



TIBURON GENERAL PLAN UPDATE

Housing Workshop I Q&A

November 9, 2021, 6:00-8:00pm

A community workshop on housing was held via Zoom on Tuesday, November 9, 2021, from 6:00-8:00 pm. The following are responses to questions entered into the chat during the meeting.

RHNA calculations and requirements

How many units of workforce housing do we need? While there is no definition of “workforce housing” in state law, if you include both the Very Low Income and Low-Income categories, the RHNA requirement for Tiburon would be 303 units.

Did you just say that Tiburon is not REQUIRED to build, but just identify possible areas? Yes. State law requires that the Town’s Housing Element identify sufficient sites and development regulations that would allow construction of the required number of units. The Town is not required to build the units and is not responsible for actual construction of units, although jurisdictions that do not achieve the RHNA numbers may be subject to additional requirements and may become ineligible for some grant funds.

Is the 639-unit requirement for Tiburon one for which there must be actual physical production of units or can the requirement be met another way to achieve the desegregation and mixed income objectives? The number of RHNA units must be planned for. In addition, the Housing Element must contain policies and programs to further fair housing and social equity objectives.

Do your figures include unincorporated areas of Tiburon? No, these are under County jurisdiction (which also has its own RHNA requirement).

Does a potential site need developer or owner interest? No, sites can be identified for potential housing development without owner consent or interest. However, in the case of currently developed sites that are listed as having redevelopment potential, state housing element reviewers may accept declarations of owner or developer interest to allow these sites to be counted towards the jurisdiction’s RHNA.

What is the difference between high opportunity and high resource variables in the model to allocate housing numbers? None. The factors used by the Association of Bay Area Governments (ABAG) in devising the RHNA formulas give greater weight to housing development in High Resource areas (areas with good schools, higher employment, high educational achievement, and low poverty rates) on their Opportunity Map.

By when does the plan require that these units start to become available for moving in? The units, to count towards meeting the Town’s RHNA, must be permitted during the housing element planning period of January 1, 2023, through January 31, 2031. Units that are approved or permitted during the



RHNA projection period beginning on June 30, 2022, may also be credited toward the RHNA requirement.

Is there an expected average occupancy # per unit? The California Department of Finance that the current average occupancy is 2.42 persons per occupied housing unit.

Is there a penalty for not accomplishing the whole high number? No, although state laws have been moving towards imposing additional reporting requirements or ineligibility for certain grant funds for jurisdictions which fail to achieve actual construction of planned units. For jurisdictions that do not issue permits for enough housing to keep pace consistent with RHNA building goals, a developer can elect to use a ministerial process to get project approval for residential projects that meet certain conditions.

Senator McGuire is talking about legislation to address unrealistic RHNA's. If RHNA's modified, will that affect the housing element update? If there is a change in state law applicable to RHNA requirements for the Town, the Housing Element will reflect that change.

Affordable housing

How many units of workforce housing do we have in Tiburon currently? The Town has 167 deed-restricted affordable units.

How is there even affordable living here in Tiburon for the people that need affordable housing? There are people that have moved out because it is unaffordable to live here. Housing is considered “affordable” if a household spends no more than 30% of its annual household income on housing costs. Approximately 69% of Tiburon households are living in housing that is considered affordable to their household income bracket. Providing additional affordable housing at market rates may be achieved by increasing the housing supply and providing more variety of housing types (e.g., apartments, accessory dwelling units, and smaller homes). Housing affordable to lower-income households is typically built by affordable housing developers – which entails significant subsidies – or by housing developers when required by the local government to include a certain percentage of deed-restricted units affordable at specified income levels.

Why is Tiburon lagging in affordable housing behind other towns? Tiburon is handicapped in the ability to attract the development of affordable housing by very high land prices, lack of vacant property, and lack of large sites.

Realistically based on the past two cycles where only 13 and 19 units were produced, how many units of the 639 do you anticipate will be developed? It is impossible to predict how many housing units will be built in the next 8-year planning period due to variabilities in the real estate and finance markets, development interest by local property owners, and provision of development incentives.

Are we required to provide incentives to bring the production number up? The Town is required to remove impediments to housing construction, which could include easing zoning restrictions, reducing fees, providing subsidy funds, etc.



Has the siting of workforce housing been successful in reducing traffic and trips? There are numerous studies that correlate reduction in vehicular trips with increased housing densities and housing located close to commercial services and transit.

Why are there not more ADUs? It's a great option for renters and owners. Only approximately 3 ADUs are built in Tiburon annually. State laws have been repeatedly revised to reduce zoning restrictions and utility costs for second units, but actual construction of ADUs remains relatively low, largely because property owners do not wish to compromise their privacy and construction costs can be prohibitive.

Will the affordable housing be Section 8 housing? Not necessarily. Some affordable units are for-sale. Section 8 housing vouchers are issued by the County Housing Authority to qualifying renters who may use them in any rental unit.

Is there any thought of the town to purchase land to lower the cost of development/ownership (community land trusts)? This may be a program for consideration by the Town Council. Some communities create housing subsidy funds through mechanisms such as a property transfer tax (on resale).

