04.

HOUSING

YOU ARE HERE...

CONTENTS

1 INTRODUCTION
2 LAND USE
3 DOWNTOWN
4 HOUSING
5 DIVERSITY, EQUITY + INCLUSION
6 MOBILITY
7 NOISE
8 SUSTAINABILITY
9 CONSERVATION
10 OPEN SPACE, PARKS + RECREATION
11 SAFETY + RESILIENCE

4.1 PURPOSE OF THE CHAPTER

Tiburon's residents live in a variety of housing types, including single-family homes, duplexes, multifamily buildings, and accessory dwelling units (ADUs). Housing development over the past decade has been slow and limited to single family homes on the few remaining vacant lots in town and a small number of ADUs each year. As a result of the constrained housing supply and the desirability of living in Tiburon, housing is extremely expensive, pricing out younger families, those who work in lower-paying service occupations, and those who have been historically excluded from housing opportunities. The Town recognizes that an adequate supply of housing – and especially affordable housing – is essential to creating and maintaining a vibrant, diverse, and sustainable community.

The Housing chapter includes the following sections.

4.2 2023-2031 Housing Element.

Provides an overview of the State-mandated housing element process, the Town's share of the regional housing need, and the Town's Housing Element for the 2023-2031 planning period contained in Appendix 1.

4.3 Housing Opportunity Sites.

Highlights housing opportunity sites and strategies contained in the Housing Element.

4.4 Goals, Policies, and Programs.

Identifies goals, policies, and programs to expand housing opportunities and further fair housing.

4.2 2023-2031 HOUSING ELEMENT

The Town addresses its housing challenges through a comprehensive set of goals, policies, and programs in the Housing Element. Because housing is of critical concern to California, the State government requires cities and towns to update their housing element regularly. The Housing Element is subject to detailed statutory requirements and mandatory review by the State Department of Housing and Community Development (HCD).

The Housing Element process begins with HCD allocating a region's share of the statewide housing need to the local Council of Governments based on State Department of Finance population projections and forecasts used in preparing regional transportation plans. The Council of Governments for Tiburon and the nine-county Bay Area region is the Association of Bay Area Governments (ABAG). ABAG, in collaboration with the Metropolitan Transportation Commission, develops a Regional Housing Needs Allocation Plan that assigns the regional housing need to the individual cities, towns and counties within the Bay Area. Tiburon's share of the regional housing need for the 2023-2031 planning period is 639 units, which represents 4.4 percent of the 14,405 units allocated to Marin County. The Town's Regional Housing Need Allocation (RHNA) is approximately eight times the previous 5th cycle allocation of 78 units. The significant increase was due to a higher regional need as well as ABAG's 6th cycle allocation methodology, which distributed more of the housing need to jurisdictions that are considered "transit rich" and, in an effort to avoid further segregation and concentration of poverty, "high resource" areas. In Tiburon's case, ABAG classifies the town as transit-rich because its ferry dock is serviced by public transit. Tiburon is classified as a highest resource area due to factors such as high performing schools, higher employment, a higher percentage of adults with a bachelor's degree, lower poverty rates, and less exposure to environmental and health hazards.

The regional share is further allocated according to four income levels: very low income, low income, moderate income, and above moderate income. Tiburon's regional housing need of 639 units is distributed among the four income categories as follows:

- 193 units affordable to very low-income households (up 50 percent of the area median income)
- 110 units affordable to low-income households (50 to 80 percent of the area median income)
- 93 units affordable to moderate-income households (80 to 120 percent of the area median)
- 243 units affordable to above moderate-income households over 120 percent of the area median income)

Affordable housing is generally defined as housing that costs no more than 30 percent of a household's gross income. Affordable housing may be market rate housing or income-restricted housing that is required under financing agreements, deed restrictions, and/or development agreements to provide units affordable to very low-, low-, or moderate-income households. Tiburon has 104 deed-restricted affordable

housing units, including the Hilarita Apartments, Cecilia Place, Bradley House, Tiburon Hill Estates, and Point Tiburon Marsh. The Town owns eight of the twenty affordable units at Point Tiburon Marsh, which provide housing for public employees.

Local governments are not required to build or finance housing, but they are required to ensure there are adequate vacant and underutilized sites, appropriately zoned, to meet the projected housing need. The process provides local control over where and what type of development should occur while creating opportunities for private for-profit and non-profit developers to meet market demand. The Town's Housing Element demonstrates that the Town can accommodate its projected housing need through a combination of underutilized sites and vacant land.

The Housing Element in its entirety is included as Appendix 1. The Housing Element includes an evaluation of the 5th cycle housing element programs and accomplishments; an overview of the housing element's public participation process; a detailed analysis of housing needs, including special populations' needs; a comprehensive description of housing sites and strategies, including accessory dwelling unit development and utilization of Senate Bill 9; a detailed analysis of governmental and non-governmental constraints to housing production; the newly required Affirmatively Furthering Fair Housing analysis; and goals, policies, and programs with clearly defined objectives and timelines for implementation.

