12 shows the TCAC Opportunity Maps Composite Score for Ross. A full 100 percent of residents in Ross live in neighborhoods identified as “Highest Resource” by State-commissioned research.

As noted earlier in this Appendix, there are no concentrations of protected classes (e.g., race, familial status, disability status) in Ross, and therefore no uneven distribution of access to opportunity for these populations across Ross. However, according to research from the University of California, Berkeley, 100 percent of households in Ross live in neighborhoods where low-income households are likely to be excluded due to prohibitive housing costs; therefore, in order to increase access to opportunity for lower-income households as required under State law, the Housing Element will need to incorporate strategies for promoting the development of housing options in Ross that are affordable to households earning less than 80 percent of the area median income in Marin County.

Economic Opportunity

Figure D-13 shows that all census tracts in Ross fall into the “More Positive Outcomes” (highest) score category. This means that Ross has a low poverty rate, a high percentage of adults with a bachelor’s degree or above, a high employment rate, a high number of jobs nearby that do not require a college degree, and a high median home value.

Transit Access

Access to affordable transportation can increase economic opportunity. A robust public transit network helps to ensure connections from housing to jobs, services, commercial centers, and other necessities, particularly for those without access to a vehicle. Marin Transit provides bus service in Ross, with connections throughout Marin County. There are eight bus routes within a half mile of Ross’ border, with two routes, the 22 and 228, directly serving the Town on Sir Francis Drake Boulevard. The 22 route has a weekday headway of 30 minutes, while the 228 has a weekday headway of one hour. State HCD/TCAC does not assess access to opportunity related to transportation, but the Center for Neighborhood Technology, a data-driven sustainability research center, in partnership with the non-profit Transit Center, has quantified transit access through their All Transit data tool. All Transit explores metrics that reveal the social and economic impact of transit, specifically regarding connectivity, access to jobs, and frequency of service.⁵ Ross’ All Transit Performance score of 4.3 (on a scale of 0 to 10) reflects a low number of transit trips taken per week combined with a low number of jobs accessible by transit. Additionally, infrequent service and low demand for transit impact transit access in Ross. 47,310 jobs are accessible within a 30-minute transit trip, and 14.3 percent of the Town’s 730 commuters use transit. 418 commuters (57.3 percent) live within a half-mile of transit. Locating affordable housing within a quarter mile walk of Sir Francis Drake Boulevard would help ensure transit accessibility.

⁵ AllTransit Metrics. <https://alltransit.cnt.org/metrics/>. Accessed April 2022.

Educational Opportunity

Figure D-14 shows that all census tracts in Ross fall into the “More Positive Outcomes” (highest) score category, which means that residents of Ross have access to high-performing public schools with low student poverty rates and a high on-time high school graduation rate. Math and reading proficiency by way of standardized test scores are included in this measurement; example test scores are summarized in Table D-6. Results from the 2018-2019 Smarter Balanced assessments of math and English language arts, which forms part of the State’s California Assessment of Student Performance and Progress (CAASPP) indicate that Ross Elementary far outperforms the State average.

Table D-6: CAASPP Smarter Balanced Test Results, Ross and the State of California, 2018-2019

<i>District/Region</i>	<i>Percent Met or Exceeded Standard</i>	
	<i>English Language Arts</i>	<i>Mathematics</i>
State of California	51.10%	39.73%
Ross Elementary	85.05%	80.65%

Source: California Department of Education, CAASPP, Smarter Balanced Summative Assessments, 2018-2019

Environmental Opportunity

The Opportunity Areas- Environmental Score map (Figure D-15) visualizes access to healthy neighborhoods based on specific exposure and environmental effect indicators from the California Office of Environmental Health Hazard Assessment (OEHHA)’s CalEnviroScreen 3.0 dataset. CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every Census tract in the state, thereby identifying communities that are most vulnerable to pollution’s effects. The CalEnviroScreen indicators included in the TCAC Environmental Opportunity methodology exclude socioeconomic information and only include data on exposure to ozone, PM2.5, diesel particulate matter, drinking water contaminants, pesticides, toxic release, traffic, cleanup sites, groundwater threats, hazardous waste, impaired water bodies, and solid waste sites. Figure D-15 shows that Ross has the highest outcomes for access to healthy neighborhoods, which likely reflects that there are no industrial land uses within and immediately surrounding Ross, and traffic density in the area is low.

Summary

The HCD/TCAC Opportunity Maps provide a useful guide to understanding opportunity within a community. However, they are limited in their scope and may not be able to fully capture existing conditions. While Ross scores highly across the board on the indicators included in the Opportunity Maps, it does not have robust transit access. Therefore, Ross would not be a feasible place to live for car-dependent populations who work outside of the Town. An emphasis on workforce housing for those employed in Ross would instead be a key fair housing goal for the Town.

Figure D-12: TCAC Opportunity Areas – Composite Score, Ross

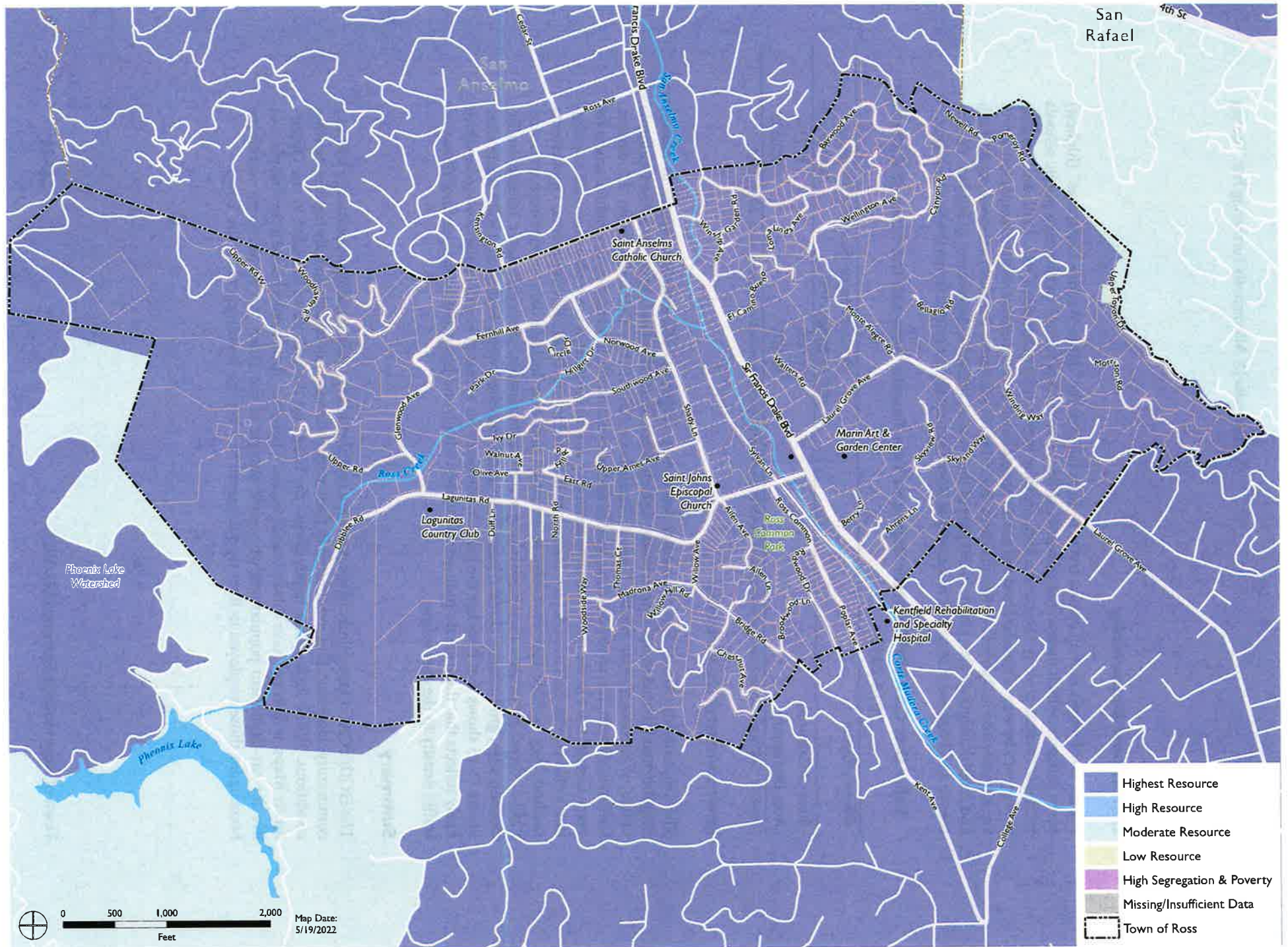
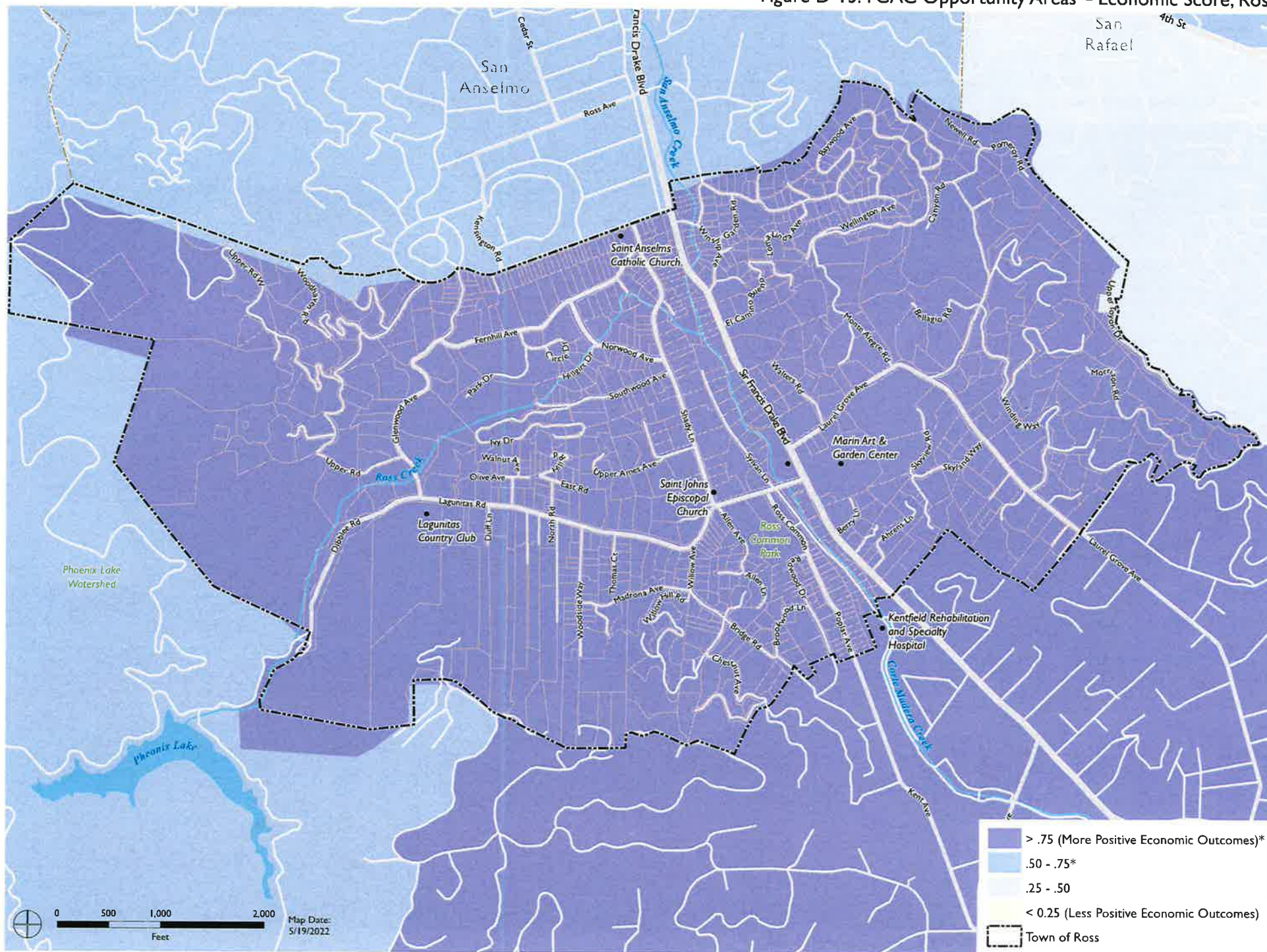


Figure D-13: TCAC Opportunity Areas – Economic Score, Ross



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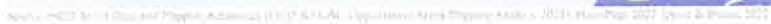
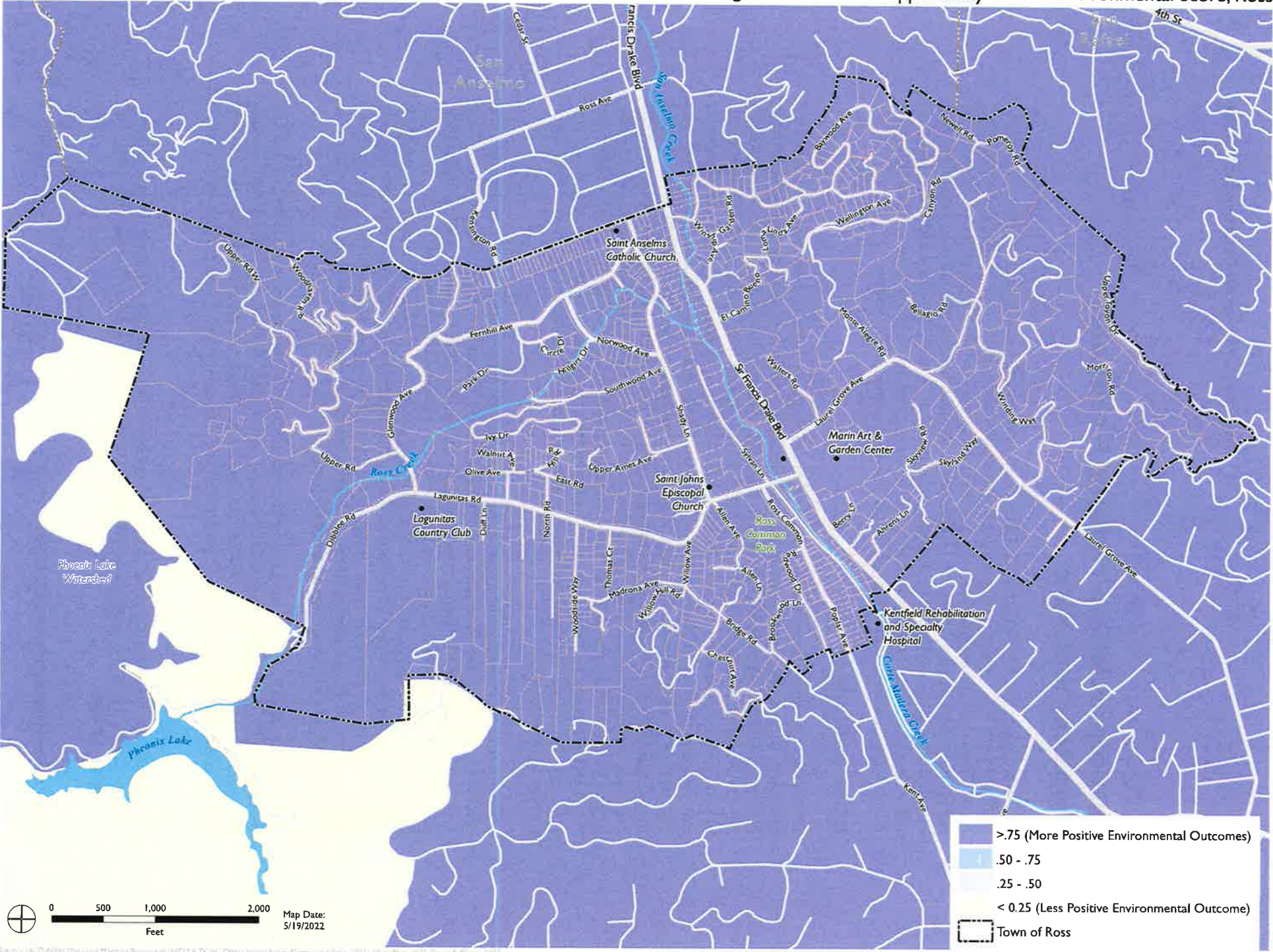


Figure D-15: TCAC Opportunity Areas – Environmental Score, Ross



Source: NCD Air Quality and Planning Resources (HCD & TCR); Open Source Aerial Mapping Software; 2021; Google Maps; 2022; Census & Bureau, 2011.

Disproportionate Housing Needs and Displacement Risk

According to HCD's AFFH Guidance Memo, disproportionate housing needs "generally refers to a condition in which there are significant disparities in the proportion of members of a protected class (such as race or disability status) experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing need in the applicable geographic area." Per HCD guidance, this analysis evaluates disproportionate housing need through the assessment of cost burden, overcrowding, homelessness and substandard housing conditions, as well as displacement risk.

