

# 1.0 INTRODUCTION

## 1.1 OVERVIEW

California's housing and planning laws require every town, city, and county to have a General Plan with at least seven elements, including a Housing Element. The General Plan is the constitution for development in Corte Madera. The General Plan is a long range planning document that describes goals, policies and programs to guide decision-making in land use and other important areas of local government. Unlike the other mandatory General Plan elements, the Housing Element is required



*San Clemente Place*

to be updated every eight years, and is subject to detailed statutory requirements and mandatory review by a State agency — HCD (Department of Housing and Community Development). 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 are zoned and available within the 8 year housing cycle to meet the city’s fair share of regional housing needs at all income levels.
- Be reviewed by the State Department of Housing and Community Development (HCD) to determine whether or not the element complies with state law.
- Be internally consistent with other parts of the General Plan.

This document is an update of the Town’s State-certified Housing Element that was adopted in April 2011.

## 1.2 HOUSING IN CORTE MADERA

The Town of Corte Madera is located in Marin County, approximately eight miles north of the Golden Gate Bridge. Incorporated in 1916, the Town of Corte Madera encompasses approximately 4.5 square miles in total. However, 1.25 square miles of this area is submerged under bay waters and .67 square mile is protected marshland, leaving a net land

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area of 2.55 square miles. Parks, open space, and flood control areas comprise 0.38 square mile of this net land area. Highway 101, the main freeway connecting San Francisco with the Marin communities and Sonoma County, bisects Corte Madera. The Town's most significant growth period was from 1940 to 1970 when the community's population increased from 1,098 to 8,464.

Housing affordability in Marin County and in the Bay Area as a whole has become an increasingly important issue. Corte Madera's housing conditions are reflective of many area-wide and even nation-wide trends. Over the past several decades, housing costs have skyrocketed out of proportion to many people's ability to pay, with increasing construction and land costs contributing to the rise in housing prices, and in the Bay Area in particular, the high demand for housing pushing prices even higher. This mismatch in household incomes and housing costs has a number of implications: it becomes more difficult for employers to recruit and retain employees; roadways are clogged with workers traveling longer distances; and many young families, longtime residents, and other community members relocate because they can no longer afford to live in the community.

There are limitations to what the Town of Corte Madera can do about these housing affordability problems. The Town is essentially built out, with extremely limited land remaining for additional housing. Available residential sites are mostly limited to steep parcels with restrictions due to access problems, soil stability, drainage, parking, etc. The primary means Corte Madera has to address its affordable housing needs is the development of a very limited number of vacant and underutilized parcels and through development of second units on single-family parcels. One of the challenges of Corte Madera's Housing Element update will be to properly address local housing needs and regional fair share requirements while ensuring that new housing will "fit-in" with the character, quality, environmental constraints and resources of the community.

## 1.3 THE 2009 GENERAL PLAN

State law requires a community's General Plan to be internally consistent. This means that the policies of one element are not legally superior to the policies of another. Every element of the General Plan must be consistent with all other elements. Each element's analysis and goals, policies, and implementation programs must be consistent and complementary. The 2015-2023 Housing Element has been drafted to be consistent with the rest of the General Plan, which was updated in 2009. When any Element of the General Plan is amended in the future, the Housing Element will be reviewed and amended, if necessary, to ensure consistency.

In 2011, the Governor signed SB 244 which requires local governments to make determinations regarding "disadvantaged unincorporated communities," defined as a community with an annual median income that is less than 80 percent of the statewide annual median household income. The Town has determined that there are no unincorporated island, fringe or legacy communities, as defined in the legislation, inside or near its boundaries.

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## 1.4 HOUSING ELEMENT LAW

State law establishes requirements for all portions of the General Plan. However, for the Housing Element, the State requirements tend to be more specific and extensive than for other elements. The purpose of a housing element is described in Government Code §65583.

*"The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community."*

While jurisdictions must review and revise all elements of their General Plan on a regular basis to ensure that they remain up to date (approximately every ten to fifteen years), State law requires that Housing Elements be reviewed and updated every eight years. The process of updating Housing Elements is to be initiated by the State through the 'regional housing needs' process, described below.

State law is also quite specific in terms of what the Housing Element must contain:

- a. "An assessment of housing needs and an inventory of resources and constraints relevant to meeting these needs;"
- b. "A statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing;" and,
- c. "A program, which sets forth a schedule of actions...to implement the policies and achieve the goals and objectives."

Most importantly, the Housing Element must: (1) Identify adequate sites with appropriate zoning densities and infrastructure to meet the community's "fair share" housing needs (including housing for extremely low, very low, low and moderate income households); and (2) address and, where appropriate and legally possible, remove governmental constraints to housing development.