4.3 HOUSING OPPORTUNITY SITES

Most of the sites within residential zones in the Town are built out or are not viable for high-density development due to environmental or topographic constraints and therefore offer very limited new housing opportunities. Where there are sites that can accommodate higher residential density, residents have expressed concerns about impacts that may result from the addition of a substantial number of new housing units, including impacts to the water supply, evacuation and emergency vehicle access, and traffic, as well as the threat of environmental hazards such as flooding, tsunami, sea level rise, and wildfire for new development in flood zones and the wildland-urban interface zone. Nonetheless, the Town recognizes that it must provide opportunities to meet its RHNA. To achieve this goal, the Town increased allowable residential densities on certain housing opportunity sites and identified mixed-use zones in the Downtown along Tiburon Boulevard, Beach Road, and Main Street where new housing can be mixed in with ground-floor commercial uses (see Table H-1). These sites were chosen for their proximity to transit and services, as well as their potential to help revitalize Downtown through careful planning and design standards. In addition to these mixed-use sites, multifamily development is identified for the vacant portion of the Reed School property and the 9.6-acre parcel at 4576 Paradise Drive. Table H-1 also includes a limited number of new single family, duplex, and accessory dwelling units as may be counted per HCD guidelines.

While the development capacities shown in Table H-1 reflect the

allowable density ranges, it is important to note that realistic capacities for RHNA purposes are calculated at the lowest end of the range. Also, development capacities do not include additional residential development that may be required under State density bonus law for developers that choose to include specified levels of affordable housing.

Table H-1

HOUSING SITES

ADDRESS	GP DESIGNATION / ZONING DISTRICT	PARCEL SIZE (ACRES)	DENSITY (DU/ACRES)	DEVELOPMENT CAPACITY
1525 Tiburon Blvd.	MU / MU	0.66	30 - 35	19 - 23
1535 Tiburon Blvd.	MU / MU	0.72	30 - 35	21 - 25
1601 Tiburon Blvd.	MU / MU	0.57	30 - 35	17 - 19
4 Beach Rd.	MU / MU	1.07	30 - 35	32-37
1550 Tiburon Blvd.	MU / MU	2.21	30 - 35	66-77
1620 Tiburon Blvd.	MU / MU	0.27	30 - 35	26-30
1640/50 Tiburon Blvd.	MU / MU	0.60	30 - 35	
6 Beach Rd.	MU / MU	0.41	30 - 35	39 - 46
12 Beach Rd.	MU / MU	1.00	30 - 35	
1199 Tiburon Blvd.	VH-25 / R-4	2.90	20 - 25	58 - 72
1100 Mar West St.	MU / MU	0.47	30 - 35	40 - 47
1110 Mar West St.	MU / MU	0.30	30 - 35	
1120 Mar West St.	MU / MU	0.59	30 - 35	
1555 Tiburon Blvd.	MU / MU	0.86	30 - 35	25 - 30
1599 Tiburon Blvd.	MU / MU	1.66	30 - 35	49 - 58
1600 Tiburon Blvd.	MU / MU	0.39	30 - 35	11 - 13
1610 Tiburon Blvd.	MU / MU	0.13	30 - 35	3 - 4
1660 Tiburon Blvd.	MU / MU	0.43	30 - 35	12 - 15
1680 Tiburon Blvd.	MU / MU	0.29	30 - 35	8 - 10
26 Main St./ 2 Juanita Ln.	MS / MS	0.43	20 - 25	8 - 10
4576 Paradise Dr	VH / R-3	9.58	10 - 12.4	93 - 118
Accessory Dwelling Units				72
Single and Two-Family Houses				106
TOTAL				705 - 812

HOUSING OPPORTUNITY SITE

1599 Tiburon Blvd. currently houses a CVS and parking

4.4 GOALS, POLICIES, AND PROGRAMS

The following goals, policies, and programs are excerpted from the entire Housing Element in Appendix 1. See the Housing Element in Appendix 1 for program responsibility, funding sources, quantified objectives, and implementation timeframe.

GOAL H-A

Establish a Town leadership role in providing a mix of housing types that matches the needs of people of all ages and income levels.

POLICY H-A1 LOCAL GOVERNMENT LEADERSHIP AND COMMITMENT OF RESOURCES.

Establish affordable housing as an important priority, with local government taking a proactive leadership role in working with community groups, property owners, affordable housing providers, developers, and other jurisdictions, agencies, and stakeholders in implementing the Housing Element. Marshal and commit the Town's political leadership, staff, funding sources, and available land resources toward the implementation of the Housing Element's goals, policies, and programs.

POLICY H-A2 REDEVELOPMENT AGENCY (TOWN OF TIBURON AS SUCCESSOR AGENCY).

Maximize the use of housing set-aside monies in support of affordable housing. Tiburon's solitary Redevelopment Project Area includes a portion of the Downtown area where several of the sites listed in the Housing Element are located. The Town will seek projects where it can expend its Housing Set Aside funds in conjunction with the Marin Housing Authority. Those funds will be used toward affordable housing projects in the Tiburon Housing Element area and preferably within the Redevelopment Project Area boundary.

POLICY H-A3 AFFORDABLE HOUSING IN-LIEU FEE FUND AND OTHER FUNDING SOURCES.

The Town will seek ways to reduce housing costs for lower-income workers and people with special needs by using ongoing local funding resources (Housing In-Lieu Fund) and continuing to utilize other local, state, and federal assistance to the fullest extent. The Town will continue to collect and expend affordable housing in-lieu fees for meritorious affordable housing projects.

POLICY H-A4 COLLABORATE WITH HOUSING PROVIDERS.

Work with private non-profit housing groups to identify opportunities for, and provide and maintain, affordable housing in Tiburon.

POLICY H-A5 COLLABORATE WITH OTHER MARIN COUNTY PLANNERS.

The Town will coordinate housing strategies with other jurisdictions in Marin County as appropriate to meet the Town's housing need. Small municipalities rarely have the staff expertise to maximize assistance to affordable housing developers, especially in the early stages of project formulation and financing. Therefore, the Town supports collaboration of local planners within Marin County to implement Housing Element programs for each jurisdiction.

POLICY H-A6 EQUAL HOUSING OPPORTUNITY.