COST BURDEN

Households spending more than 30 percent of their income on housing costs are considered cost burdened, while those spending more than 50 percent are considered severely cost burdened, according to HUD. Cost burden is an issue in Ross: 42 percent of households in Ross are cost-burdened (compared to 36 percent of households in the Bay Area at large), with slightly more than half of that group being severely cost-burdened; seniors (who are more likely to live on a fixed income) experience slightly higher levels of cost burden than the general Town population at 45.5 percent. Households at all income levels in Ross experience cost burden (See the Housing Needs Assessment, Appendix B), with households making less than 100 percent Area Median Income (AMI) experiencing higher rates of cost burden than the Town average. The populations most impacted by cost burden in Ross are extremely low-income households (i.e. households making 0-30 percent AMI) and homeowners under 35 years old; 100 percent of households in these two groups are cost burdened. The Housing Needs Assessment (Appendix B) explores cost burden as a function of income in more depth.

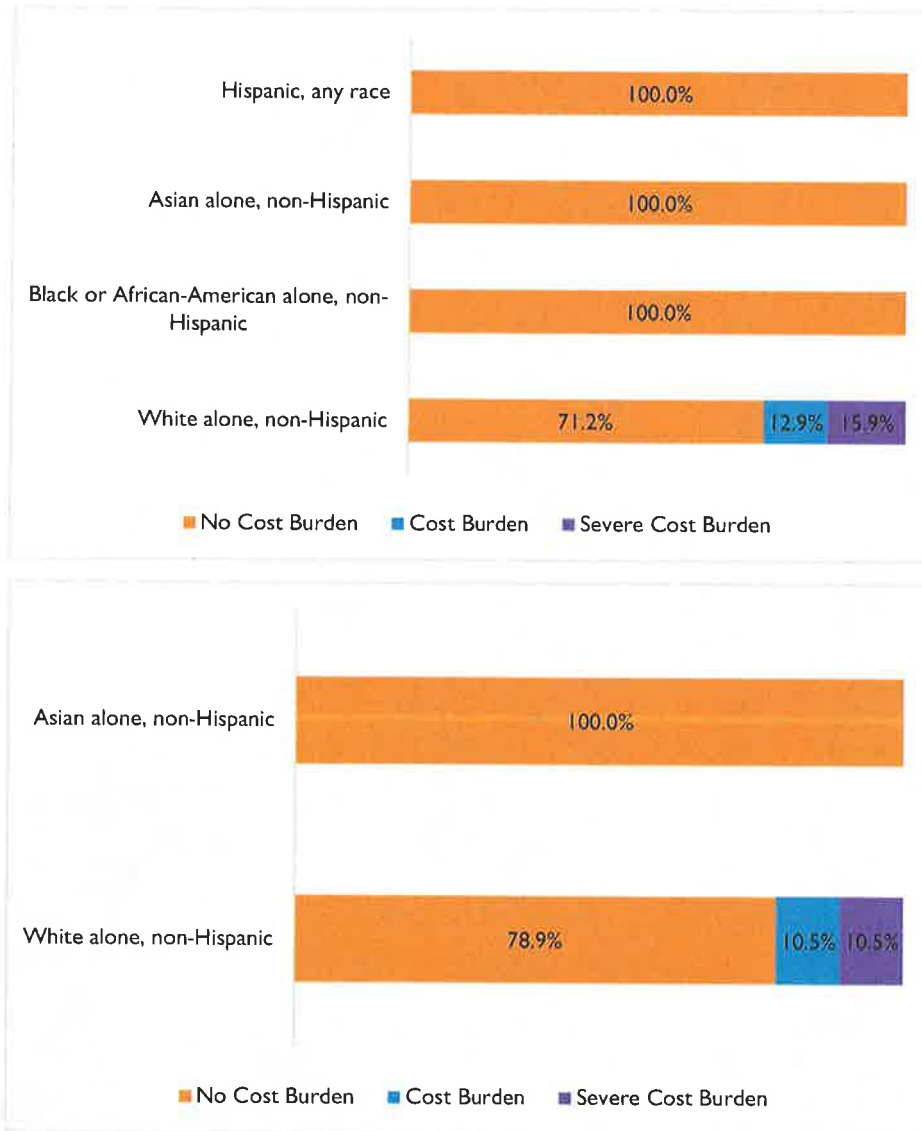
This report further examines cost burden by race/ethnicity, broken down by owner-occupied and renter-occupied households, to illustrate whether burden is reflective of the housing market at large or a signifier that renters are being overcharged. Most households in Ross are owner-occupied (87.0 percent), and owners are slightly more likely to be cost burdened than renters (Chart D-2). Therefore, burden seems more tied to market conditions than to unfair rental practices. All households experiencing cost burden are non-Hispanic White, therefore cost burden is not disproportionately experienced by any particular racial group and aligns with the Town's racial/ethnic makeup. There are no American Indian/Alaska Native or Pacific Islander households in Ross; and there are no non-Hispanic Black/African American or Hispanic renters.

Figures D-16 and D-17 show the geographic distribution of cost burden in Ross for owner- and renter-occupied households, respectively. Rates of households experiencing cost burden—among both renters and owners—are distributed throughout the Town and do not exceed 40 percent (the overall Town-wide cost burden is 42 percent) in any one census tract.⁶ Cost burden for owners is

⁶ The State HCD AFFH Data and Mapping Tool provides cost burden data in quintiles, with over 80 percent representing the highest concentration of cost burden possible. This should not be interpreted as a threshold, but rather a natural break in the data.

slightly higher in neighboring San Rafael and MMWD tracts, but comparable in Kentfield and San Anselmo tracts. Cost burden for renters is slightly higher in San Rafael and San Anselmo tracts, and slightly lower in Kentfield and MMWD tracts.

Chart D-2: Cost Burden by Race/Ethnicity for Owners (top) and Renters (bottom) in Ross, 2014-2018



Source: U.S. Department of Housing and Urban Development, 2014-2018 Comprehensive Housing Affordability Strategy

Figure D-16: Homeowner Cost Burden

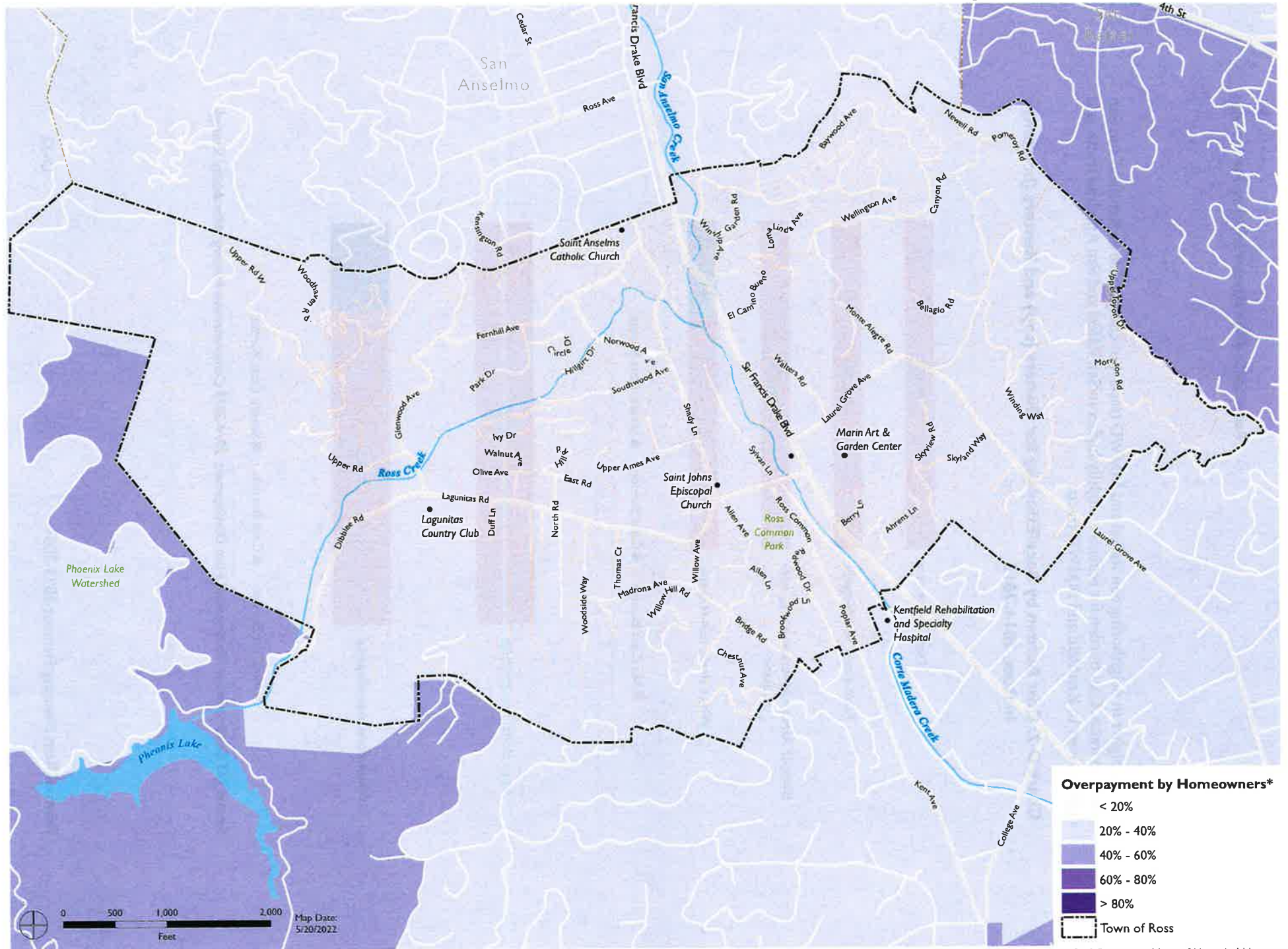
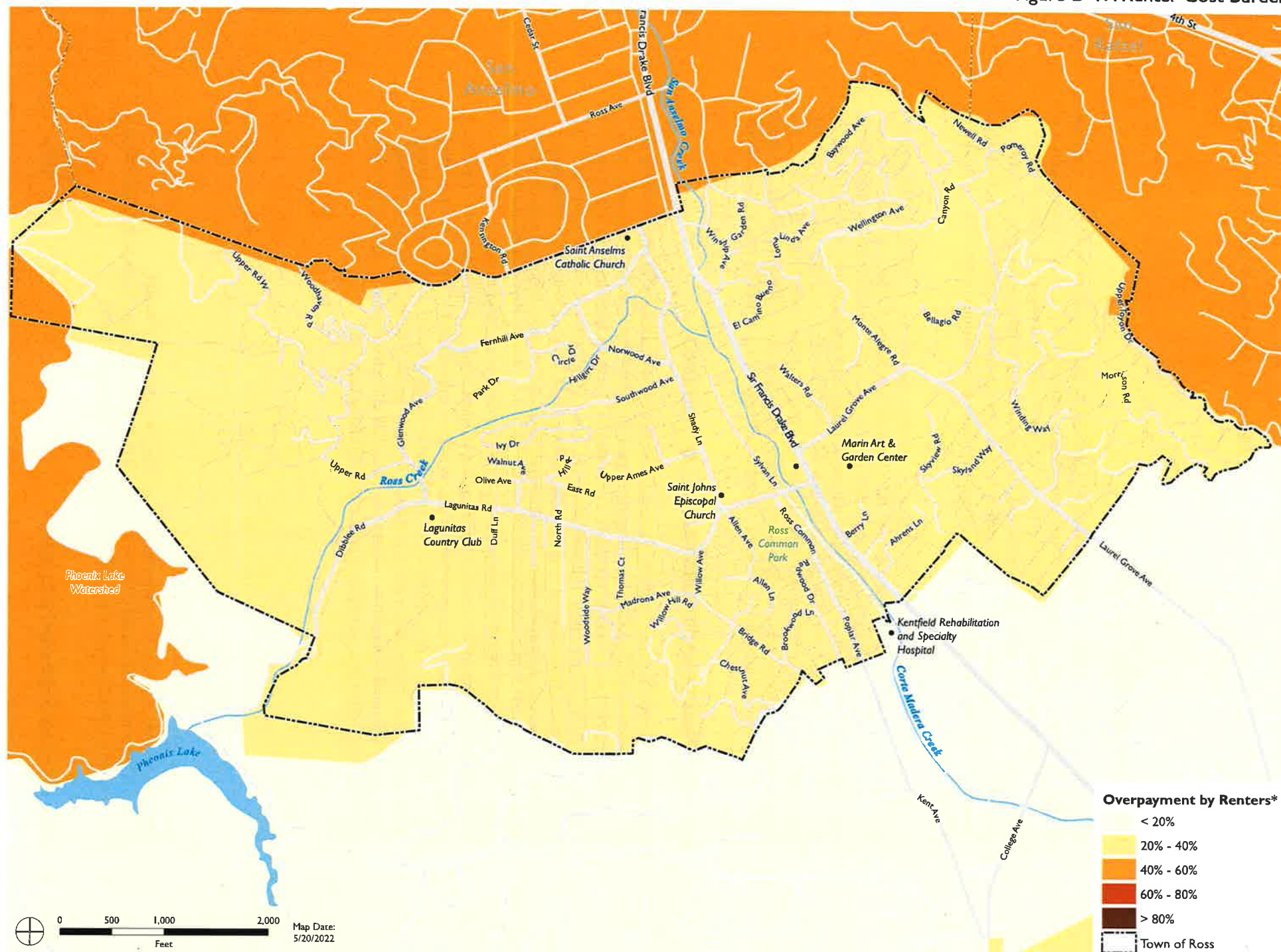


Figure D-17: Renter Cost Burden



OVERCROWDING

While the Housing Needs Assessment chapter (Appendix B) discusses overcrowding in more detail, here the geographic component of overcrowding is examined in this report in the context of fair housing. Overcrowding, as defined by the U.S. Census, occurs where there is more than 1.01 persons per room (excluding bathrooms and kitchens) in an occupied housing unit and severe overcrowding occurs when there is more than 1.5 persons per room. Overcrowding is typically a consequence of an inadequate supply of housing affordable to the various income demographics in the community.

As shown in Figure D-18, Ross does not have any concentrations of overcrowding, and its percentage of overcrowded households is less than the statewide average of 8.2 percent. The tracts surrounding Ross also do not have any concentrations of overcrowded households. As noted in the Housing Needs Assessment, no households in Ross are considered severely overcrowded (including both renter-occupied and owner-occupied households), but 6.3 percent of renters experience moderate overcrowding (1 to 1.5 occupants per room), compared to zero percent for those own. Regionally, people of color tend to experience overcrowding at higher rates than White residents. However, the racial/ethnic group with the largest—and only—overcrowding rate in Ross is non-Hispanic White.⁷

HOMELESSNESS AND SUBSTANDARD HOUSING

Rates of homelessness, particularly disproportionate rates of homelessness for any protected classes, and prevalence of substandard housing are required topics of the Fair Housing assessment. The Housing Needs Assessment (Appendix B) thoroughly discusses homelessness in Marin County. The 2019 Marin County Homeless Point-In-Time (PIT) count identified a total of 1,034 people experiencing homelessness in the county, of whom 708 were unsheltered and 326 were sheltered. There is no data available on homelessness in Ross, but the California Department of Education reported no students experiencing homeless in Ross during the 2019-20 school year⁸, which may mean that little to no people are experiencing homelessness in Ross.

While data on housing conditions in Ross is limited, available data indicates that the percentage of substandard housing is extremely low. State law defines substandard housing as any housing where “there exists any...conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants.” As noted in the Housing Needs Assessment (Appendix B), about 0.7 percent of owners lack complete kitchen and plumbing facilities while zero percent of renters lack complete kitchen and plumbing facilities.

⁷ U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014

⁸ California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)

DISPLACEMENT RISK

As housing costs rise in communities throughout California, displacement is a major concern. Low- and moderate-income residents and households of color are most impacted by rising housing costs, and thus these groups are more likely to be displaced from their communities. When individuals or families are forced to leave their homes and communities, they also lose their support network.

UDP at UC Berkeley defines residential displacement as “the process by which a household is forced to move from its residence - or is prevented from moving into a neighborhood that was previously accessible to them because of conditions beyond their control.” Displacement is often associated with gentrification, a process where both capital and wealthier residents enter a previously working-class neighborhood. This process is often characterized by a racial/ethnic component, where the wealthier newcomers tend to be White while the neighborhood predominantly consists of residents of color.

The UDP at UC Berkeley has mapped rates of displacement in all neighborhoods in the Bay area, identifying “sensitive communities” with populations vulnerable to displacement in the event of increased redevelopment and drastic shifts in housing cost. Additionally, UDP at UC Berkeley further mapped gentrification and displacement risk across neighborhoods. According to that mapping, there are no sensitive communities (Figure D-19) in Ross. Zero percent of households live in neighborhoods that are susceptible to or experiencing displacement and zero percent live in neighborhoods at risk of or undergoing gentrification.

Summary and Conclusions

State law requires that jurisdictions identify fair housing issues and their contributing factors and assign a priority level for each factor. Further, each jurisdiction must identify specific goals and actions it will take to reduce the severity of fair housing issues within it. Goals, actions, and priorities related to affirmatively furthering fair housing can be found in the Housing Plan of this Housing Element.

Based on the findings of this assessment and the 2020 Marin County AI, Table D-7 presents a summary of existing fair housing issues, their contributing factors, and their priority level, as well as actions to take. Contributing factors with a high priority level are those that the City can directly address, while medium-level factors are either those that are longer term problems the City is working on or otherwise has limited ability to address.