Did I hear that you were proposing to eliminate the affordable housing overlay downtown – why? The AHO Overlay created in 2010 has not resulted in any affordable housing development. The new General Plan will recommend modifications to multi-family zoning regulations that may not rely on the AHO Overlay.

Any legs to implement inclusionary housing (not just into a fund) for multifamily developments so they are required to supply affordable housing units in the development plans? Several Marin communities have inclusionary housing requirements where a minimum percentage of all rental or ownership units built must be deed-restricted for long-term affordability. Some communities also require that new commercial space contribute to an affordable housing fund. However, inclusionary requirements do increase the cost of overall housing development and needs to be analyzed in the Housing Element as a possible constraint to housing production.

How about Tiburon subsidies for utility upgrades/installation for those increasing density? The Town's affordable housing overlay currently contains provisions for the Town to subsidize hook-up fees or other fees charged by special districts up to 100% for affordable units, as well as to waive or reduce certain Town application and development fees. Since 2020, the Marin Municipal Water District has waived new water connection fees for qualifying accessory dwelling units.

What would rent-to-buy opportunities look like? The Town typically does not impose requirements for how housing units are sold.

SB 9 (new law allowing division of single-family lots and duplex development)

What about a homeowner converting their home to a 4-plex, as I believe is now allowed under CA law? SB 9 will allow single family homeowners with lots at least 2,400 square feet in size to divide the lot to create a second parcel. The law also allows single family properties to have two units which could include adding a second independent unit or redeveloping the site with a duplex. There are a number of



restrictions on application of SB 9, including if the housing unit had been rented in the previous three years.

Will people be able to cram 2 two-story buildings on one lot in a single family neighborhood now? Will there be any considerations for the impact on a stressed density already? As noted above, SB 9 will allow additional housing units and parcel splits in existing single family zones. The degree of owner interest in adding an additional unit or splitting their parcel is unknown.

How big are the single family lots that can be divided to include another home? The minimum lot size allowed under SB 9 is 1,200 square feet.

Why couldn't the split lot developments be affordable – e.g., 800 square foot homes? The idea behind SB9 allowing such small units (min. 800 square feet) is that these will be more affordable by design.

Infrastructure

How is our infrastructure going to handle 600+ more units with more cars and traveling throughout Tiburon? The General Plan update will include an analysis of traffic as part of the Environmental Impact Report and the Circulation Element will include policies and programs regarding reducing vehicular trips.

How can Tiburon handle 600 more units? Specifically, how will we expand our schools? How will this change Tiburon's fire and evacuation processes? What about traffic and other impacts? These issues will be analyzed as part of the Environmental Impact Report.

Infrastructure is also classrooms! If Reed School has extra land, it will need that for more classrooms. Staff will discuss with RUSD staff projected demand for additional classrooms and the potential for building housing on the Reed School site.

Where will the water come from? The Marin Municipal Water District has not restricted new water connections. Their demand projections must take into account regional growth projections. Current landscape and building codes result in new housing units requiring much less water than existing homes.

As the currently zoned space for 20+ units/acre doesn't appear to meet RHNA demands, is the town required to rezone other properties? Yes, additional sites for multi-family development will be considered as well as the zoning regulations necessary to achieve the RHNA allocation.

Potential Housing Sites

What about more areas for development near Nugget on the far side of Tiburon (Cove Shopping Center) or near Strawberry where there is greater infrastructure? The Cove Shopping Center will be examined for redevelopment potential. Strawberry is unincorporated and subject to the County's housing policies and RHNA allocation.

The areas identified around Beach and Tiburon Blvd. are privately owned. How do you propose convincing them to develop affordable units? The Town can only provide policies and development regulations which incentivize housing development.

Could Angel Island be included to meet the housing requirement? While Angel Island is within the Town limits, the island is a state park owned entirely by the State of California and is not subject to local



policies and zoning. The land could be used to accommodate RHNA if documentation, such as approved development plans, can be provided that demonstrates the likelihood that housing will be constructed within the planning period.

Why not encourage larger lots (RO1-RO2) to build subsidized units or two? Must we subdivide the land? As noted above, SB 9 was adopted by the state and will allow the construction of additional units and parcel splits for single family properties.

Why not incorporate unincorporated areas into Tiburon that support more housing? Tiburon's designated Sphere of Influence mostly includes unincorporated County properties along the bayside of the Tiburon peninsula which is largely already developed with single family homes and have steep slopes, limited access, and older utilities. The Eagle Rock neighborhood located north of Tiburon Blvd and west of Bay Vista Drive is also within the Town's Sphere of Influence, but it is unlikely that this area could be incorporated in time to be utilized as a housing opportunity site in the Housing Element.

Sustainability

How do we make the housing beautiful and sustainable? What about building and grounds maintenance? The new General Plan will include recommendations for new building design to address design objectives and a Sustainability Element which will address green building and infrastructure requirements.

Will there be requirements in the Housing Element for EV charging infrastructure for multi-unit dwellings/housing to encourage conversion to EVs? The Sustainability Element will address EV policies and programs.

Will natural gas be banned from new housing units in favor of all-electric buildings as many towns are doing? Building energy use will also be addressed in the Sustainability Element.