Ensure equal housing opportunities for individuals and families seeking housing in Tiburon. Ensure that housing seekers are not discriminated against, consistent with the Fair Housing Act.

POLICY H-A7 AFFIRMATIVELY FURTHER FAIR HOUSING.

Take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics, which are: race, color, national origin, religion, sex (including identity and sexual orientation), familial status, and disability.

Program H-a Improve Community Awareness of Housing Needs, Issues, and Programs.

The Town will provide information and promote programs and resources for affordable housing, homebuyer assistance, rental assistance, housing rehabilitation, energy efficiency and decarbonization of homes, fair housing, reasonable accommodation requests, and sources of income laws through the following means:

1. Maintain a page on the Town's website that describes housing programs (such as Residential Rehabilitation Loans, Housing Choice Vouchers, Home Match, and the Affordable Housing and Home Buyer Readiness Program), affordable housing sources (such as the Below Market Rate Home Ownership Program), senior and disabled housing sources and services, fair housing laws, and landlord and tenant resources and provide direct links to County agencies and other resources that administer programs and/or provide more detailed information.
2. Include information on housing programs, affordable housing sources, senior and disabled housing sources and services, fair housing laws, and landlord and tenant resources in Town newsletters and other general communications that are sent to residents.
3. Maintain information and handouts at the Town's public counter, including brochures published by Fair Housing Advocates of Northern California.
4. Train selected Town staff to provide referrals.
5. Distribute information on programs at public locations (library, schools).
6. Collaborate with other agencies and local jurisdictions (County of Marin, Marin Housing Authority, Chamber of Commerce, EAH) to prepare presentations and distribute informational materials to improve awareness of housing needs, issues, fair housing, and available housing programs.
7. Distribute materials and brochures to neighborhood groups, homeowner associations, property owners and managers, real estate agents, ADU owners, religious institutions, businesses, and other interested groups (Rotary, Chamber of Commerce, etc.).
8. Adopt a Fair Housing Month proclamation each year.

Program H-b Community Outreach when Implementing Housing Element Programs.

Coordinate with local businesses, housing advocacy groups, neighborhood groups, and the Chamber of Commerce in building public understanding and support for workforce and special needs housing and other issues related to housing, including the community benefits of affordable housing, mixed-use, and pedestrian-oriented development. The Town will notify a broad representation

of the community when housing programs are discussed by the Planning Commission or Town Council. Specific outreach activities include:

1. Maintain the Housing Element mailing list and send public hearing notices to all interested community members, non-profit agencies, and affected property owners.
2. Post notices at Town Hall, the library, and the post office.
3. Publish notices in the local newspaper.
4. Post information on the Town's website.
5. Conduct outreach (workshops, neighborhood meetings) to the community as Housing Element programs are implemented. Invite local businesses, housing advocacy groups, neighborhood groups, and the Chamber of Commerce to make presentations and participate in workshops and neighborhood meetings.
6. Utilize local businesses, housing advocacy groups, neighborhood groups, and the Chamber of Commerce when conducting focus groups, surveys, and distributing information to their clients and members.

Program H-c Inclusive Outreach.

Conduct targeted outreach to underrepresented community members, including the disabled, seniors, low-income households, people of color, and people who do not speak English as a first language. Provide housing-related materials in Spanish and provide language translation on the Town's website. Provide surveys in Spanish and Spanish translation for workshops and conduct focus groups with underrepresented community members. Utilize the Town's affordable housing providers, Chamber of Commerce, and community groups representing protected class members to assist in outreach efforts.

Program H-d Promote Countywide Collaboration on Housing.

Participate in a Housing Working Group that consists of staff at all Marin cities and towns and the County of Marin to participate in countywide housing projects, share best practices, and discuss housing issues.

Program H-e Provide Home Match Services.

Work with home match service providers such as Home Match Marin to help match over-housed seniors with potential lower-income tenants or other seniors to save on housing costs. Promote these programs through outreach methods and venues described in Program H-b.

Program H-f Foster Meaningful Assistance from Other Agencies.

Town staff will meet and work with other public agencies and special districts (water, fire, schools, sanitary districts, etc.) to promote affordable housing through the provision of fee waivers, fee reductions, development of property, or other assistance for affordable housing projects.

Program H-g Conduct Outreach for Developmentally Disabled Housing and Services.

Work with the Golden Gate Regional Center to implement an outreach program that informs families within Tiburon on housing and services available for persons with developmental disabilities. Provide information on services on the Town's website and distribute brochures supplied by the service providers. The Town will take the following specific actions in 2023:

1. Contact the Golden Gate Regional Center (GGRC) and establish a working relationship with a specific contact person. Inquire about other service providers that should be included in the Town's outreach.
2. Request written information from the GGRC and other service providers

on housing and services available for persons with developmental disabilities for posting on the Town's website and inclusion in the Town's newsletter.

3. Request brochures from the GGRC and other service providers on housing and services at Town Hall.
4. Discuss other actions with the GGRC the Town could take to promote housing and services available for the developmentally disabled and create an outreach program with specific steps for implementation.

Program H-h Review the Housing Element Annually.

As required by State law, the Town will review the status of Housing Element programs and submit a progress report to the State Department of Housing and Community Development and the Governor's Office of Planning and Research by April 1st.

Program H-i Update the Housing Element.

Update the Tiburon Housing Element consistent with State law requirements.

Program H-j Coordinate with Water and Sewer Providers.

As required by State law, the Town will provide a copy of the adopted housing element update to water and sewer providers, including the Marin Municipal Water District, Sanitary District Number 5 of Marin County, Richardson Bay Sanitary District, and Sanitary District Number 2 of Marin County. The Town will also provide a summary and quantification of Tiburon's regional housing need allocation.