Figure D-18: Overcrowded Households

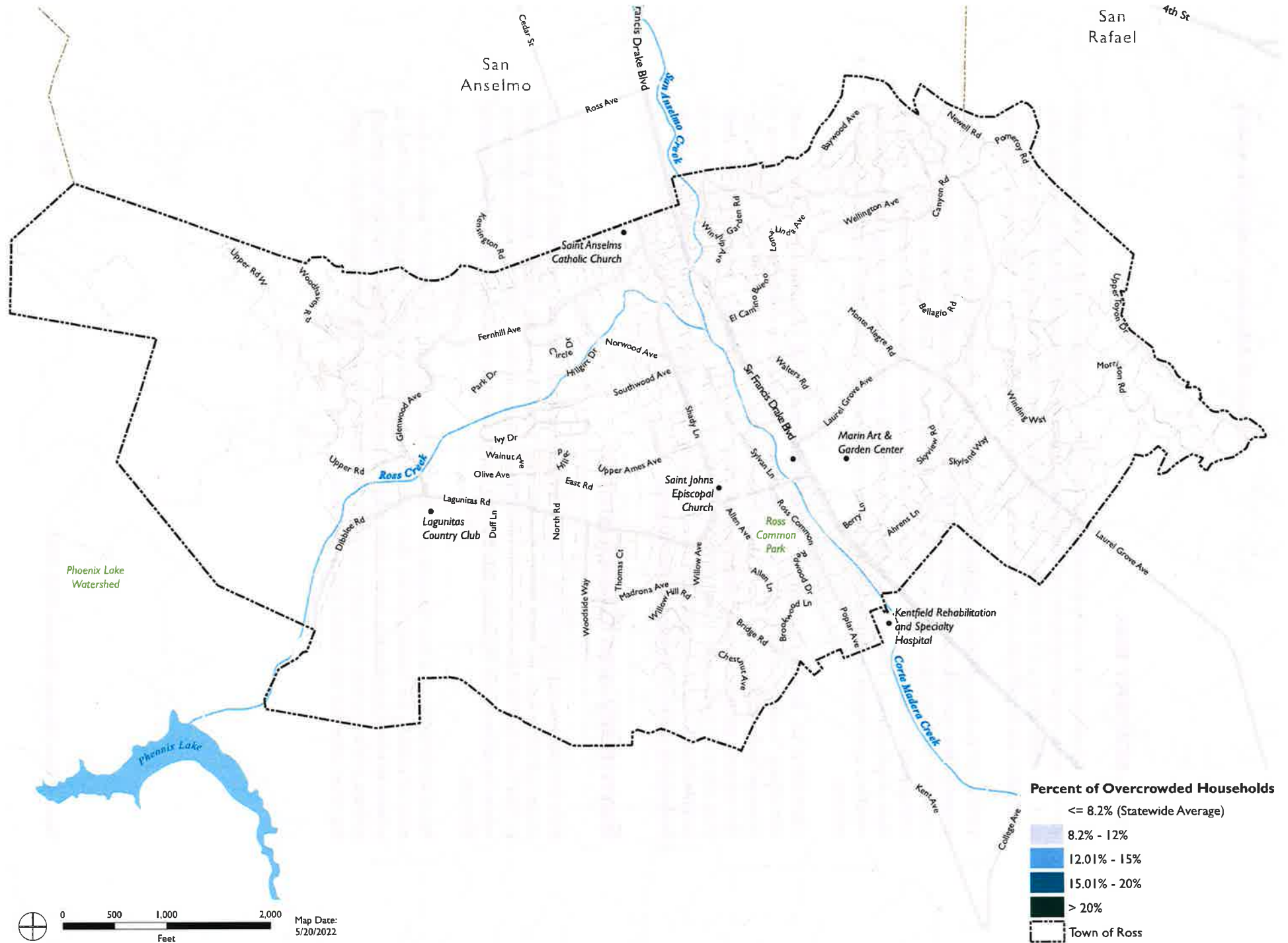


Figure D-19: Sensitive Communities

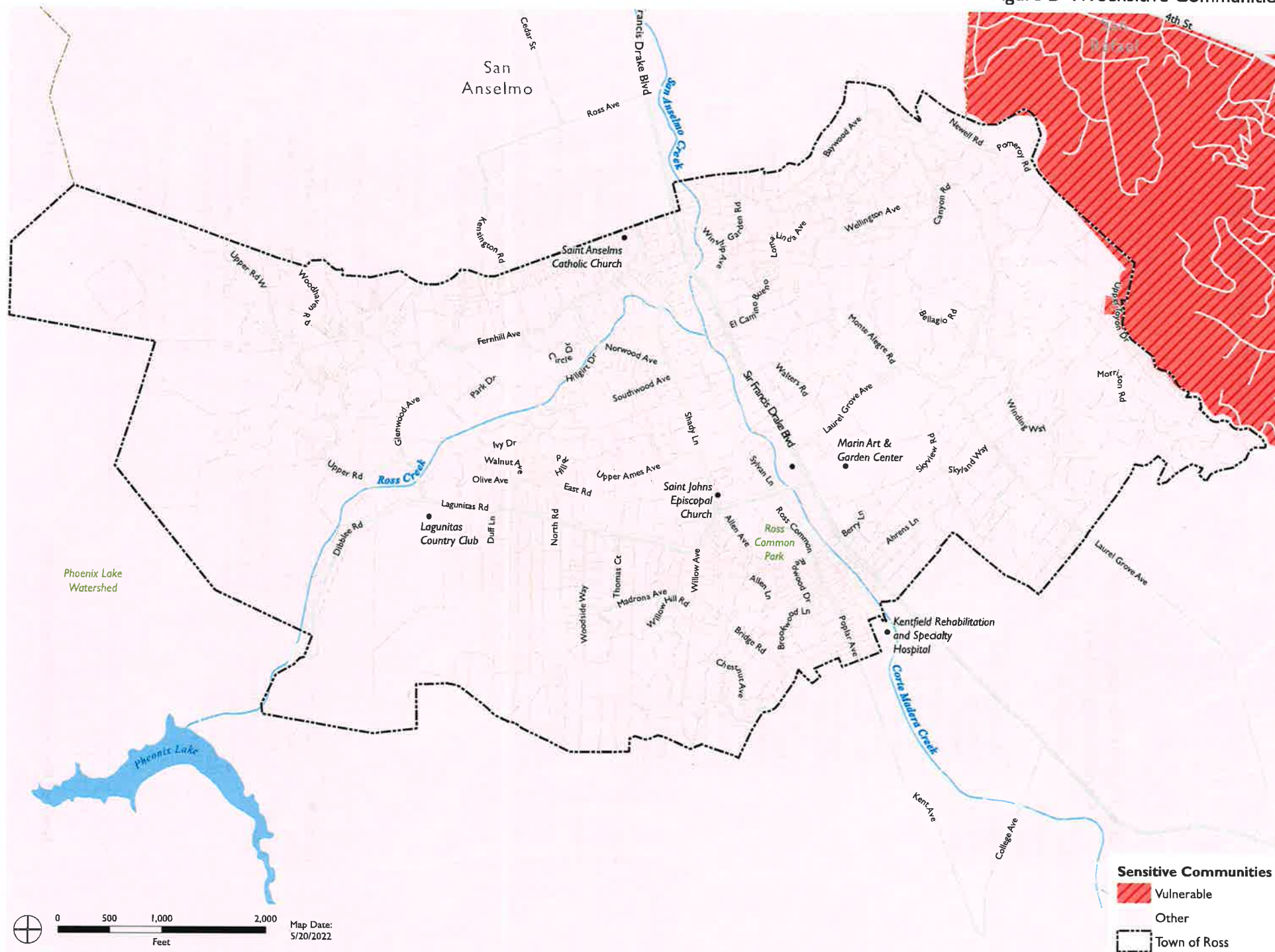


Table 3-9: Fair Housing Issues and Contributing Factors

<i>Fair Housing Issue</i>	<i>Description</i>	<i>Contributing Factor(s)</i>	<i>Priority Level</i>	<i>Actions</i>
Disparities in Access to Opportunity	The whole of Ross meets the definition of RCAA and is designated a high resource area. As such, fair housing access can be improved by providing more opportunities for a wider range of socio-economic diversity in the community, thereby allowing a broader range of people to enjoy greater access to opportunity.	<ul style="list-style-type: none"> • Zoning and land use practices resulting in single-family residential neighborhoods that are predominately occupied by White non-Hispanic homeowners with higher median household incomes • Limited affordable housing available for low-income residents 	High	<ul style="list-style-type: none"> • Ross and/or Marin County could acquire property and limit rents to ensure that they are affordable to households making less than 80 percent AMI. • Increase housing choice voucher mobility throughout Ross. • Promote and incentive the development of housing units affordable to lower-income households. • Promote a variety of housing types to meet all income needs, including through Accessory Dwelling Units (ADUs).
Segregation and Integration	Ross is becoming more diverse but remains overwhelmingly White.	<ul style="list-style-type: none"> • Income is the single-most significant barrier to integration, particularly as Non-Whites may have less access to capital and financing. 	High	<ul style="list-style-type: none"> • Increasing affordable housing in Ross would likely increase diversity. Echoing the Marin County 2020 AI, the County and its jurisdictions should encourage and facilitate the development of more subsidized and affordable housing that can support families with children, particularly in areas with low concentrations of minorities, like Ross. • Increase workforce housing in Ross so that those who work in the Town (teachers, home health aides, childcare providers, etc.) can live there.
Disproportionate Housing Needs	Cost burden is a major issue for young homeowners and low-income households in Ross.	<ul style="list-style-type: none"> • Widening income gap • Skyrocketing land values in the Bay Area 	High	<ul style="list-style-type: none"> • Ensure access to rental assistance programs and first-time homebuyer assistance programs • Preserve as many units as possible that are “at risk” of conversion to market rate, such as those protected by Proposition 13 • Connect low-income homebuyers to homeownership and equity-building opportunities

APPENDIX E

Accomplishments of the 2015-2023 Ross Housing Element

No.	Town of Ross 2007-2025 General Plan and 2015-2023 Housing Element Implementation Program and Local Hazard Mitigation Plan	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 (AKA Accessory Dwelling Unit) as opportunities arise. The Accessory Dwelling Unit regulations per Chapter 18.42 of the Ross Municipal Code, are also provided on the Town's website.	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. The terminology of "Second Unit(s)" was modified to "Accessory Dwelling Unit(s)" consistent with State regulations.
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 was involved with One Bay Area regional transportation and planning effort in 2011-2013 which provided the most current Regional Housing Needs Allocation (RHNA). Town staff was also involved with the ABAG/MTC Plan Bay Area 2040 planning effort setting the grounds for the next RHNA. The Town's Director of Planning and Building also participates in the newly formed Planning Directors Housing Working Group, which is comprised of local Marin municipalities, the County, MTC/ABAG and TAM staff. In 2020, completed Objective Design Standards project and ADU toolkit is in progress	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.	Town of Ross 2007-2025 General Plan and 2015-2023 Housing Element Implementation Program and Local Hazard Mitigation Plan	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.
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 2009 and further amendment in 2010.	Completed, however, the calculation of slope continues to be problematic.	Consider modifying 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							

No.	Town of Ross 2007-2025 General Plan and 2015-2023 Housing Element Implementation Program and Local Hazard Mitigation Plan	Timeline in Original Plan	Completed	In Progress	Not Completed / Deferred	Result	Evaluation	Continue/Modify/Delete
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 applications submitted to the Town for processing, therefore, no units developed.	No applications received. There is an opportunity the adoption of new regulations to create objective development standard and design criteria for the development of workforce/affordable housing and streamline environmental review pursuant to the California Environmental Quality Act. There is possible grant funding to offset the creation of the regulations.	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), Ordinance 631 (2012), Ordinance 679 (2016), and Ordinance 679 (2017)		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.
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.

No.	Town of Ross 2007-2025 General Plan and 2015-2023 Housing Element Implementation Program and Local Hazard Mitigation Plan	Timeline in Original Plan	Completed	In Progress	Not Completed / Deferred	Result	Evaluation	Continue/Modify/Delete
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	Current zoning allows for 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.	Modify to allow flexibility for Town or private development of the site
	a. Seek funding through local, state and federal programs and community foundations.				X	No funding sought for unit development.		See above
	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.		See above
	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.		See above
	d. Seek a partnership with a non-profit organization to develop and maintain the units.	December 2011			X	No partnership sought.		See above
	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. No action has been taken since.		See above
	f. Town Council to act on non-profit partner's development proposal.	December 2012			X	No partnership sought.		See above
	Objective: to achieve 2 units affordable to very low and 2 units affordable to low income households.	June 2014			X	No units developed.		Modify for 1 to 4 units and reclassify to Low Income units since the Town is likely to meet its RHNA allocation due to amount of approved and permitted Very-Low income deed restricted Accessory Dwelling Units.
H3.C	Amend the Municipal Code to Encourage Development of Multi Family Housing in the Commercial and Civic Districts.							
	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.

No.	Town of Ross 2007-2025 General Plan and 2015-2023 Housing Element Implementation Program and Local Hazard Mitigation Plan	Timeline in Original Plan	Completed	In Progress	Not Completed / Deferred	Result	Evaluation	Continue/Modify/Delete
	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.							
	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.	Nov. 2011	X			Completed by Ordinance 614 (2009), Ordinance 631 (2012), Ordinance 679 (2016), and Ordinance 679 (2017)		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. The Accessory Dwelling Unit regulations were further amended by Ordinance 678 (2016), Ordinance 679 (2017) in order to comply with state legislation which was intended to streamline and encourage accessory dwelling units.		Delete. Successfully completed.

No.	Town of Ross 2007-2025 General Plan and 2015-2023 Housing Element Implementation Program and Local Hazard Mitigation Plan	Timeline in Original Plan	Completed	In Progress	Not Completed / Deferred	Result	Evaluation	Continue/Modify/Delete
	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 adoption of new ordinances.	Ongoing		X		Continuing program.	Successful. Many new second/accessory dwelling units developed since the adoption of Ordinance 614 (2009), Ordinance 631 (2012), Ordinance 679 (2016), Ordinance 679 (2017), Ordinances 703 and 708 (2020)	Continue.
	d. Encourage second unit development through the advisory design review process and through Town publications and planning materials.	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	Ongoing.	Continue.
	f. Waiving or reduce the second unit permit fee.	Nov. 2011	X			Consistent with SB 1186, the Town's Fee schedule includes reduced fees associated with the processing of both ministerial and discretionary Accessory Dwelling Units.	Ongoing.	Continue.
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 June 2014.	June 2014		X		Code enforcement is ongoing and the Town encourages legalization of accessory dwelling units when consistent with the Town's regulations.	The Town's code enforcement process may result in the legalization of future units.	Continue.
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			Completed by Ordinance 614 (2009), Ordinance 631 (2012), Ordinance 679 (2016), and subsequent Ordinance 679 (2017) allows Council to grant up to two second units on a parcel.	The Town's regulations do not clearly prohibit residents from installing more than one kitchen without an accessory dwelling unit, caretaker unit or guest house. Pool houses often have kitchens and are not counted as living units.	Delete. Successfully completed.
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					

No.	Town of Ross 2007-2025 General Plan and 2015-2023 Housing Element Implementation Program and Local Hazard Mitigation Plan	Timeline in Original Plan	Completed	In Progress	Not Completed / Deferred	Result	Evaluation	Continue/Modify/Delete
	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, and subsequent Ordinances 678 (2016) and Ordinance 679 (2017) 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.	The program has been successful in encouraging the development of accessory dwelling units.	Delete. Successfully completed.
	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 Master Fee Schedule since the town must cover the cost of providing services.	Ongoing.	Delete, contained in another program that will 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 and subsequent Ordinances 678 2016 and subsequent Ordinance 679 (2017) that requires 20 year rent restriction for accessory dwelling units seeking a floor area exception per Chapter 18.42 of the Ross Municipal Code.	Ongoing.	Delete. Successfully completed.
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), 641 (2013), 678 (2016), and subsequent Ordinance 679 (2017).	Changes to Accessory Dwelling Unit regulations 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.

No.	Town of Ross 2007-2025 General Plan and 2015-2023 Housing Element Implementation Program and Local Hazard Mitigation Plan	Timeline in Original Plan	Completed	In Progress	Not Completed / Deferred	Result	Evaluation	Continue/Modify/Delete
	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 average processing time for an accessory dwelling unit is 2-3 months.	The program may result in encouraging the development of affordable housing. The Master Fee Schedule would need to be modified to identify that fee waivers may be requested for affordable housing.	Delete, contained in another program that will 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 to consider funding through annual priority setting.
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. Successfully 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:							

No.	Town of Ross 2007-2025 General Plan and 2015-2023 Housing Element Implementation Program and Local Hazard Mitigation Plan	Timeline in Original Plan	Completed	In Progress	Not Completed / Deferred	Result	Evaluation	Continue/Modify/Delete
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.	Delete program due to Town financial concerns.
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.	Continue.
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)	Ongoing. No reasonable accommodation applications have been submitted.	Delete. Successfully completed.
H5.0	Monitor Accomplishments to Effectively Respond to Housing Needs							

No.	Town of Ross 2007-2025 General Plan and 2015-2023 Housing Element Implementation Program and Local Hazard Mitigation Plan	Timeline in Original Plan	Completed	In Progress	Not Completed / Deferred	Result	Evaluation	Continue/Modify/Delete
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). The annual review for 2014 was waived during the Housing Element Update. The annual reviews were submitted to HCD for 2015 and 2016 without a public meeting. The annual review of 2017 is scheduled for the March 8, 2018 Town Council meeting.	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.