State law requires that every updated Housing Element be submitted to the State of California's Department of Housing and Community Development (HCD) to ensure compliance with the State's minimum requirements. This 'certification' process is unique among the General Plan elements.

Housing Elements are submitted twice to HCD for review and comment: Once during development of the Housing Element (in draft form), and again after adoption of the Housing Element by the local jurisdiction. The first review period requires a maximum 60 days and must take place prior to adoption by the Corte Madera Town Council. During the first review, HCD will provide comments to the Town regarding compliance of the draft Element with State law requirements and HCD guidelines. Modifications to the draft Housing Element in response to these comments are appropriate. The Town Council must consider HCD's comments prior to adoption of the Housing Element as part of the General Plan. The second review requires a maximum 90 days and takes place after adoption. It is after the

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second review that written findings regarding compliance are submitted to the local government.

For this housing element cycle, HCD is providing eligible local governments with an option to utilize a streamlined review process. This new process is intended to create efficiencies in the preparation of the updated element as well as clarity and brevity in HCD's review process. Recognizing that much of the information in an existing and previously-certified housing element may still be current, the streamlined review allows the local government to submit a housing element that indicates where changes have been made. HCD will review the changes that have occurred since the prior planning period and will accept those sections that have not changed as continuing to be in compliance with statutory requirements.

## REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

A unique aspect of State Housing Element law is the "regional fair share" standard. Every town and county in the State of California has a legal obligation to provide for its "fair share" of the projected future housing needs in the region in which it is located. For Corte Madera and other Bay Area jurisdictions, the Regional Housing Need Allocation (RHNA) is determined by the Association of Bay Area Governments (ABAG), based upon an overall regional housing need number established by the State. That need is divided into four income categories of housing affordability. The Housing Element must demonstrate that the Town has adequate suitable sites and the development of the community's RHNA allocation is feasible within the 2015-2023 timeframe. Table 1 shows Corte Madera's RHNA for the current Housing Element.

**Table 1 Regional Housing Needs Allocation, January 1, 2014 to October 31, 2022**

Income Category	Very Low	Low	Moderate	Above Moderate	Total Units
2014-2022 RHNA	22	13	13	24	72
Units Under Construction					
Tam Ridge Residences	4	12	2	162	180
Single Family				3	3
Units Built					
Second Unit		1			1
<b>Remaining Need</b>	<b>18</b>	<b>0</b>	<b>11</b>	<b>-141</b>	

*ABAG; Corte Madera Planning & Building Department, 2014*

The Town receives credit toward the RHNA for new units built, under construction or approved since January 1, 2014.

## 1.5 SOURCES OF HOUSING DATA

The main sources of data used to prepare the Housing Element were the 2010 U.S. Census and the 2012 American Community Survey (five-year estimates). The Census remains the most comprehensive and widely accepted source of information on demographic

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characteristics, and provides consistency with other regional, State and federal housing plans. The American Community Survey (ACS) is an ongoing statistical survey that samples a small percentage of the population every year. The ACS survey can have wide margins of error, especially for small communities, but the survey collects information that is not covered by the decennial Census. All ACS figures reported in this housing element should be regarded as estimates.

Additional data sources included:

- Population projections and housing counts from the California State Department of Finance;
- The Association of Bay Area Governments (ABAG) Projections 2013 document provides population, household and employment projections;
- Household income and affordability data by type of household is derived from the Comprehensive Housing Affordability Strategy (CHAS) prepared by HUD utilizing 2011 American Community Survey 5-year estimates;
- Housing market information is updated through RealFacts rental surveys, Marin County Assessor sales data, and internet real estate listings and sales data;
- ABAG's 2014-2022 Regional Housing Needs Plan for the San Francisco Bay Area provides information on existing and projected housing needs; and
- The Marin Housing Authority and the Marin Countywide Housing Workbook (2009);
- Commuting data is obtained from the Census Transportation Planning Package utilizing the 2010 American Community Survey 5-year estimates;
- Wage data is from the State of California Economic Development Department.

## 1.6 PREPARATION OF THE HOUSING ELEMENT

The Housing Element must identify community involvement and decision-making processes and techniques that are affirmative steps to generate input from low-income persons and their representatives, as well as from members of the community. This means that input should be sought, received, and considered before the draft Housing Element is completed. Requirements for public participation are described in Section 65583(c)(8) of the Government Code.

The Corte Madera Housing Element update process began with two community workshops held on June 30 and July 24, 2014, to solicit comments from the community on directions for the Housing Element. This input helped identify key issues and strategic directions to pursue in the Housing Element update.