Program H-k Apply for State and Local Funds for Affordable Housing.

Apply for state and local affordable housing funds including, but not limited to, the programs listed in Section 4.8. Commit these funds to one or more projects located on designated housing sites as shown in the Housing Sites Inventory Table 11, to projects targeted for persons with disabilities, including persons with developmental disabilities, and to projects targeted to extremely low-income households.

Program H-l Redevelopment Funding (Town of Tiburon as Successor Agency).

In conjunction with the Marin Housing Authority, use remaining housing set-aside funds to meet existing affordable housing obligations and, once those are met, expend the funds solely for the provision of affordable housing in Tiburon consistent with the Tiburon General Plan.

Program H-m Work with Non-Profits on Housing.

The Town will work with non-profits to assist in achieving the Town's housing goals and implementing programs. Coordination should occur on an ongoing basis, and as special opportunities arise related to specific housing sites and as the Housing Element is implemented. The Town will reach out to developers of supportive housing to encourage development of projects targeted for persons with disabilities, including developmental disabilities. The Town will also reach out to developers of affordable housing for extremely low-income households. The Town will take the following specific actions to facilitate the development and preservation of affordable housing, including housing for extremely low-income households and persons with disabilities:

1. Develop a list of affordable and supportive housing developers, identify primary contacts, and establish working relationships.
2. Maintain a list of housing opportunity sites and discuss potential housing development on these sites as well as other housing sites and opportunities.

3. Discuss development standards and permit processing procedures relevant to potential housing sites.
4. Discuss incentives the Town can offer, including priority processing, density bonuses and concessions, fee waivers or deferrals, and modification of development standards.
5. Identify available funding sources, including the Town's Low and Moderate Income Housing Fund, as well as other sources the Town could apply for.
6. Discuss potential community outreach activities to gain community acceptance of affordable housing development.
7. Monitor the potential expiration of HUD-subsidized funding of Bradley House at the end of 2030 and assist in maintaining the affordability of the development by contacting affordable housing developers and assisting in identifying and applying for federal, state, and local financing and subsidy programs.

Program H-n Work with the Marin Housing Authority.

Continue to implement the agreement with the Marin Housing Authority (MHA) for management of the affordable housing stock to ensure permanent affordability. Implement resale and rental regulations for very low-, low-, and moderate-income units, and assure that these units remain at an affordable price level.

Program H-o Staff Training.

Work with Fair Housing Advocates of Northern California to conduct training sessions for Town employees regarding the receipt, documentation, and proper referral of housing discrimination complaints and other fair housing issues.

Program H-p Housing Discrimination Complaints.

Refer discrimination complaints to the appropriate legal service, county, or state agency or Fair Housing Advocates of Northern California (FHANC). The Community Development Director is the designated person in Tiburon with responsibility to investigate and deal appropriately with complaints. Discrimination complaints will be referred to Fair Housing Advocates of Northern Marin, the Marin Housing Authority, Legal Aid, HUD, or the California Department of Fair Employment and Housing, as appropriate. Information regarding the housing discrimination complaint referral process will be posted on the Town's website. Encourage FHANC to conduct fair housing testing in Tiburon.

Program H-q Reasonable Accommodation.

1. Amend the Zoning Code to allow ministerial, staff-level review and approval of minor exterior alterations, such as construction of elevators and ramps, and to provide objective standards to make findings regarding "potential impacts on surrounding uses" and "physical attributes of the property and structures" (subsection A.5 and A.6 of TMC Section 16-90-060).
2. Post information on the Town's website regarding reasonable accommodation procedures and instructions for submitting accommodation requests.

GOAL H-B

Provide housing for special needs populations that is coordinated with support services.

POLICY H-B1 PROVISION OF AFFORDABLE HOUSING FOR SPECIAL NEEDS HOUSEHOLDS.

Provide opportunities through affordable housing programs for a variety of housing types and affordability levels to be constructed or acquired for special needs groups, including assisted housing and licensed board and care facilities.

POLICY H-B2 HEALTH AND HUMAN SERVICES PROGRAMS LINKAGES.

Support housing that incorporates facilities and services to meet the health care, transit or social service needs of extremely low-income households and persons, and persons living with disabilities. As appropriate to its role, the Town will assist service providers to link together services serving special needs populations to provide the most effective response to homelessness or persons at risk of homelessness, youth needs, seniors, persons with mental or physical disabilities, substance abuse problems, HIV/AIDS, physical and developmental disabilities, multiple diagnoses, veterans, victims of domestic violence, and other economically challenged or underemployed workers.

[1] The Department of Housing and Urban Development (HUD) allocates HUD homeless assistance grants to organizations that participate in local homeless assistance program planning networks. Each of these networks is called a Continuum of Care. HUD introduced the concept to encourage and support local organizations in coordinating their efforts to address housing and homeless issues. The Marin County Continuum of Care is operated through the County's Health and Human Services Agency.

[2] Standards for Emergency Shelters consistent with SB2 are contained in Municipal Code Section 16-40.060 - Emergency Shelters.

POLICY H-B3 DENSITY BONUSES FOR SPECIAL NEEDS HOUSING.

The Town will use density bonuses to assist in meeting special housing needs, housing for lower-income elderly and disabled.

POLICY H-B4 COUNTYWIDE EFFORTS TO ADDRESS HOUSING FOR THE HOMELESS.