Town of Ross

2023-31 Housing Element

Public Review Draft | October 2022

ATTACHMENT 2

Community Comments

From: [Town of Ross California](#)
To: [Rebecca Markwick](#)
Subject: Form submission from: Draft Housing Element Public Review
Date: Saturday, November 19, 2022 8:48:10 AM

Submitted on Saturday, November 19, 2022 - 8:48am

Submitted by anonymous user: 98.47.199.35

Submitted values are:

Name Sarah Atwood

Comment

SUBMIT COMMENT BY TOMORROW!

All, I would encourage you to submit a comment regarding the housing proposed for downtown hi all,

I do not support the 12 units proposed for downtown Ross as they would significantly alter the landscape of our small town. Of particular concern are the highly visible units next to the post office. We need to preserve the history and charm of our town by finding an alternate location for these units.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1329>

From: Barbara Call
To: Christa Johnson - Town Manager
Cc: Rebecca Markwick
Subject: My Questions
Date: Tuesday, November 8, 2022 10:03:39 AM

Hello Christa,

It was strange to have you interrupt me before I could ask my questions regarding the size of these units and the number of people who can live in each one. Perfectly legitimate questions for a Housing Element and so was my question regarding parking.

Since the consultant told me he had nothing to do with the selection of the sites, I assume you and Rebecca have chosen the Post Office parking lot site and it is totally inappropriate for all kinds of reasons like flooding and parking and traffic. It is contrary to almost every element listed in the Ross General Plan. If you are not familiar with that document, it is available online.

The most appropriate and appreciated step would be for you to remove that site from the Housing Element and place those 6 sites elsewhere.

With 109,000 square feet at 33 and 37 SFD, you could easily fit 10 units there. 30 SFD is available as is the site on Laurel Grove.

It is a huge waste of time and money to present sites that are not feasible and is inconsiderate to suggest this site to the Council who has sworn to uphold the General Plan when evaluating projects. It is also disingenuous to present such a site to the State. Town business should be conducted in an honorable fashion. BTW, people have asked me whether you and Rebecca work for the Town of Ross or the State of California. If it is the Town of Ross, then it would seem that you should be protecting, preserving, and enhancing the Town rather than destroying its historic and charming downtown area by turning it into a low income housing project.

I realize you don't really care; it's just a job for you, but I hope you can care and will care.

Regards,
Barbara

Sent from my iPhone

From: [Barbara Call](#)
To: [Beach Kuhl](#); [Elizabeth Brekhus](#); [Elizabeth Robbins](#); [Bill Kircher](#); [Julie McMillan](#); [Rebecca Markwick](#); [Christa Johnson - Town Manager](#)
Subject: Fwd: Housing Element or How to Ruin Downtown Ross!
Date: Tuesday, November 8, 2022 10:02:43 AM

AFTER LAST NIGHT's MEETING, I decided to share with you an email I had shared with 50 of my "fans" prior to the meeting.

I am still stunned that the Post Office site was ever selected.

I pray that it goes away and those 6 units are placed elsewhere. Seems easy to do unless stubbornness rears its ugly head.

This site makes a mockery of the Ross General Plan.

Cheers. Please read!

Sent from my iPhone

Begin forwarded message:

From: Barbara Call <barbcall@sbcglobal.net>
Date: November 4, 2022 at 10:24:11

Subject: Housing Element or How to Ruin Downtown Ross!

Dear Friends, Neighbors, Ross Residents,

Hello all. I hope you are all well.

I have been doing lots of reading, research, grumbling. All about the Town's General Plan and how the Housing Element needs to be consistent with the elements of the General Plan. This new Housing Element is antithetical to the Ross General Plan, particularly the units in the Post Office parking lot where they will be visible to the entire town.

As you may or may not know, State law requires all towns to have a General Plan consisting of 7 elements.. Things like land use, circulation, housing conservation, open space, public safety, noise, housing element.

It is the sworn duty of the Town Council to provide stewardship of our irreplaceable assets. They rely on the policies and programs in the General Plan...or they vowed they would when elected. The underlying philosophy is that

the existing character and design of Ross is to be protected and enhanced. The Historic character, small-town charm, tree lined streets, natural environment and open spaces need to be retained, health and safety of the community are critical concerns. Development will only be permitted where risks to the residents can be mitigated. There is a noise ordinance. No development in a known flood plain.

Traffic impacts require a full CEQA review to be undertaken prior to any significant development proposal in Ross—traffic safety, air quality, environmental issues, parking needs.

The parking standards reduce the feasibility of residential development in many areas.

And, the General Plan wants the downtown area to remain a small retail/business area not a low income housing development.

Remember the Town Council consists of ELECTED individuals who have promised to make decisions that are consistent with the General Plan.

The Town Planner is not elected and appears to care very little about the General Plan if she is even familiar with it. She certainly does not care about the downtown area as she is proposing 12 multi family very low/low income units constructed in the Special planning area which includes downtown, commercial post office site, and Ross Common.

This is outrageous! It will ruin our Town. How can the Council even consider approving such a plan? Particularly when there are multiple other sites available.

So, I researched other previous Housing Elements like the one that expired in 2022 just to compare the sites with the ones being proposed. This new plan is the only Housing Element, BTW, where our downtown is being threatened!

Ross was required to specify 18 units in the previous HE. They are required to provide 111 units in this new HE. It is crazy and impossible, particularly since the population of Ross and Marin County has been declining, but we cannot solve that problem. My hope is that together we can have the downtown area taken off the Housing Element through many objections and by insisting that the General Plan is adhered to. I hope you continue reading and will respond to the Council your feelings about what could be a disaster. I mean, Town Managers and Town Planners come and go, but the damage they are able to inflict can be forever.

So, now, on to the draft of the new Housing Element you have recently been sent.

Did you read it? It is overwhelming and exhausting. All the verbiage and charts and graphs, and statistics! Most of it is boiler plate and the other stuff is readily available online if you go looking for it. But, the impression is that, “golly, gee, hasn’t the Town Planner done a bang up job”. And all those photos that are pleasing, but have nothing to do with the current plan. I believe she does not want you to read it and object to anything. I, on the other hand, am more interested in what she has left OUT of the plan. A pictorial of what she sees the downtown area looking like after she’s done with it would be of interest. And what size are these units she is suggesting going to be? The current/previous Housing Element gives the sizes of the units.

And size does matter. Size influences the number of people living in the units and size influences the parking requirements.

One parking space per unit is required and an addition parking space is required

for 250 ft of rentable floor space.

So, where are 24 or so cars going to park with 12 new units being proposed. Plus, how many people are going to be living in these very low/low income housing units right downtown. This is hugely important for our town and should not be glossed over.

Let's discuss #1 Ross Common which is most objectionable and a real planning error! It's the parking lot area and the building already has 6 tenants. Since there are only 11 parking spaces in that lot, and the current tenants use them, where will the tenants of the 6 new units park? The Town Planner, Rebecca says, "developed with a format that preserves public parking for the Post Office patrons." WHERE AND HOW?

Talk about vague. And where will the new tenants park? You cannot just create more parking unless you build a parking garage and that is what the plans most likely include. A parking structure! I saw where this was being proposed by her consultants. So how does this comply with the General Plan!

But, there is more:

This area is in a flood zone and the more non-permeable space you build, the more flood water runoff you will have on the streets and businesses and homes. I lost my furnace and contents of my garage and basement in the most recent flood. If streets are flooded how will residents reach safety in case of an emergency?

Talk about a public safety problem. How can anyone be in favor of more buildings in that area? It is totally against the General Plan.

But, there's more:

The traffic impacts are huge. That parking lot is where people turn around rather than making a U-turn on Ross Common street. A traffic study needs to be completed before that area can be considered. You might think a parking garage will be Ok, , but besides it's awful appearance, there will be air pollution, noise, cars backed up trying to get to SFD. The health and safety of the community will be violated.

But, there's more:

That parking lot is where people park to access the tennis courts and the bike path. You see many cyclists young and old, from toddlers to oldsters, using that area to access the bike path. What about their health and safety? Has any of this been considered? Some planner.

With regards to the commercial district, if paying residents cannot find parking because it is being taken up by the low income housing, they won't come to Town and the current businesses will fail. This is, again, a violation of the General Plan which vows to maintain the downtown area as a small retail/business area.

Now, finally, my suggestions as to where new units can be built where there is easy access to SFD and no negative impact on the downtown.

#33, 35, 37 SFD...around 109 THOUSAND square feet. After the Fire station is torn down, there will be tons of space for more than 6 units. Since there won't be fire trucks, the big parking area is not necessary. I realize a new public safety building is being planned, but how large does that need to be? 10 low income or workforce housing units could be built in 10,000 square feet, leaving close to 100,000 left for whatever. There is already a house on 37 SFD. Tons of space.

Why are more units not being consider on this site?

30 SFD...this area was on the previous Housing Element and it was stated,

“zoning code does not limit the number of units on this site...plenty of land for increased development.”

Why is this site being overlooked?

There is also a huge site off of Laurel Grove up the driveway towards the Red Barn. There could be many units designated for that site. It's not too hilly and the units would not be that visible and would have easy access to SFD. Why has this site been overlooked?

Lastly, the empty lot on SFD and Lagunitas is large enough for a couple of units. I have the feeling not enough effort has been put into finding alternate sites. The attitude has been, “Let's just ruin the downtown.”

Oh, wait, why are there no housing units being considered in the Winship Park area? I was told that it's because the residents complained!

So, please give this very lengthy email a second read. Forward it to your Ross family and friends. Complain to the Town Council.

Thank you for reading. I really hope the Council does the right thing and removes the downtown area from the Housing Element.

This is the end of what Rebecca refers to as my “little emails”.

Regards,
Barbara

Sent from my iPhone

From: [Town of Ross California](#)
To: [Rebecca Markwick](#)
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 4:52:39 PM

Submitted on Friday, November 18, 2022 - 4:52pm

Submitted by anonymous user: 104.176.4.244

Submitted values are:

Name Janice Barry

Comment

I'd like to state my very strong opposition to the draft housing element, which would ignore and defy the Ross Town General Plan.

The Council is responsible for maintaining our town according to law, and preventing staff from ignoring it. Thank you.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1313>

From: [Leslie Bergholt](#)
To: [Rebecca Markwick](#)
Subject: Re: Housing Elements Meeting 11/7?
Date: Monday, November 7, 2022 4:27:11 PM
Attachments: [image001.png](#)

Rebecca,

Thanks for your response. So sorry neither my husband nor I can attend tonight.

I have many questions about the Public Review Draft. Two quick ones...

- 1) Has the new addition to the common (East corner) where a home once stood been considered for housing?
- 2) Can the old firehouse land be converted to housing?

One note for the record, my husband and I both object to using the PO Parking lot for housing.

Thanks,
Leslie Davalos Bergholt

On Monday, November 7, 2022 at 08:29:03 AM PST, Rebecca Markwick <rmarkwick@townofross.org> wrote:

Good morning,

The meeting is being held at the Ross Rec classroom and will be more of an interactive event, with different stations, not conducive to the Zoom format. There will be a short presentation at the beginning of the meeting, however after that will be more of an interactive event.

Hopefully you can make it, if not if you do have comments, please let me know.

Thanks,

Rebecca

Rebecca Markwick

Director of Planning and Building



P.O. Box 320

Ross, CA, 94957-0320

415-453-1453 x121

rmarkwick@townofross.org

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From: Leslie Bergholt <lesliebergholt@yahoo.com>
Sent: Sunday, November 6, 2022 9:07 AM
To: Rebecca Markwick <rmarkwick@townofross.org>
Subject: Housing Elements Meeting 11/7?

Hello Rebecca,

Will the housing elements meeting be on zoom or recorded?

Thanks,

Leslie Davalos Bergholt

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Saturday, November 19, 2022 7:11:41 PM

Submitted on Saturday, November 19, 2022 - 7:11pm

Submitted by anonymous user: 8.18.205.30

Submitted values are:

Name Jeff Bergholt

Comment

Hello to the Ross Town Council and Town Planner, First and foremost thank you for all of your work on behalf of the Ross Community. My wife and I live at 1 Southwood Avenue, right near downtown Ross. We moved to this community for its small-town charm. We feel the proposed plan to add housing to the Ross PO is not in keeping with the town's general plan. It will dilute the aesthetic charm, will add minimal supply to the housing stock, and will be problematic for traffic in that specific area. I think it would make more sense to add this housing to the proposed "civic center" area, or the location of the current fire house. Kind regards Jeff Bergholt

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1335>

From: [Town of Ross California](#)
To: [Rebecca Markwick](#)
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 4:52:32 PM

Submitted on Friday, November 18, 2022 - 4:52pm

Submitted by anonymous user: 98.37.4.112

Submitted values are:

Name Dick Bobo

Comment

Of the locations selected for this crazy demand for add'l housing, I really think the pkg lot by the post office is a terrible place to add housing. It is utilized every day to near or at full capacity.

I've read about some places that are suing, or about to sue the housing group behind this, & I hope they're successful.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1312>



Rebecca Markwick, Planning & Building Director, Town of Ross

Via email: rmarkwick@townofross.org

Cc: HousingElements@hcd.ca.gov; HousingElements@yimbylaw.org

November 16, 2022

Re: The Town of Ross's Housing Element

Dear Director Markwick:

I am writing to submit my comments on the draft Ross Housing Element. Marin, like most counties in California, is suffering due to our housing shortage. It is important that all jurisdictions do their part to help address this issue. The current draft Housing Element is insufficient for Ross to meet its share of housing needs. I will provide some comments on the housing element as a whole, and then more detailed comments.

Overall comments on the housing element:

- **Data inconsistencies.** The draft housing element has data inconsistencies. The data in the Site Inventory in Appendix A is not consistent with the written descriptions. There are different site capacity numbers provided and different sites. Ross needs to clarify what properties are in its site inventory, and what capacities it expects on this site.
- **Over-reliance on ADUs and lack of diversity in housing options.** The highest number of ADUs Ross has permitted in one year is nine. Yet, Ross is expecting 10 ADUs/year. This is both unrealistic and not in keeping with HCD guidance. Ross needs to reduce the number of expected ADUs it plans for in the inventory. Page 1-2, Purpose #3 states that a primary purpose of this housing element is to provide a diversity of housing options. This Housing Element fails to do that. No additional land is zoned as multi-family, and no programs are targeted towards multi-family (other than the potential low income downtown). More land should be zoned for multi-family, not just for lower income potential residents, but also for older residents looking to downsize.

- **Incomplete information on 5th Cycle Performance.** Ross provides a long table on the programs, but I was unable to find the 5th cycle RHNA and the number of 5th cycle units permitted. Ross states on page 2-10 that it is on track to meet its 5th cycle RHNA. However, it does not include the actual units permitted, nor the break-down of 5th cycle units by income level.
- **The Housing Plan fails to address constraints.** On Page 3-3, Ross notes that it has 145 acres of vacant land, but it has only built 29 units since 2010 (page 2-8). Ross states that it is mostly built out, but only 680 acres are built out. This suggests that 17% of the land in Ross is not developed. Ross claims high land prices and steep hills as primary constraints. However, dense housing can be found around the world in areas with high prices and steep lots. These are not binding constraints. High land prices can be mitigated by increasing density.

On page C-1, Ross concedes “strict planning regulations, comparatively high fees, and development approval procedures have likely also contributed” to its lack of housing development. Ross notes increased design review processes and standards implemented during the past few housing cycles, which worsens this issue. These issues need to be directly addressed. The only of these addressed in the housing programs is a slight modification to parking requirements for caretaking units. This is not sufficient. Ross has exceptional large lot requirements, low density and FAR regulations. To make development financially feasible, Ross needs to address these directly.

Lastly, Ross states that NIMBYism is not a constraint in Ross. Ross’s very limited projects and high development standards may make the NIMBYism less apparent, but the evidence supports that NIMBYism is just as present in Ross as it is throughout Marin. Extremely high development standards are a manifestation of NIMBYism. In addition, the Town of Ross just committed \$200,000 towards the Marin County acquisition of 60 acres of Open Space in Bald Hill¹. In other words, Ross residents have agreed to tax themselves to prevent development. Branson School (a private high school in Ross) received considerable resistance in its efforts to expand. During a period in which the public high schools in south Marin schools had to accommodate an enrollment expansion of over 500 students per year, Ross residents fought for concessions for Branson to add 25 students per year. The negotiations took 5 years to complete and came with 19 conditions, including the

¹ <https://www.marinij.com/2022/11/11/ross-adds-200k-to-bald-hill-preservation-deal/>



potential for \$100,000 fines for missing traffic standards². While this fight wasn't over housing, it shows a community highly opposed to even minor changes.