The overall intent of the community workshop was to solicit ideas for the update of the Town of Corte Madera Housing Element. Specific purposes of the community workshop were to (1) share information on demographic trends, housing needs, and existing housing

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conditions; (2) review progress made to date in implementing the housing element and provide a forum to hear from community members about how the Town can improve housing policies and programs, (3) identify possible housing strategies to consider in the Housing Element Update, (4) share perspectives on barriers and opportunities for the development of affordable housing in Corte Madera, and (5) review affordable housing opportunity sites to retain in the Town's Housing Element Update.

Noticing for the community workshop included outreach via the Town's e-notification system and on the Town's website, contact with affordable housing advocates and providers, advertisements in the locally published newspapers, and a notice posted on the Corte Madera Recreation Center reader board. The Marin Environmental Housing Collaborative, Fair Housing of Marin, and the Marin Workforce Housing Trust were notified of the workshop. In addition, the following organizations were notified of the Planning Commission and Town Council meetings on the housing element: EAH; Housing Leadership Alliance; League of Women Voters; Legal Aid of Main; Marin Center for Independent Living; Marin Community Housing Action Initiative; Marin Grassroots; Marin Partnership to End Homelessness; Northbay Family Homes; Public Advocates; Ritter Center; and West Bay Housing.

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

1. Encourage the development of second units, recognizing that these can provide an important source of income for lower-income seniors who want to age in place, as well as affordable housing for caretakers and other lower-income service providers or family members.
2. Improve housing options for seniors.
3. Consider commercial sites that can accommodate mixed use housing.
4. Look at underutilized sites with aging and/or functionally obsolete buildings for potential affordable housing sites.
5. Advance sustainability goals, e.g., encourage housing within walking distance of transit and major destinations, and promote home offices and live-work spaces.

A summary of the community workshops is included in Appendix A.

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

## 1.7 2011 HOUSING ELEMENT ACCOMPLISHMENTS

Government Code Section 65588 requires that the Housing Element include an analysis of the effectiveness of the Element, progress in implementation, and the appropriateness of goals, policies, and programs.

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Corte Madera’s current Housing Element was adopted by the Town Council on April 5, 2011. The California Department of Housing and Community Development certified the Housing Element on July 18, 2011. The goals policies and programs have been successful, despite the great recession which significantly reduced housing production in all jurisdictions. The Town met 75% of its low and very low income housing need through the development of an affordable housing project at San Clemente Place . Table 2 shows housing production during the last housing element cycle, based on certificates of occupancy issued between 2007 and 2013.

**Table 2 Housing Production, January 2007 through December 2013**

	Very Low	Low	Moderate	Above Moderate	Total
San Clemente Place	60*	19			79
Single Family Dwellings				2	2
Second Units			2		2
Totals					83
Regional Fair Share Housing Need	68	38	46	92	244
<b>Percent of Fair Share Need met</b>	<b>88%</b>	<b>50%</b>	<b>4%</b>	<b>2%</b>	<b>34%</b>

\* 60 units are affordable to extremely low income households

Source: Corte Madera Planning & Building Department, 2014

In addition to new housing production, the Town conserved 31 affordable ownership units, in addition to other rehabilitated homes, meeting its quantified objective for the 2007-2014 planning period. Seventy two units of the 126-unit Madera Vista project (now known as the Preserve at Marin) were rehabilitated, while the remaining units are currently under construction.

Implementation programs completed since adoption of the 2011 Housing Element include:

- Adopted zoning provisions to accommodate emergency shelters pursuant to Government Code Section 65583(a)(4)(A). Emergency shelters are now a permitted use in the Public/Semi-Public District. (Program H-1.5.a.b)
- Revised the Zoning Ordinance to comply with Government Code Section 65583(a)(5) to allow transitional and supportive housing as a residential use in all zoning districts, subject to the same permitting procedures and development standards required of housing of a similar type in the same zone. (Program H-1.5.a.a)
- Adopted a Reasonable Accommodation Ordinance to establish a procedure for individuals with disabilities to make requests for reasonable accommodation in land use, zoning and building regulations, policies and procedures. (Program H-1.5.b)
- Amended the Zoning Ordinance to include Mixed Use at the Corte Madera Gateway Area (MUGD) Overlay District. A 180-unit multifamily development is now under construction on the site. (Program H-2.7.b)
- Adopted an ordinance to establish provisions for complying with State density bonus law (Government Code Section 65915 to 65918).
- Adopted a Nuisance Ordinance that authorizes the Town to abate poorly maintained properties. (Program H-3.7.b)

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This Housing Element has considered the effectiveness of the 2011 policies and programs and has continued, amended, or deleted programs based on lessons learned and evolving housing needs. Appendix B is a full review of programs in the 2011 Housing Element.