In recognition that there is a lack of resources to set up separate systems of care for different groups of people, including homeless-specific services for the homeless or people "at risk" of becoming homeless, local governments in Marin must coordinate efforts to develop a fully integrated approach for the broader low-income population. The Town will support countywide programs Marin County Continuum of Care[1] actions for the homeless including emergency shelter, transitional housing, supportive housing, and permanent housing.

POLICY H-B5 EMERGENCY SHELTER FACILITIES LOCATED IN TIBURON.

The Town of Tiburon recognizes the need for and desirability of emergency shelter housing for the homeless and will allow a year-round emergency shelter as a permitted use in commercial zones as established in the Zoning Ordinance.[2] In addition, the following would apply:

1. The Town will encourage positive relations between neighborhoods and providers of permanent or temporary emergency shelters. Providers or sponsors of emergency shelters, transitional housing programs and community care facilities shall be encouraged to establish outreach programs within their neighborhoods and, when necessary, work with the Town or a designated agency to resolve disputes.
2. It is recommended that a staff person from the provider agency be designated as a contact person with the community to review questions or comments from the neighborhood.

POLICY H-B6 ADAPTABLE/ACCESSIBLE UNITS FOR THE DISABLED.

The Town will ensure that new multi-family housing includes units that are accessible and adaptable for use by disabled persons in conformance with the California Building Code. This will include ways to promote housing design strategies to allow seniors to "age in place."

POLICY H-B7 TRANSITIONAL AND SUPPORTIVE HOUSING.

The Town of Tiburon recognizes the need for and desirability of transitional and supportive housing and will treat transitional and supportive housing as a residential use that will be subject only to the same restrictions that apply to other residential uses of the same type in the same zone.

POLICY H-B8 EMERGENCY HOUSING ASSISTANCE.

Participate and allocate funds, as appropriate, for County and non-profit programs providing disaster preparedness and emergency shelter and related counseling services.

Program H-r Provision of Affordable Housing for Special Needs Households.

Continue to facilitate programs and projects which meet federal, state, and local requirements to provide accessibility for seniors, persons with disabilities, including developmental disabilities, large families, and single-person and single parent households. Apply current inclusionary housing provisions that require 10% of new units to be designed for special needs households. Specific types of housing include:

1. Smaller, affordable residential units, especially for lower-income single-person and single parent households.
2. Affordable senior housing to meet the burgeoning needs of an aging population, including assisted housing and board and care (licensed facilities).
3. Affordable units with three or more bedrooms for large family households.
4. Affordable housing that is built for, or can easily and inexpensively be adapted for, use by people with disabilities (specific standards are established in California Title 24 Accessibility Regulations for new and rehabilitation projects, augmented by Americans with Disabilities Act guidelines) and people with developmental disabilities.

Program H-s Emergency Housing Assistance.

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.

Program H-t Provide Public Employee Housing Assistance.

Identify opportunities for local government and public agency

GOAL H-C

Protect and conserve the existing housing stock and mix of unit types.

POLICY H-C1 SUPPORT HOUSING CONSERVATION AND AFFORDABILITY.

Pursue funding for conservation and rehabilitation of existing housing to preserve neighborhood character and retain the supply of affordable housing units.

POLICY H-C2 CONDOMINIUM CONVERSIONS.

Except for limited equity cooperatives and other innovative housing proposals which are affordable to lower-income households, the Town will prohibit conversion of existing multi-family rental dwellings to market rate condominium units unless the Town's rental vacancy rate is above 4.5 percent.

POLICY H-C3 PROTECTION OF EXISTING AFFORDABLE HOUSING.

Ensure that affordable housing provided through governmental subsidy programs, incentives and deed restrictions remains affordable, and intervene when necessary to help preserve such housing.

POLICY H-C4 PRESERVE "OLD TIBURON" HOUSING.

Limit the loss of housing units in "Old Tiburon" through conversion of existing two-family or multi-family dwellings into single-family dwellings or buildings containing fewer units.[3]

POLICY H-C5 RENTAL ASSISTANCE PROGRAMS.

Continue to publicize and create opportunities for using available rental assistance programs for extremely low-, very low- and low-income households in coordination with the Marin Housing Authority (MHA).

POLICY H-C6 RECONSTRUCTION AT EXISTING DENSITIES.

Protect and preserve housing units by granting density bonuses that allow the re-establishment of housing developments containing affordable housing units (regardless of the current General Plan density limit for the site) at the pre-existing density, in the event that such developments are damaged or destroyed by fire, earthquake, or similar disaster.

POLICY H-C7 PRESERVE THE HOUSING STOCK.

In order to protect and conserve the housing stock, the Town will, to the extent permitted by law, prohibit the conversion of residential units to other uses and regulate the conversion of rental developments to non-residential uses unless there is a clear public benefit or equivalent housing can be provided.

POLICY H-C8 MAINTENANCE AND MANAGEMENT OF QUALITY HOUSING.

Support good management practices and the long-term maintenance and improvement of existing housing through housing and building code enforcement, rehabilitation programs for viable older housing, and long-term maintenance and improvement of neighborhoods.

[3] This modification is contained in the Zoning Ordinance, which requires a conditional use permit for conversion to fewer units.

POLICY H-C9 ENERGY AND RESOURCE CONSERVATION.

Promote development and construction standards that conserve resources and encourage housing types and designs that use cost-effective energy and resource conservation measures (water, electricity, etc.) and therefore cost less to operate over time, supporting long-term housing affordability for occupants.

POLICY H-C10 RESALE CONTROLS TO MAINTAIN AFFORDABILITY.