- **Failure to rezone and provide by-right development.** Ross needs to increase permits from 15 in the 5th cycle to 111 in this cycle. Every site listed in the site inventory in Appendix A was used in the last 1 or 2 cycles (the inventory doesn't specify.) Even though none of these sites were developed, Ross has no program in its Housing Element to upzone these properties to improve the financial feasibility of these projects, and no by-right approval, as is required by law. Specifically, Ross should consider the following zoning reforms:
 - **Rezone more land for multi-family housing.** Currently, Ross does not appear to have any land zoned for multi-family outside of its commercial district. This is not aligned with AFFH, which requires distribution of housing income levels throughout the community. This would also be a strong commitment to Affirmatively Furthering Fair Housing.
 - **Reduce minimum lot sizes.** Ross minimum lot sizes are very large, even for Marin. The smallest minimum lot size is 5,000 square feet. Much more housing could be built if lot sizes were reduced to 2-3,000 square feet.
 - **Increase FARs, building heights and eliminate setbacks.** Setbacks are a terrible waste of space and Ross's set-backs are larger than other high income areas in Marin. Ross residents love the charm of Europe, which almost universally has minimal setbacks and far higher FARs.
- **The Housing Element does not address current permitting timeframes and whether the Town is currently in compliance with state permitting benchmarks.**³ The data presented appears to be hypothetical data, rather than the actual times required for the 15 projects permitted last housing element. This data should be included in the Housing Element. If the data is not currently available, the Town should include a program to start collecting and monitoring the data. If the Town is missing these benchmarks, there should be programs to meet the benchmarks.

2

<https://enewspaper.marinij.com/html5/reader/production/default.aspx?pubname=&pubid=20ed6707-f7e3-4f89-82d4-9c7cc1493c3b>

³ E.g., Gov. Code § 65852.2(a)(3) [ADU decisions within 60 days of application]; *id.* § 65589.5(j)(2) [notice of noncompliant development application within 30–60 days]; *id.* § 65913.4(c)(1) [notice of noncompliant SB 35 application within 60–90 days]; *id.* § 65905.5(a) [five-hearing limit on development applications]; *id.* § 65943 [written notice of missing application items within 30 days]; *id.* § 65950(a)(5) [60-day approval for CEQA-exempt projects]; Pub. Res. Code §§ 21080.1, 21080.2 [30-day limit for determining which CEQA document is required]; *id.* § 21151.5(a) [180-day limit for CEQA negative declarations, whether mitigated or not; one-year limit for EIR certifications].



Specific Comments on the Documents.

- Page 2-2 - Ross has 145 acres of vacant land out of about 720 total acres. This actually makes it one of the less built out jurisdictions in Marin.
- Page 2-10 , Table 2-2. - ADUs should be separated as a building type.
- Page 3-5 - 27 Ross Common. Allowing mixed use development downtown is a great idea to increase density, while reducing car dependency and traffic. Unfortunately, this plan is too small in scale to achieve financial feasibility and Ross does not include information from the owner to suggest that the proposed plan is feasible. Last cycle, Sausalito had a more ambitious program on Caledonia Street, a similar downtown, commercial area. No development happened because the number of units permitted was too low to compensate property owners for closing businesses for several years. The plan suggests 4 or 6 units. This is an insufficient incentive to encourage redevelopment.
- Page 3-6 - Civic Center and Post Office. These two projects are too small to be financially viable. Each is slated for 6 units. Ross needs to provide analysis that the projects are feasible. For context, Mill Valley has found that it needs at least 40 units and a density of 40 units/acre to make a project in Mill Valley pencil out on city owned land. It should be noted that there is already resident resistance to a development at the Post Office. Ross needs a plan to address this resistance.
- Page 3-7. Branson Housing. Ross plans to credit 5 units through the conversion of 5 employee housing units at Branson into deed restricted units. This is permitted under specific circumstances⁴, but Ross has not provided analysis that it is in compliance with these requirements. Specifically, the converted housing can't already be occupied by low income people.
- Page 3-9. As noted earlier, Ross is far too aggressive in its assumptions of ADU development. Ross's actual performance only supports 2.6 ADUs/year. Even allowing a bump for the increased programs, an 400% increase is not justified or realistic. The ADU number should be greatly reduced. This is particularly problematic as the Housing Plan does not address many of the ADU production constraints identified by architects.

4

<https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/adequate-sites-alternative>



- Page 3-12 - Table 3-4 does not match Appendix A. The only way to cross reference sites is to look by parcel number. For each of use, either the tables should be consolidated or each site should be identified by site # in each table. Also, Ross states that no rezoning is necessary, although according to Appendix A, these sites were on the last two housing elements. Housing element law also requires that they be given by-right approval, but that is not included in the programs. The Town does not provide sufficient analysis that these lots will develop this housing element. Lastly, Ross includes 3 units in the Saint Anselms parking lot, but no indication on whether the church is interested or willing to use this lot. The Saint Anselms parking lot is used as off-campus parking for Branson, so should be removed from the inventory.
- Page 4- 4, Program 2A, Streamlining the Design Review Process. This is a worthy program, but Ross makes no commitments to make changes. The program says that it will “consider” and “explore”. Ross needs to commit to actual, measurable improvements and provide timelines and goals for them.
- Program 2-F, If the Branson housing is already occupied by low income residents, the deed restricted units should not count towards Ross’s RHNA.
- Page 4-12, Policy 4-3, Rental Assistance Programs. This policy is insufficient to protect Ross renters. It is unlikely that there are Section 8 renters in Ross. Ross rents have not increased as rapidly as other Marin jurisdictions, but we are in a period where rents are rising quickly, and are unlikely to drop. Ross should be implementing much stronger renter protection programs, including tenant eviction protection and rent stabilization. Ross should also implement a rental registry so that it can track whether rental properties are being added or removed from the market, and also to track whether new permits are rented to low or very low income residents.
- Page 4-15, Program 5-C, ADU and JADU trends. This program is necessary, but needs to be strengthened. The program calls for one corrective action evaluation in December 2025. Ross is aggressive in its projection of ADUs, so its program must go further. Ross should plan for at least biannual corrective action evaluations, and must plan specific remedies if production expectations are not met. Appropriate remedies should be additional rezoning. These remedies should be implemented if Ross is below its projected rate of ADU production.
- Appendix A - the site inventory is missing the description of the existing use for non-vacant lots (commercial, public is not a sufficient description).
- Appendix B - Page B-6. Table B-2. This table shows that Ross’s population is aging rapidly, and is expected to continue to do so. This housing element does not plan



for alternative housing options for its older population. This is a problem across Marin, and many seniors who wish to downsize must face leaving their communities. Ross should be actively planning downsizing options now.

- Appendix B- Page B-23. Given the large proportion of seniors in Ross, the senior housing analysis should be more robust. The Town of Ross asserts that the current nearby senior housing facilities will be sufficient, and that everyone else will age in place. There is already a shortage of senior housing, and this shortage is going to accelerate as the county as a whole is aging. Further, Ross offers only these two options for seniors— senior living and in-home care. Many seniors prefer other options, including mixed age, multi-family housing. This preference is sometimes financially driven, but just as frequently it is driven by a desire for the companionship that comes from multi-family living, as well as reduced maintenance requirements. Many seniors I know are particularly interested in mixed-age developments as opposed to dedicated senior housing. Ross should consider higher-end, multi-family units appropriate for seniors who want to age-in-community, but not age in place. Such developments would also be appealing to young families not able to purchase a detached single family home.
- Appendix B - Page B-42 - This statement should include the actual ADUs permitted: "Since 2015, the Town has permitted XX ADUs, of which four were deed restricted in some way"
- Appendix C, page C-1. As mentioned above, land prices are not a constraint if density is permitted. This should be rephrased to clarify that the land prices are a constraint at current allowed density. Also, as mentioned above, Ross has 145 acres vacant compared to 680 developed, which is a reasonable proportion of undeveloped land.
- Appendix C, page C-3. Table C-1. This table provides the zoning designations, but does not identify how much acreage is available for each designation. Ross only has 26 multi-family housing units (> 4 units), suggesting that there is very little land zoned for multi-family. The zoning designations are not sufficient to determine the constraints that zoning causes. Ross should also include the acreage by category.
- Appendix C, page 5, Table C-2. This table has Ross development standards. Ross's zoning has extremely low zoning. Even the zoning called "medium-density" would be considered low density in most of the Bay Area. These minimum lot sizes are not appropriate for a jurisdiction adjacent to one of the World's largest economic centers during a housing crisis. If Ross fails to meet housing commitments, it should agree to reduce lot sizes and increase density.



- Appendix C, page C-7. Ross states that the Housing Plan will review and revise Ross's parking standards. The Housing Plan only offers a very limited review of parking - for caretaker units and for multi-family within 0.5 miles of transit. Ross should commit to a broad-based review of parking standards, and include a plan to reduce or remove parking requirements in areas where they are found to be a constraint on housing production.
- Appendix C, page C-10. Ross notes that its development fees are considerably higher than other jurisdictions, and that fees will be addressed in the Housing Plans. The Housing Plan only addresses fees for ADUs. Fees should be addressed for all development types, including lot-splits, as the Appendix suggests.
- Appendix C, page C-13. Ross notes that interviews with architects have revealed that Ross has a number of development requirements that constrain ADU production, including its 16' height limit, 850-1000 sq ft limit, 20% far limit and setback limit, as well as the development fees. Only development fees are addressed in its Housing Plan, even though Ross is planning for production to increase from 2.6 units/year to 10 units per year. It is not realistic for Ross to plan for greatly enhanced production of ADUs without addressing these known constraints.
- Appendix C, page C-32. Ross acknowledges that its land costs are very high and that the high cost of land requires multi-family development at higher densities in order for projects to be financially feasible. There is no program to address this. In particular, Ross should dedicate more land to multi-family housing.
- Appendix D, page D-39. Ross notes that zoning contributes to segregation, yet none of the solutions offered address this problem. Further, Ross states that it will promote a variety of housing types, but it appears to only be promoting ADUs. To address Fair Housing, Ross should dedicate a greater proportion of land to multi-family housing.
- Appendix E. The analysis of the last housing element is missing the previous RHNA and permits issued at different income levels.

Overall, Ross needs to implement substantial changes in its land use programs to increase from 15 units of housing to 111 units. This proposed Housing Element primarily relies on a dramatic increase in ADU production, while failing to address the bulk of constraints that impact ADUs. Ross needs to do more.

Sincerely,



Jennifer Silva

Campaign for Fair Housing Elements Volunteer

Campaign for Fair Housing Elements

jrskis@gmail.com



Campaign for Fair Housing Elements
fairhousingelements.org

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 6:55:21 PM

Submitted on Friday, November 18, 2022 - 6:55pm

Submitted by anonymous user: 98.45.199.55

Submitted values are:

Name Ann (Angela) Cognato

Comment

I've lived here in Ross since 1945 and never have I been so upset after hearing the bad news of what is being planned in my beautiful town. This housing plan is a nighmear and it must be stopped. I'm now 98 and I don't want to see my town destroyed.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1318>

Dear Town Council:

November 19, 2022

We urge Town Council to reject building housing in:

- the Ross downtown
- the Post Office and post office parking area.

Dense housing doesn't belong in the downtown Ross and would negatively impact the historic, small town character and charm of the downtown. This area is in a known flood plain so there should not be building in this area. Building dense housing will cause increased traffic, more parked cars, and exacerbate the parking space shortage. This area is also not suited for building because the area is already a high use area utilized and enjoyed by residents to access the downtown businesses, the bike path, the tennis courts, Ross school, and the mandatory trips to post office to retrieve mail.

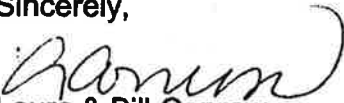
To meet the 111 housing unit requirement and still maintain the charm and character of the town, with the most minimal impact to the town of Ross, the town should:

- (1) Encourage and approve ADUs in a streamlined and low-cost process.
- (2) Encourage the building/use/conversion of in-law units by waiving permit fees and requirements for separate water and electric meters, and /or rebating homeowners if there are fees for installing separate water/electric meters.
- (3) Offer financial incentives and rebates to residents who have existing second units to register them in a manner that would count their units as a part of the housing requirement.

This would be a win-win for everyone.

In addition, the town should hire legal counsel to try to mitigate the number of units the Town is required to provide due to the unique geographic constraints of the Town. Ross is a very small historic town with limited available buildable space, and ask the State to postpone submission of any proposal to the state to allow time to further explore alternatives with more time for public comment.

Sincerely,



Laura & Bill Conrow
1 Berry Lane

From: [Linda Lopez](#)
To: [Rebecca Markwick](#)
Subject: Fwd: Housing Element or How to Ruin Downtown Ross!
Date: Saturday, November 19, 2022 5:09:07 PM

Sent from my iPhone

Begin forwarded message:

From: Bill Conrow <bill@speakersseries.org>
Date: November 19, 2022 at 10:14:33 AM PST
To: Barbara Call <barbcall@sbcglobal.net>
Cc: Christa Johnson - Town Manager <cjohnson@townofross.org>, Linda Lopez <llopez@townofross.org>, Donna Redstone <dredstone@townofross.org>, Beach Kuhl <beachkuhl35@gmail.com>, Elizabeth Brekhus <elizabethb@brekhus.com>, Bill Kircher <cwkmisc@gmail.com>, Julie McMillan <juliemcmillan@comcast.net>, Elizabeth Robbins <eliz.robbins@gmail.com>, konakelley25@gmail.com
Subject: Re: Housing Element or How to Ruin Downtown Ross!

Hi Barbara,

You are so welcome and it's my pleasure to have successfully sent this to all my Ross friends & neighbors. I'm copying & sending this to our Ross staff and Town Council.

Bill Conrow

On Nov 19, 2022, at 9:40 AM, Barbara Call <barbcall@sbcglobal.net> wrote:

Yes, thank you, Bill, for your support and thank you to everyone who takes the few minutes to let the Council know they need to abide by the General Plan! And remove the downtown area from the housing element. I am sure the Council and the "planners" find me to be a pain in their patooties, butt (haha), I cannot even fathom why anyone would want to ruin our downtown and place an apartment plus parking garage right next to the Ross/Corte Madera Creek in the center of our town.

Add cars and traffic and density and ruin the Town's historic charm and beauty. I sure hope we can get this area removed from the housing element. Seems like it should be an easy decision.

Sent from my iPhone

Dear Friends, Neighbors, Ross Residents,
Hello all. I hope you are all well.

I have been doing lots of reading, research, grumbling. All about the Town's General Plan and how the Housing Element needs to be consistent with the elements of the General Plan. This new Housing Element is antithetical to the Ross General Plan, particularly the units in the Post Office parking lot where they will be visible to the entire town.

As you may or may not know, State law requires all towns to have a General Plan consisting of 7 elements.. Things like land use, circulation, housing conservation, open space, public safety, noise, housing element.

It is the sworn duty of the Town Council to provide stewardship of our irreplaceable assets. They rely on the policies and programs in the General Plan...or they vowed they would when elected. The underlying philosophy is that the existing character and design of Ross is to be protected and enhanced. The Historic character, small-town charm, tree lined streets, natural environment and open spaces need to be retained, health and safety of the community are critical concerns. Development will only be permitted where risks to the residents can be mitigated. There is a noise ordinance. No development in a known flood plain. Traffic impacts require a full CEQA review to be undertaken prior to any significant development proposal in Ross—traffic safety, air quality, environmental issues, parking needs.

The parking standards reduce the feasibility of residential development in many areas.

And, the General Plan wants the downtown area to remain a small retail/business area.

Remember the Town Council consists of ELECTED individuals who have promised to make decisions that are consistent with the General Plan.

The Town Planner is not elected and appears to care very little about the General Plan if she is even familiar with it. She certainly does not care about the downtown area as she is proposing 12 multi family very low/low income units constructed in the Special planning area which includes downtown, commercial post office site, and Ross Common.

This is outrageous! It will ruin our Town. How can the Council even consider approving such a plan? Particularly when there are multiple other sites available.

So, I researched other previous Housing Elements like the one that expired in 2022 just to compare the sites with the ones being proposed. This new plan is the only Housing Element, BTW, where our downtown is being threatened! Ross was required to specify 18 units in the previous HE. They are required to provide 111 units in this new HE. It is crazy and impossible, particularly since the population of Ross and Marin County has been declining, but we cannot solve that problem. My hope is that together we can have the downtown area taken off the Housing Element through many objections and by insisting that the General Plan is adhered to. I hope you continue reading and will respond to the Council your feelings about what could be a disaster. I mean, Town Managers and Town Planners come and go, but the damage they are able to inflict can be forever.

So, now, on to the draft of the new Housing Element you have recently been sent.

Did you read it? It is overwhelming and exhausting. All the verbiage and charts and graphs, and statistics! Most of it is boiler plate and the other stuff is readily available online if you go looking for it. But, the impression is that, "golly, gee, hasn't the Town Planner done a bang up job". And all those photos that are pleasing, but have nothing to do with the current plan. I believe she does not want you to read it and object to anything. I, on the other hand, am more interested in what she has left OUT of the plan. A pictorial of what she sees the downtown area looking like after she's done with it would be of interest. And what size are these units she is suggesting going to be? The current/previous Housing Element gives the sizes of the units.

And size does matter. Size influences the number of people living in the units and size influences the parking requirements.

One parking space per unit is required and an addition parking space is required for 250 ft of rentable floor space.

So, where are 24 or so cars going to park with 12 new units being proposed. Plus, how many people are going to be living in these very low/low income housing units right downtown. This is hugely important for our town and should not be glossed over.

Let's discuss #1 Ross Common which is most objectionable and a real planning error! It's the parking lot area and the building already has 6 tenants. Since there are only 11 parking spaces in that lot, and the current tenants use them, where will the tenants of the 6 new units park? The Town Planner, Rebecca says, "developed with a format that preserves public parking for the Post Office patrons." WHERE AND HOW?

Talk about vague. And where will the new tenants park? You cannot just create more parking unless you build a parking garage and that is what the plans most likely include. A parking structure! I saw where this was being proposed by her consultants. So how does this comply with the General Plan!