Continue to impose resale controls and rent and income restrictions to the maximum extent possible (at least 55 years) to ensure that affordable housing, provided through zoning and other government incentives and/or as a condition of development approval, remains affordable over time to the income group for which it is intended. The Town will implement long-term or in-perpetuity agreements and/or deed restrictions with owners and/or developers to govern the affordability of such units. This assurance will be provided through recorded agreements and by monitoring their continuing affordability, or other equally effective means.[4]

Program H-u Rehabilitation Loan Programs.

In cooperation with the Marin Housing Authority (MHA), improve citizen awareness of rehabilitation loan programs. Utilize the Town's website, newsletter, social media, and counter handout to publicize programs.

Program H-v Conduct Residential Building Report Inspections.

The Town will continue to inspect and report on all residential units prior to resale, with the intent to maintain and upgrade the safety of housing within the town consistent with adopted Building Codes. In addition to health and safety concerns, the residential building report discloses the authorized use, occupancy and zoning of the property and an itemization of deficiencies in the dwelling unit.

Program H-w Rental Assistance Programs.

Continue to publicize and participate in rental assistance programs such as Section 8 Housing Choice Vouchers in coordination with the Marin Housing Authority (MHA). Utilize the Town's website, newsletter, social media, and handouts to publicize programs. Provide multilingual links to the California Department of Fair Employment and Housing's Sources of Income Fact Sheet and FAQ and printed materials. Collaborate with at least two other organization, schools, or agencies to post handouts at their locations.

Program H-x Condominium Conversions.

Preserve rental housing by enforcement through the Town's condominium conversion ordinance and Housing Element policy.[5]

Program H-y Coordination with Affordable Housing Providers.

Work with affordable housing providers and managers to ensure affordable units are well-maintained. Conduct outreach to affordable housing tenants on code enforcement issues and procedures for filing complaints. Facilitate communication between tenants and affordable housing providers and managers and work to resolve issues of concern.

[4] The Marin Housing Authority is the agency designated to administer inclusionary housing programs on behalf of the Town, although the Town has flexibility to designate another agency or entity.

[5] See 16-52.050 - Condominium Use Permit

Program H-z Tenant Protection Strategies.

Work with the County of Marin and other Marin jurisdictions to develop strategies that protect tenants from rapidly rising rents and displacement. These may include:

- Rent stabilization: Currently, the State imposes rent caps on some residential rental properties (AB 1482) through 2030. Consider adopting a permanent policy and/or expansion to units not covered by AB 1482, as permitted by law.
- Just cause for eviction: AB 1482 also establishes a specific set of reasons that a tenancy can be terminated. These include: 1) default in rent payment; 2) breach of lease term; 3) nuisance activity or waste; 4) criminal activity; 5) subletting without permission; 6) refusal to provide access; 7) failure to vacate; 8) refusal to sign lease; and 9) unlawful purpose. Consider expanding on these protections or extending if State protections expire.
- Local relocation assistance: Consider developing a countywide relocation assistance program that provides greater relocation assistance to special needs groups (e.g., seniors, disabled, female-headed households) and reasonable accommodation for persons with disabilities.
- Right to Purchase: When tenants are being evicted due to condominium conversion or redevelopment, offer first right to purchase to displaced tenants to purchase the units.
- Right to Return: When tenants are being evicted due to rehabilitation/renovation of the property, offer first right to displaced tenants to return to the improved property.
- Tenant Bill of Rights: Adopt a tenant's bill of rights that considers extending protections for subletters and family members and addresses severe habitability issues and market pressures. This provision could also provide anti-retaliation protection for tenants that assert their rights and a right to legal representation in the case of evictions.

The Town will take the following actions:

1. Participate in countywide meetings with planning staff from all Marin jurisdictions to review best practices and develop model ordinances for the tenant protection strategies identified above in 2024. Work with Fair Housing of Northern California and Legal Aid of Marin to develop strategies and prepare model ordinances.
2. Conduct study sessions with the Planning Commission and Town Council to understand needs and best practices for the tenant protection strategies identified above in 2025. Invite Fair Housing of Northern California and Legal Aid of Marin to present at and participate in the study sessions.
3. Prepare ordinances at Town Council direction and bring forward for Planning Commission recommendation and Town Council adoption in 2025.

Program H-aa Link Code Enforcement with Public Information Programs on Town Standards and Rehabilitation and Energy Loan Programs.

Implement housing, building, and fire code enforcement to ensure compliance with basic health and safety building standards and provide information about rehabilitation loan programs for use by qualifying property owners who are cited. Specific actions include:

1. Coordinate with the Marin Housing Authority and utility providers to publicize available loan programs to eligible owner and renter-occupied housing.
2. Provide public information on alternative energy technologies for residential developers, contractors, and property owners.
3. Publicize tenant assistance and energy conservation programs that are available to provide subsidized or at-cost inspection and corrective action.

4. Provide an informational guide to homeowners explaining the benefits, "best practices" and procedures for adding or legalizing a secondary dwelling unit.

Program H-bb Provide Information on Energy Efficiency and Renewable Energy Programs.

Provide information on available energy efficiency, renewable energy, and decarbonization rebates, incentives, loans, and program, highlighting any programs that serve and/or provide deeper discounts for low-income households. Specific actions include:

1. Coordinate with the County of Marin, the Marin Climate & Energy Partnership, BayRen, and utility providers to identify, fund, design, and publicize programs.
2. Utilize the Town's website, newsletter, social media, and counter handouts to provide information on alternative energy technologies for residential developers, contractors, and property owners.

GOAL H-D

Facilitate the development of new infill housing in Downtown Tiburon and on identified underutilized sites throughout the Town that are close to services and transit. Continue to encourage accessory dwelling units to provide additional housing opportunities throughout established neighborhoods.

POLICY H-D1 VARIETY OF HOUSING CHOICES.

In response to the broad range of housing needs in Tiburon, the Town will strive to achieve a mix of housing types, densities, affordability levels and designs. This will include an adequate supply and variety of housing opportunities to meet the needs of Tiburon's workforce and their families, striving to match housing types and affordability with household income. The Town will work with developers of non-traditional and innovative housing approaches in financing, design, construction, and types of housing that meet local housing needs. Housing opportunities for families with children should not be limited because necessary facilities are not provided on site.

POLICY H-D2 NEW AFFORDABLE HOUSING.

Facilitate the design, approval, and construction of affordable housing projects using a variety of mechanisms, including mixed-use development incentives, inclusionary zoning, density bonus programs, affordable housing overlay zones, and creation of accessory dwelling units.

POLICY H-D3 KEY HOUSING OPPORTUNITY SITES.

Given the diminishing availability of developable land, the Town will identify housing opportunity areas and sites where a special effort will be made to provide workforce and special needs affordable housing. The Town will take specific actions to promote the development of affordable housing units on these sites (identified in the Implementing Programs).

POLICY H-D4 MIXED-USE INFILL HOUSING.

The Town will encourage well-designed mixed-use developments (residential mixed with other uses) where residential use is appropriate to the setting. The Town will develop incentives to encourage mixed-use development in appropriate locations, such as in and near to the downtown that are in proximity to transit and services and would support downtown businesses.

POLICY H-D5 REDEVELOPMENT OF COMMERCIAL SHOPPING AREAS AND SITES.

The Town will encourage the development of housing in conjunction with the redevelopment of commercial shopping areas and sites when it occurs.

POLICY H-D6 DENSITY BONUSES AND OTHER INCENTIVES FOR AFFORDABLE HOUSING DEVELOPMENTS.

The Town will use density bonuses and other incentives to help achieve housing goals, including provisions consistent with State Density Bonus Law.[6]

POLICY H-D7 RETENTION AND EXPANSION OF MULTIFAMILY SITES AT MEDIUM AND HIGHER DENSITY.

The Town will strive to protect and expand the supply and availability of multifamily and mixed-use infill housing sites for housing. The Town will not re-designate or rezone residential land for other uses or to lower densities without re-designating equivalent land for higher density multifamily development.

POLICY H-D8 ACCESSORY DWELLING UNITS.

Encourage the construction of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) as an important way to provide affordable rental housing opportunities, especially for senior households, single persons, single parents, and young households.

POLICY H-D9 INCLUSIONARY HOUSING REQUIREMENTS.

Implement the Town's inclusionary housing provisions to generate affordable housing units and in-lieu fees that can be effectively used to support affordable housing projects on less constrained housing opportunity sites.

Program H-cc Work with Non-Profits and Property Owners on Housing Opportunity Sites.

Encourage cooperative and joint ventures between owners, developers, and non-profit groups in the provision of below market rate housing. Work with non-profits and property owners to seek opportunities for affordable housing development on key housing opportunity sites that are close to services, transit, and jobs. Undertake the following actions to encourage development of multi-family, affordable housing, including housing for extremely low-income households:

1. Meet with non-profit housing developers and property owners of Sites 1-9 to identify housing development opportunities, issues, and needs during 2023.
2. Select the most viable sites during 2023 and 2024.

[6] *State density bonus law, Government Code Section 65915, was first enacted in 1979. The law requires local governments to provide density bonuses and other incentives to developers of affordable housing who commit to providing a certain percentage of dwelling units to persons whose incomes do not exceed specific thresholds. Cities also must provide bonuses to certain developers of senior housing developments, and in response to certain donations of land and the inclusion of childcare centers in some developments. Essentially, state density bonus law establishes that a residential project of five or more units that provides affordable or senior housing at specific affordability levels may be eligible for a "density bonus" to allow more dwelling units than otherwise allowed on the site by the applicable General Plan Land Use Map and Zoning. The density bonus may be approved only in conjunction with a development permit (i.e., tentative map, parcel map, use permit or design review). Under State law, a jurisdiction must provide a density bonus, and concessions and incentives granted at the applicant's request based on specific criteria.*

3. Undertake community outreach in coordination with potential developers and property owners during 2023 and 2024.
4. Complete site planning studies, continued community outreach, and regulatory approvals in coordination with the development application.
5. Facilitate development through regulatory incentives, reducing or waiving fees, fast track processing, lot consolidation (i.e., assistance with the application, and fee reduction or waiver), and assistance in development review.
6. Require affordable units to be affirmatively marketed to communities of color and protected classes. Utilize publications, venues, and community groups that serve Black and Latinx communities, especially outside of Marin County.
7. Provide funding from the Town's Low and Moderate Income Housing fund for affordable housing developments..
8. Regarding Site 5, work closely with the City of Belvedere to streamline, facilitate, and expedite planning and building permit applications, review, and approval. Work with the City of Belvedere to appoint a joint project manager, and conduct joint design review board, planning commission and city/town council meetings when reviewing and approving development plans.

Program H-dd Implement Affordable Housing Overlay Zone and Inclusionary Housing Ordinance.

Annually monitor and evaluate the effectiveness of the Affordable Housing Overlay Zone and Inclusionary Housing Ordinance as part of the annual Housing Element review (see Program H-i). As part of the annual review The Town will determine if the number and/or percentage of affordable units required by income category need to be adjusted in order to achieve the Town's affordable housing goals without unduly impacting overall housing production and supply. The Town will amend the zoning ordinance as necessary.