But, there is more:

This area is in a flood zone and the more permeable space you build, the more flood water runoff you will have on the streets and businesses and homes. I lost my furnace and contents of my garage and basement in the most recent flood. If streets are flooded how will residents reach safety in case of an emergency? Talk about a public safety problem. How can anyone be in favor of more buildings in that area? Totally against the General Plan.

But, there's more:

The traffic impacts are huge. That parking lot is where people turn around rather than making a U-turn on Ross Common street. A traffic study needs to be completed before that area can be considered. You might think a parking garage will be Ok, , but besides it's awful appearance, there will be air pollution, noise, cars backed up trying to get to SFD. The health and safety of the community will be violated.

But, there's more:

That parking lot is where people park to access the tennis courts and the bike path. You see many cyclists young and old, from toddlers to oldsters, using that area to access the bike path. What about their health and safety? Has any of this been considered? Some planner.

With regards to the commercial district, if paying residents cannot find parking because it is being taken up by the low income housing, they won't come to Town and the current businesses will fail. This is, again, a violation of the General Plan

which vows to maintain the downtown area as a small retail/business area.

Now, finally, my suggestions as to where new units can be built where there is easy access to SFD and no negative impact on the downtown.

#33, 35, 37 SFD...around 109 THOUSAND square feet. After the Fire station is torn down, there will be tons of space for more than 6 units. Since there won't be fire trucks, the big parking area is not necessary. I realize a new public safety building is being planned, but how large does that need to be? 10 low income or workforce housing units could be built in 10,000 square feet, leaving close to 100,000 left for whatever. There is already a house on 37 SFD. Tons of space. Why are more units not being consider on this site?

30 SFD...this area was on the previous Housing Element and it was stated, "zoning code does not limit the number of units on this site...plenty of land for increased development."

Why is this site being overlooked?

There is also a huge site off of Laurel Grove up the driveway towards the Red Barn. There could be many units designated for that site. It's not too hilly and the units would not be that visible and would have easy access to SFD. Why has this site been overlooked?

I have the feeling not enough effort has been put into finding alternate sites. The attitude has been, "Let's just ruin the downtown."

Oh, wait, why are there no housing units being considered in the Winship Park area? I was told that it's because the residents complained!

So, please give this very lengthy email a second read. Forward it to your Ross family and friends. Complain to the Town Council.

Thank you for reading. I really hope the Council does the right thing and removes the downtown area from the Housing Element.

This is the end of what Rebecca refers to as my "little emails".

Regards,
Barbara

From: [William Conrow](#)
To: [Rebecca Markwick](#)
Cc: [Bill Conrow](#)
Subject: Town of Ross Housing Element
Date: Saturday, November 19, 2022 2:15:58 PM

November 19, 2022

Dear Town of Ross Council,

We are very against the current proposed Town of Ross Housing Element.

First, considering that the population of California, San Francisco, Marin & the Town of Ross are declining, this seems like an odd time to be requiring communities, including Ross, to increase their housing.

Ross is a small town, and unique in that we have no US mail delivery to residences, and all residents must go to the Ross Post Office to pick up their mail. Almost all residents drive to the Post Office daily for their mail, and park on the street or in the Post Office parking lot. Any development that increases the traffic and reduces the parking in the downtown area needs to be avoided.

Town of Ross should spread out any Housing Element additions throughout the Town of Ross, rather than adding them in just a few locations.

In addition, there are a large number of Ross residences that have a guess house, that with little effort could be in compliance the Housing Element.

Finally, the Town of Ross should hire expert legal counsel to reduce the number of Housing Elements required in the Town of Ross.

Sincerely,
Bill Conrow
1 Berry Lane, Ross

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Saturday, November 19, 2022 11:02:14 AM

Submitted on Saturday, November 19, 2022 - 11:02am

Submitted by anonymous user: 73.170.99.61

Submitted values are:

Name Crystal

Comment

As a Ross resident, I do not support the addition of these units downtown. This will significantly change the landscape of our charming town. As is, there aren't enough parking spots so also would not make sense to lose what's next to the post office. Thank you.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1332>

Edward & Tia Dong

P.O. Box 1127, Ross, CA 94957 | etstp@comcast.net | (310) 909-9661

November 19, 2022

Ross Town Council
31 Sir Francis Drake Boulevard
Ross, California 94957
towncouncil@townofross.org

Re: Housing Element

Dear Honorable Mayor and Councilmembers,

We respectfully object to consideration of Housing Element stock in the downtown, civic and postal parking areas as this will exacerbate the existing infrastructure of the surrounding neighborhoods. Impacts of new housing development downtown will include increased traffic particularly at the SFD/Lagunitas intersection, parking loss, post office accessibility challenges, safety concerns for school walkers and pedestrians due to increased vehicular movements, congested school drop offs, and dealing with flood measures.

We have been residents here for 25 years and our small-town lifestyle surely defines Ross. Congesting our downtown area with additional housing, populace and traffic will erode the very reason for our selection of Ross as our hometown to raise a family a quarter century ago. We feel that smart urban planning to accommodate the Housing Element would be to integrate less dense housing throughout the community, including ADUs thereby integrating our new residents throughout our neighborhoods, rather than aggregating the units in a defined dense inclusionary location. With Ross' current housing inventory of 880 (est.) homes spread over 1.6 square miles of neighborhoods, the Housing Element's required 111 affordable units intends to increase the town's housing stock by 13%. This significant housing increase should not be located in areas that define our town's sense of livability. It is irresponsible that now 114 years after Ross' founding and careful planning of our town, council is considering adding affordable housing in the downtown and civic areas.

Sincerely,

A handwritten signature in black ink, appearing to be "ED" followed by a stylized flourish.

Edward and Tia Dong
Ross Residents

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Sunday, October 30, 2022 1:16:23 PM

Submitted on Sunday, October 30, 2022 - 1:16pm

Submitted by anonymous user: 76.126.170.138

Submitted values are:

Name Kelly Dwinells

Comment

Thank you for the opportunity to comment on the draft housing element. I can appreciate how much time and effort has gone into the plan to address the state requirements. As a Ross resident, we moved to Ross from San Francisco, seeking a smaller town with unique charm. We also prioritized the highly regarded Ross School and carefully maintained homes. We recognized that having these things would cost more than living elsewhere. We want to maintain those elements that make Ross special and for which we (and many others) moved here.

I am supportive of diversifying our community and offering more housing but I am also unsure how lower-income housing will be enforced. With a small number of rentals available in Ross, it seems like an opportunity for misuse by those trying to secure an address for attendance at Ross School, negating the purpose of the housing element. It also feels like for those commuting to Ross for work, it is not an unreasonable expectation that they may not live in Ross given its small size and makeup of housing and would more easily find housing in a larger, adjacent community with a broader array of housing options. I would venture to say most people do not live in the town where they work or within 1.6 miles of their workplace.

I am not intimately familiar with the RHNA allocation process but trying to fit 111 units in a town of only 1.6 square miles seems like an impossible feat given the lack of free, buildable area, type of housing, and existing demographics. It is likely therefore by default that we have to consider the remaining public spaces after accounting for ADUs, etc. However, it is highly concerning that we would consider altering the landscape of downtown Ross (and therefore the entire Town of Ross) for the sake of 12 units across the civic center and the post office. With Maintaining Quality of Life as the first purpose of the housing element, including small-town charm and historic character, adding housing of any type in lieu of this public space would considerably change the look and feel of our town.

Of particular concern is the 6 units next to the Ross post office. As a highly visible part of the downtown area, frequented by children, residents, and visitors, this area contains a bike path, and critical parking not just for post office patrons but also for the school, local establishments, and the tennis courts. It is infrequent that there are more than 1 or 2 parking spots available at any given time and now offers the benefit of electric charging stations. I do not see how all of this can be preserved while also adding 6 units plus parking for those units.

Unfortunately, I do not have the answer to where these 12 units might otherwise go or if there might be waivers to putting these units above office space, etc. but urge the Town of Ross to consider the larger impact that these additions to our public spaces will have on the

community and the look and feel of our special town.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1303>

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 7:24:31 PM

Submitted on Friday, November 18, 2022 - 7:24pm

Submitted by anonymous user: 73.202.86.153

Submitted values are:

Name Erin Earls

Comment

I do not support the 12 units proposed for downtown Ross as they would significantly alter the landscape of our small town. Of particular concern are the highly visible units next to the post office. We need to preserve the history and charm of our town by finding an alternate location for these units.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1321>

From: [Elena Batalla](#)
To: [Rebecca Markwick](#)
Subject: Presenting to parents at a time when kids are at school
Date: Wednesday, November 9, 2022 10:04:18 AM

Hi Rebecca,

It was great meeting you on Wednesday. Thank you for the presentation and gathering community input.

I was just at the Ross School PTO meeting and parents were wondering if one of the presentations/community outreach meetings could be a time when the kids are at school. Maybe on a weekday after school drop off? I think that having the meetings in the evening makes it hard for parents with children to attend. Hopefully we can make this happen during the 30 day community input period.

Let me know if this is a possibility and we can find a date.

Also, I didn't fill out the comment card after the meeting on Wednesday but I am a strong believer that the 6 units by the post office will deteriorate significantly the current feel and flow of the center of town and would ask that you remove those from the proposal, if possible.

Thank you,
Elena

From: [Patrick Fisher](#)
To: [Linda Lopez](#); [Rebecca Markwick](#)
Cc: cailin.geier@gmail.com
Subject: Re: Housing Element Update - Next Steps
Date: Friday, November 18, 2022 11:27:21 AM

Hi Rebecca –

I hope all is well. We own 27 Redwood Dr in Ross and I wanted to voice our strong opposition to the proposed sites in this plan. Locating this housing next to the post office and adjacent the school will adversely impact the community. I would like to formally request that the City spend more time looking further down the street to locate this housing vs. next to the post office. I would also would ask the City to explore using the Marin Art and Garden Center via eminent domain.

These are more logical spots, especially Marin Garden Center.

Thank you.

Patrick Fisher – owner of 27 Redwood Dr

From: Town Of Ross <llopez+townofross.org@ccsend.com>
Reply-To: "llopez@townofross.org" <llopez@townofross.org>
Date: Friday, November 18, 2022 at 9:26 AM
To: "Patrick F. Fisher" <patrick@liftrp.com>
Subject: Housing Element Update - Next Steps



To View Site Map [CLICK HERE](#)

Dear Ross Resident:

Thanks to all who attended the Housing Element Community Meeting on November 7th. The meeting was an opportunity for Ross residents to learn more about the content of the Draft Housing Element, the legal requirements, and the process for adoption. The Draft Housing Element is posted on the Town website [\[\[here\]\]](#) and the public review period runs through November 19. Comments are welcome and can be submitted to:

Rebecca Markwick

Director of Planning and Building

rmarkwick@townofross.org

Meeting Follow Up

At the meeting, questions were raised about the need to comply with State mandates and about challenging the legal requirements in court. It is important to remember that there are penalties for jurisdictions that fail to adopt a certified Housing Element, including suspension of local authority to issue building permits or grant zoning changes, variances, or subdivision map approvals; potentially significant court-imposed fines, which if not paid can be multiplied by a factor of six; or receivership, whereby a court-appointed agent is empowered to remedy identified Housing Element deficiencies and bring the Housing Element into substantial compliance with State law. In Southern California, housing activists have recently sued several cities to compel compliance with State Housing Element law. Since Ross has a clear pathway to compliance through smaller scale infill housing that would be compatible with the unique and historic character of the community, it is advisable to comply with State law and not risk incurring substantial penalties and legal expenses.

Additionally, it was pointed out that the map of sites on a display board at the workshop did not match the map in the Draft Housing Element. The correct map, included in the Draft Housing Element online, is attached to clarify.

Next Steps

By law, the State must review and certify the Housing Element before it is complete. At the December 8th Council meeting, the Ross Town Council will review the Draft Housing Element prior to submission to the State for a legally mandated 90-day review. All community feedback will be shared with the Town Council before the December meeting. Following review by the State, the Draft Housing Element will be revised and presented to the Town Council for consideration. Adoption is anticipated in May 2023.

Rebecca Markwick

Planning and Building Director

(415) 453-1453 ext. 121

rmarkwick@townofross.org



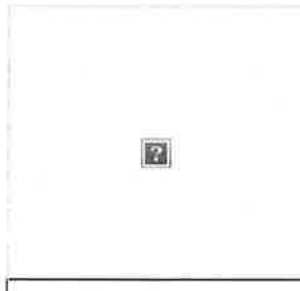
Town of Ross
Mailing Address: P.O. Box 320, Ross, CA 94957
Street Address: 31 Sir Francis Drake Blvd, Ross, CA 94957
www.townofross.org

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Unsubscribe_patrick@liftrp.com

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From: [Town of Ross California](#)
To: [Rebecca Markwick](#)
Subject: Form submission from: Draft Housing Element Public Review
Date: Saturday, November 19, 2022 2:32:45 PM

Submitted on Saturday, November 19, 2022 - 2:32pm

Submitted by anonymous user: 12.187.214.164

Submitted values are:

Name

Comment

Here are my comment regarding the housing proposed for downtown Ross, and units in general:

1. I am opposed to adding any additional units anywhere in Ross.
2. Any additions should follow the General Plan, this housing development does not.
3. Specifically, I am very opposed and do not support the 12 units proposed for downtown Ross as they would significantly alter the landscape of our small town. Have particular concern are the highly visible units next to the post office. We need to preserve the history and charm of our town by finding an alternate location for these units. In addition to DRASTICALLY changing the look and feel of our town, going against the General Plan, it would also put increased pressure on parking, which already a problem. We cannot have more cars in the area, especially without places to put them.
4. Additionally, per point #2 and #3, adding units in the downtown area does not follow the General Plan as such, I am wondering why this area is then even in consideration. Please find a different site if needed, such as Sir Frances Drake, or better yet, don't build them.
5. I'm disappointed by this housing development in general, our town is lovely, this is ruining it.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1333>

From: [Mark Fritts](#)
To: [Rebecca Markwick](#)
Subject: Comments on Housing element
Date: Saturday, November 19, 2022 11:12:18 PM

Rebecca,

Please find my comments below.

Program 2-A: Increase the frequency of ADR meetings: While the ADR has had full schedules over the past year, the majority of projects that come before the ADR are renovations. Speeding these projects up has no impact on the housing stock in Ross. The additional units in the form of ADUs don't come before the ADR, so increasing the frequency of meetings won't have a substantial impact on moving new units through the process any faster. Furthermore, twice a month meetings would be a substantial load for the volunteer ADR group. I would recommend removing this provision.

Program 2-A: Capping the number of meetings on an ADR project: Research should be done to evaluate the number of projects that have had multiple submissions before the ADR (excluding schematic design proposals) and specifically how many have had more than 2 appearances. Limiting the number will encourage the applicants to continue with designs that don't meet the Design Guidelines for Ross. In essence 'wait it out the clock' will become an option and end up burdening the Town Council with the decision. I would recommend removing this provision.

Program 2-A: Instituting a requirement for an on-site meeting with neighbors: There used to be a requirement for applicants to share plans with neighbors prior to the ADR submission. This was documented and part of the ADR submission. I am not sure what happened to that procedure, but it might be a better solution to reinstate that vs. instituting a mandatory meeting. Many neighbors don't want to have to be the 'bad guy' and take the role of enforcing the ordinances. If they have to do that, then the relationship becomes acrimonious. Instead, the applicants should be required to review the plans with neighbors, and then the discussions can occur during the ADR meetings. One of the key tenants of the ADR is to be the space where neighbors can express themselves and the ADR can moderate. Having a mandatory meeting will, in my opinion, only put neighbors more at odds with each other prior to the ADR meeting.

Program 3-F: Pre-approved ADU plans: While this is an interesting concept, there is little practicality to developing common plans that can be used in Ross. Each site in Ross is unique, and each ADU should respond to those unique qualities. By providing cookie cutter plans, combined with very limited/no design oversight for ADUs, the town will be encouraging homeowners to build units that diminish the design standard for Ross by not addressing the neighborhood fabric.

Program 3-I: Development fee discount: Unless the discount is tied to a homeowner actually renting the unit directly after completion, this discount amounts to a giveaway of revenue for the town. I would argue that less than 5% of the ADUs in Ross are rental units. The remaining 95% are caretaker, inlaw, pool houses or additional space for the homeowner and are never rented on the open market at all.

Thank you for your consideration
Mark Fritts

79 Sir Francis Drake Blvd
Ross

From: [Town of Ross California](#)
To: [Rebecca Markwick](#)
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 6:05:21 PM

Submitted on Friday, November 18, 2022 - 6:05pm

Submitted by anonymous user: 98.37.25.46

Submitted values are:

Name Courtney Halip

Comment

I do not support the 12 units proposed for downtown Ross as they would significantly alter the landscape of our small town. Of particular concern are the highly visible units next to the post office. We need to preserve the history and charm of our town by finding an alternate location for these units.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1315>

From: [Linda Lopez](#)
To: [Rebecca Markwick](#)
Subject: Fwd: Housing Element Update - Next Steps
Date: Saturday, November 19, 2022 5:08:45 PM

Sent from my iPhone

Begin forwarded message:

From: Timothy G Hill <tghill100@gmail.com>
Date: November 19, 2022 at 11:30:53 AM PST
To: Linda Lopez <llopez@townofross.org>
Subject: Re: Housing Element Update - Next Steps

Dear Rebecca

I am definitely opposed to the building of additional housing in the Ross PO parking lot. I live very close by on Poplar and walk this route everyday. It would change the character of the Town of Ross. Please find other alternatives to satisfy this state mandate.