1. Amend the Inclusionary Housing Ordinance to identify the interior amenities subject to the ordinance and provide objective standards that allow lower-cost substitutions that do not compromise performance or functionality.
2. Amend the Inclusionary Housing Ordinance to include an option to satisfy the inclusionary requirement through provision of units affordable to extremely low-income households.

Program H-ee Bonuses for Affordable Housing Projects Consistent with State Density Bonus Law.

Offer density bonuses consistent with the State Density Bonus Law.

Program H-ff Design of Multifamily Housing.

Conduct design review to assure excellence of design in new multifamily housing development and utilize objective design and development standards for applicable projects.

Program H-gg Facilitate and Promote Accessory Dwelling Unit Development.

Encourage and facilitate ADU and JADU development to provide additional housing opportunities throughout established neighborhoods.

Take the following actions:

1. Provide information on Tiburon's ADU standards for posting on the ADUMarin website.
2. Provide ADU and JADU application checklists on the Town's website.
3. Develop a handout on ADU standards and the application process and distribute at Town Hall.

4. Provide links to the California Department of Fair Employment and Housing's Sources of Income Fact Sheet and FAQ in Town communications and printed handouts at the building counter. Provide handouts to ADU permit applicants.
5. Promote the ADUMarin website in the Town's newsletter and ADU handout, on social media, and on the Town's website.
6. Establish an ADU specialist in the Community Development Department.
7. Reduce the ADU application fee.
8. Amend the ADU Ordinance to comply with state law.

Program H-hh Track and Evaluate Accessory Dwelling Unit Production.

Continue to track ADU and JADU permits, construction, and affordability levels. Review ADU and JADU development at the mid-point of the planning cycle to determine if production estimates are being achieved as identified in the housing site inventory. Depending on the findings of the review, revise the housing sites inventory to ensure adequate sites are available to accommodate the remaining lower-income housing need.

Program H-ii Rezone Housing Opportunity Sites.

Establish new Mixed Use, Main Street, and R-4 zoning districts and objective design and development standards for those districts that facilitate development at the realistic unit capacities and densities established in Housing Element Table 11 for each site. Rezone Sites 1-7, 9, and A-F to Mixed Use, Site 8 to R-4, and Site G to Main Street. As reflected in Housing Element Table 11, Sites 1-9 are identified to accommodate a portion of the lower-income RHNA. These will be rezoned to:

1. require the minimum density identified in Table 11;
2. permit owner-occupied and rental multifamily uses by right pursuant to Government Code section 65583.2(i) for developments in which 20 percent or more of the units are affordable to lower-income households;
3. allow 100 percent residential use;
4. require residential use occupy at least 50 percent of the total floor area of a mixed-use project.

Program H-jj Identify Additional Housing Opportunity Sites.

In an effort to improve housing mobility and provide housing opportunities distributed throughout Tiburon, the Town will identify and rezone, as necessary, additional housing opportunity sites for lower-income households outside the Downtown. Potential sites include, but are not limited to, the Cove Shopping Center and the Tiburon Baptist Church site, if the property owners indicate interest in redeveloping or adding housing to their sites. In compliance with the No Net Loss Law and Government Code 65863, the Town will identify new housing opportunity sites as development occurs in order to ensure the remaining sites are sufficient to accommodate the remaining RHNA at all income levels.

Program H-kk Reed School Site.

The Reed Union School District is currently undergoing a Master Facilities Plan which is considering developing a portion of the Reed School site with housing (Site 9 in Housing Element Table 11). The Town will monitor the progress of the Master Facilities Plan and take the following actions:

1. Meet with school district staff at least quarterly beginning in 2023 to discuss progress of the Facilities Master Plan.
2. Participate in School District community meetings during the Facilities Master Plan process to encourage affordable housing on the site.

3. Facilitate meetings with the School District and affordable housing developers during 2023 and 2024 to explore development concepts and feasibility.
4. If the School District makes a formal determination not to pursue housing on the site, the Town will identify and rezone sites, as necessary, to make up for any shortfall in the remaining RHNA for each income category within one year of the School District's determination, or by May 31, 2026, whichever is later.
5. If the School District does not take any action to develop housing on the site by January 31, 2025, the Town will identify and rezone site(s), as necessary, to make up for any shortfall in the remaining RHNA for each income category by May 31, 2026.

Program H-ll Rezone 4576 Paradise Drive.

Rezone 4576 Paradise Drive to R-3-10 and require a minimum density of 10 units per acre.

Program H-mm Supportive Housing.

Revise the Zoning Code to make supportive housing a permitted use in all commercial zones that allow multifamily and mixed-use housing, including the Mixed Use, Neighborhood Commercial, Main Street, and Village Commercial districts, pursuant to Government Code 65651.

Program H-nn Parking for Emergency Shelters.

Revise the Zoning Code to specify parking requirements for emergency shelters that comply with Government Code section 65583, subdivision (a)(4)(A).

Program H-oo Facilitate and Promote SB 9 Development.

Encourage and facilitate SB 9 development on qualifying single family lots to provide additional housing opportunities. Take the following actions:

1. Provide information on Tiburon's SB 9 standards.
2. Provide SB 9 application checklists on the Town's website.
3. Develop a handout on SB 9 standards and the application process and distribute at Town Hall and to all property owners of vacant single-family lots.
4. Promote SB 9 potential in the Town's newsletter and SB 9 handout, on social media, and on the Town's website.
5. Establish an SB 9 specialist in the Community Development Department.
6. Adopt an ordinance by July 1, 2023, to increase the maximum unit size from 800 square feet to 1,000 square feet.

HOUSING OPPORTUNITY SITE

1199 Tiburon Blvd. which looks at the empty land at the north end of Reed Elementary School