Best

Tim Hill
PO Box 82
Ross, Ca 94957

On Fri, Nov 18, 2022 at 9:26 AM Town Of Ross <llopez@townofross.org> wrote:



To View Site Map [CLICK HERE](#)

Dear Ross Resident:

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Rebecca Markwick
Director of Planning and Building
rmarkwick@townofross.org

Meeting Follow Up

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changes, variances, or subdivision map approvals; potentially significant court-imposed fines, which if not paid can be multiplied by a factor of six; or receivership, whereby a court-appointed agent is empowered to remedy identified Housing Element deficiencies and bring the Housing Element into substantial compliance with State law. In Southern California, housing activists have recently sued several cities to compel compliance with State Housing Element law. Since Ross has a clear pathway to compliance through smaller scale infill housing that would be compatible with the unique and historic character of the community, it is advisable to comply with State law and not risk incurring substantial penalties and legal expenses.

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Next Steps

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Rebecca Markwick
Planning and Building Director
(415) 453-1453 ext. 121
rmarkwick@townofross.org

Town of Ross
Mailing Address: P.O. Box 320, Ross, CA 94957
Street Address: 31 Sir Francis Drake Blvd, Ross, CA 94957
www.townofross.org

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Timothy G Hill
PO Box 82
Ross, Ca 94957
TGHill100@Gmail.com
415 793 3969 mobile

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 7:29:24 PM

Submitted on Friday, November 18, 2022 - 7:29pm

Submitted by anonymous user: 73.71.148.160

Submitted values are:

Name Nadine Johnson

Comment

I do not support the units proposed for downtown Ross near the Post Office. The traffic/congestion and limited parking can not support additional units. A high rise or multi-level structure in downtown Ross would contribute to increased stress and anxiety for Ross residents and blocking natural light. The bike path behind the Ross Post Office would become a dark channel without natural light or adequate space; I feel concerned for the safety of the bike path and pedestrians if there are additional units built near the downtown/Ross Post Office.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1322>

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Saturday, November 19, 2022 9:33:15 AM

Submitted on Saturday, November 19, 2022 - 9:33am

Submitted by anonymous user: 174.249.148.144

Submitted values are:

Name Jordan Kahn

Comment

Hi,

I support the town of Ross finding a location for this type of housing. However, next to the post office in the center of our small town does not feel like the right location. I worry that it will dramatically change the feeling of our little downtown in such a visible and prominent location. Thank you for your consideration.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1330>

From: [Town of Ross California](#)
To: [Rebecca Markwick](#)
Subject: Form submission from: Draft Housing Element Public Review
Date: Saturday, November 19, 2022 7:32:26 PM

Submitted on Saturday, November 19, 2022 - 7:32pm

Submitted by anonymous user: 98.45.175.57

Submitted values are:

Name Susan Keener

Comment

My husband, Robert Smithton, and I have lived at 40 Poplar Avenue since 1995. The idea of adding 12 housing units to an already busy downtown area is difficult to imagine. In the nearly thirty years that we've been here, we have seen the amount and speed of traffic increase as drivers use our street as an alternative to Sir Francis Drake. Backing out of our driveway at times can be not only difficult but dangerous. The number of cars parked on Poplar compounds the traffic issues. Even at non-event times, and especially on school days/weekdays, every available space on our street is occupied. Some cars stay all day. Delivery trucks and people waiting in their cars will then use the red zone in front of our house for short term parking. These vehicles add to the difficulty in accessing our driveway and prevent us from having a clear view of oncoming traffic. In addition, workers who come to our home and other houses on Poplar have nowhere to park. Adding 12 housing units nearby will only increase the traffic and decrease the available street parking and add to the dangerous conditions.

In addition to the increased volume of traffic will be the increase in noise, pollution (not everyone has an electric car) as well as cars using our driveway and the driveway across the street to turn around. These conditions make it dangerous for the many cyclists, runners, walkers and school children who use the Ross Common/Poplar roads and sidewalks regularly.

Using the post office parking lot as a housing site will remove much needed parking. Putting the negative effect on business/ restaurant parking aside, sometimes it is necessary to drive to the post office to mail or pick up packages. Even now there are times when there are no spaces available and we are forced to make multiple walking trips to the post office or wait for a more convenient time. I read one estimate that over 20 additional cars might need to find spaces. Where will they park? Residential parking is long term and does not turn over as frequently as spaces used by post office, restaurant and business patrons who park for two hours or less.

Many people have accessibility issues. There are some blue zones near the post office. However, I've encountered people with mobility issues who need to park near the hair salon or one of the other businesses. If street parking is not available, customers lose their access to services. And businesses lose customers.

Another concern is the fact that any building on Ross Common is on the flood plain. As residents who lost 3 cars, a furnace, a water heater, a washer and dryer and numerous possessions in our garage and basement in 2005, the idea of adding more hard space is ridiculous. It will only increase runoff. We should be looking for ways to minimize the effects from the next flood event which will inevitably occur, rather than adding to the potential

damage to homes and businesses. By building these very low/low income units in a flood prone area, the number of families who would lose cars and other possessions would increase.

I haven't even addressed the changes that these plans will bring to the character of the town. Altering the small town feeling that makes Ross so desirable will surely have a negative impact on property values of the homes nearby. It seems highly unfair to subject the homeowners on Poplar and Redwood to a reduction in home value because of all of the negatives mentioned above: traffic, parking unavailability, noise, etc.

We want to go on the record as being totally against any plan to add those units anywhere on Ross Common/ in the downtown area because of the above reasons.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1336>

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 9:32:57 PM

Submitted on Friday, November 18, 2022 - 9:32pm

Submitted by anonymous user: 98.45.173.7

Submitted values are:

Name Jessica Kissane

Comment

We live right near Ross Commons and moved here because of the quaint and charming downtown that makes Ross so special. I do not support the 12 units proposed for downtown Ross as they would significantly alter the landscape of our small town. Of particular concern are the highly visible units next to the post office. We need to preserve the history and charm of our town by finding an alternate location for these units. There also isn't enough parking as is, so an additional 12 units with multiple families / kids will further put impact on the limited downtown space. This is very concerning and I hope there are alternate locations to consider. Thank you.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1324>

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 9:38:24 PM

Submitted on Friday, November 18, 2022 - 9:38pm

Submitted by anonymous user: 73.202.86.74

Submitted values are:

Name Leah Knight

Comment

I am strongly opposed. This housing plan right near the commons when there are other potential areas to build is crazy. This will ruin the entire feel of the commons and the surrounding area. Not to mention parking issues , etc which need to be addressed. And I have been told that the Ross general plan states the downtown area is to be a small retail/business area. The commons is the worst possible place for this development. Period.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1326>

From: [Christa Johnson - Town Manager](#)
To: [Rebecca Markwick](#)
Subject: FW: Housing Element
Date: Wednesday, November 9, 2022 10:22:09 AM

Christa Johnson
Town Manager, Town of Ross
PO Box 320
Ross, CA 94957-0320
415-453-1453 x107
cjohnson@townofross.org

-----Original Message-----

From: Laura Rees <rees2004@sbcglobal.net>
Sent: Wednesday, November 9, 2022 9:48 AM
To: beachkuhl350@gmail.com; elizabeth@brekhus.com; Bill Kircher <cwkmisc@gmail.com>; Julie McMillan <juliemcmillan@comcast.net>; Elizabeth Robbins <eliz.robbs@gmail.com>
Cc: rmark@townofross.org; Christa Johnson - Town Manager <cjohnson@townofross.org>
Subject: Fwd: Housing Element

>
> Dear City Council Members,
>
> I am writing to you concerning The Housing Element.
>
> I understand that the town of Ross must comply with the State of California guidelines, but I am very concerned that our sweet, charming, historical and tiny Ross common, is even being considered for housing units.
>
> Ross appears to have many other more suitable locations, including along SFD, on Marin Art and Garden Center where they are unused and dilapidated buildings, and in the large space where the current firehouse will be torn down.
>
> I have to assume the town council and Rebecca and Christa, are exhaustingly looking at all these various options, besides continuing to grant more Alternative Dwelling Units to create more housing units..These ADU housing units are excellent as they spread housing evenly throughout Ross, without negatively impacting traffic and parking, and one group of people.
>
> Besides being a small, historical and already congested downtown, particularly when it is baseball season, and school is in session, any additional Ross Common housing would gravely affect our current parking issues, traffic, flooding issues and potentially safety issues being right across from our K-8 school.
>
> Since teachers, police, fireman and many local merchants, technically don't qualify for Low Income Housing, who exactly will be considered for these units?? What are the qualifications for being considered and how are they vetted, or are we even allowed to vet??
>
> Since the Ross Council and our City Employees are presumably looking out for the best interest of the town of Ross, their families and children, and not the State of California, our downtown area clearly should be taken off the drawing board, and the other locations must be utilized and considered.
>
> Our town and General Plan/Charter must be defended!

>
> Thank you,
>
> Laura Rees
> 12 Brookwood Lane
>
>
>
>

From: Christa Johnson - Town Manager
To: Rebecca Markwick
Subject: FW: Housing Element
Date: Monday, November 7, 2022 4:31:16 PM

fyi

*Christa Johnson
Town Manager, Town of Ross
PO Box 320
Ross, CA 94957-0320
415-453-1453 x107
cjohnson@townofross.org*

From: Jennifer Leathers <jenniferleathers2@gmail.com>
Sent: Monday, November 7, 2022 4:18 PM
To: CouncilAll <towncouncil@townofross.org>
Subject: Housing Element

Dear Town Council,

We would like to voice our adamant opposition to the housing element for Ross. 111 new units is inappropriate for a town so small.

To ruin our downtown, get rid of parking, increase density, without any capacity increase for car traffic is ridiculous.

Please vote no on this incredibly horrible plan.

Thank you.

Sincerely,

Robert and Jennifer Leathers

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 5:09:18 PM

Submitted on Friday, November 18, 2022 - 5:09pm

Submitted by anonymous user: 98.37.16.146

Submitted values are:

Name Charlotte Levin

Comment

I am opposed to the plans for ADU structures in the downtown area. The entire downtown area is in a flood zone.

Thank you,

Charlotte Levin

38 Poplar Avenue

Ross CA

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1314>

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 7:01:38 PM

Submitted on Friday, November 18, 2022 - 7:01pm

Submitted by anonymous user: 98.45.172.143

Submitted values are:

Name

Comment

My family lives at 19 Redwood Drive in Ross. We attended the recent workshop and are opposed to the proposed housing in the Post Office parking lot.

Michael Lind
415 370-1431

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1319>

November 19, 2022

Anna and Alexander S. Lushtak
4 Upper Road
Ross, Ca 94957

Dear Town Council:

We urge Town Council to reject building housing on the Upper Road lot and downtown Ross.

We object to the site on Upper Road because the site is not appropriate for a construction of multiunit structures. The area of the Upper Road lot is a wooded space on a steep hillside with a hillside narrow road leading up to it. The narrow road bends sharply on the entrance to this site and limits the access to the site. Building dense housing will cause increased traffic, more parked cars outside of the property **will block safe passage and timely access to our homes**. This area is not suited for building because the road is already in increased use and the blind corner of the road at the entrance to the site already creates danger of traffic accidents. Our biggest concern is with the **fire safety** and **access** for in and out of the area during and after the construction. We object to the site on Upper Road because it is a **narrow steep road** that cannot safely support construction trucks and equipment, as it is impossible to turn around or back up any medium to large including trucks and SUVs. There will be times where the road will be blocked by construction equipment making it **dangerous** and impossible for fire trucks to drive up Upper Road and for residents to escape. In addition, with the concern for fires, the town should also not be building multiunit homes in a wooded, steep lot with limited access to it due to configurations of the landscape and adjacent property lines. We demand an **independent public safety assessment** before the decision is made to build there. We also believe that there will be a significant **environmental impact** on building in this wooded hillside zone next to the creek. We insist that the town should conduct an **environmental impact study** before making a decision to initiate construction in this area.

Additionally, downtown Ross area is in a known flood plain, so there should not be building in this area either. This area not suited for building because the area is already a high use, as the area is utilized and enjoyed by residents to access the downtown businesses, the bike path, the tennis courts, Ross school, and the mandatory trips to post office to retrieve mail.

To meet the 111 housing unit requirement and maintain **the safety** of the town residents with the most minimal impact on the environment, the town should encourage and approve ADUs in a streamlined and low-cost process; encourage the building, use or conversion of in-law units by waiving permit fees and requirements for separate water and electric meters; rebate homeowners if there are fees for installing separate water or electric meters; offer financial incentives and rebates to residents who have existing

second units to register them in a manner that would count their units as a part of the housing requirement.

In addition, the town should hire legal counsel to mitigate the number of units the Town is required to provide due to the unique geographic constraints of the Town. Ross is a very small historic town with limited available buildable space and unique landscape and environmental concerns. It is pressing to ask the State to postpone submission of any proposal to the state to allow time to further explore alternatives with more time for public comment.

Sincerely,

Anna and Alexander S. Lushtak
4 Upper Road

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 6:37:56 PM

Submitted on Friday, November 18, 2022 - 6:37pm

Submitted by anonymous user: 107.116.89.115

Submitted values are:

Name Mark Manning

Comment

I am in opposition of building 12 units at the Post Office parking lot as I fear it would drastically change the density and physical massing of our quaint downtown.

I am in support of locating the units closer to the Town Hall.

Thank you.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1317>

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 6:25:56 PM

Submitted on Friday, November 18, 2022 - 6:25pm

Submitted by anonymous user: 107.116.89.23

Submitted values are:

Name Sonya Manning

Comment

I do not support the 12 units proposed for downtown Ross as they would significantly alter the landscape of our small town. Of particular concern are the highly visible units next to the post office. We need to preserve the history and charm of our town by finding an alternate location for these units.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1316>

Rebecca Markwick

From: Mark Kruttschnitt <mark.kru@gmail.com>
Sent: Wednesday, November 16, 2022 4:12 PM
To: Rebecca Markwick
Subject: Draft Housing Element

Dear Rebecca,

Nice seeing you last night. Please let me know if sending this email to you directly is the best method for contributing my comments. Thanks!

I am writing to you regarding the Draft Housing Element. Specifically Page 4-4 (Program 2-A) which relates to the ADR. I though that it might be helpful for Staff and Town Council to hear opinions of individual ADR Members on this one section of the Draft Report.

One possibility suggested is amending the Zoning Ordinance in order to address typical issues. Any clarification in the Zoning Ordinance would be welcome. The ADR currently spends an inordinate amount of time dealing with proposed pools located in the setbacks. I do not know if either the ADR or Town Council has done a good job of dealing with this often difficult issue. However, this would have no effect on increasing housing units.

Regarding increasing the frequency of ADR Group meetings: I think this would be a good idea if, and only if, there are a large number of projects coming to ADR in a particular month. My fellow ADR Members have pointed out that in the past we have sometimes not given adequate attention to detail on some major projects when they come before us towards the end of a long meeting. It seems that we could at least get a quorum on ZOOM for an additional meeting if there is ever a large backlog of projects. I don't believe anyone on the ADR wants to have applications delayed due to a full Agenda. It has been my personal observation that ADR Members do not seem to like meetings that stretch over 2.5 hours. Having the **option** of an additional meeting might be beneficial.

Regarding capping the number of ADR meetings on a single project: We have had recent cases where an Applicant has returned to the ADR numerous times with little to no changes expecting a different ADR recommendation. Although that situation was frustrating for all involved, I am not sure how a maximum number of meetings would work. If the ADR still doesn't recommend approval after the maximum number of meetings, I assume the Applicant would go to Town Council and likely not receive approval. Would the Applicant then be barred from returning to the ADR with an altered project? It seems that after the maximum number of meetings was reached, the Town Council would effectively be forced into doing the ADR work when the Application went directly to Town Council one or more times. I don't think the Town Council would want that scenario.

Regarding Requiring on-site meetings between Applicants and neighbors: I would strongly oppose this requirement. I think this would make projects **more** difficult to get approved and is in opposition to the goals of the Housing Element. I personally worked very hard to change the requirement of Neighbor Approval Forms as I believe the overly burdensome requirement often led to Applicants feeling that they could not build their projects due to lack of neighbor approval. I don't believe that a homeowner's property rights should be negatively affected by an obstinate neighbor. In regards to ADU's, I believe that any such requirement would be against CA State Law. There is currently little to no ADR time wasted due to lack of mandatory Applicant meetings with neighbors. This requirement would only serve to slow down the Application process as it might take weeks to meet with neighbors, if they are willing to meet at all.

Regards,

Mark Kruttschnitt
ADR Member

From: Craig McCarty
To: Rebecca Markwick; Alex Lopez-Vega
Cc: Beach Kuhl; Julie McMillan; Elizabeth Brekhuis; Elizabeth Robbins; Bill Kircher
Subject: Thoughts on Draft Housing Plan
Date: Friday, November 18, 2022 10:06:58 AM

I am pleased to see low-income housing ("LIH") in the Draft Plan ("Draft"). I hope most of these units would be workforce housing ("WFH") for Town and Ross School employees. My thoughts are as follows:

1. **Town should not be a direct developer or owner of any of these proposed units.**
The former Town Manager, Joe Chin, fought long and hard to get the Town out of the real estate business, and I believe for good reason as over many decades, the Town had proven not to be very skilled in these matters.
2. **Having a private sector developer build and manage all central Ross LIH/WFH units would save considerable money and potentially keep the rents down.** A private developer would not be required to pay the prevailing wage that the Town would be obligated to pay.
3. **Locate all these LIH/WFH on a newly subdivided parcel in the Town's corporate yard (37 SFD).** As I recall, this was the location that Richard Hoertkorn suggested for WFH when alternative uses of 6 Redwood was discussed some years ago.
4. **Do not put LIH/WFH units in Downtown for two reasons:** (a) Elevated units above parking (e.g., Kent Avenue apartments) would be inconsistent with architectural character of our beloved Downtown; and (b) Would negatively impact the Downtown retailers by reducing our already-limited parking. If one talks to the Downtown retailers as I do, I do not believe there would be consensus that "Downtown Ross is generally home to thriving businesses" (page 3-6 of the Draft).

Since we are technically in a recession (two quarters of negative GDP), I do question how realistic the timeline is in the Draft. With the Fed planning to continue hiking interest rates well into 2023, the real estate sector will further weaken. Just this week it was reported that national mortgage originations are below the 2008 level, which was the depth of the GFC.

Sincerely,
Craig McCarty
59 Poplar Avenue
Ross, CA

From: [Town of Ross California](#)
To: [Rebecca Markwick](#)
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 10:21:40 PM

Submitted on Friday, November 18, 2022 - 10:21pm

Submitted by anonymous user: 75.111.81.110

Submitted values are:

Name Emily Morris

Comment

I am concerned about the impact that the 6 proposed downtown units (next to the post office) would have on the already hectic drop off and pick up from Ross school. We suffer from a lack of parking - leaving many parents to have to circle town or park blocks away when retrieving kids from school. If we replace the few parking spots that are available next to the post office, the parking situation for school will be even worse. Thank you.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1327>

Rebecca Markwick

From: Town of Ross California <ross-ca@municodeweb.com>
Sent: Friday, November 18, 2022 2:55 PM
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review

Submitted on Friday, November 18, 2022 - 2:54pm

Submitted by anonymous user: 98.37.13.165

Submitted values are:

Name Mark Nichol
Comment

My name is Mark Nichol, I live at 24 Redwood Dr. in Ross. I am strongly opposed to having a new apartment building placed on 1 Ross Common (the parking lot of the post office) proposed in the draft housing element. I believe this would dramatically change the feel of the Common, reduce parking (which is already limited) and permanently negatively impact the Ross downtown we all love, among many other negative outcomes. Frankly, I'm disappointed to hear that this would even be considered. My recommendation would be to rely on ADU construction to reach the targeted 110 units by 2031 outlined in the draft housing element by simplifying and streamlining the ADU approval process and encouraging families to pursue adding these units to their properties. Please do not pursue putting a new apartment building on the Common and seek an alternative solution. Thank you.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1309>

From: [Town of Ross California](#)
To: [Rebecca Markwick](#)
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 3:06:08 PM

Submitted on Friday, November 18, 2022 - 3:05pm

Submitted by anonymous user: 98.37.13.165

Submitted values are:

Name Laura Nichol

Comment

My name is Laura Nichol, and I live one block from downtown Ross. I am very concerned with the proposal to have a new apartment building placed on 1 Ross Common -- right in downtown Ross which would negatively impact our small downtown. I think we should focus on ADU construction to reach the targeted 110 units by 2031 outlined in the draft housing element by simplifying and streamlining the ADU approval process and encouraging families to pursue adding these units to their properties. Please reconsider this location. Thank you for your consideration.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1310>

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 9:36:16 PM

Submitted on Friday, November 18, 2022 - 9:36pm

Submitted by anonymous user: 67.169.14.35

Submitted values are:

Name Mehul Patel
Comment

I do not support the 12 units proposed for downtown Ross as they would significantly alter the landscape and charm of our small town. Of particular concern are the highly visible units next to the post office. We need to preserve the history and charm of our town by finding an alternate location for these units. as well as removing much needed parking spots. We would like to have these units placed elsewhere.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1325>

From: [Town of Ross California](#)
To: [Rebecca Markwick](#)
Subject: Form submission from: Draft Housing Element Public Review
Date: Saturday, November 19, 2022 9:37:45 AM

Submitted on Saturday, November 19, 2022 - 9:37am

Submitted by anonymous user: 73.170.99.214

Submitted values are:

Name Marni Phippen

Comment

I do not support the 12 units proposed for downtown Ross as they would significantly alter the landscape of our small town. Of particular concern are the highly visible units next to the post office. We need to preserve the history and charm of our town by finding an alternate location for these units.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1331>

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 12:11:26 PM

Submitted on Friday, November 18, 2022 - 12:11pm

Submitted by anonymous user: 73.222.162.52

Submitted values are:

Name Marilyn R Riede

Comment

Hi Rebecca, thank you for your earlier email responding to my questions. I am still looking for a map of the proposed properties that would be used to satisfy the housing. The IJ had some of the information. I must say that my husband Rick and I are both opposed to using anything at the post office area. Makes downtown too crowded among other things. Tried to click on a map on the letter attached and couldn't get anything. Thank you. Marilyn Riede

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1308>

From: [Emily Rice](#)
To: [Rebecca Markwick](#)
Subject: Draft Housing Element Comments
Date: Friday, November 18, 2022 3:54:01 PM

Hi Rebecca:

Thank you for all your work on the housing element, the email that went out today, and the open house on November 7th.

I wanted to write to share a couple thoughts, as a Ross resident and property owner (20 Redwood Drive; former resident of 54 Winship Avenue).

I know many of the neighbors in my area have expressed opposition to the inclusion of the **parking lot south of the post office as a potential site for housing. I actually am fine with this idea**, and think it could be a nice way to extend our quaint downtown. Also controversially I'm sure, I would actually **prefer that any new structures there also be multi-use** (retail/office/restaurants at street level and housing above) to create continuity with the "commercial district," rather than just housing raised above parking in order to preserve a few spots.

The **most concerning proposal for new housing in the element, in my mind, is the 10 new units at Branson**. There is already incredible traffic on quiet residential roads (Fern Hill, Norwood, etc.) due to Branson's student population. The addition of crossing guards is, frankly, annoying and does not address the issue - which is inappropriate use of those roads by a large organization with intensive transportation needs. Given this context, **I don't see why Branson should be supported in wanting to add any additional usage at all to their site, let alone 10 new units**, which would house, I assume, anywhere from 10-50 additional people. Perhaps Branson should relocate to a site better suited to their needs, and then all of that land could be redeveloped into new housing - which I imagine would help quite a bit in meeting our 111 required new units.

Lastly, I think I mentioned this during the meeting, and it sounds like the town is firm on the proposed policy, but **I think we should consider alternative means of encouraging/easing ADU permitting and construction that don't require deed-restricting the units as low-income**. I suspect not many property owners in Ross will be interested in such a length deed-restriction, if they actually intend to rent it out as opposed to using it as a guest house or pool house. Additionally, one of the use cases brought up several times at the meeting was older residents who want to age in place, and either house a caregiver in the ADU, or move into the ADU and rent the primary residence. My grandma, an older Ross resident, has thought many times about building an ADU for exactly this purpose, but has been put off by the lengthy permitting process. However, these scenarios don't fit within the low-income deed restricting scenario, and thus wouldn't benefit from the mechanisms proposed to make ADU construction more feasible for property owners.

Thank you again for your time - I know I am just one voice of many and imagine that there are quite a few different opinions about this matter - but I appreciate the opportunity to share my thoughts and preferences for the future development of our town.

Best,

Emily

--

Emily Rice

emily.w.rice@gmail.com

415.497.0763

From: [Kyle Rosseau](#)
To: [Rebecca Markwick](#)
Subject: Housing Element - Downtown Proposal
Date: Saturday, November 19, 2022 4:43:43 PM

Hello Rebecca,

We live in Ross (45 Poplar Ave) and wanted to voice our strong opposition to the town's recommendation for affordable housing in downtown Ross (Post Office Parking Lot). When we decided to move to Ross the contributing factor was the quaint downtown. We feel building out the downtown area with apartments would compromise the community integrity.

We understand the state mandate and feel there are other locations being proposed which could help meet the requirements. We also hope the town is encouraging ADU's to assist in meeting the target number of affordable units.

Kyle and Kathryn Rosseau
45 Poplar Ave Ross

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 7:59:55 PM

Submitted on Friday, November 18, 2022 - 7:59pm

Submitted by anonymous user: 24.130.51.142

Submitted values are:

Name Alan Sandler, Laura London

Comment We live at 21 Redwood Drive and are opposed to the Draft Housing Element.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1323>

From: [Christa Johnson - Town Manager](#)
To: [Rebecca Markwick](#)
Cc: [Linda Lopez](#)
Subject: FW: SB # 9 (Designation of Possible Sites)
Date: Thursday, October 13, 2022 4:28:50 PM

fyi

*Christa Johnson
Town Manager, Town of Ross
PO Box 320
Ross, CA 94957-0320
415-453-1453 x107
cjohnson@townofross.org*

From: Gary Scales <garrettscales@comcast.net>
Sent: Thursday, October 13, 2022 4:18 PM
To: CouncilAll <towncouncil@townofross.org>
Subject: SB # 9 (Designation of Possible Sites)

Sorry this is so late. And I appreciate there are a lot of moving parts to these deliberations.

I would like to see the Council study whether housing can be developed on the Civic Center parcel along the west side of Sir Francis Drake to Lagunitas Road.

It sounds like the firehouse and Town Hall are due for replacement. It would seem to make sense to have this location also be a high-priority site.

Building housing along the Common and the Ross Creek would seem to destroy the entire feeling of our community center that so many of us have worked so long to enhance and protect. Our founding trustees specifically took steps to protect the Common for the benefit of all Ross residents. I am sure they never envisioned it as affordable housing for Marin County families with below average incomes.

Thanks for all your good efforts, and no response is expected or necessary.

Cheers, Gary

Garrett P. Scales
4 Berry Lane # 1729
Ross, CA 94957

Tel: (415) 453-7373
[E-Mail: garrettscales@comcast.net](mailto:garrettscales@comcast.net)
Website : garyscales.com

From: [Rebecca Markwick](#)
To: [Rebecca Markwick](#)
Subject: FW: Planned Housing Element Open House
Date: Thursday, November 17, 2022 7:43:20 AM
Attachments: [image001.png](#)

Rebecca Markwick
Director of Planning and Building



P.O. Box 320
Ross, CA, 94957-0320
415-453-1453 x121
rmarkwick@townofross.org

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From: Julie McMillan <juliemcmillan@comcast.net>
Sent: Sunday, November 6, 2022 10:25 AM
To: Christa Johnson - Town Manager <cjohnson@townofross.org>; Rebecca Markwick <rmarkwick@townofross.org>
Subject: Fwd: Planned Housing Element Open House

Gary Scales is a former Mayor, highly regarded

Please excuse typos --
Sent from my iPhone

Begin forwarded message:

From: Gary Scales <garrettscales@comcast.net>
Date: November 6, 2022 at 10:14:29 AM PST
To: Julie McMillan <juliemcmillan@comcast.net>, Elizabeth Robbins <eliz.robbins@gmail.com>
Subject: Planned Housing Element Open House

Hi Julie and Elizabeth, I must be in Sacramento on Monday and will be unable to attend the Open House on the housing element of the Ross General Plan.

I also share Barbara Call's concerns regarding why our Town Planner apparently is insisting that our precious and historic, and flood-prone downtown area must be designated for low-cost housing units.

With all the publicity and press perhaps I do not fully appreciate the process. I am not asking for an explanation but I find it very difficult to accept the fact that "The State has

mandated 111 very low and low housing units must be built in the Town of Ross by 2030."

No need to respond. Just wanted to share my views.

All best, Gary

Garrett P. Scales
4 Berry Lane # 1729
Ross, CA 94957

Tel: (415) 453-7373
E-Mail: garrettscales@comcast.net
Website : garyscales.com

From: Town of Ross California
To: Rebecca Markwick
Subject: Form submission from: Draft Housing Element Public Review
Date: Friday, November 18, 2022 3:59:32 PM

Submitted on Friday, November 18, 2022 - 3:59pm

Submitted by anonymous user: 67.188.203.101

Submitted values are:

Name Gary Scales

Comment

I am strongly opposed to any mandated housing of any kind at or near the Ross Common, Post Office, or parking area near CBD. Please use the land the town owns on Sir Francis Drake. Plenty of housing could be built on the site of where the firehouse currently is located as well as the corporation yard and storage areas to the north. Housing should not be anywhere near the Ross Common, and certainly not above or adjacent to, the existing parking south of the Post Office.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1311>

From: [Julie Mcmillan](#)
To: [Rebecca Markwick](#)
Subject: Fwd: Richard Thalheimer on Housing Element
Date: Friday, November 18, 2022 7:38:04 AM

Fyi

Begin forwarded message:

From: Richard Thalheimer <richard.thalheimer@gmail.com>
Subject: Richard Thalheimer on Housing Element
Date: November 18, 2022 at 7:30:48 AM PST
To: cjohnson@townofross.org, towncouncil@townofross.org

This email is to convey my objection to the SB-9 Housing Element proposal. As many have stated, there are concerns regarding quality and character of life in the town, increased traffic, limited parking availability, the number of residents in each unit, the limiting of the size of each unit, and possible flooding concerns, and other issues.

It will diminish the small town ambiance and environment that we treasure.

Please consider participating in the various cities SB-9 lawsuits, as well as supporting the Our Neighborhood Voices Initiative.

Please let me know if I can support you in any way in this effort. I think it is totally wrong that the state has pushed this initiative, and hope we can push back with all available means.

Sincerely,

Richard Thalheimer
30 Redwood Drive, Ross
415-2056000

PS. I am copying in a previous residents' communication, which makes salient points:

1. First of all, the "housing shortage emergency" is a misnomer. Ross has always had a "housing shortage", so to speak. Not everyone can afford to live here.

2. Ross is a small town...less than 1.5 square miles with mostly treed hillsides. I doubt it can absorb 111 new units without harming the character of the Town and reducing the quality of life for its residents.

3. I imagine property values will decline with the increased density, increased traffic, and lack of parking.

4. I imagine there will be an increase in crime rates, and wonder about the impact on the school and our parks. And I wonder about the increased demand for resources such as water, sewer hookups, emergency services.

5. It's never been made clear just how many people will be living in each of these 111 units...2 per unit, or 222 more cars on the road, and 222 more parking spaces needed. Will there be children and/or multiple families in each unit? Any development that increases the traffic and reduces the parking in the downtown area should be avoided.

6. Our downtown area is charming and special. What good can come from developing low-income housing in downtown Ross? It would be better to prioritize redeveloping the commercial district and supporting the current businesses that are trying to survive, and place the housing units elsewhere.

7. It would be a travesty to have multiple family low-income apartment buildings around the post office, and in the post office parking lot, and anywhere in downtown Ross. The charm and small town character of Ross needs to be preserved.

8. The Town Council promised to preserve and protect Ross. Yet, on your map of possible sites, there are 13 low-income, and very low-income, sites being suggested around the post office and parking lot and along Poplar. How many people will be living in these units?

9. These are prime and very visible downtown areas, and low-income housing complexes will have a devastating effect on the character of our town.

10. Parking and traffic will become a nightmare. Where will the cars go? Where will people park their cars?

11. What will happen to the trees that are in the park areas? Will they be cut down in order to put up low-income housing? SB-9 does not care about environmental issues.

12. What about these areas being in a flood zone? What about higher density contributing to increased fire risk?

From: [Town of Ross California](#)
To: [Rebecca Markwick](#)
Subject: Form submission from: Draft Housing Element Public Review
Date: Saturday, November 19, 2022 7:08:26 AM

Submitted on Saturday, November 19, 2022 - 7:08am

Submitted by anonymous user: 107.77.213.212

Submitted values are:

Name Jessica Viripaeff

Comment

I do not support the 12 units proposed for downtown Ross as they would significantly alter the landscape of our small town. Of particular concern are the highly visible units next to the post office. We need to preserve the history and charm of our town by finding an alternate location for these units.

The results of this submission may be viewed at:

<https://www.townofross.org/node/4299/submission/1328>

From: [Julie McMillan](#)
To: [Rebecca Markwick](#)
Subject: Fwd: Low income housing
Date: Saturday, November 19, 2022 8:46:02 PM

FYI

Please excuse typos --
Sent from my iPhone

Begin forwarded message:

From: "Weisel, Thom" <tww@stifel.com>
Date: November 19, 2022 at 8:28:59 PM PST
To: towncouncil@townofross.org
Cc: Debbi Quick <DQuick@perkinscoie.com>
Subject: Low income housing

To the council : if you are considering the property next to 7 upper rd for your low income housing project I will strongly object. Thom weisel.

Sent from my iPhone

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From: Mindy
To: [Rebecca Markwick](#)
Subject: Concerns about new housing
Date: Saturday, November 19, 2022 8:00:11 AM

Hi there,

We reviewed the proposed spots for new additions of housing and have some concerns about the post office and other downtown locations. For one, the post office provides parking for the Ross School and Commons activities, and would be a mess to not have places for existing residents to park. Also not a huge fan of the location near downtown. Hoping we can find the right balance of ADUs + housing to make this work.

Thanks!

Mindy & Mike Whittington at 41 Poplar

Mindy Whittington
310-403-6978